UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 99th CONGRESS

FIRST SESSION

VOLUME 131—PART 8

MAY 1, 1985 TO MAY 8, 1985

(PAGES 9981 TO 11236)

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UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1985

51-059 O-86-1 (Pt. 8)

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PROCEEDINGS AND DEBATES OF THE 99th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Wednesday, May 1, 1985*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. WRIGHT].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 30, 1985.

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore on Wednesday, May 1, 1985.

THOMAS P. O'NEILL, JR.,
Speaker of the House of Representatives.

PRAYER

Rabbi Sidney Harcsztark, executive director, Yeshiva Rambam, Brooklyn, NY, offered the following prayer:

O Heavenly Father, Thou who hast endowed men with the noble ambition and blessed ability to lead their fellow men in the paths of righteousness of state, and hast inspired them to serve the people of these United States of America with honor.

Invest those legislators gathered here in august assembly with dedicated souls so that they may illustrate the finest and the most worthy traditions of this great democracy to the end that they will be praised for their actions and deeds by the American people and mankind the world over.

Bless these servants with powerful hands so that with the practical sagacity which is their hallmark they may unite and solidify a globe jigsawed with boundaries. Bless their quest to grant real meaning to the dignity of men, as all men are born in the image of God.

Grant them courage and wisdom so that through their guidance and leadership they may bring healing for the multitude of lives emptied of meaning, solace for the multitude of souls scarred with the weary search for peace and rest, comfort for the multitude of hearts stabbed with the frustrations of our everyday existence. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. SAXTON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Chair's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SAXTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 227, nays 178, answered "present" 3, not voting 25, as follows:

[Roll No. 87]

YEAS—227

Ackerman	Breaux	Dorgan (ND)
Addabbo	Brooks	Dowdy
Akaka	Broomfield	Downey
Alexander	Brown (CA)	Durbin
Anderson	Bruce	Dwyer
Andrews	Bryant	Dyson
Annunzio	Burton (CA)	Early
Anthony	Bustamante	Eckart (OH)
Aspin	Carper	Edgar
Atkins	Carr	Edwards (CA)
Barnard	Chappell	English
Barnes	Clay	Erdreich
Bates	Coelho	Evans (IL)
Bellenson	Coleman (TX)	Fascell
Bennett	Collins	Fazio
Berman	Conyers	Feighan
Bevill	Cooper	Flippo
Biaggi	Coyne	Florio
Boggs	Daniel	Foglietta
Boland	Darden	Foley
Boner (TN)	Daschle	Ford (TN)
Bonior (MI)	de la Garza	Fowler
Bonker	Dellums	Frank
Borski	Derrick	Frost
Bosco	Dicks	Fuqua
Boucher	Dixon	Garcia
Boxer	Donnelly	Gaydos
Gejdenson	Martinez	Sharp
Gephardt	Matsui	Shelby
Gibbons	Mavroules	Sisisky
Glickman	Mazzoli	Skelton
Gonzalez	McCurdy	Slattery
Gordon	Mica	Smith (FL)
Gray (IL)	Mikulski	Smith (IA)
Gray (PA)	Miller (CA)	Solarz
Guarini	Mineta	Spratt
Hall (OH)	Moakley	St Germain
Hamilton	Mollohan	Staggers
Hatcher	Montgomery	Stallings
Hawkins	Moody	Stark
Hayes	Morrison (CT)	Stenholm
Hefner	Mrazek	Stokes
Hertel	Murphy	Stratton
Howard	Murtha	Studds
Hoyer	Natcher	Swift
Hubbard	Neal	Synar
Hughes	Nelson	Tallon
Hutto	Nichols	Tauzin
Jenkins	Nowak	Thomas (GA)
Johnson	Oakar	Torres
Jones (TN)	Oberstar	Torricelli
Kanjorski	Obey	Towns
Kaptur	Olin	Traficant
Kastenmeier	Ortiz	Traxler
Kemp	Owens	Udall
Kennelly	Panetta	Valentine
Kildee	Pease	Vento
Kleczka	Pepper	Visclosky
Kolter	Perkins	Volkmer
Kostmayer	Pickle	Walgren
LaFalce	Price	Watkins
Lantos	Rangel	Waxman
Leath (TX)	Ray	Weiss
Lehman (CA)	Reid	Wheat
Lehman (FL)	Richardson	Whitley
Leland	Robinson	Whitten
Levin (MI)	Roe	Wilson
Lipinski	Rose	Wirth
Lloyd	Rostenkowski	Wise
Long	Rowland (GA)	Wolpe
Lowry (WA)	Roybal	Wright
Luken	Russo	Wyden
Lundine	Sabo	Yates
MacKay	Savage	Yatron
Manton	Scheuer	Young (MO)
Markey	Schumer	

NAYS—178

Archer	Cheney	Dornan (CA)
Armey	Clinger	Dreier
Badham	Coats	Duncan
Bartlett	Cobey	Eckert (NY)
Barton	Coble	Edwards (OK)
Bateman	Coleman (MO)	Emerson
Bentley	Combest	Evans (IA)
Bereuter	Conte	Fawell
Bilirakis	Coughlin	Fiedler
Billey	Courter	Fields
Boehlert	Craig	Fish
Boulter	Crane	Franklin
Brown (CO)	Dannemeyer	Frenzel
Broyhill	Daub	Gallo
Callahan	Davis	Gekas
Campbell	DeLay	Gilman
Carney	DeWine	Gingrich
Chandler	Dickinson	Gradison
Chappie	DioGuardi	Green

Gregg	McDade	Schulze
Grotberg	McEwen	Sensenbrenner
Hammerschmidt	McGrath	Shaw
Hansen	McKernan	Shumway
Hartnett	McKinney	Shuster
Hendon	McMillan	Sikorski
Henry	Meyers	Siljander
Hiler	Michel	Skeen
Hillis	Miller (OH)	Slaughter
Holt	Miller (WA)	Smith (NE)
Hopkins	Molinari	Smith (NH)
Horton	Monson	Smith (NJ)
Hunter	Moore	Smith, Denny
Hyde	Moorhead	Smith, Robert
Ireland	Morrison (WA)	Snowe
Jacobs	Myers	Snyder
Jeffords	Nielson	Solomon
Kasich	O'Brien	Spence
Kindness	Oxley	Stangeland
Kolbe	Packard	Strang
Kramer	Parris	Stump
Lagomarsino	Pashayan	Sundquist
Latta	Penny	Sweeney
Leach (IA)	Petri	Swindall
Lent	Porter	Tauke
Lewis (CA)	Pursell	Taylor
Lewis (FL)	Quillen	Thomas (CA)
Lightfoot	Regula	Vander Jagt
Livingston	Ridge	Vucanovich
Loeffler	Rinaldo	Walker
Lott	Ritter	Weber
Lowery (CA)	Roemer	Whitehurst
Lujan	Rogers	Whittaker
Lungren	Roth	Wolf
Mack	Roukema	Wortley
Madigan	Rowland (CT)	Wylie
Martin (IL)	Rudd	Young (AK)
Martin (NY)	Saxton	Young (FL)
McCain	Schaefer	Zschau
McCandless	Schroeder	
McCollum	Schuette	

ANSWERED "PRESENT"—3

Burton (IN)	Dymally	Mitchell

NOT VOTING—25

Applegate	Hall, Ralph	Rahall
AuCoin	Hall, Sam	Roberts
Bedell	Heftel	Rodino
Byron	Huckaby	Schneider
Crockett	Jones (NC)	Seiberling
Dingell	Jones (OK)	Weaver
Ford (MI)	Levine (CA)	Williams
Goodling	Marlenee	
Gunderson	McHugh	

□ 1220

Mr. DREIER of California changed his vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Saunders, one of his secretaries.

RABBI SIDNEY HARCSZTARK

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, today we are honored to welcome to this body Rabbi Sidney Harcsztark of Brooklyn. This week marks the 40th anniversary both of the Rabbi Harcsztark's liberation from the Dachau concentration camp and the founding of Yeshiva Rambam, a leading Hebrew day school in Brooklyn, where Rabbi Harcsztark serves as chief executive officer and executive director; 1985 also marks the 850th anniversary of the great Jewish physician and philosopher Maimonides, after whom Yeshiva Rambam is named.

Rabbi Harcsztark is a descendant of one of the most prominent rabbinical families in prewar Poland. After his liberation from Dachau, he remained in Germany for a time to assist with the U.N. Relief and Rehabilitation Administration Team in Zeilshein before coming to the United States. Today, in addition to his duties at Yeshiva Rambam, Rabbi Harcsztark is a member of the Holocaust Commission of the Agudath Israel of America, and is a frequent contributor on the subject to a variety of Jewish periodicals.

In the 40 years since his liberation from the Nazi extermination camp, Rabbi Harcsztark has been able to help educate those not yet born about the horrors of the Holocaust. It is the teachings of people like Rabbi Harcsztark that will enable us to ensure no repetition of this darkest moment in human history. In light of the events of the past 10 days, it seems more important than ever that we remain vigilant in our task to make sure that no one is allowed to forget this tragic event. Rabbi Harcsztark's courage, his eloquence, and his determination are an inspiration to us all.

ORTEGA VISITS MOSCOW—LET'S VOTE AGAIN

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, it is said that a picture is worth a thousand words. What is a picture of Nicaraguan President Ortega smiling and shaking hands with Soviet leader Gorbachev worth?

I believe it is worth the imposition of the severe new economic sanctions against Nicaraguan announced by the President.

I believe it is worth a reconsideration of the unfortunate vote of last week when the House denied all aid to the Contras fighting for freedom against Ortega's Sandanistas.

I believe it is worth more of my colleagues realizing how deceptive the Nicaraguan Government is when it calls itself nonaligned. Ortega was in Moscow to secure new pledges of aid, which he got.

I voted for the Michel amendment providing $14 million in humanitarian aid because pressure must be continued on the Sandanistas to work for a diplomatic solution based on self-determination. Our vote last week gave Ortega new incentives to cozy up to the Soviets and for them to make further inroads in Nicaragua. The amendment was defeated by two votes. Many of my colleagues have seen the Ortega-Gorbachev picture. It may not be worth a thousand words—but it might be worth two votes which could produce passage. Let's vote again!

IT'S A DAMN SHAME

(Mr. SOLOMON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOLOMON. I thank the Speaker.

Mr. Speaker, in all the wars ever fought by the American people, all the battles, whether it be the Battle of Saratoga, the Battle of Belleau Wood, the Battle of Iwo Jima, the Battle of Pork Chop Hill, the Battle of the Mekong Delta, those battles were fought by the American people and by many of you in this room here today for the sole purpose of keeping America free and protecting the Constitution of the United States of America.

This is the first time that I have risen on this floor to talk about the Indiana Eighth District, but hundreds of thousands of Americans have died to keep America free and to protect that Constitution, and the most inalienable right under that Constitution is the right of the American people to exercise their right to vote.

That right to vote has been taken away from them because of the action by this Congress in refusing to seat the duly elected Representative of the Eighth District of Indiana, Rick McIntyre. It's a shame.

DISABILITY REGULATIONS

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, last year, in an attempt to end the chaos gripping our Social Security Disability Program, Congress enacted strong disability reform legislation. Yesterday, the administration published the required regulations for the new medical improvement standard, and announced their intention to resume the review process in July.

While announcing this new beginning, Acting Social Security Commissioner Martha McSteen said that "we really are going to make the Disability Program work this time. We are going to be fair * * *."

These are encouraging words and actions. I hope they will lead to successful results. The personal tragedies and public chaos of the past few years must never be repeated. The American public will not stand for it, and neither will the Congress.

Therefore, while we should welcome this encouraging news, we must also continue to watch the disability programs carefully. I express my appre-

ciation to Martha McSteen for this well-intentional announcement. Let us hope that the Disability Program will hereafter be administered fairly.

THE FAIR THING TO DO IS TO HAVE ANOTHER ELECTION

(Mr. LAGOMARSINO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, what we're talking about in the Indiana Eighth District is fairness.

Is it fair for some ballots to be counted and other, identical appearing ballots to be thrown out?

Is it fair not to count absentee ballots mailed in by voters who happen to be serving in the military?

Is it fair, for a panel made up of two Democrats and one Republican to vote on which ballots will be counted and which will be discarded?

Is it fair, in all these circumstances, when the vote is still within the margin of statistical error, not to have another election, as virtually all the responsible editorialists have suggested?

The only fair thing to do in this case is to count all the ballots under the same rules, or else have another election. That's what's fair, and that's all we ask.

□ 1230

REMOVE MARIANNE MELE HALL AS CHAIRPERSON OF COPYRIGHT ROYALTY TRIBUNAL

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute.)

Mr. EDWARDS of California. Mr. Speaker, you can imagine my horror at learning today that Marianne Mele Hall, the newly confirmed chairperson of the Copyright Royalty Tribunal, is also the coauthor of a book literally reeking the stench of racism.

In "Foundations of Sand," Ms. Hall writes along with her coauthors that American blacks "insist on preserving their jungle freedoms, their women, their avoidance of personal responsibility, and their abhorrence of the work ethic."

I feel compelled to remind Ms. Hall and her colleagues that the only jungles American blacks have ever known are the jungles of slavery, of separate but unequal education, of segregated job opportunities, of unfair housing. But, in the face of historical evidence, Ms. Hall and her colleagues seem to prefer to wander lost in a jungle of ignorance.

I might be content to let them remain there. But Ms. Hall currently serves as a $70,000 per year Presidential appointee in a job of great public responsibility in a powerful Federal agency. I firmly believe that someone with such vital connections to a book like "Foundations of Sand" cannot fulfill the responsibilities of public service which that high Federal position demands.

Today, I will ask the President to remove Ms. Hall from the important position she holds and I invite my colleagues to join with me.

REMEMBER RICK McINTYRE

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, yesterday in this body, we voted 229 to 200 not to vacate the Eighth Congressional seat in Indiana. We did this in spite of the fact that over 60 percent of the people in the Eighth Congressional District have decided that they would prefer a special election; in spite of the fact that every editorial board that has editorialized on this subject has said there should be a special election; and in spite of the fact that the majority of the American people think that there should be a special election.

Today we are going to have another opportunity to prevent a travesty of justice in this body.

I hope that the 233 Democrats who did not vote to vacate the seat yesterday would consider the fact that a special election is the only fair thing to do before they vote today to seat Frank McCloskey.

In 1836, in my great State of Texas, there was a small band of patriots at the Alamo. They were overwhelmed by a majority of Santa Ana's Mexican Army, and they lost that battle, but ultimately, Texas won the war, with the battle cry being "Remember the Alamo."

Today, the Republicans in this body might lose the battle to seat Rick McIntyre, but ultimately, we will win the war. In 1986, the people of America will rally to the Republican banner under the battle cry, "Remember Rick McIntyre."

MARIANNE HALL SHOULD RESIGN

(Mr. WOLPE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. WOLPE. Mr. Speaker, today I join with Mr. EDWARDS in calling for the immediate resignation of Marianne Mele Hall, the President's newly confirmed chairperson of the Copyright Royalty Tribunal.

By Ms. Hall's own acknowledgement, she was the editor of a book that espouses views that are so ugly and so racist that surely no American President would want to be associated with such views, even for a moment.

Mr. Speaker, when will this insensitivity, these expressions of insensitivity, end? A couple of weeks ago it was the disabled and the handicapped of this country that were the subject of remarks of a Department of Education official that were so insensitive and uncaring that she was forced to resign. Then, last night the President left for Germany to visit, among other places, the graves of Nazi storm troopers, without comprehending the hurt or the pain that that visit will cause to American war veterans and to American Jews. And now we have this latest outrage, directed against black Americans.

Mr. Speaker, if Ms. Hall does not resign on her own initiative, the President must ask for her resignation immediately, today.

McINTYRE SITUATION A NATIONAL DISGRACE

(Mr. SILJANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SILJANDER. Mr. Speaker, the McIntyre situation in the Eighth District of Indiana has been called many things. It has been called unfair, disastrous, abridging the Constitution, equivalent to Watergate in the legislature, manipulation, rape, theft, old time big city graveyard voting politics at its best, but I would say that a commission set at 2 to 1 against the minority, that creates rules that guarantee their victory, ignore State laws of Indiana when it benefits them, count more ballots than there are registered voters in an area, count some ballots when it suits them and ignore others when it helps them.

I would say this is more indicative of a national disgrace, more than anything else, Mr. Speaker.

ANOTHER "RED MENACE"

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FEIGHAN. Mr. Speaker, today is May Day, 1985. Even as I speak, Soviet tanks are rumbling (in ceremony) through Red Square. I stand in this well today to talk about a grotesque red menance which threatens us and our children. Not some red threat that exists in a foreign country, but the red menance lurking here on our shores. The Reagan administration ignores the danger, refuses to obey the law and permits this red peril to flourish, a sinister threat to our body politic poisoning us slowly. Mr. Speaker, I speak, of course, of red dyes.

The safety of our food supply is threatened by carcinogenic red dyes

which are found in candy, ice cream, dessert powders, baked goods, vitamins, and cosmetics. Although we generally depend upon both the Food and Drug Administration and the Department of Health and Human Services to ensure the safety of our food supplies, the Secretary of Health and Human Services, Margaret Heckler, has made that protection unreliable.

What kind of public servant would deny citizens the right to be heard about this important public issue? What kind of public servant would avoid enforcing the law by refusing to examine the facts? What kind of public servant would refuse to have even a phone conversation with several Members of Congress about an important public issue such as this? Margaret Heckler is exactly that kind of public servant.

I, therefore, urge my colleagues to join me in cosponsoring House Resolution 94, which calls upon this kind of public servant to do what she is obligated to do—remove the red menace from our food and cosmetic supply.

COURAGEOUS DEMOCRATS RESIST PRESSURE

(Mr. FIELDS asked and was given permission to address the House of 1 minute and to revise and extend his remarks.)

Mr. FIELDS. Mr. Speaker, yesterday the House leadership did everything within its power to prevent the men and women of Indiana's Eighth District from having a new chance to select their Congressman for themselves. Instead, the House leadership twisted arms and got a majority of its Democrat colleagues to give the House, instead of the people, the power to select the Congressman from the Eighth District of Indiana.

But, Mr. Speaker, several courageous Democrats, several of them from my State of Texas, resisted your heavy handed tactics and did what they knew was right, voting to allow Eighth District residents to choose their Congressman for themselves. I want to salute those courageous Democrats, and thank them for doing what was right—against great pressure from the leadership.

These statesmen put their constituents above party, above partisan pressure. Four of these Democrats are my colleagues from Texas. The vote of these Texas Democrats is just a further example of their independent conviction to do what is right.

These are colleagues who deserve our respect and admiration.

My sincere thank you to: Mr. APPLEGATE of Ohio; Mr. BARNARD of Georgia; Mr. DANIEL of Virginia; Mr. ENGLISH of Oklahoma; Mr. FRANK of Massachusetts; Mr. RALPH HALL of Texas; Mr. SAM HALL of Texas; Mr. HUTTO of Florida; Mr. LAFALCE of New York; Mr. LEATH of Texas; Mrs. LLOYD of Tennessee; Mr. MAZZOLI of Kentucky; Mr. MONTGOMERY of Mississippi; Mr. OLIN of Virginia; Mr. PENNY of Minnesota; Mr. RAY of Georgia; Mr. STALLINGS of Idaho; Mr. STENHOLM of Texas; and Mr. WISE of West Virginia.

A RESOLUTION TO BAN THE USE OF DANGEROUS DYES IN FOOD AND COSMETICS

(Ms. OAKAR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. OAKAR. Mr. Speaker, today I am proud to rise in support of House Resolution 94, introduced by my colleague and friend and fellow Clevelander, Congressman FEIGHAN, to ban the use of six dangerous dyes in food and cosmetics.

Mr. Speaker, the six dyes in question cause cancer. Two years ago, the Food and Drug Administration found that these dyes cause tumors and genetic defects in laboratory animals. Over 1 year ago the FDA recommended that these dyes be taken off the market. This recommendation was consistent with Federal law that prohibits the use of any cancer-causing additives in food, drugs, or cosmetics.

Nevertheless, the Secretary of Health and Human Services has seen fit to ignore the FDA recommendations and Federal law by refusing to ban the use of these dangerous red and orange dyes.

Certainly, Secretary Heckler's refusal to do her job and enforce the law is cause for serious concern by Members of this Congress. However, my colleagues also should be extremely concerned about the effects of continued consumption of these dyes by our children. Red dye Nos. 3, 8, 9, 19, and 37, and orange dye No. 17 are used regularly to color soft drinks, breakfast cereals, ice cream, cookies, and canned fruit—staples in the diets of most children. By the age of 12, the average child in this country will have consumed over 1 pound of these cancer-causing dyes. Every day that these additives remain on the market, the health risks to our children become greater.

Mr. Speaker, I commend my colleague, Congressman FEIGHAN, for his vigilance and his persistent efforts to remove these additives from our children's diets; and I urge Members on both sides of the aisle to support this important resolution to uphold the law and protect our Nation's health.

THERE IS STILL TIME TO CORRECT YESTERDAY'S MISTAKES

(Mr. MONSON asked and was given permission to address the House for 1 minute.)

Mr. MONSON. Mr. Speaker, there is apparently a lot of confusion still existing in the minds of the majority on several of the issues involved in the Eighth District of Indiana case.

I would like to attempt to set the record straight on at least one of those issues. Many of the speakers have referred to the fact that 4,800 people were disenfranchised in the recount process in Indiana, and have criticized the Republicans for not being willing to count those ballots.

I do not think that there has been any of us that have not been willing to count those ballots. In fact I, for one, have encouraged it. That is because what is misunderstood is the fact that when you go ahead and count those ballots, Rick McIntyre still wins by 34 votes.

The only way you can change that outcome is if you selectively count those 4,800 votes or find a way to count ballots that were not counted on election night. The majority has accomplished that by setting up new rules for counting, different from those in effect on election day. Inconsistent with those very rules however, the majority did not count all the votes, quitting when the Democrat finally went ahead. We need to keep this in mind; there is still time to correct the mistakes that were made yesterday. I encourage our Democrat colleagues to consider that and reconsider the call for a special election and allow those who tried to decide this election in the first place, the voters of the Eighth District of Indiana a chance to, in fairness, finally resolve this important constitutional, States rights, and election question.

□ 1240

PRESIDENT OBLIGATED TO DEMAND RESIGNATION OF MARIANNE M. HALL

(Mr. MINETA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MINETA. Mr. Speaker, a month ago, the Senate confirmed a Reagan nominee, Marianne M. Hall, to chair the Copyright Royalty Tribunal. At the time, Ms. Hall said she was a coauthor of the book "Foundations of Sand," a book that says American blacks are sociologically inferior.

The book contains various racist garbage. Ms. Hall now disowns her coauthorship, saying she was only a ghostwriter and editor. Her response to why she did not take her name off the work was, "If I wash a floor real well, I'll take credit."

Mr. Speaker, Ms. Hall didn't wash a floor real well. She took part in a vile, baseless, and racist piece of literature. Her defense shows the twisted ethics of one who has no sense of the larger moral picture. She cannot borrow

from the professional ethics she learned in law school. She had no obligation to ghostwrite this book. But the President is obligated to ask for and demand her resignation, and I hope others here will join me in asking him to do so.

Mr. Speaker, I submit the article from the Washington Post of May 1, 1985, for printing in the CONGRESSIONAL RECORD.

[From the Washington Post, May 1, 1985]

OFFICIAL WORKED ON BOOK THAT CRITICIZES BLACKS

COPYRIGHT CHIEF DISPUTES ASSOCIATION WITH "JUNGLE" THESIS

(By Keith B. Richburg)

Marianne Mele Hall, the Reagan administration's newly confirmed chairman of the Copyright Royalty Tribunal, said on a Senate questionnaire that she was "coauthor" of a 1982 book that says American blacks "insist on preserving their jungle freedoms, their women, their avoidance of personal responsibility and their abhorrence of the work ethic."

The book, "Foundations of Sand," says that "blacks have inherited a different set of aptitudes, values, mores, goals and life styles over a period of 10,000 years," It concludes that the race problem in this country arises "when you displace the jungle-freedom-types into the Scotland-type environment which is America . . . . "

One solution, according to the book, is to set up a "separate but superior" school system for blacks, using "male teachers, and it probably would be wise to have retired star athletes as principals." Blacks "resent" the current school system partly because "they find it humiliating that female teachers should instruct black males."

The Senate confirmed Hall on April 2 to the $70,000-a-year chairmanship of the Copyright Royalty Tribunal, a small but increasingly powerful federal regulatory agency that sets the rates cable-television operators must pay for the right to rebroadcast movies, TV shows, news and sports events to subscribers. It also divides among copyright owners the millions of dollars in royalty fees it collects.

Excerpts from the book first appeared in the April 29 edition of Broadcasting magazine. The book, which is in the Library of Congress, lists on its cover the names "Lawrence Hafstad, PhD, with Marianne Mele, JD, [and] John Morse, MA."

"I want to make it very clear," Hall said yesterday in a telephone interview, "I edited that work—period. Those are Dr. Hafstad's ideas."

Asked whether she agreed with views expressed in the book, Hall said, "Im not qualified to address concerns of a scientific nature like that. . . . I'd like to defer those types of questions to Dr. Hafstad.

"For me to become defensive now will turn this into a spat, and this whole experience doesn't deserve that kind of dignity," she said. "If somebody calls you a whore, and you protest, what can you say? Can I scream I'm not a whore?"

Asked why she listed herself as "coauthor" on the Senate questionnaire, Hall replied, "In the sense of a ghostwriter—no research, no writing, clearly editing. I didn't know how else to put it." Asked why she didn't leave her name off the work, she said, "If I wash a floor real well, I'll take credit."

Hall said she was also an editor for the 1981 work, "High Frontier: A New National Strategy," which first proposed the "Star Wars" plan, formally known as the Strategic Defense Initiative, that has become a center-piece of the administration's arms policy. "Most of the time I was editing 'High Frontiers' I couldn't understand what I was reading. It's something I do when I'm asked to do it—for a price."

In the acknowledgments in "Foundations of Sand," coauthor Morse states: "I would like to thank Dr. Hafstad for putting into print his brilliant ideas which reflect the thinking of so many of us and Marianne Mele for expressing them so effectively."

Morse, a retired Navy captain, works with High Frontier Inc., a group that grew out of that initial "Star Wars" study.

Yesterday, Morse said he urged Hafstad to leave out the chapter on minorities because "I knew what would happen. . . . We knew that would be explosive."

Hafstad said Hall was "the professional writer/editor." He added, "she made many other helpful suggestions."

"Foundations of Sand" describes itself as "A Hard Look at the Soft Sciences." In the chapter entitled "The Minority Problem," the book sets out to "think through the roots" of the issue.

The book assails sociologists, who "put blacks on welfare so they can continue their jungle freedoms of leisure time and subsidized procreation."

Warning of possible riots, the book says that "conditioned by 10,000 years of selective breeding for personal combat and the anti-work ethics of jungle freedoms, it seems unlikely that the explosion which black columnists have anticipated can be far off."

Hall, 34, is a New York native and a 1978 graduate of Rutgers law school.

In 1979 and 1980 she was an equal employment specialist for Riggs National Bank, helping the bank comply with federal and District equal employment laws.

She said yesterday she is the author of a Small Business Administration book on minority businesses.

A DEADLY ABUSE OF POWER

(Mrs. VUCANOVICH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. VUCANOVICH. Mr. Speaker, today I rise in solemn observance of the near death of a great institution. For just yesterday the House of Representatives lapsed into a coma.

The Democrat majority and its leadership inflicted grave wounds into the side of democracy when they failed to call for a special election in Indiana. And today they may deliver the "coup de grace" when they seat Mr. McCloskey.

Let us hope that we are not witnesses to a slow and painful death of our representative form of government.

If this patient, our own political process, is to recover from dreaded attacks on its very soul, it will take each and every Member in this Chamber to offer a conscience transfusion to bring new life into this body.

And I hope we find a cure for such a deadly abuse of power before our last drop of political blood is gone.

UNWISE USE OF PRESIDENTIAL AUTHORITY

(Mr. BONKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONKER. Mr. Speaker, today in Bonn the President signed an executive order to impose a trade embargo on Nicaragua. A principal authority for the President to take this action is in the Export Administration Act. I remind my colleagues that the Export Administration Act expired in March 1983. The House has taken action to renew the act. It is pending in the Senate. Even if the act were law, the Congress has taken away the President's authority to break commercial contracts for foreign policy reasons in the future. So what authority is the President using? Apparently something called the International Emergency Economic Powers Act. This law provides the authority to the President to deal with any unusual and extraordinary threat to the national security, the foreign policy, or the economy of this country if the President declares there is a national emergency.

What is the unusual and extraordinary threat? Where is the declaration of national emergency?

This law also requires the President to consult with the Congress. There has been no prior consultation.

Mr. Speaker, I do not like the Sandinistas any more than anyone else in this body. But this is, once again, hasty and unwise misuse of Presidential authority. When all is said and done, we will see, as we have in the past, that such actions are not effective. They only punish U.S. businessmen when contracts are terminated, and they drive the Sandinistas into more dependence on the Soviet Union.

THE RIGHT TO VOTE

(Mr. FISH asked and was given permission to address the House for 1 minute.)

Mr. FISH. Mr. Speaker, today the majority party will have a final chance to redeem this House. The American press and the American people know what is fair and what is not fair in Indiana's Eighth District.

My colleagues, we are dealing with the most fundamental right of American citizenship, the right to vote. To even allow the perception that we are undoing the result of a general election does us great discredit.

I was involved 11 years ago in the impeachment inquiry by this body. We on the House Judiciary Committee were well aware that the result of impeachment is the undoing of a general election. We knew that such a step must have a strong legal and moral foundation. We knew that our process,

to be accepted by the American people, had to be thorough and fair.

Mr. Speaker, the process we are asked to ratify today is neither thorough, complete, nor fair. Count all the ballots or vacate the seat. Only this way can we assure the will of the people of Indiana.

MARIANNE M. HALL SHOULD RESIGN

(Mr. DOWNEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOWNEY of New York. Mr. Speaker, as a democracy, we encourage a wide range of views and ideas, and we should do that because we need to learn from all sources. But the ideas that Marianne M. Hall helped to bring to the public are repugnant to any decent human being. In a Senate questionnaire she cites herself as the coauthor of a book called "Foundations of Sand." In this book there is a sentence that reads: "* * * blacks have inherited a different set of aptitudes, values, mores, goals and life styles over a period of 10,000 years." It concludes that the race problem in this country arises "when you displace the jungle-freedom-types into the Scotland-type environment which is America. * * *"

This is sick stuff. And the way to deal with this sort of sickness is to remove the source of the illness. Marianne Hall should resign her position voluntarily, and if she does not, the President should fire her.

McINTYRE-McCLOSKEY DISPUTE SHOULD BE SENT BACK TO INDIANA

(Mr. O'BRIEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'BRIEN. Mr. Speaker, far be it for me to have the temerity to think that I could change 29 votes in this House. And even though the battle probably ended yesterday, and all acrimony aside, I believe I should offer these observations:

In my view, the majority party has two fundamental responsibilities. The first one is to run this House in the best possible way it can; and the second, in my view, is to ensure the rights of the party not in power. It should bend over backward to make sure that it does not overlook or ignore something of grave importance to the other side.

Mr. Speaker, there is little, if any, criticism that could be leveled at the House majority party in its zeal to protect the rights of minorities all over the world. I urge you to look closer to home. There is a minority right that needs protection right here before us. It is the McIntyre-McCloskey dispute, a classic illustration of your needed concern. Mr. Speaker, clear the air. Send the case back to Indiana.

THE AMERICAN PASSBOOK SAVINGS ACT

(Mr. TAUZIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAUZIN. Mr. Speaker, somebody is fooling the American people into thinking that high interest rates are coming down, when the truth is that America is still suffering under an intolerable high interest rate policy. It is time to face the facts. The fact is that real interest rates, the rate between current mortgage rates and inflation, is still at all time highs, and the ugly fact is that high interest rates still remain a national tragedy for too many American families.

It is time for a congressional initiative to lower interest rates, if we can find one. And I believe it is time to recognize that we cannot have lower interest rates under our current deficit problems until and unless we start encouraging Americans to save money and, if possible, to save again in lower yielding passbook accounts. I believe we need to end the foolish practice of taxing interest earnings, a practice which discourages personal savings; and I believe it is time for a plan to reward Americans who save in American financial institutions.

I will soon be offering the American Passbook Savings Act again this year, as we did late last year; 120 of my colleagues joined in cosponsoring the effort last year. It is time we move on high interest rates and we give to Americans the real chance again to participate in the great American dream before that dream crumbles at the golden altar of those wretched high interest rates.

□ 1250

THE GREATER BATTLE OF PUBLIC OPINION CONCERNING THE EIGHTH DISTRICT OF INDIANA

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BILIRAKIS. Mr. Speaker, yesterday, under your leadership, and by a largely partisan vote, this House decided not to allow a new election in the Eighth Congressional District of Indiana.

You won that vote, Mr. Speaker, and you may win the vote today, but I seriously question whether you have won the greater battle of public opinion on this matter. I offer two examples.

First, in today's Clearwater Sun, a newspaper published in my district, an editorial declares that Rick McIntyre should be seated and that "this whole episode smacks of blatant arrogance on the part of the Democratic House leadership." The editorial goes on to conclude that, "the abuse of power now under way on Capitol Hill can only serve to blacken the reputation of the (Democratic) party * * *."

Second, I want to share with you a letter I received from the Florida secretary of state, George Firestone, who, incidently, is a Democrat. Mr. Firestone recently wrote me that he was disturbed that Mr. McIntyre, as the State-certified winner, was not seated. He warned that "this would seem to me to be a threat to our electoral process * * *."

These are but two examples, Mr. Speaker. But I think they underscore an important fact. The American people are fair, Mr. Speaker. The proceedings on the Eighth Congressional District of Indiana are not.

[From Clearwater Sun, May 1, 1985]

WHAT'S GOING ON HERE?

There May well be something rotten in the State of Indiana.

In the Eighth District of the State of Indiana, to be specific. For in that district a duly elected Congressman, Republican Richard McIntyre, is being denied his seat in Congress.

On election night, McIntyre won a close victory over his opponent, incumbent Democrat Frank McCloskey. The people said so. He had won by 34 votes when the returns were tallied. Indiana's Secretary of State said so, too, in declaring McIntyre the winner.

But the will of the people wasn't enough for the House Democrats. They demanded a full recount of the eighth district's 15 counties. And they got it. Result: McIntyre was confirmed as the winner by 418 votes, a margin that should have settled the issue.

The Democrat-controlled House refused to accept even this proof and the Committee on House Administration was put to work reviewing the matter. And all this time, McIntyre is still being denied his seat in Congress and both men were being carried on the Federal payroll.

Now the House committee has decided that McCloskey is the winner by four votes, despite the original vote of the people, despite the certification by the Indiana Secretary of State and despite a 15-county recount conducted by Democrat-controlled commissions.

This whole episode smacks of blatant arrogance on the part of the Democratic House leadership. Indeed, Speaker Tip O'Neill, D-Mass., is threatening to seat the candidate of his own party and the public be damned.

All of this is, of course, accompanied by justified protests from House Republicans, and the ensuing brouhaha has paralyzed the Chamber. O'Neill and his faithful have in effect put the interests of their party above the interests of the country.

It is time for this outrage to come to an end. McIntyre should be seated. If McCloskey wished to protest the election, he should have done so in court, and the House

could have moved on to the business of lawmaking.

As it is, the abuse of power now under way on Capitol Hill can serve only to blacken the reputation of the party of compassion.

FLORIDA DEPARTMENT OF STATE,
Tallahassee, FL, March 14, 1985.

Hon. MICHAEL BILIRAKIS,
U.S. Representative, Ninth District, 319 Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN BILIRAKIS: It has come to my attention that the seating of the congressman of Indiana's Eighth District has been challenged even though after a recount Rick McIntyre had been certified by the Secretary of State as the winner by a margin of 418 votes.

As the State's Chief Elections Officer, it disturbs me that apparently the certification by the election officials of the State of Indiana were not accepted and Mr. McIntyre was not seated. This would seem to me to be a threat to our electoral process.

I hope you can understand my concern regarding this important responsibility.

Sincerely,

GEORGE FIRESTONE,
Secretary of State.

WHAT SHOULD THE PRESIDENT SAY AT BITBURG?

(Mr. ROEMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, after hearing Elie Wiesel's speech at the White House 12 days ago, it became obvious that our President should not visit the cemetery at Bitburg. To honor, even inadvertently, 49 fallen Waffen SS is to ignore the reality that these were not soldiers; these were butchers who deserve nothing save our memory.

The President is going to Bitburg—a mistake, but we all make them. So, in a positive vein, what should he say when he gets there? I am hoping that he says, "I am pleased to be in West Germany; we, in the United States, look forward to closer relations with your great nation. In spite of controversy, I insisted on coming to this cemetery to remember the SS; not to forgive nor to forget. I honor West Germany; I do not honor the SS. I pledge remembrance. I and America will remember the terror, the fear, the hate, the racism, the pain, the death, the gas chambers and the flames. We are friends of West Germany and, like you, we reject the horror of the SS. We will protect against its reappearance by remembering its evil. Forever."

Thank you.

A UNIQUE PERSPECTIVE

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, today is May Day in the Soviet Union, and today I want to read a letter from a man who spent 6 years as a Soviet Jewish refusnik in a Soviet prison. He was in my office recently, and here is what he writes:

Hon. DAN BURTON,
House of Representatives, Washington, DC.

DEAR MR. BURTON: I want to thank you again for spending your valuable time talking to me about Soviet Jews in your office. During the short conversation you had with Tom Rose and myself, I learned about your strong sense of priorities. I know how seriously you take the value of human life.

Just a few years ago, I was considered by "my" country, "my" government, a criminal, a traitor without a past or a future.

Today I can freely chat with a U.S. Congressman.

A few years ago, I was a licensed teacher of "Scientific Atheism," proving to Soviet children that there is no God and only mentally sick people believe in God.

Today I am studying to be a rabbi in the United States.

A few years ago, I was forced to begin every day of my life with the following words:

"Glory to the Communist Party of the USSR!
Long live Lenin!
The future of humanity is glorious Communist paradise!
Death to American Imperialism!"

Today I begin every day of my life by thanking God for America and democracy.

I am free and happy because of people like you, Congressman!

Thank you for saving and changing my life.

God bless you and God bless America!

Sincerely,

LEONID FELDMAN.

P.S.—I hope your idea about me speaking before the Foreign Affairs Committee will materialize. This will be the highlight of my life.

THE CONSEQUENCES OF THE NICARAGUAN EMBARGO

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous matter.)

Mr. ALEXANDER. Mr. Speaker, yesterday the President announced that he would impose a trade embargo against Nicaragua. I urge attention by every American farmer and every American farm organization. I implore the leadership of the farm organizations of America to consider carefully the consequences of this precipitous act.

While the trade embargo gives to the American people some emotional satisfaction by lashing out against communism, the embargo loses badly needed commercial markets in Latin America. Last year, President de la Madrid of Mexico said that the U.S. policy in Central America of naval operations and military maneuvers is causing anger among the Latin American people.

There are 500 million Latin Americans; their staple, their daily staple is rice and beans. We export tons of rice and beans to the Latin American markets. What our President has done is to decide upon a policy that will cause economic loss to the American farmer. I implore the farm organizations to meet and consider the consequences of this precipitous act.

Does it make any sense to force Nicaragua to buy their rice and beans from Korea and Canada? Does it make for a comprehensive and coherent foreign policy to sell wheat to the Soviet Union but refuse to sell rice and beans to Nicaragua?

The President's embargo does not harm Communists. It hurts the American farmer. The embargo is precipitous; it drives the conservative and moderate forces in Central America to Moscow and is against the best interest of the American people. I urge reconsideration of the consequences of Mr. Reagan's embargo.

FAIRNESS

(Mr. MOORHEAD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOORHEAD. Mr. Speaker, the thing that is the most important to democracy and liberty in the United States is that the people have confidence in the electoral process in this country, and that they have confidence in their leaders in the Congress of the United States.

At the close of the counting of the votes in the Eighth District of Indiana, by the people of the State of Indiana, Rick McIntyre was ahead by over 400 votes. The House has agreed to count all of the illegal ballots that were present at the close of that process. They counted all but 32 of those.

True, those 32 ballots are as illegal as the other 4,000 ballots that have been counted by the commission, but they are just as legal as any of those ballots that have been counted also. The man who was the staff man on the commission has stated that there is no difference between those 32 ballots and the 10 absentee ballots that were counted.

I would point out to the Members of this House that if those votes on those absentee ballots, the 32 that are left, were cast in the same way as the 10 absentee ballots that were counted, the vote would be 20 to 10, and Rick McIntyre would win by 6 votes.

I ask that the Democrats in this House give fairness to all and count all the ballots or ask for a new election.

TRADE EMBARGO ON NICARAGUA NOT DESIRABLE POLICY

(Mr. MOODY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. MOODY. Mr. Speaker, over the past few days, many have condemned Nicaraguan for seeking economic aid from the Soviet Union. The timing of Daniel Ortega's trip to Russia was terrible from a PR point of view. But what is all the surprise about?

After 3 years of trying to overthrow the Nicaragua Government, what do we expect? We have financed mining Nicaragua's harbors; encouraged guerrillas to kill civilians and destroy economic targets; we have blocked aid from international lending institutions; and have done everything else to strangle the Nicaraguan economy.

We have been highly successful in that attempt. Nicaragua is now an economic basket case, absolutely desolate.

It is any wonder that they should try to get economic aid from anywhere they can?

Many countries with whom we have very good and productive relations have sought and received aid from the Soviet Union. This includes: India, Algeria, and Egypt to name a few. Would it have been intelligent foreign policy to have applied economic embargoes to those countries during periods of friction? Of course not.

The final story of Nicaragua's political complexion is not yet written, but many people in Nicaragua do not want U.S. policy to reinforce the efforts of certain hard-line Sandinistas to push Nicaragua closer to the Soviet. We have many instruments to reach an accommodation with Nicaragua to grant their right of economic survival in return for our need to prevent Soviet presence in Central America.

Trade and travel embargoes will probably have the opposite effect intended.

Let's pursue an intelligent—not emotional—foreign policy, as we have with countries like Egypt, Algeria, and India.

LET US BE FAIR AND EQUITABLE AND HAVE ANOTHER ELECTION

(Mrs. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHNEIDER. Mr. Speaker, I would like to share with my colleagues an editorial which was in the Providence Journal entitled, "Theft of a Seat in U.S. House Not To Be Taken Sitting Down."

Mr. Speaker, that is precisely why this Member is standing up for what I believe in. I think that most of my colleagues are well aware of the fact that I am not to be characterized as a terribly partisan Representative. I believe all too often partisanship gets in the way of good representation, but bipartisanship is a two-way street. I call them as I see them. I, too, agree with the Providence Journal editorial that we cannot take this issue sitting down.

Rick McIntyre and Frank McCloskey's race certainly needs to be closely scrutinized. At issue here is fairness; it is the bottom line. The whole calculation of the vote was fraught with inconsistency, ad hoc rulemaking, and blatant political favoritism. When you consider the fact that 60 percent of the people in Indiana's Eighth District feel there should be a special election, and we are not moving ahead with it, that can be called nothing less than unfair. Four votes is far too close to call; let us be fair and equitable and have another election.

I encourage my colleagues to stand tough on this issue. Certainly the people of Rhode Island are now well aware of the chicanery that has been taking place in this august body.

Mr. Speaker, I include the following editorial for the edification of the Members:

[From the Providence Journal, Apr. 29, 1985]

THEFT OF SEAT IN U.S. HOUSE NOT TO BE TAKEN SITTING DOWN

Tammany Hall, Teapot Dome, Watergate. The City that Works. Corruption in American politics knows many labels because it has seen many forms. But rarely in the annals of this democracy has the body politic witnessed the theft of a seat in the U.S. House of Representatives.

This, at any rate, is how Republicans have treated a vote by the House Administration Committee last Monday to seat Democrat Frank McCloskey. And well they might if the full House tomorrow refuses to declare the seat vacant and call for a new election. A week ago, the committee rejected Richard McIntyre, the Republican who had been twice certified by the state of Indiana to represent the 8th District. The resultant GOP anger now threatens to poison an already heatedly partisan atmosphere in the House, placing important legislative initiatives at risk.

That body has the power to judge of its membership. In the past, however, election results had weighed heavily in its application of that power. Indeed, until the recent recount ordered by the committee took place, the Democratic leadership of the House, under Speaker Tip O'Neill, could plausibly argue that irregularities in how the November tally was counted had caused reasonable doubt as to the identity of the victor.

Unfortunately, the way the recount was handled by the Democratic majority on the committee demolishes any pretense of respect for the voter's will. Take the oddity of the votes by the committee panel overseeing the recount, with its 2-to-1 Democratic majority, on whether to accept or reject disputed ballots. In a display of chicanery rare even on Capitol Hill, the two Democrats voted to count disputed ballots until their man was leading the vote. Then they abruptly switched, voting not to count disputed ballots. As a result, the Democrat won the latest recount by 116,645 to 116,641—a margin of four votes.

Some Democratic representatives who watched from the sidelines as the drama unfolded last week were reportedly distressed at the blatantly Machiavellian character of the proceedings. GOP strategists had hoped to garner Democratic votes in the tally tomorrow on whether to hold a new election. However, the harsh reaction of some Republicans—"I think you can assume massive retaliation ," warned Rep. Robert Walker of Pennsylvania—may have cost the GOP a measure of bipartisan sympathy.

One can easily understand the Republicans' inability to keep their tempers in check. Speaker O'Neill has used his party's majority in the House to manipulate the parliamentary rules in ways that bring the Democrats undue advantage. Worst of all is his structuring of committees so that the Democratic Party has a percentage of seats on each committee significantly larger than is warranted by the percentage of seats it holds in the overall House.

Neverthelss, the Republican firebrands would be wiser in the long run to do nothing to undermine the admittedly slender hopes for bipartisanship on the budget issues that will be coming to a head in the weeks and months to come. Some day, if the Reaganomic recovery survives, the GOP might attain to a majority in the House. In short, smart Republicans don't get mad, they get, eventually, an opportunity to teach the Democrats a lesson in democracy.

□ 1300

HOW IS NICARAGUA A THREAT TO THE UNITED STATES?

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, the law under which President Reagan has prohibited trade with Nicaragua requires the declaration of a national emergency based on, and I quote, "unusual and extraordinary threat" to "the national security, foreign policy or economy of the United States."

It is difficult to understand how an impoverished nation of 2½ million people poses such a threat to the United States. The President's action is, at best, of questionable legality; but that aside, it is absolutely self-defeating. It forces the Nicaraguans into ever greater economic reliance on the Soviet Union. It allows them to blame their economic problems on our Government. It makes the Sandinista government a martyr among its own people and within the international community. It provides an excuse for greater centralization of power and reduces the likelihood of the expansion of civil liberties and a free press.

On almost every count, the President's action runs counter to the national security interests of the United States. The only thing one could say in its favor is that it is better than waging war against Nicaragua; but I have yet to hear the President say that this new policy substitutes for his support of the Contras. It is simply an extension of the illogical and unlawful Reagan policy toward Nicaragua.

I urge the President to reconsider and reverse this ill-conceived course of action.

THE DISENFRANCHISED VOTERS OF THE EIGHTH DISTRICT OF INDIANA

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, the people of the Eighth District of Indiana have had their motives and intentions questioned and scrutinized these past few weeks. In the name of ferreting out the "intent of the voters," those Indiana ballots have been opened, counted and recounted several times, and in each instance there was a different result.

Yesterday the House voted on a resolution to vacate the seat of Indiana's Eighth District, calling for a special election. While that is what most independent sources have called for, that proposal unfortunately went down to defeat.

In two recounts out of three, Rick McIntyre came out ahead, casting doubt on the latest outcome which under a new set of rules, and discounting 32 unopened ballots, resulted in the majority in this House, stating that McCloskey should be seated as the Congressman from Indiana's Eighth District.

Many of us believe that a special election should be held to finally determine the winner of Indiana's congressional seat. It is the only honest and fair way to ensure that their representative in Congress is truly the person they have chosen to represent them. It's not too late to allow the people of Indiana's Eighth District to resolve this issue finally and fairly. It's the only right thing to do.

CENTERS FOR INTERNATIONAL TRADE DEVELOPMENT

(Mr. WATKINS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATKINS. Mr. Speaker, I rise today to emphasize to the American people that the economic policies initiated by Ronald Reagan in 1981 have led us to a trade revolution. Our country has gone through many revolutions, industrial revolutions and many others, but today we find ourselves in a trade revolution. A time when we find that we are not able to compete on the world market.

An economic policy was initiated by Ronald Reagan in 1981 that has expanded in just 4 short years the domestic deficit from $58 billion to $200 billion per year. Our trade deficits during the same 4-year period have grown from $23 billion to $130 billion. During the same 4 years we have seen the value of the dollar grow 40 percent. That is like putting a 40-percent tariff on any U.S. products that we try to sell overseas. That mainly comes from the huge domestic deficits that have come with the economic policies that were initiated by Ronald Reagan in 1981. Those policies must be changed. We must lower the gigantic, recordbreaking domestic deficits and also we must lower the trade deficits.

Today I am introducing a bill to help export agriculture and related products by establishing centers for international trade development so we can answer the unknowns and try to help the American people expand their market and to enter the world market at competitive prices.

THIS IS NOT BUSINESS AS USUAL

(Mr. LUNGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, in listening to the comments of our colleagues on the Democratic side of the aisle, one would think we are back to business as usual. We have heard speeches about a whole range of subjects.

Not one—not one—has talked about the important vote of yesterday. Not one has done that. Why should they? The major spokesman for the Democratic Party yesterday in saying that we ought not to call for a special election, that we ought to seat Mr. McCloskey, said the task force attempted to have deference to Indiana. That is why they went out there and counted the votes. Yet, the fact is, there was no testimony given by the Governor, no testimony taken from the secretary of state, no testimony taken from the assistant secretary of state, no testimony taken from any of the clerks of any of the counties in question.

How do you arrive at any decision without that information.

The second point made yesterday was that the credibility of the major counter, that is, Mr. Shumway, or his counting has never been called into question. But Mr. Shumway himself called the counting into question when he said there are at least 32 ballots out there that ought to be counted. They should be counted just as the others were counted.

Mr. Speaker, the shame of yesterday should not be perpetuated today. We cannot have business as usual when we have committed this desecration of this institution and the U.S. Constitution.

FILMS ON AFGHANISTAN WAR

(Mr. LEVIN of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN of Michigan. Mr. Speaker, if not today, in the near future our colleague, the gentleman from California [Mr. LAGOMARSINO] will introduce an amendment to the State Department authorization bill to allow two films produced by the USIA dealing with the Soviet war in Afghanistan to be aired within this country.

The availability of these films to the American public is particularly important at this time because of the intensified campaign by the Afghanistan Government to keep journalists and independent observers out of that country, and it is also particularly important because of recent reports of further atrocities and other human rights violations in Afghanistan committed by Soviet and Soviet-backed military forces.

We have a responsibility to the victims of this aggression to be certain that their suffering is known to people in this country and to the world. I urge my colleagues to support this amendment when it is offered.

SHAMEFUL POLITICAL CHARADE

(Mr. STRANG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRANG. Mr. Speaker, today we are embarked on a perilous journey into uncharted waters of legislative tyranny in full view of an incredulous American people. We shall choose to overturn a legal, certified and uncontested election. We shall do this in a highly partisan fashion, wresting a seat from its rightful winner by an exercise of raw political power and hand it over to one who never contested his loss.

Mr. Speaker, this American Republic came into being with carefully crafted defenses to tyranny. The American people watching this shameful political charade must respond. They will respond. Sic semper tyrannis.

PLAYING GAMES WITH THE PUBLIC'S HEALTH

(Mr. ECKART of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ECKART of Ohio. Mr. Speaker, once again another member of the Reagan administration Cabinet is playing games with the public's health. Health and Human Services' Secretary Margaret Heckler continues to refuse to obey the law, the law that she is sworn to uphold.

The findings have recently been released that six food dyes, noticeably red dye No. 6, have been found to cause cancer. Unconscionably, Secre-

tary Heckler has delayed time and again making a final decision. By postponing the required determination she avoids the trap of clear violation of the law because she has not technically actually refused to ban the dyes. Heckler's reluctance to ban the dyes is incredulous. She does not have the authority to change the law, only the Congress does. I suggest if she wants to change the law she run for reelection. Then, she can return to that from which she began.

□ 1310

FREE AND FAIR—AND "CLOSE"—ELECTIONS

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, do we remember when the Democrats used to come into the House and ask for free and fair elections in El Salvador?

Well, on November 6, Rick McIntyre won a free and fair election in Indiana, and he came here on January 3 when all the codes of ethics and rules of law dictated that he be seated. But because the Democrats had the majority in this House and rule this House, they said, "No, we're going to give it to the man who came in second."

The Democrats have given a new meaning to the word, "close." Close may be good enough in horseshoes and landmines, and maybe now in congressional elections, but it certainly is not good enough for our American democracy.

We have had Members of the other party come to the well. Have they talked about free elections? No. Today they talked about the poor Sandinistas, a client state of the Soviet Union. The Democrats have deplored the fact that President Reagan will not be intimidated by the Soviets and Sandinistas, but rather, will stand for principle. Let the American people decide which political party speaks for this country and for our people.

LEGISLATION TO REQUIRE BANNING OF CANCER-PRODUCING DYES

(Mr. AKAKA asked and was given permission to address the House for 1 minute.)

Mr. AKAKA. Mr. Speaker, when the word "cancer," is mentioned it brings to the minds of people a hope that they will not be one to suffer from this dreaded disease. This unfortunate disease instills fear in the hearts of those who are diagnosed as being cancer stricken and grief to family members of those not fortunate enough to have over-come this disease.

We all want to see cancer conquered in our lifetime. For that reason, millions of dollars are poured into research on the possible causes and cures of cancer. After 22 years of study, the Federal Drug Administration [FDA], determined in 1983 that six coal tar dyes, red dyes Nos. 3, 8, 9, 19, 37 and orange dye No. 17, are cancer-producing substances. Three times in the past 2 years, top FDA officials have recommended banning these dyes, yet no action has been taken. These dyes are still contained in such products as baked goods, beverages, cereals, vitamins, and drugs, that we use daily.

In 1960, Congress passed the Delaney clause which provides that any food additive or color additive that causes cancer in animals or humans must be banned. There should be no room for either interpretation or assessment of risk. A product, once determined to cause cancer, must be banned. Why, then, has the Secretary of Health and Human Services refused to remove these dyes from the market although legally obligated to do so? Are we not responsible for assuring the safety of our consumers by eliminating these known cancer-causing dyes?

I, therefore, join my colleague, the Honorable EDWARD FEIGHAN, in cosponsoring his resolution that legally requires the Secretary of Health and Human Services to remove these dyes from the the market.

ON THE GUTTING OF THE CONSTITUTION

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, when a majority of the House voted yesterday to defeat the move to declare the congressional seat in the Eighth District vacant, they set in motion a series of consequences which do not depend on the passions of the participants.

The rightfully elected candidate from the Eighth District of Indiana was unseated by shuffling around the ballots until a formula was found which gave some momentary semblance of reason to what is at root: a naked exercise of power.

New law has been made. This new law that the House majority has passed for House elections is anything but certain. To whom does it apply? Is it only for Minority Members who win in close elections? How close is close? Nothing in the new dispensation tells us. The damage done to the Members like McIntyre is nothing compared to what has been done to the franchise of the voters of the Nation. Who now can be sure that his vote will be counted? Who will know in advance the members of a task force sent to recount the ballots? Based upon what was done here, State election officials, unrestrained by State election laws, can return us to the days of the big political machines.

Indiana's election laws were deemed insufficient by the majority. In what way? That is left unclear, perhaps intentionally so. It is strange that the Constitution limits the role of Congress in setting election laws, but our friends on the other side of the aisle are silent on the source of their new power to create national election laws. That these new election laws will be after the fact is too trivial a point to be even addressed.

FARMING IN THE EIGHTIES

(Mr. McCURDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCURDY. Mr. Speaker, because financial conditions on the farm have reached such an extreme low, many people are moved to compare today's farm crisis to that of the 1930's. However, there is a major difference.

Fifty years ago, the Wheat Belt was stripped of its fertile topsoil by the Dust Bowl. Everyone in Oklahoma learned about erosion. We also learned how to do something about it. We planted shelter belts of trees and changed the way we plowed and the way we planted. Soon, we had restored the greatest food production system in the world.

Today, the crisis originates from another source—one which our food producers are helpless against.

Depressed export markets, massive Federal deficits, high real interest rates, high value of the dollar and the inflated price of production equipment are not caused by farmers. They originate in Government policy and Government inefficiency.

If the current farm crisis is to be resolved, Congress and the President must plant the trees. We must reverse these ruinous deficits that are destroying the Farm Belt.

THE SYSTEM WORKED IN NORTH CAROLINA—BUT NOT IN INDIANA

(Mr. McMILLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McMILLAN. Mr. Speaker, I am personally disturbed by the outcome of this so-called election in Indiana Eight, because the final margin in my race was 321 votes.

But there was a difference. In my case, the system worked. In my case, no Democratic task force was appointed to come into North Carolina to decide the outcome.

The Democrat election boards governor and secretary of state in North

Carolina certified me the winner—just as the Republican Governor and secretary of state in Indiana did in Rick McIntyre's situation.

The Democrat controlled task force, seeking to "fairly" determine the outcome of the election, initially decided to count each and every ballot cast in the race. They didn't. If this House today seats Frank McCloskey without counting the last 32 ballots, then democracy as we know it is in danger. I fear for any one of us that finds him or herself in a close race next year.

As a closing point, it takes a lot of courage to stand up to the Democrat powerbrokers in this House. I offer my warmest praise to those 19 Democratic Members who broke away from those powerbrokers yesterday and voted for fairness in vacating the disputed seat.

I hope more of you will put fairness first today.

CENTRAL AMERICA: A DOSE OF REALITY

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute.)

Mr. GONZALEZ. Mr. Speaker, just about 6 years ago, the Somoza regime of Nicaragua was making its last stand. After 50 years of corruption and bestiality by the Samoza family dictatorship, Nicaraguans had had enough: It was only a matter of time until Somoza was gone, and no one disputes that the revolution that ousted him was truly a popular one.

Two years later, the United States was waving the red flag, charging that rebels in El Salvador were getting arms and ammunition from Nicaragua. The Reagan administration used that rational to persuade the House and Senate Intelligence Committees to finance an armed opposition group that was supposed to interdict the supposed arms flow.

From the beginning, the Congress doubted the practicality of the CIA-financed armed opposition. If arms interdiction was the purpose, why rely in clandestine forces? clearly, the secret force, soon known as Contras, existed for the purpose of harassing the Nicaraguans. The Intelligence Committees, soon followed by the Congress, adopted the Boland amendments, which were intended to restrict the Contra activity. It was one thing to finance harassment, but another thing to try and provoke a war.

The Defense Department on September 18, 1984, announced giving "excess" war planes and other military materiel to the CIA for use against Nicaragua. We were condemned by the World Court for mining the harbors of Nicaragua with that same kind of materiel. All during the interim President Reagan was declaring inalterable intention to make war and destroy the Nicaraguan Government. President Reagan, once again, is worshipping the false bitch-goddest of war.

MAJOR NEWSPAPERS SUPPORT MOVE FOR NEW ELECTION IN INDIANA

(Mr. PETRI asked and was given permission to address the House for 1 minute.)

Mr. PETRI. Mr. Speaker, what do the following newspapers all have in common: The Milwaukee Sentinal, the Milwaukee Journal, the New York Times, the Washington Post, the Washington Times, the Boston Herald, the Baltimore Sun, the Detroit News, the Philadelphia Inquirer, the Wall Street Journal, and the Evansville Press?

The answer, Mr. Speaker, is that each of these newspapers, and many more, have editorially called for a new election in the Eighth District of Indiana.

Why, you might ask, should newspapers as diverse as these care about a single seat in a single district in Indiana? The answer is simple. They know that if the Democratic majority in the House can seize a seat in Indiana by throwing out that State's election laws, they can do the same thing in New York, in Massachusetts, in Florida, in Wisconsin—anywhere in the country.

Every voter who cast a ballot for Congress in last November's election has a right to be concerned about what this House is about to do here: to disenfranchise voters and ignore State election laws for partisan gain. I urge each of my colleagues to think about the consequences of such an action. Who will be next?

□ 1320

SOIL STEWARDSHIP WEEK, MAY 12-19

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, during the week of May 12-19, Americans around the country will mark the observance of "Soil Stewardship Week," with the theme of "Tomorrow Together."

For centuries, men and women have offered thanks to God for the priceless gifts of soil, water, air, and sunshine which make all living things possible. The world as we know it could not exist without a fruitful agriculture, and agriculture cannot exist without the natural resource base that God has so blessed this Nation with.

In parts of the South earlier in this century, churches and congregations began to set aside the fifth Sunday after Easter as "Soil and Soul Sunday." Later, 1946, this designation was changed to "Soil Stewardship Sunday" at the initiative of the publishers of Farm and Ranch magazine. They suggested to religious leaders in a number of Southern States that one Sunday be set aside each year as time for a special reminder to their congregations about the ethical obligations of all people to serve as responsible stewards of the land.

In 1954, the publishers of the magazine which primarily was distributed in the South, suggested that the National Association of Conservation Districts [NACD] widen the observation of Soil Stewardship Sunday to a more national level. In 1955 NACD accepted the role and undertook to foster the observance on a nationwide basis. A year later, recognizing possible conflicts with Rural Life Sunday and other events often observed on church calendars, Soil Stewardship Sunday was changed to Soil Stewardship Week—beginning always with the fifth Sunday after Easter and continuing through the sixth Sunday.

The Soil Stewardship Week observance, by its very nature, is one for everyone who shares a sense of responsibility under God for the care of soil, water, and the other vital elements making up our environment. In my own mind, everyone who consumes food or wears clothing has reason to be concerned with and responsible for the protection of this country's natural resource base. I hope my colleagues will join with me in recognizing Soil Stewardship Week and I call on them to actively participate in the many activities which will be taking place in over 3,000 conservation districts throughout the country.

MAY DAY

(Mr. CRANE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRANE. Mr. Speaker, today is May Day, that day when in Red Square one can visualize the spectacle of tanks, rockets, and hobnail boots celebrating the triumph of totalitarianism over democracy.

It seems to me a fitting day that if it must be done, the denial of democratic principles to those voters in the Eighth District of Indiana occur.

I would focus attention on the part of my colleagues, though, Mr. Speaker, on one other application of the word "mayday." It is an international distress signal and the international distress signal is coming from those forces that still believe in democracy and freedom.

I think I can hear the sound from this floor today, Mr. Speaker—mayday, mayday, mayday.

INTERNATIONAL PARTICIPATION ON SPACE STATION

(Mr. NELSON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NELSON of Florida. Mr. Speaker, the manned space station, it is an international project, and as evidence thereof NASA has recently signed a memorandum of understanding with the Government of Canada covering the preliminary design work on the U.S. space station that we are going to construct in the next decade, hopefully by 1992, which fittingly is the 500th anniversary of Columbus' discovery of the new world.

This signing ceremony marks an early milestone in what could be one of this country's most ambitious and exciting space projects, a permanently manned space station.

But that ceremony is also tangible evidence of this country's resolve to include the international community as international partners in this major space effort. By sharing the design, construction and ongoing operating costs of the space station with the international community, we can expand the capabilities of the station and increase the expected return on the investment made by each of the participants.

I wanted to share this with the body, Mr. Speaker.

LAST CHANCE TO CORRECT INDIANA ELECTION ABUSE

(Mr. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SLAUGHTER. Mr. Speaker, we have a last chance today in voting on the question of who won the election in the Eighth Congressional District of Indiana. First, when we look at how this election has been handled, no one I think will contest the fact that the House is the judge of the qualifications and elections of its Members.

But how have we done that job? We have the constitutional power, but are we going to exercise that power in a fair and prudent manner or are we going to abuse it?

I say from the vote yesterday that the majority of this House is abusing the power in this case granted to the House of Representatives under the Constitution.

Now, if we look at it, and I know that people who are voting on both sides of this issue are convinced that they have the right case that they are supporting, but if we look at this case and all Indiana law disregarded and yet every other Member of this House has been elected under rules set by the laws of the State in which that Member was elected. We have disregarded Indiana law and we accepted rules made up by the task force.

Two years ago the House clung to State law in the seating of a particular Member from North Carolina and refused to follow the decision of a court of competent jurisdiction which declared that law unconstiutional—completely appropriate to action being taken this year in the Indiana case.

Do not abuse this power. Vote for a new election.

IMPOSITION OF EMBARGO AGAINST NICARAGUA

(Mr. MARKEY asked and was given permission to address the House for 1 minute.)

Mr. MARKEY. Mr. Speaker, President Reagan's unilateral imposition of a trade embargo against Nicaragua appears to be guided more by a desire to get even with Congress for last week's votes than a thoughtfully developed foreign policy initiative.

Procedurally, any action on a trade embargo should be taken only after consultation with the Contadora group, with the OAS, and with the U.S. Congress.

Substantively, this trade embargo does not open up options for the Nicaraguans, it closes them. It leaves the Sandinistas with nowhere to turn but to Moscow. It pulls the rug out from underneath Nicaraguan businessmen who might best serve as a responsible and effective opposition to the Sandinistas.

But my greatest concern is that the President is creating a situation that may make direct military action by the United States more likely as we drive the Sandinistas further into the arms of Moscow.

This proposed embargo will seriously harm pluralism in Nicaragua as well. The people most hurt will be the middle class, the most effective internal opposition to the Sandinista government.

According to the Inter-American Development Bank, 75 percent of manufacturing in that country is in the private sector. These are the people who are going to be devastated by the embargo. They are the natural allies of the United States and we will emasculate them.

Mr. DELAY. Mr. Speaker, yesterday there was a reference to my speech on the floor of this House about the right of this House to seat its Members only under extraordinary circumstances. The speaker yesterday said that throwing out 5,000 votes in Indiana was an extraordinary circumstance. We all know and the American people know that there are recounts done in close races all over this Nation: These recounts are conducted under State laws, not the Federal election laws that seem to be imposed by this House. Under State laws, these votes are counted and ballots are thrown out if the intent of the voter cannot be established. We know this. The Speaker knows this. The other side knows this.

During a recount by a State, throwing ballots out is a very ordinary procedure.

We also know that less than 5,000 ballots were not counted in Indiana. That is less than 2 percent of the total ballots cast in Indiana.

Is this an extraordinary circumstance? I say not. The extraordinary circumstance is the total disregard of this House for the Constitution and something that we all hold very sacred, representative government.

A BILL TO PROTECT SOCIAL SECURITY BENEFITS

(Mr. FLIPPO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLIPPO. Mr. Speaker, today I have filed a bill to protect those who are depending on Social Security benefits, as well as those paying Social Security taxes.

Mr. Speaker, this bill would completely remove the Social Security fund from the Federal budget immediately upon passage of the bill.

Mr. Speaker, I believe this action is needed to guarantee once and for all that Social Security benefits will be paid to people as they become eligible for it and they will be paid as long as they are supposed to be paid.

Mr. Speaker, I believe we have to take this action to stop those who would use Social Security taxes for purposes other than Social Security benefits. Social Security taxes are, of course, paid to fund benefits and not to be used for other purposes. Social Security is not in deficit. The fund is in temporary surplus and it does not add to the deficit. If we remove Social Security from the budget and let it stand alone, we can keep those hands off of Social Security that would like to use it for other purposes.

I would invite the Members of the House to support this bill.

THE HOUSE IS OUT OF ORDER

(Mr. BOEHLERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, last month I came of age on Capitol Hill. Twenty-one years ago, in April 1964, I came to this institution as a young staff member. There was a magic about the House, a real luster. But there has been a change. Somehow, the magic is slowly evaporating. The luster is gradually tarnishing right before our own eyes.

There is a dark cloud hanging over this Chamber.

The tolerance level is going down, down, and down.

Motives are being questioned. Integrity is being challenged. Name calling is rampant. Emotionalism is at a feverish pitch, with all too frequent nasty results.

Mr. Speaker, it is time for all of us to do a little soul searching.

Clearly, and sadly, the House is out of order.

CORRECTING THE ERROR IN INDIANA'S EIGHTH CONGRESSIONAL DISTRICT

(Mr. SWINDALL asked and was given permission to address the House for 1 minute.)

Mr. SWINDALL. Mr. Speaker, I rise today because we still have some time to correct the error, the grievous error that occurred yesterday. Precisely we have this day to reconsider the action that took place yesterday.

In reconsidering, I would urge all of the Members of this body, whether they be Republicans or Democrats, to do what I did. Yesterday afternoon I walked out of this House in great dismay and just began to talk to the people outside of this Chamber. I talked to people on the streets, because I think sometimes one of the flaws that we make here is we get all caught up in our academic pursuit of things, we talk about the Constitution, we talk about our rules and our parliamentary procedure, but we do not listen to what the people have to say. So I started talking to folks who knew I was a Member of Congress; they did not know whether I was a Democrat or a Republican.

I said, "What do you think about what is going on with respect to the Eighth District of Indiana"? The replies that I heard I think are typical of the replies throughout this country. They said something fundamentally is unfair about what is going on. It just does not seem right.

In closing I would urge every Member of this body, in this vote, not to think as a Republican, not to think as a Democrat, but think as an American and let us see that justice is done. Let us be able to go back out and talk to our constituents and say that we did what was fair, we did what was right. We let the people decide.

I call for a special election and I urge all of my colleagues to reconsider the fundamental fairness of the action taken yesterday in refusing the voters of the Eighth District of Indiana the right to decide who will represent them in this House.

COUNTING THE BALLOTS IN INDIANA'S EIGHTH CONGRESSIONAL DISTRICT

(Mr. BROWN of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Colorado. Mr. Speaker, in this House's recount of Indiana's Eighth District, in some precincts they have counted more ballots than there are registered voters. By ignoring Indiana law we are in effect stuffing the ballot box.

We send out a clear message with our actions. Stuff the ballot box. Ignore State law. And this House will come in and count those illegal and improper votes.

We set a precedent here that goes far beyond the Eighth District of Indiana. It goes into every single congressional district in this Nation and it says ignore the law.

Mr. Speaker, this House is not above the law and it cannot ignore the American people.

"MAYDAY" FITTING SYMBOL OF HOUSE ACTION IN INDIANA'S EIGHTH CONGRESSIONAL DISTRICT

(Mr. ZSCHAU asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZSCHAU. Mr. Speaker, today is May 1—May Day—a day of great significance.

As our colleague from Illinois [Mr. CRANE] has already pointed out, in the Soviet Union today in Red Square there are great festivities because throughout the Communist nations May Day is a celebration—a celebration of tyranny.

Mayday, as the gentleman also pointed out, is a signal of distress and is used when there is extreme danger.

It seems, therefore, appropriate that the House action which takes place today take place on May Day. If the recommendation of the task force is accepted, if Mr. McCloskey is seated, it will be a victory of tyranny over the will of the people of the Eighth District of Indiana, and it will also put our Constitution and the rights of those people in the Eighth District of Indiana in extreme danger.

It does not have to be. We have a choice. We can decide to count all of the ballots. We can decide to call for a special election. If we do, this May Day will not be a celebration of tyranny; it will be a celebration of democracy.

COMMUNIST AGGRESSION

(Mr. RITTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RITTER. Mr. Speaker, a week ago the gentleman from Massachusetts [Mr. FRANK] stated that he more feared Connecticut than Nicaragua because Connecticut possessed a better industrial base.

Today, I understand, my colleague from Ohio [Mr. FEIGHAN] stated that red dye No. 3 was a greater threat to the American people than Soviet tanks rolling through Red Square this May Day.

My colleagues, this trivialization of the Soviet threat, this recent rebuff in this House to the forces of freedom in Central America, this "blame America first" attitude, this ostrich behavior; how, how, I ask, given all of this, can certain leaders of the Democratic Party say they seek to move their party back into the center.

Mr. Speaker, these actions indicate a drift to the extremes which endangers not only the future of the Democratic Party, but the future of this country.

PRIDE OF REPRESENTATION

(Mr. CARNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNEY. Mr. Speaker, I come to the well to address my colleagues, to share with them an experience I just had.

One of our responsibilities, and one that I am sure we all take with a great deal of pride, is to meet constituents almost on a daily basis.

Today I had an eighth grade class from Long Island come and visit our Capitol.

I started to explain to them that they will have an opportunity to go in the gallery of the House of Representatives on a day that will become a rather historical day. Further, I explained the situation of the Eighth District in Indiana. For the first time in 6 years and 5 months I was less than proud to be a Member of this body.

CALL FOR A SPECIAL ELECTION FOR INDIANA'S EIGHTH

(Mr. LENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LENT. Mr. Speaker, today Members of the House of Representatives anticipate a preferential motion from the Democratic leadership to declare candidate Frank McCloskey the winner in the election contest for Indiana's Eighth Congressional District.

This is a critical vote which puts to test the fundamental rules of fairness and law. I ask my distinguished colleagues to examine all the facts surrounding this disputed election carefully. We must recognize the awesome

responsibility we have, not just to the two individuals involved in this heated contest—but to the voters of Indiana's eighth. Furthermore, we have an equally important obligation as Representatives elected by and for the people to see that the laws of the United States are carried out fairly and without the taint of partisan politics.

Today, the Democrats have the opportunity to make right the injustices which have been committed. I can only hope my colleagues on the other side of the aisle will search their conscience for what is right and fair, and vote accordingly. To determine the outcome of this election based on partisan politics is wrong. The people of Indiana's eighth should have the opportunity to decide once and for all who should represent them in Congress.

The failure of the House Administration Committee task force to count all the votes during the recount is a serious injustice to the rules of fairness and representational government. Editorials from newspapers across the country are urging Congress to place fairness above politics by calling for a special election.

The Democrats have demonstrated a blatant abuse of power throughout this controversy. This will come back to haunt them, because the American people are watching.

PLEA TO DEMOCRATS IN THE HOUSE TO ANSWER REPUBLICAN MAYDAY

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, and particularly the very honorable gentleman in the chair, get this. The infamous Tom Hayden, a member of the majority party in my State legislature, has called for a memorial of some kind, in our capital city, to those people who brought this city to a standstill, by trashing it, to bring about a nightmarish Communist victory over all of Indochina. Heaven forbid it.

Is this not scraping the bottom of the barrel of vitriol and arrogance. Would Hayden's memorial to dishonor be a ghastly pile of bronze sculls to symbolize the demonic genocide in Cambodia which he caused and has yet to condemn?

And then we hear today in this Chamber that red dye No. 3 is equal or worse than the Red Communist tyranny oppressing over a third of this world. Mayday! Mayday!

Three times during my Air Force career, I made that pilot's plea for help over what the military calls the guard channel. I made that plea while in deadly jeopardy and quite obviously it had three happy endings because * * * here I am.

Here to implore the majority side, "mayday," my colleagues. We extend the hand of friendship. As we teach our little grandchildren to say, "gimme five," we extend an open, five-fingered hand of friendship, do not give a finger back. Extend to us the hand of friendship and allow us reelection in the Eighth District of Indiana.

I told the gentleman from California [Mr. COELHO] in the Speaker's lobby just a few weeks ago, "Tony, five votes either way or I will call for a special election; not McCloskey by two, not three, not four but at least five. He said, "I hear you, we're doing our best." True story.

Well, the task force got to three and then eked out, in a very rotten manner, the fourth vote, but that is not giving us the five.

Give us, please, that special election. Answer our plea for help.

We do want a happy May Day here today. We do want to be unified. Do not give a day of shame.

You are accomplishing nothing when you kick the Republican Party in the face.

Mayday.

□ 1400

THE ISSUE IS ONE OF FAIRNESS AND INTEGRITY OF OUR CONSTITUTIONAL SYSTEM OF GOVERNMENT

(Mr. SCHUETTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUETTE. Mr. Speaker, we have heard a great deal of discussion and a great deal of debate on the question facing the House on the Eighth District of Indiana election. I rise in support of the call and the need of a special election, not out of emotion. This is not an issue of emotion. This is not an issue of partisanship. This is not an issue of politics.

This is an issue of fairness and this is an issue about the integrity of our constitutional system of government.

Rick McIntyre, after being certified the winner, is now the victim of a recount that was never completed. At least 32 ballots were not counted.

Mr. Speaker, this is the people's House. This is a great symbol of our Constitution. We should not desecrate the Constitution and this House.

Mr. Speaker, I request my colleagues to look to their conscience, to have some fairness and have a special election for the people of the Eighth District of Indiana.

I thank the Speaker.

THE HEALTH OF OUR DEMOCRACY AND FREEDOM IS ON THE LINE TODAY

(Mr. COBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBEY. Mr. Speaker, I am struck by the fact that the Members of the majority party will come today and talk on the floor about red dye.

Now I know that the health of our people is very important, particularly our young people. But the health of our democracy and freedom is on the line today. We come to another moment of truth. Why can't the Members of the majority party admit that they have made a mistake and that they have abused the people of the Eighth District of Indiana long enough? Those people have suffered long enough. They should have their rightful representation in this body.

The messages that we are getting today and that we got yesterday, that if you are in a close race you had better be a Democrat; the second message that we are getting is the Constitution does not count for anything.

Today the people who vote against having a special election in the Eighth District of Indiana are voting against democracy.

I thank the Speaker.

ONCE AGAIN AN EXERCISE OF RAW POWER AND PARTY DISCIPLINE

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, yesterday we saw once again the exercise of raw power and party discipline in this Chamber as one more time a vote was taken for a cause that was not just. During the debate we on our side were admonished to have a sense of comity.

Well, there is a sense of comity here, Mr. Speaker, and if I were not so amused by it I might be crying.

We were told to take our lumps and to get on with business.

Today we see the majority Members getting on with business of such importance as red dye No. 3.

Well, Mr. Speaker, I would like to point out that red dye No. 3 is not as dangerous to the welfare of America as a Democratic-controlled task force in Indiana.

I thank the Speaker.

HOPE DIMS THAT FAIRNESS WILL PREVAIL

(Mr. NIELSON of Utah asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. NIELSON of Utah. Mr. Speaker, on January 3, when the Members of this body were sworn in, little did I dream that the leadership of this House would try to totally circumvent the democratic process by stealing a seat from the duly elected and certified winner of the election and instead seat the loser of that election.

Since McIntyre had won by 34 votes, certainly a recount was warranted. When it became clear that McIntyre had also won the recount by a much larger margin, a task force was set up which ignored Indiana election laws and the valid certification of the elected Member of Congress. Mr. McIntyre had already won with a liberal interpretation of Indiana law. He also won with a strict interpretation of Indiana law as demanded by his opponent. Put yourselves in the place of Mr. McIntyre and imagine how you would feel if your seat were taken from you after you had been legally and constitutionally elected and certified by their States. Most of all I ask my colleagues to have the courage to do what is right and seat the man that has been elected by the people of the Eighth District of Indiana.

Since the Democratic leadership has the votes to seat the loser of the election there is little hope that democracy, fairness and integrity can prevail. But if it does not, the real losers will be the democratic process, the U.S. Congress and the American people.

SOMETHING SMELLS IN THE HOUSE

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, something smells in the House. In fact, something stinks.

Many of us believe that it comes from the rotting carcass of what was once our proud tradition of representative government; representative government based on decisions by the people has been replaced in this House by decisions of Washington politicians who are willing to lie, cheat, and steal in order to give the loser the Eighth District of Indiana seat.

Do most Democrats care? Listen to them hiss.

Do they think the people matter as they go about desecrating the winning of a House seat?

The Speaker in this morning's Washington Times calls the uproar from the House over the McIntyre matter "one of the silliest things that I have heard."

How unbelievably sad that someone so insensitive to the public will should be so powerful.

WE DO NOT ACCEPT POLITICS IN COUNTING OF VOTES

(Mr. HUNTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNTER. Mr. Speaker, there is a place for pure politics in many areas of our duties as Representatives. I think the American people accepted the politics of redistricting, of gerrymandering several centuries ago. We accept the politics of campaigns for Congress and we accept the place of politics in allocating positions of power in this House.

We do not accept politics in counting votes.

Mr. Speaker, God bless the 19 Democrats who held their sacred support of the Constitution above the favor of their party bosses.

REQUEST TO ADDRESS THE HOUSE FOR 1 MINUTE

The SPEAKER pro tempore [Mr. MURTHA]. For what purpose does the gentleman from New York rise?

Mr. DOWNEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Pennsylvania will state his parliamentary inquiry.

Mr. WALKER. Mr. Speaker, am I not correct that, having given one 1-minute speech, the gentleman is not entitled to a second 1-minute speech today?

The SPEAKER pro tempore. That is the custom, if the gentleman from New York [Mr. DOWNEY] has had a 1-minute speech.

Mr. DOWNEY of New York. That is correct, Mr. Speaker, I have.

THOSE WHO USE THE WORDS "CHEAT, LIE, STEAL" DO A GREAT DISSERVICE TO THIS HOUSE

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOWNEY of New York. Mr. Speaker, will the gentleman yield to me?

Mr. DORGAN of North Dakota. I yield to the gentleman from New York.

Mr. DOWNEY of New York. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I know that my Republican colleagues are planning a symbolic walkout after the vote, and I just wanted to give you some quick media instructions, because I am advised by the camera people out there that unless you get out there by 3 o'clock the media feeds may be late and the Sun may be low and you don't want any of that to happen because you all want to appear on camera and in the best light and you also want to make the media deadlines.

Mr. DORGAN of North Dakota. Mr. Speaker, reclaiming my time, let me say that those who use the words "cheat, lie, steal" do a great disservice to this House.

HOUSE SEATS BELONG TO THE CONSTITUENTS IN EACH DISTRICT

(Mr. REGULA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REGULA. Mr. Speaker, we have been instructed by an expert.

Mr. Speaker, in the heady atmosphere of this environment we tend to forget that seats in this body belong to the constituents of each district—that we are only representatives of their right to participate in the process of governing ourselves.

Today the majority in this House will substitute its judgment for that of the people in the Eighth District of Indiana.

The framers of the Constitution never envisioned that the House of Representatives would usurp the rights of people to choose their Representative to the Congress.

The only people entitled to settle the controversy in Indiana should be the voters in the Eighth District with a special election.

I AM CONCERNED ABOUT WHAT HAPPENS IN THE DAYS THAT FOLLOW

(Mr. HENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENRY. Mr. Speaker, there is a train coming down the tracks and no one on either side of the aisle knows how to get out of the way.

Always the question is whether it is too late at this point to switch? Yesterday several Members on the majority side told me that had they only known on January 3 where that motion was inevitably leading us they would have voted otherwise.

Just as inevitably as you have placed yourselves with that vote on that motion on January 3, just as surely then those of us, all of us who took the oath of office to uphold the Constitution and the laws of this Nation are placed on an inevitable track of opposition to what is happening.

We are in a situation of inevitabilities and conflicts on the hand of both parties.

Mr. Speaker, I am concerned for not only what happens to this House today but for what will happen tomorrow and the days that will follow.

Mr. Speaker, finally and lastly, I would appeal to your own personal pride, I would appeal to your many years of long and distinguished service to our country, and ask you whether you wish to preside over the Chamber in your last term of office as Speaker when its repute is brought into dishonor.

I thank the Speaker.

□ 1350

FREE THE PEOPLE OF THE EIGHTH DISTRICT TO CHOOSE THEIR REPRESENTATIVE

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute.)

Mr. LIVINGSTON. Mr. Speaker, the Democratic Party has brought shame on itself and on the House of Representatives. To proceed and seat Mr. McCloskey in the face of legal State certification of his opponent, Mr. McIntyre, and after all the confusion and anxiety over the irregular vote counts in the past few months, is to reject precedent and the rule of law, and to ignore equity and justice.

Mr. Speaker, you and the Democratic Party have trampled on the basic tenets of democracy by your use of ham-handed majority rule or else.

But the damage is not irretrievable. Free the people of the Eighth Congressional District of Indiana to choose their Representative in Congress in a new special election.

THE BASICS OF THE INDIANA ELECTION DISPUTE

(Mr. BARTLETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT. Mr. Speaker, great damage has been done by the actions both yesterday and during this session with regard to the counting of the votes of the Eighth District of Indiana by the actions of this House. Damage has been done to both the principles of democracy and to the U.S. Constitution.

Much has been said. I will take this minute to bring us back to the basics. I think that much of the frivolity and some of the frivolity that we heard earlier is a big part of the problem.

Basic No. 1: The entire process which began on January 3 is clearly outside the Constitution, and is outside the authority of this House. That is, the people of Indiana are provided by the Constitution with the opportunity to set the terms of their elections, and elect their representatives.

No. 2: The so-called recount, then, should never have taken place at all, or no recount by this House of Representatives with a recount only by the people of Indiana.

No. 3: There was a clear abuse, then, by the task force in setting the rules to favor the particular outcome during the count. That is, counting votes only until a predetermined outcome was successful, and then stopping to count those votes.

Last, I would take 1 minute to commend those 19 courageous Democrats who voted the other way yesterday.

INDIANA ELECTION DISPUTE ISSUE NEEDS TO BE FOCUSED

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I would like to say there is something going on here that just does not look good to the American public.

President Reagan is not a devil, and TIP O'NEILL is not a devil, either. We are sort of getting mixed up in the fact that we happen to be all Americans. Now, there were 32 ballots that were contested, but if you look at all the State laws, those 32 ballots would have been thrown out.

If this task force would have found McIntyre to be the winner by one vote, I would have come on this floor as a Democrat and voted and talked to my colleagues about seating him.

Now we have got budget deficit problems and many other problems. I am not making light of this situation, but I do not like Democrats—and I do not think we have taken cheap shots at the President, and if we are, we had better stop it. I do not like Republicans taking shots at an honorable Speaker.

I think we should look at that in the process before we divide this country even more than perhaps is a little bit funny right now, with a growing rate of poverty that is reflecting that of the 1960's. Perhaps we should put in focus what we are talking about here today; this is not a game, this is a very important process, the House of Representatives.

TASK FORCE RULES WERE NOT REGULARLY CARRIED OUT

(Mr. MACK asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MACK. Mr. Speaker, the gentleman is right; this is a serious question, and it is one that they should have considered when they brought this matter up on January 3.

It was on January 3 that the majority leader pointed out his concerns about the certification of Rick McIntyre. He raised questions about the timeliness of the certificate, the regularity of carrying out Indiana law, and that there were some serious—get this one—there were some serious questions about the fairness of the election.

Well, the delay in the certification occurred because it was necessary to get a court order to force the Democratic county clerk to correct tabulations of precinct totals.

Indiana law was regularly carried out, which is much more than you can say for the Panetta task force. There are far more serious questions today about the fairness of the task force and its rule.

You have failed by your own rules. The people of Indiana, Indiana's Eighth District, have the right to seat their own representative.

COUNT THE 32 ABSENTEE BALLOTS

(Mr. McCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCOLLUM. Mr. Speaker, there is a lot of emotion that has been spilled over the issue of the Eighth District of Indiana on the floor of this House, and I would like to make one last appeal for reasoned, nonemotional consideration of this issue, particularly on the part of my Democratic colleagues as they come down to the final votes today.

We are talking about a sense of fairness, a sense of propriety that is judged not only in this body, but around this country by the people who write about it in the press and the people who read about it.

The facts that seem to me to be so apparent are that rules were adopted by the task force, and I think whatever you think the judgments of people differed on it, but those rules ought to be applied even-handedly. If there are going to be 10 unnotarized, unopened absentee ballots counted, the other 32 should be counted.

If that sense could be brought into this process and if when the opportunity for a vote on that occurs later today it could be adopted, I think a lot of the emotional steam, despite all the other considerations, could be taken out of this issue.

The press uniformly around this country who see this much more objectively and dispassionately than we, have called either for a special election or for the counting of these ballots. We have a chance to count them today.

I urge my colleagues, my Democratic colleagues, to look at this impassionately and vote when the opportunity presents itself, to let us count those unopened, unnotarized, 32 absentee ballots. We do not know who they voted for, but we ought to count them.

GIVE THE PEOPLE OF INDIANA'S EIGHTH DISTRICT THE CHANCE TO ELECT THEIR OWN

(Mr. MYERS of Indiana asked and was given permission to address the House for 1 minute.)

Mr. MYERS of Indiana. Mr. Speaker, the thousands of words that have taken place here since January 3, are hopefully going to come to an end today. The issue will not end.

I am asked most frequently in Indiana one question: "Why don't you do something about that terrible problem that's happening in the Eighth District of Indiana?"

The people of Indiana are not naive; they are honest, law-abiding people, but they cannot understand how this issue has become such a partisan one. They do not understand how this House could be so critical of the statutes of Indiana pertaining to its election laws; how we could be critical in this House of the way the election was conducted, and yet to send a task force to Indiana that committed many more irregularities and mistakes than the election officials in Indiana.

Now I am not blaming the chairman of that task force, or am I calling names of anyone. I think you have all on the Democrat side been caught up somewhat in this political situation; the partisanship, the polarization.

After the vote yesterday, several Members said, "I wish we could vote with you. But you people called us Democrats so many names we were left no choice." I think that you can count on one hand the people on your side that are responsible for us getting in this dilemma, but all are now expected to support those few.

It is not going to end today; I am sorry, I wish it were. I wish there was some way it could be, and there is one way, and that is to give the people of Indiana the opportunity to elect their own, and not have their representative selected by the House of Representatives.

ACCEPTANCE OF STATUE OF JEANNETTE RANKIN OF MONTANA BY SPEAKER THOMAS P. O'NEILL, JR.

(Mr. O'NEILL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. O'NEILL. Mr. Speaker, in January 1958, McCall's magazine published an article written by a young Senator from Massachusetts, John F. Kennedy. He had earlier published "Profiles in Courage," and he titled this article "Three Women of Courage." I'd like to quote from that article now:

Many eyes in the gallery now fell curiously upon a woman—the first woman in history to have been seated as a Member of the House. Jeannette Rankin, Republican congresswoman from Montana—only 36 years of age, an attractive slender figure with light brown hair and clear blue eyes—was already accustomed to the stares of onlookers and the whispers of cynics. She realized that her status as the first congresswoman—at a time when most women were still not permitted to vote—marked her for special attention, however much she strove to be just another freshman member of the Sixty-fifth Congress.

Jeannette Rankin was not a woman who shrank from hard and difficult tasks. Covering every inch of her vast Montana district, much of it on horseback, spending more time in kitchens and parlors than in meeting halls or political headquarters, she had entered without fear in the heretofore all-male world of politics—and done it successfully.

Along with most of her colleagues—and President Wilson himself—she had successfully campaigned on a position of nonintervention. She was a pacifist who in those less complex days did not resist the label of "isolationist"—and she did not believe that this war would end all wars.

The New York Times editorialized that her vote was "almost final proof of feminine incapacity for straight reasoning."

While she was the object of scorn, she was indeed a tower of strength.

She proved to America that women in public office could be strong in their convictions, powerful in sentiment and firm in belief.

And she proved that they could not be pushed around.

Jeannette Rankin opened the doors of political opportunity for all American women and as Speaker I am honored—and very pleased—to accept this statue on behalf of the U.S. House of Representatives to become part of the Statuary Hall collection of the U.S. Capitol Building.●

ON THE OCCASION OF THE ACCEPTANCE OF THE JEANNETTE RANKIN STATUE BY THE CONGRESS OF THE UNITED STATES

(Mr. WILLIAMS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. WILLIAMS. Mr. Speaker, her mother's name was Olive; her father's John. He was born 144 years ago, now, the son of Scottish immigrants. Olive—Olive Pickering taught school in New Hampshire. She met John after separately they had set out for that place out West called Montana. Married, they lived at 134 Madison Street in Missoula, when they weren't at the Rankins' place 6 miles northeast of town.

That school teacher mother and entrepreneurial, father guided seven children—including their oldest daughter Jeannette toward independence, toward individual courage. "Grace under pressure," Ernest Hemingway defined it.

Jeannette spent many days at the place north of Missoula and later at her brother Wellington's place east of Helena. Her hours at work and play at those ranches taught her much about the myth in that phrase "the weaker sex."

Miss Rankin taught, for a short while, in Whithall; and at 24 years of age went East, later returning to Montana with a memory burned by the sight of rotting urban neighborhoods, the poor, the disposed.

Jeannette Rankin, who within a decade was to walk the national political stage, was collecting herself.

Off to San Francisco, away to immerse herself in west coast reform. Next, to Seattle and the discovery of women's suffrage—the audacity of political change.

Back to Montana, Jeannette was near her 30th year, now, collecting herself: Watching out for others by protecting her own soul. She had walked in the slums of New York City, talked with Boston's poor, been energized by the variety that was San Francisco, handed out pamphlets on the corners in Seattle, lectured from the hood of her Model T and the back of her horse, saw women use the ballot in New Zealand, and watched the children of Butte's widows. Neither Jeannette Rankin nor this Nation would ever be the same again.

She realized and brought us to understand the meaning of the power and influence of an individual in this democracy carrying out her conscience. "It is," she told us, "altogether fitting and proper that a mother be at the bedside of her child, sick with typhoid fever; it is also altogether fitting and proper for the mother to go into the public forum to eradicate the causes of typhoid fever," and America listened.

And Jeannette Rankin said, "the American woman must be bound to American obligations not through her husband's citizenship, but through her own," and America learned.

And Jeannette Rankin said, "As a woman I can't go to war and I refuse to send anyone else."

And America learned that, oh, how we learned that.

And she said, "the goal is to make Congress more representative of the people. We worked hard for the right to vote. Now we need to work hard for someone to vote for"—America learned.

Miss Rankin was 90, had been living—working—in Georgia and California. She thought about another campaign for Congress. That would have been good because it was 1970. America needed to collect itself again.

After 92 years, 92 vigorous, productive, activist, controversial, crusading years Jeannette Rankin died, in the spring—this month, May 1973.

And America remembered her saying, "small use will it be to save democracy for the race, if we cannot save the race for democracy."

Miss Jeannette Rankin had helped America collect itself.●

MOTION TO ADJOURN

Mr. COBEY. Mr. Speaker, I have a privileged motion at the desk which I offer.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. COBEY moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. COBEY].

The question was taken, and on a division (demanded by Mr. COBEY) there were—yeas 37, nays 41.

□ 1400

Mr. COBEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 182, nays 243, not voting 8, as follows:

[Roll No. 88]

YEAS—182

Archer	Fish	McCandless
Armey	Franklin	McCollum
Badham	Frenzel	McDade
Bartlett	Gallo	McEwen
Barton	Gekas	McGrath
Bateman	Gilman	McKernan
Bentley	Gingrich	McKinney
Bereuter	Goodling	McMillan
Bilirakis	Gradison	Meyers
Bliley	Green	Michel
Boehlert	Gregg	Miller (OH)
Boulter	Grotberg	Miller (WA)
Breaux	Hammerschmidt	Molinari
Broomfield	Hansen	Monson
Brown (CO)	Hartnett	Moore
Broyhill	Hendon	Moorhead
Burton (IN)	Henry	Morrison (WA)
Callahan	Hiler	Myers
Campbell	Hillis	Nielson
Carney	Holt	O'Brien
Chandler	Hopkins	Oxley
Chappie	Horton	Packard
Cheney	Hunter	Parris
Clinger	Hyde	Pashayan
Coats	Ireland	Petri
Cobey	Jeffords	Porter
Coble	Johnson	Pursell
Coleman (MO)	Kasich	Quillen
Combest	Kemp	Regula
Conte	Kindness	Ridge
Coughlin	Kolbe	Rinaldo
Courter	Kramer	Ritter
Craig	Lagomarsino	Roberts
Crane	Latta	Rogers
Dannemeyer	Leach (IA)	Roth
Daub	Lent	Roukema
Davis	Lewis (CA)	Rowland (CT)
DeLay	Lewis (FL)	Rudd
DeWine	Lightfoot	Saxton
Dickinson	Livingston	Schaefer
DioGuardi	Loeffler	Schneider
Dornan (CA)	Lott	Schuette
Dreier	Lowery (CA)	Schulze
Duncan	Lujan	Sensenbrenner
Eckert (NY)	Lungren	Shaw
Edwards (OK)	Mack	Shumway
Emerson	Madigan	Shuster
Evans (IA)	Marlenee	Siljander
Fawell	Martin (IL)	Skeen
Fiedler	Martin (NY)	Slaughter
Fields	McCain	Smith (NE)
Smith (NH)	Stump	Weber
Smith (NJ)	Sundquist	Whitehurst
Smith, Denny	Sweeney	Whittaker
Smith, Robert	Swindall	Wolf
Snowe	Tauke	Wortley
Snyder	Taylor	Wylie
Solomon	Thomas (CA)	Young (AK)
Spence	Vander Jagt	Young (FL)
Stangeland	Vucanovich	Zschau
Strang	Walker	

NAYS—243

Ackerman	Frank	Nowak
Addabbo	Frost	Oakar
Akaka	Fuqua	Oberstar
Alexander	Garcia	Obey
Anderson	Gaydos	Olin
Andrews	Gejdenson	Ortiz
Annunzio	Gephardt	Owens
Anthony	Gibbons	Panetta
Applegate	Glickman	Pease
Aspin	Gonzalez	Penny
Atkins	Gordon	Pepper
AuCoin	Gray (IL)	Perkins
Barnard	Gray (PA)	Pickle
Barnes	Guarini	Price
Bates	Hall (OH)	Rangel
Bedell	Hall, Ralph	Ray
Beilenson	Hall, Sam	Reid
Bennett	Hamilton	Richardson
Berman	Hatcher	Robinson
Bevill	Hawkins	Rodino
Biaggi	Hayes	Roe
Boggs	Hefner	Roemer
Boland	Heftel	Rose
Boner (TN)	Hertel	Rostenkowski
Bonior (MI)	Howard	Rowland (GA)
Bonker	Hoyer	Roybal
Borski	Hubbard	Russo
Bosco	Hughes	Sabo
Boucher	Hutto	Savage
Boxer	Jacobs	Scheuer
Brooks	Jenkins	Schroeder
Brown (CA)	Jones (NC)	Schumer
Bruce	Jones (OK)	Sharp
Bryant	Jones (TN)	Shelby
Burton (CA)	Kanjorski	Sikorski
Bustamante	Kaptur	Sisisky
Byron	Kastenmeier	Skelton
Carper	Kennelly	Slattery
Carr	Kildee	Smith (FL)
Chappell	Kleczka	Smith (IA)
Clay	Kolter	Solarz
Coelho	Kostmayer	Spratt
Coleman (TX)	LaFalce	St Germain
Collins	Lantos	Staggers
Conyers	Leath (TX)	Stallings
Cooper	Lehman (CA)	Stark
Coyne	Lehman (FL)	Stenholm
Crockett	Leland	Stokes
Daniel	Levin (MI)	Stratton
Darden	Levine (CA)	Studds
Daschle	Lipinski	Swift
de la Garza	Lloyd	Synar
Dellums	Long	Tallon
Derrick	Lowry (WA)	Tauzin
Dicks	Luken	Thomas (GA)
Dixon	Lundine	Torres
Donnelly	MacKay	Torricelli
Dorgan (ND)	Manton	Towns
Dowdy	Markey	Traficant
Downey	Martinez	Traxler
Durbin	Matsui	Udall
Dwyer	Mavroules	Valentine
Dymally	Mazzoli	Vento
Dyson	McCurdy	Visclosky
Early	McHugh	Volkmer
Eckart (OH)	Mikulski	Walgren
Edgar	Miller (CA)	Watkins
Edwards (CA)	Mineta	Waxman
English	Mitchell	Weiss
Erdreich	Moakley	Wheat
Evans (IL)	Mollohan	Whitley
Fascell	Montgomery	Whitten
Fazio	Moody	Wilson
Feighan	Morrison (CT)	Wirth
Flippo	Mrazek	Wise
Florio	Murphy	Wolpe
Foglietta	Murtha	Wright
Foley	Natcher	Wyden
Ford (MI)	Neal	Yates
Ford (TN)	Nelson	Yatron
Fowler	Nichols	Young (MO)

NOT VOTING—8

Dingell	Mica	Weaver
Gunderson	Rahall	Williams
Huckaby	Seiberling	

□ 1410

Mr. APPLEGATE and Mr. THOMAS of Georgia changed their votes from "yea" to "nay."

Mrs. ROUKEMA changed her vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

RELATING TO ELECTION OF A REPRESENTATIVE FROM THE EIGHTH CONGRESSIONAL DISTRICT OF INDIANA

Mr. PANETTA. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution (H. Res. 146) relating to election of a Representative from the Eighth Congressional District of Indiana, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 146

Resolved, That, based on a recount of votes in the election of November 6, 1984, conducted pursuant to House Resolution 1, Ninety-ninth Congress, agreed to January 3, 1985, the House of Representatives determines that Frank McCloskey was duly elected to the office of Representative from the Eighth Congressional District of Indiana and is entitled to a seat in the Ninety-ninth Congress.

□ 1420

Mr. BARTON of Texas. Mr. Speaker, I raise a question of consideration and demand that the Chair put the question.

The SPEAKER pro tempore [Mr. WRIGHT]. The question is, Will the House now consider House Resolution 146?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BARTON of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 185, not voting 6, as follows:

[Roll No. 89]

YEAS—242

Ackerman	Bedell	Breaux
Addabbo	Beilenson	Brooks
Akaka	Bennett	Brown (CA)
Alexander	Berman	Bruce
Anderson	Bevill	Bryant
Andrews	Biaggi	Burton (CA)
Annunzio	Boggs	Bustamante
Anthony	Boland	Byron
Applegate	Boner (TN)	Carper
Aspin	Bonior (MI)	Carr
Atkins	Bonker	Chappell
AuCoin	Borski	Clay
Barnard	Bosco	Coelho
Barnes	Boucher	Coleman (TX)
Bates	Boxer	Collins

Conyers	Jones (NC)	Reid
Cooper	Jones (OK)	Richardson
Coyne	Jones (TN)	Robinson
Crockett	Kanjorski	Rodino
Daniel	Kaptur	Roe
Darden	Kastenmeier	Roemer
Daschle	Kennelly	Rose
de la Garza	Kildee	Rostenkowski
Dellums	Kleczka	Rowland (GA)
Derrick	Kolter	Roybal
Dicks	Kostmayer	Russo
Dixon	LaFalce	Sabo
Donnelly	Lantos	Savage
Dorgan (ND)	Lehman (CA)	Scheuer
Dowdy	Lehman (FL)	Schroeder
Downey	Leland	Schumer
Durbin	Levin (MI)	Sharp
Dwyer	Levine (CA)	Shelby
Dymally	Lipinski	Sikorski
Dyson	Lloyd	Sisisky
Early	Long	Skelton
Eckart (OH)	Lowry (WA)	Slattery
Edgar	Luken	Smith (FL)
Edwards (CA)	Lundine	Smith (IA)
English	MacKay	Solarz
Erdreich	Manton	Spratt
Evans (IL)	Markey	St Germain
Fascell	Martinez	Staggers
Fazio	Matsui	Stallings
Feighan	Mavroules	Stark
Flippo	Mazzoli	Stokes
Florio	McCurdy	Stratton
Foglietta	McHugh	Studds
Foley	Mica	Swift
Ford (MI)	Mikulski	Synar
Ford (TN)	Miller (CA)	Tallon
Fowler	Mineta	Tauzin
Frank	Mitchell	Thomas (GA)
Frost	Moakley	Torres
Fuqua	Mollohan	Torricelli
Garcia	Montgomery	Towns
Gaydos	Moody	Traficant
Gejdenson	Morrison (CT)	Traxler
Gephardt	Mrazek	Udall
Gibbons	Murphy	Valentine
Glickman	Murtha	Vento
Gonzalez	Natcher	Visclosky
Gordon	Neal	Volkmer
Gray (IL)	Nelson	Walgren
Gray (PA)	Nichols	Watkins
Guarini	Nowak	Waxman
Hall (OH)	Oakar	Weiss
Hamilton	Oberstar	Wheat
Hatcher	Obey	Whitley
Hawkins	Olin	Whitten
Hayes	Ortiz	Williams
Hefner	Owens	Wilson
Heftel	Panetta	Wirth
Hertel	Pease	Wise
Howard	Penny	Wolpe
Hoyer	Pepper	Wright
Hubbard	Perkins	Wyden
Hughes	Pickle	Yates
Hutto	Price	Yatron
Jacobs	Rangel	Young (MO)
Jenkins	Ray	

NAYS—185

Archer	Combest	Gekas
Armey	Conte	Gilman
Badham	Coughlin	Gingrich
Bartlett	Courter	Goodling
Barton	Craig	Gradison
Bateman	Crane	Green
Bentley	Dannemeyer	Gregg
Bereuter	Daub	Grotberg
Bilirakis	Davis	Hall, Ralph
Bliley	DeLay	Hall, Sam
Boehlert	DeWine	Hammerschmidt
Boulter	Dickinson	Hansen
Broomfield	DioGuardi	Hartnett
Brown (CO)	Dornan (CA)	Hendon
Broyhill	Dreier	Henry
Burton (IN)	Duncan	Hiler
Callahan	Eckert (NY)	Hillis
Campbell	Edwards (OK)	Holt
Carney	Emerson	Hopkins
Chandler	Evans (IA)	Horton
Chappie	Fawell	Hunter
Cheney	Fiedler	Hyde
Clinger	Fields	Ireland
Coats	Fish	Jeffords
Cobey	Franklin	Johnson
Coble	Frenzel	Kasich
Coleman (MO)	Gallo	Kemp
Kindness	Molinari	Siljander
Kolbe	Monson	Skeen
Kramer	Moore	Slaughter
Lagomarsino	Moorhead	Smith (NE)
Latta	Morrison (WA)	Smith (NH)
Leach (IA)	Myers	Smith (NJ)
Leath (TX)	Nielson	Smith, Denny
Lent	O'Brien	Smith, Robert
Lewis (CA)	Oxley	Snowe
Lewis (FL)	Packard	Snyder
Lightfoot	Parris	Solomon
Livingston	Pashayan	Spence
Loeffler	Petri	Stangeland
Lott	Porter	Stenholm
Lowery (CA)	Pursell	Strang
Lujan	Quillen	Stump
Lungren	Regula	Sundquist
Mack	Ridge	Sweeney
Madigan	Rinaldo	Swindall
Marlenee	Ritter	Tauke
Martin (IL)	Roberts	Taylor
Martin (NY)	Rogers	Thomas (CA)
McCain	Roth	Vander Jagt
McCandless	Roukema	Vucanovich
McCollum	Rowland (CT)	Walker
McDade	Rudd	Weber
McEwen	Saxton	Whitehurst
McGrath	Schaefer	Whittaker
McKernan	Schneider	Wolf
McKinney	Schuette	Wortley
McMillan	Schulze	Wylie
Meyers	Sensenbrenner	Young (AK)
Michel	Shaw	Young (FL)
Miller (OH)	Shumway	Zschau
Miller (WA)	Shuster	

NOT VOTING—6

Dingell	Huckaby	Seiberling
Gunderson	Rahall	Weaver

□ 1430

So the House agreed to consider House Resolution 146.

The result of the vote was announced as above recorded.

□ 1440

The SPEAKER pro tempore. The Chair recognizes the gentleman from Califorina [Mr. PANETTA] for 1 hour.

Mr. PANETTA. Mr. Speaker, I yield 30 minutes to the gentleman from Minnesota [Mr. FRENZEL] for purposes of debate only, and I yield myself 8 minutes.

Mr. Speaker, the privileged resolution that is before you is for seating and it is made pursuant to the action of the House taken on House Resolution 1. It is based on actions of the task force as well as the recommendation of the full House Administration Committee.

House Resolution 1 was adopted by the House by a vote of 238 to 177. It referred the question of who had the right to the seat in the Eighth District in Indiana to the Committee on House Administration.

Pursuant to that vote, the committee organized and appointed the task force, made up of three Members.

Between February 6 and April 18 the task force adopted a series of procedures, rules and other memoranda to conduct a recount of the election in the Eighth District. That recount was conducted by GAO auditors. The official tally of that recount was presented to the task force on Monday, April 22, by the director of elections.

The full House committee received the official tally on Tuesday, April 23.

The official tally that was presented by the director of elections gave Mr. McCloskey 116,645 votes and Mr. McIntyre 116,641 votes.

Pursuant to the responsibility that was placed on the task force and the House Administration Committee to determine who received the most votes based on the official tally provided by the GAO auditors and the director of elections, it is the recommendation that Mr. McCloskey, therefore, be seated. That was approved by the task force and approved by the full House Administration Committee on April 23.

As you know, a full report based on the actions of the task force, the views of the task force both on the majority and the minority side was prepared and that has been provided now to all Members.

My colleagues, the arguments on this issue are well presented in the report and the backup material. The issue was fully debated yesterday on the House floor, based on the motion to vacate the seat and call for a special election.

I would again ask the Members to please look at the facts that are presented in that report.

There is a great deal of rhetoric and a great deal of charge and countercharge that has been presented here, but what I ask the Members in implementing a very serious responsibility under the Constitution is please look at the facts that are presented in the report. I think the conclusion from that report is that the procedures were indeed fair, that they were developed largely in cooperation with the minority, that the rules were justified by House precedent and they were implemented in line with House precedent all the way down the road, that the GAO auditors and the director of elections conducted a fair and credible recount of all the votes that were presented in the Eighth District, all of the ballots that had been cast, and that the legitimate winner of that election should now be seated.

In summary, let me also personally thank the individuals that were involved in this recount. This was difficult responsibility for all who have been involved. I want to thank in particular the chairman of the full committee for his cooperation and support during this entire effort. I want to thank the ranking minority member, the gentleman from Minnesota [Mr. FRENZEL] for his support during the operations of the task force.

I also want to pay tribute to the members of that task force, both the gentleman from California [Mr. THOMAS] and the gentleman from Missouri [Mr. CLAY], who were always diligent in attending all the task force hearings, both here and in Evansville, IN, and although there were disagree-

ments, they continued to work to see that the process was completed.

I also want to thank all the staff involved on both sides who worked so hard and diligently in trying to complete this very difficult process.

Let me say in conclusion that the House was given a very difficult and uncomfortable responsibility. It is not pleasant to make judgments on issues like this, but under the Constitution, we are to be the final judge of election returns and qualifications of our own Members. That is a very serious responsibility that we have and one that must be exercised carefully.

The task force and the House Administration Committee in implementing that responsibility implemented it fairly, impartially, and honestly. We now present to you the results of the recount that were accomplished by the task force and the auditors.

No one—no one regrets more deeply than I that the final result of counting the votes in the Eighth District in Indiana were as close as they were, no one regrets that more. It would have been far easier had either candidate won by 100 or more votes, but that is not the way it turned out according to the recount.

Should the closeness of that vote, as close as it was, lead to the rejection of all the results, be a justification for rejecting those results, or more importantly, be a basis to reject the voters who cast their votes on election night in the Eighth District? Are they not due some respect by virtue of going to the polls, those that cast valid ballots, are they not to be respected for the votes that they cast on election night?

It seems to me that those votes should be counted, that those votes were cast and that as a result of that, Mr. McCloskey won. We know very well that if Mr. McIntyre won, he would be seated.

I ask us to do the same for Mr. McCloskey.

Mr. FRENZEL. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada [Mrs. VUCANOVICH], a member of the committee.

Mrs. VUCANOVICH. Mr. Speaker, I just simply say that I rise in opposition to this resolution.

Mr. FRENZEL. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. THOMAS], the sole Republican member of the 2-to-1 task force.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to read out of printed material, waiving rule XXX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1450

Mr. THOMAS of California. Mr. Speaker, I think it is important for us to note we are here today because of the big lie. And that is that there was a question over who the people had chosen in Indiana's Eighth Congressional District election night.

Now, Mr. Speaker, there is no question about who won. Just as I do not believe there is a plot or a conspiracy going on, I think there has just been an amazing series of unintended errors, of inadvertent comments.

From day one in this Congress the Democrats' comments have referred to recount night, not to election night. Just yesterday on this floor the majority leader, in speaking out about what happened, indicated that:

> So the question is, did the House do the right thing in having a recount? Someone said yesterday in debate that the only reason for the constitutional provision that we be the judge of our own elections is to guard against extraordinary circumstances, and this gentleman concluded there had been no extraordinary circumstances in the Indiana case.

The majority leader went on to say:

> Well, I suggest that there was truly and extraordinary circumstance when almost 5,000 American citizens were disenfranchised on technicalities and their votes were not counted.

Mr. Majority Leader, that was the recount, not the election. The certificate was based upon the election, not the recount.

Of the 22 task force rules, every one of them counted ballots that were invalid under Indiana law. When you compare the number of votes election night with the number of votes in the committee report under the task force, and subtract the tabulation errors, the difference is 91 votes. And every one to the 22 rules of the task force admitted ballots that were illegal under Indiana law. And the difference between election night and the task force's recount after correction for tabulation errors: 191 votes.

Two hundred thirty-three thousand votes were counted election night, 233,000 votes were counted by the task force. Your error has been corrected.

From day one of this Congress there has been a systematic although unintended and inadvertent stream of comments to create the impression that Republicans played games in Indiana. I thought for a few days that the secretary of state's name in Indiana was Mr. Republican, it was so important to underscore the fact that the secretary of state was a Republican and that the Governor was a Republican.

Just yesterday the gentleman from Missouri [Mr. CLAY], said on the floor of this House, and I quote:

> I assume, Mr. Speaker, that those black voters, and that was 20 percent of the total black vote in that District, that were disenfranchised under the recount, the Republican-controlled recount * * *.

Vanderburgh County had a recount commission made up of three individuals, two of them Democrat, one Republican. Nine of the fifteen counties were controlled by Democrats.

Error corrected.

There were errors made election night, yes. The county clerk from Gibson County, Mr. Lutz, double counted a precinct. I asked him, "You said you saw the sheet and there were two 20th precincts out of the 37 precincts shown on election night?"

"Mr. Lutz. That is when I knew something—it wasn't perfect. I noticed it."

I said, "Why did you sign your name to a certificate when you knew the count wasn't perfect?"

Mr. Lutz said, "I done just like all the other clerks. You take the summary sheet—that is what the purpose was for. We are in a hurry. We want to find out what people are getting to these votes. You understand what I am saying? The total."

I said, "Does Indiana law require you to submit the very next day a total?

Mr. Lutz said, "No, not the very next day."

That is at page 297 of the transcript. Mr. Lutz admitted that he transmitted an imperfect total. Mr. Lutz is a Democrat.

When it was discovered that that total was incorrect the county judge was asked to order the Democrat county clerk to correct it. The judge refused. The county judge was a Democrat. It was not until the State Supreme Court of Indiana ordered, exhibit A in the minority report, the Supreme Court of Indiana determined that an error had occurred in the counting of the votes. "The clerk of Gibson County is ordered within 48 hours of receipt of this order to proceed pursuant to statute to certify the proper results of the election in question of the secretary of state of the State of Indiana." The supreme court had to order the Democrat judge in Gibson County, and the Democrat county clerk to correct the error.

At the same time the State supreme court was ordering Democrats to correct an error Mr. McCloskey was in State court demanding that that court rule that the only way to correct the error was to have a complete recount. While at the same time he was in Federal court arguing that he should be certified as the proper winner in Indiana's Eighth Congressional District based upon the erroneous total of election night.

There were errors election night. Were they corrected? Yes. There was a full accounting of the votes election night! Was there a winner election night? Yes. Was the winner McIntyre? Yes. Did this House honor his valid certificate? No.

We are here today through a series of amazing coincidences. A Democrat clerk forwards the wrong total and refuses to correct it. A Democrat county

judge refuses to order the Democrat clerk to correct his total.

Even though the Indiana State Supreme Court orders the error corrected and a true total is forwarded to the secretary of state, and then to the House Clerk, the Democrat leadership is apparently confused, does not understand the difference between election night and the recount and it asks the House not to honor Mr. McIntyre's valid certificate.

And this House, on a straight party vote, 238 Democrats vote to send it to House Administration. A task force is created with a 2-to-1 Democrat majority. Democrats on the task force vote 2-to-1 to quit counting when McCloskey is ahead.

House Administration, by a straight Democrat vote, sends this resolution to the floor.

And soon, with only Democrats voting in favor of seating, Mr. McCloskey will become a Member of the House of Representatives.

That is quite a streak of coincidences, even for you folks.

The SPEAKER pro tempore. The gentleman from California [Mr. THOMAS] has consumed 8 minutes.

Mr. PANETTA. Mr. Speaker, I yield 4½ minutes to the chairman of the House Administration Committee, the gentleman from Illinois [Mr. ANNUNZIO].

Mr. ANNUNZIO. Mr. Speaker, throughout the public debate over deciding the winner in Indiana's Eighth Congressional District, I have not spoken. Certainly as a Democrat, I would hope that Mr. McCloskey would win the seat. But as chairman of the House Administration Committee, my first and only goal was to make certain that the House Administration Committee, your committee, operated in as fair a manner as possible.

During the hearings on the task force report, I made no statements. On the floor yesterday I made no statements. And my statement today is not a partisan one designed to advocate the seating of any candidate.

In January, the House Administration Committee was assigned the task by this body of preparing a report with recommendations on the outcome of Indiana's Eighth Congressional District. It was not a job that I welcomed, but one that you assigned to my committee. That night in reflecting on the assignment, I decided that because of the closeness of the race and the supercharged emotions surrounding it, the committee must operate on the highest ethical plane. When I appointed the task force I gave them no special partisan instructions but rather gave the task force and its chairman, the gentleman from California [Mr. PANETTA], a free rein. I made available to the task force whatever funds and personnel were necessary to conduct the recount.

Some may feel that the task force did not reach the proper conclusion. I am not here to debate that point. I do feel that the task force, dealing with one of the closest political races in our history, operated in an honorable manner.

I commend the three members of the task force—the gentleman from California [Mr. PANETTA], the gentleman from Missouri [Mr. CLAY], and the gentleman from California [Mr. THOMAS], as well as the recount director, Mr. Shumway.

While others of us were performing our political duties here in Washington and our constituent duties in our districts, these three gentlemen were forced to spend hundreds of hours of their own time working on the task force report.

Members of Congress have so little free time, and I know the most common complaint in this body is the limited amount of time we have to spend with our families and loved ones. Yet these three gentlemen gave up hundreds of hours of their time to complete a task that I am certain not a single Member of this House would want.

The many staff people who assisted the task force also are due our praise, as are the representatives of the General Accounting Office who assisted the task force. These people worked many hours that they could have spent with their families or in other more enjoyable springtime activities.

Mr. Speaker, I am proud of the job that the Committee on House Administration did on its assignment, and I am particularly proud of the task force.

Before the final vote is taken on the Eighth District Congressional seat, I want to let the members of the task force know that they have performed a valuable service.

It is easy for Members of both sides to criticize specific actions of the task force, but I do not know of a single Member of this body who would have wanted to trade places with a member of the task force. It is a lot harder to go out and do the work and be faced with tough decisions hour after hour. I cannot let this contested election episode draw to a close without letting the members of the task force know of my appreciation for their efforts.

In closing let me make this request. No matter what your feelings are about the Eighth Congressional District's seat, please join me in expressing appreciation of this body for the hard work, long hours, and devotion to duty put forth by Mr. PANETTA, Mr. CLAY, and Mr. THOMAS.

□ 1500

Mr. FRENZEL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina [Mr. COBLE].

Mr. COBLE. I thank the Speaker.

The 34 votes were enlarged to 418 votes; the secretary of state of Indiana certified the Republican candidate, Mr. McIntyre, as the winner; Mr. McCloskey, the Democrat candidate, did not allege fraud or other illegal activity surrounding the election.

Yet Mr. McIntyre's 418 margin of victory was not enough. Perhaps 500 votes will be insufficient 2 years from now. Perhaps 5,000 will be insufficient 5 years from now.

Some have said, "Why all the fuss over one seat." One seat will not emasculate the Republicans nor appreciably strengthen the Democrats. The one seat, however, Mr. Speaker, is not the main point. The main point is the course that was charted and pursued in the name of fair play and equity. Fair play and equity, indeed; the words fair play and equity were severely tarnished by this Chamber.

A dark cloud hangs heavy over this House. And if Mr. Rick McIntyre is denied his seat that cloud will not disappear.

In Biblical times some martyrs who suffered, had to endure pain inflicted by thorns and thistles. Some have proclaimed that Rick McIntyre is plagued by thorns and thistles.

Horns and whistles might be more appropriate. Horns and whistles that are indigenous to the atmosphere of a carnival because I fear those who were the architects of this Indiana fiasco more readily resemble carnival barkers rather than Biblical martyrs.

The ship of fairness is bound for the shoals and reefs to destruction. This disaster can be avoided by not denying Rick McIntyre the seat he won.

I thank the Speaker.

Mr. PANETTA. Mr. Speaker, I yield 6½ minutes to the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Speaker, in a Bill Mauldin cartoon in 1945, a little boy was giving a report in school and he said, "And so my conclusion is that wars is impossible unless both sides is right."

When you have a very close election as we seldom have in the history of our Republic you are right at the ragged edge of democracy. A great deal of discipline, a great deal of self-restraint is required.

I would like to say a couple of words about the disputed ballots in the Eighth District of Indiana.

As I see it, Mr. Speaker, they fall into two categories. The first category of disputed votes are those which were cast by citizens who in every respect met their obligations, did their duties and cast their ballots, but ballots which were thrown out because of errors made by election officials.

Under the Indiana ancient, and, I think, somewhat crazy statute, such errors by election officials, even though they do not call into question

the validity of the votes cast by the citizens, under that ancient Indiana law the entire votes of a precinct can be vitiated by a technical error upon the part of the precinct official in that precinct.

Imagine what the literal translation of that law could lead to, if anybody even knew about it. Hardly anybody in Indiana even knew it was still on the books. And, by the way, the Indiana House of Representatives just voted 94 to 6 to repeal it and overruled it, having a similar power as that of the Constitution in the U.S. House, in judging an election contest this very year.

Imagine what the literal application of that law could lead to. Let us take an overwhelmingly Republican precinct where most of the folks vote Republican. Here is a Democratic official at that precinct who would just as soon not have that precinct counted in the final tally. So he or she makes an accidental technical error. Under the literal interpretation of that law all the votes of that precinct could be thrown out.

It could be worked exactly the same way the other way around.

As I understand it, that question is not paramount in this debate today. I think most people do agree that that statute is very bad and that the Indiana Republican majority in the house of representatives there and the Democratic majority in the House of Representatives here did the proper thing in exercising the plenary authority awarded by the constitutions to those respective bodies.

The other category of contested votes, the ones being discussed here today, are absentee ballots. That category of controversy has to do with the duty of the individual citizen. When you go to a precinct to cast your vote you are required, No. 1, to be there on time. If you get there 1 hour late or 5 minutes late you are not permitted to cast the vote. You have not met your duty to be there on time.

No. 2, you are required to sign the polling book in the presence of election officials.

In the case of absentee ballots theoretically the same thing applies. You must be there on time with your ballot, not postmarked but it must be there on election day. That is your responsibility to get it there.

No. 3, you must have signed the equivalent of the polling book in the presence of an official known as a notary public.

In the cases of 32 disputed ballots that was not done. They are intrinsically, not malum prohibitum but malum, in se, they are intrinsically illegal ballots. But were not 10 of those illegal ballots counted? Yes, they were. I tell my friend from California [Mr. PANETTA] I think he was mistaken in supporting the counting of those 10 ballots.

Next question: Once you have counted those 10 illegal ballots, why not count the other 32 illegal ballots? I cannot tell you, during my days as a police officer, how many times I heard that same argument when I was on traffic. "There went three guys going 40 miles an hour. Why are you stopping me?"

"I wasn't able to stop the others," or whatever the reason, it is not justification for further illegality.

□ 1510

Now, I hear it said that the task force was happy enough to overrule Indiana law in one instance but not in another, and I point out to you that the task force only overruled Indiana law in one instance. It supported Indiana law in a variety of instances, including the law requiring registration of voters, the law requiring presence at the polling place on time, and so on.

Now finally, Mr. Speaker, in all affection for my colleagues, my fellow citizens of the United States, I think history tells us that there is a faction among our Republican friends; I think it could be described best by a faction that hates the word conservative because it sounds too liberal.

A faction which, somehow or another, seems to assert its rightness inevitably, and it may be right; maybe it is right by far, but the remarkable thing about that faction, Mr. Speaker, is that in the entire history of the Republic, it has never lost an election. It has had a few stolen from it, but it has never lost an election—not to the Democrats, not even to other Republicans.

In 1952, that faction lost the Texas primary to Dwight Eisenhower, but it said no, we didn't lose it; Ike stole the election, leading Edward R. Murrow to say to this reporter, "It would seem as traditional a part of the proceedings as for a fight manager to yell 'We was robbed.'"

Now, I want you listen to these words: In our campaigns, no matter how hard fought they may be, no matter how close the election may turn out to be, those who lose accept the verdict and support those who win. Who said that? Richard M. Nixon on January 6, 1961, standing at that podium, announcing that he had lost the election to John F. Kennedy.

However, the faction in 1961 said that Mr. Nixon did not lose the election to John F. Kennedy; they concluded that John F. Kennedy stole it.

Mr. FRENZEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. CRANE].

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 75, H.R. 76, AND H.R. 1345

Mr. CRANE. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Oregon [Mr. ROBERT F. SMITH] be removed from the list of cosponsors of H.R. 75, H.R. 76, and H.R. 1345 and replaced as of today with Mr. ROBERT C. SMITH of New Hampshire. Mr. ROBERT F. SMITH of Oregon was inadvertently added to that bill instead of the ROBERT C. SMITH of the State of New Hampshire.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FRENZEL. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana [Mr. MYERS] and following that I yield 1½ minutes to the distinguished gentleman from Indiana [Mr. HILLIS].

Mr. MYERS of Indiana. Mr. Speaker, it has just been conceded by my colleague from Indiana that there was an error in counting 10 ballots in Indiana. Because of that, I think it is good basis to say that the margin of error of only four votes is good reason that this should not happen today.

The precedents for the counting of those ballots has been used by the House, the task force. In Roush versus Chambers in 1961, the House Administration Committee went out and counted the ballots.

There is one difference. When they came back with their count, there was never a criticism or question about how they counted the ballots in Indiana. It was not questioned. You certainly cannot say that this time.

It is unfair, I think; it is a tragedy, really, to the House of Representatives. It is a sorry day today, but most importantly it is a sorry day for a friend of ours, Frank McCloskey, taking his seat today under this cloud. Because unfortunately, Mr. McCloskey, who is a friend of mine, I have known him longer than any of the rest of you I am sure, but he will be remembered as one Member who was not elected by his constituency but selected by the House, and that is too bad for a fine gentleman like Mr. McCloskey.

I am not going to vote today on this issue. It is a vote that should not be taking place in this House. I have not been a party to illegal acts in the past, and I am not going to be today.

Mr. HILLIS. Mr. Speaker, we've discussed at length the constitutional implications inherent in this debate over the Eighth District of Indiana. We've also spent considerable time talking about the mechanics of the recount, the ballots which should or should not be counted, and the partisanship which has overshadowed clear and reasoned debate.

I want to speak for a moment on behalf of my home State and more than a half million Hoosiers who have yet to be represented in the 99th Congress.

Mr. Speaker, they are, in a world, disillusioned. They wonder what kind of people's House this is that its Members can vote to deny them their right to elect a Member of Congress who can serve in this body without suspicion.

They wonder why the House insists they be represented by a man who many in this Chamber believe lost the election. They wonder how effective any Representative can be with this sword hanging over his head.

I know I would have great reservations about taking my seat in this House under these conditions. I think many of you would too.

Mr. Speaker, the people of the Eighth District want to make this right. They want another chance to elect their Representative on the same terms by which all of us were elected. I think they deserve that opportunity just as their Representative deserves the right, as we have, to sit in this Chamber as the unchallenged choice of our constituents.

I have always tried, in my 15 years here, to vote my conscience. Sometimes that has meant differing with my party's position on some tough issues. But I have done that and I will do it again if I think it's right.

I turn to my friends on the other side of the aisle and say to them: Here is a clear vote of conscience. Here is a chance to do what all great Democrats have advocated throughout our history. Let the people decide.

It is not too late. Our actions of yesterday can be reversed by defeating the motion on the floor today. But it is our last chance to do what is right.

Please, let us not fail.

Mr. FRENZEL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. BOULTER].

Mr. BOULTER. Mr. Speaker, I want to express my appreciation to the gentleman from Minnesota [Mr. FRENZEL] for the inspiration you have been to us who believe in this cause so much.

There have been a lot of words exchanged in the House the past few months. Many Members on the Democrat side of the aisle have spent time lamenting and regretting what they call our strident partisanship on this side of the aisle.

Just to those Members who have spoken in that way, let me say that on our side of the aisle, we view your words as purposefully confusing and intent on avoiding the facts.

Yesterday, the chairman of the task force, the gentleman from California [Mr. PANETTA], said that the test which should be applied to the work of the task force is one of reasonableness. I agree, but is the result reasonable? Why, of course, it is not.

Why do I say that? Because when all of the ballots that were cast on election night are counted, McIntyre won by 34 votes. He won a State-supervised recount by 418 votes. Yet, on those occasions you said that it was too close; Indiana law is too confusing; and you said most of all, count all the ballots.

We have just heard today where 10 ballots were counted and yet 32 more, similarly situated, ballots were not counted; and Mr. Shumway himself said those ballots should have been counted.

Then yesterday, one of the members of the task force on the majority side said that our call for a special election—the Republican call for a special election—could be considered by some as "racist." That is a quote from Mr. CLAY "could be considered by some as racist."

That is sheer, sheer demagoguery. It is untrue, it is dishonest. And you ask how our side can get emotional on this issue.

I think history is going to judge this, and I look forward to history's verdict on this issue.

The mere statement that we are racist shows that you are not really being reasonable. History will judge that the task force recount was not proper; the outcome was not reasonable, and that the majority action was a subterfuge and a deliberate denial of democracy.

POINT OF PERSONAL PRIVILEGE

Mr. CLAY. Mr. Speaker, I rise to a point of personal privilege.

The gentleman accused me of accusing him of being a racist.

The SPEAKER pro tempore. The gentleman cannot——

Mr. CLAY. The gentleman called my name and accused me of calling him a racist.

The SPEAKER pro tempore. The gentleman cannot——

Mr. CLAY. The gentleman cannot rise to a point of personal privilege while the House is considering a question of privilege of the House.

Mr. PANETTA. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. SHARP].

Mr. CLAY. Mr. Speaker, will the gentleman yield?

Mr. SHARP. I yield to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, a colleague from the other side of the aisle misrepresented my remarks of yesterday when he accused me of calling Republican members "racist." I did not make that statement and the CONGRESSIONAL RECORD of April 30, 1985, will confirm my position.

Apparently the gentleman is very sensitive to such criticism. I am told that most racists are unable to admit their racism and sometimes even imagine being attacked for their views.

I know not what category, if either, my accuser falls into, but I suggest his conscience should be his guide.

Mr. Speaker, I suffered the thankless ordeal of serving on the election task force to decide the winner in Indiana Eighth Congressional District. I knew from the outset that the eventual outcome would leave some disgruntled, some dissatisfied, some as confused as ever. But respect, concern, appreciation for this institution moved me to join with two other colleagues in this endeavor to determine which candidate received the most votes in the November general election. I wish to commend the other two members of the task force, Mr. PANETTA and Mr. THOMAS, for their diligent, sincere, professional pursuit of the facts in this time-consuming effort. In particular, I wish to compliment our chairman, Mr. PANETTA, for his impartial and fair handling of this very sensitive matter. There were times when partisan, intemperate attacks questioning his integrity would have made lesser men and women retaliate in kind. Mr. PANETTA did not.

Mr. Speaker, after more than 200 hours of debate on the floor of this House, after 100 hours of deliberations and travel by the special task force on elections, after 4 months of partisan wrangling, the moment of truth has arrived. There is no further time for posturing, procrastinating or politicking. In a matter of minutes a vote will be taken to seat the winner of the election in the Eighth District of Indiana. Mr. MCCLOSKEY won that election in a fair but close contest by the slim margin of four votes. When all of the more than 233,000 legitimate votes were counted, as slim as the margin was, he emerged the victor.

Some truly believed that a special election should have been declared because of the closensess of the outcome. Some are not inclined to accept any verdict other than one favoring their candidate. Some wish the entire matter had never developed and look forward to an expeditious resolution of the problem.

To those who still have doubts about the wisdom of seating a person who only won by four votes, I say that happens to be the nature of the Democratic process. Our majority leader, JIM WRIGHT on yesterday, in a brilliant presentation pointed to several Earth shaking incidents in history that have been decided by one vote.

I would like to expand on his discourse to show that even a one-vote margin is justification for seating a Member of this House. The eagle is our national bird, instead of the turkey, because of a one-vote margin in the Continental Congress. I'm sure that some turkeys then also argued that a new vote should be taken. But turkeys, no matter how persuasive their oratory, have never been able to persuade logical thinking eagles or reasonable, intelligent people that a one-vote margin is not credible. If they had, we would be eating eagles on Thanksgiving and those of us who

spent so much time and effort in conducting an honest, fair recount might be eating crow today.

Mr. Speaker, a President of the United States, Andrew Johnson, in 1868 was faced with impeachment by an emotionally charged Congress—similar to the present situation. But a one-vote margin in the Senate found him not guilty of the charges. Certainly if this Congress can retain a President by the slim margin of one vote, this House can seat Mr. McCloskey by the landslide margin of four.

Mr. Speaker, even more related to the point, a President of the United States was seated by one vote. In the Hayes-Tilden election, Mr. Samuel Tilden—a Democrat—received the majority of the popular votes, a majority of the electoral votes on election night and was announced the winner by every newspaper in the country. But disputes arose in several of the States challenging the electors. A law was passed establishing a 15-member commission to decide the validity of the challenges. Five Members of the Senate; three Republicans and two Democrats were chosen; Five Members of the House, three Democrats and two Republicans; five from the Supreme Court, three Republicans and two Democrats. In a straight party line vote, eight Republicans to seven Democrats, all Republican challenges were upheld. The final count of electoral votes was 185 for the Republican, Mr. Hayes, and 184 for the Democrat, Mr. Tilden. If a President of the United States can be seated by the margin of one vote, it's ludicrous to argue that four votes disqualifies Mr. McCloskey from sitting in this Chamber.

Mr. Speaker, I recommend that Mr. McCloskey be seated so that we can get on with the business of the Nation.

On the second and third pages of the minority views of the report filed by House Administration concerning McCloskey-McIntyre election, the Republicans have listed in abbreviated fashion the sins they feel have been perpetrated upon them and their candidate by the majority. I would like to take a moment to respond to those charges.

The first charge is in fact, two assertions. In the interest of understanding I will deal with each assertion separately.

First, "the majority refused on January 3, 1985, to seat the duly certified winner of the election, Richard D. McIntyre, charging inconsistencies in the election."

On behalf of myself I plead guilty, but offer the following by way of mitigating circumstances: Under Indiana law, the secretary of state is not permitted to reject the return of any county which has come into his hands and which has been duly authenticated by the clerk of the circuit court of that county under seal. Yet, believing tabulation errors to have occurred effecting the outcome of the election, the secretary of state refused to certify Frank McCloskey based on official election night returns which showed Mr. McCloskey to have been the winner by 72 votes. Then, after only a partial recount of the district had been done, without waiting for the correction of other tabulation errors, the secretary of state certified the candidate of his party as the winner at the earliest moment that candidate appeared to have a lead. At later points in the recount, when Mr. McCloskey was again ahead, the secretary of state was either absent and his deputy sick or was enjoined by a Republican judge and therefore unable to certify Mr. McCloskey. By January 3, it was evident that the secretary of state was inclined to certify only one candidate regardless of the facts.

On January 3, the recount of five counties—Monroe, Orange, Posey, Vanderburgh, and Warrick—had not been completed. These five counties include more than half of the voters who participated in the election. Further, if one cumulatively figures the margin between Mr. McCloskey and Mr. McIntyre and subtracts those counties where the recount was not completed as of January 3, Mr. McCloskey had a 2-vote margin on Mr. McIntyre. Finally, in an election involving over a quarter million voters, where the election night margin has been reported variously at 72, 39, or 34 votes, and the recount has yet to be completed, the better course of wisdom would seem to be to await a definitive recount of the district.

Second, "as a result, McIntyre is the only person with an unchallenged certificate of election not seated in the last 50 years."

This statement is simply factually inaccurate. I would refer my colleagues on the other side of the aisle to the hearing transcripts of the task force and to Roush or Chambers (H. Rept. No. 513, 87th Cong., 1961). As Mr. Roush testified before the task force, the only candidate to receive a certificate of election in that contest was Mr. Chambers. Despite this fact, Mr. Chambers was not sworn in on opening day, nor, as events work out, was he ever sworn in. Finally, to make sure the record is correct, there were no allegations of fraud in that election prior to the House's decision to investigate.

Third, "the majority refused on February 7, 1985, to seat the winner of the State of Indiana's recount, McIntyre, charging inconsistencies in the recount."

The recount conducted by the State of Indiana treated the ballots of some voters differently than identical ballots cast by other voters. Yes, I would certainly call that an inconsistency. Additionally, the recount disenfranchised 4,800 voters on the basis of errors made by election officials, not the voter; and, as indicated earlier, the likelihood of being disenfranchised was as much a matter of geography and race as anything else. Finally, the Indiana recount clearly had a disproportionate impact on black voters, 20 percent of whom were disenfranchised as a result of the recount.

For any one of these reasons it would have been appropriate for this body to investigate that recount. Given all of these reasons, this body would have seriously failed in its duty had it not discounted the results of that recount.

Fourth, "the majority refused to require McCloskey to adhere to the procedures of the Federal Contested Elections Act."

In point of fact, the procedures of the House do not necessarily adhere a candidate to the procedures of the Federal Contested Elections Act. The Federal Contested Elections Act is but one way to bring an election contest before the House. If the minority feels it should be the only way, then legislation to accomplish that end should be pursued. While the method utilized in this instance is unusual, it is neither unprecedented nor illegal. Given what has transpired in Indiana, it is also warranted. Finally, in case there may be a misunderstanding, it was not Mr. McCloskey who brought this case to us in this manner. Only a member of this body may bring a case in such a manner and Mr. McCloskey is not yet a member.

Fifth, "the majority refused to hold hearings for State officials and the candidates before supplanting the State's laws with custom-made rules of its own—a shocking preliminary indication that the conclusion was predetermined."

If the House is indeed bound by State law, it is bound by those laws in their entirety. Not even the minority member of the task force supported that proposition. Had we sought to implement State law we would have disenfranchised thousands of voters.

A conclusion was predetermined. Going in we were determined to adhere to the principles of democracy and determine the will of the citizens of that district as indicated by their votes. Unfortunately, adherence to democratic principles required the supplanting of State law and frankly, little would have been served by having State officials come before us to explain why voters should be disenfranchised. Further, as the minority made plain at the time, the task force was under instructions to proceed as quickly as due diligence would allow.

Finally, our rules were indeed custom made. That is, the proposition that errors or mistakes on the part of

election officials should not be allowed to disenfranchise voters is fully supported by the precedents of the House as established by both Republican and Democratic majorities.

Sixth, "the majority voted to vitiate Indiana election laws after McCloskey lost twice and replaced such laws with rules of its own which have no basis in Indiana law."

Since the Eighth District was never recounted in accordance with Indiana law, it is impossible to say whether McCloskey would have lost under that law. For instance, because polling machines in Spencer County were never properly sealed, Indiana law would require that virtually all the votes cast in that county be disallowed. In such a circumstance, it is entirely likely that McCloskey would have won the election.

And more importantly, where strict adherence to the law would require that so many voters be disenfranchised that it is no longer possible to determine what the will of the voters is, this House has both a moral and a constitutional duty to "vitiate" that law.

Seventh, "the majority insisted on a House recount after McCloskey lost the State election, his Federal court suit demanding certification and the State recount."

I do not dispute that Mr. McCloskey lost his Federal court suit demanding certification. As the judge in that case noted, this body is fully able to correct an erroneous certification. Nor do I dispute that Mr. McCloskey lost the Indiana recount, by a margin of one-tenth of the number of voters who were disenfranchised in that recount. I am even willing to stipulate that, based upon a partial recount of the district, Mr. McCloskey did not win. However, as the only fair and uniform recount of that election has proved, it was Mr. McCloskey, not Mr. McIntyre who won the election.

Eighth, "the majority suspended its insistence that the House "count all the votes" in the name of enfranchising the voters as soon as McCloskey had a lead of four votes. The majority's change in position disenfranchised 32 voters whose unnotarized absentee ballots were identical to those the task force counted a week earlier."

I appreciate the minority acknowledging it was not until it became apparent that Mr. McIntyre would lose that anyone ever suggested that those unnotarized absentee ballots retained properly by the county clerks should be counted. To correct the record, though at no point did the majority anticipate or expect to count invalid ballots that were retained by the county clerk. Unnotarized absentee ballots are invalid under Indiana law, they are invalid under House precedent, and they are invalid under the rules of the task force. Nevertheless, because some of these ballots had been counted on election night and were no longer distinguishable from valid ballots, the task force felt compelled to count some ballots it would otherwise have rejected. It should be noted that it was Mr. McIntyre, not Mr. McCloskey, who benefited from this exception. Despite the 11th hour insistence of the minority, the task sought to minimize those instances, not to compound the error.

Even granting the minority's view that, because invalid ballots have been treated with a degree of security, they may now be considered countable, presumably no one has ever examined those ballots. Unless the minority happens to know otherwise, there may still be other faults with the ballots.

The record needs to be corrected on another point as well. As the minority member of the task force has himself made clear in the CONGRESSIONAL RECORD, it was never the intent of the task force to "count all the votes." It was not the task force who disenfranchised those 32 voters. Where the ability to ensure the validity of the ballot lies with the voter, the voter must be held accountable for his actions. It is the voter, not anyone else, who is responsible for the fact that those ballots have not been notarized as required by law. In this case, it is the voter who has disenfranchised himself.

Mr. Speaker, the House of Representatives is being asked to seat Frank McCloskey as the Representative of the Eighth Congressional District of Indiana. Because of the partisan nature of the dispute, there are a number of questions which each Member of this body must be able to answer with assurance if they are to vote to seat Mr. McCloskey. As a member of the task force which conducted the recount in Indiana, I have, of necessity, become intimately familiar with the issues involved. In my view, Mr. McCloskey should be seated as a Member of this body. I will review for the Members the history of this dispute and my reasons for concluding that it was Mr. McCloskey who was chosen by the greatest number of citizens of the Eighth District of Indiana to be their Representative.

MAKEUP OF THE TASK FORCE

Much has been made of the fact that the task force consists of two Democrats and only one Republican. While an evenly divided task force may sound nice as an ideal, it is obviously unworkable as a practical matter. We are elected to Congress to make judgments on the issues before the country. In the case of the task force, we were told to investigate the election in the Eighth Congressional District of Indiana, determine if and how to conduct a recount of that election, and ensure that that recount was conducted. If the task force had an even number of members, evenly divided between the parties, it is very conceivable that on those issues on which the task force divided it would have split evenly. In that circumstances we may still be waiting even to begin the recount. If we are to ensure that the task force is to be able to make those difficult decisions necessary to fulfill its obligations, it is necessary that the task force have an odd number of members. Because the citizens of the county have elected a majority of Democrats to this body, the task force also has a majority of Democrats. To attempt to make an issue of this demonstrates either incredible naivity or, in the worst light, demagoguery.

CERTIFICATION ISSUE

The election returns as originally certified by the county clerks of each of the 15 counties which constitute the Eighth District were as follows: 116,841 for Frank McCloskey and 116,769 for Rick McIntyre. Of 233,610 votes cast, Mr. McCloskey was shown to have won by 72 votes. Under Indiana law, the secretary of state is not permitted to reject the return from any county which has come into his hands and which has been duly authenticated by the Clerk of the Circuit Court of that county under seal. Nevertheless, believing tabulations errors to have occurred which would affect the outcome of the race, Indiana's secretary of state declined to certify Mr. McCloskey as the winner of the congressional election in the Eighth District.

Mr. McIntyre, as permitted by Indiana law and as I would have done, filed to have a recount conducted in various areas of the district of his choosing. Mr. McCloskey consequently cross-petitioned to have recounts conducted. After the completion of the recount in only 1 of the 15 counties the secretary of state certified Mr. McIntyre to be the winner by 34 votes.

There should be no question in anyone's mind that a recount of the results of this election was both appropriate and desirable. Where election night returns show that, in an election in which more than 233,600 voters participated, the difference between the two candidates with the largest numbers of votes is only 72, it is entirely proper that a recount be conducted. Further, prudent observers may wish for the recount to be concluded before saying definitively who won the election.

If this is true, what then are we to make of the actions of the secretary of state? Without provision in law, he refused to certify the winner based upon election night results because of his concern for tabulation errors. Then, after only one county had been recounted, without waiting for the corrections of other tabulation errors in other counties, he certifies one candi-

date, who coincidentally is a member of his political party, as the winner, this time by the even closer margin of 34 votes. Given these facts, and given the fact that at the time the outcome of the election in the Eighth District was, indeed, in doubt, the actions of this body of the opening day of the 99th Congress were entirely appropriate.

INDIANA RECOUNT

Now, let us examine the recount conducted by the State of Indiana. In Indiana there is no provision for conducting a single recount according to uniform rules on a district-wide basis. Rather, in each county a recount commission determines its own responsibilities pursuant to instructions from the judge of the circuit court in that county. Each judge is elected in a partisan political campaign. As we have witnessed, the consequence in this case was that 15 different bodies developed 15 different sets of criteria for determining the validity of ballots. In one county, Posey, the recount commission was instructed by the judge to only recount the votes. As a result, that commission did not examine ballots to see if they met the requirements of Indiana law, but limited itself to the correction of election night tabulation errors.

In another county, Vanderburgh, the recount commission was instructed to recount the votes pursuant to Indiana law. That commission determined for itself what the requirements of Indiana law were, based upon interpretations of that law by the Indiana Supreme Court. In Vanderburgh County over 3,000 ballots were disallowed because of errors and omissions committed not by the voter, but by election officials of the State of Indiana. Three thousand votes were disallowed in Vanderburgh County, but had those voters lived in Posey County, their votes would have been counted.

Indiana law allows the candidate requesting the recount to choose those precincts he wishes recounted without substantiating the need for the recount. In the Eighth District, black voters are heavily concentrated in Vanderburgh County. Not surprisingly, Mr. McIntyre requested recounts in those precincts in which minority voters were concentrated. As a result, 20 percent of the black voters of the entire district were disenfranchised in the recount. Further, despite the fact that both candidates had requested recounts in parts of Vanderburgh, other parts of that county, where neither candidate requested a recount, were never recounted by the State of Indiana. Though probably unintended, Indiana law governing recounts may result in subjecting blacks to stricter voting standards than other voters and disproportionately impacting them as a result. Clearly, this was the consequence in the Eighth District of Indiana.

The recount conducted by the State of Indiana treated the ballots of some voters differently in identical ballots of other voters within the district. The result was the disenfranchisement of 4,800 voters. Errors and negligence on the part of election officials were the major causes of voter disenfranchisement. This process disproportionately impacted the minority population of the Eighth District of Indiana. For any one of these reasons, it would have been appropriate for the body to look into that recount. Given all of these reasons, this body would have seriously failed in its duty had it not discounted the results of that recount and determined to conduct its own recount. Finally, there should be no question as to the authority of this body to conduct a recount. That authority is found in the Constitution, itself, in article I, section 5.

HOUSE NOT BOUND BY INDIANA LAW

Having reviewed why it was necessary for us to conduct a recount, I will review the manner in which our recount was conducted. Let me say at the outset that no member of the task force ever suggested that the recount be conducted strictly according to Indiana law. State law either controls or it does not. If the House felt itself bound by those laws, we are bound by them in their entirety. If the House has the authority to pick and choose among those aspects of the law it approves of, there is no "States right" issue because clearly the House has chosen not to be bound by that law. Assuming Indiana law to be sacrosanct, we would have been bound by the language of those statutes as interpreted by the Supreme Court of Indiana. One of the county recount commissions felt itself so bound and as a result disenfranchised 3,000 voters. Had we applied similar standards, thousands of additional voters would also have been disenfranchised. Such a consequence was unacceptable to the members of the task force and would have been unacceptable to this body. Finally, the constitutional authority of this House to judge for itself the elections of its Members clearly takes precedence over State law.

BALLOTS LACKING INITIALS AND PRECINCT NUMBERS

Being forced to rely upon the precedents of the House and those aspects of Indiana law which commended themselves to us, there was still remarkable unanimity in determining the rules by which votes would be determined to be valid. In developing the counting rules there was only one issue of disagreement, whether to count those nonabsentee paper and punchcard ballots that lacked poll clerks' initials and precinct numbers. When the voter entered the polling area he was to be presented a ballot on the back of which were to be written by the poll clerks the precinct number or designation and the initials of each poll clerk. In addition, the poll clerks were to inform the voter to look for the initials and warn the voter that the ballot would not be counted if both sets of initials were not present. One member of the task force argued that it was essential to ballot security that at least one set of initials or the precinct number appear on the ballot.

First, since the same individuals are responsible for ensuring that both the initials and the precinct number are on the ballot and are also responsible for asking the voter to check for them, it is likely that all three requirements would not be met in the event poll clerks were ignorant of or negligent in their duties. Those requirements do not act as a check on each other. Second, a ballot with only one set of initials and without those of the poll clerk of the opposite party would on its face seem no more secure than a ballot without any initials. Third, poll clerk initials are but one method of ensuring ballot security. In Indiana, ballots are cast in the presence of two poll clerks representing the two major parties, an election inspector, an election judge, and observers from the political parties. To stuff the ballot box requires not only the possession of the ballots and the secrecy envelopes but the complicity of all the aforementioned individuals. Such a conspiracy would be very difficult to conceal completely and, despite the extreme, partisan emotions this election has raised, there have been no allegations of fraud. Finally, investigation revealed that in many cases poll clerks did not receive instructions before the election and either through ignorance or negligence ignored the initialing requirement.

Based upon these facts, the task force by a 2-to-1 margin voted to count otherwise valid nonabsentee punchcard and paper ballots lacking poll clerk initials. The task force also voted to count otherwise valid ballots lacking precinct numbers. The reasoning behind this decision was that in the absence of allegations of fraud or irregularity the enfranchisement of the voter would not be forefeited due to the failure of an election official to fulfill his responsibilities under Indiana law. This decision conforms with the precedents of the House as established by both Republican and Democratic majorities and, in my view, gives proper weight to the right of the voter to have his vote counted.

TASK FORCE NEVER DECIDED TO COUNT ALL VOTES

The task force did not conclude that it would count all the ballots. In fact, the task force voted not to count ballots which were mutilated, on which there was an overvote in the congres-

sional race, or on which the voter had placed a distinguishing mark. Finally, all of the task force's counting rules providing exceptions to Indiana law are conditioned by the phrase "an otherwise valid ballot." My own position regarding this issue has been very clear. I feel strongly and have stated that where the intention of the voter is not in doubt, and the honesty of that intention is not in question, the failure of election officials to fulfill their obligations should not be allowed to disenfranchise a voter who has met all of his obligations. If the intent of the voter is not clear, if there is good reason to suspect fraud, or if the voter has failed to fulfill his obligations under law, then we are obligated to apply a stricter standard to that ballot than would otherwise have been the case.

ACTUAL COUNTING OF VOTES ABOVE REPROACH

The recount itself was conducted by GAO auditors under the supervision of James H. Shumway, the Arizona State elections officer. Mr. Shumway was recommended by the Republicans and concurred in by the Democrats. The entire recount was conducted in the presence of staff from both sides of the aisles, representatives from each candidate, the press, and the public. I do not believe it is possible to conduct a more open recount. I have heard nothing but praise for the GAO auditors and for Mr. Shumway. It is very definitely my view that the job they did was truly exceptional and beyond reproach.

UNNOTARIZED ABSENTEE BALLOTS

In Indiana there are three classes of absentee ballots. There are military absentees, absentee ballots delivered to confined voters by election officials, and what I will call regular absentee ballots issued to nonmilitary, unconfirmed, registered voters who will be unable to be present at the polls on election day.

Under Indiana law those absentee ballots delivered by election officials to those who are confined are witnessed by two election officials after they are voted. In the event the ballot has been improperly witnessed, that is the initials of two election officials are not on the ballot envelope, then the ballot is deemed invalid and not counted. When the ballot is returned to the county clerk the ballot envelope is checked to ensure it is properly witnessed. If so the ballot is forwarded to the precinct on election day, removed from the ballot envelope, and counted with all the other valid ballots. If the ballot has been improperly witnessed it is retained by the county clerk, not sent to the precinct, and is never counted.

During the course of the recount several improperly initialed, confined absentee ballot envelopes were found at the precinct level, indicating that invalid, confined absentee ballots had been counted on election night. Since it is impossible to distinguish those ballots from other ballots and therefore impossible to know which candidate received those votes no adjustment was made to the vote totals.

In addition, two confined absentee ballot envelopes containing ballots (that is ballots that had never been counted) were found in two precincts. It was determined that these envelopes would be opened and the ballots counted. There are two underlying reasons for this decision. First, the ballots had been sent to the precincts and therefore, with the exception of not having been counted, had been treated in a fashion identical to other valid ballots. Second, each ballot was defective because the envelope contained only one set of initials instead of two. Pursuant to the view that failures of election officials should not disenfranchise voters where the intent of the voter is clear and not questioned, I felt these ballots should be counted. However, since our counting rules provided only for counting "otherwise valid ballots" there was a rationale for not counting those ballots. Both ballots were counted for Rick McIntyre.

Besides the confined absentee envelopes that were found to have been incorrectly sent to the precincts, opened unnotarized regular absentee ballot envelopes were also found at the precincts. Under Indiana law, after indicating his preferences on a regular absentee ballot the voter is required to obtain notarization of the ballot envelope to help insure that the person who applied to vote absentee is also the person who voted. When the ballot is returned to the county clerk the ballot envelope is checked for notarization. If the envelope has been notarized it is sent to the precinct where the voter is registered on election day and it is counted with all other valid ballots. If the ballot envelope has not been notarized the ballot is to be retained by the county clerk, never forwarded to the precincts, and never counted. The presence of the opened unnotarized ballot envelopes indicated that regular absentee ballots, which should not have been counted, had been counted on election night. However, since it was impossible to distinguish those ballots from legitimate ballots and therefore impossible to know who those ballots were counted for, no adjustment was made to the vote totals.

Besides finding opened unnotarized absentee envelopes at the precincts, nine unopened, unnotarized absentee ballot envelopes and one opened but uncounted, unnotarized ballot envelope were found. It was argued by one member of the task force that, since we had counted improperly witnessed confined absentee ballots, we should also count unnotarized regular absentee ballots. My view was that we should not count those ballots. Whereas an improperly witnessed ballot is due to failure on the part of election officials, it is the responsibility of the voter to ensure that regular absentee ballots are notarized. In my view it is entirely appropriate to apply a stricter standard where the action of the voter has placed the ballot in question than where the action of a second party has jeopardized the ballot. Where the ability to ensure the ballot would be valid lies wholly with the voter, the voter should be held accountable for his actions. Those illegal ballots counted on election night should never have been counted in the first instance. I did not feel we should compound that error by counting additional ballots of this kind. In addition, our counting rules only provided for counting otherwise valid ballots.

On this issue I was overruled. It was evident that other unnotarized absentee ballots sent to the precincts had been counted. While the unnotarized, unopened absentee ballots had not been counted, they had in every other way been treated in an identical fashion to other valid ballots. It was decided by a majority of the task force that the 10 uncounted, unnotarized absentee ballots that had been found at the precincts would be counted. As a result of counting those ballots Rick McIntyre received six votes, Frank McCloskey received three votes and one was a "no" vote.

It was then proposed that we count unnotarized absentee ballots that had been retained by the county clerks. Having been against counting the uncounted, unnotarized absentee ballots found at the precincts, I opposed counting those unnotarized absentee ballots retained by the county clerks. These ballots had never been counted before, either on election night or during the recount. No one had previously contended that these ballots should be counted. While I do not feel that mistakes made by an election official should disenfranchise the voter, mistakes made by the voter are another matter. It was unfortunate that any unnotarized absentee ballots had been counted. To count more of them merely compounded the problem. Finally, and most importantly, never having been sent to the precincts, these ballots had not been treated in a fashion similar to other valid ballots. They most certainly were not subjected to the same ballot security. On that basis, it was decided by a 2-to-1 margin that unnotarized absentee ballots retained by the county clerks would not be counted.

MILITARY BALLOTS

At the last task force hearing held in Indiana it was proposed that those absentee military ballots that had been received after election day should be

counted. The subject had not been raised before. By a 2-to-1-margin the task force voted not to count those ballots. While the debate for counting these ballots was not very extensive, the argument for counting them rested on the premise that through no fault of their own, military personnel stationed overseas could have their ballots unduly delayed in the mails and thereby be disenfranchised. If this is true it is even more true of other Americans abroad as they must rely upon foreign mail systems as their point of entry into our mail system. No one, however, has suggested that an exception be made for these ballots. All absentee voters are informed that ballots that have not been received in time to transfer the ballot to the precinct on election day will not be counted. When one registers to vote absentee one assumes the obligation of ensuring that one's ballot is mailed early enough to ensure it arrives in time to be counted. Elections must have a conclusion. It would be unreasonable for an elected official to have to give up an office because 4 months later three more military ballots finally come in which change the outcome of the election. For these reasons I voted to not count absentee military ballots received after election day.

RECONCILIATION

As a part of their duty of counting the votes the GAO auditors were asked to track and compare the number of voters who signed the poll books with the number of votes registered in the precinct. Where these numbers did not agree, Mr. Shumway, the recount supervisor, was asked to try to ascertain why this was the case. In a perfect world the number of voters registered as having voted would correspond exactly with the number of votes counted. In some precincts in the Eighth District this actually occurred. However, this is not a perfect world. In some precincts the number of voters registered as having voted was greater than the number of votes that were registered. This can be explained by the fact that not every voter voted in every race. In rare cases a voter may have signed the poll books, received a ballot, and then, deciding not to vote, walked off with the ballot. In any case, I know of no methods for adding votes to a total where one can find no evidence of the actual vote ever having been cast.

In other precincts there were more votes counted than the number of voters registered as having voted. In fact, in a total of 50 precincts there was a total of 103 more votes than voters registered as having voted. Thirty-three of those precincts were off by one vote, nine precincts were off by only two votes, and two precincts were off by only three votes. In other words, in 44 precincts there was a discrepancy of three votes or less. While there are many possible explanations for such discrepancies, by far the most likely is human error. In two precincts there was a discrepancy of four votes. Again, I think the error is very probably the result of less than divine diligence on the part of the poll clerks. However, I would note that Mr. McIntyre carried both precincts by margins of 55 and 56 percent. In one precinct there was a discrepancy of five votes. Mr. McIntyre won 59 percent of the votes in that precinct. In another precinct the discrepancy is six votes. Mr. McIntyre also won that precinct by 59 percent. In two other precincts, both in Spencer County, there were discrepancies of 12 and 15 votes. In these precincts it may be possible that the voting machines malfunctioned. If that is the case, it is impossible to know who those votes were counted for. It is known that Mr. McIntyre carried both of those precincts by margins of 60 and 56 percent, respectively. One can imagine the cries of injustice if we had sought to proportionately reduce the vote in those precincts. Seventy percent of the overvotes occurred in precincts carried by Mr. McIntyre.

We did not disallow votes based on discrepancies between votes cast and voters registered as having voted. This is an imperfect world and in every election of this size these kinds of errors will occur. By far the most probable explanation for these discrepancies is carelessness on the part of poll workers. Some voters apparently were given ballots without signing the poll book. I do not believe that such discrepancies discredit the vote totals. However, had we sought to adjust the vote totals on the basis of these discrepancies Mr. McCloskey would have a larger margin of victory than we, in fact, reported.

SEAT MC CLOSKEY

Mr. Speaker, your task force has conducted its recount in the open and on the record. Based upon that record, I do not believe that it can be said that the rules we adopted sought to provide undue advantage to either candidate. For myself, while I do not pretend to be disappointed by the results of the recount, my decisions on the issues which arose during the course of the recount were not motivated by a desire to reach that end. My single guiding principle was to ascertain as accurately as possible the will of the citizens of the Eighth Congressional District of Indiana as expressed by their votes. In my opinion the task force has achieved that end.

There are those who from the beginning have indicated they would not accept any decision that did not result in the seating of their candidate. These individuals have largely ignored factual issues surrounding this election. Instead they have contented themselves with dogmatic assertions and bald-faced accusations that the election was being stolen. I believe that if the College of Cardinals had conducted the recount and found for someone not to their liking, they would accuse God of stealing the election. Partisan politics taken to such extremes serves neither Mr. McIntyre nor Mr. McCloskey, the Republican Party nor the Democratic Party, this body nor the country. If there is to be dispute, let it be based on the facts.

A close election night result is a good reason to conduct a recount. A close result in a recount is not justification for a new election. Our recount rules were reasonable and were applied uniformily. Mr. McCloskey won this election by four votes. In my opinion, Mr. McCloskey deserves to be seated.

Mr. SHARP. Mr. Speaker, the problem arises of course, because we have one of the closest elections in the history of this country, but it is also no coincidence that the last major election dispute in this country arose in Indiana in 1960.

The reason for that is because, unfortunately, in my State, we have a very arcane and archaic election law, as virtually everyone who has observed this election independently, and without a partisan eye, has come to the conclusion.

Editorial writers in my own district and throughout the State in the past have called for election reform and they are calling for it with renewed intensity.

□ 1520

Indeed, a Republican newspaper in my own district not only on April 26 called for the seating of Frank McCloskey, the Democrat, it also called on April 30, using the words Congressman TOM FOLEY here, for dramatic election reform in the State of Indiana.

Mr. Speaker, the House sent to Indiana a task force which operated in the open, through great difficulty to all three members of the task force. They went to Indiana to make sure ballots were opened, counted, discussed in front of the public and the news media of that State, and I appreciate that effort that they made.

I think that independent observers in Indiana and outside of Indiana know that an honest and an honorable job was done in what was an extremely difficult situation. Basically, the principle followed was that they sought to count every ballot that was at the polling place on election night last fall. So long as they could consider the intent of that ballot, they counted it. And the only ballots that are in question and being raised here that were not counted were those that ever reached the polling places on election night in Indiana because they

were illegal from the outset and they are illegal now, and everyone basically knows that who is willing to examine the facts.

My colleague from Indiana [Mr. JACOBS] raised the question: But weren't 10 ballots that went to the polling places that were not counted on election night in Indiana but subsequently counted because of the task force, weren't they illegal and wasn't that an error?

I think possibly that was an error to have counted those in. But, again, we all know the outcome that those 10 ballots had. Those 10 ballots, if counted in error, inured to the benefit of Mr. McIntyre, not Mr. McCloskey. Had they been excluded, had that error that some of us believe was made not been made, Mr. McCloskey's return in the end would not have been just four votes, it would have been seven votes.

So if you believe that an error was made, then you can feel more comfortable with the outcome that this task force engaged in, because the return was actually higher than four votes.

Let us proceed to a conclusion and let Indiana fight this out in the next election.

Mr. FRENZEL. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, we began on January 3 by refusing to seat the certified winner in the Indiana Eighth Congressional District election race. Instead, we decided to appoint a task force to investigate that election because the original election was neither timely nor regular and there were serious doubts about its fairness. Since that time we have been engaged in a debate, in some semblance of a procedure to determine the true outcome in the Eighth Congressional District race. The task force that was appointed, instead of investigating the original election, decided to hold its own recount. The guiding principle of that task force, as it was enunciated at the time, was to count all the ballots. Now, when they said "Count all the ballots," that is a little bit different than counting the ballots that were counted in either the recount or the original election results; in other words, count every ballot. In doing that, it resulted in 345 ballots being counted that had never been counted before. By definition, under Indiana election law, those were illegal ballots. They had not been counted on election day, they had not been counted in the State-certified recount. But 345 ballots were counted, 345 additional ballots were counted by the task force.

Now, of those 345 ballots, all but 78 of them were counted by the GAO auditors, but 78 had to be counted by Mr. PANETTA, Mr. CLAY, and Mr. THOMAS. Of those 78, 54 were agreed upon by the 3 members of the task force, but 19 Mr. THOMAS refused to vote on and they were determined by Mr. PANETTA and Mr. CLAY.

Now, we have got an election outcome of four votes. There are 345 additional, 78 determined by the task force, of which at least 19 were determined on a straight party line vote. I ask the question: Is this the result that can be considered reasonable and fair? I think not. I think we should vote not to seat Mr. McCloskey and let the people of Indiana determine who the true winner is.

Mr. FRENZEL. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Kansas [Mr. ROBERTS], a member of the Committee on House Administration.

Mr. ROBERTS. Mr. Speaker, I rise today to speak not about the issue at hand; that is already a foregone conclusion; you have won the Eighth District of Indiana. Rather, I wish to share with my colleagues a keen sadness I feel regarding the effect of this business upon this House as an institution—more important, what we want it to be both as individual Members and as Democrat and Republican partisans.

We all ran through partisan gauntlets of sorts to gain the privilege of being here. You cannot find a more Republican Member than this one from the standpoint of personal heritage and commitment.

Yet the special fabric that binds this institution in purpose and achievement is bipartisan. I am the first to admit that no political party has an exclusive patent on common sense or can lay claim to what is right. And, personally, I try very hard to work with my good Democrat friends. We on the Agriculture Committee are bound together with a special kind of commitment in behalf of our farmers and ranchers. That's just the way it is in farm country. To be sure we have our differences, but for the most part we work together and try on the other fellow's boots—they pinch but we get the foot to fit.

So, I try to be the best Member I know how to be—tempered by 18 years as a staff member and Member of this body. That, I say to my friends in the majority, is the rub. Part of what we are is what you allow us to be. And you folks have had us on short rein this session.

Each time around the track we get nicked—a piece of flesh on committee assignments, on funding, on what legislation is considered, and how, and when, and who gets the credit—or blame.

But I knew that when I climbed into the ring. As a Member of the minority in this House, I am accustomed to being treated unfairly by some of you in the majority. That's part of the penance. The other half of that is that others in the majority do allow me the privilege of being a full partner in my duties—so the privilege is worth the penance.

But I know this: On this issue you have torn that special fabric that holds us together as a House of Representatives. Let me make it clear I do not point the finger of blame or place the charge of conspiracy at the doorstep of Mr. PANETTA and Mr. CLAY. I stood yesterday and applauded when the majority leader said LEON PANETTA was a man of integrity. He is. You in the leadership put him in that box. And when the command is column left and you are the lieutenant, you march—as best you can.

We ought to stand today, Mr. Speaker, and give the same due credit to my friend and colleague, Mr. THOMAS, whose aggressive defense of what we think is right, and factual, and correct was both fair and tough. It is one thing to climb between the ropes and do battle against great odds but yet another to suffer the subsequent agony of defeat when you enter into the fray knowing the fight has been fixed.

What we are talking about is the kind of majority rule that has led to resentment, frustration, anger, and retirement. We will lose good Members because of this issue.

But, never mind—on to business as usual. After all, what alternative do we have. This next vote is a fait accompli; just a little formal salt in the wound. What am I to do as an individual Member? Disrupt the House? Abdicate my responsibilities to my people? No; I will continue to work with my Democrat friends. After all, it was just moments after the vote yesterday and after personally watching the press conference by Rick McIntyre that one of my Democrat colleagues, with a big smile on his face, said: "When are you guys going to get us a farm bill?" I guess I am a "you guys" Member. One of the back-rail troops, a committee person if you will, not a floor expert in virtually every policy area according to the Republican or Democrat holy grail.

But I can tell you this. This wound will not heal without a terrible price and a scar that will be with this House for many years. It would appear, Mr. Speaker, there are two kinds of Members within your majority. We have those who listen and work with the minority and those who do not believe we are full-fledged partners in this House. In baseball terms, they are the ones who call for their pitcher to stick it in the batter's ear. The unmitigated gall occurs when once you make us hit the dirt, you take offense when we come up swinging.

Yesterday I stood to underscore my belief that LEON PANETTA is an honorable man, only to be lectured by the

majority leader that somehow my additional expression of frustration, and anger, and outrage was beneath the dignity of this body. I say this to the majority leader—you folks dish it out daily, but you sure can't take it. Oh, I know the majority leader and those that make up the cabal that is responsible for this whole business will respond that we shouldn't feel that way. They have argued their version of the facts. But regardless of that attitude, we feel this case was handled unfairly for the reasons so eloquently stated in the House debate.

And, it is that sense of unfairness that will live long after this dispute is over. Yes; Mr. Speaker, I will take off my "Thou shall not steal" button. A slogan too harsh? I think not. I am going back to work.

But for me and for my colleagues, this House is not the same. The collective sense of unfairness symbolized by this button remains in our hearts.

The sad, sad thing is that we did not have to go down this road.

● Mr. MICHEL. Mr. Speaker, yesterday, my good friend, the distinguished majority leader, gave one of his eloquent and articulate speeches on this controversial topic.

While I admire his gift of oratory, I must say I disagree with much of his emphasis.

He devoted a great deal of his remarks to real or alleged breaches of House etiquette on the part of certain Members of the minority.

This is what is known as blaming the victim.

The issue here is not whether Members on our side have lost their temper. It is whether Rick McIntyre has lost his seat.

The issue isn't whether during heated debate Members on both sides have said things that Miss Manners would blush at hearing. The issue is that Republicans and concerned Democrats feel, in the words of a Democrat, that this race is tainted and has a cloud over it.

So let's not play the old game of blame the victim. If there is any indignation on our side, it arises from a universal sense of frustration, anger, and yes, bitterness over the way this has been handled by the majority from beginning to end.

The distinguished majority leader also said that the Republican leadership, in a meeting in the Speaker's office, said we wouldn't be asking for a reelection if McIntyre had won by four votes.

Yes, if Rick had won by four votes or one vote, we wouldn't be asking for a rerun and we'd do the same with McCloskey—if we thought the vote count was fair.

But we don't think it was fair. That's the central point of the controversy.

So it is not accurate to come here and tell people we wouldn't call for a rerun if McIntyre had won by four votes.

If the evidence showed—that he won by the device of having cast aside legitimate ballots, I would give the other side a fair shot at it with a rerun.

There is one ironic aspect to all this and I have to comment on it.

Mr. Speaker, I mentioned yesterday that the issue here was not one seat in Congress. It was one of fairness. It remains one of fairness.

It is also an issue that strikes at the heart of the balance between those powers given to the States and those given to the Federal Government. The balance has been tipped—in the wrong direction.

It is an issue of representative government and the difference between democratic and autocratic rule in this House. We are fighting for the rights of the minority and millions of Americans whose rights have been entrusted to us. That is why this fight will go on. That is why this cause will not die. That is why we will not return to business as usual. The Rick McIntyre issue is more than an election. It is unfair rules, unfair ratios, unfair staffing, excessive spending and a hundred other abuses of this House and our democratic processes.

The majority leadership seems incapable of understanding—the deep feelings on this side. We are not angry because we lost.

We are angry because of the way we lost. We are not sore losers.

Yes, we are sore. But we are sore winners. We won this thing and it's been taken away.

The distinguished majority leader said that his side is not so hard up that they would deprive Republicans of an extra seat by devious means.

I say to the majority leader—we are not so hard up that we will take any bone you choose to throw us.

We can't take this thing lying down, nor can we surrender because we've just begun to fight.●

● Mr. GOODLING. Mr. Speaker, we know the facts, January 3, 1985, the Democrats in the House of Representatives exercised their power of majority and refused to sit a duly authorized winner of the race for Congress in Indiana's Eighth District. We now know that the creation of a task force to decide the winner was another exercise of their majority party status, the task force reversed the nearly quarter-million voters decision in Indiana and declared Democrat, Frank McCloskey the winner.

Since Mr. McCloskey does not appear to be embarrassed to win in this manner and speak out against such political maneuvering, the fight for the rights of these voters must continue. If we do not stand firm at this point, the Democrats sensing the public mood toward the Republican Party will surely turn around many more seats after the election in 1986.

It is a shame that this power play is not looked at by the media, who are always seeking to fight for right, seem to be unaware of the corrupt methods being used to determine the winner of this election. Is that indicative of their distinctive bias?

I also find it puzzling as to why the more junior members of the Democrat Party, who obviously understand the dangerous road being taken by the Speaker and other leaders of their party, do not stand up against what they know to be wrong. They have come here in all probability to represent a newer attitude within the voters of America, and they are hiding behind the party demagogy with fear. In the long run, the people will vindicate the winner, Mr. Rick McIntyre, but what the Democrats are doing to the Constitution of the United States can not be vindicated, excused, or condoned. I believe the people will seek more honest Representatives in the future. If Mr. McCloskey accepts the title Representative of the Eighth District of Indiana he does so without honor.●

● Mr. SHUMWAY. Mr. Speaker, I am vehemently opposed to this resolution, just as I have been opposed to and appalled by the outrageous circumstances which have led up to it. By its actions, the House has abrogated the States rights of Indiana; it has trampled the voters' right in Indiana's Eighth District, and, today, it is literally stealing a congressional seat away from the duly elected choice of the people. Worst of all, we are establishing a dangerous precedent—what is to prevent the majority party in the House from stepping in and seizing every close race in the future?

It is true that the race between Messrs. McIntyre and McCloskey last November was a close one—but it is also true that McCloskey lost. He was not the individual certified by the Indiana secretary of state as the winner of the election. The House majority chose to ignore that validation, a slap in the face to Indiana. It chose to allow Mr. McCloskey to claim a congressional seat without using the avenues of recourse available to him within his State. It chose to leave the people of Indiana's Eighth District without representation for months, and it chose to ignore two separate vote counts, both of which made it clear that McIntyre had won.

We do not tolerate this type of election charade when it takes place in emerging nations, nor should we. For us to sit by and allow an election to be manipulated by our own membership is a travesty. If the House majority leadership is to be permitted to wield this arrogant and unresponsive abuse

of power, what is the point of having elections at all?●

□ 1530

Mr. FRENZEL. Mr. Speaker, I yield my remaining time to myself.

Mr. Speaker, I yield to the gentleman from California [Mr. PASHAYAN].

● Mr. PASHAYAN. Mr. Speaker, what the task force did in Indiana stabs the very heart of the Constitution. Article I, section 2, says: "The House of Representatives shall be composed of Members chosen * * * by the People * * * and the Electors of each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature," and in article I, section 4, the Constitution says, "The Times, Places and Manner of holding Elections for * * * Representatives, shall be prescribed in each State by the Legislature thereof * * *," unless Congress shall by law regulate elections.

When the task force refused to count 32 absentee ballots that were the same as other absentee ballots which they did count, it acted in a manner repugnant and obnoxious to article I. It certainly acted contrary to what the Supreme Court in a whole series of cases has held, of which there is perhaps no more a clear and brilliant articulation by the Court than its pronouncement in 1941 in U.S. versus Classic:

> Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a state to cast their ballots and have them counted at congressional elections. This court has consistently held that this is a right secured by the Constitution * * *. And since the constitutional command is without restriction or limitation the right * * * is secured against the action of individuals as well as of states.

The task force acted under its own rules, not under Federal law passed under article I, section 4. What is worse, they applied their own rules inconsistently. In the task force's counting rules, No. 9, the task force provides that it will count ballots that "* * * may not have been properly sealed election night." Likewise, rule 21 provides for the counting of ballots that "* * * may have been improperly sealed election night." In other words, rules 9 and 21 contemplate counting votes that were not necessarily perfectly secured.

Why then, but for latant political reasons, did the majority of the task force refuse to count 32 absentee ballots that 4 Indiana county clerks swore under perjury had been secured? There is no consistency in the proceedings of a task force whose written rule proclaims counting unsecured ballots and whose later ad hoc rule proclaims not counting secured ballots.

Even worse, there is every likelihood that the task force acted in violation of the tenets of the Voting Rights Act of 1965. Perhaps section 11(a) of the act meant to echo the lofty articulation of Classic in providing: "No person acting under color of law shall fail or refuse to permit any person to vote who * * * is * * * qualified to vote, or willfully fail to refuse to tabulate, count and report such person's vote." I find a cruel irony indeed that the majority of the task force composed of the majority party of this Chamber refused to follow the dictates and spirit of the law that its party fought so hard for so many years to realize. I find it a cruel irony that the very party that was responsible for passing this legislation is responsible for violating its most precious tenants: that of denying the right to vote of people equally situated as the same class of voters.

I wonder how grievously disappointed that the people in America whom the Voting Rights Act was designed to protect will be when they shall come to understand that it was members of the Democratic Party who violated the very tenet of the Voting Rights Act: "Equal people, equal votes."

Article I, section 5, says, "Each House shall be the judge of the Elections, Returns, and Qualifications of its own Members * * *," but is the power absolute? In Powell versus MacCormack, the case of Adam Clayton Powell, the Supreme Court in 1969 said that the House's power to be the judge the qualification of its Members was not absolute but rather qualified by other provisions of the Constitution, and I agree. I think it unconstitutional for a committee or for even the House itself sitting as a judge of the election not to be bound by other provisions of the Constitution. Should the House have the power to judge elections unchecked by the broad principles incorporated in the due process clause, the equal protection clause, the privileges and immunities clause, and especially article I, section 2, of the Constitution? Should the House have the power to ignore these great constitutional principles? The Democratic Party claims it does, and so it claims an absolutist doctrine: that the ultimate power to elect the Members of the House lies not in the people, but in the majority party's caucus.

As a constitutional doctrine, the Democratic Party's claim would absolutely permit the majority party, on January 3, 1987, absolutely to determine the results of any House election. It would absolutely permit them to refuse to accept the certification of the secretary of state of any State, to order another task force to recount the ballots, to have the task force issue written rules, within the proceedings to have the task force issue ad hoc rules inconsistent with the written, and then to unseat a properly elected Member of the minority party by recounting only arbitrarily selected ballots. Surely our Constitution cannot mean: "The House of Representatives shall be composed of Members chosen by the majority party."

The grand principle of the Constitution is that the people shall choose. Once the task force decided to supplant Indiana law by counting votes that would not be counted under Indiana law, it was bound to do so evenly. To preclude 32 absentee ballots from being counted while actually counting other absentee ballots exactly alike but for a supposedly lesser degree of security is fatuous in face of rules 9 and 21 that contemplates counting ballots not necessarily secured.

The refusal to count all like ballots of the same substantive class is arbitrary and unreasoned.

If this House shall act to seat McCloskey, then this House will endorse a dark absolute power to determine elections, and the entire Constitution will fall under a despotic shadow. Let us take the only enlightened course: Let us order another election, open, clean, and unbloodied by politics.●

Mr. FRENZEL. Mr. Speaker, I wish that the gentleman from Kansas [Mr. ROBERTS] could have closed the debate for our side, because I think he speaks eloquently for every Republican in the House of Representatives. We, who have been the ground beneath the tyrant's heel, have become used to that kind of treatment. Perhaps our spirit has been broken too much; I think perhaps we have spoiled our friends in the majority by not being outraged nearly enough. I hope that you will forgive us if we raise our voices once in a century, when the peoples' right to determine who will represent them has been taken away from them by a willful caucus, willing to exercise ruthlessly whatever power it has by its sheer numbers.

Before I get overcome with the bitterness of past defeats, Mr. Speaker, I do want to call particular attention to the service of the committee chairman, our good friend, the gentleman from Illinois [Mr. FRANK ANNUNZIO]. I believe he has handled himself and his committee in the best traditions of the House and has been very helpful in moving this process along in the best way that the House can possibly move on any question this difficult.

Mr. Speaker, when the time has run its course for this debate, I shall move to recommit House Resolution 146 to the Committee on House Administration with instructions to that committee to count the otherwise valid, unauthorized absentee ballots in the four counties often discussed on the floor here so that we will have some measure of rought justice.

As you will recall, the Democrat task force, by party line votes, refused to count the remainder of the ballots after it had counted 52 ballots that

had been counted during the general election, and 10 which have not. It refused to count 32 which could be identified as having been carried under the same security as the ballots which have been counted.

The task force, which is the real thrust of the Republican attack here, simply found enough votes to elect its man, McCloskey, and then stopped counting, leaving those 32 voters disenfranchised. We heard tons of speeches on this floor that, by golly, we were going to save those disenfranchised voters. Those bad, bad Indiana clerks, and that bad Indiana law kept people from voting. This task force is going to let those people vote.

Well, it did. It let 10 of the 42 we know of, but would not let the other 32. Why not? Because they were afraid to risk losing the four-vote advantage. Now, remember: McIntyre won the election. The only way that McCloskey could win it was under a new set of rules. When the new set of rules were drawn, we stopped counting under those new rules. We abandoned them and we said: "Oh, my goodness, we are going to go back to Indiana law; those 32 ballots are uncountable."

Well, we could not find Indiana law because the task force threw it in the trash can when it established its counting rules.

Now, I want to talk about the count a little bit. I hope that the motion to recommit will be supported. The district court in southern Indiana has granted a temporary injunction to protect the ballots, so you need not worry whether they will be there or not. They did that yesterday in response to a request.

Let me talk about the ballots. I have been led, or I think many people have been led, to believe that for some reason mistabs have decided who got elected here. Let me first tell you that mistabs gave candidate McIntyre 75 more votes and candidate McCloskey 79 more votes. That is a four-vote increase for McCloskey. He did not gain back 34 votes that he had on election night by mistabs.

Where he gained back his votes were on ballots not counted; those 142 ballots that our valiant committee has saved to enfranchised otherwise disenfranchised voters, even though their ballots did not satisfy Indiana law. There his friends on the task force found 22 more votes for McCloskey than they did for McIntyre. Actually, McCloskey won the whole election by picking up 12 extra votes on hanging chads.

Do you know what hanging chads are? When you have a punchcard that does not go through, you get the little punch out and it is hanging there. Nobody knows who they voted for. You have to be Harry Houdini or the Almighty to know what the score is, but somehow our task force was able to determine that 12 more of those went for McCloskey and they found out who won.

I believe that McIntyre was beaten clearly and unmistakably by the rules. He was beaten by subjective judgments of his Democrat cronies. I did not say McCloskey won; I said McIntyre was defeated.

When the press asked me when I came in here today what the House was going to do, I said: "I think the Democrat Caucus is going to seat the loser." And the basis for the seating is that the king can do no wrong; king caucus decided on January 3 that it was going to impose its will. King Democrat caucus was going to impose its will on the people of Indiana. I do not think that any other description can disguise the shame that our whole representative process feels because this decision was made unilaterally in that caucus, throwing aside the votes of more than 230,000 Indianans.

We have heard a lot about honor in the last couple of days, and I am all for honor. I believe everyone here is just dripping with honor. I remember William Shakespeare spoke through Mark Anthony to say that Brutus was an honorable man, but he was not above sticking a broadsword between the ribs of Julius Caesar into some of his more tender parts. I feel a little bit like Julius Caesar today too. I have felt the sting of the Democrat broadsword.

I remember, too, a couple of lines from Tennyson, which go like this:

His honor rooted in dishonor stood,
And faith unfaithful held him falsely true.

Now, if there is anyone being held falsely true because he believes that to be a good Democrat you have to disenfranchise Indianans, I beg you, you have only two more chances. You have a chance to give the election process back to the people of Indiana. You have a chance to go with the certification process. You have a chance to prove that king caucus is not a ruthless wielder of brutal political power that overwhelms the votes of the people of Indiana.

You have a chance to prove that you really believe in the Constitution and the election processes of the United States of America. If you do not, you will simply exacerbate the difficulties that we have gone through in the last few weeks. You will have proved to the United States of America that it does not make any difference who the people elect if king caucus, king Democrat caucus decides that it wants to elect one of its cronies.

Your best way to prove that this House means something, that your love of the institution and the processes are more improtant than your love of the party, is to vote to recommit House Resolution 146.

□ 1540

Mr. PANETTA. Mr. Speaker, I yield myself the balance of my time.

Mr. COLEMAN of Texas. Mr. Speaker, will the gentleman yield?

Mr. PANETTA. I yield to the gentleman from Texas.

Mr. COLEMAN of Texas. I thank the gentleman for yielding. As one of those Members who has read every page of this document, I rise in support of this resolution.

Mr. Speaker, today, the House of Representatives will be voting to seat Frank McCloskey as the duly elected Representative of the Eighth Congressional District of Indiana. The resolution before this body is premised upon the recount sponsored by the House which shows Mr. McCloskey with a four-vote margin over his Republican challenger, Mr. McIntyre.

I believe that all of us present today understand the seriousness of the task force before us in deciding what our respective position will be relative to the resolution now before this body. While there has been a swirl of partisan feelings and emotions surrounding this issue which have, on some occasions, obscured rational thought on the part of some Members, I feel confident that the information now available from proponents of both sides of this issue adequately provide a basis from which an informed decision can be made.

I am going to vote in favor of accepting the recommendation of the Committee on House Administration to seat Frank McCloskey, not on the basis of my political affiliation, but upon a reasoned and indepth analysis of the premises advanced by the committee in support of its recommendation to this Chamber.

To begin with, let us not lose sight of the fact that the House has the ultimate responsibility as well as primary jurisdiction, under article I, section 5 of the U.S. Constitution, to judge elections. Pursuant to this power, the House adopted a resolution, on January 3, 1985, to investigate the McCloskey-McIntyre election. While I will not review the unfolding of events from election night, 1984, through the present, I believe that all of us can agree that the many irregularities and inconsistencies in the Eighth Congressional District of Indiana's election process certainly justified this action by the House.

Given the inconsistencies which characterized the counting of the ballots in Indiana that evening within the Eighth Congressional District, the goals of the task force were to follow counting rules which disenfranchised the smallest possible number of voters and to apply uniform standards which would cover all counties and precincts. These counting rules were adopted so that technical errors made by election

officials, as opposed to those made by voters, would not invalidate a ballot.

What I will attempt to do is to isolate for my colleagues what I have come to view as the crucial issues upon which I have made my decision to support the committee's recommendation.

One point which I find critical in determining the "winner" is that the key difference between the State's certified election result of 34 votes and the House recount process is directly related to tabulation errors discovered by the task force auditors on the part of election clerks in Indiana. It is important to note that these changes in vote tabulations resulted not from the counting rules adopted by the task force, but from this discovery of tabulation errors in the initial counting which took place election night.

The true crux of this controversey surrounds the nebulous nature of the unnotarized absentee ballots. Under Indiana law, absentee ballots must be signed by the voter, notarized, and returned to the appropriate county clerk by election day. On election day, the clerk then forward the absentee ballots for each precinct out to the appropriate precinct, where the absentees are opened and counted along with the ballots cast in a normal manner that day. Also under Indiana law, any absentee ballots that are not signed and notarized are supposed to be immediately rejected and not forwarded to the precinct—these ballots are per se invalid.

The unfortunate fact discovered by the GAO auditors hired by the task force to count the ballots was that some of these unnotarized ballots had been sent out to the precincts. Of these absentees sent to the precincts through clerical error, some were recognized by precinct workers as invalid and were not opened up or counted while others were opened as well as counted. The task force was then confronted with absentee ballots, clearly invalid, which were inadvertently forwarded to precinct workers and counted; absentee ballots, clearly invalid, which were sent to the precincts but not counted; and, absentee ballots, clearly invalid, which were recognized as such and retained by the various county clerks and not forwarded to the precincts. Of those invalid absentee ballots which were erroneously sent to the precincts, counted, and then mixed in with the other ballots, there was no way for the task force to be able to distinguish them and thus not count them. Of the second category, those absentee ballots which were inadvertently sent to the precincts and not counted, these were clearly able to be segregated by the task force. Of the third category, those absentees which were retained by the county clerks, it was easy for the task force to be able to identify and segregate.

Since it was not possible for the task force to identify and segregate those invalid absentee ballots counted erroneously, the question became how to treat these ballots in an equitable manner. In the House, there is no precedent for counting unnotarized and unwitnessed absentee ballots. What precedent there is provides that when it is possible to differentiate between valid absentee ballots and invalid absentee ballots, the preferred method is to proportionately reduce the vote totals for each candidate. In this instance—and given the tabulation errors uncovered by the GAO auditors which benefited Mr. McCloskey—had this proportional reduction formula been followed, Mr. McIntyre would lose more votes than Mr. McCloskey.

Despite the existence of this precedent, and at the request of the Republican member of the task force, it was agreed that those ballots already counted should remain in the active count. Regarding those absentee ballots which, while clearly invalid, were forwarded to the precincts yet not counted or integrated with the other ballots, task force Chairman PANETTA agree with the Republican member to count this group as well which increase Mr. McIntyre's vote total. Relative to the third group of absentee ballots—those recongized as invalid by the county clerks and withheld from the precincts—the task force, along party lines, decided not to count them.

Despite my personal misgivings about the decision of the task force chairman to count the second category of ballots, or to count the first category and not proportionately reduce each candidate's totals, neither decision would have changed the result of who actually won this election.

I believe it significant to note that not one member of the task force ever suggested that unnotarized or unwitnessed absentee ballots ever be counted. It was not until the last meeting of the task force, on April 18, after it was apparent that Mr. McIntyre was losing by four votes, that the Republican task force member first suggested that those invalid ballots retained by the county clerks should be treated in a manner similar to valid ballots.

In another desperate attempt to erase Mr. McIntyre's four-vote deficit, and in direct contravention of Indiana law, the Republican task force member also requested that military absentee ballots that had arrived after election day be counted. The task force voted not to count late-arriving military or other absentee ballots received after the election.

Mr. Speaker, Frank McCloskey, albeit narrowly, won this election based upon what I sincerely believe was a credible counting of the ballots by GAO auditors under the supervision of the task force. While I disagree with the decision made by the task force to count those invalid absentee ballots which were not comingled with other valid ballots—a total of 10 ballots in all which gave McIntyre the majority—it is apparent that either through the means adopted by the task force or the concept of proportional reduction or both, McCloskey would still be the victor.

On the matter of a special election, several things disturb me about the recent momentum for such an event. First of all, it is the Republicans, after realizing that they had possibly lost the election on the recount, who are demanding a special election. This is a new claim raised by them at the 11th hour and lacks a sound premise. Moreover, and despite Mr. McCloskey's small margin of victory, closeness alone while it could justify a recount, does not now, nor has it ever, constituted an adequate legal basis to call for a special election. Absent a showing of irregularities which go to the heart of the final result, there is no precedent for demanding such a special election.

For the foregoing reasons, Mr. Speaker, I believe it legal and proper to now seat Mr. McCloskey as the representative from the Eighth Congressional District of Indiana and I would hope that the House can now return its attention to the national issues pending before it.

Mr. FORD of Michigan. Mr. Speaker, will the gentleman yield?

Mr. PANETTA. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. I thank the gentleman for yielding.

Mr. Speaker, after an exhaustive and painstaking recount of last November's election in Indiana's Eighth Congressional District, I don't believe that any fair-minded person can deny that incumbent Frank McCloskey is the winner.

The recount was federally supervised under a careful procedure that ensured the utmost integrity and fairness. The results are now before us. And they are conclusive.

There is little doubt that this was the closest congressional election of this century, with the final outcome decided by only a handful of votes.

The narrowness of Mr. McCloskey's victory, however, is not the issue before us. Rather, it is whether, after one of the most careful and diligent recount procedures in our history, he emerges as the undisputed winner. On this score the record is now clear. And it matters not whether he won by 4 or 400 votes.

While the central issue is indeed who won that photo-finish race, it is not, in my mind, the most important consideration before us. That, instead, is whether the recount procedure established by the House to resolve this

prickly dilemma can stand the test of harsh scrutiny for openness, honesty, and fairness. I am convinced it can.

It was a far more valid recount than the one ordered by the State of Indiana. Why? Because it examined all the ballots and did not selectively throw some out for minor technical reasons. If the intent of the voter was clear—and it mattered not for whom the ballot was cast—the vote was counted. Indiana, on the other hand, excluded nearly 5,000 ballots because of technical, not substantive, reasons, thereby willy-nilly disenfranchising thousands of voters.

The federally supervised recount was conducted by teams of independent auditors from the General Accounting Office whose integrity and professionalism is beyond reproach. These teams of auditors laboriously counted the ballots on site by hand, leaving nothing to chance.

Moreover, the task force appointed by the House bent over backward to ensure fairness to both sides and fidelity to the Constitution and the people of Indiana's Eighth District.

It has been charged, unfairly, that the composition of the task force guaranteed an outcome favorable to Mr. McCloskey. Nothing could be further from the truth. First of all, as I said earlier, it established a procedure for counting all the ballots, which were not disqualified through voter error, the only democratic way to determine the winner.

I would like to remind my colleagues that, under the Constitution, Congress is the sole judge when it comes to deciding the outcome of the election of its Members.

To have relied on the results of the Indiana recount would have been a patent abdication of our constitutional duty as elected Members of this body. There were more than 15 separate recount commissions in Indiana evaluating the results with 15 separate and irregular procedures. One group, for example, accepted ballots that another group operating only a few miles away threw out for technical reasons. The task force, on the other hand, applied uniform rules to bring order out of chaos. To charge now, as some of my colleagues on the other side of the aisle have done, that we have attempted to "steal" this election is to ignore the facts for political gain.

From the very outset of this case the House has acted in a prudent and cautious manner to protect the parties involved and the integrity of the system. Quite properly it refused to seat either Mr. McCloskey or his challenger, Mr. McIntyre, until all the facts were known. To have done otherwise would have flown in the face of electoral justice and constitutional responsibility.

It was only fitting and proper for us to withhold a final judgment pending the results of this thorough and eminently open recount process—a procedure open to both sides and the media every step of the way. For us to have acted hastily before all the facts were on the table would have demeaned the process and created distrust in the public mind.

But now we are in possession of all the facts. Nothing remains hidden from public view. And now that we do have the facts, it is our duty to act upon them fairly and decisively. And the only fair and honest way to do that is by seating Mr. McCloskey according to the will of the majority of the voters of Indiana's Eighth District.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. PANETTA. I yield to the gentleman from Arkansas.

Mr. ALEXANDER. I thank the gentleman for yielding and I will not take any time, although I would like to. I would like to compliment the chairman and the task force for an excellent job and an excellent report.

Mr. Speaker, the rhetoric and parliamentary antics of the other side have reached an absurd, juvenile level in the past few weeks. Obviously, this reflects the increasing role of the extremist element in Republican policymaking.

Sadly, many senior Members on the Republican side have recently been quoted publicly and privately as saying that they are planning to leave this body—either through early retirement or seeking other offices—because of the frustrations and embarrassment caused by this extremist element which paralyzes those Republicans who ligitimately seek constructive solutions to our Nation's problems.

Mr. Speaker, today the Republican side plans to walk out of the Chamber to protest the seating of the rightful winner of Eighth Congressional District of Indiana. Judging from the assembling of the media around the capitol, I can only conclude this planned walk out is more for the purposes of good press, than good government. I suppose they will use this opportunity to once again attack the leaders of the Democratic Party as slime and thieves, and repeat their threats of civil disobedience and, indeed, physical assaults to prevent the House from swearing in the rightful Congressman from the Eighth District.

Mr. Speaker, I know at this point the extremists on the Republican side are not interested in substance. That quality was abandoned in their speeches weeks ago. However, I would suggest to them that they take a look at the position of the Reagan administration on this matter. I think they will discover the shaky legal ground upon which they have been making their allegations of criminal and immoral behavior. Frankly, it seems to me that the brief filed in the Supreme Court by the Reagan administration on the Indiana question actually justifies the action of the House in how it has proceeded on this matter.

On the Republican allegation that the House does not have the right to assume jurisdiction over the Indiana race, the Reagan administration argues—and I quote:

> This cannot be right * * *. The House should be left to continue its recount and judge the elections and returns of its own Members.

On the Republican allegation that there is no evidence of fraud, the Administration said the absence of specific allegations of election fraud or irregularity—and I again:

> That * * * is beside the point. The election was extremely close and the question the House must determine is, what was the vote?

On the charge by the Republican side that the House should have honored the dubious certificate of election, the administration argues that the validity of the certificate is "really up to each House as the judge of its election returns."

And on the allegation by the Republican side that the House is unfairly and illegally denying the people of Indiana their constitutional right to representation, the Reagan administration quoted the case of Barry versus the United States which said:

> (There is no) merit in the suggestion that the effect of the refusal * * * to seat (a member) pending investigation was to deprive the State of its equal representation. The temporary deprivation of equal representation which results from the refusal * * * to seat a member pending inquiry as to his election or qualifications is the necessary consequence of the exercise of a constitutional power, and no more deprives the State of its "equal suffrage" in the constitutional sense than would a vote * * * vacating the seat of a sitting member or a vote of expulsion.

Mr. Speaker, there are many issues in this case upon which reasonable people might disagree. However, the other side has repeatedly taken the issues of this case pounded and pounded again their own interpretation of them to the point that they are no longer willing to listen to reason.

While I know they will not listen to my arguments or those of the Members who have so professionally and astutely guided this procedure, I urge them to look at the arguments or President Reagan's own Justice Department on this matter.

[In the Supreme Court of the United States, October Term, 1984, No. 102, Original]

STATE OF INDIANA, PLAINTIFF *v.* UNITED STATES OF AMERICA, ET AL.

(On Motion for Leave To File Original Bill of Complaint)

BRIEF FOR THE UNITED STATES IN OPPOSITION

Jurisdiction

The jurisdiction of this Court is invoked under Article III, § 2, Cl. 2, of the Constitution of the United States and 28 U.S.C.

1251(b)(2). The question of jurisdiction is further dicussed in the Argument, *infra.*

Statement

1. The State of Indiana—in its own right and as parens patriae—has filed a motion for leave to file an original complaint in this Court, seeking an order requiring the seating (at least provisionally) of Richard McIntyre as Representative for the Eighth Congressional District of Indiana. The claim is that refusal to seat McIntyre in the Ninety-Ninth Congress deprives Indiana and its citizens of constitutional rights relating to representation and control over the election of Representatives from the State. Named as defendants are the United States, the House of Representatives, the Speaker, and various officers of the House. The House and its officers are represented by the Counsel to the Clerk of the House of Representatives, who is filing a separate response to Indiana's Motion for Leave. The present brief is submitted on behalf of the United States only.

2. In the general election of November 6, 1984, the seat for Representative from Indiana's Eighth Congressional District was closely contested between Richard D. McIntyre and Francis X. McCloskey. For some five weeks, state officials withheld certification of either candidate. Then, on December 13, the Indiana Secretary of State and the Governor certified McIntyre as the winner. Nevertheless, when the House of Representatives convened on January 3, 1985, it passed a resolution declining to seat either candidate and referring the question to its Committee on House Administration. That Committee is conducting a recount and has not yet reported, though it appears to be close to doing so; the result, whoever wins, will be extremely narrow. In the meantime, both claimants have been tendered the salary of Representative.

3. Some weeks before Indiana filed the present Motion in this Court, Richard McIntyre and a voter from his District commenced an action against the Speaker of the House in the United States District Court for the District of Columbia. *McIntyre* v. *O'Neill,* Civ. No. 85-0528. The relief sought there was essentially the same as in this original action. On March 1, the suit was dismissed on grounds of non-justiciability, and an appeal from that ruling is now pending on an expedited basis in the Court of Appeals for the District of Columbia Circuit, No. 85-5212, where briefing has been completed.

Argument

There are perhaps special objections to the joinder of the United States as a defendant to this action.[1] We do not stop to examine any such obstacles, however, because, given that the United States is not an indispensable party, its dismissal would not prevent continuation of the suit against some or all of the other defendants. Cf. Fed. R. Civ. P. 19 and 21. For like reasons, there is no need to determine whether the joinder of the Speaker is barred by the Speech and Debate Clauses: that would not affect prosecution of the action against the other officers of the House. See *Powell* v. *McCormack,* 395 U.S. 486, 501-506 (1969). And, finally, we accept without quibble that the case, if justiciable in any federal court, falls within this Court's nonexclusive original jurisdiction as a controversy to which a state is a proper party.[2] We confine ourselves here to two submissions: (1) The case presents only a nonjusticiable "political question" which no federal court can entertain; and (2) in any event, this Court ought not exercise its original jurisidiction, but should deny leave to file as a matter of discretion.

1. This matter is nonjusticiable, because it presents a political question. There is no exception for cases otherwise within the Court's original jurisdiction. "The effect of [Art. III, § 2, Cl. 3] is not to confer jurisdiction upon the Court merely because the State is a party, but only where it is a party to a proceeding of judicial cognizance. Proceedings not of a justiciable character are outside the contemplation of the constitutional grant." *Massachusetts* v. *Mellon,* 262 U.S. 447, 480 (1923). It would be difficult to overstate the degree to which this controversy presents the defining instance of a political question. The classic characteristics of textual commitment to another branch and conspicuous separation of powers problems are present and pronounced. Unsurprisingly, the Court's opinions in this area strongly suggest that this precise controversy would be held nonjusticiable on political question grounds.

a. There is, in the present context, "a textually demonstrable constitutional commitment of the issue to a coordinate political department * * *." *Baker* v. *Carr,* 369 U.S. 186, 217 (1962). See *Gilligan* v. *Morgan,* 413 U.S. 1, 6-7 (1973). Article I, § 5 of the Constitution begins: "Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members * * *." This is specific and more directed to the matter at hand than Article I, § 4, on which plaintiff relies. See *Roudebush* v. *Hartke,* 405 U.S. 15, 25-26 (1972). The House of Commons and the legislatures of the colonies judged their own elections, and jealously protected their right to do so against other governmental entities. H. Remick, *The Powers of Congress in Respect to Membership and Elections* 1-62 (1929); M. Clarke, *Parliamentary Privilege in the American Colonies* 9-10, 132-172 (1971). So, also, the American Senate and House have been deciding election questions involving their members for nearly 200 years—sometimes responsibly, sometimes not, but never with judicial review, despite repeated requests. In light of this history and the express provision of Article I, § 5, it seems obvious the political question doctrine applies here—all the more so given that judicial review has been deemed barred where the commitment of the issue's resolution to another entity is only implicit. *E.g., Coleman* v. *Miller,* 307 U.S. 433, 450 (1938); *Goldwater* v. *Carter,* 444 U.S. 996, 1003 (1979) (Rehnquist, J., concurring, joined by Burger, C.J., and Stewart and Stevens, JJ.).

It is no answer that courts regularly review other exercises of power "textually committed" to Congress. The commitment made by Article I, § 5 is different not only in degrees, but in kind. The Commerce Clause, for example, makes a grant of *lawmaking* power, and it is entirely unremarkable that there should be judicial review of the exercise of that authority. Here, however, the grant is itself of an *adjudicative* sort, and review by the judiciary is redundant and intrusive. Article I, § 5 entails making specific decisions about particular disputes—not setting broad, prospective policy. The Constitution charges the legislature in this special instance with doing what courts usually do—and, logically, excluding courts from that process.[3]

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[1] It is arguable, first, that the United States—as distinguished from the House of Representatives and its officers—is not a "proper" party, having no separate interest in the case. Presumably, *Powell* v. *McCormack,* 395 U.S. 486 (1969), establishes that the United States is not an *indispensable* party, without whose joinder the suit could not proceed. On the other hand, it is difficult to assert that the United States is ever an improper party where *any* federal governmental matter is in controversy. See, *e.g.,* 28 U.S.C. 2322 (review of I.C.C. orders); 28 U.S.C. 2344 (orders of Hobbs Act agencies); 28 U.S.C. 2403 (constitutionality of Act of Congress drawn into question); 25 U.S.C. 201 (qui tam action for penalties in Indian cases); 40 U.S.C. 270b(b) (suit on behalf of laborers or materialmen on public works contracts); 42 U.S.C. 1973h(b) (challenge to state poll taxes). There is, indeed, much to be said for affording the Department of Justice an opportunity to participate in such litigation. In sum, we see no ground for objecting to the joinder of the United States as improper.

It is perhaps a more serious question whether *sovereign immunity* prevents the suit against the United States. The basic rule, of course, is that absent congressional consent, a suit for injunctive relief can be maintained only against its officers if they are charged with acting ultra vires or unconstitutionally. See *Block* v. *North Dakota,* 461 U.S. 273, 280-282 (1983). Here, the only arguably relevant statutory provision effecting the requisite waiver for joining the sovereign itself is 5 U.S.C. 702, which permits joinder of the United States whenever "agency" action is subject to judicial review and nonmonetary relief is sought. However, assuming that it applies to original actions in this Court (cf. *California v. Arizona,* 440 U.S. 59 (1979)), the provision expressly excludes "Congress" as an "agency." Accordingly, the question is whether the officers of one House are nevertheless covered. It is not apparent why Congress should have wished to bar joinder of the United States in such a case if the suit otherwise can be prosecuted against the officials.

[2] Notwithstanding the failure of the Judicial Code to so provde (28 U.S.C. 1251) and contrary indications in some of the Court's opinions (*e.g., California* v. *Southern Pacific Co.,* 157 U.S. 229, 261-262 (1895); *New Mexico* v. *Lane,* 243 U.S. 52, 58 (1917); *Texas* v. *Interstate Commerce Commission,* 258 U.S. 158, 163 (1922)), we deem it clear that this Court enjoys concurrent original jurisdiction of *all* cases within the federal judicial power, not barred by sovereign immunity, where a state is a party, including a suit founded on federal law by a state against its own citizens. See *United States* v. *Texas,* 143 U.S. 621, 642-645 (1892); *Monaco* v. *Mississippi,* 292 U.S. 313, 321, 329-330 (1934). An independent basis for invoking the original jurisdiction of this Court is that the suit is brought by a state against citizens of other states. 28 U.S.C. 1251(b)(3). See *South Carolina* v. *Katzenbach,* 383 U.S. 301, 307 (1966); *Oregon* v. *Mitchell,* 400 U.S. 112, 117 n.1, 152-153 n.1, 230-231 (1970). And if the United States is permissibly joined, original jurisdiction also lies on the ground that the suit is between a state and the United States. 28 U.S.C. 1251(b)(2). See *California ex rel State Lands Commission* v. *United States,* 457 U.S. 273, 277 n.6 (1982). Whichever of the three bases is invoked, this Court's original jurisdiction is only concurrent—given that a federal question is presented. Compare *Ohio* v. *Wyandotte Chemicals Corp.,* 401 U.S. 493, 498 n.3 (1971). Accordingly, it would not affect this Court's jurisdiction if the United States were dismissed as a party.

It may be questioned whether Indiana, acting merely as *parens patriae,* can maintain an original action against the United States or its officers. See *Massachusetts* v. *Mellon,* 262 U.S. 447, 485-486 (1923); *South Carolina* v. *Katzenbach,* 383 U.S. at 324. But the Court's precedents indicate that Indiana here has sufficiently alleged injury to the State in its sovereign capacity. *South Carolina* v. *Katzenbach, supra; Oregon* v. *Mitchell, supra; South Carolina* v. *Regan,* No. 94, Orig. (Feb. 22, 1984). See also *Hodel* v. *Indiana,* 452 U.S. 314 (1981); *FERC* v. *Mississippi,* 456 U.S. 742 (1982).

[3] See *Barry* v. *United States ex rel. Cunningham,* 279 U.S. 597, 613 (1029): "Generally, the Senate is a legislative body, exercising in connection with the House only the power to make laws. But is has had conferred on it by the Constitution certain powers which are not legislative but judicial in character. Among these is the power to judge of the elections, returns and qualifications of its own members. Art. I, § 5, cl. 1." See also 279 U.S. at 616: "In exercising

b. This underscores some of the other criteria for political questions set out in *Baker* v. *Carr*. Judicial review in this case would repeat precisely the job which has been committed to the House of Representatives in the first instance, thereby "expressing lack of respect due coordinate branches of government * * *." 369 U.S. at 217. For the same reason, judicial review here necessarily contains "the potentiality of embarrassment from multifarious pronouncements by various departments on one question." *Ibid.* As the Court in *Baker* v. *Carr* pointed out, the earmark of a classic political question is the presence of pronounced separation of powers problems. 369 U.S. at 210.

Those separation of powers concerns are further dramatized here by the remedies plaintiff seeks. They include forcing the Speaker of the House to administer an oath of office, compelling the House of Representatives to seat Mr. McIntyre, and requiring the officers of the House to provide him all the "rights, privileges, powers, emoluments, and services" of a Member. To say that the enforcement of such a decree would express "lack of respect" for the House and create a "potentiality for embarrassment" is a gross understatement. The extent to which judicial relief would necessitate unseemly judicial interference in the business of the political branches is of course a valid consideration in justiciability matters generally. Cf. *Allen* v. *Wright*, No. 81-757 (July 3, 1984), slip op. 22-23.

c. Plaintiff relies heavily on *Powell* v. *McCormack*, 395 U.S. 486 (1969), for the general proposition that the political question doctrine is inapplicable here. But the fact is that the Court there expressly reserved the question whether a complaint seeking the sort of coerceive relief now sought would be justiciable. *Id.* at 517-518, 550. Moreover, the Court also observed; "[F]ederal courts might still be barred by the political question doctrine from reviewing the House's factual determination that a member did not meet one of the standing qualifications. This is an issue not presented in this case and we express no view as to its resolution." *Id.* at 521 n.42. The same plainly applies to the House's review of "Elections" and "Returns" as well, listed together with "Qualifications" in Article I, § 5.[4] What *Powell did* deal with was whether the Court could define what the Constitution meant in Article I, § 5, when it said "Qualifications." There is no like question in this case about the meaning of "Elections" and "Returns."

The other case relied upon by plaintiffs is *Barry* v. *United States ex rel. Cunningham*, 279 U.S. 597 (1929). There again, however, it was *not* ruled that scrutiny by a house of Congress of election returns was judicially reviewable. On the contrary: the Court indicated repeatedly in dicta that it would not be. In ruling that the Senate could subpoena witnesses in the course of investigating an election, the Court said that the judiciary could intervene in such cases only upon a clear showing that due process was being denied—and stated that the Senate's *ultimate* judgment on elections was "beyond the authority of any other tribunal to review." *Id.*. at 613. Similarly, the Court wrote that, when a member-elect to the Senate presented himself there (*id.* at 614): "the jurisdiction of the Senate to determine the rightfulness of the claim was invoked and its power to adjudicate such right attached by virtue of section 5 of Article I of the Constitution. Whether, pending this adjudication, the credentials should be accepted, the oath administered, and the full right accorded to participate in the business of the Senate, was a matter within the discretion of the Senate."

The Court went on to give one example, "[a]mong the typical cases in the House, where that body refused to seat members in advance of the investigation although presenting credentials unimpeachable in form * * *." *Id.* at 615 n.*. Finally, the Court stated that "the Senate [has] *sole* authority under the Constitution to judge of the elections, returns, and qualifications of its members * * *." *Id.* at 619 (emphasis added).

The Court made a similar statement, although again in dicta, in *Roudebush* v. *Hartke*, 405 U.S. 15, 19 (1972) (citation omitted): "Which candidate [of the two in the disputed election] is entitled to be seated in the Senate is, to be sure, a nonjusticiable political question—a question that would not have been the business of this Court even before the Senate voted. [Citation to *Powell* v. *McCormack* omitted.]" *Hartke* presented the mirror image of this case: the apparently victorious candidate was seeking to prevent a recount by *invoking* the Senate's Article 1, § 5 power, and arguing that a recount *by the State* would undercut the Senate's authority. In allowing the recount, the Court acknowledged that the "State's verification of the accuracy of election results pursuant to its Art. I, § 4 powers is not totally separate from the Senate's power to judge elections and returns," but made clear that the Senate could review those returns, as the House is doing in the instant matter: "The Senate is free to accept or reject the apparent winner * * *, and, if it chooses, to conduct its own recount" (405 U.S. at 25-26) (footnote omitted). The Court pointed out that "[t]he Senate itself has recounted the votes in close elections in States where there was not recount procedure" (*id.* at 26 n.24) (citation omitted).[5]

d. Indiana is asking more than that the House's determination of the election be overturned; it seems to be praying that the House be precluded even from reviewing the State of Indiana's determination of that election. The assertion is apparently that the House must accept the State's certification of the election returns, or it will violate Indiana's constitutional right to determine the "Times, Places, and Manner of holding Elections for Senators and Representatives * * *." Art. I, § 4, Cl. 1. This cannot be right, for it would contradict the more specific constitutional provision that "[e]ach House shall be the Judge of the Elections, Returns and Qualifications of its own Members * * *." See *Roudebush* v. *Hartke*, 405 U.S. at 25-26. The Court said in *Barry* v. *United States*, 279 U.S. at 613, that in "exercising this power [of reviewing elections], the Senate may, of course, devolve upon a committee of its members the authority to investigate and report; and this is the general, if not the uniform, practice."[6]

Plaintiff insists that the state certification be afforded a "presumption of validity." But that is really up to each house, as the judge of its election returns. In any event, the House may well be affording just such a presumption, albeit it is unwilling to risk seating and then unseating the Representative from the Eighth Congressional District of Indiana. Plaintiff also stresses that there have been no allegations of election fraud or irregularity. That, however, is beside the point: everyone agrees that the election was extremely close, and the question which the House must determine is, what was the vote? It is implicit that there is a chance for honest or dishonest error. Such presumptions, in any event, are two-edged; as the Court said in *Barry* v. *United States*, *supra*, "[T]he presumption in favor of regularity, which applies to the proceedings of courts, cannot be denied to the proceedings of the Houses of Congress, when acting upon matters within their constitutional authority." 279 U.S. at 619.

The clarity with which this controversy presents a political question is remarkable. The House should be left to continue its recount and judge the elections and returns of its own Members.

2. The political question issue aside, the Court should exercise its discretion in favor of declining to hear the case.

The Court's jurisdiction here is neither exclusive, 28 U.S.C. 1251(b)(2), nor mandatory. It has consistently been the Court's philosophy that its original jurisdiction should be exercised "sparingly." See, *e.g.*, *Arizona* v. *New Mexico*, 425 U.S. 794, 796 (1976); *United States* v. *Nevada*, 412 U.S. 534, 538 (1973); *Illinois* v. *City of Milwaukee*, 406 U.S. 91, 93 (1972); *Ohio* v. *Wyandotte Chemical Corp.*, 401 U.S. 493, 501 (1971); *Utah* v. *United States*, 394 U.S. 89, 95

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the power to judge the elections, returns and qualifications of its members, the Senate acts as a judicial tribunal * * *."

The Court again alluded to this special function in *Buckley* v. *Valeo*, 424 U.S. 1, 133 (1976): "[Article I,] Section 5 confers * * * a power 'judicial in character' upon each House of the Congress [citation to *Barry* v. *Cunningham* omitted]."

Finally, in *Reed* v. *County Comm'rs*, 277 U.S. 376, 388 (1928), the Court concluded that, given the Senate's own established powers to compel production of evidence in election disputes, it was unlikely that the statute in question allowed the Senators there to ask the courts to do so: "[The Senate] is the judge of the elections, returns, and qualifications of its members. Art. I, § 5. It is fully empowered, and may determine such matters without the aid of the House of Representatives or the Executive or Judicial Department."

[4] In this concurrence in *Powell*, Justice Douglas wrote that had the dispute there been over whether an elected candidate met one of the qualifications set out in the Constitution, then "the House is the sole judge." 395 U.S. at 552, citing *Baker* v. *Carr*, 369 U.S. at 242 n.2 Again, presumably the same would be true for "Elections" and "Returns."

[5] Justices Douglas and Brennan dissented in part, on the ground that the Court should have enjoined the state's recount so that the Senate could be sure that the ballots were reviewed in pristine form. The partial dissent stated (405 U.S. at 30), that '[t]he parties before the Court are apparently in agreement that * * * there has been a "textually demonstrable constitutional commitment' (*Baker* v. *Carr*, 369 U.S. 186, 217; *Powell* v. *McCormack*, 395 U.S. 486, 518-549) to the Senate of the decision [who] * * * received more votes. Our case law agrees." The dissent then went on to discuss *Barry* v. *Cunningham*, *supra*, and *Reed* v. *County Comm'rs*, 277 U.S. 376 (1928), concluding that "where all that is at stake is a determination of which candidates attracted the greater number of ballots, each [house] has supreme authority to resolve such controversies" (*id.* at 32) (citation omitted).

[6] With regard to plaintiff's claim that it is being deprived of its right to representation, *Barry* is also relevant (279 U.S. at 615-616): "Not is there merit in the suggestion that the effect of the refusal of the Senate to seat [a member] pending investigation was to deprive the state of its equal representation in the Senate." * * * The temporary deprivation of equal representation which results from the refusal of the Senate to seat a member pending inquiry as to his election or qualifications is the necessary consequence of the exercise of a constitutional power, and no more deprives the state of its "equal suffrage" in the constitutional sense than would a vote of the Senate vacating the seat of a sitting member or a vote of expulsion."

(1969); and *Massachusetts* v. *Missouri*, 308 U.S. 1, 18-20 (1939). The Court exercises this discretion in the light of its increasing appellate docket—*Illinois* v. *City of Milwaukee*, 406 U.S. at 93-94; *Washington* v. *General Motors Corp.*, 406 U.S. 109, 113 (1972); *Arizona* v. *New Mexico*, 425 U.S. at 797—and, more generally, "with an eye to promoting the most effective functioning of this Court within the overall federal system." *Texas* v. *New Mexico*, 462 U.S. 554, 570 (1983).

The Court noted in *Illinois* v. *City of Milwaukee*, 406 U.S. at 93, that what is "appropriate" for the Court to hear in the exercise of its original jurisdiction involves both "the seriousness and dignity of the claim" and "the availability of another forum where there is jurisdiction over the named parties, where the issues may be litigated, and where appropriate relief may be had." See *Maryland* v. *Louisiana*, 451 U.S. 725, 739-740 (1981); *Arizona* v. *New Mexico*, 425 U.S. at 796-797. This case fails to meet either criterion. The immediacy of the claim—an important part of its "seriousness"—is undermined by the fact that the House is now in the process of recounting the ballots, and it is very much in doubt what the outcome will be. The Court cited similar ripeness problems in declining to assert its original jurisdiction in *United States* v. *Nevada*, 412 U.S. at 540.

There are available, moreover, other judicial forums for this dispute. It is, in fact, already being litigated in the District of Columbia Circuit, where it has been heard by the District Court on an expedited basis, and has now been briefed for the appellate court on an expedited schedule. *McIntyre* v. *O'Neill*, dismissed, Civ. No. 85-0528 (D.D.C. Mar. 1, 1985), appeal docketed, No. 85-5212 (D.C. Cir. Mar. 1, 1985). One plaintiff in that case is suing as a voter from the Eighth District. Also, relief against the House essentially identical to that sought here is asked for. Indiana itself is not precluded from bringing an action in another forum; nor does it appear to have been prevented from joining the action now in progress in the District of Columbia Circuit. This Court could properly decline to exercise its jurisdiction, in any event, so long as the "issues" are being litigated in another forum and Indiana's "interests" will be "represented" there. See *Arizona* v. *New Mexico*, 425 U.S. at 797; *Maryland* v. *Louisiana*, 451 U.S. at 743. Given the relief sought and the parties represented, that is the situation here.

As the Court said in *United States* v. *Nevada*, 412 U.S. at 538, "We seek to exercise our original jurisdiction sparingly and are particularly reluctant to take jurisdiction of a suit where the plaintiff has another adequate forum in which to settle his claim." See *Maryland* v. *Louisiana*, 451 U.S. at 744; *Illinois* v. *City of Milwaukee*, 406 U.S. at 93; *Washington* v. *General Motors Corp.*, 406 U.S. at 114; *Massachusetts* v. *Missouri*, 308 U.S. at 19-20. In sum, the State of Indiana has wholly failed to establish the "practical necessity" required for invoking this Court's original jurisdiction. *Texas* v. *New Mexico*, 462 U.S. 554, 570 (1983).

Conclusion

The motion for leave to file an original complaint in this Court should be denied.

Respectfully submitted.

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Solicitor General.
RICHARD K. WILLARD,
Acting Assistant Attorney General.
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Deputy Solicitor General.
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APRIL 1985.

Mr. PANETTA. Mr. Speaker, I regret that there are obviously larger issues that go beyond the Eighth District that are involved here that relate to abuse of the minority and the feeling that that is the case. Unfortunately, I think that poisons the atmosphere in terms of being able to weigh the facts that are presented here in a fair and objective way. I regret that, but that is the case.

Nevertheless, I urge Members to please look at the report and please look at the facts that are involved here.

The issue that is raised on the recommittal will relate to the ballot issue, the illegal ballots that were not counted. Let me speak to that.

At no time—at no time—did the task force intend to count illegal votes. At no time, under House precedent or under any other rule. Our basic approach was not to count illegal votes. Absentee ballots that are not authorized and not signed are illegal votes. We never intended to count those votes.

What happened was, we found a mistake, an error, not by the task force, not by the majority, but by the election officials in Indiana who, by mistake, sent some 62 of those illegal ballots out to the precincts. Fifty-two of those were counted. That was a mistake. It should not have happened. Once those 52 were counted, they were intermingled with other valid ballots. There was no way to go back and correct that mistake. Ten were out there that were also at the precinct level. One of those was open and not counted.

It was our feeling and, frankly, the gentleman from California [Mr. THOMAS], agreed with us, that there is the potential for mischief when a precinct worker can look at the name on that absentee ballot and decide whether or not that individual will be counted. In particular, when an envelope is opened and that particular vote has not been counted.

Mr. PASHAYAN. Mr. Speaker, will the gentleman yield?

Mr. PANETTA. Please let me finish my statement.

Mr. Speaker, as a result of that, it was our feeling that a mistake had been made. Unfortunately, there were additional ballots at the precinct level that were subject to mischief and, therefore, that those votes ought to also be counted, and as you know, they counted six, three, and one in favor of Mr. McIntyre.

The role of the task force, it seems to me, is to limit mistakes, not compound mistakes. Those clerks were to serve——

Mr. THOMAS of California. Mr. Speaker, will the gentleman yield on a point of error? On a point of error?

Mr. PANETTA. Allow me to complete my statement, please.

The clerks were supposed to act as a dam to prevent those illegal ballots from going out to the precincts. A few of those ballots seeped through the dam, and now what the Republicans argue is that we ought to blow up the dam and let the rest of the illegal ballots that were retained by the clerks be counted.

It is my view that we ought to respect the performance of those clerks who held those illegal ballots and did not forward them on to the precincts.

Yes, there were judgments made here. Let us make no question about it. Every time you deal with an election, there are judgments that have to be made on a variety of issues and we did that over 9 weeks. The GAO auditors went to 233,000 ballots. They had to make judgments. The teams had to make judgments. We on the task force had to make judgments.

Some of the ballots were counted, some were not, based on those judgments. The question you have to ask as Members of this House is: Were those judgments justified, reasonable, and supported by House precedent? The House precedent, when it comes to counting illegal votes, is that you do a proportional reduction on the ones that are counted. That is what the House precedent is, if you want to know what the law is with regard to those ballots. And if we did a proportional reduction or took those 10 votes out, who would be the winner? McCloskey would be the winner, because those ballots inured to the benefit of Mr. McIntyre.

So for that reason, my view was that we do not do a proportional reduction because I know what the attack would have been. "That is a very inexact tool, and you hurt our candidate." So we did not use that tool. In terms of the proportional reduction, we counted the 10 and drew the line at that class with regard to the ballots that were at the precinct, and that is supported by House precedent and, incidentally, it is supported by Mr. Shumway. There have been comments here that Mr. Shumway would support a recount. Let me read to you from a letter that he sent to me yesterday stating:

> There have been remarks that I would have counted those absentee ballots. I would like to have the record accurately reflect my position. I would say invalid ballots, whether absentee or otherwise, should not be counted.

That is Mr. Shumway's position with regard to this issue.

One final reflection: If Mr. McIntyre had won this race, none of this would have been an issue. Make no mistake about it. This would not be an issue that would have been raised at this time. Had we counted these illegal

votes and McIntyre was not ahead, do you think they would have stopped there? They would have argued that we continue to count illegal votes, the deceased votes, the late-arriving ballots, until Mr. McIntyre had somehow won.

The fact is that in looking at this election, the argument that now we ought to count these illegal ballots, do we want this election to turn on counting illegal votes? Would Mr. McCloskey or Mr. McIntyre want this election to count based on counting illegal votes? Is that something we want to justify? I do not think so.

The 10 votes made no difference. As I said, McCloskey, if we took those 10 votes out, would still be the winner. Please look at the facts. That is all I ask as chairman of this task force.

The decisions were justified. They were supported, and they were right, and Mr. McCloskey ought to be seated.

Mr. Speaker, I yield back the balance of my time.

Mr. Speaker, I move the previous question on the resolution.

MOTION TO RECOMMIT OFFERED BY MR. FRENZEL

Mr. FRENZEL. Mr. Speaker, I offer a motion to recommit with instructions.

The SPEAKER pro tempore. Is the gentleman opposed to the resolution?

Mr. FRENZEL. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. FRENZEL moves to recommit H. Res. 146 to the Committee on House Administration with instructions that the Committee be directed to count the otherwise valid unnotorized absentee ballots identified by the Task Force on the Indiana Eighth Congressional District in Orange, Lawrence, Daviess and Greene Counties and when that count is completed the Committee will certify the winner and report their findings immediately to the House.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. FRENZEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 183, nays 246, not voting 4, as follows:

[Roll No. 90]

YEAS—183

Applegate	Boehlert	Cheney
Archer	Boulter	Clinger
Armey	Broomfield	Coats
Badham	Brown (CO)	Cobey
Bartlett	Broyhill	Coble
Barton	Burton (IN)	Coleman (MO)
Bateman	Callahan	Combest
Bentley	Campbell	Conte
Bereuter	Carney	Coughlin
Bilirakis	Chandler	Courter
Bliley	Chappie	Craig
Crane	LaFalce	Rinaldo
Dannemeyer	Lagomarsino	Ritter
Daub	Latta	Roberts
Davis	Lent	Rogers
DeLay	Lewis (CA)	Roth
DeWine	Lewis (FL)	Roukema
Dickinson	Lightfoot	Rowland (CT)
DioGuardi	Livingston	Rudd
Dornan (CA)	Loeffler	Saxton
Dreier	Lott	Schaefer
Duncan	Lowery (CA)	Schneider
Eckert (NY)	Lujan	Schuette
Edwards (OK)	Lungren	Schulze
Emerson	Mack	Sensenbrenner
Evans (IA)	Madigan	Shaw
Fawell	Marlenee	Shumway
Fiedler	Martin (IL)	Shuster
Fields	Martin (NY)	Siljander
Fish	Mazzoli	Skeen
Franklin	McCain	Slaughter
Frenzel	McCandless	Smith (NE)
Gallo	McCollum	Smith (NH)
Gekas	McDade	Smith (NJ)
Gilman	McEwen	Smith, Denny
Gingrich	McGrath	Smith, Robert
Goodling	McKernan	Snowe
Gradison	McKinney	Snyder
Green	McMillan	Solomon
Gregg	Meyers	Spence
Grotberg	Michel	Stangeland
Hammerschmidt	Miller (OH)	Strang
Hansen	Miller (WA)	Stump
Hartnett	Molinari	Sundquist
Hendon	Monson	Sweeney
Henry	Moore	Swindall
Hiler	Moorhead	Tauke
Hillis	Morrison (WA)	Taylor
Holt	Myers	Thomas (CA)
Hopkins	Nielson	Vander Jagt
Horton	O'Brien	Vucanovich
Hunter	Oxley	Walker
Hyde	Packard	Weber
Ireland	Parris	Whitehurst
Jeffords	Pashayan	Whittaker
Johnson	Petri	Wolf
Kasich	Porter	Wortley
Kemp	Pursell	Wylie
Kindness	Quillen	Young (AK)
Kolbe	Regula	Young (FL)
Kramer	Ridge	Zschau

NAYS—246

Ackerman	Collins	Gaydos
Addabbo	Conyers	Gejdenson
Akaka	Cooper	Gephardt
Alexander	Coyne	Gibbons
Anderson	Crockett	Glickman
Andrews	Daniel	Gonzalez
Annunzio	Darden	Gordon
Anthony	Daschle	Gray (IL)
Aspin	de la Garza	Gray (PA)
Atkins	Dellums	Guarini
AuCoin	Derrick	Hall (OH)
Barnard	Dicks	Hall, Ralph
Barnes	Dingell	Hall, Sam
Bates	Dixon	Hamilton
Bedell	Donnelly	Hatcher
Beilenson	Dorgan (ND)	Hawkins
Bennett	Dowdy	Hayes
Berman	Downey	Hefner
Bevill	Durbin	Heftel
Biaggi	Dwyer	Hertel
Boggs	Dymally	Howard
Boland	Dyson	Hoyer
Boner (TN)	Early	Hubbard
Bonior (MI)	Eckart (OH)	Hughes
Bonker	Edgar	Hutto
Borski	Edwards (CA)	Jacobs
Bosco	English	Jenkins
Boucher	Erdreich	Jones (NC)
Boxer	Evans (IL)	Jones (OK)
Breaux	Fascell	Jones (TN)
Brooks	Fazio	Kanjorski
Brown (CA)	Feighan	Kaptur
Bruce	Flippo	Kastenmeier
Bryant	Florio	Kennelly
Burton (CA)	Foglietta	Kildee
Bustamante	Foley	Kleczka
Byron	Ford (MI)	Kolter
Carper	Ford (TN)	Kostmayer
Carr	Fowler	Lantos
Chappell	Frank	Leath (TX)
Clay	Frost	Lehman (CA)
Coelho	Fuqua	Lehman (FL)
Coleman (TX)	Garcia	Leland
Levin (MI)	Owens	Staggers
Levine (CA)	Panetta	Stallings
Lipinski	Pease	Stark
Lloyd	Penny	Stenholm
Long	Pepper	Stokes
Lowry (WA)	Perkins	Stratton
Luken	Pickle	Studds
Lundine	Price	Swift
MacKay	Rahall	Synar
Manton	Rangel	Tallon
Markey	Ray	Tauzin
Martinez	Reid	Thomas (GA)
Matsui	Richardson	Torres
Mavroules	Robinson	Torricelli
McCurdy	Rodino	Towns
McHugh	Roe	Traficant
Mica	Roemer	Traxler
Mikulski	Rose	Udall
Miller (CA)	Rostenkowski	Valentine
Mineta	Rowland (GA)	Vento
Mitchell	Roybal	Visclosky
Moakley	Russo	Volkmer
Mollohan	Sabo	Walgren
Montgomery	Savage	Watkins
Moody	Scheuer	Waxman
Morrison (CT)	Schroeder	Weiss
Mrazek	Schumer	Wheat
Murphy	Seiberling	Whitley
Murtha	Sharp	Whitten
Natcher	Shelby	Williams
Neal	Sikorski	Wilson
Nelson	Sisisky	Wirth
Nichols	Skelton	Wise
Nowak	Slattery	Wolpe
Oakar	Smith (FL)	Wright
Oberstar	Smith (IA)	Wyden
Obey	Solarz	Yates
Olin	Spratt	Yatron
Ortiz	St Germain	Young (MO)

NOT VOTING—4

Gunderson	Leach (IA)
Huckaby	Weaver

□ 1600

Mr. MURPHY and Mr. MICA changed their votes from "yea" to "nay."

Mr. SCHAEFER changed his vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FRENZEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 236, nays 190, answered "present" 2, not voting 5, as follows:

[Roll No. 91]

YEAS—236

Ackerman	Boggs	Clay
Addabbo	Boland	Coelho
Akaka	Boner (TN)	Coleman (TX)
Alexander	Bonior (MI)	Collins
Anderson	Bonker	Conyers
Andrews	Borski	Cooper
Annunzio	Bosco	Coyne
Anthony	Boucher	Crockett
Applegate	Boxer	Daniel
Aspin	Breaux	Darden
Atkins	Brooks	Daschle
AuCoin	Brown (CA)	de la Garza
Barnes	Bruce	Dellums
Bates	Bryant	Derrick
Bedell	Burton (CA)	Dicks
Beilenson	Bustamante	Dingell
Bennett	Byron	Dixon
Berman	Carper	Donnelly
Bevill	Carr	Dorgan (ND)
Biaggi	Chappell	Dowdy

Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Edgar
Edwards (CA)
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Gray (IL)
Gray (PA)
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hertel
Howard
Hoyer
Hubbard
Hughes
Hutto
Jacobs
Jenkins
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lipinski
Lloyd
Long
Lowry (WA)
Luken
Lundine
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCurdy
McHugh
Mica
Mikulski
Miller (CA)
Mineta
Mitchell
Moakley
Mollohan
Montgomery
Morrison (CT)
Mrazek
Murphy
Murtha
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Ortiz
Owens
Panetta
Pease
Pepper
Perkins
Pickle
Price
Rahall
Rangel
Ray
Reid
Richardson
Robinson
Rodino
Roe
Roemer
Rose
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Savage
Scheuer
Schroeder
Schumer
Seiberling
Sharp
Shelby
Sikorski
Sisisky
Skelton
Slattery
Smith (FL)
Smith (IA)
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Stratton
Studds
Swift
Synar
Tallon
Tauzin
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitley
Whitten
Williams
Wilson
Wirth
Wise
Wolpe
Wright
Wyden
Yates
Yatron
Young (MO)

NAYS—190

Archer
Armey
Badham
Barnard
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Callahan
Campbell
Carney
Chandler
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Conte
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
Davis
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Eckert (NY)
Edwards (OK)
Emerson
Evans (IA)
Fawell
Fiedler
Fields
Fish
Franklin
Frenzel
Gallo
Gekas
Gilman
Gingrich
Goodling
Gradison
Green
Gregg
Grotberg
Hall, Ralph
Hall, Sam
Hammerschmidt
Hansen
Hartnett
Hendon
Henry
Hiler
Hillis
Holt
Hopkins
Horton
Hunter
Hyde
Ireland
Jeffords
Johnson
Kasich
Kemp
Kindness
Kolbe
Kramer
LaFalce
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Loeffler
Lott
Lowery (CA)
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCain
McCandless
McCollum
McDade
McEwen
McGrath
McKernan
McKinney
McMillan
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Monson
Moore
Moorhead
Morrison (WA)
Nielson
O'Brien
Olin
Oxley
Packard
Parris
Pashayan
Penny
Petri
Porter
Pursell
Quillen
Regula
Ridge
Rinaldo
Ritter
Roberts
Rogers
Roth
Roukema
Rowland (CT)
Rudd
Saxton
Schaefer
Schneider
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Siljander
Skeen
Slaughter
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Stallings
Stangeland
Stenholm
Strang
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Vander Jagt
Vucanovich
Walker
Weber
Whitehurst
Whittaker
Wolf
Wortley
Wylie
Young (AK)
Young (FL)
Zschau

ANSWERED "PRESENT"—2

English
Frank

NOT VOTING—5

Gunderson
Huckaby
Moody
Myers
Weaver

□ 1620

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

The SPEAKER. For what purpose does the gentleman from Illinois [Mr. MICHEL] rise?

Mr. MICHEL. Mr. Speaker, in view of that vote, the last vote, I move that we adjourn.

The SPEAKER. Would the gentleman withhold until the Chair has had an opportunity to swear in Mr. McCloskey?

Mr. MICHEL. No, Mr. Speaker. Our purpose is to adjourn immediately in keeping with the precedent of the Democratic Party back in 1890.

The SPEAKER. The gentleman appreciates the fact that the motion is not debatable.

Mr. MICHEL. I understand, Mr. Speaker.

The SPEAKER. The question is on the motion to adjourn offered by the gentleman from Illinois [Mr. MICHEL].

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. MICHEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The votes was taken by electronic device, and there were—yeas 179, nays 248, not voting 6, as follows:

[Roll No. 92]

YEAS—179

Archer
Armey
Badham
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Broyhill
Burton (IN)
Callahan
Campbell
Carney
Chandler
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Conte
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
Davis
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Eckert (NY)
Edwards (OK)
Emerson
Evans (IA)
Fawell
Fiedler
Fields
Fish
Franklin
Frenzel
Gallo
Gekas
Gilman
Gingrich
Goodling
Gradison
Green
Gregg
Grotberg
Hammerschmidt
Hansen
Hartnett
Hendon
Henry
Hiler
Hillis
Holt
Hopkins
Horton
Hunter
Hyde
Jeffords
Johnson
Kasich
Kemp
Kindness
Kolbe
Kramer
Lagomarsino
Latta
Leach (IA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Loeffler
Lott
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCain
McCandless
McCollum
McDade
McEwen
McGrath
McKernan
McKinney
McMillan
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Monson
Moore
Moorhead
Morrison (WA)
Myers
Nielson
O'Brien
Oxley
Packard
Parris
Pashayan
Petri
Porter
Pursell
Quillen
Regula
Ridge
Rinaldo
Ritter
Roberts
Rogers
Roth
Roukema
Rowland (CT)
Rudd
Saxton
Schaefer
Schneider
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Siljander
Skeen
Slaughter
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Stangeland
Strang
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Vander Jagt
Vucanovich
Walker
Weber
Whitehurst
Whittaker
Wolf
Wortley
Wylie
Young (AK)
Young (FL)
Zschau

NAYS—248

Ackerman
Addabbo
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Barnes
Bates
Bedell
Bellenson
Bennett
Berman
Bevill
Biaggi
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Breaux
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Bustamante
Byron
Carper
Carr
Chappell
Clay
Coelho
Coleman (TX)
Collins
Conyers
Cooper
Coyne
Crockett
Daniel
Darden
Daschle
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Edgar
Edwards (CA)
English
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Gray (IL)
Gray (PA)
Guarini
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hertel
Howard

Hoyer	Montgomery	Sisisky
Hubbard	Moody	Skelton
Hughes	Morrison (CT)	Slattery
Hutto	Mrazek	Smith (FL)
Jacobs	Murphy	Smith (IA)
Jenkins	Murtha	Solarz
Jones (NC)	Natcher	Spratt
Jones (OK)	Neal	St Germain
Jones (TN)	Nelson	Staggers
Kanjorski	Nichols	Stallings
Kaptur	Nowak	Stark
Kastenmeier	Oakar	Stenholm
Kennelly	Oberstar	Stokes
Kildee	Obey	Stratton
Kleczka	Olin	Studds
Kolter	Ortiz	Swift
Kostmayer	Owens	Synar
LaFalce	Panetta	Tallon
Lantos	Pease	Tauzin
Leath (TX)	Penny	Thomas (GA)
Lehman (CA)	Pepper	Torres
Lehman (FL)	Perkins	Torricelli
Leland	Pickle	Towns
Levin (MI)	Price	Traficant
Levine (CA)	Rahall	Traxler
Lipinski	Rangel	Udall
Lloyd	Ray	Valentine
Long	Reid	Vento
Lowry (WA)	Richardson	Visclosky
Luken	Robinson	Volkmer
Lundine	Rodino	Walgren
MacKay	Roe	Watkins
Manton	Roemer	Waxman
Markey	Rose	Weiss
Martinez	Rostenkowski	Wheat
Matsui	Rowland (GA)	Whitley
Mavroules	Roybal	Whitten
Mazzoli	Russo	Wilson
McCurdy	Sabo	Wirth
McHugh	Savage	Wise
Mica	Scheuer	Wolpe
Mikulski	Schroeder	Wright
Miller (CA)	Schumer	Wyden
Mineta	Seiberling	Yates
Mitchell	Sharp	Yatron
Moakley	Shelby	Young (MO)
Mollohan	Sikorski	

NOT VOTING—6

Brown (CO)	Huckaby	Weaver
Gunderson	Ireland	Williams

□ 1640

Mr. CONTE changed his vote from "nay" to "yea."

Mr. SMITH of Iowa and Mr. BREAUX changed their votes from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

SWEARING IN OF THE HONORABLE FRANK McCLOSKEY OF INDIANA AS A MEMBER OF THE HOUSE

The SPEAKER. It is the intention at this particular time to have the Indiana delegation present to the House the elected candidate.

Mr. McCLOSKEY appeared at the bar of the House and took the oath of office.

The SPEAKER. The gentleman is a Member of the Congress of the United States.

EXECUTIVE ORDER PROHIBITING TRADE AND CERTAIN OTHER TRANSACTIONS INVOLVING NICARAGUA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99-65)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

(For message, see proceedings of the Senate of today, Wednesday, May 1, 1985.)

APPOINTMENT AS MEMBERS OF THE U.S. GROUP OF THE NORTH ATLANTIC ASSEMBLY

The SPEAKER. Pursuant to the provisions of 22 U.S.C. 1928a, the Chair appoints as members of the U.S. Group of the North Atlantic Assembly the following Members on the part of the House:

Mr. FASCELL of Florida, chairman;

Mr. ROSE of North Carolina, vice chairman;

Mr. BROOKS of Texas;

Mr. ANNUNZIO of Illinois;

Mr. HAMILTON of Indiana;

Mr. GARCIA of New York;

Ms. OAKAR of Ohio;

Mrs. BURTON of California;

Mr. BROOMFIELD of Michigan;

Mr. WHITEHURST of Virginia;

Mr. O'BRIEN of Illinois; and

Mr. BADHAM of California.

APPOINTMENT AS MEMBERS OF THE U.S. DELEGATION OF THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP FOR THE 1ST SESSION OF THE 99TH CONGRESS

The SPEAKER. Pursuant to the provisions of 22 U.S.C. 276h, the Chair appoints as members of the U.S. delegation of the Mexico-United States Interparliamentary Group for the 1st session of the 99th Congress the following Members on the part of the House:

Mr. DE LA GARZA of Texas, chairman;

Mr. YATRON of Pennsylvania, vice chairman;

Mr. ALEXANDER of Arkansas;

Mr. RANGEL of New York;

Mr. LELAND of Texas;

Mr. COLEMAN of Texas;

Mr. LAGOMARSINO of California;

Mr. DREIER of California;

Mr. LOEFFLER of Texas;

Mr. DELAY of Texas; and

Mr. McCAIN of Arizona.

APPOINTMENT AS MEMBERS OF THE BOARD OF DIRECTORS OF GALLAUDET COLLEGE

The SPEAKER. Pursuant to the provisions of section 5, Public Law 83-420, as amended, the Chair appoints as members of the Board of Directors of Gallaudet College the following Members on the part of the House:

Mr. BONIOR of Michigan; and

Mr. GUNDERSON of Wisconsin.

FURTHER LEGISLATIVE PROGRAM

(Mr. WRIGHT asked and was given permission to address the House for 1 minute.)

Mr. WRIGHT. Mr. Speaker, I have asked to proceed for the purpose of announcing our purpose with respect to the legislative program.

It had been our intention at this point, after recognition of our new Member, Mr. McCLOSKEY, that we would take up the State Department authorization bill. The White House and the State Department have been asking that we do so. But rather than taking it up this afternoon in the absence of our colleagues, we will plan to take it up tomorrow and at least have the general debate on the bill tomorrow, at which time we trust that our absent colleagues will have returned and be prepared to join in a responsible, bipartisan approach to this important business of the House.

It is our purpose that the ongoing business of the House will be conducted with dignity and with respect for the rights of one another and that we shall continue in a constructive way tomorrow.

So that would be our purpose, Mr. Speaker, that tomorrow we would entertain the general debate on the State Department authorization.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield on that issue, please?

Mr. WRIGHT. Yes; I will be glad to yield to the distinguished gentleman.

Mr. SOLOMON. As a member of the subcommittee interested in that legislation, is it the gentleman's intention that we will only have the debate and that there is no chance of going into the 5-minute rule on amendments?

Mr. WRIGHT. I think probably we will just have the general debate. I think there ought to be some general agreement on both sides of the aisle. It is not our purpose to make a fiat that would determine that we would go into the votes on amendments. If we had been able to complete general debate today, it would have been nice; we could have saved an extra day and gone into the amending process tomorrow. Under the circumstances, however, I think probably general debate tomorrow may be all that we would hope to accomplish. Tomorrow is, however,

Thursday, and I would encourage Members to be here and be present. If we conclude general debate at a reasonable hour and there is a reasonable sense that there have been no dilatory motions or attempts to obstruct the proceedings of the House in its orderly conduct of its business, then we might expect to adjourn over until Monday, and then, at a time when tempers have cooled and sober, solemn second thoughts have prevailed and people can come back in here with clear heads and clear eyes, then we could proceed at that time with consideration of the amendatory process.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield for one further question?

Mr. WRIGHT. I yield to the gentleman from New York.

Mr. SOLOMON. The reason I asked the question, both subcommittees of the Foreign Affairs Committee and the full committee are planning meetings tomorrow, and if we are going to have amendments, I would hope that the majority and the minority could come to an agreement as to whether we were going to go under the 5-minute rule, because we would have to at that time object to these committees meeting during those, and we do not want to do that.

□ 1650

Mr. WRIGHT. I am sure the gentleman would not want to object, of course not.

The SPEAKER. If the majority leader would not mind, the House could just take general debate and adjourn until Monday next.

Mr. SOLOMON. That would be very helpful.

The SPEAKER. We can consider that if the gentleman has the approval on that side. The Chair has not seen their leadership.

Mr. SOLOMON. Mr. Speaker, speaking for the leadership, I am sure we can come to that agreement.

The SPEAKER. I want to welcome the gentleman back.

Mr. WRIGHT. We will read from the "Prodigal Son" tomorrow.

Mr. SOLOMON. I thank the Speaker and I thank the majority leader.

The SPEAKER. By agreement, there will be only general debate on the bill tomorrow.

RETURN OF THE MINORITY FOLLOWING SYMBOLIC WALKOUT

Mr. MICHEL. Mr. Speaker, we were not going to stay away forever.

The SPEAKER. I am delighted to see my old friend back. As Joe Louis said: "He can run, but he cannot hide."

CALENDAR WEDNESDAY

The SPEAKER. This is the day of Calendar Wednesday. The Clerk will call the committees.

The Clerk called the committees.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GUNDERSON (at the request of Mr. MICHEL), for today on account of a death in the family.

Mr. WEAVER (at the request of Mr. WRIGHT), for this week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LOEFFLER) to revise and extend their remarks and include extraneous material:)

Mr. HENDON, for 60 minutes, today.
Mr. WALKER, for 60 minutes, today.
Mr. GROTBERG, for 5 minutes, today.
Mr. MYERS of Indiana, for 60 minutes, today.
Mr. KOLBE, for 60 minutes, May 14.

(The following Members (at the request of Mr. HOYER) to revise and extend their remarks and include extraneous material:)

Mr. ALEXANDER, for 5 minutes, today.
Mr. NELSON of Florida, for 5 minutes, today.
Mr. PEPPER, for 5 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. MOAKLEY, for 5 minutes, today.
Mr. FORD of Michigan, for 5 minutes, today.
Mr. FROST, for 5 minutes, today.
Mr. RAY, for 30 minutes, today.
Mr. GONZALEZ, for 60 minutes, today.
Mr. ROE, for 60 minutes, May 2.
Mr. MARTINEZ, for 5 minutes, May 2.
Mr. DASCHLE, for 60 minutes, May 7.
Mr. LIPINSKI, for 60 minutes, May 8.
Mr. DE LA GARZA, for 60 minutes, May 2.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LOEFFLER) and to include extraneous matter:)

Mr. BEREUTER in four instances.
Mr. HYDE in three instances.
Mr. BLILEY.
Mr. DANNEMEYER in two instances.
Mr. PORTER.
Mr. BROOMFIELD.
Mr. RINALDO.
Mr. RUDD.
Mr. GREEN.
Mr. DREIER of California in two instances.
Mr. WORTLEY in two instances.
Mr. CHUMWAY in two instances.
Mr. SUNDQUIST.
Mrs. JOHNSON.
Mr. CONTE.
Mr. MOORHEAD.
Mr. LIGHTFOOT.
Mr. MCDADE.
Mr. SOLOMON in two instances.
Mr. GOODLING.
Mr. LAGOMARSINO.
Mr. JEFFORDS.
Mr. COURTER in two instances.
Mr. LOWERY of California.
Mr. CHANDLER.
Mr. LEACH of Iowa.
Mr. DUNCAN.

(The following Members (at the request of Mr. HOYER) and to include extraneous matter:)

Mr. EVANS of Illinois.
Mr. CARR.
Mr. FEIGHAN in three instances.
Mr. ROSTENKOWSKI.
Mr. ROYBAL in two instances.
Mr. MARTINEZ.
Mr. RANGEL in two instances.
Mr. DWYER of New Jersey.
Mr. JONES of Oklahoma.
Mr. STALLINGS.
Mr. FASCELL in two instances.
Mr. YATRON.
Mr. UDALL in two instances.
Mr. FAUNTROY.
Mr. TORRES.
Mr. TRAFICANT in two instances.
Mr. FRANK in two instances.
Mr. BENNETT.
Mr. EDGAR in two instances.
Mr. MONTGOMERY.
Mr. RICHARDSON.
Mr. SKELTON.
Mr. ROE in two instances.
Mr. HUCKABY.
Mr. FAZIO.
Mr. DOWNEY of New York.
Mr. RAY.
Mr. LEHMAN of Florida.
Mr. BERMAN in two instances.
Mr. WHITTEN.
Mr. YOUNG of Missouri.
Mrs. BOXER.
Mr. KOLTER in two instances.
Mr. MAZZOLI.
Mr. MILLER of California.
Mr. MARKEY.

PARLIAMENTARY INQUIRY

Mr. MYERS of Indiana. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MYERS of Indiana. Mr. Speaker, in view of the feelings here in this body and the lack of being able to carry anything out, would it be proper to offer a motion to adjourn until July, and that the committees meet?

The SPEAKER. Not without permission of the U.S. Senate.

Mr. MYERS of Indiana. Mr. Speaker, I think we might work on it. Thank you.

EXPRESSION OF APPRECIATION

(Mr. McCLOSKEY asked and was given permission to address the House for 1 minute.)

Mr. McCLOSKEY. Thank you very much, Mr. Speaker. I will be very brief.

Mr. Speaker, firstly, I would like to thank everyone in the House, personally and institutionally, for their patience and tolerance in getting through the constitutional process and what we all know very likely has been the closest congressional race in history. I am really sorry for anyone on either side who has been saddened or inconvenienced.

Mr. Speaker, I just had a chance a moment ago to talk to our gracious Republican colleagues, BOB MICHEL and TRENT LOTT, and said I appreciate the way that they have fought this; I understand their concerns, and I need to work with them over at least my next 15 months in the House.

As I said to them, Mr. McIntyre ran a good campaign; he is a fine young man, and there are hard feelings on both sides.

I just want to say thank you to the House as an institution. I love it, and I know we can settle in and work together over the next 15 months.

Thank you so much.

ADJOURNMENT

The SPEAKER. The Chair will entertain a motion to adjourn.

Mr. HOYER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p.m.), the House adjourned until tomorrow, Thursday, May 2, 1985, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1163. A letter from the Deputy Assistant Secretary of Defense (Comptroller-Administration), transmitting notice of the Navy's intent to exercise the provision for exclusion of the clause concerning examination of records by the Comptroller General from a proposed contract with the United Kingdom Government [UKG], pursuant to 10 U.S.C. 2313(c); to the Committee on Armed Services.

1164. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on loan, guarantee and insurance transactions supported by the Bank during March 1985 to Communist countries as a result of Presidential determinations, pursuant to 12 U.S.C. 635(b)(2); to the Committee on Banking, Finance and Urban Affairs.

1165. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's 1985 consolidated annual report on the community development programs it administers, pursuant to Public Law 93-383, section 113(a) (91 Stat. 1124); Public Law 88-560, section 312(k) (92 Stat. 2081; 93 Stat. 1101); to the Committee on Banking, Finance and Urban Affairs.

1166. A letter from the Executive Director, D.C. Retirement Board, transmitting financial disclosure statements of Board members for calendar year 1984, pursuant to Public Law 96-122, section 162 and 164(a)(1)(A); to the Committee on the District of Columbia.

1167. A letter from the Chairman, National Commission on Libraries and Information Science, transmitting the Commission's 13th annual report of its activities for the period from October 1, 1983 through September 30, 1984, pursuant to Public Law 91-345, section 5(a)(7); to the Committee on Education and Labor.

1168. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notice of the Navy's proposed letter to Pakistan for defense articles and services estimated to cost $41 million or more (transmittal No. 85-26), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1169. A communication from the President of the United States, transmitting a report on Pakistan's nuclear program, pursuant to 22 U.S.C. 2429-1; to the Committee on Foreign Affairs.

1170. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report of political contribution by David George Newton, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

1171. A letter from the Assistant Secretary of State for Legislative and Intrgovernmental Affairs, transmitting a report on political contributions by William Brown, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Thailand, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

1172. A letter from the Acting Archivist of the United States, transmitting a draft of proposed legislation to amend chapter 21 of title 44, United States Code, to permit the Archivist of the United States to use funds generated by the recovery of silver from the destruction or processing of film to support the processing of archival records; to the Committee on Government Operations.

1173. A letter from the Administrator, Veterans' Administration, transmitting notice of a computer matching program, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1174. A letter from the Under Secretary, Department of Labor, transmitting the Department's annual report of its activities under the Freedom of Information Act covering calendar year 1984, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1175. A letter from the Acting Deputy Associate Director for Royalty Management Operations, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in an OCS area, pursuant to the act of August 7, 1953, chapter 345, section 10(b); to the Committee on Interior and Insular Affairs.

1176. A letter from the Acting Deputy Associate Director for Royalty Management Operations, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in an OCS area, pursuant to the act of August 7, 1953, chapter 345, section 10(b); to the Committee on Interior and Insular Affairs.

1177. A letter from the Secretary of the Interior, transmitting a report on the status of the revenues from and the cost of constructing, operating and maintaining each lower basin unit of the Colorado River basin project for fiscal year 1984, pursuant to Public Law 90-537, section 404; to the Committee on Interior and Insular Affairs.

1178. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to perform studies relating to disposal of drain water and to construct interim corrective measures deemed necessary for the San Luis interceptor drain; to the Committee on Interior and Insular Affairs.

1179. A letter from the Acting Assistant Attorney General, Office of Legislative and Intergovernmental Affairs, Department of Justice, transmitting the annual report of the activities and operations of the Public Integrity Section covering calendar year 1984, pursuant to 28 U.S.C. 529 (92 Stat. 1871); to the Committee on the Judiciary.

1180. A letter from the Controller, Boy Scouts of America, transmitting the audited financial report for the year ending December 31, 1984, pursuant to Public Law 88-504, section 3 (36 U.S.C. 1103); to the Committee on the Judiciary.

1181. A letter from the Deputy Director, Judicial Conference of the United States, transmitting recommendations for the uniform percentage adjustment of each dollar amount specified in title 11 regarding bankruptcy administration and in 28 U.S.C. 1930 with respect to bankruptcy fees, pursuant to 11 U.S.C. 104 nt.; to the Committee on the Judiciary.

1182. A letter from the Secretary of Energy, transmitting the annual report on the wind energy program management plan status, pursuant to Public Law 96-345, section 4(c); to the Committee on Science and Technology.

1183. A letter from the Secretary, Department of Energy, transmitting the sixth annual report on the use of alcohol in fuels, pursuant to Public Law 95-618, section 221(c) (94 Stat. 280); to the Committee on Ways and Means.

1184. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on abnormal occurrences at licensed nuclear facilities for the third calendar quarter of 1984, pursuant to Public Law 93-438, section 208; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

1185. A letter from the Acting Archivist of the United States, transmitting a draft of proposed legislation to amend chapter 18 of title 22, United States Code, to permit dissemination of records of the U.S. Information Agency that have been accessioned into the National Archives of the United States; jointly, to the Committees on Government Operations and Foreign Affairs.

1186. A letter from the Acting Assistant Attorney General, Office of Legislative and Intergovernmental Affairs, Department of Justice, transmitting a draft of proposed legislation to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1986 and for other purposes; jointly, to the

Committees on the Judiciary and Energy and Commerce.

1187. A letter from the Under Secretary of Labor, transmitting a proposed plan of action for assisting workers adversely affected by imports of steel products, pursuant to 19 U.S.C. 2253 nt.; jointly, to the Committees on Ways and Means and Education and Labor.

1188. A letter from the Secretary of Energy, transmitting a report on biomass energy development for 1984, pursuant to Public Law 96-294, section 218(a); jointly, to the Committees on Agriculture, Energy and Commerce and Science and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 1157. A bill to authorize appropriations for fiscal year 1986 for certain maritime programs of the Department of Transportation and the Federal Maritime Commission; with amendments (Rept. No. 99-60). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 2295. A bill to establish a commission for the amelioration of Parkinsonism; to the Committee on Energy and Commerce.

By Mr. COLEMAN of Missouri (by request):

H.R. 2296. A bill to amend the National Foundation on the Arts and the Humanities Act of 1965, as amended, and for other purposes; to the Committee on Education and Labor.

By Mr. DANNEMEYER (for himself, Mr. ARMEY, Mr. BOULTER, Mr. DELAY, Mr. DIOGUARDI, and Mr. GROTBERG):

H.R. 2297. A bill to require each department, agency, and instrumentality of the Federal Government to implement recommendations of the Grace Commission and to submit an annual report to Congress on the status of the implementation; to the Committee on Government Operations.

By Mr. DUNCAN:

H.R. 2298. A bill to suspend until the close of June 30, 1989, the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. FLIPPO:

H.R. 2299. A bill to accelerate the removal of the Social Security trust funds from the unified budget of the U.S. Government; to the Committee on Ways and Means.

By Mr. GEPHARDT:

H.R. 2300. A bill to extend for 3 years the existing suspension of duty on triphenyl phosphate; to the Committee on Ways and Means.

By Mr. GLICKMAN:

H.R. 2301. A bill to provide for the duty-free treatment for an organ for the use of Wichita State University, Wichita, KS; to the Committee on Ways and Means.

By Mr. GROTBERG:

H.R. 2302. A bill to amend title 39 of the United States Code to provide for congressional review of proposed changes in postal services; to the Committee on Post Office and Civil Service.

By Mr. HENRY:

H.R. 2303. A bill to create a separate tariff classification for imports of pigskin footwear; to the Committee on Ways and Means.

By Mr. KASICH:

H.R. 2304. A bill to amend title 10, United States Code, to limit payments to defense contractors for the expenses of air travel; to the Committee on Armed Services.

By Mr. McDADE:

H.R. 2305. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for commuting expenses of individuals with developmental disabilities; to the Committee on Ways and Means.

By Mr. MANTON:

H.R. 2306. A bill to suspend for a 3-year period the duty on certain specialty yarns used in the manufacture of wigs for dolls; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 2307. A bill to amend title XVIII of the Social Security Act with respect to effective dates of disenrollments of Medicare beneficiaries in health maintenance organizations and competitive medical plans; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. RODINO (by request):

H.R. 2308. A bill to provide for interim designation of U.S. attorneys and U.S. marshals by the Attorney General; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 2309. A bill to amend the Tariff Schedules of the United States to provide for the temporary suspension of the duty on nonbenzenoid vinyl acetate-vinyl chloride-ethylene terpolymer, containing by weight less than 50 percent derivatives of vinyl acetate; to the Committee on Ways and Means.

By Mr. SCHULZE:

H.R. 2310. A bill to suspend for 3 years the duty on spinning, twisting, doubling, and other machines specially designed for wool; to the Committee on Ways and Means.

H.R. 2311. A bill to provide duty-free treatment for dicofol until January 1, 1991, after the existing duty reduction for that chemical expires on September 30, 1985; to the Committee on Ways and Means.

H.R. 2312. A bill to provide for the temporary suspension of the duty on 3, 7-Bis-(dimethylamino)-phenazathionium chloride (methylene blue) to be used as a process stabilizer in the manufacture of organic chemicals; to the Committee on Ways and Means.

By Mr. SCHULZE (for himself, and Mr. BONKER):

H.R. 2313. A bill to extend for an additional 3 years the existing suspension of duty on p-Hydroxybenzoic acid; to the Committee on Ways and Means.

By Mr. SKELTON:

H.R. 2314. A bill to amend title 10, United States Code, to abolish the Joint Chiefs of Staff and establish a single Chief of Staff for the National Command Authorities, to establish a National Military Council, and for other purposes; to the Committee on Armed Services.

By Mr. WATKINS (for himself, Mr. WHITTAKER, Mr. SKELTON, and Mr. WHITLEY):

H.R. 2315. A bill to require the Secretary of Agriculture to implement a grant program for the establishment and operation in the United States of international trade development centers to enhance the exportation of agricultural products and related products; jointly, to the Committees on Agriculture and Foreign Affairs.

By Mr. SMITH of New Jersey:

H.J. Res. 275. Joint resolution posthumously proclaiming Christopher Columbus to be an honorary citizen of the United States; to the Committee on the Judiciary.

By Mr. SOLARZ:

H. Con. Res. 135. Concurrent resolution welcoming the Prime Minister of India, Rajiv Gandhi, on the occasion of his official visit to the United States; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Res. 152. Resolution expressing the sense of the House of Representatives in opposition to any reduction in social security benefits and to any interference with social security cost-of-living increases; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

97. By the SPEAKER: Memorial of the Legislature of the State of South Carolina, relative to a national strategy of peace through strength; to the Committee on Armed Services:

98. Also, memorial of the General Assembly of the Commonwealth of Pennsylvania, relative to the funding of Amtrak; to the Committee on Energy and Commerce.

99. Also, memorial of the Legislature of the State of South Carolina, relative to the funding of Amtrak; to the Committee on Energy and Commerce.

100. Also, memorial of the Legislature of the State of Oregon, relative to Nicaragua; to the Committee on Foreign Affairs.

101. Also, memorial of the Legislature of the State of South Carolina, relative to the possible loss of Federal funds by States; to the Committee on Government Operations.

102. Also, memorial of the Legislature of the State of Arizona, relative to postal service subsidies for the blind and handicapped; to the Committee on Post Office and Civil Service.

103. Also, memorial of the Legislature of the State of South Carolina, relative to the "Free Matter for the Blind" mailing privilege; to the Committee on Post Office and Civil Service.

104. Also, memorial of the Legislature of the State of Nebraska, relative to the Veterans Educational Assistance Act of 1984; to the Committee on Veterans' Affairs.

105. Also, memorial of the Legislature of the State of South Carolina, relative to the Federal Supplemental Compensation Program; to the Committee on Ways and Means.

106. Also, memorial of the Legislature of the State of South Carolina, relative to textile and apparel imports into the United States; to the Committee on Ways and Means.

107. Also, memorial of the Legislature of the State of South Carolina, relative to the economic conditions of the Nation's farmers; jointly, to the Committees on Agriculture and Ways and Means.

108. Also, memorial of the Legislature of the State of South Carolina, relative to proposed Federal cutbacks in revenue sharing;

jointly, to the Committees on Government Operations and Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERMAN:

H.R. 2316. A bill for the relief of Paulette Mendes-Silva; to the Committee on the Judiciary.

By Mr. KOSTMAYER:

H.R. 2317. A bill for the relief of Rungrak Gnamrik; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 38: Mr. YOUNG of Florida, Mr. DIOGUARDI, Mr. FOWLER, Mr. MOLLOHAN, Mr. GILMAN, Mr. MACK, Mr. HORTON, Mrs. MARTIN of Illinois, Mr. DEWINE, Mr. DREIER of California, Mr. LIGHTFOOT, Mr. LUNGREN, Mr. FISH, Mr. NIELSON of Utah, Mr. DAVIS, Mr. ENGLISH, Mr. HYDE, Mr. TAUKE, Mr. HARTNETT, Mr. BOUCHER, Mr. KOLTER, Mr. MONSON, Mr. DAVIS, Mr. MCCAIN, and Mr. SHAW.

H.R. 63: Mr. STOKES, Mrs. BENTLEY, Mr. FRANK, Mr. ACKERMAN, Mr. GIBBONS, Ms. KAPTUR, Mr. MARTINEZ, and Mr. FLORIO.

H.R. 64: Mr. WOLF, Mrs. COLLINS, Mr. CHAPPIE, Mr. GARCIA, Mr. CONTE, Mr. KOLTER, and Mr. SMITH of Florida.

H.R. 66: Mr. BATEMAN, Mr. OBERSTAR, Mr. ORTIZ, and Mr. LEHMAN of Florida.

H.R. 67: Mr. BATEMAN, Mr. OBERSTAR, Mr. ORTIZ, and Mr. LEHMAN of Florida.

H.R. 70: Mr. DEWINE, Mr. NIELSON of Utah, Mr. DANNEMEYER, Mr. DELAY, Mr. COBEY, and Mr. DASCHLE.

H.R. 76: Mr. SMITH of New Hampshire.

H.R. 77: Mr. BOULTER, Mr. WALKER, and Mr. PACKARD.

H.R. 333: Mr. DOWDY of Mississippi.

H.R. 347: Mr. CLINGER, Mr. PURSELL, Mr. SCHAEFER, and Mr. RITTER.

H.R. 366: Mr. KOLTER, Mr. RANGEL, Mr. STAGGERS, Mr. MCHUGH, Mr. MURTHA, Mr. BLAZ, and Mr. RIDGE.

H.R. 392: Mrs. LLOYD.

H.R. 472: Mr. RAY, Mr. DARDEN, Mr. WHITEHURST, Mr. PACKARD, Mr. KOLBE, Mr. SWINDALL, Mr. SMITH of New Hampshire, Mr. PORTER, Mr. GINGRICH, Mr. HENRY, Mr. BROWN of Colorado, Mr. CALLAHAN, and Mr. MCMILLAN.

H.R. 604: Ms. KAPTUR, Mr. LELAND, Mrs. COLLINS, Mr. DYMALLY, Mr. WEBER, Mr. LIGHTFOOT, and Mr. MCDADE.

H.R. 705: Mr. GREGG.

H.R. 800: Mr. CROCKETT and Mr. RICHARDSON.

H.R. 825: Mr. WHITTAKER and Mr. DREIER of California.

H.R. 915: Mr. MARLENEE.

H.R. 949: Mr. SENSENBRENNER and Mr. DANNEMEYER.

H.R. 1017: Mr. WHITEHURST.

H.R. 1195: Mr. DWYER of New Jersey, Mr. GLICKMAN, Mr. STALLINGS, Mr. DASCHLE, and Mr. HAMILTON.

H.R. 1316: Mr. CHANDLER, Mr. DORGAN of North Dakota, and Mr. MRAZEK.

H.R. 1345: Mr. SMITH of New Hampshire.

H.R. 1411: Mr. TORRES.

H.R. 1457: Mr. RIDGE, Mr. DIOGUARDI, Mr. LENT, Mr. SMITH of New Jersey, Mrs. BENTLEY, Mr. WHITTAKER, and Mr. ROBINSON.

H.R. 1482: Mr. MITCHELL, Mr. COURTER, and Mr. LAGOMARSINO.

H.R. 1525: Mr. OWENS, Mr. MURPHY, Mr. DIXON, Ms. MIKULSKI, Mr. SABO, Mr. FAZIO, Mr. BUSTAMANTE, Mr. FRANK, Mr. WISE, Mr. MORRISON of Connecticut, Mr. FISH, Mr. SLAUGHTER, Mr. DICKS, Mr. HOWARD, Mr. MARTINEZ, and Mrs. BENTLEY.

H.R. 1591: Mr. WALKER, Mr. HARTNETT, Mr. LOEFFLER, Mr. STUMP, Mr. KASTENMEIER, Mr. MOODY, Mr. FUQUA, Mr. BARTLETT, Mr. BONER of Tennessee, and Mr. SKELTON.

H.R. 1652: Mr. HYDE, Mr. ROSE, Mr. GRAY of Illinois, Mr. DARDEN, Mr. STENHOLM, Mr. DAUB, Mr. NICHOLS, Mr. DIOGUARDI, Mr. SMITH of Florida, Mr. WORTLEY, MR. FROST, Mr. GARCIA, Mr. KOLTER, Mr. SHELBY, Mr. HUGHES, Mr. MCGRATH, Mr. FISH, Mr. ECKART of Ohio, and Mr. DEWINE.

H.R. 1657; Mr. BOSCO.

H.R. 1704: Mr. HORTON, Ms. KAPTUR, Mr. BEVILL, Mr. DURBIN, Mr. GINGRICH, Mr. MURTHA, Mr. SHUMWAY, and Mr. SMITH of New Hampshire.

H.R. 1769: Mr. STANGELAND, Mr. JEFFORDS, Mr. TAUZIN, and Mr. TALLON.

H.R. 1809: Mr. MORRISON of Connecticut, Mr. FAZIO, and Mr. YATES.

H.R. 1884: Mr. STARK, Mr. DASCHLE, Mr. DOWDY of Mississippi, Mr. ERDREICH, Mr. DORGAN of North Dakota, Mr. EVANS of Iowa, Mr. HATCHER, Mr. DAUB, Mr. WHITTAKER, Mr. QUILLEN, Mr. ENGLISH, and Mr. TALLON.

H.R. 1894: Mr. BATES and Mr. LIPINSKI.

H.R. 1918: Mr. GEJDENSON, Mr. CHAPPELL, Mr. WEAVER, and Mr. CLINGER.

H.R. 1973: Mr. YATRON, Ms. KAPTUR, Mr. OBERSTAR, Mr. TORRICELLI, Mr. MILLER of Ohio, Mr. BARNARD, and Mr. SMITH of New Hampshire.

H.R. 2010: Mr. FASCELL, Ms. KAPTUR, Mr. MARTINEZ, Mr. GIBBONS, and Mr. SHAW.

H.R. 2223: Mr. BOUCHER.

H.J. Res. 46: Mr. HOPKINS, Mr. QUILLEN, Mr. RALPH M. HALL, Mr. WHITTAKER, and Mr. COATS.

H.J. Res. 100: Mr. JONES of Tennessee, Mr. GONZALEZ, Mr. SMITH of New Jersey, Mr. YATRON, Mr. ALEXANDER, and Mr. LEWIS of California.

H.J. Res. 135: Mr. ACKERMAN, Mr. APPLEGATE, Mr. BARNES, Mr. BEDELL, Mr. CARPER, Mr. DYSON, Mr. COOPER, Mr. MURPHY, Mr. DIOGUARDI, Mr. HAWKINS, Mr. YATRON, Mr. LAFALCE, Mr. SAVAGE, Mr. BROWN of California, Mr. ADDABBO, Mr. CARNEY, Mr. MRAZEK, and Mr. FOGLIETTA.

H.J. Res. 170: Mr. DYSON, Mr. BENNETT, Mr. BIAGGI, Mr. JONES of North Carolina, Mr. LUNGREN, Mr. VALENTINE, Mr. LEVINE of California, Mr. COATS, Mr. EDGAR, Mr. BUSTAMANTE, Mr. LUNDINE, Mr. KASTENMEIER, Mr. DIOGUARDI, Mr. EDWARDS of Oklahoma, Mr. LEWIS of California, Mr. LOWERY of California, Mr. FAWELL, Mrs. MARTIN of Illinois, Mr. EVANS of Illinois, Mr. MICHEL, Mr. PRICE, Mr. GRAY of Illinois, Mrs. KENNELLY, Mr. ROBERTS, Mr. WYLIE, Mr. FLORIO, Mr. SHUSTER, Mrs. SMITH of Nebraska, Mr. YOUNG of Florida, Mr. ROGERS, Mr. BARTLETT, Mr. CHENEY, Mr. CLINGER, Mr. LEACH of Iowa, Mr. NIELSON of Utah, Mr. PETRI, Mrs. ROUKEMA, Mr. SHAW, Ms. SNOWE, Mr. FIELDS, Mr. RUSSO, Mr. CRANE, Mr. MCKERNAN, Mr. MACK, Mr. BEREUTER, Mr. PASHAYAN, Mr. MILLER of Washington, Mr. MOLINARI, Mr. PACKARD, Mr. TAYLOR, Mr. LEWIS of Florida, Mr. SUNDQUIST, Mr. NOWAK, Mr. RAY, Mr. GILMAN, Mr. ROBERT F. SMITH, Mr. GAYDOS, Mr. MOLLOHAN, Mr. RITTER, Mr. AUCOIN, Mr. APPLEGATE, Mr. LEATH of Texas, and Mr. MICA.

H.J. Res. 192: Mr. WEISS, Mr. HAMILTON, and Mr. HUGHES.

H.J. Res. 204: Mr. CARR, Mr. CHANDLER, Mr. EVANS of Illinois, Mr. FAWELL, Mr. GILMAN, Mr. GUNDERSON, Mr. HAWKINS, Mr. HENRY, Mr. HILLIS, Mr. IRELAND, Mrs. JOHNSON, Mr. KILDEE, Mr. LAFALCE, Mr. LIVINGSTON, Mr. MCKERNAN, Mr. MARTIN of New York, Mr. PURSELL, Mr. REGULA, Mr. RINALDO, Mrs. ROUKEMA, Mr. ROWLAND of Connecticut, Mrs. SCHNEIDER, Mr. SLAUGHTER, Ms. SNOWE, Mr. STANGELAND, Mr. TAUKE, and Mr. WORTLEY.

H.J. Res. 205: Mr. LEWIS of Florida, Mr. DE LA GARZA, Mrs. COLLINS, Mr. KOLTER, Mr. GEKAS, Mrs. HOLT, Mr. MARTINEZ, Mr. COATS, Mr. CARNEY, Mr. DURBIN, Mr. BUSTAMANTE, Mr. MCCANDLESS, Mr. STUDDS, Mr. PANETTA, Mr. HAYES, Mr. MARTIN of New York, Mr. SEIBERLING, Mr. FRANK, Mr. PORTER, Mr. FORD of Tennessee, Mr. BIAGGI, Mr. BARNES, Mr. OBERSTAR, Mr. SABO, Mr. BARNARD, Mr. NIELSON of Utah, Mr. SIKORSKI, Mr. LOWERY of California, Mr. KOLBE, Mr. TORRICELLI, Mr. WALGREN, and Mr. RAY.

H.J. Res. 258: Mr. HUGHES, Mr. FUQUA, Mr. ROSE, Mr. HUNTER, Mr. BILIRAKIS, Mr. EMERSON, Mr. FEIGHAN, and Mr. COURTER.

H. Con. Res. 37: Mr. LUJAN and Mr. SUNIA.

H. Con. Res. 90: Mr. AKAKA, Mr. HOWARD, Mr. FRANK, and Mr. GARCIA.

H. Con. Res. 117: Mr. FASCELL, Mr. DYSON, Mr. KOLTER, Mr. HOWARD, Mr. HUGHES, Mr. MRAZEK, Mr. CONTE, and Ms. MIKULSKI.

H. Con. Res. 131: Mr. DICKINSON, Mr. KILDEE, and Mr. O'BRIEN.

H. Con. Res. 132: Mr. SMITH of Florida, Mr. CONTE, Mr. DOWNEY of New York, Mr. DIXON, Mr. BOLAND, Mr. LANTOS, Mr. ERDREICH, Mr. HOPKINS, Mr. LAFALCE, Mr. FUQUA, Mr. YATES, Mr. MITCHELL, Mr. FRANK, and Mr. BOUCHER.

H. Res. 60: Mr. ZSCHAU.

H. Res. 127: Mr. BOULTER, Mr. BROWN of Colorado, Mr. COBLE, Mr. CLAY, Mr. FEIGHAN, Mr. BONKER, Mr. SHARP, Mr. GAYDOS, Mr. KANJORSKI, Mr. BATEMAN, Mr. LIVINGSTON, Mr. WIRTH, Mr. REID, Mr. DE LA GARZA, Mr. CLINGER, Mr. ANNUNZIO, Mr. DIXON, Mr. WYDEN, Mr. FOGLIETTA, Mr. DAUB, Mr. DELAY, Mr. LIGHTFOOT, Mr. MANTON, Mr. FROST, Mr. SISISKY, Mr. MAVROULES, Mr. RODINO, Mr. CARR, Ms. KAPTUR, Mr. SYNAR, Mr. GALLO, Mr. DICKINSON, Mr. LEWIS of Florida, Mr. QUILLEN, Mr. MCEWEN, Mr. ROGERS, Mr. PETRI, Mr. MILLER of California, Mr. DYMALLY, Mr. STARK, Mr. HILLIS, Mr. JEFFORDS, Mr. LOEFFLER, Mr. TORRICELLI, Mr. DELLUMS, Mr. JONES of Oklahoma, Mrs. SCHROEDER, Mr. FOWLER, Mr. PICKLE, Mr. BURTON of Indiana, Mr. ROWLAND of Connecticut, Mr. EARLY, Mr. WYLIE, Mr. WHEAT, and Mr. FAZIO.

H. Res. 131: Mr. HORTON, Mr. DOWDY of Mississippi, Mr. FUSTER, Mr. PERKINS, Mr. MARTINEZ, Mr. ROE, Ms. MIKULSKI, Mr. MURPHY, Mr. MURTHA, Mr. HOWARD, Mr. FAUNTROY, Mr. DASCHLE, Mr. EVANS of Illinois, Mr. TOWNS, Mr. JACOBS, Mr. ECKART of Ohio, Mr. MITCHELL, Mr. SAVAGE, Mr. YOUNG of Missouri, and Mr. SCHEUER.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerks desk and referred as follows:

93. By the SPEAKER: Petition of the International UFO Galactic Spacecraft Research and Analytic Network, Jackson Heights, NY, relative to space; to the Committee on Armed Services.

94. Also, petition of the City Council, New York, NY, relative to the Small Business

Administration; to the Committee on Small Business.

95. Also, petition of the City Council, New York, NY, relative to Federal programs concerning health care; jointly, to the Committees on Ways and Means and Energy and Commerce.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1555

By Mr. LOWERY of California:

—Page 52, after line 24, insert the following new section 405 and redesignate subsequent sections accordingly:

SEC. 405. COMMUNIST COUNTRIES.

Chapter 3 of part I of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof the following new section:

"SEC. 309. COMMUNIST COUNTRIES.

"(a) PROHIBITION ON FUNDING.—Funds authorized to be appropriated by this chapter may not be made available for the United States proportionate share for programs for communist countries listed in section 620(f) of this Act.

"(b) ANNUAL REVIEW.—The Secretary of State—

"(1) shall review, at least annually, the budgets and accounts of all international organizations receiving payments of any such funds; and

"(2) shall report to the appropriate committees of the Congress the amounts of funds expended by each such organization for the purposes described in subsection (a) and the amount contributed by the United States to each such organization.".

SENATE—*Wednesday, May 1, 1985*

(Legislative day of Monday, April 15, 1985)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

May we have a moment of silence for Senator GARN's daughter Susan, who is in surgery at this time for a cesarean.

(The Senate observed a moment of silence.)

Gracious Father, we pray for the President in his journey to Europe. Overrule the controversy which preceded his trip and prosper his efforts with the leadership of Europe.

*Man's extremity is God's opportunity. * * * with God all things are possible.*—Mark 10:27.

Omniscient, omnipotent God, Lord of history, grant to the Senators a special measure of grace and wisdom as they work their way through the difficult budget/deficit agenda. You know the disagreement, the controversy, the tension which rises out of sincere but conflicting convictions. You know the partisanship which is inevitable with such a fundamental issue. You know the dissension between the Hill and the White House. You know the inescapable uncertainty and frustration endemic in such a sensitive, critical problem. Give to each Senator objectivity which will transcend personal opinion and a narrow view, and set the struggle in perspective. Save this struggle, dear God, from an outcome where some battles are won and the war is lost. Save it from being a victory in which nobody wins. We pray in the name of Him who is the source of all wisdom and knowledge. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished majority leader is recognized.

SCHEDULE

Mr. DOLE. Mr. President, under the standing order, the leaders each have 10 minutes, unless it is reserved, to be followed by a statement by the distinguished Senator from Wisconsin [Mr. PROXMIRE].

There will be a period for routine morning business, if time permits, not to extend beyond 10 a.m.

I wonder if the minority leader has any objection to making that 10:30 a.m. for morning business.

Mr. BYRD. Mr. President, I have no objection.

I thank the majority leader.

Mr. DOLE. I ask unanimous consent that the period for morning business be extended to 10:30 a.m.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOLE. Mr. President, following routine morning business, after 10:30, the Senate will resume consideration of Senate Concurrent Resolution 32, the budget resolution. I indicate to my colleagues that it is very probable that we will have rollcall votes throughout the day and evening.

We hope to make a determination as to how near we can come to completing action on this measure by Friday, some time midafternoon or early evening on Friday. If it appears that it is not possible to get near the end, it may not be practical or necessary or wise to keep Members in session until 10 or 11 or midnight tonight and tomorrow night. We will make that judgment, and I will be discussing that with the minority leader later in the day.

Mr. President, I reserve the remainder of my time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. Under the previous order, the Democratic leader is recognized.

THE BUDGET RESOLUTION

Mr. BYRD. Mr. President, first, let me say to the distinguished majority leader that it will be my intent to seek recognition immediately when morning business is finished, and the budget resolution automatically comes back before the Senate. I will seek recognition for the purpose of offering an amendment.

I hope that the distinguished majority leader will allow me to get that recognition, in view of the fact that we Democrats have not yet had any opportunity to offer an amendment because the distinguished majority leader has been using his right to recognition to shut us out.

I hope that now that amendments on the two trees to which I referred in yesterday's debate have been completed, we Democrats will have an opportunity to offer amendments.

TRIBUTE TO SENATOR BYRD BY VETERANS ORGANIZATIONS

Mr. BYRD. Mr. President, I wish to thank the distinguished majority leader, Mr. DOLE; the distinguished President pro tempore of the Senate, Mr. THURMOND; my distinguished colleague, Mr. ROCKEFELLER; the distinguished Senator from Alaska, Mr. MURKOWSKI; the distinguished majority whip, Mr. SIMPSON; the distinguished minority whip, Mr. CRANSTON; and Representative "SONNY" MONTGOMERY, a Member of the other body, for attending and speaking at the function which was held in the caucus room in the Richard B. Russell Building last night by the Paralyzed Veterans of America and by the Vietnam Veterans Institute.

During that event, an award was presented to me, an excellent portrait.

I express appreciation for the kind words by all who spoke. Their presence meant a great deal to the Paralyzed Veterans of America and to the Vietnam veterans.

The event will help to remind all of us of the sacrifices that have been made by the veterans of this country in all the wars in which this country has participated. Sometimes we become so busy in this mad rush of life that we forget some of the very important things that we ought to be reminded of daily, and I hope that this event will have that result.

We will never be able to repay the veterans the debt that America owes them. But I am glad that America in recent years has come to be more thoughtful and caring about the men and women who have given so unselfishly, some gave their lives, others have been maimed or crippled for the rest of their lives.

Without calling any names, there are some of those veterans in this Chamber who have paid a great price and who will continue to pay a price in service of their country.

Let me close by thanking again the Members of this body and particularly the President pro tempore, the majority leader, and others on both sides of the aisle who attended that event.

I also thank our former colleague Jennings Randolph who was there.

I appreciate all of these things.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

And I make special reference to Jerry Yates, the president of the Vietnam Veterans Institute and Mr. Richard Hoover, the president of the Paralyzed Veterans of America.

Mr. President, I yield to my distinguished friend the majority leader.

Mr. DOLE. Mr. President, the proceedings of last evening were as the minority leader has indicated, a tribute not only to Vietnam veterans and paralyzed veterans, but also to the distinguished minority leader. It was a well-deserved tribute for the minority leader's concern over a long period of time—concerned about America's veterans, veteran hospitals, and veterans benefits. The event last evening was a very fitting tribute and, I thought the portrait that was unveiled was a very excellent likeness of the minority leader. If the minority leader has no objection, I wish to elaborate on my statement later and include a full account of the proceedings, because they were impressive. I am certain that the minority leaders visits with the Vietnam veterans and the paralyzed veterans meant a great deal to them, and I thank the distinguished minority leader for making that event possible.

Mr. BYRD. Mr. President, I thank the distinguished majority leader.

In moments like those last evening and moments like these now, in the kind of work we are forced to do here in representing the people of the country and representing our own party's policies and viewpoints as to how we should go about reaching the common goals of serving the country and serving the people, it makes one regret that little partisan issues have to arise. It is only natural that they will arise, and I think an event like that of last evening makes us pause to reflect on the fact that after all is said and done, the things that really matter are not the partisan divisions and squabbles that come along, but the kind and sincere words that are spoken from time to time by those of us who have to engage in these daily conflicts, words that are spoken to and about one another. They have a leveling influence, I think, and it is to be regretted that we cannot attend more of such functions. I hope that I can recall such nice things in the background when we are about to engage in some parliamentary skirmishes that sometimes leave us with heated tempers. I wish to say to the majority leader that it is my desire when I leave this Chamber daily to be able to walk out of it with our friendship even deeper than it was when we entered the Chamber on a particular day.

Mr. DOLE. Mr. President, will the minority leader yield?

Mr. BYRD. I yield.

Mr. DOLE. I think it helps us regain our perspective because when we are in the Chamber all day, we think the whole world may be revolving around us, but in fact no one knows what we have been doing for the last month.

So when we go to an event where we are with down-to-earth people, it does help us regain our perspective and get our feet on the ground. The tribute last night was an event that I think is a good example for that.

Mr. BYRD. Again, I thank the distinguished majority leader. If I have any time remaining, Mr. President, I yield it to the distinguished Senator from Wisconsin.

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER (Mr. McCONNELL). The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Thank you, Mr. President.

I thank my good friend, the Democratic leader.

THE GENEVA ARMS CONTROL NEGOTIATIONS: A USELESS MISSION

Mr. PROXMIRE. Mr. President, the clear purpose of arms control should be to end the arms race. Obviously, that is not the purpose of this administration. It was not the purpose of the Carter administration. Unfortunately, it has never been the obvious and clear purpose of any administration since the dawn of the nuclear weapons age in August 1945. How could the superpowers end the arms race? They could end it with a nuclear freeze that stopped all nuclear weapons testing and therefore stopped effective research. The freeze would also end nuclear weapons production and deployment. The American people have repeatedly in statewide referendum after referendum and in respected professional polls expressed their overwhelming support for such an end to the arms race. This country officially subscribed to that principle in both the 1963 comprehensive nuclear weapons treaty and the 1974 treaty that limited underground explosions of nuclear weapons testing. But the pledge has turned out to be rhetoric, not policy. Could the present, temporarily suspended nuclear arms negotiations at Geneva result in a treaty ending the arms race? The answer is a sure and swift: "No." Those negotiations are designed to reduce nuclear weapons on both sides. That would appear to be a good and constructive purpose, until you think about it for 5 minutes. It would shift the direction of the arms race. It might or might not reduce the instability of the superpower nuclear arsenals. But what would it accomplish? Realistically it would accomplish very little even if it succeeded in fully reaching its objective.

Suppose both sides agreed to reduce their nuclear warheads dramatically. Suppose the roughly 10,000 strategic warheads in the arsenal of both sides were cut to 5,000. What would that mean? It would mean that instead of the superpowers having the capacity to pulverize every city and every significant military target in the adversary country eight times over, it could only destroy potential targets four times over. It would mean that both sides would eliminate their least accurate, weakest, least devastating and oldest weapons. Even more significant it would mean on the basis of many years of experience that both sides would put their nuclear weapons laboratories and scientists to work to build weapons that could accomplish the same military purpose as the larger arsenals—that is to overwhelm the adversary, but within the limits of the new treaty, that is with fewer warheads. It would also mean that both sides would very likely succeed in keeping arsenals at least as effective and probably more effective than the arsenal they had before the arms control agreement was negotiated. Would there be genuine progress toward peace? No. Forget it.

Some arms control supporters would see this as a great achievement anyway. Seweryn Bialer, director of the Research Institute on International Change at Columbia University is one of those who does. He has written a thoughtful and useful article in the New York Times that appeared on April 26. Mr. Bialer sets forth a compelling argument that the timing right now is better than it has been in years for progress in arms control. He contends that in the last 2 years of the Carter administration and in the past 4 years of the Reagan administration this country has sharply increased its military strength in contrast to the situation in the 1970's when the country was suffering from deep embarrassment from Vietnam and the Watergate fiasco. Meanwhile, the Soviet Union was vigorously building up its military strength. Mr. Bialer argues that currently not only is the U.S. militarily stronger than it has been in some time but the Soviet Union now suffers from an internal economic crisis that inhibits a strong military buildup. And in Africa and Asia [Afghanistan] the Soviets contend "with their own traditional weapon—the so-called national liberation struggles." At the same time in the Soviet Union the Soviet military is lead by "second rank military professionals with limited influence, men who do not belong to the Politburo."

Mr. Bialer writes that, and I quote:

All of this together argues for a major opportunity to make an arms deal with the Soviet Union. American leverage over the Soviet Union was never as great as it is today. But this opportunity will be lost if we now repeat the mistake that Moscow made

in the 1970's: we must not kick the Russians in their time of trouble.

Mr. President, this analysis may or may not glow with too much optimism with respect to the respective strength of the United States and the Soviet Union. Its weakness is that it assumes that the fundamental objective of our arms control negotiators at Geneva is worthwhile. Is it? No. It is not. An agreement that would sharply reduce nuclear weapons on both sides would not end the nuclear arms race. It would simply redirect its energy and force. We would have fewer strategic warheads, perhaps fewer missiles. But scientists on both sides would continue to be hard at work churning out new and different nuclear weapons that could fit within the limitations of the treaties. On the basis of all of our experience, scientific genius will make those weapons more devastating than ever. The only way to win nuclear arms control is to stop the nuclear arms race. Until the administration understands that the objective of arms control negotiations must be to end the arms race, arms control negotiations will be a media event and nothing else.

Mr. President, I ask unanimous consent that the article to which I referred from the April 26, New York Times entitled "A New Chance for Arms Control" by Seweryn Bialer be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[FROM THE NEW YORK TIMES, APR. 26, 1985]

A NEW CHANCE FOR ARMS CONTROL

(By Seweryn Bialer)

The complex arms control talks taking place in Geneva recessed this week with little to show for six weeks of delicate negotiation. Despite the difficulties, however, I believe that conditions for reaching a major agreement are far better now than in the 1970's.

There can be little doubt that future historians will look to the early 1970's as a period of lost opportunities in Soviet-American relations. What was lost most importantly was nothing less than a chance to reverse the inexorable cycle of the arms race and to achieve significant arms agreements.

Why was this chance lost? I see three primary reasons. First, the United States entered into détente from a position of weakness. We were engaged in the Vietnam War, which by that time we knew we could not win. In pursuing détente, we hoped to make the Soviet Union help us wind down the war while preserving our honor and our international standing. We were ready in this situation to recognize American-Soviet strategic parity and promised to treat the Soviet Union as an equal global power.

Second, this American weakness abroad was magnified manyfold by the constitutional crisis of Watergate. The isolationist "Vietnam syndrome" combined with an unprecedented decline of the power and credibility of the executive to leave American foreign and security policies in a state of virtual paralysis.

Third, whatever the Russians' plans and expectations were when they entered into détente in 1972, their reaction to America's weakness was clear and not long in coming. The Kremlin decided to continue its strategic and theater military build-up almost unilaterally. It saw little risk in its or its proxies' involvement in Ethiopia, Angola, southern Yemen, the southern African "front-line" states and Afghanistan, and it sought to expand its sphere of influence at American expense. In other words, the Kremlin decided that it could kick America when America was down.

The inevitable American reaction was not long in coming. From the last two years of the Carter Administration, but particularly during the first Reagan term, America started to rearm. Leaving largely behind both the Vietnam syndrome and the crisis of Watergate, America became again a credible and activist force in the international arena.

Where does this leave us today? In one sense, the passage of time from the 1970's to the mid-1980's has made a major arms control agreement even more difficult than before. The danger of the 1970's still remains—that arms negotiations and partial arms control agreements will not stop the exponential growth of the two superpower's nuclear arsenals. In addition, the asymmetries that make arms control agreements intrinsically difficult—the asymmetry in the Soviet and American nuclear forces and in their geopolitical situations—have if anything increased during the last 10 years of futile negotiations and non-negotiations.

Yet for all their difficulties, the Geneva negotiations have a much greater chance of success than the negotiations of the 1970's.

Today, both sides clearly hope to achieve a comprehensive agreement that would include all aspects of the existing and planned strategic and theater systems and would result in radical arms reductions on both sides. This is just as it should be: the talks in Geneva should not shy away from partial agreements of the kind sought in the 1970's, but they must be regarded as steps leading to a comprehensive arms reduction agreement in the future.

America is being given a second chance to achieve the three key goals of arms control: to deny either power the capability to launch a first strike, to build stability into the Soviet-American strategic balance and to establish a balance based on finite deterrence—on the minimum forces necessary to deter the other side.

This second and more realistic chance exists primarily because the correlation of forces is far more favorable to the free world now than it was in the 1970's.

The balance of military power has not changed perceptibly, yet the United States is much more powerful than it was in the ignominious 1970's. America has shown that it can increase its military expenditures and match any likely Soviet buildup. We have more or less emerged from the Vietnam and Watergate syndromes. America has resumed initiatives in the international arena: it is once again an activist power, but, at the same time, tempered on the Congressional side by the Vietnam experience. We are in the forefront of the new industrial revolution of electronics, working from a basically strong economic position. The leaders of both political parties now show the will to increase the risk and costs of any Soviet adventurism.

The Atlantic alliance has survived the crucial political test that accompanied the deployment of American Pershing II and cruise missiles in Europe. The continuing détente between Western Europe and Moscow does not compensate the Russians for their unsettled relations with Washington. China is taking decisive steps toward modernization, posing a new strategic threat for Moscow. Japan has clearly decided to add political power to its economic might, even as it slowly but surely increases military spending.

The Soviet Union finds itself in a deep domestic crisis. This is fundamentally an economic crisis, but it has political, social, ideological, cultural and psychological expressions as well. In the international arena, the Soviet Union is retrenching: it is clearly overextended and short of the resources necessary for an ambitious foreign policy. In Africa and Asia, the Russians must now contend with their own traditional weapon—the so-called "national liberation struggles."

The new leader in the Kremlin, who knows that the strength of foreign and security policies start at home, would clearly prefer to concentrate on his country's internal ills. In today's emergency conditions, Mikhail S. Gorbachev will probably be able to consolidate his power much faster than Nikita S. Khrushchev and Leonid I. Brezhnev were able to do. He may also have the power to impose his views on arms control, even on those vested interests that oppose them. In this, he may benefit from the fact that Soviet armed forces are being led by second-rank military professionals with limited influence, men who do not belong to the Politburo.

All of this together argues for a major opportunity to make an arms deal with the Soviet Union. American leverage over the Soviet Union was never as great as it is today. But this opportunity will be lost if we now repeat the mistake that Moscow made in the 1970's: we must not kick the Russians in their time of trouble.

One sure way to ruin the opportunity would be to make President Reagan's "Star Wars" initiative a non-negotiable item. If, on the other hand, it were negotiable, in the present situation—a correlation of forces favoring America—a moratorium on its testing and development could be traded for radical, balanced cuts in Soviet and American offensive arsenals.

The national security interests of the Soviet Union and the United States require sensitivity to common security interests. The Russians have to be convinced by our proposals in Geneva that they have more to gain from a radical arms agreement than from a new and unrestricted spiral of the arms race. We, in turn, must also be convinced by their proposals.

Let us not blow the second chance of a meaningful arms agreement. The first chance in the 1970's was blown because America was perceived as weak and Russia took advantage of this weakness. The second chance may be blown because America is strong and our leadership is arrogant. America's renewed strength is welcomed by everybody in the free world. But America's strength must be tempered by a knowledge of its limits and concern for mankind.

ONE WOMAN'S ORDEAL

Mr. PROXMIRE. Mr. President, on April 17, 1943, Hitler's birthday, 1,000 young Jewish men and women boarded a train out of Berlin. Their destination: Auschwitz. Only 7 of the 1,000 survived. Eva Brewster, currently a resident of Alberta, Canada, was one

of the seven. She has recently written a book, "Vanished in Darkness," which vividly portrays the horrors of the death camp.

Eva's life as part of a wealthy Berlin family began to change drastically when the Nazis rose to power. Her father died of a heart attack after he was forced to turn over his successful business to a non-Jew. Eva married in 1939 and had a baby soon thereafter. Upon learning that the Nazis were planning to deport all Jewish families with children, Eva sent her daughter to a family in East Prussia. This began the breakup of her family, which continued with the separation from her husband so that she could work for the Resistance. Later on came the news that both her husband and child were dead.

Eva barely escaped death herself. Caught by the Gestapo during her Resistance work, Eva was saved from a firing squad at the last minute by a local officer who was one of her Resistance contacts. Her luck ran out, though, when she became part of the Hitler birthday shipment to Auschwitz.

Her first impression of the death camp produced a strong determination to survive, which she credits for helping her to retain her sanity. Watchtowers, dead trees, guard dogs, and barbed-wire fence confronted her like so many deadly sentinels. Above the entrance she saw the words "arbeit macht frei"—work liberates. Herded into a semidark barrack, she stood in a line. Those at the head of the line were being branded like cattle; she became number 51459.

Eva's closest brush with death came when she was chosen for block 24, a collection center for the gas chambers. She was saved at the last moment because her mother, who was also in the camp, had made friends with an officer. But her escape carried a price: she now has irrational feelings of guilt and cowardice. The memories of the faces of the women who were sent to block 24 are forever with her.

Eva and her mother eventually escaped, slipping away with the mass exodus which took place shortly before the Russians arrived. Her survival is a miracle. Her testimony of Auschwitz's horrors is a cry of help to the modern world from the millions who died in misery. We must listen to their cries and act by seeing that this can never happen again. One significant move in this direction can be made by ratifying the Genocide Treaty. The victims of Auschwitz deserve no less.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for morning business.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MATHIAS). Is there objection? Without objection, it is so ordered.

THE BITBURG CEMETERY VISIT

Mr. MITCHELL. Mr. President, last week, the U.S. Senate unanimously passed a resolution urging President Reagan to withdraw from the wreath-laying ceremony at Bitburg Cemetery as part of the commemmoration of the 40th anniversary of VE Day.

That resolution was passed, not in a spirit of trying to correct a public relations mistake, but in the recognition that this anniversary and the events associated with it are too significant for public relations gestures.

The Second World War touched the lives of virtually every man, woman, and child in the Western world. Few American families do not count relatives who are veterans of the conflict. Many of those American families count members who gave their lives in it.

Thousands of Americans are alive today because their parents escaped Hitler's Europe in the thirties. Thousands more reached our shores after the devastation.

The nation of Israel owes its existence to the central crime of the war and of this century: Hitler's attempted extermination of European Jewry.

The war altered many lives and many nations. And it destroyed forever the assumption that civilization had outgrown barbarity.

Thirty-five million people died in the European war—soldiers on all fronts, sailors on the North Sea, civilians in German and British cities, and refugees from every land.

In this anniversary year, we mourn such an enormous loss of life.

But 6 million of the dead can scarcely be mourned, for our language and our tradition have no words and no ceremonies with which to lay their memory to rest.

The only thing we can do—the one thing we must do—is to remember and bear witness to their fate.

We cannot bear witness unless we remember, not only that they died and how they died, but how the nations and peoples of the world let them die. We must remember how the slaughter took place, how it was condoned, ignored and—today—how it is being trivialized.

We cannot allow that to happen.

We must not trivialize the Holocaust or turn it into a photo opportunity. To do so is to betray the moral authority of our Nation as well as the millions of dead.

American insistence on the Nuremburg War Crimes Trials reflected our national determination that the acts of the Nazi regime would not simply be called "acts of war" and forgotten in the peace.

Our Nation's seminal role in writing the Genocide Convention breathed life into the concept that no cause—not nationalism, not politics, not war itself—can ever justify the deliberate and premeditated murder of a people.

We cannot devalue that concept.

Genocide is almost incomprehensible. Hitler's genocide against the Jews is not comprehensible to most of us, even as a matter of madness—for madness is not predictable, not orderly, not organized.

There was nothing unpredictable, disorderly, or unorganized about the murder of 6 million Jews. It was a deliberate matter of policy from the very beginning.

The Nuremburg racial laws—enacted in 1934—led inexorably to the confiscation of Jewish property, to the state-sanctioned violence against Jewish people, to the relocation of Jews into ghettos, to the cattle cars, and finally to the killing camps at Treblinka and Chelmno and Auschwitz and the scores of other places whose names retain their obscene significance today.

For Americans, living in a nation founded on the rule of law, the perversion of law that underlay the Holocaust is difficult to comprehend.

The Nuremburg racial laws legitimized the war against the Jews. Those laws gave sanction to actions that would otherwise have been crimes of theft, of assault, of murder.

We cannot afford to forget—now or ever—that the cover of laws was invoked by those who stood trial at Nuremburg, on the grounds that they were only following orders.

This central fact is trivialized by our President paying tribute, however brief or symbolic, to the memory of those who were "only following orders."

For one of the deepest horrors of the Holocaust remains the very ordinariness of the men and women who carried it out.

It was not perpetrated solely by vicious criminals, or lunatics, or even fanatics. Jews were rounded up, locked into ghettos, driven to slave labor, lined up, and shot over open graves, and finally gassed to death and burned by thousands of ordinary people of diverse backgrounds from virtually every European country touched by the war.

And Hitler's racial policies were applauded, lest we forget, by a chilling number of people in our Western de-

mocracies as well. Many more simply ignored the implications.

In America, ignorance was relatively easy. In Europe, people in the east lived for years with the smell of burning human flesh in their nostrils. People in the west saw their neighbors rounded up and herded off; some offered to help the SS locate yet other victims. In both east and west, people seized the possessions of those neighbors and enjoyed them. Millions of ordinary people stood by and let it happen. And pitifully few objected.

The significance of the Holocaust lies in its dark warning of the widespread human capacity for ignoring evil, for following orders, for bowing to what seems inevitable.

When what seems inevitable takes precedence over individual responsibility, we lose the moral compass of our own humanity. We lose the distinction between innocence and guilt, between good and evil.

And if we ignore the distinction between innocence and guilt, between good and evil, we blur the line that sets the victims apart from their persecutors.

We cannot honor equally the killer and those he kills. We cannot grant to the murderers the same moral status we grant their victims, even if they were "only following orders."

We cannot—and our Nation's President should not—give symbolic exoneration to those who fought for the triumph of the worst totalitarian government in history; a government whose goal was the extermination of an entire people. To do so betrays our Nation's moral foundation; dishonors the sacrifices of those who fought to free Germany and Europe from the grip of Hitler and the world from the grasp of a monstrous ideology; and disgraces the 6 million dead.

The President of the United States, who represents all Americans, should not—above all others—participate in such a tragic event.

TRILLION DOLLAR BUDGET

Mr. DOLE. Mr. President, as we proceed with this critical budget debate—the most important debate we will have in this legislative session in my view—I would like to commend to my colleagues a very thought-provoking and, I believe, correct analysis of our present fiscal crisis and of the consequences we face if we do not make fundamental changes in our budget policies. The analysis I refer to is entitled "The Trillion Dollar Budget," and it is authored by Glenn Pascall of the Graduate School of Public Affairs, University of Washington.

I urge all my colleagues to look at Glenn Pascall's thorough review of our budget dilemma, and of the reasons why the debate going on right now is a crucial test of our ability to govern responsibly in a modern, complex, high-pressure society. But for now let me just quote one of Mr. Pascall's most important observations:

> There are those who say that all democracies must sink under the weight of overpromise and underperformance, of choosing to do everything until they are finally unable to do anything. We can prove them wrong, we can give the lie to this notion through our own capacity for moderation and self-restraint.

Mr. President, I agree—we can prove the doubters wrong, and I hope we are about to do just that by approving the $300 billion deficit reduction package now before us. This issue transcends politics, and it will take a bipartisan effort to deal with it. As our colleague Senator SLADE GORTON writes in the foreword to "The Trillion Dollar Budget," for once "we must lay aside these weapons of partisan warfare and join in a common effort to reduce the deficit." I applaud Glenn Pascall for his contribution to that effort, and I hope we will demonstrate by our actions here that we heed his message.

VOTE ON THE DOLE-DOMENICI COMPROMISE

Mr. DECONCINI. Mr. President, yesterday evening, after nearly 4 days of parliamentary maneuvering and armtwisting, the Senate voted 50 to 49 to approve the so-called White House-Republican leadership budget plan—a plan that calls for record new spending of $1.076 trillion and a deficit of $175.4 billion in fiscal year 1986. I voted against this particular budget package for one, basic, fundamental reason: It fails to share the fiscal pain and suffering of true deficit reduction among all sectors of the Federal Government.

I have said repeatedly to my Senate colleagues; to the business organizations who have lined up behind this compromise budget plan; and most importantly, to my Arizona constituents that I will enthusiastically support a comprehensive deficit reduction plan that forces every segment of Government—from the Congress to the Pentagon—to take a bite; to share in the tough political choices; and to swallow the bitter medicine required to really make a dent in the Federal deficit. That pledge still stands.

Unfortunately, the first budget package to come out of the chute and onto the Senate floor is an unbalanced, "roller coaster" combination of program terminations; huge spending hikes; sharp cutbacks; and program freezes which add up to a lot of pain and suffering on one side of the budget equation, with little restraint on the other. The goal of deficit reduction is perhaps the most critical one that Congress and the President can achieve this year.

But how we get there, how fairly we treat our citizens along the way, is what drove me to vote no yesterday on the White House-leadership compromise budget plan. Here are what I believe are the major flaws in the White House compromise budget plan that was approved by the Senate:

First, the White House compromise budget plan cuts $160.8 billion in domestic programs over the next 3 years, by freezing some programs; cutting others below a freeze level; and terminating other programs altogether. On the other hand, the White House plan calls for defense spending to increase by $45.3 billion or 16 percent over the same 3-year period. Let me quickly add that I will take a backseat to no one when it comes to providing our military with all of the tools they need to defend our country. But as Murray Weidenbaum, former Chief of the Council of Economic Advisers, said:

> We do not promote the national security by showing the Russians how fast we can spend money.

But is this the across-the-board and balanced approach to deficit reduction that is highlighted throughout the administration's explanation of the White House-Senate Republican leadership plan? Let's take a closer look at the balance between so-called domestic programs and the defense budget under this plan.

Under the White House plan, 20 domestic programs would be terminated or phased out, including: Postal subsidies for charities, veterans organizations, churches, and small county newspapers; the Job Corps; Small Business Administration; urban development action grants; revenue sharing for local governments; work incentive programs [WIN] and community service block grants; and Amtrak.

On the other hand, defense spending would climb to a level that is $35 billion higher—after inflation—than the Vietnam war peak year of 1968 and $81 billion higher than the peak year of President Kennedy's defense buildup. Defense procurement is up 98 percent over 1980 and is $27 billion higher than in the peak Vietnam year. This, at a time when DOD's balance of appropriated, but unspent, dollars for procurement at the end of fiscal year 1985 will total over $100 billion.

Add to this the fact that foreign aid, State Department programs, and funding for the U.S. Information Agency and other foreign aid programs is $800 million higher in the White House compromise budget voted on yesterday, than the budget that was originally reported to the Senate by the Senate Budget Committee.

Again, is this the kind of balanced sacrifice that the American taxpayers should be willing to make next year?

Here are a few more examples of the deep cutbacks in so-called nondefense programs that are woven into the

fabric of the White House compromise budget plan:

Terminates all rural housing programs administered by Farmers Home Administration;

Cuts Federal highway funding by $2.7 billion over 3 years and lowers the ceiling imposed on obligations from the highway trust fund by $1.7 billion;

Eliminates other railroad programs, including the local rail service program and the United Railway Association;

Terminates economic development assistance [EDA];

Terminates the Community Development Bloc Grant Program (Loan Guarantee Program);

Terminates Community Service Bloc Grant Program;

Full scale assault on student education aid programs; including deep cuts in Pell grants and other needs-based student aid; and

Freezes funding for drug enforcement agencies and programs, resulting in a cut of 887 Customs officers and reductions in the Drug Enforcement Administration [DEA] staff.

Second, Medicare is reduced by $17.8 billion over 3 years under the Republican leadership plan, resulting in increases in beneficiary out-of-pocket costs and increased monthly premiums deducted from Social Security checks.

Third, Social Security cost-of-living adjustments for all nonmeans tested retirement and disability programs would be limited to 2 percent—unless inflation goes back up to unexpectedly higher levels at which point an adjustment for inflation would be made. The COLA cutback in this budget plan would be locked in for 3 years and probably indefinitely.

My good senior citizen friends have repeatedly told me that they would be willing to do their fair share and swallow a 1-year COLA freeze next year, if they could be assured others would share in the budget restraint. But the imbalanced sacrifice built into this budget plan means that Social Security beneficiaries would have to bear the burden of fiscal restraint while other parts of the budget enjoy real growth. The Social Security beneficiaries already have had to endure the pain and uncertainty of wholesale changes in the Social Security Program—changes that increased the retirement age; added Federal workers to the Social Security rolls; delayed COLA's; and increased penalties for early retirement and increased taxes on the self-employed. Now that the Social Security trust fund is financially sound, these same people are being asked to take another hit, when defense spending and other programs sail through this budget package with just a hiccup of discomfort.

Fourth, finally, according to the nonpartisan Congressional Budget Office, after all of the farm program cutbacks have been enacted; after all of the veterans health care programs have been cut; after all of the Social Security beneficiaries get their reduced COLA's; and after soil and water conservation programs are rolled back, the budget deficit assumed in the White House-Republican leadership package will be reduced only $38.9 billion—not the $52 billion that the administration estimates will be saved. In fact, because of more optimistic—and perhaps unrealistic—economic assumptions and an inflated defense baseline figure, CBO projects that the deficit under the White House-Senate leadership plan will be $145 billion in fiscal year 1988—not the $99 billion that the plan purports to achieve in 3 years.

Mr. President, the White House-Republican leadership budget plan is being sold as "the taxpayers protection plan." It is being touted as the bottom line in deficit reduction strategies. Well, to put this plan into the context of the President's original 1981 game plan for economic recovery, I went back to President Reagan's February 18, 1981 message to the Congress entitled "America's New Beginning: A Program for Economic Recovery." On page 12 of that document, the President said:

> By fiscal 1984—under the policy recommendations presented in this document—the Federal budget should be in balance. And that will not be a one-time occurrence. As shown in the table below, the Federal budget will actually generate a surplus in 1985 and 1986, for the first time since 1969.

That table on page 12 projects a surplus of $30 billion in fiscal year 1986, with revenues totaling $942.1 billion and outlays at $912.1 billion. The budget plan approved yesterday assumes revenues of $793.6 billion in fiscal 1986; outlays of $969 billion; and a deficit—not a surplus—of $175.4 billion. Hopefully, neither the President nor the Congress will claim victory over the deficit with those sets of numbers stacked up against the rosy projections of the President's first major economic address to Congress in 1981.

Mr. President, as Vice President BUSH announced the narrow one-vote margin of victory for the White House compromise budget yesterday evening, a clear, unmistakable signal echoed through the Senate Chamber: This budget package is flawed; it is unbalanced; and it undoubtedly will be changed. I hope it will be changed. I look forward to voting for amendments offered by Senators from both political parties that will improve this budget package. I look forward to voting for alternative deficit reduction packages that will cut the budget, reduce spending, and slash the deficit in a way that is fair and across the board. I look forward to finally voting for a deficit reduction plan that forces every element of Uncle Sam's empire to take a punch; that forces us to rethink our spending priorities for the next 3 years; and that will actually make a true cut in our growing Federal deficit. I intend to keep my pledge to my constituents and to my colleagues, to vote for a deficit reduction package that treats everyone fairly and helps to alleviate the burden on the beleaguered American taxpayer. I want a "taxpayer protection plan" too, just like the President. But the budget plan we approved yesterday isn't it.

CHILD SAFETY MONTH

Mrs. HAWKINS. Mr. President, the Senate and the House of Representatives have passed and the President has signed a resolution declaring the month of May as Child Safety Month. During this month, I plan to come to the Senate floor to draw public attention to the plight of missing and abused children and the efforts underway to protect these children. I should like just briefly to summarize some of the organizations that are actively involved in the search for missing children and efforts to protect children from abuse and neglect.

The Mobil Oil Corp. has underwitten local television programming on missing children, displayed posters of missing children in their service stations, and published opinion editorials in magazines and national papers challenging other corporations to join them in the search for missing children

The American Gas Association has taken their good idea of putting flyers of missing children in their monthly mailers and expanded it to form Child-Watch campaign which, in conjunction with the National Center for Missing and Exploited Children and the National Child Safety Council, coordinates the pictures of stranger-abducted children so that the same pictures are shown across the Nation.

Burger King has developed a child assault prevention project which goes into elementary schools to educate children, parents and faculty in the prevention of child abuse. They have also helped establish the McLamore home, a residential treatment center for abused and hospitalized children.

The K-Mart Corp. recently announced that they will enclose pictures of missing children and safety tips in their photo finishing envelopes.

Bekins Van Lines has underwritten the costs of the National Center's child protection brochure.

Quality Inns are putting posters of missing children in their lobbies.

Dairies across the Nation are putting pictures of missing children on their milk cartons.

Boys Clubs of America, Inc., are taking the initiative and developing a

task force to combat sexual child abuse.

The N.E.A. is working with the National Committee on Prevention of Child Abuse and Curtis Publications to develop the Spiderman comic book on sexual and child abuse.

Commtron Corporations and video software dealers from around the country contributed the full costs of printing the National Center's Selected State Legislation: A Guide for Effective State Laws to Protect Children.

Advanced Transformers, Echos, Marfred Inc., and Thurston Motors have all put pictures of missing children on their trucks.

C & S Grocers, the U.S. Navy, Duro Paper Bag, Roundy's and Sweet Life have all placed the pictures of missing children on grocery bags.

Soft drink bottlers like Pepsi-Cola and Coca-Cola have put pictures of missing children on the collars of soft drink bottles.

All of these organizations are to be commended for their unselfish efforts to help protect our children. During the month of May, I should like to point out each day the efforts of other organizations, individuals, and businesses who are joining us in our fight to protect children.

But I also want to issue a challenge to other businesses, organizations and individuals in the United States to join us in our efforts to protect children. As I mentioned earlier, Mobil Oil Corp. has published an excellent editorial challenging other corporations to join them in child protection efforts. I think that the theme of this article bears reprinting and I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial by Mobil Corp.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KEEPING KIDS SAFE IS NO SMALL MATTER

Think about how you feel when your child kisses you good night or gives you a hug for no special reason. Remember the unique joy of Christmas mornings—how the kids squeal when the gifts are opened, and how you know, in your heart of hearts, they're giving you far more than you're giving them. Then imagine how you would feel if your child suddenly vanished, and you had to cope with a constantly painful void in your life.

A large number of Americans each year have to face precisely that kind of agony. Here are the grim statistics, from the National Center for Missing & Exploited Children:

At least 1.5 million children are missing from their homes each year.

About one million of them are "runaways" or "throwaways"—the frequent victims of street crime or exploitation.

Estimates vary, but as many as 500,000 children each year may be victims of noncustodial parental kidnappings. These children, too, are often exposed to physical and mental abuse.

Between 20,000 and 50,000 children disappear annually, and their whereabouts remain unknown after 12 months.

The problem is receiving an increasing amount of media attention. New community groups have been formed to teach parents the do's and don'ts of safeguarding their families. Existing groups, such as PTAs, are staging special informational programs. Congress passed the Missing Children's Act of 1982, which gives parents and local police access to the FBI's National Crime Information Center computer. And Congress also has authorized the creation of the National Center, based in Washington, which helps local agencies, governments, civic groups, and law enforcement officials deal with the problem. Most important, the National Center provides a toll-free number—(800) 843-5678—which anybody can call to relay information on the whereabouts of a missing child.

But much more remains to be done, and corporations are stepping in to help. In the Washington, DC, area, for example, Mobil and the Acacia Group are sponsoring three hour-long, prime-time television specials on Channel 5. In addition, the station will broadcast daily missing children reports, highlighting local cases and others from different parts of the country. Viewers will be urged to call the national hot line if they have any information on the children mentioned in the reports. Thousands of posters, with pictures of missing children, will be displayed at area Mobil service stations and in local libraries and schools.

Senator Paula Hawkins of Florida, original sponsor of the 1982 Act, has saluted the Washington program. But it's a big country. Can *your* company become similarly involved? Can your civic group, church or synagogue? Finally, do *you* know how best to safeguard *your* kids?

Senator Hawkins has said that, "Because they have no vote and no lobby, [children] have gone unrepresented in the past. I am happy to see that tide is turning."

With a little help from all of us, we can transform the tide into a torrent—and keep our kids a lot safer.

Mrs. HAWKINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HAWKINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

STOPPING SMALL SMUGGLERS

Mrs. HAWKINS. Mr. President, an article recently appeared in the Miami News regarding planned punitive action against "small" drug smugglers.

The U.S. Customs Service, in this unprecedented move, has decided to publish lists of names of individuals caught bringing small amounts of illicit narcotics into the United States. Referred to by some as the "punish by publish" list, this information will be released to news organizations on a weekly basis, and will include only small-scale smugglers who were neither arrested nor prosecuted for their alleged crimes.

The information provided in this list will be thorough, including the name of the alleged smuggler, along with his or her address, occupation, age, type, and quantity of drugs being smuggled, method of travel and point of origin.

The U.S. Customs Service has indicated that anyone put on the list who later proves his or her innocence through administrative procedures can have a statement of exoneration published in a subsequent press list.

Mr. President, there have been voices raised against this attempt to embarrass "small" drug smugglers. Such an effort to stop these people from destroying themselves, however, is necessary. As Harry Carnes, Miami customs district director, stated in this article, the small smuggler too often "gets off scot-free." Until now, the only penalty for the few would-be smugglers who are not prosecuted has been a fine of $25 for an ounce of marijuana, and the fine often goes unpaid. To correct this situation, the U.S. Customs Service is "raising the cost" of attempting to smuggle illicit narcotics into the United States—no matter how small the amount. The public embarrassment that would ensue from having your name on a list that consisted of individuals involved in drug smuggling and/or use can be a great deterrent. The loss of standing in the community, or even the loss of employment, is a potential result, and one that will hopefully discourage the "small" smuggler.

Defense Attorney Richard Gerstein made the following astute observation:

It certainly should cause people to be very concerned about what they bring into the country, and from that standpoint it should have some deterrent impact . . . since the drug problem is related to the use and demand for drugs among ordinary citizens.

Mr. President, I feel that the U.S. Customs Service is to be commended for this innovative action, and I offer my full support of the punish-by-publishing list. I ask unanimous consent that the Miami News article of March 26, 1985, entitled "Customs Intent To Embarrass 'Small' Smugglers Comes Under Fire," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Miami News, Mar. 26, 1985]

CUSTOMS' INTENT TO EMBARRASS "SMALL" SMUGGLERS COMES UNDER FIRE

(By Karen Payne)

"Public embarrassment" is the federal government's goal in publishing a list of names of people caught bringing small amounts of drugs into the United States—beginning tomorrow—says Dennis Murphy, a U.S. Customs spokesman in Washington.

But critics of the plan, including Charles Sims, staff counsel for the American Civil Liberties Union in New York, say the list amounts to "slander" of people who have not been found guilty of any crime.

The punish-by-publishing list, to be supplied to news organizations each Wednesday, will include only small-scale smugglers

who were neither arrested nor prosecuted for their alleged crimes, said Harry Carnes, Miami customs district director.

The "drug blotter" will include the name of each alleged smuggler, address, occupation, age, type and quantity of drugs being smuggled, method of travel and point of origin, customs said in a prepared statement.

Carnes said persons whose cases are dropped from prosecution will automatically be put on the press list—with no option to request arrest as an alternative.

Already, the concept is drawing fire.

"One principal reason for trials in this country is to decide who is innocent and who is guilty," Sims said. "You must have sufficient fact-finding to answer the question.

"When the police undertake to announce that people are guilty without a trial, then they are slandering people . . . They will be damaging people's reputations."

Miami attorney Richard Sharpstein labeled the plan "disgusting," saying it would set a "horrendous precedent that would open the door to many types of abuses, including public presentation of other embarrassing, but non-prosecutable situations."

According to Sharpstein, people who are arrested on drug charges would have more legal rights than those who aren't arrested, but find themselves on the customs list.

"If you are arrested, you have a right to a lawyer and a trial," he said, "If you are not arrested, you have no forum: What can you do—sue the government to get them to prosecute you?"

Miami attorney Martin Raskin, former criminal division chief in the U.S. Attorney's Office here, also criticized the plan. "It amounts to convicting people in the press, based on little more than a border search," Raskin said. "It would be hard for any of the individuals named to get equal access to the media to disprove the allegations made against them . . . Either charge these individuals with a crime or leave them alone."

Once their names have been published, those on the list could attempt to sue the government for slander or for violation of their civil rights, Sharpstein said. But both Sharpstein and the ACLU's Sims said it's unclear whether such legal challenges would hold up in court.

Customs official Murphy said anyone put on the list who later proves his innocence through administrative procedures can have a statement of exoneration published on a subsequent press list.

In Miami, customs' Carnes said he is not worried about legal problems with the list, "at least, not until I get sued."

Probably no more than two of three names a week from Miami will turn up on the list because almost all small-quantity drug cases are referred to Metro police and turned over for prosecution by the Dade State Attorney's Office, Carnes said.

Until now, the only penalty for the few would-be smugglers who are not prosecuted has been a fine of $25 per ounce of marijuana, Carnes said. Few cocaine importations—however small—escape prosecution, he said.

But Carnes said fines often go unpaid and the offenders "get off scot free."

"This is an attempt to raise the cost—to add the public embarrassment of the fact that you are involved with smuggling or using narcotics," he said.

Carnes said the publication of names possibly could lead to a person losing his job or standing in the community.

"A lot depends on how it is received by the public," he said.

Attorney Sharpstein predicted that the plan will have no effect on drug trafficking.

"This is another ridiculous, easy solution which the government thinks will solve a major problem," Sharpstein said. "These are minor violators. And embarrassing them will not affect major drug traffickers at all."

Defense attorney Richard Gerstein, a former Dade state attorney, agreed that the plan will not hurt big-time smugglers. Instead, he said, it will "cause a great many problems for people who are otherwise law-abiding citizens."

But, Gerstein added: "It certainly should cause people to be very concerned about what they bring into the country, and from that standpoint it should have some deterrent impact . . . since the drug problem is related to the use and demand for drugs among ordinary citizens."

CONCLUSION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Morning business has expired.

FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1986

Mr. DOLE and Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 45

(Purpose: To allow funds for full cost-of-living adjustments under Title II of the Social Security Act)

Mr. DOLE. Mr. President, I send an amendment to the desk for the distinguished Senator from Florida [Mrs. HAWKINS] and the Senator from New York [Mr. D'AMATO].

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for Mrs. HAWKIN and Mr. D'AMATO, proposes an amendment numbered 45.

Mr. DOLE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. BYRD. Mr. President, the amendment is not a lengthy one. I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk read as follows:

In the pending amendment, do the following:

On page 3, decrease the amount on line 12 by $700,000,000.

On page 3, decrease the amount on line 13 by $500,000,000.

On page 3, decrease the amount on line 14 by $800,000,000.

On page 3, increase the amount on line 18 by $2,900,000,000.

On page 3, increase the amount on line 19 by $7,800,000,000.

On page 3, increase the amount on line 20 by $13,400,000,000.

On page 3, increase the amount on line 25 by $2,900,000,000.

On page 4, increase the amount on line 1 by $7,800,000,000.

On page 4, increase the amount on line 2 by $13,400,000,000.

On page 4, decrease the amount on line 6 by $200,000,000.

On page 4, increase the amount on line 8 by $1,100,000,000.

On page 4, decrease the amount on line 12 by $200,000,000.

On page 4, increase the amount on line 13 by $200,000,000.

On page 4, increase the amount on line 14 by $1,100,000,000.

On page 24, decrease the amount on line 2 by $400,000,000.

On page 24, decrease the amount on line 3 by $300,000,000.

On page 24, decrease the amount on line 12 by $600,000,000.

On page 24, decrease the amount on line 13 by $400,000,000.

On page 24, decrease the amount on line 22 by $700,000,000.

On page 24, decrease the amount on line 23 by $400,000,000.

On page 25, decrease the amount on line 17 by $400,000,000.

On page 25, increase the amount on line 18 by $3,100,000,000.

On page 26, decrease the amount on line 2 by $500,000,000.

On page 26, increase the amount on line 3 by $7,600,000,000.

On page 26, decrease the amount on line 11 by $1,600,000,000.

On page 26, increase the amount on line 12 by $12,300,000,000.

On page 32, increase the amount on line 17 by $100,000,000.

On page 32, increase the amount on line 18 by $100,000,000.

On page 33, increase the amount on line 2 by $600,000,000.

On page 33, increase the amount on line 3 by $600,000,000.

On page 33, increase the amount on line 11 by $1,500,000,000.

On page 33, increase the amount on line 12 by $1,500,000,000.

On page 40, decrease the first amount on line 16 by $3,143,000,000.

On page 40, decrease the amount on line 17 by $7,832,000,000.

On page 40, decrease the second amount on line 18 by $12,564,000,000.

On page 51, decrease the first amount on line 7 by $3,143,000,000.

On page 51, decrease the amount on line 8 by $7,832,000,000.

On page 51, decrease the second amount on line 9 by $12,564,000,000.

Mr. DOLE and Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, parliamentary inquiry. As I understand, there is 1 hour on the amendment; is that correct?

The PRESIDING OFFICER. The majority leader is correct.

Mr. DOLE. And that time is divided in what manner?

The PRESIDING OFFICER. The proponents would have one-half of the time. The Senator from New Mexico, if he is opposed, would control the other part of the time. If he is not opposed, it would then go to the minority leader.

Mr. DOLE. Further parliamentary inquiry. Then I could yield the proponents' time 15 minutes to the distinguished Senator from Florida and 15 minutes to the distinguished Senator from New York?

The PRESIDING OFFICER. The Senator has control of the time and can dispose of it as he sees fit.

Mr. DOLE. I do yield it to them.

The PRESIDING OFFICER. The Chair would inquire as to the Senator from New Mexico so that he can determine the control of the other half of the time.

Mr. DOMENICI. I am opposed, if that is the Chair's inquiry, and I will control the time as the circumstances demand.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Further parliamentary inquiry. Having yielded the time to the distinguished Senators from Florida and New York, do they now have the right to recognition?

The PRESIDING OFFICER. They would not be able to yield time for recognition of other Senators over the request of the minority leader for recognition.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

Mr. BYRD. Mr. President, will the Senator withhold that briefly? Will he withold that request, the suggestion of the absence of a quorum? Could we on our side just have a few words to say at this point?

Mr. DOLE. I suggest the absence of a quorum, or I will yield it without losing my right to the floor.

Mr. BYRD. Which does the Senator do?

Mr. DOLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. Is there objection by the minority leader?

Mr. BYRD. No objection.

The PRESIDING OFFICER. If there is no objection, the quorum call is rescinded.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I will retain my time and I yield now 10 minutes to the distinguished Senator from Florida [Mrs. HAWKINS].

Mr. BYRD. Mr. President, will the distinguished majority leader yield to me?

Mr. DOLE. I yield to the distinguished Senator from West Virginia for a question.

Mr. BYRD. Mr. President, I hope there will not be any concern by the majority leader at this point about yielding to me. I simply want to ask if anybody on this side of the aisle will have any control of time. Is all time going to be controlled by the other side of the aisle?

Mr. DOLE. Let me say to the distinguished minority leader that there are still 34 hours on the resolution, and I understand that the minority has consumed about 3 hours less than the majority. So there is ample time for debate.

I recognize that this is a somewhat unusual procedure which is dictated by the Budget Act. I would even be willing, if it is all right with the distinguished manager of the bill, to take 30 minutes off the resolution and transfer it to the minority, if that would be helpful.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. DOLE. I yield for a question.

Mr. BYRD. I assure the majority leader that I am not going to do anything except to say a few words, and I may ask a question.

What we see, Mr. President, if the able Senator will yield, is a situation in which the minority party of the Senate, the minority leader of the Senate, 47 Members on this side of the aisle, are being shut out of recognition and any opportunity to offer an amendment. We are not only seeing that, but also we are seeing the minority Members being shut out of control of any time on this amendment.

Oh, we know there is time we can take from the resolution, if we get recognized, and there will come a point in time when we will get recognized. But this side of the aisle ought to have control of half the time on the amendment.

We have made arrangements of that nature before. When a resolution or a bill or other measure was before the Senate, if the manager was supportive of the offeror's amendment, then the time in opposition thereto went to the minority leader or his designee. That was and is the rule.

Here, however, we are shut out of any opportunity to offer an amendment, and now the minority are going to be shut out of control of the time on the amendment.

I cannot recall its ever happening before. Under the previous majority leader on that side of the aisle, and also when I was majority leader, there was never any hesitation in letting someone on the other side control half the time. Now the minority cannot offer amendments, because the Chair will not recognize us for that purpose, and we cannot even control any time on the amendment.

Let the RECORD show, Mr. President——

Mr. DOLE. I do not want to interrupt the minority leader, but I think it is coming from the time on the amendment.

Mr. BYRD. Let us divide the time.

Mr. President, I will be generous to the majority leader. He was kind to yield to me. Charge the time I use against me on the resolution.

The PRESIDING OFFICER. The time is being charged against the minority leader.

Mr. BYRD. Mr. President, let the record show that I sought to be recognized when the resolution came back before the Senate upon the termination of morning business. Let the record show that I sought to be recognized at that moment to call up an amendment. I had indicated earlier today that it was my intention to seek recognition at the moment the resolution came down.

The Chair did not recognize me. So we have a gag rule in the Senate on this resolution. The minority is gagged. Their hands are tied behind their backs, in terms of offering amendments, and with control of time being on the other side.

Mr. RIEGLE. Mr. President, will the minority leader yield for a question?

Mr. BYRD. I do not have the floor.

Mr. DOLE. Mr. President, a parliamentary inquiry. Is it possible either under the Budget Act or by unanimous consent, to extend the time in support of the amendment from 30 minutes to 1 hour—that it all be charged against the resolution?

The PRESIDING OFFICER. The time could be extended as the result of unanimous consent by the Senate or by the operation of the Budget Act, which empowers the managers of the bill to extend time.

Mr. DOLE. Mr. President, I make the request that we extend the time of the proponents to 1 hour and all of it be charged against the resolution, that time to be equally divided, 30 minutes on that side to be under the control of the minority leader or his designee.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object——

Mr. RIEGLE Mr. President, reserving the right to object——

Mr. BYRD. Will the time be charged in the overall against the 50 hours?

Mr. DOLE. Yes.

Mr. BYRD. We can get our own time from the resolution. That is not getting us anything. We can get our time off the 50 hours.

What we see here is an hour on this amendment, none of it to be controlled by Members on this side of the aisle, but half of it to be charged against us from the overall 50 hours on the resolution.

Mr. DOLE. The amendment goes against the 50 hours, too, the time on the amendment of 1 hour.

Mr. BYRD. I understand that; and there, again, we are paying half the bill. The amendments are offered by the other side, but half of the time comes out of our hide on the minority side from the overall 50 hours. Time used on the amendments really comes out of the overall 50 hours.

One other thing: What we see happening on this amendment, I take it, will happen on the rest of the amendments on that side of the aisle, when the majority leader calls them up on behalf of other Senators on his side.

The offeror of the amendment—Mr. DOLE—and the chairman of the Budget Committee is opposed to it. It seems to me that somebody on this side of the aisle—the minority leader or the ranking manager, under past custom—should control the time at least in support of the amendment.

The PRESIDING OFFICER. Is there objection to the request?

Mr. DOMENICI. Mr. President, reserving the right to object—and of course I will not object—I just want to ask the distinguished minority leader this——

Mr. DOLE. Mr. President, the Senator from Kansas still has the floor.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. DOLE. I will be happy to yield to the distinguished Senator from New Mexico without yielding the floor. I think we may as well proceed.

The PRESIDING OFFICER. The Senator has a right to yield time to the Senator from New Mexico.

It was the understanding of the Chair that the Senator from New Mexico was raising the possibility of an objection to the unanimous-consent request.

Mr. DOMENICI. I reserve the right to object, and I indicated I would not object. I do not think I can gain the floor by this process.

I just wanted to indicate that I do not quite understand the concern of the distinguished minority leader in terms of that side having some time.

I suggest to the majority leader, with respect to his proposal that there be a half-hour for the proponents and that it be under the control of the minority leader, that if there is some concern as to whether that is on the amendment or off the resolution, I can give them my half-hour, and it would be under their control, and I can take my half-hour off the resolution.

If Senators want to try to work that out, I am pleased to do that.

Mr. DOLE. Mr. President, I again indicate to the distinguished minority leader that the manager of the resolution has indicated he will be happy to surrender his time in opposition, 30 minutes to anyone on that side who may be opposed to the amendment and that he would take his 30 minutes from the resolution.

Mr. CHILES. That is better.

Mr. BYRD. That is OK.

Mr. RIEGLE. Mr. President, reserving the right to object, if I may, and if I may be recognized.

The PRESIDING OFFICER. Does the majority leader yield?

Mr. DOLE. I yield for a question.

Mr. RIEGLE. My question would be as follows: As I understand it, the half-hour that is being offered by the Senator from New Mexico would be offered to this side if we want to take it to oppose the amendment, is that correct?

Mr. BYRD. That is the only 30 minutes he has.

Mr. RIEGLE. I think the majority leader will find that most of the Members on this side favor the amendment and we would like to have our time to be used for or against depending upon which particular Senator wishes to speak.

So it would seem to me it would not be appropriate to have that half-hour be assigned to us in opposition to the amendment. Could we somehow have it be put in a neutral form so it does not carry the weight of the opposition of the amendment? Actually the Senator offering the amendment, as I understand it, is in opposition to the amendment, the majority leader. I do not quite understand even that part of the procedure myself. Just make the half-hour neutral.

The PRESIDING OFFICER. Is there objection to the request?

Mr. RIEGLE. Mr. President, reserving the right to object, may I have an answer to the question?

Mr. DOLE. The distinguished Senator from New Mexico is willing to transfer the 30 minutes.

A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOLE. I assume that even though the time is in opposition, that would not preclude someone speaking in favor of the amendment?

The PRESIDING OFFICER. It does not.

Mr. DOLE. So I think what the Senators will be getting is 30 minutes. It may be the opposition time, but that does not require Senators to speak in opposition to the amendment.

Mr. RIEGLE. If I may ask further, it seems to me that we are getting really everything upside down. We are getting the amendment being offered by someone else, the majority leader, who is opposed to the amendment. That is the first thing that does not make any sense.

Second, the method of dividing the half does not make sense and we are now being offered time in opposition to the amendment which we favor.

The PRESIDING OFFICER. Does the majority leader yield?

Mr. DOLE. Is there objection?

The PRESIDING OFFICER. Is there objection?

Mr. RIEGLE. I am reserving the right to object, Mr. President.

Mr. DOLE. But there is no question.

The PRESIDING OFFICER. There is no right to reserve the right to object. Does the Senator object?

Mr. RIEGLE. Yes; the Senator objects.

The PRESIDING OFFICER. Objection is heard.

The majority leader has the floor.

Mr. BYRD. Mr. President, will the distinguished majority leader yield?

Mr. DOLE. I yield for a question.

Mr. BYRD. For a parliamentary inquiry.

Mr. DOLE. Yes.

Mr. BYRD. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BYRD. Mr. President, the distinguished majority leader who has called up the amendment on behalf of the distinguished Senator from Florida [Mrs. HAWKINS] opposes the amendment. Can he control the time in favor of the amendment?

The PRESIDING OFFICER. The Budget Act specifically gives one-half the time to the offeror of the amendment and therefore that time is vested in the majority leader.

Mr. BYRD. He is the offeror of the amendment. At the same time he is opposed to the amendment. So he is going to control time on his side. He is going to yield time to those who support the amendment, I believe, and he is opposed to the amendment.

That is a rather interesting situation.

I must say, Mr. President, that we are seeing some hard ball played in this Chamber, and that is OK with me. It may be a ball that is being played with a velvet glove, but it is hard ball. What concerns me, however, is the unfairness that we see here.

The minority is shut out from offering amendments. The minority is also shut out from controlling any time on the amendments. Oh, yes, we can have some time off the resolution, of course, but all time on the amendment itself is controlled by the majority.

Well, let the record stand where it is.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, let me indicate that I have not stated my intentions on this amendment. I simply offered the amendment.

I now yield 10 minutes to the distinguished Senator from Florida [Mrs. HAWKINS].

The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.

Mrs. HAWKINS. Mr. President, I am very concerned about the plight of our senior citizens in this country and the

impact our actions have in this body on the tremendous number of people who are worried about their future. Our senior citizens have paid their dues. They have contributed a lifetime of resources and knowledge to the development of this Nation, and we owe them much more than our gratitude for making our country the most vibrant and advanced nation in the world. We also owe them the ability to enjoy their retired years according to the same set of rules under which they retired. And, we owe it to these people to keep our word.

Mr. President, I believe that our vote on the amendment now pending is one of the most important votes that any Senator in this Chamber will ever cast. It is simple. It is a vote to either honor a pact made by our Government with these hard working Americans, or it is a vote to betray these Americans and push 600,000 elderly Americans below the poverty line in the next 3 years.

I am keenly aware of our responsibility to reduce the outrageous Federal deficit plaguing our economy, but it is misleading and unfair to talk about cutting deficits and reducing the Social Security COLA in the same breath. It can be argued that the Social Security Program does not contribute to this Nation's debt.

Earlier in this session, when the Social Security COLA was clearly becoming a pawn in this budget process, I introduced legislation to accelerate the removal of Social Security from the unified budget. Under current law, this is scheduled to take place anyway in fiscal year 1993, but it is obvious to this Senator that the retired Americans of this country cannot afford an annual deliberation and probable reduction in their COLA for the next 7 years. When Social Security is finally removed from the unified budget, amendments such as the one we are considering today will not be necessary. We will no longer be allowed to hold the program and the recipients hostage during the budget debate.

When Congress agreed to remove the Social Security from the unified budget during consideration of the 1983 Social Security Amendments, we ratified the concept that changes made in the payments should be based strictly on the constraints of the program, and not due to policy or budgetary goals of the Government as a whole. Today, I am simply asking my colleagues to be consistent. If we adopt a budget resolution in 1985 that includes a reduction in the Social Security COLA, in an effort to reduce this country's total deficit figures, then we are contradicting the vote we cast 2 years ago. The facts are the same—Social Security is a self-financing program and is not part of the deficit problem.

For the last several months, the debate has raged on about the need to restrain Government spending and slash our deficit. Americans want to do that. Time and time again, I have heard it said in this Chamber that the elderly must share the burden by accepting a decrease in their Social Security COLA. In response to those unfair and misguided comments, I introduced a resolution last week expressing the sense of the Senate that the cost-of-living increase afforded Social Security recipients should remain at the level provided under current law. With this in mind, I think a clarification of the true facts framing this debate would be helpful.

First, by law, any additional funds generated by the COLA reduction cannot be used for any purpose other than Social Security. Second, Social Security is not a discretionary spending program. It does not compete for scarce general revenue funds. It is financed entirely by its own tax—which cannot be tapped for other spending purposes. Third, while Social Security is included in the overall calculation of total outlays and receipts for the Federal Government, the Social Security trust funds are expected to run at large surpluses for the next several years. If anything, the effect it has on the deficit is to hide the true figures. Our efforts to reduce this $200 billion deficit should be as earnest as they are arduous, and their impact should be real—not cloaked in reduced figures on paper.

By enacting a Social Security reduction, we would camouflage a small piece of the real deficit—the true deficit. I grant you that this may make the task before us a bit more easy—it may also make the medicine more palatable to others. But at what expense? At the expense of our elderly? At the expense of our word, our promises, or at the expenses of fairness? When we know the facts, can we really support the juggling of figures on paper to create an illusionary reduction in this Nation's indebtedness at such an expense? The effect of the Social Security COLA reduction on the deficit may be illusionary, but the tangible results will be seen time and again in the homes of our elderly.

Under current law, which we are trying to restore today, using the administration's assumptions for the inflation path over which they are proceeding the next 3 years, Social Security recipients would receive a cumulative increase of 12.5 percent by 1988. That is what we are told—4.1 percent in 1986, 4.3 percent in 1987, 4.1 percent 1988. Under the modification in this budget resolution, there would only be a cumulative increase of 6.1 percent, which would be 2.1 percent in 1986, 2.3 percent in 1987, and 2.1 percent in 1988 for those working on the budget. How can anyone, when faced with these figures, attempt to claim that this is not a reduction in benefits? Some would have you believe that a reduction in a scheduled increase does not constitute a reduction, yet these recipients will not even keep pace with inflation. Any way you look at it, a reduction in spending power is a reduction in benefits to our senior citizens. Let me describe the significance of these numbers and their abhorrent impact on elderly Americans.

As a result of this 3-year reduction, on average, an elderly couple will have lost roughly $2,500 over the next 5 years. The Congressional Budget Office has concluded that it will force 600,000 more Americans below the poverty line by the end of 1988—the vast majority of those being handicapped or elderly.

I have received thousands and thousands of letters in my office from Social Security recipients in my State of Florida. Many of them have their sons and daughters who live in my colleagues' States. I do not believe I have ever met anyone's mother or grandmother who did not live in Florida, and we welcome them there. We cannot terrorize mothers and fathers who live in my State, and we should not terrorize their children who live in your States.

According to the American Association of Retired Persons, which has been very active in this debate, the number of impoverished Americans would increase to 1 million by 1990. Furthermore, any cuts in the Social Security COLA will fall hardest on the oldest, the poorest, the weakest, the least advantaged, and the most feeble of recipients. For many, Social Security is their only means of income. For all recipients on a fixed income, the Social Security COLA is their only hedge against inflation that we have control over as elected officials. By decreasing seniors' spending power for the next 3 years, we will be placing them in a dangerous catchup mode and will permanently reduce their already meager standard of living.

Twenty-one percent of my State's population receives Social Security benefits and will be affected by a change in the COLA.

These Floridians have taken the time to explain in great detail their need for the Social Security COLA and their fear of the future if we deny them a cost-of-living increase. I would like to share with my colleagues brief excerpts from some of these letters. A woman from Ozona, FL, writes, and I quote:

> In 2 years I will be eligible for Social Security and will be one of the people in the poverty level group. Married for 30 years and mostly a homemaker, at 50 years of age I was divorced with a settlement of $20 a month. I have been unable to secure a job with a retirement pension and I have very little savings. I have managed to support myself so far, but after I reach 65 years of age, I wonder.

Another letter is from a 67-year-old woman with heart trouble in Dunedin, FL. Her husband is 72 and disabled. They have raised five children and are worried about their well-being if their Social Security COLA is cut. She writes:

> The point is, we have paid taxes all our lives and managed, by avoiding luxuries and wasteful spending, to get along without being a burden to anyone. We have savings which we scrimped to save, and have to pay taxes on interest, but we need the Social Security check, and the small increases are certainly just that—small—while all expenses increase much faster. That is the unreasonable part. Social Security should not be bandied about up there in Washington. It was intended to be an insurance plan, which we paid for. It should remain so.

Mr. President, I could not have said it better.

Why then, is Congress considering a budget resolution that will take billions of dollars from elderly, when these funds cannot be used for any other purpose, and when the Social Security trust funds are generating growing surpluses? Is there any other reason than the fact that it makes the proposed spending restraints in programs that are financed by the general fund easier to swallow?

Our task this week is to cut unnecessary and wasteful spending. It is monumental and it is difficult. We have people who have been in this body for years and years that have been unable to do that. But, by including reductions in the Social Security COLA, we will impose a tremendous hardship on hundreds of thousands of our fellow Americans for no apparent reason. The Federal Government has made a pact with the workers of this country. Those that are now retired made a lifetime of payments with the expectation of receiving their benefits—including the cost-of-living increase due them under current law. How can anyone renege on that promise? It is important to keep your word. It is important to be trusted, especially by those who have worked and saved and scrimped and feel that today their only failure in life is by living too long.

I am proud of a generation of Americans that contributed their time and their efforts and want to live meagerly in this country and not be a burden on anyone.

I urge my colleagues to weigh carefully these important facts, and to stand with me on this vital issue. I feel certain that, after close examination, the only logical and conscionable vote on this amendment will be a "yes" vote.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. WALLOP). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Mr. President, how much time is there remaining for the proponents of the amendment?

The PRESIDING OFFICER. There are 2 minutes.

Mr. DOLE. Let me indicate for the record that in this colloquy and exchange we had with the other side, it consumed 18 minutes of the proponents' time. So I think there was a fair division there.

I now yield the remainder of the time on the amendment, plus 9 minutes on the resolution, to the distinguished Senator from New York, Senator D'AMATO.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, first, I thank the distinguished majority leader for having given us the opportunity to offer this amendment. Over the past week he has operated in a forthright and honest fashion. There may be some who will say that this amendment is a transparent attempt to gain political advantage. To that I say, we made no secret, the Senator from Florida and the Senator from New York, of our intention to oppose any measure reducing Social Security. This has been clear to my colleagues in the Senate and my constituents. I indicated to the leader and to the President that I would not vote for a package that went back on what I thought was a commitment that we have made to those receiving Social Security. That commitment was that Social Security would not be tampered with in any way.

A 2-percent reduction in the COLA is a benefit cut. It should be called nothing but a cut. In the last election we promised not to cut Social Security and this Senator interprets that promise to be no reduction in the COLA.

I think the facts are rather evident, no matter how we argue that we are not really cutting benefits. It is obvious that a COLA reduction is tantamount to a benefit cut.

I think equity dictates that we find another way to achieve deficit reduction. And budget reduction is important and I will actively support attempts to reduce spending.

I point out to this distinguished group that in the Social Security Act of 1983, Congress mandated that the COLA be postponed for 6 months. That 6-month delay cost Social Security recipients $15 billion. In that same act, for the first time we taxed benefits that go to Social Security recipients.

I think that there are innumerable other ways in which we can reduce the deficit. To be quite candid, I do not understand why we propose a COLA cut, why we strike fear in the hearts of many. If we are successful in reducing the COLA—and I certainly hope we are not successful—we will be pushing 530,000 people under the poverty line. That is a dastardly act.

Deficit reduction is important. I think that we should move to cut spending across the board, and that we have begun to do it in this budget. That is why I supported the budget last evening.

What we do is we create in the minds of senior citizens that they cannot trust their Government, they cannot trust people who say to them, "We will never cut benefits." And it is not good for this body. It is not good for the institution of Government. And it is certainly a reversal of a commitment that I believe we have made in 1984.

I felt very strongly about this promise. So did Senator HAWKINS. That is why we indicated, notwithstanding that we feel strongly about deficit reductions, that cutting Social Security benefits was wrong. Thus we worked with the majority leader to assure that a COLA restoration have full and free debate. This was our goal. The American people deserve free debate on this vital issue with no parliamentary encumbrances. We have accomplished this end. This way the Senate can go on record on the COLA cut.

Let me suggest to you that Social Security recipients have already paid to reduce the deficit. The COLA delay mandated in 1983 cost $15 billion. Taxing Social Security benefits will raise another $30 billion through 1989. Now is the time to look elsewhere for cuts.

Mr. President, I ask unanimous consent that I be allowed to add Senator SPECTER as a cosponsor of the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. D'AMATO. I yield to the distinguished majority leader.

Mr. DOLE. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator had 9 minutes, of which 5 minutes remain.

Mr. DOLE. Mr. President, let me just say a word, and I will yield the floor. I will hope we will make some progress today on this budget package. This is obviously one of the most contentious and sensitive amendments. I think the important thing is that the amendment is before us. I understand there is some importance as who may be perceived as the offerer of the amendment. But the important thing is we are now going through the process which will be rather difficult. We will lose some and we hope to win some. I believe that the vote we had last evening is highly significant in that it sets the parameters of where we intend to end up. After all the amendments are voted on, some will succeed; hopefully more will fail.

In the final analysis, I think our responsibility has not changed on either side of the aisle. We may quarrel about parliamentary procedures and who gets to be the hero or whatever on various amendments. But in the final analysis we have to reduce the deficit.

I do not intend to do anything in the process that will in any way jeopardize that. I think the people demand it. The people expect it. They are waiting for us to do something.

The economic indicators are not all that good. I listened to three economists this morning, and, of course, they had three different opinions. Two were predicting a recession in 1986. Much of these economists' analysis was based on the fact that we are not doing anything. We are talking a lot, but we are not doing anything.

We are hearing that we cannot touch this program, we cannot touch agriculture, we cannot touch anything, but still we all want to reduce the deficit. I hope we will not end up as I know some would like to do in this Chamber, by raising taxes and continuing to cut defense. To me that is not deficit reduction. If we are going to reduce taxes, it should be by reducing rates. That might work out something. But let us not avoid making difficult decisions on the spending side.

I would hope that we are getting into the sensitive areas. There will be two, three, or four of these. Then I hope we are going to see a lot of bipartisan amendments, crossing party lines.

This is one of those that may not be of that character at the outset, but I have to believe as we go down the path of trying to put together a reasonable package that we will return to this particular item, if necessary. We will find some way to build a package of $300 billion in debt reduction by 1988 without adding revenues, without taxing the American people.

If we are not willing to demonstrate to the American people wherever they may be from, whatever their economic status, that we are willing to take action in protecting the very low-income groups, the vulnerable groups, then I am not certain all the preliminary rhetoric could make that much difference.

Mr. President, I am an optimist. I have friends on the other side of the aisle. We hope we do not fracture those friendships by these little parliamentary maneuvers. In the real world, no one really cares. I have an idea that not even 1 in 1 million people know what is going on here and perhaps they are better off. But when we finish, I hope we have a package that 900,000 out of 1 million might agree with.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me yield myself 10 minutes in opposition to the amendment. If anyone wants to speak in opposition to the amendment, I will say we have plenty of time on the resolution and there will be time available for them.

Mr. President, there have been some speeches directed clearly to the senior citizens of this country. The first two have been by members of my party. I have the greatest respect for them. I am sure what I am going to say about their discussions will apply to a number of similar positions that will be taken on the other side of the aisle.

Mr. President, I want to speak to the senior citizens of America, too. I hope they know that those of us who are not going to vote in favor of this amendment to take out any change in the cost-of-living automatic adjustment for the pensioners of this country do not like to do that. As a matter of fact, I regret that we are in a position we are in, and I think there is plenty of blame to go around before we hear from people who will blame all of this on Ronald Reagan, or PETE DOMENICI as budget chairman, or the past history.

The truth of the matter is there is plenty of blame to go around. None of us relishes coming to the floor of the Senate and telling the American people, including the senior citizens of the United States, that they might not know it yet, but their country is in big trouble. And if it is not in big trouble, then we are wasting our time because none of us enjoy changing programs of the U.S. Government that help millions of seniors or the few thousand small businessmen that get subsidized loans, or the few thousand young men and women who are in the Job Corps. None of us relishes changing those programs.

But if there is one thing I am sure of, it is that the senior citizens of this country are willing to share in some sacrifice if they believe it will help their country and if they think it is fair.

I want to say for those who are thinking this is just one piece of the budget, do not worry about it, not 72 hours will pass before there will be an amendment to do the same for the military retirees who are being asked to restrain their automatic increase in their pensions, and it will pass. It will not be longer than that same 72 hours that a group will be on the floor saying, "Let us do the same for Federal employees who are retired, for they are being asked along with the seniors to take a 2-percent increase in their cost of living instead of an automatic."

If you add all that up, for those who do not think it amounts to too much, and that is about $30 billion in savings, a large part of the package to fix America. That is shared sacrifice.

If we do not have a problem, nobody ought to sacrifice. If we have a problem, then everybody ought to sacrifice. Frankly, I believe the senior citizens of this country are willing.

They are not going to be willing if they listen only to the rhetoric of those who say we are asking too much of them, that we do not have to do it. I even hear arguments that since this is a trust fund, to make it more solvent and save some money does not help the deficit.

Let me tell you in the simplest terms. Put all of the programs of our Government and all of the checks we are going to write into two checking accounts—let us make one checking account for everything other than Social Security, and another checking account for Social Security. We are writing checks on the first for everything else, and it is in the red. If you do not write checks on the one that has a little bit of money, nevertheless, they are still your only two checking accounts, all the people's money. If you save $6 billion by spending less from either one, you save $6 billion off the deficit.

I do not believe the President has stated that issue properly. I do not believe those who argue that it does not really save anything understand what they are talking about.

Let us get back to the senior citizens, the senior citizens of America.

If you knew that sometime in the foreseeable future, prosperity in America was doomed and we were going to go downhill and millions of your sons and daughters and grandchildren were going to be without work, millions more than are without work now, and American businessmen were not going to have any business left because we were going to have a recession or inflation—if you believed that, and I hope you do, because it is true. Would you not act. Not just the future of seniors, but the seniors' children and grandchildren who are working in the United States, who own a laundry, or who are former veterans and own a gasoline station or work in a factory—we are worried about them all. And we have to reduce this deficit to give them the prosperity they want for America even the slightest chance of continuing for some period of time.

Senior citizens of America—are we asking you to sacrifice alone? You just heard that other pensioners are being asked to do the same—about $30 billion in savings. Later on, in further rebuttal, I shall tell everybody how much Social Security increases are going to be, even with the so-called cuts that are being referred to. Are we asking you to sacrifice alone? Let me just go through the list of the people and the programs we are asking to sac-

rifice in the interest of a future for everyone.

Five hundred accounts of your Government's activities are either being cut, reformed or frozen. Twenty programs in this proposal are being eliminated from the Federal Government's inventory of domestic programs. Thirty programs are being reformed. That is 50. These programs serve tens of millions of Americans, and we are asking them to share in this sacrifice because their programs, programs that they are interested in, that they might have a subsidy coming from, are going to be reduced over the next 3 years by $155 billion. We are not reducing seniors' cost of living alone, changing a program that they are now the beneficiaries of or eliminating them. I shall tick off a few of the sacrifice we are asking in this package.

I am not sure the Senate or the Congress is going to have the courage to do them, but the proposal before us says rural housing will be dramatically changed; Amtrak eliminated; Economic Development Administration, a small program, eliminated; Appalachian Regional Commission, done away with; impact aid for B students, those students that belong somewhat to the Federal Government that are in schools, eliminated; crop insurance; UDAG; SPRO—strategic petroleum reserve—deferred for 3 years; general revenue sharing no longer in existence after January 1987; Federal civilian retirees are asked to take a little less of an increase each year. All civil servants of the United States are being asked not to get any increase in their paycheck for a year.

The Defense Department is scheduled for a $100 billion reduction below that which the President requests. And we can debate that issue later, whether that is enough or people think we ought to take more. But that is a reduction, too.

It seems to me that either we have a problem—and it is a big problem that has the potential for doing more harm to more people in the United States than any one of these programs or than all of them combined, more harm to the senior citizens of this country than the shared sacrifice we are asking them to make here—or we ought not to cut any program. We just ought to say everything is rosy, we just ought not to do anything.

Frankly, I do not believe that the senior citizens of this country feel that way. With all deference to those I have hard from already on my side, and I am sure I shall hear the same on the other side, I just do not believe that when the seniors understand the dimension of this problem, they are going to vote against you all if you ask them to share a little bit in this sacrifice.

I do not say that facetiously, but I must admit that I have some suspicion that is why people are somewhat concerned, because it is a very, very large number of Americans. Americans should know that those who receive Federal pensions now approach 40 million, the largest group of Americans other than the taxpayers of this country, the largest single group of Americans. But let me say to all of them, "I think you do believe that if there is a problem, you ought to share if others are sharing in this sacrifice."

I think what some people believe is that Americans will not believe the nature and dimension of this problem until a crisis happens, until it is on us, until this economy has gone down, until a recession has set in, and they look there and say, "Could we not have done something?"

Frankly, I do not believe that is why we are elected, to wait around for that, and I have an awful lot of confidence in the average American, because he senses something is wrong. The people sense something is wrong and that it is desperately wrong. They are absolutely the American people, including all the senior citizens, who have more common sense than all the politicians combined, and they are generally 2 or 3 years ahead of us.

Mr. President, do you think they really believe that we can go on spending anywhere from $200 billion to $250 billion a year more than we take in and everything is going to be rosy? They just do not believe it. As a matter of fact, they are looking at us from out there in America—I do not know about around this little circle here of Washington—but out there in America, they are saying "You just cannot be serious. You cannot be serious. We cannot keep on spending that way."

I repeat, everyone has to sacrifice and I believe this budget proposal will stand that test. We shall debate defense later on. Maybe there are some saying that the defense of our country has not sacrificed enough in this situation, but we will look at that. I do not believe, on their own, without prompting from politicians, that they will equate defense spending with Social Security increases.

I have heard some people say, since we are at 2 percent guaranteed growth for Social Security, maybe you would vote for growth in defense, now that we have some symmetry that we can sell. I do not believe that they are that gullible.

Conversely, I think we fool ourselves every day that we wake up trying to figure out ways to sell it to the American people. There is nothing to sell. As a matter of fact, we do not have any money around. It is not a cliche to tell the cities of America, "We can't give you revenue sharing because we don't have any money." That is not rhetoric. That is the truth. We are only $222 billion in the red, and even with good economics it will rise to $240 and stay there. The average American cannot understand billions, nor can we, but they know something is wrong, and they are saying to us, "Do something about it."

Now, there are a lot of people who will say, "Do something about the deficit, but don't do it with Amtrak, don't do it with Job Corps, don't do it with small business." And here we have them saying "Don't do it by tampering with the cost-of-living adjustment for the pensioners of America."

Well, frankly, when you get through with the "don't do it because," we are going to be in a good mess. This amendment, combined with its two sister amendments on the other pensions, is $30 billion. And we just started.

We will have Amtrak and its $780 million a year—$1.5 billion, $2 billion over 3 years. We will have Job Corps and its $600 or $700 million a year, $1.5 billion over 3 years. We will have the farmers down here, and even though we are leaving $11 billion a year for the next 3 years in direct subsidy for farmers, even though that is supported by the Farm Bureau of America, and even though that is 2½ times per year more direct subsidy than 5 years ago under President Carter, we are gutting the farm program.

And I tell you what we are going to do: When we are finished with all of that, there will be for certain something we can say, that we will have gutted any chance of prosperity for everybody in this country. Every group that they want to talk about as they go through this amendment and say, "We can't because we must protect, we must help, we must continue," every one of those groups will be immeasurably hurt, far beyond anything that is going to happen to them in this budget when their children cannot get jobs, when their neighborhood grocer goes broke, when the veteran whose program we are changing slightly cannot find a job. He is going to be very interested in whether you changed the right to hospital care at 65 years of age when he cannot find work or when inflation goes back up to 15 percent.

Mr. President, I am a realist. I understand what is going to happen on this amendment. But I tell you you cannot put a reasonable package together, commensurate with the nature of this problem, without asking everyone who gets a check from the Federal Government to sacrifice a little bit—everyone. I believe before we are through——

Mr. CHILES. Will the Senator yield?

Mr. DOMENICI. I will be finished in 1 minute.

Mr. CHILES. I wonder, if the Senator will yield——

Mr. DOMENICI. After we finish all this, I believe some sanity will come back and it will not all come from my side of the aisle, I tell you that.

Mr. CHILES. Will the Senator yield?

Mr. DOMENICI. I yield.

The PRESIDING OFFICER. Off whose time?

Mr. DOMENICI. I yield off my time.

Mr. CHILES. I was intrigued by the Senator's statement that he would not be able to solve this problem without everyone who gets a check from the Federal Government being willing to sacrifice and yield a little of that money. My understanding is that General Electric gets a check from the Federal Government. That check comes in the way of tax rebate.

Mr. DOMENICI. I understand.

Mr. CHILES. In other words, they do not pay any taxes, but we are talking about putting a permanent structural change on Social Security COLA's. We are paying General Electric so they get a check. I would trust that the Senator's statement would cover General Electric.

Mr. DOMENICI. No question, it does.

Mr. CHILES. Good.

Mr. DOMENICI. I thank the Senator for bringing it up. There is no question in my mind that we have some individuals and some corporations in this country who are not sharing the sacrifice. There is no doubt in my mind. I do not think that it is going to be the issue here because I believe there is an overwhelming sentiment to do something about that issue. It probably will be done as part of the tax reform that everybody is talking about. I hope it is.

Mr. CHILES. I thought we were talking about deficit reduction.

Mr. DOMENICI. That is correct. I just want to suggest, so the American people understand, the issue is not whether we should tax some people and some corporations that are not paying taxes, because we should. The issue is what do you do with the taxes you get from them.

Now, I am going to yield. The Senator will have all the time he would like, I say to my friend from Florida. But here is the issue. You are going to pick up some tax dollars from those individuals and corporations that you want to tax as part of this fairness. Do you use that money to pay for programs or do you use that money for the taxpayers?

Mr. CHILES. What do you do with my taxes?

Mr. DOMENICI. You cannot have it both ways.

Mr. CHILES. What do you do with it?

Mr. DOMENICI. You put it in the general fund and we do not have any left over.

The PRESIDING OFFICER. The Senator will address the Chair when seeking recognition.

Mr. CHILES. I was asking the Senator if he would yield.

Mr. DOMENICI. I will be finished in a minute. I did yield once. I will be pleased to yield. I do not have any disagreement on the issue. I would just like to make the point. If you use those taxes to pay for programs, you cannot use those taxes to lower the taxpayers' rates in this tax reform everybody is looking for. So you have a choice. You impose those taxes, and you either spend it for programs or you spend it for the taxpayer who is saying we need to be fair to them, too. We need to reform the tax laws. You have a clear choice. I believe the taxpayers would opt for us getting on with the business of reforming the expenditure side, too—the programs and the cost of Government. That is what we are talking about.

Now, I want to just summarize by saying if I have appeared to be concerned, that appearance is bona fide. It is legitimate because I am. I do not know how, I do not know when, but clearly we have to muster the courage to do something substantial about this deficit now. I believe the proposal we have to treat everyone the same on pensions, freeze pay for a year, eliminate 20 programs that do not have broad application to America, reform 20 more, freeze almost every other account of Government and have our debate here on the floor on defense and see if 3-3-3 is right—I think it is, in any event, you bring it down to rock bottom—and I think you have the best mix of shared sacrifice consistent with our responsibilities. I yield the floor.

Mr. CHILES. Mr. President, I yield myself 2 minutes off of the resolution and then I am going to yield to the Senator from New York 10 minutes off the resolution.

I say to my good friend from New Mexico, I listened with interest to his remarks. I do not really completely understand his distinction about taxes. My taxes go to pay the general services of the Federal Government, as do his and everybody else who pays taxes. I do not understand why those corporations that are not paying any taxes and those individuals in this country who are not paying any taxes, why their taxes would only go to reduce somebody's rate. Shouldn't they be paying something for the general services of this country as well? It seems to me they should.

We talk about this plan being one of shared sacrifice, that it will stand the test of shared sacrifice. Mr. President, if this is such a good plan for shared sacrifice, I wonder why there are now well over 28 amendments to be offered by Senators who voted for this plan yesterday. Senators on the Republican side are going to add back over $60 billion to this plan. Is it such a great plan of shared sacrifice? I think it will be interesting to see as we go through the debate whether a lot of Senators on that side feel it is. But I certainly think it is not, especially when it is going to make a structural change in Social Security and demand nothing of people who are paying nothing.

I yield now 10 minutes to the distinguished Senator from New York.

The PRESIDING OFFICER. The Senator from New York has 10 minutes.

Mr. MOYNIHAN. Mr. President, this is a moment of quiet vindication and quiet reaffirmation of the purposes of the Democratic Party over the half century since we established the Social Security Program as the central arrangement of social insurance in the United States. It is the first comprehensive program ever adopted and, in its development thus far, the most important of our social policy programs.

This moment marks the end of the effort by the administration to dismantle the social arrangements put in place in the last 50 years by means of a contrived deficit. The moment we vote, the great Reagan offensive will have been blunted, failed and left in disarray.

Mr. President, just the other day the distinguished Director of the Office of Management and Budget, Mr. David A. Stockman, made clear the purpose of using a deliberately contrived deficit as a means to abolish programs which were objected to on grounds of political principle. In a very careful and thoughtful column, Mr. Jonathan Fuerbinger of the New York Times reported:

> More than any other plan offered by the President in the last 5 years, this package reflects his desire and that of his Budget Director, David A. Stockman, to shrink the size and role of Government as permanently as possible. The budget votes in the Senate, Mr. Stockman has said, are "the best, last and only opportunity we will have in this decade, or maybe for decades to come, to determine whether or not we can fundamentally restructure and bring under control this far-flung, bloated, sprawling, $1 trillion national budget."

Now, Mr. President, under this administration, the national budget is the highest proportion of gross national product at any time in our history, save World War II. The administration has utterly failed in its purpose to reduce the size of Government. They have compounding deficit interest payments passing $150 billion per year. But at this moment, they have failed in their central purpose, which was to destroy Social Security. That the President wished Social Security be made voluntary—which means that it be abolished—was as clear to his aides and to anybody in this Senate, as anything could be.

Mr. President, please remember on his 16th day in office, February 5,

1981, when the President went on television and spoke to the country.

He said:

> There were always those who told us that taxes couldn't be cut until spending was reduced. Well, you know, we can lecture our children about extravagence until we run out of voice and breath or we can cut their extravagence by simply reducing their allowance.

From the first, the deficit was deliberate. What they did not know was it would become a monster. That it would consume them; and not just what they thought were the unnecessary and undesirable events of the previous half-century.

On May 12, 1981, Mr. President, before any fiscal stringency appeared, the President sent to this Chamber a program which would have cut, by 40 percent, the benefits of any Social Security recipient retiring the following January at age 62—a 40-percent cut before there was any mention of a deficit.

On May 20, I came to this floor in the morning and said: "That will not pass." I waited 4 hours for someone to appear on the other side of the aisle to agree. And that is why I cannot but thank my friend and colleague from New York [Mr. D'AMATO], and our colleague, Mrs. HAWKINS, for having appeared on their own now. Four years ago, that side of the Chamber was empty until 2 in the afternoon when the distinguished, now-majority leader appeared, offered the same resolution, asked us to cosponsor it, and it passed 96 to nothing.

A commission was put in place. From the outset, we have said the Social Security system was stable. If it had difficulties, they were fixable.

In a 12-day negotiation in January 1983—of which the distinguished majority leader and I were a part—we made those arrangements. We made cuts. We put off a half-year cost-of-living allowance.

I observe the great indifference with which my remarks are being heard by the majority leader and the chairman of the Budget Committee. That is all right. They will hear them again.

In the next 3 years, the Social Security retirement funds will bring about a decrease in the deficit of $28.8 billion; a $108.3 billion reduction in deficit in the next 5 years. That they will not eliminate the deficit is not the problem of the Social Security funds. Social Security is in sound condition, and recently the trustees of those funds said that they would be in sound condition well in the next century.

Even so, the majority proposes to raid the Social Security funds to deal with the monster deficit they have created. My friend, the chairman of the Budget Committee has said, we must tell senior citizens that our country is in "big trouble."

Mr. President, I would be willing to have him say that, if he would also say that they are the people who put it in great trouble, big trouble. They—on that side of the aisle—are not listening to a word I have to say. It is as if the floor were empty, as indeed it was 4 years ago.

Big trouble, indeed, Mr. Chairman, and you have presided over it. You have doubled the debt of this country in 4 years. You have wiped out our overseas holdings. We are a debtor country for the first time since 1914, and you have done that—you, sir, you and your colleagues.

You talk about a time when children will find they cannot get jobs; when neighborhood grocers will go broke; when veterans can't find jobs; when inflation goes up to 15 percent. Well, it may not be far off and you will have done that. And you do not want to hear it. And you turn your back. And you might as well leave the floor, because you do not want to know what you have done.

This was a deliberate creation to produce the restructuring of the Government; to make Social Security voluntary, which was to say to abolish it. It did not work. But, in the deficit, you have created a monster you can't control and don't understand. And you will not listen to anybody who does understand.

Do not listen. You were not here, either, on May 20, 1981. That side of the aisle was empty. And it is full of empty talk now, and what is more, Mr. President, there is a very considerable assault on the integrity of the American political process. Everyone knows that it is in the nature of political exchange to invoke hyperbole about commitments that cannot always be kept. But after that, a Presidential commission put Social Security arrangements in solid condition—and they are in solid condition—producing a $180 billion surplus over the next 5 years. In the second debate of the last Presidential campaign, the President said——

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. MOYNIHAN. May I have 2 more minutes?

Mr. CHILES. I yield the Senator 2 additional minutes.

Mr. MOYNIHAN. I thank the Senator.

The President said, on October 7, before 60 million Americans:

> A President should never say "never," but I'm going to violate that rule and say never. I will never stand for a reduction of the Social Security benefits of the people that are now getting them.

Mr. Speakes said 2 days later, that applied to the cost-of-living adjustments as well.

There is an issue of integrity here. That kind of commitment should never be made by a President and not kept by his party.

But, more importantly, Mr. President, it will not do to stand here on this floor and talk about a deliberately contrived crisis that became a disaster and blame it on the recipients of social insurance.

That strategy has failed. Its high moment is gone. It was gone from that moment on May 12, 1981, when the President made clear his intention—before there was any discussion of the deficit—to decimate Social Security; 4 years later, it is from the Republican side that we come along with an insistence to keep the President's pledge. I thank my friends from New York and Florida, for an honorable commitment to keep the President's pledge. But also it is a dismal statement of failure of the past 4 years of disguised intention to dismantle commitments made to the American people. You yourselves acknowledge that commitment and now you cannot think of anything better to do than to break the word of the President, the word of Congress, and the commitment to the Nation.

I hope you think your way through this, but please no more talk about the 30 years. It is the last 4 years, and if we could help you understand what you have done, we might be more able to help you out of what you have done. Until you give some inkling of understanding what you have done to the political economy of this country, there is no hope of helping you.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I yield myself 30 seconds.

I thank the Senator from New York for his kind offer of assistance. I hope he really means that he is willing to help us solve an American problem. We need all the help we can get.

I yield as much time as the distinguished Senator from Colorado needs off the resolution.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ARMSTRONG. Mr. President, I appreciate the Senator from New Mexico yielding to me.

I rise to oppose the amendment offered by the Senator from Florida [Mrs. HAWKINS] and the Senator from New York [Mr. D'AMATO]. I do so really with a degree of reluctance because these are two of my dearest friends and just for every personal reason I would be disposed to support anything they wanted to do in this Chamber if this were just a routine amendment. What I would do is I would say sure, let us get behind it, because PAULA and AL want it, and let us go with it. I would also be disposed to support this amendment on the grounds that I would like to do anything I could for people who are Social Security recipients. I know lots of them. They are fine people. They are

just what Senator HAWKINS described. They are people who have paid their dues, who have built this country, who have an enormous amount of patriotism and concern, and they are admirable persons, and they are not strangers. Bear in mind when we talk about these Social Security recipients we are not talking about some alien race. We are talking about our own mothers and dads and grandmothers and grandfathers. So there are a lot of reasons why I would personally like to support this amendment.

But, Mr. President, I am not going to. I am constrained not to, as I hope the majority of Members of this Chamber will be constrained not to, because it is a killer amendment. This is a wrecker amendment. It is an amendment which if it is adopted will in all probability set the stage for unraveling this whole budget package.

This is not just a question of taking one amendment and then toeing the mark on everything else that comes along because it will not happen that way. If we cross the threshold by passing this amendment, we run the serious risk that it will then be impossible for us to pass any kind of common sense budget measure.

I think this is not only a test of the credibility of this package put forth by the majority leader and by the Senator from New Mexico and by a number of others. It is a test, in a sense, of a credibility of Congress itself. Do we have the discipline to make a tough decision, to turn down a juicy, attractive amendment, an amendment for which there is much support in this Chamber and throughout the country?

Mr. MOYNIHAN. Mr. President, will the Senator yield for a question?

Mr. ARMSTRONG. Mr. President, from long experience I have discovered that yielding to the Senator from New York, who is a man of much knowledge and great wit, is a dangerous practice, and since it is well known to all Senators that he is extraordinarily well informed about this issue and since it is well known that he is one of the handful of the most skillful Senators when it comes to making a newsworthy quip and making his point with a style and grace that has made him not only known throughout our country but indeed has caused him to be a Senator of international reknown, I am truly reluctant to yield to him because it is my hope in the next 30 minutes or so to make the best case that I can as to why this pending amendment should be turned down, and I would be less than true to my mission if I were to yield to him at this point.

Mr. MOYNIHAN. The Senator has a not altogether disagreeable way of saying no.

Mr. ARMSTRONG. I thank the Senator.

At the proper moment, I would be happy to yield to him and to respond to his questions and to engage him in a colloquy.

Mr. President, there was once a British historian who wrote that democracy by its very nature is a temporary form of government. It was his judgment that in the long run democratic nations would simply be unable to resist the impulse to spend money. He said that when legislators discovered that they could vote benefits to their constituents out of the public purse, the whole thing would collapse in loose fiscal policy.

Mr. President, I do not happen to share that gloomy assessment of human nature in the body politic. I believe there is an enormous——

The PRESIDING OFFICER. If the Senator will suspend for a minute, could we have the galleries cease conversation, the staffs cease conversation, and Senators on the floor cease conversation so that the remarks of the Senator from Colorado could be heard?

Please proceed.

Mr. ARMSTRONG. Mr. President, I thank the Chair for establishing order in the Chamber.

I do not share this gloomy appraisal of the direction of things in our country. In fact, on the contrary. I see emerging a consensus which is not only more realistic but more compassionate about the ends and purposes of government and more realistic about the limitations of what we can afford to do and what we can afford to spend, more realistic in terms of focusing necessarily scarce resources on those concerns of the highest priority.

But, Mr. President, I must warn my colleagues that the passage of this amendment is exactly the kind of action by which historians and political scientists and other thoughtful persons have warned. This is a killer amendment.

Now I happen to believe that the passage of this amendment could—no one knows for certain—but could set the stage for what one of our colleagues called a demolition derby. Maybe it will not. Maybe we can adopt this amendment and then turn back everything else. Maybe it is realistic to suppose that if this amendment is passed we are going to be able to say no to the veterans, no to the farmers, no to education, no to health, no to defense, no to all of the worthy meritorious areas of spending for which amendments will be proposed to increase the overall cost of the Government.

These are not in most cases—some exceptions—but these are not in most cases useful or frivolous programs. These are good programs. And it will be the fathers of these programs right here in this Chamber who will be asked to vote on whether or not they should be enlarged or continued or whether or not we should increase spending, and that is not going to be easy to do under any circumstances.

Mr. President, what I fear is that it will not be possible to do if we set the stage for the debate on this issue on the whole budget issue by adopting a killer amendment of this kind, and that would be a tragedy because if there is one thing of which I am absolutely convinced, it is the failure to adopt a large measure of budgetary restraints will result in economic catastrophe for this country. I am not going to attempt to document that, Mr. President. I believe every Senator knows that, I think our constituents at home are well aware of, the journalists realize it, economists have pointed it out over and over again, if these massive deficits in excess of $200 billion a year are permitted to occur, if we take no action to restrain the growth and indeed to extinguish these deficits, I cannot personally see any alternative to rising interest rates, a smothering of the economic expansion now under way, rising unemployment, and really a lot of hardship for every hardworking man and woman, every Social Security recipient, every family and every community in this country.

And that is why I think it is so important that we support the package which has been sent to the desk by the majority leader and by the chairman of the Budget Committee.

Is it the best package? I do not think so. There are a lot of other better packages we could have put together. And I am sure somebody has the dream of a better package in their mind right now. I am sure there are Senators who have in their briefcases or in their desks better packages which are fairer, and ways to cut the deficit in a more equitable way.

There is one thing to keep in mind when you think about those packages. There are not any of them that have a prayer of passing. Maybe somebody can come up with a better idea, but, as of noon today, I do not think there is another package that is within 15 or 20 or 25 votes of getting a majority.

Now, I do not know whether or not, when we finish this debate, whether or not the package that is now pending will be able to pass, but at least once on yesterday there were 50 Senators who, with some trepidation and reservation, were prepared to vote for it. As we consider these amendments, I hope all Senators will ask themselves: "After the adoption of this amendment, will it be easier or harder for us to finally pass some budget resolution that, one way or another, under some rubric or another, will, in fact, curtail the deficits by $50 billion, of $60 billion this year and by rising amounts in years ahead so we can balance the budget by the end of the decade?"

It is not because this is a wonderful package that I support it. It is because it is the only game in town. That is exactly the reason that has caused some observers throughout this country to rally in support of this budget resolution.

The Washington Times, on April 8, wrote an editorial in which they described this as:

Not a perfect proposal, but the sort that makes fine-tuners into naysayers: a good recipe for a swift victory.

The Wall Street Journal, on April 18, summed up a lengthy editorial, which presently I will ask permission to put in the RECORD in full, in the following words:

By proposing the actual elimination of moribund Federal programs, the President and Majority Leader DOLE have taken a first, significant step in breaking the cycle of budget failure.

And it goes on to explain why this budget package, developed between the leadership and the President, should be adopted.

The Dallas Times Herald says much the same thing in an April 6 editorial. The Clarion-Ledger, of Jackson, MS, on April 12, editorialized under the headline "Budget Compromise Deserves Backing." The Birmingham News, on the 12th, also wrote an editorial in support of this compromise package.

On the 7th of April, the Atlanta Constitution wrote a thoughtful and interesting article which concludes in the following paragraph:

The compromise plan recognizes that virtually no one outside the administration was willing to increase defense spending as much as the president proposed; it trades his concession here for deeper cuts in domestic programs that either house of Congress would have made on its own. It has the political advantage of restraining everything, even defense and Social Security, in a package that will be perceived as more fair than the president's original proposal.

The Chicago Tribune editorialized on April 29, "Pass the White House Budget." The Detroit News has written an interesting and worthwhile editorial which I commend to the attention of my colleagues, as has the Chattanooga Free Press, on Thursday, the 25th of April. And, finally, the Cincinnati Inquirer, also on the 25th of April, wrote an editorial headlined: "The Budget, Reagan Deserves The Nation's Help With His Deficit-Reduction Package."

Mr. President, I send these editorials to the desk and ask unanimous consent that they be printed in the RECORD immediately following my remarks.

The PRESIDING OFFICER (Mr. HUMPHREY). Without objection, it is so ordered.

(See exhibit 1.)

Mr. ARMSTRONG. Mr. President, that is what is at stake is the whole budget. It is not just what we are going to do about Social Security. It is what we are going to do about the economy, about the economic future of this country, about jobs, about interest rates, about whether or not farmers are going to be able to get loans, whether or not the communities of this country will prosper or dry up and wither on the vine. That is what this amendment is really all about.

In that spirit, Mr. President, I oppose it, and I would like to make a fairly careful analysis of the arguments that have been put forward in support of passage of this amendment.

First of all, let us take a look at the current law. At the present time, Social Security benefits are automatically increased whenever the cost of living rises by more than 3 percent. Now, keep that number in mind because we have heard a lot of fairly flamboyant rhetoric here this morning about how the amendment suggested by the leadership package is a draconian cut. It is nothing of the kind. It is, in a sense, more generous than the present law.

All we are suggesting in the proposal laid down by the majority leader and the chairman of the Budget Committee is that cost-of-living increases for Social Security, Federal and military pensions, and veterans' benefits go up at least 2 percent per year for the next 3 years and an additional cost-of-living adjustment will be paid equal to the rise of the consumer price index above 4 percent a year. In other words, it is conceivable—in fact, if our optimistic projections on inflation are realized, it is very possible—that recipients of Social Security might actually receive more in a cost-of-living adjustment under the leadership package than under the present law.

Now, does this cut the current level of benefits? I think there is no real reason for confusion on this point, but I just want to meet that issue head on.

The question is, at what rate will the payments to Social Security recipients increase? There is no suggestion that anyone's cost-of-living adjustment will be cut. Well, if we do not increase them at some predetermined rate, does that constitute a cut? As Senators think about that, I would urge them to remember that the vast majority of people in this country, working men and women, do not receive an automatic cost-of-living adjustment.

Under the proposal which is now pending, not the amendment, but under the leadership plan, a typical elderly couple will receive $1,132 in Social Security benefit increases over the next 3 years. Even with this proposal, even with a 2-percent cap followed by an increase dollar for dollar above 4 percent, Social Security spending will grow at a compound average annual rate of 5.1 percent. This is, I stress, more generous than the present law.

I also think you have to consider future benefit increases in the context of what has happened in the past. Social Security benefits have increased over the last 15 years more rapidly than wages and more rapidly than inflation. From 1969 to 1984, benefits increased 247 percent, inflation went up 188 percent, and wages by only 162 percent.

What this means is that, in real terms, the income level of Social Security recipients, in real terms after adjusting for inflation, actually rose, went up, about 46 percent in real terms. During the same period of time, income of nonelderly working men and women of this country, who pay the cost of the program, declined by 7 percent.

Let me make the further point that the statistics are related to pretax income and since it is well known that the elderly, in effect, are taxed at lower average rates than younger persons, because they have some special tax provisions related to their age, the after-tax disparity is even greater.

I also want to point out, Mr. President, that the proposal which has been advanced by the Budget Committee and by the majority leader is fair to the poor. All Federal welfare and benefit programs that help the poor elderly will, under our plan, receive full cost-of-living increases. And, as a further protection, the proposal includes an additional $1.3 billion to increase benefits paid to the elderly poor under the SSI Program by $10 a month for individuals and $15 a month for couples.

Well, then, what about all this talk that the passage of the leadership plan will put 500,000 or 600,000 people—I think 570,00 is the statistic that I have heard quoted—into poverty for the first time. Well, I want to make two or three points about this poverty argument because I do not think a country like ours—a rich, prosperous, compassionate country like the United States of America—will or should stand still for anybody being in poverty. But, the statistical measure of poverty is deeply flawed for several reasons. First of all, and most important, it does not take into account the value of noncash services provided.

Second, I want to make the point that noncash benefits such as food stamps are not counted, and noncash assets such as equity in homes are not counted. However, it is not, Mr. President, primarily my purpose to quibble over the definition of poverty, but just to point out that if poverty is our main concern, a cost-of-living adjustment in the Social Security Program is an incredibly inefficient way to address that problem. Only $1 in $10 which is paid out in increased cost-of-living adjustments will actually go to the elderly poor.

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Let me say that again. If we increase the cost-of-living adjustment by adopting the amendment proposed by the Senator from Florida and the Senator from New York, only $1 in $10 will go to the elderly poor. Nine dollars out of $10 will go to the nonpoor.

Why is that? The answer is obvious, because Social Security is not a means test program. There are 36 million people in this country who get Social Security checks every month, and we do not know the income of any of them. We do not keep those records. When you sign up for Social Security, you do not fill out a form that tells what your income is. It is not a welfare program. I believe it would be a horrible mistake to try, directly or indirectly, to convert it into that kind of a program.

Finally, as we think about the question of people in poverty, may I make the point that if we are really serious about keeping all people, not just the elderly but everybody in this country, on the ladder of economic prosperity, the way to do it is to keep this country's economy growing.

Mr. President, a one point increase in unemployment would move about 1.6 million additional individuals below the poverty threshold in 1 year. That is just a one point change in the unemployment rate. That is, in my judgment, only the tip of the iceberg, only the smallest hint of the possibility of the economic chaos which is ahead if we fail to act responsibly on this budget resolution. Through 1984 the economic growth and the increase in employment moved about 4 million people out of poverty. If the same rate of progress continues in 1985 and 1986 largely as a result of passing the kind of budget package we have pending, it will have the same effect.

Mr. President, it is suggested that really we should not even be thinking about this because Social Security is not a part of the budget. Opponents of Social Security savings argue it is unnecessary, it is inappropriate. They say this is a trust fund. It is all entirely separate. After all, Social Security does not have anything to do with the Federal budget.

Mr. President, the Social Security trust fund is just one of many such trust funds which are a part of the overall Federal budget: Medicare, Railroad retirement, black lung, veterans, civil service retirement, highway trust fund, airport fund. Does someone in the Chamber suggest we ought to exempt all of these funds and not consider any of them? The reality is even though they are separate trust funds, accounted for separately, even though the money is not and will not be spent for nontrust fund purposes, they are a part of the Federal budget.

I called attention to a report by David Koitz, Specialist in Social Legislation, Congressional Research Services, who makes this point about the effect of Social Security on the budget:

> Over the years, people frequently have misunderstood the financial relationship of Social Security to the Federal Government. Some perceive Social Security to be a completely separate function of the Government that makes no impact on the Federal Government and the Government's borrowing needs. They view the Government as simply an agent administering an insurance policy. They perceive their Social Security taxes are flowing into special accounts kept completely separate from other receipts of the Treasury, that these taxes are used exclusively to meet the costs of the program. Therefore, they do not understand why Social Security is brought up in discussions of how to resolve Federal budget problems.

Let me interject that that seems to be a fair summary of the point of view which the proponents of this amendment have brought forward.

Mr. Koitz explains:

> The fact is, regardless of whether or not the program is incorporated into the official budget totals, the receipts and expenditures it causes are Federal ones. Social Security taxes are Federal taxes authorized under the Internal Revenue Code and the benefit checks are disbursements from the Treasury Department authorized under the Social Security Act. Moreover, the Supreme Court has held that the program's provisions are not like those of an insurance contract. As with other Federal social programs, Congress can unilaterally alter Social Security's financing and benefit provisions, if it deems it necessary.

Indeed, a couple of years ago that is exactly what we did. I assume that over time we will be called upon to do so again.

Mr. President, I ask unanimous consent that this brief report appear in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. ARMSTRONG. Mr. President, I would like to turn now to the suggestion by one of the previous speakers that somehow the adoption of the Domenici-Dole plan would constitute breaking our word, breaking a solemn compact that we have made with another generation of Americans.

Mr. President, I want to approach this with the utmost sensitivity because I do not think any Senator would want to urge another to violate his or her own conscience. If someone thinks that it is going back on a promise to stick with the leadership package, then, of course, that is their decision and one with which none of us would quarrel.

Mr. President, I want to stress that the leadership package is, in a sense, more generous than the present law. There are a lot of different approaches to Social Security running around. This is the one that happens to be endorsed by the majority leader, the budget chairman, the President of the United States, and some of the rest of us.

The ranking Democratic member of the Budget Committee has a budget package, one feature of which is an across-the-board freeze, as I understand it, which includes Social Security. Maybe that is a better approach. I was willing to vote for it. In fact, last year when Senator BIDEN, Senator GRASSLEY, Senator KASSEBAUM, and others offered a freeze that just locked everything into place, I was prepared to vote for that.

But the reality of it is that while we can quibble about whether this proposal is better or that proposal is better, the question we have to ask is whether or not any budget plan makes sense if you start by exempting the largest domestic spending program. I just do not think it does. I think if you start out to rule out-of-bounds a program of this magnitude and just say, "We are not going to touch that, it is a sacred cow; that is a program that simply is not subject to review by Congress, it is not part of the process, it is not on the budget, it should not be on the budget," and so forth, "It is going off the budget in 1993," or whatever, what you are really saying is that we have an impossible job. How do you go back and look in the eye everybody else who is being called upon to bear a part of the strain of correcting the budget deficit?

I just do not think it is going to work. Maybe if we adopt this amendment, Social Security recipients will thank us. Maybe they will come around and say to us individually or collectively that they are grateful to us for protecting their cost-of-living adjustment, that little sliver; and that is really all we are talking about, that little sliver of difference between the Hawkins-D'Amato amendment and the Domenici-Dole amendment, a little tiny piece. Maybe they will really say, "We are grateful for your doing that." But I do not think that is the case.

I sure do not think they are going to come back and thank us for adopting an amendment like that if the result is, as some of us fear, to blow the whole package out of the water. I do not think they are going to be pleased that they successfully insisted on getting a cost-of-living adjustment or that we did it for them, because I do not hear a lot of Social Security recipients insisting on it. I hear a lot of political figures insisting upon it on behalf of persons who are on Social Security.

I do not think they are going to thank us if the consequence is the kind of economic stagnation and rising interest rates and unemployment which most people think will result if we are unable to come to grips with this budget deficit.

Mr. President, I assume that all Senators will address this amendment on

its merits, not based primarily in political considerations.

I would like to say a word about the politics of this. I do not think we ought to basically make decisions of this magnitude and import based on political considerations. I think we ought to do what is right and let the political chips fall where they may.

But nonetheless, having said that, I want to say a little bit about the politics of Social Security. Last year, when we had the KGB freeze plan and 2 years before that, we had the Hollings plan, which froze Social Security, which at one point actually passed the Senate. The majority of the Senate voted for it at that time, as I recall. It passed the Budget Committee. Did it not pass the Senate as well? It passed the Budget Committee.

People said as I recall, "If you touch Social Security, it will be politically devastating; that is just dynamite, it is so sensitive." As one Senator, I want to report I have not found it to be so. It is well known I was one of those who sought reelection in 1984. I went out and talked to all kinds of different groups. Among those I spoke to were elderly persons and organizations of elderly persons, people who are recipients of Social Security. They asked me, "Are you going to guarantee us that you will not touch our cost-of-living adjustments?"

I said, "No, I am not going to make that guarantee. I do not want to fiddle around with the cost-of-living adjustment, but certainly, if that is what it takes as part of an overall package that is fairly balanced to get Federal spending under control and balance the budget and secure the next couple of decades of this country's economic future, then I am going to do what I have to do."

What do you suppose their response to that was, aside from the fact that they were kind enough to reelect me? I did not notice any great uproar among the senior citizens of the State. In fact, I have a higher opinion of the Nation's elderly, who are exactly the kind of people who were described earlier—hardworking, patriotic, people who have made this country great. I do not sense that they are running around saying, "We are going to keep ours, no matter what, even if it wrecks the country."

I said at the outset, these are not strangers; these are our mothers and dads. I will tell you something that some of the Social Security recipients have expressed to me: They do not think those of us who have to pay the cost of Social Security, who are not going to get on the program, are strangers, either. They are our children and grandchildren and the last thing in the world they want to do is leave an economic mess for their kids to try to straighten out.

So I think, aside from the merits of it, which I think are pretty clearcut, Senators who are courageous enough to vote this amendment down will not find it will be a difficult thing from them to explain politically, based on my own experience. I think it explains pretty good as long as it is a part of a balanced package.

Can we, if we fail to defeat this amendment, then expect to do better on other amendments? If so, what are the politics of that for a Senator who may be toying with the idea of voting for this amendment and then toeing the mark on everyting else? "We are going to toe the line, but this one is so hot, so sensitive, I just have to cross over on Social Security, but I will be with you on everything else"—I have heard some say that. I just want to ask, what do you say to these other groups? If it is a principle, if it is an overall package, if it is doing something because of the overriding needs of the country that causes you to turn down otherwise attractive ideas, it seems to me that is defensible. But once you start making exceptions, how do you say to one group, "Your interest was not quite exceptional enough to justify doing for you what I did for the Social Security recipients?"

Can you look the veterans in the eye and say that? These are people who have fought for the country. These are people whose lives have been at risk. These are people who have not only done all the things Social Security recipients have done, but who have done other things, suffered greater hardships, been separated from their families, wore the uniform of their country. Can you look them in the eye and say, "No, I voted for the Social Security people, but I just cannot make an exception in your case"? I do not believe you can do that because, aside from politically, I do not think it would be right to do so. I do not think most Senators can stand their ground, making one exception of this kind and say, well, I am going to close the door on everything else.

Mr. President, I am about to yield, but I want to sum up as I began: Maybe if we lose on this amendment, which perhaps we will, maybe we can cobble the package back together. I think there are probably enough votes one way or another to do something on Social Security, because I understand the other Senator from Florida [Mr. CHILES], the ranking member of the Budget Committee, has a package with something on Social Security for which there may be some votes. Maybe the consequences of adopting this amendment will not be as serious as I think.

Maybe it will not blow up in our face. Maybe we can get back together even if we adopt 40 amendments. Maybe we are going to find out. But that is the chance we are taking.

Mr. President, I just hope that as Senators consider this amendment, they will do so after thinking through very carefully the consequences of adopting what I believe to be a killer amendment. It is that important, it is that serious a choice.

EXHIBIT 1

[From the Washington Times, Apr. 8, 1985]

SOLD AT $295 BILLION

The Senate GOP-White House budget proposal to cut $295 billion over three years is a welcome surprise. It might have been done better, but that's the problem with taking a man-sized chop at the budget—everyone would do it differently. Someone needed to do it convincingly, and the sheer volume of the proposed cuts makes the compromisers look convincing indeed. Slashing the deficit to 2 percent of GNP by 1988 will quash a great deal of nitpicking.

Conservatives would have preferred to see a fatter defense budget (though better management could render the cuts harmless) and the elimination of several more programs, including farm pricing supports. The Medicare cuts smack of pure bottom-lineism: dollar cuts with little regard for policy reforms that might have saved as much while actually improving the system. And no attempt was made to cut or reform entitlements, perhaps the most harmful federal programs of all.

But the proposal does improve the Senate Budget Committee plan by eliminating 17 useless or harmful domestic programs, including Amtrak, the Small Business Administration, revenue sharing, and Urban Development Action Grants (sometimes used to subsidize such needy institutions as Hyatt and Cadillac). This is budget-cutting of the best sort, recognizing that if only worthy programs were retained the budget would be in surplus. Conservatives on the Hill will probably support the proposal.

Liberals should as well. The president's concessions on defense were expectedly large, obliterating the flawed but popular argument that defense is driving the deficit. Some may object to the minor Social Security changes. Inflation of up to 4 percent would be compensated only by cost-of-living adjustments of 2 percent. But currently no COLAs are provided if inflation falls below 3 percent, which it may this year, so senior citizens would lose little and perhaps be a bit more secure.

Not a perfect proposal, but the sort that makes fine-tuners into naysayers: a good recipe for a swift victory. Then on to the more important business of tax reform and economic growth to make the Japanese green.

[From the Washington Times, Apr. 26, 1985]

A CLEAN, WELL-LIGHTED BUDGET

It's a good budget, not a great budget. No one thought last January that the Reagan administration and the Senate GOP would agree on any budget. They have, and it deserves to pass.

For starters, the budget rejects higher taxes. This rejection is a basic condition for economic growth. As President Reagan pointed out in his television address on the budget, President Kennedy's tax cut provoked a surge of growth, new jobs, new consumer goods, and so on. But in the years that followed, the federal government, rejected the hint and created an array of

more tax funded programs, Washington treated taxpayers as an inexhaustible bank account impervious to incentives. By resisting the call for more of the same, the Reagan-Dole budget does a service to all earners, and to all who hope to become earners through job expansion.

Still, because of the high deficit, the perils of which were abruptly discovered by the Democratic Party in 1981, it is necessary to attack the spending side. This budget wisely takes several sacred cows to the abatoir. Among them:

Amtrak: taxpayers subsidize underused routes around the country.

Revenue sharing: no reason for the federal government to jack up its deficits to plow money into states and cities, many of which have budget surpluses.

Small Business Administration: businesses with good prospects have no trouble getting private bank loans. The SBA's loans go disproportionately to high-risk businesses, many of which fail, because that's what "high-risk" means.

. . . and more of the usual suspects.

About those Social Security "cuts": cost of living adjustments will in fact go up at least 2 percent through fiscal 1988, more if the consumer price index passes 4 percent. COLAs for Supplemental Security Income, for the elderly and disabled, are untouched.

There's a strategic point about this budget: even the most wasteful programs are harder to get rid of piecemeal than all in one budget. As it is, there will not lack legislators to defend each of them as the irreducible minimum for a just society. The time, as they say, is now. If drunken-sailor federal spending wins this round, it may well have won for good.

[From the Wall Street Journal, Apr. 18, 1985]

GETTING SERIOUS

They're doin' it again. "It" is the congressional budget process. This Monday the Senate will begin floor deliberations over what the process calls a "budget resolution." Bear in mind that this is April and that for the last two years the "process" has lasted until December, when a "continuing resolution" has been cobbled together in the dark of night by congressional staff assistants no one has ever heard of, let alone voted for. But—lest readers judge us too cynical—things could be different this year.

Congress's budgeteers this year are likely to encounter two new elements alien to their status-quo politics. The first is the new White House-GOP budget that reduces outlays in part by killing many long-lived federal programs. The second is the probability that Majority Leader Bob Dole will schedule a vote on Sen. Mack Mattingly's bill to legislatively empower the president to veto line items in this year's budget. Critics of the item veto can no longer claim the administration wouldn't use it, and coupled with the proposals to close out programs it is the one proposal that could decisively change the process that has put the budget out of control.

Indeed, the program-killing budget proposal and the Mattingly item veto constitute the only serious attempt we're likely to see this year to enact spending control that the markets would recognize as spending control. The alternatives—notably an across-the-board spending freeze emerging from the House Budget Committee—do little more than defer an eventual return to the current, economically debilitating status quo.

The tradition-busting significance of what Bob Dole brought away from his negotiations with the White House becomes clearer when you see a simple list of the programs to be eliminated. Those that would cease to exist with this budget or in a few years are: general revenue sharing, the postal subsidy, the Small Business Administration, the Job Corps, urban-development grants (UDAG), the Amtrak subsidy, the FmHA rural-housing program, direct loans from the Ex-Im Bank and Conrail via a sell-off. Programs to be phased out over time are the crop-insurance subsidy and the Rural Electrification Administration. Spending reduction and significant changes in spending formulas would touch some 28 other programs affecting students, farmers, the Medicaid program, federal workers and pensioners, scientists and others.

To get the cuts and terminations, of course, President Reagan agreed to back off from his military budget. In return, he got the support of the leaders of his fellow Republicans in the Senate. Now he will be asked to compromise with the full Senate, then with the Democratic leaders in the House, then with the full House, then with the Conference Committee. And no one can make any of the deals stick. As Barry Goldwater says, "There will be more attempts to amend this bill than any bill that ever came to the floor."

So on recent form next week's budget news will probably degenerate into a din of whining about "pragmatism" and how we can't do it what with the '86 elections only 500 days away. Then Congress and the White House will embark on a confusing and debilitating round of compromises over "saving" UDAG grants, Amtrak subsidies and the like. By the end of the session, the president will have compromised a half-dozen times on the military budget, the spending interests will have run amok, and we will have a "budget" like all other recent budgets.

Imagine how much more productive and rational the process would be if Congress enacted the legislative line-item veto. This budget's program terminations amount to a public listing of where Ronald Reagan's item vetoes would fall. Anyone who wanted to save these programs would be required to give up something in bargaining, and the president would have recourse if Congress failed to deliver. With this mind-clearing discipline, the bargainers could bypass this swamp and get down to bedrock bargaining. That means cutting a deal over this budget's two most volatile aspects—Social Security cost-of-living adjustments and defense spending.

By proposing the actual elimination of moribund federal programs, the president and Majority Leader Dole have taken a first, significant step in breaking the cycle of budget failure. But this is not enough without something to instill some discipline in the process. The next step, which needs to be taken before the opportunity of enacting this budget is lost, is for Mr. Dole to move the Mattingly item veto onto the Senate calendar and for Mr. Reagan to lobby actively for its adoption in both houses. Then spending control and deficit reduction will at least have a fighting chance.

[From the Dallas Times Herald, Apr. 6, 1985]

"STARTING POINT" ON BUDGET

Although Senate Majority Leader Robert Dole is right when he insists that it is merely a "starting point," the agreement between Senate Republican leaders and the White House on a budget package that would reduce projected government spending by $52 billion in the next fiscal year and by almost $300 billion by 1988 is an encouraging development.

The accord, which is a testament to the leadership abilities of Sen. Dole and the flexibility of presidential chief of staff Donald Regan, strikes a far more equitable balance between growth in defense spending and cuts in domestic programs than the original budget submitted by the President. Under the compromise plan, the defense budget would grow by only 3 percent annually, on top of inflation, in 1986, 1987 and 1988, for a projected savings of $18.5 billion in 1986 and $97.5 billion over three years. The White House also agreed to save $2.8 billion by scaling back the Social Security increase on 1986 to 2 percent, regardless of inflation.

It is necessary to qualify enthusiasm for the plan, however, because the budget deficit still would remain far too large—at least $175 billion in fiscal 1986. Moreover although defense is not as big a winner as the President had hoped, the fact remains that in order to get Mr. Reagan to agree to cut his defense request and to scale back Social Security increases, the GOP senators had to agree to some draconian cuts in domestic areas—to the tune of almost $33 billion, or two-thirds of the spending reductions in the package. Fortunately, however, most programs that affect the poor would be allowed to grow with inflation, and the President's unpopular plan to chop student aid has been tempered significantly.

Sen. Dole is a savvy enough politician to realize that the package still has a long way to go before gaining approval and that some of its provisions are guaranteed to be the subject of intense debate. But by negotiating a compromise, GOP leaders and the White House have given Congress a workable blueprint for action.

[From the Clarion-Ledger, Apr. 12, 1985]

ON TRACK

President Reagan has put the drive for cutting the deficit back on track with a bold compromise with the Senate Republican leadership on budget cuts.

In backing off his strong stand against cutting the growth in defense spending and against trimming back planned Social Security payment increases, Reagan has set the stage for real budget progress.

The Democratic leadership now must either go along or be exposed as the big-spending and hypocritical faction that many have pictured it to be.

Reagan, perhaps, has intended all along to back down on those big budget items he'd placed off limits earlier in the year. He's now made concessions, and is in a shrewd bargaining position.

The new proposals, which would cut nearly $300 billion from anticipated deficits in the next two years, have the strong advantage of leaving virtually no budget area untouched by proposed cuts.

It should let Democrats and others unwilling to go along with earlier plans tell various interest groups that it's true they will be hurt by cutbacks, but that they must take their budget medicine along with every other aspect of government.

The plan for the military calls for spending to increase by 3 percent over inflation, substantially below what Reagan had ini-

tially proposed. Social Security payments would grow by an anticipated 2 percent, given a 4 percent inflation rate.

Some Senate members are complaining that the compromise, coming this late, has wasted two months of deliberations, but they ignore the initial reluctance by Democrats to make concessions as well.

The Social Security arrangement is expected to save $23 billion over the next three years.

In the defense area, the new budget proposal would eliminate $70 billion of the increase Reagan sought. Non-defense programs would be cut $152 billion below what would be spent under existing authorizations.

All of the plan is possible, the administration says, without having to raise taxes, which should help to ease any objections from the public at large.

There are estimates that the plan will cut annual deficits to $99.7 billion by 1988. That would be a substantial trimming, but obviously not enough. However, it's obvious the deficits can't be eliminated quickly during a defense buildup without hurting too many people.

[From the Birmingham News, Apr. 12, 1985]

SPENDING COVER-UP

Congress often uses debate to obscure the truth and cover up facts. The debate over the proposed federal budget for 1985–86 is an example. Carefully avoided has been any focus on the president's budget proposals compared to actual spending during his first five years in office. According to published records, firm figures on federal spending for the past five years indicate that the Reagan administration has been unfairly blamed for creating the huge deficits by overspending on the military.

One should recognize at the outset, of course, that the president cannot spend one penny that is not authorized by Congress. And as matters now stand, he is legally bound to spend most of the money appropriated by Congress. So no matter how hotly Congress claims that Mr. Reagan is responsible for the huge deficits of the past five years, Congress cannot avoid ultimate responsibility for deficits.

But what do the figures show? A look at the president's proposed spending schedules shows that federal spending exceeded his asking in every one of the five years Mr. Reagan has been in office. For instance:

In 1981, the president proposed spending $655 billion; actual spending was $678 billion. In 1982, Mr. Reagan asked for $695 billion, $746 billion was spent. In 1983, the White House proposed $732 billion; $808 billion was spent. In 1984, the president asked for $770 billion; a total of $852 billion was spent.

From 1981 to 1985, the federal government actually spent $232 billion more than Mr. Reagan requested.

But the difference has increased even more sharply in fiscal 1984–85. Mr. Reagan asked for $844 billion; at current estimates, total federal spending will reach $959 billion by fiscal-year's end.

During the same period, spending for defense was less than the president proposed: In 1981, he asked for $162.1 billion for defense, but spending was $157.5; in 1982, $188.8 billion proposed and $185.3 billion spent; in 1983, the $226.0 billion proposed was reduced to $209.9 billion; in 1984, $255.6 billion proposed was reduced to $227.4 billion; and in 1985, the $303 billion proposed was reduced to an estimated $253.8 billion.

Not only has defense spending been more than $101 billion less than the president requested, it has been below spending proposed by the Carter administration. Today, defense spending continues to use about 26.5 percent of the total budget, only a little more than the lowest point during the Carter years.

During the same period, including off-budget items, domestic spending soared more than $445 billion beyond the amount Mr. Reagan requested. In other words, domestic spending has been on average $90 billion more each year than the president proposed, while defense spending has been sharply reduced.

Perhaps defense spending should be cut to help reduce the projected budget deficit, but Congress for the sake of its own credibility should give the American people the true picture. Domestic spending has been equally, if not much more, a factor in the large federal deficits that Congress wants to place on Mr. Reagan's doorstep. And if defense spending is cut, commensurate cuts should be made in domestic spending.

[From the Atlanta Constitution, Apr. 7, 1985]

COMPROMISE RENEWS HOPES FOR PROGRESS ON THE DEFICIT

Although it is far from the end of the struggle to get the federal deficit under control, the compromise reached between President Reagan and Senate Republicans has produced a budget proposal that is worthy of support—and which would begin to do the job if finally adopted by Congress.

The compromise should be strongly supported by two groups.

First, it should be supported by all conservatives who want to curb spending on domestic programs of dubious value. The compromise budget does not cut these programs as much as President Reagan originally proposed, but it cuts them as much as is possible in the present political situation.

After all, the president must have the support of Senate Republicans, and Senate Republicans must have the support of the president, if any progress is to be made in restraining the spending proclivities of the House of Representatives and Speaker Tip O'Neill. The president gave some ground and the Senate leaders gave some ground, and now it is possible to have a unified Senate-administration position in battling the House through the rest of the budget process.

Second, the compromise should be supported by all people, whether liberal or conservative, who are concerned with the possible impact of the deficit on interest rates and the crowding out of growth in the private sector. The reason we say this is that, once again, the compromise budget is the best we are likely to get in the present political circumstances.

The combination of savings in defense, domestic programs and entitlements proposed in the compromise would trim the deficit by $52 billion, a figure that many economists have said would make a sufficient difference to give new life to economic expansion—and it would do so without a tax increase. Not only has the president vowed to veto a tax increase; it is also true that a tax increase would have just as bad an effect in taking money out of the private sector as deficit financing does.

The compromise plan recognizes that virtually no one outside the administration was willing to increase defense spending as much as the president proposed; it trades his concession here for deeper cuts in domestic programs than either House of Congress would have made on its own. It has the political advantage of restraining everything, even defense and Social Security, in a package that will be perceived as more fair than the president's original proposal.

The problem, of course, is that the House is not bound by this deal and the final budget will have to be still another compromise. But we can't get there without starting from here, and the fact that the Senate's proposal should be perceived as fair greatly strengthens the chances that the final result will come fairly close to it.

[From the Chicago Tribune, Apr. 29, 1985]

PASS THE WHITE HOUSE BUDGET

The battle of the budget is raging in the U.S. Senate, with warriors on both sides claiming they are fighting for fairness. Democrats say the cuts proposed by the White House and Senate Republicans will hurt students, cities, farmers, veterans and the elderly. They have a point. Each of those groups, and quite a few others, will lose something. But there is no other way to deal with the $200-billion-a-year deficits threatening to crush the economy.

In fact, even this Republican proposal does not go far enough in paring the national debt. Its $279 billion in cuts over three years would still leave a deficit of $100 billion in 1988.

If the debt continues to expand at its unprecedented pace, or if Congress insists on treating it mainly with tax increases, the entire nation will be hurt. A new cycle of high inflation, higher interest rates and rising unemployment will be far more punishing to cities, farmers and the elderly than any of the cuts in the proposed budget.

A prudent round of cuts now, and these are prudent, is fairer in the long run to all Americans than burdening them with more debt.

Of course the financially strapped cities, Chicago among them, don't want to lose their federal revenue sharing. But the compromise worked out by the White House and Senate Republicans delays the death of revenue sharing until fiscal 1987, giving cities time to pare costs or find ways to replace the money.

Of course farmers don't want to lose their subsidies. But this budget would still provide $40 billion over the next four years, only $18 billion under current levels. It's hard to defend that $40 billion, yet the farm lobby is trying to persuade the Senate to push it even higher. No group in the country has suffered more from high interest rates and loss of exports than farmers, and they should realize that both will worsen if the deficit is not controlled.

And of course Social Security recipients don't want to lose part of their cost-of-living increases. But the Republican proposal has generated so much emotion that the actual numbers may have been overlooked. In effect, annual Social Security increases would be held to 2 percentage points below the inflation rate for the next three years. If living costs go up 4 percent, recipients get a 2-percent raise. If they go up 8 percent, recipients get 6 percent. Social Security benefits have been rising faster than the average wage over the last decade, so this is not an unreasonable proposal.

Increases in veterans' pensions would also be restrained, but the compromise bill is vague about civil service pensions. They should be held to the same increase as

Social Security. If Congress weakens on this—as it has so often in the past—it richly deserves the label "unfair," and cowardly as well.

A number of Senate Democrats, joined by a few Republicans, think the 3-percent after inflation increase in defense spending is too generous. But that's less than half of the increase originally sought by President Reagan and the Defense Department. It freezes the defense share of the gross national product at a level below the 1950s and 1960s. And the country's security needs justify it.

So far, the chief alternative to the Republican budget comes from Sen. Ernest F. Hollings (D., S.C.) He wants to restore some domestic cuts, paying for them with an unspecified tax increase of $25 billion in 1986. Some form of tax increase may be necessary, but this is not the time to consider one. First, approve the $279 billion in cuts. Any additional revenue should be used solely to help bring down the deficit, not to put spending back in the federal budget.

[From the Detroit News, Apr. 28, 1985]

AMTRAK'S NUMBERS GAMES

Interest group representatives have begun lining the streets and hallways of Capitol Hill, trembling, wailing, and producing plaintive tales about men, women, and children who might suffer from particular attempts to cut the federal budget. Some of the lamentations—such as Beverly Sills' prediction that American culture will shrivel and die if Congress reduces the National Endowment for the Arts' federal subsidy—are absurd. Others make more effective use of emotional appeals, although for equally outrageous causes. One good example of this phenomenon is the case now being made for Amtrak—Uncle Sam's railroad line.

Amtrak's supporters know that millions of Americans love trains. They play with models in the basements. They purchase conductors' hats. Some even take periodic, rustic rides through the wild and untamed West. So, the argument goes, the president's attempt to cut off the Amtrak money constitutes nothing less than a vicious assault on one of America's most esteemed traditions, the railroad. A group that calls itself the National Association of Railroad Passengers has warned that "An entire mode of transportation and an integral part of our national transportation would be lost forever."

The same thing could have been said in the past about stagecoaches, zeppelins, and international steamers, of course—and probably would have—if the federal government had been in the subsidy business earlier in this century. Those modes of transportation went out of favor because more comfortable or efficient means became available. That's also what's happened to trains.

Amtrak officials and supporters claim that the railroad receives a smaller subsidy than, say, airlines, and offers a cleaner alternative than automobiles. Neither is true. Amtrak's annual subsidy has grown from $153 million during its first full year of operation (1972) to $805 million in 1983, the last year for which such figures are available. That figure nearly doubles if you add in the interest-free, 99-year, renewable loan the system receives from the federal government. A 1982 Congressional Budget Office study showed that Amtrak subsidies were more than 100 times larger per passenger mile—and that's the relevant statistic—that subsidies to airline, bus, or automobile passengers.

John Semmens, a senior policy analyst with the Arizona Department of Transportation, calculates in the most recent issue of Reason magazine that Uncle Sam now forks out 26.7 cents per passenger mile for Amtrak, 0.14 cents per passenger mile to commercial aviation, 0.25 cents per passenger mile for private automobiles, and 0.17 cents per passenger mile for intercity bus lines. Indeed, Amtrak's average subsidy per passenger mile is more than twice the total average cost—that is, including salaries, gas, landing fees, taxes, etc.—of operating a commercial airliner.

One reason Amtrak's subsidies are so much larger than those for other forms of transportation is that the government assesses user fees to people who use planes, buses, and cars. Amtrak passengers pay no such fees. And since the average rider makes more than the average American, the Amtrak subsidy effectively takes money from poorer people and transfers it to wealthier citizens eager to see America by rail.

As for air pollution, a 1981 study by Francis Mulvey of Northeastern University in Boston concluded that Amtrak spews out more pollution per passenger mile than planes or buses. His forecast of pollutants per passenger mile in 1990 shows that railways produce more hydrocarbons, nitrous oxide, and sulfur dioxide than any other popular mode of travel, including the automobile.

Yet even if Amtrak's friends were right about their figures, they still have ignored the one fact most critical to the system's future—that Amtrak originally was supposed to become a for-profit corporation. It was supposed to pay its own freight. Rather than doing so, it has become an increasing burden on the federal government, and its subsidy has grown steadily over the years, even as ridership has fallen. As of 1983 the system accounted for a minuscule 0.26 percent of the nation's intercity passenger traffic. That is, 26 of every 10,000 people traveling from one city to another use Amtrak. That figure represented a drop of 0.05 percent from the 1980 data.

Frankly, it would be tragic if passenger railroads ceased operating in the United States, but an end to the Amtrak subsidy means no such thing. It means only that the federal government will stop operating a rail system and that private companies will have to find ways to take advantage of Americans' love for trains.

[From the Chattanooga News-Free Press, Apr. 25, 1985]

REAGAN CALLS ON US FOR HELP

President Ronald Reagan spoke for about 22 minutes last night in support of cutting federal overspending by about $52 billion next year and $300 billion over three years. We wish he had talked for 44 minutes and urged spending cuts twice that big. But the trouble is that the spenders in Congress are balking at even the smaller reductions.

The national debt is nearly $1.8 trillion. Without cuts, the federal budget deficit may run to $220 billion. Mr. Reagan has accepted a "compromise" for cuts to slow the growth of debt that hinders our present economy and mortgages the future of our children and grandchildren.

The trouble is that the big spenders in Congress are now loud in condemning "deficits" but resist any cuts in the spending that causes deficits. Sen. Robert C. Byrd, D-W. Va., who provided the official Democratic response to the president's address, once more tried to lay blame for "record deficits" on Mr. Reagan. But the truth is that most of the red ink is a result of programs adopted over 50 years that have promised big spending without accounting for the money to cover it. Sen. Byrd grandly said of the president that the Democracts "ask him to lead"—but they don't follow when it comes to cutting spending.

Another subterfuge that you will be hearing about as the spenders resist spending reductions involves Social Security. In recent years, "cost-of-living" payment increases by Social Security rose faster than the actual cost of living rose for retired people. Now with Social Security proving to be so expensive, the compromise to reduce outgo calls for every Social Security recipient to continue getting what he now receives—without any reduction whatsoever—plus a 2 percent upward adjustment against inflation, instead of a 4 percent increase. So no one should be taken in by the idea that Social Security payments are going to be cut. They will be increased, but not by quite so much if the needed compromise passes.

The president pointed out that raising taxes would be counterproductive, resulting in shrinking the economy and increasing unemployment instead of bringing in much more money. Commendably, he promised to veto any tax increase.

The immediate need is spending reduction. Mr. Reagan proposes to cut spending, though not enough, by holding down increases for necessary programs and eliminating 17 programs that the federal government should not have been in from the beginning and/or can surely get along without now.

Even if $52 billion is cut from the anticipated budget deficit of more than four times that much next year, it won't be enough. But the spenders don't want to cut that much.

That's why President Reagan has called upon the American people to notify their senators and representatives by telephone calls, wires and mail that they want Congress to vote for spending reduction.

Count on it: Congress won't cut enough even if we demand it. But if we don't insist on reduced spending, the ill effects will quickly multiply.

[From the Cincinnati Enquirer, Apr. 25, 1985]

REAGAN DESERVES THE NATION'S HELP WITH HIS DEFICIT-REDUCTION PACKAGE

Among any President's weapons for swaying public opinion, the televised address from the Oval Office is the equivalent of an atomic bomb. In putting that weapon to use Wednesday night, President Reagan was demonstrating the urgency of the deficit-reduction package put together by the White House and Senate Republicans. The President's message both deserved and needed the special focus he gave it.

From the moment the deficit-reduction plan was unveiled, however, it has been sniped at by the inheritors of the very philosophy that has helped federal spending spiral out of control.

Most of the programs the President wants to eliminate or reduce are "nice" programs. If the federal Treasury were wallowing in wealth, they would deserve preservation because someone benefits from every one of them. But the federal Treasury is not wallowing in wealth: it is deeply in hock. Every man, woman and child in America has an $8,000 share in a national debt of $1.7 tril-

lion. Federal spending is arranged, moreover, in a way that assures its growth, even if Congress creates no new programs or enlarges no programs already in existence.

That's why Mr. Reagan feels the only answer is taking a fresh look. He cited Amtrak as an example. Begun as an experimental, two-year program 14 years ago, it has not done what its creators hoped it would do. Nor does it hold any promise of doing so. Why, then, should it survive as a subsidy to the sentimentalists who love—but rarely use—railroads?

So it goes from the top of the federal budget to the bottom.

Mr. Reagan has put forward a program that would reduce the deficit by $300 billion in three years and, he thinks put a balanced budget within reach by the end of the decade.

Every program has its beneficiaries and protectors, who will fight like tigers to cut everything but their favorite. That's why Mr. Reagan has gone to the people. He hopes they will see the whole picture—the picture of what a horrendously unbalanced budget can mean to the future of every American.

EXHIBIT 2

SOCIAL SECURITY AND THE FEDERAL BUDGET

The financial operations of social security have represented a component of the budget of every administration since 1969. Congress adopted a similar "unified" approach to the budget in the Congressional Budget and Impoundment Control Act of 1974 for setting annual spending and revenue goals for the Government. However, subsequent controversy over whether social security was being cut back because of budgetary pressures prompted Congress to pass a measure in 1983 that will remove the program from the formal budget-making process beginning in fiscal year 1993.

Although social security was excluded from the Federal budget before 1969, the program has affected the financial affairs of the Government since social security taxes were first levied in 1937. This involvement arises because any social security taxes not needed to meet the immediate costs of the program are invested in U.S. Government securities.

In effect, these excess receipts are loaned to the General Fund of the Treasury and then become available for the general use of the Government; i.e. to increase spending on other programs, reduce taxes, or reduce the amount the Government must borrow from the public to function. When social security tax receipts are insufficient to meet the immediate costs of the program, the Government repays some of the previous loans it received so that the program can meet its commitments. If the Government concurrently is running a financial surplus with its other activities, it can use the surplus receipts to repay the social security loans. However, if it is running a deficit with its other activities, it can repay the social security loans only by reducing spending on these other programs, raising taxes, or borrowing more funds from the public.

What this means is that although Congress has passed a law saying that social security will be removed from the budget-making process, the program will continue to affect the financial needs of the Government in one way or another (except in those rare instances when its outlays are exactly matched by the revenues the Government receives on its behalf). Removing social security from the budget reflects the view that overall budgetary limitations should not be the basis for altering the provisions of the program, and creates procedural hurdles in the legislative process for doing so. However, social security has, and very likely will continue, to influence what those limitations are. In effect, social security indirectly affects the amount of funds the Government has available to spend or must raise through taxes or public borrowing in order to function, regardless of whatever formal relationship it has to the budget.

SOCIAL SECURITY CREATES "GOVERNMENT" INCOME AND OUTGO

Over the years people frequently have misunderstood the financial relationship of social security to the Federal Government. Some perceive social security to be a completely separate function of the Government that makes no impact on the Federal budget and the Government's borrowing needs. They view the Government as simply an agent administering an insurance policy. They perceive their social security taxes as flowing into special accounts kept completely separate from other receipts of the Treasury, and that these taxes are used exclusively to meet the costs of the program. Therefore, they do not understand why social security is brought up in discussions of how to resolve Federal budget problems.

The fact is, regardless of whether or not the program is incorporated into the official budget totals, the receipts and expenditures it causes are Federal ones. Social security taxes are Federal taxes authorized under the Internal Revenue Code and the benefit checks are disbursements from the Treasury Department authorized under the Social Security Act. Moreover, the Supreme Court has held that the program's provisions are not like those of an insurance contract. As with other Federal social programs, Congress can unilaterally alter social security's financing and benefit provisions, if it deems it necessary.

THE UNIFIED BUDGET DID NOT CHANGE SOCIAL SECURITY'S BOOKKEEPING

Those who know that social security was brought into the official Federal budget in 1969 often mistakenly believe that this somehow merged the social security trust funds with the General Fund of the Treasury, and that this in turn permitted social security's money to be used for other purposes.

Actually, the financial operations of the U.S. Treasury, which account for trust fund receipts and expenditures separately from other Federal money, were not altered in any way. The shift to a unified budget merely involved a new method of portraying Federal receipts and expenditures. The Government's bookkeeping did not change, just the way it was "summarized."

SOCIAL SECURITY CAN AFFECT THE AMOUNT THE GOVERNMENT BORROWS FROM THE PUBLIC

While the bookkeeping for social security was not changed by unifying the budget, there is some truth to the perception that its funds are commingled with the General Fund. However, this did not arise from unifying the budget. It arose through the investment policy adopted at the inception of the program. Resources not needed to meet the immediate expenses of the program are invested in Federal securities. The money used to purchase these securities is then deposited into the General Fund and is used to help meet other immediate Governmental expenses. In effect, a loan is made from one arm of the Government to another. When resources are later needed because social security revenues are insufficient to cover the immediate costs of the program, the Treasury Department repays the loan by redeeming the securities.

The trust fund accounts have shown surpluses in 36 of the 48 years of the program's history, but not all of the income posted to them came from social security taxes actually received by the Government. Part of the income came from transfers from the General Fund. Interest on the Federal securities credited to the trust funds. The Government's share of the social security taxes as the employer of military and other personnel covered by social security, and various other credits to the trust funds from the General Fund account for the difference between what actually has been paid into the Government in social security taxes and the amounts recorded on the trust fund ledgers.

These other postings have helped maintain a favorable balance in the trust fund accounts—which stood at $20 billion at the end of the fiscal year 1984 (not counting a $12.4 billion loan from one of the Medicare trust funds)—but they have not been sources of revenue for the Government.

In practice, the Government actually has received excess social security taxes in only 25 of those 48 years, most of which occurred in the early years of the program. During fiscal years 1937 through 1957 social security taxes paid to the Government (as opposed to postings to the trust funds from sources within the Government) consistently exceeded the program's expenditures. By the close of 1957, the cumulative total of these excess receipts was $19 billion. However, since 1957 social security taxes paid to the Government have exceeded expenditures in only 4 years, and have been less than expenditures in every year from 1971 through 1984. Cumulatively since 1957 the program's expenditures have exceeded the amount of social security taxes paid to the Government by $103 billion, more than half of which occurred in the past 5 years alone.

In 40 of the 48 years, 1937 through 1984, the Government ran budget deficits, and therefore had to borrow from the public to sustain itself. Excess social security taxes completely offset deficits in 2 years (one occurred in part with excess Medicare receipts), and partially offset them in 17 years. Social security spending in excess of taxes received for the program deepened deficits in 22 other years. Over the entire 48-year period social security expenditures totalled $1.645 trillion, while social security taxes paid to the Government totalled only $1.562 trillion.

Thus, aggregate expenditures over the history of the program have exceeded the amount of taxes received by the Government by $83 billion. In other words, $83 billion of the program's expenditures were not financed with social security taxes actually received by the Government. This amounts to about one out of every 20 dollars expended for the program.

In effect, while a favorable balance has been maintained between social security's income and outgo when viewed from trust fund perspective, this has been accomplished in part through the transfer of resources from the Government's General Fund, which has not maintained a balance between its income and outgo.

EXCESS RECEIPTS IN THE FUTURE?

Although social security consistently augmented budget deficits from 1971 through 1984, this pattern is expected to change in the next few years because of a projected expanding economy and amendments to the

program enacted in 1983 that raised social security tax receipts and curbed expenditures. The situation in which social security spending exceeded taxes the Government received on behalf of the program appears to have peaked in 1983, when spending exceeded receipts by $23 billion. In 1984 the shortfall dropped to $11 billion. And recent projections show that social security taxes received by the Government could closely match the program's outgo or even exceed it in 1985 and 1986. Based on the assumption that the economy will not falter in the near future, the same projections show a trend of rapidly growing excess receipts beginning in 1987.

What is the likelihood that excess receipts will arise? In part this depends upon favorable economic conditions, since the projections do not anticipate an economic downturn in the near term. However, substantial social security tax increases for 1988 and 1990 already are scheduled in law, and favorable demographic factors already are in place. The Post World War II "baby-boom" generation is reaching its peak productive years while the "baby-trough" generation of the 1930s is about to enter retirement.

Therefore, a significant recession in the next few years could eliminate the projected excess receipts in the near term, but, in the absence of legislation lowering taxes scheduled for the future (or reallocating them, for instance, to the Medicare program), excess social security receipts would likely arise early in the next decade although possibly of smaller magnitudes than currently projected.

CONCLUSION

By removing social security from the budget process, Congress may choose not to make changes to the program in determining how to reach certain budgetary goals, such as reducing Federal deficits and the public borrowing that accompanies them. However, any excess revenues the Government collects for social security or any shortfall it incurs will influence how much change is required in the taxing, spending and borrowing policies that affect the other functions of the Government. Thus, social security can be exempted from budget cuts or revenue raising actions, but not from affecting Government finance.

Mr. ARMSTRONG. Mr. President, I must now suggest the absence of a quorum.

Mr. RIEGLE addressed the Chair.

Mr. MOYNIHAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mrs. HAWKINS. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will call the roll.

The assistant legislative clerk continued to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CHILES. Mr. President, I yield 10 minutes to the Senator from Michigan [Mr. RIEGLE].

Mr. RIEGLE. Mr. President, I thank the Senator for yielding.

Mr. President, it has been interesting. We have had a debate on this issue that started about 10:30 a.m. That was 2 hours ago, and we have been allowed only one speaker on this side. We have heard a lot from the other side—a lot of misinformation, in my view, and some of it I shall attempt to correct in my remarks.

I want to say at the outset that this package before us, the entire package that was voted on last night, has a very bad odor to it. The odor is so bad that the majority leader, himself, came in here today and took the floor to begin the process of offering amendments to take this package apart. I think that, in and of itself, says a lot. It shows that the package lacks the support that it properly ought to have.

I must say that a decision to change the existing practice so that we might not be able to have at least half the time on amendments to debate these issues is a serious error. I think it is a misjudgment. It may gain some very short-term political advantage, but it will be very costly in the long run; and I am not sure it gains anything in the short run.

The Republican Party has never liked Social Security. Every proposal to cut it has come from that side of the aisle—from the President when he said he was for it, from the President when he said he was against it, when he said he was for it again, and now he says he is against it again. Every proposal to cut Social Security has come from that side of the aisle.

Mr. MOYNIHAN. Mr. President, may we have order? The Senator from Michigan is speaking and is entitled to be heard.

The PRESIDING OFFICER. The Senate will be in order.

Mr. RIEGLE. We have fought those cuts. We have been successful in fending off some but not all.

The Reagan administration, since it came to office, has cut Social Security in excess of $100 billion, just through the year 1990. So there have been plenty of cuts in Social Security coming from that side of the aisle that have been enacted. But the ones in this package on the COLA reductions directly violate the promise the President made to the people of this country, not once but several times.

I have the quotations here, and I can read them, but I will give you two that he made, not before the election when he was out seeking votes, but what he said after the election.

On January 9, he said:

Social Security is running a surplus. Social Security is not a part of the deficit program. It is totally financed by a payroll tax, and that tax is totally dedicated to that one program.

On March 21, these are national comments he made:

Social Security is running on a surplus. And it is totally funded by a tax that can only be used for that purpose. So, when we talk about Social Security, we are not really getting at the deficit problem at all.

Now you have come in here with a proposal to cut and cut deeply. He has broken his promise, and your party has broken the promise that was made in the election. We have held your feet to the fire on it, and I am glad there are at least two renegades on that side of the aisle willing to buck the party in terms of its official position on this issue.

There has been a lot of disinformation and misinformation put out here today. The Social Security COLA cuts that you are proposing on that side of the aisle, for the average Social Security recipient who receives about $450 a month, would cut the buying power of their benefits by $9 a month, each month, in the first year. In the second year, you propose an additional cut of $9 a month. So when you put the first and second years together, they will have lost $18 a month in buying power.

Then you cut them again, in the third year, another $9 a month. So over the 3-year period, it is a $27 a month reduction in buying power for the average person on Social Security, just in terms of their Social Security benefits. But you did not stop there.

You decided that you wanted to take more out of their hides in terms of increased costs for Medicare. On a monthly basis over the next 5 years of schedule of increased costs for senior citizens, you are taking away another $33 a month, on the average, from the average person on Social Security. That is a total of over $60 a month, by the time these cuts are phased in, that you will have taken away from where they are today.

So I resent it when anybody plays games with the numbers and says you are talking about an increase. You are not talking about an increase; you are talking about a decrease. You are talking about a lowering of their standard of living.

The numbers show that about 430,000 senior citizens will be driven below the poverty line and into poverty. Do you know what your answer was for that when I asked that question in the Budget Committee, when this proposal came up on the Republican side of the aisle? I said, "What do you propose to do about these new poor?"

Do you know what the answer was? "Let them go on welfare." That is what your answer is.

In fact, you have even put some money in the budget for when they go

on welfare, and everything that goes with that—the demeaning side of going on welfare; the filing of papers, if they are strong enough to even figure it out. Our seniors do not want to be on welfare. They should not have to be on welfare.

I have listened to the Republican Party talk until they are blue in the face about the fact that people should get off welfare, and yet here you propose to drive people into welfare. We are talking about senior citizens, many of them extremely elderly, many in poor health, many alone, with extraordinary costs for medicines, doctors, and other things of that kind. They are frightened. And you come right back in, as you have for 4 years, to take these budget cuts out of their hides.

There is no justification for that. The Social Security Fund is in solid condition, as the President has said. We are building a surplus, and that enlarges into the future, and the system is sound into the year 2045. In fact, that action was taken just 2 years ago, and everybody knows it.

Why is this raid taking place? Why is this effort being made to cut the standard of living of people on Social Security? It is because the money is wanted for other things.

Even though the money comes into the Social Security Fund, President Reagan can borrow that money and Caspar Weinberger can borrow that money; and they can take it into other parts of the Government where they want to spend it, because they are the biggest spenders of all time. They have doubled the national debt in 5 years. They cannot spend the money fast enough at the Pentagon, with $600 toilet seats and $9,000 coffee pots. They want that spending binge to go on.

They have more bloated defense spending increases in this budget than even the Budget Committee Republicans wanted in the first place. So they have to raid the surplus in the Social Security Fund in order to borrow it to finance the bloated spending in other areas of Government. They do not want to tell you that because it is a painful truth.

I hear all this talk about compassion. If you had any compassion, you would not be proposing this cut. To talk about telling people that once you have cut them below the poverty line the answer is to go on welfare, there isn't much compassion in that. I guess that is the Republican definition of compassion.

The people on Social Security who have worked a lifetime to earn these benefits and to earn some small measure of financial security in old age should be maintained where they are. We are not giving them an extra dime. The cost-of-living adjustment is to make up for the inflation of last year. As to the fact that their living standard has already gone down, it was last year's inflation that took it down.

So what we are proposing is to come along with the normal cost-of-living adjustment and put that buying power back in, because they need it. In fact, it is not sufficient as it is, because the cost of living of seniors is rising faster than that of other groups in our society. They are facing higher costs of prescriptions, higher doctor bills, higher food bills, utility bills, higher transportation bills. It is everything you can imagine.

I have letters here, and the Senator from Colorado may not have any. I have plenty, and I can read them. They are signed by people who wrote them. Hundreds of letters describing the condition they are in. They are squeezed today, and that is why we have the cost-of-living adjustment. That is why the promise was made during the election.

The hyprocrisy of President Reagan and the Republican Party to run in the last election and with a straight face say you are not going to touch Social Security, no cuts in Social Security, and then to come in here last night and to cut it and cut it deeply, and to break a few arms on that side of the aisle in the process, in order to get a 50-to-49 vote—you are not fooling anybody. You are not fooling anybody. And the notion that you are strong because you try to limit this debate, and refuse to give us equal time to debate, that is not a sign of strength either.

I ask for 2 additional minutes.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MOYNIHAN. I yield 2 additional minutes on the resolution to the Senator from Michigan.

The PRESIDING OFFICER. The majority leader had been recognized.

Mr. MOYNIHAN. Forgive me. I did not see him.

Mr. RIEGLE. I will be brief in summing up.

Mr. DOLE. Mr. President, I have the floor.

Mr. RIEGLE. I beg the Senator's pardon.

Mr. DOLE. I just want to respond briefly, and I will give the Senator the floor back.

Mr. RIEGLE. Very fine.

Mr. DOLE. It is always interesting to listen to the Senator from Michigan because he has never met a Federal program he did not like, particularly if it spent money. He is consistent. His idea is to raise taxes and cut defense spending, and cut defense spending, and cut defense spending. But I would guess there is an overall feeling in this body that there are limits on how much we can do in just that one area.

I remind the Senator that one-third of the savings in this $300 billion package are from the defense budget. I would also remind him that it was Senator Lyndon Johnson, who was not a Republican, who dreamed up the unified budget, so that the overall budget would include Social Security. It was Richard Nixon, a Republican—not some Democrat—who advanced the cost-of-living adjustment idea in the first place. I do not think we should let that go unnoticed.

But to indicate that somehow only a former Republican, who is now a Democrat, the distinguished Senator from Michigan, can be concerned about the elderly and that everybody on this side somehow wants to dump on the senior citizens I think is a bit unfair. But again, that is within certain limits the right of Members, to be unfair. But the record ought to indicate that the biggest threat to the senior citizens is a decline in the state of the economy. We can all point the finger of blame at each other, but in the final analysis I think most senior citizens who have children and grandchildren trying to get in the work force have been fairly sympathetic to the view that we ought to reduce Federal spending.

Second, the fact that you could borrow money out of the trust fund was in the original act. That was proposed by Franklin D. Roosevelt. That was not some Republican initiative. That was way back in 1935. So I do not know precisely the point the Senator from Michigan was making, but I think the historical record ought to be clear.

Finally, Mr. President, this money in the trust fund will make it even stronger. I know there is some negative feeling on the Democrat side because they did not get to offer this amendment, but I am not so certain that is the real issue with the people. I think the real issue is are we doing anything other than arguing with each other about who gets credit for what. If we do not solve the deficit problem, we are all going to get credit. We are going to get credit for doing nothing, we are going to get credit for higher inflation, we are going to get credit for higher interest rates, we are going to get credit for higher unemployment. There will be all kinds of credit. There may be more than enough credit to go around.

I hope that we can get on with the amendment. We can argue with each other about who feels the strongest about the elderly, the handicapped, the workers, or the farmers, and that is all legitimate debate. But in the final analysis, it seems to me the bigger problem is how do we reduce the deficit—raise taxes? Take it all out of defense?

Well, yes, we have taken a big chunk out of defense. But I hope we do not go back to the tax increase route. That

has been tried in Michigan without much success. There have been a few people recalled in the State of Michigan in recent years because of their attitude on taxes. They are debating now in Michigan whether they ought to pass a resolution—a petition to Congress—to have a balanced budget constitutional amendment. I do not know what finally happened in the Senate, but I do know they brought it up Tuesday in Lansing. Already 32 States demand that we have a constitutional convention for a balanced budget amendment because we do not seem to have enough discipline or enough will to do what we need to do and we need that as reinforcement, as a discipline that we ought to have, whether we are Democrats or Republicans. It is not a partisan thing. So I do not quarrel with those who have a different view of the COLA's. I hope my record reflects fairly substantial support in this area, but I have to believe that the problem may be greater than trying to protect every interest group, whether they are from Kansas, Michigan, New York, Florida, wherever.

If we fail at the end of 7 or 8 days, then no one is going to win. We would not take anything away from anybody. Instead, we would just let the interest rates go up, inflation go up, people go out of work, and then we will all blame each other and impose some protectionist legislation which will make us feel good and hope there will not be a recession in the next couple years. But in any event, I do hope that when we finish we will try to keep this package together as much as we can. A week from now we may have put it all back together like Humpty-Dumpty.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. May I respectfully address my friend, the majority leader, on just one detail. There is no provision in the Social Security Act of 1935 for borrowing money. I think the majority leader meant the provision by which any surplus in the fund is invested in Government securities.

May I say to the majority leader, only two persons have spoken on this side. We have not made any charges about the levels of concern for this system by the party opposite. There have been persons opposite speaking against this amendment, but in our view this is the majority leader's amendment. He said so. And from my view, it is a vindication of the position the Democratic Party has held since that day on May 22, 1981, when he offered his amendment as a substitute for my amendment. He asked me, very courteously, to cosponsor it. The amendments said that the system was basically sound, that we would not change it but would adjust it. Today, the system is sound, and that is why he is, in effect, offering this amendment. The majority leader technically did, I believe, offer the pending amendment.

I yield 2 minutes on the resolution.

Mr. RIEGLE. I thank the Senator.

I might say that I really welcome the majority leader into the debate on this issue because it is interesting that after the package was put forward last night and adopted by a one-vote margin, 50 to 49, the majority leader rises on the floor today and as the very first order of business with respect to amendments, offers this amendment to restore the COLA's under Social Security.

I do not know how we make sense out of that in light of the fact that we were told last night that Social Security needs to be cut and should be cut, and so forth, and yet we are seeing an effort here to offer this amendment, to undo one cut you made last night.

I tell you why the amendment is being offered, Mr. President—because we have the votes to carry it. We have had the votes to carry it since we had the fight in the Budget Committee.

Now, I do not know that strongarm tactics were used in the Republican process down at the White House to bend people into shape or who was part of that deal to get them to go along with the Social Security reductions, but it was a mistake.

But it was a mistake, and you are going to find that out when the votes are taken today. And every other time you have tried to cut Social Security, you have found that it was a mistake. But you do not seem to learn from it. You seem to keep wanting to go back and do it over and over again.

David Stockman, in a Fortune magazine article last year, said this:

> As for Social Security, you are not going to take the checks out of the mail. The best you can do is erode their purchasing power by capping COLA's below the inflation rate. But capping COLA's will take several years to have a significant fiscal effect.

So that is what you are doing. This is the Stockman approach—take it out of the hides of the seniors. You have done it any number of times before. But the heat is very intense because you are so wrong on this issue. Despite all the pressure, two people on your side have had the strength to stand up and say it is wrong.

And it is so wrong that even the majority leader himself has had to come in here and offer the amendment as the very first order of business. I take some satisfaction in that because I think it shows where the merits of this case lie as the votes will later show.

When I hear talk about people saying that there are just a few politicians interested in this, every major senior citizen's organization in this country lists this as their No. 1 priority. The American Association of Retired Persons represent 18 million people—that is more than the population of some States, I might say, and some by Senators who have spoken here saying there is no one really interested in this other than a handful of politicians; the National Council of Senior Citizens, SOS, and any number of a very long, large list of other groups have said it is absolutely wrong to take and squeeze down the living standards of people on Social Security.

These are not lavish payments to start with. They are very modest in most cases. When you go out and start talking to someone who is living on $150 or $160 a month——

The PRESIDING OFFICER. The time has expired.

Mr. RIEGLE. I ask for 1 additional minute, if I may.

Mr. MOYNIHAN. Mr. President, I yield 1 additional minute.

Mr. RIEGLE. I thank the Senator.

We have people out there today receiving Social Security payments of maybe $170 a month, $180 a month, $220 a month. They literally do not have one dime left at the end of the month to spend on anything other than the basic necessities of life and many are doing without some of those. That is who we are talking about targeting here so we can have a bigger surplus, borrow the money, send it over to the Pentagon for all the inflated spending.

It is wrong. It was wrong before the election when the President made his promise, and if he can keep his promise to go to Bitburg, he can keep his promise to protect the senior citizens. It is a much more important promise. In fact, it is the promise that counts. The one with respect to Bitburg is a mistaken promise that should be changed. This one is real, and it ought to be kept. And I hope the Senate will have the courage when it votes shortly to keep that promise to the senior citizens and hold Social Security intact.

Mr. DOLE. Mr. President, I remind my colleagues that there are a couple of proposals floating around on that side. I think the Chiles proposal, which has a number of cosponsors on that side, has a Social Security freeze. The Hollings proposal also has a Social Security freeze. I do not know why all the remarks are addressed to this side of the aisle. I remember last year—I do not know the actual count—but I think there were 18 or 20 Senators on that side who voted for a Social Security freeze, the so-called KGB plan, as I remember it.

So I just hope in all this self-righteous rhetoric that we understand that there are some Senators on both sides who are concerned about the Federal deficit and about what that deficit might do to senior citizens if we do not attack it.

When you try to isolate each little piece of this package, there is no way

you are going to put everything together. Why should we do anything to the American farmer? Why not put everything back in for farmers and why not put everything back in for Amtrak and everything for mass transit, because you can make the same argument for every group in America.

If we do it on that basis—I hope that is not the case—then we are going to fail. And then maybe 2 years from now we will be back here saying, well, it is too late to do anything, too late to cut spending, too late to raise taxes even if we wanted to; we would be in a recession.

I think Senator DOMENICI may have referred earlier to the headline in USA Today, where it says: "Latest figures show wobbly 1985 economy." And that has been repeated in nearly every newspaper, radio, and television. So we have a problem over there on the horizon and it is not just those under 65 who will have the problem. It is going to affect everyone.

This administration has reduced inflation. It has reduced interest rates. There are more people working. But the one area in which I think we have probably been a little short is trying to get a handle on the deficit. And I will accept that.

But, hopefully, we will all be working together here after a few days, most of us, and we can hammer out some proposal.

Mr. President, I yield 10 minutes to the distinguished Senator from Alaska [Mr. MURKOWSKI].

Mr. MURKOWSKI. I thank the majority leader. I am sure my comments will take much less than that.

Mr. President, I rise basically to make two points, that is, the point of the debt and the point of equity.

In discussing the budget compromise and amendments offered to it, what we are really discussing is debt. Adoption of the amendment can have no other result than compounding the burden that we are leaving to those who follow us on this floor and to all other Americans.

Today, there is beginning to be some doubt in the United States about the economy in our country which, of course, is the most dynamic economy on Earth. The question really is, can we continue to have the means to repay our debts? And the question today is, will we demonstrate the necessary character needed to repay our obligations?

As a former banker, Mr. President, I would be remiss if I were to have approved a loan to a borrower when the repayment plan was really nothing more than to roll the debt over and hope something turns up.

Much has been said, Mr. President, today about this debt and the necessity of reducing the rate of growth of our deficit.

It is no secret our accumulated debt is over $1.8 trillion. The interest on that debt takes 18 cents out of every dollar.

But it is interesting to reflect, Mr. President, that next year the interest on the debt will approach or surpass the anticipated deficit.

One does not have to project too long the realities of just what the path ahead is strewn with.

Another significant thing to contemplate is the fact that this Nation has become a debtor nation for the first time in 65 years. We reflect on our trade problems, the trade imbalance, and recognize that for the first time in 65 years there is more foreign ownership in the United States than there is U.S. ownership overseas, a rather interesting situation.

Mr. President, the amendment before us certainly would spare a worthy group of citizens the pain of reduced protection from inflation and it might on its merits seem to be a reasonable end.

However, I ask my colleagues to consider the impact if this amendment to protect one group of worthy Americans is adopted, and we have heard the Senator from Colorado call it a killer amendment. Mr. President, I suggest it be better described as a series of killer bee amendments.

The equity will demand that other worthy Americans receive the same protection, and I know of no other group of Americans more worthy than the veterans of this country. It is in the service and sacrifice of the men and women who answered our Nation's call to arms that allows us the luxury of standing here today in freedom to debate these issues and reflect on our own destiny.

Mr. President, it has been the consensus of the majority of the veterans and the veterans' organizations that I have talked to that they are willing to make an equal sacrifice with all other Americans, as we reflect on the necessary steps that must be taken to reduce the rate of growth of our deficits.

But, Mr. President, the floor vote which will be taken on this amendment would restore the full COLA for Social Security recipients. It is stated by the proponents of the amendment that if the amendment is adopted there will be an increase in our country's debt of approximately $2.9 billion in fiscal 1986 and $22 billion over the next 3 fiscal years.

I think it is important to point out that this figure is really erroneous, for should the amendment be adopted, as I indicated, the killer bees will come forth and I will be compelled to offer an amendment to provide the same benefits to our Nation's veterans.

This will increase the debt by another $200 million in 1986 and over $1.6 billion for the 3-year period.

So, my esteemed colleagues, it is important to know that with this amendment we are opening up the door to a rather enormous increase in our public obligations, and I am sure that there are other Senators who have other programs which will seek reconciliation.

So I would reflect that if this amendment prevails, equity demands that the veterans of the United States receive protection at least as effective as those they serve.

If this amendment prevails, as I have stated, I will be compelled, as chairman of the Senate Committee on Veterans' Affairs, to offer the amendment to secure comparable inflation protection for the veterans' benefits. Then, Mr. President, and only then will we have our debt and equity, too, which is as the case should be.

I thank the majority leader for yielding to me. I yield back to the majority leader.

Mr. DOLE. Mr. President, I would like to include some information in the record at this point, just to make the record complete, not in criticism of anyone, but to sort of get this issue back in perspective and get it out of the politics.

On May 2 of 1984, we had a vote on the so-called KGB plan, the Kassebaum-Grassley-Biden plan. It received 33 votes and a part of that package was a Social Security freeze. Senators BAUCUS, BIDEN, BINGAMAN, BOREN, BUMPERS, BURDICK, DIXON, DODD, EXON, HOLLINGS, INOUYE, MELCHER, MITCHELL, PROXMIRE, PRYOR, RANDOLPH, SASSER, TSONGAS, and ZORINSKY voted for that package.

And I do not say it critically, because there also were 14 Republicans: ANDREWS, ARMSTRONG, EVANS, GRASSLEY, HATFIELD, HUMPHREY, JEPSEN, KASSEBAUM, KASTEN, MATTINGLY, NICKLES, PRESSLER, SIMPSON, and SPECTER.

Again, I just wanted to get the debate back into the real world, if there is a real world around here, to indicate that there is bipartisan support for COLA modifications. And that support exists not because Members have anything in for senior citizens. They were trying to reduce the deficit. The KGB plan was a good plan. Many of us could not support it at that time because we were working out an alternative plan.

Obviously some feel very strongly about it. But of the four budget plans offered last summer that included COLA changes, 59 Senators voted "aye" on one or more. That is 59 Senators out of 100. And there were seven other Senators who supported the leadership plan with no COLA's but supported COLA changes at other points. That is a total of 66 Senators that are on record in just last year in favor of some action on COLA's.

So I would hope the record would reflect this is not sort of the good guys versus the bad guys. No one takes any pleasure in doing any spending restraints or freezes or whatever to try to reduce the deficit. That is not even an argument. It is the alternative that frightens many of us, if we do not do anything and spending goes on unrestrained and nobody makes any sacrifice. And that is why I think it is important that we focus on this issue.

Obviously, there are some who just cannot vote for the 2-2-2 plan or a COLA freeze. And that is the right they have. But I think they may help at least make a record that indicates there is some bipartisanship on this issue. No one is against Social Security, as far as I know. Most Members support it. Some will be eligible for it. I hope that the debate will reflect that.

Mr. MOYNIHAN. Mr. President, I would like to acknowledge the remarks of the majority leader which were temperate.

Although the distinguished Senators from New York and Florida are the authors of this amendment, it was introduced by the majority leader, and in our view, and I hope he will not begrudge it, it is an indication of a position we held on this for 4 years on this floor and in which he joined us almost invariably. And that is why it is going to pass.

Mr. President, I yield 10 minutes to the distinguished Senator from California, our No. 2 man in this hierarchy, such as can be said to exist on the Democratic side of the aisle.

Mr. CRANSTON. I thank my friend from New York. He is No. 1 in the battle for protecting Social Security. I applaud all that he has done, along with Senator RIEGLE, who is currently No. 2 or shares No. 1 on that issue. I am delighted to join with them and others.

I rise in support of this amendment which bears a false Republican label. If we had truth in lending in the Senate, it would bear a Democratic label. This amendment constitutes a move by a number of Republicans to repudiate Ronald Reagan on Social Security.

In proposing a cap on the Social Security COLA, President Reagan has broken not only one but two promises.

He has broken his promise not to touch Social Security.

And he has broken his promise not to call for a tax increase.

The COLA cap actually constitutes a 2-percent cut in Social Security payments which elderly and disabled Americans are entitled to by law.

That 2-percent cut in money which millions of people expect, are entitled to and depend upon is—for all practical purposes—a 2-percent tax increase.

To make matters still worse, President Reagan calls this an increase in benefits.

We have a truth-in-advertising law.

We have a truth-in-labeling law for commercial products.

We desperately need a truth-in-labeling law for proposals coming from the White House.

Double speak is rapidly becoming double talk and double cross.

My reference to broken promises does not relate just to the promises President Reagan made during his reelection campaign.

I am referring also to the fundamental promises made to American workers that the Social Security trust fund would not be manipulated for political purposes.

I am referring also to the promises made to the millions of individuals who have paid into the Social Security system in the belief that adequate benefits would be there to protect them when they retired or became disabled and unable to continue working.

Mr. President, the White House has been playing a series of cruel games with Social Security recipients—making and breaking promise upon promise.

First we had a cynical shell game. Social Security recipients were told Social Security would never be touched.

Then they were told it would be on the bargaining table only if a bipartisan majority of Congress asked for it.

When that did not work, the White House and Republican leadership came up with a new plan to cut Social Security COLA's.

Mr. President, we have heard the President tell the American people that Social Security is not contributing 1 dime to the deficit problem.

But then Social Security recipients have been told that they have to accept a reduction in the COLA to help bring down the deficit.

Now, elderly and disabled Americans are being asked to play in a new national lottery game. Under the rules of this game, maybe they will get a 2-percent COLA; maybe more. Trust us, say the Republicans.

Finally, along with the shell game of "now you see it, now you don't," and the take-a-chance national lottery, we have the "Cruel Hoax."

That is the one where Social Security recipents are told that a cut of 2 percent in the COLA that the law requires they receive is not really a cut—it is an increase.

The issue before us today is whether we are going to stop playing these games, whether we are going to keep the promises made to elderly and disabled Americans, or whether we are going to renege on those promises in order to keep feeding an already-bloated defense budget and allowing major profitmaking corporations to avoid paying their fair share of taxes.

It is an indisputable fact that passage of the White House-Senate Republican leadership cut in Social Security benefits will throw more than half a million elderly and disabled Americans below the poverty line.

Between 1981 and 1983, Congress cut Social Security by massive amounts. Together, those changes enacted in 1981 and 1983 will reduce Social Security benefits by more than $100 billion through the 1980's. The White House/Senate Republican leadership plan would add to that another $22 billion in Social Security benefit reductions over the next 3 years.

That is not a shared sacrifice. Social Security recipients and their dependents have already made significant sacrifices. They have already paid their dues.

This budget provides a hefty increase for defense while Social Security recipients would get a hefty decrease. They face a very real dollar loss in buying power if their benefits are not allowed to keep up with the full increase in the cost of living.

The average monthly Social Security benefit is $412 a month. How much more tightening of the belt are we going to ask from Social Security recipients.

If this hijacking succeeds, who believes that the COLA raids will stop after 3 years? Will it not be irresistible to keep a successful ploy going? Will there not be a major effort by this administration, as the Reagan legacy, to turn this temporary disability into a permanent crippling of the Social Security system and thereby enshrine forever this special new deficit-reduction tax on Social Security recipients?

Mr. President, that is what the White House and Senate Republican leadership are proposing—a deficit-reduction tax on elderly and disabled Social Security recipients.

Mr. President, as President Reagan was pointing out until very recently, Social Security spending is not causing the Federal deficit; Social Security is running at a substantial surplus. If we start raiding the Social Security trust fund now to offset spending in other areas, it is going to be a habit that will be hard to break.

It is time to stop the games that are being played with the lives and economic security of the millions of elderly and disabled Americans who rely upon the Social Security system for their basic survival.

This body ought to keep the promises that have been made. Common sense, honor, equity, and morality demand no less. We can do no less.

We must not start down this deadly road. We hold a sacred trust on behalf on all those who have paid into Social Security.

Let us do the honorable thing. Let us not breach this obligation.

Simply put, let us keep our word to the American people.

Mrs. HAWKINS. Will the Senator yield for a question?

Mr. CRANSTON. Certainly.

Mrs. HAWKINS. I appreciate the Senator's statements concerning the Social Security dilemma we are now in. Will the Senator from California cosponsor the amendment that the Senator from Florida and the Senator from New York have before the body?

Mr. CRANSTON. No, I will not cosponsor it, but I will vote for it.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mrs. HAWKINS. I yield to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. SIMPSON. Mr. President, I have remained out of the debate on Social Security, but I have found that I should perhaps dip down lightly into it.

I want to say how much I respect and regard those on the other side of the aisle, especially Senator CRANSTON, who just spoke, because, indeed, there is a proven comity and accord that I have had with that remarkable Senator from California that will come again here in a spirit of bipartisanship. It cannot come until we get through this debate, which is tough for all of us. I think it has created a bit of ugliness. I know I have done some rather uncharacteristic things in the weeks past that were not comfortable to me. I recognize that.

We are much like racehorses who are bred to race. When they do not race, they get fractious and jumpy.

We are legislators and we are not legislating, until now. Now we are starting. We legislated a little on the farm bill, but now we are finally legislating again.

Legislators are bred to legislate, and when they do not, they become fractious, jumpy, and irritable. I think we have seen that. We have seen it on our side with ourselves. We see it on the other side among our colleagues.

Yet, we always have that amazing faculty to join together as we walk out of the Chamber or see each other across the aisle: "What is up on your side? What is going on? How do we break this? What will we do?"

Thank heavens it works and has always worked.

I think particularly of my work with the Senator from California. Someone will write me a letter and say, "Good heavens, don't you realize he is up for reelection? You should not say anything about CRANSTON."

That is the point. We do not need a lot more of that in this place.

I have worked with him. I have worked with him in the Veterans' Affairs Committee. I watched the two of us, with a lot of help from people on both sides of the aisle, put to bed a most contentious issue of our day, agent orange. What happened to agent orange? That was resolved by a lot of thoughtful, bipartisan work on both sides of the aisle by a vote of 95 to zip out of the Senate. It went to the House where they were good enough to accept most of our recommendations, and we accepted some of theirs, and it was resolved. There is no need to fan it anymore, to press oxygen into the soaring flames of it.

But here we are again with Social Security and the President's remarks—what he said or what he did not say.

It troubled me a bit during the campaign when he said that he would not have tax increases. I thought, "Boy, that is going to set aside some areas we cannot go into." But in the book of Presidential speeches you will fail to find a single word about cost-of-living allowances in Social Security, veterans benefits, or other entitlements. He said he would not be part of anything which would take away Social Security benefits. He did not say anything about the one thing that continues to just spring out of the woodwork on us on all sides, and that is cost-of-living adjustments—COLA's.

It was a nice idea. It was a nice idea for Wilbur Mills or for former Presidents, or whoever did it, to put COLA's into the system. But when we did it, we ruptured the whole operation.

I remember practicing law in Cody, WY, during that period of time when inflation was 12 to 14 percent. Clients would run in with their Social Security check and say, "Look at this thing. It has gone up 40 bucks. Why is that?"

I would say, "Don't ask me. I am just practicing law in Cody, WY. But it sure is a nice thing."

They would then say, "Well, indeed it is a nice thing."

However, when inflation got down to 3 or 4 percent, all of the people who were hooked on COLA's asked where their 8 percent was. We said, "We did not give you 8 percent. We gave you 'cost of living' based on inflation."

But they said, "That is not enough. Give us 8 percent. We deserve 8 percent. Just because inflation is 3, we should have 8."

They got hooked on that pretty quickly.

We did have the vote then on COLA's. The senior Senator from New York was instrumental in getting that before us. The vote was 95 to nothing. I voting with it. That was that. It was brought to the floor in a parliamentary fashion—the kind of parliamentary fashion we do around here so beautifically. It is within the rules, as yesterday's activity was. It works. That is good, and the issue was before us.

But then after that occurred, we went through an election campaign and people got burned. The issue was used to burn candidates. It was a hot coal and it was used.

I remember the series of ads, if I recall correctly, about a little old lady in calico, rather tattered, opening her mailbox. The camera was in the other end of the box. As she reached in there, you saw her twisted face and she gasped audibly, "Where is my check?"

Then clutching her shriveled bosom, she fell into her driveway and said, "My check was taken from me by 'blank, and blank'" was whoever happened to be the Republican opponent in that particular campaign effort.

That was a doozie. I remember that one. That was certainly a classic of all campaign ads.

So that is what we went through and there was great concern about that. So we raised the Social Security issue fully in that election, in 1982, to partisanship in its highest—or lowest form—whatever people like to think about politics and politicians. We know what we have done and we know how much high old glee we get out of rolling the bomb over to that side of the aisle on Social Security and rolling the bomb over here on this side of the aisle on Social Security, and we love it. It just tickles us to death.

But the American people, I really do believe, and I have always felt this, are smarter than we are. They are smarter than their politicians, or else this country would not have been here for some 200 years plus. And they really are able to discern when they are being joshed along—whether it is on the issues of Social Security or veterans' benefits.

Lord sakes, I chaired the Veterans' Committee and I believe I heard from every veteran—all 30 million of them. I am a veteran and I am very proud of that. I served our country for 2 years. I do not remember that they promised me a GI bill; I do not remember that they promise me insurance and this and that.

If you bring up the phrase "veteran" any more, it is almost as if we are talking about a disadvantaged person. How did we get to that point in America? That offends me. It ought to offend any veterans.

How did we get to the point where we talk about somebody who is old, somebody who is a senior citizen, as somebody who is foraging in the alleys? Is everybody over 65 foraging in the alleys of America? That is not what is happening. Is every veteran disadvantaged and disenfranchised? That is not what is happening.

That is the stuff we have to wade through and it takes thoughtful Democrats and Republicans to put it back together after somebody grabs the microphone and gets everybody all juiced up with a remarkable blend of

hype and hoorah and fear and guilt. That is what makes it tough in this arena.

So, Mr. President, here we are, dealing with a remarkable social program spread on the books by a very able Democratic President named Franklin Delano Roosevelt with a Democratic Congress. It was called an income supplement program. That is what it was called, and it was to give 30 bucks a month to take care of a guy who had been pulled apart by the depression, ripped apart on the farm, and pushed around. Thirty bucks a month of income supplement, and we have taken it and ballooned it and nurtured it. Now it is America's pension program.

If you go up to a guy on the street and say, "Is Social Security a pension program?" He will say, "You betcha. It is the one I am counting on. I am not counting on the one from the National Biscuit Co., where I worked for 30 years and get, you know, $100 a month. I am counting on Social Security. That is my pension program."

That is sad in itself, because it is not a pension program. It is not actuarially sound as a pension program and it cannot work as a pension progam, because there is no real relationship between what you put in and what you get out. How curious. But there we are.

We have a situation now where, if you are a single person, you get all of your contribution back in the first 3½ years of the benefit period. No one will challenge that fact. If you are a couple you get all of your contributions and your employer's back, in less than 6 years.

When we put the plan together and when the remarkable President Roosevelt put it together—and he was and he did—we knew that people were living 2 or 3 years beyond their retirement. Now we have life expectancies which go 10 and 15 and 17 years out beyond the age of retirement. That system cannot continue to work. You can talk about it all you want and we will for years to come, but it cannot work when people are receiving out of the system five times their contribution. That happens more extraordinarily frequently than we had ever dreamed. You can run it on a computer and get into it all you want and it will emphasize this issue.

Then we may have to deal with a means-test issue on the program. We get terribly worked up on the means-test issue. We say, "But in Social Security, we cannot repose that. You pay it in; you should get it out." I say you should get it out, but I say: Why not put something on the books that gives a guy an option to cash himself in, take his compound interest, and step out of the system. You cannot do that now if you are a person of means and wish to give up benefits under the Social Security system. You practically have to fight the Social Security district office person in your hometown to get that done—and then you can't.

So here we are in this situation where we do this to each other on this most extraordinary issue. I do not know where all that is going to end. It seems to me it will end in advertisements in the next campaign, newspaper and electronic, about who did what to Social Security. But there will be enough votes held so that everybody can nail everybody else. Everybody will be able to nail everybody at least once, and say, "But wait a minute; on May 1, you voted so-and-so."

"Yes, but on May 2, I got off the hook; on May 3, I got back on the hook; and on May 4, I got the hook right in me."

That is what everybody will be able to do, to use votes or misuse votes during next year's campaign activity.

I guess I shall wind down and say, If you are considering the United States of America as your bank, then file a net worth statement as you do at your bank. That seems eminently reasonable to me, but I know that is also rather shocking. It means if you are going to use the assets of the Federal Treasury for your own purposes regardless of your income, then file a net worth statement. If that is your banking window, then do what you do at your banking window: Fill it out, list assets, liabilities, debts, notes receivable, payments receivable, or whether your son bought the house you have lived in—and you lived in it for 40 years—but he took it over so you could retain or qualify for some kind of benefits under the existing systems of the United States.

I used to have people come to me—Yes, I know this is shocking—but if we get to tell horror stories on one side of the issue or the aisle, then we get to tell them on the other. This is the story of the family gathering there, with you as their attorney, and saying, "We would like to put mother's house in Frieda's name."

I say, "What for?" And that is a terrible question for an attorney to ask a client.

"Well, if we do that, then she will be eligible for this benefit and this benefit and this benefit."

I say, "Why don't you go somewhere else and get that done?" Because that is my idea of gimmicking the system.

There is plenty of gimmicking that goes on in America today. We are aware of that because we are always trying to correct something around here that was a good idea when it started, but may no longer be so. Then the mail room breaks down because we run into people who try to do it honestly—and there are more people who try to do it honestly than there are people trying to do the tricks.

I ran for public office in November 1984. I went to the senior citizens groups and I said, "You know, I can't go in there just to do anything you want to with Social Security. I think we have some serious problems with Social Security. I think it's not actuarially sound. I am not going to terrify you or curry the vote of the 30-year-olds so they will rise up against the 70-year-olds—although I think that may come. There are those on both sides of the aisle—and on this side of the aisle—who have made some very interesting comments about that situation—where the 25-year-old says, "There is nothing in Social Security for me when I get to be 70." That is a cynical approach. So they say, "Why is it that that guy, who is now in his 70th year of life, who paid in and has obtained every bit of his contribution out in the first 3 years of the benefit period, and is still pulling in payments—Why should that be?"

Indeed, it is a good question: Why should that be?

We know also of those who sit down at a family gathering and say to the spouse, "Why don't you go to work and work for 40 quarters and you will be in the system? You will be right in there with me."

They do that. There is nothing wrong with that. Those are the things that occur.

I made this terrible proposal—or perhaps it was a commentary—I would state to these folks that I felt the Social Security system was in disarray. They would kind of gasp and choke a little, and then I would describe to them why I felt that, because all of them understand fairness.

I tell you what you could do. It would be rather dramatic—certainly political suicide—but you could review all of the remarkable pension plans in the United States of America, take the creme de la creme, the Cadillacs of pension plans, and put one together that was really the greatest one of all, sweeten it 10 percent, call it the Social Security system and, then for heaven's sakes, you would get back to some semblance of the proposition that what you pay in is related to what you get out.

This is where system breaks down. It is called something we still understand—fairness.

Now, that is where we are with Social Security. But until we get some semblance of equity between what you contribute in relation to what you receive, we are going to continue partisan blasting which will continue to take place, and we are part of it. I am part of it. We seem to get great glee out of it. I must say that I have not used that on an opponent, and I am sure that I am fortunate that it has

not been used since. I admire you all greatly when you consider some of the constituencies that you have.

One morning you are meeting in a room with 200 people on one side of the issue—and I might have two from Wyoming who come to see me on the issue—and they say, "You know, if you don't go for us, Senator, we are going to make it rough on you in the next campaign." And that afternoon, you meet with a group on the other side who say, "You know, Senator, unless you come aboard here, we are going to rough you up in the next campaign." And then, no wonder a Senator comes to the leadership and says, "Would you put that baby on the bottom of the pile, would you put a rifle on that thing. I have a hold on it—no, let me put a triple hold on it because I can't win. Either way I am in shreds on that one."

At least that is one reason we stumble along. We have heard from various business groups which said they favored the package, everything that was in it, cost-of-living modifications and all. Then you heard Senator MURKOWSKI speak with great clarity about what is going to happen with the veterans groups if you pass this proposal to increase the Social Security COLA. You will have to include the veterans in the next go around. There is no way they can be left out. They were willing to swallow hard—the Legion, the VFW, the Disabled American Veterans—when we proposed to modify the full COLA. They said, "OK, we will do that if everybody is in it—if it is across the board." Well, they cannot stay aboard if you let this one go through; then you are into the big bucks again, right out where we were before.

So the real issue before us is how do you maintain a sound Social Security System, how can we afford that program without getting the General Treasury funds fully into it, and how do we keep our promise to those who have participated and are participating in the Social Security Program? How do we do that? We are never going to get that done honestly if we just use it as a partisan tool to see who can do a number on the Republicans or the Democrats. That is our deepest problem.

The interest groups remain a factor in this debate. I sent my 5 bucks off, I want you to know, to the AARP, and I am now a member. I fit the age requirement, and I am a member now of the AARP. With that $5, I have received more remarkable things in the mail—ads for various elixirs and devices. Curious things I have received from being on that mailing list. Nevertheless, a large part of that mail consists of advice on how we can assure that we get more out of the Social Security System, on how we can assure that we are not hindered in any way—regardless of income or net worth—from doing this, or how we can seek tax treatment which will be to this advantage or that advantage.

That is the way it is. I believe the Senator from Michigan said there were 18 million people who are members of the AARP. They are formidable, I can tell you that. Reading their material makes me know they are ever more formidable.

But in the process they lose track of the basic truth of this whole issue—that the very best thing we can do for the people of the United States, not just senior citizens, is to have a stable economy.

There is something that gives me the most naive hope in this entire debate—and I have always existed on hope, being a rather spirited person, I enjoy that—it is better than the alternative. That is at least our colleagues on the other side of the aisle, without exception as far as I have heard, are talking about getting to a $50 billion to $60 billion first-year reduction in the deficit, and, in the outyears, my colleagues on the other side of the aisle take us further in several programs than the leadership proposal. Eighteen on that side of the aisle voted to reduce Social Security COLA's last year.

I think that is tremendous. That is why I know we are going to get there. I do not know when or what it is going to be. I refer to it in the final stroke as the "Limburger ball;" it will all be wadded into one great ball and it will have a terrible odor. And we will all then say, "Lord sakes, I got in all my shots. I tried to pull this out or put it in, and I'm going to hold my nose and vote for that unbelievable, abysmal, amorphous bunch of stuff."

That is what I see coming because we are all saying basically the same thing—that the deficit is a really tough issue.

On the other side of the aisle, the figures might not be right. Our figures may be wrong. But the issue is that the best thing we can do for senior citizens, the best thing we can do for the United States is to have a stable economy. I think Democrats are ready to do that and Republicans are ready to do that, and we will do that. That will happen in these next days and hours only if we can wade through the great piles of fibrous waste extract from the male bovine member of the quadrupeds.

Mr. CHILES addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. I yield the distinguished Senator from New York 1 minute.

Mr. MOYNIHAN. Mr. President, may I say to my friend from Wyoming just two points in response to his very thoughtful statement.

First, Social Security was not begun as an Income Supplement Program. At the time it was established there were almost no private pensions in existence. It has become an Income Supplement Program.

With respect to the issue of the President's statement about Social Security which he made on October 7, 2 days later Mr. Speakes, who is his spokesman, said there would be no tampering with COLA's; that was included in the President's commitment, and he said, again I quote, "The law is the law."

Finally, Mr. President, we could have a long discussion, but I will not, about the principle of social insurance, which is that a person gets what has been contracted for regardless of merit, regardless of condition. That is why it is called insurance.

Mr. DOLE. Mr. President, I ask that the distinguished Senator from Minnesota [Mr. BOSCHWITZ] be designated the manager on this side.

The PRESIDING OFFICER. The Senator has that right.

Mr. CHILES. Mr. President, I yield 1 minute to the distinguished Senator from California.

Mr. CRANSTON. Mr. President, I compliment the Senator from Wyoming on his thoughtful and temperate remarks. I do not agree with all he said on Social Security, but I admire his approach to the tensions within this body over the issues that confront us.

I am afraid that before the 50 hours allotted to us to deal with this matter has elapsed, there will be some rather intemperate remarks made on both sides of the aisle as tempers rise over the issues confronting us.

The Senator spoke of the way he and I have worked together very frequently in the Veterans' Committee and on the Senate floor and elsewhere on issues with which we have been grappling, and it is always a pleasure to work with him. I have great admiration and affection for him.

I should like now to discuss with him some of the circumstances that we together and other Senators face. Often, someone puts in a quorum call for the purpose of having such a discussion, not on the RECORD of the Senate. I will not do that, because others wish to speak; but I should now like to chat with my friend from Wyoming.

Mr. CHILES. Mr. President, I yield 7 minutes to the distinguished Senator from Illinois [Mr. SIMON].

Mr. SIMON. I thank the Senator from Florida.

Mr. President, first I should like to join my colleague from California, Senator SIMPSON, in commending the Senator from Wyoming. He does bring a thoughtful perspective to things. While I differ with his conclusion on this amendment, I appreciate that kind of thoughtful rationale.

I should like to take a moment or two on the big picture because that obviously is related to the amendment we are confronted with right now.

The Senator from New Mexico [Mr. DOMENICI], for whom I have great respect, this morning talked about the need for balancing the budget, getting that deficit down, and he is absolutely right. There is no question that we clearly have to do something. We are spending an increasing percentage of our tax dollar on interest rather than goods and services; and whether you are a Democrat or Republican, conservative or liberal, that is not a rational way to run the Government.

For the next fiscal year, we will spend approximately $181 billion gross payment on interest. Another way of putting that in perspective is that we will spend 11 times as much on interest as we will spend on all the education programs we have in this country—student loans, aid to the handicapped, title I, all the education program combined. So we have to move on something.

I think there are alternatives, without doing it on the backs of those who are not the most fortunate in our society—our senior citizens.

The preference I have as of right now—there are about three or four programs floating around that I know of as alternatives to the Dole amendment, and I may end up voting for all four; I am not sure—is the Hollings amendment, which has some support on that side of the aisle. I will offer an amendment to put the COLA's into that. But that amendment reduces that deficit appreciably more than does the Dole amendment, which was approved by a precarious one vote yesterday.

The real question is, where do we go from here? There are areas where, over a period of time, we can reduce some of these excessive expenditures. I am going to offer an amendment, when we get to the Department of Defense authorization, to require that those who enlist in the Armed Forces after January 1, 1986, have to serve 25 years, rather than 20 years, before they can retire, and in that area we not compound the cost-of-living increase. Give the full COLA but not compound it. That amendment alone will save many billions of dollars over a period of years.

The real question we face here is this: is the cause of our difficulty those who are recipients of Social Security? I think we all know that is not the cause.

The second question is this: Are we so desperate for funds to balance the budget or to move toward balancing—we are still a long way from balancing—are we so desperate for funds in order to move toward balancing that we have to impose this penalty on senior citizens? Are other options available?

The answer is clearly that there are a host of other options available, some of which I would like, some of which I would not like. But we do not need to take this out of the hide of the senior citizens of this Nation.

So I will join those on this side of the aisle and on the other side of the aisle who are supporting this amendment. I think it is a step in the right direction.

I believe we have to compensate in other ways for this loss of revenue. There are better ways of getting this revenue than the way suggested by the unamended budget that was adopted yesterday. So I will support this amendment.

I thank the Senator from Florida for yielding time.

The PRESIDING OFFICER (Mr. GOLDWATER). Who yields time?

Mr. BOSCHWITZ. Mr. President, I yield 10 minutes on the resolution to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. D'AMATO. Mr. President, the Senator from New York would like to put his amendment in proper perspective. Some Members on the other side of the aisle have characterized Members on my side as opposing Social Security. I feel that these statements are grossly irresponsible.

The Senator from Illinois just concluded his remarks by indicating his support for the amendment. If this amendment is not adopted, I think it will be a mistake. If an amendment is offered by a colleague on the other side of the aisle to restore the cost-of-living adjustments, I intend to support it, because it is a matter of principle to the Senator from New York.

Last year, I indicated that I would not vote to reduce the cost-of-living adjustments and I am going to keep that promise.

How is it that yesterday Senator HAWKINS and I voted to support the budget compromise hammered out by the Senate leadership and the White House? Simply because we have to get on to the business of reducing the deficit. Though I insisted on free and open debate on an amendment to restore the COLA. Now the issue is before us for consideration.

I think the Senator from Illinois was correct in saying that we should find another way to reduce deficits other than through a COLA reduction. Let us not say that the Republican Party is against Social Security. That is not true.

Some Members have said that the pending amendment was offered on this side because of some crass political reason. No! I feared that this amendment may be closed out of debate and may be subject to a procedural encumbrance. This was a real threat. So I obtained a commitment to have the COLA restoration amendment up first. I made this clear before my vote on the package last evening. The President, Senator DOLE, and Democrats understood my position.

With respect to arm twisting, there was no arm twisting. I would have liked them to drop the COLA cut from the package, because it is not going to survive in the House. Maybe practicality is something Senators are not supposed to go into. I wonder why we are going through this exercise. If you know something is not going to pass in the Senate, is there a ghost of a chance of it passing in the House of Representatives?

Why torture the American public and 30 million senior citizens who will be terrified for a short time wondering about the fate of Social Security.

I have raised this point to a number of my colleagues, the administration, and to the President. I cannot have made it any clearer.

It is as a result of some of the things that I think my colleague from California [Mr. CRANSTON] touched on, the Senator from Wyoming [Mr. SIMPSON] indicated, the nature in which the business of politics is conducted, that I insisted that we be given this opportunity to get free and open debate on this vital amendment. Is there anything wrong with that? I do not think so.

I suggest if my colleagues on the other side of the aisle were placed in a similar position and had a similar view, they would seek to do the same thing that the Senator from New York understood.

Now, let us get to the merits of the amendment. Are we keeping faith with a commitment not to cut Social Security if we vote for the 2-2-2 proposal? I think we are abrogating commitment that we made. We can attempt to justify it and say times are difficult. But the fact remains that I believe we made a covenant at least in the near future stating that would not be the area that we would look to make deficit reduction.

I think there are areas to get budget savings. I think it is long overdue that we have a minimum corporate tax. This will raise significant revenues.

I think it is absolutely unconscionable to have major corporations that earn billions and billions of dollars and not pay 1 penny in taxes. I would certainly support an effort, whether it be from the Democratic side or the Republican side, to address that inequity and use those funds to reduce the deficit.

So maybe we should have a little less politics. Reasonable people can disagree on this. There are those of my colleagues who very reasonably put forth their fear, their concern, as Senator MURKOWSKI put forth, that if the

COLA cut provision drops out, there will be intense lobbying for other cuts to be restored.

Let me suggest one other thing. My good friend from New Mexico, Senator DOMENICI, raised the point that once the COLA is restored, then all other program cuts will be restored. There is no State that endures more cuts than my State. I have not said you should not touch mass transit at all, or UDAG grants at all, or revenue sharing at all, or Medicaid, or any of those programs that mean so much to my constituents. I am willing to absorb cuts in these programs that help my State. This is not easy for me to say, but deficit reduction is important business.

But I have said very clearly, that this Senator draws the line at Social Security. I will not vote for a package that reduces these benefits.

So, Mr. President, I hope this will make my position clear. There was no arm twisting. I think it was good, hard, tough negotiating that brought the issue to this point. I have made my position clear.

But in terms of arm twisting I think I am satisfied that at least we take this issue up right away, put it on the front burner, exactly where it belongs, let people have an opportunity to debate it and, yes, to be quite candid this Senator wanted to go down very clearly with a record for all to understand that I am going to keep that commitment and vote against any packages that would reduce Social Security.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. CHAFEE). Who yields time?

Mr. BOSCHWITZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BOSCHWITZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOSCHWITZ. Mr. President, I will again call for a quorum call and I ask unanimous consent that time of the quorum call be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MELCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. CHILES. I yield 2 minutes to the distinguished Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MELCHER. I thank the distinguished Senator for yielding to me.

Mr. President, first of all, this proposal to allow cost-of-living adjustments for those on Social Security should not be looked at as somehow depleting the U.S. Treasury. That is not the case at all. The separate trust fund for Social Security is not only solvent, is has a surplus, and the law provides that there be an annual cost-of-living adjustment for those on Social Security. So it is a very normal procedure to allow that to happen.

I think what is disturbing a lot of senior citizens around the country is that they are embroiled in an argument in Congress that seems to indicate that they are part of causing the huge Federal deficits. That is not the case. And these cost-of-living adjustments for senior citizens on Social Security should not be used as a scapegoat to attempt to balance the budget because it will have no effect on balancing the budget. The trust fund is separate and the surplus is there.

Nor should it be treated as somehow being overly generous. These people have earned the right to some comfort and some security in their golden years. They should have some certainty of not being tampered with on Social Security matters. Cost-of-living adjustment should be automatically allowed. The fact that the package before us does not allow that is a terrible oversight and a terrible indication that senior citizens rights are being trampeled on, their rights are being abused.

Making sure we do have full cost-of-living adjustment has been long recommended by Senators MOYNIHAN, RIEGLE, BYRD, and CRANSTON, and I would say all the Democrats over here on this side of the aisle. This, by all means, should be allowed to go through without monkeying with, without tampering, and without threatening the income of the senior citizens on Social Security.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield myself 5 minutes off the resolution.

Mr. President, the debate has covered many areas. I think now we are getting close to the time to vote on this amendment. I certainly support the amendment and I hope it passes because I think it will take out of the package the danger of a structural change in Social Security, a change that, while it purports to be COLA minus 2 for 3 years, I think is a major structural change because what we do for the next 3 years is going to be what we do with COLA's for Social Security from now on. So that, I think, is something that would not only be a tremendous breach of faith on the part of the administration, but also a very unwise thing to do to our Social Security recipients.

We are all concerned about this deficit. I notice in arguing against this amendment and for the 2-2-2 proposition, a number of distinguished friends on the Republican side have said in their arguments, "Well, this is a COLA change, but, after all, we are not the only ones that have had these COLA changes." They have alluded to the fact that the Hollings freeze in past years had a COLA change and the KGB budget plan that was voted on had a COLA change. They have alluded to the fact that the Senator from Florida has a package that has a 1-year COLA freeze on Social Security. So they have said this is just a part of that package.

But I really think maybe my colleagues have not understood the package of the Senator from Florida. While they like to mention the COLA freeze, I do not hear them at this stage supporting the other steps of that package. I think it is important to point that out that the Senator from Florida felt the only way we will be able to attack the deficits is to have everybody share in the plan of putting together a deficit reduction package.

I attempted to put together a package that did that. And it was my strong feeling, and continues to be my strong feeling, that every time you leave out any element of people or groups that should share in the pain, you begin to lose votes. For example, the President said at one time, "Don't cut defense, don't touch revenues, and don't do anything on COLA's." That was his original proposition. Well, that left us with about 25 percent of the budget to work on. That happens to be the 25 percent of the budget that we have continually cut, and we cut it again in this package. But it began to lose votes, and only when the President began to change did he begin to pick up the support of the members of his own party.

But now, as I see the package before us, it does not share the pain equally. It does not ask anything of those people who are not paying any taxes, or those companies who are not paying any taxes. It does not do anything to them.

The proposal that the Senator from Florida was trying to put forth provided that if we are going to attack $200 billion deficits, if we are going to do something about reducing $143 billion-a-year interest, if we are going to do something to keep this country from going into another recession, which will hurt everybody, including senior citizens, then we have to be willing to say we are going to come up with a package that says there will be some responsibility in that for everyone.

That is a lot different, Mr. President, from saying there is going to be a structural permanent change in Social Security I think that would be a

drastic mistake. What my approach says is this:

This is an emergency. We are going to restrain the defense buildup. We are going to freeze or go below a freeze in many, many domestic programs. And we are going to ask some of those people who have not paid their fair share before to stop taking advantage of the $400 billion in tax expenditures now available to them.

My good friend from New Mexico suggested that everyone who gets a Government check ought to be prepared to give up something. Well, those corporations getting Government checks—and there are also those getting money back in refunds; not only are they not paying any taxes, but they are getting a Government check back in refunds—those corporations ought to be called upon to add a little something to the ante as well.

Only, Mr. President, if we were talking about that kind of proposition do I think we ought to be talking about imposing some pain on senior citizens. Only if we were going to do something on a fair basis.

What I find in my State talking to my seniors is that they are willing to participate, and they will participate if they feel that everybody is sharing in it. What they resent is the idea that someone is going to attempt to balance the budget on their backs and do it in a way that is not fair and does not ask everybody to pay their appropriate share.

So, Mr. President, I hope this amendment will pass and we will strike from the package the provision which would make a total structural change in Social Security.

Mr. BYRD. Mr. President, I yield myself time off the resolution.

The PRESIDING OFFICER. The minority leader.

Mr. BYRD. Mr. President, as we debate priorities during our consideration of the 1986 budget, I am reminded that the preamble to our Constitution, written nearly 200 years ago, enumerates a set of objectives for the Government of our country. The preamble states:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

It goes without saying that liberty and justice are the core principles upon which the essence of our democracy depends. But our Founding Fathers wisely understood that among the important objectives for this new country, if it was to stand the test of time, would be the promotion of the general welfare of its citizens—the general welfare, not exclusively the welfare of the ruling landed gentry or of the merchant princes, for this was to be a country without titles, or monarchy, or rigid class structure.

It is that objective—the general welfare—to which I direct my remarks today.

It is my belief that history reflects that our Government has been guided generally by this objective in its decisions. We strive for laws which increase opportunity, not restrict it; which foster and reward initiative, not penalize it; and, which encourage realization of potential, not discourage it. And in so doing, we strive for policy which is fair and equitable, and which is humane and just. This, to me, is what it means to promote the general welfare.

There are innumerable examples of where we have been very successful in reaching this objective. The landmark Social Security Act of 1935 is probably the premier example.

Mr. President, contrary to what Mr. Stockman of the Office of Management and Budget would have the American public believe, the Social Security Program is not an expendable middle-class program. It is much more accurate to describe it as a bedrock against poverty. Upon signing into law the Social Security Act, President Franklin D. Roosevelt explained that it was intended to "give some measure of protection * * * against poverty-ridden old age." Today, 50 years later, there is widespread agreement that the program has achieved its stated purpose. Today, older Americans live a far more economically secure life than their counterparts 50 years ago—largely because of Social Security. Our challenge today is to assure that this progress is not reversed.

Data from the U.S. Bureau of the Census reveal that Social Security remains a necessity for many elderly Americans who fall into lower income brackets. Nearly 43 percent of elderly headed households had total money incomes below $10,000 in 1983. Over 73 percent of elderly households had incomes below $20,000. Furthermore, the low-income elderly cluster around the poverty line:

In 1983, 14.1 percent of the population age 65 and over (3.7 million) had incomes below the poverty level, counting Social Security benefits;

An additional 8.3 percent of the population age 65 and over (2.2 million) in 1983 had incomes between the poverty level and 25 percent above the poverty level, counting Social Security benefits.

In other words, in 1983, nearly one-quarter (22.4 percent) of the total population age 65 and over, or 5.9 million elderly Americans, had incomes below or near the poverty level.

Further evidence that Social Security remains a bedrock that keeps many elderly persons from destitution is revealed in the percentage of income that Social Security constitutes for the Nation's elderly:

In 1982, Social Security supplied more than half of the total income for 65 percent of its beneficiaries 65 and over;

In 1982, Social Security supplied 90 percent of the total income for 27 percent of its beneficiaries 65 and over;

In 1982, Social Security supplied 100 percent of the total income for 15 percent of its beneficiaries 65 and over.

A 1983 special report by the House Ways and Means Committee, "Background material on Poverty," found that, if there were no Social Security, there would be about 3.5 elderly poor persons for every one who now falls below the poverty level. In other words, Social Security reduces the incidence of poverty among the aged by 70 percent.

Furthermore, according to a report issued by the committee in February of this year, titled "Background Material and Data on Programs Within the Jurisdiction of the Committee on Ways and Means," payments to aged and non-aged Social Security recipients combined in 1983 probably kept 17 million persons of all ages out of poverty. Nearly 9.7 million of these would-be-poor are persons age 65 or older.

Clearly, Social Security is a program which has kept its promise to the American people. It is insurance against destitution in old age. It is a contract between this Government and the citizens of America, a contract based on the contributions of hard-working Americans, employees, and employers. It is a contributory program, not a handout.

Over the years we have made reforms in the program—reforms designed to make the program fiscally sound, administratively efficient, and responsive to the demographic requirements of its beneficiaries.

In 1972, the Congress determined that it should be a matter of permanent policy to preserve the purchasing power of Social Security benefits in the face of inflation. A law was enacted that year providing for benefits to be adjusted annually to keep pace with the consumer price index [CPI].

The purpose of this cost-of-living adjustment [COLA] was not to increase the benefit. The purpose was to keep the benefit whole, by adjusting its amount so that it did not lose value as a result of inflation.

Constricting Social Security COLA's for 3 years, as the President and Senate Republicans are proposing, is a reduction in benefits, no matter what impression to the contrary the President is trying to present to the American people.

These reductions would result in very real and destructive consequences for hundreds of thousands of elderly Americans. The Congressional Budget Office [CBO] has analyzed the projected financial impact on beneficiaries of the provisions of the Republi-

can's compromise proposal that reduces the COLA's to 2 percent in each of the next 3 years, and increases supplemental security income [SSI] benefits for the impoverished aged, blind, and disabled by $15 per couple and $10 per individual. The CBO concluded that, using its inflation assumptions, the proposed reduction in COLA's for non-means-tested program benefits, combined with the proposed SSI increases, would increase the poverty gap—the aggregate amount of income needed to raise the incomes of the 35 million Americans living below the poverty level up to the poverty threshold by an estimated $430 million and would increase the number of poor people by about 530,000. With respect to the effect of the COLA reduction alone—not partially offset by the proposed increase in SSI benefits—the CBO concluded that the 5.4-percent reduction in real benefits would increase the poverty gap by an estimated $610 million and would increase the number of people in poverty by 600,000.

Using the administration's inflation assumptions, the CBO found that the numbers of affected elderly increase to 570,000 persons in the case of the 2-percent COLA reduction offset by the proposed SSI increases, and to 650,000 persons when the COLA reduction is not offset by the proposed SSI increases.

The effects of the compromise proposal to reduce the COLA by 2 percent in each of the next 3 years are equally as startling when analyzed on the individual level. Using the OMB's assumptions and the Social Security actuaries' alternative II-B assumptions as to what inflation will be in the coming years, the average couple retiring this year—1985—will see, over their expected retirement lives, a reduction in their benefits totaling almost $13,000—$12,948—below that which they would receive without this proposed COLA reduction. The effect on the average retired couple just for the period 1986 through 1990 would be a reduction of $2,592 below that which they would receive absent this proposed COLA reduction. Finally, the effect on the average individual retiree, for the period 1986 throught 1990, would be a reduction of $1,500.

In the early part of this decade, we were faced with the impending insolvency of the Social Security trust fund. The Congress responded by enacting a number of reforms in the program starting in 1981, most significantly a comprehensive solvency package passed in 1983. Some of these were very painful, but nevertheless necessary to insure the program's sovlency. All told, these reforms will result in roughly $100 billion in reductions in Social Security benefits between 1982 and 1989. The largest portion of these savings, $40 billion, resulted from a permanent 6-month delay of COLA's.

In 1983, we said to Social Security beneficiaries that we were forced to take these actions in order to protect the solvency of the program. Such circumstances do not now face us—in fact, the Social Security Program is projected to be solvent into the next century. I believe we would violate the trust of all Americans to revisit this issue in the present circumstances.

Repeatedly, throughout his reelection campaign last fall and since his second inauguration, President Reagan has promised not to touch Social Security. I am quite familiar with the canard that promises are made to be broken. But this is one promise I and my colleagues intend to help keep, even though the President has since broken his own promise.

I am committed to seeing that our contract with this Nation's elderly and disabled Social Security beneficiaries remains intact.

Mr. President, the debate on the budget is really a debate on the priorities that guide this country. Democrats believe those priorities ought to ensure a future of hope for all Americans. We believe the priorities reflected in the compromise budget worked out between the White House and the Senate Republicans must be challenged and changed.

And we believe that it is appropriate that one of the first questions we address in changing those priorities concerns the protection and preservation of a contract we have with the American people—a contract they have counted on in planning their futures—a contract that keeps almost 13.5 million senior citizens out of poverty.

The Social Security Program is one of our most successful efforts in our continuing struggle to realize the objectives set forth by our forefathers in the founding of this great Nation. We must not turn our backs on that progress, or on those individuals who today are depending in Social Security and on their elected representatives to protect and preserve it.

I intend to vote for this amendment and I urge my colleagues likewise to support the amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ARMSTRONG addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ARMSTRONG. Mr. President, I yield myself such time as I may consume from the resolution.

Mr. President, I do not want to quibble, but I have listened with mounting concern over the last couple of days to the kind of statements such as the one just made by the distinguished minority leader, in which he has characterized, in my opinion improperly, the actions and attitudes of the President of the United States. He has made such comment about the President not once but repeatedly, which I believe is in error. Rather than letting it pass unnoticed, I would just like to call the attention of the minority leader and others to what I believe to be a fairer characterization of the President's position on Social Security. I say this as one who has discussed the matter on numerous occasions with the President and with others.

It, of course, is up to the minority leader if he wishes to accuse the President of breaking his word, but it so happens that I was among the millions of Americans who heard the President's statement on this matter when he made it during the course of the Presidential campaign. I understood him to say that he would not be willing to agree to reducing the benefits of people who are now getting them. When questioned about it several months later, that was the interpretation he put on it, which was entirely consistent with my understanding at the time. The amendment which is suggested by the leadership, which the President has agreed to, does not cut anybody's benefits. The question is, at what rate should the benefit increase? Should it increase according to the present law, which is to say no increase at all until we have 3 percent or more in inflation? Should it increase according to the leadership amendment, which is guaranteed 2 percent? Or at some other rate of increase?

I believe the President is getting a bum rap on this. I want to put it in perspective and make it clear that I am not speaking for the President, but only how I think it must have appeared to him.

He was sitting down there at the other end of Pennsylvania Avenue, confronted with the following public declarations: First, that many Members of the Senate on both sides of the aisle were talking about freezing the cost-of-living adjustment for Social Security. Not only had the Senate Budget Committee voted to do so on one previous occasion, but, in fact, the Budget Committee had even more recently agreed to do so, just a few weeks ago.

Moreover, while not supporting the package recommended by the Budget Committee, a number of the minority members of the Senate, including Budget Committee members, had developed their own budget alternative package, one feature of which was an across-the-board freeze of cost-of-living adjustments.

Meantime, in the U.S. House of Representatives, the chairman of the House Budget Committee—a member of the minority leader's party, I point out—made it plain in a number of public statements that he thought

that was a reasonable alternative and a likely possible outcome. In addition, at a meeting at which I was present as was the minority leader, the Speaker of the House said, not on one occasion but twice, that all programs were on the table. And he repeated to emphasize, "I mean all programs."

I think in those circumstances, it was natural for the President to assume that some change in the social security cost-of-living adjustment was in the wind, even though it might not be a change of his making or of his desire. So, at his instruction, I assume, representatives of the White House bargained with the leadership of the Senate to adopt the proposal which appears before us today as the leadership-White House plan.

Mr. President, I am sure that if he has erred in characterizing the President's attitude, it was not the intention of the minority leader to do so. But I think since the President is not here to defend himself and since, if a similar charge were made against a Member of the Senate, it might well be a violation of rule XIX of the Senate and since, in any case, such a charge serves no real purpose in the debate and does not go to the merits of the question before us, I would be hopeful that, having now made the point not once but repeatedly, perhaps the Senators on the other side of the aisle would be disposed to lay that issue to rest and not come back with it again. It seems to me it improves the dispassionate consideration of the issue to not engage in personalities.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield myself such time as I may need from the resolution.

The PRESIDING OFFICER. The minority leader.

Mr. BYRD. Mr. President, I think we can all talk dispassionately about this matter. I was interested in what the distinguished Senator was saying.

The distinguished Senator may characterize my comments in any way he wishes. I simply am stating a viewpoint which is based upon quotations from the press, quotations which, I think, would leave the elderly citizens of this country—and others who are not yet in that category—with the clear impression that the President is now doing what he had said during last year's political campaign he would not do.

The distinguished Senator from Colorado has spoken "in defense of the President."

The Senator used the words "how it must have appeared to him," meaning the President of the United States.

Mr. President, we should be a little more concerned about how the statements of the President must have appeared to the voters of this country; and especially how the statements by the President and those who often are chosen to speak for him at the White House, must have appeared to the elderly citizens of this country. Millions of people were preparing to cast their votes in this country last November, and a great percentage of those were elderly citizens. So let us take a look at some of the President's public statements as they appeared in the press. Suffice it to use but a few.

President Reagan had on an occasion charged that anyone who said he was breaking his promises not to reduce Social Security benefits would be "lying in [sic] their teeth." The following statements from the President and his chief spokesman are revealing.

So here we have, then, Mr. Speakes, the White House Deputy Press Secretary. He said:

> The President has made it emphatic that he will not touch social security in any shape or fashion.

Well, how do you suppose that statement must have appeared to the recipients of Social Security and their families?

It seems to me it is very clear that, according to Mr. Speakes, the President would not touch Social Security—in any shape or fashion.

The distinguished Senator from Colorado would argue that, well, the President did not mean that he would not support a reduction in the COLA increases, which, by law, the people on Social Security would be entitled to in the event inflation went up.

The next quote is by the President. This was on November 3. He said:

> There is no secret plan to do anything about depriving people who are dependent on Social Security, and there never will be as far as I have anything to say about it.

Those were remarks by Mr. Reagan at Wesley Park Senior Center in Milwaukee, WI, on November 3, 1984.

On October 16, 1984, the President said: "I made it plain that I would never hold still for any"—a-n-y—"any change in Social Security that pulls the rug out from the people that were depending on it."

That was Mr. Reagan in a question-and-answer session with students at Romeoville, IL.

The next quote from Mr. Reagan:

> I will absolutely battle against any suggestion of reducing or taking the benefits these people on Social Security are getting. They are going to get those benefits the way they are.

Well, it seems pretty clear what he meant there: He would battle against any suggestion of reducing the benefits the people on Social Security are getting.

I should think that, using the verbiage of the Senator from Colorado on how it "must have appeared" to him—meaning the President—well, how would it have appeared to the elderly people of this country?

Then the President again said:

> We are not going to do anything to double-cross the people dependent on Social Security * * * Their benefits are going to remain with them.

President Reagan was speaking at a political rally in Ottawa, OH, on October 12, 1984.

Then on October 10, 1984, the President said: "We're never going to take away from those people who are dependent on Social Security, now or in the future?

Well, how should anyone interpret that statement?

Is the President to hide behind a word or a sentence which it so happened may not have been directed specifically to future reductions in Social Security COLA's, to which individuals would become entitled under the law.

Well, then, Mr. Speakes again, the White House Deputy Press Secretary, on October 9, 1984, said: "The President will never stand for reduction of Social Security benefits for anybody."

The President said on October 7, 1984: "I will never stand for a reduction of the Social Security benefits to the people that are now getting them."

So now, Mr. President, are we to hide behind the composition of a particular sentence, or the use, or nonuse of specific words, or is it going to be the approach in the future that we hedge by simply not addressing a remark specifically toward a particular kind of cut?

The clearest quotation is in the President's answer, during an interview with Tom Winter and Joseph Baldacchino, Jr., of Human Events, November 6, 1984.

In answer to a question, the President said:

> Well, I have to say my pledge during the campaign carried with it the clear implication that the present Social Security beneficiaries would get their cost-of-living increases as well. I made that pledge and so, therefore, I feel bound by it.

This statement by Mr. Reagan could not have been any more clear, and there could be no doubt whatsoever as to the President's promise not to support cuts in Social Security COLA's.

Mr. RIEGLE. Will the minority leader yield for a moment at that point if this is not an awkward time for him?

Mr. BYRD. No. I yield.

Mr. RIEGLE. I think what the leader is pointing out is very important to fill in the record. There is an additional quote, I might say. Prior to the election, reporters asked Larry Speakes, the President's spokesman, some very pointed questions about the COLA increases specifically. When those questions were put to him, he responded in the name of the President on the record, before the election, that there would be no tampering with the

COLA adjustments specifically. And the way that reads—I am giving part of that quotation. I do not have all of it in front of me, but I will have it and put it in the RECORD. Speakes was asked:

You say that benefits will not be reduced. The law includes a provision for increases in benefits based on cost of living. Does this guarantee those increases as well?

Speakes' answer on the record—and by the way, it is in the White House transcript—was, "Yes. The law is the law."

And of course it was the law before the election, but then it became negotiable after the election.

I thank the leader for yielding to me.

Mr. BYRD. I thank the distinguished Senator. I was preparing to use that quote which occurred from the press conference of October 9, 1984, where Mr. Speakes did say,"Yes. The law is the law." And the question then was: "And you say it does include that there will be no tampering or"—Mr. Speakes broke in and said, "That is right." And then the question: "Delaying or trimming of cost of living?" Mr. Speakes said, "No tampering, no nothing. There is no hidden agenda. There is no secret plan. There is no nothing."

Well, Mr. President, the statement speaks for itself. It was made before the election, of course, and Mr. Speakes was quite emphatic about it. He did not leave room for any ifs, ands, or buts, but it is quite different now that the election is over. It reminds me a little bit of the situation that arose sometime ago in connection with CIA testimony about the bombing of Nicaraguan harbors when we were told as much as, "Well, if you don't ask the right question, you won't get the right answer." In other words, we are supposed to depend not on what we see as the answer. But if we are going to get the right answer to the right question, we have to hone in, like the missiles, on the heat of a plane; we have to hone right in on the question exactly or else we will not get the right answer.

I knew very well in my own heart what was going to happen. We all had heard those same promises made during the election in 1980. We saw the promises that continued to be made by the President and the White House in 1981. He said, in essence, "Tell the old folks to go home, get before the TV sets, put their feet up on the fireplace, and forget it; they are not going to be hurt; they are going to be protected by the safety net," yet they were not protected, as we know. The American people were told the same thing about a tax increase in 1982. The President, in January 1982, came before the two Houses of Congress and not once but two or three times, made statements to the effect that, "There won't be any tax increase this year. Just forget it; we are not going to stand for it." Before the year was over, he was among the first to stand up and plant the flag in support of a tax increase. It was a $99 billion tax increase that year. He also said that he would not support an increased tax on gasoline, but before the year was out, he was supporting a tax increase on gasoline, and in January 1983 signed it into law. So we have seen those promises made and broken before. As the distinguished Senator from Colorado said, "If it were another Senator, why, we might invoke rule XIX and make him take a seat." Well, as Dizzy Dean said, "It doesn't hurt to brag if you've done it."

I would not be daying this, of course, about our President—I respect him, I think he is very friendly and warm and congenial and I like him, very much—but these are his quotes, not mine. And I do not know, to use the distinguished Senator's words earlier, how it "must have appeared" to the President. I know how it appeared to me and I know how it appeared to the old folks in West Virginia. You go down to West Virginia, go out to Colorado and say to senior citizens there, "The President, he didn't say he wouldn't cut your social security COLA's." You tell them that.

Mr. President, I yield the floor.

Mr. ARMSTRONG addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ARMSTRONG. I do yield myself such time as I may consume from the bill.

We have had our say, and one of the great things about this body is that we can all look at a set of facts and reach different conclusions. It is obvious that the minority leader and I see this issue in a different perspective. I am not trying to have the last word, but I do want to make two points in closing. One is that whether the Senator from West Virginia's characterization of the President's remarks and his attitudes and his habits of mind and integrity is correct or whether or not my own view is correct really says nothing about the merits of the amendment in any case. Engaging in personalities no matter who might be proven correct in the final analysis, does not say anything about whether or not this is a good amendment.

I just want to remind Senators that this remains, regardless of who said what to whom, a killer amendment. This is an amendment that undermines the package which is before us at the present time, the only real hope for taking strong action on balancing the budget at any time in the foreseeable future and reducing the deficit at the present time.

Second, I close with a word of friendly advice to Senators who want to pick personal fights with the President. A lot of people have tried that over the years, and there are not many who have come out on the long end.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield such time to the distinguished Senator from Washington as he desires.

The PRESIDING OFFICER. Does the Senator from New Mexico yield time for the resolution?

Mr. DOMENICI. From the resolution.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I should like to start my remarks by asking the distinguished Senator from New Mexico if he will answer a question for me.

Mr. DOMENICI. I will be pleased to do so.

Mr. GORTON. Mr. President, as the distinguished chairman of the Budget Committee knows, the proposal which is sought to be removed by this amendment on Social Security cost-of-living adjustments differs from that which was passed by the Budget Committee some weeks ago. The latter was a single-year freeze on cost-of-living adjustments on all programs to which they apply. This one is a reduction by 2 percent less than inflation for each of 3 years.

I understand by reading the budget resolution that the total number of dollars involved, the total amount of the savings involved, over that 3-year period is approximately the same but the pattern is somewhat different.

My question to the distinguished manager of the resolution and the author of the Senate Budget Committee resolution, the chairman of that committee, is this: Should this amendment be rejected, should the Social Security cost-of-living adjustments proposal contained in the President-Senate leadership compromise be adopted, could it be met by the Finance Committee by a single-year freeze, by the proposal of the Senate Budget Committee, or is it in such a structure that this is the only way in which the Senate Finance Committee could meet the requirements of the resolution as it is before us now?

Mr. DOMENICI. I say to my good friend and distinguished member of the Budget Committee that it would not be possible to meet the savings assumed in the Senate Republican leadership-White House agreement by a 1-year freeze on Social Security cost-of-living increases. While reconciliation is certainly less than a perfect science, and even in those areas where it is directed at a committee such as Finance, which has entitlement and direct spending jurisdiction, and even though you can accomplish the reconciliation

instruction for the most part by various approaches, based upon the traditions and precedents, my answer would continue to be no. Based on the way we have handled reconciliation in the past, the Finance Committee would not be in compliance even if the savings over the 3 years was reached, but the assumed savings in the first year were significantly off the pending resolution's assumption.

Mr. GORTON. That is my question. I am not surprised with the answer of the Senator from New Mexico, because I believe it to be correct.

I must say that I am disappointed by that answer, and it is an answer which affects my vote on the amendment which is before us at the present time.

Mr. President, I must say that I regard this so-called 2-2-2 proposal as unwise and distinctly inferior to the proposal on cost-of-living adjustments which was reported by the Senate Budget Committee at the time it began this process.

In the first place, of course, this alternative simply produces a 3-year struggle, a 3-year fight, with no great prospect for success, as opposed to one which would have the savings up front and which would not cause us to revisit this issue again in 1986 and again in 1987. I do not believe we can have any real confidence, even if this proposal were to win here today, that in fact we would obtain the savings outlined in the budget resolution as it appears before us.

Second, while a 3-year figure of savings is roughly equal in respect to the two proposals, as we went further down the line, the reduction in cost-of-living adjustments as to Social Security and other recipients by this proposal was substantially greater than that which would be asked by a single year freeze.

Next, of course, this is inconsistent with the general thrust of this budget resolution. The great promise of the budget resolution which was reported by the committee, and I think the great promise all of us would like to have redeemed, is that we can take very drastic steps, make significant reductions in spending programs, make change in basic laws in 1985, right now; and that if they have the desired effect on economic growth, if they produce savings of roughly $55 billion in fiscal year 1986, we will not have to revisit this issue again; that we simply need to act in a fiscally responsible fashion next year and the year after, to see that Federal spending programs grow no more rapidly than inflation, at least to have a reasonable opportunity to lower our deficits and eventually approach a balanced budget.

Next, of course—and I think this is quite significant—this particular proposal is anathema to all the organizations, including the largest and most responsible, which purport to represent senior citizens.

The executive director of the American Association of Retired Persons, for example, feels it very undesirable either to start down what he, with some reason, considers to be a permanent road or, for that matter, to change Social Security into what amounts to a means tested program. The week's National Journal reports, however, that he has conditionally stated that he would accept an approach not unlike that recommended by the distinguished Senator from Florida, the ranking minority member of the Senate Budget Committee, which would balance a freeze on Social Security for 1 year with freezes on other spending programs, including defense, and some attempts at least to balance those sacrifices by some modest taxpayer sacrifices, such as a freeze on indexing and the like.

I must say that, while I do not by any means agree with everything which is proposed by the Senator from Florida, it does meet those basic requirements and in many respects is closer to the Senate Budget Committee resolution than is the proposal we have before us at the present time.

As a consequence, Mr. President, it is with regret that I say that I intend to vote in favor of the amendment which is before us at the present time—not for the reasons stated by most of its proponents to this point, but because I think that, rather than being a step backward, it is a step in the direction of coming up with an eventual package which is fair to all elements in our society and which, equally important, is perceived to be fair to all elements in our society, and one which has the great advantage of getting all the savings which it purports to authorize up front in one debate in 1985, and not leave very important parts in a somewhat inequitable fashion to future years.

Mr. DOMENICI. Mr. President, I yield whatever time I require from the resolution.

I wonder if I may ask the distinguished Senator from Washington a question. I listened with attention not only to his question, which I answered, but also to his observations with reference to a number of other things.

I ask this: Is it fair to say that the Senator is going to vote for the amendment, but that, in the appropriate circumstances, he would vote for a 1-year freeze on cost-of-living indexes on pension programs of the Government, including Social Security?

Mr. GORTON. Mr. President, I think its fair to state, in response to my distinguished chairman, that I already have said that, that I do so as a part of his Budget Committee process, and I intend to do so in the future.

I do not feel the Budget Committee resolution to be the perfect solution to this problem. I am not sure that I have seen the perfect solution to it yet. But I do believe that a 1-year freeze on all cost-of-living adjustments accompanied by freezes and by some very significant reductions in programs which I like but which I nonetheless regret to say we can no longer afford, accompanied very likely by a freeze in tax indexing for 1 year, is something which will be both effective and fair.

I should say it seems to me that any budget resolution, any approach to the budget deficit problem which we face this year must meet two tests. It must be effective and it must be fair. By effective I mean that it should come very, very close to $55 billion in savings which has constantly been the goal of the chairman of the Budget Committee; that is to say, a budget deficit of approximately 4 percent of the gross national product.

The resolution which is before us now is effective. It comes fairly close to that number.

I regret to say it is very possible and very highly likely that we can meet that effectiveness when one is charged with a resolution which is more fair and equitable in a way that it distributes the pains of the cuts.

Mr. DOMENICI. I thank the Senator.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. DOMENICI. Mr. President, I had not yielded the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I will gladly do that.

Mr. ARMSTRONG. Mr. President, will the Senator yield so I could follow up on the statement of the Senator from Washington?

Mr. DOMENICI. I yield.

Mr. ARMSTRONG. The question which the Senator from New Mexico put to the Senator from Washington underscores the dilemma that we find ourselves in.

The statement of the Senator from Washington really was a masterpiece of careful thought and analysis and, of course, that is not surprising because whenever he has risen in this Chamber to speak so far as I know he has never failed to bring great intellectual horespower and commonsense to the problem, as he just did, and basically, I agree with everything he said.

I really like the 1-year freeze better than I like the 2-2-2, but I am not aware that we are ever going to get a chance to vote on a 1-year freeze amendment as part of a package which includes a lot of other things.

So in order to get the Senator from Washington or the Senator from Colorado on board for the 1-year freeze on Social Security, we have to take some

other things that is going to cause a bunch of people to get off the battle.

Mr. CHILES. Try it. You might like it.

Mr. ARMSTRONG. I say to the Senator from Florida who, by the way, while I am on my feet, let me observe for the record what I have said off the record a number of times: The Senator from Florida has shown more statesmanship in his handling of this particular issue than almost any Member of this Chamber and has done so under circumstances when it would have been easy for him to run away from a difficult political issue, and he has not done that. He faced up to it and he has called for the passage as a part of a package of a Social Security cost-of-living freeze even though he comes from the State that has a huge number of Social Security recipients.

I applaud his statesmanship. But we still have the problem.

Is the Senator from New Mexico or the Senator from Florida or the Senator from Washington, or anyone else, aware of an isolated amendment on this subject? Or are we really saying if we adopt the amendment offered by the Senators from New York and Florida that is now pending we get nothing and we end up faced with the prospect of a stampede developing for popular amendments and how do we put it back together at the end?

I mean, we are not choosing from among perfect choices but from among real choices.

Mr. DOMENICI. Mr. President, as I understand it, although I will not hold anyone to this, I do not think you can address the question to everyone on my time, but I ask unanimous consent that that be permitted in this case. If Senator CHILES wants to answer it, it is on my time off the resolution, and I wish to make sure that the Presiding Officer understands that and that is satisfactory.

The PRESIDING OFFICER. Without objection it is so ordered.

The Senator from Florida.

Mr. CHILES. Mr. President, I wish to say to my good friend from Colorado who has been so kind in his remarks about me that I hope we do not adopt anything like this isolated instance. I think that would be tragic, and the Senator from Florida certainly would not be for that because that would be sort of saying to the seniors, "Look, we are willing to just put this on your back, and this is a place where we can save some money, and we will take it out of your hide."

You know, I do not think that should be the case at all. I think only if we can assure them that we will do enough on deficit reduction, that we will not go into another recession, that interest rates will go down rather than go up, and also that we can assure them that we are putting out a package that treats everyone fairly and requires some sacrifice on the part of everyone and every group in this country, in that instance then I think we can say, "We feel we asked you to join with the rest of the country in that," but I would certainly hope we would not do that on any isolated basis.

My friend from Colorado may not ever be able to vote for the package that the Senator from Florida would propose, because that would be the criteria I would insist upon.

Mr. ARMSTRONG. Mr. President, I think we made the case, and I only want to clarify it. When I say "vote for it in isolation," I mean as a single amendment.

The problem is that all the various packages carry with them someone's approval and someone's disapproval. As I understand the package which will be presented at some point by the Senator from Florida, it contains things which would not be acceptable to a large number of Members on both sides of the aisle and which would not be acceptable to the President, specifically tax increases and a larger cut in defense spending.

As far as I am concerned, I could tolerate a deeper cut in defense spending as I suspect could the Senator from Washington, because I was there when he voted to cut deeper on defense.

But there is a point that I wish to stress, and then I would just like to yield the floor, because I am not trying to replow the ground more than I should. The point I wish to make is that we are faced with practical interest choices of what has any possibility of getting through, and I am not saying the package presented by the Senator from New Mexico is the only package, but that it is the only one I know that has any real chance of making it, and that is the reason I am prepared to vote for a little more defense than I originally thought was right, that is why I am prepared to vote for a Social Security provision different than I think is best, and that is why I am prepared to vote in agriculture, and a number of other budget functions for proposals, and dollar figures that are at variance with my own best judgment of what would be absolutely certain, because it seems to me it is the best chance we have.

If someone can come up with a package that can pass then that is fine. I am ready to take a look at that.

I do not think you can do that if you start by loading up things that are unacceptable to the President, and unacceptable to this group, or unacceptable to that group, or rule off the reservation altogether that 25 percent of the budget as the pending amendment would do.

Mr. GORTON. Mr. President, will the Senator from New Mexico yield for a comment?

Mr. DOMENICI. I yield under the same conditions.

Mr. GORTON. Mr. President, the Senator from Washington at the same time is both pleased and a little bit apprehensive to have the answer to the question of the Senator from Colorado that my distinguished friend from Florida did. I do not believe that this specific proposal will be voted on in isolation. I doubt it would pass in isolation. I think that it can, as the Senator from Florida has said, pass as a part of an overall package.

I am relieved, I may say, Mr. President, by the kind comments which the Senator from Colorado made about me. I have not found in my 4½ years in the Senate anyone with whom I have been more apprehensive when I find myself in disagreement than is the case with the Senator from Colorado because he is so thoughtful, intelligent, and persuasive, and so I am relieved that once again while we may disagree on the tactics, on the way by which we reach a particular goal, the goal is ahead.

Mr. ARMSTRONG. I thank the Senator.

The PRESIDING OFFICER (Mr. PRESSLER). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I think the Members of the Senate have heard a discussion here in the last half hour which has really put into perspective the difficulty that we confront.

I do not have any illusions about this amendment. I think the amendment is going to pass.

I did this morning make a couple of predictions. I made a mistake in the prediction because, as I indicated what would follow, just as sure as night follows day, I said all the other pensions with their restraints in this budget that they would all be reinstated to current law so we would go back to automatic cost of living, but I failed to mention—I said Federal retirees and I am sure we are going to take off the restraints there shortly in the Senate, and I think I said military retirees, and I am sure we are going to take that off since we seem to be talking about fairness, and clearly fairness would say everyone gets their cost of living—I failed to mention some veterans programs that we have some restraint in and that the Budget Committee resolution had some restraint in. I think that will come off also.

And we will be talking somewhere around $33 billion in restraint.

I wanted to mention one other thing. Yesterday, without having the RECORD checked, I was speaking about cost-of-living freezes. And I made a mistake. I said without checking the RECORD I would give the Senate my best guess, and I guess it was that plus some intuition, that at least 60 Senators have either cosponsored with very formal proposals or voted for a cost-of-

living freeze across the board for 1 year.

I now have checked the RECORD because I was wondering whether I was right or not. I would like Senators to know that I was pretty close. Instead of 60, which I guessed, I find that on official votes at least once, in many cases twice in the last year, 59 U.S. Senators from both sides of the aisle have actually stood on the floor of the U.S. Senate and said "aye" to an amendment which would freeze the cost-of-living index for everyone, including Social Security. I did find, in checking beyond that, that six more, six that did not vote "aye" standing on the floor, are now on official amendments, either the one that is pending, or at the desk awaiting an opportunity to be called up. So there are 65 that clearly have either voted "aye" or are clearly on record as being for freezing cost-of-living indexes for 1 year.

I will not under any circumstances, having heard the very excellent discussion that precedes my remarks, attempt to pass judgment on what that means. I do not know what it means. But I do think it means at a minimum that 65 U.S. Senators from both sides of the aisle—I have not been able to say how many from that side and how many from this side, but my recollection again there would be that it is about even, maybe slightly more on this side but pretty close to even. I think what it does mean is that there is a set of circumstances when a compelling majority of this body would vote for that.

I do not stand here and argue that the proposal which the distinguished majority leader, and myself, and some others on this side of the aisle worked out with the President should today be vested with the same kind of fairness that would get 65 votes.

But, basically, it appears to me that that brings us to a very interesting issue. We will vote for this when it is fair.

I met in the last 2 months, 3 months, I guess, with 50 organizations where 20 or more people were present. I guess I have been in the last 2 or 3 months with groups, a total of which might be 4,000 or 5,000 people. I had no trouble, when we talked about reducing this deficit, with almost every one of those groups as groups and individuals saying: "We want to dramatically cut this budget and so long as it is fair, we are for it."

The problem is—and I do not say this in any way critical of anyone else's definition of what is fair—that I know that it is very hard for everyone, or even 51, much less 65, all of whom will say, "If it is fair I will vote for it," it is very hard, even though fairness means something and can be looked up in a dictionary, it is very hard to put together a package that meets everybody's test of fairness.

I have, from time to time, had people say that, "We will vote for it if it is fair." And then you tell them, if you freeze everything, how big the deficit is that is left, freeze everything in the budget, and would it be unfair to freeze everything and do some more. And therein you run into some colorations of fairness.

It is easy, though, for them to say, if none of them are concerned about Amtrak, "Well, we got the fairness. Everything gets frozen. But can we do a little more?" And you say to a group that does not care about Amtrak, "Well, what about taking out Amtrak? That is still fair, right?" That whole group says, "That is fair."

Then you go to another group and say, "Everything is going to get a freeze."

"Well, that is fair."

"Well, that is not enough to fix this thing. How about Job Corps?" And you tell them a little bit about the Job Corps. They say, "Well, when we are in this big of a predicament" none of them have any interest in that—"that is fair." They will all vote to freeze everything—take that one out; it does not affect them.

Then you go on over to another group and it is businessmen now. You run into a little problem because you say, "We are going to need more than a freeze and you all are saying this freeze is fair. What about Eximbank?"

You tell them, "That helps about six corporations directly and maybe some other subcontractor companies. We just can't afford it."

Well, you get in interesting thing. If there are 30 or 40 businessmen, they all look at each other and about 25 will say, "Oh, that is fair." But five will say, "Wait a minute. Wait a minute, now, that is not fair. All that other is all great, but I get something from the Eximbank."

And so now you already have a little group suggestion that is not fair because they get something from it. And that can go on and on.

I, frankly, have difficulty defining what is fair. But I do not have any difficulty saying what is going to happen if we do not dramatically reduce the budget deficits. I do not have any problem with saying to everyone that there will be very, very few Americans that that will be fair to if this economy starts to go down dramatically and we have the kind of thing that does not put 200,000 or 300,000 senior citizens $5 under the poverty line with a freeze, because that is about half. They go $5 under the hypothetical and the other 50 percent will go $10 under the hypothetical.

That is all we have been hearing about, about throwing people into poverty. Nobody is saying anything about the fact that those are the ones that are on the fringe. We have taken about 4.5 million senior citizens that are on Social Security with nothing else. They are down there in poverty. They are moving up every year, but they are still there.

Mr. MOYNIHAN. Will the Senator yield?

Mr. DOMENICI. I will yield in just a moment. So I think the discussion this afternoon about whether a 1-year freeze is more palatable than 2-2-2 with a guarantee, and, as described by my friend from Colorado this morning, which may over the 3 years be more than current law entitles senior citizens to under some economic circumstances.

I do not know which is more fair. Frankly, I voted for a 1-year freeze in the Budget Committee. I proposed it. It was in my package. It was in it three times. I will vote for it again.

But, frankly, I am going to vote for the proposal that we worked out with the President because it accomplishes the same purpose. I do not think it does any more harm. And if you are looking at fairness it is just as fair if not more fair than a 1-year freeze, if you just talk about that as part of this package.

So I do not have that kind of difficulty, because I have found what I think is a fair package. But I really want everyone to understand—and I think they know me well enough—that so long as we end up acting on good faith trying to put a package together that is real and meaningful, I have plenty of flexibility in my mind as to other definitions of fairness that might put a package together. And I hope we are going to do that because I think that is imperative.

Now, I would be pleased to yield to my friend from New York.

Mr. MOYNIHAN. May I ask the distinguished chairman, in the spirit of comity which he tries to bring to the floor, does he recall that just 1 year ago, on May 1, we were debating a proposal put forth by Senators HOLLINGS, EXON, and ANDREWS? And in rising in opposition, the chairman spoke of an excellent bipartisan commission which he called the third major reform in the history of Social Security and which made the funds solvent. He objected to the proposal to cut Social Security. And he said:

> So that everyone will know, using the same logic and the same approach, this proposal will cut social security, after all the things we just did. We attempted to reform it, and I thought we did reform it. According to what I understand, nobody wants to balance the budget on social security or on social security recipients. This proposal will cut social security over what we just fixed in that reform, so that the average retired couple will lose $1,848 in benefits. The average disabled worker with a family will lose $2,100 in benefits.

Without holding the chairman to that statement, the Senator does recall it. So the Senator does see that

there could be two sides to this position. The Senator has been on both sides.

Mr. DOMENICI. That is correct. The Senator is absolutely correct. From my recollection, I made that statement. I have no trouble saying that I did. I will say there is one slight difference, and it does not have anything to do with it, but just to make the record right that was a 2-year freeze of cost, of living. But in any event, that is irrelevant to the point you are making.

But let me say for everyone out there that might make a difference. I frankly believe that we were putting together the best possible package then to set this economy straight. We did a pretty good job. We did not have to burden the senior citizens at that point with taking any restraint on the cost-of-living. I look back and most of the things we tried to do in that package that I referred to we accomplished.

But the truth of the matter is that we are still looking at $200 billion to $250 billion deficits for as far out there as you can see. I am not an expert on the workings of that commission, my good friend from New York was on it, and is an expert. But I frankly believe that the deficit is so serious that the solvency of the trust fund is in jeopardy. I know that will bring another discussion by my friend from New York. But I know enough about it to tell you that if we have the kind of economic problems that I think we are going to have with this kind of deficit, then you have to put some different economics into that commission's report and you have to put some tremendously different economics into what the commissioner that runs that program has currently reported.

And I will just again make an educated guess. I think I could put down the scenario where the economy would get bad enough in the next 3 or 4 years where that great solvency that my friend from New York says is there—and it is there, Senator, and I am saying you are right in saying it is there—but I think I can put down an economic scenario, a set of assumptions that, if we do not fix this economy, would have the senior Senator from New York and others on this floor saying, "Yes, when we brought you the reform package." I would then ask him the question: "Do you remember saying that this is solvent until 2010?" And he would say "Yes, indeed, Senator from New Mexico, I said it. But I did not think we were going to have the economic situation we have." And I do not believe my friend from New York, as expert as he is on that fund and as strong an advocate as he is for what was done with his hard labor and others, including our distinguished leader, Senator DOLE—it was bipartisan, and some non-Senator I guess was there, and I guess Alan Greenspan was the chairman. I do not have any doubt that they believe as I believed when I made that statement that we were moving in the right direction, and we did not have to change the COLA's because we were taking a great big bite off the deficit just as I was wrong—and I am certain I was wrong because the deficit is larger, not smaller and no set of predictions say it is going to get smaller without a package like this in deficit reduction. So I feel very comfortable saying to the senior citizens, share a little bit of the sacrifice. I think it is, fair. I understand others are not sure the package is fair. But I think it has a great deal to do with whether you ought to believe that fund is going to be solvent or not. And I believe it has a lot to do with where the young people in this country paying into that fund ought to believe that they are paying into it, and paying into something that will be there for them because without fiscal responsibility, continued growth, low inflation, interest rates coming down so we can indeed continue prosperity, both groups, the seniors and those who are paying for their seniors, will say it is not right. The fund is not going to help us, and those paying into it are going to say it will not be there.

So that is my answer, a very long one, but it permitted me to—I thank my friend from New York—explain my position as I see it here today.

Mr. GRASSLEY. Mr. President, for 3 years I have proposed an across-the-board budget freeze as the best mechanism to halt the momentum of soaring Federal deficits. Not only would an across-the-board freeze have a substantive impact on the deficit, but it is also the fairest route to budget restraint. In my proposal, every program and beneficiary would be asked to sacrifice equally, and it is this aspect of equity that has been the strongest rallying point behind such a concept. In my budget freeze plan, defense spending and discretionary programs would be frozen at their fiscal year 1985 levels, and cost-of-living adjustments would be frozen as well for entitlement programs—including veterans pensions, railroad retirement, military pensions, civil service retirement, Federal civilian pay and Social Security.

The decision not to exempt Social Security COLA's from my across-the-board freeze proposal was not an easy one to make. But in the interest of affecting all segments of the population equally, I felt no exceptions could be made. Many Iowans have agreed with me that reducing the deficit should be done in such a way that no one group would be favored over others. Many senior citizens have agreed and they are willing to sacrifice to prevent soaring deficits, if everyone is asked to sacrifice equally. Those were my feelings if—and I emphasize—if the Senate had chosen to pursue my across-the-board freeze. However, the proposed budget that we have before us is far from my fair and equitable freeze.

The so-called Senate-White House compromise provides 3 percent real growth for defense programs, a partial COLA for Social Security recipients and cuts many discretionary programs well below current funding levels. I cannot justify freezing Social Security COLA's for our senior citizens if we are going to allow a 7-percent increase over current spending for defense.

Therefore, I am going to support my colleagues in voting to restore full COLA's for Social Security recipients. We have lost the element of equity already in the budget process. I will not ask our elderly citizens to sacrifice more than the Pentagon in an effort to reduce Federal spending.

Mr. LEAHY. Mr. President, the President of the United States made a promise to the elderly citizens of this Nation last year—and I am going to see that he keeps it.

In 1983, when we passed the Social Security Amendments, the elderly accepted a 6-month delay in COLA'S—a delay that will have cost them $40 billion by 1989. The promise was made then to leave Social Security alone.

But for days, weeks, and months now they have had to listen to arguments about keeping in the COLA, taking out the COLA, and every other variation on the theme that COLA's are the key to the budget problems and the cause of the Federal deficit.

It is time to realize that the elderly know better—they know why we have a Federal deficit. They know it has nothing to do with COLA's and everything to do with a massive tax cut in 1981 and huge increases in defense spending over the last 4 years.

According to the Congressional Budget Office, by 1990 revenues will be $335 billion less than they would have been if not for the 1981 tax cut. Compared to what it would have been under policies in effect in 1981, by 1990 the defense budget will have grown by $95 billion and domestic spending will have decreased by around $88 billion.

The elderly people I talk with say that like all Americans they are willing to make sacrifices to help pay off the deficit. But a cut in COLA's is a direct transfer from the pocketbooks of the elderly to the defense budget—not a sacrifice to help pay off the budget.

Mr. President, Social Security is a self-financed program. It does not contribute to the Federal deficit. The Social Security Trust Fund is showing a surplus. But because the program is part of the unified budget, the elderly have been unfairly treated. Older people know that cuts in benefits will

create a larger surplus which, in turn, lowers the deficit. All the while, the Defense budget increases. Again, a transfer is made from the pockets of the elderly to the Pentagon.

Before 1935, when the Social Security Program was begun more than two-thirds of the elderly could only rely on friends, family and charity for financial support. Since enacting the Social Security Program, more than 85 percent of all older Americans have incomes above the poverty level.

There is more I would like to say in support of the Social Security Program. Every one of us who has older family members or friends, benefits because of the security and peace of mind this program gives them.

But time is short, and I will only say that the 89,000 Social Security recipients in Vermont—and the 71 percent of them who depend on Social Security as the primary source of income—have been the subject of the budget debate long enough.

The elderly are asked to sacrifice more than COLA's in the "Rose Garden" budget package.

Under this "rosy" package my State of Vermont will lose nearly $42 million in Federal support. Most of this will affect the elderly.

My friends, the safety net is full of holes. Older people in Vermont will have a hard time to absorb the $7 million loss of Medicare support. The low-income elderly will have no place to turn when virtually every safety net program is cut back or cut out—food stamps, low-income energy, employment, meal programs—and on and on.

Mr. President, a vote to cut COLA benefits will put thousands of older Americans into poverty and push thousands of others close to the threshold. Surely, we can find better ways to gain control of the Federal deficit than to jeopardize the well-being of our older citizens who have done so much for us.

I will vote to restore the Social Security COLA's to the budget.

SAVE THE COLA

Mr. LAUTENBERG. Mr. President, I rise in strong support of maintaining the full cost-of-living adjustment for Social Security beneficiaries. The proposals by the Senate Budget Committee to skip the January 1986 COLA and the President and the Republican leadership to reduce the COLA are unfair and should be rejected.

This year marks the 50th anniversary of the Social Security Act. For 50 years, this Government has been promising a floor of support and security to our older citizens. Just 2 years ago, on April 20, 1983, Congress completed its work on legislation to strengthen the Social Security Program and the President signed the bill. With much fanfare, the Government renewed its commitment to a strong and stable Social Security Program for the aged and disabled.

So, why, Mr. President, are we here again on the floor of the Senate talking about Social Security? Did we fail in our efforts to prevent Social Security bankruptcy? No. The program is in good shape. Are Social Security beneficiaries being overpaid? No. Many of them depend on Social Security as their only source of income, and it barely keeps them above the poverty line.

Mr. President, restraint in spending is necessary. For some, the protection against inflation built into the Social Security Program is a very tempting target. Some would give an increase to the generals for defense spending, but take the COLA away from our senior citizens.

But that is wrong. It is wrong to force 650,000 senior citizens and disabled people into poverty by reducing their COLA's. The White House-Senate Republican package, which would reduce COLA's to 2 percent plus any inflation over 4 percent in each of the next 3 years, would hurt that many beneficiaries. Social Security beneficiaries have already contributed to fiscal restraint through the 1983 Social Security rescue bill and through cuts in the program made in 1981. We should not ask our most vulnerable citizens to do more in this budget fight. The COLA was delayed for 6 months in 1983. That is enough.

When President Franklin D. Roosevelt signed the Social Security Act in 1935, he set out the goals for this ambitious program. He said that it would "not offer anyone * * * an easy life. None of the sums of money paid out to individuals * * * will spell anything approaching abundance. But they will furnish that minimum necessary to keep a foothold; and that is the kind of protection Americans want." Those words still hold true today. The annual cost-of-living adjustment is intended to help senior citizens maintain their "foothold." To eliminate or reduce the COLA is to weaken that hold and start some people slipping into the abyss of poverty.

Our senior citizens deserve better treatment from their Government. They struggled through the hard years of the Depression, fought for their country during World War II, and helped build the prosperity of the postwar era. In return for their work and dedication, the Government promised some measure of security for their old age. Part of that promise is the protection offered by the COLA.

Congress must keep its promise. The protection of Social Security must not be sacrificed. The budget deficit fight does not require it. The promises made to senior citizens and disabled Americans should not be broken. This country is unique in the world in the compassion and the value that we place on our citizens. Support for this COLA protection is in the best of that tradition.

AN EQUITABLE BUDGET APPEAL

Mr. DIXON. Mr. President, I support the amendment offered for the junior Senator from Florida and the junior Senator from New York. The amendment would put funds back into the budget to allow full cost-of-living adjustments to be paid to Social Security beneficiaries and railroad retirement, tier 1, annuitants.

I support the amendment because I believe that fairness goes hand in hand with a stable economy. If this administration and this Congress can provide and increase for the military, which includes adjustments for inflation, then it is only fair and equitable to provide COLA's for our elderly and disabled persons.

The issue of COLA's for these Social program functions standing alone, as is the case in this amendment, will receive my support.

However, so that my position is very clear, I also believe that the taxpayers of this country want to make a dent in our massive Federal budget deficit, which now stands at $220 billion. To make that dent, I believe that we must look at the entire budget.

Therefore, my preference for the fairest way to proceed would be an across-the-board freeze on all spending, including military. Last year I supported the Kassebaum-Grassley-Biden-Baucus amendment to the Deficit Reduction Tax Act of 1984, and I would certainly support that type of legislation again so that we can adopt a freeze that is equitable for all of our citizens.

Mr. KENNEDY. Mr. President, I rise in support of this amendment to keep faith with America's senior citizens.

This budget package proposes to reduce the Social Security cost of living adjustment in each of the next 3 years. If this provision of the budget package is adopted, America's senior citizens will be $3 billion poorer next year, $10.5 billion poorer by the end of 1987, and a whopping $49 billion poorer by the end of the next 5 years. An additional 600,000 senior citizens will be thrown into poverty and all senior citizens will see their standard of living decline.

Social Security is a sacred compact between the Federal Government and the citizens of this country. That compact says to all Americans: if you pay a portion of your hard-earned wages to the Social Security system while you are young, we will pay those wages back to you in the form of a stable, predictable, inflation-adjusted pension when you are old.

The President knows how important that compact is to the people of America, young and old. That is why he repeatedly pledged during the course of

the last Presidential campaign that he would never, ever reduce Social Security. Yet today he and the Republican leadership—at the same time they pledge never to raise taxes—propose to levy a heavy and unfair tax on America's senior citizens.

In our efforts to preserve the Social Security Program against the threat of bankruptcy 2 years ago, we in the Congress made a number of program adjustments, including a painful benefit cut that will cost Social Security beneficiaries $28 billion over a 5-year period. Those cuts were necessary to achieve the bipartisan agreement necessary to save the program.

Today, the Social Security Program is on a sound financial basis and actually contributes to deficit reduction. There is absolutely no justification for further benefit cuts.

Our senior citizens should not be asked once again to pay the price of the administration's failed fiscal policies.

The men and women who are senior citizens today kept faith with America through the Great Depression and the Second World War. I urge the Members of the Senate to keep faith with them today.

Mr. LEVIN. Mr. President, I support the amendment to remove from the White House/Republican leadership deficit package the provision which would essentially reduce the Social Security cost-of-living adjustment 2 percentage points below the Consumer Price Index.

We all agree that we must substantially reduce the budget deficit. We all know that it threatens continued economic growth. In fact, in our trade deficit and in the most recent economic indicators, we are already seeing the warning signs of the much larger dangers ahead. My home State of Michigan, which has yet to fully recover from the last deep recession, stands to suffer greatly if we don't take action on the deficit because foreign auto imports will be put in an even better competitive position. The farmers in my State also are in danger of further losing markets to foreign competitors who are able to undercut their prices due to the high value of the dollar. So, the need for action—substantial action—is clear.

If we are going to ask people to sacrifice as part of that deficit reduction, then we've got to be sure that the sacrifices are shared fairly. The package which we have before us right now just does not do that. The package does not touch the Tax Code which allows tens of thousands of profitable corporations and wealthy individuals to get away with paying little or nothing in taxes. The package allows the Defense Department $25 billion more this year than last year.

I urge my colleagues to vote for this amendment, and in doing so, say to the elderly of this country that we will not ask them to bear an unfair portion of deficit reduction. A vote in favor of this amendment will also send an important signal to the President and the majority leadership of the Senate, that Senators are aware and concerned that other members and segments of our society are not being asked to carry their fair share under this package.

Mr. CHAFEE. Mr. President, this is an admittedly difficult vote. Frankly, I would prefer a different approach, the same as that proposed by my Democratic colleague, Senator CHILES, namely, a 1-year freeze across-the-board on all Federal cost of living adjustments, with full COLA's to be assured in the following 2 years. Despite these reservations, I will vote today to uphold the leadership plan. Furthermore, I fully expect we will end up with a 1-year freeze on all cost of living adjustments.

It is absolutely critical that Congress act to control the deficit. It is the No. 1 economic priority facing the Nation, and we will ignore the danger these deficits present at our own peril, and that of our children.

To reduce the deficit, we must reduce spending. Some in this Chamber have talked of tax increases, and I agree that the time may come when additional revenues will have to be considered. But I believe it is imperative that we do everything possible to reduce spending before considering new taxes.

In voting to reduce spending, my overriding concern has been that the reductions be seen as fair to the American public. It is essential that the public perceive that Congress has acted, to the extent possible, to assure that all elements of our society share in the burdens that budget reductions will impose.

It is for this reason that I will vote to further reduce defense spending to zero growth in the next fiscal year. I do not think it is fair to ask the public to support stringent reductions in domestic programs and exempt the military from sharing at least part of the burden. Our national security will not be imperiled if, for 1 year, we tell the Pentagon to live on a diet of zero growth. While a military "freeze"—that is, providing the same number of actual dollars in 1986 as we provided in 1985—would undoubtedly do harm to our shipbuilding, modernization, and conventional arms programs and would likely require shortsighted manpower reductions, I am convinced that the Defense Department could survive zero growth with no real harm to essential components of our national security.

For similar reasons of fairness, I will vote to restore funds for Medicare, Medicaid, and several other domestic programs. It is not my intention today to go into detail on all the restorations I seek, but I would like to say a few words about Medicare, since it is a component of the Social Security System.

The leadership budget not only mandates reduced Social Security cost-of-living adjustments for the next 3 years, but also would require that Medicare beneficiaries finance a larger portion of the nonhospital costs of the program, through progressively higher part B premiums. It seems to me inherently unfair to increase Medicare premiuns at the same time we are restricting Social Security COLA's. Therefore, I would hope that before this budget debate is over, we will see the wisdom of restoring enough dollars for Medicare to make such premium increases unnecessary, at least for the next year.

Finally, I come to the question of Social Security itself.

It seems to me unfair in the extreme to suggest that we freeze or reduce cost-of-living adjustments for Federal workers, as well as retired civil service and postal workers and military personnel, and exempt Social Security recipients. If we are asking part of the population to forgo or face reduced COLA's, we ought to expect the same of everyone.

In an ideal world, COLA restrictions would not be necessary. Sadly, however, it is impossible to secure the minimum level of savings needed—even with a total budget freeze, and even with deeper cuts in the defense budget—without including some action to limit cost-of-living adjustments.

I'd like to close my remarks by addressing myself directly to the elderly.

As much as any Senator in this Chamber, I recognize and appreciate the concern you have. I have anguished over this vote for many months, and I do not cast it lightly. In the final analysis, I have come to the conclusion that it is necessary.

In legislating a reduced COLA for 3 years—or, alternately, to forgo a COLA entirely for 1 year—we are asking you to accept a share of the burden that will be borne by the entire Nation. In times of danger, Americans have always rallied together. This is a time of danger, and your contribution, no less than that of every other citizen, is essential, for your own sake and for that of your children and grandchildren.

This year, we will spend $200 billion that we do not have, and this figure will grow to nearly $300 billion by 1990 unless we take action now. We are borrowing $1 out of every $4 we spend. No American family could long survive if it borrowed at such a level. As a Nation, the United States is no different.

The deficit creates many problems, many of them masked by the relative-

ly good times of recent months. But those problems are real, and they will grow like a tumor unless we take action now.

This year, we will spend 13 percent of total Federal expenditures just to pay interest on the national debt, some $143 billion. In 3 years, that figure will be 20 percent. I can think of a hundred better uses for that money then paying interest, but we'll only be able to put those dollars to truly productive use if we act now to stem the flow of red ink.

If the deficit continues to grow, inflation will surely rise, interest rates will go up, and the essentials of life—food, clothing, and shelter—will increase in cost far beyond what any Government program could protect. Of all the elements in our society, it is the elderly who will suffer the most if this happens. Those on fixed incomes would be devastated, and the quality of life for every American would be severely reduced.

Federal deficits have a devastating effect on the ability of industries in Rhode Island and throughout the Nation to compete in world markets. Our trade deficit in 1984 was $123 billion, up from $39 billion in 1981 and surpluses just as few short years ago. These trade deficits are directly related to the overvalued U.S. dollar when measured against other currencies, and the strength of the dollar stems from the deficit.

Trade deficits mean one thing: fewer jobs for Americans. In Rhode Island, 12 percent of our manufacturing jobs—18,000 Rhode Islanders' jobs—are directly tied to exports; take away the exports and we take away those 18,000 jobs. It's that simple. For the elderly, this affects not only your children, but you directly. Fewer jobs means smaller payments to the Social Security trust fund which finances benefits.

The passage of a budget which imposes the burden of deficit reduction as fairly as possible is more than a challenge; it is an opportunity to assure that prosperous times will continue.

If we have the courage to take action now, we will be acting to assure that jobs will be available for children and future generations, that Americans will be able to buy homes at affordable prices, without 14½ percent interest rates, that small businesses will be able to expand and remain competitive without having to pay 12 percent for their loans, and that the elderly will not be devastated by runaway inflation.

The budget we are debating, Mr. President, is not perfect. As I said earlier, there are elements in this plan that I oppose, and I plan to either offer amendments or to support those of others to correct the inequities I perceive. When completed, it won't be perfect.

But the alternative is worse.

I cast this vote on Social Security with a heavy heart. As a politician, I know this is not a popular step to take and that I will be subject to some criticism.

Yet I would far rather endure the criticism I receive today, knowing the danger our country faces, than to do nothing now and have to face my constituency in years to come and answer the question "Why did you not act when there was still time?"

Mr. MATTINGLY. Mr. President, I rise in support of the amendment that a full Social Security cost-of-living adjustment, as provided for under current law, be paid to Social Security beneficiaries in 1986. This amendment is of vital importance to the 36 million senior citizens of this Nation who rely on Social Security.

No one in this Chamber is more anxious than I to reduce the deficit and to arrive at genuine and fair savings. I realize that reduction of the Social Security COLA would produce a "saving." But before we embrace the "saving" that tampering with the Social Security COLA will produce, let us examine the facts. The first and most important, I believe, is the significant cost at which the budget savings would be achieved. The 2 percent Social Security COLA would push approximately one-half million elderly citizens below the poverty level over 3 years. In 1986, over 200,000 Social Security beneficiaries would drop below this level. So, Mr. President, when we ask these individuals living on fixed incomes to forgo the full COLA, we are asking one-half million of them to undergo hardship. We are inflicting pain on a segment of the population which worked hard to build this country and which now relies upon us to continue to live in dignity above the poverty level at a minimum.

I believe it is too great a sacrifice to require. Knowingly forcing anyone below the poverty level is unacceptable, especially since the action which does this fails to get at the root of the deficit problem. Let us face facts. The Social Security Program is currently financially sound.

In fact, receipts are expected to exceed disbursements by increasing margins in future years. Every Member of this Senate knows that the COLA is paid out of moneys collected through taxes which are earmarked specifically for the Social Security Program. So by denying the full COLA to elderly citizens, what have we accomplished? We have carried out a paper accounting procedure; we have allowed more money to accumulate in the trust fund; we have perhaps succeeded in cosmetically making the deficit look smaller—but we will have, in fact, forced below the poverty level hundreds of thousands of Americans. This is not a solution.

If this amendment fails, it will not be the end of the debate on Social Security. We will be back revisiting the issue of the new Social Security poor in the near future, or we will be spending more money in other programs designed to give assistance to the needy. Having put these individuals into poverty, I guarantee that we in the Congress will not leave them without help. So, I repeat that a reduced COLA, designed to save the Government money, is not a solution. It makes no sense.

We must move to meaningful deficit reduction for the sake of all Americans. And I believe that meaningful deficit reduction must be fair. Let us begin the process by assuring those who rely on Social Security benefits that we intend to protect them. I will cast my vote in favor of the amendment, and I urge my colleagues to join with me.

Mr. BAUCUS. Mr. President, I join my colleagues in supporting the amendment to this budget resolution to restore the cost-of-living adjustment to the Social Security checks of America's senior citizens.

The budget resolution agreed to by the White House is not fair and balanced. Under this budget resolution the Pentagon and its contractors get 3 percent more than inflation for defense growth. That's on top of the huge and growing surpluses of unexpended resources for defense that have built up from appropriations in prior years. As the distinguished Senator from South Carolina said yesterday that's like "force feeding a goose".

For the elderly, the administration proposes to share the crumbs which the golden goose cannot consume. They propose to reduce the Social Security COLA over a 3-year period and increase the out-of-pocket health care expenses of the elderly under the Medicare Program.

Mr. President, the administration's proposal is double jeopardy for America's senior citizens, not fairness and equality.

THE ACROSS-THE-BOARD BUDGET FREEZE

Mr. President, last year and again this year I joined with a bipartisan group of my colleages to introduce a 1-year across-the-board budget freeze. That proposal also asks the elderly to contribute their fair share to deficit reduction.

Under our proposal—which I sponsored with Senators KASSEBAUM, GRASSLEY, and BIDEN—the elderly would forgo for just 1 year their cost-of-living increase. But for all future years the COLA would fully adjust for increases in inflation.

Mr. President, Senator DOMENICI wonders how Members who have supported a 1-year COLA freeze could support this amendment for a full

COLA. The answer I have given to the seniors of Montana is: "Yes, I am for a COLA freeze, but only as part of a comprehensive freeze where there is a true sharing of the burden."

What we have before us is not a budget freeze. Defense is not frozen. Tax subsidies are not frozen. That is why I cannot support the budget plan put forth by the Budget Committee and the Reagan administration.

I believe that the American people are ready to accept a 1-year, across-the-board freeze. But I certainly do not see the groundswell for this budget package. We can only ask for sacrifice if it is a sharing of the burden and, yes, that must include defense.

THE ADMINISTRATION'S SOCIAL SECURITY PROPOSAL

The administration's Social Security proposal reduces the COLA over a 3-year period—a permanent and drastic reduction in the value of the Social Security benefit.

The administration's Social Security proposal has been called a "diet COLA". Well, I think that America's senior citizens fully understand the difference between a "diet COLA" and "the real thing" and, make no mistake about it, they don't want to be served the diet substitute.

SENIOR CITIZENS WILL SUPPORT DEFICIT REDUCTION

America's senior citizens are prepared to do their part to reduce the deficit and increase the security of our Nation. No one needs to explain the concept of sacrifice to a retiree living on a fixed income who is struggling to maintain dignity and independence for the years ahead. And no one should ever doubt for a moment their commitment to a strong and secure defense of the Nation.

The senior citizens in my State of Montana and in the rest of the Nation are willing to sacrifice—if that sacrifice is truly shared. I will support an across-the-board freeze. But I will not support a one-sided freeze.

America's senior citizens ask only for fairness and shared sacrifice. They deserve no less. They ask for our support for preserving their security with the same commitment as they once fought for our security and freedom.

CONCLUSION

Mr. President, last week the Democratic leader, Senator BYRD, and President Reagan presented two eloquent and alternative visions of the future. Both talked about budget fairness and shared sacrifice. The elderly citizens of our country will certainly understand what is fair and what sacrifices have been made if the White House budget compromise is adopted. The sacrifices will be their sacrifices in Social Security and in the Medicare Program. But Mr. President, there will be no fairness for seniors if we adopt the administration's budget package.

President Reagan campaigned across America on an ironclad guarantee not to touch Social Security benefits. He had his opportunity to modify or qualify his commitment to the retirees of this country, but he did not do so. Now he wants an overwhelming bipartisan majority of the Congress to help bail him out.

I think the President is in for a surprise. An overwhelming bipartisan majority of the Congress is going to tell the President that his proposal for Social Security is not acceptable. It is not acceptable in this form or in this package. This is not a fair proposal. It is not a balanced package. And we will tell the President in no uncertain terms that we reject it.

Mr. PELL. Mr. President, I am voting today to restore to the budget resolution full cost-of-living adjustments for Social Security benefits.

I am voting to restore Social Security COLA's because the budget proposed by the administration, as a total package, is blatantly unfair to senior citizens. The administration predicts that the cost-of-living will increase by close to 4 percent a year over the next 3 years, but it proposes to limit Social Security COLA's to 2 percent a year.

If approved by the Congress, this proposal would result in a steady and continuing decline in the value of Social Security benefits over the next 3 years. An average couple retiring this year, would lose nearly $13,000 in retirement benefits during their retirement. The reduction in benefits would drop about 360,000 older Americans through the safety net into poverty.

I believe that our senior citizens are willing to make a fair contribution to the effort to reduce our huge and burdensome Federal deficits if all segments of our society share equitably in the sacrifices. But this budget resolution is not fair, not equitable and not balanced.

This budget resolution would impose a 3-year cut in Social Security benefits at a cost to the elderly of nearly $24 billion, while increasing defense spending in the same time by $70 billion. It would impose an inflation tax on every Social Security recipient while doing nothing to require our Nation's largest and wealthiest corporations to pay even a minimum tax.

This budget does not treat fairly our senior citizens who depend on Social Security benefits, and for that reason I strongly support this amendment to restore full cost-of-living adjustments for Social Security.

Mr. MOYNIHAN. Mr. President, parliamentary inquiry. How much time does the Senator from New Mexico have on the amendment?

The PRESIDING OFFICER. Seven minutes remain on the amendment.

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER. Who yields time? Who yields time?

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield myself time off the resolution.

The PRESIDING OFFICER. The Senator will proceed.

Mr. DOMENICI. Might I say to my friend, the distinguished minority leader, I have a note that one of our Senators wants to speak; Senator SPECTER.

Mr. CHILES. One of ours does, too.

Mr. DOMENICI. That is why I wanted to yield the floor. We reserve the few moments that I have. I ask unanimous consent that when I yielded the floor that the time run off of the resolution, rather than off my amendment.

The PRESIDING OFFICER. Did the Senator make a unanimous-consent request?

Mr. DOMENICI. I did.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Who yields time?

Mr. DOMENICI. Mr. President, I thought the unanimous consent was that the time now would run off the resolution, and that is what the consent request was. I heard no objection. It was my request that it be off all my time. That is the point I was trying to make.

The PRESIDING OFFICER. Who yields time? If no one yields time, the time is charged equally on the resolution.

Mr. CHILES. Mr. President, we are ready to vote.

The PRESIDING OFFICER. Do Senators yield back all time on the amendment?

Mr. CHILES. Mr. President, we yield back. Is there time running on the amendment still?

The PRESIDING OFFICER. Time is running. There are just under 7 minutes remaining to the opposition. There is no time left to the proponents.

Is all time yielded back?

Mr. ARMSTRONG. No, Mr. President.

The PRESIDING OFFICER. Who yields time? If neither side yields time, time will be taken from the available time on the amendment.

Mr. ARMSTRONG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. ARMSTRONG. I suggest, Mr. President, in the spirit of fairness, that the time for the quorum call be equally divided.

Mr. CHILES. I object to that, Mr. President.

Mr. ARMSTRONG. Mr. President, I am wounded that objection has been heard. Under the circumstances, I shall suggest the absence of a quorum,

with time to be charged to our side off the resolution.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I yield myself 5 minutes on the resolution.

The PRESIDING OFFICER. The Senator may proceed.

Mr. DOLE. Mr. President, I just wanted to alert my colleagues on both sides that I think we are about ready to vote on this amendment. It will be probably another 5 minutes, maybe a bit longer. I am waiting for the distinguished chairman of the Senate Budget Committee.

I should say at this time, although I have not stated my intention on this amendment, since I offered it many people have been curious whether I am for it or against it. I am against it. I hope that the amendment I offered would be defeated. I am also realistic and I know that it is a very sensitive issue. It is one that is not easy to resolve; there is no way to compromise this issue this early in the process, and that is why it seemed to me appropriate to bring it up.

It is one of the two or three very sensitive issues. On others I would guess that we will see people on each side voting the same way, some voting a different way, but on this particular one some are opposed to the 2-2-2. I have learned that some would vote for just a 1-year COLA freeze. But it is confusing to try to explain the 2-2-2 even though in many respects with the 2-2-2 you end up with about the same savings. Under the 2-2-2 plan that is in the package, if the inflation rate was less than 2 percent, you would be a beneficiary because you would be guaranteed at least a 2-percent increase. So there are I think some strengths in the provision in the package. In addition, that is the provision the President supports. I hope this amendment is defeated.

I do not believe we gain any ground by everybody abandoning ship on the first amendment. If the amendment is adopted, I hope we will revisit this particular area before we complete action on this budget package.

So, unless the distinguished chairman has additional comments, we are prepared to vote.

Mr. DOMENICI. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMENICI. How much time does the Senator from New Mexico have in opposition to the amendment?

The PRESIDING OFFICER. Six minutes and fifty-four seconds.

Mr. DOMENICI. I yield myself 5 minutes on the amendment.

The PRESIDING OFFICER. The Senator may proceed.

Mr. DOMENICI. Mr. President, I did not hear all of the leader's remarks, but I did hear the last part of it, about the package and about his hope that we would revisit this issue. I talked about that at length a half hour ago.

As I said then, there are a number of definitions of fairness. It is pretty hard to argue when Members talk on the Senate floor about the fact that they are for a major package so long as it is fair, and therefore a COLA freeze, but it is not this package.

I indicated earlier that I have searched the RECORD and found that 59 Senators from both sides of the aisle have voted at least once in the past year on the floor for a COLA freeze for a year. I know of six or more who are on the amendment at the desk, which we are debating. So that makes it 65 who have stated unequivocally that they are for a COLA freeze.

I hope we do not begin the process here this afternoon of scuttling the package, because I think there are well over 60 Senators who, under the right circumstances, would vote for a 1-year freeze for this 2-percent guaranteed cost-of-living index.

I hope we can find the glue that brings that fairness into play which has permitted many Senators to say that they would do this. I have tried my best, and obviously a number of Senators are not ready. They do not want to wait for the time when there is something more fair. There are some who will never vote for a change in the cost of living, and I understand that.

I also indicated earlier, and I want to repeat, that this is not going to be the only effect on the budget is, over $22 billion added to the deficit. But almost automatically you are going to have all the other pension and cost-of-living restraint gone.

Clearly, you are not going to do a restrained cost-of-living adjustment for the civil servants, for the veterans, for the military. Add that to what we have before us, and we will be at approximately $33 billion in 3 years, and that will follow just as day follows night, because everybody is interested in fairness. Here is one that an overwhelming number of Senators will say is not fair, to restrain the pensions of anyone else, even with a guaranteed add-on, if you are going to let Social Security get the full cost-of-living index.

Make no bones about it. This is not a little item; it is a very big measure. Over $33 billion will be taken out of this package before the night ends, I imagine—as soon as somebody can get the floor and offer a subsequent amendment for the other pensioners to get the same treatment as this amendment is going to yield, if it is adopted, as I assume it will be. I hope it is not adopted, but I assume that it will be.

At various times during the day, I also have tried to explain how tough it is to find a package that is fair, because most groups will start with a freeze on everything as being fair. Then you start running into a group that does not care about Amtrak, and they tell you to get rid of it and that is fair. Another group does not care about one of the other programs, and you say you will get rid of it, and that is fair.

Sooner or later, fairness means that even if you treat all pensions the same, even if you treat everything the same, it begins to mean something else. It means, "Don't touch my program, even if you freeze everything else." Do not go beyond that, even if it only affects a few hundred people or a few thousand people.

So it becomes more and more impossible, as you try to accommodate everyone in the constituency, as to their notion of fairness.

Mr. President, I yield myself 3 additional minutes on the resolution.

I would rather talk about what is unfair. What is unfair is not to get a major deficit reduction package that makes sure we have prosperity and lower inflation rates and lower interest rates; because if that goes by the board, the unfairness will be to everyone, because everyone will suffer.

As I said to the distinguished senior from New York [Mr. MOYNIHAN] without a great deal of difficulty I can even come up with a credible set of economics that will put the trust fund in trouble in the short term, in serious trouble, if we do not fix this so the economy can continue on. So we are even talking about a very high probability of unfairness to the seniors we are protecting. No one can stand up and say that the Senator from New Mexico is wrong about that. If I am challenged, I will get a set of economic assumptions and plug them into that fund, and I think I can prove that, given a certain condition of this economy where, instead of one group, you get another group for a couple years; where, instead of 2 percent inflation, you get 8 percent or 10 percent, and add a couple of other things that are hanging around which could happen if we do not fix this deficit, we will have the senior citizens trust fund in trouble.

Frankly, I do not think they are the ones out there causing the trouble. As a matter of fact, I do not think they would like very much to be labeled a group of Americans who do not want to share in the sacrifice. If there has to be shared sacrifice, they will join in that.

Mr. SYMMS. Mr. President, will the Senator yield?

Mr. DOMENICI. Mr. President, I yield 5 minutes to the Senator from the resolution.

Mr. SYMMS. I thank the distinguished Senator for yielding.

Mr. President, I compliment the Senator from New Mexico for the job he has done and the case he has made for fairness in this debate this afternoon. I also heard part of what was said by the Senator from Colorado. I think they are making an excellent case against the amendment. I believe that my colleagues who think there is good politics to be had by voting to break up this budget package are making a mistake and misleading as to what the American people think.

When one looks at the record, the fact is that after 15 years of having cost-of-living adjustments, the Social Security benefits have increased faster than either inflation or wages. Between 1969 and 1984, Social Security benefits increased by 247 percent. Inflation increased by 188 percent. The average wages increased by 162 percent.

So what that tells us is that we have a system that has gotten slightly out of balance. This program does not cut anyone's check, but I think the other side of the coin is going to be much more detrimental. As the Senator from New Mexico just pointed out, if we do not stand together and pass a budget close to this package as we have worked out to demonstrate to the market and the American people and the people who are out there making those daily decisions of what happens in our economy, and they point the finger and say, "It is the same old business in Washington," then we are going to see higher interest rates, declining growth in the economy, more unemployment, and all kinds of problems will befall upon this Nation and the very people who are trying to be helped by the authors of this amendment will be some of those who will not be benefited from a declining slowdown in the economy.

So I appeal to my colleagues to take a very, very careful look before they vote for this amendment, because once this amendment, if it does pass, as Senator ARMSTRONG said earlier, it is a killer amendment, it is a big issue and no matter how you cut it, if you vote for the amendment, you are voting to spend more money and not help with the overall costs, and the problem is in this country it is not a deficit problem; it is we spend too much money. The Federal Government is spending 25 percent of the gross national product; the revenue flow to the Treasury is about 19.5 percent of the gross national product, and the difference is being borrowed, and they can make all the arguments they want about whether the Social Security Trust Fund has a surplus in it or in deficit, or whatever. But the fact is in a unified budget that we are borrowing about $200 billion a year.

I see the distinguished Senator from Arizona in the Chamber, and I remember so well his comments some 20 years ago. "If there is so much money in that box, show me where the cigar box is with all the money in it."

So far they had to borrow $1 trillion since the Senator from Arizona said that, maybe $1.5 trillion. I forgot how far in we are. But it is a point that I think the American people are pleading with the people inside the beltway to recognize that the people outside the beltway recognize we spend too much money.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. SYMMS. I am happy to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, I have been asking for almost 35 years for a look at the cigar box. I have not seen the cigar box. I do not think anyone in Washington knows where it is. And I waited a long time to get a Republican who is heading Social Security, and he promised me 2½ years ago that he would report to me the condition of Social Security.

I will still make the flatout charge that it is bankrupt and until someone comes around here with a piece of paper that shows me it is not, that is my stand.

I just wanted to say, and I am probably the wrong person to comment on this anyway because I am not running for reelection, my State, which has the second highest percentage of retired people of any State in the Union, is supporting President Reagan 10-to-1 on this, and I have an idea that the old people in Arizona—I am one of them—are not any different than the older people in the other 49 States. There are just a lot of people who want to get reelected. They would rather get reelected than see this country saved. Let them get reelected and watch it go down the tube.

Mr. SYMMS. I thank the distinguished Senator.

My appeal to my colleagues would be that if you want to get reelected, the right vote is to vote with this package. That is where the right political position is.

Good policy always ultimately ends up being good politics. And for someone to think that they can come in here and break this package wide open and watch the financial markets react negatively with the interest rate starting to creep back up, more unemployment, more disinvestment, and so forth, with respect to capital formation and jobs creation in this country and think that somehow that is going to be good policy and that is going to help anyone in this country, I think it is poor politics. It is poor policy, and poor policy ultimately leads to poor politics.

I just appeal to my colleagues, think long and hard before you vote for this amendment and the fact is I personally believe that is the best thing to do. The distinguished chairman from New Mexico knows I have a budget that cuts even more, and I told him I would support his budget one moment in the Budget Committee. I think my comments were that I would support his budget, even meager as it was with respect to spending cuts.

We hear a lot about cutting spending, but if you look at the bottom line you will see we are talking about spending $20 billion more money in fiscal year 1986 than we are spending in fiscal year 1985. Yet it is talked about as cutting $52 billion out of the budget.

In Sunny Slope that is not the way they keep books. If you spend more money next year than you spent last year they say you are spending more.

We are spending $20 billion more. That is about a 2-percent increase.

I have to compliment the committee and the President and those who agreed with this package that it is a pretty good package, all in all, and a fair package.

It does pay particular attention to the cross-section of people and programs and necessities.

There is a safety net in it for disadvantaged people, and there are a lot of things about the budget that it is a pretty good all around budget.

I think for this amendment I hope that it will not pass and I would also say that in the past year in my State there are 44 counties and I held a town meeting in every one of those counties with a public notice to go out. A large percentage of the attendees of those meetings are senior citizens because those are the people who have the time to come to the town meeting in many cases, and almost unanimously they supported making a sacrifice in terms of the COLA adjustment if it meant tying together a package that could bring about some resolution to the runaway spending in Washington, DC.

It is almost unanimous from the senior citizens—maybe not with the special interest lobbyists who represent them here inside the beltway, but outside the beltway out in the real America, there certainly is a broad cross-section of overwhelming support for budget containment and budget control.

Mr. President, I urge the defeat of the amendment that is pending and note the absence of a quorum.

The PRESIDING OFFICER. The Senator has no time remaining?

Who yields time?

Mr. SYMMS. Mr. President, I note the absence of a quorum.

Mr. CHILES. Mr. President, I yield 2 minutes to the distinguished Senator from Michigan.

Mr. SYMMS. I note the absence of a quorum, Mr. President.

Mr. RIEGLE. Mr. President, I am wondering if there is any particular reason—

Mr. SYMMS. Mr. President, I maintain my right to the floor.

Mr. CHILES. Mr. President, does the Senator have authority to ask for a quorum without time? I ask for the floor.

The PRESIDING OFFICER. The Senator from New Mexico yielded 5 minutes to the Senator from Idaho.

Mr. RIEGLE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RIEGLE. Had the time expired?

Mr. SYMMS. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The time yielded to the Senator from Idaho had expired.

The Senator from Florida.

Mr. CHILES. Mr. President, I yield 2 minutes to the distinguished Senator from Michigan.

Mr. RIEGLE. I thank the Senator.

Mr. President, let me assure the Senator from Idaho there is not anything afoot here, if he is worried about that.

The normal course of events of the Senate is that we debate on both sides of the aisle.

Let me put his mind at ease, if he thinks there is someone trying to pull a fast one on him.

Mr. President, I wish to draw attention that an assertion was made earlier in the day by the Senator from Colorado that the President had never really committed himself on the issue of COLA's and COLA cuts in Social Security, but rather that he promised he would not cut Social Security generally. In the campaign and any number of times he said that, both before and after the campaign, but he had not specifically addressed the COLA issue; and that is just not true.

He, in fact, did address the COLA issue and, as a matter of fact, the source of that information is in the weekly compilation of Presidential documents put out by the White House itself, and for the week ending Friday, December 21, 1984, President Reagan commented very specifically on this issue. He did so in an interview with Mr. Tom Winter and Joseph Balshino, Jr., of Human Events, on the date of December 6, 1984, and the transcript of their discussion appears in this weekly compilation of Presidential documents, and this is what President Reagan said. Talking about the COLA, he said:

> Well, I would have to say my pledge during the campaign carried with it the clear implication that present social security beneficiaries would get their cost-of-living increases as well. I made that pledge, and so therefore I feel bound by it.

"I feel bound by it."

He went on to say:

> This does not seem as serious to me as some people present it with regard to the deficit because if you really analyze it, Social Security is not part of the deficit problem. Social Security is totally funded by a payroll tax and if you made a reduction in some way of social security, that wouldn't do a thing for the deficit. That money would go back into the Social Security Trust Fund.

And he goes on in this vein. So there is absolutely no question about what President Reagan said or what he meant or what he understood himself to have said. And it is just crystal clear in what exists on the printed public record.

So I do not want to hear Members on the other side come in here now and try to erase the facts and try to erase reality. The pledge was made, it was clear-cut, it was ironclad, and it ought to be kept. And anybody on that side of the aisle who wants to talk about supporting the President better vote for this amendment to restore these Social Security cuts.

The PRESIDING OFFICER (Mr. COCHRAN). The Senator's 2 minutes have expired.

Who yields time?

If neither side yields time, time will run against the remaining time on the amendment.

Mr. CHILES. Mr. President, I yield myself such time as I might need.

I wish to bring to the attention of the body again what is happening to us on this side. We are prepared to vote. We have been for an hour on this side. We have been told the other side is not quite ready to vote.

Now, if we just allow the clock to run, Mr. President, we lose half of that time again. If you go back and review what has happened in this process, we went through the tree and we went through the addition to the tree. So we went through eight amendments in which the Democrats could not be recognized and were not recognized—eight particular amendments and the time on those amendments ran, and yet time was charged to us, half of that time. So we lost time on something that we were not concerned about. We were not proposing those amendments.

We asked yesterday could we be recognized after the chain had run, could we propose an amendment. We were not entitled to that. We were not given the right.

We asked that the majority leader not exercise his right as majority leader to take on an amendment of someone else, but he did today. We have that amendment before us now.

Now, not only do we have that amendment before us now, we find time running off of our side and it is being charged to us. That is just not right. At some stage there has to be some basic fairness.

The point I am making, I say to the distinguished chairman, is that we have been ready to vote, as he knows, for over an hour. He was out of the Chamber. I suggested that someone on that side put in a quorum call with time to run on that side if you are not prepared to vote. We were told not to do that, to let the time run off of both sides. We do not want time running off of our side. We may need that later.

We have gone through the chain. We have gone through the other things in which we were being charged time when we could not get recognition. We do not feel it is fair now that we should be charged this time. We ought to vote, or you ought to put in a quorum call with the time charged off of your side.

Mr. DOMENICI. Mr. President, I yield myself time off the resolution. I want to say to my good friend from Florida that I apologize, but I cannot be in two places at once. While I am supposed to be here, I am also supposed to be where my leader asked me to be, and that is where I was.

I did not leave with any instructions that we ought to try to get time charged off of your side for a delay which is not attributable to you. So if we are going to use time here waiting, we are going to use it off of our time on the resolution.

Is it correct that we still have a minute and a half or something on the amendment itself?

The PRESIDING OFFICER. A minute and 20 seconds remain on the amendment.

Mr. DOMENICI. If we will have a quorum call, we will agree and ask unanimous consent that it be charged to our side. Is there any objection to that?

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I yield back the balance of my time in opposition to the pending amendment.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER [Mr. QUAYLE]. All time is yielded back.

The majority leader is recognized.

Mr. DOLE. Have the yeas and nays been ordered on the amendment?

The PRESIDING OFFICER. They have.

Mr. DOLE. Mr. President, we are going to vote on this amendment mo-

mentarily—in about 1 minute. Again, I want to make, as I have indicated a few minutes ago, the point that this is an important amendment in the sense that it is the first amendment, the first vote after adoption of the package last night by a 50 to 49 vote.

As I indicated earlier, this is one of those issues where there is at least no compromise at this moment. So it is an important vote from that standpoint.

In my view, those who in the past voted to have a Social Security freeze, a 1-year COLA freeze, or who agree with the 2-2-2 principle, certainly should vote against this amendment. The dollars raised either way you do it are pretty much the same.

So I hope we will have a substantial vote against the amendment. I think we have had about all the debate we need. The issue is very sensitive, and very emotional. It is also very important to the deficit reduction. If we are really concerned about senior citizens, and all the others who may be impacted, their children, and their grandchildren, then we ought to concern ourselves with the deficit.

If everyone tries to keep what they have and not give up anything in the process, the deficit is going to be larger, inflation is going to be higher, interest rates are going to be higher, unemployment is going to be higher, and it really is not going to be of any benefit to anyone. If, in fact, they preserve something, in the final analysis the economy suffers. I have made that statement earlier.

I am prepared to vote.

The PRESIDING OFFICER. All time has expired on the amendment.

The question is on agreeing to the amendment of the Senator from Florida. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 65, nays 34, as follows:

[Rollcall Vote No. 35 Leg.]

YEAS—65

Andrews	Eagleton	Kerry
Baucus	Exon	Lautenberg
Bentsen	Ford	Leahy
Biden	Glenn	Levin
Bingaman	Gore	Long
Boren	Gorton	Lugar
Bradley	Grassley	Mathias
Bumpers	Harkin	Matsunaga
Burdick	Hart	Mattingly
Byrd	Hatfield	McConnell
Chiles	Hawkins	Melcher
Cohen	Heflin	Metzenbaum
Cranston	Heinz	Mitchell
D'Amato	Hollings	Moynihan
DeConcini	Inouye	Nunn
Dixon	Johnston	Packwood
Dodd	Kasten	Pell
Durenberger	Kennedy	Pressler
Proxmire	Rockefeller	Specter
Pryor	Sarbanes	Weicker
Quayle	Sasser	Zorinsky
Riegle	Simon	

NAYS—34

Abdnor	Gramm	Simpson
Armstrong	Hatch	Stafford
Boschwitz	Hecht	Stennis
Chafee	Helms	Stevens
Cochran	Humphrey	Symms
Danforth	Kassebaum	Thurmond
Denton	Laxalt	Trible
Dole	McClure	Wallop
Domenici	Murkowski	Warner
Evans	Nickles	Wilson
Garn	Roth	
Goldwater	Rudman	

NOT VOTING—1

East

So the amendment was agreed to.

Mr. DOLE. I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Before the majority leader is recognized, the Senate will come to order.

Mr. DOLE. Mr. President, if I may have the attention of my colleagues, perhaps I can indicate what may follow. I think we have seen the results of the first round of the test on this issue. I indicated that this will probably be revisited at a later time with, probably, a different outcome. In any event, I have had a number of inquiries about how long we may be in session this evening.

I have also indicated that there will be another amendment. If, in fact, we are not going to do anything with COLA's on Social Security recipients, it is my view that the same should apply to military retirees and civil service retirees and veterans' COLA's. So at the appropriate time, there will be a conforming amendment to make the same change we have just made in this area. So I suggest that that will happen.

I also hope that after the next amendment is offered and I have had a chance to meet privately with the distinguished minority leader to see if we could work out some arrangement on amendments—as I indicated this morning, I think there are probably only 50 or 60 that are controversial. There are some, I think three or four, that might not be controversial. Obviously, it is not the intention of the majority leader to stand here and offer 60 amendments for other Senators, though I have offered to accommodate Senators on that side if that would help. I had made only two commitments, one on Social Security and one on defense. So I have an amendment I shall offer in a minute for Mr. GRASSLEY and Mr. HATFIELD, which, in effect, would reduce defense from 3-3-3 in the so-called leadership package to 0-3-3—inflation, period—that amendment will be laid down this evening.

If that is the case, it is quite unlikely that will be disposed of this evening. I do not think there will be a vote on that this evening, which will answer some of the questions Members have had about 7, 8, or 9 o'clock. We may be in until 7, 8, or 9 o'clock, but there would be no votes and it would be my intention to go over until 9:30 tomorrow morning, get back on the resolution at 10 or 10:30, and, hopefully, vote on the defense amendment sometime in the early afternoon, then follow that with a conforming amendment that I have just indicated would be offered, which I shall offer for myself, not for any other Senator. I understand there is no objection if amendments are offered by me. There are a number of Senators interested on both sides. I have discussed it with Senators on both sides—Senator TRIBLE, Senator ROTH, and Senator MURKOWSKI on this side; Senator CRANSTON, and I think Senator CHILES and others have the same view on that side. If you are going to make the change in one place, you make the change in both places.

So, Mr. President, I would now send to the desk an amendment, the so-called defense amendment.

Mr. BUMPERS. Will the majority leader yield, before offering the amendment, for a question?

Mr. DOLE. I would be happy to yield for a question.

Mr. BUMPERS. Will the majority leader tell us what he plans for Friday and Saturday?

Mr. DOLE. I do not believe there will be a session on Saturday. And again, I will discuss that with Senator DOMENICI and Senator CHILES. It is fairly obvious we cannot complete action on the bill this week and we will start into next week. There are still about 28 hours on the resolution. It might be possible to leave here at a reasonable time on Friday because I know there are Senators on both sides who have commitments they would like to make Friday evening.

Mr. BUMPERS. Just to clarify what the majority leader said earlier about this evening, is it the majority leader's intention to lay the defense amendment down in the next couple hours and is it his anticipation there will be no vote on it tonight?

Mr. DOLE. That is correct.

Mr. BUMPERS. So Senators will be rather safe, once that amendment is laid down, to go ahead and keep whatever appointments they have this evening?

Mr. DOLE. That is correct. Obviously, we would have debate on the amendment. There is an hour on the amendment. Of course, time could be yielded off the resolution.

Mr. CHILES. I wonder if the Senator will yield for a question again.

We have had some concern on our side, as the majority leader well knows, that time sort of got used up on our side as we ran the tree and today even we were ready to vote an hour before we got the OK for a final vote on Social Security. If we are going to stay in a long time tonight on defense with no votes, again that would be using time off of our side. I think we would be prepared to vote on that question the minute the majority leader lays that amendment down or almost as soon. There might be a few people over here who would want to discuss it. But at some stage all of our hours are going to be gone and we are not going to have any time.

Mr. DOLE. I would ask the Chair, how many hours are left on each side?

The PRESIDING OFFICER. There are 12 hours left to the majority leader and 16 hours left to the minority leader.

Mr. DOLE. So there are 16 hours left on that side, 12 on this side and I would assume that Senators on both sides would want to speak on the defense amendment, maybe not. If that is the case, we might go out earlier and come back tomorrow morning and have a fairly early vote.

AMENDMENT NO. 46

(Purpose: To limit the growth in the Fiscal Year 1986 Budget Authority for defense to an inflation adjustment)

Mr. DOLE. Mr. President, I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for Mr. GRASSLEY and Mr. HATFIELD, proposes an amendment numbered 46:

In the pending amendment, do the following:

On page 3, decrease the amount on line 12 by $10,500,000,000.

On page 3, decrease the amount on line 13 by $12,100,000,000.

On page 3, decrease the amount on line 14 by $14,100,000,000.

On page 3, decrease the amount on line 18 by $3,200,000,000.

On page 3, decrease the amount on line 19 by $6,900,000,000.

On page 3, decrease the amount on line 20 by $9,200,000,000.

On page 3, decrease the amount on line 25 by $3,200,000,000.

On page 4, decrease the amount on line 1 by $6,900,000,000.

On page 4, decrease the amount on line 2 by $9,700,000,000.

On page 4, decrease the amount on line 6 by $3,200,000,000.

On page 4, decrease the amount on line 7 by $10,100,000,000.

On page 4, decrease the amount on line 8 by $19,800,000,000.

On page 4, decrease the amount on line 12 by $3,200,000,000.

On page 4, decrease the amount on line 13 by $6,900,000,000.

On page 4, decrease the amount on line 14 by $9,700,000,000.

On page 6, decrease the amount on line 15 by $10,300,000,000.

On page 6, decrease the amount on line 16 by $3,000,000,000.

On page 6, decrease the amount on line 24 by $11,500,000,000.

On page 6, decrease the amount on line 25 by $6,300,000,000.

On page 7, decrease the amount on line 8 by $12,800,000,000.

On page 7, decrease the amount on line 9 by $8,400,000,000.

On page 32, decrease the amount on line 17 by $200,000,000.

On page 32, decrease the amount on line 18 by $200,000,000.

On page 33, decrease the amount on line 2 by $600,000,000.

On page 33, decrease the amount on line 3 by $600,000,000.

On page 33, decrease the amount on line 11 by $1,300,000,000.

On page 33, decrease the amount on line 12 by $1,300,000,000.

On page 51, decrease the amount on line 17 by $10,300,000,000.

On page 51, decrease the amount on line 19 by $11,500,000,000.

On page 51, decrease the amount on line 20 by $12,800,000,000.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOLE. As I understand it, there is 1 hour on the amendment; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOLE. And that is divided between the proponents and opponents?

The PRESIDING OFFICER. The time is divided between the offerer of the amendment and the manager of the bill, if he is in opposition to the amendment. If he is not in opposition to the amendment, then the time is controlled by the minority.

Mr. DOMENICI. I am in opposition to the amendment.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, I yield 10 minutes.

The PRESIDING OFFICER. Does the majority leader yield 10 to the Senator from Iowa?

Mr. DOLE. I yield 10 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 10 minutes.

Mr. BYRD. Mr. President, will the distinguished majority leader allow the minority leader to have a few minutes at this point?

Mr. DOLE. I would be happy to yield 5 minutes at this point off the 30 that I have, or 10.

Mr. BYRD. Well, the majority leader is quite generous, I might say, but here we have again the same situation which we had this morning. The majority leader, who is the offerer of the amendment, is controlling time for those who support the amendment. He is the offerer of the amendment. And the time in opposition thereto is being used by, am I correct, the Chairman of the Budget Committee?

Mr. DOMENICI. The distinguished minority leader is correct.

Mr. BYRD. I thank the Senator.

So, Mr. President, there we are again with the minority not being in control of any time on the amendment.

Oh, yes, we can control some time on the resolution, but we do not have any control on this side with respect to the amendment itself.

Mr. CHILES. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator from Florida is correct. The Senate is not in order. The Senate will come to order. The minority leader has the floor.

Mr. BYRD. I thank the Chair.

Mr. President, we have seen the majority leader effectively use the right of recognition for 5 days now. This is the fifth day that the resolution has been before the Senate. It was laid before the Senate and the Senate began to debate it on last Thursday, about midafternoon. It is now Wednesday, midafternoon or later, and no Democrat has been able thus far to call up any amendment.

The distinguished majority leader has called up at least eight or nine amendments for himself, and he has called up an amendment on behalf of another Senator on his side of the aisle.

We noted last evening that the compromise package that had been worked out between the White House and the Senate Republican leadership was adopted by the meagerist of margins—1 vote, 50 to 49. obviously, as we have now seen, there are Members on the other side of the aisle who are not satisfied with that compromise for which they voted last night. We have seen now that they have begun to offer amendments to change the priorities in that compromise budget.

We Democrats have known for several days that some of the priorities in that compromise are unfair to the American people. Some provisions would cut funds for the education of our young people.

The package cuts funds for infrastructure of this country, and I am talking about cuts that are made in such programs as the Appalachian Regional Commission, the Economic Development Administration.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD. Mr. President, may I yield time to myself off the resolution? Would the majority leader allow me to do that?

Mr. DOLE. As long as I have the right to the floor.

Mr. BYRD. I will not seek to take away the right of the majority leader. He has the floor. So if I may, I will proceed a little longer than 2 minutes.

As I was saying, there are elements in the package which would hinder the future growth of this country, and I am talking about programs such as the Appalachian Regional Commission, the Economic Development Administration, urban development action grants, and so on.

We Democrats have sought recognition time and time again to right some of what we see as wrongs in that compromise. I am rather pleased to see that some of the Members on the other side of the aisle who voted for the White House budget compromise last night also are apparently concerned about some of the inequities in that package. So they now are attempting to change the priorities in that budget.

We Democrats welcome the assistance of our friends on the other side of the aisle who see, as we do, the inequities and the unfair elements in that package.

Now that we are seeing the disarray on the other side of the aisle, and since Democrats have not been able to get recognition to offer an amendment—and we are almost at the point now where half of the overall 50 hours has been used—I want to say to the distinguished majority leader that we Democrats will just be patient and let the other side go on dismantling the very package that 50 Senators on the other side of the aisle voted for last night. We saw them vote for that package under great pressure, and it is obvious that many of them are unhappy with a lot of the elements in that package.

So we Democrats have been waiting in vain to readjust some of the priorities in this compromise. We have not been able to do so, but we are happy that some of our Republican friends have indicated by their votes now that they are unhappy with some of the elements in the package. Hence, we Democrats will continue to be patient. We will just stand by and let the other side continue to dismantle the budget package which 50 of the Members on the other side voted to support last night.

We will be ready, however, when the time comes, when the majority leader is willing to let Democrats get recognition, then we will proceed to call up our package.

There will be an alternative on this side of the aisle, which will promote fairness in cutting the budget deficit, which will provide for America's future through the education of our youth, which will provide the infrastructure that is needed for continued economic growth in this country, which will provide for an adequate national defense, and which will put the budget deficits on a downward trend.

We will be patient and let my friend on the other side of the aisle continue to call up amendments for others on his side, amendments which he probably will oppose, and let them go ahead and dismantle their own budget package, which we see unraveling already. We will be ready to offer one or more alternatives to the budget that passed yesterday by a 50 to 49 vote.

I thank the distinguished majority leader for allowing me to utilize a little of the time under the 50 hours to state for the record that we will be helpful, as Members on his side continue to dismantle the White-House-supported budget and as they remove the inequities and the unfair elements in that package. We will help as we can; and then, when they finish with their amendments, we will offer our package or packages in the interests of the young people of this country; the interests of the elderly people of this country; the interests of those who have to depend upon Medicare; the interests of those who want an infrastructure that promotes economic growth and jobs and a strong and adequate national defense. We stand ready to help to move this country forward, to provide the kind of budget deficit reductions that will enhance the future of this country.

Mr. DOLE. Mr. President, speaking on the resolution just briefly, then I will yield.

Again I can understand the concerns of the distinguished minority leader, and I can indicate to him and colleagues on both sides of the aisle that I hope I do not abuse the right of recognition, and I would think very soon there will be, if not a rotation, at least some movement of amendments on each side.

There are a number of amendments that are very sensitive and very controversial.

These two amendments, the Social Security amendment and the defense amendment, were very important from the President's standpoint of getting this package put together.

I would not want anyone to be misled by the vote on the last amendment. I think I noticed some in the gallery looking at a 64-35 vote and maybe misinterpreting that vote.

I am prepared to say that vote was much, much closer. I can count about 10 or 11 who might have gone with the 35, and this is an indication we are going to revisit that issue.

It is not because we are against senior citizens. It is because we want to reduce the deficit, and insofar as defense is concerned I have offered another amendment. I am opposed to the amendment, and I would indicate, as I am certain the chairman of the committee will indicate in a few moments, that the defense budget is taking one-third of the cuts in this entire package. $97.7 billion is coming out of defense budget.

I will confess I was one of those earlier this year who said the Pentagon had to give more, and they did give more. But I am convinced now they have given about all they should. 3-3-3, by the time you go to the House of Representatives and back, is pretty shaky to start with. It probably should be a little higher.

In any event, I am certain the distinguished chairman of the committee, Senator GOLDWATER, can spell that out.

Under the procedure, I designate the distinguished chairman of the Armed Services Committee to be in charge of the opponents time, and I now yield 10 minutes to the distinguished Senator from Iowa.

Mr. GOLDWATER. Mr. President, will the Senator yield me just a few minutes to reply briefly?

Mr. DOLE. Let me yield 5 minutes off the resolution.

Mr. GOLDWATER. Mr. President, I just want to reply to the distinguished minority leader. I have been back in this town since the day after election asking people what they want to cut out of the defense bill. I have not yet received one single suggestion. I have no idea how many items are in that bill.

We negotiate something like 200,000 contracts a day. So we are talking about—I would not even want to guess—but we are now faced with the efforts to change the bill that was marked up in the Armed Services Committee. This amendment will be the first attempt. I think there will be another amendment offered by this side, and then I understand there are two or three to be offered by the other side.

Now, I can understand the minority leader's dilemma when for one of the few times in his life he cannot get the floor when he wants it to do what he wants with it. We have been there.

Mr. BYRD. The Senator has not been here.

Mr. GOLDWATER. So I just wanted to say we have been trying to clear up this vast desire to cut the defense budget but no one will tell us where. So we know that we are looking at probably 50 or more amendments coming from the Democrat side of the aisle and my side of the aisle.

I just wanted to make it clear that this particular item will be treated that way after this is disposed of. I see no problem.

I thank the Senator for listening.

Mr. DOLE. Mr. President, I yield 10 minutes to the distinguished Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. BYRD. Mr. President, will the distinguished Senator yield on my time?

Mr. GRASSLEY. I yield.

Mr. BYRD. Mr. President, I wish to respond briefly to the distinguished Senator from Arizona [Mr. GOLDWATER]

The PRESIDING OFFICER. The minority leader is recognized.

Mr. BYRD. Mr. President, the distinguished Senator from Arizona knows there are some Members on this side, many Members perhaps, who do not want to see the defense budget cut to zero real growth. There are those on this side who prefer to see at least 1 percent real growth over and above adjustment for inflation.

I hope we will get the opportunity to address that matter soon.

I just want to say again that we on this side of the aisle will be prepared to present a budget that is fair, a budget that provides adequate investment in the future of this country by way of research and the education of our young people, a budget that provides for the continued growth of our country economically, a budget that provides an adequate national defense, and a budget that puts the deficit trend on a downward curve.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. GOLDWATER. I will speak to the majority leader about it.

Mr. BYRD. I thank the distinguished Senator. May I thank also the Senator who so kindly yielded the floor.

Mr. GRASSLEY. The distinguished minority leader does not have to thank me. I appreciate very much being able to yield to him because he has an interest in what goes on here and has many Members to speak for, and I am willing to let that happen.

The PRESIDING OFFICER (Mr. WARNER). The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I thank the distinguished majority leader for his authorship of this amendment in helping those of us who support it get it up very early. First of all, I ask unanimous consent that besides Mr. HATFIELD, who has already been listed as a prime cosponsor, we also add Senator SIMON and Senator PRESSLER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, those who would agree the defense budget cannot be frozen have given the best reasons for why, in fact, it must be frozen.

I wish to quote an opponent of the freeze. An argument goes like this: "A defense freeze would disrupt all the progress we have made in rebuilding our defense."

You have all heard that many times, and it kind of works this way: "If you spend less, we are going to lose everything that we have gained so far."

So the implication is that we have to put more and more fertilizer on all these mushrooms that we have planted these last 4 years so they will grow more, and it is precisely this kind of budget rigidity, in other words, the fact that you cannot control the defense budget but the defense budget controls us, it is precisely this kind of budget rigidity which argues for a freeze. Budget rigidity is the result of incompetent management.

We have experienced this problem for the past decade with entitlement programs. We are all aware of how entitlement programs have gotten out of control where cost of living and other benefits have grown automatically.

The defense budget has, in effect, become one of our Nation's largest entitlement programs, and it has nursed a new generation of welfare queens, the defense industry.

The budget freeze is intended as an abrupt change of policy. I make no apologies about it. I am very upfront.

And it is necessary to do this to highlight the fact that spending taxpayers' money is not an act of nature but it is a conscious act of Congress. It must be viewed as a first-step measure to slow the momentum of spending growth, to be followed by major structural reform.

This approach is more than mere political rhetoric. It is a necessary first step before wholesale reform is achieved.

A freeze, followed by reform, is a two-step process. One cannot work without the other. But in the appropriate order of things, the spending freeze must come first because it provides us the ability to command DOD's internal system of incentives, a fundamental prerequisite to change.

Beyond the budget freeze, reform will be essential to improve the efficiency of our defense manufacturing plants, which are horribly inefficient and wasteful. Reform is also essential to improving the quantity and the quality of our defense output. And I think it is that area that I would really like to have you concentrate on, that we just do not spend more money but we have to make changes if we are going to affect our defense output.

A defense freeze would certainly help lower the Federal deficit but, more important, it is not a case of just saving money, it would help to prevent a further erosion of our military capability.

Those who have argued for increased defense budgets have failed to recognize that recently increased defense budgets have actually bought high costs and overhead rather than more tanks, ships, and planes. Given the disappointing returns from recent unprecedented defense budget growth, it is evident that fundamentally improved management will yield far greater returns than budget increases. A budget freeze is therefore the first step toward defense management reform.

Over the last 4 years, the defense budget has grown from $211 billion in fiscal year 1982 to $292 billion in fiscal year 1985, a 39 percent growth rate in current dollars and 22 percent in constant dollars. This growth is unprecedented in the post-World War II era. The last four appropriations exceeded, in constant dollars, the 4 most costly years of the Korean and Vietnam wars. More important, the cummulative effect of hypothetical 4 year freeze at today's levels would exceed—this is a 4-year freeze—the cummulative expenditures of the last 4 years by 10 percent in constant dollars. In short, the defense budget would be frozen at a very high level.

The stated aim of the growth in the defense budget has been to enlarge, to modernize and to improve the readiness of our conventional forces. However, when comparing the output derived from the recent budget growth with the output of the previous periods, we find that, notwithstanding unprecedent budget increases, changes and improvements have been minimal at best. In many cases fewer quantities have been produced at higher costs, and readiness improvements have been marginal. In short, increases in output have not been proportional to increases in input.

And that is something that we have to look at very carefully because I think the people expect that if you spend more, you get more, and that is not the case.

This input-versus-output problem is illustrated by the case of aircraft procurement. Taken together, the Air Force and Navy aircraft procurement budgets amounted to 36 percent of the total Defense Department procurement budget between fiscal year 1982 and fiscal year 1985. In spite of a constant dollar, 4-year budget increase of 75 percent above the Carter years, 11 percent fewer airplanes were procured.

In the case of new construction of naval surface combatants, the Navy gave us a decrease of 17 percent, despite a 47 percent increase in constant dollars.

Even when procurement quantities increased, as in the case of key-weapons-and-tracked-vehicles procurements in the Army, they increased at a much slower rate than procurement budgets. For example, the number of tanks increased 30 percent and helicopers 45 percent from the Carter years. But their budgets increased 87 percent in constant dollars, indicating growing unit costs. The unit cost is supposed to decline as production rates increased. This obviously has not been the case.

Thus, when we compare the Pentagon's budget for the last 4 years with the quantity of weapons purchased, we get a dismal view of the activity of the Defense Department over the last

4 years, of what was supposed to be a massive defense buildup.

DOD's own data suggests its activity has not been to increase quantities, notwithstanding the wishes of Secretary Weinberger, despite substantial budget increases. Instead, a substantial portion of the increase in DOD procurement funds since 1980 paid for unanticipated higher prices.

Simply put, we are buying fewer weapons for considerably more money.

As with procurement, more money has failed to solve the readiness problem. With the exception of improved personnel recruitment and retention rates, improvements in readiness have not been proportional to the increased resources appropriated over the 4 years. Total funding for operations and maintenance in the past 4 years increased 25 percent from previous 4 years in constant dollars. Furthermore, Congress appropriated more O&M funds in the last 4 years than the four largest O&M budgets in either the Korean war fiscal years 1951-54 or the Vietnam war fiscal years 1970-76.

In both wars we were operating larger forces at much higher operational tempos, and we were absorbing significant equipment losses.

Despite the 25 percent increase in O&M appropriations, training tempos are not significantly different from those of the previous 4 years. For instance, Army monthly flying hours per crew have fallen from 18.8 hours in fical year 1980 to 16.4 hours in fiscal year 1984; Navy quartely steaming days per ship have fallen from 24.2 hours in fical year 1980 to 23.7 hours in fiscal year 1984.

Finally, despite these relatively constant training tempos the 25 percent increase in the constant dollar O&M budget of the last 4 years has not resulted in major improvements in material readiness.

According to a May 1984 Pentagon report to the Senate Armed Services Committee, the report points out that the increased operating costs of the more complex equipment entering our inventory is a major cause of this disturbing state of affairs. This problem will compound itself in the future as more new weapons systems come on line.

I would like to point out that this analysis, put together by myself and several of my Republican colleagues in a lengthy paper, was issued as far back as February.

On February 7, at a hearing before the Senate Budget Committee, I asked Secretary Weinberger to respond to that paper and its analysis of or before March 7. I was supported in my request by Chairman DOMENICI and Senator SYMMS.

To this date, the Secretary of Defense has failed to refute or even clarify this analysis. In the meantime, last week, the Congressional Budget Office issued a study reaching virtually the same conclusions: That, notwithstanding a tremendous defense budget increase over the last 4 years, the level of output has fallen considerably below that of the previous 4 years.

Mr. President, I ask unanimous consent to have printed in the RECORD that February 7 paper in its entirety at the conclusion of my remarks. I also ask unanimous consent to have printed in the RECORD a summary and a few summary tables from the CBO report showing agreement with the analysis I have presented here.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRASSLEY. Mr. President, given these input/output disasters in both procurement and readiness, one wonders, rhetorically, where the bulk of the unprecedented budget growth has gone.

The answer, as indicated earlier, is inflated costs and overhead.

Startling evidence of this has recently been gathered by Congress. The Pentagon has apparently successfully lobbied for much more money than it either needs or can spend. There is so much money available to the industry that simple efficiencies, or even normal ones, are not required.

In fact, in order to absorb all the money available to the industry, the incentive for our defense manufacturing plants is to become as inefficient as they can get away with.

That is exactly why we pay—and I know you are tired of hearing these things—$750 for a pair of pliers, and $40 billion for an F-15 fighter. Of course, you can imagine maybe spending $40 million for a fighter when the average homeowner spends $100,000 for a whole house. Labor efficiency data just obtained from the Defense Department by the Senate Budget Committee provides us for the first time—for the very first time—with imperical evidence of defense factory inefficiency. The data covers 14 SAR programs, 35 systems from three services, and from two dozen contractors. It shows the following: Defense plants are operating at only 33 percent normal efficiency and, scrap-and-rework in at least six major defense plants averages 41 percent over the last 2 or 3 years.

The PRESIDING OFFICER. The time allotted the Senator from Iowa has expired.

Mr. HELMS. Mr. President, on behalf of the majority leader, I yield 7 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for a period of 7 minutes.

Mr. GRASSLEY. I would like to repeat part of my statement on inefficiency of the defense contractors and their industry. It shows that defense plants are operating at only 33 percent of normal efficiency and scrap-and-rework in at least six major defense plants averaged 41 percent over the last 2 or 3 years. I think you ought to think about that because we did not make mistakes in that. I would like to repeat that. The plants are 33 percent of normal efficiency, and I would like to contrast this with a plant that I just visited in my district where the John Deere tractors are made in Davenport, IA. John Deere averages 130 percent efficiency. That is because Deere offers incentives to beat the normal 100 percent efficiency rate. The only incentive we offer defense contractors is a reward for that inefficiency. We have to approve of their activity. This Congress must approve of it because we keep on pumping up their budgets without any question of this inefficiency.

Let me also repeat that scrap-and-rework figure: An average of 41 percent for six major contractors working on 35 systems. That figure, 41 percent, compared to other industry is literally unbelievable. But it in fact is from DOD's own data. In one case, scrap-and-rework totaled 420 percent of all touch labor hours on a major missile system—420 percent. That means that we throw away 4⅕ missiles for every one that we keep and yet we pay for it as well.

In private industry, this is what is so astonishing here—scrap averages only about 2 percent or one-twentieth of what we have found in the defense industry. With all the evidence that has surfaced recently, the burden of proof to not freeze the defense budget is on the Defense Department and its advocates. We keep hearing defense competition is increasing. But costs keep going up. A funny kind of competition. That happens to be where you would expect more competition costs to go down. We hear our defenses are getting stronger but the quantity of key combat weapons are shrinking. The quality is better we have been told except they cannot prove it. Operational tests do not bear that out.

Mr. President, we have a major defense procurement disaster on our hands. If we freeze the defense budget and follow up with structured changes, we can in fact prevent further erosion of our national defense. The bottom line is that we could buy virtually everything the Defense Department wants for much less money. That is my first law of defense spending, and in fact that is exactly what the data shows which we have now obtained from the Defense Department. There is more than enough room to absorb a budget freeze in defense.

I would like to take this opportunity, Mr. President, to appeal to my colleagues to help us improve the state of our national security. This is a massive

problem, and it has to be addressed by all of us in this body. We need a concerted effort, both in oversight and reform. But the first step, a necessary first step, is to gain control of the Defense Department. The Senate Budget Committee has been trying to get costs and factory efficiency data from the Defense Department since January. But the Department has dragged its heels. This information would reveal the true cost of each of our weapons and the amount we pay for them above and beyond what we should. It would allow us to quantify waste or inefficiency in dollar terms for the first time.

So I would like to ask my colleagues, Mr. President, to join me and offer a real show of strength, an industrial-strength prayer for the Senate Budget Committee. Congress needs that information and should have it by now to assist in formulating the defense budget and the policy that pursues it.

In any case, Mr. President, the available evidence proves beyond a shadow of a doubt that we can buy whatever we need to protect our Nation, but at a much less cost. And to that end, I offer here an amendment to lower the 7-percent defense increase in the compromise budget to the level that we just voted for the Social Security increase which is zero plus inflation.

There is little doubt that limiting the defense budget to an inflation adjustment would be more than adequate. I for one believe that is too much. However, I offer this amendment in keeping with my overall concept of fairness. If Social Security COLA's are adjusted for inflation, I believe the defense budget should also get only an inflation adjustment, and I was prepared to offer other amendments if the COLA increases had been so limited. This amendment would limit defense spending to zero plus inflation in fiscal year 1986, and 3 percent above inflation for both 1987 and 1988. They are exactly the same numbers voted out of the Senate Budget Committee back in March and approved overwhelmingly, 18-to-4, on a vote offered by its original author, Senator HOLLINGS. This amendment is consistent with my overall approach with fairness and equity in the budget. This is a vote for fairness and one which measures our resolve to demonstrate true deficit reduction. Mr. President, it is my hope that throughout the proceedings on this budget resolution we can maintain the parity between the various parts of our budget. I urge the Senate to support this amendment because it makes eminent sense.

If we are really serious about reducing spending and deficits, we should start here right now. If we are really serious about preventing a further erosion of our national defense, we should start right here now, and if we are really serious about building a consensus of fairness, we should start right here and now.

Mr. President, I urge my colleagues to support this amendment overwhelmingly, to reflect its overwhelming nationwide support among the American people.

I yield back whatever time is left.

EXHIBIT 1

SHOULD WE EXEMPT DEFENSE FROM ECONOMIC REALITY—THE NEED FOR A DEFENSE BUDGET FREEZE

INTRODUCTION

This resolution reflects the committee's judgment that reduction in the Federal budget deficit is our nation's top priority and that such a reduction will enhance national security. It is also the committee's judgment that management improvements and the elimination of excessive expenditures are prerequisites for a strong national defense and that action should be taken in these areas before budget authority is increased further. Finally, it is the committee's judgement that an across-the-board budget freeeze is the only fair and workable approach to restoring integrity and realism to the government budget process.

This resolution freezes growth in budget authority for National Defense at Fiscal Year 1985 current dollar levels. Furthermore, the resolution intends that this freeze apply separately and equally to each of the DOD individual appropriation categories (i.e.—procurement, military personnel, RDT&E, O&M, military construction, etc.). This freeze also assumes the across-the-board civil service pay freeze.

The following discussion describes the rationale underpinning these judgements.

SHOULD WE EXEMPT DEFENSE FROM ECONOMIC REALITY

For the last several years, the national debt has been growing faster than the gross national product. This growth, which is the direct consequence of the unprecedented budget deficits, places an increasingly unfair burden on future generations. Moreover, since the deficit diverts scarce capital from productive employment in the private sector, since it hurts our international competitiveness, and since it makes our government more dependent on foreign funds for public finance, the deficit threatens to hinder long-term economic growth. In this case, our capacity to reduce the growth in the national debt would be financed by a reduction in our standard of living. Thus, the deficit is a growing threat to the security and well-being of our people. The committee, therefore believes that reduction in the deficit will contribute more to national security than any other single action.

Proponents of continuing defense budget increases assert that the peacetime budget should be exempt from the Federal budget freeze because defense budget requirements are solely determined by outside influences that are beyond our control. The committee holds that this argument is untenable for the following three reasons:

(1) This assertion falsely assumes that we have a perfect perception of those outside influences. In fact, such perceptions are highly uncertain and therefore they are naturally influenced by our internal biases and beliefs. Defense judgments are not objective absolutes; they are subjective judgments made in the presence of the greatest uncertainty. If we treat such uncertain judgments as absolute requirements, we run the risk of generating an unconstrained wish list which, in effect, cannot be questioned. The failure of either Congress or the Administration to come up with a definitive list of defense priorities suggests that we are falling into this trap.

(2) A nation's peacetime defense expenditures are analogous to an individual's insurance policy that hedges against an uncertain future adversity. A nation, like an individual, diverts resources from current investment or consumption to pay for this protection. No rational individual would deliberately bankrupt himself to make such a payment. Yet, the logical implication of the assertion is that the risk of national bankruptcy should not constrain defense decisions. Given the deficit problem, the committee is unwilling to accept a further magnification of the risk. Ultimatley, a strong defense must be based upon a sound economy.

(3) If we truly believed the assertion, then financing the defense budget would not be the political issue that it has become. In fact, both Congress and the Administration have been unwilling to finance the growth in the defense budget by taking such actions as raising taxes or identifying offsets in the rest of the budget. This is evidence that, fundamentally, we don't believe the assertion. Furthermore, if we continue to avoid this issue, we will convey to the American public the dangerously misleading message that the defense build-up is free.

THE DEFENSE FREEZE IN PERSPECTIVE

The committee believes that a budget freeze would be beneficial to the defense program. Over the last four years, the defense budget has grown from $211 billion in FY82 to $293 billion in FY85, 39 percent growth in current dollars and 22 percent in constant dollars. This growth is unprecedented in the post WWII era; and as the following table shows, the last four appropriations exceed the four largest years of the Korean and Vietnam wars. More importantly, the table shows that the cumulative effect of a hypothetical four-year freeze at today's levels would exceed the cumulative expenditures of the last four years by 10 percent in constant dollars. In short, the budget is frozen at a very high level.

TABLE 1.—*Cumulative appropriations over 4 years*

[Constant 1985 dollars in billions]

	Cummulative DOD TOA
Korea, fiscal years 1951–54	940
Vietnam, fiscal years 1966–69	982
Fiscal years 1982–85	1,064
Hypothetical 4-year freeze	1,172

IF MONEY HASN'T SOLVED THE DEFENSE PROBLEM, WHAT WILL

The stated aim of the growth in the defense budget has been to enlarge, modernize, and improve the readiness of our forces. However, when the committee compared the output derived from the recent budget growth to the output of previous periods, the committee found that, notwithstanding the unprecedented budget increases, force structure changes have been minimal; in many cases fewer quantities have been procured at higher costs, and readiness improvements have been marginal. In short, it appears that increases in output have not been proportional to the increased input and this problem has been growing since the Korean War. Given the disappointing returns from the unprecedented budget growth of the last four years, the committee

believes that fundamentally improved management will yield substantially greater returns than budget increases. It is therefore the committee's judgement that future budget increases from the frozen level should be contingent upon the implementation of concrete management improvements aimed at producing more realistic budget plans, reducing today's excessive costs, significantly increasing readiness, and procuring larger quantities of demonstrably effective, reasonably-priced weapons.

Specifically, there are a number of basic management actions that are recommended to implement the freeze while helping to increase the size and effectiveness of the forces; these specifics are discussed at the end of each of the next two sections.

HAS MORE MONEY SOLVED THE PROCUREMENT PROBLEM?

This input versus output problem is illustrated by the case of aircraft procurement. Taken together, the Air Force and Navy aircraft procurement budgets amount to about 36 percent of the total DOD procurement budget between FY82 and FY85. As the table below shows, notwithstanding a constant dollar, four-year budget increase of 75 percent over the Carter administration, 11 percent fewer airplanes were procured.

TABLE 2.—AIR FORCE/NAVY AIRCRAFT PROCUREMENT

	1st Eisenhower, fiscal year 1954–57	Carter fiscal year 1978–81	Reagan, fiscal year 1982–85	Reagan/Carter percent change
TOA (constant 1985 dollars in billions)	84.1	69.9	122	+75
Aircraft procured (total)	12,516	2,040	1,799	−11
Strategic bombers	450	0	52	N/A
Fighter/attack	7,821	1,778	1,284	−28
Other	4,245	262	463	+77
TOA per aircraft (millions of 1985 dollars)	6.7	34.3	67.9	+98

The ratio of $TOA per A/C is an average of the procurement dollars necessary to support the procurment of one airplane. This measure includes the new airplane investment costs and the cost of purchasing spare parts and support equipment for the existing force structure. In essence, increases in this measure may result from (1) a change to a more expensive aircraft mix, (2) growth in the cost of producing the same airplane mix, (3) spare parts cost growth, or (4) support equipment cost growth. The increase of 98 percent is due to substantial cost growth in all four categories.

It is important to recognize that the changes occurring over the last four years are part of a long-term historical trend. A comparison with the first four years of the Eisenhower administration (FY54–57) puts these changes and the current state of affairs into a long-term context. In constant dollars, the FY82–85 aircraft procurement exceeds the FY54–57 budget by 45 percent; however, in the recent period we procured one-seventh as many airplanes. Of particular interest is the fact that the FY54–57 budget procured 450 B–52 strategic bombers compared to the FY82–85 purchase of 52 B–1's, only one of which has been delivered. TOA per A/C increased by a staggering 913 percent.

The following tables display similar comparisons for new ship construction and some Army procurements.

TABLE 3.—NAVY AND ARMY PROCUREMENT

	1st Eisenhower, fiscal year 1954–57	Carter, fiscal year 1978–81	Reagan, fiscal year 1982–85	Reagan/Carter percent change
Shipbuilding (new construction):				
TOA (in billions of 1985 dollars)	31.4	33.3	49.4	+48
Major combatants	70	42	35	−17
(Carriers)	(4)	(0)	(2)	N/A
Amphibious	11	1	6	+500
Combat support	24	11	23	+109
Total	105	52	64	+23
Selected Army procurements:				
Total Proc. TOA	22.3			
A/C + Wps/T.V. (constant 1985 dollars in billions)	?	16.1	31.3	+94
Helicopters	1,422	499	722	+45
Tanks	5,779	2,395	3,115	+30
APC/IFV	(1)	1,975	3,155	+60

[1] Unknown.

These tables show that when procurement quantities increase, they increase at a much slower rate than procurement budgets. During the last four years, the Army has been ramping-up the production of its new helicopter, tank, and IFV programs. These programs were just getting started during the Carter administration. However, even in these cases, where increasing production rates should naturally improve efficiency, quantity increases have not kept pace with budget increases. Comparing the FY 82–85 budgets to the FY 54–57 budgets, we see that aircraft and weapons/tracked vehicle budgets in FY 82–84 exceed the entire Army procurement program in FY 54–57 by 41 percent in constant dollars, yet helicopter production decreased by 49 percent and tank production decreased by 46 percent.

One of the main justifications for the increased procurement budgets over the last four years was the argument that the budget increases would finance higher production rates, generate efficiencies, and thereby reduce unit costs. This promise has not materialized. The problem is clearly one of cost growth, and since higher budgets are neither generating improved efficiency nor improved quantities, the committee believes that substantive management reforms, aimed at reducing excessive costs and making sounder procurement choices will yield greater returns than increased budgets.

WHERE HAS ALL THE MONEY GONE?

The input/output problem in procurement is reflected in the rising costs paid per weapon unit. The chief components are high levels of overhead and direct labor. Evidence recently gathered by Congress shows we may be spending up to 18 times more for our weapons than defense contractor's own data suggest we should pay for in-house factory work, if their plants were run at normal factory efficiency.

For example, we are paying one major defense company working on an engine for the MX missile for 5,050 direct labor hours when its own factory efficiency data says the same work should take only 370 hours (see Table 4). The translation of this actual-to-standard ratio, 14-to-1, means the factory is operating at 7 percent efficiency (one-fourteenth). Put another way, for inhouse work we pay for 14 MX engines, but we receive only one.

TABLE 4

	Fiscal year 1983				Fiscal year 1984
	1st Qtr.	2d Qtr.	3d Qtr.	4th Qtr.	1st Qtr.
Actual hours	5,050	4,203	6,717	9,122	
Standard hours	370	320	578	852	
Percentage	100	100	100	100	
Equivalent units	1.5	1.3	2.4	3.5	

This is by no means a unique example. The chart on the following page shows a similarly large actual-to-standard variance for the IIR Maverick missle. The ratio in this case was 17-to-1, or 6% efficiency at the time of the study. Roughly one-third of the variance, as indicated, is made up of scrap-and-rework.

When all factors in addition to labor are considered, we are paying up to $700 per standard hour for the kind of work normally done in the private sector for between $40 and $60. One typical example is a small metal strap which holds engine wires in place for the KC–135 bought by the Air Force at Witchita, Kansas. The in-plant cost for a purchase of 10 straps was $338.04. The amount of standard time to produce these straps totaled .587 hours. The total cost, then, per standard hour came to $575.87. This price compares with private sector prices of $40 to $60 for the same kind of work. In effect, the Air Force was charged for work equivalent of 100 straps and only received 10.

Recent Congressional testimony shows all spare parts and all major weapons are priced this way. The net variance between the amount we actually pay for our defense versus what we *should* pay if the defense industry were efficient is staggering. It could well total tens of billions of dollars. The committee is currently conducting a thorough investigation into identifying opportunities for savings in defense contract costs without jeopardizing national security.

Specific management actions recommended to begin solving the procurement problem this year while implementing the defense freeze—actions which may have to be mandated by the Congress—include:

In negotiated contracts (which today constitute the vast majority of all major systems and spare parts procurement), negotiate lower overhead rates to approximately match commercial competitive market practice and negotiate lower direct labor hours to approach standard hour estimates.

Implement a major increase in truly competitive, formally advertised procurements for both major systems and spare parts. Currently, DOD purchase less than 5 percent of its total procurement using competitive, formally advertised contracting.

Increase production rates and fully fund those major weapons systems that have reasonable costs and have demonstrated significantly improved effectiveness in realistic, thorough operational tests.

Cancel procurement of those weapons that have demonstrated their ineffectiveness in operational test; use at least some of the savings to fully fund the worthwhile weapons referred to above.

Fence funds and freeze or cut back production rates for weapons whose operational tests have been inadequate to demonstrate that these weapons are more effective in combat than their predecessors and will reduce the combat casualties of their military users. This action will save significant funds, but more importantly, it will create

powerful incentives for the Services to do more realistic testing and implement the will of the Congress as expressed in Section 1211 of Public Law 98-94 which established the Office of Operational Test and Evaluation. This action includes increases in OT&E funding as needed for more realistic testing.

HAS MORE MONEY SOLVED THE READINESS PROBLEM?

With the exception of improved personnel recruitment and retention rates (which, in part, have been influenced by the severity of the recent recession), it is the committee's judgment that improvements in readiness have not been proportional to the increased resources appropriated over the last four years.

The following table illustrates this input verus output problem in the readiness area. By the end of the FY82-85 funded delivery period (i.e., FY87), our war reserve stockpiles will still be far short of our objectives. Furthermore, these projections may be highly optimistic because they assume that deliveries will meet cost and schedule targets, that war reserves will not be diverted to support peacetime operations, that wartime consumption rates are accurately predicted, and that industry can increase production to a level supporting wartime consumption rates within the stated objective period. We note with deep concern that: (1) wartime consumption rates have far exceeded pre-war predictions in every major war since the American Civil War; (2) currently it takes about two years to deliver spare parts and munitions; and (3) there is very little industrial surge capacity.

TABLE 5.—WAR RESERVES PERCENT OF OBJECTIVE

	Fiscal year—	
	1983 [1]	1987 [2]
Munitions:		
Army	70	83
Navy	20	35
Air Force	23	42
Marines	41	57
Parts/support items: DOD [3]	27	65

[1] End of fiscal year 1978–81 funded delivery period.
[2] End of fiscal year 1982–85 funded delivery period.
[3] Weighted average.

In the past four years, the total funding appropriated for Operations and Maintenance increased over the previous four years by 25 percent in constant dollars. Furthermore, as the table below shows, Congress appropriated more funds for O&M in the last four years than it did for the four largest annual O&M budgets in either the Korean War (i.e, FY51-54) or the Vietnam War (i.e., FY67-70). In both wars we were operating larger forces at much higher operational tempos, and we were absorbing significant losses of equipment.

TABLE 6.—FOUR YEAR CUMULATIVE O&M BUDGETS (TOA)

[In billions of dollars]

	Korea 1951–54	Viet Nam 1967–70	Carter 1978–81	Reagan 1982–85	Reagan/Carter percent change
O&M TOA (Construction $85)	250.7	270.7	232.5	290.4	+25

Notwithstanding this 25 percent increase in O&M appropriations, the following table indicates training tempos are not significantly different from those of the previous four years. The apparent exception, AF tactical fighters, reflects the implementation of the out-year flying hour increases planned during the Carter administration. During the Carter administration, AF tactical fighter pilot hours per month went from 13 hours/month in FY78 to 17 hours/month in FY81. In the early seventies, fighter pilots were training at a tempo of 26 hours/month. So, current fighter pilot training tempos—while improved—are not back to historic levels.

TABLE 7—TRAINING TEMPOS

[In fiscal year]

	Carter		Reagan		
	1980	1981	1982	1983	1984
Army:					
Trng/days/Bn/Yr	(?)	(?)	161.7	162.4	161.9
Fly/hrs/crew/month	18.8	18.4	17.2	16.8	16.4
Navy:					
Stm/days/ship/qtr	32.4	33.5	32.7	34.1	34.9
Fly/hrs/crew/month	24.2	24.4	23.7	23.6	24.7
Trng/days/Bn/Yr	(?)	105.2	95.2	99.1	100.5
Air Force:					
Fly/hrs/crew/month	20.2	20.3	21.4	20.9	21.5
Fighters	16	17	18	18	18

Finally, despite these relatively constant training tempos, the 25 percent increase in the constant dollar O&M budgets of the last four years has not resulted in major improvement in materiel readiness as measured by mission capable (MC) or fully mission capable (FMC) rates, as reported by DOD in its "Improvements in U.S. Warfighting Capability, FY80-84", submitted to the Senate Armed Services Committee in May 1984. This report points out that the increased operating costs of the more complex equipment entering our inventory is a major cause for this disturbing state of affairs.

Summarizing the preceding points: Over the past four years, the Congress appropriated more O&M and Procurement funds in constant dollars than it did in the four peak years of the Korean or Vietnam wars. However, notwithstanding the fact that we are maintaining a such smaller force during peacetime, our plans show that we remain far short of sustainability objectives by FY87 (and these plans may be very optimistic), and training tempos and mission capable rates are, at best, slightly improved. In short, the readiness output does not appear to be proportional to the funding input. It is therefore the committee's judgment that future increases in the operating budgets should be contingent on demonstrable management improvements in these accounts.

Specific management actions recommended this year to fundamentally improve the readiness situation while implementing the defense freeze include:

Vigorously implement the modern commercial airline approach to maintenance. This means eliminating regular overhauls based on arbitrary flying hours, age, or mileage limits and substituting individual component or subsystem rework only when physical evidence of degradation or failure exists. Adopting this approach across-the-board for airplanes, ships, and vehicles will save billions per year while significantly decreasing accidents and increasing in-commission time and training time.

Fully fund all modifications that have shown, in operational test, that they enhance reliability and maintainability; make major reductions in the rest of the modification budget.

Reduce total civilian and total officer end-strength, and allocate the reduction in such a way that the highest grades' end-strength is reduced by three times the percentage of the lowest grades. This helps solve the inordinate "grade creep" or rank infiltration of the last thirty years. Even more importantly, it will significantly improve morale and effectiveness in the lower ranks by helping reduce the over-supervision and over centralization endemic to DOD today.

CONGRESSIONAL OVERSIGHT

Finally, the committee believes that the Congress needs a clear audit trail for the defense program. Each year the Congress appropriates funds that result in expenditure streams far into the future. Although these decisions are intended to implement stated policy objectives, the future consequences of annual appropriations decisions are not visible during the budget review. Furthermore, the Congress has no way of monitoring the deviation of actual outcomes from planned outcomes. In order to improve Congressional oversight of the Defense program, the committee recommends that the Congress require the President to submit the detailed five-year plans to the Congress each year as part of the President's annual budget submission.

DEFENSE SPENDING: WHAT HAS BEEN ACCOMPLISHED

SUMMARY AND CONCLUSIONS

During the first four years of this Administration (fiscal years 1982-1985), the Congress provided about $1.1 trillion in budget authority for national defense, some 36 percent more in real (inflation-adjusted) terms than was spent in the previous four years. This rate of expansion in defense budget authority was higher than in any other comparable peacetime period since World War II.

What improvements in U.S. military capability have been realized during this period? Claims by the Administration that significant improvements have resulted from the expansion of defense budget authority are challenged by some critics, who focus instead on instances of excessive pricing, inflated contractor overhead, or other wasteful practices. In an effort to provide a reasonable and objective basis for discussion of this issue, CBO has compiled selected measures of factors that contribute to military capability. These factors include the size of U.S. forces (force structure), the quality of equipment (modernization), the extent to which forces are ready for immediate combat (readiness), and the material resources necessary to continue to fight effectively to a successful resolution of a conflict (sustainability).

These measures are subject to important limitations. None provide a direct, comprehensive measure of U.S. military capability or that of its potential adversaries. Most ignore any quality increase in the new generation of weapons. And some—especially the size of U.S. forces—cannot be compared directly with changes in budgets because the measure represents a stock of equipment that changes only gradually over time as budgets increase. Despite these limitations, these measures are a reasonable set of indicators commonly used by the Department of Defense (DoD).

These measures suggest there have been improvements in all aspects of U.S. military capability since 1980, with the degree of improvement often reflecting the priority accorded by the Administration.

Except for Navy ships, increases in the number of U.S. forces have been relatively

modest through 1985. Equipment funded but not yet delivered will permit some further force expansion over the next five years. But expansion will in most cases still be modest, reflecting the lower priority the Administration has placed on force expansion.

Purchases of new, modern equipment continued at a high level, but the number of weapons purchased in 1982-1985 was not always significantly greater, despite much higher procurement funding, than the number purchased in 1977-1980. This reflects changes in the mix of weapons—weapons of greater sophistication and higher cost were often purchased instead of cheaper ones—and unanticipated growth in unit costs of weapons since 1980.

There has been a marked improvement in the quality of personnel entering the services (especially the Army) and an increase in retention of experienced personnel. Improved personnel readiness—the Administration's highest priority—no doubt means that U.S. forces are more combat ready today than five years ago. Other aggregate measures of readiness, however—such as the extent of training time and the maintenance of equipment—show more modest gains.

Resources necessary to sustain combat have increased. War reserve stocks of munitions (including ammunition, bombs, and missiles) have been increased significantly by all the services. Stocks of other items (spare parts, food, fuel, medical supplies) necessary to sustain combat also have increased, though service requirements for the latter have grown even faster than have stocks.

Despite widespread improvements, most of these aggregate indicators have not increased markedly, with a few exceptions like personnel quality. Yet there has been a sizable increase in the defense budget. The lack of marked improvements may reflect the aggregated nature of the measures used here, which may mask some changes, and the gradual change one would expect in stocks of defense equipment. Nor do the measures used here necessarily reflect improvements in weapons quality that have been a high priority in this Administration. Because of these limitations and others stated earlier, it is beyond the scope of this analysis to ascertain whether the defense buildup has been worth its cost.

The analysis does point up the difficulty in quantifying what has been accomplished by the higher level of defense budget authority. This is particularly true for factors such as the quality of weapons, training and equipment readiness, and requirements for sustainability in wartime. Clearly no single measure, or even a group of measures, will fully capture the effects of increased funding. Particularly in the difficult areas like weapons quality, readiness, and sustainability, it would be useful for the DOD to identify new, output-oriented measures of capability, perhaps including some that systematically capture the judgments of experts about factors that resist quantification. These steps might facilitate attempts to assess future improvements in U.S. military capability.

TABLE 1.—DEPARTMENT OF DEFENSE BUDGET AUTHORITY IN 1980 AND 1985

[In billions of 1985 dollars]

	1980	1985	Percent change
Investment	(69.7)	(133.8)	(92)
Procurement	48.8	96.8	98
Research, development, test and evaluation	17.9	31.5	76
Military construction	2.9	5.5	87
Military pay	(61.5)	(68.9)	(12)
Military personnel	45.9	68.9	NA
Retired pay	15.5	[1] NA	NA
Operation and other support	(61.1)	(82.0)	(34)
Operation and maintenance	58.3	78.2	34
Family housing	2.0	2.9	47
Revolving funds and miscellaneous	.8	.9	13
Total DOD budget authority	[2] 192.2	[2] 284.7	48

[1] Shift to accrual accounting for retired pay.
[2] Detail does not add to total because of rounding.
Note.—NA—Not applicable.
Source: Congressional Budget Office.

TABLE 3.—TOTAL QUANTITIES AND COSTS OF MAJOR WEAPONS SYSTEMS PROCURED

[In units and constant dollar budget authority]

	Total 1977–80	Total 1982–85	Percent change
Aircraft, fixed wing:			
Combat	1,745	1,482	−15.1
Airlift	144	165	14.6
Trainer	133	114	.9
Aircraft, rotary	587	1,055	79.7
Total, aircraft	2,589	2,816	8.8
Total cost in billions of 1985 dollars	43.3	75.9	75.4
Missiles, strategic and theater nuclear	627	2,284	264.3
Missiles, tactical:			
Air launched	19,999	42,047	110.2
Surface launched	96,082	79,860	−16.9
Total, missiles	116,708	124,191	6.4
Total cost in billions of 1985 dollars	15	28.7	91.2
Ships, Trident submarines	4	3	−25.0
Major warships [1]	15	29	93.3
Other warships	29	22	−24.1
Ships, auxiliaries	13	29	123.1
Total, ships	61	83	36.1
Total cost in billions of 1985 dollars	28.9	44.2	53.0
Tanks and combat vehicles:			
Tanks	2,762	3,235	17.1
All other vehicles [2]	5,194	7,107	36.8
Total quantity	7,956	10,342	30.0
Total cost in billions of 1985 dollars	6.2	15.3	147.4

[1] Excludes service life extension programs [SLEP] and conversions except for the battleship reactivation program.
[2] Includes Marine Corps tanks, vehicles, and LVT7A1 SLEP.
Source: Department of Defense procurement summaries (P-1) for fiscal years 1977–84, and congressional conference report (H.R. 98–1159) for fiscal year 1985. Excludes all classified programs. Compiled by the Congressional Budget Office Defense Cost Unit.

TABLE 4.—PERCENTAGE CHANGES IN ACTUAL VERSUS PLANNED COSTS PER UNIT FOR SELECTED MAJOR WEAPONS

	1981–85 [1]	1983–85 [2]
M1 tank	45	−8
M2/3 fighting vehicle	64	−1
AH–64 attack helicopter	36	−18
CG–47 cruiser	10	−9
Trident submarine	9	5
F/A–18 fighter/attack aircraft	58	2
F–15 fighter aircraft	23	25
F–16 fighter aircraft	24	−3
DDG–51 destroyer	([3])	−24
B–1 bomber	([3])	−9
C–5B transport aircraft	([3])	25
MX missile	([3])	[4] 74

[1] Percentages reflect unanticipated growth in actual cost per unit (adjusted to 1985 dollars) versus planned costs per unit in the fiscal year 1981 budget.
[2] Percentages reflect growth or decline in actual cost per unit (adjusted to 1985 dollars) versus planned costs per unit in the fiscal year 1983 budget.
[3] New programs not included in fiscal year 1981 budget plan.
[4] In some cases, such as the MX missile, the increase in unit cost was associated with significant reductions in the rate of production, and was thus predictable. In other cases, such as the F–16, improvements in the weapon provide a partial explanation for the increase in costs.
Source: Congressional Budget Office from Department of Defense data presented in support of the DOD budget requests for fiscal years 1981, 1983, and 1985.

TABLE 5.—MISSION CAPABLE RATES FOR EQUIPMENT

	Percentage mission capable		
	1980	1984	Goal
Army (fully mission capable):			
Aircraft	66	71	75
Artillery	88	89	90
Missiles	91	94	90
Tanks	86	87	90
Navy (mission capable): [1]			
Fighter/attack aircraft	53	63	68
Total aircraft	59	70	73
Marine Corps (land—fully mission capable):			
Artillery	88	89	85
Missiles	94	86	85
Tanks	86	87	85
Air Force (mission capable):			
Fighter/attack aircraft	62	73	74
Total aircraft	66	71	75

[1] Includes Marine Corps aircraft.
Source: Testimony of Assistant Secretary of Defense Lawrence J. Korb before the Subcommittee on Preparedness, Senate Armed Services Committee (Feb. 21, 1985).

TABLE A–4.—MEASURES OF MILITARY TRAINING ACTIVITY

	1980	1982	1984
Individual training loads (in thousands of man-years):			
Army	78	76	70
Navy	58	64	64
Marine Corps	19	19	21
Air Force	42	44	41
Reserve components	28	38	32
Total DOD	236	241	228
Training funding (in billions of 1985 dollars)	11.1	12.6	13.8
Collective unit training:			
Annual training days per battalion:			
Army	NA	161.7	161.9
Marine Corps	NA	95.2	100.5
Flying hours per crew per month:			
Army	18.8	17.2	16.4
Navy and Marine Corps	24.2	23.7	23.7
Air Force	20.2	21.4	21.5
Air Force tactical aircraft	15.6	NA	19.3
Steaming days per quarter:			
Deployed fleets	57	58	60
Nondeployed fleets	29	29	28

Note.—NA—not available.
Source: Data for 1980 and 1982 from Department of Defense, "Military Manpower Training Report," fiscal years 1982 and 1984. Data for 1984 from Department of Defense, "Force Readiness Reports," vol. 4, "Military Manpower Training Report," fiscal year 1986.

TABLE A–2.—PROCUREMENT CHANGES SINCE THE FISCAL YEAR 1981 BUDGET SUBMISSION

	Planned 1981–85 program (in fiscal year 1981 budget)			Actual 1981–85 program			Percentage change		
	Quantity	Funding [1]	Cost per unit [1]	Quantity	Funding [1]	Cost per unit [1]	Quantity	Funding	Cost per unit
M1 tank	3,891	$6,332	$1.63	3,804	$8,966	$2.36	−2	42	45
M2/3 fighting vehicle	3,720	3,591	.97	2,855	4,522	1.58	−23	26	64
AH–64 attack helicopter	284	2,615	9.21	315	3,955	12.56	11	51	36

TABLE A–2.—PROCUREMENT CHANGES SINCE THE FISCAL YEAR 1981 BUDGET SUBMISSION—Continued

	Planned 1981–85 program (in fiscal year 1981 budget)			Actual 1981–85 program			Percentage change		
	Quantity	Funding [1]	Cost per unit [1]	Quantity	Funding [1]	Cost per unit [1]	Quantity	Funding	Cost per unit
CG–47 AEGIS cruiser	16	16,210	1,013.15	14	15,656	1,118.26	−13	−3	10
SSBN Trident submarine	6	9,445	1,574.20	4	6,876	1,718.88	−33	−27	9
F/A–18 fighter aircraft	656	13,692	20.87	375	12,387	33.03	−43	−10	58
F–15 fighter aircraft	90	2,764	30.71	195	7,379	37.84	117	167	23
F–16 fighter aircraft	660	8,717	13.21	714	11,713	16.41	8	34	24

[1] In millions of 1985 dollars.

Source: Congressional Budget Office from Department of Defense budget justification data (various fiscal years).

TABLE A–3.—PROCUREMENT UNIT COST CHANGES SINCE THE FISCAL YEAR 1983 BUDGET SUBMISSION

	Planned 1983–87 program (in fiscal year 1983 budget)			Actual 1983–85 program			Percentage change		
	Quantity (units)	Funding [1]	Cost per unit [1]	Quantity (units)	Funding [1]	Cost per unit [1]	Quantity	Funding	Cost per unit
M1 Tank	2,936	$6,969	$2.37	2,535	$5,556	$2.19	−14	−20	−8
M2/3 fighting vehicle	1,930	2,919	1.51	1,855	2,770	1.49	−4	−5	−1
AH–64 attack helicopter	269	3,650	13.57	304	3,374	11.10	13	−8	−18
CG–47 AEGIS cruiser	9	10,556	1,172.89	9	9,559	1,062.08	0	−9	−9
SSBN Trident submarine	4	6,808	1,701.92	3	5,340	1,780.00	−25	−22	5
F/A–18 fighter aircraft	288	8,604	29.187	252	7,689	30.51	−13	−11	2
A–15 fighter aircraft	198	6,653	33.60	117	4,910	41.96	−41	−26	25
F–16 fighter aircraft	360	6,861	19.06	414	7,626	18.42	15	11	−3
New programs (not included in 1981–85 5-yr defense plan):									
DDG–51 destroyer		1,486	1,486.00	1	1,129	1,129.00	0	−24	−24
B–1 bomber	53	17,404	328.28	51	15,246	298.94	−4	−12	−9
C–5B transport	24	5,212	217.16	13	3,526	271.23	−46	−32	25
MX missile	118	7,362	62.39	42	4,550	108.33	−64	−38	74

[1] In millions of 1985 dollars.

Source: Congressional Budget Office from Department of Defense budget justification data (various fiscal years).

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, on behalf of the majority leader I yield 10 minutes to the distinguished Senator from California, Mr. WILSON, to offer a resolution.

The PRESIDING OFFICER. The Senator from California.

Mr. WILSON. Thank you, Mr. President. I thank the distinguished manager.

Mr. President, we are engaged in a long and very painful debate. We are compelled by the circumstances of an unparalleled deficit to take drastic action. Indeed, our failure to do so threatens the Nation with a positively catastrophic turn of events. They have been much debated on this floor.

Any number of organizations have urged support of this compromise even though they are aware that the spending cuts it proposes threaten some injury to their particular special interest. They have done so because they are aware that whatever injury they may sustain to their narrow interests does not justify our failing to take the kind of action that is required to deal with the deficit and responsibly reduce it.

As an example of such insight and unselfishness in the larger national interest, the members of the small business community—specifically, the National Federation of Independent Businesses—have urged Congress to vote for cuts in programs benefiting them because they know full well that America cannot realistically hope to just grow out of this massive deficit.

In fact, Mr. President, they seem to see more clearly than many of us on the floor of this Chamber that our options are, in fact, quite limited. There are some on this floor who would suggest that we cure the deficit by a tax increase. Clearly, that is neither desirable nor even realistic. The American people do not support a tax increase, and they are right not to. The President of the United States has indicated very clearly that he will veto any tax increase.

A sufficient number of Members of the House of Representatives have signed a petition guaranteeing the President that he will be sustained in his veto of a tax increase. They have pledged to him that they will vote against any effort to override his veto.

What that means, Mr. President, is that we are left with the painful but responsible option of making spending cuts. That, of course, is what this compromise is all about.

I stated a moment ago that the National Federation of Independent Businesses knows full well that we cannot hope to grow out of the deficit. They know that because it has become painfully clear that our economy is perceptibly slowing. It is by no means apparent that we will complete the transition to sustained real economic growth. To the contrary, however painful individual spending cuts may be, and there is none more painful than that which affects Social Security recipients, the clear and utterly unacceptable alternative to these cuts is not the risk but the virtual certainty of escalating interest rates, of spiraling inflation, of epidemic unemployment—in short, of a plunge into an even more devastating recession than that from which we emerged 2 years ago.

Mr. President, that is simply not acceptable.

By exercising a little political courage and responsibility, we can choose a very different future for America.

Low interest rates and flat inflation will create hundreds more jobs than can the Small Business Administration and Job Corps. A vote for cuts of that kind, I am convinced, is a vote for a future of economic growth and for the creation of jobs, hope, and opportunity.

Mr. President, I would shrink from asking Social Security recipients to take less than a full cost-of-living adjustment as their part of deficit reduction if I were not convinced that recession and raging inflation will be the absolutely certain result of the failure of this compromise. In fact I would not ask this participation by them if I were not confident that success of this compromise will bring down interest rates—economists of every stripe agree it will—and bring down inflation below the level which would be covered by the compromise COLA.

Yet if, Mr. President, inflation does not fall to or below that level, for whatever reason, we must be prepared to make whole Social Security recipients.

But, Mr. President, how much better it would be for Social Security recipients and for all Americans were Congress to have the courage to cut spending and hold the cost of living flat.

How much better than if, by our failure to cut spending, we reignite in-

flation—that most cruel, hidden tax upon the poor and the elderly.

How much better than to constantly chase and never catch, but endlessly feed spiraling inflation, with one cost-of-living increase after another?

How much better if Congess has the courage to prevent the need for a cost-of-living adjustment by preventing inflation. And the plain fact, Mr. President, is that we have but one responsible option for doing that: We must cut spending in virtually every area, including many, many that are genuinely painful.

It will not be fun. It is necessary.

Our choice here is not the simple, easy choice between good and evil. It is the choice between those things that Government does that are most important and those things that are less important.

There is much talk among politicians of setting priorities. Well, Mr. President, the time has come for this Congress not to talk priorities but to set and keep them, and we are off to a miserable start in doing so.

The ultimate compassion, Mr. President, is to provide the climate for a growth economy that can both create jobs for those who want to work and eliminate the inflation that haunts and steals from those who can no longer work. We will achieve that only by having the courage to cut in a responsible fashion.

But the most irresponsible thing that we could possibly do in this priority-setting exercise would be to so starve necessary defense spending that we undermine the very credibility that we must have with both our allies and our adversaries to fulfill our very highest priority and clearest constitutional responsibility. The first duty of a democracy is to survive.

The most important corollary to that duty is that peace as well as freedom is best protected by military strength and a clear resolve to use it when our national interest requires that we do so. If we are strong enough in arms and clear in our resolve, we make far less likely the risk that we shall have to take up arms.

But conversely, Mr. President, weakness invites war.

And, Mr. President, for those on this floor, who are concerned that we never needlessly subject American youth to the peril of combat, history is replete with every possible evidence that appeasement never appeases. It never works. It encourages aggression. Too many young men have died needlessly because the weakness of peace-loving democracies has made war inevitable. The clearest signal that we can send on this floor that we are not serious about freedom, or not serious enough to defend it successfully, is to decimate our defense budget.

Our defense spending is driven not by domestic considerations but by those that are external to our domestic welfare. It is driven by objective need—by accurate assessment of the threat to America and her allies. Are we now to ignore clear need, ignore accurate perceptions of the threat we face, and say to our allies and our adversaries, "No, it is just too tough politically to do what we know is required to be credible. No, we will take the path of least resistance. We will savage defense spending in order to avoid offending consitituencies of domestic spending programs. That way we'll be reelected. That way we'll be assured of our political survival."

Well, Mr. President, the survival of America is more important than the political survival of every Member of the Congress.

Mr. President, defense must, indeed, bear its fair share of the burden for deficit reduction. But it has done so already in the compromise that proposes that in this coming fiscal year and in the 2 ensuing years, there will be only a 3-percent real growth in defense spending.

Mr. President, I will have much more to say tomorrow in detail about the grave defects of the proposal offered by my good friend from Iowa. For now I will say only that we will do much better for all Americans, including those at the absolute bottom of the economic spectrum, if we protect them against the marauding phantom of inflation responsibly and not by savaging the defense budget.

And just as surely as we threaten to reignite inflation if we lack the courage to make the spending cuts embodied in this compromise, so do we threaten to gravely undermine our national security if we adopt the pending amendment.

Mr. HELMS. Mr. President, at this time I yield to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I thank the Senator for yielding. I rise in opposition to the amendment.

Before talking about the amendment itself, I would like to reflect a little bit about the progress we have made both in defense and in the economy.

Four years ago in the other body I remember a vigorous debate about the state of the economy, and that economy was not good. The inflation rate was 13.5 percent. We had double-digit unemployment. The economy was in shambles. Productivity per man hour, our primary measure of economic growth, was declining. The prospects for America were bleak.

We had, during the Carter years, starved national defense. Our recruitment and retention were abysmal. Our IQ testing results of new inductees was approaching an alltime low level. The number of high school graduates as a percentage of total recruits was approaching the lowest level in the post-war period. Our planes did not fly because we did not have spare parts and because we did not have mechanics.

Our ships could not sail because we did not have crews.

All of that is changed today. Four years ago we had the courage to bring spending under control. We cut marginal tax rates by 25 percent, and we have put America back to work.

With all the ashes on all the foreheads here today and talking about gloom and doom, let us remember the progress we have made. In the last 4 years, we have put 7.5 million Americans to work in permanent, productive, tax-paying jobs. For a body that talks continually about jobs, there are more jobs in the private sector of the economy than all of the Government jobs bills adopted by the Congress in its entire history put together have created in the way of dead-end, make-work jobs. Those private-sector jobs are nutrition programs, they are housing programs, they are education programs.

What nutrition program can rival 7.5 million families at work, a paycheck as the fruit of their labor, taking that paycheck to the grocery store, and putting groceries on the kitchen table?

You can have food stamps. A job is the nutrition program that every American family wants.

There is a housing program. It is not HUD, it is a better program; 7.5 million American families earning a paycheck, building up a nest egg to build or buy their own homes. That is a housing program that every American wants.

And it is an education program. Seven-and-a-half million families working, saving money to send their children to colleges and universities all over this country.

That is the legacy of a program and a mandate that was given to the President and to this Congress in 1980. What we are choosing here today is whether we will stay with a program that works. We have been given the same mandate in the 1984 election.

We are debating defense here, too, talking about cutting defense from 3 percent to zero real growth. Walter Mondale ran on a platform calling for 3 percent real growth in defense and he barely carried his home State and lost every other State in the Union on that platform. Where is the support by the American people for this change?

We talk about the cost of this budget in terms of making decisions that will affect people. But if we adopt this budget and sustain the recovery, we are talking about 7 million more new jobs in the next 4 years.

If we adopt this budget and bring down interest rates, we are talking abut a 2-percentage point decline in interest rates which those who are experts in the area of finance tell us is achievable by adopting this budget.

They tell us if we could have adopted the original budget or if we go back and adopt it, we could lower interest rates by 2 percentage points. What does that mean? Let me tell you what it means.

First of all, on mortgages, it means the average mortage on the average home sold in America will be $100 less every month. A 2-percent average point decline in interest rates means a dramatic change in the profitability of farming and manufacturing and retailing in this country. So when we are debating the budget, in reality we are debating the future of America and the American people have spoken very clearly on that future.

We have talked about raising taxes. I would like to know where the people who speak of tax increases were on November 6. The American people had an opportunity to vote for tax increases and they turned it down overwhelmingly. They voted to control spending.

We are here talking about defense, but we just voted to add $33 billion, effectively, back to the deficit. So I have to say that is one of the problems I have about a proposal to cut defense when we have reduced the growth rate already down to the level proposed in a program rejected by the American people in the November election, a 50-percent reduction from the Rose Garden agreement of last year and what the President initially requested. But we are not talking about cutting defense to lower the deficit; we have already added money back to the deficit.

We are talking about cutting defense to fund social programs. That is one of the reasons this proposal sticks in my craw. If we had gone through and tightened the belt and reduced the source of the deficit by controlling spending and reordering priorities and we had not got the job done and we came back and talked about defense, then I might well be standing here speaking in favor of those savings. But that is not what we have done. We have already compromised the budget in bringing it to the floor; we have just voted to add $33 billion back to the deficit. Now we are voting to cut defense—not to lower the deficit but to fund other programs.

In terms of a 3-percent growth rate in defense, let me make it clear that we have made dramatic changes in the last 4 years in defense. I am sure that our colleague is sincere in saying that he believes that with a zero growth in defense, we can have a better defense. But let me make note of the fact that we have made dramatic progress. Four years ago, we were not meeting our recruitment or retention goals in any branch of the service. Our percentage of high school graduates and average IQ's were near alltime lows. All that has changed. Ninety-four percent of the people who joined the uniformed services last year were high school graduates. That is the highest level in American history. We have the finest young men and women in the uniform of this country who have ever worn that uniform, and they wear it with pride this afternoon all over the world. And they have the finest weapons that any citizen soldiers have ever had.

We have heard talk about spending on weapons and weapons procurement, but what we have done in the last 4 years is set out budget authority. We have done research and development. Only now are we in the major production cycle of weapons like the B-1 bomber and MX missile. Only now are we reaching our production stride in the M-1 tank and the Bradley fighting vehicle. You cannot measure budget authority versus output; you have to look at when the money is actually being spent.

We all know horror stories of defense waste. We have seen one colleague after another stand up with a cathode tube or a crescent wrench or a toilet seat. But let us remember that all of those horror stories did not come from the media. They all came from audits that we mandated in the Defense Department.

What a great paradox it is that in an administration that has done a better job in closing out waste and inefficiency since Harry Truman left the War Production Board in 1944, their very success in ferreting out abuse and doing something about it is used every day to argue for a cut in defense. The hidden story of the budget is that we have made great progress and there is great work to be done.

We have in our authorization bill that will come to the floor ample opportunities for Members who want to show where they stand on waste. We are streamlining the procedure to close military bases—military bases that have been on the hit list since Harry Truman was President of the United States. I hope those who will vote to cut defense here today or tomorrow or whenever we vote will be here to vote to give us the ability to shut down military bases that are operating at 10 to 15 percent of capacity and are being kept open for political reasons and political reasons only. That is in our bill.

If you want to do something about waste, you are going to get a chance to vote on it, because I can assure you there will be those in this body who want to vote for a zero growth in defense but will also want to keep open that military base that is not performing any function at all. They will be here offering an amendment to add it back. Do not forget us when you come to that vote.

We have in our bill procedures to eliminate Davis-Bacon, a provision of law that forces us to pay as much as 40 percent above the competitive wage when paying wages in construction. What a giant rip-off that is. We talk about toilet seats. Can you imagine every construction laborer hired on every defense contract paid a wage that is a much as 40 percent above what free enterprise is paying?

Why are they doing that? Who is ripping us off? Not the Pentagon—the Congress. The Congress mandated Davis-Bacon and the Congress have forced it into law and kept it there consistently. But you are going to get an opportunity when we bring our authorization bill to the floor to put your vote where your mouth is on that subject. We are going to reform Walsh-Healey, that is in our bill. You are going to get an opportunity to change the overtime requirements and in the process save us millions of dollars. You are going to get an opportunity on the Monroney amendment, a provision in law that sets up pay scales totally out of relation with competitive wages in an area. You are going to get an opportunity to deal with contracting out.

Now, you are going to have labor unions and Government employees breathing down your necks because they want you to preserve their jobs, but do not forget you voted for a zero growth rate defense. Give us an opportunity to see if we can produce it in-house or if we ought to contract it out.

We are going to impose heavy penalties on contractors who overcharge and who overbill. We are going to impose treble damages if a charge is not allowable. We are going to impose a $100,000 fine for a false charge. Remember, you voted for zero defense when we bring that up and when there are those who oppose it.

The reality is that we are making progress, that we are changing the law, that we are trying to promote efficiency, but here is the reality we face on defense. We have for 4 years invested in developing new technology. We are now in the ramp-up phase of virtually every weapons system we are producing. If we are forced to cut back to a zero growth rate this year and if similar constraints are imposed on us next year, much of the investment we have undertaken will be lost. Many of the weapons systems in which we have invested research and development, many of the weapons systems that we have engineered, will never be built. The assembly lines that have been constructed will never be run.

We have made progress. With a 3 percent real growth rate in defense, we can produce efficiently and we can

provide for the common defense of the Nation. I oppose this amendment. If we adopt the domestic cuts in this budget and we cannot deal with the budget problem, then I for one am willing to come back and revisit the subject. But I remind my colleagues, in closing, this is not a proposal to cut defense to reduce the deficit. It is a proposal to cut defense to fund all of the add-ons. The proposal for a 3 percent real growth in defense may not be politically popular, but it is eminently reasonable. I urge my colleagues to vote down this proposal and then use your vote when we vote on the defense authorization bill to tell us what weapons you do not want.

Tell us what you want cut, but do not tell us in some abstract number. Can you imagine if we came to the floor and said, "Let us just simply limit the growth of social programs to a certain percentage." We would be laughed off the floor. People would say, "What is it going to do?"

Well, I say, what is this going to do? From where are we going to get the money? What weapons are we going to terminate? Who are we going to put out of the service? Who are we going to lay off?

The time for this debate is on the defense authorization bill where you are going to have an opportunity to vote on base closings, where you are going to have an opportunity to vote on all the sweetheart deals that have existed over the years because of the Congress and politics, where you are going to have an opportunity to vote on contracting out, where you are going to have an opportunity to vote on imposing penalties for false claims by contractors. That is where we are going to need your vote.

Mr. DOLE. Mr. President, I understand that the chairman of the Armed Services Committee would like to delay this speech until morning, and I am prepared to clear with the distinguished minority leader having a period of routine morning business.

ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent there now be a period for the transaction of routine morning business until 6:30 p.m. with statements limited therein to 5 minutes each.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. Mr. President, I await the arrival of the distinguished minority leader, but it would be my hope that we might agree to stand in recess until 10:30 a.m. rather than 9:30 a.m. on Thursday, tomorrow. There will be two special orders. We will be back on Senate Concurrent Resolution 32 at 11:30 a.m.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOLIDARITY SUNDAY

Mr. MOYNIHAN. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 152) expressing the sense of the Senate in support of "Solidarity Sunday."

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. DOLE. Mr. President, there is no objection. I have discussed this with the Senator from New York. I support his efforts, and I am pleased to be a cosponsor of the resolution.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MOYNIHAN. Mr. President, I am pleased to be able to submit a resolution expressing the sense of the Senate that the Congress supports Solidarity Sunday for Soviet Jewry. This resolution is submitted with the cosponsorship of 54 Senators, including that of the distinguished chairman of the Judiciary Committee [Mr. THURMOND], whose willing and friendly cooperation has made it possible for this measure to be considered by the Senate immediately upon its introduction, as well as the cosponsorship of the majority leader and the minority leader, as they have done for 5 years previously.

Sunday May 5, 1985, is Solidarity Sunday, Tens of thousands of Americans of all faiths will gather in New York City for a march and rally in demonstration of their solidarity with the nearly 3 million oppressed Jews of the Soviet Union. First organized 14 years ago by the organization now known as the Coalition to Free Soviet Jews, Solidarity Sunday has become something of a tradition. One regrets that this has been necessary, but one is at the same time heartened by the continuing willingness of Americans to undertake this effort.

Given the increasing harassment and persecution of Jews in the Soviet Union in recent months, and the fact that Jewish emigration declined last year to 894 persons—of 300,000 who have taken formal steps to emigrate—unanimous adoption of this resolution would itself be an important expression of the Senate's unwavering concern, as elected representatives of a free people, for the plight of Soviet Jews and other persecuted minorities in the Communist world. In this spring of 1985, however, the resolution and Solidarity Sunday necessarily assume a greater significance still.

For there is a new leadership in place this year in the Soviet Union, a leadership that was recently bolstered by the addition of several new members to the Politburo. There is every reason to expect that the General Secretary of the Communist Party of the Soviet Union, Mikhail Gorbachev, will remain at the summit of Soviet politics for a decade and more, perhaps through the end of the century.

The nature of the relationship between Gorbachev's Soviet Union and the United States is very much a subject of the future. It is a relationship whose tenor and substance is being developed even now.

While one must expect that the fundamental aspects of that relationship will change only slowly, if at all—Soviet and American interests in the world both being more enduring than the life of any mortal man—it is especially important at this outset that American interests by unambiguously stated to the new Soviet leadership. This is especially true of those interests that are not in the realm of policies of merely passing fancy, and thus not likely to outlast a particular President or Congress.

The American interest in a free and humane world, one in which the rights of individuals are protected and valued, is enduring. It is not the creation of any official in Washington; it springs from the character of the American people, and is a consequence of the unique history of this Nation.

That Government of the Soviet Union is the single largest and most powerful threat to human liberty in the world. There are other regimes that are more murderous than is now the case in the Soviet Union, but none are as powerful and as determined to share abroad the quality of life in their own country as is the Soviet Union. No other government is as devoted to the construction of a totalitarian world in which the individual has no status save what the government finds convenient to accord. So on the subject of human rights we inevitably and repeatedly return to the policies of the Soviet Government. And we find their policies wanting.

Particularly in respect of the treatment according to ethnic minorities in the Soviet, and most especially with respect to the community of more than 3 million Jews who reside there, we find Soviet policies unacceptably intolerant of individuals.

In order for the United States to begin to accord the Soviet Union the status of a civilized society with which

we will find it acceptable to deal on a regular and regularized basis—engaging in international commerce and exchanges of information and ideas, for instance—certain minimum standards of behavior must be met by the Soviet Government in the areas of human rights. It is not the sole requisite to improved bilateral relations, certainly, but it is one such.

If the Soviet Government cannot live with the idea of a Jewish community living as Jews in the privacy of their homes and underground synagogues, the minimum decency would be to permit them to emigrate. Ten years ago, speaking at the last of the Solidarity Sunday rallys he would be able to attend, our former colleague in the Senate, Hubert H. Humphrey said, with the elegance and eloquence that characterized his addresses: "Let them live as Jews or let them leave as Jews. It is as simple as that."

And so it is.

It happens that the U.S. Government will have several opportunities to say as much to the Soviet Government in the next few weeks.

Beginning May 5, at Ottawa it is my hope—and it is certainly in the spirit of the resolution before us, which has been cosponsored by 55 other Senators—that the President will instruct his representatives to raise this issue of Soviet Jewry at each of these opportunities. There is recent evidence that this is not going to happen, and I hope the President will take action to correct this.

I am referring to the reply I have just received to a letter sent to President Reagan on March 8 urging that he undertake separate negotiations with the Soviet Union to regularize emigration from the Soviet Union; 250 Members of the 99th Congress signed that letter, including a majority of the U.S. Senate. It was a serious effort to convey an important message to the President in as nonconfrontional and constructive a manner as we could muster. Yet I have received merely a standard reply from an aide to the President informing me that it will be hard to persaude the Soviets to do this. A Mr. M.B. Oglesby, Jr., writes that:

U.S. influence on Soviet emigration practices and decisions remains limited * * *

Well I guess I already knew that. We in the Congress had hoped to encourage the President to try to expand that influence. It does not require a major overhaul of our system. It requires merely a better appreciation for how to use American law and commerce to the advantage of those interests we would try to advance—such as human rights in the Soviet Union.

For instance, the President and his associates might remind the Soviet Government that, under the terms of the Jackson-Vanik amendment to the Trade Act of 1974, the Soviet Union would be eligible for an expanded trading relationship with the United States if it were to permit the free emigration of persons seeking to do so. The Soviets have demonstrated that they can do this when they want. In 1979 more than 50,000 Soviet Jews were permitted to leave the Soviet Union. In 1984 only 894.

If the Soviet Union were to return to the practice of permitting Jews to emigrate in numbers comparable to that registered in 1979, then there would certainly be a willingness among numerous Member of the Congress to explore whether an expanded trading relationship between our two nations—and the granting of most favored nation trading status to the Soviet Union—would be in order.

Mr. President, I am pleased to have the support of so many Members of this body in bringing this resolution to the floor.

I ask unanimous consent to have printed in the RECORD the texts of the two letters to which I referred, the one to President Reagan and the reply from his assistant, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, March 8, 1985.

DEAR MR. PRESIDENT: The people of the Unites States share a tradition of moral commitment to the cause of freedom throughout the world. It is a tradition that we, as elected officials, have a special obligation to uphold.

American history is the history of a nation that sees its national purpose bound up with the ideal of freedom. This concept has inspired Americans for more than 200 years.

Over the past years both you and the Members of Congress have therefore pressed for the right of emigration for Soviet Jews and for the release of those "prisoners of Zion" imprisoned by Soviet authorities for seeking freedom.

Despite these efforts, nearly 400,000 Jews who have indicated their desire to emigrate are still being held hostage. The Iron Curtain has slammed shut on Jewish emigration from the Soviet Union.

"Prisoners of Zion" like Anatoly Shcharansky and Iosef Begun languish in Soviet jails and work camps. Recent months have seen additional arrests. This persecution has reached a new high just as a generation of young soviet Jews insists on its tradition of living proudly as Jews.

That the Soviet Union has rebuffed our efforts to deal with this issue now argue for a direct attempt to bring this painful chapter in human history to a speedy and favorable conclusion.

We urge you, Mr. President, to call upon the Soviet Union to enter into discussions dealing solely with the free emigration of the large number of Jews who seek to leave the Soviet Union, and with the release of the "prisoners of Zion," in keeping with the Helsinki Final Act of 1975.

The Soviets should be required to adhere to those provisions which would provide for the removal of all obstacles to emigration for those who wish to apply.

Keeping faith with American history demands no less. Americans of all previous generations have placed the responsibility of working for freedom squarely and confidently on our shoulders.

We pledge you our support in pursuing this historic task.

Jack Kemp, Member of Congress; Daniel Patrick Moynihan, U.S. Senator; William V. Roth, Jr.; Paul Sarbanes; John P. East; Wendell H. Ford; John F. Kerry; Edward Zorinsky; Daniel K. Inouye; Max Baucus; John Heinz; Dave Durenberger; Peter Wilson; William Proxmire; Lawton Chiles; Larry Pressler; J. James Exon; Jim Sasser; Ernest F. Hollings; Strom Thurmond; Dan Quayle; Tom Harkin; Frank R. Lautenberg; Nancy Landon Kassebaum; Edward M. Kennedy; Howard M. Metzenbaum; George J. Mitchell; Gordon J. Humphrey; Richard G. Lugar; Slade Gorton; Christopher J. Dodd; Bill Bradley; Rudy Boschwitz; Spark M. Matsunaga; David L. Boren; Patrick J. Leahy; Paul Simon; Charles E. Grassley; Arlen Specter; Claiborne Pell; Alfonse M. D'Amato; James A. McClure; Alan Cranston; Donald W. Riegle, Jr.; Mack Mattingly; Mark Andrews; Paula Hawkins; Paul S. Trible, Jr.; Orring G. Hatch; Thomas F. Eagleton; Albert Gore, Jr.; Dennis DeConcini; Dale Bumpers; Jeremiah Denton; Ted Stevens; Lowell P. Weicker, Jr.; Carl Levin; David Pryor; John D. Rockefeller, IV.

Gary Ackerman, Richard Armey, Michael Barnes, Herbert Bateman, Helen Bentley, Thomas Bliley, William Boner, Fred Boucher, Bill Broomfield, Albert Bustamante, Bob Carr, Bill Cobey, Ronald Coleman, Jim Cooper, Phil Crane, Tom DeLay, Joseph DioGuardi, Robert Dornan, Bernard Dwyer, Fred Eckert, Vic Fazio, Ham Fish, Bill Ford, Webb Franklin, Sam Gejdenson, Newt Gingrich, Judd Gregg, Tony Hall, Bill Hendon, John Hiler, Steny Hoyer, Henry Hyde, Ed Jenkins.

Paul Kanjorski, Dale Kildee, Pete Kostmayer, Robert Lagomarsino, Norman Lent, Trent Lott, Joseph McDade, John McKernan, Dave Martin, Jan Meyers, George Miller, Parren Mitchell, Jim Moody, Bruce Morrison, Henry Nowak, Jim Olin, Michael Oxley, Carl Pursell, Tom Robinson, Claudine Schneider, Norm Sisisky, Robert Smith, Gerald Solomon, Harley Staggers, Pat Swindall, Esteban Torres, Mo Udall, Bob Walker, Ted Weiss, Charles Whitley, Frank Wolf, Ed Zschau.

Frank Annunzio, Les Aspin, Steve Bartlett, Jim Bates, Doug Bereuter, Sherwood Boehlert, David Bonior, Beau Boulter, John Bryant, Beverly Byron, Rod Chandler, Howard Coble, Cardiss Collins, Larry Coughlin, Bill Dannemeyer, Ronald Dellums, Julian Dixon, Tom Downey, Mervyn Dymally, Bob Edgar, Ed Feighan, James Florio, Wyche Fowler, Dean Gallo, George Gekas, Bill Goodling, John Grotberg, Charles Hayes, Paul Henry, Marjorie Holt, Bill Hughes, Andy Ireland, Nancy Johnson.

John Kasich, Jim Kolbe, Ken Kramer, Tom Lantos, Sander Levin, John McCain, Raymond McGrath, Buddy MacKay, Lynn Martin, Dan Mica, John Miller, Joe Moakley, Henson

Moore, Robert Mrazek, David Obey, Solomon Ortiz, Claude Pepper, Bill Richardson, Marge Roukema, John Seiberling, Jim Slattery, Virginia Smith, Floyd Spence, Sam Stratton, Mike Synar, Bob Torricelli, Guy Vander Jagt, Henry Waxman, Alan Wheat, Charles Wilson, George Wortley.

Bill Archer, Doug Barnard, Joe Barton, Anthony Beilenson, Howard Berman, Edward Boland, Robert Borski, Barbara Boxer, Sala Burton, Bill Carney, Gene Chappie, Tony Coelho, Silvio Conte, Jim Courter, Hal Daub, Norman Dicks, Brian Donnelly, Richard Durbin, Dennis Eckart, Bill Emerson Bobbi Fiedler, Tom Foglietta, Barney Frank, Bob Garcia, Ben Gilman, Bill Green, Frank Guarini, Cec Heftel, Dennis Hertel, Jim Howard, Duncan Hunter, Jim Jeffords, James Jones.

Jack Kemp, Joe Kolter, John LaFalce, Jim Leach, William Lipinski, Dave McCurdy, Matt McHugh, Edward Markey, Matthew Martinez, Robert Michel, Norman Y. Mineta, Guy Molinari, Carlos Moorhead, Howard Nielson, George O'Brien, Major Owens, John Porter, Don Ritter, Jim Saxton, Mark Siljander, Denny Smith, Olympia Snowe, John Spratt, Don Sundquist, Gene Taylor, Edolphus Towns, Barbara Vucanovich, Vin Weber, Bill Whitehurst, Bob Wise, Bob Young.

THE WHITE HOUSE,
Washington, April 19, 1985.

Hon. DANIEL PATRICK MOYNIHAN,
United States Senate,
Washington, DC.

DEAR SENATOR MOYNIHAN: Thank you for your letter urging the President to call upon the Soviet Union to enter into discussions dealing solely with the free emigration of Jews seeking to leave the Soviet Union.

As you know, the President shares your deep concern about the plight of Soviet Jewry. At every appropriate opportunity the U.S. Government has encouraged the Soviet authorities to adopt a more favorable attitude toward Soviet Jews wishing to emigrate.

Unfortunately, the Soviets have not been responsive to our efforts, labeling them as "interference" in their internal affairs. Although U.S. influence on Soviet emigration practices and decisions remains limited, please know that your specific concerns and recommendation have been conveyed to the President's advisers in this area.

With best wishes,

Sincerely,

M.B. OGLESBY, Jr.,
Assistant to the President.

Mr. D'AMATO. Mr. President, I rise today to join PAT MOYNIHAN, my distinguished colleague from New York, as a cosponsor of this resolution calling for "Solidarity Sunday for Soviet Jewry" as a show of support for the over 3 million Jews in the Soviet Union who are struggling to maintain their cultural heritage.

In 1984, the number of Soviet Jews allowed to emigrate dropped to 896, after a high of 51,320 in 1979. This figure is truly shocking. The Soviet Union's oppression of Jews is ever present and ever increasing. Because of extreme Soviet anti-Semitism, Soviet Jews are forced to live in a world void of their culture.

Jews in the Soviet Union are harassed, imprisoned, and exiled for the sole reason of their religious beliefs. Jewish history is deleted from the Soviet educational system, the teaching of Hebrew is prohibited, Jewish holiday celebrations are outlawed, and Bibles and prayer books are confiscated.

When the youngest child of each American Jewish family sits down at the Passover table and asks the traditional "Four Questions," Jews in the Soviet Union ask four questions of their own, albeit, not at the Passover table: 1. When will this humiliating harassment end? 2. When will I be allowed to freely practice my religion and celebrate my holidays? 3. When will my productivity be respected, instead of mocked? and 4. When will I be allowed to leave the Soviet Union?

It is these questions that we in the United States must begin to answer. We must have a committed and staunch posture with regard to abuses of Jews in the Soviet Union, and we must categorically show our solidarity for the Soviet Jews. As Americans dedicated to the principles of individual freedom and liberty, we cannot, and will not, ignore the Soviet Union's calculated cultural genocide of the Jewish community living in the Soviet Union.

Mr. President, I urge all of our Senate colleagues to join us in this effort.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 152

Whereas on May 5, 1985, the constituent agencies of the Coalition to Free Soviet Jews will convene the fourteenth annual "Solidarity Sunday for Soviet Jewry" in reaffirmation of the American People's resolve to secure freedom for Soviet Jews and beleaguered persons everywhere; and

Whereas Americans of all faiths will join in myriad activities on that day in public expression of solidarity with the long suffering Jewish community in the Soviet Union; and

Whereas the right to emigrate freely and to be reunited with one's family abroad is denied Jews and many others in the Soviet Union; and

Whereas the Universal Declaration of Human Rights, adopted by the United Nations General Assembly, and the Helsinki Final Act explicitly assert guarantees of those rights; and

Whereas representatives of the Helsinki signatory States will meet in Ottawa for a six week period beginning on May 7, 1985 at a Human Rights Experts Meeting to discuss "questions concerning respect, in their States, for human rights and fundamental freedoms, in all their aspects, as embodied in the Final Act," including the plight of Soviet Jewry; and

Whereas the Government of the Soviet Union has nevertheless continued to implement new restrictive measures inhibiting the ability of persons to emigrate, reducing Jewish emigration from the Soviet Union in 1984 to 896 persons; and

Whereas the Government of the Soviet Union is persecuting its Jewish citizens and denying them even those few rights and privileges accorded other recognized religions in the Soviet Union; and

Whereas the Government of the Soviet Union discriminates against Jewish cultural activities by banning and suspending Hebrew and Jewish cultural classes, by arresting teachers of Hebrew, and by harassing those Soviet Jews who seek only to practice their religion; and

Whereas leading Soviet Jewish activist and prisoner of conscience Anatoly Shcharansky, who was arrested in March of 1977 and falsely charged with espionage and "anti-Soviet agitation", continues to suffer exceptionally harsh treatment in Chistopol prison; and

Whereas a virulent anti-Semitic campaign continues unabated in the Soviet Union and Soviet Jews are increasingly deprived of occupational and educational opportunities; and

Whereas thousands of innocent Jews and other persons, having applied to leave the Soviet Union, have been subjected to immediate induction into the armed forces, improper incarceration in mental institutions, expulsion from school, and constant surveillance and harassment; and

Whereas the Government of the Soviet Union will not succeed in isolating Soviet Jews from their friends in the free world so long as those who cherish liberty continue to speak on behalf of beleaguered people everywhere; and

Whereas "Solidarity Sunday for Soviet Jewry" shall provide vigorous expression of American determination to secure freedom for Soviet Jewish prisoners of conscience incarcerated solely for their desire to emigrate; and

Whereas the Government of the Soviet Union refuses to permit the free exercise of religious beliefs and cultural expression and also refuses to remove all obstacles to the free emigration of its Jewish citizens and others who wish to leave and live in other countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Congress fully supports "Solidarity Sunday for Soviet Jewry" and encourages Americans to participate.

The cosponsors of the resolution are:

Mr. Moynihan (for himself, Mr. Andrews, Mr. Armstrong, Mr. Bentsen, Mr. Boren, Mr. Boschwitz, Mr. Bradley, Mr. Bumpers, Mr. Byrd, Mr. Chafee, Mr. Cohen, Mr. Cranston, Mr. D'Amato, Mr. DeConcini, Mr. Dixon, Mr. Dodd, Mr. Dole, Mr. Durenberger, Mr. Exon, Mr. Garn, Mr. Glenn, Mr. Gore, Mr. Grassley, Mr. Hart, Mr. Hatch, Mr. Hatfield, Mr. Heinz, Mr. Hollings, Mr. Johnston, Mrs. Kassebaum, Mr. Kerry, Mr. Lautenberg, Mr. Leahy, Mr. Levin, Mr. Long, Mr. Lugar, Mr. Mattingly, Mr. Mitchell, Mr. Murkowski, Mr. Nickles, Mr. Pell, Mr. Pressler, Mr. Proxmire, Mr. Quayle, Mr. Reigle, Mr. Rockefeller, Mr. Sarbanes, Mr. Sasser, Mr. Simon, Mr. Specter, Mr. Symms, Mr. Thurmond, Mr. Trible, Mr. Warner, Mr. Weicker, and Mr. Zorinsky.)

ORDER FOR SENATE JOINT RESOLUTION 128, VIETNAM VETERANS RECOGNITION DAY, TO BE PLACED ON THE CALENDAR

Mr. DOLE. Mr. President, I ask unanimous consent that Senate Joint Resolution 128, Vietnam Veterans Recognition Day, now being held at the desk, be placed on the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object, what was that?

Mr. DOLE. I have asked unanimous consent that Senate Joint Resolution 128, Vietnam Veterans Recognition Day, now being held at the desk, be placed on the calendar.

Mr. BYRD. Would it be the intention of the distinguished majority leader to call up the resolution within the next day or so?

Mr. DOLE. I hope I can. I would like to join the distinguished minority leader. I think it is an excellent idea.

We are trying to clear it on our side. I would not want to promise that and not be able to do it, but I am working on it.

Mr. BYRD. I thank the distinguished majority leader.

S. 840 INDEFINITELY POSTPONED

Mr. DOLE. Mr. President, I ask unanimous consent that Calendar No. 52, S. 840, Extension of Federal Supplemental Compensation, the Senate companion bill to Public Law 99-15, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the following calendar items on the Executive Calendar.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

Mr. BYRD. Mr. President, reserving the right to object, I beg the distinguished majority leader's pardon. I was distracted and did not hear the request except that we go into executive session. Will the distinguished majority leader enumerate the items he wishes us to consider?

Mr. DOLE. The items are Calendar Nos. 114, 115, 116, 117, and all nominations placed on the Secretary's desk.

Mr. BYRD. Mr. President, there is no objection on this side.

The Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nominations will be stated.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

The legislative clerk read the nomination of James A. Latsowka, of Virginia, to be a member of the Federal Mine Safety and Health Review Commission.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

SECURITIES INVESTOR PROTECTION CORPORATION

The legislative clerk read the nomination of Stephen L. Hammerman, of New York, to be a Director of the Securities Investor Protection Corporation.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

The legislative clerk read the nomination of Jacob Neusner, of Rhode Island, to be a member of the National Council on the Arts.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The legislative clerk read the nomination of Martha Graham, of New York, to be a member of the National Council on the Arts.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The legislative clerk proceeded to read sundry nominations in the public health service placed on the Secretary's desk.

Mr. DOLE. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. DOLE. Mr. President, I move to reconsider the votes by which the nominations were confirmed.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIG BOY WON

Mr. HATCH. Mr. President, as you know, today we will finally learn the outcome of one of the major nationwide votes of recent years. The future of one of America's giants will be decided today. In a campaign that, reportedly, has been handled solely by an advertising firm and with absolutely no comment from the candidate himself, the American public has had the opportunity to settle directly a controversial issue of concern to millions.

As you might recognize, Mr. President, I am not eager to see a recall vote on a major public figure. Many of us here in the Senate have been called merely figureheads, or big-headed, or even wooden-headed. Yet here is a public figure who denies none of these charges. He has, I find it interesting to note, personally greeted all of his constituents—a record all of us envy. Yet the winds of change and corporate ambivalence have conspired to put his popularity to a vote. His campaign manager, while deploring the whole procedure as one big headache, has nevertheless been seen bubbling with excitement over the possibility of victory over a corporate bigshot who has been eager to increase the unemployment rolls in the name of economic progress.

Will he stay or will he go? I can only hope that his departure from public view, if the voters so decide, can be delayed by his appointment to a symbolic post in the administration. I hope, however, that he will stay and beef up the opposition to the pirate who forced him to the end of the gangplank.

Wait! Mr. President, I have just been handed a message. Our boy has won. Oh, what a relief it is!

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

DECLARATION OF NATIONAL EMERGENCY WITH RESPECT TO NICARAGUA—MESSAGE FROM THE PRESIDENT—PM 43

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703, I hereby report to the Congress that I have exercised my statutory authority to declare a national emergency and to prohibit: (1) all imports into the United States of goods and services of Nicaraguan origin; (2) all exports from the United States of goods to or destined for Nicaragua except those destined for the organized democratic resistance; (3) Nicaraguan air carriers from engaging in air transportation to or from points in the United States; and (4) vessels of Nicaraguan registry from entering into United States ports.

These prohibitions will become effective as of 12:01 a.m., Eastern Daylight Time, May 7, 1985.

I am enclosing a copy of the Executive Order that I have issued making this declaration and exercising these authorities.

1. I have authorized these steps in response to the emergency situation created by the Nicaraguan Government's aggressive activities in Central America. Nicaragua's continuing efforts to subvert its neighbors, its rapid and destabilizing military buildup, its close military and security ties to Cuba and the Soviet Union and its imposition of Communist totalitarian internal rule have been described fully in the past several weeks. The current visit by Nicaraguan President Ortega to Moscow underscores this disturbing trend. The recent rejection by Nicaragua of my peace initiative, viewed in the light of the constantly rising pressure that Nicaragua's military buildup places on the democratic nations of the region, makes clear the urgent threat that Nicaragua's activities represent to the security of the region and, therefore, to the security and foreign policy of the United States. The activities of Nicaragua, supported by the Soviet Union and its allies, are incompatible with normal commercial relations.

2. In taking these steps, I note that during this month's debate on U.S. policy toward Nicaragua, many Members of Congress, both supporters and opponents of my proposals, called for the early application of economic sanctions.

3. I have long made clear that changes in Sandinista behavior must occur if peace is to be achieved in Central America. At this time, I again call on the Government of Nicaragua:

—to halt its export of armed insurrection, terrorism, and subversion in neighboring countries;

—to end its extensive military relationship with Cuba and the Soviet Bloc and remove their military and security personnel;

—to stop its massive arms buildup and help restore the regional military balance; and

—to respect, in law and in practice, democratic pluralism and observance of full political and human rights in Nicaragua.

4. U.S. application of these sanctions should be seen by the Government of Nicaragua, and by those who abet it, as unmistakable evidence that we take seriously the obligation to protect our security interests and those of our friends. I ask the Government of Nicaragua to address seriously the concerns of its neighbors and its own opposition and to honor its solemn commitments to non-interference, nonalignment, respect for democracy, and peace. Failure to do so will only diminish the prospects for a peaceful settlement in Central America.

RONALD REAGAN.

THE WHITE HOUSE, *May 1, 1985.*

MEASURE PLACED ON THE CALENDAR

The following measure was placed on the calendar by unanimous consent:

S.J. Res. 128. Joint resolution to designate May 7, 1985, as "Vietnam Veterans Recognition Day."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GOLDWATER, from the Committee on Armed Services, without amendment:

S. 1042. An original bill to authorize certain construction at military installations for fiscal year 1986, and for other purposes.

S. 1043. An original bill to authorize appropriations for the Department of Energy for national security programs for fiscal year 1986, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. McCLURE, from the Committee on Energy and Natural Resources:

Helmut A. Merklein, of the District of Columbia, to be Administrator of the Energy Information Administration;

Theodore J. Garrish, of Virginia, to be an Assistant Secretary of Energy (Congressional, Intergovernmental and Public Affairs);

J. Michael Farrell, of the District of Columbia, to be General Counsel of the Department of Energy; and

Joseph F. Salgado, of California, to be Under Secretary of Energy.

(The above nominations were reported from the Committee on Energy and Natural Resources with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. STAFFORD, from the Committee on Environment and Public Works:

Brigadier General Thomas Allen Sands 410-64-1086, United States Army, to be a member and president of the Mississippi River Commission, and Brigadier General Rober Joseph Dacy, 124-26-8224, United States Army, to be a member of the Mississippi River Commission under the provisions of Section 2 of an Act of Congress approved 28 June 1879 (21 Stat. 37) (33 USC 642); and

A. James Barnes, of the District of Columbia, to be Deputy Administrator of the Environmental Protection Agency.

(The above nominations were reported from the Committee on Environment and Public Works with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. D'AMATO (for himself and Mr. MOYNIHAN):

S. 1034. A bill entitled the "Banking Geographic Deregulation Act of 1985"; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KASTEN:

S. 1035. A bill to promote the conservation of highly erodible land and wetlands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HEFLIN:

S. 1036. A bill to revise and extend programs to provide price support and production stabilization for peanuts and upland cotton, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HEFLIN (for himself and Mr. DENTON):

S. 1037. A bill to relieve Alabama Christian College of the liability to pay certain sums owed to the United States; to the Committee on Labor and Human Resources.

By Mr. PACKWOOD (for himself and Mr. GOLDWATER):

S. 1038. A bill to promote the diversity and quality of radio and television programming by repealing the Fairness Doctrine and certain other program restrictions; to the Committee on Commerce, Science, and Transportation.

By Mr. CRANSTON:

S. 1039. A bill entitled the "Ocean Incineration Research Act of 1985"; to the Committee on Environment and Public Works.

By Mr. COCHRAN (for himself and Mr. PRYOR):

S. 1040. A bill to provide emergency assistance to promote the marketing and sales of agricultural commodities, and for other pur-

poses; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BOSCHWITZ (for himself and Mr. BOREN):

S. 1041. A bill to support and stabilize farm income and provide an orderly transition to a market-oriented agricultural economy; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GOLDWATER from the Committee on Armed Services:

S. 1042. An original bill to authorize certain construction at military installations for fiscal year 1986, and for other purposes; placed on the calendar.

S. 1043. An original bill to authorize appropriations for the Department of Energy for national security programs for fiscal year 1986, and for other purposes; placed on the calendar.

By Mr. HEINZ:

S. 1044. A bill to provide for the temporary suspension of the duty on methylene blue which is used as a process stabilizer in the manufacture of organic chemicals; to the Committee on Finance.

S. 1045. A bill to provide duty-free treatment for dicofol until January 1, 1991, after the existing duty reduction for that chemical expires on September 30, 1985; to the Committee on finance.

By Mr. PACKWOOD (for himself and Mr. HATFIELD):

S. 1046. A bill for the relief of Kok Djen Su and Grace Su, husband and wife; to the Committee on the Judiciary.

By Mr. CHILES (for himself, Mr. ROTH, Mr. PRYOR, Mrs. KASSEBAUM, Mr. BURDICK, Mr. COHEN, Mr. HOLLINGS, Mr. DECONCINI, Mr. SASSER, Mr. EXON, and Mr. NICKLES):

S. 1047. A bill to reform the laws relating to former Presidents; to the Committee on Governmental Affairs.

By Mr. DENTON (for himself, Mr. DOLE, Mr. BENTSEN, Mr. GRASSLEY, Mr. HATCH, and Mr. HUMPHREY):

S. 1048. A bill to amend title 18 of the United States Code and the Adoption Reform Act; to the Committee on the Judiciary.

By Mr. WILSON:

S. 1049. A bill to assist in expanding and increasing foreign markets for agricultural commodities and the products of such commodities produced in the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DIXON:

S. 1050. A bill to protect and promote U.S. agricultural exports, and to provide for the protection of highly erodible land; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ZORINSKY (for himself, Mr. EXON and Mr. HARKIN):

S. 1051. A bill to provide price and income protection for farmers and to ensure consumers an abundance of food and fiber at reasonable prices, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MOYNIHAN (for himself, Mr. ANDREWS, Mr. ARMSTRONG, Mr. BENTSEN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. CHAFEE, Mr. COHEN, Mr. CRANSTON, Mr. D'AMATO, Mr. DECONCINI, Mr. DIXON, Mr. DODD, Mr. DOLE, Mr. DURENBERGER, Mr. EXON, Mr. GARN, Mr. GLENN, Mr. GORE, Mr. GRASSLEY, Mr. HART, Mr. HATCH, Mr. HATFIELD, Mr. HEINZ, Mr. HOLLINGS, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KERRY, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LONG, Mr. LUGAR, Mr. MATTINGLY, Mr. MITCHELL, Mr. MURKOWSKI, Mr. NICKLES, Mr. PELL, Mr. PRESSLER, Mr. PROXMIRE, Mr. QUAYLE, Mr. RIEGLE, Mr. ROTH, Mr. SARBANES, Mr. SASSER, Mr. SIMON, Mr. SPECTER, Mr. SYMMS, Mr. THURMOND, Mr. TRIBLE, Mr. WARNER, Mr. WEICKER, Mr. ZORINSKY, Mr. BYRD, and Mr. ROCKEFELLER):

S. Res. 152. Resolution to express the sense of the Senate in support of "Solidarity Sunday"; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO (for himself and Mr. MOYNIHAN):

S. 1034. A bill entitled the "Banking Geographic Deregulation Act of 1985"; to the Committee on Banking, Housing, and Urban Affairs.

BANKING GEOGRAPHIC DEREGULATION ACT

● Mr. D'AMATO. Mr. President, in November of 1983 I introduced S. 2107, a bill which provided for a phase in to full interstate banking. At that time, I noted that we already have, to a large extent, interstate banking today. However, the shape of the interstate banking we have is determined more by outdated laws and regulations than by economic efficiency. This economic inefficiency is, for the most part, paid for by the consumers of banking services in higher costs and greater inconvenience. Furthermore, this economic cost is exacerbated since bankers, although they know interstate banking is coming, do not know the timetable or the form; and they are therefore unable to plan for an orderly transition.

As I said in 1983, a Federal solution is needed—a solution which provides for an orderly transition. Unfortunately, the only response in the last Congress was Senate passage of S. 2851, which contained a provision endorsing State regional compact laws. This provision had received almost no consideration during lengthy committee hearings on other provisions of S. 2851. However, during Senate debate, I believe many of the weaknesses inherent in the regional compact approach were brought forth, not the least of which is that it is an abdication to the States of an issue which needs a Federal solution.

Mr. President, today I am introducing the Banking Geographic Deregulation Act of 1985 to create such a Federal solution. This bill would provide a phase-in approach. It would provide that for a 2-year period a bank holding company could acquire a bank, or set one up de novo, in States continguous to its home state. At the end of 2 years, the prohibition against bank holding companies acquiring or setting up banks across State lines would be repealed.

As I noted earlier, we already have de facto interstate banking. Let us look at only a partial listing of the interstate system in place today.

First, loan production offices: Many banking institutions have loan production offices in various locations throughout the country lending to large-and medium-size businesses.

Second, grandfathered bank holding companies: Eight bank holding companies in 6 States control well over 100 banks in 21 other States.

Third, nonbank affiliates: Bank holding company nonbank affiliates by the hundreds are spread throughout the country. These affiliates include finance companies, mortgage companies, and industrial banks.

Fourth, interstate thrifts: Interstate mergers approved by the Federal Home Loan Bank Board have created interstate systems in the majority of States.

Fifth, reciprocal banking: A number of States have adopted various types of State laws permitting out-of-state bank holding companies to enter their States under specified circumstances.

Sixth, interstate electronic banking networks: Networks of automatic teller machines have been formed allowing bank customers access to such machines interstate.

Seventh, nonbank banks: Nonbank banks—institutions which are in all other respects just like any other bank except they do not both take demand deposits and make commercial loans—are currently being approved by the hundreds by the Comptroller. It seems quite likely that a large number of these will be opening their doors in the next few months.

The reason for this extensive interstate banking is quite simple—it is a response to the market. In all other businesses, we generally allow the market to determine where products and services will be offered because we know that is how to obtain the best products and services at the lowest prices. And, as is usually the case, when Government attempts to block natural maket forces with arbitrary barriers, ways are found to circumvent these regulations.

Mr. President, much has been written about the gains in efficiency and competition which would result from interstate banking. Study after study, including a major one undertaken by the Carter administration as a result of a requirement in the International Banking Act of 1978, have set forth these gains and endorsed eliminating restrictions on interstate banking.

At this point, I would like to point out another reason for permitting interstate banking—greater safety and soundness in our system. Time after time, we hear Members of Congress say that we must have a safe and sound banking system. Concern over safety and soundness has been particularly acute over the last 2 years. And yet, we maintain archaic geographic limits which often prevent banks from diversifying their base of business in a manner which could provide greater strength.

Two recent developments unfortunately demonstrate in stark terms this point. First, the de facto failure of Continental Illinois can be attributed, in part, to the fact that it relied too heavily on "hot" institutional and foreign deposits. Continental did this largely because it was unable to obtain a broad base of consumer deposits since it could not expand, basically, beyond its headquarters.

Second, there is a growing awareness that many banks in agricultural areas of our country are in deep trouble. They are in trouble because they have too narrow a lending base. And as these banks become troubled, they cut back drastically on their farm loans, thus exacerbating the problems of the farmers. If these banks had a broader base, they could better withstand the shocks that are currently occurring in our agricultural sector and would have the strength to help the farmers by stretching out lending terms rather than retrenching.

It is my hope that we can have a full discussion of interstate banking in this Congress. Late last year, when the Senate began to consider S. 2851, I do not believe the Members fully appreciated the problems inherent in the proposal to ratify State regional compact laws. This proposal was promoted as being no big deal. It was just a confirmation of States rights. It would just provide an experiment in interstate banking.

Well, nothing could be further from the truth. The ratification of State regional compact laws would have been a fundamental change. It would have allowed a restructuring of our banking system, a basic component of our entire economic system, without any real congressional determination—indeed virtually without a hearing on the subject. To understand the fundamental changes that would occur under regional compacts, one only need to look to New England. Within months after several States there had adopted compact laws, a number of mergers had been announced which would have greatly increased concentration levels.

I am pleased to note that since the Senate debate on this issue, the problems with the regional compact approach are receiving greater notice. Bankers and policymakers are increasingly discussing and advocating alternatives.

The most notable recent development is, of course, the Supreme Court's recent granting of certiorari in the case of *Northeast Bancorp, Inc.* v. *the Board of Governors of the Federal Reserve System.* In this case, the Court will decide if the Massachusetts and Connecticut statutes, which create a New England region, are unconstitutional under the commerce and compact clauses of the Constitution. I believe the Court will rule these State laws are unconstitutional.

The purpose of these State compact laws is to permit interstate banking within States in the compact, but to exclude other States. The fear of such economic compacts was a primary reason for calling the Constitutional Convention. In the case of *Hughes* v. *Oklahoma*, the Supreme Court said that the commerce clause "reflected a central concern of the Framers that was an immediate reason for calling the Constitutional Convention: The conviction that in order to succeed, the new Union would have to avoid the tendencies toward economic Balkanization that had plagued relations among the Colonies and later among the States under the Articles of Confederation." In The Federalist Papers, Hamilton expressed the concern that "[e]ach . . . separate confederacy . . . would pursue a system of commercial policy peculiar to itself. This would occasion distinctions, preferences, and exclusions which would beget discontent."

The idea that Congress should grant advance blanket approval to States to form economic compacts is so fundamentally against the principles of the Constitution that this current effort by a group of regional banks to obtain such approval may in fact be unique in our history. After the Senate debate brought this issue out into the open, Congressman RODINO, chairman of the House Judiciary, wrote to Speaker O'NEILL requesting jurisdiction. The Judiciary Committee, of course, has jurisdiction over compacts. Here is what Chairman RODINO had to say:

> In particular, Title X of S. 2851 contains language that would grant prior Congressional consent to certain groupings of States to enter into interstate compacts involving regional banking activities. It is important that this Committee—which has jurisdiction over interstate compacts generally—be permitted to review the language and intent of this provision because Title X on its face appears to be a major departure from past practice in the manner in which Congress approves an interstate compact consistent with the Compact Clause of the Constitution. In the past, Congress has consented to two types of compacts: The first being those which are designed to promote cooperation among States and which are open to all affected States seeking to join; and the second being those that do not interfere with the Federal regulation of matters of national concern. In contrast, Title X would appear to authorize a commercial compact open only to a "select" group of States in subject matter areas specifically regulated by the Federal Government.
>
> In addition, Title X departs from past Congressional practice and procedure in that it would grant prior approval to such compacts rather than to require subsequent approval on a case-by-case basis. Typically, compacts are negotiated and agreed to by the States and then submitted to the Congress for careful review and approval. Title X would, in essence, preauthorize compacts without advanced review of the contents or standards contained in those agreements. While the Congress has on rare occasions authorized certain compacts in advance, it has done so only after long and thoughtful deliberation of the potential consequences. The Judiciary Committee—the Committee of jurisdiction in this instance—has had no such opportunity to develop a record or engage in any deliberations on the potential Constitutional and economic implications of Title X.
>
> By its very nature, an interstate compact of this type also raises other Constitutional questions requiring careful consideration. It is possible, even likely, that regional banking compacts designed to promote the interests of certain banks within particular regions at the expense of other financial institutions in the rest of the country may significantly undermine the rationale of the Commerce Clause, which was designed to eradicate internal trade barriers and prevent States from aligning themselves into rival economic coalitions. If this were, in fact, the unfortunate outcome of Title X, such might invite retaliation by States in excluded regions of the country.

The blanket ratification of banking compacts would be the worst possible precedent. If some States are permitted to "redline" New York, California, and other States solely because they are the homes of a number of large banks, what will be the next step? Perhaps New York and California, with their large populations, should form compacts to exchange their agricultural products and exclude other States. Of course they should not, but neither should some States be permitted to discriminate against New York, California, and other States with respect to banking.

It cannot be argued that States have the right to form banking compacts as a matter of States' rights. States' rights derive from the Constitution, and the Constitution explicitly prohibits compacts. No such economic compact has ever been approved by Congress, and we should not begin now, after 200 years.

Another argument often put forward by the group of regional bankers who are promoting these compacts is that the compacts will promote regional economies. The facts demonstrate the real reason these bankers are promoting compacts—economic protectionism. Utah has passed a law creating a region with all the Western States, including Alaska and Hawaii, but excluding California. Connecticut includes Maine, but excluded New York, where thousands of its residents

commute every day. New Jersey bankers would exclude New York, but include Maryland; and a Maryland committee would include Florida, Georgia, and Arkansas, but exclude Pennsylvania. These regions make sense only in the context of blatant protectionism. A group of regional bankers want to be able to merge with each other to create regional giants in sanctuaries protected from outsde competition.

I wish to make one other point about these compacts. The group of regional bankers pushing such compacts argue that New York, California, and certain other States must be excluded because they contain the large money center banks. Thus, they attempt to portray the issue as Citibank, or Chase, or Bank of America, or Mellon against the regional banks. But this is misleading. The States being redlined contain numerous small- and medium-size banks who wish to participate in interstate banking. My own State of New York contains a number of such small- and medium-size banks which could, for example, provide valuable services in neighboring New England and Middle-Atlantic States.

Mr. President, a Federal abdication of authority on the important issue of the banking structure of this country would be a serious mistake. We must provide an orderly transition to interstate banking. My bill would provide such a transition. I hope it will also provide a basis for hearings and discussion of this important issue.●

BANKING GEOGRAPHIC DEREGULATION ACT OF 1985

● Mr. MOYNIHAN. Mr. President, I rise today with my distinguished colleague from New York, Mr. D'AMATO, to introduce responsible and important legislation—the Banking Geographic Deregulation Act of 1985.

Mr. President, for a number of years now, several of the States have been involved in regional banking compacts. Under typical arrangements, certain States within a geographic region permit interstate banking among themselves, while excluding the banks from certain other neighboring States from exercising this privilege. In one notable example, the Legislatures of Massachusetts, Connecticut, Rhode Island, and Maine have established a regional banking compact that includes these States but excludes New York. Similarly, Utah would allow banks from all Western States—including Alaska and Hawaii—except California.

This is clearly an unacceptable form of trade discrimination among the States—the likes of which we have not seen in this country since the days of the Articles of Confederation. It is precisely the sort of interstate commercial warfare that the commerce and compact clauses of the Constitution were designed to prevent. Indeed, it was trade discrimination among the States that prompted the call for the Constitutional Convention. The trade discrimination that had ensued under the Articles of Confederation threatened the very foundations of national unity.

The legislation we are introducing today would remedy once and for all the present internecine banking warfare among the States; the unacceptable discrimination would cease. The Banking Geographic Deregulation Act of 1985 states quite simply that 2 years after enactment, any State which wishes to open its borders to banks from other States, either for banking purposes or to permit the acquisition of banks, may do so, with the provision that banks from all States would be welcome. If a State does not desire to open its borders to interstate banking, it may do so as well. Under this legislation, there is no room for discrimination: either a State allows banks from all States in or none at all. There will be no more of this picking and choosing.

In the 2 years before these provisions become effective, any State involved in a regional banking compact would not be allowed to exclude a contiguous State, so long as the latter permitted interstate banking. It would no longer be possible for Connecticut, for example, to exclude banks from contiguous New York State, while welcoming banks from Maine, more than 200 miles away. Thus, for 2 years regional banking will be permitted, but it will be true regional banking, not the present exclusionary sort of arrangements which carve out "checkerboard" regions for purely protectionist purposes.

Mr. President, the legislation we are introducing today is fair, and further reflects the intention of the framers of the Constitution that Congress shall regulate interstate commerce. I urge my colleagues to support this most important measure.●

By Mr. KASTEN:

S. 1035. A bill to promote the conservation of highly erodible land and wetlands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

FRAGILE LANDS CONSERVATION AND WETLANDS PROTECTION ACT

Mr. KASTEN. Mr. President, today I am introducing the Fragile Lands Conservation and Wetlands Protection Act of 1985. I urge my colleagues to support this important legislation.

Earlier this year, I introduced S. 598, a sodbuster bill, the text of which is included in the legislation I am introducing today. At that time I made note of some startling statistics on the magnitude of our soil erosion problem. I would like to repeat them here.

Most of the really damaging soil erosion in the United States takes place on about 10 percent of our cropland. According to the 1982 national resources inventory [NRI] about 23.8 million acres of our row and close-grown cropland suffer from sheet and rill erosion at rates in excess of 14 tons per acre per year; 16.8 million acres suffer that much wind erosion each year. Fourteen tons per acre is almost three times the tolerable limit for most soils.

In other words. The productivity of these soils is literally being washed or blown away.

The Conservation Foundation estimates off-site damages resulting from soil erosion at about $3 billion per year. Most of that cost stems from damage to crops, structures, and forests, sedimentation in reservoirs, and waterway dredging. While part of that cost is borne by the private sector or by State and local governments, a substantial portion must be paid by the Federal Government through the $1 billion budget of the Army Corps of Engineers, which is responsible for dredging and clearing sediment from waterways.

This already serious problem is getting worse. The respected American farmland trust estimates that while about 10 percent of existing cropland is at risk from water and wind erosion, 20 percent of the 3 to 4 million acres that come into production for the first time each year are highly erodible. And the arid Great Plains contain millions of highly erodible acres which may be brought into cultivation in the next few years.

At the same time we face this worsening erosion problem, America's farmers face another kind of erosion problem: The erosion of their chances for making a living on the land. We have entered a period of chronic overproduction, caused by declining exports and the explosive growth in farm productivity. Chronic grain surpluses depress prices for farmers and impose large costs on taxpayers.

Without massive, costly export subsidies, we cannot export all our surplus grain. And the present array of year-to-year supply control programs clearly has not been effective in restraining production.

What is needed is a bold new approach, one that will allow us to address both of these serious problems head on. What we need is to incorporate into the 1985 farm bill a proposal to retire about 30 million erosive acres from production.

We need to take these acres out of cultivation through a long-term conservation reserve. We need to keep them out of production through a strong, effective sodbuster law.

The Fragile Lands Conservation and Wetlands Protection Act provides for a conservation reserve funded through the Commodity Credit Corporation. Under my proposal, a competitive bid

procedure would seek to ensure that we get the biggest possible bang for our soil conservation buck; rather than receive an arbitrary per-acre payment, producers would themselves decide how much they would be willing to accept to place their highly erodible cropland into the reserve.

While my proposal grants the Secretary of Agriculture the maximum degree of discretion possible in deciding what criteria to use in accepting bids, it is my intent that bids be evaluated as to the erosion characteristics and productivity of the soil and the use to which the producers intends to put the reserve land. Logically, a producer intending to plant the reserve land to trees should receive a higher rental payment than one choosing to derive economic gain from haying or grazing the land.

In addition to providing annual rental and cost-sharing payments, the Secretary would be required to provide technical assistance to farmers putting acreage into the reserve. This, combined with stiff penalties for violating a reserve contract, will help ensure that erosive land stays out of production for at least the contract period.

One thing must be clearly understood: It is essential that any conservation reserve be targeted to the conservation problem. This means that only highly erodible cropland be accepted into the reserve. This is necessary if the reserve is to be effective in reducing soil erosion. It is also necessary if we seek—as I do—to keep the cost of the reserve down to manageable levels.

It follows from this that we must have a clear definition of what "highly erodible land" is. It is not my intent to rely for this definition on the broad generalities of the land capability classification system used in many States by the Soil Conservation Service. This system, while well suited to giving farmers general guidance as to the kinds of farming practices they should follow on their land, was never intended to measure soil erosion per se.

We need an erosion-specific definition of highly erodible land. That is why my bill defines the term "highly erodible land" in terms of rates of erosion, directing the Secretary also to take into account soil loss tolerance, and such factors as climate and slope.

It goes without saying that we will need a strong Soil Conservation Service to ensure that this erosion-specific definition is effectively applied in the field. Clearly, the administration's proposed reduction of the SCS to one-third of its present size would make it impossible to administer the conservation reserve.

Mr. President, I recognize the need to reduce Federal spending in agriculture as in other areas. Yet there is no question that in order to attain meaningful results, a soil conservation reserve must be adequately funded.

The legislation I am introducing today is not an open-ended spending program. It has definite caps on what the Government, through the Commodity Credit Corporation, can spend in payments to farmers who agree to place land in the reserve.

In setting these caps, I have assumed an average cost of $60 per acre of land placed in the reserve. This estimate is in the middle of the range of cost estimates that have been made to this point. However, It is important to remember that nobody really knows what the average per-acre cost of a conservation reserve would be, for the simple reason that the idea has not been tried in this form before. It is possible that, with falling crop prices and the generally lower productivity of highly erodible soil, that the average per-acre cost of the reserve could be much lower than the $60 figure I have assumed. In this case, more than 30 million acres could come into the reserve.

But if the average cost of the reserve is higher than $60 per acre, we still would have a spending cap under my proposal. No payments could be made in excess of $1 billion in fiscal year 1986, $1.75 billion in fiscal year 1987, $2.5 billion in fiscal year 1988, or $1.8 billion in any fiscal year thereafter.

I would also like to point out that by taking millions of acres out of production, we would reduce CCC outlays for deficiency payments, land diversion payments, and storage costs. Less surplus grain would be turned over to the Government, and the market price to farmers would increase. There are many policy scenarios in which a 30-million-acre reserve actually saves the Government money. The American farmland trust has estimated that, assuming a continuation of existing commodity programs, a 30-million-acre reserve would save money even if the per-acre cost were $100, far greater than anyone has yet suggested it would be.

To point out the offsetting savings that a reserve would provide is not to deny that some other programs may have to be reduced in order to make room for a reserve. I would submit that a conservation reserve targeted on our most erosive cropland is a more imaginative course than simply standing pat with current programs that have not done the job of reducing our worst soil erosion.

In the long term, it is not enough to simply take fragile land out of production for 10 years. We need to keep it out, except in cases where a farmer is willing and able to farm it in a way that adequately conserves the soil. This is why I have incorporated into the Fragile Lands Conservation and Wetlands Protection Act the text of S. 598, the sodbuster bill I introduced earlier this year.

My sodbuster proposal would deny all farm program benefits for 5 crop years to any person who plows out highly erodible land that has not been cultivated in any year since 1981. This is sodbuster language with teeth, language that I believe will stop sodbusting and keep it stopped.

My sodbuster language would halt all farm subsidies and subsidized loans for 5 years to any person who breaks out highly erodible land in any 1 crop year. If that person cultivated the same land the next year, he or she would face the same penalty. In other words, all farm program benefits would cease for 5 years from the date the highly erodible land was last cultivated.

I would again draw my colleagues' attention to the provision which I first placed in S. 598, and which has since been picked up by the Agriculture Committee in the other Chamber. This provision shortens the exemption period from the 10-to-12 years in some other proposals, to 5 years.

A 10-to-12 year exemption period is simply too long. Some of the worst plowouts of highly erodible land occurred in the mid- to late-1970's when commodity prices were rising. When prices began to fall and this land began to lose some of its productivity, much of it was taken out of production. Farmers who plow out this land again should not be encouraged by the prospect of Government subsidy payments.

Another important fact to remember is that the Agricultural Stabilization and Conservation Service (ASCS), which keeps records of which lands were cultivated during each crop year, simply does not have consistently reliable records from the 1970's. Further, since some of the sodbusted land was not enrolled in commodity programs in the 1970's, it may not have any cropping history at all.

A 5-year grace period takes fair and reasonable account of the most important crop rotations, without leaving a legislative loophole big enough to drive a tractor through. It is essential if any sodbuster law is to be effective.

Finally, as its title suggests, the Fragile Lands Conservation and Wetlands Protection Act recognizes that agricultural and environmental interests do not just coincide on the subject of soil erosion. The preservation of America's wetlands is also vital to the environment; and farmers have a stake in seeing that converted wetlands do not continue to add to price-depressing crop surpluses.

Wetlands—including swamps, bogs, and marshes—are among America's most productive natural resources. They provide essential habitat for geese, ducks, and other waterfowl; control floods; and support commercial

and recreational fisheries. These are benefits literally beyond price.

Despite their value, our wetlands are vanishing at an appalling rate. More than half of the original wetlands in the continental United States have already been destroyed. In my own State of Wisconsin, over two-thirds of the original wetlands have vanished. An estimated 300,000 to 450,000 acres nationwide are drained, filled, or otherwise converted to commercial use every year.

A report released in 1984 by the Office of Technology Assessment confirmed what many had suspected for a long time: That most of the conversion of wetlands was for agricultural purposes. OTA estimated that 80 percent of the 14.7 million acres of wetlands lost from the mid-1950's to the mid-1970's was converted to agricultural uses.

This conversion was, and continues to be, encouraged by Federal farm programs that reward people who convert wetlands to cropland, by increasing their base acreage and providing subsidized all-risk crop insurance and cut-rate loans. Many of the converted wetlands now produce crops like wheat and cotton which are already in surplus. These additional surpluses depress prices for farmers, contributing further to the great difficulties they face.

It's time to give both the farmers and the environment a break by halting the subsidized destruction of our wetlands. The legislation I am introducing today contains a "swampbuster" provision that would deny any person who converts a wetland to agricultural use all farm program benefits for a period of 5 crop years. In addition, recognizing that converted wetlands cannot be restored as can most highly erodible land, my bill would provide that no farm program benefits could ever be paid for crops grown on the converted wetland itself.

The denial of program benefits is identical to that in the sodbuster section of my bill, with the exception I have noted. But I would point out to my colleagues that farmers growing crops that can be grown in wetlands without destroying their natural characteristics, such as rice or the cranberries widely grown in Wisconsin, would not be penalized under my swampbuster provision. Nor would farmers growing crops in wetlands where this is possible due to natural conditions, like drought, be penalized.

As for other farmers, they would remain as free to convert wetlands under my bill as they are to crop highly erodible land. My bill simply provides that these destructive practices shall no longer be supported by the taxpayers.

In conclusion, Mr. President, let me state my firm belief that there is no reason why the interests of agriculture and the environment must always be in conflict. Indeed, the 1985 farm bill provides us with a golden opportunity to serve both interests by making the preservation of our natural resources a major goal of our farm policy.

It is obvious that the quality of our environment will be improved if we stop cropping highly erodible land and discourage the conversion of our wetlands. It should be equally obvious that our Nation's farmers will gain, not just through the improved prices that may result from reduced acreage, but from the prudent conservation of our productive capacity. Sodbuster, swampbuster, and a conservation reserve are good ideas whose time has arrived. I urge my colleagues to join me in pressing for their inclusion in the 1985 farm bill.

Mr. President, I ask unanimous consent that the full text of my legislation be inserted in the RECORD at this point, and I ask all my colleagues to join me in cosponsoring the Fragile Lands Conservation and Wetlands Protection Act of 1985.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1035

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fragile Lands Conservation and Wetlands Protection Act of 1985".

DEFINITIONS

SEC. 2. As used in this Act:

(1) The term "agricultural commodity" means any agricultural commodity planted and produced by annual tilling of the soil, including one-trip planters.

(2) The term "conservation district" means any district or unit of State or local government formed under State or territorial law for the express purpose of developing and carrying out a local soil and water conservation program. Such district or unit of State or local government may be referred to as a "conservation district", "soil conservation district", "soil and water conservation district", "resource conservation district", "natural resources district", "land conservation committee", or a similar name.

(3) The term "converted wetlands" means wetlands that have been drained, dredged, filled, leveled, or otherwise affected (including any activity which results in impairing or reducing the flow, circulation, or reach of water) in order to produce agricultural commodities.

(4) The term "field" means that term as defined in section 718.2 of title 7, Code of Federal Regulations, except that—

(A) any highly erodible land on which an agricultural commodity is produced after the date of the enactment of this Act and which is not exempt under section 102 shall be considered as part of the field in which such land was included on such date of enactment; and

(B) for the purpose of defining a field under this Act, the Secretary may modify the boundaries of a field in order to effectuate the purposes and facilitate the practical administration of this Act.

(5) The term "highly erodible land"means land that has, or if used to produce an agricultural commodity would have, an excessive rate of erosion, as determined by the Secretary, in relation to—

(A) the soil loss tolerance level determined by the Secretary; and

(B) factors of the universal soil loss equation and the wind erosion equation used by the Secretary, including climate, soil erodibility, and field slope.

(6) The term "operator" means an individual, partnership, corporation, or other entity that—

(A) is the owner of fee title to agricultural land; or

(B) at the time of entering into a contract with the Secretary under section 301, possesses a legally enforceable right in the nature of a leasehold to use agricultural land for the purpose of producing agricultural commodities for a period of at least ten years.

(7) The term "Secretary" means the Secretary of Agriculture.

(8) The term "wetlands" means lands that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for saturated soil conditions.

TITLE I—HIGHLY ERODIBLE LAND CONSERVATION

PROGRAM INELIGIBILITY

SECTION 101. Except as provided in section 102 and notwithstanding any other provision of law, following the date of enactment of this Act, any person who during any crop year produces an agricultural commodity on highly erodible land shall be ineligibile for—

(1) any type of price support or payments made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), title III of this Act, or any other Act;

(2) a farm storage facility loan under section 4 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h));

(3) crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(4) a disaster payment under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.); or

(5) a loan made, insured, or guaranteed under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) or any other provision of law administered by the Farmers Home Administration;

with respect to any commodity produced by such person during that crop year and during the four succeeding crop years.

EXEMPTIONS

SEC. 102. (a) Except as provided in subsection (d), section 101 shall not apply to any person who, during any crop year, produces an agricultural commodity on highly erodible land on a field on which such highly erodible land is predominant if all the commodities so produced by such person during that crop year were—

(1) produced on land that was cultivated to produce any of the 1981 through 1985 crops of agricultural commodities;

(2) planted before the date of enactment of this Act;

(3) planted during any crop year beginning before the date of enactment of this Act; or

(4) produced—

(A) in the case of an area within a conservation district, under a conservation system that has been approved by a conservation district after the district determines that

the conservation system is in conformity with technical standards set forth in the Soil Conservation Service technical guide for that conservation district; or

(B) in the case of an area not within a conservation district, under a conservation system determined by the Secretary to be adequate for the production of such agricultural commodity on highly erodible land.

(b) Section 101 shall not apply to any highly erodible land during any crop year if such land as planted in reliance on a determination by the Soil Conservation Service that such land was not highly erodible land. This subsection shall not apply to any crop which was planted on any land after the Soil Conservation Service determines such land to be highly erodible land.

(c) Section 101 shall not apply to any loan made before the date of enactment of this Act.

(d) Clauses (1), (2), and (3) of subsection (a) shall not apply to land which was at any time subject to a contract entered into under title III.

COMPLETION OF SOIL SURVEYS

SEC. 103. (a) The Secretary shall, as soon as practicable after the date of enactment of this Act, complete soil surveys on those private lands that have not been evaluated as to erosion characteristics.

(b) In carrying out subsection (a), the Secretary shall, insofar as possible, concentrate on those localities where significant amounts of highly erodible land are being converted to the production of agricultural commodities.

AUTHORIZATION OF APPROPRIATIONS

SEC. 104. There are authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—WETLANDS CONSERVATION

PROGRAM INELIGIBILITY

SEC. 201. (a) Except as provided in section 202 and notwithstanding any other provision of law, following the date of enactment of this Act, any person who during any crop year produces an agricultural commodity on converted wetlands shall be ineligible in accordance with subsection (b) for—

(1) any type of price support or payments made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), title III of this Act, or any other Act;

(2) a farm storage facility loan under section 4 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h));

(3) crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(4) a disaster payment under the Argicultural Act of 1949 (7 U.S.C. 1421 et seq.); or

(5) a loan made, insured, or guaranteed under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) or any other provision of law administered by the Farmers Home Administration.

(b) A person who during any crop year produces an agricultural commodity on converted wetlands in violation of subsection (a) shall be ineligible for any assistance described in subsection (a)—

(1) in the case of any commodity produced on the farm of the person, during such crop year and during the four succeeding crop years; and

(2) in the case of any commodity produced on the converted wetlands of the person, permanently.

EXEMPTIONS

SEC. 202. (a) Section 201 shall not apply to any person who, during any crop year, produces an agricultural commodity on converted wetlands if the conversion of the wetlands was commenced before the date of enactment of this Act.

(b) Section 201 shall not apply to any person who produces an agricultural commodity on wetlands if such production is—

(1) possible as a result of natural conditions, such as drought; and

(2) not assisted by actions of the producer that destroy natural wetland characteristics.

(c) Section 201 shall not apply to any loan made before the date of enactment of this Act.

ADMINISTRATION

SEC. 203. (a) No later than one hundred and eighty days after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to carry out this title.

(b) The Secretary shall consult with the Secretary of the Interior on such determinations and actions as are necessary to carry out this title, including—

(1) the identification of wetlands under section 201;

(2) the determination of exemptions under section 202; and

(3) the issuance of regulations under subsection (a).

AUTHORIZATION OF APPROPRIATIONS

SEC. 204. There are authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE III—CONSERVATION RESERVE PROGRAM

ESTABLISHMENT OF PROGRAM

SEC. 301. (a) During the period beginning on October 1, 1985, and ending on September 30, 1988, the Secretary shall offer to enter into contracts for a term of ten years with operators of farms and ranches to assist the operators in the management of soil and water resources through the conservation and improvement of—

(1) highly erodible land; and

(2) land other than highly erodible land, if the Secretary determines that a serious soil erosion problem exists on such land.

(b) The Secretary may not enter into contracts with operators under this title that would result in more than 25 percent of the acreage planted to an agricultural commodity in a county being placed in the conservation reserve established by this title, unless the appropriate officials of the county and the Secretary agree that a higher percentage of such acreage may be placed in the conservation reserve.

DUTIES OF OPERATORS

SEC. 302. (a) Under the terms of a contract entered into under this title, during the term of the contract, an operator must agree—

(1) to implement a plan approved by a conservation district (or in an area not located within a conservation district, a plan approved by the Secretary) for converting during the contract period or permanently specified highly erodible land normally devoted to the production of an agricultural commodity on a farm or ranch into a use of such land which is conducive to eliminating excessive soil erosion and, to the extent practicable, to maintaining and improving wildlife habitat (such as pasture, permanent grass, legumes, or trees) substantially in accordance with a schedule described in the plan;

(2) upon the violation of the contract—

(A) to forfeit all rights to further payments under the contract and to refund to the United States all payments received under the contract and interest received on the payments, if the Secretary determines, after considering the recommendations of the conservation district and the chief of the Soil Conservation Service, that such violation is of such a nature as to warrant termination of the contract; or

(B) to make refunds or accept such payment adjustments as the Secretary considers appropriate, if the Secretary determines, after considering such recommendations, that such violation does not warrant termination of the contract;

(3) upon the transfer of the right and interest of the operator in the land subject to the contract—

(A) to forfeit all rights to further payments under the contract; and

(B) to refund to the United States all payments received under the contract with interest payable at the current average market yield on outstanding marketable obligations of the United States with twelve-month periods of maturity,

unless the transferee of such land enters into an agreement with the Secretary to assume all obligations under the contract;

(4) to conduct any harvesting and grazing, or otherwise make commercial use of forage or trees, on land that is subject to the contract in a manner that is consistent with the contract and is expressly permitted under the contract; and

(5) to such additional provisions as the Secretary determines are desirable and are included in the contract to effectuate the purpose of this title or to facilitate the practical administration of this title.

(b) To carry out subsection (a)(1), the plan—

(1) shall set forth—

(A) the conservation measures and practices to be used by the operator during the contract period; and

(B) any commercial use to be made of the land during such period; and

(2) may provide for the permanent retirement of acreage.

DUTIES OF THE SECRETARY

SEC. 303. (a) Subject to section 304, in return for a contract entered into by an operator under this title, during the term of the contract, the Secretary shall agree—

(1) to bear such part of the cost of carrying out the conservation measures and practices set forth in the contract during the normal expected life of such measures and practices as the Secretary determines is necessary to effectuate the purposes of this title;

(2) to make an annual payment to the operator for the term of the contract in an amount determined in accordance with subsection (b); and

(3) to provide technical assistance to the operator to carry out the conservation measures and practices set forth in the contract.

(b)(1) Subject to section 304, the Secretary shall determine the amount of annual payments made under subsection (a)(2) on such basis as the Secretary determines will provide operators with a fair and reasonable annual return on acres of highly erodible land that are placed in conservation use under this title.

(2) The Secretary shall use an advertising and bid procedure to determine the lands in any area which are eligible for coverage under contracts entered into under this title.

PAYMENTS

SEC. 304. (a)(1) Subject to subsection (b), the Secretary shall make payments under a contract entered into under this title in the form of cash or commodities and in such amounts and at such times as are specified in the contract.

(2) The Secretary may make available to an operator who enters into a contract under this title all or part of a payment provided for a particular crop year at any time in advance of the determination of compliance with the terms and conditions of the contract for such crop year.

(3) If an operator who is entitled to such payment dies, becomes incompetent, or is otherwise unable to receive such payments, or is succeeded by another person who renders or completes the required performance, the Secretary shall make or provide such payments in such manner as the Secretary determines to be fair and reasonable in light of the circumstances.

(b)(1) The total amount of payments made to an operator under this title during a fiscal year may not exceed $50,000.

(2) The total amount of payments made to all operators under this title during a fiscal year may not exceed—

(A) during the fiscal year ending September 30, 1986, $1 billion;

(b) during the fiscal year ending September 30, 1987, $1.75 billion;

(c) during the fiscal year ending September 30, 1988, $2.5 billion; and

(d) $1.8 billion for each fiscal year thereafter.

ADMINISTRATION

SEC. 305. (c) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provisions for sharing payments made under this title on a fair and equitable basis.

(b) The Secretary may—

(1) terminate any contract entered into with an operator under this title if—

(A) the operator agrees to such termination; and

(B) the Secretary determines that such 17 terminations would be in the public interest; and

(2) modify any contract entered into with an 20 operator under this title if—

(A) the operators agrees to such modification; and

(B) the Secretary determines that such modification is desirable to effectuate the purpose of this title or to facilitate the practical administration of this title.

(c) For the purpose of any other program administered by the Secretary, if an operator diverts acreage from the production of agricultural commodities under a contract entered into under this title, such acreage shall be excluded from the acreage base of the producer.

(d) The Secretary may utilize the facilities, services, authorities, and funds of the Commodity Credit Corporation to carry out this title.

(e) The authority provided by this Act shall be in addition to and not in place of other authorities available to the Secretary and the Commodity Credit Corporation for carrying out soil and water conservation programs.

SOIL EROSION STUDY

SEC. 305. No later than the beginning of the eighteenth calendar month following the date of enactment of this Act, the Secretary shall)—

(1) complete a study to evaluate the direct and indirect off-site costs of soil erosion, including damage to the environment and water transportation; and

(2) report the results of the study conducted under clause (1) to the Congress.

AUTHORIZATION OF APPROPRIATIONS

SEC. 307. (a) There are authorized to be appropriated such sums as are necessary to carry out this title.

(b) There are authorized to be appropriated without fiscal year limitation such sums as may be necessary to reimburse the Commodity Credit Corporation for any amounts expended by the Corporation in accordance with this Act and not previously reimbursed.

By Mr. HEFLIN:

S. 1036. A bill to revise and extend programs to provide price support and production stabilization for peanuts and upland cotton, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SOUTHERN AGRICULTURE ACT OF 1985

Mr. HEFLIN. Mr. President, I am today introducing a partial farm bill which I have labeled the Southern Agricultural Act of 1985.

Numerous farm bills have been introduced by various Senators thus far. Some contain some excellent provisions and concepts. Some direct their attention to a much-improved exporting-marketing program for the Department of Agriculture. I believe that this is crucial if we are going to meet the problems confronting agriculture in the South, as well as in the Nation. It is essential that markets have to be increased and that the only area in which we can expect an increase in marketing is in the export field. I believe that with the various proposed export programs that the Senate Agriculture Committee can come up with a much improved export policy with new additional tools to assist the proven effective instruments that we already have.

I thought for a while that rather than introduce a bill that I would pick and choose between the various proposals presently introduced. But I realize that over recent years there has been a failure to recognize certain programs that are primarily southern in nature and that attention should be given to solving the problems that exist in the South. Therefore, the bill that I am introducing today is directed toward preserving the programs that have worked for agriculture in the South and to eliminate certain discriminatory practices that have developed in recent years.

My bill would preserve the present Peanut Program. The Peanut Program has undergone great change in both the 1977 act and the 1981 act. Acreage allotments have been abolished and now anyone can produce peanuts. The Peanut Program is the most cost effective of any of the farm programs.

The Peanut Program does need some changes that are basically minor in nature. One of the changes is designed to prevent increases in cost to the Government.

The Cotton Program generally has worked. With a strong export policy activated and implemented, the present program can prove to be less expensive to the Government and more beneficial for the farmer.

The Wheat Program in the South has some peculiarities and this bill addresses those peculiarities.

The Southern Agricultural Act of 1985, extends the Cotton Program in its present form through 1989. In 1965, the loan rate for cotton was changed from a percentage of parity to a loan rate based on a moving market average. The loan program did experience some cost through 1970 until cotton stocks accumulated under the high loan programs prior to 1965 were disposed of. Once those stocks were eliminated, the Commodity Credit Corporation actually had a net profit in 8 of the last 14 crop years.

The Peanut Program is also continued in its present form with minor modifications. In both the 1977 and 1981 farm bill, major revisions were made in the Peanut Program, which was, for the most part unchanged since the 1930's. The 1977 act implemented a unique two-tier pricing system designed to reduce Government costs.

The Agriculture and Food Act of 1981 made other changes in the Peanut Program. First, it eliminated the acreage allotments and allowed anyone to produce peanuts. Second, it made the program more cost effective. Over the past 2 years, the Commodity Credit Corporation has actually netted a $5 million gain.

Mr. President, these two commodities are unique. While other commodities produced in America have lost export markets, cotton and peanut export markets have actually increased. Exports have increased under existing programs.

Mr. President, during the past few weeks, I have listened closely to the witnesses that testified before the Senate Agriculture Committee. When I directed questions to various panels relative to the Cotton and Peanut Program, the most common response I received was, "If it ain't broke, don't fix it."

Mr. President, I ask unanimous consent that the text of the bill appear in the CONGRESSIONAL RECORD.

Thank you, Mr. President.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Southern Agriculture Act of 1985".

TITLE I—COTTON

LOAN RATES, TARGET PRICES, DISASTER PAYMENTS, COTTON ACREAGE REDUCTION PROGRAM, AND LAND DIVERSION FOR THE 1986 THROUGH 1989 CROPS OF UPLAND COTTON

SEC. 101. Effective only for the 1986 through 1989 crops of upland cotton, section 103 of the Agricultural Act of 1949 is amended by adding at the end thereof the following new subsection:

"(i)(1) The Secretary shall, upon presentation of warehouse receipts reflecting accrued storage charges of not more than sixty days, make available for the 1986 through 1989 crops of upland cotton to producers nonrecourse loans for a term of ten months from the first day of the month in which the loan is made at such level as will reflect for Strict Low Middling one-and-one-sixteenth-inch upland cotton (micronaire 3.5 through 4.9) at average location in the United States the smaller of (A) 85 per centum of the average price (weighted by market and month) of such quality of cotton as quoted in the designated United States spot markets during three years of the five-year period ending July 31 in the year in which the loan level is announced, excluding the year in which the average price was the highest and the year in which the average price was the lowest in such period, or (B) 90 per centum of the average price, for the fifteen-week period beginning July 1 of the year in which the loan level is announced, of the five lowest-price growths of the growths quoted for Middling one-and-three-thirty-seconds-inch cotton C.I.F. northern Europe (adjusted downward by the average difference during the period April 15 through October 15 of the year in which the loan is announced between such average northern European price quotation of such quality of cotton and the market quotations in the designated United States spot markets for Strict Low Middling one-and-one-sixteenth-inch cotton (micronaire 3.5 through 4.9). In no event shall such loan level be less than 55 cents per pound. If for any crop the average northern European price determined under clause (B) of the first sentence of this paragraph is less than the average United States spot market price determined under clause (A) of the first sentence of this paragraph, the Secretary may, notwithstanding the foregoing provisions of this paragraph, increase the loan level to such level as the Secretary may deem appropriate, not in excess of the average United States spot market price determined under clause (A) of the first sentence of this paragraph. The loan level for any crop of cotton shall be determined and announced by the Secretary not later than November 1 of the calendar year preceding the marketing year for which such loan is to be effective, and such loan level shall not thereafter be changed. Nonrecourse loans provided for in this subsection shall, upon request of the producer the tenth month of the loan period for the cotton, be made available for an additional term of eight months, except that such request to extend the loan period shall not be approved in a month when the average price of Strict Low Middling one-and-one-sixteenth-inch cotton (micronaire 3.5 through 4.9) in the designated spot markets for the preceding month exceeded 130 per centum of the average price of such quality of cotton in such markets for the preceding thirty-six-month period.

"(2) Whenever the Secretary determines that the average price of Strict Low Middling one-and-one-sixteenth-inch cotton (micronaire 3.5 throgh 4.9) in the designated spot markets for a month exceeded 130 per centum of the average price of such quality of cotton in such markets for the preceding thirty-six months, notwithstanding any other provision of law, the President shall immediately establish and proclaim a special limited global import quota for upland cotton subject to the following conditions:

"(A) The amount of the special quota shall be equal to twenty-one days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent three month period for which data are available.

"(B) If a special quota has been established under this paragraph during the preceding twelve months, the amount of the quota next established hereunder shall be the smaller of twenty-one days of domestic mill consumption calculated as set forth in subparagraph (A) of this paragraph or the amount required to increase the supply to 130 per centum of the demand.

"(C) As used in subparagraph (B) of this paragraph, the term 'supply' means, using the latest official data of the Bureau of the Census, the United States Department of Agriculture, and the United States Department of the Treasury, the carryover of upland cotton at the beginning of the marketing year (adjusted to four-hundred-and-eighty-pound bales) in which the special quota is established, plus production of the current crop, plus imports to the latest date available during the marketing year, and the term 'demand' means the average seasonally adjusted annual rate of domestic mill consumption in the most recent three months for which data are available, plus the larger of average exports of upland cotton during the preceding six marketing years or cumulative exports of upland cotton, plus outstanding export sales for the marketing year in which the special quota is established.

"(D) When a special quota is established under the provisions of this paragraph, a ninety-day period from the effective date of the proclamation shall be allowed for entering cotton under such quota.

Notwithstanding the foregoing provisions of this paragraph, a special quota period shall not be established that overlaps an existing quota period.

"(3)(A) The Secretary shall make available to producers payments for each of the 1986 through 1989 crops of upland cotton in an amount computed as provided in this paragraph. Payments for each crop of upland cotton shall be computed by multiplying (i) the payment rate, (ii) by the farm program acreage for the crop, by (iii) the farm program payment yield for the crop. In no event may payments be made under this paragraph for any crop on a greater acreage than the acreage actually planted to cotton.

"(B) The payment rate for upland cotton shall be the amount by which the established price for the crop of upland cotton exceeds the higher of—

"(i) the average market price received by farmers for upland cotton during the calendar year which includes the first five months of the marketing year for such crop, as determined by the Secretary, or

"(ii) the loan level determined under paragraph (1) of this subsection for such crop.

"(C) The established price for the 1986 through 1989 crops of upland cotton shall be the higher not less than (i) the price per pound determined under subparagraph (D) of this paragraph, or (ii) 120 per centum of the loan level determined for such crop under paragraph (1) of this subsection.

"(D) The price referred to in clause (i) of the subparagraph (C) of this paragraph, for the 1986 crop of upland cotton, shall be $0.81 per pound. For each of the 1987 through 1989 crops of upland cotton, the price referred to in clause (i) of subparagraph (C) shall be such price for the preceding crop, except that an adjustment may be made by the Secretary for each such crop as the Secretary deems appropriate to reflect any change in (i) the average adjusted cost of production per acre for the two crop years immediately preceding the year for which the determination is made from (ii) the average adjusted cost of production per acre for the two crop years immediately preceding the year previous to the one for which the determination is made. The adjusted cost of production for each of such years shall be determined by the Secretary on the basis of information that the Secretary finds necessary and appropriate for the purpose and shall include variable costs, machinery ownership costs, and general farm overhead costs, allocated to the crops involved on the basis of the proportion of the value of the total production derived from each crop.

"(E) The total quantity on which payments would otherwise be payable to a producer on a farm for any crop under this paragraph shall be reduced by the quantity on which any disaster payment is made to the producer for the crop under paragraph (4) of this subsection.

"(4)(A) Except as otherwise provided in subparagraph (C) of this paragraph, if the Secretary determines that the producers on a farm are prevented from planting any portion of the acreage intended for cotton to cotton or other nonconserving crops because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, the Secretary shall make a prevented planting disaster payment to the producers on the number of acres so affected but not to exceed the acreage planted to cotton for harvest (including any acreage which the producers were prevented from planting to cotton or other nonconserving crop in lieu of cotton because of drought, flood, or other natural disaster, or other condition beyond the control of the producers) in the immediately preceding year, multiplied by 75 per centum of the farm program payment yield established by the Secretary times a payment rate equal to 33⅓ per centum of the established price for the crop.

"(B) Except as otherwise provided in subparagraph (C) of this paragraph, if the Secretary determines that because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, the total quantity of cotton which the producers are able to harvest on any farm is less than the result of multiplying 75 per centum of the farm program payment yield established by the Secretary for such crop by the acreage planted for harvest for such crop, the Secretary shall make a reduced yield disaster payment to the producers at a rate equal to 33⅓ per centum of the established price for the crop for the deficiency in production below 75 per centum for the crop.

"(C) Producers on a farm shall not be eligible for disaster payments under this paragraph if crop insurance is available to them under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) with respect to their cotton acreage.

"(D) Notwithstanding the provisions of subparagraph (C) of this paragraph, the Secretary may make disaster payments to producers on a farm under this paragraph whenever the Secretary determines that—

"(i) as the result of drought, flood, or other natural disaster, or other condition beyond the control of the producers, producers on a farm have suffered substantial losses of production either from being prevented from planting cotton or other nonconserving crop or from reduced yields, and that such losses have created an economic emergency for the producers;

"(ii) Federal crop insurance indemnity payments and other forms of assistance made available by the Federal Government to such producers for such losses are insufficient to alleviate such economic emergency; and

"(ii) additional assistance must be made available to such producers to alleviate the economic emergency.

The Secretary may make such adjustments in the amount of payments made available under this subparagraph with respect to individual farms so as to assure the equitable allotment of such payments among producers taking into account other forms of Federal disaster assistance provided to the producers for the crop involved.

"(5) The Secretary shall proclaim a national program acreage for each of the 1986 through 1989 crops of upland cotton. The proclamation shall be made not later than November 1 of the calendar year preceding the year for which such acreage is established. The Secretary may revise the national program acreage first proclaimed for any crop year for the purpose of determining the allocation factor under paragraph (6) of this subsection if the Secretary determines it necessary based upon the latest information, and the Secretary shall proclaim such revised national program acreage as soon as it is made. The national program acreage for cotton shall be the number of harvested acres the Secretary determines (on the basis of the estimated weighted national average of the farm program yields for the crop for which the determination is made) will produce the quantity (less imports) that the Secretary estimates will be utilized domestically and for export during the marketing year for such crop. The national program acreage shall be subject to such adjustment as the Secretary determines necessary, taking into consideration the estimated carryover supply, so as to provide for an adequate but not excessive total supply of cotton for the marketing year for the crop for which such national program acreage is estimated. In no event shall the national program acreage be less than ten million acres.

"(6) The Secretary shall determine a program allocation factor for each crop of upland cotton. The allocation factor for upland cotton shall be determined by dividing the national program acreage for the crop by the number of acreas that the Secretary estimates will be harvested for such crop, except that in no event shall the allocation factor for any crop of upland cotton be more than 100 per centum.

"(7) The individual farm program acreage for each crop of upland cotton shall be determined by multiplying the allocation factor by the acreage of cotton planted for harvest on the farms for which individual farm program acreages are required and determined. The farm program acreage shall not be further reduced by application of the allocation factor if the producers reduce the acreage of cotton planted for harvest on the farm from the acreage base established for the farm under paragraph (9)(A) of this subsection by at least the percentage recommended by the Secretary in the proclamation of the national program acreage. The Secretary shall provide fair and equitable treatment for producers on farms on which the acreage of cotton planted for harvest is less than the acreage base established for the farm under paragraph (9)(A) of this subsection, but for which the reduction is insufficient to exempt the farm from the application of the allocation factor. In establishing the allocation factor for upland cotton, the Secretary may make such adjustment as the Secretary deems necessary to take into account the extent of exemption of farms under the foregoing provisions of this paragraph.

"(8) The farm program payment yield for each crop of upland cotton shall be determined on the basis of the actual yields per harvested acre on the farm for the preceding three years, except that the actual yields shall be adjusted by the Secretary for abnormal yield in any year caused by drought, flood, or other natural disaster, or other condition beyond the control of the procedures. In case farm yield data for one or more years are unavailable or there was no production, the Secretary shall provide for appraisals to be made on the basis of actual yields and program payment yields for similar farms in the area for which data are available.

Notwithstanding the foregoing provisions of this paragraph, in the determination of yields, the Secretary shall take into account the actual yields proved by the producer, and neither such yields nor the farm program payment yield established on the basis of such yields shall be reduced under other provisions of this paragraph. If the Secretary determines it necessary, the Secretary may establish national, State, or county program payment yields on the basis of historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the historical period, or, if such data are not available, on the Secretary's estimate of actual yields for the crop year involved. If national, State, or county program payment yields are established, the farm program payment yields shall balance to the national, State, or county program payment yields.

"(9)(A) Notwithstanding any other provision of this subsection, the Secretary may establish a limitation on the acreage planted to upland cotton if the Secretary determines that the total supply of upland cotton, in the absence of such a limitation, will be excessive taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency. The Secretary shall announce any such cotton acreage limitation not later than November 1 prior to the calendar year in which the crop is harvested.

"(B) If a cotton acreage limitation is announced under subparagraph (A) of this paragraph, such limitation shall be achieved by applying a uniform percentage reduction to the cotton acreage base for each cotton-producing farm. Producers who knowingly produce cotton in excess of the permitted cotton acreage for the farm shall be ineligible for cotton loans and payments with respect to that farm. The acreage base for any farm for the purpose of determining any reduction required to be made for any year as the result of a limitation imposed under this subparagraph shall be the acreage planted on the farm to upland cotton for harvest in the crop year immediately preceding the year for which the determination is made or, at the discretion of the Secretary, the average acreage planted to upland cotton for harvest in the two crop years immediately preceding the year for which the determination is made. For the purpose of the preceding sentence, acreage planted to cotton for harvest shall include any acreage which the producers were prevented from planting to cotton or other nonconserving crop in lieu of cotton because of drought, flood, or other natural disaster, or other condition beyond the control of the producers. The Secretary may make adjustments to reflect established crop-rotation practices and to reflect such other factors as the Secretary determines should be considered in determining a fair and equitable base. A number of acres on the farm determined by dividing (i) the product obtained by multiplying the number of acres required to be withdrawn from the production of upland cotton times the number of acres actually planted to such commodity, by (ii) the number of acres authorized to be planted to such commodity under the limitation established by the Secretary shall be devoted to conservation uses, in accordance with regulations issued by the Secretary. The number of acres so determined is hereinafter in this subsection referred to as 'reduced acreage'. If an acreage limitation program is announced under subparagraph (A) of this paragraph for a crop of upland cotton, paragraphs (5), (6), and (7) of this subsection shall not be applicable to such crop, including any prior announcement which may have been made under such paragraphs with respect to such crop. The individual farm program acreage shall be the acreage planted on the farm to upland cotton for harvest within the permitted upland cotton acreage for the farm as established under this paragraph.

"(C) The regulations issued by the Secretary under subparagraphs (B) of this paragraph with respect to acreage required to be devoted to conservation uses shall assure protection of such acreage from weeds and wind and water erosion. The Secretary may permit, subject to such terms and conditions as the Secretary may prescribe, all or any part of such acreage to be devoted to sweet sorghum, hay and grazing, or the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, flaxseed, triticale, rye, or other commodity, if the Secretary determines that such production is needed to provide an adequate supply of such commodities, is not likely to increase the cost of the price support program, and will not affect farm imcome adversely.

"(D) The Secretary may make land diversion payments to producers of upland cotton, whether or not an acreage limitation for upland cotton is in effect, if the Secretary determines that such land diversion payments are necessary to assist in adjusting the total national acreage of upland cotton to desirable goals. Such land diversion payments shall be made to producers who, to the extent prescribed by the Secretary, devote to approved conservation uses an acreage of cropland on the farm in accordance with land diversion contracts entered into by the Secretary with such producers. The amounts payable to producers under land diversion contracts may be determined through the submission of bids for such contracts by producers in such manner as the Secretary may prescribe or through

such other means as the Secretary determines appropriate. In determining the acceptability of contract offers, the Secretary shall take into consideration the extent of the diversion to be undertaken by the producers and the productivity of the acreage diverted. The Secretary shall limit the total acreage to be diverted under agreements in any county or local community so as not to affect adversely the economy of the county or local community.

"(E) The reduced acreage and the additional diverted acreage may be devoted to wildlife food plots or wildlife habitat in conformity with standards established by the Secretary in consultation with wildlife agencies. The Secretary may pay an appropriate share of the cost of practices designed to carry out the purposes of the foregoing sentence. The Secretary may also pay an appropriate share of the cost of approved soil and water conservation practices established by the producer on the reduced acreage and the additional diverted acreage. The Secretary may provide for an additional payment on such acreage in an amount determined by the Secretary to be appropriate in relation to the benefit to the general public if the producer agrees to permit, without other compensation, access to all or such portion of the farm, as the Secretary may prescribe, by the general public, for hunting, trapping, fishing, and hiking, subject to applicable State and Federal regulations.

"(10) An operator of a farm desiring to participate in the program conducted under paragraph (9) of this subsection shall execute an agreement with the Secretary providing for such participation not later than such date as the Secretary may prescribe. The Secretary may, by mutual agreement with producers on the farm, terminate or modify any such agreement if the Secretary determines such action necesary because of an emergency created by drought or other disaster or to prevent or alleviate a shortage in the supply of agricultural commodities.

"(11) If the failure of a producer to comply fully with the terms and conditions of the program conducted under this subsection precludes the making of loans and payments, the Secretary may, nevertheless, make such loans and payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure. The Secretary may authorize the county and State committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or modify deadlines and other program requirements in cases in which lateness or failure to meet such other requirements does not affect adversely the operation of the program.

"(12) The Secretary may issue such regulations as the Secretary determines necessary to carry out the provisions of this subsection.

"(13) The Secretary shall carry out the program authorized by this subsection through the Commodity Credit Corporation.

"(14) The prgvisions of section 8(g) of the Soil Cofservatign afd Doeestic Allgtmeft Act (redatifg to assigneent gf payeefts) shall apply to payeefts under this subsection&

"(15) The Secretary shall provide for the sharing of payments made under this subsection for any farm among the producers on the farm on a fair and equitable basis.

"(16) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

"(17) Notwithstanding any other provision of law, compliance on a farm with the terms and conditions of any other commodity program may not be required as a condition of eligibility for loans or payments under this subsection.

"(18) In order to encourage and assist producers in the orderly ginning and marketing of their cotton production, the Secretary shall make recourse loans available to such producers of seed cotton in accordance with authority vested in the Secretary under the Commodity Credit Corporation Charter Act.".

SUSPENSION OF BASE ACREAGE ALLOTMENTS, MARKETING QUOTAS, AND RELATED PROVISIONS

SEC. 102. Sections 342, 343, 344, 345, 346, and 377 of the Agricultural Adjustment Act of 1938 shall not be applicable to the 1986 through 1989 crops of upland cotton.

MISCELLANEOUS COTTON PROVISIONS

SEC. 103. Sections 103(a) and 203 of the Agricultural Act of 1949 shall not be applicable to the 1986 through 1989 crops of upland cotton.

COMMODITY CREDIT CORPORATION SALES PRICE RESTRICTIONS

SEC. 104. Effective only with respect to the period beginning August 1, 1986, and ending July 31, 1990, the tenth sentence of section 407 of the Agricultural Act of 1949 is amended by striking out all of that sentence through the words "110 per centum of the loan rate, and (2)" and inserting in lieu thereof the following: "Notwithstanding any other provision of law, (1) the Commodity Credit Corporation shall sell upland cotton for unrestricted use at the same prices as it sells cotton for export, in no event, however, at less than 115 per centum of the loan rate for Strict Low Middling one-and-one-sixteenth-inch upland cotton (micronaire 3.5 through 4.9) adjusted for such current market differentials reflecting grade, quality, location, and other value factors as the Secretary determines appropriate plus reasonable carrying charges, and (2)".

SKIPROW PRACTICES

SEC. 105. Section 374(a) of the Agricultural Adjustment Act of 1938 is amended by striking out "1985" and inserting in lieu thereof "1989".

PRELIMINARY ALLOTMENTS FOR THE 1990 CROP OF UPLAND COTTON

SEC. 106. Notwithstanding any other provision of law, the permanent State, county, and farm base acreage allotments for the 1977 crop of upland cotton, adjusted for any underplantings in 1977 and reconstituted as provided in section 379 of the Agricultural Adjustment Act of 1938, as amended, shall again become effective as preliminary allotments for the 1990 crop.

TITLE II—PEANUTS

SUSPENSION OF MARKETING QUOTAS AND ACREAGE ALLOTMENTS

SEC. 201. The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 1986 through 1989 crops of peanuts:

(1) Subsections (a) through (j) of section 358;

(2) Subsection (a) through (h) section 358a;

(3) Subsections (a), (b), (d), and (e) of section 359;

(4) Part I of subtitle C of title III; and

(5) Section 371.

NATIONAL POUNDAGE QUOTA AND FARM POUNDAGE QUOTA FOR THE 1986 THROUGH 1989 CROPS OF PEANUTS

SEC. 202. Effective only for the 1986 through 1989 crops of peanuts, section 358 of the Agricultural Adjustment Act of 1938 is amended by adding at the end thereof new subsections as follows:

"(q) The national poundage quota for peanuts for each of the marketing years 1986 through 1989 shall be established by the Secretary at a level that will meet domestic edible, seed, and related needs for peanuts. The level established for any marketing year shall not be less than 1,100,000 tons increased by an amount that the Secretary estimates the domestic edible, seed, and related uses of peanuts in such year will exceed 1,100,000 tons. The national poundage quota shall be announced by the Secretary not later than December 15 of the year preceding the marketing year for which such poundage quota will effective.

"(r)(1) The national poundage quota established under subsection (q) of this section shall be apportioned among the States so that the poundage quota allocated to each State shall be equal to the percentage of the naitonal poundage quota allocated to farms in the State for 1985.

"(s)(1) A farm poundage quota shall be established for each farm that had a farm poundage quota for the 1985 crop of peanuts and for each other farm on which peanuts were produced in at least two of the crop years 1983 through 1985 as determined by the Secretary. The farm poundage quota for any such farm for the 1986 through 1989 marketing years shall be the same as the farm poundage quota for such farm for the immediately preceding marketing year as adjusted under this subsection, but not including any increases for undermarketings from previous years or any increases resulting from the allocation of quotas voluntarily released for one year under paragraph (7) of this subsection. For the purposes of this paragraph, if the farm poundage quota, or any part thereof, is permanently transferred in accordance with section 358a of this Act, the receiving farm shall be considered as possessing the farm poundage quota (or portion thereof) of the transferring farm for all subsequent marketing years. A farm poundage quota established on a farm under the provisions of paragraphs (2) or (6) of this subsection shall be considered as being established under the provisions of this paragraph for all subsequent marketing years.

"(2) Any increase in a State's poundage quota apportionment from 1985 to 1986 shall be allocated equally to all farms that are eligible for a farm poundage quota for the 1986 marketing year under paragraph (1) of this subsection. If the national poundage quota is increased for any of the marketing years 1987 through 1989, such increase in a State's poundage quota apportionment shall be allocated equally among (A) all farms on which a poundage quota was established for the marketing year immediately proceding the marketing year for which the allocation is being made and (B) all other farms on which peanuts were produced during at least two of three immediately preceding crop years as determined by the Secretary.

"(3) The farm poundage quota established on a farm for any marketing year 1986 through 1989 shall be reduced, insofar as practicable and on such fair and equitable basis as the Secretary may be regulation

prescribe, to the extent that the Secretary determines that the farm poundage quota established on the farm for any two of the three marketing years preceding the year for which the determination is being made was not produced, or considered produced, on the farm. For the purposes of this paragraph, the farm poundage quota for any such preceding marketing year shall not include any increases for undermarketing of quota peanuts from previous years or any increases resulting from the allocation of quotas voluntarily released for one year under paragraph (7) of this subsection.

"(4) For the purpose of this subsection, the farm poundage quota shall be considered produced on a farm if (A) the poundage quota of peanuts was not produced on the farm for reason of drought, flood, or other natural disaster, or other condition beyond the control of the producer, as determined by the Secretary, or (B) the farm poundage quota on the farm was released voluntarily under paragraph (7) of this subsection for only one of the three marketing years immediately preceding the year for which the determination is being made.

"(5) Notwithstanding any other provision of law, the farm poundage quota established on a farm under this subsection, or any part thereof, may be permanently released by the owner of the farm, or the operator with the permission of the owner, and the poundage quota on the farm shall be adjusted to the extent that the quota is so released.

"(6) The total amount of farm poundage quota reduced or voluntarily released from farms in a State during any year under paragraphs (3) or (5), respectively, of this subsection shall be allocated under regulations issued by the Secretary to other farms in the State on which peanuts were produced in at least two of the three crop years immediately preceding the year in which such allocation is being made. Not less than 25 per cent of such poundage quota shall be assigned to farms on which no quota was established for the preceding year's crop.

"(7) The farm poundage quota established on a farm for a marketing year, or any portion thereof, may be voluntarily released to the Secretary to the extent that such quota of peanuts will not be produced on the farm during the crop year. Any farm poundage quota voluntarily released on farms in a State shall be allocated to other farms in the State on such basis as the Secretary may prescribe. Any adjustment in the poundage quota for a farm under this paragraph shall be effective only for the marketing year for which it is made and shall not be taken into consideration in establishing a poundage quota on the farm for any subsequent marketing year.

"(8) The farm poundage quota on a farm for any marketing year shall be increased by the number of pounds by which the total marketings of quota peanuts for the farm during previous marketing years (excluding any marketing year before the marketing year for the 1984 crop) were less than the total amount of the applicable farm poundage quotas (disregarding adjustments for undermarketings from prior marketing years) for such marketing years: *Provided*, That no increase for undermarketings in previous years shall be made to the poundage quota on any farm to the extent that the quota on such farm for the marketing year was reduced under paragraph (3) of this subsection for failure to produce. Increases in farm poundage quotas made under this paragraph shall not be counted against the national poundage quota for the marketing year involved. Any farm poundage quota increase made under this paragraph may be used in the marketing year by the transfer of additional peanuts produced on the farm to the quota loan pool for pricing purposes on such basis as the Secretary shall prescribe by regulation.

"(9) Notwithstanding the foregoing provisions of this subsection, if the total of all increases in individual farm poundage quotas under paragraph (8) of this subsection exceeds 10 per centum of the national poundage quota for the marketing year in which such increases shall be applicable, the Secretary shall adjust such increases so that the total of all such increases does not exceed 10 per centum of the national poundage quota.

"(t) For each farm for which a farm poundage quota was established under subsection (s) of this section, and when necessary for purposes of this Act, a farm yield of peanuts shall be determined for each such farm. Such yield shall be equal to the average of the actual yield per acre on the farm for each of the three crop years in which yields were highest on the farm out of the five crop years 1973 through 1977. If peanuts were not produced on the farm in at least three years during such five-year period (including, but not limited to, a change in operator, lessee who is an operator, or irrigation practices), the Secretary shall have a yield appraised for the farm. The appraised yield shall be that amount determined to be fair and reasonable on the basis of yields established for similar farms that are located in the area of the farm and on which peanuts were produced, taking into consideration land, labor, and equipment available for the production of peanuts, crop rotation practices, soil and water, and other relevant factors.

"(u) Not later than December 15 of each calendar year, the Secretary shall conduct a referendum of farmers engaged in the production of quota peanuts in the calendar year in which the referendum is held to determine whether such farmers are in favor of or opposed to poundage quotas with respect to the crops of peanuts produced in the four calendar years immediately following the year in which the referendum is held, except that, if as many as two-thirds of the farmers voting in any referendum vote in favor of poundage quotas, no referendum shall be held with respect to quotas for the second, third, and fourth years of the period. The Secretary shall proclaim the result of the referendum within thirty days after the date on which it is held, and if more than one-third of the farmers voting in the referendum vote against quotas, the Secretary also shall proclaim that poundage quotas will not be in effect with respect to the crop of peanuts produced in the calendar year immediately following the calendar year in which the referendum is held.

"(v) For the purposes of this part and title I of the Agricultural Act of 1949—

"(1) 'quota peanuts' means, for any marketing year, any peanuts produced on a farm having a farm poundage quota, as determined in subsection (s) of this section, that are eligible for domestic edible use as determined by the Secretary, that are marketed or considered marketed from a farm, and that do not exceed the farm poundage quota of such farm for such year;

"(2) 'additional peanuts' means, for any marketing year (A) any peanuts that are marketed from a farm for which a farm poundage quota has been established and that are in excess of the marketings of quota peanuts from such farm for such year, and (B) all peanuts marketed from a farm for which no farm poundage quota has been established in accordance with subsection (s) of this section;

"(3) 'crushing' means the processing of peanuts to extract oil for food uses and meal for feed uses, or the processing of peanuts by crushing or otherwise when authorized by the Secretary; and

"(4) 'domestic edible use' means use for milling to produce domestic food peanuts (other than those described in paragraph (3) of this subsection) and seed and use on a farm, except that the Secretary may exempt from this definition seeds of peanuts that are used to produce peanuts exluded under section 359(c) of this Act, are unique strains, and are not commercially available.".

SALE, LEASE, OR TRANSFER OF FARM POUNDAGE QUOTA

SEC. 203. Effective only for the 1986 through 1989 crops of peanuts, section 358a of the Agricultural Adjustment Act of 1938 is amended by adding at the end thereof new subsections as follows:

"(k) The owner, or the operator with permission of the owner, of any farm for which a farm poundage quota has been established under this Act may, subject to such terms, conditions, or limitations as the Secretary may prescribe, sell or lease all or any part of such poundage quota to any other owner or operator of a farm within the same county for transfer to such farm. The owner or operator of a farm may transfer all or any part of such farm's farm poundage quota to any other farm owned or controlled by such owner or operator that is in the same county or in a county contiguous to such county in the same State and that had a farm poundage quota for the preceding year's crop. Notwithstanding the foregoing provisions of this subsection, in the case of any State for which the poundage quota allocated to the State was less than 10,000 tons for the preceding year's crop, all or any part of a farm poundage quota may be transferred by sale or lease or otherwise from a farm in one county to a farm in another county in the same State.

"(l) Transfers (including transfer by sale or lease) of farm poundage quotas under this section shall be subject to the following conditions:

"(1) no transfer of the farm poundage quotas from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders;

"(2) no transfer of the farm poundage quota shall be permitted if the county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act determines that the receiving farm does not have adequate tillable cropland to produce the farm poundage quota;

"(3) no transfer of the farm poundage quota shall be effective until a record thereof is filed with the county committee of the county to which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and

"(4) such other terms and conditions that the Secretary may by regulation prescribe.".

MARKETING PENALTIES; DISPOSITION OF ADDITIONAL PEANUTS

SEC. 204. Effective only for the 1986 through 1989 crops of peanuts, section 359 of the Agricultural Adjustment Act of 1938 is amended by adding at the end thereof new subsections as follows:

"(m)(1) The marketing of any peanuts for domestic edible use in excess of the farm poundage quota for the farm on which such peanuts are produced shall be subject to penalty at a rate equal to 140 per centum of the support price for quota peanuts for the marketing year (August 1 through July 31) in which such marketing occurs. The marketing of any additional peanuts from a farm shall be subject to the same penalty unless such peanuts, in accordance with regulations established by the Secretary, are either (A) placed under loan at the additional loan rate in effect for such peanuts under section 108B of the Agricultural Act of 1949 and not redeemed by the producers, (B) marketed through an area marketing association designated pursuant to section 108B(3)(A) of the Agricultural Act of 1949, or (C) marketed under contracts between handlers and producers, pursuant to the provisions of subsection (q) of this section. Such penalty shall be paid by the person who buys or otherwise acquires the peanuts from the producer, or if the peanuts are marketed by the producer through an agent, the penalty shall be paid by such agent, and such person or agent may deduct an amount equivalent to the penalty from the price paid to the producer. If the person required to collect the penalty fails to collect such penalty, such person and all persons entitled to share in the peanuts marketed from the farm or the proceeds thereof shall be jointly and severally liable for the amount of the penalty. Peanuts produced in a calendar year in which farm poundage quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though the peanuts are marketed prior to the date on which such marketing year begins. If any producer falsely identifies or fails to certify planted acres or fails to account for the disposition of any peanuts produced on such planted acres, an amount of peanuts equal to the farm's average yield, as determined under section 358(t) of this Act, times the planted acres, shall be deemed to have been marketed in violation of permissible uses of quota and additional peanuts and the penalty in respect thereof shall be paid and remitted by the producer.

"(2) The Secretary shall authorize, under such regulations as the Secretary shall prescribe, the county committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or reduce marketing penalties provided for under this subsection in cases in which such committees determine that violations that were the basis of the penalties were unintentional or without knowledge on the part of the parties concerned. Errors in weight that do not exceed one-tenth of 1 per centum in the case of any one marketing document shall not be considered marketing violations except in cases of fraud or conspiracy.

"(n) Only quota peanuts may be retained for use as seed or for other uses on a farm and when so retained shall be considered as marketings of quota peanuts, except that the Secretary may exempt from consideration as marketings of quota peanuts seeds of peanuts that are used to produce peanuts excluded under subsection (c) of this section, are unique strains, and are not commercially available. Additional peanuts shall not be retained for use on a farm and shall not be marketed for domestic edible use, except as provided in subsection (r) of this section. Seed for planting of any peanut acreage in the United States shall be obtained solely from quota peanuts marketed or considered marketed for domestic edible use.

"(o) Upon a finding by the Secretary that the peanuts marketed from any crop for domestic edible use by a handler are larger in quantity or higher in grade or quality than the peanuts that could reasonably be produced for the quantity of peanuts having the grade, kernel content, and quality of the quota peanuts acquired by such handler from such crop for such marketing, such handler shall be subject to a penalty equal to 140 per centum of the loan level for quota peanuts on the quantity of peanuts that the Secretary determines are in excess of the quantity, grade, or quality of the peanuts that could reasonably have been produced from the peanuts that could reasonably have been produced from the peanuts so acquired.

"(p)(1) Except as provided in paragraph (2), the Secretary shall require that the handling and disposal of additional peanuts be supervised by agents of the Secretary or by area marketing associations designated pursuant to section 108B(3)(A) of the agricultural Act of 1949.

"(2)(A) Supervision of the handling and disposal of additional peanuts contracted by a handler shall not be required under paragraph (1) of this subsection if the handling and disposal of such peanuts is conducted in the manner prescribed in regulations issued by the Secretary.

"(B) The regulations issued by the Secretary under subparagraph (A) shall permit handlers of shelled peanuts to export peanuts classified by type, without physical supervision under paragraph (1) of this subsection, in quantities as described in subparagraph (C) of this paragraph.

"(C)(i) Sound split kernel peanuts in an amount equal to twice the pounds of such peanuts purchased by the handler as additional peanuts.

"(ii) Sound mature kernel peanuts in an amount equal to the pounds of such peanuts purchased by the handler as additional peanuts less the amount of sound split kernels purchased by the handler.

"(iii) the remaining quantify of total kernel content purchased by the handler as additional peanuts and not crushed domestically.

"(D) Any additional peanuts exported without physical supervision under subparagraph (B) of this paragraph shall be evidenced by on-board bill of ladings or other appropriate documentation as may be required by the Secretary or both. Handler's obligations to export peanuts in quantities described in subparagraph (C) shall be reduced by a reasonable shrinkage allowance to be determined by the Secretary. The Secretary may require adequate financial guarantees as well as evidence of adequate facilities and assets in order to assure compliance with the obligation of the handler to export peanuts without physical supervision under subparagraph (B) of this paragraph. If a handler should suffer a loss of peanuts as a result of fire, flood, or other condition beyond the control of the handler, the portion of such loss allocated to contracted additional peanuts shall not be greater than the portion of the handler's total purchases for the year attributable to contracted additional peanuts purchased for export by the handler during such year.

"(3) Quota and additional peanuts of like type and segregation or quality may, under regulations prescribed by the Secretary, be commingled and exchanged on a dollar value basis to facilitate warehousing, handling, and marketing.

"(4) The failure by a handler to comply with regulations issued by the Secretary governing the disposition and handling of additional peanuts shall subject the handler to a penalty at a rate equal to 140 per centum of the loan level for quota peanuts on the quantity of peanuts involved in the violation. The amount of any penalty imposed on a handler under this subsection that resulted from the failure to export contracted additional peanuts shall not be reduced by the Secretary under the provisions of subsection (s)(5) of this section. A handler shall not be subject to a penalty for failure to export additional peanuts if such peanuts were not delivered to the handler.

"(5) If any additional peanuts exported by a handler should reenter the United States in commercial quantities as determined by the Secretary, the importer thereof shall be subject to a penalty at a rate equal to 140 per centum of the loan level for quota peanuts on the quantity of peanuts involved in the reentry.

"(q) Handlers may, under regulations prescribed by the Secretary, contract with producers for the purchase of additional peanuts for crushing, export, or both. All such contracts shall be completed and submitted to the Secretary (or if designated by the Secretary, the area marketing association) for approval prior to August 1 of the year in which the crop is produced. Each such contract shall contain the final price to be paid by the handler for the peanuts involved and a specific prohibition against the disposition of such peanuts for domestic edible or seed use.

"(r) Subject to the provisions of section 407 of the Agricultural Act of 1949, any peanuts owned or controlled by the Commodity Credit Corporation may be made available for domestic edible use in accordance with regulations established by the Secretary. Additional peanuts received under loan shall be offered for sale for domestic edible use at prices not less than those required to cover all costs incurred with respect to such peanuts for such items as inspection, warehousing, shrinkage, and other expenses, plus (1) not less than 100 per centum of the loan value of quota peanuts if the additional peanuts are sold and paid for during the harvest season upon delivery by and with the written consent of the producer, (2) not less than 105 per centum of the loan value of quota peanuts if the additional peanuts are sold after delivery by the producer by not later than December 31 of the marketing year, or (3) not less than 107 per centum of the loan value of quota peanuts if the additional peanuts are sold later than December 31 of the marketing year. For the period from the date additional peanuts are delivered for loan to March 1 of the calendar year following the year in which such additional peanuts were harvested, the area marketing association designated pursuant to section 108B(3)(A) of the Agricultural Act of 1949 shall have sole authority to accept or reject lot list bids when the sales price as determined under this section equals or exceeds the minimum price at which the Commodity Credit Corporation may sell its stock of additional peanuts, except that the area marketing association and the Commodity Credit Corporation may agree to modify the authority granted by this sentence to facilitate the orderly marketing of additional peanuts.

"(s)(1) The person liable for payment or collection of any penalty provided for in

this section shall be liable also for interest thereon at a rate per annum equal to the rate of interest that was charged the Commodity Credit Corporation by the Treasury of the United States on the date such penalty became due.

"(2) The provisions of this section shall not apply to peanuts produced on any farm on which the acreage harvested for nuts is one acre or less if the producers who share in the peanuts produced on such farm do not share in the peanuts produced on any other farm.

"(3) Until the amount of the penalty provided by this section, other than a penalty on an importer under subsection (p)(5), is paid, a lien on the crop of peanuts with respect to which such penalty is incurred, and on any subsequent crop of peanuts subject to farm poundage quotas in which the person liable for payment of the penalty has an interest, shall be in effect in favor of the United States.

"(4) Notwithstanding any other provision of law, the liability for and the amount of any penalty assessed under this section shall be determined in accordance with such procedures as the Secretary by regulations may prescribe. The facts constituting the basis for determining the liability for or amount of any penalty assessed under this section, when officially determined in conformity with the applicable regulations prescribed by the Secretary, shall be final and conclusive and shall not be reviewable by any other officer or agency of the Government. Nothing in this section shall be construed as prohibiting any court of competent jurisdiction from reviewing any determination made by the Secretary with respect to whether such determination was made in conformity with the applicable law and regulations. All penalties imposed under this section shall for all purposes be considered civil penalties.

"(5) Notwithstanding any other provision of law and except as otherwise provided in subsection (p)(4) of this section, the Secretary may reduce the amount of any penalty assessed against handlers under this section if the Secretary finds that the violation upon which the penalty is based was minor or inadvertent, and that the reduction of the penalty will not impair the operation of the peanut program.".

PRICE SUPPORT PROGRAM

SEC. 205. Effective only for the 1986 through 1989 crops of peanuts, the Agricultural Act of 1949 is amended by adding after section 108A a new section as follows:

"PRICE SUPPORT FOR 1986 THROUGH 1989 CROPS OF PEANUTS

"SEC. 108B. Notwithstanding any other provision of law—

"(1) The Secretary shall make price support available to producers through loans, purchases, and other operations on quota peanuts for each of the 1986 through 1989 crops. The national average quota support rate for the 1986 crop of quota peanuts shall be the same as the national average support rate established for the 1985 crop of quota peanuts adjusted by the Secretary by the percentage of any increase in the prices paid by producers for commodites and services, interest, taxes, and farm wages rates during calendar years 1981 through 1985 as determined by the Secretary. The national average quota support rate for each of the 1987 through 1989 crops of quota peanuts shall be the national average quota support rate for the preceding crop, adjusted to reflect any increase, during the calendar year immediately preceding the marketing year for the crop for which a level of support is being determined, in the national average cost of production, excluding any change in the cost of land, except that in no event shall the national average quota support rate for any such crop exceed by more than 6 per centum the national average quota support rate for the preceding crop. The levels of support so announced shall not be reduced by any deductions for inspection, handling, or storage: Provided, That the Secretary may make adjustments for location of peanuts and such other factors as are authorized by section 403 of this act. The Secretary shall announce the level of support for quota peanuts of each crop not later than February 15 preceding the marketing year for the crop for which the level of support is being determined.

"(2) The Secretary shall make price support available to producers through loans, purchases, or other operations on additional peanuts for each of the 1986 through 1989 crops at such levels as the Secretary finds appropriate, taking into consideration the demand for peanut oil and peanut meal, expected prices of other vegetable oils and protein meals, and the demand for peanuts in foreign markets: Provided, That the Secretary shall set the support rate on additional peanuts at a level estimated by the Secretary to ensure that there are no losses to the Commodity Credit Corporation on the sale or disposal of such peanuts. The Secretary shall announce the level of support for additional peanuts of each crop not later than February 15 preceding the marketing year for the crop for which the level of support is being determined.

"(3)(A) In carrying out paragraphs (1) and (2) of this section, the Secretary shall make warehouse storage loans available in each of the three producing areas (described in 7 CFR 1446.60 (1985 ed.)) to a designated area marketing association of peanut producers that is selected and approved by the Secretary and that is operated primarily for the purpose of conducting such loan activities. The Secretary may not make warehouse storage loans available to any cooperative that is engaged in operations or activities concerning peanuts other than those operations and activities specified in this section and section 359 of the Agricultural Adjustment Act of 1938. Such area marketing associations shall be used in administrative and supervisory activities relating to price support and marketing activities under this section and section 359 of the Agricultural Act of 1938. Loans made under this subparagraph shall include, in addition to the price support value of the peanuts, such costs as the area marketing association reasonably may incur in carrying out its responsibilities, operations, and activities under this section and section 359 of the Agricultural Adjustment Act of 1938.

"(B) The Secretary shall require that each area marketing association establish pools and maintain complete and accurate records by area and segregation for quota peanuts handled under loan, for additional peanuts placed under loan, and for additional peanuts produced without a contract between a handler and a producer as described in section 359(q) of the Agricultural Adjustment Act of 1938, except that separate pools shall be established for Valencia peanuts produced in New Mexico. Bright hull and dark hull Valencia peanuts produced in the Southwest area shall be considered as different types for the purpose of establishing pools under this section. Net gains on peanuts in each pool, unless otherwise approved by the Secretary, shall be distributed only to producers who placed peanuts in the pool and shall be distributed in proportion to the value of the peanuts placed in the pool by each producer. Net gains for peanuts in each pool shall consist of (i) for quota peanuts, the net gains over and above the loan indebtedness and other costs or losses incurred on peanuts placed in such pool plus an amount from the pool for additional peanuts to the extent of the net gains from the sale for domestic food and related uses of additional peanuts in the pool for additional peanuts equal to any loss on disposition of all peanuts in the pool for quota peanuts and (ii) for additional peanuts, the net gains over and above the loan indebtedness and other costs or losses incurred on peanuts placed in the pool for additional peanuts less any amount allocated to offset any loss on the pool for quota peanuts as provided in clause (i) of this sentence. Notwithstanding any other provision of this section, any distribution of net gains on additional peanuts of any type to any producer shall be reduced to the extent of any loss by the Commodity Credit Corporation on quota peanuts of a different type placed under loan by the producer. Notwithstanding any other provision of this section, the proceeds due any producer from any pool shall be reduced by the amount of any loss that is incurred with respect to peanuts transferred from an additional loan pool to a quota loan pool under the provisions of section 358(s) (8) of the Agricultural Adjustment Act of 1938. In addition, losses in area quota pools, other than losses incurred as a result of transfers from additional loan pools to quota loan pools under section 358(s)(8) of the Agricultural Adjustment Act of 1938, shall be offset by gains or profits from pools in other production areas as determined by the Secretary.

"(4) Notwithstanding the foregoing provisions of this section or any other provision of law, no price support shall be made available by the Secretary for any crop of peanuts with respect to which poundage quotas have been disapproved by producers, as provided for in section 358(u) of the Agricultural Adjustment Act of 1938.".

REPORTS AND RECORDS

SEC. 206. Effective only for the 1986 through 1989 crops of peanuts, the first sentence of section 373a(a) of the Agricultural Adjustment Act of 1938 is amended by inserting immediately before "all brokers and dealers in peanuts" the following: "all farmers engaged in the production of peanuts,".

SUSPENSION OF CERTAIN PRICE SUPPORT PROVISIONS

SEC. 207. Section 101 of the Agricultural Act of 1949 shall not be applicable to the 1986 through 1989 crops of peanuts.

TITLE III—MISCELLANEOUS

ADVANCE PAYMENTS

SEC. 301. Effective only for the 1986 through 1989 crops of upland cotton, the Agricultural Act of 1949 is amended by adding after 107D as added by section 201 of this Act the following new section:

"ADVANCE PAYMENTS

"SEC. 107E. (a) If the Secretary establishes an acreage limitation program for any of the 1986 through 1989 crops of upland cotton under section 103(h)(9) and determines that deficiency payments will likely be made for such crop of upland cotton, the Secretary may make available advance defi-

ciency payments to producers who agree to participate in such program.

"(b) Advance deficiency payments under subsection (a) shall be made to the producer under the following terms and conditions:

"(1) Such payments shall be made available to producers as soon as practicable after the producer files a notice of intention to participate in such program.

"(2) Such payments shall be made available to producers in such amounts as the Secretary determines appropriate to encourage adequate participation in such program, except that such amount may not exceed an amount determined by multiplying (A) the estimated farm program acreage for the crop, (B) the farm program payment yield for the crop, by (C) 50 per centum of the projected payment rate, as determined by the Secretary.

"(3) In any case in which the deficiency payment payable to a producer for a crop, as finally determined by the Secretary under section 103(h)(3) is less than the amount paid to the producer as an advance deficiency payment for the crop under this section, the producer shall refund an amount equal to the difference between the amount advanced and the amount finally determined by the Secretary to be payable to the producer as a deficiency payment for the crop concerned.

"(4) If the Secretary determines under section 103(h)(3) that deficiency payments will not be made available to producers on a crop with respect to which advance deficiency payments already have been made under this section, the producers who received such advance payments shall refund such payments.

"(5) Any refund required under paragraph (3) or (4) shall be due at the end of the marketing year for the crop with respect to which such payments were made.

"(6) If a producer fails to comply with the requirements under the acreage limitation or set-aside program involved after obtaining an advance deficiency payment under this section, the producer shall repay immediately the amount of the advance, plus interest thereon in such amount as the Secretary shall prescribe by regulations.

"(c) The Secretary may issue such regulations as the Secretary determines necessary to carry out this section.

"(d) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

"(e) The authority provided in this section shall be in addition to, and not in place of, any authority granted to the Secretary or the Commodity Credit Corporation under any other provisions of law.".

NORMALLY PLANTED ACREAGE AND TARGET PRICES

SEC. 302. Section 1001 of the Food and Agriculture Act of 1977 is amended by striking out "1985" in each place that it appears in subsections (a) and (b) and inserting in lieu thereof "1989".

NORMAL SUPPLY

SEC. 303. Notwithstanding any other provision of law, if the Secretary of Agriculture determines that the supply of upland cotton for the marketing year for any of the 1986 through 1989 crops of upland cotton is not likely to be excessive and that program measures to reduce or control the planted acreage of the crop are not necessary, such a decision shall constitute a determination that the total supply of the commodity does not exceed the normal supply and no determination to the contrary shall be made by the Secretary with respect to such commodity for such marketing year.

APPLICATION OF TERMS IN THE AGRICULTURAL ACT OF 1949

SEC. 304. Effective only for the 1986 through 1989 crops of upland cotton, section 408(k) of the Agricultural Act of 1949 is amended to read as follows:

"REFERENCES TO TERMS MADE APPLICABLE TO UPLAND COTTON

"(k) References made in sections 402, 403, 406, 407, and 416 to the terms 'support price', 'level of support', and 'level of price support' shall be considered to apply as well to level of loans and purchases for upland cotton under this Act; and references made to the terms 'price support', 'price support operations', and 'price support program' in such sections and in section 401(a) shall be considered as applying as well to the loan and purchase operations for upland cotton under this Act.".

PAYMENT LIMITATIONS FOR UPLAND COTTON

SEC. 305. Notwithstanding any other provision of law:

(1) The total amount of payments (excluding disaster payments) that a person shall be entitled to receive under one or more of the annual programs established under the Agricultural Act of 1949 for upland cotton and extra long staple cotton shall not exceed $50,000 for each of the 1986 through 1989 crops.

(2) The total amount of disaster payments that a person shall be entitled to receive under the annual program established under the Agricultural Act of 1949 for upland cotton shall not exceed $100,000 for each of the 1986 through 1989 crops.

(3) The term "payments" as used in this section shall not include loans or purchases, or any part of any payment that is determined by the Secretary of Agriculture to represent compensation for resource adjustment (excluding land diversion payments) or public access for recreation.

(4) If the Secretary determines that the total amount of payments that will be earned by any person under the program in effect for any crop will be reduced under this section, any acreage requirement established under a set-aside or acreage limitation program for the farm or farms on which such person will be sharing in payments earned under such program shall be adjusted to such extent and in such manner as the Secretary determines will be fair and reasonable in relation to the amount of the payment reduction.

(5) The Secretary shall issue regulations defining the term "person" and prescribing such rules as the Secretary determines necessary to assure a fair and reasonable application of such limitation: *Provided*, That the provisions of this section that limit payments to any person shall not be applicable to lands owned by States, political subdivisions, or agencies thereof, so long as such lands are farmed primarily in the direct furtherance of a public function, as determined by the Secretary. The rules for determining whether corporations and their stockholders may be considered as separate persons shall be in accordance with the regulations issued by the Secretary on December 18, 1970, under section 101 of the Agricultural Act of 1970.

MULTIPLE COMMODITY PLANTINGS

SEC. 306. Notwithstanding any other provisions of law, if a producer on a farm has historically produced crops of two commodities on the same land in the same year, and if the producer has diverted an acreage on the farm from the production of one of such commodities in any year under an acreage reduction program administered by the Secretary of Agriculture, the Secretary shall permit such producer to plant a second crop of the other commodity for harvest in such year on the acreage diverted from production on the farm under such program.

By Mr. HEFLIN (for himself and Mr. DENTON):

S. 1037. A bill to relieve Alabama Christian College of the liability to pay certain sums owed to the United States; to the Committee on Labor and Human Resources.

RELIEF OF ALABAMA CHRISTIAN COLLEGE

Mr. HEFLIN. Mr. President, last year Senator DENTON and I introduced in the 98th Congress, S. 2528, a bill to relieve Alabama Christian College in Montgomery, AL, of the liability to pay certain sums owed to the U.S. Government. Unfortunately, the bill did not reach the floor of the Senate for a vote.

Today, I am joined again by my distinguished colleague, Senator JEREMIAH DENTON in reintroducing this legislation on behalf of Alabama Christian College in order to correct a situation which occurred through no fault of the school.

The legislation we are introducing today is not a request for current funds for Alabama Christian College and will in no way impact the fiscal year 1986 budget because the funds were allocated to Alabama Christian College from previous budgetary measures.

Mr. President, allow me to explain the problem regarding these student aid funds which were awarded to Alabama Christian College.

During academic years 1981–82 and 1982–83, several student aid grants were awarded to junior- and senior-year students at Alabama Christian College under title IV of the Higher Education Act of 1965. These funds were allocated to the school by the Department of Education under the assumption of eligibility and were accepted by Alabama Christian College in good faith. Alabama Christian College was fully accredited as a junior college by the Southern Association of Colleges and Schools.

However, during the transition period from junior to senior college status, certain U.S. Department of Education forms required by title IV of the Higher Education Act of 1965 were not received by the Department of Education from the school. The forms in question pertain to the eligibility of schools to participate in the student assistance program such as Pell grants, secondary educational opportunity grants, and the Guaranteed Student Loan Program. Since these papers were not received by the Department of Education to document

eligibility, the Department of Education advised officials of Alabama Christian College that the junior- and senior-year students were ineligible to receive such aid for the academic years 1981-82 and 1982-83. However, officials of Alabama Christian College were not advised that their junior and senior students were ineligible to receive the Federal financial assistance until June 16, 1982. By this time, the college officials had already awarded the grants to their students assuming they were authorized to do so inasmuch as the funds had been requested and drawn from the school's Federal cash account.

I want to emphasize, Mr. President, that these students were not determined to be ineligible until after they had completed the courses and the money had been extended.

Officials of the Department of Education and Alabama Christian College mutually admit to the omission of followthrough and misplaced eligibility documents and agree that the misplaced documents would have prevented the denial of eligibility to junior and senior students at Alabama Christian College. Officials of the Department of Education graciously went back as far as the regulations will allow and extended eligibility to Alabama Christian College to participate in the Federal Financial Assistance Program, but were unable to provide wide discretion of latitude in establishing institutional eligibility retroactively for academic years 1981-82 and 1982-83.

Alabama Christian College has now been fully accredited as a 4-year institution and has been cleared by the Department of Education to participate in the Student Financial Assistance Programs. However, due to eligibility questions which were raised back in 1982, the Department of Education is asking Alabama Christian College to repay funds given to its students under the Pell Grant Program, College Work-Study Program, national direct student loans, federally insured student loans, and Secondary Educational Opportunity Grants Program. The amount of this debt is $162,284.67 plus assessed interest.

The legislation we are introducing today would simply relieve Alabama Christian College of the liability to refund this money to the U.S. Government.

Alabama Christian College has rendered an outstanding contribution to higher education in Alabama. As a private institution, the school has been required to raise funds every year, above and beyond what tuition and fees generated in order to build its excellent and commendable record. Alabama Christian College is dedicated to the highest standards of academic excellence and integrity. Certainly, this institution is to be commended and assisted in every way for the outstanding work that it has done. Therefore, I am asking that Alabama Christian College be relieved of the imposed liability to repay the U.S. Government for funds which were inadvertently provided its junior and senior students for the academic years 1981-82 and 1982-83. The bill I am introducing today is the only avenue of relief for this outstanding Christian college. I urge the entire Congress to act quickly on this measure in order to remedy a situation which was created by an administrative misunderstanding.

● Mr. DENTON. Mr. President, it is a pleasure to join once again with my distinguished colleague from Alabama in introducing legislation to forgive Alabama Christian College from repayment of sums that it in good faith awarded to juniors and seniors through the three major student-aid programs.

Alabama Christian College was founded in 1942. It was accredited as a junior college in 1971. In 1981, the college moved to become a senior college by accepting its first junior class. It graduated its first senior class in May 1983.

A misunderstanding arose when the Department of Education did not receive notice of the establishment of the 4-year baccalaureate program at Alabama Christian College. In the meantime, however, the college had awarded Pell grant, national direct student loans, and federally insured loans to juniors and seniors who entered the 4-year program. Because of the lack of notification, the Department ruled that it had no authority to determine retroactively the schools eligibility for those programs.

Alabama Christian College is being held liable for $162,284.67, despite the fact that it is now a fully accredited 4-year institution. I hope that the Senate will act quickly on the bill to avoid the injustice that will ensure if that fine institution is forced to repay a large amount because of an administrative misunderstanding.●

By Mr. PACKWOOD (for himself and Mr. GOLDWATER):

S. 1038. A bill to promote the diversity and quality of radio and television programming by repealing the Fairness Doctrine and certain other program restrictions; to the Committee on Commerce, Science, and Transportation.

FREEDOM OF EXPRESSION ACT

● Mr. PACKWOOD. Mr. President, today I am reintroducing legislation in the U.S. Senate to repeal the content doctrines imposed on the electronic media by the Communications Act of 1934 and subsequent amendments. These regulations allow the Federal Communications Commission, through the so-called Fairness Doctrine, and the Equal Opportunities, Reasonable Access, and Lowest Unit Charge rules to influence news and editorial policy of broadcasters.

When I originally introduced this bill in 1983, I said the fight for its passage would not be an easy one. I said it might well take 5 to 10 years. But no matter how long it takes, I will continue to press the fight for our Founders' dream of a free marketplace of ideas. Expression cannot be free when the government assumes for itself, or is granted, the power to regulate it, whether such power is wielded in the name of technological necessity, or for any other reason. Madison and Jefferson's free marketplace of ideas requires that we end regulation of broadcast expression.

Our Founders felt so keenly about freedom of expression that they extended it to all means of communication known at the time they adopted the first amendment in 1791—speech and press. We need not doubt, however, that had there been other means of expression known at the time, they too would have received equal protection.

Our Founders added the first amendment to the Constitution when there were only 8 daily and 26 weekly newspapers. They were not concerned with scarcity. They were concerned with the injustices we suffered at the hands of the British Crown which had limited our rights of free expression. The press, whether good or bad, had to be free if it was to operate as an effective check on the abuses of government. To place limits on free expression of the electronic press not only violates the spirit and intent of the Founders, it courts tyranny.

About 200 years ago, Thomas Jefferson wrote:

> I am not an advocate for frequent changes in laws and constitutions. But laws and institutions must go hand in hand with the progress of the human mind • • • as new discoveries are made (and) • • • with the change of circumstances, institutions must advance to keep pace with the times.

Such a time for change is upon us.

Since the introduction of the Freedom of Expression Act in October 1983, there have been a number of significant developments which give strength to the arguments supporting repeal of the FCC's content restrictions. The U.S. Supreme Court, in two carefully worded footnotes to its FCC against League of Women Voters of California decision, indicated a willingness to reexamine the validity of the scarcity rationale which underlies all of the FCC's content controls, and a readiness to reinvestigate the possibility that the Fairness Doctrine has a "chilling effect" on protected rights of free expression. On the constitutionality of the content restrictions, the Court stated:

> As we recognized in Red Lion • • • were it shown by the Commission that the Fairness

Doctrine "has the effect of reducing rather than enhancing" speech, we would be forced to reconsider the constitutional basis of our decision in that case.

The invitation to overrule Red Lion has been issued, and the ushering in of a new era of free expression is not far away. When the Court decides to get the Government out of the business of regulating the content of electronic communications, it no doubt will take judicial notice of two other significant events I alluded to earlier.

In January and February 1984, the Commerce Committee held 3 days of hearings which elicited testimony from broadcasters, cable companies, public interest groups, labor unions, telecommunications experts, trade associations, constitutional scholars, and others regarding the efficacy, validity, and constitutionality of the FCC's content controls. I urge my colleagues to read the testimony of the small, local broadcasters who referred to the Fairness Doctrine as the "Fearness Doctrine" because of the ease with which it is used to harass and intimidate them. I also urge my colleagues to read the testimony of the telecommunications experts who emphasized that there are effectively no technological limitations on the use of the electromagnetic spectrum.

Subsequent to the Commerce Committee hearings, the Federal Communications Commission initiated an inquiry into the general Fairness Doctrine obligations of broadcasters. The Commission received volumes of evidence and also held 2 days of en banc hearings which provided a forum for communications experts to express their views. The Commission has already recommended to Congress that the Fairness Doctrine be repealed, and it is likely that the inquiry will add strength and support to that recommendation. Furthermore, it has come to my attention that the licensee of a television station in Syracuse, NY, cited for violating the Fairness Doctrine because of a series of issue advertisements run on behalf of the Energy Association of New York, filed formal papers with the Commission recently which challenge the constitutionality of the doctrine.

Clearly, the evidence elicited at the Commerce Committee hearings and the evidence and findings set forth in the Commission's Notice of Inquiry help provide the documented proof that the Supreme Court requested in the League of Women Voters case: The Fairness Doctrine discourages debate on public issues; it is an unconstitutional abridgement of free speech and repeal is merited for that reason alone. In carrying the banner for free expression, the Syracuse television station may help free all broadcasters from the shackles of second-class citizenship by laying the legal groundwork for repeal.

This cause is a just one. No matter what attacks are made on the press, the print and electronic media stand as the only effective check against the abuses of government. That's why it is time we returned to the vision of the Founders, not only to insure better services and more information for consumers, but to guarantee a lively discussion of issues and a revitalization of our electoral process.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1038

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Freedom of Expression Act of 1985".

PURPOSE

SEC. 2. The purpose of this Act is to extend to the electronic media the full protection of the First Amendment guarantees of free speech and free press.

AMENDMENTS TO THE COMMUNICATIONS ACT OF 1934

SEC. 3. The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(1) in section 312(a), by—

(A) inserting "or" at the end of paragraph (5);

(B) striking "; or" at the end of paragraph (6) and inserting in lieu thereof a period; and

(C) striking paragraph (7);

(2) by repealing section 315; and

(3) by amending section 326 to read as follows:

"SEC. 326. Nothing in this Act shall be construed to give the Commission the power to—

"(1) censor any communication; or

"(2) promulgate any regulation or fix any condition which shall interfere with the right of free speech, including any requirement of an opportunity to be afforded for the presentation of any view on an issue.".

SEC. 4. Nothing in this Act shall be construed to modify any authority of the Federal Communications Commission under the Communication Act of 1934 (47 U.S.C. 151 et seq.) with respect to the broadcasting of obscene, indecent, or profane language, or to preclude the Commission from exercising any such authority.●

By Mr. CRANSTON:

S. 1039. A bill entitled the "Ocean Inceneration Research Act of 1985"; to the Committee on Environment and Public Works.

OCEAN INCINERATION RESEARCH ACT

Mr. CRANSTON. Mr. President, for decades we have allowed chemical companies to dump incalculable quantities of toxic wastes across America.

We never asked the questions we are asking today.

The result of our neglect has been contaminated drinking water and poisoned land in thousands of neighborhoods throughout our country.

We're now trying to clean up these dumps and prevent new ones from doing any more damage to our communities. But for those who have been poisoned, our questions about toxics came too late.

Today we have a chance to prevent possible tragedy before it's too late. We have an opportunity to ask the necessary questions about health and safety before we rush to begin burning liquid hazardous waste in the ocean.

Despite the many mysteries about the effects of incinerating poisonous chemicals at sea, the Environmental Protection Agency proposed regulations to move ahead with ocean incineration—even before EPA's own incineration study was complete.

Today I am introducing legislation that will compel the Environmental Protection Agency to look before it leaps into this potentially dangerous endeavor.

EPA's own Science Advisory Board is warning that there are numerous scientific and technical uncertainties about ocean incineration. In a newly released April 1985 report on incineration of hazardous waste, the Science Advisory Board concludes that "the existing base of information is insufficient to make a definitive statement about its environmental impacts." Throughout the report, the Board recommends additional studies.

The legislation I am introducing today echoes this advice. The bill, which has been introduced in the House by Congresswoman BOXER, calls for a moratorium on ocean incineration until the potential dangers to the environment are studied, and the mysteries about its impact on our health are cleared up. The bill directs the Office of Technology Assessment to prepare a comprehensive report to Congress and to the EPA on the potential dangers to the environment of ocean incineration. It also directs EPA to issue its final regulations on ocean incineration based on the OTA's findings. The OTA would have 3 years to complete its study, during which time, permits for ocean incineration would not be issued.

I am aware that OTA is currently engaged in a 2-year study of ocean dumping, due to be completed in mid-1986, which covers aspects of ocean incineration.

I am also aware that there is concern that OTA may not be the appropriate agency to conduct such a comprehensive study as I am proposing. I would be happy to deal with these questions in congressional hearings.

But I am unwaivering in my intention to make absolutely certain that we get to the bottom of some fundamental questions before EPA rushes to begin ocean incineration of liquid toxic waste.

We must know what will be rising from the smoke stacks off our shores. The Science Advisory Board tells us

that EPA's emissions monitoring programs are inadequate.

We must know—will incineration completely destroy the poisons? Will it leave some behind? Or will combustion produce new poisons?

We must know—if a liquid waste spill happens at sea can it be cleaned up?

Right now we don't have a sure way to clean up potential spills of liquid toxic waste in the ocean, and EPA's proposed regulations do not adequately address the problem.

And we must know—how do these risks of ocean incineration compare to other methods of hazardous waste disposal?

We don't know.

That's the point. The answers to these questions are critical if we are to avoid yet another environmental catastrophe.

With additional research, ocean incineration may prove to be a valuable part of our Nation's program to dispose of hazardous chemicals.

In the meantime, we are coping with toxics on land through storage facilities, surface impoundments, and newer treatment technologies. We shouldn't burn poison in the ocean if we don't know the consequences.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1039

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 of Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1414) is amended by adding at the end thereof the following new subsection:

"(j)(1) Except for such research burns as the Office of Technology Assessment may determine to be necessary, the Administrator may not issue a permit under this title that authorizes the incineration at sea of hazardous waste after the effective date of this subsection and before—

"(A) the report required under paragraph (2), and the plan required under paragraph (3), are submitted to the Congress; and

"(B) the Administrator, after taking into account the information and data resulting from the report and plan referred to in subparagraph (A)—

"(i) issues final regulations regarding the issuance of permits authorizing the at sea incineration of hazardous waste; and

"(ii) submits to Congress recommendations for legislation that will ensure that operators and owners of incineration vessels, as well as manufacturers, users, and disposers of chemicals proposed for incineration at sea, will be fully liable and able to pay for—

"(I) any damage caused by the accidental or intentional release of those chemicals or their by-products into the environment; and

"(II) the cost of any clean-up effort undertaken by any public or private entity.

"(2) The Administrator shall contract with the Office of Technology Assessment for the preparation by it, not later than the third anniversary of the effective date of this subsection, of a hazardous waste reduction and management feasibility report which shall include, but not be limited to—

"(A) a complete descriptive survey of hazardous waste streams, including types and volumes of waste generated and geographical distribution by waste types;

"(B) a complete descriptive survey, and comparison, of the kinds and capacity of traditionally-used land and sea-based hazardous waste storage, treatment, and disposal technologies;

"(C) a complete descriptive survey of the kinds and capacity of alternative, existing, and developing land-based technologies (including physical, chemical and biological treatment technologies) and a comprehensive analysis of these technologies and their environmental and human health impacts;

"(D) a complete descriptive survey of existing and developing hazardous waste reduction technologies for specific waste types;

"(E) an assessment of releases into the environment of wastes and waste-derived materials from all phases of each waste management process;

"(F) a comprehensive analysis of the impact of at sea incineration on human health and the marine environment, including, but not limited to—

"(i) the assimilative capacity of waters in the vicinity of prospective incineration burn sites,

"(ii) the identification and quantification of chemicals released into the environment, including their physical form and characteristics,

"(iii) the determination of actual emissions and effluents of an incinerator into the environment, assessing the total mass loadings to the environment under all conditions of incineration,

"(iv) validation on sampling and analytical methodologies for measurements of emissions from hazardous waste incinerators, including recommendations for appropriate standards of combustion and destruction efficiency, the efficacy of the Principal Organic Hazardous Constituents (POHC)—Index of Incinerability and effective monitoring systems,

"(v) the biotoxicity of representative emissions and effluents from incinerators, including bioassays on collected and concentrated stack emissions,

"(vi) the movement of chemical emissions from incineration through the environment, incorporating an analysis of the role of micro-layers, for the purpose of determining exposure durations and concentrations and effects of behavior of exposed organisms with particular attention to the role of food webs,

"(vii) the long-term effect of such incineration emissions on air, water, and biota in the marine environment,

"(viii) the efficiency of land versus sea-based incinerators inlight of eratic ship movement due to marine conditions and other variables, and

"(ix) worst case analyses of catastrophic spillage of the full spectrum of compounds likely to be jettisoned from a full ship rupture in the open ocean or in a bay area, considering the probability of a spill, the movement, dispersion, and degradation of the spilled material, the impacts on biological species, and the effects on beaches, air and sediments, using theroetically possible worst case conditions;

"(G) epidemiological studies on the effect of such incineration emissions on human health; and

"(H) a comprehensive analysis of the transportation impacts for the land or barge transport of the hazardous wastes to the loading site for ocean incineration, including but not limited to—

"(i) health and safety risks,

"(ii) identification and designation of safest routes and modes of transport,

"(iii) adequacy of available transport containers and vehicles,

"(iv) accident probabilities,

"(v) adequacy of emergency response capabilities, and

"(vi) adequacy of information available to public officials on contents of hazardous waste shipping containers, routing of shipments, and recommended emergency response procedures.

"(3)(A) The Administrator shall prepare and submit to the Congress, not later than 3 years after receiving the report required under paragraph (2), a hazardous waste reduction and management plan which shall include recommendations, formulated after taking into account the comments of environmental and industry representatives for—

"(i) a comprehensive plan to reduce, recycle, reuse, treat, and destroy hazardous waste in an environmentally sound manner;

"(ii) coordinating consultation and action among the appropriate Federal agencies regarding major spills of hazardous waste in port, in transit, and during incineration at sea; and

"(iii) legislation that will provide incentives to encourage and promote the expeditious development of environmentally sound hazardous waste reduction technologies and environmentally sound treatment technologies.

"(B)(i) The Administrator shall—

"(I) before commencing preparation of the plan required under this paragraph, hold public hearing on, and invite written public comment regarding, areas of public concern to be addressed in the plan;

"(II) before preparing the final version of the plan, make a preliminary draft of the plan available to the public and hold public hearings on, and invite public comment regarding, that draft; and

"(III) after preparing a final version of the plan (but before submitting it to the Congress), make the plan available to the public and invite written public comment regarding the plan.

"(ii) When the hazardous waste reduction and management plan is submitted to the Congress under subparagraph (A), the Administrator shall also submit to the Congress the transcripts of all public hearings held under clause (i), together with a written response by the Environmental Protection Agency to each public comment, whether arising at a public hearing or submitted in writing, made under clause (i) at each stage of the preparation of the plan.

"(4) For purposes of this subsection, the term 'hazardous waste' means a solid or liquid waste, or combination of solid wastes, which because of its quantity, concentrations, or physical, chemical, or infectious characteristics may—

"(A) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness;

"(B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed; or

"(C) bioaccumulate in the marine environment or whose breakdown or transformation products will bioaccumulate in the marine environment.".

SEC. 2. There are authorized to be appropriated to the Environmental Protection Agency such sums as may be necessary to carry out subsection (j) (2) and (3) of section 104 of the Marine Protection, Research, and Sanctuaries Act of 1972 (as added by the first section of this Act), and those sums shall remain available until expended.

SEC. 3. This Act shall take effect October 1, 1985.

By Mr. COCHRAN (for himself and Mr. PRYOR):

S. 1040. A bill to provide emergency assistance to promote the marketing and sales of agricultural commodities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

EMERGENCY AGRICULTURAL MARKETING AND SALES ACT

● Mr. COCHRAN. Mr. President, I am today introducing "The Emergency Agricultural Marketing and Sales Act of 1985," a bill to provide immediate assistance to promote the marketing and sales of U.S. agricultural commodities.

I am very pleased to have Senator PRYOR join in the introduction of this bill as an original cosponsor.

On April 3, I introduced the Farm and Market Recovery Act of 1985 (S. 843), a bill to establish a new direction for the next generation of Federal farm policy. The provisions in S. 843 were taken from the comments and suggestions of literally hundreds of witnesses who have shared with the Agriculture Committee their views on ways to provide relief and stability for the financially stressed agricultural industry in the short run and assure a solid recovery for the long run. S. 843 will effectively address the dual problems of the current agricultural economy;

First, financial distress in the production sector, and,

Second, continued erosion of both domestic and international markets.

Both problems are perceived to be price related. Farmers need higher prices to yield an adequate return to capital and labor, but lower effective prices are needed to be competitive in the markets.

Mr. President, the trade title and the marketing loan provision contained in S. 843 will accomplish this dual objective. What this new bill does is to split out the provisions in S. 843 that are critical ingredients to an effective marketing and sales policy for separate and immediate consideration.

The marketing loan provision will solve both problems currently depressing the agricultural economy effectively and efficiently without necessarily reducing the size of the industry. By providing for the discounting of the regular CCC nonrecourse loan, the cornerstone in farm policy for many years, an adequate safety net of financial stability can be maintained for farmers while both domestic and international customers are offered U.S. commodities at competitive prices. This is a worthwhile public policy objective because maintaining an economically healthy and expanding agricultural industry is an effective way of sustaining the Nation's economic recovery.

U.S. agriculture's maximum economic potential must be captured. Although agriculture nationally accounts for one-fifth of employment, one-fourth of trade, and one-fifth of gross national product, it has not shared proportionally in the economic recovery that has occurred to date. As a result, financial stress has increased throughout the industry.

An important factor associated with the economic health of agriculture is the level of exports. Since exports account for over half of the sales of cotton, rice, soybeans, wheat, and feedgrains, it is no surprise that loss of market share, as experienced in the last few years, has significantly contributed to a depressed agriculture economy: Accumulating stocks, declining commodity prices and farm income, and increasing Federal program cost.

This description is an accurate analysis of the current state of the farm economy. U.S. exports have declined almost continuously from the high point of approximately $43.8 billion in 1981. Unfortunately, the future prospects for exports look bleak, unless policy changes are made immediately. I heard repeatedly from farm groups during hearings on the 1985 farm bill that exports are down and continue to deteriorate. This is borne out by the continued reduction in USDA's estimates for aggregate agricultural exports for this year. In December, USDA estimated that farm exports this year would total $36.5 billion. In February, the estimate was lowered to $35.5 billion. And, in March, the estimate was lowered another billion to $34.5. If the $34.5 billion estimate is the final result, it will be the lowest level since 1979 and will be a 21-percent decline in total exports from the high point in 1981. But, based on current comments from commodity traders, the estimate of total trade is very likely to be adjusted downward again.

For specific commodities the impact is even more drastic. I refer my colleagues to table 1 which will follow my statement. Based on export sales data, wheat and wheat products are 44 percent below last year and 46 percent below the previous 5 year average. Corn exports are 26 percent below last year, and 33 percent below the previous 5 year average. Soybean exports are 37 percent below last year, and 45 percent below the previous 5 year average. Cotton exports are 20 percent below last year, and 16 percent below the previous 5 year average.

This alarming trend in exports must be turned around in order to improve the financial stability and outlook of the U.S. agricultural industry. Also, the current trend must be changed for agriculture to continue to make a significant positive contribution to the Nation's trade balance. The current high national trade deficit has a depressing effect on the U.S. economy by holding industrial output down and unemployment up. A record trade deficit of $123.3 billion was registered in 1984, but the deficit for the first quarter of this year is running at an even higher annual rate—$131 billion as estimated by the Commerce Department

The reasons cited by the Department of Agriculture for the downward adjustments in U.S. agricultural exports are factors external to the industry. Factors most frequently listed are:

First, a dollar exchange rate that has, in effect, added a 35-percent tax on U.S. farm products to foreign customers and a 35-percent discount on foreign products coming into this country;

Second, Government administered prices that are set at levels to take our markets; and

Third, export subsidies by foreign competitors.

The impact of the high dollar value on U.S. trade is now so great that Paul Volcker recently said, "The exchange rate today is too important an economic variable to ignore in our policymaking."

There are many complaints lodged against current farm policy. However, the single most important area of concern for U.S. agricultural policy, if it is now and intends to remain a global industry, is maintaining and expanding market share based on our real production and distribution economic advantages. To ensure this objective, U.S. agricultural policy must be designed and administered to react in a timely and effective way to the needs, conditions, and characteristics of all markets, domestic as well as international.

Mr. President, in light of the current data and estimates of a disastrous rate of deterioration in U.S. agricultural exports, I believe, immediate action is necessary. Any relief that can be provided for some commodities in the 1985 farm bill is as much as a year or more away. That is too long to wait—assistance is needed now. I worry that serious and permanent loss of additional markets will occur without such assistance. This bill, the Emergency Agricultural Marketing and Sales Act of 1985, provides the tools and the flexibility needed to adjust to and be competitive in global markets. These changes are necessary for the near term economic recovery and the long-

term stability and growth of U.S. agriculture.

Mr. President, I encourage my colleagues to join us in support of this bill.

Mr. President, I ask unanimous consent that an accompanying table, a summary outline and the bill be included in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE I.—WEEKLY EXPORT PERFORMANCE INDICATORS BASED ON EXPORT SALES REPORTING DATA AS OF MARCH 21, 1985

[1,000 metric tons, except cotton]

Commodity/marketing year	Wheat and products	Corn	Soybeans	Soybean cake and meal	Cotton (1,000 running bales)
No. of weeks	42	25	29	25	33
Outstanding sales:					
5-year average	6,455	12,463	4,038	1,113	2,355
1982-1983	6,712	11,101	4,138	914	2,044
1983-1984	6,207	11,300	3,535	797	2,480
1984-1985	3,461	8,343	2,220	553	1,987
Change from previous year (percent)	−44	−26	−37	−31	−20
Change from 5-year average (percent)	−46	−33	−45	−50	−16

Source: U.S. Export Sales, Foreign Agricultural Service, U.S. Department of Agriculture.

S. 1040

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That this Act may be cited as the "Emergency Agricultural Marketing and Sales Act of 1985".

EXPANSION OF MARKETS FOR UNITED STATES AGRICULTURAL COMMODITIES AND PRODUCTS

SEC. 2. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall formulate and carry out a program under which agricultural commodities, including but not limited to wheat, feed grains, upland cotton, rice, and soybeans, and products thereof acquired by the Commodity Credit Corporation, are provided to United States exporters and users and foreign purchasers at no cost to encourage the development, maintenance, and expansion of export markets for United States agricultural commodities and products thereof.

(b) In carrying out the program authorized by this section, the Secretary of Agriculture—

(1) shall take such action as may be necessary to ensure that the program provides equal treatment to domestic and foreign purchasers and users of United States agricultural commodities and products thereof in any case in which the importation of a manufactured product made, in whole or in part, from a commodity or product thereof made available for export under this section would place domestic users of the commodity or product thereof at a competitive disadvantage;

(2) shall, to the extent that agricultural commodities and products thereof are to be provided to foreign purchasers during any fiscal year, consider for participation all interested foreign purchasers, giving priority to those who have traditionally purchased United States agricultural commodities and products thereof and who continue to purchase such commodities and products thereof on an annual basis in quantities greater than the level of purchases in a previous representative period;

(3) shall ensure, insofar as possible, that any use of agricultural comodities or products thereof made available under this section be made in such manner as to encourage increased use and avoid displacing usual marketings of United States agricultural commodities and products thereof; and

(4) shall take reasonable precautions to prevent the resale or transshipment to other countries, or use for other than domestic use in the importing country, of agricultural commodities or products thereof made available under this section.

(c) If a foreign purchaser sells in the importing country agricultural commodities or products thereof received from the Secretary of Agriculture, under the authority of this section, and uses the receipts from the sale of such commodities or products thereof for the construction or rehabilitation of facilities in the importing country to improve the handling, marketing, processing, storage, or distribution of United States agricultural commodities or products thereof in such importing country, such purchaser shall be eligible to receive supplemental distributions of agricultural commodities or products thereof under this section. Supplemental distributions under this section shall be made with such commodities or products thereof, at such intervals, and in such amounts as the Secretary determines appropriate taking into account the extent to which facility improvements have been made, the capability of the importing country to distribute or otherwise use additional commodities or products thereof, and such other factors as determined appropriate by the Secretary that are consistent with the purposes of this section.

(d) The Secretary of Agriculture shall carry out the program authorized by this section through the Commodity Credit Corporation.

(e) The Secretary of Agriculture may issue such regulations as the Secretary deems necessary to carry out this section.

(f) The authority provided in this section shall be in addition to, and not in place of, any authority granted to the Secretary of Agriculture or the Commodity Credit Corporation under any other provision of law.

INTERMEDIATE EXPORT CREDIT

SEC. 3. Section 4(b) of the Food for Peace Act of 1966 (7 U.S.C. 1707a(b)) is amended—

(1) by adding at the end of paragraph (1) the following new sentence: "In addition, the Corporation may guarantee the repayment of loans made to finance such sales.";

(2) by inserting ", and no loan may be guaranteed," after "financed" in paragraph (2);

(3) in paragraph (3)—

(A) by inserting "or guarantees" after "financing";

(B) by striking out "and" at the end of subparagraph (C);

(C) by striking out "credit" in subparagraph (D);

(D) by striking out the period at the end of subparagraph (D) and inserting in lieu thereof "; and"; and

(E) by adding at the end thereof the following new subparagraph:

"(E) to finance the importation of agricultural commodities by developing nations for use in meeting their food needs.";

(4) by striking out paragraph (4) and redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively;

(5) in paragraph (4) (as redesignated by paragraph (4) of this section)—

(A) by inserting "(A)" after the paragraph designation;

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(C) by amending clause (i) (as redesignated) to read as follows:

"(i) Repayment shall be in dollars with interest at a rate determined by the Secretary,"; and

(D) by adding at the end thereof the following new subparagraph:

"(B) Contracts of guarantee under this subsection shall contain such terms and conditions as the Commodity Credit Corporation shall determine.";

(6) by inserting "or guarantees" after "financing" in paragraph (5) (as redesignated by paragraph (4) of this section);

(7) in paragraph (6) (as redesignated by paragraph (4) of this section)—

(A) by inserting "or guarantee" after "finance" each place it appears; and

(B) by inserting "or guarantee" after "financing" in subparagraph (B);

(8) by inserting "or guaranteed" after "financed" in paragraph (7) (as redesignated by paragraph (4) of this section); and

(9) by inserting at the end thereof the following new paragraph:

"(9) For purposes of financing or guaranteeing export sales under this subsection, to the extent practicable, no less than $500,000,000 for each of the fiscal years ending September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988.".

EXPORT CREDIT SALES AND CREDIT GUARANTEES

SEC. 4. Section 4 of the Food for Peace Act of 1966 (7 U.S.C. 1707a) is amended by adding at the end thereof the following new subsection:

"(e)(1) If a country does not meet the financial qualifications for export credit or credit guarantees provided by the Commodity Credit Corporation under this section, the Secretary of Agriculture may provide to such country commodities acquired by the Corporation through price support operations and products thereof to the extent necessary to reduce the cost to such country of purchasing United States agricultural commodities and to allow such country to meet such qualifications.

"(2) The Secretary shall review and adjust annually the amount of commodities provided to a country under paragraph (1) in order to encourage such country to place greater reliance on increased use of commercial trade to meet the qualifications referred to in paragraph (1).".

EXPANDED DONATION OF AGRICULTURAL COMMODITIES

SEC. 5. Section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)) is amended by striking out "wheat" each place it appears in the first, third, and eighth sentences and inserting in lieu thereof "other agricultural commodities and products thereof".

REPAYMENT OF AGRICULTURAL COMMODITY LOANS

SEC. 6. (a) Notwithstanding any other provision of law, in the case of a loan made to a producer for any of the 1981 through 1985 crops of wheat, feed grains, upland cotton,

or rice under section 107B(a), 105B(a), 103(g)(1), or 101(i)(1) of the Agricultural Act of 1949 (7 U.S.C. 1445b-1(a), 1444d(a), 1444(g)(1), or 1441(i)(1)), respectively, which is outstanding on the date of enactment of this Act, such producer may repay such loan for such crop at a level which is the lesser of—

(1) the original loan rate established for such crop; or

(2) such loan rate as the Secretary determines will—

(A) minimize the number of loan forfeitures;

(B) not result in excessive total stocks of such commodity;

(C) reduce the costs incurred by the Federal Government in storing such commodity; and

(D) maintain the competitiveness of such commodity in domestic and export markets.

(b) Notwithstanding any other provision of law, as used in section 1101 of the Agriculture and Food Act of 1981 (7 U.S.C. 1308), the term "payments" does not include any gain realized by a producer from repaying a loan at the lesser of the original loan rate or a loan rate determined by the Secretary of Agriculture.

BASIC OUTLINE OF THE PROPOSED BILL "THE EMERGENCY AGRICULTURAL MARKETING AND SALES ACT OF 1985"

Provides near-term assistance through expanded marketing and sales programs effective immediately upon enactment to help U.S. agriculture to compete more effectively, including:

(a) Market bonus plan.—Requires Secretary to make available additional stocks of CCC-owned commodities to domestic or foreign purchasers in order to expand markets and help counter unfair trade practices and subsidies, as well as address problems relating to the over-valued dollars;

(b) Aid to trade plan.—Requires Secretary in cases where country may not meet financial requirements to qualify for export credit or guarantees to make available CCC-owned stocks to reduce the cost of such commodities and to enable that country to qualify for such loans or guarantees;

(c) Expanded donation authority.—Expands existing Section 416 authority relating to dairy and wheat to include all CCC-owned commodities.

(d) Expands export credit by authorizing intermediate export credit program providing guarantees on terms 3-10 years to encourage additional sales of U.S. agricultural commodities as well as value-added products.

(e) Establishes marketing loan which would require Secretary to reduce or otherwise allow producers to repay their regular CCC price-support loans at the original level or at such level as necessary to (1) minimize potential loan forfeitures, (2) prevent accumulation of government stocks, (3) reduce government cost of storing such commodities, and (4) allow such commodities to be marketed freely and competitively, both domestically and internationally.●

● Mr. PRYOR. Mr. President, today—with my colleague, Senator COCHRAN, from Mississippi—I am introducing the Emergency Agricultural Marketing and Sales Act of 1985. This bill is the framework around which a 1985 farm program can be developed.

In 1985, the Congress has the responsibility of rewriting a new farm program that addresses the problems now facing our agricultural industry. We have spent hours in debate on the floor and even more in the Senate Agriculture Committee on the crisis in American agriculture. This crisis, Mr. President, is real. And the Congress has to develop a sound, cost-effective program that returns profit back to our farmers' vocabulary while redefining the proper role for Government in today's farm program.

Our primary goal should be to enhance farm income. Many agree that to do this, we must be price-competitive in international markets. While we all believe strongly in fair trade, we must also admit that trade has not been fair. And because of this—and other such factors as a high dollar, cargo preference laws, and poor trading negotiations—our agricultural exports continue to deteriorate.

Last year, we exported $38 billion in agricultural exports. On December 3, USDA estimated agricultural exports this year to be $36.5 billion. On February 20, the estimate was lowered to $35.5 billion. And on March 12, it was further lowered to $34.5 billion.

Mr. President, we are not competitive today. And because of this, we are a residual supplier to these international markets. Even worse, we have not given our farmers the necessary tools to make them competitive—or given them the support that amounts to anything more than rhetoric. They are the most efficient and productive sector in the world economy today. Yet America's farmers are economic slaves, shackled by poor Government policy and decisions.

This bill, the Emergency Agricultural Marketing and Sales Act of 1985, begins the removal of these shackles. It allows the farmer to enter international markets and be competitive. It provides a framework for competition while being cost-efficient to the taxpayer. It will increase exports. And it provides additional credit for foreign purchasers, expanded donation authority under section 416, and a market bonus plan. Under this plan, the Secretary of Agriculture will be required to make available additional stocks of CCC-owned commodities to domestic and foreign purchasers in order to expand our markets and help counter unfair trade practices and subsidies.

In addition, this bill provides an innovative concept that no longer allows for our loan program to set the floor for world commodity prices. This concept, called, a "marketing loan," would require the Secretary of Agriculture to allow our producers to repay their regular Commodity Credit Corporation price support loans at the lower of the original level as set by Congress—or at the world market price for that particular commodity. It is therefore different from our current system of loans, which must be repaid in full or else the commodity is forfeited to the Government.

Mr. President, this program is not only cost-efficient, but, compared to current programs, it would also be a savings. Today's programs lead to a Government takeover of surplus stocks that are difficult to dipose of and costly to store. The cost of acquiring and storing these stocks is greater to the taxpayer than simply discounting the amount of loan repayment. Thus the marketing loan avoids costly Government takeovers.

This plan fully meets the basic intent of all farm programs to provide "safety-net" protection. Farmers would receive the protection of the initial congressionally-set loan level, plus whatever target price is in place.

If market prices go down, farmers would still have the assurance of the loan value which provides a certain minimum safety net to provide needed cash flow. The current elements of farm-owned reserves, deficiency payments, and so forth, could be retained and used in various combinations. It is also my intention that this program of "marketing loans" would not have a payment limitation in keeping with past farm programs where such limitations have never applied to loan proceeds.

Senator COCHRAN and I believe that making the farmer a loan and then allowing that loan to be repaid at world market prices is a much more effective way to provide support to our farmers. In other words, when the supply and demand conditions are such that the market prices are below the loan rate, the farmer would be allowed to repay the loan at that level and is then free to market his crops as he sees fit.

Mr. President, this program is designed to work hand-in-hand with any farm program proposal now or in the future. It can be the starting point for making our farmers once again competitive and a force in world markets. It can also start a market-oriented agriculture that allows our farmers to get a profitable price from the market place and not from Government price-support programs.

Mr. President, I ask unanimous consent that an example of how it would work, be included in the RECORD at this point.

There being no objection, the example was ordered to be printed in the RECORD, as follows:

THE MARKETING LOAN: FARM SUPPORT IN A COMPETITIVE WORLD MARKET

Objective: Retain necessary economic support for farmers in a cost-effective way for taxpayers while allowing U.S. farm products to be competitive in world markets.

HOW TO MEET THE CHALLENGE?

The American farmer—and all of agriculture—is facing economic stress as exports fall. World markets are distorted by the strong dollar and unfair foreign trade practices. How do we allow U.S. farm products to

be priced competitively, without asking farmers to bear the entire burden of adverse macroeconomic conditions and competition from foreign governments?

THE MARKETING LOAN

Consider the following program change:

1. Make the farmer a marketing loan at harvest.

2. Allow that loan to be paid back at the loan level or the world market price whichever is lower.

Such a system would:

Protect the farmer. He is assured the initial value of the loan and has the flexibility to repay at the discounted level.

Assist the exporter. He can acquire the commodity from the farmer and sell it at competitive world price levels without interference from the government support program.

Benefit the user. Processors and consumers would have access to the commodities at market price levels.

Reduce government costs. There would be less need for costly programs to store and maintain government held surpluses.

What are the choices a farmer has with the marketing loan?

Basically, three. Here are some examples:

1. *Settle and sell at settlement price:*

Under this situation the farmer would get a loan of $4.00 per unit and settle with USDA at $3.70. If he immediately sold at $3.70, he would be guaranteed the $4.00.

Loan: $4.00. Pay back: $3.70. Gain at settlement: +30 cents. Sale price of the commodity: +$3.70.

Realized price: $4.00.

2. *Settle and hold with price going up to $3.90:*

Under this situation the farmer would get a loan of $4.00 and settle at $3.70 per unit. If he holds and the price goes to $3.90, the following is the realized price.

Loan: $4.00. Pay back: $3.70. Gain at settlement: +30 cents. Sale price of the commodity: +$3.90.

Realized price: $4.20.

3. *Settle and hold with price going up to $3.50:*

Under this situation the farmer would get a loan of $4.00 and settle at $3.70 per unit. If he holds and the price goes to $3.50, the following would be the realized price.

Loan: $4.00. Pay back: $3.70. Gain at settlement: +30 cents. Sale price of the commodity: +$3.50.

Realized price: $3.80.

These examples illustrate that under the program outlined above a farmer would be assured a support level but the option is still available for him to consider a marketing strategy. In other words, he can make money above the loan with good marketing. Of course, poor marketing could result in a realized price below the loan.

By Mr. BOSCHWITZ (for himself and Mr. BOREN):

S. 1041. A bill to support and stabilize farm income and provide an orderly transition to a market-oriented agricultural economy; to the Committee on Agriculture, Nutrition, and Forestry.

FAMILY FARM PROTECTION AND FULL PRODUCTION ACT

● Mr. BOSCHWITZ. Mr. President, today my distinguished colleague from Oklahoma, Senator BOREN and I, in a bipartisan effort, are introducing the Family Farm Protection and Full Production Act of 1985. Our choice of title for this important bill is no accident. The title, in a few words, states what this body must address in deciding the direction of farm policy for the remainder of this decade. The conditions we now confront in agriculture require constructive appropriate action. These policies we have followed for the past 50 years have burdened our agricultural economy with set-asides, diversions, and low prices. A radical departure from this policy is in order.

The protection of family farm income is a goal we must face squarely. Too often in the past, programs designed to aid family farms have had precisely the opposite effect. Family farms have been trampled in the rush to assist an economy as large and diverse as agriculture. Our bill offers that needed income protection.

Tied to family farm income protection is full production. Allowing farmers to operate at full production is a concept that seems to run against conventional thought in this city. As others move to further reduce the productive capacity of agriculture in this country, we propose just the opposite. This bill restores American agriculture to full production. We will not tie the hands of the most efficient farmers in the world.

Farmers face many difficulties ahead. Foreign competitors are aggressively moving to take away our markets. The U.S. export market share for grains, which jumped from 40 to 60 percent in the 1970's, has now fallen below 50 percent. And the worst may be yet to comé. Foreign competitors are building an agricultural export infrastructure—the roads, grain silos and port facilities—that will make their farmers formidable competitors over the long-term future. We cannot stand back and allow this challenge to go unanswered. Our agricultural sector is simply too important.

The bill we introduce today contains four basic initiatives to meet the challenges of family farm income protection and full production. First, our bill protects the income of family farms by providing direct "transition payments" based on past production. For too long, farmers have been locked into a destructive cycle of maintaining their acreage of crops in surplus at a smaller and smaller profits simply to maintain a production history for Government programs. This bill breaks that destructive cycle. Farmers are free to respond to market signals without penalty.

Second, our bill establishes a long-term soil and water conservation program of at least 20 million acres targeted at our Nation's most erodible soil. This bill will encourage a careful stewardship of the soil for future generations of Americans.

Third, our measure dramatically lowers the loan rate for program crops. This will immediately make our commodities more competitive in foreign markets. We are not proposing some slow-to-react formula that can easily be outmaneuvered by our competitors. Rather, we propose to lower the loan to market clearing levels upon enactment of the bill. The signal we send to the rest of the world by such action is unmistakable. We're telling them the United States is serious about world trade in agricultural products. Countries that have supported their own inefficient farmers will have to dig much deeper into their pockets. Countries in a rush to build a large export infrastructure will need to reassess their competitive position in the world market. Such a stroke quickly restores our competitiveness.

Finally, in a world where governments routinely intervene to sell their farmers' surplus stocks at whatever price the world can pay, this bill lines up the support of our Government behind our farmers in the international arena. We are prepared to meet the challenges posed by other countries using unfair trading practices.

I encourage each of my colleagues to join with us in support of this constructive rethinking of farm legislation. It sends a much needed message of hope from Washington to rural America.

Mr. President, I ask unanimous consent that the materials explaining the bill and also the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1041

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Family Farm Protection and Full Production Act of 1985."

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TITLE I—AGRICULTURAL EXPORTS

GREEN DOLLAR EXPORT CERTIFICATE PROGRAM

SEC. 101. (a) The Secretary of Agriculture shall establish, pursuant to section 5(3) of the Commodity Credit Corporation Charter Act, a program to make Green Dollar export certificates available to commercial exporters of United States agricultural commodities and their products. The Secretary shall make Green Dollar export certificates available under the program, under those terms and conditions that the Secretary determines are appropriate, when the Secretary determines that this action will:

(1) develop, maintain, or expand foreign markets for U.S. agricultural commodities or their products; or

(2) offset—

(i) the use by other countries of subsidies and other unfair trading practices,

(ii) the adverse effects of U.S agricultural price support levels which are temporarily above the export prices offered by overseas competitors in export markets, or

(iii) fluctuations in the exchange rate of the United States dollar against other major currencies.

(b) The amount of Green Dollar export certificates to be made available to an exporter may be determined—

(1) on the basis of competitive bids submitted by exporters; or

(2) by announcement of the Secretary.

(c) Each Green Dollar export certificate may be redeemed for commodities owned by the Commodity Credit Corporation. Such commodities must be exported from the United States. The Secretary of Agriculture may set values on CCC-owned commodities for redemption by Green Dollar certificates which are different than the acquisition prices of the commodities. The Secretary of Agriculture shall provide that (A) the certificates may be transferred among commercial exporters of United States agricultural commodities; and that the (B) certificates must be redeemed within 6 months from the date they are issued.

EXPORT OF COMMODITY CREDIT CORPORATION STOCKS

SEC. 102. (a) The Secretary of Agriculture shall, on October 1 of each year, beginning October 1, 1985, determine the total quantity of each commodity owned by the Commodity Credit Corporation.

(b) Prior to September 30 of each year, beginning with September 30, 1986, the Secretary of Agriculture, through the Commodity Credit Corporation, shall, in accordance with subsection (c), make available for export a quantity of commodities out of stocks owned by the Commodity Credit Corporation equal to at least 20 percent of the total quantity of commodities owned by the Commodity Credit Corporation on October 1 of the previous year, as determined by the Secretary pursuant to subsection (a) of this section.

(c) In implementing the provisions of subsection (b), the Secretary of Agriculture shall make available stocks of the Commodity Credit Corporation pursuant only to—

(1) subparagraphs (3) (B) and (C) of section 4(b) of the Food for Peace Act of 1966;

(2) section 416 of the Agricultural Act of 1949.

(d) The Secretary of Agriculture may provide commodities pursuant to subsection (b) of this section to specific countries or without regard to export destination.

(e) The Secretary of Agriculture is authorized to use the funds and facilities of the Commodity Credit Corporation to carry out the provisions of this section.

(f) The Secretary of Agriculture is authorized to issue appropriate regulations to carry out the provisions of this section.

(g) The authority provided under this section is in addition to, and not in place of, any other authority granted to the Secretary of Agriculture or the Commodity Credit Corporation under any other provision of law.

INTERMEDIATE TERM EXPORT PROGRAMS

SEC. 103. Section 4(b) of the Food for Peace Act of 1966, as amended (7 U.S.C. 1707a(b)), is amended by—

(1) striking out "financed" in paragraphs (1), (2) and (8) and inserting "financed or guaranteed" in lieu thereof;

(2) striking out "financing" in paragraphs (3), (4), and (7)(B) and inserting "financing or guarantees" in lieu thereof;

(3) inserting "or guaranteed" after "provided" in paragraph (6); and

(4) striking out "finance" in paragraph (7)(B) and inserting "finance or guarantee" in lieu thereof.

EMBARGO PROTECTION

SEC. 104. Section 1204 of the Agriculture and Food Act of 1981 is amended by—

(1) Deleting:

(A) in subsection (a) "(1)";

(B) the semicolon at the end of subsection (a)(1) and inserting in lieu thereof a period;

(C) paragraphs (2) and (3) of subsection (a);

(D) in subsection (b) "clause (1) of"; and

(E) subsection (d).

(2) redesignating subsection (e), (f), and (g) as (d), (e), and (f), respectively.

SHIPMENT OF AGRICULTURAL EXPORTS

SEC. 104. Export activities of the Commodity Credit Corporation under this Act, and activities of the Commodity Credit Corporation or the Secretary of Agriculture to promote the export of agricultural commodities under any other Act, shall not be subject to cargo preference requirements, except with respect to exports under the Agricultural Trade Development and Assistance Act of 1954.

TITLE II—CONSERVATION ACREAGE RESERVE

DEFINITIONS

SEC. 201 For purposes of this Title—

(1) "agricultural commodity" means any agricultural commodity planted and produced by annual tilling of the soil, or on an annual basis by one-trip planters;

(2) "conservation payment" means a payment made by the Secretary of Agriculture to an owner or operator of a farm having eligible reserve acreage to compensate such owner or operator for the expenses of establishing vegetative cover on such land or for inducing such land to wetlands, for retiring such land from cultivated crop production, for placing such land in the Conservation Acreage Reserve in accordance with the program authorized by this Title, and for instituting other conservation practices designed to conserve and protect their soil and water resources;

(3) "eligible reserve acreage" means highly erodible land or wetland type land that has been devoted to the production of an agricultural commodity during at least two of the three crop years prior to January 1, 1986;

(4) "highly erodible land" means land that is subject to excessive erosion as determined by the Secretary of Agriculture;

(5) "Secretary" means the Secretary of Agriculture;

(6) "shelterbelt" means a vegetative barrier with a linear configuration composed of trees and shrubs and other approved perennial vegetation;

(7) "vegetative cover" means perennial grasses and legumes with an expected life span of five or more years or trees; and

(8) "wetlands" means inland fresh areas, artificially developed inland fresh areas, and other wetland type areas designated as wetlands by the Secretary.

CONSERVATION ACREAGE PRESERVE

SEC. 202. (a) The Secretary shall establish and carry out a conservation acreage reserve program with owners and operators of farms having eligible reserve acreage. Such conservation acreage reserve program is designed to assist such owners and operators (1) in making changes in their cropping practices and land-use systems which are needed to conserve, protect, and use the soil and water resources of their farms, ranches, or other lands (A) by converting at least 20 million acres of eligible reserve acreage normally devoted to the production of an agricultural commodity on a farm or ranch into a less intensive use, such as pasture, permanent grass or legumes, or trees or noncultivated wetlands and placing such land in the Conservation Acreage Reserve or (B) by establishing shelterbelts in areas prone to wind erosion and (2) in implementing the soil and water conservation measures and

practices which are needed under such changed systems and uses.

(b) During the crop years 1986 through 1989, the Secretary shall enter into contracts with owners and operators of farms having eligible reserve acreage which provide for a conservation payment to be made to owners and operators to assist them in implementing the program provided for by this Title.

(c)(1) To the extent practicable, at least ten percent of the total acreage for which contracts are entered into under the program authorized by this Title shall be induced to wetlands.

(2)(A) To the extent practicable, at least ten percent of the total acreage for which contracts are entered into under the program authorized by this Title shall be devoted to shelterbelts in areas prone to wind erosion.

(B) Owners and operators may not devote more acreage on a farm to shelterbelts established under the program authorized by this Title than is consistent with effective wind erosion control practices in the area, as determined by the Secretary.

(d) The total acreage for which contracts are entered into under the program authorized by this Title in any State, county, or local community shall be limited to a percentage of the total eligible acreage in such State, county, or local community which the Secretary determines would not adversely affect the economy of the State, county, or local community.

OBLIGATIONS OF THE OWNER OR OPERATOR

SEC. 203. In the contract between the Secretary and an owner or operator of a farm having eligible reserve acreage, the owner or operator shall agree to convert a specified number of acres of eligible reserve acreage on a farm from the cultivation of an agricultural commodity and place such land in the Conservation Acreage Reserve for a period of not less than 10 years or to establish shelterbelts for a period of not less than 20 years in areas prone to wind erosion, and—

(1) not to use such eligible reserve acreage or shelterbelts for agricultural purposes, except as prescribed by the Secretary;

(2) except in the case of eligible reserve acreage induced to wetlands, to establish approved vegetative cover on eligible reserve acreage and shelterbelts;

(3) to forfeit all rights to receive the conservation payment if there is a violation of the terms and conditions of the contract by the owner or operator at any stage during the time the owner or operator has control of the land subject to the contract if the Secretary determines that the violation is of such a nature as to warrant termination of the contract;

(4) to refund or accept such adjustments to the conservation payment as the Secretary may deem appropriate if it is determined that a violation of the terms and conditions of the contract by the owner or operator does not warrant termination of the contract;

(5) to refund any portion of a conservation payment together with interest thereon, as determined by the Secretary, upon the termination of the contract in accordance with subsection (3) of this section;

(6) upon the transfer of the right and interest of the owner or operator in the lands subject to the contract during the contract period, to forfeit all rights to the conservation payment under the contract and refund to the United States all conservation payments received together with interest thereon as determined by the Secretary, unless the transferee of any such land agrees with the Secretary to assume all obligations of the contract or enters into a contract with the Secretary in accordance with section 205(a) of this Act;

(7) not to adopt any practice which the Secretary determines would tend to defeat the purposes of the program and;

(8) to such additional provisions as the Secretary determines to be desirable to effectuate the purposes of the program or to facilitate its administration.

OBLIGATIONS OF THE SECRETARY

SEC. 204. (a) In return for the agreement of the owner or operator under section 203, the Secretary shall make a conservation payment in cash or commodities to the owner or operator. The amount payable to owners and operators under contracts entered into in accordance with this Title will be determined through the submission of bids for such contracts by owners and operators in such manner as the Secretary may prescribe or through such other means as the Secretary determines appropriate.

(b) In determining the acceptability of contract offers, the Secretary shall give priority to those bids that will result in the greatest prevention of erosion (or, in the case of wetlands, the most water conservation) for the conservation payment invested, when calculated on the basis of all relevant factors such as (1) the extent of erosion on the land which is the subject of the contract, (2) the productivity of the acreage diverted, (3) the number of acres of eligible reserve acreage divertred, (4) the suitability of the wetlands to be diverted, (5) the rate of compensation necessary to encourage owners or operators of eligible reserve acreage to participate in the program, and (6) the potential benefits to wildlife. The Secretary may establish differing criteria for determining the degree of erosion to be prevented or the degree of water conservation to be achieved for the various States and regions of the United States when determining the acceptability of contract offers.

(c) The Secretary shall reject contract offers from owners and operators in areas subject to wind erosion unless such owners or operators have established or agreed to establish appropriate shelterbelts as determined by the Secretary.

(d) The Secretary may reject any contract offers from owners and operators in a particular State where the conservation payment on the amount of acreage to be placed into the Conservation Acreage Reserve would be well above the average conservation payment or average acreage placed into the reserve per farm for that State for a particular level of erosion control or water conservation.

(e)(1) Except as provided in paragraph (2) of this subsection, the conservation payment stipulated in the bid submitted by the owner or operator may be made to the owner or operator in a lump sum or in five equal annual installments as determined by the Secretary.

(2) Any eligible reserve acreage which was not subject to cultivation during the period January 1, 1970 to December 31, 1979, may be placed in the Conservation Acreage Reserve only under contracts which provide for a lump sum conservation payment to compensate the owner or operator for the cost of establishing vegetative cover on such land, establishing shelterbelts on such land, or for returning such land to wetlands.

(f) Except for eligible reserve acreage induced to wetlands, the Secretary may allow owners or operators who enter into contracts to hay or graze land placed in the Conservation Acreage Reserve or devoted to shelterbelts under such terms and conditions as may be prescribed by the Secretary except that land placed in the Conservation Acreage Reserve or devoted to shelterbelts cannot be plowed or the soil otherwise disturbed after approved vegetative cover has been established under the contract.

(g) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provisions for sharing on a fair and equitable basis in conservation payments made under this program.

TERMINATION, MODIFICATION, OR WAIVER OF CONTRACT PROVISIONS

SEC. 205. (a) If, during the contract period, the owner or operator sells or otherwise transfers the ownership or right of occupancy of land subject to the contract, the new owner or operator may continue such contract under the same terms or conditions, enter into a new contract in accordance with the provisions of this Title, or may choose not to participate in such program.

(b) If, during the contract period, the Secretary determines that it is in the public interest that land which is the subject of a contract, or portions thereof, be devoted to tillable crops during any crop year or years, the Secretary may modify or waive terms and conditions of the contract involving such land in accordance with such conditions as the Secretary determines to be appropriate, consistent with a conservation plan for such land which is recommended by the Soil Conservation District and approved by the Chief of the Soil Conservation District (or comparable district), by an appropriate State official or the Soil Conservation Service.

(c) The Secretary may terminate any contract by mutal agreement with the owner or operator if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts as determined to be desirable to carry out the purposes of the program, facilitate its administration, or achieve such other goals as the Secretary determines to be appropriate.

AUTHORIZATION OF APPROPRIATIONS

SEC. 206. (a) The Secretary is authorized to carry out the program authorized by this Title through the Commodity Credit Corporation. In addition, the Secretary may utilize the services of local, county, and State Committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590h), the technical services of the Soil Conservation Service and Forest Service and the soil and water conservation district.

(b) There are hereby authorized to be appropriated without fiscal year limitation such sums as may be necessary to reimburse the Commodity Credit Corporation for any amounts expanded by the Corporation in accordance with this Title and not previously reimbursed.

MISCELLANEOUS

SEC. 207. (a) Conservation payments received by owners or operators in accordance with this title shall be in addition to and shall not affect the total amount of payments which any such owner or operator is otherwise eligible to receive under the provisions of this Act.

(b) The Secretary may issue such rules and regulations as the Secretary determines

necessary to carry out the provisions of this Title.

TITLE III—WHEAT

LOAN RATES AND TRANSITION PAYMENTS FOR THE 1986 THROUGH 1993 CROPS OF WHEAT

SEC. 301. Effective only for the 1986 through 1993 crops of wheat, the Agricultural Act of 1949 is amended by adding after section 107C a new section as follows:

"SEC. 107D. Notwithstanding any other provison of law—

"(a) The Secretary shall make available to producers nonrecourse loans for each of the 1986 through 1993 crops of wheat at a level of $2.20 per bushel, except that if the Secretary determines that, based upon market conditions during the immediately two preceding marketing years, the loan level should be increased and that any such increase in the loan level will not jeopardize the competitive position of United States agriculture in world markets, the Secretary may increase the loan level for the next marketing year to an amount which does not exceed 105 percent of the level of loans which is in effect at the time of the increase. Notwithstanding the foregoing, the Secretary shall annually determine the average price of wheat received by producers during each of the immediately preceding two marketing years. If the Secretary determines that the average price of wheat received by producers in any marketing year, beginning with the 1986 marketing year, is not more than 105 percent of the level of loans for such marketing year, the Secretary may reduce the level of loans for the following marketing year by an amount not greater than 10 percent of the level of loans which is in effect at the time of the decrease. If the Secretary determines that the average price of wheat received by producers in any two consecutive marketing years, beginning with the 1986 marketing year, is not more than 105 percent of the level of loans at the time of such determination and the loan rate was not adjusted downward for the marketing year prior to the marketing year for which the determination is made, the Secretary shall reduce by at least 10 percent the level of loans for the next marketing year. If the Secretary adjusts the level of loans in accordance with this subsection, the adjusted level shall remain in effect until such time as the Secretary makes a subsequent adjustment in the level of loans.

"(b)(1) With respect to the 1986 through 1990 crops of wheat, the Secretary shall make payments to producers on farms having a wheat acreage base for the 1986 crop year. The payments shall be made in an amount computed by multiplying (i) the payment rate as defined in subsection (b)(2) of this section by (ii) the payment quantity as defined in subsection (b)(3) of this section, by (iii) 100 percent for the 1986 crop, and for the 1987 through 1990 crops, not more than 100 percent for each crop, and not less than 92 percent, 80 percent, 65 percent, and 50 percent for the 1987, 1988, 1989, and 1990 crops, respectively.

"(2)(A) The payment rate for wheat to producers on farms on which producers were participants in either the 1984 or 1985 Wheat Program established under section 107B of the Agricultural Act of 1949 shall be $1.42.

"(B) The payment rate for wheat to producers on farms not specified in subsection (b)(2)(A) shall be $1.10.

"(C) Notwithstanding any other provison of this subsection, if the Secretary decreases the level of loans for the 1987, 1988, 1989, or 1990 marketing year in accordance with subsection (a) of this section, the Secretary shall increase the payment rate for wheat for such marketing year by a percentage equal to the percentage by which the Secretary decreases the level of loans for such marketing year.

"(3)(A) The payment quantity for each of the 1986 through 1990 marketing year shall be computed by multiplying the acreage base by the payment yield established for the farm for wheat.

"(B) The acreage base for any farm shall be the average acreage planted and considered planted to wheat for harvest in the 1984 and 1985 crop years. For the purpose of the preceding sentence, acreage planted to wheat for harvest shall include any acreage which the producers were prevented from planting to wheat or other nonconserving crop in lieu of wheat because of drought, flood, or other natural disaster, or other condition beyond the control of the producers. The Secretary may make adjustments to reflect established crop rotation practices and to reflect such other factors as the Secretary determines should be considered in establishing a fair and equitable acreage base.

"(C) The payment yield for wheat shall be the yield established for the farm for the 1985 crop year, adjusted by the Secretary to provide a fair and equitable yield. If no yield for wheat was established for the farm in the 1985 crop year, the Secretary may determine such yield as the Secretary finds fair and reasonable. If the Secretary determines it necessary, the Secretary may establish national, State, or county payment yields on the basis of historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the historical period, or, if such data are not available, on the Secretary's estimate of actual yields for the 1985 crop year. If national, State, or county payment yields are established, the farm payment yields shall balance to the national, State or county yields.

"(4)(A) A producer on a farm with respect to which payments are authorized by this subsection shall be eligible for such payments on such farm only with respect to that portion of the acreage base which the producer devotes to wheat or other agricultural commodity or to an approved conservation use as defined by the Secretary.

"(B) The Secretary shall require, as a condition to receive payments under this subsection, that producers report annually on a date prior to harvest specified by the Secretary, the amount of the farm acreage base which is devoted to the production of agricultural commodities or conserving uses.

"(C) If the Secretary determines, prior to any of the 1991, 1992, or 1993 marketing years, that the cash receipts of producers eligible for the payments provided by this subsection for the marketing year for which the determination is made will, in the absence of a payment program, be less than 75 percent of the average cash receipts of such producers for the two immediately preceding marketing years, the Secretary may make available to producers of wheat payments for the 1991, 1992, or 1993 crops of wheat, determined in the same manner as payments for the 1990 crop or as the Secretary deems necessary. For purposes of the preceding sentence, the cash receipts of producers includes the payments authorized by this subsection.

"(d)(1) The Secretary shall not require participation in any production adjustment control program for wheat or any other commodity as a condition of eligibility for the loans or payments authorized by this section.

"(2) The Secretary shall not make land diversion payments to producers of wheat.

"(e) If the failure of a producer to comply fully with the terms and conditions of the program conducted under this section precludes the making of loans and payments, the Secretary may, nevertheless, make such loans and payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure. The Secretary may authorize the county and State committees established under Section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or modify deadlines and other program requirements in cases in which lateness or failure to meet such other requirements does not affect adversely the operation of the program.

"(f) The Secretary may issue such regulations as the Secretary determines necessary to carry out the provisions of this section.

"(g) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

"(h) The provisions of section 8(g) of the Soil Conservation Domestic Allotment Act (relating to the assignment of payments) shall apply to payments under this section.

"(i) The Secretary shall provide for the sharing of payments made under this section for any farm among the producers on the farm on a fair and equitable basis.

"(j) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

"(k) Notwithstanding any other provision of law, compliance on a farm with the terms and conditions of any other commodity program may not be required as a condition of eligibility for loans or payments under this section.".

NONAPPLICABILITY OF CERTIFICATE REQUIREMENTS

SEC. 302. Section 379d, 379e, 379f, 379g, 379h, 379i, and 379j of the Agricultural Adjustment Act of 1938 (which deal with marketing certificate requirements for processors and exporters) shall not be applicable to wheat processors or exporters during the period June 1, 1986, through May 31, 1994.

SUSPENSION OF MARKETING QUOTAS AND PRODUCER CERTIFICATE REQUIREMENTS

SEC. 303. Sections 331, 332, 333, 334, 335, 336, 338, 339, 379b, and 379c of the Agricultural Adjustment Act of 1938 shall not be applicable to the 1986 through 1993 crops of wheat.

SUSPENSION OF QUOTA PROVISIONS

SEC. 304. Public Law 74, Seventy-seventh Congress (55 Stat. 203, as amended) shall not be applicable to the crops of wheat planted for harvest in the calendar years 1986 through 1993.

NONAPPLICABILITY OF SECTION 107 OF THE AGRICULTURAL ACT OF 1949 TO THE 1986 THROUGH 1993 CROPS OF WHEAT

SEC. 305. Section 107 of the Agricultural Act of 1949 shall not be applicable to the 1986 through 1993 crops of wheat.

TITLE IV—FEED GRAINS

LOAN RATES AND TRANSITION PAYMENTS FOR THE 1986 THROUGH 1993 CROPS OF FEED GRAINS

SEC. 401. Effective only for the 1986 through 1993 crops of feed grains, the Agricultural Act of 1949 is amended by adding after section 105B a new section as follows:

"SEC. 105C. Nowithstanding any other provision of law—

"(a) The Secretary shall make available to producers nonrecourse loans for each of the 1986 through 1993 crops of corn, grain sorghum, barley, and oats at a level of $1.90, $1.80, $1.63, and $1.01 per bushel, respectively, except that if the Secretary determines that, based upon market conditions during the immediately two preceding marketing years, the loan level for any such commodity should be increased and that any such increase in the loan level will not jeopardize the competitive position of United States agriculture in world markets, the Secretary may increase the loan level for such commodity for the next marketing year to an amount which does not exceed 105 percent of the level of loans which is in effect at the time of the increase. Notwithstanding the foregoing, the Secretary shall annually determine the average price of corn, grain sorghum, barley, and oats received by producers during each of the immediately preceding two marketing years. If the Secretary determines that the average price of any such commodity received by producers of such commodity in any marketing year, beginning with the 1986 marketing year, is not more than 105 percent of the level of loans for such commodity for such marketing year, the Secretary may reduce the level of loans for such commodity for the following marketing year by an amount not greater than 10 percent of the level of loans for such commodity which is in effect at the time of the decrease. If the Secretary determines that the average price of any such commodity received by producers of such commodity in any two consecutive marketing years, beginning with the 1986 marketing year, is not more than 105 percent of the level of loans for such commodity at the time of such determination and the loan level was not adjusted downward for such commodity for the marketing year prior to the marketing year for which the determination is made, the Secretary shall reduce by at least 10 percent the level of loans for such commodity for the next marketing year. If the Secretary adjusts the level of loans in accordance with this subsection, the adjusted level shall remain in effect until such time as the Secretary makes a subsequent adjustment in the level of loans.

"(b)(1) With respect to the 1986 through 1990 crops of corn, grain sorghum, barley, and oats, the Secretary shall make payments to producers on farms having an acreage base for the commodity for the 1986 crop year. The payments shall be made in an amount computed by multiplying (i) the payment rate as defined in subsection (b)(2) of this section, by (ii) the payment quantity as defined in subsection (b)(3) of this section, by (iii) 100 percent for the 1986 crop, and, for the 1987 through 1990 crops, not more than 100 percent for each crop and not less than 92 percent, 80 percent, 65 percent and 50 percent for the 1987, 1988, 1989, and 1990 crops, respectively.

"(2)(A) The payment rate for corn, grain sorghum, barley, and oats to producers on farms on which producers were participants in either the 1984 or 1985 program for such commodity established under section 105B of the Agricultural Act of 1949 shall be $0.94, $0.88, $0.78, and $0.51, respectively.

"(B) The payment rate for corn, grain sorghum, barley, and oats to producers on farms not specified in subsecton (b)(2)(A) shall be $0.65, $0.62, $0.45, and $0.30, respectively.

"(C) Notwithstanding any other provision of this subsection, if the Secretary decreases the level of loans for corn, grain sorghum, barley, or oats for the 1987, 1988, 1989, or 1990 marketing year in accordance with subsection (a) of this section, the Secretary shall increase the payment rate of such commodity by a percentage equal to the percentage by which the Secretary decreases the level of loans for such commodity for such marketing year.

"(3)(A) The payment quantity for each of the 1986 through 1990 marketing years shall be computed by multiplying the acreage base for the commodity by the payment yield established for the farm for the commodity.

"(B) The acreage base for any farm for corn, grain sorghum, barley, and oats shall be the average acreage planted and considered planted to the commodity for harvest in 1984 and 1985 crop years. For the purpose of the preceding sentence, acreage planted to the commodity for harvest shall include any acreage which the producers were prevented from planting to the commodity or other nonconserving crop in lieu of such commodity because of drought, flood, or other natural disaster, or other condition beyond the control of the producer. The Secretary may make adjustments to reflect established crop rotation practices and to reflect such other factors as the Secretary determines should be considered in establishing a fair and equitable acreage base.

"(C) The payment yield for feed grains shall be the yield established for the farm for the commodity for the 1985 crop year, adjusted by the Secretary to provide a fair and equitable yield. If no yield for the commodity was established for the farm in the 1985 crop year, the Secretary may determine such yield as the Secretary finds fair and reasonable. If the Secretary determines it necessary, the Secretary may establish national, State, or county payment yields on the basis of historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the historical period, or, if such data are not available, on the Secretary's estimate of actual yields for the 1985 crop year. If national, State or county payment yields are established, the farm payment yields shall balance to the national, State or county yields.

"(4)(A) A producer on a farm with respect to which payments are authorized by this subsection shall be eligible for such payments on such farm only with respect to that portion of the acreage base which the producer devotes to a feed grain or other agricultural commodity or to an approved conservation use as defined by the Secretary.

"(B) The Secretary shall require, as a condition to receive payments under this subsection, that producers report annually on a date specified by the Secretary the amount of the farm acreage base which is devoted to the production of agricultural commodities or conserving uses.

"(c) If the Secretary determines, prior to any of the 1991, 1992 or 1993 marketing years, that the cash receipts of producers of corn, grain sorghum, barley or oats eligible for the payments provided by this subsection will, in the absence of a payment program, be less than 75 percent of the average cash receipts of such producers of such commodities for the two marketing years immediately preceding this year for which the determination is made, the Secretary may make available to producers of such commodities payments for the 1991, 1992, or 1993 crops of such commodity, determined in the same manner as payments for the 1990 crop or as the Secretary deems necessary. For the purpose of the preceding sentence, the cash receipts of producers includes the payments authorized by this subsection.

"(d)(1) The Secretary shall not require participation in any production adjustment control program for feed grains or any other commodity as a condition of eligibility for the loans or payments authorized by this section.

"(2) The Secretary shall not make land diversion payments to producers of feed grains.

"(e) If the failure of a producer to comply fully with the terms and conditions of the program conducted under this section precludes the making of loans and payments, the Secretary may, nevertheless, make such loans and payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure. The Secretary may authorize the county and State committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or modify deadlines and other program requirements in cases in which lateness or failure to meet such other requirements does not affect adversely the operation of the program.

"(f) The Secretary may issue such regulations as the Secretary determines necessary to carry out the provisions of this section.

"(g) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

"(h) The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (relating to assignment of payments) shall apply to payments under this section.

"(i) The Secretary shall provide for the sharing of payments made under this section for any farm among the producers on the farm on a fair and equitable basis.

"(j) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

"(k) Notwithstanding any other provision of law, compliance on a farm with the terms and conditions of any other commodity program may not be required as a condition of eligibility for loans or payments under this section.".

NONAPPLICABILITY OF SECTION 105 OF THE AGRICULTURAL ACT OF 1949 TO THE 1986 THROUGH 1993 CROPS OF FEED GRAINS

SEC. 402. Section 105 of the Agricultural Act of 1949 shall not be applicable to the 1986 through 1993 crops of feed grains.

TITLE V—COTTON

SUSPENSION OF BASE ACREAGE ALLOTMENTS, MARKETING QUOTAS, AND RELATED PROVISIONS

SEC. 501. Sections 342, 343, 344, 345, 346, and 377 of the Agricultural Adjustment Act of 1938 shall not be applicable to upland cotton of the 1986 through 1993 crops.

REPEAL

SEC. 502. (a) Section 506 of the Agriculture and Food Act of 1981 is repealed.

(b) Subsection (h) of section 103 of the Agricultural Act of 1949 is repealed effective beginning with the 1986 crop of extra long staple cotton.

LOAN RATES AND TRANSITION PAYMENTS FOR THE 1986 THROUGH 1993 CROPS OF COTTON

SEC. 503. Effective only for the 1986 through 1993 crops of upland cotton, Section 103 of the Agricultural Act of 1949 is amended by adding at the end thereof a new subsection as follows:

"(i)(1)(A) The Secretary shall make available to producers nonrecourse loans for

each of the 1986 through 1993 crops of upland cotton at a level of $0.50 per pound, except that if the Secretary determines that, based upon market conditions during the immediately two preceding marketing years, the loan level should be increased any that any such increase in the loan level will not jeopardize the competitive position of United States agriculture in world markets, the Secretary may increase the loan level for the next marketing year to an amount which does not exceed 105 percent of the level of loans which is in effect at the time of the increase. Notwithstanding the foregoing, the Secretary shall annually determine the average price of upland cotton received by producers during each of the immediately preceding two marketing years. If the Secretary determines that the average price of upland cotton received by producers in any marketing year, beginning with the 1986 marketing year, is not more than 105 percent of the level of loans for such marketing year, the Secretary may reduce the level of loans for the following marketing year by an amount not greater than 10 percent of the level of loans which is in effect at the time of the decrease. If the Secretary determines that the average price of upland cotton received by producers in any two consecutive marketing years, beginning with the 1986 marketing year, is not more than 105 percent of the level of loans at the time of such determination and the loan rate was not adjusted downward for the marketing year prior to the year for which the determination is made, the Secretary shall reduce by at least 10 percent the level of loans for the next marketing year.

"(B) For purposes of this subsection, extra long staple cotton means cotton which is produced from pure strain varieties of Barbadense species or any hybrid thereof, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which American upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of such varieties or types and which is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

"(C) The Secretary shall make available to producers nonrecourse loans for each of the 1986 through 1993 crops of extra long staple cotton at such level as the Secretary determines is fair and reasonable in relation to the level of loans for upland cotton, but in no event at a level in excess of 50 percent of the level of loans for upland cotton in effect at the time of the determination.

"(D) The Secretary adjusts the level of loans for upland cotton or extra long staple cotton in accordance with paragraph (1) of this subsection, the adjusted level shall remain in effect until such time as the Secretary makes a subsequent adjustment in the level of loans for such commodity.

"(E) If authorized by the Secretary, nonrecourse loans provided for in this subsection may, upon request of the producer during the tenth month of the loan period for the cotton, be made available for an additional term of eight months.

"(2)(A) With respect to the 1986 through 1990 crops of cotton, the Secretary shall make payments to producers on farms having an upland cotton or extra long staple cotton acreage base for the 1986 crop year. The payments shall be made in an amount computed by multiplying (i) the payment rate as defined in subparagraph (B) of this paragraph by (ii) the payment quantity as defined in subparagraph (C) of this paragraph, by (iii) 100 percent for the 1986 crop, and, for the 1987 through 1990 crops, not more than 100 percent for each crop, and not less than 92 percent, 80 percent, 65 percent, and 50 percent, for the 1987, 1988, 1989, and 1990 crops, respectively.

"(B)(i) The payment rate for upland cotton to producers on farms on which producers were participants in either the 1984 or 1985 Upland Cotton Program established in accordance with subsection (g) of section 103 of the Agricultural Act of 1949 shall be $0.26.

"(ii) The payment rate for upland cotton to producers on farms not specified in subparagraph (B)(i) shall be $0.073.

"(iii) The payment rate for extra long staple cotton to producers on farms on which producers were participants in either the 1984 or 1985 Extra Long Staple Cotton Program established in accordance with section 4 of the Extra Long Staple Act of 1983 shall be $0.39.

"(iv) The payment rate for extra long staple cotton to producers on farms not specified in subparagraph (b)(iii) shall be $0.11.

"(v) Notwithstanding any other provision of this subsection, if the Secretary decreases the level of loans for upland cotton or extra long staple cotton for the 1987, 1988, 1989, or 1990 marketing year in accordance with paragraph (1) of this subsection, the Secretary shall increase the payment rate for such commodity for such marketing year by a percentage equal to the percentage by which the Secretary decreases the level of loans for such commodity for such marketing year.

"(C)(i) The payment quantity for upland cotton and extra long staple cotton for each of the 1986 through 1990 marketing years shall be computed by multiplying the acreage base for such commodity by the payment yield established for the farm for such commodity.

"(ii) the acreage base for any farm shall be the average acreage planted and considered planted to upland cotton or extra long staple cotton for harvest in the 1984 and 1985 crop years. For the purpose of the preceding sentence, acreage planted to upland cotton or extra long staple cotton for harvest shall include any acreage which the producers were prevented from planting to such commodity or other nonconserving crop in lieu of such commodity because of drought, flood, or other natural disaster, or other condition beyond the control of the producers. The Secretary may make adjustments to reflect established crop rotation practices and to reflect such other factors as the Secretary determines should be considered in establishing a fair and equitable acreage base.

"(iii) The payment yield for upland cotton or extra long staple cotton shall be the yield established for the farm for such commodity for the 1985 crop year, adjusted by the Secretary to provide a fair and equitable yield. If no yield for such commodity was established for the farm in the 1985 crop year, the Secretary may determine such yield as the Secretary finds fair and reasonable. If the Secretary determines it necessary, the Secretary may establish national, State, or county payment yields on the basis of historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the historical period, or, if such data are not available, on the Secretary's estimate of actual yields for the 1985 crop year. If national, State, or county payment yields are established, the farm payment yields shall balance to the national, State, or county yields.

"(D) A producer on a farm with respect to which payments are authorized by this paragraph shall be eligible for such payments on such farm only with respect to that portion of the acreage base which the producers devotes to cotton or other agricultural commodity or to an approved conservation use as defined by the Secretary.

"(E) The Secretary shall require, as a condition to receive the payments under this paragraph, that producers report annually on a date prior to harvest specified by the Secretary, the amount of the farm acreage base which is devoted to the production of agricultural commodities or conserving uses.

"(F) If the Secretary determines, prior to any of the 1991, 1992, or 1993 marketing years, that the cash receipts of producers of upland cotton or extra long staple cotton eligible for the payments provided by this paragraph will, in the absence of a payment program, be less than 75 percent of the average cash receipts of such producers of such commodity for the two marketing years immediately preceding the year for which the determination is made, the Secretary may make available to producers of cotton payments for the 1991, 1992, and 1993 crops of such commodity, determined in the same manner as payments for the 1990 crop or as the Secretary deems necessary. For the purpose of the preceding sentence, the cash receipts of producers include the payments authorized by this paragraph.

"(3)(A) The Secretary shall not require participation in any production adjustment control program for cotton or any other commodity as a condition of eligibility for the loans or payments authorized by this section.

"(B) The Secretary shall not make annual land diversion payments to producers of cotton.

"(4) If the failure of a producer to comply fully with the terms and conditions of the program conducted under this subsection precludes the making of loans and payments, the Secretary may, nevertheless, make such loans and payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure. The Secretary may authorize the county and State committees established under Section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or modify deadlines and other program requirements in cases in which lateness or failure to meet such other requirements does not affect adversely the operation of the program.

"(5) The Secretary may issue such regulations as the Secretary determines necessary to carry out the provision of this subsection.

"(6) The Secretary shall carry out the program authorized by this subsection through the Commodity Credit Corporation.

"(7) The provision of section 8(g) of the Soil Conservation and Domestic Allotment Act (relating the assignment of payments) shall apply to payments under this subsection.

"(8) The Secretary shall provide for the sharing of payments made under this subsection for any farm among the producers on the farm on a fair and equitable basis.

"(9) Notwithstanding any other provision of law, compliance on a farm with the terms and conditions of any other commodity pro-

gram may not be required as a condition of eligibility for loans or payments under this subsection.

"(10) In order to encourage and assist producers in the orderly ginning and marketing of their cotton production, the Secretary shall make recourse loans available to such producers on seed cotton in accordance with authority vested in the Secretary under the Commodity Credit Corporation Charter Act.".

MISCELLANEOUS COTTON PROVISIONS

SEC. 504. Sections 103(a) and 203 of the Agricultural Act of 1949 shall not be applicable to the 1986 through 1993 crops.

SKIPROW PRACTICES

SEC. 505. Section 374(a) of the Agricultural Adjustment Act is amended by striking out "1985" and inserting in lieu thereof "1993".

PRELIMINARY ALLOTMENTS FOR 1994 CROP OF UPLAND COTTON

SEC. 506. Notwithstanding any other provision of law, the permanent State, county, and farm base acreage allotments for the 1977 crop of upland cotton, adjusted for any underplantings in 1977 and reconstituted as provided in section 379 of the Agricultural Adjustment Act of 1938, as amended, shall again become effective as preliminary allotments for the 1994 crop.

TITLE VI—RICE

LOAN RATES AND TRANSITION PAYMENTS

SEC. 601. Effective only for the 1986 through 1993 crops of rice, Section 101 of the Agricultural Act of 1949 is amended by adding at the end thereof a new subsection as follows:

"(j) Notwithstanding any other provision of law—

"(1) The Secretary shall make available to producers nonrecourse loans for each of the 1986 through 1993 crops of rice at a level of $5.50 per hundredweight, except that if the Secretary determines that, based upon market conditions during the immediately two preceding marketing years, the loan level should be increased and that any such increase in the loan level will not jeopardize the competitive position of United States agriculture in world markets, the Secretary may increase the loan level for the next marketing year to an amount which does not exceed 105 percent of the level of loans which is in effect at the time of the increase. Notwithstanding the foregoing, the Secretary shall annually determine the average price of rice received by producers during each of the immediately preceding two marketing years. If the Secretary determines that the average price of rice received by producers in any marketing year, beginning with the 1986 marketing year, is not more than 105 percent of the level of loans for such marketing year, the Secretary may reduce the level of loans for the following marketing year by an amount not greater than 10 percent of the level of loans which is in effect at the time of the decrease. If the Secretary determines that the average price of rice received by producers in any two consecutive marketing years, beginning with the 1986 marketing year, is not more than 105 percent of the level of loans at the time of such determination and the loan rate was not adjusted downward for the marketing year prior to the marketing year for which the determination is made, the Secretary shall reduce by at least 10 percent the level of loans for the next marketing year. If the Secretary adjusts the level of loans in accordance with this subsection, the adjusted level shall remain in effect until such time as the Secretary makes a subsequent adjustment in the level of loans.

"(2)(A) With respect to the 1986 through 1990 crops of rice, the Secretary shall make payments to producers on farms having a rice acreage base for the 1986 crop year. The payments shall be made in an amount computed by multiplying (i) the payment rate as defined in subparagraph (2)(B) of this section by (ii) the payment quantity as defined in subparagraph (2)(C) of this section, by (iii) 100 percent for the 1986 crop, and, for the 1987 through 1990 crops, not more than 100 percent for each crop, and not less than 92 percent, 80 percent, 65 percent, and 50 percent for the 1987, 1988, 1989, and 1990, respectively.

"(B)(i) The payment rate for rice to producers on farms on which producers were participants in either the 1984 or 1985 Rice Program established under subsection (i) of section 101 of the Agricultural Act of 1949 shall be $4.26.

"(ii) The payment rate for rice to producers on farms not specified in subparagraph (2)(B)(i) shall be $2.50.

"(iii) Notwithstanding any other provision of this subsection, if the Secretary decreases the level of loans for the 1987, 1988, 1989, or 1990 marketing year in accordance with paragraph (1) of this subsection, the Secretary shall increase the payment rate for rice for such marketing year by a percentage equal to the percentage by which the Secretary decreases the level of loans for such marketing year.

"(C)(i) The payment quantity for each of the 1986 through 1990 marketing years shall be computed by multiplying the acreage base by the payment yield established for the farm for rice.

"(ii) The acreage base for any farm shall be the average acreage planted and considered planted to rice for harvest in the 1984 and 1985 crop years. For the purpose of the preceding sentence, acreage planted to rice for harvest shall include any acreage which the producers were prevented from planting to rice or other nonconserving crop in lieu of rice because of drought, flood, or other natural disaster, or other condition beyond the control of the producers. The Secretary may make adjustments to reflect established crop rotation practices and to reflect such other factors as the Secretary determines should be considered in establishing a fair and equitable acreage base.

"(iii) The payment yield for rice shall be the yield established for the farm for the 1985 crop year, adjusted by the Secretary to provide a fair and equitable yield. If no yield for rice was established for the farm in the 1985 crop year, the Secretary may determine such yield as the Secretary finds fair and reasonable. If the Secretary determines it necessary, the Secretary may establish national, State, or county payment yields on the basis of historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the historical period, or, if such data are not available, on the Secretary's estimate of actual yields for the 1985 crop year. If national, State, or county payment yields are established, the farm payment yields shall balance to the national, State, or county yields.

"(D)(i) A producer on a farm with respect to which payments are authorized by this subsection shall be eligible for such payments on such farm only with respect to that portion of the acreage base which the producer devotes to rice or other agricultural commodity or to an approved conservation use as defined by the Secretary.

"(ii) The Secretary shall require, as a condition of eligibility to receive payments under this paragraph, that producers report annually on a date prior to harvest specified by the Secretary the amount of the farm acreage base devoted to the production of agricultural commodities or conserving uses.

"(4) If the Secretary determines, prior to any of the 1991, 1992, or 1993 marketing years, that the cash receipts of rice producers eligible for the payments provided by this paragraph will, in the absence of a payment program, be less than 75 percent of the average cash receipts (including transition payments) of such producers for the two marketing years immediately preceding the year for which the determination is made the Secretary may make available to producers of rice payments for the 1991, 1992, or 1993 crops of rice, determined in the same manner as payments for the 1990 crop or as the Secretary deems necessary. For the purpose of the preceding sentence, the cash receipts of producers includes the payments authorized by this subsection.

"(5) (A) The Secretary shall not require participation in any production adjustment control program for rice or any other commodity as a condition of eligibility for the loans or payments authorized by this section.

"(B) The Secretary shall not make land diversion payments to producers of rice.

"(6) If the failure of a producer to comply fully with the terms and conditions of the program conducted under this section precludes the making of loans and payments, the Secretary may, nevertheless, make such loans and payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure. The Secretary may authorize the county and State committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or modify deadlines and other program requirements in cases in which lateness or failure to meet such other requirements does not affect adversely the operation of the program.

"(7) The Secretary may issue such regulations as the Secretary determines necessary to carry out the provisions of this section.

"(8) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

"(9) The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (relating to assignment of payments) shall apply to payments under this section.

"(10) The Secretary shall provide for the sharing of payments made under this section for any farm among the producers on the farm on a fair and equitable basis.

"(11) The Secretary shall provide adequate safeguards to protect the interest of tenants and sharecroppers.

"(12) Notwithstanding any other provision of law, compliance on a farm with the terms and conditions of any other commodity program may not be required as a condition of eligibility for loans or payments under this subsection.".

TITLE VII—DAIRY

REPEAL

SEC. 701. Section 201(c) of the Agricultural Act of 1949 (7 U.S.C. 1446(c) is repealed effective October 1, 1985.

PRICE SUPPORT PURCHASES, PAYMENTS, AND PAYMENT LIMITATION

SEC. 702. Effective beginning October 1, 1985, section 201(d) of the Agricultural Act of 1949 is amended to read as follows:

"(d) Notwithstanding any other provision of law—

"(1) The Secretary shall make price support available to producers of milk through the purchase of milk and the products of milk at a level of $10.60 per hundredweight for manufacturing grade milk containing 3.67 percent milkfat, except that:

"(A) If the Secretary estimates on October 1, 1986, or on October 1 of any subsequent fiscal year that for the twelve month period beginning on such date the net price support purchases of milk or the products of milk will exceed 5 billion pounds milk equivalent, the level of price support in effect on that date may be reduced by 50 cents per hundredweight.

"(B) If the Secretary estimates on October 1, 1986, or October 1 of any subsequent fiscal year that for the twelve month period beginning on such date that the net price support purchases of milk or the products of milk will be at a level which is less than 2 billion pounds milk equivalent, the level of price support in effect on that date may be increased by the Secretary by 50 cents per hundredweight: *Provided,* That in no event may the level of price support exceed a level of $10.60 per hundredweight for manufacturing grade milk containing 3.67 percent milkfat.

"(2)(A) The Secretary shall make payments available to producers of milk produced in the United States for the 1986 through 1990 fiscal years.

"(B) Subject to such limitations as are otherwise provided for, the amount of a producer's eligibility for payments for any fiscal year shall be the amount computed by multiplying (1) the payment rate by (2) the lesser of (i) the producer's marketings of milk produced by the producer in the United States for the fiscal year or (ii) the quantity of milk represented by the producer's payment base, by (3) 100 percent for fiscal year 1986, 92 percent for fiscal year 1987, 80 percent for fiscal year 1988, 65 percent for fiscal year 1989, and 50 percent for fiscal year 1990.

"(C) The payment rate shall be $1.50 per hundredweight, except that if the level of price support for milk is reduced under the provisions of paragraph (1)(A) of subsection (d), the payment rate shall be increased effective with the fiscal year in which such reduction is made by the percentage reduction in the level of price support.

"(D) A producer's payment base shall be the quantity of milk equal to the producer's average per annum marketings during fiscal years 1984 and 1985 of milk produced by the producer in the United States except that:

"(i) The producer's payment base shall be adjusted to take into account the acquisition of a base from another producer pursuant to subparagraph (F) of this paragraph;

"(ii) a producer who participated in the paid diversion program authorized by the Dairy and Tobacco Adjustment Act of 1983 may elect a base equal to the producer's marketings during calendar year 1982 of milk produced by the producer in the United States or the average of such marketings during calendar years 1981 and 1982; and

"(iii) subject to the provisions of subparagraph (E), if a producer was not producing milk during any portion of fiscal years 1984 and 1985, the Secretary may establish a payment base for such producer based upon the producer's actual marketings of milk during fiscal years 1984 and 1985 as the Secretary determines to be fair and equitable.

"(E) Except as provided in subparagraph (F) of this paragraph, no producer may receive payments under this paragraph if such producer, as determined by the Secretary, was not actively engaged in the production of milk as of the date of the enactment of this Act. Such producer shall not be entitled to a payment base except to the extent that the producer acquired a payment base from another producer in accordance with subparagraph (F) of this paragraph.

"(F) A producer may acquire the payment base of another producer if (1) the producer receiving the base acquires the entire production herd and facilities of the producer transferring the base; (2) the producer transferring the base agrees to the transfer of the base; and (3) the producer transferring the base has not made the election to receive payments which is specified in subparagraph G of this paragraph. The quantity of milk for which the producer who receives the base shall be eligible for payments in the fiscal year in which the transfer of the payment base occurs shall be reduced by that quantity of milk for which the producer transferring the base has received payments under this paragraph for the fiscal year in which the transfer of the payment base occurs.

"(G) A producer who terminates the production of milk in a fiscal year for which payments are available under this paragraph may elect for such fiscal year to receive a payment for that fiscal year which shall be based on the quantity of milk for which the producer was eligible to receive payments in the immediately preceding fiscal year: *Provided,* That

"(i) the producer on making such election shall not be eligible for payments under this paragraph in any succeeding fiscal year; and

"(ii) the production facilities of such producer may not be used by any person to produce milk in the fiscal year in which the termination occurs or in the next succeeding fiscal year.

"(H) Any producer who makes the election to receive payments in the manner specified in subparagraph (G) of this paragraph and who thereafter becomes ineligible for such payments shall be liable to the Commodity Credit Corporation for an amount equal to twice the amount of the payment received as the result of such election, together with interest thereon.

"(I) The Secretary may, to the extent practicable and on such fair and equitable basis as the Secretary shall determine, reduce the amount of payments which a producer may receive under this paragraph to account for milk marketings used to determine a producer's base or any marketings by a producer in any fiscal year which contained less than 3.67 percent milkfat.

"(J)(i) The total amount of payments which a person, as defined by the Secretary in accordance with Title VIII of this Act, may receive under this paragraph shall not exceed $20,000 for fiscal year 1986, $18,400 for fiscal year 1987, $16,000 for fiscal year 1988, $13,000 for fiscal year 1989, and $10,000 for fiscal year 1990.

"(ii) Any payments which are received by a person under this paragraph for any fiscal year shall be taken into account in the application of the maximum payment limitation provisions of Title VIII of this Act.

"(K) If the Secretary determines prior to the 1991, 1992, or 1993 fiscal years that in the absence of payments for such fiscal years the cash dairy receipts of United States dairy producers would be less than 75 percent of the average cash receipts (including payments under this paragraph) of such producers for the two fiscal years preceding the fiscal year for which such determination is made, the Secretary may make payments available for the fiscal year to which such determination applies. Such payments shall be made in the same manner and at the same payment and levels as payments for the 1990 fiscal year, or in the manner and at such levels the Secretary deems necessary.

"(L) The provisions of Section 8(g) of the Soil and Conservation and Domestic Allotment Act (relating to assignments of payments) shall apply to payments made under this paragraph.

"(M) The Secretary shall provide for the sharing of payments made under this paragraph for any farm among the producers on the farm on a fair and equitable basis.

"(N) Payments under this paragraph shall be made quarterly and only upon application which, pursuant to such requirements as the Secretary shall impose, shall set forth facts demonstrating the applicant's eligibility for the payment.

"(O) If the failure of a producer to comply fully with the terms and conditions of the program formulated under this paragraph precludes the making of payments, the Secretary may, nevertheless, make such payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure.

"(3) The Secretary may issue such regulations as he determines necessary to carry out the provisions of this subsection.

"(4) The Secretary shall carry out the program authorized by this subsection through the Commodity Credit Corporation.

"(5) The term 'United States' as used in paragraph (2) of this subsection means the forty-eight states of the United States.".

MISCELLANEOUS

SEC. 703. The Secretary of Agriculture shall implement the provisions of section 201(d) of the Agricultural Act of 1949, as amended by section 702 of this Act, without regard to the provisions requiring notice and other procedures for public participation in rulemaking contained in section 553 of title 5, United States Code, or in any directive of the Secretary.

TITLE VIII—PAYMENT LIMITATION AND CONSERVATION OF LANDS SUBJECT TO EXCESSIVE EROSION

PAYMENT LIMITATION

SEC. 801. Notwithstanding any other provision of law—

(1)(a) The total amount of payments that a person shall be entitled to receive under one or more of the annual programs established under the Agricultural Act of 1949 for wheat, feed grains, cotton, rice, and dairy shall not exceed $63,000 for the 1986 crop, $57,960 for the 1987 crop, $50,400 for the 1988 crop, $40,950 for the 1989 crop, and $31,500 for the 1990 crop. For purposes of this section, payments received under the annual programs established under the Agricultural Act of 1949 for dairy shall mean the payments received in the fiscal year corresponding with the year of the programs established for the other commodities.

(b) Except as provided in section 702 of this Act and subsection 1(a) of this Title, any payments which are otherwise authorized to be made under the provisions of the annual programs established under the Agricultural Act of 1949 for wheat, feed grains, cotton, rice, and dairy shall be subject to the following payment reductions:

(1) payments in excess of $20,000 but not more than $60,000 shall be reduced by 50 percent;

(ii) payments in excess of $60,000 but not more than $120,000 shall be reduced by 75 percent;

(iii) payments in excess of $120,000 but not more than $200,000 shall be reduced by 90 percent.

(2) The term "payments" as used in this section shall not include loans.

(3) The Secretary shall issue regulations defining the term "person" and prescribing such rules as the Secretary determines necessary to assure a fair and reasonable application of the limitations provided by this section.

CONSERVATION OF LANDS SUBJECT TO EXCESSIVE EROSION

SEC. 802. Notwithstanding any other provision of law—

(a) The Secretary shall identify at least 30 million acres of land devoted to the production of agricultural commodities that are subject to excessive erosion. Such acreage shall include at least 2.2 percent of the farm acreage bases of farms as established in Titles III, IV, V, and VI of this Act in areas subject to excessive wind erosion as determined by the Secretary unless the producers on such acreage demonstrate that they have installed and maintained shelterbelts or other practices approved by the Secretary. The Secretary shall not make available to producers price support loans as provided for by this Act with respect to commodities which are produced on acreage which is determined to be subject to excessive erosion in accordance with this subsection. In addition, the Secretary shall not make payments which are authorized by Titles III, IV, V, and VI to producers with respect to such acreage. Notwithstanding any other provision of this subsection, no acreage so identified shall include lands on which an approved Soil Conservation Service plan is being followed by the producer.

(b) Acreage identified as lands subject to excessive erosion under the provisions of subsection (a) of this section shall be eligible for the Conservation Acreage Reserve in accordance with Title II of this Act.

TITLE IX—GRAIN RESERVE

SEC. 901. (a) Effective with the 1986 crops of wheat and feed grains, section 110 of the Agricultural Act of 1949 is amended by—

(1) amending subsection (b) to read as follows: "In carrying out the producer storage program, the Secretary shall provide original or extended price support loans for wheat and feed grains for extended periods of time in order to promote orderly marketing when wheat or feed grains are in abundant supply. Loans made under this section shall be recourse loans at a level not to exceed the then current level of support under the wheat and feed grain programs established under Titles III and IV of this Act. Among such other terms and conditions as the Secretary may prescribe by regulation, the program shall provide for (1) repayment of such loans in not less than one year nor more than three years; (2) the prohibition of the forfeiture to the Commodity Credit Corporation of the wheat or feed grains pledged as collateral for a loan authorized by this section; (3) a rate of interest as determined under subsection (c) of this section; (4) payments to producers for storage for the first year of the loan; and (5) in the second and third years of the loan, payments to producers for storage for wheat or feed grains if (A) for wheat, the quantity of wheat in the reserve is less than 350 million bushels or for feed grains, the quantity of feed grains in the reserve is less than 800 million bushels and (B) the Secretary determines that such payments will not adversely disrupt the wheat or feed grain markets."; and

(2) amending subsection (c) to read as follows: "Interest shall not accrue with respect to any loan authorized by this section during the first year of such loan. The rate of interest with respect to the second and third years of any loan authorized by this section shall not be less than the rate of interest charged the Commodity Credit Corporation by the United States Treasury, except that the Secretary may waive or adjust such interest if (A) for loans on wheat, the quantity of wheat in the reserve is less than 350 million bushels or for loans on feed grains, the quantity of feed grains in the reserve is less than 800 million bushels and (B) the Secretary determines that such waiver or adjustment will not adversely disrupt wheat and feed grain markets"; and

(3) inserting after the third sentence in subsection (e) the following: "With respect to the 1985 and subsequent crops of wheat and feed grains, the Secretary shall not provide loans authorized by this section unless (1) the quantity of wheat in the reserve is less than 350 million bushels or the quantity of feed grains in the reserve is less than 800 million bushels, or (2) the Secretary determines that (A) the levels set forth in clause (1) of this sentence to not reflect current supply and demand conditions and (B) the quantity of wheat in the reserve is less than 15 percent of the projected usage of wheat in the then current marketing year or the quantity of feed grains in the reserve is less than 10 percent of the projected usage of feed grains in the then current marketing year.".

TITLE X—SUGAR

LOANS

SEC. 1001. Effective only for the 1986 through 1993 crops of sugar beets and sugar cane, subsection 201 of the Agricultural Act of 1949 is amended by—

(1) striking out in the first sentence "honey, and milk" and inserting in lieu thereof "honey, milk, sugar beets, and sugar cane"; and

(2) amending subsection (h) to read as follows:

"(h) Effective October 1, 1986, the Secretary shall support prices of domestically grown sugar cane from the 1986 through the 1993 crop through nonrecourse loans at such level as the Secretary determines appropriate but not less than 18 cents per pound for raw cane sugar. Effective October 1, 1986, the Secretary shall support the price of domestically grown sugar beets from the 1986 through the 1993 crop through nonrecourse loans at such level as the Secretary determines to be fair and reasonable in relation to the level of loans for sugar cane. The Secretary shall announce the loan rate to be applicable during any fiscal year as far in advance of the beginning of that fiscal year as practicable consistent with the purposes of this subsection. Loans during any such fiscal year shall be made available not earlier than the beginning of the fiscal year and shall mature before the end of that fiscal year.".

TITLE XI—SPECIAL OPTION FOR 1985 CROP LOAN RECIPIENTS

REDEMPTION LEVEL OPTION

SEC. 1101. Notwithstanding any other provision of the law—

(a) The Secretary shall, as soon as practicable after the date of enactment of this Act, determine the market price received by producers of wheat, feed grains, upland cotton, extra long staple cotton, and rice during the immediately preceding 30 days. With respect to any of these commodities for which such price is not greater than 105 percent of the loan level in effect for any such commodity for the 1985 crop, the Secretary shall offer a repayment option to producers who receive 1985 price support loans for such commodity. Under the repayment option, producers shall be allowed to redeem their 1985 crop price support loan collateral at a price per bushel, per hundredweight, or per pound, whichever is applicable, lower than the loan level in effect for the commodity for which the loan is made at the time of disbursement of the loans. The optional repayment level shall be determined monthly by the Secretary to reflect market conditions and producers may redeem their 1985 crop loan collateral at any time prior to the maturity date of such loans at the monthly level in effect at the time of repayment: *Provided*, That nothing in this section shall be construed as relieving producers of the obligation to pay interest on the total amount of the loans which they receive from the Commodity Credit Corporation, computed from the date of disbursement of the loan through the date of redemption of the loan collateral.

(b) The optional repayment levels established by the Secretary under this Title shall not be less than $2.20 per bushel for wheat, $1.90 per bushel for corn, $1.80 per bushel for grain sorghum, $1.63 per bushel for barley, $1.01 per bushel for oats, $0.50 per pound for upland cotton, $0.75 per pound for extra long staple cotton, and $5.50 per hundredweight for rice.

(c) Producers who receive 1985 crop price support loans prior to the date of enactment of this Act shall be given the option with respect to the redemption of loan collateral as provided by subsection (a).

(d)(1) The provisions of this section shall not affect the calculation of deficiency payments which may be made to producers of the 1985 crops of wheat, feed grains, upland cotton, extra long staple cotton and rice.

(2) The difference between the total loan amounts which producers receive as 1985 crop price support loans and the amounts paid by producers to redeem the collateral securing such loans in accordance with the optional repayment levels established under this Title shall not be taken into account in the application of the maximum payment limitation provision of Section 1101 of the Food and Agriculture Act of 1981.

(e) The Secretary shall carry out the provisions of this section through the Commodity Credit Corporation.

(f) The Secretary may issue such regulations as the Secretary deems necessary to carry out the provisions of this section.

FAMILY FARM PROTECTION AND FULL PRODUCTION ACT OF 1985 AT A GLANCE

GOALS

(1) Protect farm income; (2) Full production; (3) Improve export competitiveness.

INCOME PROTECTION

The Family Farm Protection and Full Production Act sets up a system of "transition payments" for farmers growing major crops. These are direct payments to farmers. These payments have upper limits. Farmers may plant whatever they wish. They are free to plant according to market signals, rather than for the federal program. if nothing is planted (if that's the

most economical use to which the land can be put), an acceptable cover crop or conservation practice must be established to qualify for the payment. There are no annual set asides.

Crop	Loan rate [1]	Payment
Corn	$1.90	$0.94/bu.
Wheat	2.20	1.42/bu.
Cotton	.50	.26/bu.
Rice	5.50	4.26/bu.
Dairy	10.60	1.50/cwt.

[1] Support price.

As the size of operation increases, the percent of the payment made decreases according to this schedule:

	Transition payment with no limitation	Reduction factor (percent)	Transition payment with limitation
1st increment of	$20,000	100	$20,000
2nd increment of	40,000	50	20,000
3rd increment of	60,000	25	15,000
4th increment of	80,000	10	8,000
Total payment without limit	200,000		[1] 63,000

[1] Total payment with limit.

This focuses income protection on small and medium sized operations. The maximum payment per farmer in the first year would be $63,000. (Dairy Limit: $20,000 which applies to the $63,000.)

Transition payments would be made at 100 percent in 1986, and not less than 92 percent in 1987, 80 percent in 1988, 65 percent in 1989 and 50 percent in 1990.

EXPORT PROMOTION

The bill encourages exports of U.S. agricultural products through several mechanisms: (1) Lower loan rate; (2) Green Dollar Certificate Program; (3) Mandatory CCC stock reduction; (4) Intermediate credit guarantees.

CONSERVATION

The Secretary of Agriculture will designate 30 million acres of highly erodible land to be put to conservation. Bids will be taken on at least 20 million acres for 10-year conservation reserve. Payments may be made in a lump sum or over 5 years.

INNOVATIVE ASPECTS OF THE BOSCHWITZ-BOREN APPROACH

1. This is the only bipartisan farm bill yet introduced in the Senate.
2. A transition payment.
3. Farmers receive the benefit of prices exceeding the loan rate without losing the transition payment.
4. An incremental table that focuses the transition payment on the family farm.
5. This is not a program farmers would plant for. It frees them to respond to market signals rather than responding to the program signals.
6. No annual set asides or diversions—this is a full production bill.
7. Loan rates that immediately establish us as competitive in world markets, not simply set according to arbitrary multi-year formula which takes too long to adjust to market realities.
8. Loan rates that will not lead to further CCC acquisitions.
9. An interim program for 1985 crops to prevent CCC from acquiring huge stocks at great expense. These stocks would be difficult to dispose of and would likely burden CCC with additional storage costs for several years.
10. A "Green Dollar" program to establish export competitiveness and work down CCC stocks.
11. A loan rate not established by multi-year averages.
12. A large "sodbuster" provision to move fragile lands to a conservation reserve and specifically provide for shelterbelts and wetlands. No transition payment made on erodible land.
13. A dairy support program that allows for income protection for farmers, yet substantially lowers prices to consumers to increase demand.

FAMILY FARM PROTECTION AND FULL PRODUCTION ACT OF 1985, QUESTIONS AND ANSWERS

How does the Family Farm Protection and Full Production Act of 1985 differ from other farm bills?

This program has three primary goals: to maintain farm income, to promote sales of agricultural products on the export market and to allow full production in the agricultural sector. To achieve these goals it uses several new mechanisms and some traditional tools of federal farm policy.

What tools are employed?

Four primary mechanisms are used. To promote exports, the bill lowers loan rates to a level that will increase sales overseas and discourage foreign competitors from increasing production. It also sets up several export promotion programs to be run by the federal government. The bill establishes a "transition payment" system to provide reasonable income as the U.S. regains foreign markets. Lastly, the bill mandates a Conservation Acreage Reserve to remove highly erodible and less productive land from production.

Is this a comprehensive farm bill?

Yes. It provides programs for corn, wheat, cotton, rice, sugar, dairy exports and conservation. The bill would be in effect for eight years.

FARM INCOME PROTECTION

The Family Farm Protection and Full Production Act replaces traditional systems of acreage reduction and target prices with a transition payment that gives farmers adequate cash as U.S. ag products regain their competitiveness on world markets. This is a full production farm bill. The only land it removes from production is the highly-erodible land, which enters the Conservation Acreage Reserve.

How is the transition payment calculated?

For wheat, corn, cotton, and rice, a transition payment would be established that would provide the same income over variable costs for farmers at full production as is now earned in the 1985 Acreage Reduction Program. Loan rates would be reduced and the transition payment would bring income to that level. The loan rates and payments for various crops are listed below:

Crop	Loan rate	Transition payment
Wheat	$2.20	$1.42
Corn	1.90	.94
Cotton	.50	.26
Rice	5.50	4.26

For example, if a farm had a 200 acre corn-base and a 100 bushel per acre yield, it would receive $.94 times 10,000 bushels. Total payment: $18,800.

Would there be limits on these payments?

Yes. The transition payment system targets assistance to small and medium sized operations by reducing the percentage of the transition payment a farm receives as its output increases. On the first, $20,000 of payment, 100 percent would be paid. On the next $40,000, 50 percent would be paid. On the next $60,000, 25 percent would be paid. On the next $80,000, 10 percent would be paid. A farm receiving the maximum payments would earn $63,000 under the program.

When does the transition begin?

In 1986, the transition payment is made at 100 percent. Then it is reduced on this schedule no lower than: 1987—92 percent; 1988—80 percent; 1989—65 percent; 1990—50 percent.

What cropping restrictions are placed on those receiving transition payments?

None. The transition payment would be made regardless of what is produced on the land during the years 1986 through 1990. Farmers receiving payments are free to make planting decisions based on economic signals. They do not have to plant a crop at all. However, if no crop is produced, an acceptable cover crop or conservation practice must be established to qualify for the transition payment.

Would farmers have to set aside acres under the program?

This is a full production bill. However, transition payments would not be made for crops grown on 30 million acres of highly erodible land, as defined by the Secretary of Agriculture, unless an approved Soil Conservation Service plan is being followed.

EXPORT PROMOTION

The lower loan rate would do a great deal to increase exports. This makes U.S. ag products more attractive to foreign buyers and discourages further expansion of production. The bill proposes additional export promotion programs also, including a mandatory reduction in CCC stocks and an incentive program, called the Green Dollar program to encourage exports using CCC stocks.

What is a "Green Dollar?"

Green Dollars are certificates issued to exporters that can be redeemed for commodities owned by the CCC. The Secretary of Agriculture is mandated to use Green Dollars to maintain competitiveness abroad.

How would a Green Dollar program work?

Exporters would be allowed to bid for the number of Green Dollars they need to complete an export sale. When the sale is complete, the exporter would receive Green Dollar Certificates, which would be redeemable for CCC stocks. These stocks also must be exported, although exporters could sell their Green Dollar Certificates to another exporter. (In other words, a secondary market would be allowed for buying and selling Green Dollar Certificates.)

Is there a limit on the amount of CCC stocks to be used in this program?

No. The Secretary may use as large a quantity of CCC stocks as necessary to carry out the program.

SOIL AND WATER CONSERVATION

The Family Farm Protection and Full Production Act includes an aggressive conservation program to protect our soil and water resources. It would make 30 million acres of highly erodible land ineligible for transition payments and CCC loans. This would discourage production of crops on these acres. At least 20 million acres of this land would be accepted into a ten-year Con-

servation Acreage Reserve (CAR) by competitive bids. Also, former wetlands which are now producing crops could be bid into the reserve and then revert to wetlands.

How long would land be placed in the reserve?

Land would be in the reserve for 10 years. Farmers would bid to receive either a lump sum payment in the first year of the reserve or annual payments through the first five years.

How will bids be selected?

The Secretary of Agriculture would choose bids that will prevent the most erosion per dollar invested. The bill gives him the flexibility to establish different criteria for selection in various states and regions. He would be allowed to reject bids that are high relative to others in that state or region. To the extent practicable, at least 10 percent of the total program acreage will be in wetlands and 10 percent of the total program acreage will be devoted to planting shelterbelts in areas prone to wind erosion.

Will the amount of land eligible for the conservation reserve be limited?

Yes. The Secretary may limit the amount of land entering the reserve in any particular county to preserve the economic health of surrounding agricultural businesses and rural communities.

Further, any highly erodible lands that have been initially plowed since January 1, 1980, will be eligible for the reserve only with lump sum bids sufficient to re-establish a cover crop. This program is not designed to provide a windfall to people who have been engaged in sodbusting.

DAIRY

The transition payment idea has also been adapted for the dairy sector of the farm economy. The bill establishes a transition payment of $1.50 per hundredweight. The CCC purchase price would be $10.60 per hundredweight, so the effective price received by the farmer would be the current level of $12.10 per hundredweight.

How is the transition payment calculated?

Farmers who wish to receive transition payments must provide proof of milk marketings for the 1984 and 1985 marketing years. Farmers who participated in the dairy diversion program may use their marketing history from that program. Farmers would be paid the transition payment of $1.50 per hundredweight multiplied by the total number of hundredweights marketed per year. Overall, a dairyman may receive no more than $20,000 a year in dairy transition payments. If a dairyman is at or near the limit of transition payments for other crops, such as corn or wheat, the special payment for dairy would be reduced or eliminated so the total transition payments do not exceed the limits set for crops.

How will the transition be made?

The transition payments will be made at 100 percent of the calculated amount in 1986. They will be made at no lower than 92 percent in 1987, 80 percent in 1988, 65 percent in 1989 and 50 percent in 1990. After 1990, the Secretary would have the authority to continue some form of income support payments if needed. Due to the unique cash flow requirements on dairying, the transition payments would be made quarterly.

FAMILY FARM PROTECTION AND FULL PRODUCTION ACT OF 1985—DETAILED DESCRIPTION

This bill consists of 11 titles: (1) Agricultural Exports; (2) Conservation Acreage Reserve; (3) Wheat; (4) Feed Grains; (5) Cotton; (6) Rice; (7) Dairy; (8) Payment Limitation and Conservation of Land Subject to Excessive Erosion; (9) Grain Reserve; (10) Sugar; and (11) Special Option for 1985 Crop Loan Recipients. It would be effective for 8 years, terminating on September 30, 1993.

EXPORT PROMOTION

Green dollar export certificate

The Secretary shall maintain the competitiveness of U.S. agricultural exports by use of Green Dollar export certificates. The program shall be used to regain market share, to meet commercial competition, and to offset: (1) the use by other countries of subsidies and other unfair trading practices; (2) temporary imbalances caused by U.S. loan rates which are above world market levels; and (3) fluctuations in the value of the dollar against other major currencies.

The Green Dollar Export Certificate Program shall be run similar to the GR 345 program (terminated in 1972). Exporters may bid for the amount of Green Dollar Certificates they need to complete an export sale. (Alternatively, the Secretary may run the program using an announced amount of Green Dollar Certificates instead of competitive bids.)

After completing the sale the exporter would provide USDA with appropriate documentation proving that the commodity was exported. The exporter then would receive Green Dollar Certificates. These may be redeemed in exchange for CCC-owned commodities which also must be exported. The Secretary may set values on CCC commodities for redemption by Green Dollar Certificates which are different than the acquisition prices of the commodities. Exporters may create a secondary market by buying and selling Green Dollar Certificates, but these Certificates must be redeemed within 6 months of the date issued.

The Secretary shall use as large a quantity of CCC stocks as is necessary to effectively carry out this program. The Secretary is authorized to use funds of the CCC in addition to commodities to carry out this program.

CCC stock reduction program

On October 1 of each year, the Secretary shall take an inventory of all commodities owned by the CCC. Prior to the following September 30, the Secretary shall cause at least 20 percent of those stocks to be exported (assuming the commodities are not needed to operate the Green Dollar program) through the following programs:

1. Provide CCC-owned commodities for use in GSM-301 and GSM-201 intermediate credit programs to develop infrastructure for importing and using agricultural commodities and to expand livestock production.

2. Overseas donations of CCC-owned commodities through Section 416.

The Secretary is authorized to use funds of the CCC if they are necessary to carry out the stock reduction program.

GSM-201 and GSM-301 guarantees

Allow the GSM-201 and GSM-301 intermediate credit programs to be utilized with guaranteed commercial credits as well as direct CCC credits or CCC-owned commodities.

Embargo prevention

Omit the references to loans at 100 percent of parity from the embargo prevention language of the 1981 Farm Bill. Continue the requirement for direct payments to farmers.

Cargo preference

Include the language from S. 721, the Boren-Boschwitz cargo preference bill.

WHEAT, CORN, COTTON AND RICE

Loan rates

1. Lower loan rates to $2.20 for wheat, $1.90 for corn, $0.50 for cotton, and $5.50 for rice.

This is in line with the increase in the dollar since 1981. It will return our loan rates to about the same relative position compared to other currencies that they held in 1981.

This reduction will make U.S. wheat and corn competitive at current prices with similar commodities from other origins.

It maintains an appropriate relationship between the loan rates for various grains so that some wheat can be economically used for livestock feed when market conditions warrant it.

2. Allow the loan to be lowered by at least 10% starting with the 1987 crop year if the market price for the previous year is within 5% of the loan rate. Require the Secretary to lower the loan by at least 10% if the market price for the previous 2 years is within 5% of the loan rate and if the loan rate was not adjusted downward in the previous year. Allow the Secretary to raise the loan by up to 5% if market conditions over the 2 preceding years warrant it and if such increase will not jeopardize the competitive position of U.S. agriculture in world markets.

Income support

1. Establish "transition payments" which would provide the same income over variable costs at full production that farmers now earn with the 1985 Acreage Reduction Program. These would be $1.42 for wheat, $.94 for corn, 0.26 for cotton, and $4.26 for rice for farmers who participated in the 1984 or 1985 programs. For farmers who did not participate in either the 1984 or 1985 programs, the transition payment would be $1.10 for wheat, 0.65 for corn, $0.073 for cotton, and $2.50 for rice. (The payment for non-participants is equal to the drop in the loan rate for each commodity.)

2. Calculate each farm's acreage base and yield for 1986 in the same manner as was done in 1985. (This will give a number of bushels for each farm.)

3. Multiply that number of bushels for each farm times the transition payment. This would determine the size of the "income support" each farmer would receive, subject to payment limitations.

4. The transition payment would be made at 100% in 1986, 92% in 1987, 80% in 1988, 65% in 1989, and 50% in 1990. (That is, the total payment received by each farm would be reduced each year by the percentage indicated. A farmer receiving $63,000 the first year would receive $57,960 in the second, $50,400 in the third, $40,950 in the fourth, and $31,500 in the 5th.) The Secretary would have the discretion to make higher payments if circumstances require it, up to 100 percent. It would be paid regardless of the price of the commodity on which it is originally based. After 1990, the Secretary would have the discretion to continue some form of income support payments if it is necessary to maintain adequate farm income.

5. Payment limitation. This sliding scale skews the bulk of the benefits to small and medium size farmers while still allowing fairly large farmers to receive payments.

	Transition payment with no limitation	Reduction factor (percent)	Transition payment with limitation
1st increment of	$20,000	100	$20,000
2nd increment of	40,000	50	20,000
3rd increment of	60,000	25	15,000
4th increment of	80,000	10	8,000
Total payment without limit	200,000		[1] 63,000

[1] Total payment with limit.

6. The transition payment would be made regardless of what is produced on the land during any of the years, 1986 through 1990. If no crop is produced on the land, an acceptable cover crop or other conservation practice must be established to qualify for a transition payment.

7. Transition payments and corp loans shall not be made for crops grown on at least 30 million acres of highly erodible land (as defined by the Secretary) unless an approved SCS plan is being followed in cropping the farm. This shall include 2.2 percent of the acreage base of farms in areas prone to wind erosion unless those farmers can demonstrate that they have installed and maintained shelterbelts or other SCS approved practices. These lands excluded from payment shall be eligible for the Conservation Acreage Reserve, although the Secretary need not accept them into the CAR if their bids are too high. To be eligible for the CAR, farmers in areas subject to wind erosion must establish appropriate shelterbelts.

8. The Secretary shall insure that the interests of tenants are protected when administering the transition payments. (Landlords should not be allowed to simply evict tenants and collect the transition payments. The Secretary prohibit transition payments to landlords that engage in such practices.)

9. If the loan rate is decreased in 1987 or later, the transition payment for each farm shall be increased by the same percentage that the loan rate falls. (A 10% drop in the loan would mean that the transition payments would increase by 10%.) Total payment to any farmer would still be limited by the mixiumum payment limitations listed above.

10. Farmers shall report their acreage planted to all crops on a date prior to harvest as specified by the Secretary in order to qualify for transition payments.

Annual acreage reduction programs are prohibited including paid diversion.

Farmer owned reserve

1. No new entries will be allowed until wheat stocks in the FOR have fallen below 350 million bushels or feed grain stocks have fallen below 800 million bushels. The Secretary could adjust these figures to equal 15% of annual usage for wheat and 10% of annual usage for feed grains if the total usage changes over time.

2. The Secretary would have discretion to allow direct entry into the reserve (as opposed to waiting until 9 month CCC loans expire).

3. The reserve loan could not be offered at a premium over the regular loan. It would be a 3 year recourse loan in which the grain could not be forfeited to the CCC.

4. CCC would pay storage and waive interest for the first 12 months and farmers could not sell the grain during the this time. The Secretary would have the discretion to allow grain to be sold during the first 12 months if extraordinary market conditions develop. After 12 months, storage payments and interest waiver would cease and the farmers would repay the loan whenever the grain is sold, or else at the end of the 3 year loan if the grain is not yet sold. The Secretary would have the discretion to extend the interest waiver and storage payments if market conditions make it advisable, but only if wheat stocks are below 350 million bushels and feed grains are below 800 million bushels.

Loan rate options for participants in the 1985 crop programs.

1. Upon enactment of this bill, the Secretary shall offer participants in the 1985 wheat, corn, cotton and rice programs another choice in regard to their CCC loans if the market price is not more than 5% greater than the loan rate during the preceding month. ($2.68 for corn, $3.47 for wheat, 60.2 cents for cotton, and $8.40 for rice.)

2. If the market price is below these levels, the participant shall have the option to either receive a loan which is repayable at the established level ($2.55 for corn, $3.30 for wheat, $0.573 for cotton, and $8.00 for rice), or else receive a loan which would be repaid at a price to be established monthly by the Secretary to reflect current market conditions. In no case would this repayment rate be less than the level which shall prevail for the 1986 crops ($1.90 for corn, $2.20 for wheat, $.50 for cotton, and $5.50 for rice).

3. If participants have received their CCC loans prior to enactment of the bill, they shall have the option of paying them back at the rate to be determined monthly by the Secretary.

4. This additional option shall in no way affect the calculation of the 1985 crop deficiency payments as specified in the 1985 program.

5. No payment limitation shall apply to the amount of the loan which the farmer may not have to repay under this provision.

DAIRY TRANSITION PROGRAM

The dairy transition program would be similar to the transition program for wheat, corn, cotton, and rice.

1. The CCC purchase price would be set at $10.60 per cwt. for FY86.

2. If CCC dairy purchases are projected on October 1 of any year to exceed 5 billion pounds (milk equivalent) for the coming marketing year, the Secretary may, at his discretion, lower the CCC purchase price by 50 cents.

3. If CCC dairy purchases are projected on October 1 of any year to be less than 2 billion pounds (milk equivalent) for the coming marketing year, the Secretary may raise the support price by 50 cents, but not above $10.60 for the 5 year life of the transition program.

4. Each farmer who wishes to receive a transition payment shall provide proof of his milk marketings for the 1984 and 1985 marketing years (same as the fiscal year; Oct. 1-Sept. 30). Farmers who have participated in the dairy paid diversion program may use their marketing history for that program instead of their actual sales. Farmers who have a marketing history for only the last part of that 2 year period shall be allowed to pro rate that amount to establish a more equitable 2 year history.

5. A transition payment of $1.50 per cwt. shall be multiplied times the average number of hundredweights marketed (or considered marketed). The total transition payment shall be subject to a payment limitation of $20,000. If a farmer is at or near the limitation on transition payments which applies to wheat, corn, cotton, and rice, his special transition payment for dairy shall be reduced or eliminated so that his total payments don't exceed the limit established for those crops.

6. The transition payment would be made at 100% of its calculated amount in 1986 (subject to the payment limitation), and not less than 92% in 1987, 80% in 1988, 65% in 1989, and 50% in 1990. (The payment received by the farm in 1986 would be reduced in the following year by the indicated percentage.) It would be paid regardless of the price received for milk. After 1990, the Secretary would have the discretion to continue some form of income support payments if farm conditions warrant it.

7. The transition payments shall be made to dairy farmers on a quarterly basis.

8. Dairy farmers who have a marketing history but are not actively engaged in the production of milk on the date of enactment of this bill shall not be eligible to receive transition payments.

9. Dairy farmers who discontinue producing milk during the transition period shall be eligible to receive transition payments for 1 year after they stop milking. This is subject to the condition that no one produces milk in facilities owned by that farmer during the year after he stops milking.

10. New entrants would be eligible to receive transition payments only if they take over facilities which are being used by someone who is currently eligible to receive transition payments. If the milk production of the new producer is lower than the production established in the farm's marketing history, the transition payments shall be correspondingly reduced. In no case shall the transition payments be increased above their established level if a facility changes ownership. No transition payments shall be made to new entrants who take over facilities on which the previous owner had exercised his option to receive transition payments for one year after stopping milk production.

11. If the CCC purchase price is decreased in 1987 or later, the transition payment for each farm shall be increased by the same percentage that the CCC purchase price falls. (A 50 cent drop in the purchase price is a decline of 4.95%. If this decrease occurred, the amount of the transition payment would increase by 4.95%.)

SUGAR

The current sugar program is working well. This bill would not change it. The loan rate would be left at 18 cents.

CONSERVATION ACREAGE RESERVE (CAR)

1. Mandate a long term (10 years) conservation reserve of a least 20 million acres targeted to erodible land and wetlands which are currently being tilled.

2. Farmers may bid to receive either a lump sum payment in the first year or annual payments for the first 5 years.

3. The Secretary shall choose the bids that will prevent the most erosion per dollar invested. (In the case of wetlands, those bids that represent the best values in water conservation will be preferred.) He shall have the flexibility to establish differing criteria for the various states and regions of the country. The Secretary shall have the discretion to reject bids which are high relative to others in that state or region.

4. To the extent practicable, at least 10% of the total program acreage shall be devoted to wetlands. At least 10% of the acreage shall be devoted to planting shelterbelts in areas prone to wind erosion, but no farmer

shall be able to bid in more of his land for planting shelterbelts than is consistent with effective wind erosion control practices in the area. Shelterbelts must remain in place for a least 20 years.

5. The Secretary is encouraged to consider the potential benefits to wildlife when he accepts bids under the CAR.

6. The Secretary may limit the amount of land entering the CAR from any county so that no substantive damage will be done to agricultural businesses and rural communities.

7. The Secretary may allow haying and grazing on the CAR, at his discretion. However, the land may not be plowed or the soil otherwise disturbed after an initial cover crop is established.

8. Any highly erodible lands that have been initially plowed since January 1, 1980 shall be eligible for entry into the CAR only with lum sum bids sufficient to re-establish an appropriate cover crop.●

By Mr. PACKWOOD (for himself and Mr. HATFIELD):

S. 1046. A bill for the relief of Kok Djen Su and Grace Su, husband and wife; to the Committee on the Judiciary.

RELIEF OF KOK DJEN SU AND GRACE SU

● Mr. PACKWOOD. Mr. President, Mr. and Mrs. Su came to this country as students, he to Portland State in 1972 and she to the University of Washington, independently. Mr. and Mrs. Su's last location and date of entry into the United States was in Honolulu, HI, on September 23, 1975, for Kok Djen and on March 29, 1975, for Grace. When Kok completed his undergraduate degree in June 1976, he found that he would like to remain in the United States permanently and explored the avenues that were open to him. In the meantime, on November 12, 1977, he married Grace Tanuwidjaya (a.k.a. Grace Tan) in Seattle.

Kok and Grace Su were born in Indonesia. Kok was born on November 10, 1952, in Kebunen, and Grace was born on June 22, 1955, in Senarang. Both received visas issued at the American Embassy in Jakarta, Indonesia. Both Kok and Grace had F-1 visas. Kok's visa was out of status as of 1979, and Grace's was out of status as of 1977.

In September 1977, Kok was informed by Immigration that there was a permanent status quota available under the preference for "investors in the U.S." He was told it required investing at least $40,000 and employing at least three U.S. citizens. Relying upon that advice, he immediately sought such an investment opportunity and in April 1978 purchased the SunDowner Restaurant in Hood River. His initial cash investment, including downpayment, purchase of signs, new equipment, inventory, and legal fees was $80,000. To put the place on a sound basis and to bring it to a quality that would attract a good clientele, his cash investment grew to approximately $100,000, every penny of which came from his savings and his share of family property in Indonesia. In fact, he brought all of his money from Indonesia—a total of nearly $125,000—to enable him to continue his studies and provide for himself and his wife while he got the business going.

During all of this time, he was pursuing his studies at Portland State, in a masters program in electrical engineering. For the first year after getting the restaurant, he commuted to school from Hood River, as well as supervising the restaurant, and doing the cooking.

When he reported to Immigration in April 1978 that he had made the necessary investment, he was informed, "Sorry, the quota is closed." Thus, his application was not even accepted. No one had bothered to warn him that such quotas are subject to closure, or even that there is a danger of such a thing happening. Relying on what he had been told 8 months before, Kok had risked great amounts of time, money, and energy in purchasing a business which was crying for good management. Further, Kok had turned the business into a first-class establishment.

In the fall of 1979, Grace bore a child, Justin Alexander. The added duties of caring for a pregnant wife, and his inability to find a competent cook who would move to Hood River, caused him to temporarily discontinue his studies. By this time, the restaurant was employing between 12 and 15 people—presently 14—and it had become one of the better places to eat in Hood River. He also was actively pursuing any available avenue through which he might obtain permanent resident status.

The most recent judicial action by the Su family was their application for suspension of the order of deportation on February 28, 1984, based on 7 continuous years of residency. The Su case was also before Administrative Law Judge Newton Jones. Twice before, and on January 20, 1982, Judge Jones found them deportable and gave them until April 20, 1982, to effect voluntary departure. The State Department found no basis for their request for political asylum. Presently, the Su's hold temporary resident status while their private bill is pending.

If this family is forced to leave the United States:

First, they will almost certainly lose most, if not all, of their money invested in the Oregon economy. They have a mortgage on their restaurant of $80,000 and meeting that obligation depends upon the continued successful operation of the restaurant—in fact, he has already paid $30,000 toward his mortgage. With today's interest rates, finding someone who would assume this obligation is at best remote.

Second, the Su's would arrive in Indonesia with nothing more than they might get out of a forced sale of the business—if, in fact, there was any sale.

Kok Su is of Chinese extraction. While he is not presently under any direct threat, and he is an Indonesian citizen—his parents immigrated to Indonesia before he was born—he is immediately subject to the dangers every resident of Indonesia of Chinese extraction must face.

Fourth, 13 U.S. citizens, gainfully employed because of the Su's industry, courage, and capital, will likely be out of work. Further, because the Su's regularly employ local college students during the summer, Hood River will lose a good source of summer youth employment.

Fifth, Grace Su is pregnant and has experienced a history of troublesome pregnancies. The stress caused by a traumatic deportation could have severe impact of her health.

Whenever and wherever I am in Oregon, I receive innumerable inquiries from my constituents as to the Su's welfare and immigration status. Their community and the State of Oregon supports and looks forward to the passage of this private bill so that the Su family may become full-fledged American citizens.●

By Mr. CHILES (for himself, Mr. ROTH, Mr. PRYOR, Mrs. KASSEBAUM, Mr. BURDICK, Mr. COHEN, Mr. HOLLINGS, Mr. DECONCINI, Mr. SASSER, Mr. EXON, and Mr. NICKLES):

S. 1047. A bill to reform the laws relating to former Presidents; to the Committee on Governmental Affairs.

FORMER PRESIDENT'S FACILITIES AND SERVICES REFORM ACT

Mr. CHILES. Mr. President, today, I am introducing the Former Presidents Facilities and Services Reform Act of 1985. The bill is designed to stop, and then reverse, the increasing costs of services and protection currently provided former Presidents.

A close examination of former Presidents' benefits reveals we are still in an era of the imperial former Presidency, with lavish libraries, special staffs and benefits, around-the-clock Secret Service protection for life, and other badges of privilege.

This legislation will establish a reasonable set of controls on the Federal spending associated with programs benefiting former Presidents. Today, the authorizations for these programs remain open ended; the level of expenditures remain out of control. Their cost has leaped from $64,000 in 1955 to $6.3 million in 1975 to over $26 million in fiscal 1984. That amounts to a fourfold increase in just the last 10 years.

Since 1981, the program has cost more than the expense of running the White House itself for our incumbent President.

Looking back on how the laws relating to former Presidents were put together, Congress has repeatedly affirmed a national policy which ensures each former President is able to lead a dignified retired life, free from a need to commercialize the prestige of the Office of the Presidency, and free from danger resulting from its visibility. The original purposes of the various laws governing former Presidents reflect this belief.

Prior to 1958, the President of the United States was virtually the only officer or employee of the Federal Government not covered by some sort of retirement program, much less the other benefits they receive today.

But the fourfold increase greatly exceeds the original programs expectations. More importantly, tax dollars have been used to help former Presidents become wealthy. This is a consequence never envisioned by the lawmakers who authorized the Former President's Act, the Former Presidents Library Act, Secret Service protection, or other benefits. It is a consequence that seriously detracts from citizen confidence and respect for the institution of the American Presidency.

Now, by failing to place reasonable limits on Presidential libraries, Secret Service protection, office and staff allowances, the Congress is permitting the former President programs to go beyond their intent and character. I strongly believe allowing former Presidents to use tax dollars to become wealthy is a waste that should be stopped. This bill is intended to stop this waste and restore the appropriate character and intent to these programs.

This bill is similar to legislation I introduced in the 96th, 97th, and 98th Congresses. Since its initial introduction over 5 years ago, considerable work and several modifications have resulted in this 1985 edition.

While progress for this legislation has been slow, it has been steady. There has been a sustained national discussion on what the taxpayers' responsibility for former Presidents should be. I believe all interested parties have commented. I think the provisions which are summarized at the end of my statement represent a balanced approach which maintains the traditional dignity of the American Presidency but ends the era of the imperial former Presidency.

For three reasons I am optimistic this Congress will send this legislation to President Reagan for his signature. Last Congress, with the active support of Chairman WILLIAM ROTH, the Committee on Governmental Affairs voted to report similar legislation to the full Senate. The White House requested the chairman of the Appropriations Committee to place a hold on the bill in order to block its passage. After Senators ROTH, PRYOR, and I indicated we would attempt to amend the Treasury and Postal Service appropriations bill to force its consideration, Majority Leader Howard Baker arranged for direct meetings between then Special Assistant to the President Ed Meese, Senator ROTH, and myself. While negotiations did not end in time for passage last session, the bill introduced today does address several of the issues raised on President Reagan's behalf.

Second, title I of the bill structures the Federal Government's responsibility for Presidential libraries in a new way. For the first time both endowment and space limitation requirements are imposed. This approach combines work of the House, which passed a Presidential libraries bill last Congress and is presently considering identical legislation, with the work of the Senate Governmental Affairs Committee. We believe limiting the Federal responsibility to operating and maintaining a single, 70,000 square foot facility and requiring an endowment of 20 percent of the facility value to help support those expenses would restore the Federal responsibility to an appropriate level. Future libraries and museums could be larger, but the excess of 70,000 square feet would have to be financed totally by private sources.

Third, former President Richard Nixon recently indicated his desire to forgo Secret Service protection. Former President Gerald Ford responded to this action by stating on national television that at the proper time, under the proper circumstances, he and Mrs. Ford will do the same. I view these actions as an acknowledgment by two of our former Presidents that there comes a point when the need for protection is diminished.

This should encourage some Members of Congress who have previously been concerned by limitations on this protection to rethink the issue. Congress should acknowledge its responsibility to draw a reasonable line. We should end the automatic, lifelong, open-ended nature of this protection that is provided presently. My bill would limit automatic protection to 5 years, after which it could be continued if the Secretary of Treasury formally justifies the need.

I continue to believe Federal spending for former Presidents should be curtailed and made consistent with original intents. This year's bill reflects the 5-year crucible in which the ideas contained in this legislation have been molded. It effectively strikes a balance between the legitimate needs which arise from an individual's service as President, and the need to establish reasonable controls on Federal spending.

While passage of this bill is not going to balance the budget, it will save money. Moreover, it will end the era of an imperial former Presidency. Given the sacrifices many are being asked to make in order to reduce the huge national deficit we face, the imperial former Presidency is a highly visible national symbol which is wrong and must end.

Mr. President, I ask unanimous consent that the bill I am introducing today on former Presidents together with a summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Former Presidents Facilities and Services Reform Act of 1985".

DEFINITIONS

SEC. 2. For purposes of this Act, the term "former President" means an individual—

(1) who has held the office of President of the United States of America;

(2) whose service in such office has terminated other than by removal pursuant to section 4 of article II of the Constitution of the United States of America; and

(3) who does not currently hold such office.

TITLE I—PRESIDENTIAL LIBRARIES

RESEARCH AND MUSEUM FACILITIES

SEC. 101. Section 2101(1) of title 44, United States Code, is amended by inserting before the semicolon a comma and "and may include research facilities and museum facilities in accordance with this chapter".

PRESIDENTIAL ARCHIVAL DEPOSITORIES

SEC. 102. (a) Section 2112(a) of title 44, United States Code, is amended to read as follows:

"(a)(1) When the Archivist considers it to be in the public interest, the Archivist may—

"(A)(i) accept, for and in the name of the United States, land, a facility, and equipment offered as a gift to the United States for the purposes of creating a Presidential archival depository;

"(ii) take title to the land, facility, and equipment on behalf of the United States; and

"(iii) maintain, operate, and protect the land, facility, and equipment as a Presidential archival depository and as part of the national archives system;

"(B)(i) make agreements, upon terms and conditions the Archivist considers proper, with a State, political subdivision, university, institution of higher learning, institute, or foundation to use as a Presidential archival depository land, a facility, and equipment of the State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States; and

"(ii) maintain, operate, and protect the depository as a part of the national archives system; and

"(C) accept, for and in the name of the United States, gifts offered for the purpose of making any physical or material change or addition to a Presidential archival depository.

"(2) The Archivist shall promulgate architectural and design standards applicable to Presidential archival depositories in order to

ensure that such depositories (A) preserve Presidential records subject to chapter 22 of this title and papers and other historical materials accepted for deposit under section 2107 of this title and (B) contain adequate research facilities.

"(3) Prior to accepting and taking title to any land, facility, or equipment under subparagraph (A) of paragraph (1), or prior to entering into any agreement under subparagraph (B) of such paragraph or any other agreement to accept or establish a Presidential archival depository, the Archivist shall submit a written report on the proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives. The report shall include—

"(A) a description of the land, facility, and equipment offered as a gift or to be made available without transfer of title;

"(B) a statement specifying the estimated total cost of the proposed depository and the amount of the endowment for the depository required pursuant to subsection (g) of this section;

"(C) a statement of the terms of the proposed agreement, if any;

"(D) a general description of the types of papers, documents, or other historical materials proposed to be deposited in the depository to be created, and of the terms of the proposed deposit;

"(E) a statement of any additional improvements and equipment associated with the development and operation of the depository, an estimate of the costs of such improvements and equipment, and a statement as to the extent to which such costs will be incurred by any Federal or State government agency;

"(F) an estimate of the total annual cost to the United States of maintaining, operating, and protecting the depository;

"(G) a certification that such facility and equipment (whether offered as a gift or made available without transfer of title) comply with standards promulgated by the Archivist pursuant to paragraph (2) of this subsection; and

"(H) a statement that the Archivist has determined that the amount required pursuant to subsection (g) of this section to be deposited in an endowment for the Presidential archival depository will be available for deposit in accordance with the requirements of such subsection.

"(4) Prior to accepting any gift under subparagraph (C) of paragraph (1) for the purpose of making any physical or material change or addition to a Presidential archival depository, the Archivist shall submit a report in writing on the proposed change or addition to the President of the Senate and the Speaker of the House of Representatives. The report shall include—

"(A) a description of such gift;

"(B) a statement specifying the estimated total cost of the proposed physical or material change or addition and the amount of the deposit in an endowment for the depository required pursuant to subsection (g) of this section in order to meet the cost of such change or addition;

"(C) a statement of the purpose of the proposed change or addition and a general description of any papers, documents, or historical materials proposed to be deposited in the depository as a result of such change or addition;

"(D) a statement of any additional improvements or equipment for the depository associated with such change or addition;

"(E) an estimate of the increase in the total annual cost to the United States of maintaining, operating, and protecting the depository that will result from such change or addition;

"(F) a certification that the depository, and the equipment therein will, after such change or addition, comply with the standards promulgated by the Archivist pursuant to paragraph (2) of this subsection; and

"(G) a statement that the Archivist has determined that the amount required pursuant to subsection (g) of this section to be deposited in an endowment for the depository in order to meet the cost of such change or addition will be available for deposit in accordance with the requirements of such subsection.

"(5) The Archivist may not—

"(A) accept or take title to land, a facility, or equipment under subparagraph (A) of paragraph (1) for the purpose of creating a Presidential archival depository;

"(B) enter into any agreement under subparagraph (B) of such paragraph or any other agreement to accept or establish a Presidential archival depository; or

"(C) accept any gift under subparagraph (C) of such paragraph for the purpose of making any physical or material change to a Presidential archival depository,

until the expiration of a period of 60 days of continuous session of Congress beginning on the date on which the Archivist transmits the report required under paragraph (3) of this subsection with respect to such Presidential archival depository or the report required under paragraph (4) of this subsection with respect to such change or addition, as the case may be.".

(b) Section 2112(g) of title 44, United States Code, is amended to read as follows:

"(g)(1) When the Archivist considers it be in the public interest, the Archivist may solicit and accept gifts or bequests of money or other property for the purpose of maintaining, operating, protecting, or improving a Presidential archival depository. The proceeds of gifts or bequests, together with the proceeds from fees or from sales of historical materials, copies or reproductions, catalogs, or other items, having to do with a Presidential archival depository, shall be paid into an account in the National Archives Trust Fund and shall be held, administered, and expended for the benefit and in the interest of the Presidential archival depository in connection with which they were received, and for the same purposes and objects, including custodial and administrative services for which appropriations for the maintainance, operation, protection, or improvement of Presidential archival depositories might be expended.

"(2) The Archivist shall provide for the establishment in such Trust Fund of separate endowments for the maintenance of the land, facility, and equipment of each Presidential archival depository, to which shall be credited any gifts or bequests received under paragraph (1) that are offered for that purpose. Income to each such endowment shall be available to cover the cost of facility operations, but shall not be available for the performance of archival functions under this title.

"(3) The Archivist shall not accept or take title to any land, facility, or equipment under subparagraph (A) of subsection (a)(1), or enter into any agreement to use any land, facility, or equipment under subparagraph (B) of such subsection for the purpose of creating a Presidential archival depository, unless the Archivist determines that there is available, by gift or bequest for deposit under paragraph (2) of this subsection in an endowment with respect to such depository, an amount for the purpose of maintaining such land, facility, and equipment equal to—

"(A) the product of—

"(i) the total cost of acquiring or constructing such facility and of acquiring and installing such equipment, multiplied by

"(ii) 20 percent; plus

"(B)(i) if title to the land is to be vested in the United States, the product of—

"(I) the total cost of acquiring the land upon which such facility is located, or such other measure of the value of such land as is mutually agreed upon by the Archivist and the donor, multiplied by

"(II) 20 percent; or

"(ii) if title to the land is not to be vested in the United States, the product of—

"(I) the total cost to the donor of any improvements to the land upon which such facility is located (other than such facility and equipment), multiplied by

"(II) 20 percent; plus

"(C) if the Presidential archival depository will exceed 70,000 square feet in area, an amount equal to the product of—

"(i) the sum of—

"(I) the total cost described in clause (i) of subparagraph (A); plus

"(II) the total cost described in subclause (I) or (II) of subparagraph (B)(i), as the case may be, multiplied by

"(ii) the percentage obtained by dividing the number of square feet by which such depository will exceed 70,000 square feet by 70,000.

"(4) The Archivist may not accept any gift under subparagraph (C) of paragraph (1) for the purpose of making any physical or material change in a Presidential archival depository unless the Archivist determines that there is available, by gift or bequest for deposit under paragraph (2) of this subsection in an endowment with respect to such depository, an amount for the purpose of maintaining the land, facility, and equipment of such depository equal to the difference between—

"(A) the amount which, pursuant to paragraph (3) of this subsection, would have been required to have been available for deposit in such endowment with respect to such depository if such change or addition had been included in such depository on—

"(i) the date on which the Archivist took title to the land, facility, and equipment for such depository under subparagraph (A) of subsection (a)(1); or

"(ii) the date on which the Archivist entered into an agreement for the creation of such depository under subparagraph (B) of such paragraph,

as the case may be; minus

"(B) the amount which, pursuant to paragraph (3) of this subsection, was required to be available for deposit in such endowment with respect to such depository on the date the Archivist took such title or entered into such agreement, as the case may be.".

APPLICABILITY

SEC. 103. Paragraphs (3) and (4) of section 2108(g) of title 44, United States Code (as added by the amendment made by section 102 of this Act) shall apply with respect to any Presidential archival depository created as a depository for the papers, documents, and other historical materials and Federal records pertaining to any President who takes the oath of office as President for the first time on or after May 9, 1984.

TITLE II—FORMER PRESIDENTS

SPOUSAL PENSIONS

SEC. 201. Subsection (e) of the first section of the Act entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", approved August 25, 1958 (72 Stat. 838; 3 U.S.C. 102 note) is amended to read as follows:

"(e) The spouse of a deceased former President shall be entitled to receive from the United States a monetary allowance at a rate per annum, payable monthly by the Secretary of the Treasury, which is equal to two-thirds of the rate which is payable under subsection (a) to a former President. The monetary allowance of such spouse—

"(1) commences on the day after the former President dies;

"(2) terminates on the last day of the month before such spouse—

"(A) dies; or

"(B) remarries before becoming sixty years of age; and

"(3) is not payable for any period during which such spouse holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.".

OFFICE AND STAFF FOR FORMER PRESIDENTS

SEC. 202. (a) Subsections (b) and (c) of the first section of the Act entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", approved August 25, 1958 (72 Stat. 838; 3 U.S.C. 102 note) are amended to read as follows:

"(b)(1) The Administrator of General Services (hereinafter referred to as the 'Administrator') is authorized to provide to each former President, upon request, necessary services and facilities, including—

"(A) one suitable office, not to exceed four thousand square feet in area unless the Administrator determines that circumstances exist to warrant the provision of an office in excess of four thousand square feet, in a public building owned or leased by the United States in a location in the United States as the former President shall designate;

"(B) appropriate equipment for such office, including furniture, furnishings, office machines and equipment, and office supplies, as determined by the Administrator after consultation with the former President or the individual designated by the former President under subsection (c);

"(C) payment of the compensation of members of an office staff designated by the former President at rates determined by the former President which are not in excess of the rate provided for level II of the Executive Schedule under section 5313 of title 5, United States Code, except that notwithstanding any other provision of law, persons receiving compensation as members of an office staff of a former President under this subsection shall not be considered to be employees of the Federal Government except for purposes of chapters 81, 83, 87, and 89 of title 5, United States Code;

"(D) payment of travel expenses and subsistence allowances, including rental of Government or hired motor vehicles, found necessary by the former President, as authorized for employees serving intermittently under section 5703 of such title;

"(E) when authorized by the President, transportation on Government aircraft or Government chartered aircraft solely for the purpose of enabling a former President to complete the affairs of such former President's office and otherwise as required incidentally to protect such former President;

"(F) communications services found necessary by the former President;

"(G) payment of expenses for necessary printing and binding, notwithstanding the provisions of section 501 of title 44, United States Code; and

"(H) movement of the personal effects and household goods of a former President and the family of the former President from the Executive Residence at the White House in Washington, the District of Columbia, to a location in the United States selected by such former President.

"(2) Any Federal employee may be detailed to the office staff of a former President on a reimbursable basis with the consent of the head of the agency involved. Any such detail shall be for a period not in excess of eight months and ten days after the date on which the former President leaves office. An employee detailed to the office of a former President shall be responsible only to the former President for the performance of such employee's duties during the period of such detail. An employee detailed under this paragraph is deemed, for the purpose of preserving the employee's allowances, privileges, rights, seniority, and other benefits, an employee of the agency from which such employee is detailed, and such employee is entitled to pay, allowances, and benefits from funds available to that agency. The authorization and payment of such allowances and other benefits from appropriations available therefor is deemed to comply with section 5536 of title 5, United States Code.

"(3) The costs of providing transportation to a former President under subparagraph (E) of paragraph (2) shall be paid from amounts appropriated for such former President under subsection (i) and from such amounts as may be collected by the Administrator from the Secret Service, other Federal agencies, or other persons for the use of space on Government aircraft or Government chartered aircraft and are credited (with respect to such former President) to the account for appropriations under this Act.

"(c) Each former President may designate to the Administrator an individual authorized to make, on the behalf of such former President, such designations or findings of necessity as may be required in connection with the services and facilities to be provided under subsection (b).".

(b)(1)(A) Subsection (e) of such section (as amended by section 201 of this Act) is redesignated as subsection (j).

(B) Subsection (f) of such section is redesignated as subsection (k).

(2) Such section is amended by inserting immediately after subsection (c) the following new subsections:

"(d) Funds provided for necessary services and facilities for a former President under this Act shall be used for activities which are the direct result of such former President having held the office of President. Such funds may not be used for partisan political activities or income generating activities (including the preparation of the memoirs of such former President and the preparation for any speech, radio or television appearance, or other activity for which such former President will receive any compensation or honorarium), as determined under standards established by the Administrator.

"(e)(1) The Administrator is authorized to provide necessary services and facilities to a former Vice President for use in connection with winding up the affairs of office of such former Vice President. Such services and facilities shall be of the same general character as the services and facilities provided to a former President under subsection (b). The Administrator shall provide for the movement of the personal effects and household goods of a former Vice President and the family of the former Vice President from the Vice President's House in Washington, the District of Columbia, to a location in the United States selected by such former Vice President.

"(2) Each former Vice President shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by such former Vice President under the written autograph signature of such former Vice President in connection with preparations for winding up of official duties as Vice President.

"(3) No funds for necessary services and facilities provided to a former Vice President under this Act shall be used for partisan political activities or income generating activities (including the preparation of the memoirs of such former Vice President and the preparation for any speech, radio or television appearance, or other activity for which such former Vice President will receive any compensation or honorarium), as determined under standards established by the Administrator.

"(f) No funds appropriated under this Act may be expended by the Administrator for the provision of services and facilities under this Act with respect to a former President or former Vice President at any time after ninety days after the date on which such former President or former Vice President dies.

"(g) Except for expenditures from an imprest fund consisting of such amounts as the Administrator shall determine, any expenditure of funds under this Act may be made only with the prior approval of the Administrator or the designee of the Administrator.

"(h) By March 1 of each year, each former President shall prepare and transmit to the Committee on Governmental Affairs of the Senate, the Committee on Government Operations of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives a report concerning activities carried out with the funds for necessary services and facilities provided under this Act.

"(i)(1) To carry out the provisions of subsections (b) and (e), there are authorized to be appropriated to the Administrator with respect to a former President and former Vice President a total of $1,000,000 for the fiscal year in which the term of a former President expires, except that no funds appropriated pursuant to this paragraph shall be available for expenditure until the day on which such term expires.

"(2) Except as provided in paragraphs (3) and (4), to carry out the provisions of subsection (b) with respect to each former President, there are authorized to be appropriated to the Administrator—

"(A) $300,000 for each of the first four fiscal years beginning after the fiscal year in which the term of a former President expired;

"(B) $250,000 for the fifth and each of the three succeeding fiscal years beginning after

the fiscal year in which the term of a former President expired; and

"(C) $200,000 for the ninth and each of the succeeding fiscal years beginning after the fiscal year in which the term of a former President expired.

"(3) Except as provided in paragraph (4), to carry out the provisions of subsection (b) with respect to any individual who is a former President on the date of enactment of this subsection, there are authorized to be appropriated to the Administrator—

"(A) $300,000 for each of the four fiscal years beginning after the fiscal year in which this subsection is enacted;

"(B) $250,000 for the fifth and each of the three succeeding fiscal years beginning after the fiscal year in which this subsection is enacted; and

"(C) $200,000 for the ninth and each succeeding fiscal year beginning after the fiscal year in which this subsection is enacted.

"(4) The provisions of paragraphs (2) and (3) shall cease to be in effect ten years after the date of enactment of this subsection.".

(c) Section 4 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is repealed.

(d) Section 5 of such Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 5. There are authorized to be appropriated to the Administrator such sums as may be necessary for carrying out the purposes of this Act, except that with respect to any one Presidential transition not more than $2,000,000 may be appropriated for the purposes of providing services and facilities to the President-elect and Vice-President-elect under section 3. The President shall include in the budget transmitted to Congress, for each fiscal year in which the President's regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act.".

TITLE III—PROTECTION OF FORMER PRESIDENTS, FORMER VICE PRESIDENTS, AND THEIR FAMILIES

PROTECTION AUTHORIZED

SEC. 301. (a) On or after the date of enactment of this Act, no Secret Service protection shall be provided to a former President or to the spouse or child of a former President, unless such protection is authorized by subsection (b) or is extended or reinstated by the Secretary of the Treasury or the President in accordance with section 302.

(b) The Secret Service is authorized to protect a former President after the date of enactment of this Act for a period of five years beginning on the date of enactment of this Act or on the date on which an individual becomes a former President, whichever is later, and for such additional periods as the Secretary of the Treasury may authorize under section 302. The Secret Service is authorized to protect the spouse or child of a former President after the date of enactment of this Act to the extent that such protection is incidental to the protection of the former President or if such protection is authorized by the Secretary of the Treasury or the President under section 302. The Secret Service is authorized to protect the spouse of a deceased former President after the date of enactment of this Act for a period of six months after the date on which such former President dies and for such additional periods as the Secretary of the Treasury may authorize under section 302.

REINSTATEMENT OF PROTECTION

SEC. 302. (a)(1) After the expiration or termination of Secret Service protection to a former President or the spouse or child of a former President, the Secretary of the Treasury may authorize the reinstatement of such protection—

(A) in the case of a former President, for one one-year period; and

(B) in the case of a spouse or child of a former President, for one six-month period,

upon a finding that a threat warranting such protection exists to the individual.

(2) The Secretary of the Treasury may extend Secret Service protection reinstated under paragraph (1) or provided under section 3056 of title 18, United States Code, prior to the date of enactment of this Act or under section 301 on or after the date of enactment of this Act—

(A) in the case of a former President, for additional consecutive one-year periods; and

(B) in the case of a spouse or child of a former President, for additional consecutive six-month periods.

(b) No extension of Secret Service protection under subsection (a)(2) shall become effective unless the Secretary of the Treasury submits the request for such extension to the Congress and a period of sixty days of continuous session of the Congress has expired after the date on which the request is submitted. For purposes of this subsection and subsection (c), continuity of session is broken only by an adjournment sine die, but the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded.

(c) The President is authorized to direct the United States Secret Service to protect a former President or a spouse or child of a former President upon a determination that a threat warrants emergency action. The President shall notify Congress of any such action. Such authorization shall extend for—

(1) a period not in excess of sixty calendar days; or

(2) in the case of the submission by the Secretary of the Treasury of a request for extension under subsection (b) within such sixty-day period, a period not in excess of the time required for the expiration of sixty days of continuous session of Congress after the date on which such request is submitted.

PROTECTION OF FORMER VICE PRESIDENTS

SEC. 303. (a) The Secret Service is authorized to protect a former Vice President if such protection is authorized by the Secretary of the Treasury in accordance with subsection (b).

(b) The Secretary of the Treasury may authorize the provision of Secret Service protection to a former Vice President upon a finding that a threat warranting such protection exists to such former Vice President. The Secretary of the Treasury may authorize the provision of such protection for a period beginning on the date on which the Vice Presidential term of such former Vice President expires and ending on the last day of the fiscal year in which such term expired.

TECHNICAL AMENDMENT

SEC. 304. Section 3056(a) of title 18, United States Code, is amended by adding at the end thereof the following new sentence: "The protection authorized in paragraphs (3) and (4) shall only be provided in accordance with sections 301 and 302 of the Former Presidents Services and Facilities Reform Act of 1985.".

THE FORMER PRESIDENTS FACILITIES AND SERVICES REFORM ACT OF 1985

SUMMARY

Title I: Presidential libraries

Establishes the Archivist of the United States as responsible for managing Presidential libraries. The Archivist is to create architectural and design standards for the construction of Presidential libraries by private parties. The Archivist may accept—as private gifts or pursuant to agreements with state or local governments, institutes, or foundations—land, facilities and equipment as are needed to operate and maintain a Presidential library.

Prohibits the Archivist from making any agreement for a Presidential library unless he determines an endowment equal to 20 percent of the total cost of the facility is provided. Income from the endowment will be earmarked and used to help pay for the operating costs of the library.

Requires all new libraries to be in a single facility whose size shall be limited to 70,000 square feet, unless an endowment is provided to pay for the operating and maintenance costs associated with any additional space beyond the limit.

Requires the Archivist to submit a library prospectus to Congress for a 60-day review period before he may act to accept responsibility to operate and maintain a library. The submission must include an estimate of all federal costs associated with the library and an estimate of the annual cost to the government for operation and maintenance.

Requires all modifications for existing libraries be subject to similar Congressional review requirements.

Title II: Office, staff, and allowances

Establishes an original staff allowance of $300,000 a year, which will be reduced over a nine year period to a ceiling of $200,000. The Administrator of the General Services Administration is to the accountable federal official for supervising the allowance.

Limits each former President to one office which is to be located in a public building owned or leased by the United States. The office is not to be in excess of 4,000 square feet unless the Administrator determines unusual circumstances exist to warrant more space.

Prohibits absolutely the use of funds for either partisan political activities or income-generating activities. Funds may not be used for the preparation of memoirs or of speeches and other media engagements for which the former President is to be paid.

Requires each former President submit a report by March 1 of each year detailing his activities and their expense.

Mandates a 10-year "sunset" provision for the authorization of staff allowances. The automatic termination forces Congress to redetermine what the proper funding should be at least every 10 years.

Places the pensions of widows of former President's at two-thirds the level the former President's pension would be if he were alive.

Authorizes the Administrator to provide necessary services and facilities to a former Vice President for winding up the affairs of office.

Title III: Presidential protection

Specifies a former President may have automatic, around-the-clock Secret Service protection for five years instead of for life. A spouse and children are entitled to protection only if their safety is related to the former President's.

Permits the Secretary of Treasury, at his own discretion to extend Secret Service protection of a former President for one year and of a widow or child for six months after the original period. He must determine a threat warrants protection.

Authorizes the Secretary of Treasury to provide additional one-year periods of protection after submitting requests for extension to Congress under a sixty-day review period.

Authorizes the President to direct the Secret Service to protect a former President, spouse, widow or child upon determining a threat warrants emergency action. The President shall notify Congress and such authorization shall not extend beyond sixty days, or beyond the time needed for Congressional review once the Secretary of Treasury has submitted a request.

Limits protection of former Vice Presidents from their last day in office to the end of that fiscal year.

COST OF FORMER PRESIDENTS TO U.S. TAXPAYERS

Fiscal year	Libraries	Office allowances	Secret Service protection	Total
1955	$63,745			$63,745
1956	64,853			64,853
1957	74,836			74,836
1958	142,536			142,536
1959	168,057	$160,000		328,057
1960	180,140	200,000		380,140
1961	219,223	250,000		469,223
1962	294,297	300,000		594,297
1963	325,520	310,000		635,520
1964	380,251	300,000	$49,507	729,758
1965	559,485	310,000	100,790	970,275
1966	611,966	235,000	289,022	1,135,988
1967	613,745	235,000	346,633	1,195,378
1968	676,000	251,000	390,298	
Truman Library addition	312,000			1,629,298
1969	1,406,808	253,000	527,552	
Hoover Library addition	1,074,000			3,261,360
1970	1,980,855	335,000	727,617	3,043,472
1971	2,252,289	343,000	1,002,355	
Eisenhower Library addition	1,610,000			5,207,644
1972	2,513,559	418,000	1,275,120	
Roosevelt Library addition	882,000			5,088,679
1973	2,722,116	408,000	1,241,117	4,371,233
1974	2,863,457	60,000	979,789	3,903,246
1975	4,542,447	160,000	1,530,144	6,232,591
1976	6,409,380	364,168	2,294,887	9,698,435
1977	6,297,611	390,000	4,679,489	11,367,100
1978	7,230,486	671,000	6,252,190	14,153,676
1979	7,523,783	771,000	7,187,582	
Truman Library addition	2,667,000			18,149,365
1980	10,171,000	740,394	7,563,432	18,474,826
1981	12,295,000	718,325	9,741,663	22,754,958
1982	11,532,000	1,025,000	11,750,238	23,384,738
1983	12,972,000	1,029,000	10,941,419	24,942,419
1984	14,350,000	1,068,000	10,741,124	26,159,124
1985 (estimated)	15,734,000	1,170,000	10,215,000	27,119,000
1986 (estimated)	20,505,000	1,208,000	9,167,000	30,880,000

By Mr. DENTON (for himself, Mr. DOLE, Mr. BENTSEN, Mr. GRASSLEY, Mr. HATCH, and Mr. HUMPHREY):

S. 1048. A bill to amend title 18 of the United States Code and the Adoption Reform Act; to the Committee on the Judiciary.

ANTI-FRAUDULENT ADOPTION REFORM ACT

Mr. DENTON. Mr. President, I rise today to introduce, together with Senators DOLE, BENTSEN, GRASSLEY, HATCH, and HUMPHREY, the Anti-Fraudulent Adoption Practices Act of 1985. The bill would provide necessary legal protections to adoptive parents, birth mothers, and children who might be victimized by the activities of unscrupulous persons who solicit money for the performance of adoption services that are never rendered.

Adoption is one of the most charitable and loving acts in our Nation. With public and private agencies acting as a catalyst, adoption unites prospective parents and adoptable children into a permanent family unit. Last year, agencies placed thousands of children, including infants, school aged children, minority children, and children possessing varying degrees of physical, mental, or emotional handicaps, into good homes.

Unfortunately, not all adoptions have a happy ending. Many adoptions involve people who prey on the emotions and frustrations of couples longing for children and on confused and distraught birth mothers. Those unscrupulous people perpetrate their fraud with complete disregard for the welfare of the subject of the adoptive efforts—the children. I believe that the adoption process must be protected from fraud.

Enactment of the Anti-Fraudulent Adoption Practices Act will send a loud and clear message to people who would put monetary gain or selfish motivation above the welfare and best interests of the adoptive parents, the birth mothers, and the children. Specifically, the bill would provide for the following:

First, criminal penalties for any person who defrauds prospective adoptive parents or biological parents;

Second, civil remedies for prospective adoptive parents or biological parents who have been defrauded;

Third, criminal penalties for any person who coerces or entices biological parents or adoptive parents, or who is paid compensation over and above the normal expenses for arranging an adoption; and

Fourth, activities for the Department of Health and Human Services and the Department of Justice which would aid in prosecuting illegal adoption activities.

The bill would in no way usurp the legitimate authority of the States to regulate adoption practices within their borders. What is intended is the establishment of uniform national penalties and remedies for persons who are victimized by fraudulent adoption rings operating in interstate or foreign commerce. The bill would allow the Federal Government to work in concert with the States to supplement, not supplant, State adoption statutes.

Mr. President, the Anti-Fraudulent Adoption Practices Act is needed to end the heartbreak of many disappointed families and vulnerable birth mothers who are exploited by false promises. I urge my colleagues to join Senators DOLE, BENTSEN, GRASSLEY, HATCH, HUMPHREY, and me, to end the black market adoption activities that create tragedy for many American families.

I ask unanimous consent that a copy of the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1048

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Anti-Fraudulent Adoption Practices Act of 1985".

SEC. 2. (a) Title 18 of the United States Code is amended by inserting between chapter 1 and chapter 2 the following new chapter:

"CHAPTER 1A—ADOPTION PRACTICES

"Sec.
"31. False pretenses in connection with the offering of adoption services.
"32. Placing a child for adoption for compensation.
"33. Transportation of individuals under threat.
"34. Definitions.
"35. Effect on State law.

"§ 31. False pretenses in connection with the offering of adoption services

"(a) It shall be unlawful for any person, performing or offering to perform any interstate or foreign adoption service in connection with the placement of a child in a home for adoption, to knowingly make any material statement or knowingly make or use any material document that is known to be false, or to knowingly conceal or misrepresent any material fact, in connection with the performance of such interstate or foreign adoption service or the offer so to do.

"(b) Any person who commits a violation of this section shall be punished by imprisonment for a period of not more than five years, or a fine not exceeding the amount of $250,000, or both

"§ 32. Placing a child for adoption for compensation

"(a) It shall be unlawful for any person to solicit or receive money or any other thing of value, or the promise thereof, for placing or arranging for the placement of any child in a home for adoption under circumstances that would require or result in such child being transported in interstate or foreign commerce.

"(b) Any person who commits a violation of this section shall be imprisoned for a period of not more than five years, or fined not more than $250,000, or both.

"(c) The provisions of this section shall not apply in the case of any person who—

"(1) solicits or receives any money or thing of value as the bona fide agent of a child care or a public or private adoption agency which is authorized or licensed by a State to provide permanent care for children or to place children for adoption, in exchange for bona fide services rendered by said agency; or

"(2) solicits or receives money, any other thing of value, or the promise thereof, for arranging or undertaking to arrange a non-agency placement of a child for adoption, if the making of the non-agency placement is lawful in the State into which the child is placed and if the placement is attempted or made in compliance with the laws of such State.

"§ 33. Transportation of individuals under threat

"(a) It shall be unlawful for any person, by the use of force or threat, to knowingly cause any other individual to travel in interstate or foreign commerce in connection with the placement of a child in a home for permanent free care or adoption.

"(b) Any person who commits a violation of this section shall be punished by imprisonment for a period of not more than ten years, or fined not more than $250,000, or both.

"(c) The provisions of this section shall not apply to any person who effects the placement of a child in a home for adoption pursuant to a lawful order of a court of record within a State.

"§ 34. Definitions

"As used in this chapter—

"(1) the term 'child' means a person who, by reason of minority, is legally subject to parental control or guardianship; and such term shall include a child in the womb;

"(2) the term 'State' shall include the District of Columbia and any territory or possession of the United States, in addition to the Commonwealth of Puerto Rico;

"(3) the term 'interstate or foreign adoption service' means procurement, transportation or delivery of a child, or any material assistance with procurement, transportation or delivery of a child, from a State or country other than the State in which the prospective adoptive parent resides; and

"(4) the term 'person' means an individual, corporation, partnership, any unincorporated association or any combination or association thereof.

"§ 35. Effect on State law

"Nothing in this chapter shall be construed as limiting or otherwise affecting the applicability or validity of any compact entered into between any of the several States with regard to the provision of services in connection with the placing of a child in a home for adoption.".

(b) The table of chapters for part I of title 18, United States Code, is amended by inserting between the items relating to chapter 1 and the item relating to chapter 2 the following:

"1A. Adoption practices..... 31.".

SEC. 3. The Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 is amended—

(1) in section 202 (42 U.S.C. 5112) by adding after subsection (c) the following:

"(d) The Secretary shall—

"(1) review all model adoption legislation and procedures for the purpose of proposing such changes as are considered appropriate to insure the protection of children available for adoption, prospective adoptive parents and a parent or parents wishing to give a child up for adoption from fraudulent adoption practices,

"(2) coordinate with national, State and voluntary organizations concerned with adoption, efforts to improve State adoption legislation, and

"(3) assist the States in the development of improved procedures for controlling illegal adoption practices.";

"(2) in section 203 (42 U.S.C. 5113) by amending subsection (b)(1) to read as follows:

"(1) provide (after consultation with other appropriate Federal departments and agencies, including the Bureau of the Census) for the establishment and operation by January 1, 1987, of a national adoption data-gathering and analysis system.";

"(3) in section 204 (42 U.S.C. 5114) by striking out all after "Secretary" and inserting in lieu thereof "shall conduct an ongoing study of the nature, scope, and effects of the placement of children in adoptive homes (not including the homes of stepparents or relatives of the child in question) by persons or agencies which are not licensed by or subject to regulation by any government entity. The Secretary shall issue biannual reports on the findings of the study."; and

"(4) by adding at the end thereof the following:

"DEFRAUDING PROSPECTIVE ADOPTIVE PARENTS; CIVIL REMEDIES

"SEC. 206. Any person who, having accepted money or anything of value in connection with an offer of, or performance of, any interstate or foreign adoption service and knowingly makes any material statement or knowingly makes or uses any material document that is known or should be known to be false, or knowingly conceals or misrepresents any material fact, in connection with the performance of such interstate or foreign adoption service, shall be liable for damages to any individual who has paid money or anything of value for the performance of such service or act. The district courts of the United States shall have jurisdiction to hear such cases regardless of the amount in controversy, and the plaintiff in such actions shall be entitled to recover such consequential and punitive damages plus costs and attorney fees, as the court deems appropriate.

"DEFRAUDING BIRTH MOTHER; CIVIL REMEDIES

"Sec. 207. Any person who agrees to pay any expenses of a pregnant woman in expectation of adopting her child or arranging for the adoption of her child, and who knowingly makes any material statement or knowingly makes or uses any material document that is known or should be known by that person to be false or knowingly conceals or misrepresents any material fact, shall, if such woman traveled in interstate or foreign commerce as part of such agreement, be liable to such woman for damages incurred. The district courts of the United States shall have jurisdiction to hear and determine such cases regardless of the amount in controversy, and the plaintiff in such actions shall be entitled to recover such consequential and punitive damages, plus costs and attorney's fees, as the court deems appropriate.

"CIVIL ACTIONS BY ATTORNEY GENERAL

"Sec. 208. (a) The district courts of the United States shall have jurisdiction to prevent and restrain violations of this Act by issuing appropriate orders.

"(b) The Attorney General may institute proceedings under this section. Pending a final determination thereof, the court may at any time enter such restraining orders or prohibitions, or take such other actions as it deems proper.

"DEFINITIONS

"Sec. 209. For purposes of this Act the term—

"(1) 'person' means any individual, corporation, partnership, any unincorporated association or any combination or association thereof; and

"(2) 'interstate or foreign adoption service' means procurement, transportation or delivery of a child, or any material assistance with procurement, transportation or delivery of a child, from a State or country other than the State in which the prospective adoptive parent resides.".

Mr. DOLE. Mr. President, I am pleased to join the distinguished Senator from Alabama in introducing the "Antifraudulent Adoptions Act of 1985."

I first introduced this legislation in the last Congress in response to a national tragedy: A tragedy created by people who preyed on the emotions and frustrations of couples longing for children and confused, distraught unwed mothers who sought a good home for their children. The tragedy—which came to be known as the "Mexican Adoption Scam"—involved scores of vulnerable couples throughout the country who were bilked out of thousands of dollars. They were told that children from Mexico could be made available for adoption in a relatively short period of time, if only they could provide the money in advance. And while some children were eventually made available for adoption, many couples were left with neither their hopes fulfilled, nor their money returned.

The purpose of this bill is to provide additional Federal statutory protections for the victims of such inhumane crimes by closing the gap which exists under current law in the Nation's ability to effectively combat and deter interstate adoption frauds. Because the States may only prosecute for acts occurring within their own boundaries, the Federal Government is best equipped to prosecute adoption rings that operate on a nationwide scale.

It should be emphasized that this bill is not intended to usurp the legitimate authority of States to regulate adoption practices within their jurisdiction as they see fit. What is intended is to provide uniform, national penalties and remedies for persons who are victimized by adoption scams which operate in interstate and foreign commerce.

It should also be emphasized that this bill is not intended in any way to prohibit or discourage the availability of adoption services outside of the community of State licensed adoption agencies. The bill specifically exempts from its reach agreements between adoptive parents and birth mothers which may involve the payment of legitimate fees to professionals who perform services to the adoption.

Mr. President. I wish to commend and thank Senator DENTON for taking the lead on this important legislation in this Congress. As a member of the Senate Judiciary Committee, and a principal sponsor of the bill when I introduced it last year, Senator DENTON is in a good position to carry this bill forward through the legislative process and I look forward to working with him in that effort.

By Mr. DIXON:

S. 1050. A bill to protect and promote U.S. agricultural exports, and to provide for the protection of highly erodible land; to the Committee on Agriculture, Nutrition, and Forestry.

AGRICULTURAL EXPORT ENHANCEMENT AND SOIL CONSERVATION ACT

Mr. DIXON. Mr. President, I rise today to introduce the Agricultural Export Enhancement and Soil Conservation Act of 1985.

The object of this bill, Mr. President, is to protect and enhance some of the basic assets of our farm economy: export markets, and the natural resources on which the farm economy depends.

We are all familiar with the crises facing American Agriculture today. Next week in the Agriculture Committee we will be making up what may well be the most important farm bill of the last several decades. As we go into these important deliberations, we must assure ourselves that several basic assets of the farm economy are maintained and improved.

We must regain our export markets, and not give them to other nations through misconceived embargoes. Title I of this bill limits this possibility; it is essentially the amendment that I offered in the last Congress, and that was approved by the Senate, to the Export Administration Act. This title does not eliminate the President's authority to restrict exports; it simply subjects them to the approval of the Congress.

We must improve our export position. Titles II and III of the bill seek to do this, the first through a bonus system paying commodities to exporters. If carryover stocks of wheat or feed grains exceed certain figures, title III directs the Secretary of Agriculture to provide export credits for the export of these crops, at interest rates designed to offset the last few years' change in the value of the dollar.

We must also conserve our resources, including fragile lands. The Government should not reward farmers for plowing up fragile lands. Title IV is designed to prevent so-called sodbusters from participating in Government commodity programs.

In the Agriculture Committee we will be considering these and other measures as we work on the 1985 farm bill. I look forward to working with my colleagues on producing a bill that will place America's agricultural economy back on an economically sound base.

By Mr. ZORINSKY (for himself, Mr. EXON, and Mr. HARKIN):

S. 1051. A bill to provide price and income protection for farmers and to ensure consumers an abundance of food and fiber at reasonable prices, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

FOOD AND AGRICULTURE ACT OF 1985

Mr. ZORINSKY. Mr. President, today I am introducing the Food and Agriculture Act of 1985 which, in general, will be effective for the 1986 through 1989 crops. The legislation is designed to achieve the following six primary objections:

First, increase farm income. To accomplish that objective as efficiently as possible, the bill provides a mandatory production control program for wheat and a tiered system of target prices for feed grains.

The commodity programs provided under this bill will be flexible enough to respond to volatile export markets and the needs of domestic consumers, while providing some measure of protection for family farm operators.

Second, ensure consumers of a safe and reliable supply of reasonably priced food. Food is a tremendous bargain in this country and—if we are to continue to enjoy this abundance—consumers must share in the cost of maintaining our family farm system of agricultrue.

A 1-percent increase in the amount of disposable income Americans spend on food would increase net farm income by about 20 percent, if all of that increase was passed through to farmers.

Third, reduce overproduction, thereby reducing Government costs while at the same time improving commodity prices.

Fourth, provide for adequate soil and water resource conservation. We cannot afford to mortgage the future by depleting the natural resources that future generations will rely on for their agricultural production.

In that regard, the bill provides for a conservation reserve program which could remove about 30 million acres of land from production. In addition, the legislation includes a so-called sodbuster provision and a wetlands conservation program that eliminate the incentives provided under current farm programs to cultivate certain fragile lands.

Fifth, expand and develop new markets through export sales and research and development on alternative uses for farm products.

To expand existing export markets and develop new markets, the bill provides for an aggressive export program to enable American farmers to compete with the heavily subsidized exports of other countries. American farmers can compete with the farmers of other countries but they cannot compete with the treasuries of other countries.

A workable export program—by using credit and export PIK programs—will effectively provide a tiered system of prices—one level for domestic consumers and another level for export markets.

Sixth, reduce the cost of farm programs while making them more effective. A preliminary economic analysis of this bill indicates that it will cost less than an extension of the current farm programs and result in increased farm income.

This bill is the product of many hours of work and careful study of the suggestions and comments made during the farm bill hearings—including two field hearings that I conducted in Nebraska.

As a result of the hearing process and suggestions received from farmers and others, I refined and modified my initial ideas about future farm programs. The legislation I am introducing today is a proposal that combines new and innovative ideas with tried and proven programs.

For those reasons, I believe this legislation will receive the serious consideration it deserves. However, I am prepared to listen to and consider additional suggestions on how to improve this bill. During the markup of the 1985 farm bill, I expect to offer and support appropriate amendments.

Despite the importance of the 1985 farm bill, we must recognize that many of the economic forces adversely affecting agriculture today will not be influenced by farm legislation or the Secretary of Agriculture. In this regard, the huge Federal budget deficit is one of the biggest problems confronting farmers.

There is no question that we must reduce Federal spending. We can do this while meeting the needs of our most basic industry—agriculture—by reordering our priorities so that we give a little less to the International Monetary Fund, a little less for bailing out multinational corporations, and a little less for helping unappreciative foreign governments.

As Congress continues work on the budget and farm legislation, I will be working to make certain that—whatever proposals we adopt—farmers are treated at least as well as multinational corporations and foreign governments.

If our Nation's farmers are treated fairly, improvements will be made in the agricultural economy. I am convinced that a healthy agricultural economy will provide the essential foundation for our Nation's long-term prosperity.

I ask unanimous consent that a short explanation of the Food and Agriculture Act of 1985 and the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1051

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents,

may be cited as the "Food and Agriculture Act of 1985".

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PART A—COMMODITY PROGRAMS

TITLE I—WHEAT

MARKETING QUOTAS

SEC. 101. Effective only for the 1986 through 1989 crops of wheat, section 332 of the Agricultural Adjustment Act of 1938 is amended to read as follows:

"PROCLAMATIONS OF MARKETING QUOTAS

"SEC. 332. (a) Whenever prior to April 15 in any calendar year the Secretary determines that the total supply of wheat in the marketing year beginning in the next succeeding calendar year will, in the absence of a marketing quota program, likely be excessive, the Secretary shall proclaim that a national marketing quota for wheat shall be in effect for such marketing year and for either the following marketing year or the following three marketing years, if the Secretary determines and declares in such proclamation that a three- or four-year marketing quota program is necessary to effectuate the policy of this Act. In the case of the 1986 crop, such determination and proclamation shall be made as soon as practicable after the enactment of the Food and Agriculture Act of 1985.

"(b) If a national marketing quota for wheat has been proclaimed for any marketing year, the Secretary shall determine and proclaim the amount of the national marketing quota for such marketing year not earlier than January 1 or later than April 15 of the calendar year preceding the year in which such marketing year begins, except that in the case of the 1986 crop, such determination and proclamation shall be made as soon as practicable after the enactment of the Food and Agriculture Act of 1985. The amount of the national marketing quota for wheat for any marketing year shall be an amount of wheat that the Secretary estimates is required to meet anticipated needs during such marketing year, taking into consideration domestic requirements, export demand, emergency food aid needs, and adequate carryover stocks.

"(c) If, after the proclamation of a national marketing quota for wheat for any marketing year, the Secretary determines that the national marketing quota should be terminated or increased to meet a national emergency or a material increase in the demand for wheat, the national marketing quota shall be increased or terminated by the Secretary.".

SEC. 102. Effective only for the 1986 through 1989 crops of wheat, section 334 of the Agricultural Adjustment Act is amended to read as follows:

"MARKETING QUOTA APPORTIONMENT FACTOR

"SEC. 333. (a) The Secretary shall establish a marketing quota apportionment factor for each crop of wheat for which a national marketing quota is proclaimed under section 332 of this Act. The apportionment factor shall be determined by dividing the national marketing quota for such crop of wheat by the average of the number of bushels of wheat that the Secretary determines was produced in the United States during the crop years 1980 through 1984 adjusted to reflect the amount of wheat that would have been produced during such years for (1) drought, flood, or other natural disaster, or other conditions beyond the control of producers and (2) participation in any acreage reduction, set-aside, or diversion programs for wheat during such crop years, as determined by the Secretary."

SEC. 103. Effective only for the 1986 through 1989 crops of wheat, section 334 of the Agricultural Adjustment Act of 1938 is amended to read as follows:

"FARM MARKETING QUOTAS

"SEC. 334. (a) For each crop of wheat for which a national marketing quota has been proclaimed under section 332 of this Act, the Secretary shall establish a farm marketing quota for each farm on which wheat was produced, or considered produced, during the crop years 1980 through 1984.

"(b) The farm marketing quota shall be equal to the average number of acres of wheat produced, or considered produced, on the farm during the crop years 1980 through 1984 multiplied by (1) the average yield for wheat produced, or considered produced, on the farm during such crop years as determined by the Secretary on such basis as the Secretary determines will provide a fair and equitable yield, and (2) by the marketing quota apportionment factor.

"(c) For the purposes of this section, wheat shall be considered to have been produced on the farm is any crop year to the extent that the Secretary determines that wheat was not produced on the farm (1) because of drought, flood, or other natural disaster, or other condition beyond the control of the producer as determined by the Secretary, or (2) because the producers on the farm participated in any acreage reduction, set-aside, or diversion program for wheat during such crop years.

"(d) Farm marketing quotas shall be established by the Secretary under this section by June 1 of the calendar year preceding the marketing year for which a national marketing quota has been proclaimed under section 332 of this Act, except that in the case of the 1986 crop, such quotas shall be established as soon as practicable after the enactment of the Food and Agriculture Act of 1985.".

SEC. 104. Effective only for the 1986 through 1989 crops of wheat, section 335 of the Agricultural Adjustment Act of 1938 is amended to read as follows:

"MARKETING PENALTIES

"SEC. 335. (a) The marketing of wheat produced on a farm in excess of the farm marketing quota shall be subject to a penalty at a rate per bushel equal to 75 per centum of the national average market price for wheat during the immediately preceding marketing year.

"(b) The penalty provided for in subsection (a) shall be paid—

"(1) if such wheat is marketed by sale to a person within the United States, by the person who acquired the wheat from the producer, but an amount equivalent to the penalty may be deducted by the buyer from the price paid to the producer;

"(2) if such wheat is marketed through a warehouseman or agent, by the warehouseman or agent, who may deduct an amount equivalent to the penalty from the price paid to the producer; or

"(3) if such wheat is marketed directly to any person outside the United States, by the producer.

"(c) If any producer falsely identifies or fails to certify the acreage planted to wheat for harvest or fails to account for the disposition of any wheat produced on such planted acreage in accordance with regulations issued by the Secretary, an amount of wheat equal to the farm program yield, as determined by the Secretary under section 107D(d) of the Agricultural Act of 1949, times the planted acreage, shall be deemed to have been marketed in excess of the farm marketing quota, and the penalty provided for in subsection (a) of this section on such amount of wheat shall be paid by the producer.

"(d) Wheat subject to a farm marketing quota may be carried over by the producer from one marketing year to the succeeding marketing year and may be marketed without penalty imposed by this section in the succeeding marketing year to the extent that (1) the total amount of wheat available for marketing from the farm in the marketing year from which the wheat is carried over did not exceed the farm marketing quota, or (2) the total amount of wheat available for marketing in the succeeding marketing year (that is, the sum of the amount of wheat carried over and the amount of wheat produced on the farm subject to a farm marketing quota in the succeeding marketing year) does not exceed the farm marketing quota for the succeeding marketing year.

"(e) Wheat produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even through it is marketed prior to the date on which such marketing year begins.

"(f) The Secretary shall require collection of the penalty provided for in this section upon a proportion of each unit of wheat marketed from the farm equal to the proportion that the wheat available for market-

ing from the farm in excess of the farm marketing quota is of the total amount of wheat available for marketing from the farm if satifactory proof is not furnished the Secretary as to the disposition to be made of the excess wheat, in accordance with regulations issued by the Secretary, prior to the marketing of any wheat from the farm. All funds collected under this section during one marketing year shall be deposited in a special account with the Treasurer of the United States until the end of the next succeeding marketing year. Upon certification of the Secretary, there shall be paid out of such special account to persons designated by the Secretary the amount by which the penalty collected exceeds that amount of penalty due upon wheat marketed in excess of the farm marketing quota for any farm. Such special account shall be administered by the Secretary, and the basis for, the amount of, and the person entitled to receive a payment form such account, when determined in accordance with regulations prescribed by the Secretary, shall be final and conclusive.

"(g) Until the amount of the penalty provided by this section is paid, a lien on the wheat with respect to which such penalty is incurred, and any subsequent wheat subject to marketing quotas in which the person liable for payment of the penalty has an interest, shall be in effect in favor of the United States for the amount of the penalty.

"(h) The person liable for the payment or collection of the penalty on any amount of wheat shall be liable also for interest thereon from the date the penalty becomes due until the date of payment of such penalty at a rate per annum equal to the rate of interest that was charged the Commodity Credit Corporation by the Treasurer of the United States on the date such penalty became due.

"(i) If marketing quotas for wheat are not in effect for any marketing year, all previsous marketing quotas applicable to wheat shall be terminated, effective as of the first day of such marketing year. Such termination shall not abate any penalty previously incurred by a producer or relieve any buyer of the duty to remit penalties previously collected.".

SEC. 105. Effective only for the 1986 through 1989 crops of wheat, section 336 of the Agricultural Adjustment Act of 1938 is amended to read as follows:

"REFERENDUM

"SEC. 336. If a national marketing quota for wheat for one, two, or four marketing years is proclaimed, the Secretary shall, not later than August 1 of the calendar year in which such national marketing quota is proclaimed, conduct a referendum by secret ballot, of wheat producers to determine whether they favor or oppose marketing quotas for the marketing year or years for which proclaimed. In the case of the 1986 crop, the referendum shall be conducted as soon as practicable after the date of enactment of the Food and Agriculture Act of 1985. Any producer who produced wheat on a farm during at least one of the crop years 1980 through 1984 shall be eligible to vote in the referendum. The Secretary shall proclaim the results of any referendum held hereunder within thirty days after the date of such referendum and if the Secretary determines that 50 percent or more of the producers voting in the referendum voted against marketing quotas, the Secretary shall proclaim that marketing quotas will not be in effect with respect to the crop of wheat produced for harvest in the calendar year following the calendar year in which the referendum is held. If the Secretary determines that more than one-half of the producers voting in a referendum approve marketing quotas for a period of two or four marketing years, no referendum shall be held for the subsequent year or years of such period.".

SEC. 106. Effective only for the 1986 through 1989 crops of wheat, section 338 of the Agricultural Adjustment Act of 1938 is amended to read as follows:

"TRANSFER OF FARM MARKETING QUOTAS

"SEC. 338. Farm marketing quotas shall not be transferable, but, in accordance with regulations prescribed by the Secretary for such purpose, the farm marketing quota on a farm for any marketing year, or any portion thereof, may be voluntarily surrendered to the Secretary by the producer, and the Secretary may reallocate the amount of any farm marketing quotas so surrendered to other farms having farm marketing quotas on such basis as the Secretary may determine.".

LOAN RATES, TARGET PRICES, DISASTER PAYMENTS, WHEAT ACREAGE REDUCTION AND SET-ASIDE PROGRAM, AND LAND DIVERSION FOR THE 1986 THROUGH 1989 CROPS OF WHEAT

SEC. 107. Effective only for the 1986 through 1989 crops of wheat, the Agricultural Act of 1949 is amended by adding after section 107C the following new section:

"SEC. 107D. Notwithstanding any other provision of law—

"(a)(1) Except as provided in paragraphs (2) and (3) of this subsection, the Secretary shall make available to producers loans and purchases for each of the 1986 through 1989 crops of wheat at such level as the Secretary determines will maintain the competitive relationship of wheat to other grains in domestic and export markets after taking into consideration the cost of producing wheat, supply and demand conditions, and world prices for wheat.

"(2) For any crop of wheat for which marketing quotas are in effect, the level of loans and purchases determined under paragraph (1) of this subsection shall not be less than the higher of—

"(A) 75 percent of the national average cost of production per bushel of wheat, as determined by the Secretary, taking into consideration variable expenses, general farm overhead, taxes and insurance, interest, and capital replacement costs (but excluding residual returns for management and risk); or

"(B) $3.55 per bushel.

"(3) For any crop of wheat for which marketing quotas are not in effect, the level of loans and purchases determined under paragraph (1) of this subsection shall not be less than the higher of—

"(A) 85 percent of the simple average price received by producers of wheat, as determined by the Secretary, during the immediately preceding five marketing years, excluding the year in which the average price was the highest and the year in which the average price was the lowest; or

"(B) $3.30 per bushel.

"(b)(1)(A) The Secretary shall make available to producers payments for each of the 1986 through 1989 crops of wheat in an amount computed as provided in this subsection. Payments for any crop of wheat shall be computed by multiplying (i) the payment rate, by (ii) the farm program acreage for the crop, by (iii) the farm program payment yield for the crop. Payments for any crop for which marketing quotas are in effect shall not exceed an amount equal to the payment rate multiplied by the farm marketing quota. In no event may payments be made under this paragraph for any crop on a greater acreage than the acreage actually planted to wheat.

"(B) The payment rate of wheat shall be the amount by which the established price for the crop of wheat exceeds the higher of—

"(i) the national weighted average market price received by farmers during the first five months of the marketing year for such crop, as determined by the Secretary, or

"(ii) the loan level determined under subsection (a) of this section for such crop.

"(C)(i) For any crop of wheat for which marketing quotas are in effect, the established price shall not be less than the higher of—

"(I) the national average cost of production per bushel of wheat as determined by the Secretary under subsection (a)(1) of this section; or

"(II) $4.65 per bushel.

"(ii) For any crop of wheat for which wheat marketing quotas are not in effect, the established price shall not be less than—

"(I) in the case of the 1986 crop, $4.38 per bushel; and

"(II) in the case of the 1987 through 1989 crops, the established price for the preceding crop adjusted by the Secretary to reflect any change in (*a*) the average adjusted cost of production for the two crop years immediately preceding the year for which the determination is made from (*b*) the average adjusted cost of production for the two crop years immediately preceding the year previous to the one for which the determination is made.

"(D) The total quantity on which payments would otherwise be payable to a producer on a farm for any crop under this paragraph shall be reduced by the quantity on which any disaster payment is made to the producer for the crop under paragraph (2) of this subsection.

"(2)(A) Except as otherwise provided in subparagraph (C) of this paragraph, if the Secretary determines that the producers on a farm are prevented from planting any portion of the acreage intended for wheat to wheat or other nonserving crops because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, the Secretary shall make a prevented planting disaster payment to the producers on the number of acres so affected but not to exceed the acreage planted to wheat for harvest (including any acreage that the producers were prevented from planting to wheat or other nonconserving crop in lieu of wheat because of drought, flood, or other natural disaster, or other condition beyond the control of the producers) in the immediately preceding year, multiplied by 75 per centum of the farm program yield established by the Secretary times a payment rate equal to 33⅓ per centum of the established price for the crop.

"(B) Except as otherwise provided in subparagraph (C) of this paragraph, if the Secretary determines that because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, the total quantity of wheat that the producers are able to harvest on any farm is less than the results of multiplying 60 per centum of the farm program payment yield established by the Secretary for such crop by the acreage planted for harvest for such crop, the Secretary shall make a reduced yield disaster payment to the producers at a

rate equal to 50 per centum of the established price for the crop for the deficiency in production below 60 per centum for the crop.

"(C) Producers on a farm shall not be eligible for disaster payments under this paragraph if crop insurance is available to them under the Federal Crop Insurance Act with respect to their wheat acreage.

"(D) Notwithstanding the provisions of subparagraph (C) of this paragraph, the Secretary may make disaster payments to producers on a farm under this paragraph whenever the Secretary determines that—

"(i) as the result of drought, flood, or other natural disaster, or other condition beyond the control of the producers, producers on a farm have suffered substantial losses of production either from being prevented from planting wheat or other nonconserving crop or from reduced yields, and that such looses have created an economic emergency for the producers;

"(ii) crop insurance indemnity payments under the Federal Crop Insurance Act and other forms of assistance made available by the Federal Government to such producers for such losses are insufficient to alleviate such economic emergency; and

"(iii) additional assistance must be made available to such producers to alleviate the economic emergency.

The Secretary may make such adjustments in the amount of payments made available under this subparagraph with respect to individual farms so as to ensure the equitable allotment of such payments among producers, taking into account other forms of Federal disaster assistance provided to the producers for the crop involved.

"(c)(1) For any crop of wheat for which marketing quotas are not in effect, the Secretary shall proclaim a national program acreage. The proclamation shall be made not later than August 15 of the calendar year for the crop harvested in the next succeeding calendar year, except that in the case of the 1986 crop, the proclamation shall be made as soon as practicable after the enactment of the Food and Agriculture Act of 1985. The Secretary may revise the national program acreage first proclaimed for any crop for the purpose of determining the allocation factor under paragraph (2) of this subsection if the Secretary determines it necessary based upon the latest information, and the Secretary shall proclaim such revised national program acreage as soon as it is made. The national program acreage for wheat shall be the number of harvested acres the Secretary determines (on the basis of the weighted national average of the farm program payment yields for the crop for which the determination is made) will produce the quantity (less imports) that the Secretary estimates will be used domestically and for export during the marketing year for such crop. If the Secretary determines that carryover stocks of wheat are excessive or an increase in stocks is needed to assure desirable carryover, the Secretary may adjust the national program acreage by the amount the Secretary determines will accomplish the desired increase or decrease in carryover stocks.

"(2) The Secretary shall determine a program allocation factor for each crop of wheat for which marketing quotas are not in effect. The allocation factor for wheat shall be determined by dividing the national program acreage for the crop by the number of acres that the Secretary estimates will be harvested for such crop, except that in no event shall the allocation factor for any crop of wheat be more than 100 per centum nor less that 80 per centum.

"(3)(A) The individual farm program acreage for each crop of wheat for which marketing quotas are not in effect shall be determined by multiplying the allocation factor by the acreage of wheat planted for harvest on the farms for which individual farm program acreages are required to be determined. The farm program acreage shall not be further reduced by application of the allocation factor if the producers reduce the acreage of wheat planted for harvest on the farm from the acreage base established for the farm under subsection (e)(2) of this section by at least the percentage recommended by the Secretary in the proclamation of the national program acreage. The Secretary shall provide fair and equitable treatment for producers on farms on which the acreage of wheat planted for harvest is less than the acreage base established for the farm under subsection (e)(2) of this section, but for which the reduction is insufficient to exempt the farm from the application of the allocation factor. In establishing the allocation factor for wheat, the Secretary may make such adjustment as the Secretary deems necessary to take into account the extent of exemption of farms under the foregoing provisions of this paragraph.

"(B) For any crop of wheat for which wheat marketing quotas are in effect, the individual farm program acreage shall be the acreage on the farm that the Secretary determines is sufficient to produce the quality of wheat equal to the farm marketing quota established for the farm under section 334 of the Agricultural Adjustment Act of 1938.

"(d) The farm program payment yield for each crop of wheat shall be the yield established for the farm for the previous crop year, adjusted by the Secretary to provide a fair and equitable yield. If no payment yield for wheat was established for the farm in the previous crop year, the Secretary may determine such yield as the Secretary finds fair and reasonable. Notwithstanding the foregoing provisions of this subsection, in the determination of yields, the Secretary shall take into account the actual yields proved by the producer, and neither such yields nor the farm program payment yield established on the basis of such yields shall be reduced under any other provision of this subsection. If the Secretary determines it necessary, the Secretary may establish national, State, or county program payment yields on the basis of historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the historical period, or, if such data are not available, on the Secretary's estimate of actual yields for the crop year involved. If national, State, or county program payment yields are established, the farm program payment yields shall balance to the national, State, or county program payment yields.

"(e)(1) Notwithstanding any other provision of this section, the Secretary may provide for any crop of wheat for which marketing quotas are not in effect either a program under which the acreage planted to wheat would be limited as described in paragraph (2) of this subsection or a set-aside program as described in paragraph (3) of this subsection if the Secretary determines that the total supply of wheat, in the absence of such a program, will be excessive taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency. The Secretary shall announce any such wheat acreage limitation program or set-aside program not later than August 15 prior to the calendar year in which the crop is harvested, except that in the case of the 1986 crop, such announcement shall be made as soon as practicable after the date of enactment of the Food and Agriculture Act of 1985.

"(2) If a wheat acreage limitation program is announced under paragraph (1) of this subsection, such limitation shall be achieved by applying a uniform percentage reduction to the wheat acreage base for each wheat-producing farm. Producers who knowingly produce wheat in excess of the permitted wheat acreage for the farm shall be ineligible for wheat loans, purchases, and payments with respect to that farm. The acreage base for any farm for the purpose of determining any reduction required to be made for any year as the result of a limitation imposed under this paragraph shall be the acreage planted on the farm to wheat for harvest in the crop year immediately preceding the year for which the determination is made or, at the discretion of the Secretary, the average acreage planted to wheat for harvest in the two crop years immediately preceding the year for which the determination is made. For the purpose of the preceding sentence, acreage planted to wheat for harvest shall include any acreage that the producers were prevented from planting to wheat or other nonconserving crop in lieu of wheat because of drought, flood, or other natural disaster, or other condition beyond the control of the producers. The Secretary may make adjustments to reflect established crop-rotation practices and to reflect such other factors as the Secretary determines should be considered in determining a fair and equitable base. A number of acres on the farm determined by dividing (A) the product obtained by multiplying the number of acres required to be withdrawn from the production of wheat times the number of acres actually planted to such commodity, by (B) the number of acres authorized to be planted to such commodity under the limitation established by the Secretary shall be devoted to conservation uses, in accordance with regulations issued by the Secretary. The number of acres so determined is hereinafter in this subsection referred to as "reduced acreage'. If an acreage limitation program is announced under paragraph (1) of this subsection for a crop of wheat, subsection (c) of this section shall not be applicable to such crop, including any prior announcement that may have been made under such subsection with respect to such crop. The individual farm program acreage shall be the acreage planted on the farm to wheat for harvest within the permitted wheat acreage for the farm as established under this paragraph.

"(3) If a set-aside program is announced under paragraph (1) of this subsection, then as a condition of eligibility for loans, purchases, and payments authorized by this section, the producers on a farm must set aside and devote to conservation uses an acreage of cropland equal to a specified percentage, as determined by the Secretary, of the acreage of wheat planted for harvest for the crop for which the set-aside is in effect. The set-aside acreage shall be devoted to conservation uses, in accordance with regulations issued by the Secretary. If a set-aside program is established, the Secretary may limit the acreage planted to wheat. Such limitation shall be applied on a uniform

basis to all wheat-producing farms. The Secretary may make such adjustments in individual set-aside acreages under the paragraph as the Secretary determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop-rotation practices, types of soil, soil and water conservation measures, topography, and such other factors as the Secretary deems necessary.

"(4) The regulations issued by the Secretary under paragraphs (2) and (3) of this subsection with respect to acreage required to be devoted to conservation uses shall ensure protection of such acreage from weeds and wind and water erosion. The Secretary may permit, subject to such terms and conditions as the Secretary may prescribe, all or any part of such acreage to be devoted to sweet sorghum, hay and grazing, or the production of guar, seasme, safflower, sunflower, castor beans, mustard seed, crambe, plantago, ovato, flaxseed, triticale, rye, or other commodity, if the Secretary determines that such production is needed to provide an adequate supply of such commodities, is not likely to increase the cost of the price support program, and will not affect farm income adversely. In determining the amount of land to be devoted to conservation uses under an acreage limitation or set-aside program with respect to land that has been farmed under summer fallow practices, as defined by the Secretary, the Secretary shall consider the effects of soil erosion and such other factors as the Secretary considers appropriate.

"(5) The Secretary may make land diversion payments to producers of wheat, whether or not an acreage limitation or set-aside program for wheat is in effect or marketing quotas for wheat are in effect, if the Secretary determines that such land diversion payments are necessary to assist in adjusting the total national acreage of wheat to desirable goals. Such land diversion payments shall be made to producers who, to the extent prescribed by the Secretary, devote to approved conservation uses an acreage of cropland on the farm in accordance with land diversion contracts entered into by the Secretary with such producers. The amounts payable to producers under land diversion contracts may be determined through the submission of bids for such contracts by producers in such manner as the Secretary may prescribe or through such other means as the Secretary determines appropriate. In determining the acceptability of contract offers, the Secretary shall take into consideration the extent of the diversion to be undertaken by the producers and the productivity of the acreage diverted. The Secretary shall limit the total acreage to be diverted under agreements in any county or local community so as not to affect adversely the economy of the county or local community.

"(6) Any reduced acreage, set-aside acreage, and additional diverted acreage may be devoted to wildlife food plots or wildlife habitat in conformity with standards established by the Secretary in consultation with wildlife agencies. The Secretary may pay an appropriate share of the cost of practices designed to carry out the purposes of the foregoing sentence. The Secretary may also pay an appropriate share of the cost of approved soil and water conservation practices (including practices that may be effective for a number of years) established by the producer on reduced acreage, set-aside acreage, or additional diverted acreage. The Secretary may provide for an additional payment on such acreage in an amount determined by the Secretary to be appropriate in relation to the benefit to the general public if the producer agrees to permit, without other compensation, access to all or such portion of the farm, as the Secretary may prescribe, by the general public, for hunting, trapping, fishing, and hiking, subject to applicable State and Federal regulations.

"(7) An operator of a farm desiring to participate in the program conducted under this subsection shall execute an agreement with the Secretary providing for such participation not later than such date as the Secretary may prescribe. The Secretary may, by mutual agreement with producers on the farm, terminate or modify any such agreement if the Secretary determines such action necessary because of an emergency created by drought or other disaster or to prevent or alleviate a shortage in the supply of agricultural commodities.

"(f) If the failure of a producer to comply fully with the terms and conditions of the program conducted under this section precludes the making of loans, purchases, and payments, the Secretary may, nevertheless, make such loans, purchases, and payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure. The Secretary may authorize the county and State committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or modify deadlines and other program requirements in cases in which lateness or failure to meet such other requirements does not affect adversely the operation of the program.

"(g) The Secretary may issue such regulations as the Secretary determines necessary to carry out the provisions of this section.

"(h) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

"(i) The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (relating to assignment of payments) shall apply to payments under this section.

"(j) The Secretary shall provide for the sharing of payments made under this section for any farm among the producers on the farm on a fair and equitable basis.".

NONAPPLICABILITY OF CERTIFICATE REQUIREMENTS

SEC. 108. Sections 379d, 379e, 379f, 379g, 379h, 379i, and 379j of the Agricultural Adjustment Act of 1938 (which deal with marketing certificate requirements for processors and exporters) shall not be applicable to wheat processors or exporters during the period June 1, 1986, through May 31, 1990.

SUSPENSION OF LAND USE, WHEAT MARKETING ALLOCATION, AND PRODUCER CERTIFICATE PROVISIONS

SEC. 109. Sections 339, 379b, and 379c of the Agricultural Adjustment Act of 1938 shall not be applicable to the 1986 through 1989 crops of wheat.

SUSPENSION OF CERTAIN QUOTA PROVISIONS

SEC. 110. Public Law 74, Seventy-seventh Congress (55 Stat. 203, as amended), shall not be applicable to the crops of wheat planted for harvest in the calendar years 1986 through 1989.

NONAPPLICABILITY OF SECTION 107 OF THE AGRICULTURAL ACT OF 1949

SEC. 111. Section 107 of the Agricultural Act of 1949 shall not be applicable to the 1986 through 1989 crops of wheat.

TITLE II—FEED GRAINS

LOAN RATES, TARGET PRICES, DISASTER PAYMENTS, FEED GRAIN ACREAGE REDUCTION AND SET-ASIDE PROGRAMS, AND LAND DIVERSION PAYMENTS FOR THE 1986 THROUGH 1989 CROPS

SEC. 201. Effective only for the 1986 through 1989 crops of feed grains, the Agricultural Act of 1949 is amended by adding after section 105B a new section as follows:

"SEC. 105C. Notwithstanding any other provision of law—

"(a)(1)(A) Except as provided in subparagraph (B) of this paragraph, the Secretary shall make available loans and purchases for each of the 1986 through 1989 crops of corn at such level as the Secretary determines will encourage the exportation of feed grains and not result in excessive stocks of feed grains after taking into consideration the cost of producing corn, supply and demand conditions, and world prices for corn.

"(B) The level of loans and purchases for a crop determined under subparagraph (A) of this paragraph shall not be less than the higher of—

"(i) 85 percent of the simple average price received by producers of corn, as determined by the Secretary, during the immediately preceding five marketing years, excluding the year in which the average price was the highest and the year in which the average price was the lowest; or

"(ii) $2.55 per bushel.

"(2) The Secretary shall make available to producers loans and purchases for each of the 1986 through 1989 crops of grain sorghums, barley, oats, and rye, respectively, at such level as the Secretary determines is fair and reasonable in relation to the level that loans and purchases are made available for corn, taking into consideration the feeding value of such commodity in relation to corn and other factors specified in section 401(b) of this Act.

"(b)(1)(A) The Secretary shall make available to producers payments for each of the 1986 through 1989 crops of corn, grain sorghums, oats, and, if designated by the Secretary, barley, in an amount computed as provided in this subsection. Payments for any crop of feed grains shall be computed by multiplying (i) the payment rate, by (ii) the farm program acreage for the crop, by (iii) the farm program payment yield for the crop. In no event may payments be made under this paragraph for any crop on a greater acreage that the acreage actually planted to feed grains.

"(B) The payment rate for corn shall be the amount by which the established price for the crop of corn exceeds the higher of—

"(i) the national weighted average market price received by farmers during the first five months of the marketing year for such crop, as determined by the Secretary, or

"(ii) the loan level determined under subsection (a) of this section for such crop.

"(C) For the 1986 crop of corn, the established price shall be not less than the following levels:

"(i) $3.18 per bushel for any portion of the crop so determined (based on the farm program acreage and the farm program payment yield) that does not exceed ten thousand bushels;

"(ii) $3.08 per bushel for any portion of the crop so determined that is more than ten thousand bushels but does not exceed twenty thousand bushels;

"(iii) $2.98 per bushel for any portion of the crop so determined that is more than

twenty thousand bushels but does not exceed thirty thousand bushels; and

"(iv) $2.88 per bushel for any portion of the crop so determined that is more than thirty thousand bushels but does not exceed forty thousand bushels.

"(D) For each of the 1987 through 1989 crops of corn, the established price shall not be less than the level of established price for the preceding crop adjusted by the Secretary to reflect any change in (i) the average adjusted cost of production per acre for the two crop years immediately preceding the year for which the determination is made from (ii) the average adjusted cost of production per acre for the two crop years immediately preceding the year previous to the one for which the determination is made. For each of the 1987 through 1989 crops, the levels of established price shall be applicable to the same portions of the crop as specified for the 1986 crop in subparagraph (c) of this paragraph. For each of the 1986 through 1989 crops, no level of established price shall be applicable and no payment rate shall be computed for any portion of the crop so determined that exceeds forty thousand bushels.

"(E) The payment rates for grain sorghums, oats, and, if designated by the Secretary, barley, shall be such rates and applicable to such portion of the respective commodity as the Secretary determines fair and reasonable in relation to the rates at which payments are made available for corn.

"(F) The total quantity on which payments would otherwise be payable to a producer on a farm for any crop under this paragraph shall be reduced by the quantity on which any disaster payment is made to the producer for the crop under paragraph (2) of this subsection.

"(2)(A) Except as otherwise provided in subparagraph (C) of this paragraph, if the Secretary determines that the producers on a farm are prevented from planting any portion of the acreage intended for feed grains to feed grains or other nonconserving crops because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, the Secretary shall make a prevented planting disaster payment to the producers on the number of acres so affected but not to exceed the acreage planted to feed grains for harvest (including any acreage that the producers were prevented from planting to feed grains or other nonconserving crop in lieu of feed grains because of drought, flood, or other natural disaster, or other condition beyond the control of the producers) in the immediately preceding year, multiplied by 75 per centum of the farm program payment yield established by the Secretary times a payment rate equal to 33⅓ per centum of the established price for the crop.

"(B) Except as otherwise provided in subparagraph (C) of this paragraph, if the Secretary determines that because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, the total quantity of feed grains that the producers are able to harvest on any farm is less than the result of multiplying 60 per centum of the farm program payment yield established by the Secretary for such crop by the acreage planted for harvest for such crop, the Secretary shall make a reduced yield disaster payment to the producers at a rate equal to 50 per centum of the established price for the crop for the deficiency in production below 60 per centum for the crop.

"(C) Producers on a farm shall not be eligible for disaster payments under this paragraph if crop insurance is available to them under the Federal Crop Insurance Act with respect to their feed grain acreage.

"(D) Notwithstanding the provisions of subparagraph (C) of this paragraph, the Secretary may make disaster payments to producers on a farm under this paragraph whenever the Secretary determines that—

"(i) as the result of drought, flood, or other natural disaster, or other condition beyond the control of the producers, producers on a farm have suffered substantial losses of production either from being prevented from planting feed grains or other nonconserving crop or from reduced yields, and that such losses have created an economic emergency for the producers;

"(ii) crop insurance indemnity payments under the Federal Crop Insurance Act and other forms of assistance made available by the Federal Government to such producers for such losses are insufficient to alleviate such economic emergency; and

"(iii) additional assistance must be made available to such producers to alleviate the economic emergency.

The Secretary may make such adjustments in the amount of payments made available under this subparagraph with respect to individual farms so as to assure the equitable allotment of such payments among producers taking into account other forms of Federal disaster assistance provided to the producers for the crop involved.

"(c)(1) The Secretary shall proclaim a national program acreage for each of the 1986 through 1989 crops of feed grains. The proclamation shall be made not later than November 15 of each calendar year for the crop harvested in the next succeeding calendar year. The Secretary may revise the national program acreage first proclaimed for any crop for the purpose of determining the allocation factor under paragraph (2) of this subsection if he Secretary determines if necessary based upon the latest information, and the Secretary shall proclaim such revised national program acreage as soon as it is made. The national program acreage for feed grains shall be the number of harvested acres the Secretary determines (on the basis of the weighted national average of the farm program payment yields for the crop for which the determination is made) will produce the quantity (less imports) that the Secretary estimates will be used domestically and for export during the marketing year for such crop. If the Secretary determines that carryover stocks of feed grains are excessive or an increase in stocks is needed to assure desirable carryover, the Secretary may adjust the national program acreage by he amount the Secretary determines will accomplish the desired increase or decrease in carryover stocks.

"(2) The Secretary shall determine a program allocation factor for each crop of feed grains. The allocation factor for feed grains shall be determined by dividing the national program acreage for the crop by the number of acres that the Secretary estimates will be harvested for such crop, except that in no event shall the allocation factor for any crop of feed grains be more than 100 per centum nor less than 80 per centum.

"(3) The individual farm program acreage for each crop of feed grains shall be determined by multiplying the allocation factor by the acreage of feed grains planted for harvest on the farms for which individual farm program acreages are required to be determined. The farm program acreage shall not be further reduced by application of the allocation factor if the producers reduce the acreage of feed grains planted for harvest on the farm from the acreage base established for the farm under subsection (e)(2) of this section by at least the percentage recommended by the Secretary in the proclamation of the national program acreage. The Secretary shall provide fair and equitable treatment for producers on farms on which the acreage of feed grains planted for harvest is less than the acreage base established for the farm under subsection (e)(2) of this section, but for which the reduction is insufficient to exempt the farm from the application of the allocation factor. In establishing the allocation factor for feed grains, the Secretary may make such adjustment as the Secretary deems necessary to take into account the extent of exemption of farms under the foregoing provisions of this paragraph.

"(d) The farm program payment yield for each crop of feed grains shall be the yield established for the farm for the previous crop year, adjusted by the Secretary to provide a fair and equitable yield. If no payment yield for feed grains was established for the farm in the previous crop year, the Secretary may determine such yield as the Secretary finds fair and reasonable. Notwithstanding the foregoing provisions of this subsection, in the determination of yields, the Secretary shall take into account the actual yields proved by the producer, and neither such yields nor the farm program payment yield established on the basis of such yields shall be reduced under other provisions of this subsection. If the Secretary determines it necessary, the Secretary may establish national, State, or county program payment yields on the basis of historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the historical period, or, if such data are not available, on the Secretary's estimate of actual yields for the crop year involved. If national, State, or county program payment yields are established, the farm program payment yields shall balance to the national, State or county program payment yields.

"(e)(1) Notwithstanding any other provision of this section, the Secretary may provide for any crop of feed grains either a program under which the acreage planted to feed grains would be limited as described in paragraph (2) of this subsection or a set-aside program as described in paragraph (3) of this subsection if the Secretary determines that the total supply of feed grains, in the absence of such a program, will be excessive taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency. The Secretary shall announce any such feed grain acreage limitation program or set-aside program not later than November 15 prior to the calendar year in which the crop is harvested.

"(2) If a feed grain acreage limitation program is announced under paragraph (1) of this subsection, such limitation shall be achieved by applying a uniform percentage reduction to the feed grain acreage base for each feed grain-producing farm. Producers who knowingly produce feed grains in excess of the permitted feed grain acreage for the farm shall be ineligible for feed grain loans, purchases, and payments with respect to that farm. The Secretary may provide that no producer of malting barley shall be required as a condition of eligibility for feed grain loans, purchases, and payments to comply with any acreage limita-

tion under this paragraph if such producer has previously produced a malting variety of barley for harvest, plants barley only of an acceptable malting variety for harvest, and meets such other conditions as the Secretary may prescribe. The acreage base for any farm for the purpose of determining any reduction required to be made for any year as the result of a limitation imposed under this paragraph shall be the acreage planted on the farm to feed grains for harvest in the crop year immediately preceding the year for which the determination is made or, at the discretion of the Secretary, the average acreage planted to feed grains for harvest in the two crop years immediately preceding the year for which the determination is made. For the purpose of the preceding sentence, acreage planted to feed grains for harvest shall include any acreage that the producers were prevented from planting to feed grains or other nonconserving crop in lieu of feed grains because of drought, flood, or other natural disaster, or other condition beyond the control of the producers. The Secretary may make adjustments to reflect established crop-rotation practices and to reflect such other factors as the Secretary determines should be considered in determining a fair and equitable base. A number of acres on the farm determined by dividing (A) the product obtained by multiplying the number of acres required to be withdrawn from the production of feed grains times the number of acres actually planted to such commodity, by (B) the number of acres authorized to be planted to such commodity under the limitation established by the Secretary shall be devoted to conservation uses, in accordance with regulations issued by the Secretary. The number of acres so determind is hereinafter in this subsection referred to as "reduced acreage". If an acreage limitation program is announced under paragraph (1) of this subsection for a crop of feed grains, subsection (c) of this section shall not be applicable to such crop, including any prior announcement that may have been made under such subsection with respect to such crop. The individual farm program acreage shall be the acreage planted on the farm to feed grains for harvest within the permitted feed grain acreage for the farm as established under this paragraph.

"(3) If a set-aside program is announced under paragraph (1) of this subsection, then as a condition of eligibility for loans, purchases, and payments authorized by this section, the producers on a farm must set aside and devote to conservation uses an acreage of cropland equal to a specified percentage, as determined by the Secretary, of the acreage of feed grains planted for harvest for the crop for which the set-aside is in effect. The set-aside acreage shall be devoted to conservation uses, in accordance with regulations issued by the Secretary. If a set-aside program is established, the Secretary may limit the acreage planted to feed grains. Such limitation shall be applied on a uniform basis to all feed grain-producing farms. The Secretary may make such adjustments in individual set-aside acreages under this paragraph as the Secretary determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop-rotation practices, types of soil, soil and water conservation measures, topography, and such other factors as the Secretary deems necessary.

"(4) The regulations issued by the Secretary under paragraphs (2) and (3) of this subsection with respect to acreage required to be devoted to conservation uses shall ensure protection of such acreage from weeds and wind and water erosion. The Secretary may permit, subject to such terms and conditions as the Secretary may prescribe, all or any part of such acreage to be devoted to sweet sorghum, hay and grazing, or the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, flaxseed, triticale, rye, or other commodity, if the Secretary determines that such production is needed to provide an adequate supply of such commodities, is not likely to increase the cost of the price support program, and will not affect farm income adversely.

"(5) The Secretary may make land diversion payments to producers of feed grains, whether or not an acreage limitation or set-aside program for feed grains is in effect, if the Secretary determines that such land diversion payments are necessary to assist in adjusting the total national acreage of feed grains to desirable goals. Such land diversion payments shall be made to producers who, to the extent prescribed by the Secretary, devote to approved conservation uses an acreage of cropland on the farm in accordance with land diversion contracts entered into by the Secretary with such producers. The amounts payable to producers under land diversion contracts may be determined through the submission of bids for such contracts by producers in such manner as the Secretary may prescribe or through such other means as the Secretary determines appropriate. In determining the acceptability of contract offers, the Secretary shall take into consideration the extent of the diversion to be undertaken by the producers and the productivity of the acreage diverted. The Secretary shall limit the total acreage to be diverted under agreements in any county or local community so as not to affect adversely the economy of the county or local community.

"(6) Any reduced acreage, set-aside acreage, and additional diverted acreage may be devoted to wildlife food plots or wildlife habitat in conformity with standards established by the Secretary in consultation with wildlife agencies. The Secretary may pay an appropriate share of the cost of practices designed to carry out the purposes of the foregoing sentence. The Secretary may also pay an appropriate share of the cost of approved soil and water conservation practices (including practices that may be effective for a number of years) established by the producer on reduced acreage, set-aside acreage, or additional diverted acreage. The Secretary may provide for an additional payment on such acreage in an amount determined by the Secretary to be appropriate in relation to the benefit to the general public if the producer agrees to permit, without other compensation, access to all or such portion of the farm, as the Secretary may prescribe, by the general public, for hunting, trapping, fishing, and hiking, subject to applicable State and Federal regulations.

"(7) An operator of a farm desiring to participate in the program conducted under this subsection shall execute an agreement with the Secretary providing for such participation not later than such date as the Secretary may prescribe. The Secretary may, by mutual agreement with producers on the farm, terminate or modify any such agreement if the Secretary determines such action necessary because of an emergency created by drought or other disaster or to prevent or alleviate a shortage in the supply of agricultural commodities.

"(f) If the failure of a producer to comply fully with the terms and conditions of the program conducted under this section precludes the making of loans, purchases, and payments, the Secretary may, nevertheless, make such loans, purchases, and payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure. The Secretary may authorize the county and State committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or modify deadlines and other program requirements in cases in which lateness or failure to meet such other requirements does not affect adversely the operation of the program.

"(g) The Secretary may issue such regulations as the Secretary determines necessary to carry out the provisions of this section.

"(h) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

"(i) The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (relating to assignment of payments) shall apply to payments under this section.

"(j) The Secretary shall provide for the sharing of payments made under this section for any farm among the producers on the farm on a fair and equitable basis.".

NONAPPLICABILITY OF SECTION 105 OF THE AGRICULTURAL ACT OF 1949

SEC. 202. Section 105 of the Agricultural Act of 1949 shall not be applicable to the 1986 through 1989 crops of feed grains.

TITLE III—SOYBEANS

SOYBEAN PRICE SUPPORT

SEC. 301. Effective only for the 1986 through 1989 crops of soybeans, section 201 of the Agricultural Act of 1949 is amended by—

(1) inserting in the first sentence "soybeans," after "tung nuts,"; and

(2) adding at the end thereof a new subsection as follows:

"(i)(1) The price of soybeans shall be supported through loans and purchases during each of the four marketing years beginning with the 1986 marketing year at a level equal to 75 per centum of the simple average price received by farmers for soybeans for each of the preceding five marketing years, excluding the high and low valued years, except that in no event shall the Secretary establish a support price of less than $5.02 per bushel: *Provided*, That if the Secretary determines that the average price of soybeans received by producers in any marketing year is not more that 105 per centum of the level of loans and purchases for soybeans for such marketing year, the Secretary may reduce the level of loans and purchases for soybeans for the next marketing year by the amount the Secretary determines necessary to maintain domestic and export markets for soybeans, except that the level of loans and purchases shall not be reduced by more than 10 per centum in any year nor below $4.50 per bushel. For the purposes of this subsection, the soybean marketing year shall be the twelve-month period beginning on September 1 and ending August 31. The Secretary shall make a preliminary announcement of the level of price support not earlier than thirty days in advance of the beginning of the marketing year based upon the latest information and statistics available when such level of price support is announced, and shall make a final announcement of such level as soon as full information and statistics are available

on prices for the five years preceding the beginning of the marketing year. In no event shall such final level of support be announced later than October 1 of the marketing year for which the announcement applies; nor shall the final level of support be less than the level of support set forth in the preliminary announcement.

"(2) Notwithstanding any other provision of law—

"(A) the Secretary shall not require participation in any production adjustment control program for soybeans or any other commodity as a condition of eligibility for price support for soybeans; and

"(B) soybeans shall not be considered an eligible commodity for any reserve program, and the Secretary shall not authorize payments to producers to cover the cost of storing soybeans.".

TITLE IV—PEANUTS

SUSPENSION OF MARKETING QUOTAS AND ACREAGE ALLOTMENTS

SEC. 401. The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 1986 through 1989 crops of peanuts:

(1) Subsection (a) through (j) of section 358;

(2) Subsection (a) through (h) of section 358a;

(3) Subsection (a), (b), (d), and (e) of section 359;

(4) Part I of subtitle C of title III; and

(5) Section 371.

NATIONAL POUNDAGE QUOTA AND FARM POUNDAGE QUOTA FOR THE 1986 THROUGH 1989 CROPS OF PEANUTS

SEC. 402. Effective only for the 1986 through 1989 crops of peanuts, section 358 of the Agricultural Adjustment Act of 1938 is amended by adding at the end thereof new subsections as follows:

"(q) The national poundage quota for peanuts for each of the marketing years 1986 through 1989 shall be established by the Secretary at a level that will meet domestic edible, seed, and related needs for peanuts. The level established for any marketing year shall not be less than 1,100,000 tons increased by an amount that the Secretary estimates the domestic edible, seed, and related uses of peanuts in such year will exceed 1,100,000 tons. The national poundage quota shall be announced by the Secretary not later than December 15 of the year preceding the marketing year for which such poundage quota will be effective.

"(r)(1) the national poundage quota established under subsection (q) of this section shall be apportioned among the States so that the poundage quota allocated to each State shall be equal to the percentage of the national poundage quota allocated to farms in the State for 1985.

"(s)(1) A farm poundage quota shall be established for each farm that had a farm poundage quota for the 1985 crop of peanuts and for each other farm on which peanuts were produced in at least two of the crop years 1983 through 1985 as determined by the Secretary. The farm poundage quota for any such farm for the 1986 through 1989 marketing years shall be the same as the farm poundage quota for such farm for the immediately preceding marketing year as adjusted under this subsection, but not including any increases for undermarketings from previous years or any increases resulting from the allocation of quotas voluntarily released for one year under paragraph (7) of this subsection. For the purposes of this paragraph, if the farm poundage quota, or any part thereof, is permanently transferred in accordance with section 358a of this Act, the receiving farm shall be considered as possessing the farm poundage quota (or portion thereof) of the transferring farm for all subsequent marketing years. A farm poundage quota established on a farm under the provisions of paragraph (2) or (6) of this subsection shall be considered as being established under the provisions of this paragraph for all subsequent marketing years.

"(2) Any increase in a State's poundage quota apportionment from 1985 to 1986 shall be allocated equally to all farms that are eligible for a farm poundage quota for the 1986 marketing year under paragraph (1) of this subsection. If the national poundage quota is increased for any of the marketing years 1987 through 1989, such increase in a State's poundage quota apportionment shall be allocated equally among (A) all farms on which a poundage quota was established for the marketing year immediately preceding the marketing year for which the allocation is being made and (B) all other farms on which peanuts were produced during at least two of three immediately preceding crop years as determined by the Secretary.

"(3) The farm poundage quota established on a farm for any marketing year 1986 through 1989 shall be reduced, insofar as practicable and on such fair and equitable basis as the Secretary may by regulation prescribe, to the extent that the Secretary determines that the farm poundage quota established on the farm for any two of the three marketing years preceding the year for which the determination is being made was not produced, or considered produced, on the farm. For the purposes of this paragraph, the farm poundage quota for any such preceding marketing year shall not include any increases for undermarketing of quota peanuts from previous years or any increases resulting from the allocation of quotas voluntarily released for one year under paragraph (7) of this subsection.

"(4) For the purpose of this subsection, the farm poundage quota shall be considered produced on a farm if (A) poundage quota of peanuts was not produced on the farm for reason of drought, flood, or other natural disaster, or other condition beyond the control of the producer, as determined by the Secretary, or (B) the farm poundage quota on the farm was released voluntarily under paragraph (7) of this subsection for only one of the three marketing years immediately preceding the year for which the determination is being made.

"(5) Notwithstanding any other provision of law, the farm poundage quota established on a farm under this subsection, or any part thereof, may be permanently released by the owner of the farm, or the operator with the permission of the owner, and the poundage quota on the farm shall be adjusted to the extent that the quota is so released.

"(6) The total amount of farm poundage quota reduced or voluntarily released from farms in a State during any year under paragraphs (3) or (5), respectively, of this subsection shall be allocated under regulations issued by the Secretary to other farms in the State on which peanuts were produced in at least two of the three crop years immediately preceding the year in which such allocation is being made. Not less than 25 percent of such poundage quota shall be assigned to farms on which no quota was established for the preceding year's crop.

"(7) The farm poundage quota established on a farm for a marketing year, or any portion thereof, may be voluntarily released to the Secretary to the extent that such quota of peanuts will not be produced on the farm during the crop year. Any farm poundage quota voluntarily released on farms in a State shall be allocated to other farms in the State on such basis as the Secretary may prescribe. Any adjustment in the poundage quota for a farm under this paragraph shall be effective only for the marketing year for which it is made and shall not be taken into consideration in establishing a poundage quota on the farm for any subsequent marketing year.

"(8) The farm poundage quota on a farm for any marketing year shall be increased by the number of pounds by which the total marketings of quota peanuts for the farm during previous marketing years (excluding any marketing year before the marketing year for the 1984 crop) were less than the total amount of the applicable farm poundage quotas (disregarding adjustments for undermarketings from prior marketing years) for such marketing years: *Provided*, That no increase for undermarketings in previous years shall be made to the poundage quota on any farm to the extent that the quota on such farm for the marketing year was reduced under paragraph (3) of this subsection for failure to produce. Increases in farm poundage quotas made under this paragraph shall not be counted against the national poundage quota for the marketing year involved. Any farm poundage quota increase made under this paragraph may be used in the marketing year by the transfer of additional peanuts produced on the farm to the quota loan pool for pricing purposes on such basis as the Secretary shall prescribe by regulation.

"(9) Notwithstanding the foregoing provisions of this subsection, if the total of all increases in individual farm poundage quotas under paragraph (8) of this subsection exceeds 10 per centum of the national poundage quota for the marketing year in which such increases shall be applicable, the Secretary shall adjust such increases so that the total of all such increases does not exceed 10 per centum of the national poundage quota.

"(t) For each farm for which a farm poundage quota was established under subsection (s) of this section, and when necessary for purposes of this Act, a farm yield of peanuts shall be determined for each such farm. Such yield shall be equal to the average of the actual yield per acre on the farm for each of the three crop years in which yields were highest on the farm out of the five crop years 1973 through 1977. If peanuts were not produced on the farm in at least three years during such five-year period (including, but not limited to, a change in operator, lessee who is an operator, or irrigation practices), the Secretary shall have a yield appraised for the farm. The appraised yield shall be that amount determined to be fair and reasonable on the basis of yields established for similar farms that are located in the area of the farm and on which peanuts were produced, taking into consideration land, labor, and equipment available for the production of peanuts, crop rotation practices, soil and water, and other relevant factors.

"(u) Not later than December 15 of each calendar year, the Secretary shall conduct a referendum of farmers engaged in the production of quota peanuts in the calendar year in which the referendum is held to determine whether such farmers are in favor of or opposed to poundage quotas with re-

spect to the crops of peanuts produced in the four calendar years immediately following the year in which the referendum is held, except that, if as many as two-thirds of the farmers voting in any referendum vote in favor of poundage quotas, no referendum shall be held with respect to quotas for the second, third, and fourth years of the period. The Secretary shall proclaim the result of the referendum within thirty days after the date on which it is held, and if more than one-third of the farmers voting in the referendum vote against quotas, the Secretary also shall proclaim that poundage quotas will not be in effect with respect to the crop of peanuts produced in the calendar year immediately following the calendar year in which the referendum is held.

"(v) For the purposes of this part and title I of the Agricultural Act of 1949—

"(1) 'quota peanuts' means, for any marketing year, any peanuts produced on a farm having a farm poundage quota, as determined in subsection (s) of this section, that are eligible for domestic edible use as determined by the Secretary, that are marketed or considered marketed from a farm, and that do not exceed the farm poundage quota of such farm for such year;

"(2) 'additional peanuts' means, for any marketing year (A) any peanuts that are marketed from a farm for which a farm poundage quota has been established and that are in excess of the marketing of quota peanuts from such farm for such year, and (B) all peanuts marketed from a farm for which no farm poundage quota has been established in accordance with subsection (s) of this section;

"(3) 'crushing' means the processing of peanuts to extract oil for food uses and meal for feed uses, or the processing of peanuts by crushing or otherwise when authorized by the Secretary; and

"(4) 'domestic edible use' means use for milling to produce domestic food peanuts (other than those described in paragraph (3) of this subsection) and seed and use on a farm, except that the Secretary may exempt from this definition seeds of peanuts that are used to produce peanuts excluded under section 359(c) of this Act, are unique strains, and are not commercially available.".

SALE, LEASE, OR TRANSFER OF FARM POUNDAGE QUOTA

SEC. 403. Effective only for the 1986 through 1989 crops of peanuts, section 358a of the Agricultural Adjustment Act of 1938 is amended by adding at the end thereof new subsections as follows:

"(k) The owner, or the operator with permission of the owner, of any farm for which a farm poundage quota has been established under this Act may, subject to such terms, conditions, or limitations as the Secretary may prescribe, sell or lease all or any part of such poundage quota to any other owner or operator of a farm within the same county for transfer to such farm. The owner or operator of a farm may transfer all or any part of such farm's farm poundage quota to any other farm owned or controlled by such owner or operator that is in the same county or in a county contiguous to such county in this same State and that had a farm poundage quota for the preceding year's crop. Notwithstanding the foregoing provisions of this subsection, in the case of any State for which the poundage quota allocated to the State was less than 10,000 tons for the preceding year's crop, all or any part of a farm poundage quota may be transferred by sale or lease or otherwise from a farm in one county to a farm in another county in the same State.

"(l) Transfers (including transfer by sale or lease) of farm poundage quota under this section shall be subject to the following conditions:

"(1) no transfer of the farm poundage quota from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders;

"(2) no transfer of the farm poundage quota shall be permitted if the county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act determines that the receiving farm does not have adequate tillable cropland to produce the farm poundage quota;

"(3) no transfer of the farm poundage quota shall be effective until a record thereof is filed with the county committee of the county to which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and

"(4) such other terms and conditions that the Secretary may by regulation prescribe.".

MARKETING PENALTIES; DISPOSITION OF ADDITIONAL PEANUTS

SEC. 404. Effective only for the 1986 through 1989 crops of peanuts, section 359 of the Agricultural Adjustment Act of 1938 is amended by adding at the end thereof new subsections as follows:

"(m)(1) The marketing of any peanuts for domestic edible use in excess of the farm poundage quota for the farm on which such peanuts are produced shall be subject to penalty at a rate equal to 140 per centum of the support price for quota peanuts for the marketing year (August 1 through July 31) in which such marketing occurs. The marketing of any additional peanuts from a farm shall be subject to the same penalty unless such peanuts, in accordance with regulations established by the Secretary, are either (A) placed under loan at the additional loan rate in effect for such peanuts under section 108B of the Agricultural Act of 1949 and not redeemed by the producers, (B) marketed through an area marketing association designated pursuant to section 108B(3)(A) of the Agricultural Act of 1949, or (C) marketed under contracts between handlers and producers, pursuant to the provisions of subsection (q) of this section. Such penalty shall be paid by the person who buys or otherwise acquires the peanuts from the producer, or if the peanuts are marketed by the producer through an agent, the penalty shall be paid by such agent, and such person or agent may deduct an amount equivalent to the penalty from the price paid to the producer. If the person required to collect the penalty fails to collect such penalty, such person and all persons entitled to share in the peanuts marketed from the farm or the proceeds thereof shall be jointly and severally liable for the amount of the penalty. Peanuts produced in a calendar year in which farm poundage quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though the peanuts are marketed prior to the date on which such marketing year begins. If any producer falsely identifies or fails to certify planted acres or fails to account for the disposition of any peanuts produced on such planted acres, an amount of peanuts equal the farm's average yield, as determined under section 358(t) of this Act, times the planted acres, shall be deemed to have been marketed in violation of permissible uses of quota and additional peanuts and the penalty in respect thereof shall be paid and remitted by the producer.

"(2) The Secretary shall authorize, under such regulations as the Secretary shall prescribe, the county committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act to waive or reduce marketing penalties provided for under this subsection in cases in which such committees determine that the violations that were the basis of the penalties were unintentional or without knowledge on the part of the parties concerned. Errors in weight that do not exceed one-tenth of 1 per centum in the case of any one marketing document shall not be considered marketing violations except in cases of fraud or conspiracy.

"(n) Only quota peanuts may be retained for use as seed or for other uses on a farm and when so retained shall be considered as marketings of quota peanuts, except that the Secretary may exempt from consideration as marketings of quota peanuts seeds of peanuts that are used to produce peanuts excluded under subsection (c) of this section, are unique strains, and are not commercially available. Additional peanuts shall not be retained for use on a farm and shall not be marketed for domestic edible use, except as provided in subsection (r) of this section. Seed for planting of any peanut acreage in the United States shall be obtained solely from quota peanuts marketed or considered marketed for domestic edible use.

(o) Upon a finding by the Secretary that the peanuts marketed from any crop for domestic edible use by a handler are larger in quantity or higher in grade or quality than the peanuts that could reasonably be produced for the quantity of peanuts having the grade, kernel content, and quality of the quota peanuts acquired by such handler from such crop for such marketing, such handler shall be subject to a penalty equal to 140 per centum of the loan level for quota peanuts on the quantity of peanuts that the Secretary determines are in excess of the quantity, grade, or quality of the peanuts that could reasonably have been produced from the peanuts so acquired.

"(p)(1) Except as provided in paragraph (2), the Secretary shall require that the handling and disposal of additional peanuts be supervised by agents of the Secretary or by area marketing associations designated pursuant to section 108B(3)(A) of the Agricultural Act of 1949.

"(2)(A) Supervision of the handling and disposal of additional peanuts contracted by a handler shall not be required under paragraph (1) of this subsection if the handling and disposal of such peanuts is conducted in the manner prescribed in regulations issued by the Secretary.

"(B) The regulations issued by the Secretary under subparagraph (A) shall permit handlers of shelled peanuts to export peanuts classified by type, without physical supervision under paragraph (1) of this subsection, in quantities as described in subparagraph (C) of this paragraph.

"(C)(i) Sound split kernel peanuts in an amount equal to twice the pounds of such peanuts purchased by the handler as additional peanuts.

"(ii) Sound mature kernel peanuts in an amount equal to the pounds of such peanuts purchased by the handler as additional peanuts less the amount of sound split kernels purchased by the handler.

"(iii) the remaining quantity of total kernel content purchased by the handler as

additional peanuts and not crushed domestically.

"(D) Any additional peanuts exported without physical supervision under subparagraph (B) of this paragraph shall be evidenced by on-board bill of ladings or other appropriate documentation as may be required by the Secretary or both. Handler's obligations to export peanuts in quantities described in subparagraph (C) shall be reduced by a reasonable shrinkage allowance to be determined by the Secretary. The Secretary may require adequate financial guarantees as well as evidence of adequate facilities and assets in order to assure compliance with the obligation of the handler to export peanuts without physical supervision under subparagraph (B) of this paragraph. If a handler should suffer a loss of peanuts as a result of fire, flood, or other condition beyond the control of the handler, the portion of such loss allocated to contracted additional peanuts shall not be greater than the portion of the handler's total purchases for the year attributable to contracted additional peanuts purchased for export by the handler during such year.

"(3) Quota and additional peanuts of like type and segregation or quality may, under regulations prescribed by the Secretary, be commingled and exchanged on a dollar value basis to facilitate warehousing, handling, and marketing.

"(4) The failure by a handler to comply with regulations issued by the Secretary governing the disposition and handling of additional peanuts shall subject the handler to a penalty at a rate equal to 140 per centum of the loan level for quota peanuts on the quantity of peanuts involved in the violation. The amount of any penalty imposed on a handler under this subsection that resulted from the failure to export contracted additional peanuts shall not be reduced by the Secretary under the provisions of subsection (s)(5) of this section. A handler shall not be subject to a penalty for failure to export additional peanuts if such peanuts were not delivered to the handler.

"(5) If any additional peanuts exported by a handler should reenter the United States in commercial quantities as determined by the Secretary, the importer thereof shall be subject to a penalty at a rate equal to 140 per centum of the loan level for quota peanuts on the quantity of peanuts involved in the reentry.

"(q) Handlers may, under regulations prescribed by the Secretary, contract with producers for the purchase of additional peanuts for crushing, export, or both. All such contracts shall be completed and submitted to the Secretary (or if designated by the Secretary, the area marketing association) for approval prior to August 1 of the year in which the crop is produced. Each such contract shall contain the final price to be paid by the handler for the peanuts involved and a specific prohibition against the disposition of such peanuts for domestic edible or seed use.

"(r) Subject to the previous of section 407 of the Agricultural Act of 1949, any peanuts owned or controlled by the Commodity Credit Corporation may be made available for domestic edible use in accordance with regulations established by the Secretary. Additional peanuts received under loan shall be offered for sale for domestic edible use at prices not less than those required to cover all costs incurred with respect to such peanuts for such items as inspection, warehousing, shrinkage, and other expenses, plus (1) no less than 100 per centum of the loan value of quota peanuts if the additional peanuts are sold and paid for during the harvest season upon delivery by and with the written consent of the producer, (2) not less than 105 per centum of the loan value of quota peanuts if the additional peanuts are sold after delivery by the producer by not later than December 31 of the marketing year, or (3) not less than 107 per centum of the loan value of quota peanuts if the additional peanuts are sold later then December 31 of the marketing year. For the period from the date additional peanuts are delivered for loan to March 1 of the calendar year following the year in which such additional peanuts were harvested, the area marketing association designated pursuant to section 108B(3)(A) of the Agricultural Act of 1949 shall have sole authority to accept or reject lot list bids when the sales price as determined under this section equals or exceeds the minimum price at which the Commodity Credit Corporation may sell its stocks of additional peanuts, except that the area marketing association and the Commodity Credit Corporation may agree to modify the authority granted by this sentence to facilitate the orderly marketing of additional peanuts.

"(s)(1) The person liable for payment or collection of any penalty provided for in this section shall be liable also for interest thereon at a rate per annum equal to the rate of interest that was charged the Commodity Credit Corporation by the Treasury of the United States on the date such penalty became due.

"(2) The provisions of this section shall not apply to peanuts produced on any farm on which the acreage harvested for nuts is one acre or less if the producers who share in the peanuts produced on such farm do not share in the peanuts produced on any other farm.

"(3) Until the amount of the penalty provided by this section, other than a penalty on an importer under subsection (p)(5), is paid, a lien on the crop of peanuts with respect to which such penalty is incurred, and on any subsequent crop of peanuts subject to farm poundage quotas in which the person liable for payment of the penalty has an interest, shall be in effect in favor of the United States.

"(4) Notwithstanding any other provision of law, the liability for and the amount of any penalty assessed under this section shall be determined in accordance with such procedures as the Secretary by regulations may prescribe. The facts constituting the basis for determining the liability for or amount of any penalty assessed under this section, when officially determined in conformity with the applicable regulations prescribed by the Secretary, shall be final and conclusive and shall not be reviewable by any other officer or agency of the Government. Nothing in this section shall be construed as prohibiting any court of competent jurisdiction from reviewing any determination made by the Secretary with respect to whether such determination was made in conformity with the applicable law and regulations. All penalties imposed under this section shall for all purposes be considered civil penalties.

"(5) Notwithstanding any other provision of law and except as otherwise provided in subsection (p)(4) of this section, the Secretary may reduce the amount of any penalty assessed against handlers under this section if the Secretary finds that the violation upon which the penalty is based was minor or inadvertent, and that the reduction of the penalty will not impair the operation of the peanut program.".

PRICE SUPPORT PROGRAM

SEC. 405. Effective only for the 1986 through 1989 crops of peanuts, the Agricultural Act of 1949 is amended by adding after section 108A a new section as follows:

"PRICE SUPPORT FOR 1986 THROUGH 1989 CROPS OF PEANUTS

"SEC. 108B. Notwithstanding any other provision of law—

"(1) The Secretary shall make price support available to producers through loans, purchases, and other operations on quota peanuts for each of the 1986 through 1989 crops. The national average quota support rate for the 1986 crop of quota peanuts shall be the same as the national average support rate established for the 1985 crop of quota peanuts adjusted by the Secretary by the percentage of any increase in the prices paid by producers for commodities and services, interest, taxes, and farm wages rates during calendar years 1981 through 1985 as determined by the Secretary. The national average quota support rate for each of the 1987 through 1989 crops of quota peanuts shall be the national average quota support rate for the preceding crop, adjusted to reflect any increase, during the calendar year immediately preceding the marketing year for the crop for which a level of support is being determined, in the national average cost of production, excluding any change in the cost of land, except that in no event shall the national average quota support rate for any such crop exceed by more than 6 per centum the national average quota support rate for the preceding crop. The levels of support so announced shall not be reduced by any deductions for inspection, handling, or storage: *Provided*, That the Secretary may make adjustments for location of peanuts and such other factors as are authorized by section 403 of this Act. The Secretary shall announce the level of support for quota peanuts of each crop not later than February 15 preceding the marketing year for the crop for which the level of support is being determined.

"(2) The Secretary shall make price support available to producers through loans, purchases, or other operations on additional peanuts for each of the 1986 through 1989 crops at such levels as the Secretary finds appropriate, taking into consideration the demand for peanut oil and peanut meal, expected prices of other vegetable oils and protein meals, and the demand for peanuts in foreign markets; *Provided*, That the Secretary shall set the support rate on additional peanuts at a level estimated by the Secretary to ensure that there are no losses to the Commodity Credit Corporation on the sale or disposal of such peanuts. The Secretary shall announce the level of support for additional peanuts of each crop not later than February 15 preceding the marketing year for the crop for which the level of support is being determined.

"(3)(A) In carrying out paragraphs (1) and (2) of this section, the Secretary shall make warehouse storage loans available in each of the three producing areas (described in 7 CFR 1446.60 (1985 ed.)) to a designated area marketing association of peanut producers that is selected and approved by the Secretary and that is operated primarily for the purpose of conducting such loan activities. The Secretary may not make warehouse storage loans available to any cooperative that is engaged in operations or activities concerning peanuts other than those oper-

ations and activities specified in this section and section 359 of the Agricultural Adjustment Act of 1938. Such area marketing associations shall be used in administrative and supervisory activities relating to price support and marketing activities under this section and section 359 of the Agricultural Act of 1938. Loans made under this subparagraph shall include, in addition to the price support value of the peanuts, such costs as the area marketing association reasonably may incur in carrying out its responsibilities, operations, and activities under this section and section 359 of the Agricultural Adjustment Act of 1938.

"(B) The Secretary shall require that each area marketing association establish pools and maintain complete and accurate records by area and segregation for quota peanuts handled under loan, for additional peanuts placed under loan, and for additional peanuts produced without a contract between a handler and a producer as described in section 359(q) of the Agricultural Adjustment Act of 1938, except that separate pools shall be established for Valencia peanuts produced in New Mexico. Bright hull and dark hull Valencia peanuts produced in the Southwest area shall be considered as different types for the purpose of establishing pools under this section. Net gains on peanuts in each pool, unless otherwise approved by the Secretary, shall be distributed only to producers who placed peanuts in the pool and shall be distributed in proportion to the value of the peanuts placed in the pool by each producer. Net gains for peanuts in each pool shall consist of (i) for quota peanuts, the net gains over and above the loan indebtedness and other costs or losses incurred on peanuts placed in such pool plus an amount from the pool for additional peanuts to the extent of the net gains from the sale for domestic food and related uses of additional peanuts in the pool for additional peanuts equal to any loss on disposition of all peanuts in the pool for quota peanuts and (ii) for additional peanuts, the net gains over and above the loan indebtedness and other costs or losses incurred on peanuts placed in the pool for additional peanuts less any amount allocated to offset any loss in the pool for quota peanuts as provided in clause (i) of this sentence. Notwithstanding any other provision of this section, any distribution of net gains on additional peanuts of any type to any producer shall be reduced to the extent of any loss by the Commodity Credit Corporation on quota peanuts of a different type placed under loan by the producer. Notwithstanding any other provisions of this section, the proceeds due any producer from any pool shall be reduced by the amount of any loss that is incurred with respect to peanuts transferred from an additional loan pool to a quota loan pool under the provisions of section 358(s)(8) of the Agricultural Adjustment Act of 1938. In addition, losses in area quota pools, other than losses incurred as a result of transfers from additional loan pools to quota loan pools under section 358(s)(8) of the Agricultural Adjustment Act of 1938, shall be offset by gains or profits from pools in other production areas as determined by the Secretary.

"(4) Notwithstanding the foregoing provisions of this section or any other provision of law, no price support shall be made available by the Secretary for any crop of peanuts with respect to which poundage quotas have been disapproved by producers, as provided for in section 358(u) of the Agricultural Adjustment Act of 1938.".

REPORTS AND RECORDS

SEC. 406. Effective only for the 1986 through 1989 crops of peanuts, the first sentence of section 373(a) of the Agricultural Adjustment Act of 1938 is amended by inserting immediately before "all brokers and dealers in peanuts" the following: "all farmers engaged in the production of peanuts,".

SUSPENSION OF CERTAIN PRICE SUPPORT PROVISIONS

SEC. 401. Section 101 of the Agricultural Act of 1949 shall not be applicable to the 1986 through 1989 crops of peanuts.

TITLE V—SUGAR

SUGAR PRICE SUPPORT

SEC. 501. Effective only for the 1986 through 1989 crops of sugar beets and sugarcane, section 201 of the Agricultural Act of 1949 is amended by—

(1) striking out in the first sentence "honey, and milk" and inserting in lieu thereof "honey, milk, sugar beets, and sugarcane"; and

(2) adding at the end thereof a new subsection as follows:

"(j) The price of each of the 1986 through 1989 crops of sugar beets and sugarcane, respectively, shall be supported in the manner specified below:

"(1) The Secretary shall support the price of domestically grown sugarcane through nonrecourse loans at such level as the Secretary determines appropriate but not less than 18 cents per pound for raw cane sugar for each of the 1986 through 1989 crops.

"(2) The Secretary shall support the price of domestically grown sugar beets through nonrecourse loans at such level as the Secretary determines to be fair and reasonable in relation to the level of loans for sugarcane. The Secretary shall announce the loan rate to be applicable during any fiscal year as far in advance of the beginning of that fiscal year as practicable consistent with the purposes of this subsection. Loans during any such fiscal year shall be made available not earlier than the beginning of the fiscal year and shall mature before the end of that fiscal year.".

TITLE VI—WOOL AND MOHAIR

EXTENSION OF PRICE SUPPORT PROGRAM

SEC. 601. Section 703 of the National Wool Act of 1954 is amended by—

(1) striking out "1985" in subsection (a) and inserting in lieu thereof "1989"; and

(2) striking out "1985" in subsection (b) and inserting in lieu thereof "1989".

TITLE VII—DAIRY

MILK PRICE SUPPORT

SEC. 701. Effective with respect to milk marketed for commercial use after September 30, 1985, subsection (d) of section 201 of the Agricultural Act of 1949 is amended to read as follows:

"(d) Notwithstanding any other provision of law—

"(1) Effective for the fiscal year ending September 30, 1986, the price of milk shall be supported at a level not less than $11.60 per hundredweight of milk containing 3.67 per centum milk fat.

"(2) Effective for the fiscal year ending September 30, 1987, and each fiscal year thereafter through the fiscal year ending September 30, 1989, the price of milk shall be supported at a level not less than the support level for the immediately preceding fiscal year adjusted as follows:

"(A) if the Secretary estimates, as of the beginning of any such fiscal year, that the net price support purchases of milk or the products of milk will be in excess of five billion pounds milk equivalent, the Secretary may establish the level of support for such fiscal year at a level not less than 95 per centum of the support level for the immediately preceding fiscal year; and

"(B) if, during any such fiscal year, the Secretary determines that an increase in the price support for milk is necessary to ensure an adequate supply of pure and wholesome milk, the Secretary may increase such level of support for such fiscal year by not to exceed 5 per centum: *Provided,* That the authority provided in this clause may be exercised only once during each fiscal year.

"(3) The price of milk shall be supported through the purchase of milk and the products of milk.".

FEDERAL MILK MARKETING ORDERS

SEC. 702. Section 101(b) of the Agriculture and Food Act of 1981 is amended by striking out "1985" and inserting in lieu thereof "1989".

TRANSFER OF DAIRY PRODUCTS TO VETERANS HOSPITALS AND THE MILITARY

SEC. 703. Section 202 of the Agricultural Act of 1949 is amended by striking out "1985" and inserting in lieu thereof "1989".

DAIRY INDEMITY PROGRAM

SEC. 704. Section 3 of the Act of August 13, 1968 (7 U.S.C. 4501), is amended by striking out "1985" and inserting in lieu thereof "1989".

TITLE VIII—TOBACCO

PRICE SUPPORT FOR THE 1986 THROUGH 1989 CROPS OF TOBACCO

SEC. 801. Section 106 of the Agricultural Act of 1949 is amended by adding at the end thereof a new subsection (h) as follows:

"(h) The provisions of this section shall be inapplicable to any crop of tobacco produced for harvest after 1989 except as may hereafter be authorized by law.".

TITLE IX—MISCELLANEOUS COMMODITY PROVISIONS

ADVANCE PAYMENTS

SEC. 901. Effective only for the 1986 through 1989 crops of wheat, feed grains, upland cotton, and rice, the Agricultural Act of 1949, is amended by adding after 107D, as added by section 201 of this Act, a new section as follows:

"ADVANCE PAYMENTS

"Sec. 107E. (a) If the Secretary establishes an acreage limitation or set-aside program for any of the 1986 through 1989 crops of wheat, feed grains, upland cotton, and rice under this Act and determines that deficiency payments will likely be made for such commodity for such crop, the Secretary may make available advance deficiency payments to producers who agree to participate in such program.

"(b) Advance deficiency payments under subsection (a) shall be made to the producer under the following terms and conditions:

"(1) Such payments shall be made available to producers as soon as practicable after the producer files a notice of intention to participate in such program.

"(2) Such payments shall be made available to producers in such amounts as the Secretary determines appropriate to encourage adequate participation in such program, except that such amount may not exceed an amount determined by multiplying (A) the estimated farm program acreage for the crop, by (B) the farm program payment yield for the crop, by (C) 50 per centum of

the projected payment rate, as determined by the Secretary.

"(3) If the deficiency payment payable to a producer for a crop, as finally determined by the Secretary under this Act, is less than the amount paid to the producer as an advance deficiency payment for the crop under this section, the producer shall refund an amount equal to the difference between the amount advanced and the amount finally determined by the Secretary to be payable to the producer as a deficiency payment for the crop concerned.

"(4) If the Secretary determines under this Act that deficiency payments will not be made available to producers on a crop with respect to which advance deficiency payments already have been under this section, the producers who received such advance payments shall refund such payments.

"(5) Any refund required under paragraph (3) or (4) shall be due at the end of the marketing year for the crop with respect to which such payments were made.

"(6) If a producer fails to comply with the requirements under the acreage limitation or set-aside program involved after obtaining an advance deficiency payment under this section, the producer shall repay immediately the amount of the advance, plus interest thereon in such amount as the Secretary shall prescribe by regulations.

"(C) The Secretary may issue such regulations as the Secretary determines necessary to carry out this section.

"(d) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

"(e) The authority provided in this section shall be in addition to, and not in place of, any authority granted to the Secretary or the Commodity Credit Corporation under any other provisions of law.".

SUPPLEMENTAL SET-ASIDE AND ACREAGE LIMITATION AUTHORITY

SEC. 902. Effective for the 1986 through 1989 crops of wheat and feed grains, section 113 of the Agricultural Act of 1949 is amended to read as follows:

"SUPPLEMENTAL SET-ASIDE AND ACREAGE LIMITATION AUTHORITY

"SEC. 113. Notwithstanding any other provision of law or prior announcement made by the Secretary to the contrary, the Secretary may announce and provide for a set-aside or acreage limitation program under section 105C(e) or 107D(e) of this title for one or more of the crops of wheat and feed grains if the Secretary determines that such action is in the public interest as a result of the imposition of restrictions on the export of any such commodity by the President or other member of the executive branch of Government. To carry out effectively a set-aside or acreage limitation program under this section, the Secretary may make such modifications and adjustments in such program as the Secretary determines necessary because of any delay in instituting such program.".

SPECIAL GRAZING AND HAY PROGRAM

SEC. 903. Section 109 of the Agricultural Act of 1949 is amended by striking out "1985" in the first sentence of subsection (a) and inserting in lieu thereof "1989".

COMMODITY CREDIT CORPORATION SALES PRICES RESTRICTIONS FOR WHEAT AND FEED GRAINS

SEC. 904. Effective only for the marketing years for the 1986 through 1989 crops, section 407 of the Agricultural Act of 1949 is amended by—

(1) striking out in the third sentence the language following the third colon and inserting in lieu thereof the following: *"Provided,* That the Corporation shall not sell any of its stocks of wheat, corn, grain sorghum, barley, oats, and rye, respectively, at less than 115 per centum of the current national average loan rate for the commodity, adjusted for such current market differentials reflecting grade, quality, location, and other value factors as the Secretary determines appropriate plus reasonable carrying charges.";

(2) striking out in the fifth sentence "current basic county support rate including the value of any applicable price-support payment in kind (or a comparable price if there is no current basic county support rate)" and inserting in lieu thereof the following: "current basic county loan rate (or a comparable price if there is no current basic county loan rate)"; and

(3) striking out in the seventh sentence ", but in no event shall the purchase price exceed the then current support price for such commodities" and inserting in lieu thereof the following: "or unduly affecting market prices, but in no event shall the purchase price exceed the Corporation's minimum sales price for such commodities for unrestricted use.".

NORMALLY PLANTED ACREAGE AND TARGET PRICES

SEC. 905. Section 1001 of the Food and Agriculture Act of 1977 is amended by—

(1) striking out "1985" in each place that it appears in subsections (a) and (b) and inserting in lieu thereof "1989"; and

(2) adding a new subsection (c) as follows:

"(c) Notwithstanding any other provision of law, whenever marketing quotas are in effect for any of the 1986 through 1989 crops of wheat, the Secretary of Agriculture may require, as a condition of loans, purchases, and payments on any commodity under the Agricultural Act of 1949, that the acreage normally planted to crops designated by the Secretary, adjusted as deemed necessary by the Secretary to be fair and equitable among producers, shall be reduced by an amount equal to acreage that the Secretary determines would normally be planted to wheat on a farm minus the individual farm program acreage on the farm under section 107D(c)(3)(A) of the Agricultural Act of 1949.

NORMAL SUPPLY

SEC. 906. Notwithstanding any other provision of law, if the Secretary of Agriculture determines that the supply of wheat or corn for the marketing year for any of the 1986 through 1989 crops of such commodity is not likely to be excessive and that program measures to reduce or control the planted acreage of the crop are not necessary, such a decision shall constitute a determination that the total supply of the commodity does not exceed the normal supply and no determination to the contrary shall be made by the Secretary with respect to such commodity for such marketing year.

APPLICATION OF TERMS IN THE AGRICULTURAL ACT OF 1949

SEC. 907. Effective only for the 1986 through 1989 crops of wheat and feed grains, section 408(k) of the Agricultural Act of 1949 is amended to read as follows:

"REFERENCES TO TERMS MADE APPLICABLE TO WHEAT AND FEED GRAINS

"(k) References made in sections 402, 403, 406, 407, and 416 to the terms 'support price', 'level of support', and 'level of price support' shall be considered to apply as well to level of loans and purchases for wheat and feed grains under this Act; and references made to the terms 'price support', 'price support operations', and 'price support program' in such sections and in section 401(a) shall be considered as applying as well to the loan and purchase operations for wheat and feed grains under this Act.".

PAYMENT LIMITATIONS FOR WHEAT, FEED GRAINS, UPLAND COTTON, AND RICE

SEC. 908. Notwithstanding any other provision of law—

(1) The total amount of payments (excluding disaster payments) that a person shall be entitled to receive under one or more of the annual programs established under the Agricultural Act of 1949 for wheat, feed grains, upland cotton, and rice shall not exceed $50,000 for each of the 1986 through 1989 crops.

(2) The total amount of disaster payments that a person shall be entitled to receive under one or more of the annual programs established under the Agricultural Act of 1949 for wheat, feed grains, upland cotton, and rice shall not exceed $100,000 for each of the 1986 through 1989 crops.

(3) The term "payments" as used in this section shall not include loans or purchases, or any part of any payment that is determined by the Secretary of Agriculture to represent compensation for resource adjustment (excluding land diversion payments) or public access for recreation.

(4) If the Secretary determines that the total amount of payments that will be earned by any person under the program in effect for any crop will be reduced under this section, any acreage requirement established under a set-aside or acreage limitation program for the farm or farms on which such person will be sharing in payments earned under such program shall be adjusted to such extent and in such manner as the Secretary determines will be fair and reasonable in relation to the amount of the payment reduction.

(5) The Secretary shall issue regulations defining the term "person" and prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of such limitation: *Provided,* That the provisions of this section that limit payments to any person shall not be applicable to lands owned by States, political subdivisions, or agencies thereof, so long as such lands are farmed primarily in the direct furtherance of a public function, as determined by the Secretary. The rules for determining whether corporations and their stockholders may be considered as separate persons shall be in accordance with the regulations issued by the Secretary on December 18, 1970, under section 101 of the Agricultural Act of 1970.

PART B—AGRICULTURAL EXPORTS, CONSERVATION, AND CREDIT

TITLE X—AGRICULTURAL EXPORTS

EXEMPTION FOR AGRICULTURAL EXPORTS FROM CARGO PREFERENCE REQUIREMENTS

SEC. 1001. Notwithstanding any other provision of law, export activities of the Commodity Credit Corporation under the Commodity Credit Corporation Charter Act, and activities of the Corporation or the Secretary of Agriculture to promote the export of agricultural commodities under any other Act, shall not be subject to cargo preference requirements, except with respect to the export of (a) agricultural commodities under the Agricultural Trade Development

and Assistance Act of 1954 or other provisions of law that provide for the furnishing of such commodities to a foreign nation without provision for reimbursement, or (b) agricultural commodities procured, contracted for, or otherwise obtained for other agencies of the United States.

EXTENSION OF PUBLIC LAW 480

SEC. 1002. Section 409 of the Agricultural Trade Development and Assistance Act of 1954 is amended—

(1) striking out "1985" in the first sentence and inserting in lieu thereof "1989"; and

(2) striking out "Agriculture and Food Act of 1981" in the second sentence and inserting in lieu thereof "Food and Agriculture Act of 1985".

AGRICULTURAL EXPORT CREDIT REVOLVING FUND

SEC. 1003. Section 4(d) of the Food for Peace Act of 1966 is amended by striking out "1985" both places it appears and inserting in lieu thereof "1989".

EXPORT CREDIT AND CREDIT GUARANTEES

SEC. 1004. (a) Effective for the fiscal year ending September 30, 1986, $325,000,000 of Commodity Credit Corporation funds shall be used by the Commodity Credit Corporation for direct export credit under its blended credit export sales program.

(b) Effective for the fiscal year ending September 30, 1986, not less than $5,000,000,000 in credit guarantees shall be made available by the Commodity Credit Corporation under its export credit guarantee program for short-term credit extended to finance the export sales of United States agricultural commodities and products.

INTERMEDIATE CREDIT FOR AGRICULTURAL EXPORTS

SEC. 1005. Section 4(b) of the Food for Peace Act of 1966 is amended by—

(1) adding, at the end of paragraph (1), the following: "Such financing may consist of the provision of direct credit or guaranteeing the repayment of loans made by entities other than the Corporation to finance such sales.";

(2) in paragraph (2)—

(A) striking out "or" at the end of clause (A),

(B) striking out the period at the end and inserting in lieu thereof "; or"; and

(C) adding at the end thereof a new clause (C) as follows:

"(C) otherwise promote the export of United States agricultural commodities.";

(3) in paragraph (3)—

(A) striking out "and" at the end of clause (C);

(B) striking out "credit" in clause (D);

(C) striking out the period at the end and inserting in lieu thereof "; and"; and

(D) adding at the end thereof a new clause (E) as follows:

"(E) otherwise to promote the export of United States agricultural commodities.";

(4) in paragraph (4), striking out "to encourage credit competition; or"; and

(5) inserting "through the provision of direct credit" after "subsection" in paragraph (5).

DEVELOPMENT, MAINTENANCE, AND EXPANSION OF EXPORT MARKETS FOR AGRICULTURAL COMMODITIES AND PRODUCTS

SEC. 1006. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall formulate and carry out a program under which agricultural commodities and products acquired through the price support operations of the Commodity Credit Corporation are made available to United States exporters, processors, and foreign purchasers at no cost to encourage the development, maintenance, and expansion of export markets for United States agricultural commodities and products.

(b) In carrying out the program authorized by this section, the Secretary of Agriculture—

(1) shall take such action as may be necessary to ensure that the program provides equal treatment to domestic and foreign purchasers and users of United States agricultural commodities and products in any case in which the importation into the United States of a product made, in whole or in part, from a commodity or product made available for export under the program would place domestic users of the commodity at a competitive disadvantage;

(2) shall, to the extent that the agricultural commodities and products are provided to foreign purchasers during any fiscal year under this section, consider for participation all interested foreign purchasers, giving priority to those who have traditionally purchased United States agricultural commodities and products and who continue to purchase such commodities and products on an annual basis in quantities greater than the level of purchases in a previous representative period;

(3) shall ensure, insofar as possible, that the agricultural commodities or products made available under this section will be used in a manner to encourage increased use of the commodities or products in the importing country and avoid displacing usual marketings of the United States agricultural commodities and products; and

(5) shall take such action to ensure insofar as practicable that any commodity or product made available under this section will not be sold or transshipped to other countries or used in the importing country for other than domestic purposes.

(c) The Secretary of Agriculture shall carry out the program authorized by this section through the Commodity Credit Corporation.

(d) The Secretary of Agriculture may issue such regulations as the Secretary deems necessary to carry out this section.

(e) The authority provided in this section shall be in addition to, and not in place of, any authority granted to the Secretary of Agriculture or the Commodity Credit Corporation under any other provision of law.

PAYMENT OF SUBSIDIES FOR THE EXPORT OF AGRICULTURAL COMMODITIES AND PRODUCTS

SEC. 1007. (a) Whenever the Secretary of Agriculture determines that—

(1) the supply of any agricultural commodity or product for which price support is available under the Agricultural Act of 1949 are in excess of 150 per centum of the estimated stocks required to meet anticipated needs as determined by the Secretary taking into consideration domestic requirements, export demand, emergency food aid requirements, and the need for adequate carryover stocks, among other things, and

(2) the export of the commodity or product is being adversely affected by price or credit subsidies or similar trading practices of foreign countries or instrumentalities thereof in connection with their agricultural exports.

the Commodity Corporation shall carry out an export subsidy program under the provisions of the Commodity Credit Corporation Charter Act to neutralize the effect of the export subsidy or trading practice of foreign countries or instrumentalities on exports of the United States agricultural commodity or product.

(b) In carrying out the export subsidy program, the Commodity Credit Corporation may use (1) its funds to subsidize exports of the commodity or product directly or (2) stocks of the commodity or product acquired through price support operations of the Corporation to subsidize such exports through payments-in-kind made to United States exporters, processors, or foreign purchasers, or (3) both of the methods described in clauses (1) and (2). The Corporation may use stocks of a different commodity or product than the commodity or product adversely affected by foreign subsidies or unfair trade practices to make in-kind payments under the preceding sentence if the Secretary of Agriculture determines that the stocks of the commodity or product to be used are in excessive supply and that the use of such commodity or product is appropriate to ensure the effective operation of the program.

AGRICULTURAL TRADE AGREEMENTS

SEC. 1008. It is the sense of Congress that the President should undertake negotiations to develop long-term bilateral and multilateral agreements to promote the free trade of agricultural commodities and products between the United States and other countries.

TITLE XI—NATURAL RESOURCE CONSERVATION

Subtitle A—Soil Conservation

SHORT TITLE

SEC. 1101. This subtitle may be cited as the "Soil Conservation Act of 1985".

DEFINITIONS

SEC. 1102. As used in this subtitle—

(1) the term "agricultural commodity" means any agricultural commodity planted and produced by annual tilling of the soil, or on an annual basis by one-trip planters;

(2) the term "conservation district" means any district or unit of State or local government formed under State or territorial law for the express purpose of developing and carrying out a local soil and water conservation program. Such districts or units of State or local government may be called "conservation districts", "soil conservation districts", "soil and water conservation districts", "resource conservation districts", "natural resource districts", "land conservation committees", or a similar name;

(3) the term "field" means that term as defined in section 718.2 of title 7 of the Code of Federal Regulations, except that any highly erodible land on which an agricultural commodity is produced after the date of enactment of this subtitle and which is not exempt under section 1104 shall be considered as part of the field in which such land was included on such date of enactment, unless the Secretary permits modification of the boundaries of the field to effectuate the purposes of section 1103 or to facilitate the practical administration thereof;

(4) the terms "highly erodible land" and "highly erodible cropland" mean land or cropland classified by the Soil Conservation Service of the Department of Agriculture as class IVe, VIe, VII, or VIII land under the land capability classification system in effect on the date of enactment of this title. The land capability class for a field shall be that determined by the Secretary to be the predominant class under regulations issued by the Secretary;

(5) the term "erosion-prone cropland" means land that is classified by the Soil Conservation Service of the Department of

Agriculture as class IIIe, IVe, VI, VII, or VIII land under the land capability classification system in effect on the date of enactment of this subtitle and that has been devoted to the production of an agricultural commodity in three out of the past five years, or any other land in a State that the Soil Conservation Service determines has an erosion rate, in the production of an agricultural commodity, that is equal to or greater than the average erosion rate in the same State on any of the foregoing classes of land; and

(6) the term "Secretary" means the Secretary of Agriculture.

PROGRAM INELIGIBILITY FOR PRODUCTION ON HIGHLY ERODIBLE LAND

SEC. 1103. (a) Except as provided in section 1104 and notwithstanding any other provision of law, following the date of enactment of this subtitle any person who produces in any crop year an agricultural commodity on highly erodible land shall be ineligible, as to any commodity produced during that crop year by such person for—

(1) any type of price support or payments made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), the Commodity Credit Corporation Charter Act (115 U.S.C. 714 et seq.), or any other Act;

(2) a farm storage facility loan under section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h));

(3) crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1510 et seq.);

(4) a disaster payment under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.); or

(5) a loan made, insured, or guaranteed under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) or any other provision of law administered by the Farmers Home Administration, if the Secretary determines that such loan will be used for a purpose that will contribute to excessive erosion of highly erodible land.

(b) The Secretary shall issue regulations defining the term "person" and prescribing rules to govern determinations of persons who shall be ineligible for program benefits under this section so as to ensure fair and reasonable determination of ineligibility, including regulations that protect the interests of tenants and sharecroppers.

EXEMPTIONS

SEC. 1104. (a) The sanctions of section 1103 shall not be activated by the planting of a crop of an agricultural commodity—

(1) on any land that was cultivated to produce any of the 1981 through 1985 crops of agricultural commodities;

(2) before the date of enactment of this subtitle;

(3) during any crop year beginning before the date of enactment of this subtitle;

(4)(A) in an area within a conservation district under a conservation system that has been approved by a conservation district after it has been determined that the conservation system is in conformity with technical standards set forth in the Soil Conservation Service technical guide for that conservation district, or (B) in an area, not within a conservation district, under a conservation system determined by the Secretary to be adequate for the production of such agricultural commodity on highly erodible land; or (5) or any highly erodible land if such land was planted in reliance on the determination by the Soil Conservation Service that such land was not highly erodible land, but the exemption under this clause shall not apply to any crop that was planted on any land after the Soil Conservation Service determines such land to be highly erodible land.

(b) The provisions of section 1103 shall not apply to any loan made before the date of enactment under this subtitle.

COMPLETION OF SOIL SURVEYS

SEC. 1105. The Secretary shall, as soon as practicable, complete soil surveys on those private lands that do not have a soil survey suitable for use in determining the land capability class for purposes of this subtitle and, insofar as possible, concentrate on those localities where significant amounts of highly erodible land are being converted to the production of agricultural commodities.

CONSERVATION RESERVE PROGRAM

SEC. 1106. (a) Notwithstanding any other provision of law, the Secretary shall formulate and carry out a program with owners and operators of erosion-prone cropland to assist them in conserving and improving the soil and water resources of their farms or ranches. In any such program, the Secretary shall include other than erosion-prone cropland upon a demonstration by the conservation district that a serious soil erosion problem exists on such land, or in an area not within a conservation district if the Secretary determines that such a serious soil erosion problem exists.

(b) The Secretary shall enter into contracts during the period beginning October 1, 1985, and ending September 30, 1990, of not less than seven nor more than fifteen years for the purpose of carrying out this section. In such contract, the owner or operator shall agree to—

(1) effectuate during the agreement period a plan approved by a conservation district (or in an area not within a conservation district, a plan approved by the Secretary) for converting erosion-prone cropland normally devoted to the production of an agricultural commodity on a farm or ranch to a less intensive use, such as pasture, permanent grass or legumes, or trees substantially in accordance with the schedule outlined therein, except to the extent that any requirements thereof are waived or modified by the Secretary;

(2) forfeit all rights to further payments under the contract and refund to the United States all payments, with interest, received thereunder upon the violation of the contract at any stage during the time the owner or operator has control of the land if the Secretary, after considering the recommendations of the soil conservation district and the Chief of the Soil Conservation Service, determines that such violation is of such a nature as to warrant termination of the contract, or make refunds or accept such payment adjustments as the Secretary may deem appropriate if the Secretary determines that the violation by the owner or operator does not warrant termination of the contract;

(3) upon transfer of the owner or operator's right and interest in the farm or ranch during the contract period, forfeit all rights to further payments under the contract and refund to the United States all payments received thereunder, or accept such payment adjustments or make such refunds as the Secretary may deem appropriate and consistent with the objectives of this section, unless the transferee of any such land agrees with the Secretary to assume all obligations under the contract;

(4) not conduct any harvesting or grazing or otherwise make commercial use of the forage or trees on land that is subject to the contract unless it is expressly permitted in the contract, nor adopt any practice specified in the contract by the Secretary as a practice that would tend to defeat the purposes of the contract; and

(5) such additional provisions as the Secretary determines are desirable and are included in the contract to effectuate the purposes of the program or to facilitate the practical administration thereof.

(c) The plan, as described in subsection (b)(1) of this section for converting erosion-prone cropland normally devoted to the production of agricultural commodities on a farm or ranch to a less intensive use, shall set forth the conservation measures and practices to be installed by the owner or operator during the agreement period and the commercial use, if any, to be made of the land during such period and may provide for the permanent retirement of any existing cropland base and allotment history for such land.

(d) In return for such agreement by the owner and operator, the Secretary shall agree to (1) provide technical assistance, (2) share the cost of carrying out the conservation measures and practices set forth in the contract for which the Secretary determines that cost sharing is appropriate and in the public interest, and (3) pay an annual land rental fee, for a period of years not in excess of the duration of the contract, necessary for converting erosion-prone cropland normally devoted to the production of an agricultural commodity on a farm or ranch to a less intensive use and necessary for obtaining the retirement of any cropland base and allotment history that the owner or operator agrees to retire permanently.

(e) The Secretary shall base the amount of cost sharing for conservation measures and practices under this subsection on that part of the total cost thereof that the Secretary determines is necessary and appropriate to effectuate the installation and maintenance of the conservation plantings and practices for the normally expected life of such a planting or practice.

(f) In determining the amount of land rental to be paid for converting erosion-prone cropland to less intensive uses, the Secretary may consider, among other things, the amount necessary to encourage owners or operators of erosion-prone cropland to participate in the program. The total amount payable to owners or operators in the form of annual payments under contracts entered into in accordance with this section may be determined through the submission of bids in such manner as the Secretary may prescribe or through such other means as the Secretary determines appropriate. In determining the acceptability of contract offers, the Secretary may take into consideration the extent of erosion on the land that is the subject of the contract and the productivity of the acreage diverted.

(g) Notwithstanding any other provision of law, payments under this section shall be made in cash or in commodities in such amount and on such time schedule as agreed upon and specified in the contract. Such payments may be made in advance of determination of performance.

(h) If a producer who is entitled to any such payment or compensation dies, becomes incompetent, or disappears before receiving such payment or compensation, or is succeeded by another who renders or completes the required performance, the Secretary shall make or provide such payment or compensation, in accordance with regulations and without regard to any other provi-

sions of law, in such manner as the Secretary determines to be fair and reasonable in light of all the circumstances.

(i) No agreement shall be entered into under this section concerning land with respect to which the ownership has changed in the three-year period preceding the first year of the agreement period unless (1) the new ownership was acquired by will or succession as a result of the death of the previous owner, (2) the new ownership was acquired prior to January 1, 1985, or (3) the Secretary determines that the land was acquired under circumstances that give adequate assurance that such land was not acquired for the purpose of placing it in the program. This provision shall not be construed to prohibit the continuation of an agreement by a new owner after an agreement has once been entered into under this section, nor to require a person to own the land as a condition of eligibility for entering into the agreement if the person has operated the land to be covered by an agreement under this section for as long as three years preceding the date of the agreement and controls the land for the agreement period.

(j) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing, on a fair and equitable basis, in payments under the program.

(k) The Secretary may terminate any contract by mutual agreement with the owner or operator if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts as the Secretary may determine to be desirable to carry out the purposes of this section or facilitate its administration.

(l) Notwithstanding subsection (c) of this section, the Secretary may provide by appropriate regulations for preservation of cropland base and allotment history, applicable to acreage converted from the production of crops under this section, for the purpose of any Federal program under which such history is used as a basis for participation in such program or for an allotment or other limitation in such program, unless the owner or operator agrees under the contract to retire permanently such cropland base and allotment history.

(m) In carrying out this section, the Secretary may use the facilities, services, authorities, and funds of the Commodity Credit Corporation, except that the Secretary may not use funds of the Corporation for such purpose unless the Corporation has received funds to cover such expenditures from appropriations made to carry out this section.

(n) The Secretary may enter into contracts in any fiscal year that require payments to producers only to such extent or in such amounts as provided in appropriation Acts. There are hereby authorized to be appropriated such sums as are necessary for the administration of this section, including such amounts as may be required to make payments to the Commodity Credit Corporation for its costs to be incurred under this section.

ADMINISTRATIVE PROVISIONS

SEC. 1107. (a) In carrying out this subtitle, the Secretary shall use the services of local, county, and State committees established under section 8 of the Soil Conservation and Domestic Allotment Act.

(b) The Secretary shall establish, by regulation, an appeal procedure under which a person who is adversely affected by any determination made under this title may seek review of such determination.

(c) The Secretary shall, within one hundred and eighty days after the enactment of this title, publish in the Federal Register such regulations as the Secretary determines desirable to implement this subtitle.

(d) The authority provided by this subtitle shall be in addition to and not in place of other authorities available to the Secretary and the Commodity Credit Corporation for carrying out soil and water conservation programs.

Subtitle B—Wetland Conservation

SHORT TITLE

SEC. 1108. This subtitle may be cited as the "Wetland Conservation Act of 1985".

DEFINITIONS

SEC. 1109. As used in this subtitle—

(1) the term "agricultural commodity" means any agricultural commodity planted and produced by annual tilling of the soil, including tilling by one-trip planters;

(2) the term "wetland", except when such term is part of the term "converted wetland", means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions; and

(3) the term "converted wetland" means land that has been drained, dredged, filled, leveled, or otherwise manipulated by any activity that results in impairing or reducing the flow, circulation, or reach of water for the purpose of, or that has the effect of, making the land suitable for the production of agricultural commodities if—

(A) the production of agricultural commodities would not have been possible if such action had not been taken; and

(B) before such action was taken—

(i) the land was wetland; and

(ii) the land was neither highly erodible land nor highly erodible cropland, as defined in section 1102.

PROGRAM INELIGIBILITY

SEC. 1110. (a) Except as provided in section 1111 and notwithstanding any other provision of law, following the date of enactment of this subtitle, any person who produces in any crop year an agricultural commodity on converted wetlands shall be ineligible, as to any commodity produced during that crop year by such person, for—

(1) any type of price support or payments made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), the Commodity credit Corporation Charter Act (15 U.S.C. 714 et seq.), or any other Act;

(2) farm storage facility loans under section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h);

(3) crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(4) disaster payments under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.); and

(5) loans made, insured, or guaranteed under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) or any other provision of law administered by the Farmers Home Administration, if the Secretary of Agriculture determines that such loan will be used for a purpose that will contribute to the conversion of wetlands.

(b) The secretary shall issue regulations defining the term "person" and prescribing rules to govern determinations of person who shall be ineligible for program benefits under this section so as to ensure fair and reasonable determination of ineligibility, including regulations that protect the interests of tenants and sharecroppers.

EXEMPTIONS

SEC. 1111. (a) Section 1110 shall not apply to any person who produces an agricultural commodity on land that is converted wetland if such land became converted wetland before the date of enactment of this subtitle.

(b) Section 1110 shall not apply with respect to any loan made before the date of enactment of this subtitle.

CONSULTATION WITH SECRETARY OF THE INTERIOR

SEC. 1112. The Secretary of Agriculture shall consult with the Secretary of the interior for the purpose of issuing regulations with respect to identifying, and establishing criteria to identify, wetland and converted wetland.

TITLE XII—FARM CREDIT ASSISTANCE

SHORT TITLE

SEC. 1201. This title may be cited as the "Farm Credit Assistance Act of 1985".

TRANSITION ASSISTANCE FOR CERTAIN BORROWERS

SEC. 1202. The Consolidated Farm and Rural Development Act is amended by inserting after section 331B as new section 331C as follows:

"TRANSITION ASSISTANCE FOR CERTAIN BORROWERS

"SEC. 331C. (a) Any borrower owing claims or obligations administered under this title and facing imminent foreclosure or bankruptcy may be released from personal liability and receive a release of any lien the Secretary may hold upon the borrower's assets valued not in excess of $10,000, as determined by the Secretary on the basis of their current market value, if—

"(1) in accordance with regulations issued by the Secretary, the remaining security property is transferred to the Secretary or the remaining security property is sold by the borrower and the proceeds paid to the Secretary on such claims or obligations;

"(2) the borrower has a negative net worth at the time of the transaction;

"(3) the borrower certifies that the released assets or cash realized from the sale of the asset will be used to assist in the transition from farming and ranching and not for other purposes;

"(4) the Secretary determines that the borrower has no reasonable debt-paying ability, considering the assets and income of the borrower at the time of the transaction; and

"(5) the county committee certifies that the borrower has acted in good faith, used due diligence to maintain the security property from loss, and has otherwise fulfilled the covenants incident to the loan to the best of the borrower's ability.

"(b) Notwithstanding any other provision of this Act, the Agricultural Credit Insurance Fund established under section 309 of this Act may be used by the Secretary in implementing this section.".

FEDERAL-STATE COOPERATIVE INTEREST BUY-DOWN PROGRAM

SEC. 1203 Effective for the period beginning on the date of enactment of this Act and ending September 30, 1986, the Consolidated Farm and Rural Development Act is amended by adding at the end thereof a new section 350 as follows:

"FEDERAL-STATE COOPERATIVE INTEREST BUY-DOWN PROGRAM

"SEC. 350. (a) To assist farmers and ranchers whose debts are restructured by com-

mercial or cooperative lenders, the Secretary may make grants to States for use in buying down the interest rates charged by such lenders.

"(b) The grant program established under this section shall—

"(1) be used to provide interest reduction payments on loans secured by real estate or other assets made to restructure debts;

"(2) provide for interest reduction agreement of not less than three years; and

"(3) expect as provided in subsection (d), be administered by States that provide equal matching funds for interest reduction payments.

"(c) The Secretary shall provide, and the State may provide, for the recapture of any assistance provided under this section from the assisted borrower or such borrower's heirs upon the disposition of, or other transfer of title or ownership to, the real estate or other assets. The amount to be recaptured shall be secured by a lien on the real estate or other assets.

"(d) The Secretary shall make grants for interest reduction payments under this section without requiring that a State provide equal matching funds whenever the Secretary determines that it would not be practicable for such State to provide matching funds.

"(e) Notwithstanding any other provision of this Act, the Agricultural Credit Insurance Fund established under section 309 of this Act may be used by the Secretary in implementing this section.

"(f) The total amount of funds used by the Secretary in making grants under this section shall not exceed $200,000,000.".

IMPROVEMENTS IN THE PROCESSING OF APPLICATIONS FOR FARMERS HOME ADMINISTRATION LOANS

SEC. 1204. (a) The Secretary of Agriculture shall immediately take steps—using authorities of law provided by the Secretary, including the Agricultural Credit Insurance Fund and the employment procedures used in connection with the emergency disaster loan program—to make personnel and other resources of the Department of Agriculture available to the Farmers Home Administration sufficient to enable the Farmers Home Administration to process applications from farmers for assistance expeditiously and in a timely manner with respect to farm operations relating to the planting and cultivation of the 1986 crops.

(b) Subsection (h) of section 309 of the Consolidated Farm and Rural Development Act is amended by—

(1) designating the existing text thereof as paragraph (1); and

(2) inserting at the end thereof a new paragraph (2) as follows:

"(2) In implementing the approved lender program established under section 339 of this Act on May 4, 1984, the Secretary shall ensure that each request of a lending institution for designation as an approved lender under the program is reviewed, and a decision made on the application, within fifteen days after the lending institution has submitted a completed application to the Farmers Home Administration.".

DISPOSITION OF FARM PROPERTY INVENTORY HELD BY THE FARMERS HOME ADMINISTRATION

SEC. 1205. Section 335 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985) is amended by—

(1) amending subsection (b) to read as follows:

"(b)(1) Except as provided in paragraph (2) of this subsection, real property administered under the provisions of this title may be operated or leased by the Secretary for such periods or periods as the Secretary may deem necessary to protect the Government's investment therein.

"(2) Farmland administered under the provisions of subtitle A, B, or C of this title, the sale of which is not immediately practicable under subsection (c) of this section, shall be leased by the Secretary to qualified family farmers and qualified limited resource farmers. The Secretary shall consider providing, in conjunction with the provisions of subsection (c) of this section, leases that contain purchase options for qualified family farmers or limited resource farmers and loans at the limited resource rate to such farmers to cover any payments due under the lease or the option. If no qualified family farmer or limited resource farmer is identified, the land shall be leased to other borrowers eligible for loans under subtitle A or B of this title. If the previous owner-operator of a particular tract of land is eligible for assistance under subtitle A or B of this title, such previous owner-operator shall be given special consideration, as appropriate, in the leasing of that tract. The Secretary shall implement the provisions of this section within sixty days after enactment of the Food and Agriculture Act of 1985.".

(2) amending the first sentence of paragraph (1) of subsection (c) to read as follows: "Except as provided in paragraphs (2) and (4) of this subsection with respect to the disposition of farmland, the Secretary may determine whether real property administered under this title is suitable for disposition to persons eligible for assistance under any law administered by the Farmers Home Administration.".

(3) amending paragraphs (2), (3), and (4) of subsection (c) to read as follows:

"(2) (A) Farmland administered under this title shall be, wherever practicable, sold by the Secretary to qualified family farmers and qualified limited resource farmers. The sale of such farmland may be through the exercise of a purchase option provided in a lease under subsection (b) (2) of this section. The Secretary shall provide, to the extent possible, financing for the sale of farmland to such qualified farmers from funds available for such purposes under this title and may, without regard to the availability of funds to finance the purchase of farmland under this title, sell such farmland to qualified family farmers and qualified limited resource borrowers through the use of installment land contracts, or similar devises, that contain such terms as the Secretary deems necessary to protect the Government's investment in such farmland. The Secretary shall offer such farmland for sale to family farmers and limited resource farmers at a price that reflects the average annual income that can be reasonably anticipated to be generated from farming such land. If more than one qualified candidate to purchase, or lease with the option to purchase, the farmland is identified, the county committee shall, by majority vote, select the final candidate on such basis as the Secretary by regulation may prescribe.

"(B) For the fiscal years 1985, 1986, and 1987, not less than 20 per centum of the farm ownership funds under subtitle A of this title shall be made available for loans at the limited resource rate for the purchase of suitable farmland from the inventory of the Farmers Home Administration by qualified limited resource borrowers. The amount provided under this subparagraph shall be in addition to the minimum use of funds at such rate required by section 346 of this title.

"(C) If suitable farmland is available for disposition under this subsection, the Secretary shall publish an announcement of the availability of such farmland in at least one newspaper that is widely circulated in the county in which the farmland is located and and shall post an announcement of the availability of such farmland at a prominent place in the local office of the Farmers Home Administration that serves the county in which the farmland is located. The Secretary shall also identify and notify current borrowers under subtitiles A or B, giving special attention to limited resource borrowers, who might be interested in purchasing inventory farmland.

"(3) Farmland that the Secretary determines is not suitable for sale or lease to limited resource or other eligible farm borrowers under subtitle A or B of this Act because such farmland is in a tract or tracts that the Secretary determines to be larger than that necessary for family-size farms shall be subdivided into tracts suitable for limited resource or other eligible borrowers under subtitle A and B of this Act. The disposition of such subdivided farmland shall be in accordance with paragraph (2) of this subsection.

"(4) If farmland used as security for a Farmers Home Administration loan is transferred to a party other than the Farmers Home Administration, the Secretary shall not permit any of the terms of the loan that are provided for in this title to be assumed by the party to whom the land is transferred unless such party is eligible for loan assistance under subtitle A of this title. If the party to whom the farmland is to be transferred is a limited resource farmer of a farmer who is otherwise eligible for loan assistance under subtitle A of this title, the Secretary shall take appropriate steps to provide such a farmer with reasonable assistance, including refinancing of the original loan, to help ensure that the transfer will occur. Within sixty days after the enactment of the Food and Agriculture Act of 1985, the Secretary shall adopt interim regulations to implement this subsection. Such interim regulations shall be subject to public comment and final promulgation as soon as practicable.".

IMPROVEMENT OF FARMERS HOME ADMINISTRATION APPEALS PROCEDURE

SEC. 1206. (a) The Secretary of Agriculture shall conduct a study regarding the administrative appeals procedure applicable to the farm loan programs of the Farmers Home Administration. In conducting the study, the Secretary shall examine—

(1) the number and type of appeals initiated by borrowers;

(2) the extent to which initial administrative actions are reversed on appeal;

(3) the reasons that administrative actions are reversed, modified, or sustained on appeal;

(4) the number of appeals in which the borrower is represented by legal counsel, and the extent to which such representation may affect the outcome of the appeal;

(5) the amount of time required to complete action on appeals and the reasons for delays;

(6) the feasibility of the use of administrative law judges in the appeals process; and

(7) the desirability of electing Farmers Home Administration county committee members.

(b) The Secretary shall submit a report containing the results of study required by subsection (a) of this section to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry not later than September 1, 1986.

PROTECTION OF FARM CREDIT SYSTEM BORROWER CAPITAL

SEC. 1207. (a) The Farm Credit Administration shall conduct a study regarding the need for establishment of a fund to be used to insure System institutions against losses on loans or for any other purpose that would assist in stabilizing the financial condition of the Farm Credit System and provide for the protection of borrower capital. In conducting the study, the Farm Credit Administration shall consider the advisability of using the revolving funds provided for in section 4.1 of the Farm Credit Act of 1971 to provide startup capital for any insurance fund and estimate the amount and level of future assessments for System institutions that would be necessary to ensure the long-term liquidity of such an insurance fund.

(b) The Farm Credit Administration shall submit a report containing the results of the study required by this section to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry not later than one hundred and eighty days after the enactment of this title.

TITLE XIII—TASK FORCE ON AGRICULTURAL CREDIT

SHORT TITLE

SEC. 1301. This title may be cited as the "Agricultural Credit Task Force Act of 1985".

ESTABLISHMENT OF AGRICULTURAL CREDIT TASK FORCE

SEC. 1302. (a) There is established a National Task Force on Agricultural Credit to conduct a study of the credit problems confronting United States agricultural producers and related businesses.

(b)(1) The task force shall be composed of fifteen persons appointed or designated by the President and selected as follows:

(A) the President shall select five members; and

(B) the Speaker of the House of Representatives and the majority leader of the Senate shall each select five members.

(2) In selecting persons as members of the task force, the President, the Speaker, and the majority leader shall endeavor to ensure that the task force has a balanced membership representing all major functions in agriculture, such as farmers, suppliers, marketers, and lenders.

(c) A vacancy in the task force shall be filled in the manner in which the original appointment was made.

(d) The task force shall elect a chairman from among the members of the task force.

(e) The task force shall meet at the call of the chairman or a majority of the task force.

CONDUCT OF STUDY

SEC. 1303. The task force shall—

(1) identify and describe the components of the existing agricultural credit system;

(2) identify and describe the credit needs of agricultural producers and related businesses; and

(3) evaluate the ability of the existing agricultural credit system to meet the credit needs of agricultural producers.

SEC. 1304. (a) On the basis of its study, the task force shall make findings and develop recommendations for consideration by the President and Congress with respect to the agriculture-related credit policies, programs, and practices of the United States, and the manner in which such policies, programs, and practices can be improved to ensure that United States agricultural producers obtain credit at interest rates conducive to debt servicing and profitmaking.

(b) The task force shall submit to the President and Congress—

(1) such interim reports on its work as may be requested by the chairman of the House Committee on Agriculture or the chairman of the Senate Committee on Agriculture, Nutrition, and Forestry; and

(2) a report containing the final results of its study and recommendations therefrom by July 1, 1986.

ADMINISTRATION

SEC. 1305. (a) The heads of executive agencies, the General Accounting Office, and the Congressional Budget Office shall, to the extent permitted by law, provide the task force such information as it may require in carrying out its duties and function.

(b) Members of the task force shall serve without any additional compensation for work on the task force. However, members appointed from among private citizens of the United States may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service under sections 5701 through 5707 of title 5, United States Code.

(c) Upon request of the task force, the Secretary of Agriculture and the Governor of the Farm Credit Administration shall furnish the task force with such personnel and support services as are necessary to assist the task force in carrying out its duties and functions.

(d) Upon request of the task force, the heads of other Executive agencies and the General Accounting Office are each authorized to furnish the task force with such personnel and support services as the head of the agency or office and the chairman of the task force agree are necessary to assist the task force in carrying out its duties and functions.

(e) The task force shall not be required to pay or reimburse any agency or office for personnel and support services provided under this section.

TERMINATION

SEC. 1306. The task force shall terminate sixty days after the transmission of its final report to the President and Congress.

PART C—RESEARCH, EXTENSION, AND TEACHING

TITLE XIV—AGRICULTURAL RESEARCH AND EXTENSION

SHORT TITLE

SEC. 1401. This title may be cited as the "National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985".

FINDINGS

SEC. 1402. Section 1402 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101) is amended by—

(1) strking out "and" at the end of clause (10);

(2) striking out the period at the end of clause (11) and inserting in lieu thereof "; and"; and

(3) adding at the end thereof a new clause as follows:

"(12) The Nation's agricultural system is increasingly dependent on science and technology to maintain and improve productivity levels, manage the resource base, provide high quality products, and protect the environment; and a constant supply of food and agricultural scientific expertise is imperative to maintain this dynamic system.".

DEFINITIONS

SEC. 1403. Section 1404(8) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(8)) is amended by—

(1) striking out "and" at the end of clause (H);

(2) adding "and" to the end of clause (I); and

(3) adding a new clause as follows:

"(J) international food and agricultural issues such as agricultural development, institution development, germ plasm collection and preservation, information exchange and storage, and scientific exchanges;".

JOINT COUNCIL ON FOOD AND AGRICULTURAL SCIENCES

SEC. 1404. Section 1407(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3122(a)) is amended by striking out "September 30, 1985" and inserting in lieu thereof "September 30, 1989".

NATIONAL AGRICULTURAL RESEARCH AND EXTENSION USERS ADVISORY BOARD

SEC. 1405. Section 1408(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(a)) is amended by striking out "September 30, 1985" and inserting in lieu thereof "September 30, 1989".

FEDERAL-STATE PARTNERSHIP AND COORDINATION

SEC. 1406. Section 1409A(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3124a) is amended by—

(1) striking out "and" at the end of clause (2);

(2) striking out the period at the end of clause (3) and inserting in lieu thereof ";", and

(3) adding a new paragraph (4) as follows:

"(4) international agricultural programs under title XII of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2220a).".

SECRETARY'S REPORT

SEC. 1407. Section 1410 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3125) is amended by—

(1) adding "and" immediately after the semicolon at the end of clause (2);

(2) striking out the semicolon and "and" at the end of paragraph (3) and inserting in lieu thereof a period; and

(3) striking out clause (4).

COMPETITIVE, SPECIAL AND FACILITIES RESEARCH GRANTS

SEC. 1408. Section 2 of the Act of August 4, 1965 (7 U.S.C. 450i) is amended by—

(1) striking out the last sentence in subsection (b) and inserting in lieu therof the following: "There are hereby authorized to be appropriated annually for the purpose of carrying out the provisions of this subsection, such sums as may be necessary for each of the fiscal years ending September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989, and not in excess of such sums as may be authorized by law for any subsequant fiscal year."; and

(2) adding at the end thereof a new subsection (i) to read as follows:

"(i) The Federal Advisory Committee Act and title XVIII of the Food and Agriculture Act of 1977 shall not apply to panels or boards created for the purpose of reviewing applications or proposals submitted under the provisions of this section.".

RESEARCH FACILITIES ACT

SEC. 1409. (a) Section 1 of the Act of July 22, 1963 (U.S.C. 390) is amended by—

(1) inserting "and equipment" after "finance physical facilities"; and

(2) striking out "an adequate research program" and inserting in lieu therof "agricultural research and related academic programs".

(b) Section 3 of the Act of July 22, 1963 (7 U.S.C. 390b) is amended by—

(1) inserting "the District of Columbia, Guam, the Virgin Islands of the United States, American Samoa, and Micronesia" after "Puerto Rico" in clause (1); and

(2) inserting "forestry, or veterinary medicine" after "to conduct agricultural," in clause (2).

(c) Section 4 of the Act of July 22, 1963 (7 U.S.C. 390c) is amended by—

(1) striking out all after "in section 1 of this Act," in subsection (a) and inserting in lieu thereof: "such sums as may be necessary for each of the fiscal years ending September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989, and not in excess of such sums as may after in excess of such sums as may be authorized by law for any subsequent fiscal year."

(d) Section 7 of the Act of July 22, 1963 (7 U.S.C. 390f) is amended by inserting "equipment and" after "multiple-purpose", and inserting "and related programs, including forestry and veterinary medicine," after "food and agricultural research".

GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURAL SCIENCES EDUCATION

SEC. 1410. (a) Section 1417(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(a)) is amended by—

(1) striking out "Such grants shall be made without regard to matching funds, but each" in paragraph (2) and inserting in lieu thereof "Each"; and

(2) striking out the last sentence in paragraph (3) and inserting in lieu thereof "Each recipient institution shall have significant ongoing commitment to the food and generally and to the specific subject area for which such a grant is to be used.".

(b) Section 1417(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(d)) is amended by striking out all after "provisions of this section" and inserting in lieu thereof "such sums as may be necessary for each of the fiscal years ending September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989, and not in excess of such sums as may be authorized by law for any subsequent fiscal year.".

STUDY

SEC. 1411. (a) Section 1424 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174) is repealed.

(b) The table of contents of the Food and Agriculture Act of 1977 is amended by striking out "Sec. 1424. Study." and inserting in lieu therof "Sec. 1424. Repealed.".

HUMAN NUTRITION RESEARCH AND INFORMATION MANAGEMENT SYSTEM

SEC. 1412. (a) Section 1427 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3177) is repealed.

(b) The table of contents of the Food and Agriculture Act of 1977 is amended by striking out "Sec. 1427. Report to Congress." and inserting in lieu thereof "Sec. 1427. Repealed.".

ANIMAL HEALTH SCIENCE RESEARCH ADVISORY BOARD

SEC. 1413. Section 1432 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3194) is amended by striking out "1985" and inserting in lieu thereof "1989".

APPROPRIATIONS FOR CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS

SEC. 1414. Section 1433(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195(a)) is amended by striking out "1985" and inserting in lieu thereof "1989".

APPROPRIATIONS FOR RESEARCH ON NATIONAL OR REGIONAL PROBLEMS

SEC. 1415. Section 1434(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3196(a)) is amended by striking out "1985" and inserting in lieu thereof "1989".

EXTENSION AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE INSTITUTE

SEC. 1416. Section 1444(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221(a)) is amended by striking out ", through the fiscal year ending September 30, 1985," in the third sentence.

AUTHORITY TO AWARD GRANTS TO UPGRADE 1890 LAND-GRANT COLLEGE EXTENSION FACILITIES

SEC. 1417.(a) It is hereby declared to be the intent of Congress to assist the institutions eligible to receive funds under the act of August 30, 1890 (7 U.S.C. 321, et seq.), including Tuskegee Institute (hereinafter referred to in this section as "eligible institutions"), in the acquisition and improvement of extension facilities and equipment so that eligible insitutions may participate fully with the State Cooperative Extension Services in a balanced way in meeting the extension needs of the people of their respective States.

(b) There are authorized to be appropriated for the purpose of carrying out the provisions of this section $10,000,000 for each of the fiscal years ending September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989, such sums to remain available until expended.

(c) Four per centum of the sums appropriated under this section shall be available to the Secretary for administration of the grants program under this section. The remaining funds shall be made available for grants to the eligible institutions for the purpose of assisting them in the purchase of equipment and land, and the planning, construction, alteration, or renovation of buildings to provide adequate facilities to conduct extension work in their prospective States.

(d) Grants awarded under this section shall be made in such amounts and under such terms and conditions as the Secretary shall determine necessary for carrying out the purposes of this section.

(e) Federal funds provided under this section may not be used for the payment of any overhead costs of the eligible institutions.

(f) The Secretary may promulgate such rules and regulations as the Secretary may deem necessary to carry out the provisions of this section.

AGRICULTURAL RESEARCH AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE

SEC. 1418. Section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222) is amended by adding at the end of subsection (a) the following: "No more than 5 percentum of the funds received by an institution in any fiscal year, under the provisions of this section, may be carried forward to the succeeding fiscal year."

INTERNATIONAL AGRICULTURAL RESEARCH AND EXTENSION

SEC. 1419. Section 1458(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3291(a)) is amended by—

(1) striking out "the training" in clause (3) and inserting in lieu thereof "technical assistance and the training and advising"; and

(2) inserting "through the development of highly qualified scientists with specialization in international development" in paragraph (4) after "countries".

WEATHER AND WATER ALLOCATION STUDY

SEC. 1420. (a) Section 1460 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3302) is repealed.

(b) The table of contents of the Food and Agriculture Act of 1977 is amended by striking out "Sec. 1460. Weather and Water Allocation Study." and inserting in lieu thereof "Sec. 1460. Repealed.".

ORGANIC FARMING STUDY

SEC. 4121. (a) Section 1461 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3303) is repealed.

(b) The table of contents of the Food and Agriculture Act of 1977 is amended by striking out "Sec. 1461. Organic Farming Study." and inserting in lieu thereof "Sec. 1461. Repealed.".

AGRICULTURAL RESEARCH FACILITIES STUDY

SEC. 1422. (a) Section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3304) is repealed.

(b) The table of contents of the Food and Agriculture Act of 1977 is amended by striking out "Sec. 1462. Agriculture Research Facilities Study." and inserting in lieu thereof "Sec. 1462. Repealed.".

AUTHORIZATION FOR APPROPRIATIONS FOR EXISTING AND CERTAIN AGRICULTURAL RESEARCH PROGRAMS

SEC. 1423. (a) Section 1463(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311(a)) is amended by striking out all after "of this section," and inserting in lieu thereof: "such sums as may be necessary for each of the fiscal years ending September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989, and not in excess of such sums as may be authorized by law for any subsequent fiscal year.".

(b) Section 1463(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311(b)) is amended by striking out "$120,000,000" and all that follows thereafter through "September 30, 1985" and inserting in lieu thereof: "such sums as may be necessary for each of the fiscal years ending September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989, and not in excess of such sums as may be authorized by law for any subsequent fiscal year.".

AUTHORIZATION FOR APPROPRIATIONS FOR EXTENSION EDUCATION

SEC. 1424. Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended to read as follows:

"SEC. 1464. Notwithstanding any authorization for appropriations for extension and related programs administered by or funded through the Extension Service in this or any other Act, there are hereby authorized to be appropriated for such purposes such sums as may be necessary for each of the fiscal years ending September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989, and not in excess of each sums as may be authorized by law for any subsequent fiscal year.".

GENERAL AUTHORITY TO ENTER INTO CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS

SEC. 1425. Section 1472 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3318), is amended by—

(1) redesignating subsections (b), (c), and (d) as (c), (d), and (e) respectively; and

(2) inserting a new subsection (b) to read as follows:

"(b) Notwithstanding the provisions of chapter 63 of title 31, United States Code, the Secretary is authorized to use a cooperative agreement as the legal instrument reflecting a relationship between the Department of Agriculture and State cooperative institutions, as defined in section 1404 (16) of this Act, State Departments of Agriculture, all colleges and universities, other research or education institutions and organizations, Federal and private agencies and organizations, individuals and any other party, when the Secretary determines that the objectives of the agreement will serve a mutual interest of the parties to the agreement in agricultural research, extension, and teaching activities, including statistical reporting, and that all parties will contribute resources to the accomplishment of those objectives. Notwithstanding any other provision of law, any Federal agency may participate in such cooperative agreements by contributing funds through the appropriate agency of the Department of Agriculture or otherwise when it is mutually agreed that the objectives of any such agreement will further the authorized programs of the contributing agency.".

RESTRICTION ON TREATMENT OF INDIRECT COSTS AND TUITION REMISSION

SEC. 1426. Section 1473 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3318) is amended by inserting at the end thereof the following: "The prohibition on the use of funds for the reimbursement of indirect costs shall not apply to funds transferred, advanced, or reimbursed to the Department of Agriculture under the provisions of the Foreign Assistance Act of 1961, as amended, For agreements involving the use of such funds, the amount of indirect costs to be reimbursed shall be negotiated on a case-by-case basis.".

AQUACULTURE ADVISORY BOARD

SEC. 1427. Section 1476 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended by striking out "1985" and inserting in lieu thereof "1989".

AUTHORIZATION OF APPROPRIATIONS

SEC. 1428. Section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended by striking out "1985" and inserting in lieu thereof "1989".

RANGELAND RESEARCH ADVISORY BOARD

SEC. 1429. Section 1482 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3335) is amended by striking out "1985" and inserting in lieu thereof "1989".

APPROPRIATIONS

SEC. 1430. Section 1483 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336) is amended by striking out "1981" and inserting in lieu thereof "1986" and striking out "1985" and inserting in lieu thereof "1989".

AGRICULTURAL RESEARCH IN 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE INSTITUTE

SEC. 1431. Section 1432(b)(5) of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 (7 U.S.C. 3222 note) is amended by striking out all after "ending" through "September 30, 1985," and inserting in lieu thereof "September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989.".

AUTHORITY TO AWARD GRANTS TO UPGRADE 1890 LAND-GRANT COLLEGE RESEARCH FACILITIES

SEC. 1432. (a) Section 1433(a) of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 (7 U.S.C. 3223(a)) is amended by inserting ", including agricultural libraries", after "research facilities and equipment".

(b) Section 1433(b) of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 (7 U.S.C. 3223(b)) is amended by—

(1) striking out "and" before "September 30, 1986"; and

(2) inserting "and September 30, 1987," after "1986,".

SOYBEAN RESEARCH ADVISORY INSTITUTE

SEC. 1433. Section 1446 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 (7 U.S.C. 2281 note) is repealed.

PART D—RURAL DEVELOPMENT AND AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEES

TITLE XV—RURAL DEVELOPMENT

Subtitle A—Rural Water And Waste Disposal

SHORT TITLE

SEC. 1501. This subtitle may be cited as the "Rural Water and Waste Disposal Program Improvement Act of 1985".

WATER AND WASTE DISPOSAL LOAN AND GRANT PROGRAM

SEC. 1502. Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) is amended by—

(1) adding at the end of paragraph (2) the following: "The Secretary shall fix the grant rate for each project in conformity with regulations promulgated by the Secretary that shall provide for a graduated scale of grant rates establishing higher rates for projects in communities that have lower community population and income levels and that are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing rates and terms in the area in which the applicant is located for loans for similar purposes and periods of time: *Provided*, That the grant rate shall be the maximum rate permitted under this paragraph for any project in a community that has a population of fifteen hundred or less inhabitants and a median household income level below 80 per centum of the statewide nonmetropolitan median household income and that is unable to obtain sufficient credit elsewhere to finance its actual needs at reasonable rates and terms, taking into consideration prevailing rates and terms in the area in which the applicant is located for loans for similar purposes and periods of time."; and

(2) adding at the end thereof new paragraphs (16), (17), (18), (19), and (20) as follows:

"(16) In providing financial assistance for water and waste disposal facilities under this section, the Secretary shall use a project selection system to determine which of the applicants for assistance meeting the basic requirements of this section shall be selected to receive assistance. Such project selection system shall provide for the objective and uniform comparison of requests for assistance (in the form of preapplications) on the basis of relative need as reflected by (A) low community median income; (B) low population; and (C) severity of health hazards resulting from inadequate provision for the reliable supply of potable water or from adequate means of disposing of waste. For purposes of the project selection system, each of these three factors shall be weighted equally.

"(17)(A) The Secretary may make payments to associations described in paragraph (1) of this subsection that are reasonably likely to receive financial assistance under paragraph (1) or paragraph (2) of this subsection for community water and waste disposal facilities, for predevelopment costs incurred in connection with the planning and design of such facilities. Such costs may include the costs of drilling test wells and of preparing alternative engineering designs to determine the most feasible and economical method to improve the water supply or waste disposal system of the community involved.

"(B)(i) The amount of any payment received under subparagraph (A) with respect to a project by an association that receives, before the expiration of the five-year period beginning on the date that such payment is received, a loan under paragraph (1) or a grant under paragraph (2) of this subsection to finance such project shall be treated as part of the amount of such loan or the amount of such grant, as the case may be.

"(ii) The amount of any payment received under subparagraph (A) with respect to a project by an association that does not receive, before the expiration of the five-year period beginning on the date that such payment is received, a loan under paragraph (1) or a grant under paragraph (2) of this subsection to finance such project shall be repaid to the Secretary as if such payment were a loan made under paragraph (1) unless the Secretary waives the repayment requirement with respect to all or part of such amount.

"(C) The total of payments made by the Secretary under subparagraph (A) for any fiscal year shall not be less than 5 per centum of any funds provided in appropriation Acts to carry out paragraph (2) of this subsection for the fiscal year unless the applications for payments received by the Secretary from eligible associations for the fiscal year total less than 5 per centum of such amount.

"(D) For purposes of section 346 of this Act, each payment made under subparagraph (A) shall be deemed to be a loan

unless and until such payment is offset against a grant or the Secretary waives the repayment of such payment.

"(18)(A) The Secretary may make grants to private nonprofit organizations for the purpose of enabling them to provide to associations described in paragraph (1) of this subsection technical assistance and training to—

"(i) identify, and evaluate alternative solutions to, problems relating to the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas;

"(ii) prepare applications to receive financial assistance for any purpose specified in paragraph (2) of this subsection from any public or private source; and

"(iii) improve the operation and maintenance practices at any existing works for the storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas.

"(B) In selecting recipients of grants to be made under subparagraph (A), the Secretary shall give priority to private nonprofit organizations that have experience in providing the technical assistance and training described in subparagraph (A) to associations serving rural areas in which residents have low incomes and in which water supply systems or waste facilities are unhealthful.

"(C) The total of grants made by the Secretary under subparagraph (A) for any fiscal year shall not be less than 2 per centum of any funds provided in appropriation acts to carry out paragraph (2) of this subsection for the fiscal year unless the applications for grants received by the Secretary from eligible associations for the fiscal year total less than 2 per centum of such amount.

"(19) In the case of water and waste disposal projects serving more than one separate rural community, the Secretary shall use the median population level and the median community income level of all the separate communities to be served in applying the formulas provided in paragraphs (2) and (16) of this subsection and section 307(a)(3)(A) of this title.

"(20) In providing financial assistance for essential community facilities under this section, the Secretary shall use a project selection system to determine which of the applicants for assistance meeting the basic requirements of this section shall be selected to receive assistance. Such project selection system shall provide for the objective and uniform comparison of requests for assistance (in the form of preapplications) on the basis of the factors of (A) a community median household income level below 80 per centum of the statewide median household income, (B) a community rate of unemployment and underemployment that takes account of individuals employed on a part-time or seasonal basis, or both, and individuals not participating in the work force because of continued inability to find employment (commonly referred to as 'discouraged workers') and that exceeds the national nonmetropolitan average rate thereof by at least 10 per centum of such rate, and (C) a sudden economic dislocation the community has experienced or is about to experience resulting in a loss of jobs that is significant, both in terms of the number of jobs eliminated and the effect on the unemployment rate of the community. For purposes of the project selection system, each of the factors described in clauses (A), (B), and (C) of the preceding sentence shall be weighted equally.".

SEC. 1503. Section 307(a)(3)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927(a)(3)(A)) is amended by—

(1) striking out "the poverty line prescribed by the Office of Management and Budget as adjusted under section 624 of the Economic Opportunty Act of 1964 (42 U.S.C. 2971(d)" and inserting in lieu thereof "80 per centum of the statewide nonmetropolitan median household income";

(2) inserting before the period at the end thereof the following: "; and not in excess of 7 per centum per annum on loans for such facilities that do not qualify for the 5 per centum per annum interest rate but are located in areas where the median household income of the persons to be served by the facilities does not exceed 100 per centum of the statewide nonmetropolitan median household income"; and

(3) adding at the end thereof the following: "The interest rate on loans for water and waste disposal facilities and loans for essential community facilities shall be the lower of (i) the rate in effect at the time of the loan approval, or (ii) the rate in effect at the time of the loan closing.".

SEC. 1504. The amendments made by this subtitle shall become effective October 1, 1985, and shall apply to any association described in section 306(a)(1) of the Consolidated Farm and Rural Development Act without regard to whether the application for the loan or grant involved was made by such association before such effective date.

Subtitle B—Community Facilities Loan Program

COMMUNITY AND MIGRANT HEALTH CENTERS

SEC. 1505. (a) Section 329(d)(2) of the Public Health Service Act is amended by inserting before "; and the cost" the following: "; the costs of repaying loans made by the Farmers Home Administration for buildings".

(b) The Secretary of Agriculture and the Secretary of Health and Human Services shall revise not later than thirty days after the date of enactment of this title the memorandum of understanding concerning financing for rural health centers in effect on such date of enactment to reflect the provisions of subsection (a) of this section and to provide for the maximum period permitted by law for the amortization of loans covered by such memorandum of understanding.

TITLE XVI—AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEES

SHORT TITLE

SEC. 1601. This title may be cited as the "Agricultural Stabilization and Conservation Committee Act of 1985".

LOCAL COMMITTEES

SEC. 1602. (a) The fifth paragraph of section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) is amended by—

(1) inserting, after the third sentence, the following: "The county committee for a county, by majority vote, may petition the Secretary to change the number of local areas in the county, and the Secretary shall make such change as petitioned by the county committee, except that any such change may not result in the number of local areas in a county exceeding the number of such areas in the county on December 31, 1980.";

(2) striking out "annually" in the fourth sentence;

(3) inserting, after the fourth sentence, the following: "Each member of a local committee shall be elected for a term of three years. Each local committee shall meet (1) one time each year, and (2) at the direction of the county committee, with the approval of the State committee, such additional times during the year as may be necessary to carry out this section. Notwithstanding section 388 of the Agricultural Adjustment Act of 1938 (7 U.S.C 1388), the Secretary may not provide compensation or payments to a member of a local committee under such section for work performed at, or travel expenses incurred in attending, more than four meetings of such committee in any year. The meetings of a local committee shall be held on different days of the year."; and

(4) inserting after the eighth sentence, the following: "The local committees in each county shall (1) in counties in which there are more than one local committee, serve as advisors and consultants to the county committee; (2) periodically meet with the county committee and State committee to be briefed on farm program issues; (3) communicate with producers within their communities on issues or concerns regarding farm programs; (4) report to the county committee, the State committee, and others on changes to, or modifications of, farm programs recommended by producers in their communities; and (5) perform such other functions required by law or as the Secretary may specify. The Secretary shall ensure that the information regarding changes in the Federal laws in effect with respect to agriculture programs and in the administration of such laws, are communicated in a timely manner to the local committees for areas that contain farmers who might be affected by such changes.".

(b) The amendments made by subsection (a) of this section shall take effect on January 1, 1986, except that the amendments made by clauses (2) and (3) of subsection (a) shall not apply with respect to the term of office of any member of a local committee elected before January 1, 1986.

(c) If a change in the number of local administrative areas in a county under section 8(b) of the Soil Conservation and Domestic Allotment Act under the amendment made by subsection (a)(1) of this section will increase the number of the county's—

(1) local administrative areas, and

(2) local committees,

any member of a local committee elected before January 1, 1986, shall serve the unexpired portion of the member's term following such increase as a member of the local committee for the local administrative area in which such member resides.

COUNTY COMMITTEES

SEC. 1603. Effective January 1, 1986, the first sentence of the fifth paragraph of section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) is amended by—

(a) inserting "and as otherwise directed by law with respect to other programs and functions," after "Alaska,"; and

(2) inserting a semicolon and "and the Secretary may utilize the services of such committees in carrying out other programs and functions of the Department of Agriculture" before the period at the end thereof.

SALARY AND TRAVEL EXPENSES

SEC. 1604. Effective January 1, 1986, section 388 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1388) is amended by—

(1) adding, at the end of subsection (b), the following: "In addition, the Secretary

shall provide compensation for members of such county committees, and to members of local committees of farmers within a county, for work actually performed by such persons in cooperating in carrying out the provisions of such Acts; and such persons shall be compensated for such work (1) in the case of persons who are members of local committees within a county, at a rate (per hour of work actually performed) not less than the rate for grade GS-9 in the General Schedule set out in section 5332 of title 5 of the United States Code, as adjusted to an hourly rate; and (2) in the case of persons who are members of county committees, at a rate (per hour of work actually performed) not less than the rate for grade GS-11 in the General Schedule set out in section 5332 of title 5 of the United States Code, as adjusted to an hourly rate."; and

(2) adding, at the end thereof, a new subsection (c) as follows:

"(c) The Secretary shall make payments to members of local, county, and State committees to cover the expenses for travel incurred by such persons (including, in the case of members of local and county committees, travel between their homes and the local county office of the Agricultural Stabilization and Conservation Service) in cooperating in carrying out the provisions of the Acts in connection with which such committees are used. Such travel expenses shall be paid in the manner authorized, under section 5703 of title 5 of the United States Code, for the payment of expenses and allowances for individuals employed intermittently in the Government service. No part of such travel expense payments may be deducted from the Soil Conservation payments, parity payments, or loans, or other payments under such Acts.".

PART E—FOOD RESERVES AND FOOD ASSISTANCE PROGRAMS

TITLE XVII—FOOD RESERVES

SHORT TITLE

SEC. 1701. This title may be cited as the "Emergency Food Reserve Act of 1985".

DOMESTIC EMERGENCY FOOD RESERVE

SEC. 1702. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall establish, maintain, and dispose of a separate reserve of inventories of wheat and feed grains in such quantities as the Secretary determines necessary for the purpose of alleviating distress resulting from conditions within the United States for which a national emergency has been proclaimed.

(b)(1) The reserve of wheat and feed grains under this section shall be established initially by the designation by the Secretary of wheat and feed grains owned by the Commodity Credit Corporation for such purpose.

(2) Wheat and feed grains to replenish the reserve may be acquired (A) through purchases from producers or in the market if the Secretary determines that such purchases will not unduly disrupt the market, and (B) by designation by the Secretary of stocks of wheat and feed grains otherwise acquired by the Commodity Credit Corporation. No wheat or feed grains may be purchased by the Secretary from producers or in the market under this paragraph unless funds are made available for such purchases in appropriations Acts.

(3) Except as provided in paragraph (4) of this subsection, stocks of wheat and feed grains designated or acquired for the reserve under this section shall not be released by the Secretary except when a state of emergency has been proclaimed by the President or by concurrent resolution of Congress and shall be released only for the purpose of meeting domestic food, animal feed, and seed requirements that may arise under such an national emergency.

(4) The Secretary may sell at an equivalent price, allowing for the customary location and grade price differentials, substantially equivalent quantities of wheat and feed grains in different locations or warehouses to the extent needed to properly handle, rotate, distribute, and locate such reserve.

(c) The Secretary may use the Commodity Credit Corporation to the extent feasible to fulfill the purposes of this title. To the maximum extent practicable consistent with the provisions of this title, the Secretary shall utilize the usual and customary channels, facilities, and arrangement of trade and commerce for the effective and efficient administration of this title.

(d) The Secretary may issue such rules and regulations as may be necessary to carry out the purposes of this title.

(e) There is hereby authorized to be appropriated such sums as may be necessary to carry out the purpose of this title.

EXTENSION OF FOOD SECURITY WHEAT RESERVE

SEC. 1703. Section 302(i) of the Food Security Wheat Reserve Act of 1980 is amended by striking out "1985" at each place that it appears and inserting in lieu thereof "1989".

TITLE XVIII—FOOD STAMPS

AUTHORIZATION FOR APPROPRIATIONS

SEC. 1801. Effective October 1, 1985, the first sentence of section 18(a)(1) of the Food Stamp Act of 1977 is amended by—

(1) striking out "and" after "September 30, 1984"; and

(2) inserting before the period at the end thereof the following: "; and such sums as may be necessary for each of the fiscal years ending September 30, 1986, September 30, 1987, September 30, 1988, and September 30, 1989.".

TITLE XIX—COMMODITY DISTRIBUTION

EXTENSION OF THE COMMODITY DISTRIBUTION PROGRAM

SEC. 1901. Effective October 1, 1985, the first sentence of section 4(a) of the Agriculture and Consumer Protection Act of 1973 is amended by striking out "1982, 1983, 1984, and 1985," and inserting in lieu thereof "1986, 1987, 1988, and 1989,".

EXTENSION OF THE COMMODITY SUPPLEMENTAL FEEDING PROGRAM

SEC. 1902. Effective October 1, 1985, section 5(a)(2) of the Agriculture and Consumer Protection Act of 1973 is amended by striking out "1982 through 1985" and inserting in lieu thereof "1986 through 1989".

EXTENSION OF THE TEMPORARY EMERGENCY FOOD ASSISTANCE ACT OF 1983

SEC. 1903. Effective October 1, 1985, the Temporary Emergency Food Assistance Act of 1983 is amended by—

(1) in section 204(b), striking out "September 30, 1984, and September 30, 1985" and inserting in lieu thereof "September 30, 1986 and September 30, 1987";

(2) in section 210, striking out subsection (c) and inserting in lieu thereof the following new subsection:

"(c) The Secretary shall, not later than October 1, 1985 and October 1, 1986, publish in the Federal Register an estimate of the types and quantities of commodities that the Secretary anticipates are likely to be made available under this Act during the fiscal years ending September 30, 1986 and September 30, 1987, respectively: *Provided*, That the actual types and quantities of commodities made available under this Act may differ from the estimates."; and

(3) in section 212, striking out "September 30, 1985" and inserting in lieu thereof "September 30, 1987".

PART F—EXTENSION OF FIFRA AND EFFECTIVE DATE

TITLE XX—EXTENSION OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

SEC. 2001. Section 31 of the Federal Insecticide, Fungicide, and Rodenticide Act is amended by adding at the end thereof the following new sentence: "There are hereby authorized to be appropriated to carry out the provisions of this Act for the period beginning October 1, 1985, and ending September 30, 1986, $57,067,300, and for the period beginning October 1, 1986, and ending September 30, 1987, such sums as may be necessary.".

TITLE XXI—EFFECTIVE DATE

SEC. 2101. Except as otherwise provided herein, the provisions of this Act shall become effective October 1, 1985.

EXPLANATION OF THE MAJOR PROVISIONS OF SENATOR ZORINSKY'S FOOD AND AGRICULTURE ACT OF 1985

PART A—COMMODITY PROGRAMS

Title I—Wheat.
Title II—Feed Grains.
Title III—Soybeans.
Title IV—Peanuts.
Title V—Sugar.
Title VI—Wool and Mohair.
Title VII—Dairy.
Title VIII—Tobacco.
Title IX—Miscellaneous Commodity Provisions.

PART B—AGRICULTURAL EXPORTS, CONSERVATION, AND CREDIT

Title X—Export Trade and Market Development.
Title XI—Natural Resource Conservation.
Subtitle A—Soil Conservation.
Subtitle B—Wetland Conservation.
Title XII—Farm Credit Assistance.
Title XIII—Task Force on Agricultural Credit.

PART C—RESEARCH, EXTENSION, AND TEACHING

Title XIV—Agricultural Research and Extension.

PART D—RURAL DEVELOPMENT AND AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEES

Title XV—Rural Development.
Subtitle A—Rural Water and Waste Disposal.
Subtitle B—Community Facilities Loan Program.
Title XVI—Agricultural Stabilization and Conservation Committees.

PART E—FOOD RESERVES AND FOOD ASSISTANCE PROGRAMS

Title XVII—Food Reserves.
Title XVIII—Food Stamp Program.
Title XIX—Commodity Distribution.

PART F—EXTENSION OF FIFRA AND EFFECTIVE DATE

Title XX—Extension of the Federal Insecticide, Fungicide, and Rodenticide Act.
Title XXI—Effective Date.

TITLE I—WHEAT

Price support loan program—the bill provides that, if marketing quotas are in effect, the Secretary of Agriculture shall make loans and purchases available to producers of wheat at the higher of (a) 75 percent of the national average cost of production, as determined by the Secretary of Agriculture, or (b) $3.55 per bushel.

If quotas are not proclaimed by the Secretary of Agriculture, or if quotas are disapproved by producers of wheat voting in a referendum, price support and income protection would be made available through a system of loans and purchases and deficiency payments under provisions modeled on existing law. The loan rate could not be less than the higher of (a) 85 percent of the average market price received by wheat producers during three of the preceding five marketing years for the five preceding crops in which the price of wheat was neither the lowest or the highest, or (b) $3.30 per bushel.

Target price/deficiency payment program—the bill provides that, if marketing quotas are in effect, the target price will not be less than the higher of the national average cost of production, as determined by the Secretary, or, $4.65 per bushel. (For the 1986 crop, the target price would likely not exceed $4.65.)

If quotas are not effect, the target price will not be less than $4.38 per bushel for 1986 wheat, and, in case of the 1987 through 1989 crops, will not be less than the price for the preceding crop adjusted to reflect any changes in costs of production.

Marketing quotas—the bill provides that:

(1) The Secretary of agriculture shall, prior to April 15, determine the level of inventories of wheat required to meet anticipated needs in the next marketing year, taking into consideration domestic requirements, export demand, emergency food aid needs, carryover stocks, and such other uses as shall be deemed necessary.

(2) Subject to the Secretary's determination that, in the absence of marketing quotas, the total supply of wheat in the coming marketing year would be excessive and subject to the affirmative vote of a majority of the products of wheat voting in a referendum, the Secretary shall, by June 1 of the calendar year preceding the marketing year, implement a system of mandatory marketing quotas for wheat.

Normal conserving acreage requirement—the bill provides that, whenever marketing quotas are in effect for one or more of the 1986 through 1989 crops of wheat, the Secretary of Agriculture may require—as a condition of eligibility for loans, pruchases, and payments on any commodity under the Agricultural Act of 1949—that the acreage normally planted to crops designated by the Secretary be reduced by the acreage of wheat diverted from production as the result of the marketing quota program in effect for wheat.

TITLE II—FEED GRAINS

Price Support Loan Program—the bill provides that the Secretary shall make loans and purchases available to producers of corn at a level not less than 85 percent of the average price received by corn growers during the three of the preceding five marketing years in which the price of corn was neither the highest or the lowest. The loan rate for corn could not be less than the loan rate in effect for the 1985 crop ($2.55 per bushel). The price support loan rate for grain sorghums, oats, and, if designated by the Secretary, barley shall be such rate as the Secretary determines fair and reasonable in relation to the price support loan rate for corn.

Target Price/deficiency payment program—the bill provides that for the 1986 crop of corn, the target price shall be determined according to a schedule, as follows:

$3.18 per bushel for any portion of a producer's crop that does not exceed ten thousand bushels;

$3.08 per bushel for the portion of a producer's crop that is more than ten thousands bushels, but does not exceed twenty thousand bushels;

$2.98 per bushel for the portion of a producer's crop that is more than twenty thousands bushels, but does not exceed thirty thousand bushels;

$2.88 per bushel for the portion of a producer's crop that is more than thirty thousands bushels, but does not exceed forty thousand bushels;

No deficiency payments will be made on production in excess of 40,000 bushels. for each of the 1987 through 1989 corps, the target price levels would not be less than the levels for the preceding crop, adjusted to reflect any changes in the costs of production.

The target prices for grain sorghums, oats, and, if designated by the Secretary, barley, shall be such prices as the Secretary determines fair and reasonable in relation to the target price of corn.

TITLE III—SOYBEANS

The bill extends for four years the existing program under which price support is made available to producers of soybeans, except that, for any corp year for which marketing quotas are in effect for wheat, the Secretary of Agriculture may require—as a condition of eligibility for price support—that producers comply with any normal conserving acreage requirement established for the farm. The statutory minimum loan rate remains $5.02 per bushel.

TITLE IV—PEANUTS

The bill extends, with certain changes, the existing poundage quota program under which price support is made available to producers of peanuts.

The national poundage quota for peanuts for each of the marketing years 1986 through 1989 shall be not less than 1.1 million tons. The bill provides for "additional peanuts" in excess of quota peanuts.

TITLE V—SUGAR

The bill extends for four years the existing program under which price support is made available to producers of sugarcane and sugar beets. The price support loan rate for sugar will be not less than 18 cents per pound.

TITLE VI—WOOL AND MOHAIR

The bill extends for four years the National Wool Act, which requires the Secretary of Agriculture to support the prices of wool and mohair to producers by means of loans, purchases, payments, or other operations.

TITLE VII—DAIRY

Milk marketing orders—the bill extends for four years those sections of the Agricultural Marketing Agreement Act of 1937 that (a) authorize the inclusion in Federal milk marketing orders of provisions providing for seasonal adjustments in the payments received by producers for milk; (b) specifically require the Secretary of Agriculture to conduct a hearing on a proposed amendment to a marketing order, if the amendment is one that may be legally made to an order, on the written request of one-third or more of the producers under the order; and (c) with respect to the Secretary's prescribing minimum prices under milk marketing orders under certain conditions, require the Secretary to specifically consider the effect of the minimum price on current needs and on the maintenance of adequate productive capacity to meet future needs.

Milk price support—the bill provides that the price of milk will be supported at not less that $11.60 per hundredweight during fiscal year 1986. After 1986 and through the 1990 fiscal year, the Secretary can adjust the support price to a level not less than 95 percent of the previous year's support price, if the Secretary estimates that net price support removals of milk will exceed 5 billion pounds. The adjustment can occur only once during each fiscal year, at the beginning of the fiscal year.

TITLE VIII—TOBACCO

The bill provides that the existing programs under which price support is made available to producers of tobacco—and which are now governed by permanent legislation—will be subject to reauthorization every four years.

TITLE IX—MISCELLANEOUS COMMODITY PROVISIONS

Advance Payments—the bill authorizes the Secretary to make available advance deficiency payments for wheat or feed grains if the Secretary establishes an acreage limitation or set-aside program and determines that deficiency payments are likely to be made for the crop. Advance deficiency payments may not exceed 50 percent of the projected payment.

Payment limitation—the bill extends the provisions of existing law limiting to $50,000 the total payments any person may receive under the wheat, feed grain, upland cotton, and rice programs.

TITLE X—EXPORT TRADE AND MARKET DEVELOPMENT

Public Law 480—the bill extends for four years the authority to (a) make agreements to finance sales of agricultural commodities under title I of the Agricultural Trade Development and Assistance Act of 1954, and (b) undertake programs of assistance under title II of that Act.

Cargo preference—the bill provides that the Cargo Preference Act will not apply to export activities carried out by the Commodity Credit Corporation or the Secretary of Agriculture under the Commodity Credit Corporation Charter Act or any other Act, except for exports under Public Law 480 (and certain other exports where cargo preference has traditionally been applied.)

Export credit—the bill requires the Secretary of Agriculture to expand the volume of export shipments through the use of export payments-in-kind, long-term and intermediate-term credit arrangements, and matching programs that enable new and traditional purchasers to qualify for additional quantities of agricultural products through reduced interest and extended term loan programs.

Export subsidies—under the bill, if stocks of United States agricultural commodities exceed a level determined by the Secretary of Agiculture to be excessive, the Secretary must take steps, including payment of export subsidies, to counter the unfair trade practices of other nations.

Trade agreements—the bill promotes free trade by emphasizing the use of long-term bilateral and multilateral trade agreements.

TITLE XI—NATURAL RESOURCE CONSERVATION

Subtitle A—Soil Conservation

Conservation reserve—the bill requries the Secretary of Agriculture to implement a conservation reserve program under which farmers agreeing to carry-out long-term—seven to fifteen years—conservation measures on erosion-prone lands will receive payments to help offset the cost of the conservation practices.

Sodbuster—the bill includes a so-called "sodbuster" section that provides that any person who, after the date of enactment of the bill, produces during any crop year an agricultural commodity on highly erodible land on a field on which the highly erodible land is the predominant class, shall be ineligible for certain agricultural program benefits on any commodity produced by that person during the same year.

A person who produces on such highly erodible land—and who is not otherwise exempted—would be ineligible for price support or commodity loan payments, farm storage facility loans, Federal crop insurance, disaster payments, and any Farmers Home Administration insured or guaranteed loan if the loan would be used for a purpose that would contribute to excessive erosion on the field.

Exemptions to the provisions of this section of the bill are provided for a person who produces a commodity on highly erodible land if the commodity is (1) produced on land cultivated during any of the 1981-1985 crop years; (2) planted before the date of enactment of the bill; (3) planted during any crop year beginning before the date of enactment of the bill; or (4) produced under an approved conservation system.

Subtitle B—Wetland Conservation

Wetland Conservation—the bill provides that any person who, after the date of enactment of the bill, produces during any crop year an agricultural commodity on land identified as wetland on the date of enactment, shall be ineligible for certain agricultural program benefits (the same benefits identified under the sodbuster provision) for any commodity produced during any year in which the wetland is cultivated.

TITLE XII—AGRICULTURAL CREDIT

Transition assistance for certain Farmers Home Administration borrowers—the bill authorizes the Farmers Home Administration to release to certain borrowers up to $10,000 (current market value) in assets used as security for a loan. The assistance would be directed to borrowers who have a negative net worth and who are faced with imminent foreclosure or bankruptcy.

The proposal is designed to allow qualified borrowers to keep or liquidate enough assets so that the borrower will have $10,000 in cash or assets with which to assist in a transition out of farming. The borrower, in consideration for his transition assistance, would convey the remainder of his property to the Government or conduct a sale of the property.

The program would save the Government the legal fees and administrative problems associated with foreclosure or bankruptcy proceedings. In addition, the problems of abandonment would be reduced and the Government would likely recover more of the principal owed if a farmer had some incentive to conduct a sale of his property and maintain the property until it is liquidated and the proceeds applied against his loan.

Federal/State interest buy-down—the bill authorizes the Farmers Home Administration to use the resources of the Agricultural Credit Insurance Fund to provide $200 million in matching funds to States that implement a program to buy down the interest rate on loans made by commercial or cooperative lenders to limited resource farmers. The bill requires the Secretary of Agriculture to make exceptions and allow Federal funds to be used to buy down interest rates in cases where it is not practicable for States to provide matching funds.

Under the bill, the interest buy-down would apply to at least the first three years of loans made for the purpose of restructuring a borrower's debts. The Federal interest subsidy would be recaptured when the land or other asset is sold or the title is otherwise transferred. The States would also have the option to recapture the interest subsidy.

Additional personnel for loan processing—the bill directs the Secretary of Agriculture to use existing authorities to hire personnel needed to process Farmers Home Administration farm loan applications whenever the number of such applications exceeds normal levels.

Improvements in the approved lender program—the bill requires the Farmers Home Administration to act on the request of a lender for designation as an approved lender within 15 days after the lender has submitted a completed application.

Orderly disposition of inventory property—the bill authorizes the Farmers Home Administration to use special terms—including low-interest, long-term financing—to sell farm property in inventory to limited resource farmers.

Study possible improvements in the Farmers Home Administration appeals procedure—the bill requires the Farmers Home Administration to conduct a study of its current administrative appeals procedure and issue a report on the operation of the appeals process. The report will include information on the number of appeals initiated by borrowers and the number of administrative actions reversed.

In addition, the agency will be required to examine the feasibility of using administrative law judges to provide for third party resolution of problems. Further, the bill requires the agency to study the desirability of electing FmHA county committee members.

Under the bill, FmHA must complete its study and report its findings to Congress by September 1, 1986.

Protection of Farm Credit System borrower capital—the bill requires the Farm Credit Administration to study the feasibility of obtaining insurance that will effectively protect Farm Credit System borrower stock. Under the bill, the study must be completed within 180 days after enactment.

Farm Credit System borrowers are required to invest capital, in the form of stock, in the lending institution from which they obtain a loan. In the event of financial problems, the stock or "risk capital" might be partially or entirely lost as was the case when several production credit associations began liquidation proceedings during the past year.

TITLE XIII—AGRICULTURAL CREDIT TASK FORCE

The bill establishes a special task force to study agricultural credit problems and make recommendations on what steps can be taken to provide long-term solutions. Under the bill, the task force must complete its final report by July 1, 1986. (Such a task force was called for in Senate Resolution 287, which was approved on May 2, 1984.)

TITLE XIV—AGRICULTURAL RESEARCH

The bill extends for four years certain agricultural research, extension, and teaching programs administered by the Secretary of Agriculture, including animal health and disease research programs.

TITLE XV—RURAL DEVELOPMENT

Subtitle A—Rural Water and Waste Disposal

Improvements in the Farmers Home Administration water and waste disposal program—the bill restores the agency's rural water and waste disposal loan programs to their original purpose of helping rural communities obtain the safe and sanitary drinking water and waste disposal facilities they need but cannot otherwise afford.

Subtitle B—Community Facilities Loan Program

Improvements in the Farmers Home Administration community facility program—the bill requires the agency to work with the Department of Health and Human Services to provide financing for rural health centers.

TITLE XVI—AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEES

Improvements in the operation of the Agricultural Stabilization and Conservation committee system—this section of the bill is designed to increased local participation in the development and implementation of Federal agricultural programs.

The bill (1) allows the number of local (or community) ASC committees to increase to the same number that existed on December 31, 1980; (2) increases the compensation for local and county commmittee members; (3) lengthens the term of local committee members from one to three years: and (4) reduces the minimum number of local committee meetings to be held in any one year from four to one and limits to four per year the number of meetings for which a committee member can be compensated.

TITLE XVII—FOOD RESERVES

Emergency food reserve—the bill provides for the establishment of a domestic food reserve for wheat and feed grains in quantities to be determined by the Secretary of Agriculture. The reserve would be used only in the event of a national emergency.

Food security wheat reserve—the bill provides for the extension of authorities to maintain the food security reserve for wheat established under the Food Security Wheat Reserve Act of 1980.

TITLE XVIII—FOOD STAMP PROGRAM

The bill extends for four years the food stamp program and authorizes such sums as may be necessary to carry out the program.

TITLE XIX—COMMODITY DISTRIBUTION PROGRAM

Commodity Distribution Program—the bill extends for four years section 4 of the Agriculture and Consumer Protection Act of 1973, which allows the Secretary to purchase and distribute agricultural commodities.

Commodity Supplemental Feeding Program—the bill extends for four years the authority provided to the Secretary to provide administrative costs to States and local agencies operating the program.

Temporary Emergency Food Assistance Program—the bill extends for two years the Secretary's authority to provide surplus

commodities to private organizations assisting the needy.

TITLE XX—FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT AMENDMENTS

The bill extends the authorization for appropriations for the program for two years.

TITLE XXI—EFFECTIVE DATE

This title provides for the effective date of the bill.

ADDITIONAL COSPONSORS

S. 6

At the request of Mr. CRANSTON, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 6, a bill to amend title 38, United States Code, to make certain improvements in Veterans' Administration health-care programs, and for other purposes.

S. 58

At the request of Mr. DANFORTH, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 58, a bill to amend the Internal Revenue Code of 1954 to increase research activities, to foster university research and scientific training, and to encourage the contribution of scientific equipment to institutions of higher education.

S. 84

At the request of Mr. INOUYE, the names of the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. PRYOR], and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of S. 84, a bill to incorporate the Pearl Harbor Survivors Association.

S. 177

At the request of Mr. HART, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 177, a bill to authorize a national program of improving the quality of education.

S. 419

At the request of Mr. GRASSLEY, the names of the Senator from Oklahoma [Mr. BOREN], the Senator from Arkansas [Mr. BUMPERS], the Senator from North Dakota [Mr. BURDICK], the Senator from Texas [Mr. BENTSEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Wisconsin [Mr. KASTEN], the Senator from Idaho [Mr. MCCLURE], the Senator from Georgia [Mr. NUNN], and the Senator from Virginia [Mr. TRIBLE] were added as cosponsors of S. 419, a bill to amend the Internal Revenue Code of 1954 to allow a deduction for one-half of the expenses paid by a self-employed taxpayer for individual health insurance premiums.

S. 721

At the request of Mr. BOREN, the names of the Senator from South Carolina [Mr. THURMOND], and the Senator from North Dakota [Mr. ANDREWS] were added as cosponsors of S. 721, a bill to amend the Commodity Credit Corporation Charter Act regarding the export of agricultural commodities.

S. 879

At the request of Mr. PROXMIRE, the names of the Senator from Michigan [Mr. LEVIN], and the Senator from Hawaii [Mr. MATSUNAGA] were added as cosponsors of S. 879, a bill to authorize funds for research, development, test, and evaluation in connection with Strategic Defense Initiative Programs and advanced strategic missile systems for fiscal year 1986, and for other purposes.

S. 896

At the request of Mr. GRASSLEY, the names of the Senator from Montana [Mr. BAUCUS], and the Senator from Louisiana [Mr. LONG] were added as cosponsors of S. 896, a bill to amend the Internal Revenue Code of 1954 to apply rural electric cooperative plans to the provisions relating to cash or deferred arrangements.

S. 961

At the request of Mr. SARBANES, the names of the Senator from Pennsylvania [Mr. HEINZ], the Senator from New York [Mr. MOYNIHAN], and the Senator from Colorado [Mr. HART] were added as cosponsors of S. 961, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia.

S. 1007

At the request of Mr. BOSCHWITZ, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of S. 1007, a bill to amend title 38, United States Code, to direct the Administrator of Veterans' Affairs to develop and carry out a pilot program to determine the most cost effective methods of acquiring medical facilities to meet the needs of the Veterans' Administration and otherwise to promote additional health care for eligible veterans, and for other purposes.

S. 1008

At the request of Mr. HART, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 1008, a bill to provide for a demonstration program in which a limited number of States would be permitted to provide unemployment compensation to individuals for the purpose of funding self-employment.

S. 1018

At the request of Mr. GORTON, the name of the Senator from Illinois [Mr. DIXON] was added as a cosponsor of S. 1018, a bill to amend the National Labor Relations Act to clarify the meaning of the term "guard" for the purpose of permitting certain labor organizations to be certified by the National Labor Relations Board as representatives of employees other than plant guards.

SENATE JOINT RESOLUTION 24

At the request of Mr. BRADLEY, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Joint Resolution 24, a joint resolution to designate the month of October 1985 as "National Make-A-Wish Month."

SENATE JOINT RESOLUTION 57

At the request of Mr. CHILES, the names of the Senator from Kentucky [Mr. FORD], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of Senate Joint Resolution 57, a joint resolution to designate the week of October 20, 1985, through October 26, 1985, as "Lupus Awareness Week."

SENATE JOINT RESOLUTION 59

At the request of Mr. HATCH, the names of the Senator from Kansas [Mrs. KASSEBAUM], and the Senator from Wisconsin [Mr. KASTEN], the Senator from Missouri [Mr. DANFORTH], and the Senator from Virginia [Mr. TRIBLE] were added as cosponsors of Senate Joint Resolution 59, a joint resolution to designate "National Science Week."

SENATE JOINT RESOLUTION 64

At the request of Mr. RIEGLE, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of Senate Joint Resolution 64, a joint resolution to designate the week beginning May 5, 1985, as "National Correctional Officers Week."

SENATE JOINT RESOLUTION 88

At the request of Mr. LEVIN, the names of the Senator from Maine [Mr. MITCHELL], the Senator from South Carolina [Mr. THURMOND], the Senator from West Virginia [Mr. ROCKEFELLER], and the Senator from Nevada [Mr. HECHT] were added as cosponsors of Senate Joint Resolution 88, a joint resolution to designate the week beginning September 8, 1985, as "National Osteopathic Medicine Week."

SENATE JOINT RESOLUTION 92

At the request of Mr. DENTON, the names of the Senator from South Dakota [Mr. ABDNOR], and the Senator from Montana [Mr. BAUCUS] were added as cosponsors of Senate Joint Resolution 92, a joint resolution to designate the October 1985 as "National Foster Grandparents Month."

SENATE JOINT RESOLUTION 98

At the request of Mr. D'AMATO, the name of the Senator from Colorado [Mr. ARMSTRONG] was added as a cosponsor of Senate Joint Resolution 98, a joint resolution condemning the passage of Resolution 3379, in the United Nations General Assembly on November 10, 1975, and urging the U.S. Ambassador and U.S. delegation to take all appropriate actions necessary to erase this shameful resolution from the record of the United Nations.

SENATE JOINT RESOLUTION 104

At the request of Mr. DENTON, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of Senate Joint Resolution 104, a joint resolution to proclaim October 23, 1985, as "A time of remembrance" for all victims of terrorism throughout the world.

SENATE JOINT RESOLUTION 117

At the request of Mr. LEVIN, the name of the Senator from Pennsylvania [Mr. HEINZ] was added as a cosponsor of Senate Joint Resolution 117, a joint resolution designating the week beginning September 22, 1985, as "National Adult Day Care Center Week."

SENATE JOINT RESOLUTION 128

At the request of Mr. BYRD, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of Senate Joint Resolution 128, a joint resolution to designate May 7, 1985 as "Vietnam Veterans Recognition Day."

SENATE RESOLUTION 65

At the request of Mr. BUMPERS, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of Senate Resolution 65, a resolution commending the Soil Conservation Service.

AMENDMENT NO. 24

At the request of Mr. CRANSTON, the names of the Senator from North Dakota [Mr. BURDICK], and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of amendment No. 24 intended to be proposed to Senate Concurrent Resolution 32, an original concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1986, 1987, and 1988, and revising the congressional budget for the U.S. Government for the fiscal year 1985.

SENATE RESOLUTION 152—SUPPORTING "SOLIDARITY SUNDAY"

Mr. MOYNIHAN (for himself, Mr. ANDREWS, Mr. ARMSTRONG, Mr. BENTSEN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. BYRD, Mr. CHAFEE, Mr. COHEN, Mr. CRANSTON, Mr. D'AMATO, Mr. DECONCINI, Mr. DIXON, Mr. DODD, Mr. DOLE, Mr. DURENBERGER, Mr. EXON, Mr. GARN, Mr. GLENN, Mr. GORE, Mr. GRASSLEY, Mr. HART, Mr. HATCH, Mr. HATFIELD, Mr. HEINZ, Mr. HOLLINGS, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KERRY, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LONG, Mr. LUGAR, Mr. MATTINGLY, Mr. MITCHELL, Mr. MURKOWSKI, Mr. NICKLES, Mr. PELL, Mr. PRESSLER, Mr. PROXMIRE, Mr. QUAYLE, Mr. RIEGLE, Mr. ROTH, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SASSER, Mr. SIMON, Mr. SPECTER, Mr. SYMMS, Mr. THURMOND, Mr. TRIBLE, Mr. WARNER, Mr. WEICKER, and Mr. ZORINSKY) submitted the following resolution; which was considered and agreed to:

S. RES. 152

Whereas on May 5, 1985, the constituent agencies of the Coalition to Free Soviet Jews will convene the fourteenth annual "Solidarity Sunday for Soviet Jewry" in reaffirmation of the American People's resolve to secure freedom for Soviet Jews and beleaguered persons everywhere; and

Whereas Americans of all faiths will join in myriad activities on that day in public expression of solidarity with the long suffering Jewish community in the Soviet Union; and

Whereas the right to emigrate freely and to be reunited with one's family abroad is denied Jews and many others in the Soviet Union; and

Whereas the Universal Declaration of Human Rights, adopted by the United Nations General Assembly, and the Helsinki Final Act explicitly assert guarantees of those rights; and

Whereas representatives of the Helsinki signatory States will meet in Ottawa for a six week period beginning on May 7, 1985 at a Human Rights Experts Meeting to discuss "questions concerning respect, in their States, for human rights and fundamental freedoms, in all their aspects, as embodied in the Final Act," including the plight of Soviet Jewry; and

Whereas the Government of the Soviet Union has nevertheless continued to implement new restrictive measures inhibiting the ability of persons to emigrate, reducing Jewish emigration from the Soviet Union in 1984 to 896 persons; and

Whereas the Government of the Soviet Union is persecuting its Jewish citizens and denying them even those few rights and privileges accorded other recognized religions in the Soviet Union; and

Whereas the Government of the Soviet Union discriminates against Jewish cultural activities by banning and suspending Hebrew and Jewish cultural classes, by arresting teachers of Hebrew, and by harassing those Soviet Jews who seek only to practice their religion; and

Whereas leading Soviet Jewish activist and prisoner of conscience Anatoly Shcharansky, who was arrested in March of 1977 and falsely charged with espionage and "anti-Soviet agitation", continues to suffer exceptionally harsh treatment in Chistopol prison; and

Whereas a virulent anti-Semitic campaign continues unabated in the Soviet Union and Soviet Jews are increasingly deprived of occupational and educational opportunities; and

Whereas thousands of innocent Jews and other persons, having applied to leave the Soviet Union, have been subjected to immediate induction into the armed forces, improper incarceration in mental institutions, expulsion from school, and constant surveillance and harassment; and

Whereas the Government of the Soviet Union will not succeed in isolating Soviet Jews from their friends in the free world so long as those who cherish liberty continue to speak on behalf of beleaguered people everywhere; and

Whereas "Solidarity Sunday for Soviet Jewry" shall provide vigorous expression of American determination to secure freedom for Soviet Jewish prisoners of conscience incarcerated solely for their desire to emigrate; and

Whereas the Government of the Soviet Union refuses to permit the free exercise of religious beliefs and cultural expression and also refuses to remove all obstacles to the free emigration of its Jewish citizens and others who wish to leave and live in other countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Congress fully supports "Solidarity Sunday for Soviet Jewry" and encourages Americans to participate.

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET

HAWKINS (AND OTHERS) AMENDMENT NO. 45

Mr. DOLE (for Mrs. HAWKINS, Mr. D'AMATO, Mr. SPECTER, and Mr. PRESSLER) proposed an amendment to amendment No. 43 as proposed by Mr. DOLE (for himself and Mr. DOMENICI), and subsequently amended, to the concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the U.S. Government for fiscal years 1986, 1987, and 1988 and revising the congressional budget for the U.S. Government for the fiscal year 1985; as follows:

In the pending amendment, do the following:

On page 3, increase the amount on line 12 by $700,000,000.

On page 3, decrease the amount on line 13 by $500,000,000.

On page 3, decrease the amount on line 14 by $800,000,000.

On page 3, increase the amount on line 18 by $2,900,000,000.

On page 3, increase the amount on line 19 by $7,800,000,000.

On page 3, increase the amount on line 20 by $13,400,000,000.

On page 3, increase the amount on line 25 by $2,900,000,000.

On page 4, increase the amount on line 1 by $7,800,000,000.

On page 4, increase the amount on line 2 by $13,400,000,000.

On page 4, decrease the amount on line 6 by $200,000,000.

On page 4, increase the amount on line 8 by $1,100,000,000.

On page 4, decrease the amount on line 12 by $200,000,000.

On page 4, increase the amount on line 13 by $200,000,000.

On page 4, decrease the amount on line 14 by $1,100,000,000.

On page 24, decrease the amount on line 2 by $400,000,000.

On page 24, decrease the amount on line 3 by $300,000,000.

On page 24, decrease the amount on line 12 by $600,000,000.

On page 24, decrease the amount on line 13 by $400,000,000.

On page 24, decrease the amount on line 22 by $700,000,000.

On page 24, decrease the amount on line 23 by $400,000,000.

On page 25, decrease the amount on line 17 by $400,000,000.

On page 25, increase the amount on line 18 by $3,100,000,000.

On page 26, decrease the amount on line 2 by $500,000,000.

On page 26, increase the amount on line 3 by $7,600,000,000.
On page 26, decrease the amount on line 11 by $1,600,000,000.
On page 26, increase the amount on line 12 by $12,300,000,000.
On page 32, increase the amount on line 17 by $100,000,000.
On page 32, increase the amount on line 18 by $100,000,000.
On page 33, increase the amount on line 2 by $600,000,000.
On page 33, increase the amount on line 3 by $600,000,000.
On page 33, increase the amount on line 11 by $1,500,000,000.
On page 33, increase the amount on line 12 by $1,500,000,000.
On page 40, decrease the first amount on line 16 by $3,143,000,000.
On page 40, decrease the amount on line 17 by $7,832,000,000.
On page 40, decrease the second amount on line 18 by $12,564,000,000.
On page 51, decrease the first amount on line 7 by $3,143,000,000.
On page 51, decrease the amount on line 8 by $7,832,000,000.
On page 51, decrease the second amount on line 9 by $12,564,000,000.

GRASSLEY (AND OTHERS) AMENDMENT NO. 46

Mr. DOLE (for Mr. GRASSLEY, for himself, Mr. HATFIELD, Mr. SIMON, and Mr. PRESSLER) proposed an amendment to amendment 43 as proposed by Mr. DOLE (for himself and Mr. DOMENICI), and subsequently amended, to the concurrent resolution (S. Con. Res. 32), supra; as follows:

In the pending amendment, do the following:
On page 3, decrease the amount on line 12 by $10,500,000,000.
On page 3, decrease the amount on line 13 by $12,100,000,000.
On page 3, decrease the amount on line 14 by $14,100,000,000.
On page 3, decrease the amount on line 18 by $3,200,000,000.
On page 3, decrease the amount on line 19 by $6,900,000,000.
On page 3, decrease the amount on line 20 by $9,700,000,000.
On page 3, decrease the amount on line 25 by $3,200,000,000.
On page 4, decrease the amount on line 1 by $6,900,000,000.
On page 4, decrease the amount on line 2 by $9,700,000,000.
On page 4, decrease the amount on line 6 by $3,200,000,000.
On page 4, decrease the amount on line 7 by $10,100,000,000.
On page 4, decrease the amount on line 8 by $19,800,000,000.
On page 4, decrease the amount on line 12 by $3,200,000,000.
On page 4, decrease the amount on line 13 by $6,900,000,000.
On page 4, decrease the amount on line 14 by $9,700,000,000.
On page 6, decrease the amount on line 15 by $10,300,000,000.
On page 6, decrease the amount on line 16 by $3,000,000,000.
On page 6, decrease the amount on line 24 by $11,500,000,000.
On page 6, decrease the amount on line 25 by $6,300,000,000.
On page 7, decrease the amount on line 8 by $12,800,000,000.
On page 7, decrease the amount on line 9 by $8,400,000,000.
On page 32, decrease the amount on line 17 by $200,000,000.
On page 32, decrease the amount on line 18 by $200,000,000.
On page 33, decrease the amount on line 2 by $600,000,000.
On page 33, decrease the amount on line 3 by $600,000,000.
On page 33, decrease the amount on line 11 by $1,300,000,000.
On page 33, decrease the amount on line 12 by $1,300,000,000.
On page 51, decrease the amount on line 17 by $10,300,000,000.
On page 51, decrease the amount on line 19 by $11,500,000,000.
On page 51, decrease the amount on line 20 by $12,800,000,000.

NOTICES OF HEARINGS

SUBCOMMITTEE ON NATURAL RESOURCES DEVELOPMENT AND PRODUCTION

Mr. WARNER. Mr. President, I would like to announce for the information of the Senate and the public, the scheduling of an oversight hearing before the Natural Resources Development and Production Subcommittee of the Senate Energy and Natural Resources Committee.

The hearing is scheduled for Friday, June 14, 1985, beginning at 1:30 p.m. in the South Courtroom on the second floor of the U.S. Courthouse, 111 North Fifth Street, Muskogee, OK. Testimony is invited regarding the state of the coal industry in Oklahoma, with specific emphasis on the impact of Federal regulations.

For further information regarding this hearing, you may wish to contact Mr. Bob Terrell or Mr. Pat Sullivan on the subcommittee staff at (202) 224-5205. Those wishing to testify or who wish to submit a written statement for the hearing should write to the Natural Resources Development and Production Subcommittee, Committee on Energy and Natural Resources, Dirksen Senate Office Building, Washington, DC 20510.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MATHIAS. Mr. President, I wish to announce for the information of all Senators that following the hearings on the Smithsonian regent appointment and the Federal Election Commission's fiscal year 1986 authorization on Thursday, May 2, 1985, the Rules Committee will turn to administrative business. Amendments to the mass mail regulations, including the general use of postal patron mail for newsletters, and an increase in the paper allowance will be considered. It is anticipated that these administrative items will be dealt with by the committee at approximately 10:30 a.m. on Thursday morning.

ADDITIONAL STATEMENTS

TRADE SANCTIONS AGAINST NICARAGUA

● Mr. DANFORTH. Mr. President, once again the United States has turned to the weak and often counterproductive weapon of economic sanctions because of our inability to carry out a strong and consistent foreign policy. And who is to blame? We in Congress are.

Congress has forced the President to choose among a limited number of unattractive options in Central America. By denying the President even the minimal aid he requested to oppose the aggressive expansion of Nicaraguan communism, we have left him with little more than a trade embargo at his disposal. It is not adequate to the task at hand.

We have played the embargo card before. It has proven time and again an unproductive means of effecting foreign policy goals—indeed, one that tends to punish this country more than the ostensible target.

In 1980 our farmers lost $3 billion in grain sales and 40 percent of the Soviet grain market because we were protesting the invasion of Afghanistan. The effect of our protest on the U.S.S.R. was twofold: one, the Soviets received our signal of disapproval and, two, they were forced—for a short period of time—to pay an extra 25 percent for other sources of grain. They are still in Afghanistan.

We have tried economic sanctions before in Nicaragua. In 1980 we cut off economic aid because of the Sandinistas' support for Communist guerrillas in El Salvador. In 1982, the United States cut back on sugar imports from Nicaragua in a further attempt to moderate the Government's behavior. The benefits of these punitive actions have been nil. In fact, Nicaragua's military growth and aggressive behavior have increased in the interim.

The supporters of the trade embargo argue that it will send a message that we are serious about Sandinista transgressions within Nicaragua and against their neighbors. It will demonstrate our concern. It will show our resolve.

But let us not kid ourselves about what the results will be. A trade embargo will hamper the already weak Nicaraguan economy. But Nicaragua will soon find other sources for the agricultural machinery, fertilizers, and pesticides that we now supply. Nicaragua will soon find other buyers for the bananas and coffee we buy from them. President Ortega is already in Moscow negotiating a generous package of economic aid. This embargo will only drive him to further dependence on the Soviets and their allies. We need look no further than the 1960 trade

embargo still in effect with Cuba to see the proof of this proposition.

The Washington Post reports that the President is "responding to congressional urging" in taking this action. Well, there may be some Members of Congress who have urged this step. I was not one. But let us not forget that Congress delivered its real message last week—and that message was "No" to military aid for the Contras and "No" to humanitarian aid. Congress declared for the world to see that the United States does not care about the establishment of a Soviet client state that openly advocates "revolutions without borders" in Central America.

Our votes last week demonstrated our inability to support real sanctions against Nicaraguan expansionism. And when we are weak on foreign policy, when we are supine on foreign policy, we rush in with these ineffectual trade sanctions. The real question remains, "Will we support our friends?" The President's actions are inadequate to the task at hand, and Congress has tied his hands from going further.

What we in the Congress have orchestrated, Mr. President, is the elimination of any coherent policy for dealing with Central America, and the President's announcement of economic sanctions against Nicaragua does not let us off that hook. Unless and until we reverse the actions we took last week, we in Congress remain responsible for what comes next in the Americas. What is at stake is not only the survival of the fragile democracies in Central America but the prevention of the spread of revolutionary communism to our friends in Mexico.●

TRIBUTE TO MURRAY KEMPTON

● Mr. MOYNIHAN. Mr. President, a cheer went up in city rooms of newspapers across the Nation, and many a living room also, when it was learned that Murray Kempton had been awarded a Pulitzer Prize. If it comes late in his career, which now spans a full half-century of irresistibly intelligent commentary on American life and politics, it seems all the more welcome for being so long overdue. If, on the other hand, the wise arbiters of these matters on the Pulitzer board thought simply to wait until a mid-career prize seemed in order, we can be doubly pleased to think that this newest sage of Baltimore is only just getting going, and that the best is yet to come.

Mr. President, I ask that there be printed in the RECORD a tribute to Mr. Kempton by his colleague, Fred Bruning, of Newsday.

The tribute follows:

[From Newsday, Apr. 25, 1985]

AN UNSUNG TALENT FINALLY GETS A CHEER

(By Fred Bruning)

Murray Kempton is a self-effacing man who likes to recall that a libel suit against him once was dismissed because the judge could not decipher the story being contested.

If Kempton, 67, has a modest estimation of his work, he seems distinctly in the minority. Although until yesterday he had not won a Pulitzer Prize, the columnist received a National Book Award in 1973 for a volume about the Black Panthers called "The Briar Patch" and, five years later, a citation for literary achievement from the National Academy and Institute of Arts and Letters. As a newspaperman he won a Sidney Hillman Award in 1954, the George Polk Award in 1967 and, last year, the Carey McWilliams Award, a political writing prize.

Kempton is death on labels—doesn't want to be called liberal or conservative or very much of anything—but his commentary hardly would endear him to those who favor subway vigilantism, aid to Nicaraguan rebels or presidential visits to German military cemeteries.

After graduating from Johns Hopkins University in 1939, Kempton, who is from an old-line Democratic Maryland family, worked as a welfare investigator in Baltimore and a union organizer in Peekskill, N.Y. In 1941, he became publicity director for the American Labor Party. The next year he joined the New York Post but within three months took another assignment—with the U.S. Army. He saw combat in the Pacific and was discharged in 1945 as a corporal. He worked as a reporter in North Carolina before returning to the Post for a job assisting Victor Riesel, the famed labor writer.

Kempton's prose, which has appeared in some of the most estimable American publications, was described by Current Biography as "epigrammatic, allusive and at times haunting." In March, 1981, he joined Newsday as a columnist.

Suspicious of limousines and, to some extent, taxicabs, Kempton, who lives in Manhattan, negotiates the city by way of public transportation or, securing the cuffs of his trousers with rubber bands, a blue two-wheeler.

He is famous for saying, "God bless you," instead of good-bye, although for a long time people said he wasn't famous at all. A magazine story about him in 1982 was titled: "The Best-Kept Secret in American Journalism is Murray Kempton." Yesterday, the Pulitzer Committee made Murray Kempton a secret no more.●

THE HIGH COSTS OF DENYING CONTRA AID

● Mr. QUAYLE. Mr. President, the recent defeat of funding for the Contras has been widely reported as being a major defeat for President Reagan. This view is incorrect. True, the President did not get the funding he sought, but the real loser is not the President; it's the United States.

If there is any doubt on this score, the costs of denying Contra aid are spelled out in this week's Newsweek. There, in a lead article by chief diplomatic correspondent, John Walcott, the magazine details the findings of a recent administration report to Congress. The annual cost of containing the Sandinistas without the help of the Contras are estimated to be nearly $3.8 billion more than we are currently spending to aid the entire region. Such containment, moreover, would entail a dramatic and risky escalation of arms aid to El Salvador and Honduras.

As the article points out:

Getting out of the secret war is likely to have exactly the opposite effect from that intended by congressional Democrats. It would remove whatever modest pressure there is on the Sandinistas to negotiate, both with their neighbors and with their opponents at home, and it would add to the pressures on Nicaragua's neighbors to cut the best deals they can with the Soviet-and-Cuban-backed regime. To counter that temptation and to reassure its friends that abandoning the Contras is not the prelude to a general U.S. withdrawal from Central America, the United States would have to spend far more than the $28 million a year the administration wants for the Contras.

Mr. President, Congress will have to consider funding for the Contras again before the close of this fiscal year. In hopes that the true costs of denying aid to the Contras will be considered in future debate, I ask that the full text of "The Stakes in Nicaragua" by John Walcott be placed in an appropriate place in the RECORD.

The article follows:

THE STAKES IN NICARAGUA

(By John Walcott)

Far more than $14 million is at stake in the battle over whether or not the United States should help the anti-Sandinista rebels in Nicaragua. The Reagan administration has made the contras the keystone of its policy in Central America, and pulling out now is not likely to improve the chances for a negotiated settlement in Central America, stop the killing in Nicaragua, moderate the Sandinistas' totalitarian tendencies or reduce the danger of being dragged into another tropical quagmire.

Getting out of the secret war is likely to have exactly the opposite effect from that intended by congressional Democrats. It would remove whatever modest pressure there is on the Sandinistas to negotiate, both with their neighbors and with their opponents at home, and it would add to the pressures on Nicaragua's neighbors to cut the best deals they can with the Soviet-and Cuban-backed regime. To counter that temptation and to reassure its friends that abandoning the contras is not the prelude to a general U.S. withdrawal from Central America, the United States would have to spend far more than the $28 million a year the administration wants for the contras—and might have to increase its already considerable military presence in Honduras and El Salvador. Instead of its current single-track policy, what Washington needs is a combination of political, economic and military pressure on the Sandinistas.

In Managua, Newsweek's Joseph Contreras reports, there was little evidence last week that Reagan's congressional defeat would improve the Sandinistas' behavior. Nicaraguan President Daniel Ortega immediately began backing away from his hints that Nicaragua had a "moral obligation" to offer concessions if the United States cut off aid to the rebels. His rationale: only the

House voted against the aid. The Sandinistas also continued to rule out any direct talks with the rebels. If anything, the Sandinistas seemed to be digging in their heels, sending Ortega off on his third visit to Moscow in less than a year and announcing token moves to send 100 (of an estimated 3,500) Cuban military advisers home and to free 107 (of an estimated 3,000) prisoners accused of counterrevolutionary activities. Relations between the Sandinistas and the Roman Catholic Church suffered another jolt when the government expelled a Spanish priest accused of helping the opposition.

Choice: Faced with such intransigence, the administration and Congress must make a choice: either they can devise a compromise to keep the contras afloat, or they can give up trying to force the Sandinistas to deal and concentrate on defending Nicaragua's neighbors from the spread of Sandinismo.

Containment, however, is as flawed as the secret war. A top-secret administration report to Congress says it "would mean providing Honduras with advanced combat aircraft, antitank and anti-air-defense systems and underwriting a military-force increase from about 18,000 to perhaps 35,000." El Salvador, too, will need more military aid and an aggressive attempt to crush the guerrillas "before the Sandinista pipeline picks up again," the report notes, and Costa Rica will have to decide whether to start an army and whether to host U.S. military exercises. Containment is likely to be expensive, too, officials warn: it could require as much as $5 billion a year in aid to Central America, compared to the $1.2 billion committed in fiscal 1985.

Administration officials worry that a Congress that refused to provide modest aid to the contras will balk at providing much larger sums to the military and intelligence services in imperfect democracies like Honduras and El Salvador. Dramatic expansion of the Honduran military would undoubtedly speed Nicaragua's continuing militarization. Delivering advanced aircraft to Honduras would give the Sandinistas a reason to import their own jet fighters—the one contingency U.S. officials have warned could trigger direct American military action against Nicaragua.

Menace: Fulminate though it may about Democratic appeasement and the Vietnam syndrome, the administration has mostly itself to blame for the mess. Reagan has practiced a diplomatic double standard in Latin America, exaggerating the menace of communism and shrugging off the sins of right-wing despots like Chile's Augusto Pinochet. But his policies have been strangely out of tune with his anticommunist rhetoric: while denouncing the Sandinistas as a threat to all Central America—occasionally including Texas—the United States has continued to recognize the regime in Managua and has remained Nicaragua's biggest trading partner.

In 1981 the administration backed away from a confrontation with Cuba because it might have jeopardized Reagan's economic program, and this month a number of White House aides tried to postpone the fight for aid to the contras until after Congress voted on Reagan's budget. Partly out of a desire to confront the Sandinistas without attracting too much attention, the administration reached for the CIA long before it had exhausted its diplomatic and economic options. When it did, the agency proved to be its own worst enemy, first lying to Congress about the purpose of the secret war and then concocting a series of harebrained operations, including the mining of Nicaraguan harbors, in an attempt to turn up the heat.

A plan for the graduated use of diplomatic, economic and military pressure on Managua would be a far more effective instrument of American power than either the secret war or containment. Congress and U.S. allies could sustain it and it would help to isolate the Sandinistas instead of making heroes of them. For the first time, the administration's opponents have a strong incentive to help invent such a policy. By removing the keystone of Reagan's policies but not replacing it with a sturdier one, House Speaker Tip O'Neill and company have accepted a share of responsibility for whatever happens next.●

INHUMAN TREATMENT OF VIETNAM WAR REFUGEES

● Mr. SIMON. Mr. President, recently I received a letter from Lt. Comdr. T.J. Cutler of the U.S. Naval Academy in Annapolis. He is a man of honor and a mariner who was compelled to write to me about a situation that simply cannot be tolerated any longer.

Ten years after the Vietnam war, this country continues to remember unspeakable atrocities and the loss of tens of thousands of lives. Perhaps we would like to believe that it is over, that we no longer are involved, should not be involved, in the political strife that still tears that region apart. Because of the Nation that we are, because of what we stand for and because we as the Members of the Senate have a responsibility to safeguard the rights of those trying to find freedom, it is time for us to take action.

Since the end of the Vietnam war refugees have fled that country by boat. Lieutenant Commander Cutler's letter brings to our attention the absolutely inhuman treatment these people suffer at the hands of pirates who roam the South China Seas and the Gulf of Thailand. We cannot stand by now and watch as these people are destroyed. We have given military aid to the Thai Navy in hopes of ensuring safe passage for those fleeing Vietnam. It is not working. We must examine the situation and find a more effective course of action.

Mr. President, I ask that Lieutenant Commander Cutler's letter be printed in the RECORD.

The letter follows:

DEAR SENATOR SIMON: There comes a time in the life of a great nation, if it is indeed to remain great, that it must make commitments that are based not upon material gain or even upon questions of security and survival, but have their roots instead in matters of simple humanity and compassion. The United States finds itself today facing a matter that begs not only these considerations but is a matter of responsibility as well. If this nation is to be true to its heritage of freedom and human rights it must find that it has no alternative but to intervene in an area of great human injustice.

Since 1975, more than half a million people have fled Vietnam by boat. The actual total number can never be known with certainty because so many have perished without trace. Despite the news media's flagging interest, an average of 2,700 of these refugees still are landing on Southeast Asian shores each month. The issue of what the free world's responsibility is to these people once they have reached asylum is an important one, but it pales in the light of the extreme urgency surrounding the issue of what is happening to them on the seas.

The irrefutable stories of shootings, clubbings, knifings, drownings, abductions, and rapes by lawless pirates are compounded in their horror when the ages, sexes, and helplessness of the victims are considered. Six year old girls have been sexually assaulted and small children have watched as their mothers have been raped and then clubbed to death with hammers. Statistics and eyewitness accounts abound to tell a story of incredible savagery.

It is impossible to comprehend that anyone, whether he is a member of Congress, a professional military man, or a common citizen of democracy, can tolerate the barbaric acts that are being committed in the South China Sea and the Gulf of Thailand. The atrocities that are being committed upon helpless people by these feral deviants from human-kind must be terminated!

This is not the appeal of a veteran trying to refight a lost war. The quarrel is not with any nation, the cause has no politics. The centuries-old law-of-the-sea demands that no mariner can ignore another vessel in distress. That law calls us to action now.

The Congress of the United States, as the representatives of a people who will surely see the right in such action, must declare war (either literally or figuratively) on the pirates of Southeast Asia. The money we have spent on the Thai navy for this purpose has accomplished little or nothing. It is time for the United States Navy to take action. American naval forces must be deployed to the area with the sole and specific purpose of taking whatever action is necessary to stop this barbarism. I can personally guarantee the information of an all-volunteer force for such a purpose.

If the tone of this letter is emotional, so be it. I *am* emotional! I am incensed and enraged! I am *ashamed* that I have not written this sooner, that my country has not taken action before now.

Please consider this situation: as a legislator with the power to make things happen, as a human being who sees his own kind in dire distress.

Sincerely,

T.J. CUTLER.●

U.S. ARMY COMMUNIQUES ON PROBLEMS IN ARMED FORCES

● Mr. GOLDWATER. Mr. President, the Association of the United States Army constantly is publishing short communiques relative to problems they see in our Armed Forces. With the coming deluge of amendments aimed at cutting the defense budget, I think it wise that as much material as possible be presented to my colleagues so that their judgments can be better backed up in the case of these amendments.

Today, I am submitting two of these reports. One deals with the sad, dangerous situation that the United States is not prepared in any manner, shape, or form to be confronted with a chemical warfare situation. The other is a plainly written statement on the question of whether the budget provides the Army with enough strength to meet the threat.

I ask that both of these be printed in the RECORD.

The material follows:

IN THE LIKELY EVENT OF CHEMICAL WAR, THE UNITED STATES IS NOT PREPARED

A long-standing national security objective of the United States is to eliminate the use of chemical weapons in war. U.S. policies to achieve this objective have two major aspects. The first deals with chemical weapons arms control; the second, with military capabilities to deter chemical warfare.

Unfortunately, an acceptable agreement on chemical disarmament is not readily available, due primarily to the intransigence of the Soviet Union on verification.

On the military front, the U.S. position for years has been that chemical weapons should be maintained as a deterrent to chemical war (through the threatened sanction of retaliation in kind).

However, the U.S. retaliatory stockpile has become increasingly unusable and obsolete in the 16 years since we last produced chemical munitions. Further, there is ample evidence of an extensive and continuing buildup in chemical warfare capabilities by the Soviet Union and its Warsaw Pact allies.

In response to these negative trends, the Reagan Administration has repeatedly sought limited funding to improve the U.S. deterrent retaliatory posture. In virtually every instance, the requested funds have been denied by Congress, more often than not on the premise that the U.S. chemical stocks are sufficient to meet our military requirements.

But that argument simply won't wash. The Secretary of Defense, the Chairman of the Joint Chiefs, the Secretary of the Army and the Army Chief of Staff have all testified before Congress about the dangerously deteriorating condition of the chemical munitions upon which we must rely to deter potential aggressors from initiating chemical war against the U.S. or our allies.

We cannot keep our heads in the sand any longer. While we have occupied the "moral high ground" of a unilateral freeze on the production of chemical munitions, our most likely adversary has developed such a lopsided chemical war capacity that he would be foolish if he did not exploit his obvious military advantage. Unless we take action now to reconstitute a believable chemical retaliatory capability we are encouraging the use of those weapons against us.

THE ARMY'S BUDGET—ARE WE STRONG ENOUGH TO MEET THE THREAT?

With so many moves afoot to reduce the federal deficit at the expense of national defense, many lawmakers will probably think it heresy when they are told that the Army's $82 billion budget request for fiscal 1986 is inadequate. But when the cognizant congressional committees begin deliberating over the President's budget, the shortfalls in the Army program will become painfully evident.

For example, the members of Congress will learn early on that, while this budget seeks to improve our conventional warfighting capabilities by activation of an eighteenth Army division, it does not provide the manpower needed to fill out all the combat and support units and to keep them at a high state of readiness.

Similarly, the Army's decision to forego requesting an increase of nearly 80,000 people means that it will meet only 88 percent of its documented manpower requirements. The Army is seeking increased reserve component strengths, but similar requests in fiscal 1985 were drastically reduced.

Other inadequacies in nearly every one of the Army's budget objectives for 1986 will adversely impact on planned equipment modernization, mobilization and deployment capabilities, readiness, and on the Army's growing backlog of construction of needed buildings and facilities.

All these shortfalls are contained in the Army program as it is proposed by the Administration. When the members of the Budget, Appropriations and Armed Services Committees of both houses of Congress attempt to balance defense needs against available resources, they will face many perplexing problems.

In the present congressional climate, a radical cut from the top seems almost a certainty, a cut that will, in turn, erode the various military department's programs. When that happens, the Army is traditionally forced to take a full share of the cut.

Hopefully, Congress will be alert to the existing inadequacies in the Army's budget request and will provide the nation's prime landpower element with sufficient resources to accomplish its mission. Otherwise, the Army's commitment may need to be reduced.●

CONVENTION II

● Mr. SIMON. Mr. President, from February 5 through February 9 this year, a distinguished group of youths assembled in the Halls of Congress to propose and debate topics which could ultimately affect all of us. In this, the 10th anniversary session of Convention II, these high school students from across our Nation convened to deliberate issues of interest to all of us and to all of our constituents—amendments to the U.S. Constitution.

On these dates, 115 young Americans from 17 States and the District of Columbia considered over 100 proposed amendments to the Constitution. Of the 41 resolutions reported or discharged from the 5 standing committees, 11 were considered by the convention as a whole. Convention II adopted two of their amendments proposed this year. The two resolutions adopted by the convention were relative to securing the right to euthanasia and eliminating the exclusionary rule—an interesting comment from our young people. Their debates included many exciting exchanges of ideas in true veteran lawmakers' style. As a member of the Convention II Founders Committee, I have the honor of transmitting to the Senate the findings of the 10th annual session of Convention II, and to include their report in the RECORD.

Mr. President, I invite my colleagues to join me in commending the delegates to Convention II for their leadership and initiative, as well as their involved interest in their Government. I also salute the leaders of Convention II, all of whom serve as volunteers, for giving of themselves to these successful youths of America. My appreciation also goes to the Speaker and Members of the other body who allowed the delegates to convene for their final session on the floor of the House.

Mr. President, I ask that the findings of Convention II be placed in the RECORD.

The material follows:

FINDINGS OF THE 10TH ANNUAL SESSION OF CONVENTION II

CR 366: Relative to establishing a uniform penal code. (Defeated 25–76.)

This resolution sought to establish a uniform penal code in the United States which would make all punishments for all crimes the same throughout the United States. It would also set out uniform definitions for crimes to be used throughout the country.

CR 251: Relative to providing the President with a line-item veto. (Defeated 50–57.)

This resolution would allow the President to veto an item of a bill presented to him by Congress and not necessarily the whole bill. An item would be defined as an appropriations item or non-germane section.

CR 492: Relative to providing for the recall of Members of Congress. (Defeated 29–73.)

This resolution would allow all Members of Congress to be subject to recall by the people of their district or State. It also set provisions for such a recall.

CR 364: Relative to the abolition of the death penalty. (Defeated 43–64.)

This resolution stated that the death penalty would not be imposed by the United States or any State as punishment for any crime.

CR 220: Relative to providing for the direct election of the President and the Vice President. (Defeated 71–37.)

This resolution would change the method of election of a President of the United States from the Electoral College to a popular vote. This would repeal the twelfth Article of Amendment to the Constitution.

CR 171: Relative to securing the right to euthanasia. (Adopted 84–26.)

This resolution secured a citizen's right to and expressed wish for euthanasia. It was further defined as the right to reject the aid of artificial devices for the sustaining of life. A definition of euthanasia was also set forth in this resolution.

CR 412: Relative to establishing a four-year term for Members of the House of Representatives. (Defeated 49–56.)

This resolution repealed Clause 1 of Section 2 of Article 1 of the Constitution and would require that the House of Representatives be composed of Members chosen every fourth year, and that the entire body be elected two years following a Presidential election.

CR 455: Relative to requiring a balanced federal budget. (Defeated 48–55.)

This resolution would require that the budget adopted by Congress be designed so that total outlays are not greater than total receipts. The Congress could provide for an excess of outlays over receipts not to exceed

five percent of total receipts when a two-thirds majority deemed it necessary. In the case of a declaration of war, Congress could vote to exceed the five percent limit if the immediate safety and well-being of the United States citizens are threatened.

CR 352: Relative to the exclusionary role. (Adopted 65-32.)

This resolution stated that the right of people to be secure in their persons, houses, papers, and effects would not be violated, except by peace officers acting under the authority of a warrant issued on probable cause by a detached and neutral magistrate or judge. The warrant would be required to describe the place to be searched and/or items to be seized. No evidence collected under color of such warrants would be excluded as being outside the limits thereof unless the place searched was not described in the warrant.

CR 541: Relative to prohibiting the extension of credit to nations not allied to the United States. (Defeated 15-82.)

This resolution required that all commerce with non-allied nations be conducted on a cash-and-carry basis, and that any credit extended to non-allied nations not exceed three percent of that nation's gross national product. Any credit extended to a non-allied nation would be repaid within three years in precious metals or currency.

CR 202: Relative to permitting naturalized citizens to be President. (Defeated 30-59.)

This resolution made naturalized citizens eligible to the Office of President of the United States so long as that person had attained the age of thirty-five years and had been a resident of the United States fourteen years.

The Rules of Convention II require concurrence of two-thirds of those present for passage. Perhaps the fact that two Resolutions were adopted reflects a national desire for Constitutional change. Or perhaps it merely reflects the Delegates' skills in building durable coalitions and achieving compromises.

The Delegates to Convention II wish to extend their appreciation to the Members of the United States Senate and House of Representatives, who enabled them to deliberate in several historic and inspirational chambers on Capitol Hill. They also offer special thanks to the Speaker of the House for permitting the Final Plenary Meeting to take place on the floor of the House.

The Official Journal of the Tenth Anniversary Session of Convention II will soon be available. For a copy of the Journal, and for further information on Convention II, please call or write: Convention II, P.O. Box 44086, Washington, DC 20026. (202) 544-1789.

Respectfully submitted,

JON ENRIQUEZ,
Convention Secretary.●

CAN DEMOCRACIES SURVIVE?

● Mr. BOSCHWITZ. Mr. President, I ask consent to place in the RECORD a most insightful essay by the distinguished French commentator, Jean-Francois Revel, entitled "Can Democracies Survive." I am confident that the Revel treatise has been read by several of my colleagues, but highly recommend it to all who, like myself, struggle under the load to read and gain insights from the professionals.

This article is a sobering analysis of the systemic vulnerabilities and frailties of democracy in combating communism. Revel's rather philosophic argument and concern for democracy's ability to survive has real-world dimensions for the formulation of U.S. foreign policy.

As the author contends, and I must agree, we "democrats" do tend to ignore, even deny, external threats to our political system, and more often loathe doing what is needed to counter them. We do self-flagellate to excess at times, and assume most of the guilt for all the ills of the developing world.

We will all agree that self-criticism is vital to democracy, but we ought not to assume that we or our policies are always wrong. In this regard, I think Revel has direct application to our policy efforts to defend U.S. interests in Central America. Our recent debate and apparent inability to come to grips with the "threats" issue in this region makes it important that all of us read this article and take a lesson from Mr. Revel.

The essay follows:

CAN THE DEMOCRACIES SURVIVE?

(By Jean-Francois Revel)

Democracy may, after all, turn out to have been a historical accident, a brief parenthesis that is closing before our eyes.

If so, in its modern sense of a form of society reconciling governmental efficiency with legitimacy, authority with individual freedoms, democracy will have lasted a little over two centuries, to judge by the speed at which the forces bent on its destruction are growing. And, really, only a tiny minority of the human race will have experienced it. In both time and space, democracy fills a very small corner. The span of roughly two-hundred years applies only to the few countries where it first appeared, still very incomplete, at the end of the 18th century. Most of the other countries in which democracy exists adopted it under a century ago, under half a century ago, in some cases less than a decade ago.

Democracy probably could endure if it were the only type of political organization in the world. But it is not basically structured to defend itself against outside enemies seeking its annihilation, especially since the latest and the most dangerous of these external enemies—Communism—parades as democracy perfected when it is in fact the absolute negation of democracy, the current and complete model of totalitarianism.

Democracy is by its very nature turned inward. Its vocation is the patient and realistic improvement of life in a community. Communism, on the other hand, necessarily looks outward because it presides over a failed society and is incapable of engendering a viable one. The nomenklatura, the body of bureaucrat-dictators who govern the system, has no choice, therefore, but to direct its abilities toward expansion abroad. It is also more skillful, more persevering than democracy in defending itself. Democracy tends to ignore, even deny, threats to its existence because it loathes doing what is needed to counter them. It awakens only when the danger becomes deadly, imminent, evident. By then, either there is too little time left for it to save itself, or the price of survival has become crushingly high.

In addition to its external enemy (once Nazi, now Communist), whose intellectual energy and economic power are primarily destructive, democracy faces an internal enemy whose right to exist is written into the law itself.

Totalitarianism liquidates its internal enemies or smashes opposition as soon as it arises, it uses methods that are simple and infallible because they are undemocratic. But democracy can defend itself from within only very feebly; its internal enemy has an easy time of it because he exploits the right to disagree that is inherent in democracy. His aim of destroying democracy itself, of actively seeking an absolute monopoly of power, is shrewdly hidden behind the citizen's legitimate right to oppose and criticize the system. Paradoxically, democracy offers those seeking to abolish it a unique opportunity to work against it legally. They can even receive almost open support from the external enemy without its being seen as a truly serious violation of the social contract. The frontier is vague, the transition easy between the status of a loyal opponent wielding a privilege built into democratic institutions, and that of an adversary subverting those institutions. To totalitarianism, an opponent is by definition subversive; democracy, for fear of betraying its principles, treats subversives as mere opponents.

What we end up with in what is conventionally called Western society is a topsy-turvy situation in which those seeking to destroy democracy appear to be fighting for legitimate aims, while the defenders of democracy are pictured as repressive reactionaries. Identification of democracy's internal and external adversaries with the forces of progress, legitimacy, even peace, discredits and paralyzes the efforts of people who are only trying to preserve their institutions.

Already besieged by this combination of hostile forces and negative logic, the democracies are also harassed by guilt-producing accusations and intimidation such as no other political system has ever had to tolerate. Like the "industry of vice" that reform groups used to talk about, there is now an "industry of blame"; it promotes the now universally accepted notion that everything bad that happens in the Third World is the fault of forces necessarily and exclusively located in the "more advanced" or "rich" countries, meaning, in almost every case—and for good reason—the democracies.

The major shareholders in this industry of blame are, first, the despots who oppress the peoples of that unfortunate Third World with impunity. Next come the Communist countries, exploiting the underdevelopment abroad that they cannot remedy at home and converting the poor nations into totalitarian military fortresses.

Here too, in what are termed North-South relations, foreign and domestic enemies of democracy are converging; their maneuvers are of no help at all in improving the lot of the poor countries, but they are marvelously effective in undermining the democracies' confidence in their own legitimacy, their own right to exist. The "progressive" support some Westerners give to the worst of the Third World regimes is merely a geographical relocation of what for sixty years was "progressive" support of the Soviet Union and, later, Mao Zedong's China: complicity by a part of the Western Left against the peoples of the less-developed countries and with the tyrants who enslave, brutalize, starve, and exterminate them.

It seems, then, that the combination of forces—at once psychological and material, political and moral, economic and ideologi-

cal—intent on the extinction of democracy is more powerful than those bent on keeping it alive. Democracy is not given credit for its achievements and benefits, but it pays an infinitely higher price for its failures, its inadequacies, and its mistakes than its adversaries do.

Indeed, democratic civilization is the first in history to blame itself because another power is working to destroy it. The distinguishing mark of our century is not so much Communism's determination to erase democracy from our planet, or its frequent success in pursuing that end, as it is the humility with which democracy not only consents to its own obliteration, but contrives to legitimize the victory of its deadliest enemy.

It is natural for Communism to try with all its might to eliminate democracy, since the two systems are incompatible and Communism's survival depends on the annihilation of democracy. That the Communist offensive is more successful, more skillful than democracy's resistance, will be seen by history as just another example of one power outmaneuvering another. But it is less natural and more novel that the stricken civilization should not only be deeply convinced that it deserves to be defeated, but that it should regale its friends and foes with reasons why defending itself would be immoral and, in any event, superfluous, useless, even dangerous.

Civilizations losing confidence in themselves: an old story in history. They stop believing they can survive, because of an internal crisis that is both insoluble and intolerable, or under threat from an external enemy so strong that the only remaining choice is between servitude and suicide. I do not believe democracy is in either predicament, but it acts as if it were in both. It seems almost eager to believe in its own guilt and in the inevitable result of that guilt. Democracy's predecessors hid such beliefs as shameful even when they thought, or knew, they were doomed. But democracy is zealous in devising arguments to prove the justice of its adversary's case and to lengthen the already overwhelming list of its own inadequacies.

Are these inadequacies real or imaginary? Some are real, of course, just as there is real cause to blame specific democracies or the democracies in general for some of the injustice and misfortune in the world. But many of these alleged inadequacies and much of the democracies' responsibility for the world's ills are exaggerated or conjectural or purely imaginary. And besides, are those real faults serious enough to provide moral justification for totalitarianism to exterminate the democracies? And why are the imaginary flaws so widely credited in the democracies themselves, which thus consent to their own calumniation?

If democracy does succumb, it will not be to the sort of internal crisis, an essential lack of viability, that nearly wrecked it between the two world wars. From 1919 to 1939, the democracies seemed to be eaten from within by an irresistible malady that raised a rash of right-wing dictatorships. One after another, they capitulated to authoritarian or totalitarian governments born of their own inability to govern themselves. In Central Europe, almost none of the parliamentary regimes established after World War I were still functioning ten years later. In Western Europe, first Italy went fascist, then Portugal, Germany, Spain. Of the great European powers, only Britain and France remained faithful to democracy, and in France democracy was so feeble, so incoherent, and so beleaguered that there were grave fears for its survival.

The situation now, as the century nears its end, is nothing like that. For the first time since 1922, when Mussolini took power in Rome, all of Western Europe is democratic. The Greek colonels' seven-year dictatorship (1967–74) ended with their fall and a reinforcement of democracy there. In Spain, the Putsch dreaded since 1975 was tried and failed. The most dangerous, most unrelenting attacks against democracy have come from the revolutionary Left: red terrorism in Italy, Spain, and West Germany, and a minority attempt in 1975 to saddle Portugal with a Communist military dictatorship.

Despite these trials, the old democracies have held firm and the new ones have survived and even developed. The laborious effort the Left periodically makes to frighten people with the specter of a neo-Nazi peril in Europe always collides with the brute fact that none of the fascist movements in Europe today has reached party status or has managed to elect a member of any parliament. As for the stupidly inflated notion of an "extra-parliamentary Left" that flourished in Italy and Germany around 1970, it expressed nothing more than the revolutionary Left's inability to seduce enough voters into making it parliamentary.

Yet while democratic institutions are no longer challenged politically from within, the societies, civilization, and values democracy has created are being increasingly questioned. Self-criticism is, of course, one of the vital springs of democratic civilization and one of the reasons for its superiority over all other systems. But constant self-condemnation, often with little or no foundation, is a source of weakness and inferiority in dealing with an imperial power that has dispensed with such scruples. Believing one is always right, even when the facts say otherwise, is as blinding and weakening to a society as to an individual. But assuming one is always wrong, whatever the truth may be, is discouraging and paralyzing.

Not only do the democracies today blame themselves for sins they have not committed, they have formed the habit of judging themselves by ideals so inaccessible that the defendants are automatically guilty. Clearly a civilization that feels guilty for everything it is and does and thinks will lack the energy and conviction to defend itself when its existence is threatened. Drilling the idea into a civilization that it deserves defending only if it can incarnate absolute justice is tantamount to urging that it let itself die or be enslaved.

The same problem has invariably plagued the foreign policy of the democracies in the struggle against Communist imperialism. From the day President Truman declared that "it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressure," the democracies were locked of their own free will into an almost insurmountable bind. For they laid down the condition that to have the right to resist absorption into the Communist empire, a country must be irreproachably democratic. In so doing, the West condemned itself to failure or opprobrium. It became the prisoner of an insoluble, self-imposed dilemma; either it allowed most of the planet to sink under Communist domination, or, too often, it would be called on to protect countries that did not have democratic governments.

The trap was a boon to Communist propaganda, which on this point was widely supported by the liberal Left in the democracies. And honesty does command that any democrat with consistent ideas deplore the hypocrisy of defending human rights and individual freedom while supporting authoritarian governments. The best of these may be no more than relics or revivals of archaic power structures, the worst are violent, police-run fascist regimes, or pseudo-democracies where elections are held only spasmodically; rarely, if ever, are they genuinely faithful to the ideal of the rule of law on which the West claims to base the legitimacy of its diplomacy and its defense.

From the outset, then, the game has been unfair. Strategic necessary is regarded as justification enough for a Soviet presence in another country, or a Soviet alliance with or aid to that country; anyone calling for further excuses is requested, even in the West itself, to mind his own business. A democracy, on the other hand, is not granted the right to defend the vital barricades of its own security unless the democratic imperative is obeyed. If it is not, the West's duty is evidently to cede the territory in question to the Communists who are unhampered by this democratic obligation.

Thus, defending the independence of South Vietnam in the 1960's and 70's was tinged with infamy because the South Vitnamese regime was hardly one of exemplary purity. But the Hanoi regime had no need to furnish guarantees of its purity to win the right to defend itself or to attack its neighbors. Progressive and even centrist opinion throughout the world granted North Vietnam "popular" legitimacy on trust which its history after 1975 did not support, but which its totalitarian and aggressive behavior even before 1975 never seemed to diminish.

Better still: if Moscow's worldwide strategic interests so require, the Soviet Union is allowed to ally itself with traditional-style fascist regimes that dispense with even a facade of progressivism. And the Soviets can do so without bringing down on their heads the vehement criticism that world opinion levels at any democratic nation attempting the same expedient. The Soviet Union and Cuba, for example, loudly took Argentina's side against Britain in the 1982 Falkland Islands war simply because it was obviously in the Kremlin's interest to oppose the Western democracies; suddenly, no one in the Communnist world minded the evil international reputation of the "odious and bloody fascist dictatorship" of the junta in Buenos Aires.

The Soviet Union, then, is licensed by most people to safeguard its economic interests and capitalize on its strategic advantages by realistic links with any government notorious for its disregard of human rights. But we hear only clamor and vituperation when a Western country is cornered into collaboration with South Africa or the Shah's Iran or Turkey.

This double standard gives the Soviet empire an automatic advantage over the West: it not only can defend itself and expand without having to bother about the rules governing the foreign policy of the democracies, but its satellites and clients are also exempted. This is really a two-pronged advantage: although it need not respect human rights at home, the Soviet empire is free to condemn violations, real or fictitious, anywhere else, to exploit them and set its agents to exploiting them. It can even provoke violations, using terrorism to elicit re-

pression in the Western countries or those associated with them.

The Soviet Union, then, enjoys the privilege of being entitled not only to defend its empire, but to enlarge it without being judged on the basis of its subject states' standards of living, social justice, political freedoms, or respect for human rights. When subjugated peoples rise against Communism, the West usually refrains from helping them, thus recognizing the legitimacy of Communist domination in all circumstances. The Communists, on the other hand, recognize the legitimacy of no government outside their empire, least of all in the democratic countries.

Conversely, the democracies suffer the theoretical handicap in their struggle with the Soviet Union of being responsible on all the above-mentioned grounds both for their own behavior and for that of their allies. For example, when military governments took over in Greece in 1967, and in Turkey ten years later, the question immediately arose in the democracies of whether these countries, which had broken faith with democracy, deserved to remain within the Western defense system. But when Poland declared a state of martial law to allow its army to shore up the shaky Communist-party dictatorship, Westerners immediately argued that no real liberalization is possible in a country like Poland because it is a vital strategic zone for the Soviet Union. Yet Turkey is just as essential to the West as Poland is to the Soviets. Driving it out of NATO, or even suspending weapons shipments to the Turkish army (which was done because of the Greco-Turkish conflict over Cyprus in 1974), means opening a fatal breach in the Atlantic alliance's southern flank.

Detractors of the United States and the "free world"—the expression is usually employed as a term of derision, as though there were not really a free world and a slave world—have always maintained that we cannot fight in the name of democracy by consorting with non-democratic countries. And, of course, it would be ideal if the democracies could survive by defending only other democracies. In most cases, however, this moral ideal runs up against local traditions of government or de-facto situations the West cannot easily alter. President Carter's human-rights policy, under which he suspended American aid to the dictatorships in Argentina, Chile, and Bolivia, produced no political improvement in those countries, but the Soviet Union leaped into the breach to increase trade with them. In Iran, Carter hastened the fall of what was certainly a detestably tyrannical regime—which was succeeded by a much worse one.

It takes a profound ignorance of history to blame American imperialism alone for the long Latin American tradition of coups d'état, military dictatorships, civil wars, corruption, revolution, bloody terror, and repression; all this goes back to the very founding of independent states nearly two centuries ago. On the African continent, it is striking that one-man, one-party rule has triumphed almost everywhere, in North Africa and Black Africa, in the former French colonies as in the former Belgian and British colonies, in "progressive" and "moderate" regimes alike. Even such leaders as President-for-Life Kenneth Kaunda in Zambia and Zimbabwe's Prime Minister Robert Mugabe, after opting for multiparty systems when their countries received independence, soon changed their minds on the ground that one-party systems are "more in tune with the African character." Some of the most barbarous examples of internal genocide, like slaughter in Burundi, had nothing at all to do with Western "imperialism"; neither have some of Africa's most monstrous tyrants, such as Uganda's Idi Amin. And for the people of Uganda, the country's "liberation" from Amin by troops from "progressive" Tanzania inaugurated an era of suffering and martyrdom that has been every bit as abominable as the one that preceded it.

In any case, the free world's moral turpitude and political inconsistency are recognized, proclaimed, and condemned whenever it collaborates with largely or wholly undemocratic governments that violate human rights, whether it merely accepts them passively or assists them actively. To escape this contradiction and avoid condemnation before the tribuanal of free-world opinion, the West must therefore deny itself the support, in its struggle against Soviet expansionism, of any country that is undemocratic and disrepectful of human rights. This principle means that the right of the democracies to defend themselves must be subordinated to the conversion of the whole world to democracy. Clearly, this can only lead to the disappearance of what subsists of democracy in today's world.

In short, without always going as far as to approve, we nevertheless consider it natural for the Soviet Union to defend its interest, increase its power, install its henchmen through a craftily spaced series of coup d'état and purges. No one asks these imperialists to make the people they capture happy; no one thinks the Communists can be scolded into retreating. Nor does anyone in the democratic camp recognize his own right—not openly, at least—to fight Soviet imperialism with its own weapons. Instead, the free world again risks being accused of impure complicity with a reactionary "feudal" regime when it defends Saudi Arabia, say, against the undermining and subversion that the Soviet Union and its agents, including the Libyans, have been carrying on there for years. The moral is that the Soviet Union must be allowed to take over the Arabian peninsula unless all the countries there mold themselves to Western democratic ideals, an eventuality I would wish for but scarcely expert, at least in the immediate future which is all that counts.

Also at stake in the immediate or very near future is the fate of southern Africa, especially that of the Republic of South Africa, which has earned the rightful hostility of all defenders of human rights for its official policy of racial segregation. That it should be excluded from all international sports events is not surprising—until we remember that the Soviet Union, the People's Republic of China, North Korea, and Rumania, which have as many or more human-rights blots on their records, do take part in these events.

This is another example of the double standard. But athletics is just a side issue here. What really matters is whether the West should, as the most enlightened and respectable voices of Western public opinion recommend, refuse any political and strategic cooperation with South Africa until apartheid has been eliminated. Considering that, at best, it would take a long time to end racial segregation in South Africa, that the Soviet Union is already strongly entrenched in the region, and that the slow process of reform might be radically accelerated by an uprising of South Africa's blacks, the West might gain little from abandoning South Africa and would certainly be seriously weakened. For, as we know, the sea route around the Cape of Good Hope is the main channel for our supplies of oil from the Persian Gulf. Moreover, South Africa's soils holds most of the world's deposits of rare minerals outside the Soviet Union, supplying most of the metals needed by the industrialized countries.

In other words, if South Africa were to come under Soviet influence, Moscow would control not only its own vast mineral resources, but also those of South Africa and Namibia, where the pro-Communist SWAPO (Southwest African People's Organization) is likely to take power. The Soviet Union would then have a stranglehold on most and, in some cases, all the minerals vital to our industries. It could block oil shipments to us—if it had not already shut them off at the source along the Persian Gulf. That kind of economic power would make the Soviet Union master of the West without recourse to war, nuclear or conventional, in Europe.

The Soviet Union's great strength lies in its freedom to invade areas where history has left the decaying remnants of archaic regimes that are important to the West's security or are sources of vital materials. Never mind that these regimes are replaced, as they always are, by bloodier, more repressive Communist police states and that the change leaves the area's poor more starved than they were before. The Soviets still come out ahead. For local and world opinion perceive the relative advantages of the old regime and the horrors of Communist putrefaction only after the new regime is in power and irreversible.

When the West tries to protect archaic regimes or those of "modernistic authoritarians" like the Shah of Iran from disintegration, or attempts to restrain their abuses, it cannot help seeming to defend the Right against the Left, the past against the future, the billionaires against the poverty-stricken masses. The fact that when the Communist Left overturns the Right it brings with it rampant famine, the camps, and the boat people never works as a preventive. If the West tries to pressure an archaic regime into becoming more liberal, either it is accused of "interference" by outraged nationalists, or its well-meaning proselytizing shoves the country into unforeseeable chaos, as exemplified by the Islamic revolution in Iran. And while the Ayatollah's bloody terror may now be partly anti-Communist for essentially religious reasons, the Kremlin knows very well that in the long run, when the brink of anarchy is reached, Iran may topple into the Soviet camp, but is unlikely ever to tip back into the free world.

The Soviet Union's advantage over the free world is that neither world opinion nor, of course, its own muzzled public expects it to preach to its allies before associating with them, or to hold on to its satellites by any method but sheer force; it is not even required to provide enough food for the peoples it absorbs into its imperial system.

But "international opinion"—the phrase describes part of the free world's public opinion plus Soviet propaganda—will not accept violation of the rules of democracy by the West's friends. Even when such countries as Taiwan, South Korea, Malaysia, and Singapore develop thriving economies that most other nations in the Third World envy and that would bring cries of admiration from the Western Left if they

blossomed under Soviet banners, they are not appreciated. For they have curtailed their citizens's freedom. The socialist regimes, of course, have obliterated freedom without even achieving comparable prosperity.

This inequality of duties that so favors the Communists over the free world, however, prevents no one from turning around and equating the two sides when argument requires it. The technique for doing this seems fair but is in fact disciminatory: it simply consists of lumping the democracies and the Soviets together in inequity.

This technique represents a change of tactics. Almost throughout the 20th century, the politically cross-eyed Left in the democracies has unsheathed its fury only against the crimes of the capitalist world. Around 1970, the amnesia that periodically rejected unsavory disclosures about the Communist world began to show cracks. Tell-tale scars remained after each new cleansing absolution. Soon the mass of facts grew too dense to deny out of hand. At this point a new hoax was devised.

It consisted of admitting the existence of Communist crimes and failures provided these could instantly be matched by equivalents in the capitalist world. Communism was now absolved not because it never sins, but because the democracies sin as grievously. In this new dialectical game, everyone is free, without necessarily being dishonest, to retail the misdeeds and failings of totalitarian Communism, but on condition that we hasten to present their capitalist twins. Any deviation from the rule is immediately vilified as "selective indignation" and earns the severe censure of impartial players.

For example, a doctrinally pure French Socialist, Louis Mermaz, president of the National Assembly since 1981, replied to a reporter's question about the gulags: "I am as horrified as you are by the gulags, which are a perversion of Communism. But I ask that you also condemn that monstrosity of the capitalist system: hunger throughout the world that kills 50 million people each year, 30 million of them children." The retort, remarkable for its speed, is less so for its objectivity. For the parallel is only apparent: the gulags are a "perversion" of Communism, but famine, according to the Socialist leaders, is a product of the basic nature of capitalism. And while the magic of parallelism makes the Communist sin almost venial, that of capitalism remains mortal. Indeed, absolution is usually a one-way grant—to forgive the horrors of Communism. It seems unlikely that, if questioned on famine in the world, Mermaz would have replied with a diatribe against the gulags; he would have protested violently against the shocking malnutrition of some of our fellow humans, and he would have been right. That the gulags exist does not make Third World poverty less morally intolerable. But by what sorcery is the reverse true?

Besides, the magician was using phony statistics. As demographers know, some 50 million people die in the world every year. They can't all die of starvation and three-fifths of them can't be children. The fight against infant mortality in the poor countries has reduced its incidence, which is why their populations are increasing. Nutritionists estimate the number of deaths annually due to malnutrition at 10 percent of the total and this includes the Communist countries, which slightly weakens the indictment of capitalism. Death from starvation in the Communist world may be better hidden, but the victims are just as dead as any others. Mao's successors have confirmed what demographers had already determined from their study of Chinese population patterns: that tens of millions of Chinese died of starvation in 1960–70.

A final objection to the Mermaz comparison: the gulags came into being by deliberate political decisions of Communist governments, whereas historically, capitalism has in fact rid Europe of the periodic famines that plagued it until the middle of the 18th century, as they now do the less-developed countries. Capitalism has even begun to relieve starvation in some of the poorer countries, India and Brazil for example, which now export foodstuffs. Much, enormously much, remains to be done everywhere before all mankind can enjoy the high nutritional standard that not even the capitalist West reached until the 19th century. But this problem has nothing whatever to do with the question at issue: the deliberate creation by an organized political regime of a repressive concentration-camp system that doubles as a system of government.

I am not going here into why industrial capitalism, the first and only system of production that has wrested people from penury and that could perform the same service for those still experiencing penury, is the most decried. Nor will I waste time arguing at length that since the 18th century, the nations where industrial capitalism has developed also happen to be those where modern democracy took root. This does not mean that these countries have kept consistent faith with democracy, or that democracy is found wherever capitalism goes. But it does mean that two centuries of history are witness to a general concomitance between capitalism and democracy. I will only note that this monumental file of evidence has been filched and that the democracies themselves have adopted the Communists' image of the world and their perspective on history.

The falsest and most pernicious characteristic of this image and this perspective lies probably in the antithesis between socialism and capitalism, between totalitarianism and democracy. This functions in most minds as an interpretive grid, even for those opposed to socialism. Its imposition is not the least of disinformation's victories, for this disinformation no longer bears on events, but on ideas: it is philosophical disinformation, a sort of ideological mole that has burrowed into the understanding most of us have of these forces.

Adopting this grid means accepting the principle that any regime that is less than perfectly democratic may be likened to totalitarianism and so loses its right to defend itself against Communism. Since the world is full of governments that are neither totalitarian nor democratic, their futures are sealed. For one thing, because none of the democracies, even those recognized as such, is perfect, and since there are oppressive features to any society, which regime can claim a genuine right to defend itself against Communism? None. And, following the same line of reasoning, if all that need be done to legitimize Communism is to show that capitalism has its faults, its vices and crises, then let world power be turned over to the Communists at once, on the principle that the best way to correct a limp is to cut off both legs.

The real antithesis is not that of totalitarianism to democracy or Communism to capitalism, but of totalitarian Communism to all the rest. Communism is a necrosis of economics, totalitarianism a necrosis of politics, of the body civic and of culture. As a dead society, totalitarianism can be contrasted with countless social forms now and in the past that cannot be called democratic as the term is understood in a few societies today, but which were not and are not dead, either. Medieval Europe, Ming China, African, Polynesian, and American societies before their contact with Europeans, the France of Louis XV and Napoleon III, Elizabethan England, the Spain of Philip IV, India under the Gupta dynasty and the Germany of Kant's day were neither democratic nor totalitarian, but they were all living societies that, each in its own way, created valuable civilizations.

The existence of injustice, persecution, oppression in a group is one thing; for a group to be a negation of human nature in every aspect of its structure and ideology is something else again. This is the group to which totalitarianism belongs. True, today we believe that to fulfill themselves, all societies should aspire to democracy, progress toward it, and finally achieve it. I certainly do. Nevertheless, thousands of social organizations down through history, while not comparable to modern democracies, were not negations of humanity and did contribute elements of civilization to our present patchwork culture.

Unlike capitalism, Communism is not an economic system, it is a political system that must necessarily asphyxiate an economy. We should therefore refuse to lump Communism in with other authoritarian systems or them with it. Totalitarianism endangers not democracy alone, but life itself. Communism is not simply one despotic political system among many, or one inefficient and unjust economic system among others. In normal life, despotism and inefficiency are among the rare qualities that can be corrected, as is shown by all of history—except the history of Communism. To survive, Communism seeks to destroy not just existing democracy, but every possibility of democracy.

Any society of any type in the world today can accede to democracy, with a single exception: Communist society, which cannot go democratic without destroying itself. Understandably, then, totalitarian strategists try to reverse or block this tendency in the still malleable world around them. What is less easy to understand is that they can recruit some of their assiduous disciples from among democracy's guides and thinkers.

But recruit them they do. Broad sectors of public opinion and of the West's political and cultural elite see the democracies as more reactionary, more damaging to the Third World, more aggressive militarily, especially as regards nuclear warfare, than the Soviet Union and its satellites. Westerners who favor an effective nuclear deterrent and a verifiable balance of forces are still viewed as "conservatives,," "right-wingers," "warmongers," or, at best, as "cold warriors." Those "liberals" advocating unilateral disarmament or, at any rate, prior and increasingly juicier concessions to the Soviet Union without reciprocal guarantees are considered generous souls who love peace.

In practice, what these "liberals" are really promoting is an imbalance that would enable the Soviet Union to force its economic and political will on a growing number of countries without going to war, thus enlarging an already spacious orbit. For history teaches us that never, anywhere, have concessions coaxed the Soviet Union into making concessions. From this unhappy

truth, for which they are in no way responsible, the democracies do not conclude that they must change their diplomatic approach, but that they must concede still more.

Indeed, anyone with his ear to the political ground might think the only danger to the West is Western arms and Western diplomacy. For example, the New York Times of April 2, 1983 announced that "An Adverse Impact Among Allies Is Feared After Reagan Remark on Soviet Superiority." That is, the real danger to America's European allies is not seen as possible Soviet military superiority but in America's plan to counter it by reinforcing West European defenses. Any President of the United States visiting Western Europe has been treated to demonstrations so hostile that an unsuspecting spectator would think he were the worst enemy Europe ever had.

True, the people often show better judgment then the elites and the activists. In 1982, a survey revealed that all the peoples of Western Europe except the Spanish thought the growth of the Soviet military potential was more important in explaining international tension than the growth of America's military potential. (This had its clownish side, however: by a margin of 45 percent to 21 percent, the French people believed that American interest rates and the dollar's role in international finance were much more serious causes of tension than the USSR's bulging arsenal.)

Despite an improved and, by 1981, clearer perception of Soviet power, or perhaps because of the realism of that perception, most Europeans, and not just militant pacifists, said that if their countries were invaded, they would rather submit than resist. Asked in another poll, "If the Soviet army entered French territory, do you think the President of France should immediately open peace talks with the Soviet Union?," 63 percent of the French answered "yes," 7 percent favored the use of nuclear weapons; and 31 percent thought France should fight, but without using its nuclear missiles.

Now, one may very well prefer servitude to death. But we can also avoid putting ourselves in a situation in which that grim choice is all that is open to us. Yet the will to avoid such a situation is precisely what the West seems to lack. The relentless Soviet "peace offensive," therefore, has every chance of succeeding, that is, of persuading the West and the rest of the world to accept permanent military inferiority by portraying this as an absolute guarantee against war.

Any normal person naturally hates the idea of war, and, of course, this feeling interferes with proper public information about strategy, as though the information itself were dangerous. But a Soviet "peace" is synonymous with subjugation, for which the West is already being psychologically conditioned, and its continued pursuit will lead by imperceptible stages to a state of undeclared but total satellization. Even economic weapons, not to mention military deterrence, have been forbidden to the West, or rather, the West has forbidden itself to use them. This refusal to apply stern economic sanctions against the Soviet Union must have vastly reassured the men in the Kremlin. And if the West can not longer resort to a credible strategic deterrent or to economic weapons, what is there to prevent the Soviet Union from continuing to trample the sovereignty of other countries, other continents, the whole world?

The practical conclusion Communist leaders draw from Western military and economic passivity is that they can go right on doing what they have been doing. Jean-Francois Deniau, a former cabinet minister under Giscard d'Estaing, quoted a high Soviet official as having told him:

"We took Angola and did not protest. We even saw that you could have beaten us in Angola—the government was on our side, but it was within an ace of giving up—and that you did nothing to win; on the contrary. And when, to save ourselves, we sent in 30,000 Cuban soldiers, Ambassador Andrew Young, a member of the American cabinet, said it was a positive step and an element of stability. All right, we noted the fact and included it in our analyses. Then we took Mozambique. Forget it, you don't even know where it is. Then we took Ethiopia, a key move. There again we noted that you could have replied via Somalia or Eritrea or both. No reply. We noted that and put it into our analyses. Then we took Aden and set up a powerful Soviet base there. Aden! On the Arabian peninsula! In the heart of your supply center! No response. so we noted: we can take Aden."

Throughout the course of relations between the Communists and democratic worlds, the question of which will destroy the other has always been obscured in the democratic camp by advertitious side issues. Communism's leaders have never concealed their belief that this is the only question that counts and that they are determined to answer it with a total Communist victory. No temporary compromise, they feel, can alter the final judgment of history.

If people in the West find if hard to bear this vision of merciless struggle between the two forms of society, if they sometimes drive it out of their minds, it is partly because the socialist cause was forged within the democracies themselves in the 19th century, was one of their offspring that then because an independent component of political life. We have trouble understanding that this offspring's heir presumptive, 20th-century Communism, has assumed the historical mission of destroying the democracy from which it issued. We persist in viewing it as just another political persuasion that may have degenerated, but which can mend its ways, calm down, participate someday in a global concert. To think otherwise, we feel, sins against tolerance. Unfortunately, the democracies are not making the rules in this game. The Communists in no way share their concern for tolerance and the coexistence of systems.

Communism considers itself permanently at war with the rest of the world, even if it must occasionally agree to an armistice. This is nothing to be indignant about. We must simply recognize it; unless we do, we obviously cannot begin taking suitable political countermeasures. The Communists' war is fought in many ways. If necessary, this includes military action, but to communism's leaders, all forms of action are part of this war, beginning with negotiation, at least their very particular notion of negotiation.

In their minds, the aim of negotiation has never been to reach a lasting agreement, but to weaken their adversary and prepare him to make further concessions while fostering his illusion that the new concessions will be the last, the ones that will bring him stability, security, tranquility.

The Soviets' "peace" propaganda, which to them means convincing others not to defend themselves, always overlies a threat of war, of implicit intimidation that exploits our very justifiable fear of an atomic cataclysm. This belligerent demand for peace merely summons the democracies to buy their security with slavery; it is an elaborate way to say "surrender or be wiped out." It has been called "attack through pacifism."

Because in its social system, as in its foreign policy, Communism is meeting increasing disapproval, Communist leaders do not rely much any more on honey to catch their future victims (except, perhaps, in some badly informed Third World countries). Having given up trying to seduce the unwary by pretending to represent leftist ideals, they are stripping off their mask and using pure force. Unlike the Western leadership, which is tormented by remorse and a sense of guilt, the Soviet leaders have perfectly clear consciences, which allows them to use brute force with utter serenity both to preserve their power at home and to extend it abroad.

Many in the West take comfort from the internal weaknesses of Communism—especially its economic inefficiency. But I for one am more frightened than comforted by these weaknesses. A system that has grown so strong despite so many failings, that increasingly dominates the world even when no one wants anything to do with it, at least not the majority of the people in the countries it seeks to penetrate, and that, where it is in power, everyone except the nomenklatura longs to be rid of—this system must nevertheless embody a principle of action and a monopolization of power more effective than any mankind has ever known before. Communism and the Soviet empire are unprecedented in history. None of the classic concepts that make the past intelligible explains Communist imperialism. The Soviet empire does not follow the bell-shaped expansionist curve of previous empires. Yet the democracies persist in believing that it will decline of itself and inevitably grow more moderate.

The truth is, however, that the longer Soviet Communism lasts, the more expansionist it becomes and the more difficult it is to control. Other Communist states, notably Cuba, Vietnam, and North Korea, have shown similar propensities for conquest. It does not follow that because Communism is showing signs of rot and suffers reverses, it will turn to the path of peace. Except when they were disintegrating, few other empires had to deal with as many national and popular rebellions as the Soviet empire has had since 1953. But it has withstood and quelled them without going to pieces. And these difficulties have in no way slowed its expansionist thrust.

Frequently, part or all of a Soviet ruler's reign is scarred by serious setbacks. This happened under Stalin from 1925 to 1935, it happened during the reign of Khrushchev, who for a while seemed to be digging the empire's grave, and in the years immediately following his fall: the break with China, the loss of Albania, North Korean and Vietnamese neutrality in the Moscow-Peking quarrel, insurrections in Poland, Hungary, and Czechoslovakia, Rumania's new standoffishness, cracks in the monolithic Communist International. Yet never did the empire expand so much or so boost its military power as in the years that followed this critical period.

The closer we get to the end of the century, the more Communist imperialism becomes the chief problem of our time. No other threat to world freedom has endured as long. Other totalitarian systems were defeated or simply crumbled with age. In many other unhappy countries that have

been or still are ruled by dictators, democracy and dictatorship—or, at least, adulterated forms of dictatorships (and democracy)—have swept in and out like tides. Only Communist totalitarianism is both durable and immutable.

To the question of what should the non-Communist countries do, I am tempted to answer by turning to Demosthenes. "Some people," he said, "think they can stump the man who mounts the tribune by asking him what's to be done. To those I will give what I believe is the fairest and truest answer: don't do what you are doing now."

This is not as summary an answer as it seems, even to today's problems. What, indeed, can we do? To go on as we have been doing would guarantee the continued advance of totalitarianism, for, as experience has shown, it will not be stopped by its own weaknesses and internal failures.

A second option is based on the hope that the Soviet Union will change its ways voluntarily if we acknowledge its place in the sun and show clearly through concessions that we have no intention of attacking it. Anchored to peaceful coexistence and détente, this option has too adequately proved its harmfulness to warrant further discussion. But since we have yet to scrap it, I can only warn people not to count on it to save us. It will keep us out of war by ushering us into subordination or slavery.

A third choice proposed, reviving—horrors!—the "cold war," which we are so repeatedly admonished not to do, really does not exist, since there has never been a cold war. What is called the cold war has simply been a toned-down version of détente that has certainly not attained its theoretical goal of "containment." The democracies selfishly thought to use detente to guarantee their own security by signing treaties finally and officially confirming the subjugation of the peoples already under Communist dictatorship. In this they have failed. All we have succeeded in doing is abandoning these enslaved peoples to their masters. As he was being exchanged for a Chilean Communist, the Soviet dissident Vladimir Bukovsky found a cruel symbol of this complicity: "The Chekist [secret policeman] who took off my handcuffs, remarked for my edification, 'These handcuffs, incidentally—they're American.' And he showed me the stamp. As though I had waited this long to learn that since the Soviets took power, or just about, the West has been supplying us with handcuffs, literally and figuratively."

Yet this complicity has not brought us the security we expected from it. Never were the democracies more vulnerable, more baffled, more exposed to the blows of Communist imperialism than they were when the so-called détente period ended. The years since 1981 have been especially tragic, with confusion sown in the democratic camp by the Polish and Afghan affairs, by the democracies' gradual but irresistible acceptance of Soviet military superiority despite the more and more threatening, impudently biting, and brutal way the Kremlin talks to them.

Some responsible thinkers are pessimistic enough to believe that the West has become so docile that it can no longer call a halt without risking war. I have reached the opposite conclusion. I am convinced that the Soviets are intent on maintaining their nuclear superiority over Western Europe as a way to increase their pressure on us without being dragged into a general war while gradually disengaging the United States from the continent of Europe. Thus the Western nuclear deterrent remains the principal guarantor of peace it has proved to be for the past thirty-five years. The nomenklatura doesn't want to die either.

Once this first point is well understood, and acted upon, the second article of a worthy foreign policy would be to reply to any Soviet encroachment with immediate reprisals, mainly economic, and to make no further concessions without manifest, equivalent, and palpable counterconcessions. The free world's revised foreign policy must and can have a precise objective: to make the Soviets understand once and for all the irrevocable prior condition for resumption of negotiations and the granting of concessions of any kind is a definitive halt to Communist imperialism everywhere in the world.

Activating this new policy, which really would be no more than a return to normal diplomacy, presupposes an almost total Western intellectual reconversion, sound understanding—at last—of what Communism is and how it works, and a hitherto unprecedented harmonization and coordination of policy among all the democracies. This amounts to saying that while such a new diplomatic departure appears objectively possible, it seems to me highly unlikely because of the intellectual frivolity, indecisiveness, and discord of the men called on to apply it. And that is why I fear that democracy may not survive the closing years of the 20th century.●

SECURITIES SAFETY AND SOUNDNESS ACT OF 1985

● Mr. DOMENICI. Mr. President, on last Tuesday, April 23, 1985, I introduced legislation that would temporarily put an end to hostile takeovers that involve noninvestment quality bonds and restricts the practices of federally insured financial institutions from investing in these so-called junk bonds. Senator CHILES is also a sponsor of the bill and a number of our colleagues have signed up as cosponsors, including Senators ABDNOR, BINGAMAN, DIXON, EAGLETON, EVANS, FORD, KERRY, MURKOWSKI, NICKLES, SIMON, and WILSON.

Yesterday I came across a timely article that lends support to my concerns regarding junk bonds. The Wall Street Journal described Mr. T. Boone Pickens' plans to slash the capital spending and exploration budgets of the Unocal Corp. if his hostile takeover attempt is successful. This is exactly why I am worried. Let us not hastly proceed to sacrifice valuable resources to service unnecessary debt—a projected $9.1 billion in the Unocal case. If exorbitant debt is taken on now we may have difficulties exploring new reserves in the future. We should take heed from Phillips Petroleum, which attributed a 45-percent decline in their posted first quarter earnings to the cost of escaping two hostile takeover bids.

Let me reiterate that I merely suggest caution in our approach to this issue. I hope we will pay attention to the changes happening in one of our vital industries and allow time for careful evaluation of what is going on before we are placed in a precarious position with respect to the future of our economy and energy resources.

I ask that the Wall Street Journal article be printed in the RECORD.

The article follows:

[From the Wall Street Journal, Apr. 30, 1985]

MESA PLAN TO CONTROL UNOCAL SOUGHT CUTS IN BUDGET, DATA SAY

Federal court records in Los Angeles disclose that T. Boone Pickens Jr.'s Mesa Partners II, upon taking control of Unocal Corp., envisioned slashing the oil company's capital spending and exploration budgets to service an indicated $9.1 billion in debt that would result from the takeover.

The plans may not represent Mr. Picken's current thinking, since they preceded vigorous anti-takeover measures by Unocal. The company, in a "poison pill" defense, has said it will add at least $3.6 billion in debt to its books through a large purchase of its shares.

But a confidential financing document circulated April 8 by Drexel Burnham Lambert Inc., Mesa's investment banker, indicates that the group led by Mr. Pickens, Mesa Petroleum Co., chairman, intended to take out an $889 billion bank loans to reduce margin borrowings on which it has bought Los Angeles-based Unocal's stock. Mesa also intended to subordinate the $4.7 billion of debt it would offer for the second half of the company about $4.4 billion in existing Mesa and Unocal debt.

The Drexel document, while still sealed by the court, is described in a memorandum written by U.S., Distict Court Judge A. Wallace Tashima. In the memorandum, Judge Tashima says the document, intended only for Mesa's lenders, described a "materially different scenario" from a public offering document circulated by Mesa on the same day in connection with its $54-a-share offer for Unocal.

It wasn't clear how deeply the Pickens group intended to slash Unocal's spending. But an earlier, internal Mesa memo also filed with the court indicated that Unocal's total capital outlays might be slashed to as low as $230 million in 1992 from $1.94 billion in 1984.

David Batchelder, chief spokesman for the Mesa group, said the projections were based on "the minimum budget required to maintain Unocal's current assets." The projections didn't necessarily reflect the group's actual plans, he said, adding that the document says "actual capital expenditures would exceed" the forecast amounts.●

IN REMEMBRANCE OF THE ARMENIAN GENOCIDE

● Mr. SARBANES. Mr. President, the past several weeks have been a time of remembrance of and reflection on some of the tragic occurrences of the past, as we commemorate the 10th anniversary of the end to American military involvement in Vietnam, the 40th anniversary of the end of World War II and the liberation of the Nazi death camps, and also the massacre of over a million Armenians by the Ottoman regime in 1915, which was discussed on this floor last week. In that connection, I would like to call attention to a

recent editorial in the New York Times paying tribute to the Armenian victims, and I ask that it be printed in the RECORD.

The editorial follows:

THE SORROWS OF ARMENIA

Americans with their scant sense of history must be mystified by the resurgence of Armenians' anger about an atrocity that occurred 70 years ago. Impermissibly, that anger has recently been invoked by terrorists to justify the murder of Turkish diplomats. But fittingly, it also moved Armenians the world over to memorial observances last week. They plead that Turkey at least acknowledge the massacres of their ancestors and that the State Department remove the word "alleged" from its references to the 1915 slaughter.

Turkey's indignant rejoinder has been that acknowledging any official guilt for such remote events would only reward terrorism. But that is not a cogent reason.

What did happen in 1915? Armenians assert that two million of their forebears were killed or driven into exile by the Ottoman regime in an attempt to liquidate a long-persecuted Christian minority. They cite firsthand accounts by American and German diplomats, contemporary press reports, the regime's own records and the testimony of survivors.

They are disputed by Turks on every point. Turks maintain that an advancing Russian Army was inciting rebellion among Armenians, requiring their resettlement. Turkish diplomats single out as objective the scholarly history of Sanford and Ezel Kural Shaw, who give this appraisal:

"Armenians claim that as many as 2 million were massacred, but no counts of the dead were ever taken, and the actual total can only be inferred. These claims are based on the supposition that the prewar Armenian population of the Empire was 2.5 million. According to the Ottoman census of 1914, however, it was at most 1.3 million. Half of these people lived in the areas affected by the deportation, but . . . it appears that about 400,000 people were actually transported in 1915–16. In addition, some 700,000 Armenians fled to the Caucasus, western Europe and the United States, As 100,000 remained in Turkey after the war, one can conclude that about 300,000 died if one accepts the Ottoman census reports, or 1.3 million if the Armenian figures are utilized."

So scholars trusted by Turks put the minimum toll at 300,000. Why then should the State Department call the massacres "alleged"? The official excuse that the numbers are in dispute is obviously not the reason. Turkey is an important ally. Indeed, Defense Secretary, Weinberger has even pleaded with Congress not to strain relations by designating April 24 as a day of remenbrance for Armenian victims. Armenia's sorrows deserve better than that.●

SOVIET JEWRY—EMIGRATION OF TAMARA LIVSHITS

● Mr. GRASSLEY. Mr. President, I rise to call attention to the plight of Soviet Jews through the 1985 Call of Conscience for Soviet Jewry. In an important legal decision, the Circuit Court of the 19th Judicial District of Lake County, IL, granted custody of a child in the Soviet Union to his father who has been residing in the United States for the last 6 years. The official documents were delivered to the Soviet Embassy on April 29. This action coincides with an attempt to persuade Soviet authorities to release both Tamara Tretyakova Livshits and her son, Mark. Tamara is now on the 47th day of a hunger strike which has left her weakened and in precarious health. When Simon Levin, the husband of Tamara, and the father of Mark, was allowed to emigrate from the U.S.S.R. in 1978, he was promised that his pregnant wife would soon be able to follow. However, Soviet authorities have repeatedly refused to grant Mrs. Livshits the promised exit visa.

Levin, who lives in the Greater Chicago area has never seen his son. I know that my colleague from Illinois, Senator DIXON, has written to the Soviet Ambassador asking him to urge his Government to act expeditiously to the court order.

Mr. President, I know that all of my colleagues are deeply concerned about the health and welfare of Tamara and Mark, and that we join with people of will the world over, in urging the Soviets to permit their emigration.

Mr. President, I ask that the article from the Washington Post be inserted at this point in the RECORD.

I thank the Chair.

The article follows:

A RUSSIAN'S HUNGER TO LEAVE—WOMAN FASTS IN EFFORT TO JOIN HUSBAND

(By Celestine Bohlen)

Moscow, April 26.—It is the 40th day of her hunger strike and Tamara Tretyakova can barely walk. When she talks. the effort brings tears to her eyes and her voice trails off into silent dispair.

Tretyakova, 38, has lost 35 pounds since she began her fast March 18 to protest the refusal of Soviet authorities to allow her to go with her 6-year-old son to join her husband in the United States. Her husband, Simon Levin, emigrated from here in 1978 and is now an American citizen, living in Deerfield, Ill.

For six years, Tretyakova has applied, been refused and waited, watching her son Mark grow up without a father. Now he clambers up on the sofa next to her and whispers something in her ear. She listens wanly and gently shoos him away.

"I don't live here; I don't live there; I am not living," she says brushing her short brown hair from her red-rimmed eyes. "Six years is enough, they could have been the best years of my life."

In opting for a hunger strike, Tretyakova resorted to the rarest most dramatic and drastic of all actions available to Soviet citizens who are refused permission to leave for the West. Whether her desperate act will work is questionable. Last November, several Soviet citizens, joined by supporting hunger strikers in the United States, fasted for permission to leave their country. None was granted an exit visa.

Her friends and family worry for her health. She weighs 97 pounds. Her muscles are depleted, aggravating the limp from the polio she had as a child.

She cannot bear noises and has trouble swallowing. When she began her fast, she took rosehip water for its vitamin content, but her stomach could not handle it. Now she has to force herself even to drink water.

On Tuesday, she held a press conference with another hunger striker, Yuri Balovlenkov, now on the 33rd day of a fast also protesting six years of refusals from the Soviet authorities for permission to join his wife and daughters in Baltimore.

A third man, Alexander Pereldik, who began a hunger strike with Tretyakova March 18 in his quest for permission to join his wife and son in Peru, was too weak to join the group.

So far the little group's protests have fallen on deaf ears. But they are determined.

"There is no other way out," said Tretyakova.

Balovlenkov, 36, who has gone on two other hunger strikes during his six-year crusade, has vowed this time to take it as far as he can.

"I will go on fighting until I can spend just one day with his family," he said. "I can't live this way. My family can't live this way."

Every year, hundreds of Soviet citizens marry foreigners, and in most cases, with the proper papers and approvals, they are allowed to leave.

But among those who have married Americans, there is a backlog of about 20 people who for one reason or another have been refused permission to go.

Both Tretyakova and Balovlenkov were told at one point that they would not be allowed to leave for security reasons—she because of her training in aviation technology, he because he once worked in a radio institute.

Since then, as their pursuit of an exit visa has wound through the labyrinth of Soviet bureaucracy, those reasons have receded in time. Twice Balovlenko was promised a visa, but he never received it. Tretyakova's father-in-law was told in February her case would require a "special decision."

Confusion about where responsibility rests in such cases was apparent from the answers Balovlenko received to appeals sent to 95 Soviet organizations, offices, ministries and newspapers in January, the month he had been promised more than two years ago that he would receive a visa.

Of the 95 appeals, five were sent back, 12 were forwarded to the Interior Ministry, which oversees the Soviet visa office, three to the prosecutor's office, one to the Supreme Soviet and one to the KGB, or security forces. The rest were unanswered.

Interestingly enough, it was Socialist Law, the journal of the prosecutor's office that sent the letter on to the KGB.

Both Tretyakova and Balovlenko say the hunger strike was a last resort, an attempt to draw attention to their case in spite of advice from friends who fear that the attention will only back the Soviet authorities into a corner.

Last week, Tretyakova said she got a call from the visa office and was told to come in to their office last Friday. On Thursday, a man came to her apartment. She would not let him in, but through the half-opened door, he told her that there was no point in going to the visa office as long as she continued her hunger strike and continued talking to foreign correspondents.

According to Tretyakova, he also said that if she continued to make noise, she would be expelled from Moscow, apparently to a smaller city.

A week before, on her way to a protest in front of the main visa office in Moscow, Tretyakova and her son were picked up in a car and driven around Moscow, while serveral men tried to talk her out of her hunger strike. She said she told them she would stop when she got a decision.

Since then, Mark, a restless child who watches television and plays with electronic toys sent by his father, has been afraid to go outside. His mother will not allow him to; she worries about what might happen to him.

Last winter, before she began her strike, Tretyakova had decided that if worse came to worst, her husband should take custody of the boy because, she said, "this is no life for him here."

She prepared the papers, and her husband went through American courts to establish custody. They were told that for their son to go to the United States, her husband had to come here to get him.

On Tuesday, her father-in-law went to the visa office and was told that her husband had been denied a visa to come to the Soviet Union.

So they spend the day in her two-room apartment, which she used to share with her sister, brother-in-law and two children until her sister moved her family to their mother's home. The curtains are drawn, filtering out the spring sunshine.

Her family helps with the shopping and cooking for her son; she spends most of the day lying down.

When the tears start, she puts her hand to her mouth, as if to hold the emotion.

"I am just an ordinary woman," she said, "and my problem is so small. I just want to be with my husband and for my son to be with his father."●

ON CONTROLLING CRISES THAT COULD LEAD TO WAR

● Mr. BOSCHWITZ. Mr. President, the tragic killing of U.S. Army Maj. Arthur Nicholson by a Russian soldier in East Germany and the subsequent Soviet agreement and turn-about to accept any responsibility for this brutal act bears witness, in part, to the deep, fundamental differences in our respective value systems. As I see it, the major's slaying is but an extension of the Soviet military behavior so devastatingly demonstrated in the downing of the Korean KAL airliner.

Frankly, Mr. President, it is this recurring Soviet military mindset in crisis situations that worries me the most. Concern about the Soviet propensity to shoot first and ask questions later is heightened dramatically when one thinks of the dangerous possibilities of a nuclear confrontation caused either by an accident or yet another misunderstanding from the Kremlin.

It may be too ambitious to think we can change Soviet behavior, but we must continue to seek creative ways of dealing with the Soviet Union to modify their deadly xenophobic approach to crisis management.

I recently read a very important article on crisis management written by William Ury, a Harvard professor, entitled, "Beyond the Hotline." It appeared in the Washington Post magazine, February 24, 1985. I understand parts of this article appear in the author's new book of the same title. I ask that the Post article be printed in the RECORD at the conclusion of my remarks. I highly recommend it to my colleagues who share my concerns on this subject.

Mr. Ury vividly underscores the vital importance of a rational approach to crisis management between the superpowers. Noting that we have been at the brink of nuclear war five times since 1948, the author outlines various measures we need to take to prevent accident- and error-proned confrontations with the Soviets. Describing the so-called hotline as a crude device for sophisticated communications, Mr. Ury believes present day technology and crisis response times require additional safeguards.

The article extols the value of establishing joint, United States-Soviet Crisis Control Centers to manage and prevent a runaway crisis. In fact, establishing these centers has been supported in the past by Senators NUNN, Jackson, and WARNER. I, too, support such a proposal, and I think we need to push this concept along with other useful confidence-building measures to improve United States-Soviet control in a crisis.

The article follows:

BEYOND THE HOTLINE

(By William Ury)

In the days of King Arthur, Modred, the king's son, rebelled and raised an army to overthrow his father. Two great hosts of knights met on the field of Camlan, but at the last moment father and son decided not to fight. They called a truce and sent spokesmen foward to seek an agreement. Meanwhile, each army, suspecting a trick, stood poised.

Negotiations were proceeding smoothly until a snake, slithering in the grass, suddenly bit one of the knights. The knight cried out and drew his sword to kill it. The assembled armies mistook this as a signal for battle and sprang to the attack. By day's end, all but two of the 100,000 warriors lay dead. King Arthur and his son fought and killed each other, and with them perished Camelot.

Today the United States and the Soviet Union face a similar danger. Each side has marshaled enormous military forces poised to strike. Fearing total mutual destruction, the two sides have been talking, but suspiciously and sometimes very little. Yet a regional conflict, a terrorist act or an accident could ignite a deadly confrontation.

For decades, government officials, military strategists and the public have focused on the danger of deliberate nuclear attacks. "Today," as the late Senator Henry Jackson (D-Wash.) said in a speech two years ago, "it is more and more being recognized that a nuclear war could break out even though neither side wanted it. It could break out not by deliberate intent, but by accident or misunderstanding."

The arms talks, which will resume in two weeks in Geneva, focus on reducing nuclear weapons. Reductions are vital, but they cannot stop human error. "Even the most optimistic arms negotiator agrees that for decades ahead we will be living in a world with tens of thousands of nuclear weapons, a few hundred of which could destroy us," says Robert S. McNamara, secretary of defense under Presidents Kennedy and Johnson and former president of the World Bank. Arms reduction alone won't keep us secure. "Therefore," McNamara says, "improving crisis management is an absolutely essential step toward reducing the risk of nuclear war."

The most uneasy days in the nuclear age gave birth to the first crisis control measure—the so-called hotline. The Cuban missile crisis of October 1962 brought home the lesson that in times of great hostility the leaders of the Soviet Union and the United States must be able to talk to each other. During the crisis the two superpowers had to rely on an American Broadcasting Co. reporter and an open radio broadcast to relay extraordinarily sensitive messages. So on June 20, 1963, Washington and Moscow agreed to install the hotline, a teletype whose Washington terminal is in the Pentagon with an extension in the White House.

Every even hour on the hour an American officer sends a test message, usually light poetry or prose, to his Soviet counterpart in Moscow. Every odd hour on the hour, he receives a message back. The hotline has been used in crises such as the Middle East war of 1967 and the Lebanese conflict of 1982. Last July, American and Soviet negotiators agreed to add to the hotline the capability to transmit documents.

But the hotline is a crude device for sophisticated communications. The time available for leaders to respond to a crisis is shrinking as the flight times of missiles grow shorter, their accuracy increases and each side considers targeting missiles to kill the other's leaders.

There are too many ways an unexpected nuclear crisis could erupt: the superpowers could become embroiled in their allies' wars, a missile might be fired by accident or fly an errant path, a terrorist group might detonate a bomb mistaken for an attack by a superpower.

The growing sensitivity of both Soviet and American warning systems creates a danger in times of crisis that a precautionary alert by one side will set off a similar alert by the other, which will in turn provoke the first side to increase its state of alert, and so on toward war.

Washington and Moscow have instituted safeguards against mistaken use of nuclear weapons, but in time of acute crisis many safeguards may be removed to make weapons more readily usable.

The most worrisome danger of accidental war is the possibility that several unexpected events could occur simultaneously at a moment of severe U.S.-Soviet tension. Each event could interact to produce effects none could by itself. In his 1983 book, The Command and Control of Nuclear Forces, Yale professor Paul Bracken describes such an instance. In 1956, just as the Hungarians were revolting, the British and French tried to retake the Suez Canal from Egypt, and the Soviets threatened to destroy London and Paris with nuclear missiles.

"The headquarters of the U.S. military command in Europe received a flash message that unidentified jet aircraft were flying over Turkey and that the Turkish Air Force had gone on alert in response," Bracken wrote. "There were additional reports of 100 Soviet MiG15s over Syria nad further reports that a British Canberra

bomber had been shot down, also over Syria. (In the mid-1950s only the Soviet MiGs had the ability to shoot down the high-flying Canberras.) Finally, there were reports that a Russian fleet was moving through the Dardanelles . . . The White House reaction to these events is not fully known, but reportedly Gen. Andrew Goodpaster was afraid that the events 'might trigger off all the NATO operations plan.' At this time, the NATO operations plan called for all-out nuclear strikes on the Soviet Union.

"As it turned out, the 'jets' over Turkey were actually a flock of swans picked up on radar and incorrectly indentified and the 100 Soviet MiGs over Syria were really a much smaller routine escort returning the president of Syria from a state visit to Moscow. The British Canberra bomber was downed by a mechanical difficulty, and the Soviet fleet was engaging in a long/scheduled exercise."

If this coincidence had been suggested as a "scenario," it might have been dismissed as too improbable.

Two and a half years ago, the U.S. Arms Control and Disarmament Agency asked a group of scholars at Harvard, including Dr. Richard Smoke and myself, to study the problem of improving U.S.-Soviet control in such crises. We began by examining past tense moments and we asked policymakers in Washington and Moscow these questions: "If you were a leader on the verge of a serious crisis with the other superpower, what might you wish you had discussed beforehand with your counterparts on the other side? What joint institutional arrangements might you wish you had in place?"

Our study had its real beginnings in 1981, when Sen. Sam Nunn (D-Ga.) asked the Strategic Air Command if the United States could recognize a "disguised third-country attack," a nuclear strike by a third nation that deceptively appeared to have come from the Soviet Union. The answer from SAC was not encouraging: it recommended major improvements in detecting such a ruse.

Then Nunn, Jackson and Sen. John Warner (R-Va.) proposed establishing a crisis control center. The idea drew support from such well-known defense specialists as Bobby Inman, Brent Scowcroft and James Schlesinger.

Recent events have pushed the concept closer to reality:

In March 1984, Secretary Konstantin Chernenko called on nuclear powers "not to allow situations fraught with danger of nuclear conflict," adding, "if such a danger exists, [they should] hold urgent consultations to prevent a nuclear conflagration."

In June, the Senate urged the president to negotiate with the Soviets to establish crisis control centers in Washington and Moscow.

In July, agreements were reached to improve the hotline.

In September, President Reagan, speaking to the United Nations, proposed regular Cabinet-level meetings as well as "periodic consultations at policy level about regional problems . . . to help avoid miscalculations [and] reduce the potential risk of U.S.-Soviet confrontation."

In November, the Aspen Institute International Group, which included former European heads of state, called for creating a network of crisis control centers.

The most tangible way to go beyond the hotline is to establish two centers, one in Washington and one in Moscow, each jointly staffed by American and Soviet crisis control specialists. The centers would be electronically linked by telephone, computer, facsimile transmitters and teleconferencing. A dozen military and diplomatic officers from each side would work together at each center, a skilled staff ready on an instant's notice to engage in intensive problem-solving.

Imagine the centers' possible use in a future Middle East crisis. War, let us say, breaks out between Israel and Syria. As in October 1973, the war escalates and Soviet forces prepare to enter the fray. The next day Washington calls a worldwide nuclear alert. That night a nuclear explosion devastates downtown San Francisco.

The president and his advisers face extraordinary uncertainty. Was it the Soviets? The act of a terrorist group? A U.S. weapons accident?

The hotline prints out a message from Moscow. The general secretary disavows any responsibility and offers his sympathies. He says he has directed the Soviet staff at the crisis control centers to cooperate in providing proof it was not a Soviet attack.

Many in Washington are suspicious. Soviet submarines are known to be in waters close to the Pacific Coast. The Pentagon insists on a higher alert. The centers swing into action. A teleconference begins among staff officers in Moscow and Washington. The American officers in Washington and the Soviet officers in Moscow have many lines of communication into their respective military services and intelligence agencies, through which questions and information now pour. The meeting goes on for hours.

Is the San Francisco scenario likely? Not at all. Is it possible? Yes.

Even more useful than such crisis management is crisis prevention. At crisis control centers, the United States and the Soviet Union could act jointly to prevent nuclear proliferation, nuclear terrorism or a nuclear attack from a third nation. A precedent exists. In August 1977, the Soviets tipped off the U.S. government that South Africa was planning to test a nuclear device. A strong but quiet American protest followed, and no test took place.

There is, of course, another side to this. Crisis centers could be misused for intelligence gathering or deception. There is no clear protection for misinformation but there are precedents to guide the wary. For example, the American delegation to the U.S.-Soviet Standing Consultative Commission, the monitoring body for SALT I, independently checks Soviet information for accuracy and uses information filters to protect against intelligence leaks. And in any case, the risk of deception is not significantly greater in a staffed center than it is in any communication medium, including the hotline. Face-to-face communication may offer the opportunity to more effectively challenge statements.

Clearly the arrangement should not depend on goodwill, but as Nunn said: "You don't have to trust the Russians to do this; you only need to make an assumption that they are not madmen, and they will act in their own interests."

There is more that can be done beyond crisis control centers. The United States and the Soviet Union could, for example, negotiate an agreement on incidents involving aircraft.

When a Soviet fighter shot down Korean Air Lines Flight 007 18 months agk, killing all 269 passengers, a wave of outrage spread throughout the world, increasing tensions between the superpowers.

Although no serious escalation took place, the sobering "What ifs?" remained: What if the plane had been American with 269 U.S. citizens aboard? What if the attack had come during severe international tension?

The Korean airliner was by no means an isolated incident. Five months ago an American aircraft carrying 200 passengers drifted 500 miles off course and came within 15 minutes of overflying the Soviet Union's Kola Peninsula near Norway, where the Soviets have supersecret military installations. In December, a Soviet cruise missle went astray, flew over northern Norway and finally crashed in Finnish Lapland.

These two recent examples indicate that as hostile superpowers confront each other around the globe, the triggers for accidental war are many.

There is a promising precedent for creating safety mechanisms against these triggers: the Incidents at Sea Agreement reached in 1972.

The accord was reached because Soviet and American naval vessels and tracker planes follow each other, sometimes dangerously closely, all over the world. In the late 1960s and early 1970s this practice had turned into a game of chicken on the high seas. The intimidating behavior included the aiming of ship guns and missiles at an offending vessel. Since 1972, however, the encounters are much rarer.

Captains in both navies now have rule books that tell them how to communicate with each other and how to avoid accidents. Every six months high-ranking American and Soviet officers meet to review the process. This low-profile professional communication goes on even at times of high tension. Many fear we cannot work with the Soviets. The truth is we already do.

Had an "Incidents in the Air Agreement" existed 18 months ago, when KAL 007 strayed into Soviet airspace, the Soviet Air Defense Command might have immediately queried American experts at the Moscow crisis control center about the nature and mission of the Korean airliner.

Working rapidly the American experts in Moscow might have identified the plane as a civilian 747. They could then have worked together with the Soviets to make radio contact with the plane and direct it to a landing spot for Soviet inspection.

Another step to take beyond crisis centers would be to brief the president extensively on crisis control techniques.

Just before 8 a.m. on June 5, 1967, the telephone rang in Lyndon Johnson's bedroom at the White House. Secretary of Defense Robert McNamara was calling with a message never heard before by an American president. "Mr. President," he said, "the hotline is up. The Soviet premier wants to speak with you."

"Well," mumbled the groggy president, "What should I say?"

The fate of millions might rest on a president's ability to communicate effectively with his counterpart in the Soviet Union during a crisis. There is, moreover, no second chance. Yet, presidents receive little preparation for such a role.

A body of knowledge about crisis management does exist. In part it has been captured in the memoirs of participants in past crises. In part it lies as yet untapped in participants' minds.

On entering office, each new president is briefed on the nuclear options at his disposal. President Reagan in addition once observed a war game that pitted the United States against the Soviet Union in an acute

confrontation over Central Europe. But a president receives no detailed briefing on how to defuse an intense crisis.

The idea of a crisis control briefing is not new. After the shock of the Cuban missile crisis, Walt W. Rostow and McGeorge Bundy decided to organize a "crisis game" for President Kennedy. A date for the game was finally set for early December 1963, but Kennedy was killed a month earlier.

In past crisis, American participants have often wished they knew more about the Soviets. A presidential crisis control briefing could discuss the Soviets in detail: the strengths and weaknesses of the leaders, their systems for making decisions in crisis and their responses to high-risk situations.

The crisis centers, the "Incidents in the Air Agreement," and the presidential briefing, together with the hotline and other measures, would constitute key elements of a "crisis control system" much as fire stations, hydrants, emergency exits and smoke detectors make up a fire control system. Like fires, crises are endemic. Some are accidental, others are deliberate. In either case they can be stopped before they are out of control.

A runaway crisis is the greatest nuclear danger. Like the passengers aboard KAL Flight 007, we are all passengers on a fragile craft vulnerable to the consequences of miscalculation, fear, miscommunication and blunder. Crisis control is one way to step back from the brink.●

POLISH CONSTITUTION DAY

● Mr. SARBANES. Mr. President, this Sunday marks the 194th anniversary of the adoption of the May 3 constitution in 1791, one of the great achievements in Polish history and one of the world's most notable historic documents of political freedom and religious tolerance. Maryland's distinguished Polish American community will honor this important occasion with ceremonies organized by the Maryland chapter of the Polish American Congress, a national organization with chapters in all major cities, at Polish Home Hall in Baltimore on Sunday, May 5. Among those I would like to commend for the time and effort they have given to planning this important event are the officers of the chapter: John F. Pasko, president; Melvin Laszczynski, first vice president; Genevieve Jaworski, vice president; Stephen Giernalczyk, vice president; Robert Rutkowski, vice president; Theresa Violanti, financial secretary; Gertrude Jankowiak, recording secretary; Thaddeus Cwalina, treasurer; and Adam Adams, sergeant-at-arms.

On Polish Constitution Day, we not only commemorate the proud triumph of 1791 when Poland immortalized her people's love of freedom in a democratic constitution, we also gratefully acknowlege the many contributions of the Polish people to America, since the earliest days of our colonial beginnings. In 1608, almost 12 years before the Pilgrims landed at Plymouth Rock, Polish artisans arrived in Virginia's Jamestown, and by the fall of that year had built America's first glass factory. A year later two of these Polish colonists saved the life of the colony's leader, Capt. John Smith and in 1619 these sons and daughters of Poland demonstrated a remarkable dignity and astuteness in refusing to work until they were accorded the same voting privileges enjoyed by the English settlers. Being responsible for the colony's glass and soap factories, their services were essential to the well-being of the colony, and they quickly won their rights, in so doing, to use the words of a scholar on the era, they established themselves "among the first champions of American political freedom."

Citizens of Polish descent continued in this tradition, benefiting America throughout its history. During the American Revolution Thaddeus Kosciuszko and Count Casimer Pulaski rallied to the banner of our new-born country as it struggled for its independence. With the single exception of Lafayette, Kosciuszko was the only foreigner ever admitted to the American Order of Cincinnati, an honorary society of Revolutionary War Officers. Jefferson wrote of him: "He is as pure a son of liberty as I have ever known." Count Pulaski, who was commissioned brigadier general shortly after arriving in America in 1777, recruited and organized an independent corps of cavalry and infantry in Baltimore and neighboring areas. Ordered to South Carolina in 1779, Pulaski's legion arrived in time to repulse a British attack on Charleston. Pulaski himself gave his life for the cause of American freedom when he was shot and mortally wounded during the siege of Savannah.

The proud history of the Polish people in American history is set against the splendor and tragedy of their own history. The Polish Kingdom was a center of culture and influence in the middle ages; in the 16th century Copernicus revolutionized human understanding of the Earth and its universe; in the 17th century King Jan Sobieski and his 40,000 Polish troops turned back at Vienna, on September 13, 1683, the Ottoman invasion of Europe.

The Constitution of 1791, reflecting the principles of our own Declaration of Independence and Constitution, transformed Poland's Government into a democracy, setting an example for freedom-loving men and women of courageous commitment to human rights and individual freedom. The 1791 Constitution abolished class distinctions, established absolute religious toleration, and declared the equality and protection of all citizens under law. The subsequent cynical partition of Poland, which brought this heroic experiment to an end, was a tragedy, not just for the people of Poland but indeed for all of Europe. The emergence of Poland after World War I was a tribute to the courage and endurance of the Polish people and to efforts of such distinguished leaders as pianist and statesman Ignacy Jan Paderewski.

As Americans throughout the land celebrate Polish Constitution Day, we must also reflect on the tragic aspects of Polish history, marred so often by invasion and acquisition—Genghis Kahn's in the 13th century, Turkish aggression over several hundred years, repeated partitioning of Poland which in 1795 completely dissolved the independent state, and since World War II the Soviet domination. A brave people, long recognized for their chivalry and compassion, the Polish people have for generations struggled for liberty, a struggle which led them to carry on their national banner the motto "For Our Liberty and Yours."

In recent years we have seen tragic injustice on the suppression of the broad movement within Polish society toward guarantees of basic human rights and a more open society, a movement both symoblized and led by Solidarity. Despite the brutal suppression of that movement and the suspension of individual liberties, the indomitable spirit of the Polish people survives, as it always has and as it always will.

In joining with Polish Americans throughout our land in commemorating that proud triumph in 1791 when Poland immortalized her people's love of freedom in a democratic constitution, let us recall the noble history of Poland and great contributions of Americans of Polish descent to our Nation. Let us recall that our national heritage is rich with the gifts of the Polish people, and let us hope that we will see again a free Poland, fulfilling its heritage and destiny.●

PROGRAM

Mr. DOLE. Mr. President, I do not know of anything else the majority leader can say that would indicate what would follow the defense vote tomorrow, but I would indicate again, as I have previously, that I hope those who took note of the vote this afternoon on Social Security do not misinterpret the vote. As I reviewed the list of names on that particular vote, I believe there are at least 46 Members who would vote for a 1-year COLA freeze, and that does not include any of the 19 Democrats who voted for a 1-year COLA freeze in the past.

So, I would suggest that though there might be a tendency to overstate the action taken today, this Senator is still very hopeful that in the final analysis we will return to this issue in an effort to reduce the Federal deficit to benefit everyone in this country,

and I hope that that opportunity will arise.

ORDERS FOR THURSDAY

ORDER FOR RECESS UNTIL 10 A.M.

Mr. DOLE. Mr. President, this has now been cleared with the distinguished minority leader.

I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. on Thursday, May 2, 1985.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF CERTAIN SENATORS

Mr. DOLE. Mr. President, I ask unanimous consent that following the recognition of the two leaders under the standing order on tomorrow, there be special orders in favor of the following Senators for not to exceed 15 minutes each: Senator PROXMIRE, Senator MATSUNAGA, Senator COCHRAN, and Senator EVANS.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that following the special orders just identified, there be a period tomorrow for the transaction of routine morning business, not to extend beyond 11:30 a.m., with statements therein limited to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DOLE. Mr. President, following routine morning business tomorrow, the Senate will resume consideration of Senate Concurrent Resolution 32, and pending is amendment No. 46, dealing with reduction in defense spending.

I think I can indicate that the vote on this amendment should follow within an hour or hour and a half after we return to the consideration of Senate Concurrent Resolution 32.

Rollcall votes can be expected throughout the session on Thursday, and the Senate is expected to be in late on Thursday.

I indicate for those who have an interest that on the resolution there are still 11 hours and 22 minutes remaining on this side, 16 hours and 14 minutes remaining on the Democratic side. We still have 27 hours and 36 minutes on the resolution, or just about halfway through the 50-hour period.

On amendment No. 46, the majority leader still has 13 minutes remaining, and the distinguished chairman of the committee, Senator GOLDWATER, has 27 minutes remaining, so that there are 40 minutes on the amendment. The vote, as I have indicated, could come within an hour or 2 hours following return to the consideration of that amendment.

RECESS UNTIL 10 A.M. TOMORROW

Mr. DOLE. Mr. President, there being no further business to come before the Senate, I move that the Senate stand in recess until 10 a.m., Thursday, May 2, 1985.

The motion was agreed to; and, at 6:22 p.m., the Senate recessed, to reconvene on Thursday, May 2, 1985, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 1, 1985:

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Alexander M. Weyand, xxx-xx-xxxx, (age 56), U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Charles W. Dyke, xxx-xx-xxxx, U.S. Army.

IN THE NAVY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370:

To be vice admiral

Vice Adm. James A. Sagerholm, xxx-xx-xxxx/1120, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Rear Adm. Kendall E. Moranville, xxx-xx-xxxx/1310, U.S. Navy.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 1, 1985:

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

James A. Lastowka, of Virginia, to be a member of the Federal Mine Safety and Health Review Commission for a term of 6 years expiring August 30, 1990.

SECURITIES INVESTOR PROTECTION CORPORATION

Stephen L. Hammerman, of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 1985.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Jacob Neusner, of Rhode Island, to be a member of the National Council on the Arts for a term expiring September 3, 1990.

Martha Graham, of New York, to be a member of the National Council on the Arts for the remainder of the term expiring September 3, 1986.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

PUBLIC HEALTH SERVICE

Public Health Service nominations beginning Philip E. Coyne, Jr., and ending Noreen A. Hynes, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 24, 1985.

EXTENSIONS OF REMARKS

TRIBUTE TO PROF. HORACE RAPER

HON. ALBERT GORE, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Wednesday, May 1, 1985

● Mr. GORE. Mr. President, it gives me great pleasure today to bring to the attention of my colleagues one of the distinguished academicians of Tennessee. I speak of Prof. Horace Raper who has for many years been professor of history at Tennessee Tech in Cookeville, TN, and who has recently published under the auspices of the University of North Carolina Press a splendid biography of William W. Holden who was perhaps the central figure in North Carolina politics for some 25 years before, during, and after the Civil War.

Dr. Raper, a well-known authority on the reconstruction period of American history, has been editing Governor Holden's papers for over 12 years for the North Carolina Division of Archives and History. This year, Dr. Raper will conclude a distinguished 45-year academic career most of which has been spent in the history department at Tennessee Tech.

Mr. President, I request that in Dr. Raper's honor, the article appearing in the spring 1985 issue of the Tennessee Tech Alumnus be printed in its entirety immediately following these remarks.

My conclusion, Mr. President, I wish to extend my personal best wishes to Dr. Raper and thank him for his many years of dedicated interest in the historical enlightenment of his students.

The article follows:

[From The Alumnus/Tennessee Tech]

BIOGRAPHY OF 19TH CENTURY GOVERNOR OF NORTH CAROLINA CAPS YEARS OF RESEARCH FOR PROF. HORACE RAPER

Tennessee Tech history professor Horace Raper hopes that his new book will help to reconstruct the reputation of a much-maligned Reconstruction Era governor of North Carolina.

The volume is a biography of William W. Holden, a newspaper editor and reform-minded governor who was perhaps the central figue in North Carolina politics for 25 years before, during and after the Civil War.

Holden has often been labeled a tyrant and political opportunist. He was impeached, ousted from governorship and barred from holding office in North Carolina after losing a political battle with the Ku Klux Klan.

Professor Raper makes the case that Holden was a man ahead of his time who actually enjoyed wide popular support, but ran afoul of the powerful Old South aristocracy. "If he had lived in the mid-20th century, he would be seen as an outstanding progressive leader," Raper said.

The book is called William W. Holden: North Carolina's Political Enigma, and was published in March by the University of North Carolina Press as volume 59 in the James Sprunt Studies in History and Political Science.

Although Raper began writing the biography of Holden only four years ago, he draws on a long familiarity with this subject. He wrote a master's thesis and a doctoral dissertation on Holden as a graduate student at North Carolina, and for 12 years has been editing Holden's papers for the North Carolina Division of Archives and History.

The edited papers will likely fill six to eight volumes, and completion of that project will await Professor Raper's retirement after this year, capping a 45-year academic career.

William Woods Holden, 1818-1892, overcame his illegitimate birth and complete lack of formal education to become the dominant figure in mid-19th century North Carolina. He also became the most reviled person in the modern history of the state.

That may be, Raper writes, because he used his political power and journalistic influence in the pursuit of reforms which were at odds with Old South institutions—the plantation system, the Confederate cause, white supremacy, and the Democratic Party.

Apprenticed to a printer at age 10, he was editor and owner of the Raleigh North Carolina Standard by the time he was 25. He made that nearly bankrupt Democratic party organ one of the South's most distinguished newspapers, crusading for more industry, public education, improved transportation, and the welfare of the common man.

He also helped the fledgling Democratic Party gain power and the governor's office more than once, but his lack of social standing stemming from his lowly origins contributed to failure in his own try for that office in 1858. He lost a bid for a Senate seat that same year.

With the coming of the Civil War, Holden shed his secessionist, pro-slavery views to become a Unionist and one of the South's leading advocates of a negotiated peace. He helped found the successful new Conservative Party but failed again in 1864 to win the governor's office in his own right.

He finally gained that office at the end of the war when he was appointed provisional governor by President Andrew Johnson—a Tennessee Unionist with whom Holden had much in common. But opposition by the planter aristocracy spelled his defeat in an election later that same year.

Holden turned Radical Republican in the postwar years and won the govenor's office in 1868 with the help of black voters and Unionists. Holden's ambitious program of social reform mired down amid allegations of corruption, financial excess and black favoritism. When he called for federal government help to put down the excesses of the Ku Klux Klan, popular support eroded and Holden was impeached.

Barred from holding state office, he was briefly the editor of the Washington Chronicle, which supported the Grant administration. He returned to Raleigh as postmaster and held that post until political opponents forced his retirement in 1883.

For the past 70 years, views of Holden have been shaped largely by a history of Reconstruction in North Carolina written during a time of hot tempers and lingering animosity. An unfair view of the man has been perpetuated by later generations of historians, Raper believes.

The new biography focuses on Holden's contributions to the social, economic and political progressivism of North Carolina. He worked for a balance between industry and agriculture, universal schooling, racial understanding, and the welfare of the common man.

As a champion of minorities and underdogs, he clashed with the power structure of his state, was unbending on matters of principle, and consequently was consigned to political failure.

Lacking formal education, he was nontheless knowledgeable of literature and law. He refused to fight duels, but did not lack for courage, going unarmed and disdaining attempts on his life. Much of his political ambition evidently arose from a desire to make his family name "respectable," Raper writes.

Professor Raper also is preparing two articles on Holden for the Raleigh News and Observer to be used in the paper's observance of the 400th anniversary of North Carolina's founding. He will write a biographical sketch of Holden and an account of the Kirk-Holden War, his conflict with the KKK.

William W. Holden: North Carolina's Political Enigma, in hardback, is 376 pages including notes, bibliography and index. It will be available at $29.95 at bookstores at Tennessee Tech and in Cookeville.

The James Sprunt Studies in History and Political Science are published under the direction of the departments of history and political science at the University of North Carolina at Chapel Hill. Emminent Southern historian George B. Tindall is chairman of the board of editors.●

PAUL H. NITZE TALKS ABOUT ARMS CONTROL

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. BROOMFIELD. Mr. Speaker, Paul H. Nitze, Special Adviser to the Geneva Talks, spoke today at the National Press Club about the first round of arms control talks in Geneva.

In January, Secretary of State Shultz and Foreign Minister Gromyko signed an agreement to address the complex issues to be discussed at the talks, to include the interrelationship among the key arms control issues. Soviet General Secretary Gorbachev is now publicly criticizing the United

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

51-059 O-86-7 (Pt. 8)

States for blocking progress in the negotiations and is alleging that the United States has refused to discuss the question of preventing an arms race in space. The General Secretary has cleverly extolled the moratorium proposal introduced by the Soviets in the first round.

The moratorium is a freeze, with its existing imbalances, and a proposal to address unspecified reductions at a later date. The wily Soviet negotiators are determined to maintain the advantages they now have in several key measures of strategic offensive nuclear power. They are trying to derail SDI research and are also trying to roll back NATO's intermediate force deployments.

Their negotiating strategy is quite clear. They want the United States to make all of the concessions. They want to walk away from the negotiations without having made any concessions.

I am disturbed by their flaunting of the understandings arrived at in meetings between Shultz and Gromyko. Agreements of this nature apparently matter little to them. With these concerns in mind, I recommend the following excerpts from a Paul Nitze speech on arms control:

THE FIRST ROUND IN GENEVA

INTRODUCTION

On April 23, US and Soviet negotiators completed their first round of talks on nuclear and space arms in Geneva. On that same day, in his speech at the Central Committee Plenum, Soviet General Secretary Gorbachev criticized the United States for blocking progress in the negotiations. He alleged that we had refused to discuss the question of preventing an arms race in space. He charged us with violating the agreement reached in January by Secretary Shultz and Foreign Minister Gromyko to address the complex of issues in their interrelationship. Finally, he extolled the moratorium proposal introduced by the Soviets in the first round as providing a basis for progress.

Mr. Gorbachev's claims are without merit. The US approach to the negotiations is specifically designed to pursue all of the agreed objectives of the talks, including preventing an arms race in space. It is the Soviets who, by focusing their energies on an attempt to derail SDI research, are contradicting the January agreement to deal with all the issues in their interrelationship. The Soviet moratorium proposal does not provide a useful basis for progress. And it is the Soviet approach as a whole that is blocking US efforts to facilitate movement in the negotiations.

Let me review the results of the first round and explain the basis for these conclusions.

* * * * *

U.S. APPROACH

The United States approached the first round of the negotiations with four primary objectives in mind. The first of these is to seek equitable and verifiable agreements leading to deep reductions in offensive nuclear arsenals. These are the weapons that exist today and which thus pose the most immediate threat to our mutual security.

Our second goal is to resolve our concerns about the erosion of the ABM Treaty regime that has resulted from Soviet actions over the past decade, and about Soviet noncompliance with that and other existing agreements. We are determined to seek corrective action where violations have occurred.

Our third objective is to lay out the US strategic concept and engage the Soviets in a general discussion of the offense-defense relationship. Specifically, we want to explain how, over the long term—should new defensive technologies prove feasible—we hope to make a transition from the current situation, in which deterrence rests on the ultimate threat of devastating nuclear retaliation, to one in which nuclear arms are greatly reduced and increasing reliance is placed on defenses which threaten no one. We intend, when the Soviets are ready to join us in doing so, to begin discussions with them on our ideas as to how our two sides might jointly manage such a transition.

Our final objective is to impress on the Soviets that our ultimate goal, as the President has repeatedly stated, is the elimination of all nuclear weapons. The Soviet Union has long stated this to be its goal as well. We have no illusions that our two sides can quickly or easily agree on the practical steps necessary to reach this goal, but its importance makes it imperative that we persist. Were nuclear weapons to be eliminated, we would have to devote particular attention to how, together with our allies, we might counter and diminish the threat posed by conventional arms imbalances, through both arms improvements and arms control efforts.

* * * * *

In the negotiating group on strategic offensive arms, the US laid out its conceptual approach to achieving significant, equitable, and verifiable reductions, in a manner that would improve stability. This approach includes substantial reductions in the number of warheads on, and the destructive capacity of, ballistic missiles, as well as limits on heavy bombers and the number of ALCMs they carry below the levels set by SALT II. US negotiators emphasized the broad authority they had been given by the President for working out means to reach that goal. They made it clear that it is the substantive outcome more than the method of achieving it that is of primary importance.

The US side also stressed that the US is not trying to dictate the character of the Soviet force structure. We recognize that there are substantial differences between our respective nuclear arsenals, and have therefore urged the Soviets to explore with us possible trade-offs between areas of US and Soviet advantage and interest. An example of such a trade-off would be a provision allowing a Soviet advantage in ballistic missile capability in return for a US advantage in bomber capability.

In the negotiating group on intermediate-range nuclear forces, the US reaffirmed its preference for the complete elimination of all US and Soviet longer-range INF missile systems. We reiterated our willingness to agree, as an interim measure, to reduce LRINF missiles to the lowest possible equal global limits on warheads. Finally, in order to take account of previously expressed Soviet concerns, we renewed our willingness to consider a commitment not to deploy in Europe all of the LRINF missiles to which we would be entitled under equal global ceilings, to apportion reductions to be made in LRINF missiles between Pershing IIs and GLCMs in an appropriate manner, and to discuss LRINF aircraft limitations. As in the strategic arms group, the US negotiators emphasized their flexibility.

In the defense and space negotiating forum, we pointed out the instability that exists in the current strategic situation and the need for our two sides to address the problem. We stressed the importance we attach to reversing the erosion of the ABM Treaty regime. In that regard, we underlined the premium we place on treaty compliance in the arms control process and our concern about Soviet actions that violate the ABM Treaty and other existing agreements. Notable in this regard is their construction of a large phased-array ballistic missile tracking radar at Krasnoyarsk that, because of its interior location, orientation, and early warning capability, violates ABM Treaty constraints. We also explained to the Soviets our view on the relationship between offensive and defensive forces, the potential contribution of defensive forces to our mutual security, and how—if new defensive technologies prove feasible—we might manage a stable transition over time toward increased reliance on defenses.

* * * * *

SOVIET APPROACH

The Soviet approach to the first round contrasted sharply with ours. Where we sought deep reductions in existing nuclear arsenals, they proposed to freeze the current situation—with its existing imbalances—and address largely unspecified reductions later. Where we sought to explain our ideas on how increased reliance on defenses, should they prove feasible, might enhance strategic stability, they insisted on banning any new effort—even research—in the defense area.

The strategy underlying the Soviet approach seems clear. The Soviet Union is pleased with the current strategic situation. They possess substantial advantages in several key measures of strategic offensive nuclear power, especially in prompt counterforce capability. They hold a large advantage in the area of intermediate-range nuclear forces, particularly in longer-range INF missile systems. Moreover, they have the only operational ABM system and have until recently enjoyed a virtual monopoly in research into advanced ballistic missile defense technologies. Finally, they have the only operational anti-satellite system. They want to maintain this situation, and thus are devoting their efforts to countering any change. Their most important objective in this regard is to stop the US SDI research program, which threatens to find counters which would negate many of their advantages, both offensive and defensive. Similarly, they wish to abort our strategic modernization program and roll back NATO's INF deployment. To this end, they attack and thereby seek to undermine support for these programs by characterizing them as exacerbating the "arms race," all the while remaining silent on the strategic buildup of the Soviet Union.

The centerpiece thus far of the Soviet strategy is their moratorium proposal, tabled early in the round in Geneva and publicized three weeks later by General Secretary Gorbachev.

With regard to offensive weapons, the Soviets propose a quantitative freeze on strategic arms and a moratorium on further deployments of "medium-range" missiles. These are the same old discredited proposals the Soviets surfaced in the past. They

first raised a moratorium over three years ago in the INF negotiations, though, after supposedly invoking it on a unilateral basis in 1982, they continued construction of SS-20 bases already begun in the European USSR and deployed new missiles at those bases. Interestingly enough, we see construction of SS-20 bases continuing again today, after Mr. Gorbachev's declaration of a new unilateral moratorium.

* * * * *

With respect to strategic defense, the Soviets propose a comprehensive ban on research and development, as well as on testing and deployment, of what they call "space-strike arms."

It is difficult to see how one could effectively or verifiably ban research. The Soviets have in the past agreed with this view, not only at the time of the negotiations of the ABM Treaty but also in January in Geneva.

* * * * *

The Soviets themselves have clearly seen the value of researching new defensive technologies. They have devoted considerable time and resources to such an effort. This includes high-energy lasers—for example, at the Sary Shagan test center—and particle beam weapons.

Why, then, do the Soviets propose to ban such research? The answer is simple. The Soviets are ahead in research on, and deployment potential for, nuclear-armed ground-based ABM interceptors, and they seek to preserve and enhance these advantages. At the same time, the Soviets fear that the West's superior technological base could give us an advantage in the more exotic defensive technologies, and they want to prevent this. At worst, a mutually observed ban would leave them where they are today. Moreover, given the unverifiability of a research ban and the closed nature of their scientific community compared to ours, they very well might be able unilaterally to continue research on advanced defensive systems on a clandestine basis. From Moscow's point of view, such a monopoly in the area of strategic defense research would certainly be the most desirable outcome.

* * * * *

SOVIET ALLEGATIONS

In an attempt to buttress their position, the Soviets during the first round, and Mr. Gorbachev in his Central Committee Plenum speech, accused us of violating the Shultz-Gromyko agreement in two respects. First, they charged us with failing to honor the commitment to address the complex of space and nuclear issues in their interrelationship, based on their novel definition of that term. The Soviets asserted that progress on the issues in the two groups dealing with offensive arms would be impossible unless the U.S. agreed to the Soviet proposal to ban "space-strike arms," and that, by failing to accept that ban, the U.S. was denying the interrelationship.

This charge is, of course, without merit. The U.S. is addressing all issues in their interrelationship. In fact, as I explained earlier, the offense-defense relationship is one of the principal elements on which our position focuses. Rather, it is the Soviet approach which violates the interrelationship agreement by insisting that the space issue be considered in isolation and by setting resolution of that issue—on the basis of their demands—as a precondition to serious negotiation on the other issues.

The second Soviet charge is that, by failing to agree to their proposal for a "space-strike arms" ban, the US is reneging on its commitment to prevent an arms race in space. This charge is also groundless; preventing an arms race in space is exactly what our strategic concept envisages. The term "arms race" connotes a runaway competition between two sides, with each piling weapon upon weapon in an unbridled manner. What we propose is just the opposite—a stable transition to greater reliance on defensive systems, should new technologies prove feasible, managed jointly by the United States and the Soviet Union. Defenses would be introduced at a measured pace, in conjunction with progressively stricter limitations and reductions in offensive nuclear arms. The result would be that the two sides would have far fewer weapons which would use space as a medium for delivering nuclear destruction. The approach we foresee would be designed to maintain at all times control over the mix of offensive and defensive systems on both sides, and thereby increase the confidence of the sides in the effectiveness and stability of the deterrent balance.

* * * * *

In the January meeting in Geneva, Gromyko acknowledged that limits on strategic defense research would not be verifiable; the Soviets nonetheless now propose banning such research.

* * * * *

Contrary to the public impression created by Mr. Gorbachev, the Soviet Union has made no proposal for reductions in strategic forces in the new negotiations, nor has it even gone so far as to resubmit its old START proposal. In fact, during the first round, the Soviets refused to respond to efforts by US negotiators to ascertain details of their position on this subject.

* * * * *

When the Soviets are ready for such discussions, we believe those talks can be productive. Although the issues in Geneva are many and complex, we are convinced that we have formulated good proposals that provide a sound basis for mutually beneficial agreements. Moreover, the President has provided our negotiators unprecedented flexibility to explore various avenues toward the equitable outcomes we seek. Accordingly, despite our realization of the difficulties ahead, we are hopeful that, with patience and persistence, we can achieve a result that will benefit all mankind.●

COMMISSION FOR THE AMELIORATION OF PARKINSONISM

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. BIAGGI. Mr. Speaker, today I am proud to introduce legislation to establish a Commission for the Amelioration of Parkinsonism.

Parkinson's disease is a devastating neurological disorder which affects the center of the brain which controls movement. Its most common symptoms include tremors, rigidity, and bent posture. In advanced stages the Parkinson's patient is expressionless, often sits motionless for long periods of time and can encounter serious difficulties doing the most basic of chores such as eating.

An estimated 1.5 million people in this Nation have Parkinson's disease. It strikes 1 out of every 100 Americans over the age of 60—a startling statistic. Yet it remains in large measure a relatively unknown and misunderstood affliction. Far too little is known about the causes of Parkinson's disease, but recent research breakthroughs offer great promise of better understanding of both causes and treatments.

It is in this spirit of desiring to expand our knowledge and treatment capacity that I propose my legislation today. As stated in the text of the resolution my Commission for the Amelioration of Parkinsonism would have the following responsibilities:

Conduct a comprehensive study of the medical and social management of Parkinsonism in the United States;

Determine whether there is an appropriate balance between basic brain research and clinical research on Parkinsonism and other ailments;

Investigate and make recommendations concerning the proper roles of Federal, State, and local governments and public and private agencies in the research, prevention and identification of Parkinson's disease and the treatment and rehabilitation of persons with Parkinson's disease; and

Develop a comprehensive national plan for the control of Parkinsonism and its consequences based on the most complete and accurate information available on the disorder.

I offer this legislation as a step forward in what must be a national commitment to work for the amelioration of Parkinsonism. I wish to thank the many members of the various Parkinson's support groups of America, an all-volunteer run national organization which has been seeking this national commission for some time. A special tribute must be paid to Elliott Rudenstein of Verona, NJ, who has played such a key role in the development of this legislation. Finally, let me salute the work of a dynamic and lovely lady from my congressional district, Anna Mittelman Weintraub, the founder and inspiration behind the Parkinson's Support Group of Co-Op City. This is a woman of great commitment who has worked hard to ensure that the needs of Parkinson's victims and their families are addressed. She is an active advocate of this legislation and I wish to publicly thank her for her assistance.

At this point in the RECORD I wish to insert the full text of my resolution:

H.R. 2295

A bill to establish a commission for the amelioration of Parkinsonism

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Parkinson's Disease Amelioration Act".

SEC. 2. ESTABLISHMENT.

There is established the Commission for the Amelioration of Parkinsonism Disease (hereafter in this Act referred to as the "Commission").

SEC. 3. DUTIES OF COMMISSION.

The Commission shall—

(1) conduct a comprehensive study of the medical and social management of parkinsonism in the United States;

(2) determine whether there is an appropriate balance between basic brain research and clinical research on parkinsonism and other ailments;

(3) investigate and make recommendations concerning the proper roles of Federal, State, and local governments and public and private agencies in the research, prevention, and identification of Parkinson's disease and the treatment and rehabilitation of persons with Parkinson's disease; and

(4) develop a comprehensive national plan for the control of parkinsonism and its consequences based on the most complete and accurate information available on the disorder.

SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 9 members appointed by the Secretary of Health and Human Services as follows:

(1) Six shall be professionals with extensive research or clinical experience with Parkinson's disease; and

(2) Three shall be laypersons with a demonstrated interest in or familial involvement with Parkinson's disease.

A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(b) PAY.—Members of the Commission shall serve without pay.

(c) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed travel expenses under section 5703 of title 5 of the United States Code.

(d) CHAIRMAN.—The Chairman and Vice Chairman of the Commission shall be designated by the Secretary of Health and Human Services.

(e) MEETINGS.—The Commission shall meet at the call of the Chairman or a majority of its members.

SEC. 5. MAIL; SUPPORT SERVICES.

(a) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(b) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

SEC. 6. REPORT.

The Commission shall transmit a final report to the President and to each House of the Congress not later than 6 months after the date of enactment of this Act. The final report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislative, administrative, or other actions as it considers appropriate.

SEC. 7. TERMINATION.

The Commission shall cease to exist 30 days after submitting its final report pursuant to section 6.

SEC. 8. EFFECTIVE DATE.

This Act shall take effect October 1, 1986.●

ENDING TRADE WITH NICARAGUA

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. BLILEY. Mr. Speaker, I would like to take this opportunity to praise President Reagan for his action of early this morning to undertake a trade embargo against the Sandinista regime in Nicaragua.

As a consponsor of Congressman MARLENEE's trade embargo bill, H.R. 2158, I am pleased at this action by the President and pleased that we have been successful in having this action taken so quickly.

I invite all Members to read the following article which appeared in the most recent issue of the National Review on why the United States needs to take this action.

[From the National Review]

EMBARGO TIME

It may surprise readers to learn that Nicaragua's number-one trading partner is still the United States. We export about $116.6 million worth of goods to Nicaragua annually and pay out about $105.6 million for goods that Nicaragua sends here. Though the volume of U.S.-Nicaraguan trade has been reduced during the past few months, it is still more than twice the volume of trade between Nicaragua and its Communist allies. We supply many of the goods the Sandinistas are using to strengthen their military machine, including $10.1 million worth of lubricating oil, $10.3 million worth of tractor parts, more than $500,000 worth of track-laying equipment, and more than $250,000 worth of integral tractor shovel loaders. President Reagan should move to a complete trade embargo against Nicaragua.

Opponents of an embargo are likely to point to Cuba, where a U.S. embargo has scarcely influenced Castro's course. But an embargo against Nicaragua could prove effective because Nicaragua, unlike Cuba, still has a strong internal opposition that could take advantage of the popular discontent that would follow an economic collapse.

And collapse is not far away. A bumper crop of cotton and coffee is rotting in the fields: With government-set prices artificially low, farmers cannot pay high enough wages to attract laborers. The gross domestic product fell 1 per cent in 1982, despite massive increases in government spending. Nicaragua has a budget deficit equal to 20 per cent of the gross domestic product. And despite price freezes, inflation is rising at about 31 per cent a year. In many government-run markets it is impossible to get any foodstuffs other than Soviet breakfast cereal. There has been a steady deterioration of dietary standards since the revolution. Nicaraguans now consume fewer calories and less protein than they did in 1969. A quarter of a million people have fled Nicaragua since the revolution.

While malnutrition spreads, the Sandinistas spend 40 percent of their budget on the military, not only to support their own troops but to train other countries' insurgents, mostly Salvadorans and Colombians. The military men and Marxist ideologues are willing to tolerate malnutrition for the sake of their military buildup, but if economic deterioration were actually to threaten their regime, they would have to cut back on the military expenditures. A U.S. embargo would put the Sandinistas in this position.

True, an embargo would hurt U.S. businesses with investments in Nicaragua, and it might mean slightly higher prices for goods like bananas and sugar, but it is still a comparatively risk-free way to curb Sandinista ambition and power.●

CONGRESSIONAL SALUTE TO THE HONORABLE EDWARD ALBERT LIKMAN OF NEW JERSEY, 1985 "PAUL HARRIS FELLOW," ROTARY CLUB OF WAYNE

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. ROE. Mr. Speaker, on Wednesday, May 8, the residents of my hometown of Wayne, Eighth Congressional District, and State of New Jersey will join together with our fellow Rotarians in testimony to an outstanding community leader, distinguished citizen and good friend, the Honorable Edward Albert Likman of Wayne, NJ, whose standards of excellence throughout his lifetime have earned him the most highly coveted honor of being chosen the 1985 Paul Harris Fellow of the Rotary Club of Wayne—the highest award that Rotary can bestow upon any of its members. I know you and our colleagues here in the Congress will want to join with me in extending our heartiest congratulations to Edward Likman and share the great pride of his good wife Connie; sons, Stephan and Michael; and daughter Michelle on this milestone of achievement in their family endeavors.

The Rotary Club of Wayne is one of our Nation's most prestigious affiliates of Rotary International whose motto: "We make a living by what we get—we make a life by what we give"—"service above self"—and their good deeds in helping others, young and adults alike, have served to inspire all of us. Ed Likman has by his example and lifetime of dedication to these same true American ideals personified exemplary leadership in his outstanding responsible service to our people.

Mr. Speaker, Ed's personal commitment to the economic, social, and cultural enhancement of our community has been a way of life for him. We are proud to boast that he was born and

raised in our great sovereign State of New Jersey. He attended elementary school in the city of his birth, Garfield, NJ, and graduated from Wayne Valley High School. Ed was a very industrious young man even in these early years, working part-time in his uncle's luncheonette, then at Laauwe's Orchard, and a nursery. At the age of 16 years he commenced a decade of summer employment with Jon Construction Co. of Paramus, NJ, where he learned the mason skills which influenced his interest in the construction industry in his later years.

Upon his graduation from high school, he attended Franklin and Marshall College, Lancaster, PA, for 1 year and transferred to William Paterson College, Wayne, NJ, where he majored in English and speech language pathology. During his undergraduate college studies he was chosen for membership in the Kappa Delta Pi Education Honor Society serving as vice president and president of this most prestigious college fraternity.

He was listed in "Who's Who Among Students in American Colleges and Universities."

Ed received his B.A. degree in 1962 and continued his educational pursuits, attaining a master's degree from Columbia University and Montclair State College. He also pursued postmaster's studies at Columbia University. It is interesting to note that Ed was employed as a teacher at Ramapo Regional High School during his junior year in college after completing his student teaching at the school.

In 1965 our "Paul Harris" honoree became director of Speech Language Pathology for the Ramapo-Indian Hills High School Regional District in New Jersey. He received the Certificate of Clinical Competence from the American Speech-Language and Hearing Association, Washington, DC, in 1969. During this period Ed went into private practice and in 1969 left his teaching position to devote his full time to private practice.

Although his professional entrepreneurship flourished during the decade that followed, in 1979 Ed decided he wanted to become involved again in construction and with two partners he built four homes in Ridgewood. He is now a registered builder in the State of New Jersey. During 1983 and 1984 he was construction coordinator and supervisor for Custom Homes by Leonard and has many homes in Saddle River and Holmdel, NJ, that manifest great credit to the elegance of his professional expertise. In 1980 Ed further expanded his know-how and business acumen attaining a New Jersey real estate salesperson's license and is now actively involved in the many complex facets of real estate marketing and sales.

Mr. Likman has been a leading and active participant in the business community throughout Wayne and the State of New Jersey. He has been a member of the Wayne Chamber of Commerce and during the period 1973–78 has served on its board of directors. He has been a member of the Rotary Club of Wayne since February 1, 1971, maintaining 14 years of perfect attendance. During his tenure he has served in the following areas of service with the Rotary Club: Attendance Committee; Charity Ball; Picnic Committee; representative, Rotary Exchange Program; secretary; vice president; president; District 749 Governor's representative; Senior Governor's representative; chairman, Rotary Foundation Committee; member, board of directors; parliamentarian; Citrus Committee cochairman; By-Laws Committee; Nominating Committee; and membership committee chairman.

Mr. Speaker, Ed has attained the greatest respect and deepest appreciation from a grateful communitiy for his compassion, dedication, and untiring efforts in service to his fellowman. Among his many achievements we particularly commend him for his outstanding public service as a member of the following organizations dedicated to the health and well-being of our people: Board of trustees, Edward Sisco Memorial Foundation for the Handicapped; volunteer speech language pathologist for the Bergen County Laryngectomee Association; member, Professional Advisory Council, Sussex County Health Department.

Mr. Speaker. All of us who have had the good fortune to know Ed are especially proud of his many accomplishments. His expertise in his professional career and civic endeavors has truly enriched our community, State, and Nation. I am pleased to call your attention to this distinguished gentleman and seek this national recognition of all of his good deeds. I know you will want to join with the Rotary Club of Wayne, NJ, in honoring our good friend Ed as an outstanding citizen and great American. We do indeed salute the Wayne Rotary Club's "Paul Harris Fellow"—the Honorable Edward Albert Likman.●

IT'S LATER THAN YOU THINK

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. LAGOMARSINO. Mr. Speaker, before the vote on aid to the Contras last week, William Randolph Hearst, Jr., editor-in-chief of the Hearst newspapers, described the importance of the vote in terms of America's national security. Although aid to the Contras was voted down, the security issues are no less relevant now for the United States, and, in some ways, are even more significant.

As Hearst says in his commentary:

The stakes at issue * * * are far greater than the relatively small amount of money involved. At issue is whether we allow the Soviet-Cuban aligned Sandinista regime to consolidate its ruthless power and signal a green light to Moscow for anti-American revolutionary conquest of Central America right up through Mexico to our own borders.

I urge my colleagues to read this Hearst commentary.

The article follows:

[From the Hearst Newspapers, Apr. 21, 1985]

IT'S LATER THAN YOU THINK

(By William Randolph Hearst, Jr.)

New York.—It is with great concern that I call your attention to the vote scheduled in Congress this Tuesday on President Reagan's request for $14 million in aid for the Nicaraguan freedom fighters.

The aid is in support of the President's peace plan that calls for a cease-fire and church-mediated talks between the Sandinista regime and those fighting to restore democracy in Nicaragua.

The President's original plan provided that as long as the peace talks were under way, the aid would not be used to supply the insurgents with weapons but only to provide them with medical and other humanitarian assistance.

Faced with almost certain defeat in the Democratically-controlled House of Representatives, the President is now being forced to consider a compromise that would take the teeth out of his plan. Without the threat of continued military aid to the freedom fighters, there is no incentive for the Sandinista regime to agree to the peace talks.

The proposed compromise would limit the aid to medical and other humanitarian assistance. Even this aid would be weakened by the Democrats. They want to reduce the humanitarian aid to $5 million and not allow any of it to go to the freedom fighters, but only to their families living outside Nicaragua.

Incredible as it may seem, House Speaker Tip O'Neill is insisting that before the House votes on a compromise, it must vote on the President's original plan, so that it can be defeated. That would send a clear message not only to the Nicaraguan communist dictatorship, but to the Soviets and Castro that Congress will block further military aid to the freedom fighters.

Not only does the President's original plan have the support of most of the Central American governments, but it was publicly endorsed in Washington by the President of Costa Rica last Monday and on the same day by Zbigniew Brzezinski, President Carter's national security adviser, and James R. Schlesinger, President Ford's defense secretary.

The stakes at issue in next Tuesday's congressional vote are far greater than the relatively small amount of money involved. At issue is whether we allow the Soviet-Cuban aligned Sandinista regime to consolidate its ruthless power and signal a green light to Moscow for anti-American revolutionary conquest of Central America right up through Mexico to our own borders.

Make no mistake about it, if we do not continue supporting the Nicaraguan freedom fighters, it will be our boys who will eventually be fighting in Nicaragua or elsewhere in Central America. No administration, Democratic or Republican, can allow the Soviets to obtain another Cuban missile and submarine base in Central America.

Fifty-five percent of America's crude oil imports come through the Caribbean sea lanes.

Sixty percent of American reinforcements and resupply material for NATO forces in event of war in Europe are scheduled to leave from Gulf ports, passing by Cuba and through the Caribbean sea lanes.

Forty-five percent of our foreign trade moves out of Gulf ports.

Earlier this month, the President told a Christian-Jewish conference: "We face the risk that 100 million people from Panama to our open southern border could come under the control of pro-Soviet regimes and threaten the United States with violence, economic chaos and a human tidal wave of refugees."

High White House officials have been more blunt in warning that if we fail to support the contras, the time is sure to come when our own boys will have to do the fighting. One senior official said: "It's the last chance to obtain any kind of reasonable alternative to either the direct use of military force or the abdication of U.S. responsibility in the area."

It is all too reminiscent of those frightening days before World War II when a good part of the British Parliament, led by "peace in our time" Neville Chamberlain, was advocating appeasement of Hitler.

Every member of Congress who votes against $14 million for at least humanitarian aid to the contras will be appeasing the forces of communist aggression in this hemisphere.

According to State Department information, foreign terrorists who are in Nicaragua training the Sandinistas' death squads include members of the Palestine Liberation Organization; the Basque ETA, the Italian Red Brigades; the Baader-Meinhof gang of Germany; the Tupumarus, who contributed to the fall of democracy in Uruguay; the Montoneros of Argentina, and Red Guards of Japan.

How would we like those killers on the Mexican side of our southern border? If you wouldn't like them there, I hope you will get in touch this Monday with your representatives in the House, where the President was reported earlier last week to be about 30 votes short of victory.●

SOUTH AFRICA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. HAMILTION. Mr. Speaker, I would like to insert my Foreign Affairs Newsletter for April 1985 into the CONGRESSIONAL RECORD:

SOUTH AFRICA

The United States faces one of its most difficult foreign policy problems in South Africa. We have important strategic interests there: minimizing Soviet influence in the region; protecting the sea lanes; insuring Western access to valuable minerals; and preserving commercial relations. We also have a strong interest in South Africa's progress toward democracy, stability and economic prosperity—progress which requires an end to apartheid, a constitutionally-sanctioned system of racial discrimination.

Apartheid affects some 22 million blacks, 2.8 million "colored" (or mixed ancestry), and 850,000 Asian residents of South Africa. It decrees the dominance of 4.6 million whites over every aspect of South Africa life. Black South Africans are not full citizens of their own country: they cannot vote in national elections or be elected to parliament. They must live in the least desirable areas of the country. They cannot travel or work without permission and, if they work in restricted areas, such as most major cities, their families cannot live with them. They cannot marry outside their own race, eat in restaurants with whites or share many services commonly available to whites. Most important, they are not free to speak or act against these injustices without penalty.

The U.S. considers apartheid (which the South African government prefers to call "separate development") a blatant and reprehensible violation of human rights. We have struggled for human dignity and racial equality in our history and have made it a goal of our foreign policy. The Carter Administration criticized apartheid publicly and frequently. The Reagan Administration, on the other hand, has pursued a policy of "constructive engagement," lessening public criticism of South Africa and seeking cooperative relations to encourage reform. Critics say this policy has not promoted progress in the system or achieved its goal of regional political stability. If anything, riots and repression in South Africa have intensified.

There is no doubt that change will come to South Africa; the questions are when change will come and how violent it will be. Recently, violence has been common in South Africa. If violence is the only vehicle for change, it will invite interference by the Soviet Union and other outsiders, to the detriment of U.S. interests.

For years, the U.S. has tried to promote peaceful change in South Africa. The U.S. agreed to a voluntary U.N. arms embargo in 1963 and voted for a mandatory U.N. arms ban in 1977. The U.S. does not recognize the "homelands" the South African government established for black residents. We refuse to ship enriched uranium to South Africa. Protests by opponents of apartheid at the South African embassy in Washington have given wide publicity to the problems in South Africa. Both the Congress and the President met with Bishop Desmond Tutu, the most prominent South African critic of apartheid. Many communities have passed laws prohibiting investment of public funds in South Africa. Many American businesses in South Africa adhere to the "Sullivan Principles", a code of conduct for relations with non-white employees. About 70 per cent of the blacks employed by U.S. companies are covered by the principles, which include equal pay and nonsegregated facilities.

Substantial U.S. business interests in South Africa are a source of leverage on South African policies. About 320 U.S. companies have subsidiaries in South Africa, and U.S. firms employ about 100,000 people, 1 percent of the South African workforce. Direct U.S. investment was $2.3 billion in 1983 in critical industries such as communications, computers, petroleum and transportation. U.S. exports to South Africa amounted to $2.3 billion last year.

Despite these economic ties, U.S. influence in South Africa is limited. U.S. policy toward South Africa is nonetheless important. An effective policy to dismantle apartheid would contain the following elements. First, the U.S. must continue criticism of South Africa's behavior and justifications of the apartheid system. We should continue to embargo military supplies to South Africa and to deny recognition to the independent homelands for black South Africa. We should encourage U.S. companies to reduce investment in South Africa until progress is made. We should also encourage U.S. companies in South Africa to work to improve the welfare and influence of the black population.

Second, the U.S. must support genuine power sharing. The U.S. has limited power to promote political change, but we can prevent the South African government from ignoring the issue. Third, we should support organizations—such as labor unions and education groups—working for change in South Africa. We should urge U.S. companies that do not comply with the Sullivan Principles to do so; we should encourage our European allies to do the same. We should also encourage personal contact between South African and U.S. leaders, as well as private, informal exchange programs, to change attitudes in South Africa.

Fourth, the U.S. should strengthen economic development among South Africa's neighbors. Economic hardship in these countries makes them vulnerable to South Africa on issues related to southern Africa and apartheid. Finally, the U.S. should seek new sources for precious metals we now import from South Africa. By diversifying sources of supply and stockpiling, the U.S. can protect itself from the economic and strategic consequences if South African supplies are disrupted.

The U.S. cannot by itself bring change to South Africa. Other countries must adopt similar policies to press the South African government to initiate reforms. South Africa has taken preliminary steps to relax racial barriers, but they are far from what is needed. Until South Africa's non-white population believes it has a fair share of political power, South Africa will remain a troubled country where the U.S. will continue to face difficult choices.●

VETERANS' HEALTH CARE BUDGET CANNOT BE REDUCED FURTHER

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. MONTGOMERY. Mr. Speaker, for the next several weeks I will submit for the record results of a survey of Veterans' Administration medical centers across the country identifying equipment, supply, and personnel shortages, as well as surgery backlogs existing in many of the centers. These problems are primarily a result of the ever-increasing health care needs of our older veteran popu-

lation coupled with inadequate budgets.

The statistics provided by the chiefs of staff of these hospitals clearly show a great need for additional resources or, at least, current services resources. Our VA hospitals have a record of providing top quality health care, some of the best in the world, even while operating with shortages of personnel and equipment. They deserve our full support.

The veterans of our Nation deserve the very best of care, and it is up to us to see to it that the VA has the proper resources to deliver that care. The veterans' health-care budget cannot be reduced further.

Mr. Speaker, I want my colleagues to fully understand the impact of our decisions regarding veterans' health care, and who is better able to relate the problems in the field than the people in the field?

Now is certainly not the time to cut veterans' health care funding. The statistics speak for themselves.

There follows a report from the Atlanta VA Medical Center:

VETERANS ADMINISTRATION
MEDICAL CENTER (ATLANTA),
Decatur, GA, February 29, 1985.

HOWARD H. GREEN, M.D.,
Chief of Staff, VA Medical Center, White River Junction, VT.

DEAR HOWARD: This is in response to your letter of January 2, 1985 concerning this medical center. We are a 550 bed capacity medical center with 120 nursing home care unit beds. I hope that information contained in Attachments 1, 2, and 3 will be of some benefit to you.

Sincerely,
A. WENDELL MUSSER, M.D.,
Chief of Staff.

ATTACHMENT I

c. Projected dollar deficit as of January 1, 1985.

1. Personnel service—(Recurring).

A. Fiscal year 1985 estimated unfunded salary costs (excluding FICA/Medicare), $322,758.

VACO funding for above, $190,233.

Projected personnel service deficit (Total) $132,525.

B. Ambulatory care addition VAMC estimated personnel service requirements (68.0 FTEE), $1,771,000.

VACO funding for above (25.0 FTEE), $692,215.

Projected additional P/S requirements (43.0 FTEE) (Total) $1,078,785.

2. All other—(Recurring).

A. Fiscal year 1985 projected all other deficit. The significant areas of concern are open heart surgery and radiation therapy (Total) $400,000.

B. Ambulatory care addition VAMC estimated all other requirements, $493,900.

VACO funding for above, $246,785.

Projected additional A/O requirements (Total) $247,115.

d. Impact of dollar deficit.

1. Personnel.—The number of FTEE which the medical center can employ and maintain on our salary rolls is negatively affected by projected deficits in both our personnel services and all other accounts.

e. Solutions.—All Fund Control Point Officials and Service Chiefs at our medical center have been requested to insure that maximum utilization is achieved from the resources available to them.

Very stringent overtime controls have been stressed to limit usage.

Attachment II

I. Projected dollar deficit as of 1/1/85 should be obtained from 04 as a part of their budget review and FCP allocation process.

II. The Following information on projected inflationary costs for supplies is provided as indicated in the November, 1984, Price Trend Analysis from the VA Marketing Center.

a. Medical Supplies.—Average increase of 2 percent. Some high cost increases, such as patient examining gloves are expected to increase as much as 25 percent. However, on the average, medical supplies are expected to increase 2 percent.

b. Subsistence.—Average increase of 2 percent.

c. Pharmaceutical Products.—Average increase of 5-6 percent. Although the Marketing Center anticipates several hundred items with potential increases of 8-10 percent, they suggest that by using depot items, the average increase should be 5-6 percent.

d. Medical Equipment.—Average increase of 5 percent. The overall expected inflationary increases is about 5 percent. However, the Marketing Center projects that the procurement of equipment not previously available could result in increased costs as high as 10 percent.

III. The following information on the impact of deficit funding for equipment (NX) acquisitions is provided based on the funding provided this Medical Center and our established needs as presented by all Service Chiefs' Equipment Priority Lists:

a. Fiscal year 1985 Budget: Additional—$285,202; replacement—$336,790.

b. Dollar value of equipment requests on hand at start of fiscal year 1985: Addition—$1,885,798; replacement—$1,529,602.

c. Percent of available dollars versus total needs: Additional—15.12 percent; replacement—22.02 percent.

d. Clearly only a small percentage of the funds needed to meet the equipment requirements are provided to a medical center through the budget process. This is partially because many of the requirements submitted in previous years were not funded and therefore resubmitted as needs of the current fiscal year.

IV. Solutions: a. There is no simple solution to deficit funding for supply type items. However, several points to be considered are:

(1) Plan procurement requisitions to allow maximum lead time. The more lead time available the more competitive prices.

(2) Avoid local purchase whenever possible. Often times local purchasing is more expensive than purchasing through established government sources of supply. Items obtained from GSA, Depot, FSS, VA D/C, etc., although not the preferred item, will meet the needs of the using service.

(3) Seek to consolidate purchase requirements to take advantage of any volume discounts available.

(4) Always attempt to obtain FOB destination pricing. The cost of transportation, if any, will be built in to the cost of supplies. Also, many mandatory sources contract with the government at FOB destination.

b. With respect to equipment acquisitions, the following suggestions are presented:

(1) Provide continuous training on use of equipment to properly take care of the equipment on hand. This will maximize the useful life of the equipment. At our facility, many items of equipment are replaced prior to meeting their useful life expectancy.

(2) Establish a sound preventive maintenance program.

(3) Require detailed justification for major item (big ticket) acquisitions. Often extremely costly items can be justified in separate submissions to VA Central Office as emergent needs to meet patient case responsibilities. If a medical center does its "homework," the need for the item can be sufficiently justified to program officials to receive funding consideration at that level.

(4) Develop a strict report of survey procedure to minimize equipment loss. Equipment lost through neglect or theft must be replaced. This only adds to the already enormous demands for limited equipment funds at the medical center level.

Attachment III

d. Impact of dollar deficit.

4. Backlog of patient surgery.

Specialty	Number of operations scheduled	Length of stay (months)
Ophthalmology	24	2
Urology	80–90	2
Orthopedics	38	5

The other surgical sections are much more current in general.

e. Solutions you have devised—solutions currently used here for the backlog problem:

1. Patients simply wait.

2. Some patients are referred to other VAMC's in the region.

3. Some patients are told that they will have to seek care elsewhere (NSC, etc.)

4. Efforts to secure more money and more positions are constantly underway, but so far have been minimally productive.●

IMMIGRATION EXCLUSION AND DEPORTATION AMENDMENTS OF 1985

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. FRANK. Mr. Speaker, next week I plan to introduce legislation in an effort to repeal a national embarassment. In 1952, at the height of the McCarthy period, Congress adopted the McCarran-Walter Act (Immigration and Nationality Act), and in that act provided for the exclusion of certain people from this country. There are currently 33 grounds for exclusion, some of which are quire sensible. Others, however, are either archaic, redundant, or out of step with this country's tradition of freedom of thought and expression.

Aliens who "advocate the practice of polygamy" are excludable, for example, though this clause is not invoked very often now (fortunately since it

presumably would exclude some former foreign government officials with whom we have been friendly). Other more frequently cited provisions, however, are equally offensive. People who hold certain ideas, or who are affiliated with certain groups are prevented from visiting the United States solely because of these associations or opinions, not because of any destructive behavior they might engage in. This has led to the compiling of voluminous lists of aliens who have ever been associated with any proscribed organization, as defined by the State Department. These aliens are excludable for the rest of their lives. Aliens who might participate in "activities prejudicial to the public interest" are excludable based on the simple assertion of a State Department official, with no showing required of how or why such prejudice will occur. This has been used to keep out individuals who were planning on making speeches critical of American foreign policy. Philosophical believers in anarchism, gay men and lesbians, people who were once mentally ill but have since completely recovered—all are forever excludable, even though the vast majority of those covered have been law-abiding citizens of their own countries and present no threat at all to public order in the United States.

There are many cases in which this law is capriciously applied. At times the litmus test seems to be the extent to which whatever administration is in power is made uncomfortable by the opinions a person expresses. Hortensia de Allende, the widow of the assassinated Chilean leader, was denied a visa when she sought to address American audiences. The problem of abuse of discretion is a complex one because the courts will not review consular decisions; it is a matter which we will have to address as this bill goes through the legislative process.

The fundamental problem, though, is not one of abuse, but one of principle. The standards for admission set out in the current law are based on false premises, and those premises ought to be corrected. Current law assumes that admitting an alien into the United States connotes the approval of American society for that individual's thoughts and private life. This is a false presumption: that the right to visit this country is a privilege which we bestow only upon those we like. The opposite should be true in a free society—that anyone should be able to visit this country, unless it can be shown that they somehow directly threaten the public order (they have a criminal record, or they carry some dangerous disease, or they are likely to participate in terrorism, or they will deal in narcotics, or otherwise disobey our laws). Last year I introduced H.R. 5227 to revise the grounds of exclusion along these lines; I plan to reintroduce the bill next week, in a slightly revised form, and I invite my colleagues to join me. I welcome comments and suggestions; this is a complex matter, and reform is long overdue.

The test for exclusion should be one of behavior which threatens public order. Our consular officers and border inspectors should not be pressed into service as thought police. The law as it stands is an infringement of the right of Americans to hear from a variety of viewpoints (including ridiculous ones), and goes against the spirit of the Helsinki accords, which were designed to facilitate, among other things, freedom of travel. In general this country has an excellent record with regard to that agreement, while nations such as the Soviet Union have blatantly violated it. Our immigration laws, I believe, are one instance in which our compliance with Helsinki is deficient, and it incombent upon the United States as a Democratic Nation to remove this blemish.

Mr. Speaker, I ask that a section-by section summary of the bill be reprinted here:

IMMIGRATION EXCLUSION AND DEPORTATION AMENDMENTS OF 1985

SECTION 1.

a. Short Title.
b. References in Act.

SECTION 2. REVISION OF GROUNDS FOR EXCLUSION

(a) Amends the Immigration and Nationality Act to make only the following classes of aliens ineligible to receive visas for admission into the United States:

(1) Health Related Grounds

(A) those afflicted with communicable diseases of public health significance;

(B) those whose mental health record indicates that they pose a threat to property or to the safety or welfare of themselves or others;

(2) Criminal and Moral Grounds

(A) any alien convicted of a crime involving moral turpitude, with specified exceptions;

(B) any alien convicted of two or more offenses for which the aggregate sentences actually imposed were five years or more;

(C) any alien convicted of specified drug violations, or who is a narcotic drug addict;

(D) any alien who has engaged in (i.e. organized, abetted, or participated in) terrorist activities against the United States or its citizens;

(E) any alien engaged in or associated with the Nazi government of Germany between March 23, 1933, and May 8, 1945, who participated in the persecution of any person because of race, religion, national origin, or political opinion.

(3) Security Grounds

Any alien who is likely to violate U.S. laws relating to espionage or sabotage, to endanger the public safety, the lives or property of others, or the national security, to attempt the violent or unconstitutional overthrow of the U.S. government, or to engage in (i.e. organize, abet, or participate in) terrorism.

(4) Economic Grounds

(A) any alien who is likely to become a public economic burden.

(B) those aliens seeking to enter the United States for the purpose of performing skilled or unskilled labor, with certain qualified exceptions;

(C) any alien who is a graduate of a medical school not accredited by a body approved for such purpose by the Secretary of Education, with certain exceptions;

(5) Illegal Entrants and Immigration Violators

(A) any excluded and deported alien who seeks readmission within one year of the event, unless such readmission is consented to by the Attorney General;

(B) Any alien who has been deported on certain specified grounds

(C) any alien seeking to enter the United States by fraud or the willful misrepresentation of a material fact;

(D) any stowaway alien;

(E) any alien who aids any other alien in illegal entry;

(F) any alien who seeks entry through a foreign contiguous territory or adjacent island, having arrived there on a nonsignatory line, not having resided in such territory or islands for two years;

(6) Documentation Requirements

(A) any immigrant alien who is not in possession of a valid immigrant visa and passport at the time of admission;

(B) any nonimmigrant who is not in possession of a passport valid for six months, or who is not in possession of a valid visa or border crossing identification card.

(7) Ineligible for Citizenship

Any immigrant alien ineligible for U.S. citizenship, including a person who left or remained outside the United States to avoid U.S. military service in time of war or national emergency.

(b) Conforming Amendments to Section 212

(c) Effective Date

SECTION 3. REVISION OF GROUNDS FOR DEPORTATION

(a) Revised Grounds for Deportation

Makes deportable by the Attorney General only those aliens within one of the following classes:

(1) Excludable at Entry or Violates Status

(A) any alien who at the time of entry was within one or more of the classes of aliens excludable by then existing law;

(B) any alien entering the United States without inspection or at a time and place other than as designated by the Attorney General;

(C) any alien admitted as a nonimmigrant who has failed to maintain such status;

(D) any alien arriving from foreign contiguous territory or adjacent islands, having arrived there on a nonsignatory line, who has not resided in such territory or islands for at least two years prior to such arrival;

(E) any alien who aids any other alien in illegal entry;

(2) Criminal Offenses

(A) any alien convicted of a crime involving moral turpitude committed within five years from the date of entry and who is either sentenced or confined for a term of one year or longer;

(B) any alien who at any time after entry is convicted of two or more crimes involving moral turpitude;

(C) any alien who at any time after entry is convicted of a violation of certain drug laws, or who is or after entry has been a narcotic drug addict;

(D) any alien who at any time after entry is convicted under weapons-possession laws;

(E) any alien who at any time is convicted on any of various specified laws (e.g. sabotage, treason and sedition, selective service, etc.);

(3) Failure to Register and Falsification of Documents

Any alien who fails to comply with alien registration laws or foreign agent registration laws, or who is convicted of fraud or misuse of visas or other entry documents;

(4) Security Grounds

Any alien who violates U.S. laws relating to espionage or sabotage, who endangers the public safety, or the lives or property of others, or the national security, who attempts the violent or unconstitutional overthrow of the U.S. government, or who engages in (i.e. organizes, abets, or participates in) terrorism.

(5) Economic Grounds

Any alien who has become a public economic burden within five years of entry, from causes which cannot be shown to have arisen since entry;

(6) Engaged in Terriorism

Any alien who has enaged in (i.e. organized, abetted, or participated in) terrorist activities against the United States or its citizens;

(7) Assisted in Nazi Persecution

Any alien engaged in or associated with the Nazi government of Germany between March 23, 1933, and May 8, 1945, who participated in the persecution of any person because of race, religion, national origin, or political opinion.

(b) Conforming Amendments to Section 241

(c) Savings Provision

(d) Effective Date

SECTION 4. MISCELLANEOUS CONFORMING AMENDMENTS●

INCREASE FUNDING FOR EPA FISCAL YEAR 1986 BUDGET

HON. GUY V. MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. MOLINARI. Mr. Speaker, in the past I have repeatedly urged my colleagues to provide adequate funds for the Environmental Protection Agency's overall operating budget. I have reviewed the proposed fiscal year 1986 EPA budget and, while I still have concerns regarding the Agency's overall operating budget, there is one area which stands out in this budget as particularly underfunded.

I am pleased to see the substantial increase in funds requested for the RCRA Program in response to the legislation we passed last year. However, if my colleagues look at the budget more closely, they will see that this RCRA increase has been accomplished through reprogramming funds from virtually every other media account. My concern is that this reprogramming will significantly disrupt the operation of these other programs and thwart any continued progress in these areas. It is important that we provide the funds needed to meet the new RCRA mandates, yet we should not allow the practice of extracting funds from already underfunded programs.

To be specific, Mr. Speaker, I believe that an area which has suffered most severely due to inadequate funding is the Air Quality Program. Let me review some of the cuts in this program and discuss their consequences.

We often hear reference to the Air Program as a "mature" program which has achieved much of what it was established to do and does not require as much emphasis as the more infant programs such as the hazardous waste programs. However, such an assertion seriously underestimates the magnitude of our continuing air pollution problems. We still have many unresolved problems to address in our conventional air pollutant programs and we are only beginning to discover the extent of new toxic pollutants entering our environment daily and their potential impact on human health. An internal 1984 EPA draft report concluded that the potential health threat from air toxics was greater than previously thought. According to the draft, up to 2,010 annual cancer deaths could be attributed to the 39 pollutants which were assessed by the Agency in the report. The 39 pollutants assessed are but a small percent of the existing number of hazardous pollutants threatening our environment. Accordingly, we should be targeting sufficient funds and resources in the Air Program toward combating this threat and protecting public health. For EPA to meet its stated air objectives will require substantial resources. However, the Agency's modest request to OMB of $262 million for the entire Air Program was cut by $26 million to $236 million—an amount still below 1981 levels. Following are some of the specific reductions within the Air Program and their direct impacts.

RESEARCH AND DEVELOPMENT

Research and development [R&D] is the foundation of all regulatory activity. Without ongoing R&D we cannot set standards, develop state-of-the-art pollution control technology and monitoring equipment, and generally safeguard public health. Over and over again we hear the case made that standards cannot be established until concrete scientific data is available to prove their necessity. OMB, for one, has repeatedly taken this position. It has consistently called for further study prior to establishing standards and, yet, it denies the EPA adequate resources to provide such data. EPA requested $70.7 million for R&D in the Air Program—OMB reduced that to $65.4 million, an amount about $2 million less than fiscal year 1985 levels for air R&D. When we look at some of the specific programs under air R&D, we can see just what these cuts will mean:

Health effects studies.—Health effects studies, in total, have been cut by $693,000 from 1985 levels. For reasons I cannot understand, most of this cut—about $500,000—has come out of the hazardous air pollutants health studies, an area where we desperately need more data. This 13-percent cut in funding for hazardous pollutant health effects studies may stop almost all extramural research in that area and will significantly disrupt any progress we may hope to make. Our efforts to define the threats posed by hazardous air pollutants rely heavily upon the scientific community, and if that community is dismantled, further progress will be severely restricted.

Environmental processes and effects.—This program establishes mathematical models to locate emission sources. It has been cut by about $614,000 from 1985 levels. Scientific modeling, still in its infancy, is crucial toward attaining national ambient air quality standards and will require resource-intensive research and development.

I have cited only a few examples of specific needs within the R&D Program. There are many, many more. It is crucial that we provide EPA with, as a minimum, the amounts originally requested by the agency for R&D.

ABATEMENT AND CONTROL

The second tier of the Air Quality Program is abatement and control. This is the program designated with setting standards, assessing the state-of-the-art technology, developing pollutant strategies, and formulating guidelines for the States. While it relies upon R&D for the basis of its activities, it is equally as important in making the entire environmental regulatory network function properly and effectively. Yet, the overall abatement and control funding request by EPA to OMB was cut from $166.8 million to $149.5 million—a $17.3 million cut. Even EPA concedes that this cut will mean less regulatory development, slower progress toward developing environmentally sound alternative fuels, less recall testing of motor vehicles, reduced purchasing power for monitoring equipment, and less assistance to the States. Some of the vital programs within the abatement and control account have suffered substantial cuts as well in this proposed budget. Let me cite one very specific need:

Office of Air Quality and Stationary Source Planning and Standards.—This office functions to lay the groundwork for establishing emission standards. It has been cut by $1.5 million or 6.5 percent from 1985 levels. Within this account the Emissions Standards and Technology Assessment Program sets the hazardous air pollution standards. Only four such standards have been promulgated to date. Yet, again this most crucial hazardous pollutant program has been cut more than any other program within the Air Quality

Planning and Standards Office—by $1.3 million or by 9.6 percent from 1985 levels. Even the office director has contended that that limited resources have constrained the number of pollutant-by-pollutant assessments which could be accomplished.

Again, we should provide the EPA with the additional $17.2 million originally requested of OMB by the Agency for air abatement and control.

ENFORCEMENT

The third tier of the Air Quality Program budget, air quality enforcement, is dangerously low. I was very concerned to note that the funding levels in this budget are even below 1985 levels. The Agency's original request to OMB of $24.5 million was cut to $21 million—a $3.5 million cut, which is $240,000 below 1985 levels. This is even in the face of confirmation last year that the 1985 air enforcement budget the Agency had to work with would cause the number of site inspections to decline by almost 20 percent. Discussions with the Agency's enforcement branch confirms a continuation of this trend. Within the Air Enforcement Program, stationary source enforcement has been cut by $107,200 from 1985 levels. And still, many of the major stationary sources of air pollution in the United States may be in violation of the Clean Air Act standards. EPA, in its budget justification, states that:

EPA will carry out a vigorous, compliance program aimed at achieving continuous compliance by stationary sources * * * sources of [volatile organic compounds] will receive increased attention. Emissions from these sources are of concern, not only because they contribute to unhealthful ozone levels, but also because their components may be hazardous to public health.

EPA cannot do this with the amount of funds provided in this budget request.

A very specific need within the Air Enforcement Program is funds to replace the light detection and ranging air pollutant monitoring unit, commonly referred to as Lidar, which is operated by EPA's National Enforcement Investigations Center located in Denver, CO. This unit is a vital component of a monitoring system—it measures the density of emissions discharged from a stack and helps to indicate how effective a control system within a plant is operating. The Lidar is one of the few monitoring systems which can measure emissions at night and thus, detect violators who wait until dark to vent excessive emissions. The existing Lidar is extremely antiquated and no longer state-of-the-art technology. I was informed that about one-half of the time of those who operate the unit is spent simply maintaining it. Yet, funds requested to replace the existing Lidar with a new, state-of-the-art Lidar, were refused by OMB. It would cost only $500,000 to replace this essential unit and those funds should be provided.

The decrease in air quality enforcement spending should stop now. EPA has already lost much of its credibility among those it regulates and without increased enforcement power, the Agency may lose it all. If we do not put a stop to violations now, our job will be a lot tougher and much more expensive later.

Finally, one of my foremost concerns is the decrease in funding for the National Enforcement Investigations Center [NEIC] which I mentioned above. The NEIC is critical to our enforcement efforts in providing technical support for litigation in civil and criminal cases involving all statutes administered by the EPA. However, funding for the NEIC in this budget has been cut by $213,000 or by 4.1 percent from 1985 levels. I have personally worked with NEIC on a number of issues and I have found them to be capable and dedicated. It is vital to our enforcement program to provide the NEIC with, at least, the 1985 budget amount.

In closing, Mr. Speaker, I urge my colleagues to support increased funding for the EPA's Air Program. Some may argue that in the face of our current deficit, all programs must suffer. However, we should bear in mind that not only will the Air Program suffer from these proposed funding reductions, but the public health will suffer as well. It would be a wise move to invest the dollars now to prevent huge cleanup and health-care costs later.●

TAX EXPENDITURES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, May 1, 1985, into the CONGRESSIONAL RECORD:

TAX EXPENDITURES

With the April 15 filing deadline behind us, many Americans are again cursing the federal income tax system. Once considered the fairest of all taxes, today it is considered the least fair. One particular concern of Hoosiers, with good reason, is the recent proliferation of tax loopholes. They have gotten out of hand.

The federal budget concept closest to that of a tax loophole is a tax expenditure. Tax expenditures are the special provisions added to the income tax law over the years to provide incentives for certain activities or relief for certain taxpayers. Today there are more than 100 such tax expenditures, double the number 15 years ago. They are called "tax expenditures" because the loss of tax revenue has the same effect on the federal budget and deficit as direct expenditures. They function much like open-ended entitlements, such as social security: whoever meets the eligibility requirements is entitled to receive benefits regardless of the cost to the government.

The largest tax expenditures to individuals are the exclusion of employer-paid pension contributions ($56 billion in 1986), the mortgages-interest deduction ($27 billion), and state and local tax deductions ($25 billion). The biggest benefits for businesses come from the investment tax credit ($30 billion) and accelerated depreciation ($24 billion). Tax expenditures in 1986 will cost the federal Treasury an estimated $300 billion for individuals and $120 billion for businesses. Their cost is almost 40 percent that of direct federal outlays. In most categories of the federal budget, direct expenditures far exceed tax expenditures. However, in some categories, tax expenditures equal or exceed direct expenditures. For example, direct federal subsidies for housing—including the FHA loan program and rural housing programs—amount to about $13 billion, while tax expenditures for housing—such as mortgage interest and accelerated depreciation—cost the government about $60 billion each year.

Although tax expenditures have the same fiscal impact as direct federal spending programs, they are subject to much less congressional oversight. They are not included in the formal congressional budget process. Across-the-board spending cuts do not reduce tax expenditures. They are not reviewed annually, and they are reviewed, if at all, only by the tax-writing committees, not by the appropriate authorizing committees. As a result, tax expenditures have grown much more rapidly than direct spending programs in recent years. In the past 4 years, their cost to the federal Treasury has almost doubled. This loss of tax revenues has led to higher marginal tax rates for everyone.

In addition, tax expenditures complicate the tax code and made it incomprehensible to most Americans. They sometimes distort investment decisions and result in the inefficient use of capital. Investments are often made in schemes that offer tax advantages rather than in the most productive enterprises. Tax expenditures do not always lead to new investment, but sometimes reward ongoing activities. For example, studies indicate that more than half of the money put into IRA accounts was taken out of existing savings accounts. They also produce inequities: two people with the same income rarely pay the same tax, many large corporations and wealthy individuals pay little or no tax, and the tax burden falls unevenly industry by industry. Those taxpayers who itemize on their returns—only ⅓ of all taxpayers—receive the largest benefits. It is unlikely that Congress would approve direct subsidies to replace some tax expenditures, and other tax expenditures have questionable value: last year tax expenditures for vacation homes cost the government $1.2 billion. Tax expenditures compound the cynicism of the average taxpayer, and have helped make tax cheats and petty criminals out of thousands of otherwise law-abiding Americans.

Many tax expenditures advance worthy public purposes. Mortgage interest deductions promote home ownership, and special exemptions in the tax code assist the blind. Some tax expenditures replace government programs, intervention and regulation by providing incentives for private investment and job creation. Similarly, tax deductions for charitable contributions allow individuals rather than the government to decide which charities deserve support.

Although some tax expenditures are valuable, many of them could be modified or eliminated. Even if Congress does not overhaul the tax code this session, we must increase general oversight of tax expenditures. In our current fiscal crisis, we must take steps to ensure that each tax expenditure, like each direct expenditure, is serving a useful purpose, is efficient, and is not being abused. Converting some tax expenditures into direct expenditures would subject them to tougher formal oversight and remove their status as open-ended entitlements. We could increase scrutiny further by considering tax expenditures similar to the way we treat direct expenditures: including them in the formal budget process, putting an overall limit on them each year, and including them in the reconciliation process. Currently, only congressional tax-writing committees review tax expenditures. Appropriate authorizing committees should also review them to compare their merits and costs with those of related direct spending programs. We should continue the recent trend of putting "sunset" provisions on tax expenditures. Each tax break would expire automatically and could not be renewed until its effectiveness had been reviewed. We should also consider temporary across-the-board cuts in tax expenditures when we enact across-the-board spending cuts. Finally, we should put tax expenditures on a "pay-as-you-go" basis. Each proposal to expand or create a tax break would have to offset any revenue loss, by reducing or eliminating an existing tax expenditure, for example.

In recent years, we have increased oversight of direct spending programs considerably. It is time to do the same for tax expenditures.●

CONTINUE FEDERAL ASSISTANCE TO AMTRAK

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. FLORIO. Mr. Speaker, the Reagan administration has proposed to abolish all subsidies to Amtrak, our Nation's rail passenger system. The net effect of this proposal would mean the end of Amtrak and the cessation of all service on October 1.

In recent interview with U.S. News & World Report, Amtrak's respected president, W. Graham Claytor, Jr., succinctly explained many of the administration's incorrect assumptions about Amtrak. I believe Amtrak is a vital part of our Nation's transportation system, and as such, should receive support from the Congress. I commend this informative interview to my colleagues.

[From U.S. News & World Report, Apr. 29, 1985]

COMING SOON: THE DEATH OF PASSENGER TRAINS?

Without federal subsidies, Amtrak wouldn't be able to run any trains after September 30, warns the railroad's chief. He says the company has steadily reduced its need for aid.

Q. Mr. Claytor, if President Reagan gets his way, all federal subsidies to Amtrak will end September 30. How many passenger trains will you be able to run then?

A None.

Q Not a single one?

A None at all.

Q But don't some Amtrak trains make money?

A On our densest route, the Northeast Corridor between New York and Washington, many trains cover their direct costs—but they do not come close to profitability after you add to those costs the costs of the infrastructure—track, wire and interlocking maintenance, signaling and dispatching, stations and terminals and that sort of thing.

Q So what would happen on October 1?

A Amtrak would stop all service. That, in turn, would trigger 2.1 billion dollars in payments to workers who lost their jobs—a labor-protection liability. That, in turn, would render Amtrak insolvent because we cannot possibly have the liquid assets to pay that. Amtrak would go bankrupt.

Q Could you keep operating in one or two markets?

A No. It has been suggested that Amtrak stop all long-distance service and keep running the Northeast Corridor. You can't do that. When you discontinue trains in the rest of the country—which affects nearly half of our 20 million annual passengers and about two thirds of our costs and revenues—you immediately trigger labor-protection liability of at least a billion dollars. That's an obligation Amtrak would owe. We don't have money to pay that. We'd be insolvent even then. We'd be out of business no matter how you figure it.

Q Then why does the Office of Management and Budget insist Amtrak could be self-supporting if it were scaled down?

A They're wrong.

Q Have they explained their reasoning?

A Not to me. And frankly, I don't see how anyone can reach any other conclusion than the one we've come to.

Q In the past, when other Presidents sought to cut off funds to Amtrak, Congress always came to its rescue. Will Congress be as sympathetic this year?

A I'm confident that if I can demonstrate to members of Congress how well we're doing, as well as the actual long-term costs and incredibly difficult effects of terminating Amtrak, they will decide not to do it.

Q How strong is Amtrak's support within Congress?

A I don't know. I am not in a position to make political judgments, and I have too much sense to try.

Q How about Amtrak's support with the public?

A There is a substantial amount. A great many people would be very badly hurt if Amtrak goes out. One group are those who use Amtrak betweren Washington and New York and, to a lesser extent, New York and Boston. The other group are the long-distance travelers who tend to be lower-income, older and retired people who travel only by train and who can't travel at all if Amtrak is gone. Some can't fly, others won't fly—and for long distances, they have no other way to travel.

Q Let's get back to the labor-protection liabilities you mentioned. Are these agreements you made with Amtrak employees in order to make it hard to close down Amtrak?

A Goodness, no. I personally have always thought this kind of labor protection is a bad policy. Congress created these liabilities in 1971 when it established Amtrak. The statue says that any railroad employee who loses his job or is disadvantaged by the termination of passenger-train service is entitled to reasonable protective conditions, to be agreed upon between the unions and the railroads.

Q So you did agree to the amount of compensation—

A No, again. The law then goes on to say if the parties cannot agree on what are reasonable protective provisions, they will be determined by the Secretary of Labor. Now, whenever you put a stipulation like that in a law, you know what's going to happen: The two sides don't agree. They didn't agree, and the Secretary of Labor set the amount at up to six years of continued compensation, depending on length of service.

Q The Secretary of Labor works for Mr. Reagan. Can't he simply lower the amount of compensation?

A Not now. Once he set it, the parties signed the agreement, because they had to, and it carries legal force.

Q Can Congress absolve Amtrak of the severance pacts?

A It's very unlikely. Congress probably could ordain lower job-protection obligations for the future. But trigger the compensation liability by ending our subsidy and then change the rules for that liability? Almost certainly not.

Q David Stockman at OMB says that the government won't pay the compensation—that it's up to Amtrak.

A We can't pay it. While the potential liability is about 5 billion dollars or more, the actual liability is likely to be about 2.1 billion because people who lose their jobs would eventually get new jobs or retire. This would mean about 645 million the first year and lesser amounts the next five years.

Amtrak has some 3 billion dollars of locomotives, cars, shops, facilities and real estate on the books. If you could get 10 percent of that in a liquidation, I'd be surprised because these facilities and this equipment are useful only for intercity passenger service, and there won't be any of that left. A freight railroad might pay $300,000 for a locomotive that cost us 1.2 million, but the passenger car fleet would go for scrap prices.

Q How about selling your route from Boston to New York to Washington?

A Who wants it?

Q Well, if it were cheap enough—

A You couldn't give that line away. It is used predominantly by passenger trains—Amtrak's and those of commuter-train authorities in New Jersey, Pennsylvania, Maryland and Massachusetts, which are losing propositions. Conrail runs some frieght trains there, too, and serves about 200 industrial customers between New York and Washington. Altogether, these other users between New York and Washington pay Amtrak 53 million dollars a year for using our tracks—a fraction of the total cost.

If Amtrak goes bankrupt, all that traffic stops, too. You can't run trains over that line without dispatchers and signalmen and track workers and terminal personnel, and they work for Amtrak.

Of course, a bankruptcy trustee could say, "I'll maintain the New York-Washington route for all you fellows for, say 20 million a month, payable in advance." That's the real cost and no one is going to pay it. Shut down the Northeast Corridor route, and you're going to have just one hell of a to-do.

Q Were it not for the job-protection agreement, how much subsidy would be

needed to operate Amtrak trains just between Boston, New York and Washington?

A Roughly 250 million dollars, at present levels of service. Our operating subsidy for all service nationally is 640 million—and declining.

Q Suppose the President called you and said: "I'd like to lower the amount the government spends on Amtrak. Tell me what to do." How would you reply?

A I'd say, "Freeze our subsidy this year and let me continue to do exactly what I've been doing, and I'll reduce the subsidy amount in future years." We lowered the subsidy 26 percent in "real" or constant dollars from 1981 to 1985.

Q By cutting trains and routes?

A We haven't cut service. We have become more efficient, and we have increased our revenues. About six years ago, we covered 43 percent of our costs with revenues. Today, we get back 58 percent and, next year, 60 percent.

Q Is there much more fat to be taken out of your costs?

A Sure. We now own the Northeast Corridor line—the crews work directly for Amtrak. We've saved 20 million dollars a year by negotiating new labor contracts with them. We now are trying to do the same thing on all trains operated over tracks of Conrail. And then we'll go to routes on other railroads, too.

But there's no use going through this difficult series of negotiations and putting everyone's mind to work on it if you're not going to be here. We've got to survive first. If we survive, we'll be negotiating new contracts in the years ahead.

Q If Congress gradually phased out your subsidy, could you make up the difference by increasing fares?

A If I could get any more revenue by increased fares, they'd be increased right now. It is, unhappily, not a solution. Our fares are not pegged to get maximum ridership, but to achieve maximum revenue. Assuming our judgment is right, if we raised our fares now, we'd have less revenue. If we lowered fares, we'd have less revenue.

Q What you are saying, then, is that passenger trains will never be profitable——

A Right, though they might under certain assumptions.

Q What assumptions?

A First, terminate all direct and indirect assistance to the airlines. That means no revenue bonds to build airports, no government air-traffic-control aid, no direct subsidies. Airlines would have to raise their fares, for example, 50 percent. So would we, and we'd get a lot closer to break-even.

Second, we are the most energy-efficient way to move people. When gasoline approaches $3 a gallon, we'll be able to get a lot more people out of their autos and onto trains, and make money. But I don't know when gasoline will cost $3 a gallon, and the politics are such that airline subsidies are never going to be wiped out.

Q Does it upset you that every few years Amtrak's very existence is threatened?

A It's a bad situation. A conceivable solution would be to provide money to Amtrak out of a transportation trust fund the way we've assigned a penny a gallon to mass transit.

Q Is there something in the American psyche that can't tolerate an enterprise that loses money?

A Well, I don't think so. There is a difference of opinion among economists on this as on most other things. A lot of things lose money and are supported indirectly. I contend that, at present fares, airlines in fact lose money. But it's all made up by the government—here and there and under the table. Amtrak's subsidies are on top of the table, for everyone to see.

Q To be exact, your subsidy averages $32 per passenger—

A Plus another $2 per passenger due to business travelers whose fares are tax-deductible—meaning that the government pays roughly half the cost in lost tax revenues.

Now let's turn around and see what happens with airlines: In 1984, the government paid $9 per major-airline passenger for air-traffic control and maintenance. Next, the government lost about $33 in tax revenues per major-airline passenger, because typcially two thirds of the air travelers travel on business. Then, in the last three years, there's been a billion-dollar tax loss from tax-free revenue bonds issued for airport construction.

My point is, if you want to play the subsidy game, we can play it, too.

Q Your board of directors is appointed by the President. Do they support continuing Amtrak?

A Yes, they do.

Q But isn't Mrs. Dole, the Secretary of Transportation, one of the board members?

A I can't speak for her, of course. She is a cabinet officer and is carrying out her responsibilities. I'm very sympathetic with Mrs. Dole. She's doing a great job.●

BICYCLE PARTS DUTY SUSPENSION

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. DUNCAN. Mr. Speaker, I am pleased to introduce today legislation that would extend the suspension of duty on certain bicycle parts for 3 years, until June 30, 1989. Duty suspension on bicycle parts has been in effect since 1971, and if this bill is not passed, will expire on June 30, 1986. This legislation would also expand the current duty suspension list to include certain bicycle parts not presently manufactured domestically. Those parts are bicycle chains, front and rear derailleurs, shift levers, cables, and casings for derailleurs.

Because of the absence of domestic production of certain bicycle components, domestic bicycle manufacturers are forced to rely on foreign sources of supply for essential parts. Unless the suspension of duties on these parts is continued, U.S. manufacturers will have to pay duties ranging from 8.3 to 11.6 percent on these imported parts while their foreign competitors are able to bring assembled bicycles into this country at a duty rate of only 5.5 percent. Without duty suspension, the competitive advantage conferred on overseas producers by this tariff differential could effectively preclude U.S. producers from competing against foreign manufacturers.

The U.S. bicycle industry is already suffering serious injury as a result of the dramatic escalation of low-priced imports. In 1982, bicycle imports accounted for 23 percent of the U.S. market; that share grew to 30 percent in 1983, and to 42 percent in 1984. In January 1985, total imports accounted for over 50 percent of the domestic market. The industry's shipments, employment and profits have all declined as a result of such increased imports. The expiration of duty suspension would guarantee the continuation of these unacceptable trends.

The list of items covered by this bill has been periodically modified, taking into account the presence or absence of domestic production of the relevant parts. This bill marks the continuation of congressional concern that U.S. manufacturers—when necessary—be able to purchase needed components free of duty. Clearly, the American consumer will benefit if the domestic industry's costs are not needlessly increased by the reimposition of tariffs should the current duty suspension provisions be allowed to expire.

I ask your support for this bill which is critical to the existence of this important U.S. industry, an industry which is vital to the health and recreation of Americans everywhere.

[Text of bill follows:]

H.R. 2298

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GENERATOR LIGHTING SETS.

Item 912.05 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "6/30/86" and inserting in lieu thereof "6/30/89".

SEC. 2. BICYCLE CHAINS.

Subpart B of part 1 of the Appendix to such Schedules is amended by inserting in numerical sequence the following new item:

"912.06	Bicycle chains (provided for in items 652.13 and 652.15, part 3F, schedule 6).	Free	No Change	On or before 6/30/89".

SEC. 3. OTHER BICYCLE PARTS.

Item 912.10 of the Appendix to such Schedules is amended—

(1) by striking out "multiple free wheel sprockets" and inserting in lieu thereof "free wheel sprockets";

(2) by inserting "front and rear derailleurs, shift levers, cables and casings for derailleurs" immediately after "drum brakes";

(3) by striking out ", and parts of bicycles consisting of sets of steel tubing cut to exact length and each set having the number of tubes needed for the assembly (with other parts) into the frame and fork of one bicycle"; and

(4) by striking out "6/30/86" and inserting in lieu thereof "6/30/89".

SEC. 4. EFFECTIVE DATES.

The amendments made by sections 1, 2, and 3 shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of enactment of this Act.●

SOME ANSWERS TO THE QUESTION—IS AN HMO RIGHT FOR ME?

HON. WILLIAM LEHMAN
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. LEHMAN of Florida. Mr. Speaker, I would like to bring this informative article which appeared in the May 1985 issue of Money magazine entitled "Two Cheers for HMO's" to the attention of my colleagues.

On April 24, 1985, the Select Committee on Aging held hearings on HMO's and there continues to be widespread interest as more and more people have an opportunity to join an HMO.

The article follows:

TWO CHEERS FOR HMO'S
(By John Stickney)

They've been called the best medicine for proving high-quality, low-priced health care. They've also been accused of cutting costs by cutting corners. Health maintenance organizations are controversial largely because you pay your money, but you don't take your choice. With traditional health plans, you pick your own doctor, pay as you go and send the bill to your insurance company. In an HMO you pay an annual fee, and the plan's own doctors—and usually they alone—handle almost all your health needs for no extra charge. To proponents of HMOs, prepayment is an incentive for a plan to keep you sound; to detractors, it's an invitation to economize at the expense of your health.

The prototype HMO was opened in Los Angeles in 1929, but only recently have HMOs won a large public. About 15 million Americans belong to the 343 HMOs in the U.S.—almost three times as many members and twice as many plans as in 1975. HMOs, a quarter of which are run on a for-profit basis, are now operating in more than 200 cities and are within reach of most of the U.S. population. Three months ago, new rules made it easier for the nation's 30 million Medicare beneficiaries to enroll. Eager to keep medical care costs down, Congress has given seed money to HMOs, and companies trying to save on health insurance premiums have urged their employees to sign up. In many cities you have a choice among plans. Now more than ever, you're likely to be asked to join an HMO.

There are two basic types of HMOs. More than half are group practices, with centralized facilities. The others are individual-practice plans, in which the HMO is a network of doctors who maintain their own offices. Your current doctor, in fact, may already work part time for such a plan. Both types of HMO generally preserve the traditional arrangement of one patient, one physician. When you enroll, you either pick your doctor from a list or have one assigned to you. If the match doesn't suit, you can choose again. In a group HMO, of course, you're likely to get a substitute when your doctor isn't available. In individual-practice plans, if your doctor isn't on hand, the HMO refers you to another doctor in the network.

An advantage of group HMOs is that they have a built-in quality-control mechanism. Because your medical records are in one place, every doctor you see can refer to them. Notes Dr. Jack Resnick, director of the Community Health Program of Queens-Nassau in New Hyde Park, N.Y.: "Doctors out on the street aren't subject to that kind of peer review."

Whichever form they take, HMOs aren't for everybody. The group plans themselves acknowledge that if you have a longstanding relationship with a doctor who isn't associated with an HMO, you may want to stick with him. Also, because an HMO obliges you to use its doctors and facilities, it may not be advisable to enroll if the nearest HMO doctor or medical center is far from your home or if you travel a lot or if you have a child away at college.

The main reason for joining an HMO is the simple prospect of saving money at no threat to your health. The average monthly HMO premium, paid by you or your employer, is $181 a family, about $7 more than for traditional insurance. But your total expenses—premium and out of pocket—may be 10% to 40% less because HMOs typically have no deductibles and cover a higher percentage of surgical and hospital costs than a traditional major-medical policy. Another potential saving with HMOs is time: you won't encounter the paperwork and reimbursement delay that come when you see your pay-as-you-go doctor and file a claim with your insurance company.

Where you most want your health care to measure up is, of course, in quality. Studies by the American Medical Association and Johns Hopkins University have shown that medical care in HMOs generally is at least as good as that in traditional settings. But HMOs, like doctors and hospitals, range from superlative to poor. Because of the unevenness of quality, because you're evaluating a large and complex medical organization and because you'll be signing up for a year at a time, you should bring more effort to the decision than you would in choosing a new personal doctor.

The checkup you give an HMO might begin at the administration office. Ask whether the HMO is federally qualified, which means that it offers a specific group of services. About two-thirds of all HMOs are so designated. But you shouldn't automatically dismiss a plan that doesn't have the label. Many conscientious outfits abide by the rules of the agency in their state that regulates HMOs. Ask the HMO for the name of the agency and call to find out about a plan's reputation. Another positive sign is an HMO's membership in the Group Health Association of America (624 Ninth St. N.W., Suite 700, Washington, D.C. 20001), a self-policing trade organization that sets medical and financial standards for its 126 member plans. The GHAA will send you a free list of plans in your state.

In evaluating an individual HMO, find out who provides treatment under what circumstances. Many HMOs spare their doctors—and hold down costs—by relying heavily on nurses and other medical aids to handle minor medical matters. State laws differ sharply on how much care a nurse or other nondoctor can give in an HMO or elsewhere. If the plan you're considering uses a lot of assistants, be sure you have the right to see a doctor if you prefer.

HMOs also save money by sending patients to hospitals as seldom as possible. Some big HMOs—such as the nation's largest, Kaiser-Permanente in Oakland, Calif., and New York City's Health Insurance Plan of Greater New York—have their own hospitals. Otherwise, when a stay is necessary, you go to a hospital affiliated with the plan. HMOs keep their hospitalization costs low by several means. A prominent one is reducing the length of stay. For example, at the Community Health Program of Queens-Nassau a patient might receive presurgical testing at the HMO rather than having to check into the affiliated hospital, the Long Island Jewish-Hillside Medical Center, for an extra day. An independent 10-year study of the Group Health Cooperative of Puget Sound, a large Seattle plan, found that members spent 40 percent fewer days in the hospital in a year then did a similar group of patients under traditional care. (For more about this HMO, see "Co-ops Can Feed, Finance, Doctor and Bury You" on page 197.)

For some people a troubling drawback of HMOs is the restrictions on the use of non-HMO care. Generally, you can see a doctor outside the HMO's roster only if the group can't provide what you need and one of the HMO's own doctors gives you the referral. The same rules apply to a patient's request for a second opinion on, say, the necessity of surgery. This restriction may represent a conflict of interest: a second doctor at an HMO is probably less likely to challenge a staff colleague than is an outside specialist.

HMO defenders argue that such restrictions don't sacrifice medical quality and enable the plan to control costs. Explains Dr. Paul Lairson, an administrator with Kaiser-Permanente: "We depend on our own doctors and the diversity within their ranks to give you the care you need. The system is indeed closed, but flexible." In a large HMO such as Kaiser-Permanente, you're less likely to need a non-HMO specialist than you are in a small one. In sizing up a plan, you should get an explanation of its policy on outside care and not enroll unless you're satisfied you can feel comfortable with the rules.

In an emergency, of course, you can get care wherever you find it. Your HMO covers you for such treatment even when you're out of town or out of the country. Often an HMO operates on a lenient definition of what's reimbursable. If you're traveling and your child comes down with fever, for example, see a doctor and the HMO will pay. For nonemergency treatment outside the HMO's bailiwick, you pick up the bill—unless you've gone to an HMO that has reciprocal arrangements with your hometown plan. Ask your HMO where you're entitled to visiting privileges. Many plans, especially those operated by national organizations such as Kaiser-Permanente or Prudential Health Care, offer such an option.

An important feature of HMOs is signaled in their name: health maintenance. HMOs make a particular point of emphasizing preventive care, and they surpass conventional insurance in covering checkups and other medical exams for adults and children. Many plans also sponsor free health education classes and various exercise clinics.

But you should know just how fully the HMO covers the services that matter most to you. A plan may be less generous than conventional insurance about covering long-term physical therapy or psychiatric care, for example. As with other insurers, once your coverage runs out, you have to pay out of your own pocket for any continued care. Also, HMOs tend to vary in the scope and extent of such benefits as dental or eye care and prescriptions.

Prospective HMO members sometimes need to look beyond their own health to that of the plan itself. The recent growth

surge in the number and size of HMOs has caused some shakiness. Since the late 1970s, 25 federally qualified HMOs around the country have collapsed from financial mismanagement. One of the failed plans saddled its members with unpaid medical bills. Now any federally qualified HMO must carry insurance or cash reserves to protect the members from a plan's insolvency. At an HMO that isn't qualified, check who pays your bills if the plan folds.

An increasing number of HMOs, like hospitals and other medical institutions nationwide, are either being set up to make a profit or are seeking to change their nonprofit status. At least 85 HMOs already are for-profit. A concern among members prospective or otherwise is whether the profit motive affects the quality of care. Says Mark Schlesinger, a research coordinator at Harvard's Kennedy School of Government, who has studied HMOs: "There's no evidence that care is different in a for-profit plan. But it's likely to cost you more."

The worst fear you may have about joining an HMO is whether such a budget-conscious organization is willing to spare no reasonable expense if you fall seriously—and expensively—ill. HMOs nationwide are concerned that recent problems in Florida have compounded the fear. Some HMOs in the Miami area have burgeoned, partly by enrolling thousands of Medicare beneficiaries. Members of one HMO complained to their congressmen and other government officials that the plan was skimping on costly treatments and even pressuring people who needed such care to drop out of the program. The federal Department of Health and Human Services investigated and found no evidence of medical maltreatment. But Congress' General Accounting Office is now looking into the administration of Medicare programs in South Florida plans.

Since HMOs can vary in quality, here are six questions whose answers can reveal how well equipped a local plan is to keep you healthy—and happy—if you join:

How can I be sure I'll get topnotch care at this HMO?

The most reliable sign of quality is a satisfied membership. Consult enrolled friends or co-workers about how they rate the plan. Also, group-practice HMOs frequently hold open houses, where you can see for yourself whether the facilities are clean and orderly. Ask for a roster of the HMO's staff, with specialties and credentials. A majority of the doctors should be certified by national boards in their medical specialties, and the rest should be eligible to become so. Federally qualified HMOs are required to set up a way for members to complain or make suggestions. Ask the HMO what some typical gripes are and how they're being resolved.

Where do I go if I need to be hospitalized?

It's reason enough to reconsider an HMO altogether if the plan's affiliated hospital has a poor reputation or is too far from your home.

What happens in an emergency or if I need after-hours care?

You should have the HMO spell out its procedures. Can you get prompt nighttime help at an HMO office or over the phone?

What are my out-of-pocket expenses likely to be?

If the HMO's annual premium is higher than the one for conventional medical insurance, your employer may expect you to make up the difference. Many HMOs also charge $2 to $3 for each office visit as well as fees for other services such as prescriptions. At federally qualified HMOs the total of extra fees a member pays during the year may not exceed 200% of the annual premium.

How long must I wait to get an appointment or to see a doctor once I've arrived in the waiting room?

HMOs have a vested interest in saving patients' time, and punctuality is a sign of a well-run group. You shouldn't patronize any HMO that can't guarantee a doctor will see you the same day you call in sick. Find out whether patients can expect less than 30 minutes in the waiting room and less than two months' advance scheduling for a checkup or some other nonurgent care.

How can I be sure this HMO is financially sound?

Call the state office that regulates HMOs and get an opinion. Your risk of joining a potentially ailing HMO is less if the plan has been operating for at least three to five years, or if it has the financial support of, say, a big insurance company. If you're tempted by a brand-new HMO, you should ask who its founders, backers and board members are. If the executive mix doesn't include physicians, your health probably would be better served by going elsewhere.●

THE BITBURG VISIT

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. DOWNEY of New York. Mr. Speaker, for the past several weeks, we in this House have tried to convince the President not to visit the German military cemetery at Bitburg. I think that it is fair to say that Members on both sides of the aisle have puzzled over what appears to be the administration's curious insensitivity to the symbolism of the Bitburg visit. Yesterday, I came across an article in The Nation by Lucette Lagnado, entitled "Pat Buchanan and the Émigré Nazis." I urge my colleagues to read the following article, which appeared in the May 4, 1985, issue. I believe it may shed some light on the administration's attitude.

The article follows:

[From The Nation, May 4, 1985]

PAT BUCHANAN AND THE ÉMIGRÉ NAZIS

(By Lucette Lagnado)

When the White House announced that on his visit to West Germany next month President Reagan would lay a wreath on the grave of a German soldier killed in World War II, Jewish and veterans groups were outraged. A hasty decision to include a concentration camp on his itinerary after all did not placate them. Washington commentators declared that the President had committed a major public relations blunder. But the President isn't the only one in the Administration who has shown insensitivity to the memory of the Holocaust. His communications director, Patrick Buchanan, is under fire for his strident campaign, while a newspaper columnist, against the Justice Department's Office of Special Investigations, which tracks down Nazi war criminals in the United States.

In 1982, appearing on the Washington television talk show "After Hours," Buchanan called for the O.S.I.'s abolition and asked what the purpose was of "going after people who are about 70 years old now" and whose crimes were committed "thirty-five, forty-five years ago." More recently, his ire has been focused on O.S.I. denaturalization actions against Eastern European immigrants. These "staunch anti-Communist émigrés," he contends, are being deprived of their citizenship on the basis of dubious evidence obtained from the Soviet Union.

In a syndicated column published this past February, Buchanan called the O.S.I. the "dim-witted instrument" of the Soviet K.G.B. and stated that "in its zealotry to punish naturalized Americans who collaborated in the Holocaust, forty years ago," the office "is relying upon 'evidence' produced by the secret police of a neo-Stalinist state."

In another column, written the previous December, he championed John Demjanjuk, a Ukrainian immigrant who was stripped of his citizenship by a Federal judge in 1981, after a long trial. O.S.I. lawyers presented voluminous evidence, including a Nazi identification card, establishing that Demjanjuk had served as a guard at the Treblinka death camp in Poland, where he operated the gas chamber and was known to inmates as "Ivan the Terrible." Buchanan wrote that if the charges were true, Demjanjuk had deserved deportation, but he claimed that a "horrible miscarriage of justice" had been committed because the Treblinka identification card was a K.G.B. forgery.

In a letter to the Washington Times, where Buchanan's column regularly appeared, Stephen Trott, head of the Justice Department's Criminal Division, of which the O.S.I. is a part, defended the use of Soviet evidence, saying it had been tested under American rules. He pointed out that the O.S.I. had not relied solely on Soviet archives: "The critical evidence placing Demjanjuk at Treblinka came from five surviving witnesses of the camp who now live in Israel. . . . The credibility of these witnesses had already been tested under our rules of evidence and procedure." (The government of Israel has been granted its request to extradite Demjanjuk for trial as a war criminal.) Trott critized Buchanan for ignoring that and other "relevant and conclusive evidence simply because of preconceived ideological bias."

Buchanan fired back in his February 22 column, renewing charges that the office had collaborated with the K.G.B. and dropping a morsel of new evidence into the hopper. He revealed that the book "Treblinka," by Jean-Francois Steiner, reports that Ivan the Terrible was knifed by a Jewish prisioner in 1943. Buchanan failed to mention, however, that "Treblinka" is a novel and that Steiner presented an affidavit to the court at Demjanjuk's trial stating that he had invented the incident.

In hammering away at the O.S.I.'s purported reliance on tainted Soviet evidence, Buchanan faithfully echoes the views of right-wing Eastern European émigré groups—the Joint Baltic American Committee, Americans for Due Process and others—that have long called for the abolition of the office. Sources at the O.S.I. say that those groups wish to halt the prosecutions of their countrymen and that the complaint about evidence is a ploy to win the support of American conservatives. In Buchanan's case, at least, that approach seems to have worked. In a speech on May 31, 1984, O.S.I. director Neal Sher warned of "a concerted and extremely vigorous campaign by seg-

ments of the Easter European émigré community questioning the appropriateness of our methods." Such groups, he said, "would like very much to see O.S.I. disappear."

Eli Rosenbaum, formerly a lawyer with the O.S.I. and now in private practice, has followed the activities of the émigré groups for several years. He explains their motivation this way:

"They are deeply embarrassed by the extent of the collaboration in their native land with the Germans during World War II. Until O.S.I. was established, most Americans believed the Holocaust had been perpetrated by the Germans. It was not known, for example, that large numbers of Ukrainians were guards at the Nazi death camps."

Now that the right-wing émigrés' most vociferous champion is in the White House, O.S.I. Nazi-hunters fear he will carry on his vendetta behind the scenes. It is worth noting that in his February 22 column, Buchanan dismissed Trott's charge of ideological bias with these words: "Surely such an attitude should disqualify its bureaucrat author from service in the administration of a president who professes a similar 'ideological bias.'"

Given Buchanan's past efforts, can we expect him to critize the O.S.I.'s current investigation of the ties between the U.S. government and Dr. Josef Mengele? Buchanan and his boss should reread the words Trott wrote in his letter to the Washington Times:

"Those who willingly participated in the savage and systematic program of murder, persecution and genocide have no business living in this country. That many years have passed does not diminish the enormity of the catastrophe, nor does it absolve the participants."●

JAMES L. CALDWELL—HANDICAPPED AMERICAN OF THE YEAR

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. PICKLE. Mr. Speaker, James L. Caldwell, a systems analyst with the IBM Corp. in Austin, TX, has been named by the President's Committee on the Employment of the Handicapped as the Handicapped American of the Year. Recently, when James Caldwell was asked about receiving this award, he said, "It's a great award, but I look for the day when we'll wonder why we have this award." To me, that statement says it all. James Caldwell is truly an inspiration to us all. I would like to insert in the CONGRESSIONAL RECORD a summary of James Caldwell's life and achievements.

HANDICAPPED AMERICAN NAMED

James L. Caldwell, blind and paralyzed from the waist down, will receive the President's Trophy, the highest honor for disabled people, during the Annual Meeting of the President's Committee to be held at the Washington (D.C.) Hilton Hotel from May 1-3.

Caldwell is receiving the award in recognition of his determination to overcome his handicaps and his dedication to helping other handicapped individuals.

In making the announcement of the selection of the Handicapped American of the Year, President's Committee Chairman Harold Russell said: "James Caldwell is an outstanding representative of the thousands of disabled individuals who are in America's work force."

Caldwell was injured in an accident while he was living in Annapolis, MD, in 1962. After completing 18 months of physical rehabilitation at a Baltimore, MD, hospital, Caldwell was told by doctors he would need constant care and had no chance of ever getting a meaningful job or living a normal life.

Determined to find his own limits, he moved into an apartment with no idea of what he would do or how he would do it. At that time, he recalls, "trick was to learn to live" and the big question was where to find a job.

As he struggled with that question Caldwell heard about the first efforts to use computers to print Braille and decided to learn computer programming.

With financial help from the Maryland Department of Education's Division of Vocational Rehabilitation, Caldwell hired a quadriplegic he had met at the hospital to read IBM programming manual aloud. He learned how to program using punch cards and a portable card punch. To read the punched cards he used a Braille stylus.

After nearly a year of studying he found a job as a systems analyst with the Chesapeake & Potomac Telephone Co.

"Vocational rehabilitation is one of the most cost positive programs the government has, bringing tax money back into the treasury," Caldwell said.

After working for the Chesapeake & Potomac Telephone Co. for five years Caldwell decided to return to school. Because he qualified for tuition assistance at the University of Texas, he moved to Austin. While attending graduate school Caldwell was self employed as a financial consultant.

After graduating in 1979 with a doctorate degree in general business, Caldwell was hired by IBM as a staff systems analyst. He first worked for the Systems Technology Division installing computer programs designed to control purchasing, shipping, and the inventory needed to produce printed circuit boards.

Last year he joined the Entry Systems Division which is responsible for the production of IBM's personal computers. Caldwell now works on new products for use with the IBM PC family. In his office IBM has installed an IBM PC equipment with a voice synthesizer and a Braille printer.

Caldwell has designed a computer program which utilizes the voice synthesizer to aid blind people in editing documents on the PC. Through Caldwell's initiative, the Texas Commission for the Blind is linked to the Braille Printer in his office.

"Jim Caldwell often says 'handicap is just a state of mind' and he's a perfect example of that statement," said J.O. Lacy, Caldwell's manager at IBM.

Caldwell is president of the Austin Resource Center for Independent Living, an organization which operates programs to help the disabled adjust to every day living. He is a mentor for the Texas School for the Blind and serves on the Austin Mayor's Committee for Employment of the Handicapped. He is also on the board of directors of St. George's Court, a church-sponsored organization which provides housing for the elderly. He is a member of a number of other organizations.

Caldwell has received many awards. He was named National Rehabilitant by the former U.S. Department of Health, Education and Welfare; received the Meritorious Service Citation from the President's Committee; the Certificate of Distinguished Citizenship from the State of Maryland; the John Hopkins Certificate of Achievement; was named one of the employees of the year in 1980 at the IBM facility in Austin; the City of Austin Handicapped Person of the year 1983); and Texas Disabled Employee (1984).

The 40-year-old Texan enjoys assembling puzzles and playing the bagpipe. Caldwell is an avid antique gun collector, is a ham radio operator and enjoys working with wood and metal.

Caldwell was born in New York City. After obtaining his bachelors degree in mechanical engineering from Rensselaer Polytechnic Institute in Troy, NY, in 1958, he joined the U.S. Navy where he served until 1962. He and his wife, Sue, recently adopted their son, Lawrence S., now 16 months old. They are in the process of adopting two other children, one of them blind.●

YOUTHFUL WISDOM

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. SOLOMON. Mr. Speaker, it's a mistake to think that wisdom comes only with age, as proven by the wisdom many young people have displayed in accepting the need for a higher drinking age. One young woman who studied the facts and came to a wise conclusion is Elaine Liccione, a law student and staff aide in the New York State Senate. I am pleased to enter into the RECORD her compelling article on youthful drinking and driving, as first published in the 1985 Almanac of the Conference of Insurance Legislators.

HOW THE DRINKING AGE RAISED ME

(By Elaine Liccione)

Shakespeare called them your "salad days," the time when you're young and "green in judgment." Well, my salad days were numbered back in 1981.

I was 23, and in a new job as an aide to New York State Senator Frank Padavan. The senator chaired the Mental Hygiene & Addiction Control Committee. He wanted to raise the state's drinking age minimum to 19. My mission: to help him convince lawmakers, press and public of the wisdom of raising the minimum.

My initial reaction was what you'd expect. The drinking age had been 18 since Creation. The idea of raising it recalled images of prissy matrons of a bygone day, who preached sobriety and smashed saloons. Who were the killjoys who wanted to spoil my fun? Besides, you can't force temperance. Legislate a ban on alcohol, and people don't stop drinking. They stop obeying the law. And, as my thinking went, raising the drinking age was unjust—old enough to vote, or be drafted, then old enough to

drink. Adult responsibilities meant adult "rights."

So I told the Senator (politely) that I wanted no part of the mission. He suggested (just as politely) that I at least examine the evidence. I agreed.

A MOUNTAIN TO CLIMB

Evidence. There was a mountain of it. The first inkling that my perspective was changing came when I saw statistics on drunk driving accidents and young people. Too many kids were driving, drinking and coming back crippled or dead.

Drunk driving, I discovered, is the sixth leading cause of death in America. That's bad enough. But the 16 to 24 year age group it's the number one killer. In one state, where 18-year-olds make up less than two percent of the licensed drivers, those teenagers were involved in nearly 10 per cent of all fatal alcohol-related-crashes.

For all kids, the numbers on drunk driving and crippling injuries were just as bad, and greater than the rest of the population. Perhaps most disturbing were surveys which showed that while 21 per cent of the teens questioned considered themselves heavy drinkers, having five or more drinks per occasion, and 25 per cent admitted driving under the influence of alcohol, only 20 per cent understood the risks involved, and a truly frightening 68 per cent considered those risks to be slight.

BEHOLDING REALITY

Confronted by those realities, I began to see the truth that drinking was not a question of rights and responsibilities but one of public health and safety.

Across the country, study after study showed the undeniable linkage between drinking and driving. Three separate studies concluded that raising the drinking age would lower the number of car accidents by one third in the age group affected. That could save thousands of lives. Also important was the finding that students in states with higher drinking minimums reported less driving after drinking and less peer approval of excessive drinking. So I became convinced of the wisdom of the one year increase and so did others, New York legislators included.

The State raised its drinking age to 19 in 1982. And better yet, the legislation worked. The State Division of Alcoholism & Alcohol Abuse found that in the 12 months following the bill's effective date the number of drunk-driving accidents had been cut 42 per cent—nearly half. And there was more. Overall the number of the alcohol-related crashes involving 18 year olds was down nearly a fourth, and 20 human lives had been saved. There were 240 fewer serious injuries. In fact, the decrease in accidents involving 18 year olds was more than six times greater than the decrease for drinking drivers over 18.

FURTHER TO GO

Well, the more you learn the more you need to know. I began to look beyond teenage behavior exclusively. The evidence I confronted related to my own peers and myself. I learned that people consume more alcohol between the ages of 18 and 25 than at any other time in their lives. What sold me on raising the drinking age to 21 is that it would be the clearest signal that lawmakers could send to young people that alcohol should no longer be the focus of social life. In went a bill to do just that.

But this time we lost.

What beat us was some of the same "salad day" thinking that once filled my head as well as some pretty tough special interest lobbying.

College students "reminded" me how the 21 year old drinking age would ruin college life. That student sentiment had an ever-ready ally among tavern owners who offered free drinks to students who would sign petitions against the bill. The pandering for support was lost on most of the young petition-signers.

We had failed, despite strong support from the Governor and that mountain of evidence which I had mastered and tried to communicate. We had failed to convince the students that alcohol should no longer be the focus of social life. We had not shown young people that alcohol is an addictive drug that should not be relied on to ease stress or enhance leisure time.

ANOTHER SIDE TO THE MOUNTAIN

Well, we all learn that part of being an adult is the realization that there are no easy answers.

On the other side of that mountain of evidence is another reality. People, young and old, have been drinking since the creation of barley, malt and grapes and they're not going to stop now. Raising the drinking age to 21 will not stop college students or our young adults from doing it.

Even the new federal law designed to encourage a nationally uniform 21 year old drinking minimum won't really stop them. But that legislation and state laws to raise the drinking minimum will do something truly worthwhile. One result will be that people under 21 will consume less alcohol less frequently. What's more, it may do something just as important. It will stop young people from hurting and killing themselves and others.

Writer Fran Lebowitz has said that "if you reside in a state where you attain your legal majority while still in your teens, pretend that you don't. There isn't an adult alive who would want to be contractually bound by a decision he came to at the age of 19." Raising the drinking age is not a decision that should be left to those "too young to know better."

Admittedly, we do not know how to make people stop driving drunk. We can only warn them, cajole them, stop them at roadblocks and threaten them with prison.

What we do know already is that responsibility comes with age. And those of us who have some age behind us would do well to exercise ours. There are young people out there at parties and bars with car keys in their pockets. They have not climbed their mountain yet and the images of the risk they take seem remote. They need the best of what others have learned.●

A NEBRASKA EDITOR DESCRIBES A "REASON FOR RAGE"

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. BEREUTER. Mr. Speaker, there are some in this body who believe that it is just the minority who are outraged over the heavyhanded tactics of the House Administration Committee to rule that Mr. McCloskey should be seated as Indiana's Eighth District Congressman.

That outrage spreads beyond the walls of this Chamber. It spreads across the country as more and more Americans become aware of this misuse of power. I wish to call to the attention of my colleagues an editorial that appeared in yesterday's Norfolk Daily News that reflects my sentiments. The editor accurately describes our reason for frustration:

This exercise was objectionable on several counts, most importantly because Congress, not the people of Indiana, dictated who will represent the 8th District of that state. Majority party power and federal power have rarely been so misused.

I commend the editorial to the attention of my colleagues. This newspaper joins a long list of newspapers across the country who echo the views of the editor of the Norfolk Daily News.

[From the Norfolk Daily News, Apr. 29, 1985]

REASON FOR RAGE

It is not obvious from the brief news stories relating the results of the first House-ordered recount in 24 years why congressional Republicans are so embittered. The result of the Indiana recount by federal authorities was to overturn a state-certified 400-vote victory for the GOP candidate and give Democratic incumbent Frank McCloskey a four-vote margin over Republican challenger Richard McIntyre.

The method by which that victory was achieved by House Speaker Tip O'Neill and his partisans is a case history in power politics. Mr. O'Neill had the advantage all along, and his colleagues used it in judging several dozen key disputed ballots. The vote on those ballots was so consistently in Mr. McCloskey's favor that the one Republican on the three-member commission reviewing the ballots gave up in protest.

The next protest came with the House Administration Committee, where the vote would have been 12-7 in behalf of Mr. McCloskey. But the GOP members decided to withhold their votes as a protest of the procedure, so the final verdict in committee was 12-0. That leaves the casual reader to assume unanimity when there were differences that could not be reconciled.

Finally, the House itself, adhering strictly to party lines, approved this 116,645-116,641 result. It will likely end there, with the GOP vowing reprisals but having relatively few ways to deal with majority leadership which would rather seize an opportunity to add one more to its majority, whatever the merits of the protests, than forego its already great vote advantage and find grounds for compromise.

Until this result, when state election procedures were upheld and it appeared that the initial 400-vote victory for the GOP candidate could not be overturned by any of the traditional devices, Democratic members of the House were arguing for a special election. Now there is a much narrower result, with clear reason to suspect its accurate reflection of voter opinion. But the arguments for a special election are not heard.

Those elevated to positions of leadership in Congress ought to have people's respect, whatever their partisan views. Actions of this kind, however, prove some do not deserve it. Perhaps they forget that while many Americans recognize the importance

of partisanship, when it takes such ugly forms people are repelled.

This exercise was objectionable on several counts, most importantly because Congress, not the people of Indiana, dictated who will represent the 8th District of that state. Majority party power and federal power have rarely been so misused.●

ABOLISH SBA LOANS TO HELP REDUCE DEFICIT

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. DREIER of California. Mr. Speaker, as we continue to debate what role, if any, the Small Business Administration will play in a deficit reduction package this year, it is important that we consider the priorities of the small business community since they will ultimately be the constituency most affected by recently proposed changes. To get a sense of what the small business person really thinks of the administration's proposal to dismantle the SBA, I sent out a questionnaire earlier this month to the nearly 13,000 small business men and women in my California district. In that survey, I asked them what they thought of the original plan outlined in my bill, H.R. 1461, prior to the recent compromise to maintain the SBA as an independent agency. As you recall, the previous proposal called for termination of the SBA's lending functions, while transferring the agency's noncredit programs to the Commerce Department. So far, 85 percent of the respondents have expressed support for this plan.

These results are also consistent with the results of a survey released last week by the National Association of Manufacturers, in a poll of its 9,000 small manufacturer members. In that survey, over 45 percent of the respondents support total elimination of the SBA, including its noncredit programs. Another 23 percent support the administration's original proposal to eliminate all SBA loan programs while transferring most other functions to the Commerce Department. In contrast, less than 10 percent said they support retention of the SBA in its present form.

Mr. Speaker, I would like to submit a press release from the National Association of Manufacturers explaining the results of their survey.

NAM SMALL MANUFACTURERS: ABOLISH SBA LOANS TO HELP REDUCE DEFICIT

WASHINGTON, DC, April 23, 1985.—The National Association of Manufacturers released the results of a survey today that indicates strong support for the Administration/Senate Republican leadership deficit reduction plan, including stripping the Small Business Administration of its loan authority.

The survey was sent to 9,000 small manufacturer members of the NAM, defined as those businesses with fewer than 500 employees. More than 675 responded, and of those, only 10 percent favored retaining the SBA in its present form.

Patsy R. Williams, partner in the Rhyne Lumber Company of Newport, TN, and chairman of the NAM's Small Manufacturer's Forum, said when releasing the survey results: "If the US Senate really wants to help American small business, they will vote for this budget, cut out burdensome regulations, and get out of our way and let us work."

Williams pointed out that more than 68 percent of the survey respondents favored total elimination of all SBA loan authority, while almost 17 percent found elimination or reform of SBA loan functions an agreeable alternative. It has been estimated that such a move would save between $1.3 and $1.5 billion over three years.

"The top concerns of American small manufacturers are overburdensome regulation, the bloated federal deficit and high taxes," Williams said. "It's tougher for those of us in small business to plan—even to survive—when there is a question about the country's long term economic health. But economists predict that this deficit reduction package could mean as much as a three percent drop in interest rates. For a small business with fewer than 19 employees, even a two percent drop means an income boost of 18 percent; for a firm with 100 employees that number jumps to 26 percent.

"Numbers like that mean a lot to a small business, and to those who make their living working for a small business. We're willing to give up loans that purport to help us, but been basically ineffective and costly, for the positive results of a lower deficit and healthier economy."

Williams backed up her claims about the SBA by releasing comments by some of the survey respondents. A 52-employee firm located in Kentucky wrote, "We applied for a loan, but our credit was too good, so we had to go to a bank. The only way you can get a loan (from SBA) is to be a bad risk." A 15-employee firm from California agreed: "The primary effect of the SBA has been to put marginal operations in business, whose only stock in trade is to cut prices, creating substandard competition for legitimate businessmen."

For more information about the survey, please call Chris Braunlich (202) 626-3817 or Sara Ross (202) 262-3821 at NAM headquarters in Washington, D.C.●

MEXICANS HEADING NORTH

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. SCHEUER. Mr. Speaker, I want to call to the attention of my colleagues, today's Wall Street Journal article on the impact of migration from rural villages of northern Mexico to the United States.

The combination of overpopulation, drought, devaluation, and huge debts has caused misery and starvation for Mexico's landless peasants. As many as 85 percent of all Mexican farmers live at or below subsistence levels, and 30 million Mexicans don't have enough to eat.

Millions of families are caught between starvation and migration and many are illegally resettling in the United States.

Mr. Speaker, although we all sympathize with the enormous problems facing our neighbor today, the assimilative capacity of the United States is not unlimited.

Mexico's annual population growth rate is currently 2.3 percent. If this rate continues, the Mexican population will swell from 79 million today to 109 million by the year 2000.

The Mexican Government has launched an admirable national family planning program which has already significantly reduced fertility, but there is still a long way to go.

Similar population growth patterns and pressures on society are found in other Latin American countries and in the Caribbean nations. Experts estimate that the economies of all Latin American and Caribbean nations must create 4 million new jobs in every remaining year of this century just to maintain their current levels of employment.

The creation of 4 million jobs a year is a tall order given the fact that the American economy, which is five times bigger, created no more than 4 million new jobs during the golden years between 1970 and 1980.

As today's article by George Getshow shows, the problems of our neighbors to the south ultimately drift northward and affect our Nation.

This should be in the forefront of our minds as we prepare to reconsider our Nation's immigration policy. No doubt some form of amnesty will be considered in the course of our debate on immigration.

Inevitably, granting amnesty to illegal aliens currently residing in the United States will certainly serve as an additional "pull factor" drawing still more undocumented aliens to our Nation, desperate for the benefits of amnesty.

The explosion of additional illegal immigrants that will be produced by legalization cannot be stopped unless we take steps to secure our borders before we implement a legalization program. This recommendation was adopted by the Select Commission on Immigration and Refugee Policy, chaired by Father Theodore Hessburg, president of Notre Dame University and former Chairman of the U.S. Civil Rights Commission.

I will, as I have in past years, urge Congress to create a blue ribbon panel which would help to certify that our borders are secure against further illegal immigration before we implement a legalization program.●

MY PLEDGE TO AMERICA

HON. GEORGE C. WORTLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. WORTLEY. Mr. Speaker, I am very proud to have as a constituent the New York State winner of the Voice of Democracy scriptwriting contest. This contest is conducted each year by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary.

Michael W. Lynk of Phoenix, NY, wrote an excellent winning speech, which is reprinted below. The sincere dedication and honor expressed in this speech are both deeply moving and refreshing in a world that is too often cynical.

The speech follows:

MY PLEDGE TO AMERICA

The United States of America is, beyond a doubt, the finest country on the face of the Earth. It is a country where, by daring to be different, one man can change for the better not only his own life but also the lives of those around him. It has been said that with privileges come responsibilities, and that responsibilities must be accepted and carried out if those privileges are wished to be kept. As citizens of this country we are guaranteed many rights and given a great deal of privileges—yet we are asked for little in return. The choice of how much responsibility to take on lies with each individual, and it depends directly on what one believes the word American means as to what one's pledge of responsibility will be to support it. To me, America is a collection of things. It is the sum of the land, the laws, and the people that lie within its boundaries. As an American citizen, I do pledge to honor my country and to give of myself all that I can in return for all it has given to me.

In the circle of scouting there is a saying that, loosely translated, says—honor is the thing that makes you act the same when no one is watching you as you do when you know you are being watched. As a scout myself, I believe this to be true. I feel that my pledge to honor the land, the laws and the people which make up America has already begun.

To the land, I have promised to do my best to always be clean, be careful with fire, be considerate in the outdoors and also to be conservation minded—as outlined in the Outdoor Code. I work with and respect the land for without it we would have no place to live. To the laws that govern and protect us in this land, I promise to be true. I make it a point to learn about them, live within their limits and to report those who do not do the same. To the people, I try to offer assistance and understanding. I try my best to do what is right at whatever I do because I know, that, whether it is something as simple as working a job, or as complex as voting for a candidate, my actions will affect more than just myself.

Perhaps inspired by the lines, "Ask not what your country can do for you, but, rather, ask what you can do for your country", I have come to realize, that, although I have begun to fulfill my pledge to America, I have by no means completed it yet. I will most likely spend my entire life trying to do so. It is my goal to join the military and serve my country as both a doctor of medicine and as an officer. In doing so I could feasibly serve my fellow people, protect the land and uphold the laws all at once—three things very important to me. By donating my time and skills I hope to protect the rights and privileges of those to come after me as my forefathers so diligently did for me. In my eyes, it is the least I could do to repay a country that has given me so much.

My promise to honor and serve is a challenging one I know, but I readily accept that challenge and am willing to spend the rest of my life doing so. My Pledge to America grows with me everyday. It is a privilege to be an American, one that I thank GOD for everyday. I realize that the older I get the more conspicuous my actions become, and that although my presence on a daily basis maybe be largely felt now, if the day should come when I am needed—I will surely be ready.●

STATES SHOULD NOT CARRY BURDEN OF FEDERAL DEFICIT REDUCTION EFFORTS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. FRANK. Mr. Speaker, there have been a number of discussions lately about alleged huge surpluses at the State level, the existence of which have been used to justify substantial cutbacks in Federal funds to help State and local governments. I think it is a very grave error to have the Federal Government attempt to reduce its deficit by increasing the fiscal burdens on State and local government. I disagree with those who tend to view the relationships between the Federal Government on the one hand and State and local governments on the other as an us versus them situation.

I was, therefore, very interested in soliciting the views of the National Governors' Association on this subject and I wish to share with the membership an interesting and persuasive letter sent to me by Raymond C. Scheppach, executive director of the National Governors' Association, which provides a far more accurate picture of the fiscal situation of the States and some of the rhetoric that has come forward lately.

NATIONAL GOVERNORS' ASSOCIATION,
Washington, DC, April 18, 1985.

Hon. BARNEY FRANK,
U.S. Representative, Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN FRANK: During this year's federal budget debates, the stable fiscal condition of state governments has been repeatedly compared to the dismal fiscal condition of the federal government. In fact, many of the Administration's proposed budget cuts and program eliminations are justified by pointing to the purported flush treasuries of state governments.

So, how large are these state budget surpluses? Well, according to the budget officers that manage state finances, the year-end fiscal year 1985 general fund balance is projected to be only $5.3 billion. This compares to total general fund expenditures of $185 billion, which means that the ending balance is only 2.9% of expenditures. Most Wall Street Bond analysts counsel state officials to maintain a 5% ending balance as a prudent measure to guard against revenue fluctuations and unexpected emergencies. Under this generally-accepted budgeting principle, there are 32 states that do not reach the 5% balance level even if state "rainy day" funds are included in the total. These figures hardly reflect "flush" state fiscal conditions.

Exaggerations of the size of state and local government budget surpluses were presented in a draft U.S. Treasury Department report on the financial condition of the state/local sector released prior to this year's federal budget discussion. The draft report projected that state and local surpluses will approximate $86 billion by fiscal year 1989. It also erroneously projected fiscal year 1985 surpluses of $38 billion. Although local government general fund figures are not available, this fiscal year 1985 projection is in sharp contrast to the modest $5.3 billion actually projected by the state budget officers who are responsible for state finances. Treasury's model seriously misrepresented the fiscal health of state and local governments at a critical time in the federal budget process.

It is important to note that state fiscal conditions have improved as compared to two years ago when states were struggling to keep balanced budgets during the worst recession of the Post war period. States demonstrated their political courage in fiscal year 1983 by raising taxes in 38 states and cutting budgets in 39 states. Consequently, as the economic recovery has taken hold, those states that have taken the most stringent action are now experiencing modest revenue growth. Those states, primarily in the Great Lakes and Mid-Atlantic regions, are currently attempting to lower their tax rates to pre-recession levels. However, states that have economies based on farming, mining, oil and gas production, and timber are now deliberating over how to increase taxes.

It is time finally to dispel the myth that state and local governments are in a strong fiscal situation, and time for the federal government to stop shifting its share of responsibilities to other levels of government. The administration of public programs is now a partnership between federal, state and local governments; this well-defined, traditional relationship should not be abandoned in the name of federal fiscal expediency.

Sincerely,

RAYMOND C. SCHEPPACH,
Executive Director.●

U.S. SCHOOLS AND INTERNATIONAL COMPETITIVENESS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. BEREUTER. Mr. Speaker, we have been reading about the efforts of

the United States to negotiate with our foreign trading partners for more equitable agreements and more consideration of American-made goods. Japan, notably, has responded in the affirmative, and that nation's campaign to encourage consumption of American products is a step toward restoring a more balanced United States-Japanese trade.

We must back up our claims that American products are competitive and excellent, however, by insuring that future generations of Americans will indeed be responsible for the innovation, durability, and technological reliability that Japanese and European markets demand. To that end, this Member commends to his colleagues an editorial that appeared in the Beatrice, NE, Sun on April 24, 1985. It cautions that the American preoccupation with sports and leisure extends to our Nation's schools, and surely threatens our "academic intelligence and productivity." This Member believes that American students can accept a greater academic challenge without giving up all competitive sports and extracurricular activities. A greater attention to school work simply requires a bit more of the kind of will and diligence that foreign students exhibit. As a society, we should insist that our schools pay attention to the realities of world economics.

U.S. SCHOOLS TOO SOFT?

Being in Rotary and other groups, I have heard many foreign exchange students attending high school in the United States compare school life here with that in his or her home lands.

And without exception, these outstanding youth from afar always maintain that school in their countries is more difficult and demanding than in the U.S.

What seems to surprise them is the emphasis U.S. schools place on competitive athletics and other extra-curricular activities.

That isn't to say these foreign students don't enjoy our academic lifestyle; it's just something new to them.

Trouble is, as Lester C. Thurow reminded the other day, our more relaxed educational system is a factor in the U.S.' deteriorating standing in the world economy.

"Americans must work harder to regain our world-wide competitive edge," Thurow said earlier this month at the Nebraska Conference on the Leadership Challenge of the 21st Century, chaired by Sen. Jim Exon.

"In the area of education," Thurow said, "the average American 17-year-old knows half as much mathematics as the average Swede or Japanese 17-year-old. No other industrialized country in the world goes to school less than 230 days—Americans go to school 180 days."

Thurow is professor of economics and management at The Massachusetts Institute of Technology (MIT); economics columnist for the Los Angeles Times, and contributing editor for Newsweek.

"The key is to organize ourselves to make the social changes necessary to keep the U.S. competitive," Thurow said.

His clear implication is that we Americans must stop this disturbing drift into lethargy and raise our academic intelligence and productivity.

However, do we as a sports-loving, leisure-happy nation have the will to make the necessary sacrifices to become more competitive in the more serious game of world economics?

It sounds like a tremendous challenge to me, but I think Mr. Thurow is right—we have to make a start. Somehow.●

CALIFORNIA OIL AND GAS PRODUCERS LOOK TO THE FUTURE

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. MOORHEAD. Mr. Speaker, on April 22, 1985, my good friend and colleague from California [Mr. DANNEMEYER] spoke to the California Independent Producers Association. His position as ranking Republican member on the Fossil and Synthetic Fuels Subcommittee of the House Energy and Commerce Committee makes him well qualified to address the questions of energy supply and development that remain important to this Nation.

I commend Mr. DANNEMEYER's statement to my colleagues.

STATEMENT OF HON. WILLIAM E. DANNEMEYER

It is a pleasure to have this opportunity to address your annual meeting, the theme of which is "California Producers Look to the Future." To look to the future, we must reflect on the past, survey the current market, and understand how Congress reacts to events. Only then can we examine key issues now before Congress which might affect oil and gas producers in the future.

The political economics of energy in 1985 raises a profound question for your industry and the body in which I serve: Can the political process, with a short term horizon, chart a responsible energy course and stick with it for an industry which must be oriented towards long term investment requiring stability in tax and regulatory policies?

Looking back, it seemed that the decade of the 1970's was dominated by one energy "crisis" after another. The milestones were the Arab embargo in 1973, the natural gas shortages of 1976–1977, and the fall of the Shah of Iran in 1979.

These events produced legislative battles and political controversy, but when the dust settled we had achieved the decontrol of crude oil prices (albeit at the heavy price of the "Windfall" Profits Tax) and the partial deregulation of natural gas. Congress created the Strategic Petroleum Reserve in 1975, in which the U.S. taxpayers have invested almost $17 billion to date, and went so far in 1980 as to pass the Energy Security Act for a government-backed synthetic fuels industry with up to $88 billion.

No one of us agreed with every step taken during the 1970's in response to shortages. Crisis produced controversy but it also resulted in at least some policies which recognized the importance of incentives for increased domestic energy production.

The marketplace today is drastically different from that which prevailed in the 1970's and that which was projected then for today, and that's good news. Gone are gasoline lines, the domination of OPEC and talk of shortage. Memories of what we endured as individuals, to our pocketbooks and to our patience, and as a nation, to our security and to our economy, have faded.

Today, crude, product and natural gas prices have fallen. More than one observer has said we are in the fourth year of a one year "bubble" of excess natural gas deliverability. A "glut" characterizes oil supplies.

In short, in the 1970's we faced an energy crisis due to federal price controls which artificially created shortages aggravated by allocation controls. In the absence of a crisis today, we face an energy challenge of a different dimension: to educate and persuade Congress that the impact of policies on energy is as vital to our national defense and economic security today as it was in the 1970's.

Congress is distracted by budget and trade deficits and by the MX missile and Central America. When there is a crisis Congress *must* act, but if there are no immediate demands attention is turned elsewhere. When consumer prices are rising and product is in short supply, we have the public's attention, but are put on the defensive by proposals for intervention in the marketplace.

While the attention of policymakers is focused elsewhere, geological forces continue to work at a measured pace in every U.S. production field. The Energy Information Administration tells us that if existing fields continue to decline at three percent annually, then new oil fields and enhanced recovery must produce at least 210 million barrels of replacement oil in 1985, 518 million barrels by 1990 and 783 million barrels by 1995 just to maintain domestic production at existing levels.

The interests of independent oil and gas producers in taxes, natural gas, product imports and OCS leasing are no less important today than the interests which were at stake in the mid-1970's, but the task before us may be tougher.

On taxes, we must persuasively illustrate the impact that the Treasury Department plan would have on industry. I know that CIPA has worked hard in opposing Treasury provisions on energy, such as the repeal of both percentage depletion and expensing of intangible drilling costs.

Deputy Energy Secretary Danny Boggs testified that the Treasury plan would reduce oil production by 500,000 barrels per day and natural gas production by 1 trillion cubic feet by 1987. Looking farther down the road, the American Petroleum Institute estimates that oil production would decline by 1 million barrels per day in 1990 and by 1.5 million barrels per day in 1995.

We already spend $60 billion each year for imported oil. Our trade deficit was $43 billion in 1982, $70 billion in 1983, and a record $123 billion last year. We cannot afford greater imports to offset declines in domestic production.

Closer to home, the Interstate Oil Compact Commission looked at the impact of just the repeal of expensing of intangible drilling costs on California. It concluded that from 1986 to 1991, drilling expenditures would decline $475 million per year, 25,000 jobs would be lost, 1,000 fewer wells would be drilled each year, reserve additions would decline by the equivalent of 237 million barrels of oil, and daily production would fall by 30,000 barrels.

Many of you have already been to Washington and I urge you to continue your advocacy work through grassroots efforts. The status is that informal discussions are underway between the Administration and key sponsors of tax reform bills. The current timetable is to submit a bill to Congress after the President returns from the economic summit on May 11. While I support tax simplification, we cannot afford to do so at the expense of your industry, which is already highly taxed by income taxes, the windfall profits tax and Superfund levies.

This is certainly a year of transition in natural gas. About one-half of U.S. natural gas was freed of price controls on January 1, 1985. Thus for no "fly-up" has occurred, despite the predictions of those who argued for a rollback of wellhead prices and an extension of controls in the last Congress.

"Conventional wisdom" has it that chances are few that there will be gas legislation this year because consumer pressures have subsided and my colleagues are weary from the last fight and wary of another one. President Reagan, however, called for natural gas deregulation in his State of the Union Address. The Energy Department told our subcommittee that it is compiling data on market developments to prepare for legislative recommendations.

I appreciate that in the midst of falling prices and excess supply that some may not be enthusiastic to pursue decontrol, particularly with the importance of the tax issue. Let me suggest, however, that now is the best time to act, while markets have more flexibility to adjust. The industry and the country have suffered from wellhead controls since 1954 and should not lightly turn away from any opportunity to remove them once and for all.

If we fail to act, the Congressional Office of Technology Assessment reported in 1984 that from 19 to 38 trillion cubic feet of natural gas in existing fields may never be produced. With oil imports at one-third of our supply, we ignore at our peril the estimates that decontrol could back out 500,000 to 3 million barrels of imported oil per day.

Our goal in natural gas policy must be to maximize domestic production at a fair price to consumers and a fair return to producers. A competitive market in production and transportation is the means of achieving this objective.

We sought to translate this policy into legislation last year. During that process, I met with a delegation from CIPA to discuss California utilities reducing purchases from California producers while continuing to take more expensive gas through affiliated pipelines from Canada. The result of the meeting was an amendment adopted by the subcommittee which would have prohibited local utilities from taking disproportionate volumes of more expensive gas from affiliates. I will continue to work to make sure that you are not discriminated against.

In terms of 1985, discussions are in progress to see if a consensus exists on a natural gas bill. It would include production incentives, mandatory contract carriage for fair access to transportation, and repeal of the Fuel Use Act and incremental pricing. I intend to push for its adoption this year.

In addition, the Federal Energy Regulatory Commission has issued a Notice of Inquiry on regulatory changes to adapt to the more competitive environment now facing industry. The subcommittee will hold hearings on it once it is completed, if not sooner.

Competition is intensifying in oil, with demand having shrunk from 18 million barrels per day to 15 million barrels over recent years. A consequence of lower demand and product prices is a squeeze on refineries. Since 1981 over 100 U.S. refineries, or one-third, with capacity of 3 million barrels per day, have shut down. California refiners have closed down at the same rate.

As a result, product imports have emerged as a greater concern. Gasoline imports hit 10 percent of the California market in the second quarter of 1984, much of it from China. It has been suggested that imported products are being landed for less than U.S. refinery costs and perhaps for less than the real cost of production in the exporting country. On the other side are those who say the increase in imported product is temporary.

A dollar sent overseas for a barrel of imported product has the same adverse impact on our balance of trade and energy security as a dollar for a barrel of imported crude. We cannot allow predatory pricing to drive domestic refineries and their producer suppliers out of business. I have discussed this with the chairman of the subcommittee and we will be holding hearings to look into this in more detail.

Perhaps no single issue illustrates the problem of Congress not sticking with it for the long term than OCS leasing. In 1978, while shortages dominated the headlines, Congress passed the OCS Lands Act to require the Secretary of Interior to develop the energy potential of the Outer Continental Shelf. Yet in the midst of the first 5-year OCS plan in 1982, with energy having subsided as an issue, Congress put a moratorium on part of the California OCS and expanded it in 1983 to cover almost the entire coastline. Acreage under moratoria off California and other states increased from 700,000 acres in 1983, to 53 million in 1984, with a decrease to 45 million in 1985.

Opponents of offshore energy development are seeking to extend a moratorium into 1986. It was described in 1982 as "temporary" to allow for review of the 5 year plan. Enough is enough. One year has become four, and that's four years too many. I have actively opposed it from the outset and will keep doing so. Last week I testified before the Appropriations Subcommittee on Interior with a letter from a majority of the California Republican delegation opposing an extension of the moratorium. Governor Deukmejian is to be commended for taking the same position in a letter to the subcommittee.

In light of employment opportunities in construction and drilling services, this is an important jobs issue. Given that OCS royalties bring $7 billion each year to the U.S. Treasury, this is also an important budget issue.

The bottomline is that it is more humane for parents who live along the coast to explain why we have OCS leasing than it is to send hard-earned tax dollars or our young people to defend the Middle East when we have untapped resources here at home.

We face many challenges in the years ahead. We must learn from the lessons of the past and avoid short term approaches to long term problems. I will continue to advocate free market principles as the best guide for energy policy.●

CONGRESSIONAL SALUTE TO THE HONORABLE KENNETH A. HILL, ESTEEMED CHIEF OF POLICE OF PASSAIC, NJ, OUTSTANDING CITIZEN AND GREAT AMERICAN

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. ROE. Mr. Speaker, on Friday, May 3, the residents of the city of Passaic, my congressional district and State of New Jersey will gather in testimony to the outstanding public service rendered to our community, States, and Nation by one of our most distinguished public safety officers—the Honorable Kenneth A. Hill, chief of the Passaic Police Department, good friend, leading citizen, and great American.

As Chief Hill retires from his law enforcement career, I know that you and our colleagues here in the Congress will want to join with me in deep appreciation of all of his good works and share great pride in the success of his achievements with his good wife Amellia, son Kenneth and wife Sharyn, son Robert and wife Linda, daughter Diane and husband Paul Schvohert, and granddaughters: Kristin, Alison, and Meghan.

Mr. Speaker, Chief Hill has indeed earned the highest respect and esteem of all of us for the quality of his leadership and highest standards of excellence in seeking to achieve optimum public safety for all of our people. He was appointed to the Passaic Police Department on December 16, 1945. He served in all official ranks of the Passaic Police Department—patrolman, detective, detective sergeant, lieutenant, captain, deputy police chief, police director—and on January 9, 1973, attained his present high office of public trust as chief of the department.

Upon his graduation from Central High School, Paterson, NJ, in 1939, Kenneth Hill pursued his higher educational studies at Drake Business College, Paterson, NJ, (1940), National Radio Institute, Washington, DC (1951), Delahanty Police School, New York, NY (1952), and in 1972 received his associate degree in police science at Rutgers the State University of New Jersey. In July 1940, Kenneth Hill joined the sales promotion department of International Harvester Co., Paterson, NJ, and in January 1941 was employed as order clerk by Manhattan Rubber Co., Passaic, NJ.

Kenneth Hill served our people and our country with distinction. On January 15, 1942, he entered the U.S. Army and served as battalion sergeant major and personnel sergeant major. His overseas duty during World War II en-

tailed 2½ years in the Mediterranean and European Theatre of War and his campaign ribbons of honor and merit included three battle stars and "Arrowhead for Amphibious Landing Sicily." He received his honorable discharge from the Army on November 1, 1945, and shortly thereafter commenced his most distinguished law enforcement career.

Throughout his lifetime Chief Hill has forged ahead with dedication, devotion and sincerity of purpose in combating crime, and protecting the life of our people. We applaud his knowledge, training, hard work, and personal commitment that has enabled him to achieve the fullest confidence and strongest support of the people of our community. He has always applied the most sophisticated and advanced techniques of his profession.

His many police training courses are legion, ranging from traffic law enforcement, riot and crowd control, police executive command, alcoholism treatment and rehabilitation, narcotics seminars, civil emergency management, police supervision to personnel administration practices in local government services, violence in the family and other police, community and human relations.

He has been a member of many highly prestigious professional organizations dedicated to law enforcement and public safety including: PBA Local No. 14, Passaic, NJ; International Association of Chiefs of Police; Detectives Crime Clinic, Metropolitan New York and New Jersey; the Honor Legion of the Police Departments of New Jersey; Passaic County Police Chiefs Association; New Jersey Chiefs of Police Association; and International Conference of Police Officers.

Since becoming chief of police, Kenneth Hill has been actively involved in the affairs of the International Association Chiefs of Police and the New Jersey State Association of Chiefs of Police. He is a longstanding member of the Organized Crime Committee of the international organization and the executive board of the New Jersey State Association where, as chairman of the constitution and bylaws committee, he authored its current bylaws. He was appointed commissioner of the New Jersey Training Commission representing New Jersey State Chiefs of Police during the periods 1977-78 and 1979-83. He served in the highest offices of the Passaic County Chiefs Association—sergeant-at-arms, treasurer, vice president, and president. He served as treasurer of PBA Local No. 14 and has been on the board of directors of the Detective Crime Clinic, Metropolitan New York and New Jersey since 1975.

He has been a member, criminal justice system, Passaic County planning council; criminal justice system, planning board, city of Passaic Police Department; Police Science Committee, Passaic County Community College; and Advisory Committee, New Jersey Criminal Justice Information System Master Plan, and State Law Enforcement Planning Agency.

Over the years Chief Hill has attended many police academies specializing in many disciplines and has been cited for the excellence of his record of performance. Among the many awards and certificates of appreciation that have been conferred upon him, he is especially proud of the following: Junior Chamber of Commerce "Policeman of Year," Gold Life Membership Card, PBA, Local No. 14; Detective Crime Clinic "Police Officer of the Month;" Special Award, School Marshals; Passaic Optimist Club, Law Enforcement, First Award; Junior Police Award; P.A.L. Man of the Year; Outstanding Citizen Award, The Leader, Clifton, NJ; Service to Others Award, Salvation Army, Passaic, NJ; life member, International Association of Chiefs of Police; Service, New Jersey Training Commission; President's Award, New Jersey State Association of Chiefs of Police; Man of Year Award; Passaic Chapter of UNICO; Certificates of Appreciation, International Association of Chiefs of Police, Organized Crime Committee, North Jersey Automobile Club, Passaic Chapter of American Red Cross, Rutgers Degree of city of Passaic, Optimist Club of Passaic.

Kenneth Hill has been a staunch supporter and active participant in many civic and community improvement programs and we applaud the quality of his leadership endeavors for almost four decades in the vanguard of our public safety officers. He has been a member of VFW Post 504, Passaic; American Legion Post 161 Passaic; Passaic Council No. 3, Civil Service; Alumni Association, University College, Rutgers; Consumer Advisory Committee, Passaic County Mental Health, St. Mary's Hospital; Advisory Board, Salvation Army, Passaic; Board of Directors, American Red Cross, Passaic; treasurer, Charter Member, Passaic Police Federal Credit Union; Nominating Committee, Greater Passaic Valley Chapter of American Red Cross; vice chairman, advisory board, Salvation Army, Passaic; and chairman, advisory board, Salvation Army, Passaic.

Mr. Speaker, it is indeed appropriate that we reflect on the deeds and achievements of our people who have contributed to the quality of our way of life here in America and I am pleased to call your attention to Kenneth's lifetime of outstanding public service. As Chief Hill retires his official leadership badge of courage and valor as the esteemed chief of police of Passaic, NJ, I respectively seek this national recognition of his contribution to our country in placing others above self in providing safety on the streets, security in the home, and optimum public safety for all of our people. We do indeed salute an esteemed chief of police and great American; the Honorable Kenneth A. Hill of Passaic, NJ.●

TO THE JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. COURTER. Mr. Speaker, I thought it right to sign Representative MRAZEK's finely drawn letter to Chancellor Kohl of the Federal Republic of Germany, asking that he withdraw his invitation to President Reagan to visit the Bitburg cemetary. I still hope that both leaders reconsider the President's itinerary, but if neither does, there remain ways to avoid further offense. I suggested one approach open to the President in a recent letter to the New Jersey Department of the Jewish War Veterans of the United States of America, which honored me with an invitation to their fourth annual legislative breakfast this May 5. The letter may interest my colleagues, so many of whom signed Mr. MRAZEK's letter.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 29, 1985.

Mr. STANLEY J. WIDES,
Executive Secretary, Department of New Jersey, Jewish War Veterans of the U.S.A., Teaneck, NJ.

DEAR MR. WIDES: I am honored to have been invited to attend this meeting of the New Jersey Jewish War Veterans and its auxiliary, and I very much regret having to miss it.

Your assembly observes an anniversary of immense importance—the 40th year since peace came to Europe. Too, it meets at a moment when we are altogether unsettled about what those 40-year old events should mean to us now.

The so-called Bitburg fiasco leaves me anguished, and, unexpectedly, it also leaves me reassured. The causes for the first sentiment are all too well known to you. I oppose the President's visit to Bitburg, and have signed Congressman Robert Mrazek's letter to Chancellor Kohl which asks that gentleman to withdraw the invitation to visit the cemetery, and find another site for the President to pay American respects to the German people. But both the Chancellor and the President apparently feel a commitment to the original plans.

So what could give rise to the second sentiment I feel, that of reassurance? Just this: Only a highly moral people could so examine and cross-examine its national conscience, as we have these past weeks, about events so long passed. The acuteness of the pain we still feel, the intensity with which every new public statement about the Bitburg agenda is examined and debated—these are reproofs to those who say we have forgotten, or wish to forget. We have not forgotten, and we will not forget!

If the President must go to Bitburg, what is required of him there? I believe that he should remember, and honor, the victims of the war and the Holocaust, and that he should then reaffirm how great a distance the people of the Federal Republic of Germany have so willingly and so steadily since come.

On anniversary day, those must be the twin precepts; they are both simple, both true. Hitlerism was an appalling phenomenon, so appalling that it still defies those who have tried to explain it by reference to the political, social, and economic weaknesses which led to Hitler. The Holocaust was still more appalling, and was without equal in human history, and has always been remembered as such. But when soldiers—you and your honored brethren from as many nations—when soldiers crushed the Nazis, they crushed Nazism in Germany, and the subsequent few years witnessed the transformation of that country, at least in its western parts. It was a transformation as complete as the one Hitler himself had worked.

Germany has since been pleasant proof of what philosophers like Kant, Montesquieu, and Adam Smith have promised—that in democratic states, peoples tend to expend their energies in social, economic, and political affairs of kinds well short of war-making. The German economy has been one of the marvels of this century, while the German polity is liberal, generous, free, and deeply committed to friendship with the Americans. The attempts some foreign and some German observers make to uncover the pathological ugliness of old crimes in the occasional neo-fascist bomb, or in a few back-alley clubs where illegal Nazi regalia can be purchased, are attempts, and little more. Nothing remains of Hitler in Germany. He is not hiding there, beneath the attractive surface. No one wants him. There is a totalitarian government which today shows insufficient shame for its own dead despot who helped Hitler divide Poland and thus helped commence the war. But it is not Germany; Germany is instead its democratic answer.

First, remembrance. And then, reconciliation. Not with the Nazis, not with Nazism, but with a Germany where, in four decades, neither has found any refuge.

Sincerely,

JIM COURTER,
Member of Congress.●

RETIREMENT OF CLARENCE G. TIEMEYER

HON. ROBERT A. YOUNG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. YOUNG of Missouri. Mr. Speaker, I would like to take this opportunity to give special recognition to one of St. Louis' most prominent public officials upon his retirement as mayor of the city of St. Ann, MO, for 28 years, Mr. Clarence G. Tiemeyer.

If I may, I would like to share some of the most notable characteristics and attributes about Mr. Tiemeyer. It is my opinion that Mayor Tiemeyer's strong sense of integrity, his overall dedication to his profession as a public servant, his commitment to his fellowman and his strengths as an individual, has made him one of the most outstanding leaders I have been privileged to know in my 30 years as a politician. He has truly guided the citizens of St. Ann to an enjoyable and prosperous lifestyle by orchestrating the growth and development of the city of St. Ann.

When Mayor Tiemeyer first took office some 28 years ago, the community of St. Ann was only a tiny community with an estimated population of 3,000. The essential services were limited to two workers and city services were primarily conducted by the mayor and two maintenance men. Their resources consisted of one small truck and one handmower. Funds were so scarce that during the formative years of development of the City, Mayor Tiemeyer had to secure a loan of $300,000 to keep the community from going bankrupt. That is quite a feat for any veteran politician to accomplish—I am sure we can all imagine what kind of task that was for a freshman mayor.

Yet Mayor Tiemeyer had vision. He had a vision for the city of St. Ann that included an improved standard of living and a lifestyle for its residents that was second to none.

Perhaps that is one of the most outstanding qualities about Mayor Tiemeyer. His vision and his ability to see things differently then most leaders. Mayor Tiemeyer looks at difficult problems, serious concerns and almost overwhelming obstacles as challenges. He interprets problems as challenges to be accepted and met. Challenges which must be mastered and accomplished so that one can move on to the next set of concerns that need addressing. I have never heard him speak about how things could not be accomplished, only how they could be. He was always the first one to develop ways and methods to get around the obstacles, whatever they might be. His agenda for the improvement and progress of St. Ann was always full. And the mayor greeted each task in a diligent and persist manner until he got what he wanted for his city.

For starting with such meager means, St. Ann, under the direction of Mayor Tiemeyer, is now a thriving community offering a variety of public services to its citizens. St. Ann has a quality of lifestyle that makes it among the most attractive places to live in St. Louis. Once a tiny community, it is now independent, self-sufficient, and very prosperous.

One accomplishment I believe is particularly important is the many parks and recreational facilities that are now an integral part of St. Ann. Mayor Tiemeyer made it a priority for St. Ann residents to have a public facility for their families and friends. He believed that the community should have parks and other recreational facilities within the community so that families could gather for picnics, sporting events, and other outdoor activities. Today the city boasts of 137 acres of city property and parks and even a golf course. The mayor built a city hall, a police station, an indoor-outdoor swimming pool, and even a community center. The public works staff is now equipped with a full fleet of trucks, tractors, snow removal gear, and other essential equipment. And the real beauty of all of these improvements is that St. Ann still has one of the lowest property tax rates in St. Louis County and no personal property tax.

Mayor Tiemeyer is the epitome of a public servant. He is a fine man, a family man and an honorable person. I am proud of my longstanding affiliation with Mayor Tiemeyer. For he is truly a public servant who has done much to contribute to the success and prosperity of the St. Ann community.●

STAN FREBERG

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. LEVINE of California. Mr. Speaker, the California State Senate recently honored one of the great satiric and comic minds of our time—Stan Freberg.

It was an honor richly deserved, and long overdue. I can think of no single individual who has had a greater impact on the advertising industry in the last 20 years. His humorous and satiric commercials pioneered the way for those advertisers who are not able to sell a product and amuse the public at the same time.

Mr. Freberg's contributions to the world of advertising are legion. He was the man who first asked how Contadina managed to get eight great tomatoes in their little bitty can. He changed America's view of the prune and challenged our great scientists to continue their quest to develop an unwrinkled prune. He had the courage to compare a lawnmower to a sheep so that consumers could decide for themselves how to cut their lawns (the lawnmower was faster, but as Mr. Freberg pointed out, you can't knit a sweater from a lawnmower). And it was Stan Freberg whose commercials generated such an overwhelming response that Western Union's communications system was swamped by concerned Americans responding to his commercials in support of the McGovern-Hatfield amendment to end U.S. involvement in the Vietnam war.

His advertising genius has won him the highest recognition of his peers. He has won 21 Cleo awards and 18 international broadcasting awards.

His parody of the popular television series "Dragnet" is the fastest rising record in history. His satires of the "Yellow Rose of Texas," television soap operas, and the history of the United States make his records collectors' items which can sell for hundreds of dollars.

Stan Freberg is also the father of two young people likely to make their mark in the entertainment industry. His daughter, Donna, and her husband, Todd, host a religious program on cable television, and his son, Donovan, can be heard every Saturday morning on the popular cartoon show, "The Littles."

I thank California State Senator Alfred Alquist for his wisdom in honoring Stan Freberg, and I ask my colleagues to join with me in recognizing one of the leading entertainers of our time.

California born and raised, Stan Freberg has contributed his unique art to all phases of our society, including entertainment, education, and consumerism.

Stan Freberg exploded into public awareness with his hilarious and satiric comedy records, bringing laughter to millions.

Over the years, he spoofed aspects of the recording and television industries. He also criticized the commercialism of Christmas. His outrage couched in biting satire, Freberg's recording of "Green Christmas" became an instant classic. He donated his proceeds from this record to the Hemophilia Foundation.

His records sold millions. One release, a parody of the "Dragnet" TV show, sold over 900,000 copies in 3 weeks, establishing Freberg as having the fastest rising single in recording history, unsurpassed by Elvis Presley and the Beatles.

Stan Freberg is considered one of the recording industry's most successful comedy artists.

He was one of the founding members of the National Association of Recording Arts and Sciences Board of Governors, the Grammy Academy, and wrote its credo.

He is a member of ASCAP and the Songwriters Hall of Fame.

Stan Freberg has contributed to the education of our youth through his humanizing of our Nation's history in his "United States of America" record album. His material is widely presented in our grammar, high school, and college classrooms to raise student interest and introduce phases of the difficult-to-teach early days of our country. His work has inspired students to attempt similar types of humorous treatments, heightening their own historical awareness.

Stan Freberg has been cited as the one man who has done more than anyone else to legitimize the use of humor in advertising. Because of his absolute insistence in truth in advertising, he has been called the conscience for the industry's credibility.

Attempting to increase the quality of advertising, Freberg produced commercials recognizing the consumer's dignity and intelligence, humorously appealing to the public's most positive instincts. He has been instrumental in raising the level of consumerism and product awareness in this country.

A multitalented perfectionist, he produces, directs, writes, composes, and performs his commercials. Imitated daily, he is advertising's standard of truth and excellence.

TV and radio stations have considered his 30- and 60-second humorous commercials entertainment, running collections of them free of charge in half-hour segments.

An inspiration to the world's artistic and business community, he has been honored by his peers for his many contributions, receiving 21 Cleo Awards (the "Oscar" of the advertising industry) and 18 international broadcasting awards. He has been honored at the Cannes and Venice Film Festivals and by the New York Art Directors, among others.

There has never been anything like Stan Freberg.

As such, the California State Senate extends its appreciation to this consummate artist, recognizing his great talent, dedication, and inspiration to others, for the laughter and enjoyment he has brought to millions.●

CLEVELAND WOMEN'S ORCHESTRA

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. FEIGHAN. Mr. Speaker, on May 5, 1985, the Cleveland Women's Orchestra will give its 50th annual concert in Severance Hall under the baton of Conductor Hyman Schandler. The Cleveland Women's Orchestra is the only all-woman orchestra in the world to have lasted for 50 years under the same conductor. This remarkable achievement is due to the participation of hundreds of dedicated musicians and the commitment they have made to ensuring that their institution survived and thrived in the Greater Cleveland area.

At the May 5 concert, Pianist Eunice Podice will perform with the orchestra, playing the same piece with which she made her concert debut under Mr. Schandler with the Women's Orchestra in the 1930's—the Grieg piano concerto. The other works on Sunday's program are the "Festival Overture" of Dimitri Shostakovich and the first symphony of Antonin Dvorak.

As a special anniversary concert, all past performers with the orchestra have been invited to come and play in Severance Hall. I know that many of the orchestra's past performers will be in attendance, and I know that I speak for all the House in congratulating the Women's Orchestra on this tremendous milestone.

Mr. Speaker, I insert an article on the orchestra which appeared in the Rotary Club of Cleveland's recent newsletter in the RECORD after my remarks:

HISTORY—CLEVELAND WOMEN'S ORCHESTRA

As a member of the Cleveland Orchestra, Hyman Schandler realized the dearth of women participating in symphony orchestras. Having studied violin and conducting in Salzburg, Austria, Mr. Schandler had the knowledge and experience needed to form an orchestra for women. In 1935, with the encouragement of his wife, Rebecca White Schandler, a musician in her own right, Mr. Schandler embarked on the enterprise.

A core group of sixty-five women, ranging in age from sixteen to sixty, came together, bringing with them a love and desire to play fine music. Housewives, students, nurses, teachers, and secretaries practiced under the capable direction of Mr. Schandler and offered to the Cleveland community the first formal concern by a women's full symphony orchestra. This gift (to the area) of fine music by the Cleveland Women's Orchestra continues to the present time.

Annually the Cleveland Women's Orchestra schedules and performs a minimum of ten benefit concerts throughout the metropolitan Cleveland area, appearing in locations such as nursing homes, hospitals, senior citizens' centers, and social service agencies. More than two thousand persons are offered musical experiences which they might not otherwise enjoy. The orchestra also presents its annual Spring concert in Severance Hall. Many of the soloists at these concerts are gifted young artists from the community. Among the Cleveland Women's Orchestra's "finds" were Natalie Hindaris, Eunice Podis, William G. Nabors, and Philip Setzer to name a few. Joseph Knitzer, Lynn Harell, Arthur Loesser, and Jan Peerce have also soloed with the orchestra.

Each year, Mr. Schandler searches for new, exciting soloists and music to present. Each year, the Cleveland Women's Orchestra offers the community the finest of musical experiences. It has premiered many compositions, including the Concerto for Piano in C Minor by Taktakishvili and Britten's Young Person's Guide to the Orchestra.

In its fiftieth year, the Cleveland Women's Orchestra continues to offer a high quality of music in its performances. Its commitment to provide musical experiences for those who might otherwise be deprived of such will be carried on. Women, with a desire for a musical outlet, will find participation in the Cleveland Women's Orchestra to be a fulfilling and rewarding venture.●

THE SEEMLINESS, OBJECTIVITY, AND FAIRNESS OF THE PROCEDURES OF THE HOUSE ARE AT STAKE IN THE INDIANA ELECTION

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. MAZZOLI. Mr. Speaker, my statement is not meant to reflect adversely on the chairman and members of the task force of the House Administration Committee which conducted the election recount in Indiana's Eighth Congressional District.

Nor is it meant to disparage the talents and abilities of Frank McCloskey, the democratic candidate in the Eighth District. I consider him a friend and feel he has high promise in the Congress. If Frank wanted me, I

would be happy to campaign for him anytime, anywhere.

However, simply stated, I do not feel the democratic candidate—as recommended by the House Administration Committee—should be seated.

I believe a special election, conducted under rules specified by the House, if necessary, should be ordered.

I reach this posture because the seemliness, the objectivity, and the fairness of the process and procedures of the House demand no less. In this I am joined by editorial comment from many of the Nation's flagship newspapers such as: The New York Times; the Washington Post; the Balitmore Sun; The Wall Street Journal; the Philadelphia Inquirer; the Evansville Press; and the Detroit News.

The task force was a 2 to 1 Democratic-Republican group, giving an inevitable partisan tint and cast to its eventual decision. Had the task force been constituted as ethics panels are in the House—equally divided among Democrats and Republicans—and had it operated only under unanimously approved rules, then the result would have had a better appearance of balance and fairness.

The task force counted some absentee ballots but not others by a party-line vote and adopted by a party-line vote at least one rule governing the recount. Certainly the appearance of objectivity and balance would have been served better had all the similar ballots been counted and all the recount rules been adopted unanimously.

The effort in the House to seat the democratic candidate leaves much to be desired.

It appears biased, tendentious, tilted, and unfair. Even accepting, as I certainly do, that this was a sincere effort by sincere people to reach the truth of who won the election, there is still a cloud over the result. That cloud can only be removed by a special election.

The razor-thin margin is not the problem. (Though as one who was elected in 1970 by only a 211-vote margin, I worry about any House decision, which could permit State election laws to be ignored even where there is no challenge, as in Indiana, to their legality or constitutionality.)

Again, the thin margin is not the problem. The problem is that, by a divided, party-line vote, some absentee ballots where counted and others—of similar aspect—were not counted.

The solution—to give assurance to the people that the process is fair and honest—would have been to count all the disputed absentee ballots. If a four vote margin remained in favor of the democratic candidate, then seating that person would have both merit and public approbation.

Also, had the Democratic candidate led by a margin exceeding the total number of disputed absentee ballots, so that even had all the disputed ballots gone to the Republican candidate the Democrat would have prevailed, then seating the Democrat, despite not counting the remaining ballots, would have been appropriate.

If, from another position, the vote of the task force had been unanimous not to count the disputed absentee ballots, then seating the Democratic candidate—despite the four vote margin—would have been on solid ground.

This is not an easy position for me to reach since I am a Democrat and proud to be a part of the House majority party and proud to count Frank McCloskey a friend. But, I must do what I feel is the fair and correct thing, and, I feel the fair and correct thing here would be for the Indiana seat to be declared vacant and a special election ordered to fill it.●

ETHIOPIA

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. SOLOMON. Mr. Speaker, I call the attention of every Member to a front page story in this morning's edition of the Washington Post. The story is entitled: "Ethiopia Ousts 52,500 From Famine Relief Site." The subtitle reads: "Troops Burn Camp; Fears Raised for Weak, Sick Evacuees Now On Long Trek." Mr. Speaker, read it and weep.

Once again our attention is focused on the plight of the Ethiopian people, a tragedy that has been compounded because of actions taken by a brutal and sadistic regime. In this latest crime against the Ethiopian people, army troops, acting on the orders of the Ethiopian Workers' Party, put the largest famine relief camp in the country to the torch. The 60,000 suffering people in that camp were informed on Saturday afternoon that they would no longer be receiving any food, water, or medical care. On Sunday, the troops arrived. And at this moment there are over 50,000 malnourished people, many of them young children, making a difficult and dangerous trek over the mountains of north central Ethiopia. People with no place to go—their crude dwellings burned to the ground on orders of the workers' party, that same party whose establishment last September was celebrated by a lavish festival in Addis Ababa at a cost of $200 million.

Mr. Speaker, I am today renewing my call for a conference of donor countries to deal with the question of Ethiopia. If the goodness and generosity of the American people and the people of the Free World is being extended to the grieving people of Ethiopia we have every right to expect—to demand—that the Ethiopian regime act in a civilized and responsible manner toward its own people.

Mr. Speaker, I do not make it a practice to insert newspaper articles into the CONGRESSIONAL RECORD, but given the magnitude of the tragedy in Ethiopia, I will depart from that policy and ask that this article from today's Washington Post appear in the Record. I urge all Members to read it and to register their outrage.

[From the Washington Post, May 1, 1985]

ETHIOPIA OUSTS 52,500 FROM FAMINE RELIEF SITE

(By Blaine Harden)

ADDIS ABABA, ETHIOPIA, April 30.—This country's largest famine relief camp, with a population of 60,000 people—many sick and weakened by malnutrition—was burned and evacuated by force during the past three days, according to two senior western relief officials who visited the camp today.

These officials said that, beginning Sunday and ending today, Ethiopian Army troops herded more than 50,000 famine victims—including several thousand children under 5 years of age—out of Ibnet, a camp located in Ethiopia's central highlands, and then burned the grass huts in which the people had been living.

The camp, which on Saturday had been a general feeding, child nutrition and medical center run by four private relief agencies and the Ethiopian government, was by today a blackened plain, where a few stray cows wandered amid mounds of ashes and shards of broken pottery, according to the officials who flew to Ibnet this morning.

The officials said that from an airplane they saw thousands of people walking from Ibnet in long lines that snaked along dirt roads and dried river valleys. About one-third of them reportedly are heading east, through some of Ethiopia's roughest mountain terrain, to Welo and Tigray, the regions hit hardest last year by drought. Those headed for Welo must walk three to six days; for Tigray, up to 14 days.

"These people are fairly undernourished and a lot of them were not fit to undertake this journey. A number of them will certainly die," said one of the relief officials.

According to both officials, who said they talked with representatives of the Ethiopian government and private relief workers at the camp, the evacuation was ordered by leaders of the Workers' Party of Ethiopia, who under Ethiopia's Marxist system govern the Gondar region where Ibnet is located.

Beside the approximately 52,500 people who were sent away from Ibnet on foot, the relief officials said another 4,500 were flown west over the past four days in Soviet transport helicopters to resettlement areas in the fertile western end of Gondar near the Sudanese border. These people have volunteered for resettlement, the officials said.

"For the others, there was no opposition to the Army. They are a very incredibly docile people," one of the relief officials said.

The party's reason for clearing out the camp, the relief officials said they were told, was to allow the residents to take advantage of recent rains by returning to their homes and beginning to farm. Party officials reportedly said that evacuation of the camp would end overcrowding that could spread disease and that those leaving Ibnet were

strong and able-bodied. The party officials also reportedly said that the evacuees had been given enough grain for their trip home and that they would find seed and farm implements in their own region.

Nurses working for Concern, an Irish relief organization that fed and cared for children of Ibnet, disputed the party's account, the officials said. They said the nurses reported that hundreds of "very sick children" disappeared between Sunday and today. The nurses counted 17 bodies yesterday along the road leading east from the camp, one relief official said.

Specialists on the Ethiopian famine here in Addis Ababa, said that Welo region, the destination of many of the evacuees, remained an inhospitable area with little seed, limited supplies of farm instruments and almost no food—except in feeding centers like the camp the walkers were forced to leave.

"In one sense, the decision to move people out of the camp is a sound one. It is time to return some people to their homes. The crowding at Ibnet made people vulnerable to disease," one official said last night. "Where I fault them is the lack of preparation, the lack of humanity. To come and move so many people so fast is pretty ruthless."

Most relief officials interviewed for this story, who declined to be named for fear of being expelled from Ethiopia, have made frequent visits to Ibnet in the past four months, as the camp has swelled from 2,000 residents in January to 60,000 by the end of last week. It is only in the past month that Ibnet has become the largest famine-relief camp in Ethiopia.

Repeated efforts today to contact a spokesman for the government's Relief and Rehabilitation Commission, which oversees famine relief here, were unsuccessful.

The following account of the evacuation of Ibnet is based on separate interviews with the two officials who flew to the camp and spent the day there interviewing relief workers and government officials.

The decision of the Workers' Party was announced on Saturday at 3 p.m.

Relief workers were called together from Concern, World Vision, the International Committee of the Red Cross, the Ethiopian Orthodox Church and the government's Relief and Rehabilitation Commission. Party officials announced they were going to close the camp, and that from Saturday no one in the camp from Welo or Tigray was to receive any food, water or medical care.

This order applied to many of the 5,000 children in Concern's intensive feeding program. Some of those children were severely malnourished and received up to six meals a day of high-protein porridge.

Army guards were posted to keep camp residents away from the five water wells and one 3,500-gallon water tank that Concern had built at Ibnet since January when famine victims started to arrive.

On Sunday, the Army, which has a base nearby, moved in and began ordering people to leave. Residents were told to carry what they could. As soon as they left their cornstalk huts, soldiers set the shacks afire with torches.

Once the evacuation began, guards were posted on the road heading east to make sure that no one came back.

Yesterday, the soldiers came again and the camp was emptied of all but about 10,000 people. Evacuees from the surrounding Gondar region dispersed in many directions. Those from Welo and Tigray, about 37 percent of the camp's population, walked east up into the mountains.

Today, the rest of the camp was emptied, except of about 3,000 people who were incapable of walking.

The soldiers did not burn any of the $80,000 worth of kitchens, feeding shelters, infirmaries or stores that had been erected during recent months to care for the people of Ibnet. After the evacuation, however, there were more buildings than the remaining residents and relief workers needed.

At Ibnet this morning, in a meeting with the senior staff from Concern, the two visiting relief officials from Addis Ababa were told that many of the famine victims out walking in the mountains did not have enough clothing, food or reserves of strength for a long journey.

The relief officials said the Concern staff predicted that as many as half of the walkers could die.●

THE BERGEN RECORD ON TAX REFORM

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. COURTER. Mr. Speaker, with the economy dramatically slowing down and unemployment at levels normally associated with a recession, a dramatic, growth-oriented tax reform is needed to reignite the recovery of 1983–84; a radical base-broadening, rate reducing effort designed to surge the economy toward the end of the decade. One such proposal, the Kemp-Kasten fair and simple tax, would remove 1½ million of the working poor from the Federal income tax roles completely, double the exemptions for families, drop the top personal tax rate to 25 percent, and reduce and index the capital gains tax. The Treasury Department tax reform proposal and the Bradley-Gephardt fair tax have similiar features.

The Bergen Record, a leading newspaper in New Jersey, has recently outlined an excellent case for tax reform and ending the inequities and distortions of the present Tax Code, which the Record correctly calls "labyrinthine." I urge my colleagues to consider the arguments in the essay, and to support efforts in 1985 to rewrite the Tax Code.

The editorial follows:

FOR A TAX-REFORM PLAN—NOW

It was discouraging to think, as you trudged to the mailbox with a bulging envelope for the Internal Revenue Service, that your check to Uncle Sam was about 12 percent higher than it should have been because some of your neighbors were hiding their real income.

Revenue losses from unreported personal income have tripled in the last decade. The IRS calculates that 11 out of every 100 individual and corporate taxpayers are concealing income (legal or illegal), cheating on deductions and expenses, and robbing the treasury of at least $90 billion that honest taxpayers must make up.

The most frequent offenders are self-employed professional and small-business people who arrange to get paid in cash and who keep their own tax records. In 1982, the government began requiring restaurants to estimate tips accumulated by their waiters and waitresses, and IRS officials in Newark said they recovered $8 million in taxes from 4,300 cocktail waitresses in Atlantic City. In February, the government caught a number of leading banks illegally concealing large cash transactions and helping clients, some of them mobsters, spirit the cash abroad, out of reach of the IRS.

But many taxpayers beat the system entirely within the law. The labyrinthine tax code helps them. Recently, the IRS reported that 299 millionaires used wealth-biased tax breaks to escape any tax payment at all in 1982. On Capitol Hill, Sen. Howard Metzenbaum filled a wheelbarrow with the annual reports of corporations that paid no federal taxes.

By and large, according to opinion surveys, people cheat the system because they think it's unfair—riddled with loopholes that enable the richest and cleverest to pay the lowest taxes. Political leaders of both parties agree that this widening perception of unfairness threatens to undermine the voluntary compliance that is the heart of a democratic revenue-raising system.

Accordingly, Congress is now considering a number of tax-simplification proposals, all of them aimed at raising the low esteem into which the system has fallen. Despite the urgent need for reform, Congress has agreed to wait for the president's own plan, promised some time ago. For his part, Mr. Reagan appears to be waiting to see how much political fallout is produced by plans already on the table, including his own Treasury Department's.

Sen. Bill Bradley, coauthor of a leading plan to simplify tax structures and reduce the opportunities for finagling, said over the weekend that waiting for the president to act was like swimming in a pool with a resting whale. Mr. Reagan should get into the act or out of the pool.●

GREAT IMPACT OF SOCIAL SECURITY

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. KOLTER. Mr. Speaker, today, I rise to pay tribute to a piece of legislation that has had greater impact on the people of this country than any I can recall, a piece of legislation that has changed the manner in which Americans view their Government.

A few days ago, April 19, marked 50 years since the House of Representatives passed the Social Security bill. Social Security, since that time, has provided hundreds of millions of Americans with a better life and an enhanced sense of security. It is said that Social Security is a commitment to present and future generations, that it is a social compact between generations of Americans and the U.S. Government.

I believe the Social Security Program is more than this. It is a testament that Government is a proper vehicle for improving the quality of life of our citizenry, if for no other reason than Government is simply an extension of the citizenry. We must not allow the current debate surrounding the program to disrupt its service and its promise. Let us together resolve that Social Security is and must remain financially sound; that Social Security is here to stay; and that confidence and trust in the program must be instilled in our young as well as in our elderly by repudiating the rhetoric of doubt and uncertainty. Now above all, is a time to be truly thankful for this, the most significant and far-reaching piece of domestic social legislation of this century.●

PRESIDENT'S CHEMICAL WEAPONS COMMISSION IS WRONG

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. EDGAR. Mr. Speaker, I rise today to commend our colleague DANTE B. FASCELL, chairman of the House Foreign Affairs Committee, for his strong and thoughtful leadership on an issue which concerns our country's national security—the proposed resumption of the production of new lethal binary chemical nerve gas weapons.

Representative FASCELL, joined by Representative JOHN PORTER, myself and 50 other House Members—35 Democrats and 16 Republicans have recently joined together to create a bipartisan coalition spanning the ideological spectrum to express our firm opposition to the production of binary nerve gas weapons. Our opposition is based on our commitment to an arms control ban on chemical weapons and the preservation of a strong defense—not a defense based on costly, unreliable, and counterproductive binary chemical weapons.

Predictably, the President's Chemical Warfare Review Commission has recommended the production of new lethal binary nerve gas weapons. Chairman FASCELL succinctly characterized this recommendation as "Putting bad wine in a new bottle".

It is a sad commentary on the utility of such Presidential commissions that this Presidential report is nothing more than a simpleminded repackaging of longstanding Department of Defense arguments in favor of these new nerve gas weapons. We in Congress have wisely rejected these arguments over the past 3 years and I am confident we will do so again this year.

I want to share with my colleagues the perceptive remarks made by Chairman FASCELL in his statement earlier today both about the Presidential Commission itself and about the well-documented and substantive reasons to oppose the production of new binary nerve gas weapons.

FASCELL CALLS PRESIDENTIAL CHEMICAL WARFARE SUMMARY "BAD WINE IN NEW BOTTLE"

Commenting on the binary recommendations of the Presidential Review Commission on Chemical Warfare, Rep. Dante B. Fascell, (D-FL), Chairman of the House Foreign Affairs Committee, said: "It's like putting bad wine in a new bottle wrapped in a blue ribbon costing the American taxpayer over a quarter of a million dollars."

As expected, the President's commission recommended the production of new lethal binary nerve gas weapons—an action which the Congress has decisively rejected over the past three years. Fascell said: "For the past three years a close examination of the arms control, foreign policy, defense, and cost implications of producing binary nerve gas weapons has led a bipartisan majority in Congress to conclude that such a move would adversely impact on major U.S. foreign policy objectives, make arms control less likely, and is not something we need or the American people want.

The Chairman elaborated on "the well-documented and sound objections" to binary production that have led Congress to reject the only new defense program proposed by the Reagan adminstration. He said:

Our NATO allies won't want to have these new nerve gas weapons on their soil;

The current U.S. stockpile consists of literally hundreds of thousands of rounds of chemical nerve gas weapons and serves as a credible deterrent against the Soviets;

Binary weapons increase the risk of chemical weapons proliferation and their use by terrorists;

Bilateral arms control negotiations with the Soviets must be reopened and not doomed by a U.S. decision to resume production of new chemical weapons;

The Bigeye binary nerve gas bomb is still failing tests after 20 years of research;

Chemical weapons don't offer an advantage over conventional weapons either in cost or effectiveness;

Chemical weapons are repugnant to us, our allies, and our friends; and

Elimination of this unnecessary defense program will save $174 million this year and $2.4 billion over the next five years.

Rep. Fascell also released a copy of a November 28, 1984 letter to the President written jointly with Rep. John Porter (R-IL) in which they recommended that a former Member of Congress, Ed Bethune, be appointed to the commission to represent the views of a majority in Congress and in the public at large who oppose the production of new nerve gas weapons. The suggestion was ignored by the White House. Fascell commented: "It is now clear the commission was set up with one purpose in mind: to rescue a defense program in trouble in Congress."

Additional facts about the presidential chemical commission include:

The Secretary on the commission is also the Assistant to the Secretary of Defense for Chemical Matters.

A D.C. public relations firm was hired to do congressional relations for the commission.

The commission was appointed on March 11th—20 days before the April 1 due date on reporting its findings to Congress.

A Washington based defense consulting firm, hired to assess European attitudes on binaries, submitted its assessment to the commission in closed session in mid-April. Meanwhile, that same firm is traveling to Europe in May to assess European attitudes on binaries.

Joined by 34 Democrats and 16 Republicans, Rep. Fascell and Rep. Porter recently introduced H.R. 2124, legislation expressing broad bipartisan opposition to the production of new lethal binary nerve gas weapons.

HOUSE OF REPRESENTATIVES,
Washington, D.C., November 28, 1984.

The PRESIDENT,
The White House,
Washington, D.C.

MR. PRESIDENT: Section 1511 of Title XV of the Department of Defense Authorization Act, 1985, mandates the establishment of a bipartisan panel to be named the "Chemical Warfare Review Commission."

The Commission has been given the particular priority of examining whether the United States should produce binary chemical munitions. This report is due to be submitted to Congress by April 1, 1985.

The question of whether the United States should end a moratorium on the production of lethal nerve gas weapons that was initiated by former President Richard Nixon in 1969 has been controversial for some time. Congress has rejected binary nerve gas production for three consecutive years for a variety of national security, political, technical, and military reasons.

To enhance the prospects for a fair and balanced report on the critical questions that the commission must review, we would like to urge that the commission be composed of distinguished experts on the issues involved. We are sure that you would agree that all to often membership on some past "blue ribbon" panels have been selected in order to produce a pre-ordained point of view. We are confident that you would like to see a fair balance of the different viewpoints brought together to consider the vital issues involved.

To this end, we would like to recommend our distinguished fellow colleague, the Honorable Ed Bethune of Arkansas. With the report of the "Chemical Warfare Review Commission" due in the midst of Congress' consideration of the fiscal year 1986 military budget, it is important to our work that we get the best possible advice on this vital issue.

Yours sincerely,

DANTE B. FASCELL,
Member of Congress.
JOHN PORTER,
Member of Congress.●

GOOD NEWS FOR THE PORT OF CLEVELAND

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. FEIGHAN. Mr. Speaker, the Port of Cleveland recently completed the second most successful economic season in its history. The port is vitally important in the development of jobs, profits, and business expansion

in the Greater Cleveland area, and congratulations are due to all the men and women who have contributed to the port's success. Through hard work, innovation, and a commitment to quality work, they have helped to promote the port as a key element in American trade. If the economic recovery is to take hold in the Northeast, much more will need to be done to bring investment and to develop long-term economic policies that work effectively. The Port of Cleveland is making important progress in that direction. During 1984, overall cargo climbed 23 percent over the prevous year, and bulk cargo's rate of increase was a full 46 percent. Wharfage and dockage income rose substantially, as did the number of oceangoing vessels visiting the port.

Mr. Speaker, I salute all the men and women who contributed to the port's success, and extend my best wishes for an even more successful 1985 season. I insert a short article on the port's winning year in the RECORD following my remarks.

The articles follows:

1984 WAS A WINNING YEAR FOR THE PORT

The 1984 shipping season for the Port of Cleveland was good news for everyone—for the Port, for shippers, truckers, rail lines, stevedore companies, longshoremen—just about everybody benefitted.

That's because the just-concluded 1984 shipping season was the second best in the Port Authority's 16-year history (see '84 Highlights statistics).

Just as important—and more good financial news—was the fact that the Cleveland-Cuyahoga County Port Authority operated the full year debt-free, for the first time since its creation by city and county voters in 1968.

Overall cargo moving in and out of the Port for 1984 was up more than 23%, to 1,378,000 tons.

Executve Director C. Thomas Burke said he expects to see even greater improvement this year. Despite the reduced pace of steel production, Burke feels the port can move 400,000 tons in 1985.

"Effective management," stated Jay C. Ehle, Chairman of the Port Authority, "has enabled us to turn the corner and put the port on a secure financial footing."

Ehle pointed out that the port's successful '84 season came about despite the loss of nearly $1 million due to the departure of two major rental tenants. "With increased effort in our sales and marketing operations," he added, "we managed to offset this loss."

Inflation and other factors have boosted port costs. Operating and administrative expenses for 1984 were up more than 9%. Chairman Ehle said the port utilized less tax revenues in 1984 than in 1983, and indicated that tax revenues for 1985 will be invested in sorely needed capital improvements and in the acquisition of land and buildings.

The economic benefits accruing from the port's solid successes are being felt throughout the community. Increased port business has meant more than 150,000 manhours of work for union longshoremen, a 25% increase over 1983. Stevedoring companies, trucking companies and shipping agents are also sharing in the increased business generated by the port's outstanding performance during the 1984 shipping season.●

ACCOMPANYING INTRODUCTION OF LEGISLATION TO ALLOW SPECIAL COMMUTING EXPENSE DEDUCTIONS IN THE INTERNAL REVENUE CODE FOR THE HANDICAPPED

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. McDADE. Mr. Speaker, at a time when we ought to be doing everything we can to provide jobs for our people and to encourage charitable work, one special provision of our Tax Code is clearly discouraging citizens from leading an active, productive life.

These individuals are the handicapped, who must depend on extraordinary means to get to their jobs and to their charitable activities. In our Tax Code, page after page spills over with deduction after deduction, yet there is no provision for allowing these people to deduct their special commuting expenses.

I learned of this situation over 2 years ago through one of my constitutents, a victim of muscular dystrophy, who is bound to a wheel chair, but is able to be employed and has been a taxpayer all of his adult life. He has been a taxpayer because his parents have seen to it that he can get to and from work as well as to and from his many charitable activities.

When a family illness threatened to curtail his parents' support and to put him in the position of so many other developmentally disabled citizens, such as victims of mental and physical retardation, cerebral palsy, nervous disorders such as Durette's Syndrome, people who cannot depend on the efforts of friends and families, he asked the Internal Revenue Service if his necessary commuting expenses could be considered a tax deduction. The Internal Revenue Service ruled that this could not be without congressional authorization.

Therefore, I am reintroducing legislation that would provide the change that the Internal Revenue Service indicates it needs to allow such deductions. This legislation, which I introduced in the 98th Congress would allow the developmentally disabled to deduct "all extraordinary commuting expenses" for travel to and from work and from all charitable activities.

This bill contains a very tight definition of the term "developmentally disabled" and the key feature of this legislation is a prohibition on the developmentally disabled individual from receiving this deduction if public or private charitable transportation systems exist and are at the disposal of these handicapped individuals. I do not believe we should do anything that would imperil these vital services.

I believe that it is important to note that the absence of this allowable deduction for these costly commuting expenses inhibits and in some cases even prohibits many of our developmentally disabled citizens from becoming productive workers, taxpayers and community servants. It is vital that we become more sensitive to the special needs of this segment of our population. We cannot accept a Tax Code that forces otherwise able and ambitious citizens to become vocational shut-ins. It is important that we encourage our productive citizens to in fact, be productive.

I commend this legislation to my colleagues and urge their support and cosponsorship.

Thank you Mr. Speaker.●

PROF. ROBERT W. DUNN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to a man who has made educating young people his life's work. Robert W. Dunn will retire in May after 35 years as a professor at Los Angeles Harbor College.

Mr. Dunn comes from pioneer stock; his family originally settled in Texas in 1848. He attended the University of Texas in Austin and received his master's degree in political science.

His studies were interrupted at this point, however, by World War II. He served in the U.S. Army and saw action in the North African and European campaigns. It seems fitting that in the same month that Mr. Dunn is being honored for his years of commitment to education by his colleagues and family, the entire Nation is commemorating the final success of the campaigns against Adolf Hitler to which he contributed.

After the war, Mr. Dunn continued his studies at the University of California at Berkeley, switching his attention to the field of engineering. Here he met and married his wife Jean in 1950. One year later, he accepted a position at Harbor Community College as a professor of history. In his 35 years at Harbor College, he has witnessed the shifting tides of American political life and history and has imparted a lifetime's worth of knowledge and insight about it to his students. His outstanding work has been recognized by his peers, whose respect he has earned, and his students, whose worlds he has broadened.

Mr. Dunn's contributions to Harbor College have not been limited to teaching, though this aspect of his

career is impressive enough. He has served on both the campus and district senates and as the president of the Faculty Association. In addition, he has volunteered his time to assist several student organizations and officiated at numerous athletic events. Mr. Dunn's contributions have helped to make Harbor College the diverse, many-faceted community that it is.

The greater community around the college has also benefited from his time and attention. He has been active in the First United Methodist Church and local politics—walking his precinct for and contributing his time to numerous candidates. He learned about civic duty and derived an interest in politics from his parents, who were equally active. Mr. Dunn worked his way through college with a job secured for him by a Texas politician who would one day become President, Lyndon Baines Johnson.

Just as he learned from his parents, his children have learned from him. His son, Dr. Robert Jeffrey Dunn, followed his footsteps and is a professor in civil engineering at the University of Colorado. His daughter Cheryl Jean is a secretary to an international lawyer in Paris.

Robert Dunn will be honored by his friends, his wife Jean, and his children Robert and Cheryl at a retirement dinner on May 19. My wife Lee joins me in wishing him and his wife a happy and fulfilling retirement.●

HONORING JAMES RICHARD MUNIZ UPON RETIRING AS PRESIDENT OF TEAMSTERS UNION; LOCAL 70

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mrs. BOXER. Mr. Speaker, it is an honor for me to acknowledge an outstanding individual at the time of his retirement as President of Teamsters Union; Local No. 70.

James Richard Muniz is known by his peers and family as a warm, caring, and compassionate man. He was born in Redlands, CA, and after attending Castlemont High School in Oakland, CA, served in the Merchant Marines.

Our honoree has received civic recognition in the form of the 1975 "Man of the Year" and the City of Hope's "Spirit of Life" awards. Also recognized by the Veterans of Foreign Wars, James Muniz was a recipient of their "Certificate of Appreciation".

As a father of five grown children and grandfather of two children, I know that James as well as his wife, Dolores, will continue their wholehearted commitment to the betterment of their community.

I ask my colleagues here in the House of Representatives assembled to join me in wishing James Richard Muniz continued success in his well-deserved retirement.●

A TRIBUTE TO PETER B. KANE

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. KOLTER. Mr. Speaker, I would like to submit the following testimonial which appeared in a community newsletter honoring Peter B. Kane:

A Beaver Area "tradition" ends this Spring with the retirement of Mr. Peter B. Kane. Mr. Kane has served the Beaver Area School District for 40 dedicated years. During this time he has taught most secondary Social Studies courses as well as coaching 4 different sports.

Born in Plainfield, New Jersey, Mr. Kane graduated from Geneva College in Beaver Falls. While there, he participated in varsity athletics, lettering in football, basketball and tennis.

Mr. Kane carried his sports expertise to Beaver, serving as head football coach for many years, as well as coaching the golf team, girls tennis team and serving as assistant basketball coach.

Throughout his teaching career, Mr. Kane has been a guiding force to his colleagues and students alike. A quote from the 1956 Shingas best summarizes how we feel about this man: "In search for one whose ability to inspire is incomparable, whose personality attracts people unhesitatingly and whose leadership is outstanding—our thoughts constantly turn to one who fits all of these qualifications, Mr. Peter B. (Pete) Kane."●

ED ASNER—"MR. LOU GRANT"—HONORED

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. BERMAN. Mr. Speaker, I am honored to pay tribute to a man who has been a guest in the homes of people in the districts represented by each of my colleagues in the House. Currently starring in the ABC hit series, "Off the Rack," Mr. Ed Asner owns the modern patent on the role of the crusty curmudgeon with a heart of gold. Liberty Hill Foundation, the progressive community foundation of southern California, has chosen Mr. Asner to be this year's recipient of their annual Upton Sinclair Award. They could not have made a more appropriate choice.

Given all the generous and farsighted things Mr. Asner has done, it would be demeaning to argue that he earned the award merely for the type of character he has come to personify. But the temptation is too great to let pass entirely the opportunity to point out the similarities between Upton Sinclair and the character of Sam Waltman in "Off the Rack," and of Lou Grant in "The Mary Tyler Moore Show" and the "Lou Grant" series.

Upton Sinclair and the fictional character Lou Grant whom Ed portrayed share the following qualities: obstinance, hard-headedness, a prickly nature, a bad disposition—and the redeeming characteristics of independence, an abhorrence of empty rhetoric and cant, and an unwavering adherence to meritocracy, equal rights, and progressive ideals.

In real life, Ed Asner, the president of the Screen Actors Guild, a founding member of the Committee for Medical Aid to El Salvador and a generous volunteer in many, many other worthy causes, shares all the best characteristics of Upton Sinclair. And in the case of Ed Asner, you may add one other similarity with Upton Sinclair—he willingly risks his own comfort and freedom in defense of the rights of others less fortunate than himself.

Ed Asner is a great actor and a wonderful human being. I am proud to pay him this tribute.●

SAVE THE CHILDREN DAY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. MILLER of California. Mr. Speaker, today is Save the Children Day. Each year, Save the Children, a voluntary, nonsectarian organization that has been working with impoverished children and families since the depression, brings hundreds of children to Washington to help focus attention on the needs and rights of children everywhere.

Two years ago, some of these children testified at the Select Committee on Children, Youth, and Families' first hearing. They told us about the problems facing their communities; about pollution, crime and the devastating effect of unemployment, and poverty on family life. They also told us about their concerns for our Nation, including their fears of nuclear war.

We were convinced that children themselves can tell us a great deal about the status of our Nation's children and families, and we should listen to them.

Today, the children in Washington have come because they have raised thousands of dollars for relief of famine in Ethiopia. The hearts of these children have gone out to the hearts of suffering children and families halfway across the world. They deserve our highest and most heartfelt praise.

The children's efforts to prevent starvation in Africa reminds us of the job we have in this country to prevent hunger, disease, and illiteracy. Those are enormous tasks right here in the

United States of America, but they are not problems without solutions. We do not lack the technology. We lack only the will and the foresight to make the kind of investments that can prevent hunger, disease, and illiteracy.

The best scientific evidence tells us that the WIC Program is effective in preventing low birthweight babies. Low birthweight is the major determinant of infant mortality and low birthweight babies have a far greater chance to be afflicted with birth defects.

WIC saves $3 for every dollar spent on the prenatal component of the program through reduced neonatal intensive care costs.

Despite the fact that WIC saves lives and saves money, too, the Reagan administration has repeatedly attempted to cut funding for the program. The Congress has repeatedly rejected these efforts.

Yet once again, the administration has submitted a fiscal year 1986 budget request for WIC that would reduce the current WIC caseload by 100,000 next year, and it is currently withholding $76 million in fiscal year 1985 funds. If the administration continues to withhold these fiscal year 1985 funds, 250,000 high-risk, low-income children and pregnant women will be thrown off the program by September 1985.

WIC is not the only program where the administration has reneged on the promise of prevention. Head Start has been proven effective in preventing early school failure among low-income, at-risk children. Studies show that for every dollar invested in early education programs like Head Start, $4.75 is saved in lower special education costs, lower welfare and law enforcement costs, and higher worker productivity.

If the administration is successful in freezing Head Start's budget, inflation will effectively cancel the chance for 19,000 poor 3 and 4 years olds to participate in the program.

Immunizing children against disease is perhaps the most obvious form of prevention. Yet for fiscal year 1986, the President's budget request for diphtheria-pertussis-tetanus vaccine would supply vaccinations for fewer than half the number of children immunized in 1984. This request comes when less than half of all black preschool children are adequately immunized against these diseases.

The Reagan administration is steeped in the rhetoric of prevention but meager in action. There is much they could learn from the children who have come to Washington today. Preventing suffering and fostering healthy lives takes more than talking.

Save the Children is not just a day or a slogan, but a commitment. We know how to save the children. The only issue is whether the administration in this Congress will support programs that provide children a greater opportunity for a full and healthy life.●

LET'S NOT ADD INSULT TO INJURY FOR LIQUIDATING FARMERS

HON. JIM ROSS LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. LIGHTFOOT. Mr. Speaker, since first coming to Congress, I've been doing my darndest to get some real help for our Nation's farmers, but it's been an uphill battle, to say the least.

To make matters worse, most people agree on what agriculture's problems are, but few agree on the solutions to those problems. Now I'm not one to just sit back and complain. Instead, I set my mind to finding a solution, and today, I come to you with just such a solution.

After hearing numerous horror stories about liquidating farmers being told they have to cough up thousands of dollars to pay the IRS under our alternative minimum tax law, I decided to take a closer look—could that really be true?

There is good reason for the law's intent—those who stand to profit from selling property that served as a tax shelter should not be exempt from the law. However, when a farmer liquidates as a result of no remaining equity in his operation, he should not be penalized. I know of one farmer who walked into his lender's office, handed his lender title to his farm, and several days later got a bill from the IRS for $45,000. Now this is just plain ridiculous.

Therefore, after some study of the issue, I've decided to introduce legislation today to exempt farmers with no remaining equity in their operations, from being subject to the alternative minimum tax law when they liquidate. This won't help everyone and it's not a total answer. But we should be doing everything we can to minimize the anguish farm families are going through. Losing a farm that's been in the family for generations is traumatic enough without worrying about where the money is coming from to pay off the IRS—not to mention worrying about where the family's next meal is coming from.

This is a relatively simple, yet realistic measure. It does something positive to help farmers who are in trouble, yet has relatively little impact on the Federal Treasury.

I'll be seeking support for the measure from the House Ways and Means Committee as well as from my colleagues in this body. Every little bit we can do to help agriculture is in everyone's self-interest.●

A TRIBUTE TO JUDGE ALFRED C. CLAPP

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. COURTER. Mr. Speaker, I would like to take a moment to recognized an outstanding citizen of New Jersey, the Honorable Alfred C. Clapp.

Judge Clapp is being honored today for over 50 years of dedicated service marked by a wide spectrum of accomplishments in the field of law.

A graduate of Harvard Law School, Judge Clapp practiced law in New Jersey and New York, and, in 1939 was appointed surrogate of Essex County. During his tenure, Judge Clapp authored five volumes of books in the area of wills and administration for the New Jersey Law Practice Series. His literary talents did not go unrecognized and in 1942, he was selected to serve as editor of the New Jersey Law Journal.

His love of law and determination to see the administration of justice continue to improve in the State put Judge Clapp in the forefront of the struggle to draft the New Jersey Constitution. He ran two successful campaigns for the State senate and served as chairman of the committee to draft rules for the superior court in the civil and probate areas. In addition to making laws, Judge Clapp managed to find time to teach as well, and, in 1951 was appointed dean of Rutgers Law School.

In 1953 Judge Clapp was appointed to the bench in the appellate division where he served the State with dignity and pride. After years of dedicated service, Judge Clapp resigned and founded the firm Clapp & Eisenberg where he still remains as a senior partner.

I know the family and friends of this outstanding American are most proud of his many fine achievements. Judge Clapp has earned the admiration of his colleagues and students and the respect of his mentors. His efforts have made New Jersey a better place to live.

I congratulate Judge Clapp on an outstanding career and thank him for all he has done for the State of New Jersey.●

RANDOLPH WILSON, SCHOOL PATROL, HONORED

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. FAZIO. Mr. Speaker, I am honored to call the attention of my colleagues to a young man from my dis-

trict, 10-year-old Randolph Wilson of Fairfield, who has received the American Automobile Association's School Safety Patrol Lifesaving Award Medal. This award recognizes the heroic action taken by Randolph in saving the life of a schoolmate on September 7, 1984.

While on patrol duty at David Wier School, Randolph noticed a 6-year-old "communicatively handicapped" student crossing through the school bus parking area. The young schoolmate then crossed a traffic island and began heading into a busy street. Although several yards away, Randolph saw that the boy was walking directly into the path of a speeding car. Randolph rushed to the scene and, with both arms, pulled his schoolmate into a gutter as the vehicle sped past.

After extensive study, an AAA board of review determined that Randolph should receive special recognition for his brave action. Thus, on May 15 in Detroit, he will be one of five recipients of the AAA's prestigious national award. This award will fittingly serve as a special tribute to Randolph Wilson and the more than 1 million safety patrol members who serve in schools across the United States.

Mr. Speaker, I would like to extend my congratulations to Randolph and his family for this courageous act.●

BLAZING TRAILS 85

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. SKELTON. Mr. Speaker, during the Easter work period I had the privilege of visiting with engineers of the Missouri Army National Guard constructing a road in Panama. I think all the members of my group were impressed with the high morale of these guardsmen and the reaction of the Panamanian people. If ever there was an example of our people being ambassadors of good will this is one. The Panamanians were unanimous in praising the efforts and conduct of our guardsmen. It made me proud to be a Missourian when I heard these people compliment the work of the Missouri National Guard.

This exercise provides valuable experience for our National Guard while improving the living conditions of the local people. I believe this type of exercise should be expanded to other countries in the region.

I submit that section of my trip report concerning "Blazing Trails" for the RECORD. I might also add that the engineers from Missouri not only completed the road assigned them but assisted their comrades in the Louisiana Guard with several thousand meters of their portion of the road.

The material follows:

[Appendix I]

BLAZING TRAILS 85

The objective of exercise Blazing Trails 85 is to repair and construct 42 kilometers of road and bridges on the western coast of the Azuero Peninsula, Republic of Panama. This is a follow-on to last year's Minuteman I exercise where National Guard units from Puerto Rico, Louisiana and Florida worked with Panamanian forces to build a 15 kilometer road and survey 27 additional kilometers.

This area of Panama is very remote and sparsely populated. The road between the towns of Llano de Mariato and Arenas covers three valleys and was mostly a mud animal tract barely suitable for carts. The improved gravel road will enable the local Panamanians to move their cattle and farm produce (including yams and rice) to markets in the towns. The road will allow the Panamanian Defense Forces to practice preventative medicine and enforce their laws. The road may also allow the Panamanians to interdict some drug supplier routes that are thought to operate in this area.

The exercise is beneficial to both Panamanians and the Guard units. The Panamanians will have a badly needed improved road that will open up a very isolated area to trade. The local Panamanian citizens also benefited from U.S. medical treatment as our doctors treated over 2,000 Panamanians during the exercise.

The National Guard engineers will receive realistic training in a tropical climate. National Guard units from Missouri, Louisiana, Alabama, Puerto Rico, Wisconsin, North Carolina, Florida, Texas and New Jersey are participating in the exercise. Actual road construction began in mid-January and will be completed next month. The Guard units have been working 6½ weekdays and often continue through Sunday night. Funding is being shared between DOD (training and support of U.S. personnel) and Panama (construction materials).

The exercise is a great success. The morale of the National Guardsmen was sky high. Many members expressed their enthusiasm for this type of training exercise. They are seeing the living conditions of Central America first hand while constructing a project that will positively impact on the local citizens.

We talked with a number of Panamanian citizens who unanimously supported the road project. They were very supportive of the United States and thankful for this road project. One Panamanian said that he was thankful for the U.S. presence because it was a sign of our resolve against communist influence in the region.●

HIGHWAY FUNDING REFORM NEEDED

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. LOWERY of California. Mr. Speaker, for the past 3 years America's highways have been held hostage to congressional inaction and pork barrel politics. Today I would like to urge my colleagues to support legislation I have introduced (H.R. 1059) that would smooth the release of Federal highway money and prevent a repeat of congressional logjams resulting from pork barrel projects.

Three years in a row, Congress failed to approve funding for the National Highway System in a timely manner. This year, for example, the State of California alone was owed $597,053,000 for interstate construction, out of the overdue $7 billion owed to the States for the last half of fiscal 1984 and for fiscal 1985. In my district of San Diego, CA, congressional inaction on a highway bill held up $58.9 million worth of San Diego highway projects for 18 months.

Several projects in my district of San Diego have been directly affected by these delays: repair of the Mission Valley viaduct in Mission Valley; upgrade of the All-American Canal bridges in Imperial County; stage II construction of I-8/125 in La Mesa; construction of a southbound truck weigh station at Rainbow; construction of Route 52 from I-805 to Convoy Street in Kerny Mesa; and stage III construction of I-5/54 in South Bay. My bill would guarantee the regular funding of these San Diego highway projects for this year and every year.

The highway trust fund, which collects 8-cents out of the 9-cent Federal gasoline tax, is released to the States after Congress approves an interstate cost estimate [ICE] of the funding needed for interstate highway projects. After an 18-month delay, Congress approved the ICE for 1984 and 1985 this past February.

Mr. Speaker, 39 of my colleagues representing every region of the country and both political parties have joined me in cosponsoring H.R. 1059—the legislation that will unsnarl the process. H.R. 1059 demands that Congress release the highway trust fund to the States by the end of each fiscal year or the Secretary of Transportation is empowered to release the money. In so doing, it would make sure that the increased gas tax we have been paying since 1982 goes into a highway trust fund which Congress cannot obstruct.

The regular release of the highway trust fund as provided by H.R. 1059 will prevent the loss of 35,000 construction-related jobs in California and will keep costs in line by not delaying projects.

Mr. Speaker, in sum, it is time for the Congress to act responsibly—to put the national interest in front of the competing desires of individual Members and their districts for special highway projects. I urge my colleagues to support H.R. 1059.●

IN HONOR OF BOB GUINN

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. SUNDQUIST. Mr. Speaker, citizens of Savannah, TN, were saddened recently to learn of the death of one of their premier citizens, former Mayor Bob Guinn. Mr. Guinn was a very special friend of his city and our State of Tennessee.

Mr. Guinn was a retired road building contractor who was widely known for his love of history, horses and his flock of famous "Savannah Peacocks." He was a faithful member of the First United Methodist Church, where he served in a number of capacities.

The list of his civic accomplishments is long, but I'll share just a few: He served on the city commission for 20 years, 12 of those as mayor; he was vice chairman of Citizens Bank; founder of the Hardin County Port Authority; and a director of the Tennessee-Tombigbee Waterway Authority.

Bob's dedication to his community was unmatched, as was his dedication and love to his family. All who knew him will miss him greatly.●

TRIBUTE TO MSGR. ANDREW PROKOP

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. TRAFICANT. Mr. Speaker, on April 23 of this year, Msgr. Andrew Prokop of the Immaculate Heart of Mary Parish in Youngstown, OH, celebrated his 50th year of ordination. At this time, I would like to pay tribute to this dedicated man who has served the spiritual needs of so many of the people from my home district.

Monsignor Prokop was born on June 11, 1908, and was ordained as a priest on April 23, 1935. In January 1954, Monsignor Prokop became pastor of the Immaculate Heart of Mary Parish in Youngstown, OH. He served as pastor until July 1977, and since then he has stayed on at the Immaculate Heart of Mary Parish as a pastor emeritus in residency. As pastor of Immaculate Heart, Monsignor Prokop became an active member of the community and he has served the members of his parish in a dedicated and compassionate manner.

In addition to his duties as pastor, Monsignor Prokop has been the longtime chaplain for the Austintown Fire Department and the Austintown Police Department. Monsignor Prokop is still an active member of the Knights of Columbus and he has made, and continues to make, a positive and important contribution to the community. The monsignor's longtime involvement in a wide range of civic activities, and his deep concern for both his parishioners and the local community, singles him out as truly outstanding citizen.

I am proud to pay tribute to such a fine and outstanding individual, and at this time I would like to extend my heartfelt congratulations to Monsignor Prokop.●

HONORING THE 40TH ANNIVERSARY OF MILLWRIGHTS LOCAL 102

HON. CHARLES PASHAYAN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. PASHAYAN. Mr. Speaker, on May 15, 1985, the Millwrights and Machine Erectors' Union Local 102 will mark its 40th year of service to California and the Nation.

At its beginning in 1945, when it was chartered by the United Brotherhood of Carpenters and Joiners of America, it comprised a small membership in four counties. Since then the membership has grown to 1,500 covering 46 California counties.

Under the current leadership of President Carl Erickson, financial secretary-treasurer Roger O. Brownell, and business manager Edward J. Vincent, local 102's commitment to training apprentices and producing men and women of high skill and integrity in this complex trade.

Whether it be renovation of the 100-year-old world famous San Francisco cable car system or working with the National Aeronautic and Space Administration on our space program, Millwrights' Local 102 has been building the America we love and helping to fashion its future.

It is an honor for me to recognize the individuals that make up local 102, and I want to express my appreciation for the work they have done and the work they will undertake in the future.●

TAX FREEDOM DAY

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. DREIER of California. Mr. Speaker, today, April 30, is the day we celebrate one of the most significant events on our calendar—Tax Freedom Day. This is the day that the average American taxpayer fulfills his/her obligation to the tax man if every dollar earned since January 1 is withheld for tax purposes. What is significant is that this day falls in the month of April, only the second time since 1975. Unfortunately, Tax Freedom Day has advanced a day from the previous year, the first time since the Economic Recovery Tax Act of 1981 took effect. The reason, according to the Tax Foundation, Federal tax changes since 1982 have had the effect of cutting ERTA's impact by one-half.

This is disturbing, given the extent of support in this body for further tax increases as a means of reducing the deficit. It would be extremely shortsighted to believe that we could solve the deficit problem by increasing taxes on the already overburdened American worker. A thorough examination of the present structure of our Tax Code will bear this out.

I would like to submit for the RECORD two recent news releases from the Tax Foundation outlining the consequences of recent tax legislation, and the significance of Tax Freedom Day:

APRIL 30 IS TAX FREEDOM DAY

WASHINGTON, DC.—April may be "the cruelest month," as the poet said. But it will not be quite so cruel to U.S. taxpayers this year, say Tax Foundation economists.

Tax Freedom Day 1985 falls in April—on the 30th—and this is only the second year since 1975 that this occasion has occurred by the end of April. (Revised data for last year indicate that April 29 was Tax Freedom Day in 1984.)

Tax Freedom Day is a benchmark calculated by economists at the Washington-based tax watchdog organization to indicate when the average taxpayer would finish fulfilling his responsibilities to Federal, state, and local governments if every dollar earned from January 1 went to the tax man. The trend for this date to move earlier in the calendar has been apparent since 1982, the first year the Reagan tax cuts began to take hold.

The continued phase-in of those tax cuts, coupled with improved economic performance, has continued this tendency, despite several new Federal laws since 1981 that have hiked income and social insurance taxes, and some statutory increases in state-local levies.

The average U.S. taxpayer now works 120 days to get the tax collector off his back. Unpleasant as this situation may seem, for nine of the past ten years the average taxpayer finished the job even later. As recently as 1981, the U.S. worker put in 126 days—until May 6—just to pay his tax bills.

In 1929, the first year for which Tax Freedom Day was computed, the date was February 9. The day first fell in March in 1933 (March 5), and in April in 1943 (April 6). In 1964 and 1965, Tax Day and Tax Freedom Day coincided on April 15. Not until 1969 did Tax Freedom Day fall in May (May 1).

Tax Freedom Day originated in 1948, when Dallas L. Hostetler, a Florida businessman, conceived the idea of a national tax freedom holiday. Then, as now, the day represented the first day of the year when the American taxpayers started working for themselves, instead of for the funding of Federal, state, or local government activities.

The idea caught on. In 1950 the U.S. Senate and House of Representatives passed a Concurrent Resolution which concluded,

"Tax Freedom Holiday (may) be symbolized as a day of relief throughout the land, with such demonstrations as may seem appropriate, including prayer for deliverance."

In 1974, Hostetler asked the Tax Foundation to carry on his efforts to maintain public awareness of the ever-expanding tax burden. Over the years, Tax Freedom Day has proven to be among the most popular research efforts of the Foundation. Traditionally, the Tax Foundation times the announcement of Tax Freedom Day to coincide with the date U.S. taxpayers file their income tax returns, April 15.

The table below provides further details.

Tax Foundation, Incorporated, is a nonprofit, nonpartisan research and public education organization founded in 1937 to monitor tax and fiscal activities at all levels of government. Its purpose is summed up in the motto: "Toward Better Government Through Citizen Understanding."

Tax Freedom Day—Selected years 1930-85

Year:	
1930	Feb. 13
1940	Mar. 8
1950	Apr. 3
1960	Apr. 17
1970	Apr. 28
1975	Apr. 28
1980	May 4
1981	May 6
1982 [1]	May 4
1983	May 1
1984 [1]	Apr. 29
1985 [2]	Apr. 30

[1] Revised.
[2] Forecast.

HALF OF ERTA'S PROMISED CUTS FOR 1985 KO'D BY SUBSEQUENT TAX HIKES

WASHINGTON, DC, March 28, 1985.—Federal tax law changes taking effect since 1981 have pared the tax cuts promised for 1985 by the Economic Recovery Tax Act of 1981 (ERTA) to about half their original size, according to Tax Foundation analysis.

Under the tax rates and structure in effect on January 1, 1981, Federal receipts in fiscal year 1985 would have amounted to $821.3 billion. ERTA reduced that by $168.5 billion, just over 20 percent. Because of other legislation, however, actual receipts are now estimated at $736.9 billion, a reduction of only 10 percent from what the pre-1981 tax structure would have yielded. Instead of $168.5 billion in savings offered by ERTA, net tax savings will be $84.4 billion—half as much.

These revenue changes mirror the effects of the seven major tax bills enacted from 1981 through 1984, together with increases in social security taxes scheduled under pre-1981 legislation.

ERTA reduced 1985 individual income taxes by $132.8 billion (including savings incentives), corporate income taxes by $31.1 billion, and estate and gift taxes by $4.7 billion at 1985 levels of economic activity.

The Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) took back $40.7 billion of the intended 1985 cuts under ERTA by a series of measures tightening up on compliance and collection, removing "unintended benefits and obsolete incentives," and raising excise taxes and employment levies. TEFRA added $12.4 billion to 1985 individual income tax burdens, $19.3 billion to corporate income taxes, $5.4 billion to excise taxes, and $3.5 billion to social insurance contributions (largely employer payroll taxes).

The Highway Revenue Act of 1982 added $4.4 billion to 1985 receipts by raising the tax on gasoline and motor fuels by 5 cents a gallon, and hiking some highway user fees.

In 1983, the Social Security Amendments and the Railroad Retirement Revenue Act boosted 1985 social insurance taxes by a total of $10.3 billion (with some offsets in individual income taxes). Other 1983 legislation operated in reverse, reducing taxes by about $2.4 billion by repealing the withholding of interest and dividends that had been scheduled under TEFRA.

The tax-increasing mood again prevailed in Congress last year, when it approved the Deficit Reduction Act of 1984, raising 1985 taxes by $9.3 billion, primarily by boosting individual income taxes by $5.6 billion and corporate profits taxes by $3.3 billion.

In addition to the foregoing changes that resulted from new legislation, there were social security tax increases totaling $22.0 billion as a result of four automatic annual increases in the indexed maximum social security base and rate hikes scheduled in pre-1981 legislation.

On balance, individual income taxpayers fared better than corporate payers in the 1982-84 changes. Individual payers in 1985 are getting 12 percent less than the amount provided by ERTA. For corporate payers, the actual reduction from pre-1981 amounts will be 66 percent less than originally offered by ERTA. Both individuals and corporations will share the added $31.9 billion in social insurance contributions resulting from changes in tax rates and structure during the 1981-1985 period.

Despite the reductions resulting from tax legislation, expansion of the economic base will raise actual Federal receipts in fiscal 1985 about $220 billion or 42 percent above 1980 collections. Social insurance contributions account for 50 percent of the 1980-1985 total dollar increase, and individual income taxes for 39 percent.

The table below lists tax laws and their revenue effects.

Tax Foundation, Incorporated, is a nonprofit, nonpartisan research and public education organization founded in 1937 to monitor tax and fiscal activities at all levels of government. Its purpose is summed up in the motto: "Toward Better Government Through Citizen Understanding."

Comparison of estimated 1985 Federal tax receipts under tax rates and structure in effect on January 1, 1981 and January 1, 1985

	Billions
1985 receipts under January 1, 1981 tax rates and structure	$821.3
1985 receipts under January 1, 1985 tax rates and structure	736.9
Net reduction due to changes in law	−84.4
Statutory basis for change:	
Economic Recovery Tax Act of 1981	−168.5
Tax Equity and Fiscal Responsibility Act of 1982	+40.7
Highway Revenue Act of 1982	+4.4
Social Security Amendments of 1983	+9.3
Interest and Dividends Compliance Act of 1983	−2.4
Railroad Retirement Act of 1983	+0.7
Deficit Reduction Act of 1984	+9.3
Automatic increase in social security tax base under prior law [1]	+12.0
Increases in social security tax rate under prior law [2]	+10.0
Exhibit: ERTA effects	−168.5
Net increase, 1982-1984	+84.1
Net reduction 1981-1985	−84.4

[1] January 1 of 1982, 1983, 1984, and 1985.
[2] January 1 of 1982, 1984, and 1985—less amount attributed to 1983 social security law above.

Source: Office of Management and Budget.●

PARENTS ANONYMOUS RECEIVES PRESIDENTIAL VOLUNTEER AWARD

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mrs. JOHNSON. Mr. Speaker, I am pleased to bring to my colleagues' attention the selection of the Parents Anonymous National Network as one of 15 American volunteer organizations to receive the President's 1985 Volunteer Action Award.

As a member of the Select Committee on Children, Youth and Families, and as one who has worked closely with Parents Anonymous in Connecticut, I am well aware of the increasing severity of the problem of child abuse in our society today and of the dedicated and committed volunteers of Parents Anonymous who work to prevent and control the effect of such abuse. Started in 1970 by a mother with an abuse problem and her social worker, PA has grown to over 1,400 chapters nationwide, with 34 in Connecticut.

The main thrust of the organization's activities focus around the self-help groups which make unique use of first hand experience in helping parents to confront their problems. Independent studies have found that physically harmful behavior stops almost immediately when a parent joins PA. Verbal abuse decreases the longer a parent is in PA and in addition, the process helps parents feel more confident about themselves as parents and persons, a necessary requirement to healthy parenting.

Parents Anonymous performs an invaluable service to the community in helping to prevent child abuse. The recognition given by the White House is well deserved, and I look forward to working with Parents Anonymous to create an even brighter future than their already productive and successful past.●

GENERAL JOHN FOSS

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. RAY. Mr. Speaker, a little over a year ago, Maj. Gen. John William Foss assumed the role of commanding general at Fort Benning, GA. In that short time, Fort Benning has seen many changes due to General Foss's influence, and all of them have been positive.

Throughout his career with the Army, Foss has commanded the respect of both those that serve with him and those that serve under him. In him can be found those qualities that we believe make the American soldier the finest in the world.

I am including in the RECORD today an interview that was done recently with General Foss by the Columbus Ledger/Enquirer, of Columbus, GA. This interview is unique because it gives us a personal view of the man who is the commander of "the home of the U.S. infantry."

General Foss says that, "You can't separate the military from the man" and, in his case, this blending has been a tremendous benefit for the Army and for our country.

I urge you to read this article. In the comments and statements of this man who has fought for our country and given his adult life in service to America, you will see the patriotism and professionalism that is that hallmark of the American soldier.

[From the Columbus (GA) Ledger/Enquirer, April 21, 1985]

FOSS: A SOLDIER AND A GENTLEMAN

(By Rick Kaspar)

John Foss, the soldier.

John Foss, the man.

The former is Maj. Gen. John William Foss, commanding general of Fort Benning and chief of infantry. The latter is a personable but intent fellow, dedicated to his family and the Army.

Foss, the soldier, realized he was an Army professional as a result of an incident in Vietnam in the late '60s. "I've probably killed people in combat. But the thing I'm most proud of is the one I didn't kill. I saw a North Vietnamese soldier 10 feet away, sitting alone in the woods. His gun was off to the side. It would have been easy to kill him, But then I saw his eyes.

"The point of a gun is an international language. His eyes were pleading with me. I captured him instead. This showed me I was professional and still had compassion."

Foss, the man, is a practicing Catholic, attending mass every week.

He says his religion is a very strong part of his military life. "I see no conflict between religion and life in the military. There are things you must do to defend your country and your people."

Foss, the soldier, describes himself as a "reasonably steady, low-key soldier who loves the Army. I don't show my emotions openly very often."

Foss, the man, admits to emotions that are closely intertwined with the Army. "I've cried when soldiers died in my arms in Vietnam," he says. And he gets angry with stupidity. "Ignorance is understandable: stupidity is not. Stupidity is knowing better but not doing it. It angers me particularly if it makes life harder for others."

He also admits to having felt fear. The first combat he saw was in Vietnam in 1967, when he was 34 years old. "The first time you run into combat, you're afraid of everything. Then you learn what to be afraid of. It's like a lot of other things. Knowledge overcomes fear."

But what really moves Foss is the dedication of soldiers and their families. He appreciates their volunteering to help improve the way of life on post. "What they give up is not compensated by dollars alone. Fort Benning couldn't run without volunteers on post. The military is a hard life. This helps with that."

The soldier says he "gets a lump in his throat when the flag passes and the national anthem plays."

Foss, the man, says "the greatest success I've had in life was marrying my wife." Married to Gloria 28 years, he credits Army life for much of his marital success. He says, "The Army strengthened the relationship between my wife and I—more than you'd expect. We had to develop a lifestyle together."

For example, he talks about his tour of duty in England in the mid-60s. The Fosses had never been overseas before. "It was the first place we went where we didn't know anyone," Foss says. "We found we had to become very good friends. But it's not as easy as it sounds."

Foss says overseas duties that separated the couple were "a difficult thing to do." But like a good friend, he was more concerned about their effects on Gloria than on him. "It's more difficult for the wife at home. Your overseas tours tend to be more intense. Combat is intense. So there's not a lot of time to reflect on the separation," he says.

In describing a typical Sunday afternoon, Foss says it includes "sitting and talking with my wife." He also says "yesterday, I changed the oil and filter in my car. I also went to the commissary for my wife."

Foss, the man, just celebrated two important events in his life: his wedding anniversary and one year at Fort Benning.

"You can't separate the man from the military. It's a profession you're committed to. It's not a job. My wife will tell you the same thing," he says.

On a personal note, Foss, 52, gave up smoking three years ago and only has a glass of wine or beer "every now and then," he says. He had a dog, but it died last year of old age. The mixed-breed dog was half setter and half labrador, and had been around the world.

"And my daughter has a rabbit this big!" he says, laughing and holding his hands far apart. The Fosses have three children: John is in the Army, a specialist fourth class and helicopter crew chief; Kevin is studying genetics at the University of Texas; and Julia is a freshman at Columbus College. Foss, who is from Hutchinson, Minn., says Army life was hard on the children because of 19 moves.

Foss, the man is very pleased with the relationship between Fort Benning and Columbus. "The way Columbus, Georgia, reached out for the School of the America has been noted at the very highest levels of executive government. Every time I've turned to the people of Columbus, they're provided great support," he said.

Foss, the soldier, saves his biggest compliments for his troops. "You'd have to go back 25 years to find as many changes at Fort Benning as we've had this year. The Bradley, the new light infantry, and Fort Benning expansion are all big changes. But on top of all that, Fort Benning took in the School of the Americas very quickly," he says.

"We got the mission in early November and the doors opened on Dec. 18. No other post in the country could have done that."

Foss, the man, travels a lot and works 12-hour days. Foss the soldier, says "commanding soldiers in combat is the greatest satisfaction I've ever had," though he doesn't like to talk about combat. "I don't like people with great big egos. It's very hard to talk about these things (combat) without sounding braver, tougher, meaner, and harder that what you really are."

John Foss, the man, son of a Minnesota Ford dealer, always wanted to be a soldier. John Foss, the soldier, became a general Sept. 3, 1980.

John Foss, the general.

John Foss, the man.

They both come together in his philosophy of life. He says, "I really believe that people are put on this earth to do as well as they can and be as good as they can. It's possible to do either alone, but one must do both."●

LEYTE LANDING DAY

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. SHUMWAY. Mr. Speaker, October 20, 1985, will mark the 41st anniversary of the allied forces' return to Leyte in the Philippine Islands, in fulfillment of a solemn national promise to liberate the Philippine people from the Japanese empire. Led by Gen. Douglas MacArthur, the 420 transports carrying 165,000 men of the U.S. 6th Army and 157 warships manned by 50,000 sailors fought at Red Beach and represented the largest operation yet conducted in the Pacific war. It was the combined efforts of Philippine scouts and the allies which resulted in the eventual defeat of the Japanese forces and changed the direction of World War II in the Pacific.

While much recognition is accorded the events which occurred at Normandy on D-Day, the events which transpired at Leyte over a 4-month period in 1944-45 have not received recognition commensurate with their significance. The contributions of the brave men who turned the tide of the war in the Pacific theater deserve the sincere tribute of we who appreciate their sacrifices and cherish the freedoms for which they fought.

For these reasons, I am introducing today legislation which would designate October 20, 1985, as "Leyte Landing Day," a day in which the citizens of the United States can engage in appropriate ceremonies and activities in

remembrance of the return to Leyte. I urge my colleagues to join with me in support of this legislation.●

TRIBUTE TO CONGRESSWOMAN RANKIN

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. WHITTEN. Mr. Speaker, I join my colleagues in paying tribute to the first woman elected to Congress, Jeannette Rankin. Today the State of Montana is honoring her by placing a statue in the U.S. Capitol. It is indeed fitting that a statue honoring the first woman elected to the Congress be placed in the Capitol. Fortunately for all of us, Congresswoman Rankin was only the first of many women to serve in the U.S. House of Representatives.

Mr. Speaker, I am the only current Member of this body who was serving when Congresswoman Rankin cast her lone vote against the United States entering World War II. I disagreed with her vote, but all of us must be impressed with her willingness to carry out the courage of her convictions.●

PROJECTS ON DISPLAY IN CANNON ROTUNDA

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mrs. JOHNSON. Mr. Speaker, each year the American Consulting Engineers Council sponsors a national competition to select and honor the best in design technology and engineering excellence. I invite my colleagues to view a selection of 22 of the national and State award winners which will be on display in the Cannon Rotunda from April 29 through May 2.

These projects reflect a wide range of technically excellent and geographically diverse engineering applications. They also demonstrate state-of-the-art technology solutions to practical problems experienced by local governments, State agencies, and private industry. All were constructed on time and under estimated budget. Many were designed and built in response to Federal mandates or with assistance from Federal agencies authorized and funded by Congress.

The Linn Cove Viaduct is a gently curving bridge hugging scenic Grandfather Mountain in North Carolina. This award-winning bridge was designed to be built from the top down without disturbing the terrain.

The Chevrolet Interim Wastewater Pretreatment Plant in Livonia, MI, was built in only 3½ months to meet tight deadlines imposed by the Environmental Protection Agency. The system daily treats more than 750,000 gallons of electroplating washes at one of the world's largest metal finishing plants.

The Middle Fork Dam is Colorado's first roller-compacted concrete dam, and only the second such dam in the Nation. It was designed and built for Exxon Co., U.S.A., to protect its Colony Oil Shale Projects Mine Facility from flooding.

An "elegantly simple," low-cost, low-maintenance diverter in Lansing's sewer system separates sanitary sewage from stormwater and reduces threats to the quality of nearby Grand River, one of Michigan's major natural resources. The diverter's performance in Lansing is certain to be watched carefully by officials of other communities trying to cope with the costly problem of combined sewer overflow.

These projects are only a few of the 22 award winning projects on display this week. Others include the Monterey Aquarium in Monterey, CA, mass transit facilities, airports, hazardous waste rehabilitation, sludge management, and asbestos disposal.

At a time when so much of what the public sees and reads in the media about Federal programs is stated in terms of waste and mismanagement, and so much of what Congress hears in testimony is about failures and overruns, I urge you to examine some of the results of Federal programs, American technology, and good management of the public's tax resources.●

VOLUNTEER OF THE YEAR PROVIDES FRIENDLY VOICE AND OPEN EAR

HON. GEORGE C. WORTLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. WORTLEY. Mr. Speaker, before another day passes, I would like to take a moment to recognize and honor Ms. Pauline Stanley, this year's recipient of Syracuse's Volunteer of the Year Award.

Ms. Stanley received this award on April 22, because of her dedicated service with CONTACT, a 24-hour telephone counseling service. For 12 years, Ms. Stanley has devoted two to three Saturdays a month from 11 p.m. to 7 a.m.—the graveyard shift—to answer the calls of drug addicts, alcoholics, victims of abuse, and other individuals who simply need someone to talk to. During those 12 years, Ms. Stanley has spent more than 2,400 hours as an anonymous friend to countless callers.

Ms. Stanley's greatest asset as a telephone counselor is her ability to listen and be nonjudgmental. In her words, "Part of being a good counselor is the ability to be a good listener. It's easier for people to talk to someone they don't know and can't see, so sometimes I just let them talk." She also gives helpful advice. "If they want advice, I can refer them to agencies that can help them best. I try to give people alternatives. If there's a woman who is being abused, I'll tell her about shelters where she can go away from an abusive husband. I do the same type of counseling for drug addicts or alcoholics."

In addition to her counseling, Ms. Stanley trains and advises other telephone counselors. "Sometimes you need to help other counselors, who would've gotten emotionally involved with a suicidal caller or someone being abused."

While this award is modest in comparison to Pauline Stanley's efforts, I hope this tribute to her dedication, understanding, and compassion, will inspire us all to help those in need of a friendly voice and an open ear.●

A CONGRESSIONAL SALUTE TO THE HONORABLE JACK M. MYERS, OUTGOING MAYOR FOR THE CITY OF HAWAIIAN GARDENS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. ANDERSON. Mr. Speaker, it is with much pleasure in which I rise today to congratulate Mayor Jack M. Myers of Hawaiian Gardens, CA, on a job well done over the past year.

Jack, who served in the U.S. Navy for 20 years, was first elected to the Hawaiian Gardens City Council in March 1974. Since that time, he has served as mayor on four separate occasions: March 1976 to March 1977; April 1980 to April 1981; April 1981 to April 1982; and, April 1984 to April 1985.

During the past year Mayor Myers was actively involved in many community programs. As a matter of fact, he was instrumental in setting up a successful graffiti removal program; bringing about the Lee Ware Park improvements; improving the downtown image and strengthening its economic base; and establishing a Social Services Program and a Commercial Rehabilitation Program.

Additionally, Jack is a member of the Hawaiian Gardens Lion's Club; president of the board of trustees, Research Fellowship City of Hope; and, the BPOE 1570 in Hawaiian Gardens. Also, he is president of the California Ceramic Mold Corp., and president of J.M. Myers, Inc.

As you can see, Mr. Speaker, Mayor Myers has been quite active in his community over the years. He had continually been at the forefront in ef-

forts to improve the city and making it a happier, healthier, and safer place to live and work.

My wife, Lee, joins me in commending Mayor Jack Myers on this special occasion. We wish him and his wife, Ruby, and their two children, Michael and Teresa, all the best in the years ahead.●

FIFTH PRECINCT COMMUNITY COUNCIL OF NEW YORK CITY PRESENTS COP-OF-THE-YEAR AWARD

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. GREEN. Mr. Speaker, I rise to honor a distinguished and outstanding citizen of New York City, Police Officer Thomas Corrigan. This dedicated man will receive the Cop-of-the-Year Award to be presented this evening by the fifth precinct community council of New York City.

Each month of the year, one police officer is chosen for performing a courageous deed or for displaying remarkable leadership qualities; Officer Corrigan was so distinguished in October of this past year. At the end of the year, a committee chooses the Cop of the Year from the pool of 12 candidates. This marks the sixth time that the community council has presented this award.

I commend the fifth precinct community council for recognizing the achievements of individual members of the precinct. By this action, the council enhances the morale of the precinct, an important part of the multiethnic, multiracial community in New York City.

Police Officer Corrigan, a member of the fifth precinct since graduation from the police academy in 1981, distinguished himself this past year in four cases. In each case, it was Officer Corrigan's actions upon his observation of suspicious behavior which led to the apprehension of the perpetrators. The four cases were as follows: four gang members in a car in which weapons were found; three individuals in a stolen car with five bags of alleged heroin in their possession; a purse snatcher, and, with assistance of his partner, the apprehension of a suspect in an assault and robbery. Officer Corrigan's record for 1984 totaled 29 felony arrests and 14 misdemeanor arrests.

In addition, Officer Corrigan has received seven excellent police duty awards. Besides his duties as an officer, Corrigan is a new delegate in the Patrolman's Benevolent Association, a member of the board of directors of the Fifth Precinct Club and is a member of the precinct's softball team.

Police Officer Corrigan is a fine example of an individual who makes the community a safe and pleasant environment in which to live. This man is an asset to the community, as a keeper of the peace, and as a leader of outstanding character and diligence.●

JUDGE C. BERNARD KAUFMAN HONORED BY UNITED WAY AGENCY

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to a remarkable member of the community of Burbank, CA. The Honorable Judge C. Bernard Kaufman will be honored at the 15th anniversary celebration of Bridge: A Way Across, Inc. Judge Kaufman served for 7 years as president and on the board of trustees of this United Way agency, which provides counseling for adolescents and families

Throughout Judge Kaufman's career first as a lawyer and then as the presiding judge in Burbank's municipal court he has always managed to give freely of his time to community and family organizations. He was a member of the Burbank Family Service, a United Way agency providing counseling to students and families, for over 7 years. He was a member of the Burbank Educational Foundation and served on the board of directors of the Burbank Symphony Association for over 10 years.

Having a full career and donating his free time to community organizations did not deter him also pursuing public office on two occasions prior to being elected to his current office. In 1964 he was the democratic nominee for Congress in the 22d District and then in 1966 he was the democratic nominee for State Assembly for the Burbank, Glendale and Pasadena area. I think it is an indication of the calibre of the man and the concern he has for his community that he finds time for so many important pursuits.

It is my honor to join with my colleagues and Bridge: A Way Across, Inc. in saluting Judge Bernard Kaufman: public official, family man, and outstanding member of the Burbank community.●

THE 95TH ANNIVERSARY OF THE EXCHANGE BANK OF SANTA ROSA, CA

HON. DOUGLAS H. BOSCO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. BOSCO. Mr. Speaker, it gives me great pleasure to take this opportunity to commemorate the 95th anniversary of the Exchange Bank of Santa Rosa, CA. As the Representative of the Santa Rosa area, it is an honor for me to note this occasion and record the fine service this institution has provided to Santa Rosa and the surrounding area.

Founded May 1, 1890, Exchange Bank has grown financially from a base of $120,000 to over $300 million with 15 branches. Needless to say, as Exchange Bank has grown so has the community. Just one reflection of the fine civic record of Exchange Bank is its role in helping the youth of today. Since 1949 Exchange Bank has provided over 10,000 scholarships totaling over $366,000 to the men and women of Santa Rosa Junior College. I particularly applaud this commitment to the youth, and future, of the Santa Rosa community. I know that the community also applauds this commitment.

Exchange Bank's commitment to the Santa Rosa community over the past 95 years is a legacy of which we of the First District of California are very proud.●

LENNY WILKENS: CITIZEN EXTRAORDINAIRE

HON. ROD CHANDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. CHANDLER. Mr. Speaker, one spring night in 1979, Seattle exploded in a citywide celebration which quickly spread to the entire Puget Sound area. The occasion for this universal exultation? The Seattle Supersonics had just captured the National Basketball Association's championship. This was the first time a major league, professional sports team from Washington State had won a national championship and the feat has not been duplicated since that momentous night. The architect of that championship season was the Supersonics' coach extraordinaire—Lenny Wilkens.

Lenny's career is filled with superlatives. Lenny ranks among the NBA's all-time leaders in scoring, assists, and the games played. He was named to the NBA all-star team nine times and was voted most valuable player in 1971. Retiring from the playing field

after 15 years, Lenny went on to coach the Western NBA all-star team in the 1978-79 season. The first-time coach led his squad to a 134-129 victory over the East. Lenny was the youngest coach ever to win 500 games.

Lenny Wilkens' contribution to his community has gone far beyond winning basketball games and bringing home the championship bacon. He has helped raise hundreds of thousands of dollars for the Special Olympics, the Children's Orthopedic Hospital, and the Odessa Brown Children's Clinic in Seattle.

Among his many honors, Lenny is a recipient of the National Urban League's prestigious Whitney Young Award and was named "Sportsman of the Year" by the City of Hope Research Center.

It is my privilege to pay tribute to Lenny Wilkens—a fine role model for the young people of America—who gives unstintingly of his time to promote the value of education and sportsmanship.●

STUDY OF SALINE BAYOU FOR WILD AND SCENIC DESIGNATION

HON. JERRY HUCKABY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. HUCKABY. Mr. Speaker, I have introduced legisaltion to designate a segment of the Saline Bayou in Louisiana for a potential addition to the National Wild and Scenic Rivers System. The bill would require a 2-year study of this 19-mile section of the bayou to determine its classification as wild, scenic, and/or recreational, and its suitability which will provide the basis for the final recommendation. The most appropriate Federal agency to conduct this study is the U.S. Forest Service, since all of the proposed wild and scenic river is within the proclamation boundary of the Kisatchie National Forest. Furthermore, this portion of the Saline Bayou is already under evaluation by the Forest Service to determine its eligibility for a wild and scenic river designation as part of the Service's land management planning process.

Saline Bayou is recognized as one of Louisiana's most scenic and unique streams. During the 1960's, as canoeing increased in popularity, the Forest Service designated and maintained the segment of the bayou between Cloud Crossing recreation area and State Highway 156 as a float trip. The bayou, with its placid moving flow, meandering route, murky water and moss-draped cypress trees, is very picturesque. The upper section is characterized by towering pines and bottomland hardwoods, while the lower area is dotted with bald cypress. The enclosed passageway these plants create is broken by an occasional band of sunlight. The character of the passageway and the twisting form of the bayou create an air of mystery as to what lies ahead. It is also a serene, restful setting.

There is a diverse wildlife population in the area. The tracks of deer and raccoon are common. Beaver lodges are located along the lower segments of the bayou, and bobcat and grey fox are frequent visitors. The floatist has the opportunity of sighting wild turkey, cormorant, one of the several varieties of woodpecker and wood duck, and the blue heron, the bayou's most visible bird species.

By my account and many others, the Saline Bayou is valued for its unique natural environment, excellent scenery, and navigable waters. Diverse recreation opportunities include fishing, birdwatching, camping, canoeing, hunting, hiking, and picnicking.

I want to extend my thanks to those members of the local Sierra Club chapter, particularly Drs. Alan Herbert and Michael Caire, whose active interest in protecting the Saline Bayou has maintained the momentum to designate it wild and scenic.

I highly recommend the Saline Bayou for inclusion in the Wild and Scenic Rivers System in an effort to preserve a part of the South's environmental heritage. My study legislation will allow time for the U.S. Forest Service to assess the river's esthetic, scenic, historic, archeologic, and scientific features, while providing the service the authority to manage the area to protect and enhance its wild and scenic values. I urge timely consideration and support for the passage of this bill.●

STRENGTHENING THE VOICE OF AMERICA

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1985

● Mr. COURTER. Mr. Speaker, since the early days of World War II, the United States has operated on the premise that an informed public—friendly or otherwise—is essential to the maintenance of bilateral and multilateral relationships in the American national interest. In a world that is now tied together by a web of instantaneous electronic communication, a factual, balanced, and objective account of international developments needs to be provided to people whose own sources of news and information about the world and the United States may not be entirely accurate or complete.

The kinds of information provided by the Voice of America to its audiences throughout the world are prescribed in the VOA Charter, passed by the Congress in 1976. Through the VOA, the United States shares with the world the great diversity of views that forms and shapes our domestic and foreign policy. Only through this international broadcasting effort can we expect the people of the world to understand, and perhaps support, U.S. policies.

However, with this great task the VOA faces several disadvantages. The Voice of America broadcasts in 42 languages, Radio Moscow broadcasts in 81. VOA broadcasts 1,000 hours per week and Radio Moscow broadcasts over 2,100 hours weekly. In addition, the Soviets, so fear the truth that they present another obstacle for VOA—the intentional interference of VOA radio broadcasts, better known as jamming. Various reports confirm that the Soviet Union spends more money trying to jam Western broadcasts than VOA spends on its worldwide program.

The Congress devotes much effort to denouncing attacks on human freedom in Poland, Afghanistan, the Soviet Union, and other areas of the world. But the nature of this struggle is ultimately one that may be decided not be military might, but by hope and confidence in the future of freedom. This hope, this striving for democracy, is perpetuated by the voice of truth which is heard by millions struggling in closed societies.

The authorization before the House contains one more installment on the modernization program underway at the VOA. While I will join my colleagues in supporting this bill, I would like to point out that the authorization for 1987 has been severely reduced; 1987 will be a critical year for the VOA, the first opportunity to actually purchase the super power transmitters needed to strengthen the Voice's signal. The longer this body postpones the granting of critical funds for the VOA modernization program, the more time will be lost in the struggle to reach those who yearn for the truth.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily

Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, May 2, 1985, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 3

9:30 a.m.
Energy and Natural Resources
To hold hearings on the nominations of Eric Reichl, of Connecticut, Tom Corcoran, of Illinois, and Paul W. MacAvoy, of New York, each to be a Member of the Board of Directors of the United States Synthetic Fuels Corporation.
SD-366

Finance
International Trade Subcommittee
To hold hearings on S. 942, to remove trade barriers to U.S. exports of telecommunications equipment and services, and S. 728, to prohibit the entry of Japanese telecommunications products into the United States until Japanese markets are open to U.S. telecommunications goods.
SD-215

Joint Economic
To hold hearings on the employment/unemployment situation for April.
2359 Rayburn Building

10:00 a.m.
Commerce, Science, and Transportation
To hold hearings on the nomination of Douglas A. Riggs, of Alaska, to be General Counsel of the Department of Commerce, to be followed by hearings in conjunction with the National Ocean Policy Study on S. 959, authorizing funds for fiscal years 1986 through 1990 for the Coastal Zone Management Act, and S. 990, authorizing funds for fiscal years 1986 and 1987 for ocean programs of the National Oceanic and Atmospheric Administration, Department of Commerce.
SR-253

MAY 6

9:30 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on proposed legislation authorizing funds for rail safety programs of the Department of Transportation.
SR-253

Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold hearings on S. 410, to repeal the Commercial and Apartment Conservation Service.
SD-366

10:00 a.m.
Commerce, Science, and Transportation
Merchant Marine Subcommittee
To hold hearings on S. 664, to facilitate the competitiveness of exports of U.S. agricultural commodities.
SR-232

2:00 p.m.
Commerce, Science, and Transportation
To hold hearings in conjunction with the National Ocean Policy Study on S. 958, authorizing funds for fiscal years 1986 and 1987 for programs of the Magnuson Fishery Conservation and Management Act, and S. 991, authorizing funds for fiscal years 1986 and 1987 for fisheries programs of the National Oceanic and Atmospheric Administration.
SR-253

MAY 7

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Health and Human Services, focusing on the National Institutes of Health.
SD-116

Judiciary
Constitution Subcommittee
To hold hearings on S.J. Res. 13, proposing an amendment to the Constitution relating to a Federal balanced budget and tax limitation.
SR-485

Veterans' Affairs
To hold hearings on S. 6, S. 875, and S. 876, bills to clarify and improve certain health-care programs and services provided and administered by the Veterans' Administration, and related health legislation affecting veterans.
SR-418

10:00 a.m.
Environment and Public Works
Business meeting, to consider pending calendar business.
SD-406

Judiciary
To hold hearings to examine alleged racketeer influenced and corrupt organization civil suits.
SD-226

Judiciary
Juvenile Justice Subcommittee
To hold oversight hearings on activities of the Office of Juvenile Justice and Delinquency Prevention, Department of Justice.
SD-366

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Indian Health Service, Department of Health and Human Services.
SD-138

MAY 8

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommitte
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Health and Human Services, focusing on the National Institutes of Health, Alcohol, Drug Abuse and Mental Health Administration, and the Health Care Financing Administration.
SD-116

Appropriations
Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Legal Services Corporation.
S-146, Capitol

*Banking, Housing, and Urban Affairs
To hold oversight hearings on recent changes in the financial services industry.
SD-538

Labor and Human Resources
To hold hearings on the nominations of Marshall B. Babson, of Connecticut, and Wilford W. Johansen, of California, each to be a member of the National Labor Relations Board.
SD-430

Rules and Administration
Business meeting, to consider S.J. Res. 81, to provide for the appointment of Barnabas McHenry as a citizen regent of the Board of Regents of the Smithsonian Institution, proposed legislation authorizing funds for fiscal year 1986 for the Federal Election Commission, and other legislative and administrative business.
SR-301

10:00 a.m.
Select on Intelligence
Closed business meeting, to resume markup of proposed legislation authorizing funds for fiscal year 1986 for the intelligence community.
SH-219

2:00 p.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of Management and Budget, including the Office of Federal Procurement Policy.
SD-124

MAY 9

9:30 p.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Health Resources and Services Administration of the Department of Health and Human Services, and vocational education programs of the Department of Education.
SD-116

*Banking, Housing, and Urban Affairs
Securities Subcommittee
To hold hearings on S. 936, to provide improved protection for investors in the Government securities market, and related measures.
SD-538

Veterans' Affairs
Business meeting, to mark up S. 6, S. 875, S. 876, bills to clarify and improve certain health care programs and services provided and administered by the Veterans' Administration, and related proposals, and S. 367, to provide for judicial review of certain administrative decisions of the VA, to codify certain VA adjudication procedures, to improve the VA appeals process, to require the VA to comply with certain rulemaking procedures, and to provide

for reasonable fees to attorneys serving as legal counsel for veterans.
SR-418

10:00 a.m.
Environment and Public Works
Business meeting, to consider pending calendar business.
SD-406

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Bureau of Land Management (including the land and water conservation fund), Department of the Interior.
SD-138

Energy and Natural Resources
Energy Research and Development Subcommittee
To resume oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on fusion energy programs.
SD-366

MAY 10

9:30 a.m.
Finance
Health Subcommittee
To hold hearings on health promotion and disease prevention strategies for Medicare beneficiaries.
SD-215

10:00 a.m.
Environment and Public Works
Water Resources Subcommittee
To hold hearings on S. 366 and S. 534, bills to authorize the U.S. Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and related proposals.
SD-406

MAY 13

10:00 a.m.
Foreign Relations
To hold joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-419

Judiciary
To hold joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-419

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To resume oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on nuclear energy programs and nuclear waste activities.
SD-366

MAY 14

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

Banking, Housing, and Urban Affairs
To resume oversight hearings on recent changes in the financial services industry.
SD-538

Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on automobile fuel economy standards.
SD-366

Rules and Administration
To hold hearings on S. 43, to grant line item veto authority to the President on appropriation bills.
SR-301

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Energy Information Administration, and the Economic Regulatory Administration, Department of Energy.
S-138

Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government.
S-128, Capitol

Foreign Relations
To continue joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-419

Judiciary
To continue joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-419

10:30 a.m.
Governmental Affairs
Intergovernmental Relations Subcommittee
To resume hearings on S. 483, to ensure that the Federal Government assume the full cost of legislating and regulating Federal purposes and mandates.
SD-342

2:00 p.m.
Energy and Natural Resources
Energy and Research and Development Subcommittee
To continue oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on conservation and renewable programs.
SD-366

MAY 15

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for certain defense programs, focusing on Army modernization.
SD-192

Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-116

10:00 a.m.
Foreign Relations
To continue joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-419

Judiciary
To continue joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-419

MAY 16

9:30 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.
SR-253

Labor and Human Resources
Handicapped Subcommittee
To hold hearings on S. 415, the Handicapped Children's Protection Act.
SD-430

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for fossil energy.
SD-138

Appropriations
Legislative Branch Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government.
S-128, Capitol

Environment and Public Works
Water Resources Subcommittee
To resume hearings on S. 366 and S. 534, bills to authorize the U.S. Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and related proposals.
SD-406

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings to discuss the Department of Energy's prospective report to Congress on emerging clean-coal technologies.
SD-366

MAY 17

9:30 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on the deregulation of surface freight forwarders.
SR-253

MAY 21

9:30 a.m.
Environment and Public Works
Environmental Pollution Subcommittee
To hold oversight hearings on the implementation of section 404 of the Clean Water Act, relating to the wetlands dredge and fill permit program.
SD-406

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the

Holocaust Memorial Council, Minerals Management Service, Department of the Interior.
SD-138

2:00 p.m.
Appropriations
Legislative Branch Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government.
S-128, Capitol

MAY 22

10:00 a.m.
Governmental Affairs
Civil Service, Post Office, and General Services Subcommittee
To hold oversight hearings on a General Accounting Office report on Federal pay equity and classification system.
SD-342

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for Naval Petroleum Reserves, and fossil energy.
SD-138

MAY 23

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on S. 586, to provide for the review of certain authority in awarding international airline route certificates issued under the Federal Aviation Act.
SR-253

10:00 a.m.
Governmental Affairs
Civil Service, Post Office, and General Services Subcommittee
To continue oversight hearings on a General Accounting Office report on Federal pay equity and classification system.
SD-138

Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings on efforts to locate missing children.
SD-430

JUNE 4

9:30 a.m.
Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on the impact of imported petroleum products on the domestic petroleum industry.
SD-366

JUNE 6

9:30 a.m.
Energy and Natural Resources
Natural Resources Development and Production Subcommittee
To hold oversight hearings on the impact of coal imports on the domestic coal industry.
SD-366

JUNE 10

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To resume oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on fossil energy programs.
SD-366

JUNE 11

9:30 a.m.
Labor and Human Resources
To hold oversight hearings on the implementation of the Orphan Drug Act (P.L. 97-414), focusing on section 7(b) relating to radiation-cancer liability.
SD-430

10:00 a.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 403, to revise requirements with respect to the issuance of licenses for existing hydroelectric facilities, and S. 426, to provide for more protection to electric consumers.
SD-366

JUNE 12

9:30 a.m.
Labor and Human Resources
To continue oversight hearings on the implementation of the Orphan Drug Act (P.L. 97-414), focusing on section 7(b) relating to radiation-cancer liability.
SD-430

JUNE 18

9:30 a.m.
Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on the current status of and factors affecting the natural gas market.
SD-366

OCTOBER 1

11:00 a.m.
Veterans' Affairs
To hold hearings to review the legislative priorities of the American Legion.
SD-106

HOUSE OF REPRESENTATIVES—*Thursday, May 2, 1985*

The House met at 11 a.m.

The Reverend Barbara Trombley Fitterer, St. John's Episcopal Church, Ross, CA, offered the following prayer:

On this occasion of the National Day of Prayer:

Dear Lord of might and mercy, whose strength is righteousness and whose sword is love, we ask Your guidance and Your blessing upon our Nation and its leaders as this new day begins. We do not ask for simple solutions to the complex problems of our world. We pray for the understanding to know Your will and the courage to follow Your example. Bring us to the knowledge that Your service is perfect freedom. Lord Christ, You are the Light of the world. Fill our hearts with Your peace and our minds with Your love. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

CONSUMER LEASE AGREEMENT ACT

(Mr. BARNARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARNARD. Mr. Speaker, the legislation I am introducing today addresses important issues in the field of consumer leasing.

Increasingly, consumers are looking toward leasing, as an alternative to purchasing, everything from automobiles to home furnishings. They are drawn to leasing because there is often no down payment and the monthly payments are often lower than in credit transactions. In other instances, the consumer may choose lease-purchase transactions because there is no long-term obligation, nor any maintenance responsibilities.

To shop meaningfully, however, consumers need easy access to information concerning the costs and responsibilities of leases and lease-purchase agreements.

The Consumer Leasing Act was passed in 1976 to ensure adequate disclosure of the terms of consumer leases of personal property. It acknowledged the consumer trend of using leases as an alternative to credit purchases. The Consumer Leasing Act, like the Truth-in-Lending Act, is a disclosure-oriented statute. Customers can get information in an easily understandable form concerning the costs, terms, and conditions of the leasing agreement. The act covers leases of personal property for more than 4 months when the property is used for personal, family, or household purposes. Automobile leasing is the primary transaction that falls under the act, with about 700,000 car leases covered.

In 1980, when Congress undertook to simplify the Truth-in-Lending Act, it made no changes in the Consumer Leasing Act. Today's bill purports to simplify the Consumer Leasing Act and to cover those short-term consumer leases with ownership options commonly referred to as "lease-purchase agreements."

The changes my bill would make have been studied by a large number of interested parties. When the Federal Reserve Board was considering the issue, meetings were held with leasing businesses and consumer representatives to discuss the need for changes. The Board took into consideration both the need for accurate lease cost disclosures and the burden of compliance.

The bill applies the same principles used in the 1980 simplification of the credit provisions of the Truth-in-Lending Act. The bill reduces the number and complexity of disclosures required in a leasing transaction and focuses on the information consumers are most likely to use when shopping. Like the Truth-in-Lending Act, it requires that disclosed information be presented separately from other information in order to highlight it for consumers.

This is an appropriate time for Congress to revise the Consumer Leasing Act. The leasing industry, especially automobile leasing, has grown significantly. Yields from lease operations have been bolstered by the Economic Recovery Tax Act of 1981, and many financial institutions have entered the market as demand for leases increases. In addition, leasing firms have stimulated demand by offering automobile dealers new and attractive leasing programs. Given the high purchase price of automobiles, car dealers are emphasizing the absence of a downpayment and lower monthly payments in leases as compared to purchases. More importantly, however, this bill is needed to provide guidance and direction to those States that have sought or are seeking to regulate the leasing industry, often with provisions that are inconsistent with the intent of the Consumer Credit Protection Act.

In addition to streamlining the Consumer Leasing Act, the bill expands its coverage to include lease-purchase (sometimes referred to as rent-to-own) transactions. This industry leases televisions, major home appliances, and furniture to consumers on a week-to-week or month-to-month basis and provides the consumer with an option to purchase the leased property. Unique to these transactions is the fact that the consumer is under no obligation to continue making payments upon return of the property.

For several years, consumer groups have complained of "rent-to-own" abuses, and to date, with the exception of a few States, the industry remains unregulated. For example, one of the major consumer complaints surrounds the claim that rental companies often emphasize an ownership option to the consumer without disclosing the total cost of the item. Industry members have also been accused of not telling consumers whether their rental property is new or used, or for not clearly stating that consumers do not own the property until all payments are made.

I suggest that now is an appropriate time to address these criticisms with adequate disclosure requirements through uniform Federal disclosure legislation. The more information a consumer is given, the more effectively he will be able to shop for televisions, home appliances, and furniture.

The legislation I am introducing today incorporates a proposal sent to us by the Federal Reserve Board and has been studied by both the rent-to-own industry and consumer groups. It represents, in many instances, a compromise of the concerns of both groups. In addition to improving the substance of the law, this bill also improves the existing structure and language of the law. For example, the bill consolidates the leasing provisions which are scattered throughout the Truth-in-Lending Act. The bill is written in plain English, and eliminates, where possible, the "legalese" that exists in the statute. Of course, there is always the risk when a bill is "cleaned up" that the stylistic changes will be interpreted as suggesting a change in meaning where none is intended. However, in my opinion, the benefits of improved readability far outweigh the effect of any possible misunderstandings.

Since the Board first sent its proposal to Congress in the spring of 1983,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

two bills reflecting its work have been introduced in the Senate. In July 1983, hearings were held by the Subcommittee on Consumer Affairs of the Senate Committee on Banking, Housing, and Urban Affairs. As a result of those hearings and further discussion with the Board, this bill contains several minor changes from the original draft, which are technical in nature and better explain the original intent of the statute. For instance, the definition of "consumer lease" has been expanded to include the purchase of services—such as insurance—when incidental to the leasing of personal property. With regard to advertising disclosures, a section has been added to clarify that the advertising media is not liable for industry violations of the statute.

Finally, I note that with respect to rental-purchase advertising, the Board had originally proposed a dual trigger mechanism for advertising disclosures. In my opinion, however, the second trigger—advertising ownership options—would have worked a considerable hardship on the industry since most of their advertising is generic in nature. My bill contains two triggers, but only requires cost and other advertising disclosures to be made when a rental-purchase company advertises cost or the option to purchase a single, particular item. If a rental company advertises rental-purchase of a specific item, then the company would also have to disclose the total cost of ownership for that item as well as the other disclosures.

I am indebted to the Board and its staff for the initiative they have taken in providing Congress with draft legislation to simplify and improve the Consumer Leasing Act. With this bill, we seek to afford consumers protection and information as they shop for leases, without placing unreasonable burdens on the industry. As the House works through this bill, I welcome the insight and involvement from all interested parties.

NATIONAL CHILD SAFETY AWARENESS MONTH

(Mr. LEWIS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Florida. Mr. Speaker, yesterday, May 1, marked the first day of National Child Safety Awareness Month. It also marked the beginning of a new partnership: public and the private sectors joining hands to better secure our children's safety.

Each year, countless numbers of children are abducted or run away. Tragically, many of these innocent children are never heard from again.

This beautiful child is Jennifer Sophia Marteliz. Jennifer was last seen in November 1982 walking home from school in Tampa, FL. She has brown eyes, is 4 feet tall, and has black hair. Anyone with information about Jennifer should contact the National Center for Missing and Exploited Children at 1-800-843-5678.

I encourage all of you, as Members of Congress, to participate in activities to help secure a child's safety. You can start today by cosponsoring my bill (H.R. 604) to establish State clearinghouses for missing children.

OLDER AMERICANS MONTH

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, yesterday marked the beginning of Older Americans Month. During this month, we salute perhaps our greatest national resource—the elderly of our Nation.

Yesterday, the other body cast an important vote for our senior citizens when they rejected efforts to limit the 1986 cost-of-living increase for the millions of seniors on Social Security. By their action, they have given tentative approval for seniors receiving the full COLA as prescribed by law.

It is essential that this position be maintained in the final budget resolution that emerges from Congress. Anything less than a full COLA would be a cruel betrayal of seniors by Congress. Anything less than a full COLA would drive hundreds of thousands of seniors into poverty. Anything less than a full COLA would be a gross injustice to seniors.

The "thaw" of the Social Security COLA freeze began yesterday. Let it continue, because diet COLA might be good for some but not seniors on Social Security.

BROKEN PROMISES OF THE SANDINISTAS

(Mr. LAGOMARSINO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, President Ortega of Nicaragua promised there would be improvements in internal freedom in Nicaragua if the Congress were to reject aid to the Contras.

His way of following through on his promise was to prevent, with force, a May Day march by independent labor unions. The Sandinista policy is to try to intimidate the independent labor unions in order to force them to join the State-run union.

The independent labor unions reject that policy, as well they should. In reports on the breakup of the march, labor representatives are quoted as saying, "We are against the idea that labor must be part of the state, and we argue for true labor-union liberty." Another said, "The state is the worst boss and is not concerned with the worker and many of his needs."

The lesson from the incident is clear. The Sandinistas have no intention of living up to their promises for improvements in internal freedom just as they failed to live up to their promises to the OAS in 1979 for economic pluralism, democratic government, and protection of human rights.

CONSEQUENCES OF NICARAGUAN EMBARGO KEEP ROLLING IN

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute to revise and extend his remarks and to include extraneous material.)

Mr. ALEXANDER. Mr. Speaker, no one to my knowledge supports Daniel Ortega's visit to Moscow. Unfortunately, the consequences of the President's recent trade embargo against Nicaragua keep rolling in. Not only is the embargo forcing Nicaragua to be more dependent upon the Soviet Union, it causes loss of trade to our country. Just today I was supplied information that the United States now sells over $5 billion in agricultural products to Latin American countries. Part of these sales come from products sold to Nicaragua.

U.S. trade to Latin America is threatened by the President's action to impose a trade embargo against Nicaragua.

In addition to the loss of agricultural sales, many States will lose these types of commercial sales. Arkansas produces for export items such as water pumps and construction equipment for underdeveloped nations. While the data is as yet incomplete I inclose the agricultural sales for the RECORD.

U.S. AGRICULTURAL EXPORTS TO LATIN AMERICA, FISCAL YEAR 1984

[Dollars in Millions]

Commodity	Volume (1,000 tons)	Value	Percent of total U.S. exports
Grains and feeds	15,981	$2,597	15
Rice	241	93	10
Wheat and products	7,026	1,131	17
Corn	5,255	809	12
Sorghum	2,987	408	49
Live Animals (No.)	36,271	33	13
Meat and products	75	105	11
Dairy products	176	149	38
Oilseeds and products	3,489	1,355	16
Pulses (beans)	95	42	24
Other	1,153	998	
Total	20,969	5,279	14

Note.—Fiscal year 1984 data are the most recent available. Latin America includes Central America, the Caribbean, and South America. Pulses include dried beans, peas, and lentils.

Latin America is one of the largest markets for U.S. farm exports, purchasing 14 percent of all U.S. exports.

Latin America is an especially important market for some commodities:

	Percent
Sorghum	49
Dairy Products	38
Pulses (beans)	24
Wheat	17
Oilseeds	16
Corn	12
Meat and products	11
Rice	10

Latin America is one of the fastest growing markets for U.S. farm exports.

□ 1110

DANNY ORTEGA DOES IT AGAIN

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, I am not impressed by Commandante Ortega's latest ploy. With much fanfare, he has announced that he will send a few Cuban troops back home. Big deal! What is the value of this action if a cast of thousands still remain?

There are now nearly 3,000 Cuban military advisers in that country. There are also almost 4,000 Cuban civilians there. Let's face the facts. Ortega is adding window dressing to enhance his new image. This is clearly a ruse. I suspect that the advisers will be sent home on leave while others come in to take their place.

Let's look at the real problem. There are advisers from Bulgaria, East Germany, and the Soviet Union in Nicaragua. In addition, there are advisers from North Korea and Iran. What about the Libyan and PLO members there? Let's also talk about the terrorists who are always welcome in Managua?

Let's call a spade a spade.

Ortega's promise to send a handful of Cubans home is a joke. It is cheap symbolism and nothing more. When the fanfare is over, my colleagues, the problem is still with us. The question is, what are we going to do about it?

LAW DAY USA

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, yesterday we celebrated Law Day U.S.A. It is only appropriate that 1 day out of the year be set aside to recognize the American legal system.

For nearly 200 years our legal system has proven to be the best guardian of our rights. We as a people should feel very fortunate that our legal system is accessible to all of us without regard to which socioeconomic class one belongs to.

Throughout the years the law has been there to guide us in our ever changing society. Although it does not move with great speed, the law does work to ensure fairness and equality for all.

The American legal system is certainly not limited to lawyers and judges. All of us in one way or another are involved in it. For instance, we in Congress have witnessed the successes of citizen groups when they come together to influence legislation.

Mr. Speaker, Law Day U.S.A. is a day for all of us to take a moment to reflect on and to appreciate the progress our Nation has made in preserving our Constitution's mandate of liberty and justice for all.

COMMISSION TO STUDY PAY EQUITY IN THE LEGISLATIVE BRANCH

(Ms. SNOWE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Ms. SNOWE. Mr. Speaker, the issue of comparable worth is in the news again. Last month, the Civil Rights Commission rejected it by a vote of 5 to 2. The Chairman of the Commission earlier having dismissed the idea as the "looniest idea since Looney Tunes." More recently, Newsweek columnist Robert Samuelson devoted a full page to what he called the myths of comparable worth.

What these gentlemen don't seem to understand is that we are not discussing some radical new economic theory. We are talking about enforcement of existing law under title VII of the Civil Rights Act. "Comparable worth" and "pay equity" are popular terms, not legal ones. You won't find them mentioned in title VII. What you will find is that discrimination in employment and wages on the basis of sex is against the law, and over 100 State and local governments have already acted to eliminate the pay inequities that exist among their employees.

Mr. Speaker, the reality of pay equity is that it is working. The conservative Republican mayor of Colorado Springs, CO, summarized their new pay equity policy by saying:

> We did something fair and just and in return we got ourselves great employee morale, lower turnover and higher productivity.

Today I am reintroducing legislation to create a Commission to study pay equity in the legislative branch. The Commission will conduct a pay equity study at the Library of Congress and make recommendations for eliminating wage discrimination in the legislative branch. I urge my colleagues support for this legislation.

TRIBUTE TO CLIFFORD FRITH

(Mr. OLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLIN. Mr. Speaker, Clifford Frith, Sr. is a 79-year-old retired minister who lives in Roanoke, VA. He's a constituent of mine, and that's something I'm very proud of. He's not a wealthy man. But what he lacks in worldly wealth, he more than makes up for in richness of spirit and generosity.

Since the beginning of this year, Cliff has been donating a substantial part of his income each month—and it's all retirement income—to reduce the public debt. By year's end, he will have given one-fourth of his entire income for that very worthy cause.

This is by no means the first time Cliff has given of himself for the greater good. He ran a foster home for many years, and performed more good deeds than anyone can recall during his active service as a Baptist minister.

But I think this gift to our Treasury is especially noteworthy these days when we're talking so much about deficit reduction and tax reform. If Cliff Frith has enough confidence in us to give a fourth of his income to reduce the debt—then certainly we should be able to do our part. We should act quickly and surely to reduce Federal spending. And just as quickly and surely to reform our tax system so everyone pays a fair share.

EVERYONE LOST IN INDIANA'S EIGHTH CONGRESSIONAL DISTRICT

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, yesterday afternoon as we left the floor of this great House, my Republican colleagues and myself, to the jeers and laughter of those on the Democrat side, it became abundantly clear to me that either the Democrat Members who were jeering and laughing and applauding our departure either did not understand or did not care about what had just happened.

There were no winners yesterday, Mr. Speaker. We are all losers.

You lost because you permanently scarred your term as Speaker of this House by not properly protecting the rights of the minority and allowing the majority to do what it did.

The American people lost. The people of Indiana lost because there is a Member of this House that for the first time, to my knowledge, has ever come to this place without being elected by the people of his own district.

Mr. Speaker, I would hope that the American people and the Speakers to come after you will never allow this tragedy to happen again.

ELIMINATION OF BACKLOGS IN PROCESSING BLACK LUNG CLAIMS

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

Mr. MOLLOHAN. Mr. Speaker, yesterday I received a response from the Under Secretary of Labor to a letter cosigned by 30 of my colleagues asking about the status of the large backlog of coal miners' black lung cases.

Both hope and concern characterize the response. The Under Secretary reports that the Department has hired the two additional permanent members of the Benefits Review Board mandated by the bill I introduced last year. Despite this progress, miners continue to literally die before their claims are resolved, for a total backlog of 26,000 cases remains at the two appeals stages. It can take 4, 5, even 6 years for a miner to receive a final disposition on his case.

It is this cruel backlog, Mr. Speaker, that motivated me to introduce my black lung legislation this year. This year's bill directs the Secretary of Labor to eliminate the backlogs using whatever means he deems best. I am very encouraged by the support I have received from my colleagues for this bill and to the issue in general. This unconscionable backlog of black lung cases is getting attention. I will attend an oversight hearing on the problem this Friday in Uniontown, PA, chaired by my friend Mr. MURPHY, and I am heartened that six of our colleagues will join us.

RICK McINTYRE WILL BE ELECTED TO THE HOUSE

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, yesterday was the saddest day I have observed in this Chamber in at least 8 years. I believe that there are some Members on the majority side, I hope it is only a handful, who were truly mocking the minority Members as we tried to make our statements about the unfairness of the way the close election in the Eighth District of Indiana was resolved.

My friends, you cannot keep a good woman or a good man down. That is an absolute truth. And young Rick McIntyre will be sworn into service in this Chamber on the first Monday of January 1987. And every knowledgeable Member of the majority side of the aisle has conceded that to us. All you have accomplished through abuse of majority power is deny 2 years of seniority to a fine young American.

I was one of the last Republicans to leave the Chamber yesterday, and I noticed that a large number of the majority Members were silent and respectful. They understood the point we were trying to make on our side. And there were some others who although they were laughing, I do not think it was in mockery but out of nervousness. We understand that. But there were the mockers.

There is so much friendship between so many men and the women on both sides of the aisle that we will go on working together. But there is deep hurt that we feel on our side of the aisle. And for that group that was mocking, be advised we will not forget.

I think Mr. McIntyre is the epitome of those qualities indicated by the words clean cut and decent. He will run again and make no mistake he will win. Many of you will not.

Mr. Speaker, you truly have let your party scar itself. It was all so easily avoided. How? Fairness, Mr. Speaker, plain old American fairness.

□ 1120

MRS. JANIE ANZALDUA, TEXAS SMALL BUSINESS PERSON OF THE YEAR

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, for the second time in 3 years a constituent of mine in the Rio Grande Valley of Texas has been chosen as the Texas Small Business Person of the Year. She is Mrs. Janie Anzaldua and she is the owner of St. Mary's Sewing Industries in Edcouch, TX.

Along with other State winners from around the Nation, Mrs. Anzaldua will be honored with a White House luncheon on May 6 as part of Small Business Week activities May 5–11.

But in my eye she stands apart from the others because she has excelled in an area of the country which unfortunately still lags far behind in economic recovery. I hope the President will recognize her singular achievement despite the fact that the Rio Grande Valley is one of those pockets he so often talks about when mentioning the unfinished work of his administration.

In 1982 I helped Mrs. Anzaldua secure a guaranteed loan from the SBA and then watched as she took off running and has turned her St. Mary's Sewing Industries into a fine outfit. She was mentioned in this month's issue of Nation's Business magazine and all of us in Texas are proud of her accomplishments.

Mrs. Anzaldua reminds us that small enterprise is what made this Nation grow up to postindustrial stature. Small businesses soon grow into large ones, contributing mightily to employment and economic health in any area. I am proud that my valley friends and constituents are standing out in the crowd—and Janie Anzaldua is a fine standard bearer.

WAL-MART FLIES THE FLAG IN IMPORT BATTLE

(Mr. REGULA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REGULA. Mr. Speaker, I want to call my colleagues attention to an interesting article in the March 21 edition of the Washington Post headed: "Wal-Mart Flys the Flag in Import Battle."

Over the past few months we have heard a lot both in this body and in the news media about the growing problem of the trade deficit. We have heard a lot about the problem but very little about the solution.

The article in the Post is particularly interesting to me and encouraging because it highlights what one U.S. company is trying to do about the trade deficit problem.

Sam Walton, the chairman of Wal-Mart Stores, Inc., a 753-store discount chain has launched his own "Buy American" campaign to try to encourage American manufacturers to produce more goods in the United States.

Wal-Mart is offering favorable terms including longer lead times and more advantageous financial agreements in an effort to demonstrate that domestic manufacturers can make and sell quality products competitively.

As Wal-Mart's President David Glass acknowledges, this is not going to eliminate the burgeoning trade deficit—which last year hit a record $123.3 billion—but it is a start.

The Post article quotes Glass:

> We see a tremendous erosion of manufacturing jobs in this country as manufacturers accelerate the movement to go offshore to make their goods. None of us will believe what this country will be like five to ten years from now if we continue to let this happen.

I share Glass' concern and I for one do not want to see the Nation which led the industrial revolution revert to an economy dominated solely or predominately by service industries.

I commend Wal-Mart for their courageous and patriotic "Buy American" campaign and only hope that others will follow their example.

PRESIDENT REAGAN'S TRIP TO BITBURG

(Mr. SCHEUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SCHEUER. Mr. Speaker, there is still time for Chancellor Kohl to summon up the minimum good grace to extricate President Reagan and

himself from the Bitburg dilemma, a mortifying embarrassment to their friends and supporters around the world.

Mr. Speaker, what is wrong with President Reagan's trip to Bitburg is not that he is visiting a cemetery, but that he is visiting a war cemetery commemorating a war to which we can not, must not, and will not be reconciled.

World War II was a war that was different than any other war in history, whether World War I or previous wars of conquest dating back to the days of Alexander the Great of Charlemagne. World War II was a conflict where a calculated plan of total extermination—of genocide—was waged against the Jewish people and other peoples as well.

There are hundreds of other ways for our Nation to achieve reconciliation with Germany without offending every American who supported the battle against the Nazi reign of terror. To commemorate a war which reached such depths of systematic human depravity is to break faith with the American people who are still struggling to rid themselves of the nightmare of that war and its gruesome memories.

Second, we should consider the Holocaust remembrance not only as a memorial to the dead, but also as a covenant with the living—a commitment to keep faith—to do whatever we can to protect those peoples who may be subjected to similar treatment in the future.

Today we have the possible, in fact the likely, danger of a Holocaust that will result in cultural and religious genocide, and obliterate the 2½ million strong Jewish community in the Soviet Union.

Although individual Soviet Jews will not end up in crematoria or gas chambers, the Jewish community in the Soviet Union faces the very real danger of extinction as final as the fate which met the European Jewish community which was wiped out by the "final solution"—Holocaust.

Unless they are permitted to leave the country, Soviet Jews will not be allowed to live as a people, and their peoplehood and their religion and their culture will continue to be systematically and ruthlessly destroyed. Unless we do something about it now, this community will be destroyed—it will suffer spiritual genocide. Their unique bonds of culture, heritage, religion, and sense of community will be irretrievably lost.

There are striking similarities between the vicious stream of anti-Semitic propaganda currently permeating the Soviet Union and the comparably vile propaganda that flourished in Nazi Germany in the 1930's. Thus are the seeds of genocide—physical or cultural and spiritual—nourished, cultivated, and passed on as the ugly legacy of hate to tomorrow's world.

We must devote ourselves to helping the Soviet Jews. We must use all our power to induce the Russians to abide by the mandate of the Helsinki accords, which they have flagrantly and contemptuously violated for a decade.

Unfortunately, the President's visit to Bitburg sets a poor example. It sets a tone of condolence and forgiveness rather than condemnation for the atrocities of the Holocaust.

There is still time to substitute another event for the Bitburg Cemetery visit—an event that would truly honor the greatness of the German people, and their new and flourishing democracy.

CORRECTING AN UNFAIR TRADE PRACTICE

(Mr. MOORE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOORE. Mr. Speaker, today I am reintroducing legislation to correct an unfair trade practice that is undercutting the market for U.S. natural resources and their byproducts. Last year, the House of Representatives passed this legislation as a part of the trade remedies bill, but this provision was dropped in a conference with the Senate. This legislation is important to our Nation and to States like mine that are heavily dependent on industries utilizing large amounts of natural resources, like crude oil, natural gas, minerals and timber, in manufacturing processes.

Louisiana now has the second highest level of unemployment in the country, second only to West Virginia. Unemployment in both of these States can be directly correlated to our economic dependence on natural resources. In Louisiana, we have lost, during the past 5 years, more than 19 percent of our manufacturing jobs largely due to the decline in the domestic petrochemical industry. The bill I am introducing today sends a signal that Louisiana will not lose additional jobs as a result of unfair foreign competition.

Currently, there are some governments which are, through regulation, setting an artificially low price for a natural resource used as a raw material in the production of an exported chemical or byproduct. That price is not available to purchasers outside their country, and as a result, these foreign manufacturers are granted an unfair competitive advantage when they later export the finished product to the United States at, in effect, a subsidized price because of their access to artificially inexpensive natural resources.

The bill I am introducing would determine the level of subsidy by taking the difference between the regulated price in the home market and the fair market value of the natural resource that would occur without Government regulation. The fair market value is determined, by several criteria, including the world price of the natural resource or byproduct, the average price generally available to U.S. producers, the cost of production, the condition of the market and the existence of dual pricing.

This bill embodies the principles of free trade, while it simultaneously provides an internationally defensible benchmark price against which any regulated price can be compared.

Historically, we have seen foreign governments such as Mexico, Kuwait, and Saudi Arabia, provide preferential rates for natural gas to their own producers who then are in a position to undercut U.S. producers due to the subsidized natural resource not available to the U.S. producer. Now we are beginning to see foreign governments subsidize refining costs of crude oil and blending stocks used in the manufacture of gasoline. Cost absorption of $2 to $3 per barrel by government-owned export refiners appears to be occurring in resource rich nations. The bill I am introducing would define that cost absorption as a subsidy and result in an appropriate countervailing duty to put the U.S. producer on equal footing with the foreign subsidized product.

A similar situation is occurring in the timber industry as well. In Canada, the Government owns all timber lands and sets the stumpage fee at an artificially low level in return for certain performance requirements such as employing a minimum number of persons. Such a practice would, under my bill, be indicative of a subsidy and subject to a countervailing duty.

If the United States is to remain competitive in the world market for natural resources and their byproducts, the unfair advantage of foreign government subsidization must be offset with a reasonable countervailing duty which reflects the real subsidization. There is a delicate balance which must be achieved in determining the level of subsidization. I believe my fair market value approach can overcome the threat for retaliation which would occur absent a fair computation for the subsidy. This approach is GATT defensible and simultaneously protects U.S. producers.

Mr. Speaker, this legislation is important to our Nation's economic future and well-being. It's important to my State of Louisiana and the entire gulf coast that is heavily dependent on natural resources. I urge its prompt consideration and enactment to ensure U.S. competitiveness in world natural resource markets.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MURTHA). The Chair will return to the 1-minutes shortly.

The Chair recognizes the gentleman from Missouri [Mr. GEPHARDT] for a privileged resolution.

ELECTION AS MEMBER TO CERTAIN STANDING COMMITTEES

Mr. GEPHARDT. Mr. Speaker, as chairman of the Democratic Caucus and by direction of the caucus, I call up a privileged resolution (H. Res. 153) designating membership on certain standing committees of the House, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 153

Resolved, That CATHY (Mrs. GILLIS) LONG, Louisiana, be, and she is hereby, elected to the following standing committees of the House of Representatives:

Committee on Public Works and Transportation (to rank immediately following Representative TRAFICANT); and

Committee on Small Business (to rank immediately following Representative HAYES.

The SPEAKER pro tempore. Without objection the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

BRINGING ORDER TO A SEGMENT OF INTERNATIONAL TRADE

(Mrs. LLOYD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LLOYD. Mr. Speaker, over 200 Members of the House have cosponsored the Textile and Apparel Trade Enforcement Act of 1985. For those Members who have not joined our efforts to bring order to this segment of international trade, I'd like to urge them to consider a few indisputable facts.

The textile-apparel complex is the largest manufacturing employer in the country. The textile industry generates a greater share of GNP than the auto, petroleum, or aerospace industries. Over the past 10 years, textile manufacturers have spent an average $1 billion per year on new plant and equipment. But in 1983, imports surged at a 25 percent growth rate and in 1984, they increased another 32 percent. At this rate, imports will take over the entire U.S. market by 1990.

These are jobs that Americans are losing now and will continue to lose over the next few years and I am particularly concerned because many belong to women who are supplementing the family income or are their family's sole provider. These women are, for the most part, locked into the area in which they live. They are not able to relocate and many do not have specialized skills. Employment in textiles and apparels may be their only opportunity to provide the basic necessities for their children, much less a few extras now and then.

It is not an exaggeration to say that these jobs are vital to families and to the women, and men, working to keep those families together. I urge my colleagues to consider this need and hope that the President will see beyond his market policies to the anguish being felt by those out of work and out of hope.

DESIGNATING GRANITE REEF AQUEDUCT AS HAYDEN-RHODES AQUEDUCT

(Mr. McCAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCAIN. Mr. Speaker. I am today introducing legislation along with my colleagues, Mr. UDALL, Mr. RUDD, Mr. STUMP, and Mr. KOLBE to designate the Granite Reef Aqueduct of the central Arizona project as the "Hayden-Rhodes Aqueduct."

Mr. Speaker, the names of Carl Hayden and John Rhodes are two of the most highly respected and revered names, not only in the State of Arizona, but also in the U.S. Congress. Without their tireless efforts spanning nearly eight decades of public service, we, in Arizona, would not be on the verge of seeing a dream become a reality. The designation of this waterway as the Hayden-Rhodes Aqueduct will preserve throughout history the names of two men so integrally involved with this project.

Carl Hayden and John Rhodes were truly dedicated to seeing the CAP become a reality. Senator Hayden, as the longtime chairman of the Senate Appropriations Committee, was in the unique position to transform the concept of delivering Colorado River water to central Arizona into a reality. His efforts culminated in September 1968 when legislation was signed into law authorizing the CAP.

Senator Hayden's work in the Senate can only be matched by John Rhodes' contributions in the House of Representatives. During his 30 years of serving the people of Arizona, John Rhodes displayed the leadership and the statemenship so necessary to forge the alliances necessary to ensure funding for the Central Arizona Project.

Mr. Speaker, Arizona owes a tremendous debt of gratitude to Carl Hayden and John Rhodes. Without them, the Central Arizona Project would probably still be in the planning stages. It is only appropriate that the aqueduct which carries the waters of the Colorado throughout the State these men once represented be named in their honor.

MEDICARE FUND SOLVENCY

(Mr. BONER of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BONER of Tennessee. Mr. Speaker, since I was first elected to the House of Representatives in 1978, I have been consistently committed to protecting the elderly people of this Nation from the continued erosion of their limited means.

Now, the administration and Senate Republican leadership are proposing a Social Security COLA reduction of 2 percent, which they say is justified because the savings from this reduction would be used to improve the fiscal status of the hospital insurance trust fund. They have also proposed many Medicare Program cutbacks that affect both beneficiaries and providers.

Mr. Speaker, this cost-of-living reduction and the Medicare Program cutbacks are not immediately necessary as the Medicare Board of Trustees has recently released updated projections which show that within the next 5 years, Medicare's hospital fund will grow to a surplus of more than $80 billion, and maintain a surplus until the year 1998, 7 years longer than previously anticipated. In their report, the trustees recognized that a decrease in the inflation rate together with competitive forces in the health care marketplace have brought financial stability to the fund.

The elderly are already paying a high price for the 1983 COLA which they accepted as their sacrifice to help make the Social Security trust funds solvent. To ask them to now accept Medicare premium increases and benefit cuts would heavily increase the burden they are now carrying.

Therefore, Mr. Speaker, to support my position, I would like to insert into the RECORD an article by Spencer Rich which appeared in the Washington Post on April 8, 1985.

[From the Washington Post, Apr. 8, 1985]

IT TURNS OUT MEDICINE ISN'T GOING BROKE

(By Spencer Rich)

The giant Medicare hospital trust fund, which the Reagan administration last year predicted would go bankrupt by 1991, now looks financially sound until near the end of the century, according to its trustees.

Lower inflation rates and tighter controls over hospital reimbursements from Medicare have caused the change, hospital industry officials say.

The Social Security trustees, in their annual report to the president and Congress, say that the trust fund will remain solvent at least another decade and probably until 1998 under the most likely set of economic projections.

The projections are based on general Reagan administration economic assumptions.

The trustees also assume that the rate of payments to hospitals under Medicare will be frozen in fiscal 1986 with no increase for inflation, as the president has planned, and then will be increased no more than the medical inflation rate plus one-quarter of 1 percent.

The new figures are a reversal of the extremely pessimistic views in every annual trustee report in recent years.

Congress has been under tremendous pressure for nearly a decade to do something to save the trust fund from imminent bankruptcy. But these projections foresee a breathing space of about a dozen years before the hospital fund begins to face insolvency.

The trust fund pays hospital bills for 30 million aged and disabled beneficiaries and is expected to have outlays of about $47 billion in 1985, financed by part of the Social Security payroll tax.

For years, Medicare costs have been rising steeply because inflation in the medical sector of the economy has far outpaced general inflation.

Last year, the board of trustees, then consisting of the secretaries of Health and Human Services, Labor and the Treasury, declared that the trust fund's reserve as a proportion of a year's benefits "is projected to remain between 20 and 40 percent through the late 1980s and then decline rapidly with complete exhaustion of the fund in 1991." At that time the reserve totaled about $13 billion.

The new projections reflect changes that have been going on for several years, including the new Medicare prospective-payment system enacted in 1983, which sets fixed payment rates in advance for each illness.

Mike Bromberg, director of the Federation of American Hospitals, an organization of about 1,000 for-profit hospitals (15 percent of the nation's hospitals) says, "I think the trust fund is going to be okay was beyond 1995, maybe beyond 2000, as a result of recent developments. The assumptions about hospital cost increases in the past have been too pessimistic.

"The Medicare patient average length of stay has gone down from 9.5 to 7.5 [days] from 1983 to 1984. Admissions are down 1.7 percent. Doctors are changing the way they practice medicine."

He says the PPS prospective-payment system puts pressure on doctors and hospitals to hold costs down because a hospital receives a fixed payment per case rather than getting extra money for keeping patients hospitalized longer or requiring more tests.

Others have said a factor in reducing medical inflation is the increased tendency of business, which pays about $85 billion a year for employe medical insurance, to shop around more for services and polices.

Carolyne K. Davis, administrator of Medicine, said in a recent speech that inpatient hospital costs of Medicare, which increased an average of 10.3 percent annually from 1973 to 1982, rose 3.8 percent in 1984. She added that if that this rate were is maintained, the trust fund will be secure to the end of the century.

The fund's public trustees, Mary Falvey Fuller and Suzanne D. Jaffe, expressed optimism about its soundness but cautioned against overly optimistic extrapolations from a single year's experience with the PPS system.

□ 1130

ECONOMIC SANCTIONS AGAINST NICARAGUA, A SYMBOL OF CONTINUING AMERICAN OPPOSITION TO SANDINISTAS

(Mr. SHUMWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHUMWAY. Mr. Speaker, yesterday, President Reagan announced the imposition of economic sanctions against Nicaragua, ending at last all U.S. trade with the hostile and repressive Sandinista regime. Despite the fact that the administration last year reduced the U.S. quota on imports of Nicaraguan sugar, we have continued to act as a major trading partner of that nation, helping to uphold a Marxist dictatorship that we abhor. In the first 8 months of 1984 alone, we exported over 72 million dollars' worth of goods to Nicaragua and imported 39 million dollars' worth of their products, trade which only adds to the hard currency supply available to the Sandinistas to buy military equipment and promote violence in the region. Why should the United States bestow the economic advantages of trade upon a hostile nation when our allies in the region who produce the same commodities could benefit instead? The imposition of full-scale sanctions will finally address this contradiction in our policy toward Nicaragua and confirm our determination to oppose the aggressive policies of its regime.

While I recognize that economic sanctions are in some cases an ineffective or even domestically damaging policy option, in Nicaragua we no longer have anything to lose. Daniel Ortega's widely publicized meeting with the Soviet leaders last week—following congressional failure to renew assistance to the anti-Sandinista rebels—leaves us with little doubt about the increasing links between these two totalitarian states. By ending trade with the Sandinistas, we do not drive them into the arms of the Soviets; it is perfectly clear that they are already there. The President's sanctions will, however, serve as a symbol of continuing American opposition to Sandinista activities in the region and will contribute to the range of pressures that the United States and other nations in Central America must employ to hasten a modification of menacing Nicaraguan behavior.

CONTEMPORANEOUS RECORDKEEPING BILL FINALIZED BY CONFEREES

(Mr. ROEMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, as my colleagues know, the conferees on H.R. 1869 met yesterday afternoon and finalized agreement on all issues. H.R. 1869 is the bill that affects auto logging, or contemporaneous recordkeeping.

They stuck mainly with the House version of the bill, the contemporaneous provisions in the old law have been stricken; some people said with a smile on their face, "This law required you to drive with one hand and keep records with another." That has been taken out.

There is an addition to the bill that frankly probably makes it better, in that it treats unmarked police vehicles like we treated marked police vehicles in the House, excluding them both from recordkeeping provisions.

I just took this minute today to congratulate the chairman; he kept his word, he did it effectively and efficiently; and urge swift passage in the House. I think it is good news for the taxpayer, particularly small-business men and women.

At no cost to the Treasury, we restored some common sense to a Tax Code that desperately needs it.

THE SANDINISTA GOVERNMENT'S PROPAGANDA WAR

(Mr. SWINDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SWINDALL. Mr. Speaker, I rise today to state first and foremost that this body has a unique opportunity to reconsider its action of last week wherein it failed to take any meaningful position with respect to the Contras in Central America.

As we reconsider this issue in the weeks to come, I heartily recommend an article that appeared in the Perspective section of the Atlanta Journal-Constitution on Sunday, April 28, 1985, written by Gary Moore, formerly the Atlanta Journal-Constitution's Florida correspondent, who made a walking tour through Central America in 1978 and 1979.

In this article, he chronicles the extensive propaganda war that was fought by the Sandinista government here in Washington using Washington lobbyists and a New York public relations firm.

I strongly urge each Member to read that before voting in the next several weeks.

The article follows:

[From the Atlanta (GA.) Journal-Constitution, Apr. 28, 1985]

THE DARKER SIDE OF NICARAGUA'S REVOLUTION

(By Gary Moore)

MANAGUA, NICARAGUA.—The fighting here hasn't stopped. But for now, the propaganda war is over.

A campaign by the Sandinista government to influence Congress and American public

opinion—using Washington lobbyists, a New York public relations firm and red-carpet tours for visiting congressmen—helped convince Congress not to resume aid to contra guerrillas opposing the government.

The Sandinistas had other help. In the past year, CIA-backed mining of Nicaraguan harbors has brought the issue before the International Court of Justice at The Hague. A secret CIA manual for insurgents became an issue in last November's presidential campaign.

Surrounding publicity has obscured larger realities inside Nicaragua. Significant policies here have gone largely unreported:

At least 100,000 rural Nicaraguans have been forcibly removed from homes and lands in a depopulation program that has burned whole villages, aimed, in part, at breaking the "petit-bourgeois" independence of small farmers.

An extensive grid of Soviet-supplied 120-mm artillery and "Stalin's organ" rocket launchers has been shelling rural civilian areas, such as La Vijia, La Constancia, and Jiquelite.

The Nicaraguan countryside is being depopulated, according to government supporters, for the planned firestorming of large areas where both insurgents and neutral civilians have lived, using Soviet helicopter gunships.

An extensive Soviet-style education system has been set in place, complete with Soviet teachers psychology manuals that recommend shaping "collectivist thought" and schoolbook verse that calls Americans "the enemy of humankind."

Outside Nicaragua, the Sandinista revolution's advances in education and health care are often cited by the revolution's supporters, obscuring these deeper realities.

Polio has apparently been eradicated in Nicaragua, and measles has been controlled, but food is severely rationed. Government insiders say major shortages are due not only to hostilities with contra guerrillas, but to forced collectivization.

Though many government officials continue to deny publicly that this secret side of Nicaragua's controversial revolution exists at all, at least 100,000 Nicaraguans have been dispossessed over the past three years. It is an extensive, continuous forced collectivization insufficiently noticed by the foreign press. When it is reported, most foreign newsmen accept government denials or dismiss village burnings as isolated government mistakes.

Most allegations of atrocities have centered on the contra guerrillas. Several reports characterized as private or independent surveys of the fighting surfaced in the months before the congressional debate.

The most prominent of those reports hit official Washington on March 7. It alleged "atrocities" by anti-communist insurgents in Nicaragua.

The charges made headlines across the nation.

"The atrocity issue is going to be a lot bigger than the administration thinks," said Sen. Patrick Leahy (D-Vt.).

Yet in fact the "private report" had been set in motion months earlier by a single agent, Washington attorney Paul Reichler, paid $156,000 last year by the Nicaraguan government.

The government of Nicaragua, like many others, employs an attorney in Washington. Reichler is a partner in Reichler & Appelbaum, a Washington law firm registered with the U.S. Department of State as Nicaragua's lobbying agent.

Last fall Reichler followed congressional debate that led to an earlier postponement of an administration request for $14 million in aid to Nicaraguan insurgents. Simultaneously, stories were breaking about the CIA manual, which mentioned that insurgents might "neutralize" secret police agents or other Nicaraguan officials. An "atrocity" issue was heating up.

Reichler spoke with another attorney, Reed Brody, in New York. At Reichler's urging, Brody was to make an independent trip to Nicaragua and compile information about insurgent atrocities, "as if taking evidence for a court case."

Arriving in Nicaragua, Brody was furnished with government office space and secret police notification. He went about gathering evidence that has presented the Nicaraguan government in a highly favorable light.

At the same time, Nicaragua's network of supporters inside the United States—church groups, college organizations, political organizers and others who believe that the Nicaraguan revolution will help the poor—was being supplied with information from the Nicaraguan government condemning the insurgents.

Insurgents were portrayed as foreign mercenaries, when most are natives, many of them ragged and diseased and without salaries, or greed-crazed guardias from the old Somoza dictatorship, even though many of the insurgents are small farmers who have fled forced collectivization.

Using the fact that insurgents make attacks, sometimes clumsy and brutal, on armed collective farms and on civilian vehicles that carry government agents, propaganda brochures depicted the insurgents as sadists who routinely commit atrocities.

A brochure printed in English by the Nicaraguan government social welfare ministry and said to have been distributed widely in the United States contains scenes that are heart-wrenching in their bloody detail.

One photo purports to show a day care center destroyed by contras at La Sorpresa. Yet a visit to the center reveals a different story. The day care center at La Sorpresa, in the Nicaraguan state of Jinotega, stands intact. Few foreign reporters have visited the remote locale to see what happened there.

The government photo actually shows the remains of a coffee warehouse.

The real day care center at La Sorpresa has been taken over as a command headquarters by Sandinista People's Army troops of the government.

WE HAVE COME TO NOTHING

La Sorpresa is a collective farm and like many such collectives attacked by insurgents, it is a forced internment compound. Inmates are forced to live in squalid barracks, one room per family, and both adults and children must spend six days weekly picking coffee for the state.

"Here we have come to nothing. We've almost come to nothing," said Andres Diaz, one Nicaraguan forced with his family to live at La Sorpresa, as his voice broke into a sob.

La Sorpresa was also chosen as proof of insurgent atrocities by Brody. Brody never visited La Sorpresa, where internees tend to swarm around rare foreign visitors, begging to get out. Instead, Brody used selected testimony or witnesses brought to him in a city.

As the brochure depicting La Sorpresa was being printed up at the Nicaraguan government's social services department last December, Brody was working independently in another government office.

Drawing on internal government support networks—like the government-connected Institute of Permanent Formation, and on at least one individual with apparent secret police ties—Brody returned to the United States in early January, bringing with him 145 sworn affidavits, telling of insurgent atrocities.

In Washington the affidavits were turned over to Reichler, and from Reichler's office there emerged a "private report."

Publicity surrounding this report would probably not have been as widespread nor as misleading had Reichler not first presented it for endorsement to three other offices—the Washington Office on Latin America, a group that has frequently criticized U.S. foreign policy and is largely supported by church groups such as the National Council of Churches; the Washington-based International Human Rights Law Group, which has investigated abuses in the Soviet Union as well as in non-Soviet bloc nations; and the office of U.S. Rep. Samuel Gejdenson (D-Conn.), who has been a vocal critic of Nicaraguan insurgents.

A new fact-finding team was chosen by the three offices and sent to Nicaragua to verify Brody's information. An arrangement was made with some prominent news organizations to share the findings. Though the verifiers took many precautions to remain objective and independent of the Nicaraguan government, they were met in Nicaragua by Reichler, who says his presence there was coincidental.

Gejdenson's senior legislative aide for foreign policy, Kathleen Bertelsen, and attorney Michael Glennon, one of the team's two official investigators, talked with Reichler at a Managua restaurant, El Mirador.

Glennon, an expert in international law who worked through an interpreter, was so careful about maintaining his objectivity on the trip, he says, that at El Mirador he refrained even from ordering food, to avoid the appearance of being "wined and dined."

TEAM MADE NO SITE VISITS

The verifying team did not go to actual sites of incidents mentioned in the Brody report, but re-interviewed a few of Brody's witnesses in cities, where the verifying team used the same internal government support network that had aided Brody.

Ms. Bertelsen's notes make clear that the group was in sporadic contact with Nicaraguan government officials, including a high secret police official, and witnesses were located very quickly.

Of the 145 witnesses of 28 different atrocities dealt with in the Brody report, the verifying team was able to find about 10 witnesses, they say, and added another 20 or so new witnesses to other atrocities, since victims seemed to be appearing frequently.

"Acts of brutality by the (insurgent) forces in Nicaragua appear to be the conscious policy of the rebels' leadership, and permeate the whole force," said a news release from Gejdenson's office after the verifying team returned. Gejdenson, according to the release, "called the testimony verified by his staff aide last week 'alarming.'"

As the "private group . . . report" from Brody was released, a second report on Nicaragua also began making news. "Violations of the Laws of War by Both Sides in Nicaragua" concluded that abuses by Nicaraguan insurgents were much worse than abuses by the Nicaraguan government.

Released by Americas Watch, a respected human rights group, the report condemned insurgents for shelling civilian targets, but failed to mention a considerably more formalized and powerful government network of artillery that has also shelled civilian targets.

Inexplicably, the private human rights reports that have appeared this spring fail to include testimony from Nicaraguan refugees in camps that dot the neighboring countries of Honduras and Costa Rica.

Such camps, where information is not rigorously controlled by the Nicaraguan government and where people can speak more freely, are run by the United Nations, which is adamant about keeping out insurgents.

In these refugee camps there are many stories of atrocities inside Nicaragua—a church arbitrarily fired on and several civilians left dead inside, two children killed by a hand grenade thrown at a woman who made a protest, 700 civilians so terrorized that they walked for 22 days to escape mass violence.

When President Reagan said in a speech on Feb. 24, 1982, "We have clear evidence that since late 1981 many Indian villages have been burned, and men, women and children killed," his words were dismissed in many quarters as exaggerated propaganda.

But now new evidence—from the Nicaraguan government itself—indicates that Reagan administration statements have in fact underestimated the extent of a program that has deeply affected rural Nicaragua.

"The revolutionary government," Nicaraguan government social services minister Reinaldo Antonio Tefel was quoted in a March 22 release as saying, will "massively relocate more than 50,000 persons."

The new "displaced ones," Tefel said, "will be added to 142,000 displaced ones that were there in December 1984—plus those displaced in the months after that date—so that by the end of this year the revolutionary government counts on attending to some 200,000."

"Displaced ones," said Oscar Gonzales, who heads the pro-government Institute for Permanent Formation, "are not refugees. . . . The displaced ones are permanent."

ONE FAMILY PER ROOM

Though many are resisting or have fled, the more pliant are forced into easily controlled collective farms—"state units of production." Sometimes housing consists of muddy barracks left over from earlier migrant labor days; sometimes there is row on row of small new buildings closely resembling cells—one family per room.

There are no guard towers, no barbed wire, and no police dogs—but in a heavily militarized state where crops may be sold only to the government and spare housing has disappeared, resistance is difficult.

Greg Craig, an aide to Sen. Edward Kennedy (D-Mass.), last fall made an unpublicized trip into two remote collectives where Miskito Indians have been interned since some villages were burned by government troops. Craig said that what he saw at La Isla and San Antonio were "concentration camps, a la Auschwitz. . . . We saw people sleeping on shelves."

Though foreign supporters seem generally to believe the government's claims that it is providing new houses to displaced people, that is not the pattern in Nicaragua now.

"They told us we could either join a collective or choose another country," one farmer says, "because they were going to burn this whole mountain with aircraft."

In Washington, ardent Nicaraguan government supporter Reggie Norton, head of the influential, church-supported Washington Office of Latin America, describes his view:

"In the last 3½ years, about 180,000 people (in Nicaragua) have had to leave the areas they live in, in order to avoid the war. And that doesn't include the 7,000 or 8,000 people the Nicaraguans are going to move now, to keep them out of the line of fire, so to speak, before launching a big attack."

Norton adds, "If the Sandinistas had gone to these areas and had killed some of these people, the (Reagan) administration would have heaped criticism on them. . . . Absolutely, I mean, I don't think they have any choice but to clear these areas."

From one such area villagers say they walked en masse for 22 days to escape. "The *commandante* said he was going to round up every one of the people," says Benita Zelaya Granados, who in June 1984 joined a group of 700 who walked to neighboring Honduras. Others, including Barjelio Martinez, 34; Santiago Zovalbarro, 75; Rafael Huerta, 55; and Bernarda Bucardo, 44, confirm the exodus, which they say took the life of a child, Mateo Mayales, 3.

All of the villagers described are refugees at the United Nations-controlled Honduran refugee camp of Jacaleapa.

Though the Nicaraguan government has repeatedly dismissed insurgents as "foreign mercenaries," the evidence of their leaflets distributed in closed combat zones suggests they know otherwise. "Turn in Your Arms!" the leaflets urge.

"Return with your family to work, like the man in the photo."

A photo in the leaflets shows not a foreign mercenary, but a Nicaraguan farmer plowing behind two oxen.

FARMERS: AN INFERIOR CLASS

Independent farmers pose a particular problem for the government. Revolutionary rhetoric has made it clear that poor farmers, or campesinos, are accustomed to "petit-bourgeois" independence and must be regarded as a class that is inferior to the more politically dependable urban poor, who are called "the working class."

"The working class—the vanguard class—should not try . . . to live like the campesinos," explained Comandante of the Revolution Bayardo Arce in 1982, "because they are more backward in petitbourgeois spirit, and must be vanguardized."

Arce further explained, "The petit bourgeois is a vacillator . . . and must be neutralized."

In Nicaragua, depopulation has left gaunt ruins like the village of Santa Elena. Early last year, CIA-financed aircraft dropped supplies to active insurgents, who were heavily supported by the civilian population. Some homes of alleged government agents were burned. Then the government army came and occupied the village.

People's Army troops made garrisons out of both the school and the Roman Catholic church. Schoolchildren were forced to attend classes inside fortifications, converting any potential counterattack by insurgents into a propaganda coup for the government.

Now Santa Elena is deserted, for the government troops withdrew recently, in apparent preparation for an impending campaign of saturation bombing. Residents of a wide area around Santa Elena were told that they must leave also—or be "burned with aircraft." Some houses were blown up by government troops. A number of Soviet artillery casings with Cyrillic writing were left scattered about, along with a tattered copy of former Soviet leader Yuri Andropov's speeches.

Santa Elena had become a government artillery emplacement, and from such places, laid out in a grid across Nicaragua's northern mountains, civilian population centers have been repeatedly shelled. In a house belonging to Francisco Meza of Jiquelite, a child was killed by government artillery. Donald Lario is reported to have been killed at Los Harrados in January when a shell hit his house.

Those private human rights reports, the ones in fact closely connected to the Nicaraguan government, have left an impression in the United States that shellings are conducted only by insurgents. Ms. Bertelsen, the aide to Rep. Gejdenson, has vehemently denounced the insurgents for "atrocities" since her tour of Nicaragua in February. After she returned, Ms. Bertelsen said the Nicaraguan government did not even have artillery.

When asked about forced relocations, Ms. Bertelsen said she was aware that "they relocated large numbers. . . . Oh, it's in the hundreds. I'd have to look at a human rights report for that. . . . In all honesty, our primary mission was to investigate contra abuses."

Nowhere are the changes in Nicaragua more evident than in schools.

Textbooks for the Sandinista National Liberation Front's oft-commended but seldom-examined adult literacy campaign begin by teaching the word "revolution." "Well, they have to memorize that one," explains the head of adult literacy for an entire zone, who herself has only a grade-school education.

Among the few key words taught in adult literacy texts, there are also such basics as "vigilance," "Fonseca," (Carlos Fonseca founded the front), and "armed struggle." "Woman" is taught by means of a photo showing a middle-aged housewife wearing a bandana mask along with her frumpy housedress—and militantly aiming a revolver.

Education for children, who put in more classroom time than adults, is more detailed. A sixth-grade reading text teaches the terms "imperialism," "military-industrial complex," "business is business," and "guardians of the dynasty." But there is a twist. These special words are not taught in Spanish. They are taught in English.

In Nicaraguan classrooms, the struggle is said by some distraught mothers to be having side effects. Genuine education loses time to ideology, as phrases such as "imperialist capitalist militarist business multinational" compete with arithmetic.

One mother, a sidewalk fruit vendor, was found tutoring her child in the alphabet as she worked. "They don't teach them in school anymore," a friend explained.

Prospectus No. 263, used in training teachers at the National Autonomous University of Nicaragua, carries references from East Germany and Cuba. The "authoritarian style" is effective at shaping children's minds, No. 263 says, but is really less effective than letting the children themsleves make up their own minds—as long as they are gently guided along a "collectivist" course.

Prospectus No. 4725, on the other hand, gets specific about who should, and should not, shape Nicaragua's future.

A FEW ARRESTING PHRASES

Farther up the educational ladder, a college composition text, General Basic Spanish, uses arresting phrases:

"Capitalism stops the progress of humanity."

"Poverty is due to capitalism."

"The life of individuals is ruled by values that correspond to the capitalist system."

Nicaraguan psychology professors, who are now helping train a new generation of teachers and of people who will in turn train teachers, say that the presence of some Soviet bloc materials does not mean that Nicaragua has turned its back on the social sciences as generally understood by the rest of the world.

"Our teaching system tries to be tied to daily life," says psychology Professor Arcimedes Colindres, seated in a university office beneath a large poster of Karl Marx. In a gentle voice, Colindres explains that Nicaragua is definitely not dominated by the Soviet Union. His country may make mistakes, he says, but it is forging its own native brand of socialism.

Fervently, Colindres believes in the revolution as a doorway out of national despair. "These children we're forming," he says "we're going to transmit to them our concept of a new society."

URGENT NEED FOR SOIL CONSERVATION LEGISLATION

(Mr. TALLON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TALLON. Mr. Speaker, last week the Conservation, Credit, and Rural Development Subcommittee of the House Agriculture Committee approved legislation to discourage the practice of plowing up highly erodible land for planting crops and to encourage the long-term conversion of currently cropped fragile land into protective cover.

As we move toward an omnibus farm bill this year, it is time for soil conservation to be fully integrated into our national agriculture policy.

This legislation will preserve a vital national resource for future generations and, at the same time, it will serve the Nation's immediate needs by cutting back on crop surpluses which lead to low prices for farmers and higher budget costs for taxpayers.

While nothing in the legislation forbids any landowner to make his or her own decisions about what use to make of the acreage, the sodbuster section says simply that the Federal Government will no longer subsidize producers who choose to bring highly erodible land into cultivation with farming practices that do not conform to an approved conservation system.

The conservation reserve section of the legislation provides a start on action to protect land that should be shifted out of row crops and into grasses or trees.

The need for this soil conservation legislation is urgent. In my State of South Carolina, we lose 16.5 million tons of topsoil annually—enough to blanket our largest city of Columbia with 1½ inches. The estimated annual cost in lost nutrients is over $12 million.

This year is the 50th anniversary of the Soil Conservation Service. The catalyst that brought this agency into existence was the Dust Bowl of the Great Depression.

When the national efforts to conserve soil began, South Carolina rapidly moved to the forefront. In 1937, South Carolina passed one of the first laws in the country establishing local soil and water conservation districts.

Today, a new set of circumstances and a new set of problems have arisen. In the 1970's, as inflation rose, the economy would begin to dictate the way farmland was used—its price was pushed beyond its productive capabilities.

In South Carolina, during one recent 5-year period, some 250,000 acres of marginal land was plowed and converted into cropland. We see that inflation along with the high interest rates, forced landowners to farm their land intensively to make ends meet.

Studies show that 44 percent of the cropland in the United States is eroding faster than nature can replace it. The average soil erosion rate in South Carolina is approximately 4.5 tons per acre annually.

Mr. Speaker, we must work toward a coordinated agricultural and conservation program—one that takes advantage of the cycles in the farm economy to also deliberately do more to protect the Nation's soil and water.

We must work within the Soil Conservation Service and the local conservation districts. These volunteers provide grassroots support and leadership which has led to the successes we have seen in conservation. The legislation approved last week will give them valuable tools in this battle.

This Nation's commitment to soil and water conservation is envied by people around the world. But we must do more. History has proven that the survival of nations is in direct proportion to the care they have for the land.

IN THE WORDS OF MR. ROBERTS OF KANSAS

(Mr. COBEY asked and was given permission to address the House for 1 minute.)

PERMISSION TO READ FROM CONGRESSIONAL RECORD

Mr. COBEY. Mr. Speaker, I ask permission to read from the CONGRESSIONAL RECORD.

Mr. WALKER. Mr. Speaker, I object under rule XXX to the gentleman's unanimous-consent request.

The SPEAKER pro tempore. The gentleman may proceed: if he is prepared to, without reading, he may proceed extemporaneously.

Mr. WALKER. No, you move.

MOTION OFFERED BY MR. COBEY

Mr. COBEY. Mr. Speaker, I move that I be permitted to read under rule XXX.

The SPEAKER pro tempore. The question is whether under rule XXX the gentleman from North Carolina [Mr. COBEY] should be permitted to read.

The question was taken; the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 392, nays 18, answered "present" 1, not voting 23, as follows:

[Roll No. 93]

YEAS—392

Ackerman	Coble	Franklin
Addabbo	Coelho	Frenzel
Akaka	Coleman (MO)	Frost
Alexander	Coleman (TX)	Fuqua
Anderson	Collins	Gallo
Andrews	Combest	Garcia
Annunzio	Conte	Gaydos
Anthony	Cooper	Gejdenson
Applegate	Coughlin	Gekas
Archer	Courter	Gephardt
Armey	Coyne	Gibbons
Aspin	Craig	Gilman
Atkins	Crane	Gingrich
AuCoin	Crockett	Gonzalez
Badham	Daniel	Goodling
Barnard	Dannemeyer	Gordon
Barnes	Darden	Gradison
Bartlett	Daschle	Green
Barton	Daub	Gregg
Bateman	Davis	Grotberg
Bates	DeLay	Guarini
Bedell	Dellums	Gunderson
Bellenson	DeWine	Hall (OH)
Bennett	Dicks	Hall, Ralph
Bentley	Dingell	Hamilton
Bereuter	DioGuardi	Hammerschmidt
Bevill	Donnelly	Hansen
Biaggi	Dorgan (ND)	Hatcher
Bilirakis	Dornan (CA)	Hayes
Billey	Dowdy	Hefner
Boehlert	Downey	Hendon
Boggs	Dreier	Henry
Boner (TN)	Duncan	Hertel
Bonior (MI)	Dwyer	Hiler
Bonker	Dymally	Hillis
Borski	Early	Holt
Bosco	Eckert (NY)	Hopkins
Boucher	Edgar	Horton
Boulter	Edwards (CA)	Howard
Brooks	Edwards (OK)	Hubbard
Broomfield	Emerson	Huckaby
Brown (CA)	English	Hughes
Brown (CO)	Erdreich	Hunter
Broyhill	Evans (IA)	Hutto
Bruce	Evans (IL)	Hyde
Bryant	Fascell	Ireland
Bustamante	Fawell	Jacobs
Byron	Fazio	Jeffords
Callahan	Feighan	Jenkins
Campbell	Fiedler	Johnson
Carney	Fields	Jones (NC)
Carper	Fish	Jones (OK)
Carr	Flippo	Jones (TN)
Chandler	Florio	Kanjorski
Chappell	Foglietta	Kaptur
Chappie	Foley	Kasich
Clinger	Ford (MI)	Kastenmeier
Coats	Ford (TN)	Kemp
Cobey	Frank	Kennelly

Kildee	Mrazek	Smith (IA)
Kleczka	Murphy	Smith (NE)
Kolbe	Murtha	Smith (NH)
Kolter	Natcher	Smith (NJ)
Kostmayer	Neal	Smith, Denny
Kramer	Nelson	Smith, Robert
LaFalce	Nichols	Snowe
Lagomarsino	Nielson	Snyder
Lantos	Nowak	Solarz
Latta	O'Brien	Solomon
Leach (IA)	Oakar	Spence
Leath (TX)	Oberstar	Spratt
Lehman (CA)	Olin	St Germain
Lehman (FL)	Ortiz	Staggers
Leland	Owens	Stallings
Lent	Oxley	Stangeland
Levin (MI)	Packard	Stark
Levine (CA)	Panetta	Stenholm
Lewis (CA)	Pashayan	Stokes
Lewis (FL)	Pease	Strang
Lightfoot	Penny	Stratton
Lipinski	Pepper	Studds
Livingston	Perkins	Stump
Lloyd	Petri	Sundquist
Loeffler	Pickle	Sweeney
Long	Porter	Swift
Lott	Price	Swindall
Lowery (CA)	Pursell	Synar
Lujan	Quillen	Tallon
Luken	Rahall	Tauke
Lundine	Rangel	Tauzin
Lungren	Ray	Taylor
Mack	Regula	Thomas (CA)
MacKay	Richardson	Thomas (GA)
Madigan	Ridge	Torres
Manton	Rinaldo	Torricelli
Markey	Ritter	Towns
Marlenee	Roberts	Traficant
Martin (IL)	Robinson	Traxler
Martin (NY)	Rodino	Udall
Martinez	Roe	Valentine
Mavroules	Roemer	Vento
Mazzoli	Rogers	Visclosky
McCain	Rose	Volkmer
McCandless	Rostenkowski	Vucanovich
McCloskey	Roth	Walgren
McCollum	Roukema	Walker
McCurdy	Rowland (CT)	Watkins
McDade	Rowland (GA)	Waxman
McEwen	Roybal	Weber
McGrath	Russo	Weiss
McHugh	Sabo	Wheat
McKernan	Saxton	Whitehurst
McKinney	Schaefer	Whitley
McMillan	Scheuer	Whittaker
Meyers	Schneider	Whitten
Mica	Schuette	Williams
Michel	Schulze	Wilson
Mikulski	Schumer	Wirth
Miller (OH)	Sharp	Wise
Miller (WA)	Shaw	Wolf
Mineta	Shelby	Wolpe
Moakley	Shumway	Wortley
Molinari	Shuster	Wright
Mollohan	Sikorski	Wyden
Monson	Siljander	Yates
Montgomery	Sisisky	Yatron
Moody	Skeen	Young (AK)
Moore	Skelton	Young (FL)
Moorhead	Slattery	Young (MO)
Morrison (CT)	Slaughter	Zschau
Morrison (WA)	Smith (FL)	

NAYS—18

Boland	Durbin	Lowry (WA)
Boxer	Eckart (OH)	Matsui
Breaux	Fowler	Miller (CA)
Burton (CA)	Glickman	Reid
Clay	Hoyer	Schroeder
Dickinson	Kindness	Sensenbrenner

ANSWERED "PRESENT"—1

Obey

NOT VOTING—23

Berman	Gray (IL)	Parris
Burton (IN)	Gray (PA)	Rudd
Cheney	Hall, Sam	Savage
Conyers	Hartnett	Seiberling
de la Garza	Hawkins	Vander Jagt
Derrick	Heftel	Weaver
Dixon	Mitchell	Wylie
Dyson	Myers	

□ 1150

Mr. McHUGH and Mr. RODINO changed their votes from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. COBEY] is recognized for 45 seconds.

Mr. COBEY. Thank you, Mr. Speaker. I appreciate permission to read from the CONGRESSIONAL RECORD the closing words by our distinguished colleague, Mr. ROBERTS of Kansas, in his arguments yesterday before this House.

Mr. ROBERTS said;

I will take off my "Thou shall not steal" button. A slogan too harsh? I think not. I am going back to work.

But for me and for my colleagues, this House is not the same. The collective sense of unfairness symbolized by this button remains in our hearts.

The sad, sad thing is that we did not have to go down this road.

PARLIAMENTARY INQUIRY

Mr. JACOBS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. JACOBS. Mr. Speaker, with reference to rule XXX, there are two inquiries that I have.

First, is rule XXX applied to all sessions of the Congress?

The SPEAKER pro tempore. The gentleman is correct.

Mr. JACOBS. Mr. Speaker, rule XXX, which prohibits the reading from a text then would apply to the President when he addresses a session of Congress?

The SPEAKER pro tempore. The Chair would say it does not apply during a joint session of the two Houses.

Mr. JACOBS. Mr. Speaker, what a pity.

□ 1200

SOLIDARITY SUNDAY FOR SOVIET JEWRY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the resolution (H. Res. 127), to express the sense of the House of Representatives concerning Solidarity Sunday for Soviet Jewry, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. WALKER. Mr. Speaker, reserving the right to object, do I understand that the unanimous consent request is for consideration only?

The SPEAKER pro tempore. The gentleman is correct.

Mr. WALKER. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I will not object but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, further reserving the right to object, I would like to yield to the gentleman from New York [Mr. GILMAN], who is the chief sponsor of House Resolution 127.

Mr. GILMAN. I thank the gentleman for yielding.

Mr. Speaker, I commend the gentleman from New York [Mr. GARCIA] for bringing this measure to the floor at this time. On Sunday, May 5, 1985, over 100,000 individuals will gather at Dag Hammarskjold Plaza opposite the United Nations in New York City to demonstrate their solidarity of purpose with the more than 2 million Soviet Jews who have been trying valiantly to practice their religious heritage in the face of overwhelming odds and many of whom have been seeking the right to emigrate. House Resolution 127, which I was honored to introduce with my colleague from New York [Mr. RANGEL], declares that the House of Representatives supports this effort, not only in sympathy and solidarity with those in the Soviet Union, but with those men and women who will give up their Sunday at home to proclaim to Soviet authorities that their harassment and abuse of these men and women will not be tolerated silently.

Under the auspices of the Coalition to Free Soviet Jews (formerly the Greater New York Conference on Soviet Jewry), this will be the 14th annual Solidarity Sunday gathering. Because it is the single largest expression of concern for Soviet Jewry in the country, it has also become the preeminent voice of the American people. Year after year, we have expressed our feelings at this forum and I invite our colleagues to join us later in the day when I will be hosting a special order in conjuction with this resolution.

Mr. Speaker, we have seen Soviet Jewish emigration plummet, from a high in 1979 of over 51,000 to less than 900 last year. Arrests have increased dramatically, and there are now 22 prisoners of conscience languishing in Soviet jails and prison camps. Through efforts such as Solidarity Sunday for Soviet Jewry, we in the Congress are reiterating our commitment to these men and women. I would like to take this opportunity to list those 226 Members of Congress who are joining us in cosponsorship of

this measure, and urge our colleagues to support passage of this resolution.

COSPONSORS OF HOUSE RESOLUTION 127, EXPRESSING CONGRESSIONAL SUPPORT FOR SOLIDARITY SUNDAY FOR SOVIET JEWRY

Rangel, Ackerman, Addabbo, Akaka, Andrews, Annunzio, Archer, Badham, Barnes, Bartlett, Bateman, Bedell, Beilenson, Bentley, Bereuter, Berman, Biaggi, Bilirakis, Bliley, Boehlert, Boland, Bonker, Bosco, Boucher, Boulter, Boxer, Broomfield.

Brown of California, Brown of Colorado, Bryant, Burton of Indiana, Burton of California, Bustamante, Carney, Carr, Carper, Chappie, Clay, Clinger, Cobey, Coble, Coleman of Missouri, Collins, Conte, Conyers, Courter, Coyne, Dannemeyer, Daub, de la Garza, DeLay, Dellums, Dickinson, DioGuardi, Dixon.

Donnelly, Dornan, Downey, Dreier, Durbin, Dwyer, Dymally, Dyson, Early, Edwards of Oklahoma, English, Erdreich, Fazio, Feighan, Fiedler, Fish, Florio, Foglietta, Ford of Michigan, Fowler, Frank, Frenzel, Frost, Gallo, Garcia, Gaydos, Gejdenson, Gekas.

Glickman, Goodling, Gradison, Green, Grotberg, Guarini, Hartnett, Hayes, Heftel, Hertel, Hillis, Holt, Horton, Hoyer, Hyde, Ireland, Jeffords, Johnson, Jones of Oklahoma, Kanjorski, Kaptur, Kemp, Kindness, Kostmayer, Kramer, LaFalce, Lagomarsino, Lantos.

Latta, Leach, Lehman of Florida, Leland, Lent, Levin, Levine, Lewis of California, Lewis of Florida, Lightfoot, Livingston, Loeffler, Lott, Lujan, Lundine, McCain, McCandless, McDade, McEwen, McGrath, McHugh, McKinney, Mack, Madigan, Manton, Martin of New York, Martin of Illinois.

Martinez, Matsui, Mavroules, Mazzoli, Mica, Michel, Mikulski, Miller of Ohio, Miller of Washington, Mineta, Mitchell, Moakley, Molinari, Montgomery, Moorhead, Morrison of Connecticut, Mrazek, Nowak, Oakar, O'Brien, Owens, Oxley, Parris, Pease, Pepper, Petri, Pickle, Porter.

Price, Pursell, Quillen, Regula, Reid, Ritter, Rodino, Roe, Rogers, Roukema, Rowland of Connecticut, Rudd, Saxton, Scheuer, Schneider, Schroeder, Schumer, Sharp, Shaw, Sikorski, Siljander, Sisisky, Smith of New Jersey, Smith of Florida, Smith of Nebraska.

Snowe, Solarz, Solomon, Stark, Stokes, Stratton, Sundquist, Synar, Tauke, Tauzin, Taylor, Thomas of Georgia, Thomas of California, Torricelli, Towns, Udall, Vander Jagt, Volkmer, Walker, Waxman, Weiss, Wheat, Wilson, Wirth, Wolf, Wolpe, Wortley, Wright, Wyden, Wylie, Yates, Young of Florida, and Young of Alaska.

Mr. GARCIA. Mr. Speaker, will the gentleman yield?

Mr. HANSEN. Further reserving the right to object, I yield to the gentleman from New York.

Mr. GARCIA. I thank the gentleman for yielding.

Mr. Speaker, I would just like to commend my colleague from New York [Mr. GILMAN] because over the years he has been in the forefront of this fight. I will tell my colleagues that there was a period in which results were quite positive.

I would hope by these demonstrations that we can sensitize the Soviet Union to open the doors once again and allow people to leave and allow people to live in freedom. So I thank my colleague from New York for this resolution.

Mr. GILMAN. I thank the gentleman and I thank him for his continual fight for human rights. I urge my colleagues to join with us on Solidarity Sunday at Dag Hammerskjold Plaza in New York City.

● Mr. DAUB. Mr. Speaker, I rise in support of House Resolution 127, a resolution concerning Solidarity Sunday for Soviet Jewry.

For the Soviet Jew, 1984 lived up to George Orwell's grisly prediction of state repression. In all of that year, only 896 Soviet Jews were permitted to leave the Soviet Union. This is 896 out of the more than 350,000 who requested permission to leave.

The fact that 350,000 out of a total population of the 3 million Jews in that country willingly faced the increased persecution leveled at all who ask to leave, demonstrates the grave circumstances under which these people live.

The entire cultural life of the Jewish community is imperiled. Slanderous, persistent, anti-semitic rhetoric oozes daily out of what the Soviet Union calls a press. This vindictive infects the air inciting systematic persecution. Even the teaching of Hebrew now brings 7 years of hard labor in a Soviet gulag.

Of course the Jewish population is not alone in activism for greater personal and cultural freedoms. Minimal, even token expressions of freedom by the rest of the Soviet concerned citizenry is ruthlessly suppressed. The treatment of such activities is liberal doses of gulag and psychiatric hospitals.

The Soviet Union signed the Final Act of the 1975 Conference on Security and Cooperation in Europe, known as the Helsinki accords. That document guarantees basic freedoms including the right to practice religion and even emigrate. The Soviet Union, particularly in the case of Soviet Jew, has systematically violated both the letter and spirit of this agreement.

It has been said that the Helsinki accords, if observed by the signators, would be the greatest peace agreement of all time. Andrei Sakharov, the only Russian to be awarded the Nobel Peace Prize, warned that his government's failure to observe human rights is directly related to Soviet conduct in its external affairs.

Without compliance with the provisions of the Helsinki accords, voices of moderation in both internal and external affairs are silenced. These voices can have an impact on the Soviet Government. Witness the successful pressure Sakharov brought to bear on Khrushchev to accept President Kennedy's Nuclear Test Ban Treaty.

We have a right, and indeed an obligation, to insist on Soviet compliance with the provisions of this document. Since being elected to Congress, I along with a number of my colleagues in Congress have continuously written Soviet officials about the plight of Soviet Jews, especially refuseniks. We urge compliance with this agreement. This pressure will continue.

As we commemorate the plight of the Soviet Jew this Sunday, we will also reaffirm the West's moral obligation to work for easing Soviet repression of Jews and other minorities in that country. This obligation springs from a humanitarian commitment rooted in our cultural and political heritage. This commitment finds its expression in a desire to relieve suffering and see the human spirit flourish rather than languish.

At the same time, it should be recognized that our country has a direct interest in seeing the lot of the Soviet Jew improve. Soviet actions against its own citizens are an indication of what to expect of its behavior in the international arena. The more responsible the Soviets become at home, the more responsible they will be abroad. This is the lesson from Sakharov and what is meant by the statement that the Helsinki accords could be the greatest peace document of all time.●

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 127

Whereas, on May 5, 1985, the eighty-five constituent agencies of the Coalition to Free Soviet Jewry (formerly the Greater New York Conference on Soviet Jewry) will sponsor "Solidarity Sunday" to reaffirm the resolve to secure freedom for Soviet Jews and beleaguered people everywhere;

Whereas Americans of all faiths and from all regions of the country will join with the Coalition on that day in activities expressing the solidarity of our people with the almost three million Jews in the Soviet Union;

Whereas the right to emigrate freely and to be reunited with families abroad is being denied Soviet Jews and others, in clear violation of the Universal Declaration of Human Rights, the Helsinki Final Act of 1975 and the Final Document of the Madrid Conference, signed in 1983;

Whereas Soviet Jewish emigration has dropped alarmingly from a high of fifty-one thousand three hundred and twenty in 1979 to just eight hundred and ninety-six in all of 1984;

Whereas the Government of the Soviet Union has implemented new emigration restrictions designed to make the process of obtaining a visa even more arduous;

Whereas those Soviet Jews and other persons who have applied to leave the Soviet Union have been subjected to expulsion from jobs and schools, exile from major Soviet cities and constant surveillance and harassment;

Whereas the Government of the Soviet Union is denying all its Jewish citizens even those rights and privileges accorded other recognized religions in the Soviet Union;

Whereas the Government of the Soviet Union has sharply increased its discrimination against Jewish culture and religion by arresting Hebrew teachers on false criminal charges, attacking Hebrew teaching circles as "subversive," and promoting anti-Semitic ideology under the cloak of "anti-Zionism";

Whereas the Government of the Soviet Union will not succeed in isolating Soviet Jews from friends in the West so long as those who cherish liberty and human rights continue to speak out on behalf of beleaguered people everywhere;

Whereas the recent appointment of Mikhail Gorbachev as General Secretary of the Communist Party of the Soviet Union renews hope for a United States-Union of Soviet Socialist Republics dialog concerning liberalization of Soviet policies regarding Soviet Jews and other minorities;

Whereas "Solidarity Sunday for Soviet Jewry" will serve as an expression of our determination to continue efforts to obtain freedom for Soviet Jewish Prisoners of Conscience, to have exit visas granted to veteran refuseniks who have sought permission to emigrate for up to fifteen years, and to secure the free exercise of religious beliefs and cultural expression for all minorities: Now, therefore, be it

Resolved, That the House of Representatives supports "Solidarity Sunday for Soviet Jewry" on May 5, 1985.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 405, nays 0, answered "present" 1, not voting 28, as follows:

[Roll No. 94]

YEAS—405

Ackerman	Bevill	Campbell
Addabbo	Biaggi	Carney
Akaka	Bilirakis	Carper
Alexander	Bliley	Carr
Anderson	Boehlert	Chandler
Andrews	Boggs	Chappie
Annunzio	Boland	Cheney
Anthony	Boner (TN)	Clay
Applegate	Bonior (MI)	Clinger
Archer	Bonker	Coats
Armey	Borski	Cobey
Aspin	Boucher	Coble
Atkins	Boulter	Coelho
AuCoin	Boxer	Coleman (MO)
Badham	Breaux	Coleman (TX)
Barnard	Brooks	Collins
Barnes	Broomfield	Combest
Bartlett	Brown (CA)	Conte
Barton	Brown (CO)	Conyers
Bateman	Bruce	Cooper
Bates	Bryant	Coughlin
Bedell	Burton (CA)	Courter
Beilenson	Burton (IN)	Coyne
Bennett	Bustamante	Craig
Bentley	Byron	Crane
Bereuter	Callahan	Crockett
Daniel	Ireland	O'Brien
Dannemeyer	Jacobs	Oakar
Darden	Jeffords	Oberstar
Daschle	Jenkins	Obey
Daub	Johnson	Olin
Davis	Jones (NC)	Ortiz
de la Garza	Jones (OK)	Owens
DeLay	Jones (TN)	Oxley
DeWine	Kanjorski	Panetta
Dickinson	Kaptur	Pashayan
Dicks	Kasich	Pease
Dingell	Kastenmeier	Penny
DioGuardi	Kemp	Pepper
Donnelly	Kennelly	Perkins
Dorgan (ND)	Kildee	Petri
Dornan (CA)	Kindness	Pickle
Dowdy	Kleczka	Porter
Downey	Kolbe	Price
Dreier	Kolter	Pursell
Duncan	Kostmayer	Quillen
Durbin	Kramer	Rahall
Dwyer	LaFalce	Rangel
Dymally	Lagomarsino	Ray
Early	Lantos	Regula
Eckart (OH)	Latta	Reid
Eckert (NY)	Leach (IA)	Richardson
Edgar	Leath (TX)	Ridge
Edwards (CA)	Lehman (CA)	Rinaldo
Edwards (OK)	Lehman (FL)	Ritter
Emerson	Leland	Roberts
English	Lent	Robinson
Erdreich	Levin (MI)	Rodino
Evans (IA)	Levine (CA)	Roe
Evans (IL)	Lewis (CA)	Roemer
Fascell	Lewis (FL)	Rogers
Fawell	Lightfoot	Rose
Fazio	Lipinski	Rostenkowski
Feighan	Lloyd	Roth
Fiedler	Loeffler	Roukema
Fields	Lott	Rowland (CT)
Fish	Lowry (WA)	Rowland (GA)
Flippo	Lujan	Roybal
Florio	Luken	Russo
Foglietta	Lundine	Sabo
Foley	Lungren	Saxton
Ford (MI)	Mack	Schaefer
Ford (TN)	MacKay	Scheuer
Fowler	Madigan	Schneider
Frank	Manton	Schroeder
Franklin	Markey	Schuette
Frenzel	Marlenee	Schulze
Frost	Martin (IL)	Schumer
Fuqua	Martin (NY)	Sensenbrenner
Gallo	Martinez	Sharp
Garcia	Matsui	Shaw
Gaydos	Mavroules	Shelby
Gejdenson	Mazzoli	Shumway
Gekas	McCain	Shuster
Gephardt	McCandless	Sikorski
Gibbons	McCloskey	Siljander
Gilman	McCollum	Sisisky
Glickman	McCurdy	Skeen
Gonzalez	McDade	Skelton
Goodling	McEwen	Slattery
Gordon	McGrath	Slaughter
Gradison	McHugh	Smith (FL)
Gray (IL)	McKernan	Smith (IA)
Gray (PA)	McKinney	Smith (NE)
Green	McMillan	Smith (NH)
Gregg	Meyers	Smith (NJ)
Grotberg	Mica	Smith, Denny
Guarini	Michel	Smith, Robert
Gunderson	Mikulski	Snowe
Hall (OH)	Miller (CA)	Snyder
Hall, Ralph	Miller (OH)	Solarz
Hamilton	Miller (WA)	Solomon
Hammerschmidt	Mineta	Spence
Hansen	Mitchell	Spratt
Hatcher	Moakley	St Germain
Hayes	Molinari	Staggers
Hefner	Monson	Stallings
Hendon	Montgomery	Stangeland
Henry	Moody	Stark
Hertel	Moore	Stenholm
Hiler	Moorhead	Stokes
Hillis	Morrison (CT)	Strang
Holt	Morrison (WA)	Stratton
Hopkins	Mrazek	Studds
Horton	Murphy	Stump
Howard	Murtha	Sundquist
Hoyer	Natcher	Sweeney
Hubbard	Neal	Swift
Hughes	Nelson	Swindall
Hunter	Nichols	Synar
Hutto	Nielson	Tallon
Hyde	Nowak	Tauke
Tauzin	Volkmer	Williams
Taylor	Vucanovich	Wirth
Thomas (CA)	Walgren	Wise
Thomas (GA)	Walker	Wolf
Torres	Watkins	Wolpe
Torricelli	Waxman	Wortley
Towns	Weber	Wyden
Traficant	Weiss	Yates
Traxler	Wheat	Yatron
Udall	Whitehurst	Young (AK)
Valentine	Whitley	Young (FL)
Vento	Whittaker	Young (MO)
Visclosky	Whitten	Zschau

ANSWERED "PRESENT"—1

Mollohan

NOT VOTING—28

Berman	Hartnett	Rudd
Bosco	Hawkins	Savage
Broyhill	Heftel	Seiberling
Chappell	Huckaby	Vander Jagt
Dellums	Livingston	Weaver
Derrick	Long	Wilson
Dixon	Lowery (CA)	Wright
Dyson	Myers	Wylie
Gingrich	Packard	
Hall, Sam	Parris	

□ 1210

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DELLUMS. Mr. Speaker, on rollcall No. 94 this gentleman was unavoidably detained and thus unable to vote.

Had the gentleman been present, he would have voted "aye" in favor of the resolution.

REQUEST FOR PERMISSION FOR SUBCOMMITTEE ON SELECT EDUCATION OF COMMITTEE ON EDUCATION AND LABOR TO SIT DURING 5-MINUTE RULE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Select Education of the Committee on Education and Labor be permitted to meet this May 2 during the 5-minute rule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

Mr. NIELSON of Utah. Mr. Speaker, I object. This has not been cleared by the minority.

The SPEAKER pro tempore. Objection is heard.

Messrs. ROTH, WALKER, COBEY, COBLE, BOULTER, SHAW, LEWIS of Florida, MOORE, and KOLBE also objected.

The SPEAKER pro tempore. A sufficient number has objected.

Objection is heard.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 13

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the name of the gentleman from North Carolina,

Mr. WILLIAM COBEY, JR., be taken off the cosponsor list for the bill, H.R. 13.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. FOLEY asked and was given permission to address the House for 1 minute.)

Mr. FOLEY. Mr. Speaker, I have asked for this time for the purpose of informing the Members of the plans for the schedule of the House for the coming week.

Mr. Speaker, the House will meet at noon on Monday. There will be four bills under suspension of the rules, the votes to be postponed until Tuesday. They are:

H.R. 664, amending the Panama Canal Act of 1979, regarding interest payments.

S. 597, technical amendments to United States Code, title 46, regarding codification.

H.R. 2148, authorization for the U.S. Mint.

H.R. 2268, the Israel free trade bill.

On Tuesday, May 7, the House will meet at noon to consider the Private Calendar and to consider recorded votes ordered on suspensions debated on Monday, May 6, and H.R. 2068, State Department and related agencies' authorizations for fiscal year 1986 and 1987, to complete consideration.

On Wednesday and the balance of the week, the House will meet at noon on Wednesday and 11 o'clock during the balance of the week to consider the conference report on H.R. 1869, repeal of contemporaneous recordkeeping requirements of the Tax Act of 1974, the so-called auto log bill.

H.R. 1784, the Panama Canal authorization, subject to a rule being granted.

H.R. 1157, the maritime authorization, subject to a rule being granted.

H.R. 1555, Foreign Assistance Act authorizations, under an open rule with 1 hour of debate.

This announcement is made contingent on the usual understanding that conference reports may be brought up at any time, and any further program may be announced later.

ADJOURNMENT TO MONDAY, MAY 6, 1985

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

HOUR OF MEETING ON WEDNESDAY, MAY 8, 1985

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, it adjourn to meet at noon on Wednesday, May 8, 1985.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

REQUEST TO DISPENSE WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. LUNGREN. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

MAKING IN ORDER ON WEDNESDAY, MAY 8, 1985, OR ANY DAY THEREAFTER, CONSIDERATION OF CONFERENCE REPORT ON H.R. 1869, REPEAL OF CONTEMPORANEOUS RECORDKEEPING REQUIREMENTS OF TAX ACT OF 1984

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that it be in order to call up the conference report to accompany the bill (H.R. 1869) to repeal the contemporaneous recordkeeping requirements added by the Tax Reform Act of 1984, and for other purposes. On Wednesday, May 8, 1985, or any day thereafter, and that all points of order against the conference report or its consideration be waived, and that the conference report be considered as having been read when called up.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. MICHEL. Reserving the right to object, Mr. Speaker, would the distinguished gentleman tell us what we are doing here?

Mr. ROSTENKOWSKI. Mr. Speaker, the bill is pretty consistent with what the House has passed. As a matter of fact, the Senate had receded on most of the amendments that they had offered, mainly because it was not revenue neutral.

This bill, I might suggest, is revenue neutral.

Mr. MICHEL. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DR. JONAS E. SALK DAY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 258) to designate May 6, 1985, as "Dr. Jonas E. Salk Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object but simply would like to inform the House that the minority has no objections to the legislation now being considered.

Mr. Speaker, as one of the chief cosponsors of House Joint Resolution 258 I rise in full support of the resolution designating May 6, 1985, as "Dr. Jonas E. Salk Day."

Today it is difficult for us to imagine the devastation caused by the polio epidemic. In 1952 this dreaded disease struck over 60,000 persons and killed over 3,000.

The Salk vaccine which was licensed 30 years ago reduced the incidence of polio in the United States by 97 percent and has all but disappeared.

Mr. Speaker, I ask my colleagues to join me in supporting this resolution which would commemorate the anniversary of the vaccine which ended this terrifying disease of polio as well as the man Dr. Jonas E. Salk for his outstanding contribution to our Nation and to the world.

● Mr. SCHEUER. Mr. Speaker, on May 6, 1985, the CUNY Board of Trustees is sponsoring a dinner to honor Dr. Jonas E. Salk on the 30th anniversary of one of the greatest triumphs in the history of medical research—the introduction of the first successful vaccine against polio.

Today, it may be difficult to grasp the enormous fear of the menace of death or paralysis by polio which gripped the Nation before Dr. Salk discovered the vaccine. Polio claimed 60,000 victims a year at its peak. Now, 30 years later, it has long since all but disappeared.

The unveiling of the vaccine set off a nationwide celebration and Dr. Salk was justifiably recognized as a national hero. Never before had the quest for a preventive for a terrifying epidemic disease ended in an interval as short as that of the struggle against polio.

We, as New Yorkers, have reason to be especially proud of this man and his accomplishments. Jonas Salk was born in New York City in 1914, and attended the city's public schools. In his freshman year at City College of New York, his early desire to be a lawyer gave way to his passion for science. He

received his B.S. from City College in 1934, and entered New York University College of Medicine and was awarded his M.D. in 1939.

On the occasion of this dinner in his honor, the proceeds of which will support the Jonas E. Salk Scholarships for Medical Study, the House of Representatives passed today House Joint Resolution 258 designating May 6, 1985, as "Dr. Jonas E. Salk Day." In view of this anniversary and Dr. Salk's lifelong accomplishments, it is only fitting and proper that Congress recognize him in this manner.

On behalf of my colleagues, I convey the thanks of a grateful citizenry to Dr. Salk.●

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 258

Whereas Dr. Jonas E. Salk discovered the first effective vaccine against poliomyelitis that was approved for widespread use in 1955 and was awarded a congressional gold medal for the discovery;

Whereas poliomyelitis epidemics were a fact of life in the United States before the Salk vaccine was discovered;

Whereas during the most severe epidemic of poliomyelitis, which occurred in 1952, 57,626 persons were stricken with the disease and 3,330 persons died;

Whereas the incidence of poliomyelitis in the United States was reduced by 97 percent through the use of the Salk vaccine before another effective vaccine against the disease was discovered;

Whereas Dr. Salk still serves the Salk Institute for Biological Studies, which he founded in 1963, as a distinguished professor of international health sciences;

Whereas the Salk Institute for Biological Studies, under the leadership of Dr. Salk, has earned a reputation for being in the vanguard of basic biological research on molecular-cellular mechanisms in genetics, immunology, and neurobiology;

Whereas on May 6, 1985, the City University of New York will host a dinner to honor Dr. Salk, who is a graduate of the City College of New York, and to celebrate the 30th anniversary of the licensing of the Salk vaccine for public use;

Whereas the proceeds from the honorary dinner for Dr. Salk will be used to support the Jonas E. Salk Scholarships for Medical Study; and

Whereas the historic achievement of Dr. Salk deserves recognition: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 6, 1985, hereby is designated "Dr. Jonas E. Salk Day", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL COMMUNITY COLLEGE MONTH

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 125), designating May 1985 as "National Community College Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Reserving the right to object, Mr. Speaker, I do not object, but simply would like to inform the House that the majority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation, I would like to yield to the gentleman from Alaska [Mr. YOUNG] who is the chief sponsor of House Joint Resolution 125.

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for yielding.

I am asking for your support today in my effort to declare October 1985 as National Community College Month. Now is the time for us to recognize the contributions that community colleges have made to our Nation, and this bill is a good way to make all of America aware of the importance of community colleges as a part of our fine educational system.

Community, technical, and junior colleges educate more than half of all first- and second-year students enrolled in postsecondary institutions. They prepare people for employment in over 1,400 different occupations, and are usually within reasonable commuting distance for more than 90 percent of all Americans. The cost of going to community, technical, and junior colleges is low, with an average tuition of $501 a year. Black, Hispanic, American Indian, and Alaskan Native credit students are represented at higher than average population rates in these institutions, enrolling more than half of all minority undergraduates attending postsecondary institutions.

More than 97 percent of the congressional districts in the United States have at least one community, technical, or junior college, educating a total of over 11.41 million Americans in 1981 alone. For many of them, it is their first, and sometimes only, chance for postsecondary learning—and they are of benefit to us all.

In the great State of Alaska, we have a network of 11 community colleges, which serve a large number of students who would not ordinarily be able to continue their educations—from teenagers, to senior citizens, to mechanics, to housewives. All of these people want to learn, and because of their different schools' locations, course offerings, and schedules, they are able to do so. From what they discover in community colleges, many students go on to continue their academic careers, while others switch jobs, and yet others continue what they are doing, content in their newfound knowledge. These colleges, which are in varied locations from the farthest northern educational institution in North America, where snow and darkness are the weather words for all of winter, to another in Ketchikan, where the temperature averages in the fifties the year round, with about as much snow as Raleigh, NC, are important parts of their communities. Almost everybody in Alaska, which is almost half the size of the continental United States, lives within reach of these institutions, which means that they have the opportunities that only an education can bring.

Please join me and 223 cosponsors in our support of "National Community College Month." Now is the time to salute community colleges for all of their contributions to this great Nation.

Mr. LUNGREN. Mr. Speaker, reserving the right to object, I do so to make an inquiry of the Chair as to whether or not the unanimous consent is for the purpose of consideration only.

The SPEAKER pro tempore. The gentleman is correct.

Mr. LUNGREN. Mr. Speaker, I withdraw my reservation of objection.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 125

Whereas, in the fall of 1981, there were over 1,219 community, technical, and junior colleges in which 40 percent of all undergraduate college students in the United States were enrolled;

Whereas such colleges prepare people for employment in over 1,400 different occupations or for transfer to 4-year colleges and universities;

Whereas such colleges are within reasonable commuting distance for more than 90 percent of all Americans;

Whereas such colleges provide an opportunity to obtain a post-secondary education at low cost for many people who could not otherwise afford one; and

Whereas such colleges are community-based institutions which provide flexible and diverse programs and services tailored to fit the needs of their local populations and industries: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 1985 is designated as "National Community College Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARCIA: Page 2, line 3, strike out "May" and insert in lieu thereof "October".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. GARCIA].

The amendment was agreed to.

Mr. GARCIA. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LUNGREN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 24, as follows:

[Roll No. 95]

YEAS—410

Ackerman	Callahan	Early
Addabbo	Campbell	Eckart (OH)
Akaka	Carney	Eckert (NY)
Alexander	Carper	Edgar
Anderson	Carr	Edwards (CA)
Andrews	Chandler	Edwards (OK)
Annunzio	Chappie	Emerson
Anthony	Cheney	English
Applegate	Clay	Erdreich
Archer	Clinger	Evans (IA)
Armey	Coats	Evans (IL)
Aspin	Cobey	Fascell
Atkins	Coble	Fawell
AuCoin	Coelho	Fazio
Badham	Coleman (MO)	Feighan
Barnard	Collins	Fiedler
Barnes	Combest	Fields
Bartlett	Conte	Fish
Barton	Conyers	Flippo
Bateman	Cooper	Florio
Bates	Coughlin	Foglietta
Bedell	Courter	Foley
Beilenson	Coyne	Ford (MI)
Bennett	Craig	Ford (TN)
Bentley	Crane	Fowler
Bereuter	Crockett	Frank
Bevill	Daniel	Franklin
Biaggi	Dannemeyer	Frenzel
Bilirakis	Darden	Frost
Bliley	Daschle	Fuqua
Boehlert	Daub	Gallo
Boggs	Davis	Garcia
Boland	de la Garza	Gaydos
Boner (TN)	DeLay	Gejdenson
Bonker	Dellums	Gekas
Borski	DeWine	Gephardt
Boucher	Dickinson	Gibbons
Boulter	Dicks	Gilman
Boxer	Dingell	Gingrich
Breaux	DioGuardi	Glickman
Brooks	Donnelly	Gonzalez
Broomfield	Dorgan (ND)	Goodling
Brown (CA)	Dornan (CA)	Gordon
Brown (CO)	Dowdy	Gradison
Broyhill	Downey	Gray (IL)
Bruce	Dreier	Gray (PA)
Bryant	Duncan	Green
Burton (CA)	Durbin	Gregg
Burton (IN)	Dwyer	Grotberg
Bustamante	Dymally	Guarini
Byron	Dyson	Gunderson
Hall (OH)	McCollum	Schumer
Hall, Ralph	McCurdy	Seiberling
Hamilton	McEwen	Sensenbrenner
Hammerschmidt	McGrath	Sharp
Hansen	McHugh	Shaw
Hatcher	McKernan	Shelby
Hayes	McKinney	Shumway
Hefner	McMillan	Shuster
Heftel	Meyers	Sikorski
Hendon	Mica	Siljander
Henry	Michel	Sisisky
Hertel	Mikulski	Skeen
Hiler	Miller (OH)	Skelton
Hillis	Miller (WA)	Slattery
Holt	Mineta	Slaughter
Hopkins	Mitchell	Smith (FL)
Horton	Moakley	Smith (IA)
Howard	Molinari	Smith (NE)
Hoyer	Mollohan	Smith (NH)
Hubbard	Monson	Smith (NJ)
Hughes	Montgomery	Smith, Denny
Hunter	Moody	Smith, Robert
Hutto	Moore	Snowe
Hyde	Moorhead	Snyder
Ireland	Morrison (CT)	Solarz
Jacobs	Morrison (WA)	Solomon
Jeffords	Mrazek	Spence
Jenkins	Murphy	Spratt
Johnson	Murtha	St Germain
Jones (NC)	Natcher	Staggers
Jones (OK)	Neal	Stallings
Jones (TN)	Nelson	Stangeland
Kanjorski	Nichols	Stark
Kaptur	Nielson	Stenholm
Kasich	Nowak	Stokes
Kastenmeier	O'Brien	Strang
Kemp	Oakar	Stratton
Kennelly	Oberstar	Studds
Kildee	Olin	Stump
Kindness	Ortiz	Sundquist
Kleczka	Owens	Sweeney
Kolbe	Oxley	Swift
Kolter	Packard	Swindall
Kostmayer	Panetta	Synar
Kramer	Pashayan	Tallon
LaFalce	Pease	Tauke
Lagomarsino	Penny	Tauzin
Lantos	Pepper	Taylor
Latta	Perkins	Thomas (CA)
Leach (IA)	Petri	Thomas (GA)
Leath (TX)	Pickle	Torres
Lehman (CA)	Porter	Torricelli
Lehman (FL)	Price	Traficant
Leland	Pursell	Traxler
Lent	Quillen	Udall
Levin (MI)	Rahall	Valentine
Levine (CA)	Rangel	Vento
Lewis (CA)	Ray	Visclosky
Lewis (FL)	Regula	Volkmer
Lightfoot	Reid	Vucanovich
Lipinski	Richardson	Walgren
Lloyd	Ridge	Walker
Loeffler	Rinaldo	Watkins
Long	Ritter	Waxman
Lott	Roberts	Weber
Lowery (CA)	Robinson	Weiss
Lowry (WA)	Rodino	Wheat
Lujan	Roe	Whitehurst
Luken	Roemer	Whitley
Lundine	Rogers	Whittaker
Lungren	Rose	Whitten
Mack	Rostenkowski	Williams
MacKay	Roth	Wilson
Madigan	Roukema	Wirth
Manton	Rowland (CT)	Wise
Markey	Rowland (GA)	Wolf
Marlenee	Roybal	Wolpe
Martin (IL)	Russo	Wortley
Martin (NY)	Sabo	Wyden
Martinez	Saxton	Wylie
Matsui	Schaefer	Yatron
Mavroules	Scheuer	Young (AK)
Mazzoli	Schneider	Young (FL)
McCain	Schroeder	Young (MO)
McCandless	Schuette	Zschau
McCloskey	Schulze	

NOT VOTING—24

Berman	Hartnett	Parris
Bonior (MI)	Hawkins	Rudd
Bosco	Huckaby	Savage
Chappell	Livingston	Towns
Coleman (TX)	McDade	Vander Jagt
Derrick	Miller (CA)	Weaver
Dixon	Myers	Wright
Hall, Sam	Obey	Yates

□ 1240

Mr. DICKINSON changed his vote from "nay" to "yea."

So the joint resolution was passed.

The result of the vote was announced as above recorded.

TITLE AMENDMENT OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amendment to the title offered by Mr. GARCIA: Amend the title so as to read: "Joint resolution designating October 1985 as 'National Community College Month.'"

The amendment to the title was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LOWERY of California. Mr. Speaker, on rollcall No. 95 I was unavoidably absent from the Hill in a meeting with the Chamber of Commerce. Had I been present I would have voted "aye."

PERSONAL EXPLANATION

Mr. PACKARD. Mr. Speaker, I also was unavoidably absent on rollcall No. 95. I would like the record to show that I would have voted "aye" had I been present.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will announce that 1-minute speeches will be taken after the day's business.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1977

Mr. RICHARDSON. Mr. Speaker, I respectfully request unanimous consent of my colleagues that my name be removed as a cosponsor of H.R. 1977.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 1986 AND 1987

The SPEAKER pro tempore. Pursuant to House Resolution 137 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2068.

□ 1248

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2068) to authorize appropria-

tions for fiscal years 1986 and 1987 for the Department of State, the U.S. Information Agency, the Board of International Broadcasting, and for other purposes, with Mr. PEASE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Florida [Mr. MICA] will be recognized for 30 minutes and the gentlewoman from Maine [Ms. SNOWE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. MICA].

□ 1250

Mr. MICA. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I rise in strong support of H.R. 2068, authorizing appropriations for the Department of State, U.S. Information Agency, and other purposes for fiscal years 1986 and 1987.

At the outset, I want to express my admiration for the superb effort on the part of the managers of this important authorization legislation: The chairman of the Subcommittee on International Operations, the gentleman from Florida [Mr. MICA]; and the ranking minority member, the gentlelady from Maine [Ms. SNOWE]. They and their colleagues on the subcommittee worked together in a fully bipartisan manner to produce an excellent authorization package for our foreign affairs agencies which is both fiscally responsible and sound in a foreign policy sense.

The bill has already been explained in detail by the managers, so I will take this opportunity to emphasize briefly the following points:

The Committee on Foreign Affairs, which I have the honor of chairing, has made a special effort this year to produce authorizing legislation which is supportive of our foreign policy priorities and cognizant of the need to bring down the deficit. As a result this bill and the foreign aid authorization are essentially frozen at the current appropriation levels in the aggregate. Later in the process today the managers of the bill will offer an amendment which will have the effect of exactly freezing the aggregate total authorization in H.R. 2068 at the current appropriation estimate for the programs and operating expenses covered in the legislation. I urge the unanimous adoption of the Mica-Snowe freeze amendment.

This legislation also reflects the continuing interest of the committee in shoring up the security of our diplomatic posts abroad and in combating international terrorism by providing additional funds to increase and strengthen the local security guard program at high threat posts. I would like to commend Subcommittee Chairman MICA for his outstanding performance in this area both through the committee and as a member of the Secretary of State's Advisory Panel on the Security of U.S. Missions Abroad.

H.R. 2068 contains several provisions included in an omnibus antinarcotics bill, H.R. 1768, which was introduced by this gentleman and 14 cosponsors last month. These provisions will upgrade the Department of State's personnel system with respect to its International Narcotics Control Program, require a centralized information sharing system concerning drug traffickers to prevent visas from being granted to known traffickers, and encourage the negotiation of upgraded extradition treaties on narcotics offenses with major drug-producing countries.

Finally, I would like to take this opportunity to commend Secretary of State Shultz for his initiative, in cooperation with the Committee on Foreign Affairs, to upgrade the international communication and information policy function within the Department.

Mr. Speaker, in closing my remarks, I quote Secretary Shultz from his letter to the committee in support of H.R. 2068: "Mr. Chairman, your committee has reported a good bill in harsh times. I appreciate your support and that of your committee. It is an excellent example of bipartisan professionalism." I will include the complete text of the Secretary's letter at the end of my remarks.

Mr. Speaker, this is a good bill. It adequately addressed the needs of our foreign affairs agencies while, at the same time, freezing spending levels at current estimates for fiscal year 1985. I urge the adoption of H.R. 2068.

THE SECRETARY OF STATE,
Washington, April 20, 1985.

Hon. DANTE B. FASCELL,
Chairman, Committee on Foreign Affairs, House of Representatives.

DEAR MR. CHAIRMAN: As the time for House consideration of the State Authorization bill, H.R. 2068, approaches, I would like to share with you my thoughts on the activities and needs of the Department of State, the Foreign Service and all the other official Americans abroad which this Department services and protects. The State Department title of this bill will have a direct effect not only on the Department's ability to carry out its national security duties, but also on the safety and lives of thousands of official Americans of all agencies who serve in exposed positions abroad.

Mr. Chairman, your committee has reported a good bill in harsh times. I appreciate your support and that of your Committee. It is an excellent example of bipartisan professionalism.

Given the difficult budgetary situation, I made some hard choices in sending up a bill that for the first time in fourteen years is a decrease from the previous year's funding levels for the Department. I had to set difficult priorities; I put first things first. Consequently, I was gratified that your committee recognized my view of our priorities as a principal national security arm of the U.S. Government. Our shared priorities are:

The need to increase the protection for all official Americans abroad (here I welcome your inclusion of funds for additional overseas guard forces), and

The need in these dangerous times to enhance the Department's ability to report on the attitudes and intentions of foreign governments and derive from that information the recommendations that I make to the President.

As I made the difficult choices, I had before me the fact that over the last two years hostile forces had succeeded in killing twenty-one Americans assigned to Foreign Service posts. I do not want that repeated. H.R. 2068 represents the absolute bottom line in resources I believe are needed to increase our security. I have struck a sharp but delicate balance between the resources needed to protect our people abroad and the resources they need to do their job abroad. Any decrease in the overall level of resources will upset that balance. Our budget, which reflects the realities of our operation, is such that the only way we could adjust to additional cuts would be to postpone vitally important security projects.

If our already austere budget is cut further, I will be obliged to tell our people abroad that they will have to continue to run heightened risks, that we cannot provide them with the additional protection that we all recognize they should have. These people are professionals, and I am confident that they will accept those risks, but, I hope we can avoid such a situation.

Mr. Chairman, our needs are clear. We need better reporting and intelligence, we need better analysis, we need to continue to assist Americans abroad, and we need to protect our people who carry out these activities in the most effective fashion. I think it is absolutely essential that H.R. 2068 be approved without any decrease in the Department's funding.

I know you and your Committee share our concerns, and I want you to know, Mr. Chairman, that we appreciate the support you have given us, and we look forward to continuing to work with you.

Sincerely yours,

GEORGE P. SHULTZ.

Mr. MICA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, after 2 weeks we finally come to the floor to discuss this legislation which I think is vital to our Nation and to our national interest.

First I would like to commend Chairman FASCELL for the guidance and wisdom he has offered us in dealing with this legislation. This was the committee the chairman chaired prior to my chairmanship, and he has been invaluable in the information and guidance.

Also I would like to commend my ranking minority member, the gentlewoman from Maine [Ms. SNOWE]. I think it is safe to say that every single issue in this bill has been worked as a bipartisan issue, and every major concern has been worked in a way that I believe the vote was unanimous on every point of contention in the legislation.

I cannot think of an individual who I would have work as the minority

member and serve the way she has, in such an honorable and professional way, and I think this bill at this time probably is the best legislation that could come before the House because of the true spirit of bipartisanship and professionalism that has been exhibited by both the minority and the majority, and I truly appreciate it.

Mr. Chairman, what we have before us today for consideration, H.R. 2068, is not the foreign aid bill, I repeat, not the foreign aid bill. H.R. 2068 is the State Department authorization bill which authorizes appropriations for the State Department, U.S. Information Agency, and the Board for International Broadcasting.

Title I of the bill funds the Department of State and has direct effect over the Department's ability to carry out its duties.

Mr. Chairman, as I see it, this bill contains funding for two very vital activities of the United States. First, it will allow the Department of State to carry out its national security duties, but also allow the Department to provide for the safety of the lives of thousands of official Americans of all agencies who serve in positions abroad.

Second, it provides the funding for essential modernization and operations of Voice of America, Radio Free Europe, and Radio Liberty.

In VOA alone more than 80 percent of their transmitters are 15 years old or older. In fact, one of the transmitters that America is operating today is a transmitter that we captured during World War II from the Nazis. We are talking about trying to modernize these transmitters and make some changes that are long overdue. More than 35 percent are 30 years old or older. VOA manufactures its own replacement parts for some of its antiquated equipment. Essentially they do this because the people who made the parts for the transmitters are no longer in business because no one else in the world uses these parts.

We are woefully behind Radio Moscow in the number of hours broadcast and the number of broadcast languages. And we aren't even in second place behind Radio Moscow; we trail behind many other nations in the comparative hours we broadcast worldwide. We rank fifth among other nations in hours broadcast to Africa, fifth in hours broadcast to Latin America and the Caribbean, sixth in hours broadcast to Eastern Europe, and sixth in hours broadcast to East Asia.

I am quoting, if I may, from Secretary Shultz, and he says:

DEAR MR. CHAIRMAN: As the time for House consideration of the State Authorization bill, H.R. 2068, approaches, I would like to share with you my thoughts on the activities and needs of the Department of State, the Foreign Service and all the other official Americans abroad which this Department services and protects. The State Department title of this bill will have a direct effect not only on the Department's ability to carry out its national security duties, but also on the safety and lives of thousands of official Americans of all agencies who serve in exposed positions abroad.

Mr. Chairman, your committee has reported a good bill in harsh times. I appreciate your support and that of your Committee. It is an excellent example of bipartisan professionalism.

Given the difficult budgetary situation, I made some hard choices in sending up a bill that for the first time in fourteen years is a decrease from the previous year's funding levels for the Department. I had to set difficult priorities; I put first things first. Consequently, I was gratified that your committee recognized my view of our priorities as a principal national security arm of the U.S. Government. Our shared priorities are:

The need to increase the protection for all official Americans abroad (here I welcome your inclusion of funds for additional overseas guard forces), and

The need in these dangerous times to enhance the Department's ability to report on the attitudes and intentions of foreign governments and derive from that information the recommendations that I make to the President.

As I made that difficult choice, I had before me the fact that over the last two years hostile forces had succeeded in killing twenty-one Americans assigned to Foreign Services posts. I do not want that repeated. H.R. 2068 represents the absolute bottom line in resources I believe are needed to increase our security. I have struck a sharp but delicate balance between the resources needed to protect our people abroad and the resources they need to do their job abroad. Any decrease in the overall level of resources will upset that balance. Our budget, which reflects the realities of our operation, is such that the only way we could adjust to additional cuts would be to postpone vitally important security projects.

If our already austere budget is cut further, I will be obliged to tell our people abroad that they will have to continue to run heightened risks, that we cannot provide them with the additional protection that we all recognize they should have. These people are professionals, and I am confident that they will accept those risks, but, I hope we can avoid such a situation.

Mr. Chairman, our needs are clear. We need better reporting and intelligence, we need better analysis, we need to continue to assist Americans abroad, and we need to protect our people who carry out these activities in the most effective fashion. I think it is absolutely essential that H.R. 2068 be approved without any decrease in the Department's funding.

I know you and your Committee share our concerns, and I want you to know, Mr. Chairman, that we appreciate the support you have given us, and we look forward to continuing to work with you.

Sincerely yours,

GEORGE P. SHULTZ.

I might indicate that this legislation contains a little over $400 million for embassy security.

Mr. Chairman, Secretary Shultz said that H.R. 2068 represents the absolute bottom line and that he didn't want the events of the previous 2 years repeated. I know that every Member of this House shares that feeling. We have a very real obligation to our people serving in Foreign Service posts to provide them with the best possible protection, in many of those posts just a minimum amount of security may mean the difference between business as usual and disaster, but in other posts no amount of security can guarantee that a tragedy will not occur. Nevertheless, as Members of the House of Representatives we would be remiss in our duties not to see that the necessary funding is provided. H.R. 2068 provides those funds.

□ 1300

If you support this bill, you will be able to go home to your districts confident that you have done all you can to support the safety of our foreign service personnel.

The bill contains very few initiatives, actually no new initiatives. It is a continuation of last year's authority. Any increases are basically for security, protection of our foreign service people and facilities abroad, and the modernization effort that I mentioned earlier; the Voice of America, Radio Free Europe, and Radio Liberty.

I like to think of this bill as one that funds our peaceful resolutions to conflict situations. It is only when our diplomatic efforts fail abroad, when we lose the battle for the hearts and minds of men and women around the world, that we can be drawn into armed confrontation. In its current form it is almost a freeze level, it is currently $31,600,000 under the executive branch request, and I might say that long before we came to the floor and the other events preceding this, we moved to cut that amount.

As reported by the House Foreign Affairs Committee, it is only a few million dollars over the actual 1985 funding level. And I might point out at this time that the gentlewoman from Maine [Ms. SNOWE] and the chairman will offer an absolute freeze amendment at the appropriate time in this legislation so that we will end this legislation and vote on a bill with a total freeze.

Mr. Chairman, I would urge support of H.R. 2068. It represents our efforts to support our diplomats and our missions overseas and the commitment by this Congress to continue the radio modernization that we started 2 years ago and which was at least 20 years overdue.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Alabama.

Mr. DICKINSON. I am not sure that this is the appropriate time to bring this question up, but I have inquired and I am told that this bill does have to do with the housing, both Embassy and personnel in foreign countries and security matters, and so forth; am I correct in that assumption?

Mr. MICA. The gentleman is correct.

Mr. DICKINSON. Let me voice a concern that I have and see if the gentleman can help me at least build a record here.

As a member of the House Armed Services Committee, I necessarily have to travel in foreign countries, and it has been my experience in the past that there has been a very woeful lack of reciprocity between the United States and the countries with which we have diplomatic dealings and embassies, et cetera.

For instance, there have been some countries that we visited, Malaysia, for instance, where we were told we were not even allowed to own, the United States could not purchase and own property, that we had to rent property and pay 5 years rent in advance in order for us to put an AID mission to bring assistance to them, and we were not allowed to own property. Recently, in the last couple of years, I was in Mexico, for instance, and I was a house guest of our Ambassador Gavin. I have since heard from him as to the lack of reciprocity between Mexico and the United States in their limitation of the number of vehicles that our Embassy can own in that country or import into that country. We are talking about the limitation of numbers of personnel, the freedom to travel within a country. and there has been such a woeful lack of reciprocity between this country and other countries when they can come here and buy what they want, have as many employees as they want, they can travel as they please, they can own the number of vehicles they want, but we do not have the same rights and privileges in their country as we do in this country.

I was wondering if the gentleman, first, would agree that what I am saying is so; and, second, if he could inform us what, if anything, we are doing to try to remedy this imbalance of treatment between foreign countries and this country.

First, am I exaggerating the situation? Does it in fact exist?

Mr. MICA. Let me make this comment first, and then I will respond to the gentleman's concern: I would apologize to the ranking minority member for entering into the colloquy before the gentlewoman's opening statement, and we will try to keep this very brief and allow the opening statement, and we may be able to pick up on this colloquy after the opening statement.

Mr. DICKINSON. All right.

Mr. MICA. But let me just say, briefly: Absolutely, the chairman has concern and the committee has concern over the issues just mentioned. We intend to have some hearings and look into this and hold a closed briefing. We have raised the issue with the State Department.

I would say that in some cases our interest in being there overrides the problems we are having with the government because it is more beneficial to us, and in other instances we may have to take some tough actions that show that reciprocity would be demanded.

But if I may yield to the gentleman from Florida, we have discussed this matter with the gentleman from Florida [Mr. HUTTO].

Mr. HUTTO. I appreciate my colleague from Florida for yielding. The gentleman from Alabama has raised a very important issue. I do have a bill on the subject, House Joint Resolution 241, but it deals mainly with the reciprocity issue between the Soviet Union and the United States. As my colleague and all of you know, the Soviets have a great many more people in this country than we have there. As a matter of fact, I believe about 570 over here, and we have only 320 there. The CIA and the FBI have identified, I guess, at least half of them as being KGB agents.

So I do believe that there should be some reciprocity not only in the numbers of people but also in the status, the privileges that we allow them over here and we do not get there, immunities, accommodations, as the gentleman mentioned, travel facilities, and many other imbalances that we have between the Soviet Union and the United States. I am sure that this is not the only country. The gentleman has already alluded to Mexico and others. I was tempted to offer an amendment, but after talking to the gentleman from Florida and learning that he will hold hearings on this, I appreciate the fact that he is interested in it and will try to do something about what I think is a very serious problem that should have attention.

Mr. MICA. If I may reclaim my time, I will add that this will be a subject of oversight hearings. We felt it was appropriate under the Foreign Mission Act, which will be dealt with by the committee. There is serious concern.

I would simply add that we felt very strongly that to try to deal with it with a floor amendment, and we were attempting to do that, on the State Department authorization bill, with a subject that we understood we may need classified briefings on, was inappropriate. So I would assure each of the gentlemen that we will be holding hearings on it, and we will also be happy to notify them of the hearings and those classified briefings. The concerns expressed by each of the gentlemen here today are concerns of the committee and the chairman.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield further?

Mr. MICA. I will be glad to yield to the gentleman from Alabama.

Mr. DICKINSON. I can appreciate the subject matter and the concern of my good friend and colleague and neighbor to the south from Florida, dealing with the Soviet Union, which is just a part of the problem. My concern, really, is with the total problem, because it is not just whether they are Communists or non-Communist nations. I am talking about the treatment that the United States is accorded worldwide and has traditionally been the case, and I am pleased that we are, after lo these many years, getting concerned enough to have hearings, and I certainly would like to participate.

For instance, I just recently had a constituent in the Dominican Republic who entered into a contract with the government and which was signed by 12 of the officials of the government and had the seal on it. We are considering a $120 million grant to the Dominican Republic, and they vitiate a contract and will not give a reason, just say that they changed their minds. And so our dealings with foreign governments in the past have certainly not been evenhanded, as far as reciprocal respect and support for us, what we can and cannot do, and I would commend the gentleman for having the hearings that he has scheduled. I think it is much broader than just the Soviet Union. I think any small country that wants to in the past has kicked us in the shin with impunity, and we just kept giving them money and saying we do not want to make them mad, we do not want to lose a friend, when, in fact, we do not have their respect. I would rather have their respect than their friendship any time.

So let me thank the gentleman for yielding. I look forward to participating in his future hearings.

Mr. HUTTO. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Florida.

Mr. HUTTO. I certainly do not disagree with the gentleman from Alabama that it is a broader problem than just the United States and the Soviet Union. But I do think that this is a most critical issue because, as you know, we lose a lot of our technology to the Soviet Union, the Warsaw Pact nations, we put over $20 billion a year in military technology, and the Soviets oftentimes get a free ride.

I guess my question to the gentleman would be, would it be a different type of problem in dealing with our allies than it would in the Soviet Union? Does the gentleman think he will be able to mandate certain restrictions or certain privileges with a broad brush, or would you have to treat the countries a little different? I guess this would be the subject of hearings.

□ 1310

Mr. MICA. If I may reclaim my time, it would be my judgment that the committee could make selective reciprocity recommendations or changes in law. That would, obviously, be the judgment of the committee. But I would say to both gentlemen, each have raised what I consider a legitimate concern; both should be dealt with.

I would add that those are concerns that other Members have expressed, and I invite other Members: If you know of an instance like the one that was just mentioned on the floor, we would like to know about it. I, too, get mighty upset when I hear this kind of treatment to our individuals, our American businessmen, our American diplomats, and those of us who are trying to work around the world not receiving that type of reciprocity.

So we will look not only at the Soviet Union, but also at the other issues of our allies as we move into these hearings.

I yield to the gentleman from Florida.

Mr. HUTTO. I appreciate the gentleman doing that.

Mr. Chairman, it is my understanding that oftentimes nations, such as the Soviet Union, bring their own drivers, secretaries; they bring all that. Whereas we pump a little into the economy of these other nations by hiring from those nations which I think is a good thing.

I appreciate the gentleman yielding, and appreciate the fact that he is very interested in this problem of reciprocity, and I look forward to your hearings on that.

Ms. SNOWE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 2068, legislation authorizing appropriations for the Department of State, the U.S. Information Agency [USIA], and the Board for International Broadcasting [BIB] for fiscal years 1986 and 1987.

As the ranking Republican member on the Subcommittee on International Operations, I wish to associate myself with the remarks of my colleague, the gentleman from Florida, the chairman of our subcommittee. I believe the gentleman has provided a concise and effective overview of H.R. 2068 and I commend him for his hard work on this legislation.

I particularly want to commend the subcommittee chairman for admirable bipartisan spirit which he demonstrated during the several days of hearings held on the many complex aspects of operations and policies that this legislation addresses. I have truly enjoyed working with the gentleman from Florida and the other members and the staff of the subcommittee and the full committee as well.

I also want to thank the gentleman from Florida, the chairman of the full committee, for this kind words and also his willingness to work with us on these important issues as well.

Going through the bill on an agency-by-agency basis, I think that we have taken a rational and balanced approach toward the President's budget requests. The subcommittee, as agreed to by the full committee, recommends a funding level over $31 million less than the administration's request. However, the chairman and I plan to further reduce this funding level by introducing two amendments which will have the effect of freezing the funding for the Department of State, the U.S. Information Agency, and the Board of International Broadcasting at the fiscal year 1985 estimated appropriations levels.

At the appropriate time during the debate, Chairman MICA and I plan to introduce an amendment to title II of the bill which would result in the postponement of some of the Voice of America's modernization program and would reduce the authorization of the National Endowment of Democracy from $31.3 million to $19.3 million; and second, cut $15,353 million from the Voice of America's modernization program, causing merely a postponement of some of these programs.

After a comprehensive and bipartisan review by the members and staff of the subcommittee, it is clear to me that, in today's difficult budgetary climate, there is clear justification for some changes in emphasis or timing of some programs. The subcommittee has responded to this principle, and our amendment would allow for reductions in certain programs which would result in some program delays.

One of the most important elements of the State Department's budget is funding for an expansion of measures to improve the security of our embassies and consulates overseas. The tragic events of the past 2 years have impressed upon all of us the need for improvement in embassy security programs, not only at our Foreign Service posts, but in the State Department as well.

Our subcommittee held several hearings on the various aspects of embassy security programs. While we determined that the State Department has made progress with regard to complex organizational problems in Washington and abroad, we feel that much more can be done to solve these problems and improve security overseas.

We have acted favorably on the executive branch request for increased funds to meet these needs. We are pleased that the State Department has already responded to some of the recommendations the committee has made to enhance security measures for our embassies abroad, and we look forward to further progress in this regard.

In addition to the administration's request for security funds, we have added $7.5 million to continue critical foreign national security guard services for U.S. diplomatic missions abroad, since the security supplemental did not provide sufficient funds to continue their essential services during fiscal years 1986 and 1987. The foreign national guards perform vital services assisting our U.S. Marine guards by controlling perimeter access to our missions and related jobs.

The subcommittee slightly increased the State Department's recommended levels for the Asia Foundation to $10 million, which is the Foundation's current funding level, and added approximately $14.1 million for other purposes, including refugee resettlement in Israel and African relief. We are also recommending a decrease in the Department's international organization and conference account in order to fund the relief and resettlement activities I just mentioned.

In order to reassert a more appropriate measure of congressional involvement in important aspects of foreign affairs, we recommended the passage of a new section 104 to repeal the permanent authorization for U.S. payments to the United Nations for expenses of the U.N. peacekeeping force in the Middle East. This move would require the Secretary of State to come to the Congress for both authorization and appropriation of such funds.

I also agree with the gentleman from Florida and other members of the subcommittee that the administration has not consulted adequately with Congress with regard to alternative means of assuring that nongovernmental U.S. bodies would continue to participate in useful Unesco activities. In an effort to at least assure that we maintain a modicum of contact between the U.S. Government and private sectors and Unesco, we have recommended a new section 105 to earmark $250,000 from the State Department's administration of foreign affairs account to fund the U.S. National Commission on Unesco. This section meshes well with the administration's policy of encouraging greater private sector participation in U.N. activities.

I have been pleased to participate in the development of a number of amendments to this legislation in the narcotics field, especially section 124, which would instruct those U.S. Government agencies involved in controlling the serious drug problem in this country, particularly the State Department and the Drug Enforcement Administration, to cooperate with each other to prevent drug traffickers from traveling to this country, rather than perpetuate the rivalries that

have stymied such efforts in recent years.

With regard to USIA, I support the decreases recommended in this bill, a savings of $24 million in fiscal year 1986 alone. While I support the continuing modernization of the Voice of America, I agree that some of the future modernization stages can be delayed without jeopardizing them.

I also feel strongly that the funds requested by the executive branch for an expansion of the Worldnet TV Program would be better spent at this time to expand the Agency's programs to translate and publish more American books for distribution abroad. The book programs have been very effective, and the additional funds will allow us to reach more individuals in many developing countries.

The Board for International Broadcasting operates extremely useful programs through Radio Free Europe and Radio Liberty. Although the levels of funding for 1986 and 1987 are $19.8 million and $3.3 million less than the administration's request, I do not think the proposed cuts—a deferral in the radios' modernization program—will have any negative effect. The fact that the funds would probably not be obligated until a later phase in the modernization program argues for a more balanced authorization level over the 3-year period of the enhancement program.

In addition, the subcommittee has reviewed programing by the two radios and concluded that certain recent events point to a need for an improved preprograming review. I support efforts by members of our subcommittee to assure better review of scripts before their actual broadcast on RFE or RL.

We have, therefore, added a new section 304 expressing the sense of Congress that the Board for International Broadcasting and Radio Free Europe/Radio Liberty, Inc., take action to strengthen oversight and management of the two radios. This is especially important with regard to daily oversight and prebroadcast and postbroadcast review of program content and quality.

Before I conclude my remarks, I wish to indicate my support for the National Endowment for Democracy [NED], including its National Republican and Democratic Institutes for International Affairs. The subcommittee held hearings on the Endowment, and I have studied its programs in some detail. As a result of this experience, I am pleased with its goals and objectives during its first year of operation. Although, I was not originally enthusiastic about the concept of the NED or its institutes, and voted against authorizing or appropriating funds for it in the past, I have decided that NED has responded positively to a number of suggestions from Members of Congress to remove any misgivings about various aspects of its programs.

Having questioned NED officials and reviewed some of the projects funded by the NED directly or through its institutes I was impressed by many of these projects and the results they were able to achieve. Given the constraints under which USIA and other U.S. Government agencies must of necessity operate their programs, I think that some of the successful activities underwritten by the NED, and especially the National Republican and Democratic Institutes for International Affairs, have been well formulated and efficiently executed. Therefore, I strongly support the restoration of funding by the National Endowment for the Republican and Democratic Institutes, which—I might add—are not directly associated with the national committees of the two major political parties.

The addition of a new section 505 to the National Endowment for Democracy Act, which we have included as section 205 of this legislation, in my view, answers comprehensively all the concerns that have been raised in the past about possible misuse of endowment funds:

Subsection 505(a) insures that NED's actions will be available to the public; that neither NED or its grantees can finance particular candidates in foreign elections; and that funds granted by NED to the Republican and Democratic Party institutes may not be used for domestic U.S. political purposes.

Subsection 505(b) requires the grantees to consult with U.S. Ambassadors to a foreign country before NED funds are made available by a grantee for a project in that country.

Subsection 505(c) states that NED funds granted to the two party institutes shall, to the maximum extent possible, be used for jointly implemented projects, in order to avoid the appearance of partisan politics.

With these legislative safeguards, I think that we have responded comprehensively to any objection raised thus far to continued support for this experiment in building and strengthening democracy overseas in countries where it is weakest.

I am hopeful that now we can proceed through the rest of the process which will result in a measure which will allow the State Department, the U.S. Information Agency [USIA] and the Board for International Broadcasting [BIB] to plan for the next 2 years. I believe the bill is a good bill which reflects, to the greatest extent possible, both the administration's interests and Members' concerns.

Mr. Chairman, I urge the entire House to support the budget for the State Department, USIA and its programs, and the Board for International Broadcasting.

□ 1320

Mr. MICA. Mr. Chairman, I yield myself 1 minute.

I would just like to comment on the gentlewoman's remarks and compliment her for the comments on the National Endowment for Democracy. I think this body might note that a year ago we had major controversy over that issue and this committee, in a bipartisan fashion, took down every major issue that was expressed by Members on both sides of the aisle and we have addressed every one of those issues in this legislation and, again, it was done on a unanimous vote, so I commend the gentlewoman.

Ms. SNOWE. Mr Chairman, will the gentleman yield?

Mr. MICA. I would be happy to yield to the gentlewoman from Maine.

Ms. SNOWE. I thank the gentleman for yielding.

The gentleman is correct. I think that we examined every concern and position in view of Members who were involved in this program in the past and had some concerns, and we had some very thorough and exhaustive hearings on the National Endowment and attempted to address those issues in this legislation with a number of changes that we have made to insure that the program will develop in the way it was originally intended.

Mr. MICA. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. I thank the gentleman for yielding this time to me.

Mr. Chairman, I would like to commend the bipartisan spirit in which this bill has been proposed by the gentlewoman from Maine [Ms. SNOWE], the gentleman from Florida [Mr. MICA], and of course the chairman of the full committee [Mr. FASCELL].

This is an important, positive bill that makes very strong and positive statements, whether it is in shoring up our security in our embassies abroad, whether it is centralizing communications within the State Department to deal more effectively with international narcotics programs, whether it is insuring that the National Endowment for Democracy works effectively.

I, too, was once against this endowment, but after seeing it operate after a trip to Latin America, I think it is most effective.

Last, it is a bill that improves the communications policy of the Department.

I would also like to thank the gentleman from Florida [Mr. MICA] for his interest and willingness in several amendments that I was going to offer to this State Department authorization bill, which I will not be offering. I

will be offering them later to another bill so as not to jeopardize the importance of this legislation.

These are three amendments, one of which would express concern and condemnation of the Government of Cuba for their human rights violations, another dealing with the Nicaraguan situation, the concern over the trip of Mr. Ortega's to the Soviet Union, and some of the United States' responses, and lastly, an amendment that I would offer to a South Africa bill that would deal with prohibiting the importation of coal and uranium from South Africa.

Mr. Chairman, I fully support this bill. It is an important piece of legislation and much credit should go to my colleague, the gentleman from Florida [Mr. MICA], and the gentlewoman from Maine [Ms. SNOWE], and of course the chairman of the full committee [Mr. FASCELL].

Mr. Chairman, I rise to express my concern and disapproval over the apartheid policies of the South African Government and to urge my colleagues to support my efforts to prohibit the importation of uranium and coal from South Africa and Namibia, a country which is controlled by South Africa. Mr. Chairman, I would also like to thank my distinguished colleague, Chairman FASCELL and Congressmen YATRON and MICA for all of his work in the area of human rights and for the support he has given me in this regard.

Mr. Chairman, we all deplore the terrible system of apartheid practiced by the Republic of South Africa. Under that system, black citizens not only are disenfranchised, not only are confined to slums to live, not only are afforded inferior educational opportunities, but also are compelled to work at lower paying jobs and are given little or no change for meaningful advancement.

The South African policy of inequality is not simply harmful to the citizens of South Africa; it also takes a direct and unacceptable toll on Americans. The apartheid system permits South Africa to produce minerals such as uranium and coal, and to exploit deposits of these minerals, largely through the toil of South Africa's black population. Uranium is mined by virtual slave labor under brutal and unsafe conditions, sold by a South African Government agency—NUFCOR—transported in secrecy to foreign countries, marked with false labels and shipping orders, owned by a tangle of multinational corporations whose activities are only partially disclosed and sold to the United States at the expense of the American uranium miner. South Africa's prior history in the 1970's of participating in an international cartel to restrict production and to raise prices has exacerbated the grave condition of the U.S. domestic uranium market today.

As a direct result of South Africa's apartheid system, its subsidies and other policies, about one-third of U.S. imports of uranium now involve material of South African origin. From employment of 20,000 workers 5 years ago, the American uranium industry now employs only 2,000 workers and only a handful of mines remains open. South Africa is also the largest importer of coal into the United States—in 1984 we imported 612,447 tons of coal from South Africa. The United States is rich in coal—I find it unconscionable that we would allow the importation of coal mined in a country whose human rights abuses are known to all, at the expense of the American miner.

We in the U.S. Congress now have an opportunity to right two serious wrongs—to send a clear message to the South African Government that we will not condone their deplorable policies of apartheid and to say to the American miner, we are willing to restrict these imports to save their jobs.

Mr. Chairman, apartheid is a moral outrage and is having a direct and grossly detrimental impact on American workers. My efforts, which I ask my colleagues to support, will contribute to correcting this deplorable situation.

AMENDMENT TO H.R. 2068, AS INTRODUCED; OFFERED BY MR. RICHARDSON OF NEW MEXICO, APRIL 25, 1985

Page 36, after line 22, insert the following new title:

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. CONDEMNING HUMAN RIGHTS VIOLATIONS AND THE SUBVERSION OF OTHER GOVERNMENTS BY THE GOVERNMENT OF CUBA.

(a) CONDEMNATION OF CERTAIN ACTION BY THE GOVERNMENT OF CUBA.—The Congress condemns—

(1) the consistent pattern of gross violations of internationally recognized human rights by the Cuban Government, including—

(A) cruel, inhumane, and degrading treatment and punishment of prisoners;

(B) the suppression of free speech, press, and assembly; and

(C) restrictions on religious activity and the freedom to emigrate; and

(2) the provision by the Cuban government of material aid and personnel support for the purposes of subversion.

(b) CALL UPON THE GOVERNMENT OF CUBA.—The Congress calls upon the Government of Cuba to restore civil liberties and cease in the violation of human rights of the Cuban people and cease the subversion of other governments through material and personnel support.

AMENDMENT TO H.R. 2068 OFFERED BY MR. RICHARDSON OF NEW MEXICO, APRIL 29, 1985

Page 36, after line 22, insert the following new title:

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. FINDINGS AND POLICIES CONCERNING NICARAGUA AND PEACE IN CENTRAL AMERICA

(a) UNITED STATES SUPPORT FOR PEACE IN CENTRAL AMERICA.—The Congress finds and declares the following:

(1) The United States desires peace in Nicaragua and throughout Central America. United States policy toward Nicaragua should encourage all combatants to establish a ceasefire and come together in peace negotiations in order to resolve the internal Nicaraguan conflict, nurture democratic institutions in that country, and promote peace and stability, as part of a regional settlement through the Contadora process or the Organization of American States.

(2) The countries of Central America, working through the Contadora process, have agreed to 21 principles (set forth in the Contadora Document of Objectives issued on September 9, 1983) which provide an appropriate framework for achieving peace and security in the region.

(3) Combatants on both sides of the conflict in Nicaragua have expressed in words their goals for peace and democracy in Nicaragua and throughout the region. United States policy should be designed to encourage these goals, including through the resumption of bilateral talks between the United States and Nicaragua.

(b) UNITED STATES CONCERNS ABOUT NICARAGUAN FOREIGN AND DOMESTIC POLICIES.—The Congress further finds and declares the following:

(1) Despite positive actions by the Congress signaling support for negotiated solutions to conflicts in Central America, there are disturbing trends in Nicaragua's foreign and domestic policies, including—

(A) President Daniel Ortega's April 1985 trip to the Soviet Union at a time when the Congress signaled its strong disapproval of increasing Nicaraguan-Soviet ties;

(B) the Sandinista government's close military ties with Cuba, the Soviet Union, and its Warsaw Pact allies; the disappointing and insufficient reduction of the number of Cuban advisors in Nicaragua by only 100 out of an approximately 2500; and the continuing military buildup that Nicaragua's neighbors consider threatening;

(C) the Sandinista government's curtailment of individual liberties, political expression, freedom of worship, and the independence of the media;

(D) the subordination of military, judicial, and internal security functions to the ruling political party; and

(E) the Sandinista government's efforts to export its influence and ideology;

(2) Should Nicaragua not address the concerns described in paragraph (1), the United States has several options to address this challenge to peace and stability in the region, including political, diplomatic, and trade sanctions. In addition, the United States—

(A) should through appropriate regional organizations, such as the Organization of American States, seek to maintain multilateral pressure on Nicaragua to address these concerns; and

(B) should, if called upon to do so, give serious consideration to supporting any sanctions adopted by such an organization.

(3) In assessing whether or not progress is being made in addressing these concerns, the Congress will expect prompt and signifi-

cant initiatives by the Government of Nicaragua such as—

(A) the removal of foreign military advisers from Nicaragua;

(B) the end to Sandinista support for insurgencies in other countries in the region, including the cessation of military supplies to the rebel forces fighting the democratically elected government in El Salvador;

(C) restoration of individual liberties, political expression, freedom of worship, and the independence of the media; and

(D) progress toward internal reconciliation and a pluralitic democratic system, including steps to liberalize institutions in order to allow the internal opposition in Nicaragua to become a viable partner in the Nicaraguan political process.

Ms. SNOWE. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I thank the gentlewoman for yielding this time to me.

Mr. Chairman, as the ranking member on the Subcommittee on Human Rights and International Organizations, ladies and gentlemen, I have spent a great deal of time looking into our U.N. operations and our U.N. assessment.

First of all, let me just commend the chairman of the subcommittee, the gentleman from Florida [Mr. MICA], and the gentlewoman from Maine [Ms. SNOWE] for the outstanding job that they have done in bringing the bill to the floor, particularly that part that would deal with the protection of our embassies overseas and in helping our U.S. marines to protect our U.S. personnel in those embassies.

However, I do have some concern, and I will be offering an amendment at the appropriate time which would reduce our U.N. assessment by 15 percent for the next 2 years. I do so, Mr. Chairman, because I found out that the abuses that take place in the United Nations, in the perks that are given and the salaries that are paid to U.N. personnel are simply outrageous.

Seventy-five percent of our U.N. assessment goes toward those salaries and benefits, and yet more than 200 officials in the United Nations, spread all over this world, make more money than the Vice President of the United States of America, tax free—tax free. Many of the professional staff in the United Nations make more money than the Cabinet officers in the present administration's Cabinet, more money annually than any Member of this Congress. That is more than $75,000 a year, tax free.

I could go on and on, but I think that the situation is this: that back in 1972 when GEORGE BUSH, as a matter of fact, was our U.N. Ambassador, we had renegotiated the amount of assessment that the United States would pay toward the United Nations. We reduced it at that time down to 25 percent, and since that period of time in 1972, the U.N. assessment, although it has stayed at 25 percent, the cost has risen because of these outrageous perquisites and salaries and benefits that are paid to U.N. personnel. It has more than tripled in just that period of time.

Somewhere along the way we have to send a message that we just will not continue this.

Mr. Chairman, at this point in debate, I think it would be useful to examine the very valid question of how this amendment could affect our standing at the United Nations. Article 19 of the U.N. Charter states that any country shall lose its vote in the General Assembly if that country is in arrears in its financial obligations to the United Nations for more than 2 years. The amount of money in arrears is defined as the sum equal to or greater than the country's assessed contributions for the 2 years in question.

To get straight to the point, Mr. Chairman: The argument that this amendment could jeopardize our voting rights in the General Assembly is just not true. Let me list the reasons why:

First, the amount of our assessed contribution to the United Nations is negotiated, it is not mandated. Now it is true that all member countries are required to make a contribution to the United Nations, but the amount of those contributions is determined by negotiations, not mandates. In this connection, I also refer to testimony by Ambassador Jeane Kirkpatrick before the Subcommittee on Human Rights and International Organizations on October 3, 1983. She told the subcommittee that "our obligation is real, substantial, and serious, but * * * it is not absolute."

Second, I would call your attention to a policy declaration known as the Goldberg reservation. This was a document prepared in 1965 by Arthur Goldberg, a distinguished American from my home State of New York, who was our Ambassador to the United Nations at the time. The Goldberg reservation declares the right of the United States to withhold funds from the United Nations when the purposes for which those funds will be used are inconsistent with the foreign policy objectives of the United States.

Third, and finally, we must look at what has been the actual practice of the United Nations with respect to member countries that have withheld funds in the past. The simple fact is that no country has ever lost its vote in the General Assembly because of funds having been withheld.

Over the years at least 30 countries have withheld funds from the United Nations. The list includes most of the countries in the Soviet bloc as well as a number of others, including France, Portugal, Algeria, India, and even Saudi Arabia. In the case of the Soviet bloc, the Soviet Union and its satellites have systematically withheld at least $260 million in assessments for U.N. peacekeeping operations. As long as 1982 the International Court of Justice ruled that the specific withholding of obligations for U.N. peacekeeping operations was in clear contravention of the U.N. Charter. But, the question is: Have any of these countries lost their voting rights? The answer is "No."

Let me reiterate: My amendment does not reduce the United States obligation to U.N. peacekeeping operations. My amendment does reduce by 15 percent for a period of 2 years the size of our assessed contribution to the U.N. budget. Even if this amendment is enacted, the United States will still be the largest single donor to the United Nations by far.

Let me just say in conclusion that I have not introduced this amendment lightly or frivolously. The simple fact is that our own budgetary stringencies compel us to take a hard look at how we are spending our money. And I believe any objective study of management and personnel practices at the United Nations must lead to the conclusion that we cannot continue throwing good money after bad. As the largest donor, indeed the host, of the United Nations, we owe it to ourselves to find out where the money is going. And in the long run, by addressing the serious problems in the United Nations now, we are assuring the viability of that institution in the future.

This amendment is moderate in scope. It will not jeopardize in any way our participation in the United Nations. But it does make the symbolic point that the United States attaches greater importance to the principles on which the United Nations was founded than to preserving a swollen, self-perpetuating monstrosity.

□ 1330

Mr. MICA. Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Chairman, I rise in support of H.R. 2068, the State Department authorization bill, and urge my colleagues to support this bill when it comes to the floor for the amendatory process. I urge the Members to try to preserve it as much as possible in its committee form and then support it on final passage.

Let me just say that there is a large number of very important programs contained in the bill, in addition to the 2-year State Department authorization, which certainly in itself is a most important part of our Government process, and, of course, for our foreign policy, absolutely necessary. In it is the State Department authorization for the coming 2 years, and involved in that are some things that are very, very important and necessary for the State Department to continue the important work that it does.

Other speakers have already alluded to the fact that for the first time in history we are having to make a major concerted effort to protect our embassies and personnel around the world from terrorist attacks. This bill, in conjunction with the work that was done by our subcommittee and the full committee, under the leadership of my two colleagues, the gentleman from Florida [Mr. MICA] and the gentleman from Florida [Mr. FASCELL], is continuing this process of reprogramming money for the purpose of upgrading and securing our embassies in various places where terrorism has in fact reared its ugly head.

In addition to that, we are involved very much in upgrading our capability to detect and catch, through the use of cooperation between the DEA and the State Department and others involved, narcotics traffickers who are now involved in terrorism. We have found a very ugly pattern of narco-terrorism where terrorists are using narcotics trafficking to raise money and using narcotics trafficking to secure the kinds of dollars they need to in fact continue their terrorist activities and support them around the world. At the same time we find narcotics traffickers using terrorists as, frankly, bodyguards and people who are guarding their narcotics trafficking, and this is the kind of thing that is a symbiotic relationship for them that in turn becomes a parasitic relationship for us and a very dangerous trend for the United States and for its personnel. And I might add, as everyone will agree, that we want to have the best-trained and the most dedicated, loyal cadre of foreign service officers of any country. We are not going to get that when men and women fear for their own safety and the safety of their families and their children when they are sent to posts overseas. This is a very important part of the bill.

Second, the Board for International Broadcasting and Radio Liberty and Radio Free Europe for radio service in Europe perform a very important function. I was very, very pleased, at the chairman's request, to go to Munich for 2 days this year to do an overview of the kind of necessary changes that we feel are appropriate for the BIB and for the two radio services.

We have a very strong piece of foreign policy in those radios. We have a very effective voice for freedom, for democracy, for justice, and for human rights in those radios. There have been some problems. There have been some reports and, frankly, some realistic appearances of programs broadcast on the radios being inappropriate. There has been anti-Semitism, not intended, but when the audience heard the programs, they were necessarily deduced to be anti-Semitic. We have in fact, through the efforts of the whole committee, both Republicans and Democrats, on a bipartisan basis, been able to, I think, plug up the problems, and we have had very much the cooperation of the radios in that regard.

There is right now in the bill very important work, including authorization for additional moneys for them to be able to upgrade the capability and capacity of those radios to do an even better job, to make them an even more credible voice for foreign policy, for justice, for democracy, and for human rights. I hope that some of my colleagues who have reservations about those radios will support the bill for this reason.

The CHAIRMAN. The time of the gentleman from Florida [Mr. SMITH] has expired.

Mr. SMITH of Florida. Mr. Chairman, I would ask that the gentleman from Florida [Mr. MICA] yield me 2 additional minutes.

The CHAIRMAN. The Chair will state that the gentleman from Florida [Mr. MICA] has only 1 minute remaining.

Mr. MICA. Mr. Chairman, I yield 30 additional seconds to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Chairman, I want to express my support of the gentlewoman from Maine [Ms. SNOWE] in her request that our colleagues support in full the National Endowment for Democracy. That is probably one of the single best programs we can have for voicing and showing to the rest of the world our democratic ideology.

Finally, I want to urge all my colleagues to support this bill the way it has been supported by all the members of the subcommittee. I want to pay special tribute to the subcommittee chairman, the gentleman from Florida [Mr. MICA], and the gentlewoman from Maine [Ms. SNOWE], the ranking Republican. If this bill gets the support on the floor that it deserves, the support that it got on both sides in our subcommittee, this bill will pass, and it will be a good bill.

Ms. SNOWE. Mr. Chairman, I now yield 4 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, a year ago, I spoke on the floor concering the involvement of U.S. cooperatives in programs of the National Endowment for Democracy. I mentioned that cooperatives—which are governed by one member, one vote—were a natural vehicle for offering people in other countires an opportunity to participate in democratic decisionmaking at the grassroots.

Today, I am pleased to report that the National Endowment for Democracy has embraced the promotion of democratic cooperatives as part of its overseas programs. One of the first projects of NED involves an effort by U.S. cooperatives to help sustain democratic cooperatives in Chile. I can think of no more vital program than to provide this type of support to democratic organizations in a country such as Chile. The project in no way involves support for the current military government of Chile. I will later submit for the RECORD a summary of findings by U.S. cooperative leaders who recently visited Chile.

Second, this Member wishes to join many of my colleagues, expressing serious concerns about the manner in which the U.S. Government is approaching the question relative to the nature of and the terms of support for international telecommunications satellite systems separate from Intelsat. I know firsthand that many foreign governments that are among America's foremost friends in the world are completely puzzled and very troubled by what they perceive as a proposal that will inevitably be harmful to Intelsat. To date, the actions of the State Department on this issue have not put to rest these fears among our allies in the Intelsat community. Additionally, this Member also has great concerns that there will be inadequate attention to putting teeth into the administration's prepared criteria for assuring that Intelsat is not injured by support for new satellite systems. With the Communications Satellite Act of 1962 Congress took the initiative that established the Intelsat global system, Congress should play a significant role in determining how and whether we are going to revise our commitments to that valuable enterprise.

REPORT BY U.S. COOPERATIVE LEADERS ON THE PROGRAMS OF THE NATIONAL ENDOWMENT FOR DEMOCRACY TO ENCOURAGING DEMOCRATIC COOPERATIVES IN CHILE

Cooperatives in Chile are functioning well as grassroots, democratic self-help organizations committed to assisting low- and moderate-income people. They are important forces for economic and political democracy. Adversely affected by Chilean politics and economics, they have suffered for 15 years under the current and previous administrations. As a result, many cooperatives failed. But the situation has stabilized and cooperatives are growing again.

Cooperatives are member-owned businesses governed through one person, one vote. In Chile today, they are often the most direct experience of low- and moderate-income people with democratic practice. Cooperative elections are honest. Divergent viewpoints on issues important to members are openly expressed, debated and voted. Leadership is developed through elections to voluntary boards of directors. Annual meetings are often well attended and support from members is demonstrated through the use of cooperative services such as credit, agricultural supplies and marketing, electricity and housing.

Chilean cooperatives contain a variety of political viewpoints from support of the current government to active opposition. They have extraordinary access to democratic elements in society and are advocates of a return to democratic life in Chile.

While the study team was in Chile, there was a national strike, resignation of the entire cabinet and declaration of a state of siege. Violence from terrorists of the extreme left and right, and from government security forces, is on the rise. Yet the study team believes that a national movement for democracy has clearly emerged. It is strongly rooted and has momentum.

The key issue is the type of democracy: either an "authoritarian" and highly controlled model supported by the military government, or a more open political system with an early timetable for elections. The study team believes that the majority of Chileans support an early return to true democracy but also fear destabilization of society from forces of the extreme right and left.

The United States Government needs to understand the full dimensions of this difference between various visions of democracy. U.S. policies and programs should be initiated to support those democratic voices in Chile which are seeking a peaceful transition to civilian rule.

The newly created National Endowment for Democracy can make a constructive contribution in supporting and strengthening democratic institutions in Chile through non-governmental approaches. The study team recommends a major focus of the National Endowment on support for political parties, the press, labor unions, private businesses and cooperatives in their efforts to bring about democracy in Chile. Such programs need to be long term and sustained.

In regards to cooperatives, the study team recommends support for a follow-on program to undertake a comprehensive review of the legal and administrative obstacles to cooperative development in Chile. This effort should be geared to improving the image of cooperatives as important free enterprise institutions. It should enhance the capacity of cooperatives to influence government policies, and generate a better understanding by government officials of the special contributions cooperatives can make to economic and political life.

The study team also recommends creation of a cooperative center for the advancement of self-help cooperatives and similar democratic organizations for assisting low income people. Given the recent difficulties of cooperatives, universities and other supportive organizations need to be re-engaged in cooperative development in a comprehensive, systematic and grassroots way. An intellectual and resource center is needed for combining the practical business operations of cooperatives with a commitment to helping the poor.

The universities of Chile, which once played a significant role in cooperative education and training, should be encouraged to review and expand such programs. Nonprofit Chilean organizations and foundations need to be encouraged to pool their resources in support of cooperatives and other democratic private institutions. Outside donor agencies should assist these organizations as well as continue and expend support directly to cooperative organizations and federations. U.S. cooperatives will seek ways to support these cooperative educational efforts in Chile.

U.S. cooperatives are renewing their historic relationship with Chilean cooperatives. As part of this effort, U.S. cooperatives are sponsoring a 15-person Chilean cooperative delegation to the U.S. in April 1985. The delegation will observe the role of cooperatives in U.S. economic and political life. The exchange will lead to the creation of cooperative-to-cooperative relationships for technical exchange, trade and interaction.

Ms. SNOWE. Mr. Chairman, I now yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I, too, appreciate the hard work of the members of the committee that has gone into this bill.

As I had pointed out when we debated the rule for this bill, I do intend to offer an amendment at the appropriate time that would deal with the responsibility of the U.S. missions to permit freedom of the press overseas. The chairman of the subcommittee, the gentleman from Florida [Mr. MICA], had indicated to me at that time that he felt certain that they would be able to accept that amendment.

I did want to put it in some kind of context, however, because this amendment does come as a section of a bill that was introduced earlier by several of us. It deals with human rights concerns around the world. We had introduced a bill that covers many, many aspects of human rights as it impacts on countries throughout the world.

One of the things that we were concerned about in that human rights legislation was the fact that free press access is a basic human right that is denied in all too many areas. It has a particular problem connected with it for democratic nations because what we have happening in a lot of tyrannical regimes across the world is the fact that they are engaged in disinformation campaigns as those nations relate to democratic nations.

□ 1340

In other words, what is happening is that they are actually promoting information which is intended to mislead democratic nations. One way of curing that situation is to assure that there is free press access in those countries, or at least assuring that our embassies abroad are trying to promote free press access in those countries, that this is a part of the agenda of what our people do in those nations to assure that democratic countries around the world and particularly this democratic country has as much access to information as possible, true information.

I will offer that amendment at the appropriate time.

Again, I appreciate the gentlewoman from Maine yielding me this time for a bit of an explanation.

● Mr. ROBINSON. Mr. Chairman, last week the President addressed the American people. He called for an outpouring of citizen pressure on their elected Representatives in support of a single plan for reducing the budget deficit. Today, again, we have an opportunity to begin the hard task of deficit reduction by voting to reduce the State Department authorization to a level below the President's own request.

One of the most frequent ideas I have heard from citizens of Arkansas' Second District is to freeze spending in all areas. People faced with the prospect of insufficient resources in their household budgets, instinctively know that an immediate freeze on expenditure levels is the most prudent course. Today, we have a chance to employ the simple wisdom of home economics and vote to reduce the rate of growth in Federal spending. I realize inflation means that a freeze will mean reduced spending in constant dollars. In essence we are asking for Government to provide continued service levels with less funding. If apportioned fairly over the whole budget, the American people will support this course.

The Foreign Affairs Committee has done an excellent job in a difficult area. The committee bill calls for spending less money than requested by the administration. The mix of military to economic assistance has been improved by reducing the overreliance on military assistance. We may disagree over some of the individual funding levels but we should support the bill's contribution to reducing the budget deficit.●

● Mr. RANGEL. Mr. Chairman, I rise in support of H.R. 2068, the Department of State Authorization Act for fiscal years 1986 and 1987. As chairman of the Select Committee on Narcotics Abuse and Control, I particularly want to express my strong support for four provisions of the bill that will help to strengthen our international narcotics control efforts. In doing so, I commend Chairman FASCELL and the members of the Foreign Affairs Committee for incorporating these provisions in the bill.

Section 123 requires the Secretary of State, no later than 90 days after the date of enactment of the bill, to report to Congress on the status of proposals to improve staffing and personnel management in the Bureau of International Narcotics Matters. Mr. Chairman, despite the fact that illicit narcotics production around the world continues to increase, the State Department has failed to accord a top priority to international narcotics control policy. One reflection of the low priority narcotics control issues have received is the lack of attention that has been given to the staffing needs of our international narcotics control programs in the State Department. The Bureau of International Narcotics Matters has difficulty attracting the best candidates because too often narcotics assignments are viewed as not contributing to, or even worse detracting from, career development within the Foreign Service. The report man-

dated by section 123 will spell out appropriate alternatives to enhance staffing and personnel management on the Bureau of International Narcotics Matters which should, in turn, improve the management of our international narcotics control program.

Section 124 is designed to ensure that foreign drug traffickers do not receive a visa to enter the United States. It requires the State Department to cooperate with other U.S. law enforcement agencies, including the Drug Enforcement Administration [DEA] and Customs, to establish a comprehensive information system on all drug arrests of foreign nationals in the United States. The information collected would be available to U.S. consular officials so they could avoid approving visas of known drug traffickers. At present, there is no centralized system to keep track of foreign nationals who are arrested on drug charges in the United States. Section 124 also requires the State Department and DEA to establish uniform guidelines for the sharing of information on foreign drug traffickers. Both of these provisions should help to prevent the approval of visas for foreign drug traffickers who are ineligible to enter the United States under section 212(a)(23) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(23)).

Section 125 mandates the Secretary of State to increase U.S. efforts to negotiate updated extradition treaties relating to drug offenses with each major drug-producing country, particularly those in Latin America. Under the terms of a 1982 treaty, the Government of Colombia recently extradited four suspected drug traffickers to the United States to face drug charges. One of these suspects was recently convicted in Federal District Court here in the District of Columbia. While much more needs to be done in source countries to eliminate illicit production, improve narcotics law and wipe out official corruption that impedes drug enforcement, the approval of updated extradition treaties will help to ensure that drug traffickers wanted in the United States who are apprehended in foreign countries will be brought to justice.

Finally, as a result of the brutal slaying of DEA agent Enrique Camarena Salazar as well as the disappearance of numerous other Americans in Mexico, section 126 finds that the violence by drug traffickers and other lawless elements in Mexico constitutes a danger to U.S. citizens traveling in Mexico. It directs the Secretary of State to issue a travel advisory to warn U.S. citizens of the danger of traveling in Mexico. This travel advisory is to remain in effect until those responsible for the murder of agent Camarena have been brought to trial and a verdict obtained.

After an initial lack of cooperation in the Camarena case, the Mexican Government has taken a number of steps to find the perpetrators of this terrible crime. Recently, a number of arrests have been made in connection with this case including Mexican police and a major Mexican drug trafficker. The threat of violence toward U.S. citizens in that country still remains, however. I believe section 126 is an appropriate way to maintain pressure on Mexico to prosecute those responsible for the murder of Enrique Camarena and to take aggressive measures to ensure the safety of U.S. citizens traveling in that country.

In sum, I strongly support these provisions of H.R. 2068 as important steps that will enhance our narcotics control efforts. Much more needs to be done, but these measures are steps in the right direction. I urge my colleagues to support these provisions.●

Ms. SNOWE. Mr. Chairman, I yield back the balance of my time.

Mr. MICA. Mr. Chairman, I have no further requests for time. I yield back the balance of my time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. NELSON of Florida, having assumed the chair, Mr. PEASE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2068) to authorize appropriations for fiscal years 1986 and 1987 for the Department of State, the U.S. Information Agency, the Board of International Broadcasting, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

The SPEAKER pro tempore laid before the House the following communication from the Chairman of the Committee on Public Works and Transportation; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,
Washington, DC, April 10, 1985.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959, as amended, the House Committee on Public Works and Transportation approved the following projects April 4, 1985:

LEASES

Food and Drug Administration, Kansas City, Missouri (new lease).

United States Attorneys for the District of Columbia, Department of Justice, Washington, D.C. (new lease).

1960 Addison Road, Berkeley, California, (lease extension).

Federal Bureau of Investigation, Dade County, Florida (new lease).

CONSTRUCTION

Extension to the National Personnel Records Center, Overland, Missouri.

REPAIR AND ALTERATION

Mart Federal Building, St. Louis, Missouri.

The original and one copy of the authorizing resolution are enclosed.

Every best wish.

Sincerely,

JAMES J. HOWARD,
Chairman.

There was no objection.

CONGRESSMAN GROTBERG'S 1985 ANNUAL QUESTIONNAIRE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. GROTBERG] is recognized for 5 minutes.

● Mr. GROTBERG. Mr. Speaker, recently, I mailed out my 1985 annual questionnaire, my first districtwide survey as a freshman Member. The responses have been overwhelming and extremely helpful. More than 10,000 14th District residents have returned their completed surveys. The tremendous response will aid me when the House considers legislation throughout the entire 99th Congress. At this point, I would like to insert the final results of my 1985 questionnaire for the information of our colleagues:

QUESTIONNAIRE RESULTS

1. How would you recommend that the federal budget deficit, estimated to reach $180 billion during the next fiscal year, be reduced? (choose one)

A. Reduce all spending across-the-board—69%.

B. Freeze all spending at the 1985 budget levels—19%.

C. Raise taxes on businesses and corporations—10%.

D. Raise taxes on individuals—1%.

F. Do not reduce spending or raise taxes, the economic growth and recovery will eventually eliminate the federal deficit—1%.

2. The tax simplification program proposed by the Treasury Department would eliminate several income tax deductions and credits now available to taxpayers, while at the same time reduce tax rates to no higher than 35%. Would you support such a plan?

A. Yes, only if mortgage interest and charitable contribution deductions were still allowable—50%.

B. Yes, eliminate all taxpayer deductions and credits and reduce tax rates—25%.

C. No, I would rather keep all of the deductions and credits we now have even if it means higher tax rates—13%.

D. Other comment—12%.

3. What is the single, most important economic issue facing you and your family today?

A. Inflation—13%.

B. Unemployment—7%.

C. High interest rates—9%.

D. High taxes—22%.

E. Federal Government's deficit spending—49%.

4. If you were asked to propose ways to reduce federal government spending, where would you make the cuts? (please rank them in order, 1-10)

53%, Defense Spending; Less than 1%, Medicare/Medicaid; 32%, Foreign Aid; less than 1%, Education Programs; less than 1%, Social Security Cost-of-Living Adjustments; 17%, Federal and Military Pensions; 11%, Social Welfare Programs; less than 1%, General Revenue Sharing; less than 1%, Agricultural Programs; and less than 1%, Space Program.

5. Do you believe the United States should supply military aid and training to Latin American governments when their democracies are threatened by communist-backed military forces?

A. Yes—66%; B. No—34%.

6. During 1985, the Congress will rewrite the present farm bill. In addition to the recently passed emergency farm credit assistance programs, what do you believe the federal government should do in the future regarding agricultural programs?

A. Fund comprehensive domestic and international subsidy programs—12%.

B. Support less funding and encourage greater reliance on private-sector resources for credit, insurance, and research programs as well as enhance export opportunities for farmers—88%.

7. With the goal of reducing unemployment, would you favor a lower minimum wage for teen-agers and part-time workers?

A. Yes—61%.

B. No—39%.

8. Are you optimistic or pessimistic about the course of the American economy over the next year or two?

A. Optimistic—70%; B. Pessimistic—30%.●

COMMENDING TASK FORCE CHAIRMAN PANETTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. FRANK] is recognized for 5 minutes.

Mr. FRANK. Mr. Speaker, I have asked for this special order because I want to express my admiration for the work that was done regarding the contested election in the Eighth District of Indiana by the gentleman from California [Mr. PANETTA].

I very much regret that because I happened after a lot of thought to disagree with him intellectually on a very difficult decision that he had to make, that I was not able to vote in support of his recommendation; but I became even more regretful about that when I was forced to listen to a series of really quite unpleasant, inaccurate and ill-founded diatribes from some, not all by any means, but some Members on the other side.

I take the time of the House at this point because I simply feel compelled to disassociate myself, and I think many others on our side who did not vote with the task force recommendation, from the really extraordinarily ill-founded attacks that were made on the gentleman from California.

He was confronted with a very difficult situation not of his making. In the end I voted contrary to his recommendation because the votes that had been cast and counted in Indiana long before he arrived on the scene. He was confronted with a situation which was from his standpoint irremediable—that is easy for some people to say.

The issue he then had was how to deal with that defect. I think he dealt with it in a responsible, thoughtful, and nonpartisan manner.

In the end because I disagreed intellectually with that very tough decision he had to make, I was not able to vote with him, but I think it is important that some of us who did not vote with him make it clear that he remains in our minds a man of extraordinary integrity and of great ability and someone who conducted himself and conducted that proceeding in a manner that reflects a great deal of credit on the House.

Discredit in my judgemnt came from vituperation to which he was subjected, inaccurate descriptions of the procedure, totally unfounded imputations of motives, personal attacks, all of those he bore because he was being a responsible Member of the House discharging an unpleasant duty.

I wanted simply to make that as clear as I could.

I should add also that some of us who did vote on this side have thought for some time that was a good idea, and while I was pleased to have a lot of support on the other side of the aisle for the notion of a special election on Tuesday, I would have been even more pleased to have some of that manifested itself earlier in the preceding period. That is, among the inaccurate charges being made during this was that somehow there was partisanship on this side and not on the other.

In fact, the vote on this side of the aisle was not unanimous. There were a significant number of us who voted differently than the majority. It was on the other side that we had unanimity and it was a unanimity not in my judgment based wholly on dispassionate, intellectual analysis.

There was a great deal of partisanship in the House on both sides. There was an unwillingness by some people on both sides, I think, to look at this with the objectivity required.

In fact, I would ordinarily have spoken during the debate, but I felt that irresponsible and ill-founded charges on the other side had so poisoned the atmosphere that I simply could not justify particpating in the debate on that particular side. I voted as I felt compelled to vote, but I did so with a profound sense of admiration for the very responsible and throughtful way in which the gentleman from California [Mr. PANETTA] discharged a very unpleasant job and I wanted to acknowledge that.

Mr. Speaker, I yield back the balance of my time.

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U.S. POLICY IN NICARAGUA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. BUSTAMANTE] is recognized for 5 minutes.

Mr. BUSTAMANTE. Mr. Speaker, today I rise to make some brief remarks about a subject that is important to me and many of my colleagues. Last week the House of Representatives made an important statement in rejecting any aid to Nicaragua. We told President Reagan that this country will not intervene in Nicaragua by use of covert CIA operations. We told the President that this country will not be known as a country that cannot deal directly with it neighbors.

The United States recognizes the Government of Nicaragua. We carry on diplomatic relations. More importantly, both countries carry on trade with each other. In 1984, the United States imported 69 million dollars' worth of goods from Nicaragua. These imports included fruit and vegetables; fish; and meat. In the same year, the United States exported 112 million dollars' worth of goods to Nicaragua. Given our deplomatic relations and favored trade policy, why can't the United Stated deal directly with Nicaragua? Would the United States treat our European neighbors in the same way?

Mr. Speaker, today we hear those who beat the drum tell us that this country should go to any extreme to ensure communism finds no place in the Western Hemisphere. These same voices tell the American people that some of us have our heads in the sand when it comes to facing up to communism. I am a Korean war veteran—my brother a decorated Vietnam veteran. Many of my colleages have seen war firsthand. Those who do not know the price of war would have the United States commit itself to the overthrow of the Government like Nicaragua's. This commitment may mean sending American citizens to fight. Should this unfortunate event occur it will not be the Congress that fights. Most of us are beyond the fighting age. Perhaps if some of us were still able to fight or

had fought in previous wars our thinking would be different.

Such a war would once again be delegated to the poor, most of whom are poor whites, blacks, or Hispanics. How many of us would go or make such a decision?

During the Vietnam war, many young men from the district I represent gave their lives. Cities like San Antonio, Laredo, Del Rio, Crystal City, and Eagle Pass have proven their patriotism by the loss of their young men. The wall of names at the Vietnam Veterans Memorial contains the names of "Martinez," "Cervantes," and "Contreras." These surnames will appear once again as casualties in a war against Nicaragua.

Mr. Speaker, this country recognizes the Goverment of Nicaragua and at the same time would have it "cry uncle." Is it not better to deal with this government as an equal rather than as a "dumb little brother? I support true and meaningful dialog. Our message to Mr. Ortega should not be a threat nor should it be dialog with subterfuge, although it should be stern and honest. Let us work within the framework of international law. The Organization of American States need not be cast aside. The United Nations Charter and framework should not be used simply at our convenience. The Contadora process should be given a chance.

The 3.1 million people of Nicaragua have a right to self-determination. It should be a determination based on dialog not demands—a determination based on standards of international law, not on the ambitions of our country—a determination forged from compromise and not CIA intervention.

Let's make Nicaragua an example of how the United States can help a country achieve a pluralistic society, and not an example of how the United States will handle any Central American country that does not conform to our idea of government. Our interest in Nicaragua should not be based solely on communism versus democracy. Our interest must go beyond East-West ideologies. Otherwise, we encourage the loss of blood and the loss of respect and prestige for the United States.

The countries of Central America have the potential of becoming vital trade partners and political allies. Yet, we handle Central America piecemeal. U.S. policy has been a policy of reaction to individual countries. It is time for this administration and this Congress to devise a well-defined and workable plan for Central America. It is time for the American people to understand the cultures and histories of Central American countries. It is time to end our policy of confrontation.

We have an important ally to the south of us that watches closely our action toward Central America. The historical significance of U.S. intervention in Mexico during the early 20th century is not forgotten. Therefore, I ask my colleagues to think about the consequences of our action in Nicaragua and Central America. Our actions create a precedent. Do we continue down the narrow, winding road of reaction and confrontation? Or do we devise a plan toward Central America that will take us down the road of peace and respect?

SOLIDARITY SUNDAY FOR SOVIET JEWS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 5 minutes.

● Mr. MOAKLEY. Mr. Speaker, Sunday, May 5, marks the 14th annual commemoration of Solidarity Sunday for Soviet Jews, a day in which people around the world express their support and admiration for those individuals involved in the continuing struggle for the right to emigrate from the Soviet Union, be it for themselves, for their families, or simply for a fellow Jew. Today, I join my colleagues in an attempt to focus attention on the plight of these individuals in the hope that with the consideration that attention will bring, also will come a change.

In the 2 years the Soviet Union has twice experienced a change in leadership; from Yuriy Andropov to Constantin Chernenko, and recently to Mikhail Gorbachev. I am certain that I was not alone in my hope that with each successive new leader would come a change in emigration policies, possibly a lessening of restrictions. However, with both Mr. Andropov and Mr. Chernenko, emigration statistics pertaining to Jews remained ominous, indeed dismal at best. In fact, under the influence of Mr. Chernenko, Jewish emigration ebbed to a low of 896 in 1984. Still, with the foreboding that this figure represents, Soviet Jews continue their efforts to obtain basic human rights and emigration privileges for those who have been castigated as refuseniks. This Sunday, let us each pause to remember these brave individuals in our thoughts and prayers, let us hope that they will soon be free, and let us continue with our efforts to realize these intentions.●

THE 75TH ANNIVERSARY OF THE FOUNDING OF THE MOTHER OF GOOD COUNSEL PROVINCE OF THE FELICIAN SISTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, I rise to call to the attention of my colleagues the 75th anniversary of the founding of the Mother of Good Counsel Province of the Felician Sisters.

This milestone in the history of the Felician Sisters was celebrated on April 21 with a simple banquet of soup, bread and fruit at the cafeteria of Good Counsel High School, and the money saved formed a fund of more than $17,000 which was donated to hungry people throughout the world.

The dinner was preceded by a eucharistic liturgy at Motherhouse Chapel at which His Eminence Joseph Cardinal Bernardin, archbishop of Chicago; Rev. James Kowalski, OFM, Conv., Felician provincial chaplain; and a number of former chaplains served as concelebrants.

The Felician Sisters continue to reflect their Polish heritage and traditions and still wear distinctive brown or beige habits. They were originally known as the "Congregation of the Sisters of St. Felix of Cantalice," and as the years passed, this was shortened to "Felicians."

As the Congressman for the 11th Illinois Congressional District, where Felician College is located, it gives me great pleasure to extend my congratulations to Sister Mary Bonita, president and dean of Felician College to Sister Mary Chrysantha, Director of Develolpment at Felician College; to Mother Mary Laudiose Korbal, provincial superior; and to the Felician Sisters on observing their 75th anniversary, and to wish for them many, many more years of productive, dedicated service to needy children, the sick, the elderly, and indeed to all those who have need of their devoted services.

A press release issued on the occasion of their 75th anniversary follows at this point in the CONGRESSIONAL RECORD:

CHICAGO PROVINCE OF THE FELICIANS CELEBRATES SEVENTY-FIFTH ANNIVERSARY YEAR

If you drive along busy Peterson Avenue in northwest Chicago you will come upon a part of the street west fo Pulaski where the familiar storefront urban scenery of the city is replaced by a large open space of trees and landscaped lawns.

Since traffic tends to speed up through here, you may have to look fast to notice among the trees a large institutional building dominated by a tall chapel spire. This is the house of the Mother of Good Counsel Province of the Felician Sisters—a unique community of Roman Catholic religious women who are observing the 75th anniversary of the founding of their four-state province.

The highlight of a quiet yearling observation came Sunday, April 21, in ceremonies typical of the spiritual and charitable character of the Felicians. They had a simple dinner of soup and breads baked by the sisters. The Mothers' Club of Good Counsel High School served the soup and the Ladies Auxiliary of the Province donated fruit. Money saved on the simple banquet, with

additional contributions from individual sisters and convents, formed a fund of more than $17,000 which is being donated to hungry people of the world through various charitable organizations and missions.

The dinner was preceded by a Eucharistic liturgy in which Joseph Cardinal Bernardin, Archbishop of Chicago, Rev. James Kowalski, OFM, Conv., Felician provincial chaplain, and a number of former chaplains served as concelebrants. Vocal, organ and instrumental music was provided by sisters under the direction of Sister Mary Alphonsetta Haneman. In the Offertory Procession carrying the bread and wine to the alter were Sister Mary Pancratius Bunkowski, 94 years old, the first postulant admitted to the Mother of Good Counsel Province, and Sister Elaine Marie Killian, the most recent member.

There are more than 450 Felician Sisters in the province which administers the affairs of nearly 50 institutions and local houses in Illinois, Wisconsin, Minnesota and Alabama. The Felicians are the largest Catholic women's religious community in the Chicago area today. They teach in more of the parish schools in the Archdiocese than do those of any other order.

Sunday's anniversary events took place at the Motherhouse Chapel and the cafeteria of Good Counsel High School, which is owned and operated by the province on the Motherhouse grounds. Felician College is also located on the grounds.

The sisters' spiritual and administrative leader is Mother Mary Laudiose Korbal, provincial superior.

"In planning for the jubilee year," Mother Laudiose says, "we decided among ourselves to make the celebrations simple and spiritual, stressing introspection and prayer as we look back to our past and ahead to our future. This suggested our theme, 'Roots and Wings'—roots of the past and wings representing the challenges of change that lie ahead."

To symbolize the "roots and wings" themes at the solemn closing of the 75th anniversary celebration, the sisters prepared two banners. One, representing roots, carried the names of all sisters who have died since the province was founded. The other, representing wings, was signed by all living sisters of the province.

Concerning the "soup and bread" dinner celebration, Mother Laudiose explains: "We realized that a large public celebration with an elaborate banquet dinner could cost the province a great deal of money. Instead, we thought, why not use that money to benefit the hungry people in a world so full of need?"

The Mother of Good Counsel Province is one of seven Felician provinces in the United States. The congregation, founded in Poland in 1855, is also represented in other countries around the world including Poland, France, Canada, Brazil, and Kenya.

Felicians continue to reflect their Polish heritage and traditions, but today serve people of all faiths and national or ethnic origins. They are among the orders of Catholic women religious who continue to wear a distinctive habit. They are readily recognized by their brown or beige habits and the wooden hand-carved crucifix worn around the neck.

The foundress of the Felicians was a deeply religious and compasionate woman of Warsaw, Sophia Truszkowska, who was concerned about the plight of the many poor, hungry and uneducated children in that city during the mid 1800s. Other like-minded women joined her and the institute she formed became known as the Congregation of the Sisters of St. Felix of Cantalice, St. Felix is a patron saint of children. The first sisters were often seen praying before his statue and devotion to him increased. The people began to call them "Felicians"—the shortened name they still retain. Sophia became Mother Mary Angela and carried on as the spiritual leader of the growing congregation through years of suppression and hardship, as well as growth and progress, until her health declined and deafness prevented her from continued leadership. She then spent her time in prayer and tending the garden, growing flowers for the chapel altar. She died in 1899.

Felicians were called to the United States to teach and care for the children of the many Polish families immigrating to this country in the last quarter of the 19th century. The first five came to the frontier Polish settlement of Polonia, Wis., in 1874, to open the community's first school, an orphanage and a school for Felician aspirants. The motherhouse of the first U.S. province later was transferred to Detroit.

The Mother of Good Counsel Province was the third to be formed in America, opening in 1910 in Milwaukee, Wis. The Motherhouse was moved to its present location in Chicago in 1927 as the number of Felician Sisters teaching in Chicago's burgeoning parish school system grew at a rapid pace.

In addition to schools, the sisters have always been concerned with giving care to orphaned or otherwise needy children, the sick and the elderly. Today, they own and operate St. Francis Hospital and South Day Care Center in Milwaukee, St. Mary's Hospital in Centralia, Ill., their own modern infirmary at the Motherhouse, and a large and growing home for the aged, St. Mary's Home, in Manitowoc, Wis. Felicians administer St. Andrew Home, owned by the Chicago Archdiocese, in Niles, Ill.

A Survey of the work of the sisters conducted by the province for the year 1984 showed that the number of students taught at all grade levels, including college, was more than 17,000. In their varied works of mercy, the survey revealed that Chicago Felicians cared for more than 173,000 hospitalized patients, 470 elderly men and woman, and 500 children in day-care and other preschool child services. The Felicians conduct a Psychoeducational Center for children with learning disabilities and Suzuki and Orff music education program for children at Felician College.●

SOCIAL SECURITY DISABILITY REGULATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. JONES] is recognized for 5 minutes.

Mr. JONES of Oklahoma. Mr. Speaker, the administration released yesterday for public comment, new regulations to implement the medical improvement standard required by the Disability Benefits Reform Act of 1984. That legislation was enacted last year after several years of chaos and controversy in the Social Security Disability Program, in an attempt to provide fair and equitable standards for review of disabled beneficiaries. Both Houses of Congress were unanimous in supporting that legislation which sought to prevent in the future the kind of arbitrary termination of benefits which had resulted in several hundred thousand beneficiaries losing their benefits since 1980.

I am encouraged that the administration is proceeding with the open regulatory process, and it is clear that the public will have much to say about these new regulations. Since the medical improvement standard was really the heart of the disability bill, these regulations will determine whether the bill really accomplishes the congressional aim of restoring fair standards to the disability process. In addition, many other regulations are now being issued to implement all the other provisions of the legislation, and the Social Security Administration is taking other actions as well to implement the bill.

My Subcommittee on Social Security will be conducting several oversight hearings this summer, possibly beginning later this month, to carefully examine this implementation process, and to monitor SSA's progress in putting the legislation in place. In additon, we will be looking at other aspects of the DI Program, such as hearings and appeals, which need continuing examination. I will be reporting back to my colleagues on the findings of these oversight hearings, which are necessary to insure that the good intent of Congress is translated into appropriate actions.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Florida [Mr. NELSON] is recognized for 5 minutes.

● Mr. NELSON of Florida. Mr. Speaker, due to official business in my congressional district, I was unable to be present for rollcall votes on procedural motions Monday, April 29, 1985. Had I been present I would have voted "aye" on rollcall No. 76, to approve the Journal; "nay" on rollcall No. 77, motion to adjourn; "aye" on rollcall vote Nos. 78 and 79, ordering seconds on Senate Concurrent Resolution 37 and House Concurrent Resolution 130.●

ON THE INSIDE LOOKING OUT FROM NICARAGUA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. ALEXANDER] is recognized for 5 minutes.

● Mr. ALEXANDER. Mr. Speaker, Members of Congress have strong and oftentimes passionate views on the issue of U.S. policy in Central America; and we are protected under the Constitution, which provides a privilege to say whatever our consciences

compel us to state during debate on whatever issue we choose to address.

The recent debate on Nicaragua demonstrated concern and confusion on the question of U.S. policy in Central America. Last Sunday April 28, 1985, the New York Times Magazine published an article on Nicaragua written by the famous Peruvian novelist Mario Vargas Llosa. Senor Llosa makes incisive observations about the Contras:

This is a war between poor men. Most of the contras, like the badly wounded Sandinista soldiers that I have seen, are peasants. Many have only a vague idea of what they are fighting for. Some think that they are fighting Yankee imperialism. Others, judging by Contra leaflets, believe that they are engaged in a crusade against the forces of Satan.

Mr. Speaker, I include the article written by Senor Llosa as a part of my special order today to give Members who are interested in this issue an insight that was missing during the debate last week. Most often on foreign policy questions we Members are speaking from a position of the outside looking in. This article by the distinguished Peruvian novelist gives us an inside view from the perspective of a Latin looking out.

[From the New York Times Magazine, Apr. 28, 1985]

NICARAGUA

(By Mario Vargas Liosa)

Is Nicaragua a Marxist-Leninist state? Is it another Cuba or is it on its way to becoming one? To find the answers to these questions, I traveled to the heart of the revolution.

En route to Nicaragua, I made a stop in Venezuela, where a friend expressed his amazement. "You? In Managua? That place is practically another Cuba. With your reputation as a right-winger, things could go badly for you. Be careful." (For reasons that elude me, anyone defending freedom of expression, free elections and political pluralism in Latin America is known as a right-winger among the areas's intellectuals.)

Actually, I wasn't careful at all. Instead of going badly, things went so well that I was worn out—bone-tired from the hospitality lavished on me by the Sandinistas and by the opponents of the regime. During my monthlong trip in January, I talked to hundreds of people. I traveled through most of the country, where fewer than three million people live in an area somewhat larger than that of Greece. And I found striking differences between Nicaragua and Cuba.

By its fifth year, Fidel Castro's Cuba had become a Soviet satellite. Cuba's economic and military survival depended on the Soviet Union. Every sign of opposition had been suppressed. The private sector was eliminated. The party bureaucracy had extended its tentacles throughout the country and ideological regimentation was absolute.

In Nicaragua, five and a half years after the fall of the dictator Anastasio Somoza Debayle, a pluralist society—even though it is under stringent state control—still exists. Private enterprise dominates agriculture, cattle raising, commerce and industry. Political opponents openly denounce the regime through the Democratic Coordinator, a coalition of anti-Sandinista political parties, labor unions and business groups. And despite severe censorship, criticism can be found in La Prensa, the weekly Paso a Paso, and two or three radio news programs.

There is no doubt that political opposition is tolerated because it is not very effective. As the November elections demonstrated, the Sandinistas do not allow competition on real terms (they refused to postpone the elections in order to complete negotiations with the popular Coordinator coalition so that its candidates could appear on the ballot). But it is also true that the opposition is not subjected to the terror and paranoia that threaten all dissidence in a totalitarian state.

Nicaragua, which now plays host to thousands of visible and invisible advisers from the Soviet Union, Cuba and the countries of the Eastern bloc, receives military and technical assistance from these countries. But Nicaragua is far from being a satellite of the Soviet Union—not because of a decision by the Sandinistas, who would, I believe, have been glad to place themselves under Moscow's protection, but because of Soviet reluctance to assume the burden of another Cuba or to risk a direct confrontation with the United States. (During my stopover in Venezuela, President Jaime Lusinchi told me that he had asked the Soviet Union if it was planning to send MIG's to Nicaragua; the reply he received through the Russian Ambassador was: "We're not that crazy.") This explains Fidel Castro's speech late last year in which he announced what everybody already knew: that Cuba would maintain a prudent neutrality if Nicaragua were invaded. He urged the Sandinistas to reach a negotiated settlement with the United States within the framework of the Contadora agreement. (The treaty was first put forward last year by the Contadora nations of Latin America as their proposal for a peaceful settlement for Central America.)

Limited aid from Moscow, combined with internal resistance to the establishment of a Marxist-Leninist regime, economic disasters brought on by nationalization and statism in the early years of the revolution, as well as deprivations caused by rebel terrorism and sabotage, have all served to moderate the Sandinistas' Communist stance.

They now appear to be following a vaguely neutral, nationalist and socialist political model—one that they believe will make the regime's survival and the achievement of domestic peace more likely. If this direction is maintained, there is a chance that the Sandinista regime will evolve into a loose socialist dictatorship independent of the Soviet Union. Yet, one cannot rule out the possibility of a sudden return to the Sandinistas' original intentions (to turn Nicaragua into a Marxist-Leninist state) should the external circumstances change—for instance, if the Soviet Union should suddenly decide to take Nicaragua under its wing.

In the meantime, the Sandinistas have boldly announced they would sign the Contadora agreement, devalue their currency, reduce subsidies to transportation and abolish those for certain basic goods. They have also announced a moratorium on arms purchases and promised that 100 of the Cuban military advisers—a fraction of the total—would be sent home. They are declaring that their regime is a nonaligned, pluralist mixed economy. That is now half true, but it could be a reality if in exchange for their concessions, they could obtain peace and guarantees of non-intervention.

In Nicaragua, myth and reality often go hand in hand.

One day, Vice President Sergio Ramirez Mercado said to me while I was having supper at his house: "I suppose you know the motive behind the wining and dining by the Sandinistas and the reactionaries. We all want you to say nice things about us in your article and bad things about the other side."

Ramirez is a 43-year-old novelist with a fine sense of humor; we've been friends since before the Nicaraguan revolution. He lived in West Berlin and was head of a university press in Costa Rica before the resolution. Ramirez's enemies say that he exaggerates his radicalism in public so that he won't lose influence with his Sandinista comrades; in fact, they say, he is one of the most moderate men in the regime.

It is an interesting twist: a Sandinista accused of being a closet moderate. During my month in Nicaragua, I came across many such ironies. Take Managua, the capital. I used to think that the most labyrinthine city in the world was Tokyo. I was wrong; it's Managua.

The earthquake of 1972, which destroyed most of the city, has left vast ghostly spaces in the center of Managua. The Sandinistas have converted part of the Gran Hotel, severely damaged in the earthquake, into a theater. There, on Jan. 9, three days after my arrival, on a stage built over what once was a swimming pool, Commander Daniel Ortega Saavedra presented a folkloric program for the foreign delegations that had come for his presidential inauguration, held the next day.

The Government had provided me with an escort, the novelist Lizandro Chávez Alfaro, director of the National Library. He is maniacally punctual, insisting I arrive at my appointments an hour ahead of time. That day was no exception, which was fortunate. As the other guests were arriving, I had had the opportunity of touring a section of the hotel that now houses a Museum of Modern Art. It was a brilliant idea to display abstract, surrealist and primitive paintings and sculptures among ruins that looked as if they had been designed exprofeso by a daringly imaginative architect. I could never find the ruins of the Gran Hotel again. People would give me directions, but I could never follow them.

The streets of the rebuilt capital are all side streets: they have no names and the houses have no numbers. Directions are pure conundrums. "Go 70 *varas* up and 20 down from where the little tree used to be." What little tree are they talking about? A tree that once existed in the past, no one knows when, at a spot where there is now nothing, but Managuans still use the "tree" as a point of reference. A *vara*, roughly three feet, is a medieval Castilian measurement that nobody else in the world uses except the Nicaraguans. And how does one interpret "up" and "down"? I was given a variety of explanations. According to some, "up" is the east, where the airport is located; "down" is the west, where you find the cemetery. According to others, both terms come from the Indians, for whom "up" meant where the sun rises and "down" referred to where it sets.

Outside Managua, I was entranced by the variety and beauty of a landscape dotted with lakes, volcanoes, jungles, rugged mountains and plains that support a thriving cattle industry. To travel the Atlantic coast, official permission is required because of the battles between the Government and the 70,000 Miskito Indians, a third of whom have fled to Honduras. In the rest of the country, one can travel freely, even along the northern frontier with Honduras, where

there is a strong anti-Sandinista rebel presence. (A map of Nicaragua appears on page 44.)

On some trips I was accompanied by the affiable Lizandro Chávez, who is a native of Bluefields on the Atlantic coast. On others, I was alone. I was surprised by the lax security measures and the general normalcy of life, even in Esteli and Jinotega, where abandoned villages, destroyed cooperatives, blackened wrecks of burned vehicles and other signs of war with the *contrarevolucionarios* are everywhere. Bluefields and its environs where the only areas where I noticed a certain anxiety in ordinary residents. Yet attacks and incursions by rebel Miskitos there are less frequent than along the Honduran border.

Chávez arranged the interviews with governmental officials, and I took care of interviews with the opposition myself—at least for the first few days. By the second week, I wondered how I would find the time to squeeze in conversations with just a third of the ministers, owners, farmers, former political prisoners, businessmen, unionists, journalists, priests, feminists, evangelicals and poets (even madmen with "essential information" for my article) who had contacted me. At the same time, I was deluged with invitations to social events.

Nicaraguan hospitality is legendary, but the invitations were symtomatic of the importance that both the regime and its opponents place on what is said about Nicaragua outside the country. Both sides know that the fate of Sandinism is being decided not only inside but also outside Nicaragua, especially in the United States.

THE SANDINISTAS WON'T BUDGE ON POWER SHARING

Although the Sandinistas may be prepared to make almost any concession to restore peace to their country, they are obdurate about one point: They will not relinquish power. The desire to hold on to power is, of course, not peculiar to the Sandinistas. It characterizes totalitarian and authoritarian regimes, even the discreet dictatorship of the Institutional Revolutionary Party in Mexico. Don Emilio Alvarez Montalbán, an ophthalmologist and a conservative, is a respected political analyst for the opposition who has a keen appreciation of the ironic. One evening he says to me: "Every day this revolution smells less and less of Moscow and more and more of Mexico City." I tend to agree with him.

Most of the opposition, however, respond angrily to any suggestion that the ruling Sandinista Front is less than totalitarian. At their meetings, they cite examples of human-rights abuses, the mockery of the Anti-Somocista People's Tribunals, the harassment of free trade unions, the abolition of the right to strike, the cancellation of 24 radio news programs, the contradictory decrees and threats of confiscation leveled against the business community, the Marxist indoctrination of the young in the schools and the army.

Those attending the meetings are not circumspect in their choice of words. Some, after giving their full name, make ferocious—and unverifiable—attacks on the Commanders: They have stolen the best homes; they have a house of assignation on the Southern Highway; they have turned Sacuanjoche Restaurant into a place where Cubans, Russians, Bulgarians and the other Communist advisers can indulge their orgiastic fantasies.

When I say that in the totalitarian countries of my acquaintance a meeting like theirs would be inconceivable, they reproach me for my naïveté. Can't I see that this kind of "tactical" tolerance will soon end? They are risking their freedom, perhaps their lives, by speaking up.

I always leave these meetings admiring their tough stand, but skeptical of their effectiveness. The civilian opposition appears to be associations of the elite, so prone to internecine wrangling that they leave themselves open to the Sandinistas' divide-and-conquer tactics. Almost all of the opposition parties—the Democratic Conservatives, the Liberals, the Christian Socialists and the Social Democrats—have a splinter group in the National Assembly.

There are capable and highly intelligent men among the opposition leaders, but their overall political activity is impractical. They refuse, for instance, to admit that it was a mistake to boycott the November elections. Regardless of how fraudulent they may have been (they were no more rigged than the ritual elections in Mexico or the ones held recently in Panama), participation would have given the opposition more representatives on the national level (the non-Marxist opposition parties took 29 seats in the 96-member Assembly), more clout in denouncing official excesses and errors, as well as the opportunity to exert some influence on the system.

Instead, they preach a legalism and an orthodox liberal democracy that Nicaragua has never had and that, sadly, it probably will not have in the near future. By telling each other, and trying to convince everyone else, that the country is now, or is about to become, a totalitarian satellite of the Soviet Union, they have adopted the politics of catastrophe—of waiting for the contras, aided by the United States Marines, to rescue them.

And who are the contras? The Sandinistas call them "mercenaries" and "gangs"; President Reagan calls them "freedom fighters." Most of them are in the Nicaraguan Democratic Force, which operates out of Honduras and is led by Adolfo Calero Portocarrero, former head of the Conservative Party. Then there is the Revolutionary Democratic Alliance in the south, along the Costa Rican border, which is headed by Edén Pastora Gómez, the former Sandinista.

The Government and the opposition versions of the war with the contras are so contradictory that trying to see the two sides clearly often leads to confusion. But one point is clear: The "bourgeoisie" is not at the front. This is a war between poor men. Most of the contras—like the badly wounded Sandinista soldiers I saw in the Germán Pomares Field Hospital in Jinotega—are peasants. Many have only a vague idea of what they are fighting for. Some think they are fighting Yankee imperialism. Others, judging by contra leaflets, believe that they are engaged in a crusade against the forces of Satan.

The contras can inflict a great deal of damage on the Sandinista regime. Perhaps they can do more harm than they have already (7,968 casualties in four years, according to President Ortega; the equivalent figure in the United States would be 600,000), but they have no chance of overthrowing the Government. The support they enjoy in certain peasant and bourgeois quarters is not enough to provoke a general uprising similar to the one that toppled Somoza.

Furthermore, the contras' economic and military dependence on the Central Intelligence Agency and the United States arouses irremediable suspicion even among those who are hostile to the Sandinistas—who remember the numerous North American interventions and occupations, especially the one that left the Somoza dynasty as its legacy. Pablo Antonio Cuadra, the noted Roman Catholic poet, writer and co-editor of La Prensa, and one of the most respected of the opposition figures, tells me that "the C.I.A.'s covert aid to the contras has been a very serious mistake."

A North American invasion is not the solution if one is trying to preserve democratic options in Nicaragua. The kind of massive, and bloody, military intervention that will be needed to overthrow the Sandinistas will not result in a democracy. Only a dictatorship can impose order in a country devastated by terrorism and civil war. To maintain the existing fragile freedoms under the present regime, the only choice for the opposition is to reach some kind of an agreement with the Sandinistas. Although the regime has traveled far down the road toward totalitarianism, the challenges and difficulties it faces are an inducement to compromise. Because the opposition parties do not recognize this, they have become marginal to the central political realities of Nicaragua.

THE MODIFYING INFLUENCE OF CAPITALISM

The groups that have been effective in forcing the Sandinistas to modify their Marxist-Leninist intentions are the farmers and industrialists. Unlike their Cuban counterparts a quarter of a century ago, they did not fly to Miami when the Government turned progressively Communist soon after it came into power.

Enrique Bolaños Geyer, a prosperous industrialist, rancher and farmer, is a steadfast critic of Sandinism. He is also president of the Superior Council of Private Enterprise (known as Cosep), the country's largest business federation that had financed three political strikes against the Somoza regime in 1974. "Bolaños's problem, and Cosep's problem, is that they haven't resigned themselves to their loss of political power," claims Vice President Sergio Ramirez. "We have no difficulty in reaching an understanding with Carlos Pellas, the multimillionaire, or other industralists who discuss credits, foreign currency, stocks and investments with us. But no capitalist will ever be president of the Central Bank again, or dictate our economic policy, and that is what Cosep cannot accept." Perhaps he is right. But beneath the apparently incompatible doctrines, there are signs of cooperation between the capitalist sector and the regime.

Before the Sandinista revolution, the Pellas family was, after the Somozas, the second richest. The family still has vast holdings, the most important of which is the San Antonio Refinery in Chichigalpa. I spent a day there, escorted by the young, dynamic Carlos Pellas, who elected to stay in Nicaragua when his father and brothers moved to Miami. There are 3,000 workers on the payroll (5,300 during the harvest), and about 20,000 people who live on company-owned land. In recent years, there has been a decrease in production, stemming from an affliction whose ravages can be seen everywhere: the scarcity of foreign currency.

The Government's delay in giving the refinery dollars to pay for repairs and replacement parts meant that many of its trucks and tractors were out of service, and the transport of sugar cane to the factory was

reduced drastically. Moreover, rats devoured some 200 tons of sugar cane because the refinery did not receive the $100,000 it had requested to buy poison. "Because we couldn't get that money on time," says Pellas, "we've lost 400,000 quintales of sugar; that's approximately $2,700,000." (A quintale is about 100 pounds.)

Since the revolution, about 70 of the company's technicians and professionals have left the country. Two of the currently employed engineers have moved their families to Costa Rica and visit them every two weeks. Why? "So that our children won't be called up for patriotic military service, and because we're afraid the country will become Communist."

As often as they voice fears that the Sandinista Government is headed toward Communism—a fear common among the middle class—the refinery's professionals complain about the lack of worker discipline that Sandinism has brought with it and of the high cost to the owners of continuing to pay the salaries of workers conscripted into the army.

Nevertheless, the San Antonio Refinery is expanding (by expanding, an owner not only gets more foreign currency but shows his faith in the Government). The San Antonio Refinery has built a new mill that will equal the output of its factory. "I think the company is secure for another five years," says Pellas. "Only God knows after that."

The man touted by the regime as its "capitalist" is Samuel Amador. "He's the capitalist we show to foreigners so they won't think we're Communists," jokes Vice President Ramírez when he introduces me to Amador. It is a role the flamboyant 48-year-old farmer and rancher plays marvelously well.

I spend a weekend with him in Sébaco, 66 miles from Managua, in his mansion with its marble, its two gigantic heart-shaped swimming pools and its 11 dogs. It is the house of a Nicaraguan Great Gatsby. "It cost me $800,000," Amador tells me as he raises his little finger with its flashing diamond ring. What is $800,000 to a man happy to have lost $2.5 million during the war that overthrew Somoza? He has just been elected Sandinista representative to the National Assembly.

That weekend, Commander Jaime Wheelock Román, the Minister of Agrarian Reform, and 50 North Americans arrive by bus for supper. Amador tells his visitors that the best proof that "Nicaragua will never be Marxist" lies in his four estates, his 3,750 acres of rice, sorghum and vegetables, his livestock, his new houses in Matagalpa, his 180 employees, the vineyards he intends to plant, and the tourist project he will launch this year in the Jinotega Mountains.

He introduces me to his two teen-age sons, "volunteers in the coffee harvest," who, he assures me, will do their patriotic military service. "For now they're *turbas*, so what?" ("Turbas," a derogatory term for the masses, or mob, are civilians used by the Sandinistas for political intimidation. "Yes, we are the *turbas*, so what?" has become their rallying cry.)

At night, as we stroll through his garden-full of frogs, he confesses that his happiness is not absolute. He has two daughters living in California who refuse to visit him and who write to him that "one day the Communists will slit your throat." When I ask him if there is anything in the regime that isn't perfect, he says: "A.T.C." (the Association of Rural Workers, the official peasants' union). They have taken over his lands twice, and Amador has had to use all his influence to dislodge them.

According to Cosep, the private sector is a fiction in Nicaragua. "What kind of landowners are we?" its members ask. "The state decides what we should plant and when we should plant it. We can sell only to the state, only at the price it sets. It pays in cordobas and decides when, and in what currency, it will give us money for upkeep and equipment. With the banks nationalized, we have to depend on the state for credit, too. And we live with the threat that they'll confiscate our land on the pretext that we're sabotaging the economy."

The Sandinistas' point of view is quite different. "We are saving the private sector in Nicaragua," claims Commander Wheelock. I accompany him as he escorts the Prime Minister of Iran, Mir Hussein Moussavi, on a tour of the Cuban-built Timal Refinery in Malacatoya, 14 miles from Managua, which is the biggest refinery in Nicaragua and which was opened by Fidel Castro on Jan. 11.

"The peasant masses were hungry and angered by the exploitation they had suffered," Wheelock continues. "They were pressing for the lands, and there were many unjustified takeovers. But thanks to agrarian reform, which has distributed two million *manzanas*"—about 3.7 million acres—"and because the peasants trust us, we have avoided widespread expropriation of private holdings. We are slowly rectifying whatever abuses may have taken place."

I ask him why employers are not allowed to pay their workers bonuses or give them higher salaries than those set by the state. His reply: "To avoid the anarchy that would result during the current crisis if there were rivalry between employees of different companies, and to avoid the creation of privileged elements within the working class."

Relations between the owners and the Sandinistas, although full of mistrust, are not alway negative. Seventy-five private rice growers organized the National Association of Rice Growers in 1979 and are affiliated with Cosep. They are proud that their 22,500 acres produce 50 percent of the rice grown in Nicaragua—that is, 92 million pounds, which is the output of the 35,000 state-owned acres the Government expropriated from Somoza. None of the 75 have been exiled or had their property confiscated. Three plantations were taken over, but the rice growers' association moved heaven and earth and managed to recover them.

"After endless negotiations," says Mario Hanón, the association's president, "we convinced them to let us open our own marketing association. We handle 90 percent of the private production and 10 percent of the state harvest as well, since the state companies have discovered that if they sell rice to our marketing association, payment is fast and reliable, which is not the case with the state marketing agency.

"We can't sell freely, only to buyers sent by the state, but at least our rice is processed and sold efficiently," continues Hanón. A short, energetic man in his early 50's, Hanón is an engineer who was imprisoned by the Sandinistas for four months soon after they took over. "At the National Rice Commission . . . we have marathon discussions with the Government delegates, but, I must confess, they've always set a price—at least until now—that meets our expectations."

The leaders of the rice growers' association says that they have earned the respect of the Sandinistas, which is why they were allowed to establish a research company specializing in fertilizers, as well as a seed-exporting plant.

"It may be that not all the trade associations are as united as we are," says Hanón. "We're like a fist. As soon as there are rumors of confiscations, we hire lawyers, we swamp the regime with letters, lawsuits, claims, requests for meetings. We knock on Commander Wheelock's door, and if he doesn't open it we climb in through the window. The Cuban advisers for the state rice plantations were a disaster, and that worked in our favor, too."

As I say goodbye to Hanón and his colleagues in the association's office in downtown Managua, I tell them that at least from their perspective, the future of private enterprise does not seem so dismal. "We've put a tape in our heads that plays the same thing over and over," says Hanón. "'Nothing's happened here; let's get to work.' The trouble is that sometimes the tape breaks and we remember the crisis, the war, the insecurity. That's when we begin reeling—and we're not even drunk."

BUSINESS IS BRISK IN THE BLACK MARKET

It covers 10 or 12 blocks in the eastern end of Managua, and its multicolored displays in crowded kiosks, stalls and counters recall the bazaars of the Middle East. It is called the Oriental Market—Nicaragua's black-market heaven.

The shelves in the supermarkets and stores that sell merchandise at Government-fixed prices are usually half-empty, and people have to wait on long lines to buy subsidized or rationed goods. But go to the Oriental Market and nothing is scarce and there are no lines. Prices, however, are much higher than the official ones.

When I was in Nicaragua, toothpaste—officially priced at 27 cordobas (equivalent to $1)—was not for sale anywhere except at the Oriental Market, where it cost $7. The tailors' cooperatives were supposed to sell jeans for $18, but the supply did not even remotely match the demand. Jeans were available at the Oriental Market for $180. The Oriental Market also dispensed medicines that were in short supply at the pharmacies.

What the Sandinista Government had intended to do was to protect the "real wages" of the workers and, through price controls and subsidies, to price essential goods within reach of even the poorest citizen; in January the average monthly salary for a worker ranged between $110 and $150. But, some say, this policy has turned Nicaragua into a country of speculators, hoarders and smugglers—a country where the most profitable business is the channeling of good from the legal economy into the black market.

I mentioned to a Government official that the only people who benefitted from this system were the wealthy, that it actually harmed the poor for whom the system had been created. "That's the problem when you set up socialism halfway," he said. "If we had nationalized the *entire* economy, this corruption would not exist."

A few days after I left Nicaragua, I read in the paper that the Sandinista regime had decided to abolish subsidies for agricultural products and to allow the free market to determine prices.

PLAYING POLITICS WITH THE CHURCH

Nicaragua is one of the most Catholic countries I know. When I was traveling through the department of Estelí, I saw

caravans of peasants in their Sunday clothes, many of them barefoot to fulfill a vow, who were walking to the Sanctuary of Our Lord of Esquipulas in El Sauce, some 45 miles away. Every Nicaraguan village has its saint and honors its patron's feast with a celebration that usually lasts several days and includes festive processions and rituals.

Religion has long been inseparable from politics in Nicaragua, but perhaps the most critical debate in the country today is between the "peoples church" and the Government on one side, and the church hierarchy and the majority of the faithful on the other.

Many Catholics fought with the Sandinistas against Somoza, and almost all the leaders of the Sandinista National Liberation Front (F.S.L.N.)—even those most devoted to Marxism like Tomás Borge Martínez, the Minister of the Interior, or Carlos Fonseca Amador, a founder of the Front—had a Catholic education. The Catholic hierarchy had frequent confrontations with Somoza, and after his overthrow gave the Sandinistas its blessing in a pastoral letter. But the support was shortlived. It ended with the radicalization of the regime and the rise to prominence within the Government of the "people's church," which advocates a synthesis of Marxism and Christianity. The supporters of this movement claim that the first duty of Christians is commitment to the revolution, and they identify sin with "unjust capitalist social structures."

"We are not a parallel church, but a reform movement that is trying to live in solidarity with the poor," says José Argüello, editor of Amanecer, which is published by the Antonio Valdivieso Ecumenical Center. "For us the problem is not whether the revolution is moving toward Marxism, but whether it is going to survive. The alternative is not democracy but something like the situation in Guatemala or El Salvador. A Marxist country is better than a dead one."

Ernesto Cardenal Martínez—a priest, poet, Minister of Culture and one of the most extreme advocates of the "people's church"—has proclaimed that the "true Kingdom of God is a Communist society, and Marxism is the only solution for the world." (Cardenal, one of four revolutionary priests in the Sandinista Government, was recently suspended *a divinis* for not resigning his ministerial post.) Nicaragua has consequently become the magnet for liberation theologians, Socialist Catholics, radical theologians, apocalyptic prophets and Marxist-Leninist priests from all over the world.

Its name notwithstanding, the "people's church" is largely composed of members of the religious elite—priests and laymen whose intellectual disquisitions and sociopolitical work lie beyond the scope of most of the Catholic poor. The majority of Nicaraguan Catholics, like Catholics in the rest of Latin America, do not practice the reflective, intellectualized, critical religion that the "people's church" espouses. On the contrary, theirs is a simple, intuitive, disciplined and ritualized faith that has always strengthened the church in Latin America. The efforts of the leaders of the "people's church" to combine politics and religion have only found a response in the intellectually militant members of the middle class, many of whom are already converts.

The most outstanding figure in the "people's church," the Franciscan Uriel Molina, is saying a solidarity mass in the church of Santa Maria de los Angeles in Managua's Rigueiro District, where he has been priest for many years. The chapel is circular and bare of statues except for one of the Virgin. There are, however, huge revolutionary murals in which Christ is dressed as a Nicaraguan peasant and villainous Yankee imperialists and well-fed soldiers shoot young people carrying Sandinista flags. The Peasant Mass, by the composer Carlos Mejia Godoy, is punctuated with revolutionary songs written to very pretty music.

The lesson in Father Molina's sermon deals with the "process of revolutionary social change which Christians should experience through their faith." When the time comes for the embrace of peace, the mass turns into a political meeting. More than half of those attending are North American visitors. Encouraged by the presence of state television cameras, they rush toward Commander Tomas Borge, who is beside me, kiss him, photograph him and ask him for his autograph. I whisper to him: "The revolution's in trouble—this looks like Hollywood."

"Most Nicaraguan Catholics," says the Archbishop of Nicaragua, Miguel Obando y Bravo, "are loyal to the bishops and the Pope." There is strong evidence he is right.

I see it as the Festival of San Sebastian in Diriamba, where a lively crowd gives an old priest an ovation when he takes the microphone as the procession begins and shouts: "The Communists are responsible for this war, and they're forcing our boys into the army to fight it." And I see it most of all in the excitement Monsignor Obando generates in his public appearances.

When I attend mass at his church of Santo Domingo de Las Sierrietas on the outskirts of Managua, Nicaraguans of all classes—waving Nicaraguan and Vatican flags—receive the Archbishop with applause (it is his birthday) and cheers for the Pope. Beneath the traditional appearance of the church and its traditional decorations, everything, including the congregation's exaggerated enthusiasm, is as politically charged as it was in the Rigueiro District. (Ever since John Paul II's visit to Nicaragua in 1983, the Pope has become a buzz word: Cheering him is equivalent to protesting against the regime.)

At 59, Monsignor Obando is a charismatic personality. His cardinal's vestments cannot hide his rugged Indian features and his compact peasant's body. In contrast to his adversaries, Monsignor Obando has no intellectual pretensions. He is a conservative like John Paul II, with whom he is on very good terms. He combines commitment to tradition and ecclesiastical authority with a sense of justice and a notable ability to communicate his spiritual message to humble people.

"The regime is not totalitarian yet, but every day there are more signs that it is moving in that direction," he says. "We are in favor of reform. We are opposed to the great economic gap between rich and poor. But social justice is one thing, and filling a country with hatred, preaching the class struggle, advocating war to the death between capital and labor—that is another matter entirely."

I tell him what Tomás Borge told me: "We're worried that the C.I.A. will try to assassinate Monsignor Obando and blame us." The Archbishop sighs. "Somoza said the same thing: 'I'm afraid that the Sandinistas will kill you and blame me.' And he tried to give me protection, which of course I refused, just as I had refused the Mercedes-Benz he wanted to give me as a gift. Tell Commander Borge that he doesn't have to send me protectors, because I already have four of them: the Father, the Son, the Holy Spirit, and myself."

He tells me that in late 1983 a peculiar incident occurred. On his way home from a pastoral in the country, "three armed men dressed as soldiers stopped the car; only the driver and I were in it. They forced their way in and made us drive to an isolated spot and park. In the darkness they insulted me and said they were going to kill me. I always carry a two-way radio and I managed to shout into it what was going on. This surprised them, and they ran away. Apparently their orders were just to frighten me."

Pastoral letters of the Nicaraguan bishops criticizing the regime have touched on highly controversial issues, such as the conflict between the Sandinistas and Miskito Indians; the church blames the situation on acts of violence by the Government. But the pastoral letter of a year ago provoked the greatest furor when it advocated a dialogue between the Government and the contras. The Sandinistas have steadfastly refused to negotiate with the rebels.

It is, however, the church's frontal attack against Marxism, perhaps even more than the economic crisis or external pressures, that has been a moderating influence on the regime. The Sandinista Directorate recently established a dialogue with the bishop's conference. While I was in Nicaragua, there were two private meetings, one between Monsignor Obando and President Ortega, and another between President Ortega and the president of the bishops' conference, Msgr. Pablo Antonio Vega, but the results were not made public.

The peasant village of Cuapa is in the department of Chontales, in the center of Nicaragua. One night in 1981 the sacristan, Bernardo, went into the church and saw a brilliant light that radiated from the Virgin and illuminated the entire chapel. The phenomenon disappeared when Bernardo switched on the electric light.

One morning three weeks later, when he was fishing along the river, the sacristan suddenly felt great joy. The landscape around him began to change: the sun was in eclipse, he heard birdsong and the rustling of leaves, and he saw flashes of lightning. A cloud descended to earth. On the cloud was a beautiful, barefoot young woman, with her hands clasped, a cape embroidered with jewels wrapped around her, a crown of stars on her head. She had chestnut hair, honey-colored eyes, bronzed skin. She stretched out her hands and a feeling of warmth flooded through the sacristan. "What is your name?" he stammered. "My name is Mary." "Where do you come from?" "From heaven. I am the Mother of God."

This first vision took place on May 8. There were four more, in June, July and September, always on the eighth of the month. The sacristan was also summoned on Aug. 8, but he couldn't respond because the river was in flood and he could not cross over. In his last vision, it was not the young woman who appeared to him but a little girl about 8 years old.

In the first vision, the Virgin asked Nicaraguans to say the rosary with their families, and she exhorted them to love one another, to fulfill their obligations and to make peace. She also said: "Nicaragua has suffered a great deal since the earthquake, and if you do not change, Nicaragua will continue to suffer and you will hasten the coming of the Third World War."

The message was unequivocal in the second vision. Bernardo asked her what she

thought of the Sandinistas. Her answer: "They are atheists, Communists and that is why I have come to help the Nicaraguans. They have not kept their promises. If you ignore what I ask, Communism will spread throughout America. But you must not leave the country; you must not turn your back on your problems. If you listen to my pleas, Nicaragua will be the light of the world."

Bernardo, a friendly man in his early 40's, tells me the story in a mild voice. We are in the garden of a seminary in Managua where he is in seclusion. He says that he still cannot reveal everything that Mary told him. He has that quiet look of the believer that I find fascinating yet unnerving. He tells me that when Monsignor Vega, who is the Bishop of Juigalpa, authorized him to reveal the miracle, and crowds of pilgrims began to come to Cuapa, three Government officials visited him and offered him a farm with good land and cows, free of charge, if he would say the Virgin was a Sandinista. He answered that he could only tell the truth. They offered a compromise: All he had to do was to stop saying she was anti-Sandinista. "I cannot betray her," he replied.

Then a campaign against him began in Barricada and Nuevo Diario, the two official newspapers, and on television. He was called insane, hysterical, delusional. One morning at dawn, the police broke into his house and tried to kidnap him, but the devout who slept close by came to his rescue. Two years ago, the church brought him to the seminary in Managua to protect him; he takes care of the garden and regales the seminarians with stories of the visitations.

By the time Bernardo was moved to Managua, the Virgin of Cuapa had become an object of veneration in Nicaragua. Tens of thousands of the faithful have crowded into the village, sometimes led by Monsignor Vega and Monsignor Obando. Whenever the censorship allows, La Prensa publicizes the pilgrimages and defends Bernardo. The church hierarchy has let it be known that "the petitions of the Virgin were not in opposition to the teachings of the church."

The efforts of the "people's church" to eradicate "bourgeois mariolatry" have been unsuccessful. During Commander Ortega's inauguration, Monsignor Vega, who read the benediction, cleverly evoked the Virgin of Cuapa before hundreds of guests and millions of television viewers. When the Valdivieso Ecumenical Center tried to counterbalance this "mariolatry charged with potential counterrevolutionary politics" with novenas that proposed a progressive and revolutionary image of the Mother of Christ, the hierarchy declared the novenas impious and denounced the center for anti-Christian activities.

This is not a medieval history. In Nicaragua today, belief or disbelief in the Virgin of Cuapa situates people on one side or the other of the country's ideological conflict.

THE HEAVY HAND OF THE CENSOR

The newspaper La Prensa is the voice and catalyst of the anti-Sandinista opposition. I attend an independent-union meeting of its employees in Managua, which has been called because the Government censor suppressed 60 percent of their copy the day before and the newspaper could not be published.

All copy must be presented to the Ministry of the Interior by midmorning. Three or four hours later, the Director of Media, Lieut. Nelba Cecelia Blandón, returns the materials, indicating the paragraphs, articles, headlines and photographs that must be excised. On the average, a quarter of the paper was censored in 1984, and since censorship was established three years ago, the paper could not publish 29 times. La Prensa has a "morgue" of approved texts that it substitutes for those that have been cut.

During the meeting on Jan. 9, the eve of the anniversary of the assassination of the paper's previous editor—Pedro Joaquín Chamorro (who was reportedly killed by Somoza loyalists)—the staff gives a warm welcome to his widow, Violeta de Chamorro, who often visits the offices of the newspaper which she owns. A motion is approved urging President Ortega to abolish censorship and to end harassment "of our workplace."

Jaime Chamorro, brother of the slain journalist, coedits the paper with Pablo Antonio Cuadra. Chamorro is an important leader of the Conservative Party and one of the most outspoken members of the opposition. He explains that Sandinista persecution takes many forms: intimidation of the paper's distributors by the "turbas" that has forced 20 of its 150 outlets to close; denial of foreign currency to the paper for the importation of raw materials; the withholding to the paper of news items from state agencies, and pressure on contributors and employees to end their association with the paper.

Despite all this, and despite the fact that the paper comes out as late as 6 or 7 in the evening in order to comply with the censorship procedures, La Prensa sells all of the 70,000 copies permitted under the paper quota. On days La Prensa cannot publish, its readers send in the price of the paper as a token of solidarity and in recognition of La Prensa's symbolic value. "I'll stay in the country only until they close it down for good," says an engineer at a sugar refinery.

Is the regime aware that censorship damages its image in the rest of the world? "This is a war of aggression," Tomás Borge explains. "Let the attacks and sabotage against our country by the C.I.A. and the mercenaries end, and censorship will end. We are at war, and every country at war uses censorship to protect security.

He adds that offical publications must also submit to Lieutenant Blandón's scissors. "What happened to Allende in Chile is not going to happen to us," says Daniel Ortega. "Before the coup, the Government was destablized by the C.I.A.-controlled media." Several Sandinistas, Jaime Wheelock among them, lived in Chile during the Allende period, and they are haunted by what happened to the slain leader's party, Popular Unity.

Total censorship, however, is difficult to achieve. Photocopies of suppressed texts circulate from hand to hand; people discuss them on the street and read them to each other on the telephone. And the anti-Sandinista stations—Radio Impacto in Costa Rica and the contras' September 15 that apparently broadcasts from Honduras—are heard everywhere. But perhaps the most serious consequence of censorship is the impoverishment of political debate in the news media. There is, in fact, no debate: There are only attacks and mutual incomprehension.

The level of the two official newspapers is very low. Barricada is made up of communiqués and Nuevo Diario tends toward sensationalism. The editor of Nuevo Diario is Xavier Chamorro, the brother of La Prensa's co-editor. Until recently, Barricada's editor was Carlos Fernando Chamorro, son of La Prensa's slain editor. A reserved, secretive young man who spouts the passionate and truculent slogans of the Sandinistas, Carlos Chamorro is now in charge of the Government's Propaganda Department.

In many minds, the Chamorro family has become a symbol of a divided country. Violeta de Chamorro, an elegant, courageous woman whom history has pushed to the front lines, assures me that her divided family (and there are many such families in Nicaragua today) still meets occasionally for lunch, and that they talk to one another cordially about everything except politics. Mrs. Chamorro herself was a member of the Provisional Government, but resigned because of differences with the Sandinistas.

Censorship has so exacerbated La Prensa's opposition to the Government that although Lieutenant Blandón censors one-quarter of the copy every day, with what remains the paper manages to strike a blow against the regime even when it seems to be reporting the weather or the miracles of the Virgin. Nicaraguans decipher the allusions and barbs just as the Spaniards did during Franco's last years when censorship was beginning to weaken and newspaper readers routinely read between the lines. La Prensa, which questioned the validity of the November elections, never calls Commander Ortega "President of Nicaragua." It always refers to him as the "Executive Officeholder"—the same term Pedro Joaquín Chamorro used for Anastasio Somoza Debayle.

THE LAST OF THE ORIGINAL FOUNDERS

Commander Tomás Borge, Minister of the Interior, is one of the nine members of the National Directorate of the Sandinista Front. He is the sole survivor of the five who founded the Front in 1961. Born into a poor family from Matagalpa, he went to school with Carlos Fonseca Amador, another of the Front's founders, and he began to conspire against Somoza when he was 14. He spent six and a half of his 54 years in prison, five in the mountains as a guerrilla and 19 years in hiding.

He is the oldest of the Commanders of the Revolution (the rest are in their 30's), the most talkative, the one most inclined to confuse desire with reality, and the most amiable. He is a short man with curly hair, a broad chest and vaguely Oriental features. His exuberance charms journalists. At a dinner with foreign correspondents in Managua, the reporters unanimously describe Borge as "the only Commander whose speeches aren't boring."

If it is true that all Nicaraguans have a kind of natural addiction to poetic imagery—Nicaragua has a higher percentage of good poets than any other Latin American country—in Tomás Borge this trait has been honed to a perversion. In front of the Ministry "Guardian of the People's Happiness." The title of his book on Carlos Fonseca is "Carlos, Dawn Is No Longer a Temptation."

Writers are often guests at Borge's house. He is an avid reader, and I am certain he suffers from a frustrated literary vocation. Although I sometimes think he idealizes and colors Nicaraguan reality until it turns into science fiction, at other times I am convinced that he speaks with utmost candor.

On the day of our first interview, we are in the simple house where he lives with his wife and several young children. He says it is a shame I write good novels but have such bad political ideas, and I respond by asking if what they say about him is true: that he is the hardnose of the revolution, Moscow's man and Cuba's tough guy, a fanatical

Marxist and Communist. The part that bothers him is "hardnose." "They say that about me? I'm the softest of the bunch. Let me tell you something. If I had been the candidate in the November elections, the bourgeoisie in this country would have voted for me. Know something else? The prisoners' children love me."

"We're the only revolution in the world that hasn't shot anybody, that has abolished the death penalty," he says. "And as for my police, all you have to do is walk down the street to see how respectful they are toward the people. This is the only country in Latin America where nobody's afraid of the police. Just yesterday I sent some cops to break up a strike—the workers had taken over the premises. I arrived a little later and what do you think I saw? The strikers and the cops were having beer together!"

Days later, when he learns that I am going to attend Father Uriel Molina's solidarity mass, he suggests we go together. We arrive early and walk along the miserable unpaved streets, past the shanties of plywood and tin in the Rigueiro District. There is no wild cheering when the poor recognize Borge, but many of them wave, call him by his first name, and some even brave his guards—soldiers armed with machine guns—to embrace him. He is the classic politician: He kisses babies, picks up children, and gives the pencils and the ballpoint pens he has in his pocket to anybody who asks for one.

After mass we go to eat at Lobster's Inn. The after-dinner conversation lasts more than four hours. I ask him if he misses his life in the mountains. "Not at all, I'm a city man. Those five years as a guerrilla were terrible. A guerrilla's life seems very romantic, but it's really monotonous, uncomfortable, and your one daily, absorbing, obsessive concern is hunger."

He asks me why I am not a revolutionary like other Latin American writers—Garcia Márquez, for example, or Julio Cortázar. I try to explain, but he doesn't seem particularly convinced by my conviction that without freedom all social reforms are bound to fail sooner or later. He says that Fidel Castro, who spent three days in Nicaragua for Daniel Ortega's inauguration, told him that in spite of my criticisms of Cuba, he wanted to meet me but wasn't able to find me. "Your police must be terrible," I tell him, laughing.

He assures me they are enormously efficient. "We've infiltrated the contras; we know all their moves and catch them like rabbits. I've even infiltrated the C.I.A. We don't use torture, so our only option is to be very good cops."

Toward the middle of January, Borge gives a dinner in my honor at his house. It is one of the few chances I have to talk with Nicaraguan writers. I discover that Nicaragua is like the rest of the world. Writers don't discuss literature when they get together: They talk about other writers who aren't there, and they talk politics. There are about 25 poets and novelists at the dinner, including Ernesto Cardenal. Minister of Culture, who is an excellent poet. I have attacked him for some of his outrageous demagogic statements, but every time we meet he is very cordial and suave, acting as if he knows nothing about what I have said about him.

Borge denies the insistent rumors that over and above his ideological differences with Commander Jaime Wheelock (Borge is radical and Wheelock is moderate) they despise each other. He also insists it is not true that relations between himself and Daniel Ortega are strained because Borge wants to be President. "Revolutions are invincible," he says, "unless they commit suicide by becoming divided, which was the case in Grenada, where Maurice Bishop was murdered by his own comrades. If we were disunited, the United States would invade immediately."

Borge's claim that prisoners are not tortured is disputed by Dr. Lino Hernández Triguero of the Permanent Commission on Human Rights. "We have proof," Hernández tells me, "of tortures that leave no mark. Prisoners are locked inside a dark cell for two or three months, for example. In the case of Dr. Alejandro Pereira, a political prisoner, Borge's men made him listen to a tape of his wife's voice pleading with him to confess to the charges against him."

How many political prisoners are there in Nicaragua? There are conflicting statistics. According to Borge, of the country's 6,000 prisoners, 2,000 are Somoza's ex-guards and about 200 are contras. According to the opposition the number is much higher. Enrique Sotelo Borgen, a Conservative representative in the National Assembly, estimates that there are about 10,000 political prisoners.

Many of the prisoners accused of being counterrevolutionaries are in the Zona Franca prison where, according to the Commission on Human Rights, there are at least "1,000 political prisoners in filthy and inhumanly overcrowded cells." The prisoners are allowed one visit every two months from one family member for one hour. The visitors start lining up at the prison gate the night before. I ask Borge for permission to visit Zona Franca; although he promises he will send it, I never receive the permit.

At our last meeting, Borge takes me to one of the prides of his ministry: the "open farms." At one, 14 miles from Managua, there are 59 prisoners—all former Somocista guards—who plant corn, beans and other food products on a 125-acre farm. There is no security of any kind, and the farm is run by a prisoners' council whose president, a former sergeant sentenced to 29 years in prison, was Somoza's bodyguard. They have visitors every Sunday, and every six months they can spend a week with their families. The farm has two rooms set aside for "conjugal meetings." According to Borge, there are seven "open farms" with a total of 900 prisoners, who are chosen on the basis of good behavior.

At the beginning of our visit to the farm, a former lieutenant in the guards who has six months left to serve asks Borge for an early pardon. Borge makes this proposal to the prisoners: I'll let him out if you promise not to ask me to shorten all of your sentences." They agree. But at the end of the visit an offical comes to Borge with the case of another prisoner who signed into Somoza's guard when he was 14 years old. He has been sentenced to 10 years in prison, and has already served five. His behavior has always been exemplary. Borge calls the prisoner over and asks him what he would do if he were free. "I'd finish school and then I'd study medicine," Borge cuts the five years off his sentence and gives orders for his immediate release. The young man begins to cry. The cameras of the state-controlled television, which accompany Borge on his tours, record it all.

THE POPULARITY OF THE REGIME DWINDLES

The Sandinistas boast of having received 67 percent of the vote in the recent elections, but the organizational structures in Nicaraguan society make it difficult to determine if the figure is a real reflection of the regime's popularity.

The Cuban-style Sandinista Defense Committees organize the populace by street and district. Anyone who does not belong is an outcast, since it is through these committees that one receives the coupons to buy rationed and subsidized basic commodities. The committees also grant the certificates of good conduct required for obtaining passports, state jobs or student scholarships.

The committees have made a valuable contribution to the campaigns for literacy and mass vaccinations, and they played an important role in the success of police operations against crime and drug traffic. In Managua, there is no drug problem among the young. It is safe to walk through any neighborhood, day or night, and the American Ambassador has only one bodyguard in contrast to the six needed by his counterpart in Costa Rica and the eight in San Salvador. The chief function of the defense committees, however, is to spy on neighbors.

Besides these committees, other mass Sandinista organizations include the official unions, which have not replaced the independents but have reduced and marginalized them, and the People's Army, which now has compulsory military service.

Although it is obvious that most of the population take part in these organizations, it is also obvious that participation is often grudging because it is unavoidable. Two days after my arrival, I spend a morning in Nagarote, 26 miles to the west of Managua.

About a week earlier, army recruiters—soldiers themselves—came to the village at dawn and battered down doors in their search for deserters and draft dodgers. The villagers reacted violently, fighting with fists and stones while someone rang the church bells to alert those who were still asleep. The recruiters retreated, but they came back with "turbas" armed with truncheons. In the meantime, the villagers had torn up the paving stones and built barricades in the streets. Nagarote was i-

fied until midnight, after many villagers had been wounded or arrested.

The dozen or so women who tell me the story in the village church, where thrushes fly around the naves, are angry and frightened. "They say they'll be back tonight to take the girls away, too. They take away boys we've worked so hard to raise just to have them die like dogs." The women also complain about shortages, high prices, long lines and poor transportation. (The state-controlled transportation system is awful: One day in Managua I waited on line for an hour and a quarter for a bus, and once I got inside I thought I would die of asphyxiation.)

Three weeks later, I see 50 women, humble women like the ones from Nagarote, in the hallways of Archbishop Obando's house. They are there to tell Monsignor Obando about a similar though less-violent incident in a Managua shantytown. The roundups by the recruiters in movie houses, buses and sports stadiums is a topic that follows me around Nicaragua.

On the Atlantic coast, while I am waiting for a boat on the Bluefields dock, I hear two officials talking about "the kids who've gone to live in the woods to escape patriotic military service." And in a Managua seminary, two young seminarians—who were rounded up themselves as they were walking along the street, and who were later released—tell me about the boys who waited for a red

light, disarmed the guards in the truck that was taking them away, and then escaped. For much the same reason that many American youths evaded the draft during the Vietnam War—to avoid getting killed—many Nicaraguan youths prefer to go into hiding rather than serve the two years in the army fighting the contras.

The explanation for the Government's recourse to a military draft, imposed in January 1984, that is so openly despised by so many people is that the war against the rebels leaves them no alternative. "It's not only a question of mobilization at the front," Vice President Ramirez tells me. "Many of the personnel protect public buildings and production centers threatened by sabotage."

More than 35,000 young men are believed to have been called up. In the countryside, youths as young as 14 and 15, who have no papers on them, have been rounded up. According to the Sandinistas, recruits receive a three-month training program before they are sent out to fight. The families of such youths, as well as opposition members, say that soldiers are sent out after a week's training, if that.

Nonetheless, it would be wrong to assume that anger at Sandinista policies means that every Nicaraguan who complains is an enemy of the regime. Every one of the enraged women in Nagarote voted for the Sandinista Front. Says one of them: "I pray that with President Ortega's help, things will get better."

The war, contra sabotage, the Government's totalitarian measures, a weakening economy—all of these factors have cooled the once almost-universal support for the regime. However, broad segments of the population, especially the poor, still favor the Government.

They have received concrete benefits from the revolution in the areas of health, education and land distribution, even though statist policies, combined with the worsening economy, have often impeded these reforms. All Nicaraguans have access to hospital care, for example, but the hospitals usually have no medicines to give them. Lowering the cost of basic food products through subsidies has caused a decline in agricultural production because it is cheaper for the peasant to buy food in staterun stores than to plant it.

But the egalitarian impulse that motivated the reforms, the desire to make amends to those Nicaraguans who had suffered neglect and abuse for centuries, still holds immense persuasive power. Even Arturo Jos Cruz, a leader of the Democratic Coordinator, the civilian opposition coalition, and the person least likely to be impartial about the regime, recognizes this.

He is in Managua for a few days, and I meet with him in a small house in Altos de Santo Domingo. Cruz, who now lives in Washington, is the best-known opposition figure abroad. An elegant intellectual, Cruz became the president of the Central Bank soon after the revolution and was his Government's Ambassador to Washington before he broke with the Sandinistas. I ask him if any good has come out of the revolution.

"Agrarian reform is a carefully conceived plan," he replies, "and the literacy campaign, rural development, the improved status of women—they are all positive. But their most important achievements is that they have broken down the tremendous class barriers that once divided society. The Sandinistas' mistake is thinking that none of these accomplishments is compatible with freedom."

A VISIT TO ORTEGA'S HOME

It often happens in revolutions. Before their triumph, the dynamic power of their call is centered on the libertarian impluse—hatred of the tryrant, of repression, of censorship. Once in power, however, egalitarianism takes control, and conflict between the two impluses is inevitable. This has happened in Nicaragua.

Tragically, liberty and equality are harsh antagonists. At the heels of a revolution, there is a temptation to establish social justice by sacrificing individual freedom; conversely, a desire to safeguard liberty can lead to further exploitation and unspeakable inequality. Real progress depends on achieving a tense equilibrium between the two ideals. No socialist revolution has yet achieved that balance.

The Nicaraguan revolutionaries who took power after a gallant struggle against a dynastic dictatorship believed they were free to distribute land, guarantee full employment, develop industry, lower the cost of food and transportation, end inequality, eradicate imperialism and aid neighboring countries in their own revolutionary struggles.

Five and a half years later, they are beginning to discover that transforming a society is far more difficult than setting up ambushes, attacking barracks or robbing banks. Furthermore, Marxist-Leninist slogans are no panacea for the brutal conditions of underdevelopment, the broad diversity of human responses and behavior, and the limitations placed on the sovereignty of poor, small nations when they become pawns in the rivalry between superpowers.

In my conversations with Sandinista leaders, they appear to be gradually learning the bourgeois art of compromise. Of the nine members of the Directorate, the one who is reputed to have learned it best is 39-year-old Commander Daniel Ortega.

I am told that Violeta Chamorro has called him "the best of all of them." He is also the quietest—a tough, somber man who seldom smiles. I accompany him on a tour of the northern front where he visits war widows and orphans, as well as soldiers wounded in contra ambushes—youths of 15, 16, 18 years of age with ruined faces, hands, legs. Throughout, his expression of cold solemnity never waivers.

On my last day in Nicaragua, he invites me to lunch with his wife, Rosario Murillo, at their comfortable home (the house of a banker who went into exile) in a well-to-do neighborhood of Managua. Rosario Murillo is a slender, warm woman who is a poet and a representative in the National Assembly. Their seven children, several from their previous marriages, live with them.

Daniel Ortega doesn't drink or smoke; he runs 3 miles and works 15 hours a day. He began to conspire against Somoza when he was 13 years old, and he spent seven years in prison for robbing a bank to obtain funds for the revolution. Although the nine Commanders assert emphatically that they are absolute equals, Commander Ortega, in fact, has been emerging as a leader, first as Coordinator of the Governing Junta and now as President.

I tell him that my month in his country has been a schizophrenic but privileged time for me. Every day, I speak alternately with Sandinistas and the opposition who, from one hour to the next, offer me the most contradictory versions of the same facts. I say I am alarmed by the mutual deafness between the regime and the dissidents.

"We'll get to understand one another gradually," he assures me. "We've already begun a dialogue with the bishops. And now that the Assembly is beginning to discuss the Constitution, we'll reopen the dialogue with the parties that boycotted the elections. Perhaps it will go slowly, but our internal tensions will be resolved. That's not the hard part. The hard part is negotiation with the United States. There's the root of all our problems. President Reagan has not renounced the idea of destroying us. He seems to negotiate, but then he pulls back. . . . He doesn't want to negotiate. He wants us to surrender.

"We've said that we're willing to send home the Cubans, the Russians, the rest of the advisers. We're willing to stop the movement of military aid, or any other kind of aid, through Nicaragua to El Salvador, and we're willing to accept international verification. In return, we're asking for only one thing: that they don't attack us, that the United States stop arming and financing . . . the gangs that kill our people, burn our crops and force us to divert enormous human and economic resources into war when we desperately need them for development."

Rosario Murillo calls us to the table, and I do not have the chance to tell Ortega that in my opinion negotiations with the Reagan Administration seem the simpler of the Sandinistas' two major problems: the United States and the civilian opposition. When the United States Government realizes that the Sandinista regime will not be overthrown by the contras, and that a direct intervention would be catastrophic for the cause of democracy in Latin America, it will probably negotiate what are, in the long run, its greatest concerns: getting the Soviet Union and Cuba out of Nicaragua and cutting off aid to the Salvadoran rebels. I have no doubt that Commander Ortega and his colleagues will grant that in exchange for peace.

What they won't grant so readily is what the domestic opposition wants: full democracy and power sharing. Unfortunately, they are loyal to an old Latin American tradition, one that they share with a good number of their adversaries. They believe, although they don't admit it, that real legitimacy resides in the weapons that enable you to take power, and that once you have power, there is no reason to share it.

That is why it is so difficult for the regime to reach an understanding with an opposition that tends to back itself into an all-or-nothing position. And yet the survival of the Sandinista revolution depends on negotiation, agreement—or at least accommodation—with its opponents. Perhaps that is not the ideal solution for those of us who still support the "forms" of democracy, but it is worth every effort to promote social justice within a system that is at least minimally pluralist, to fend off the suffocating despair and injustices endemic to Marxist dictatorships.

One night, in Nicaragua, Don Emilio, the old conservative and political analyst, tells me this: "Our native Latin American culture is all powerful. It swallows up everything you give it. It assimilates everything and eventually puts its own stamp on it." I think to myself that is exactly what Rubén Darío did, that obscure Nicaraguan who starting out imitating the French symbolists at the end of the 19th century and ended up revolutionizing poetry in the Spanish language.

Will Latin American culture swallow up the impatient Marxism of the Sandinistas and turn into something else, something better? The circumstances are auspicious.●

THE FREEDOM OF CHOICE HEALTH MAINTENANCE ORGANIZATION: A PROMISING ALTERNATIVE FOR MEDICARE BENEFICIARIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. PEPPER] is recognized for 5 minutes.

● Mr. PEPPER. Mr. Speaker, I am introducing legislation today which I believe will offer the promise of providing more benefits to older Americans while at the same time reducing Medicare costs. This legislation, which I will refer to as the "freedom-of-choice Health Maintenance Organization [HMO] demonstration," also addresses a concern many older Americans have regarding enrollment in a health maintenance organization—that is, the loss of the right to receive health services from one's current physician.

A brief explanation regarding prepaid Medicare health maintenance organizations would be helpful at this point, Mr. Speaker. Recently, the Health Care Financing Administration [HCFA] of the Department of Health and Human Services conducted a series of prepaid Medicare demonstration programs throughout the country under which health maintenance organizations and similar organizations were paid by HCFA, the agency which administers the Medicare Program, at the rate of 95 percent of the average cost for caring for a Medicare patient, or less, for providing Medicare services to enrolled Medicare beneficiaries. This was a prospective payment system that was not adjusted retroactively; all profits or surpluses were retained by the HMO, and all losses were the responsibility of the HMO.

In order to encourage Medicare beneficiaries to enroll in their demonstration programs, some of the participating HMO's developed extremely comprehensive benefit packages for Medicare enrollees. In some cases, Medicare enrollees paid nothing to join the HMO and received extra benefits, such as elimination of the Medicare deductibles and copayments, free prescription drugs, free eyeglasses and hearing aids, unlimited acute care hospitalization, routine eye and hearing examinations, routine foot care, routine physical examinations, and a broad range of dental services.

In February 1985, the Department of Health and Human Services initiated a program to expand the use of HMO's by Medicare beneficiaries. This new program differs from most previous HMO-type Medicare arrangements in two respects. First, the new program puts HMO's at risk because they are paid a fixed per-patient fee or capitation payment to provide all covered services. The capitation payment is to be based on the average Medicare costs for all beneficiaries in each HMO's service area. Second, enrolled beneficiaries are required to obtain all their health care, except emergency or urgently needed services, from the HMO unless authorized by the HMO to obtain services elsewhere. This is known as the "lock-in" feature, and any services obtained by beneficiaries without the HMO's authorization are referred to as "out-of-plan." Neither the HMO nor Medicare is obligated to pay for unauthorized, nonemergency services received from the nonplan providers; the beneficiaries are personally liable.

The key feature of the freedom-of-choice HMO at-risk concept, which I am introducing today, is the elimination of the restrictive HMO "lock in" provisions that have hindered the attractiveness of HMO's to potential enrollees and, hence, the growth of HMO's. Specifically, beneficiaries enrolled in the freedom-of-choice HMO demonstrations will retain the right to receive their health services through any qualified Medicare provider, without referral or authorization by the HMO, exactly as they do at the present time. However, HMO's which will be paid by HCFA at the rate of 95 percent of the average cost for caring for a Medicare patient, will be at risk financially to pay the same amount as Medicare would pay for Medicare covered services not provided directly through the HMO. Also, beneficiaries using Medicare covered services not provided directly through the HMO will continue to be responsible for Medicare deductible and coinsurance amounts and will continue to be subject to all Medicare limits on services.

After HCFA assigns financial risk for Medicare beneficiaries to a freedom-of-choice HMO demonstration, enrolled beneficiaries will have, continuously, the option of receiving any or all of their health services directly through the HMO. Indeed, the HMO will attempt to induce beneficiaries to use services provided directly through the HMO by reducing or eliminating the Medicare deductible and coinsurance amounts and by providing more comprehensive benefits, including benefits for services that are not covered by the regular Medicare program, for enrollees receiving their services directly through the HMO. Moreover, in order to induce enrollees to use services provided directly through the HMO, the HMO could make certain extra benefits, such as prescription drugs and eyeglasses, available to Medicare beneficiaries who receive all of their health services directly through the HMO for a specified period of time.

Under the freedom-of-choice option, HMO's will have the right to fulfill the Medicare intermediary and carrier functions themselves or to use existing intermediaries and carriers. In the latter case, the HMO will fulfill the claims review function.

In order to eliminate the need for costly HMO marketing efforts, large numbers of Medicare beneficiaries in demonstration areas will be assigned randomly to participating HMO's. Random assignment will be acceptable, because assigned beneficiaries still will be able to receive their Medicare-covered services in the same manner and from the same providers as at the present time.

In areas with more than one participating HMO, beneficiaries assigned to a particular HMO will be permitted to request reassignment to another HMO.

Demonstration HMO's will exercise stringent claims review vis-a-vis non-HMO services and will offer strong incentives for beneficiary use of HMO services while preserving continuous beneficiary freedom-of-choice of providers.

It is anticipated that freedom-of-choice HMO's will stimulate HMO expansion by providing large enrollment bases of Medicare beneficiaries. Moreover, the demonstrations will pose a more significant "threat" than traditional HMO's to the patient bases of non-HMO providers, which may stimulate more providers to affiliate with HMO's.

It is interesting to note that the freedom-of-choice HMO concept is just as applicable in commercial markets as it is in the Medicare market.

In sum, Mr. Speaker, I believe that the freedom-of-choice HMO's will provide more benefits to enrolled beneficiaries while saving HCFA 5 percent, providing continuous freedom-of-choice for beneficiaries to use non-HMO providers exactly as they do at the present time, and meet many of the service delivery problems currently facing older Americans.

I urge my colleagues to join me in support of this important legislation, which I ask be inserted in its entirety at this point in this RECORD:

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Health and Human Services (hereinafter in this Act referred to as the "Secretary") shall provide for medicare demonstration projects in accordance with this Act in not fewer than four States.

(b) Under such a demonstration project—

(1) the Secretary would contract with one or more eligible organizations (described in section 1876(b) of the Social Security Act) to perform the functions both of intermediaries under part A of such Act and of carriers under part B of such Act with respect to benefits furnished in a State (or portion thereof), except that in the case of benefits

for services not furnished directly by the organization, payment for the benefits would be made by the existing intermediaries and carriers with the organization merely responsible for the exclusive determination of whether or not payment can be made consistent with paragraphs (1) and (9) of section 1862(a) of such Act;

(2) if the Secretary contracts with one such organization serving an area, the Secretary must permit any other such organization serving that area to enter into such a contract;

(3) individuals residing in the State (or portion thereof) covered by the project and entitled or enrolled for benefits under part A or part B of title XVIII of such Act—

(A) would be required to enroll with one of such organizations participating in the project, but

(B) may elect to receive any covered service directly from the organization or through any other qualified medicare provider;

(4) each organization may offer benefits, at no additional cost to beneficiaries, in addition to those otherwise available under such title;

(5) in the case of such beneficiaries enrolled with an oraganization and receiving services directly from the organization, the organization must provide for benefits under such title without regard to any deductibles or copayments otherwise provided under such title and without regard to limitations (specified in section 1812(a) of such title) on the duration of inpatient hospital services or post-hospital extended care services;

(6) each organization would receive payment at an annual per capita rate equal to 95 percent of the adjusted average per capita cost (as defined in section 1876(a)(4) of such title), with deductions in payment made for benefits covered under such title which are provided to individuals entitled to such benefits and enrolled with the organization and which are paid for (under the exception described in paragraph (1)) other than by the organization; and

(7) each organization shall have the right of final claim review for necessity and appropriateness of items and services furnished, subject to appeal rights provided pursuant to section 1876(c)(5) of such title.

The provisions of title XIII of the Public Health Service Act shall not apply to demonstration projects conducted under this Act.

(c) Expenditures for demonstration projects under this Act shall be made in appropriate part from the Federal Hospital Insurance Trust Fund (established by section 1817 of the Social Security Act) and the Federal Supplementary Medical Insurance Trust Fund (established by section 1841 of such Act). Grants and payments under contracts to carry out such projects shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purposes of this Act. With respect to any such expenditure, the amount to be paid from each of such trust funds shall be determined by the Secretary, giving due regard to the purposes of the project involved.

(d) The Secretary shall submit to Congress a protocol report on the demonstration projects under this Act within 60 days after the date of the enactment of this Act and subsequent annual reports on the progress and status of such projects.●

NASA CENTERS FOR THE COMMERCIAL DEVELOPMENT OF SPACE

(Mr. NELSON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NELSON of Florida. Mr. Speaker, I want to share with you a new and exciting program in the National Aeronautics and Space Administration. It has been initiated to further the commercial use of space.

This year NASA formally invited U.S. industry, universities and other nonprofit corporations to submit proposals for the establishment of centers for the commercial development of space. As we look into the future of our manned space activities we are going to see a whole new array of commercial enterprises start to develop.

We are going to see, as a result of the establishment of the permanently manned space station, new industries, new industrial activities, new pharmaceutical manufacturing activities in space. And to get ready for that we are now creating within NASA these centers for commercial development of space.

The objective of these centers will be to stimulate high technology research directed at the development of new products in space which have commercial potential

NASA plans to establish such centers, perhaps three or as many as six centers in 1986. And each center will be a collaborative effort between industry and/or research institutions such as universities.

NASA will start out with initial funding for these centers and will make available Government facilities and flight opportunities and other services for conducting experiments.

Research areas that have promising commercial potential might be such as electronic materials manufacturing; that is, semiconductors. It could be containerless processing of glass and other new space technologies.

Thus far, the RFP that NASA has sent out has generated quite a few letters of interest from business and academic organizations interested in establishing such a center for the commercial development of space.

The amount of interest that has been shown in the private sector clearly demonstrates the value of using innovative approaches to further this country's long-range objective to commercialize space.

I applaud this NASA initiative and, as the chairman of the Space Committee of this body it is my privilege to bring this new, exciting endeavor to the attention of the Members.

SENSE OF CONGRESS THAT SOCIAL SECURITY COST-OF-LIVING ADJUSTMENTS SHOULD NOT BE REDUCED OR ELIMINATED

(Mr. KANJORSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KANJORSKI. Mr. Speaker, yesterday an overwhelming bipartisan coalition in the other body sent a strong message to out Nation's senior citizens that it would not tamper with their Social Security cost-of-living adjustments.

Projections by the National Committee to Preserve Social Security and Medicare indicate that the proposed "diet COLA" would push the average retired worker under the poverty line by 1988. Benefit reductions in Social Security and Medicare would cost the average retiree $1,778 over the next 5 years.

Next year alone senior citizens in my congressional district in northeastern Pennsylvania would lose nearly $11 million in income.

It is time for the House to send its own message to our senior citizens that their benefits are safe by cosponsoring, and passing House Concurrent Resolution 116, bipartisan legislation I have introduced expressing the sense of the Congress that Social Security cost-of-living adjustments should not be reduced or eliminated.

H. CON. RES. 116

Whereas more than thirty-six million Americans depend upon Social Security for their livelihood;

Whereas Social Security benefits are provided through a trust fund separate from general revenues;

Whereas the Social Security trust fund is supported entirely by contributions from employees and their employers;

Whereas the 1985 annual report of the Board of Trustees of the Social Security trust fund concludes that the assets of the trust fund are sufficient to pay benefits "well into the next century";

Whereas Social Security is a fully funded insurance program and not a welfare program;

Whereas Social Security recipients have already made major sacrifices as a result of the passage of the 1983 Social Security Amendments in order to restore the solvency of the Social Security trust fund;

Whereas these sacrifices already include the elimination of the minimum benefit, the taxation of one-half of many recipients' benefits and a six-month delay in COLA's;

Whereas Social Security cuts already enacted into law will cost retired and disabled persons $100 billion by the end of the decade;

Whereas the average income of Social Security recipients is substantially below the average income for the population as a whole;

Whereas automatic COLA increases have reduced by more than 40% the percentage of senior citizens with incomes below the poverty level;

Whereas a freeze on COLA's could push more than a half a million Americans under the poverty line next year, and as many as 2.3 million by 1990;

Whereas proposals are being considered by the administration and in the Congress to either eliminate or reduce Social Security cost-of-living adjustments; and

Whereas any reduction in benefits would impose a substantial hardship on millions of senior citizens which is unnecessary because the Social Security system is sound and solvent: Now, therefore, be it

Resolved, by the House of Representatives, (the Senate concurring), That it is the sense of the Congress that Social Security cost-of-living adjustments (COLA's) should not be reduced or eliminated.

ORDER OF BUSINESS

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take my special order out of order at this time. I have discussed this with the gentleman from North Carolina [Mr. ROSE].

The SPEAKER pro tempore (Mr. FRANK). Is there objection to the request of the gentleman from New York?

Mr. ROSE. Reserving the right to object, and I will not object, will the gentleman indicate to me how long he thinks he will speak under his special order?

Mr. GILMAN. My remarks will be very brief, as I am sure will those of the gentleman from California.

Mr. ROSE. I do not object.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

□ 1400

SOLIDARITY SUNDAY FOR SOVIET JEWRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. GILMAN] is recognized for 60 minutes.

Mr. GILMAN. Mr. Speaker, I requested this special order today in order to highlight the important activities that will be taking place this coming Sunday in New York City. On May 5, 1985, the 14th Annual Solidarity Sunday for Soviet Jewry will be held opposite the United Nations at Dag Hammarskjold Plaza, for which over 100,000 participants are expected.

Among the speakers at the Solidarity Sunday rally will be Elie Wiesel, who has for years been a catalyst in the Soviet Jewry movement, and Avital Shcharansky, wife of the long-term prisoner of conscience, Anatoly Shcharansky. Anatoly remains incarcerated, in ill health, with another 5 years left to serve in a prison sentence that charged him with treason. Since the day of his initial arrest, Avital Shcharansky has been a tireless spokesperson for him and other prisoners of conscience and refuseniks. She continues to travel across the country to enlist support for these efforts, and has become a thorn in the sides of Soviet authorities who most assuredly did not anticipate the stubborn resolve with which she has fought for her husband's freedom these many years.

This year particularly, we find ourselves in a state of flux regarding Soviet Jewish emigration. Since 1979, when over 51,000 men, women, and children were allowed to emigrate to freedom, the numbers of those allowed to emigrate to Israel has steadily declined. Two years ago we were shocked when only about 1,300 were allowed to leave. Last year, that number dipped below 900. Arrests and harassment of refuseniks have increased. Hebrew teachers have been convicted on fabricated drug and ammunitions possessions charges. There are now 22 Prisoners of Conscience, among them Iosef Begun, who is in the midst of a 12-year prison sentence.

In addition, we must now contend with Mikhael Gorbachev, the new Soviet leader, and gauge whether or not Soviet Jewish emigration is a subject on which we can convince them to change their present policy.

It is because the issue of Soviet Jewry is such a clear one, that the United States and other nations of the Western World continue to speak out on their behalf. We have endeavored to make this commitment known to the Soviet authorities at every opportunity. Yet they continue to contend that human rights are an internal matter.

Yesterday, May 1, 1985, was celebrated in the Communist world as a holiday. Twenty-five Washington area rabbis took that opportunity to protest Soviet oppression, and were joined in major cities around the country by their colleagues. All were arrested at various Soviet embassies and consulates in our Nation. This kind of civil demonstration on the part of the rabbinic community is a new tactic, one which would not have been endorsed had the situation not needed drastic measures.

The situation in the Soviet Union today is that precarious. Innocent men and women suffer the harangues of extensive KGB searches of their homes, their confiscation of property, KGB officers following them every time they attempt to leave their apartments, prolonged interrogations at police headquarters, threats of job dismissal followed by threats of arrest for being a parasite. Crudely produced films are being shown on Soviet television depicting the "Zionist agents" whose sole offense is wanting to practice their faith freely. Disruption of mail to the Soviet Union continues, despite actions of protest taken by the Universal Postal Union. Arrests have now escalated to include criminal charges of drug and weapons possession, violations that were previously not utilized to silence the Soviet Jewry movement.

In recognition that religious and cultural freedom for Soviet Jews remains a priority of the American people, Solidarity Sunday continues to be an important vehicle for focusing world attention on their plight. The list of refuseniks who continue to wait for emigration vizovs includes Ilya Essas, Ida Nudel, Mark Nashpitz, the Goldshtein brothers, and so many others that there is not enough time to read all their names.

As we prepare to mark Solidarity Sunday, Mr. Speaker, I want to thank those colleagues who cosponsored House Resolution 127, which I was pleased to sponsor along with my distinguished colleague, the gentleman from New York [Mr. RANGEL], and which expresses congressional support for this event. It is only through our mutual efforts and those of all freedom loving people that we can hope to eventually see Soviet Jews living in religious and cultural freedom.

Mr. Speaker, I am pleased to yield to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Speaker, I thank the gentleman for yielding, and I thank the gentleman [Mr. GILMAN] for taking out this special order on Solidarity Sunday.

We have had the opportunity, Mr. Speaker, to travel to the Soviet Union together and to meet with some of the people who are suffering this religious and political persecution in the Soviet Union, and we both came away amazed at the sad plight but also the great spiritedness, the hope that they project because we have not forgotten them.

Every Member who has adopted somebody in the Soviet Union who is a political prisoner or is being persecuted does something very significant. I remember when we went, one holy day, to meet in front of the Jewish synagog which had been politicized so that the people refused to go inside, and they were only meeting in the street, but the people who were not Jewish who came to that rallying point on that Soviet sidestreet to meet in front of that synagogue and to nurture one another and to share one another's suffering. But there was this tremendous spirit of good will among them and it was so emboldened by the fact that we in the Congress would even do a simple little thing like write to them.

I remember saying, "Doesn't this get you in trouble with the CIA?" They look at all the mail. "Doesn't it get you interrogated?" They said "Oh, yes. We may be hassled, we may be called down to the KGB headquarters

on Derszinsky Square, they may be angry that U.S. Congressmen and women are writing to us, but we will not disappear. We will not be just dragged off to some gulag in Siberia never to be heard from again."

Mr. Speaker, I appeal to my colleagues who are not fully apprised of this issue to join with us who have already adopted and write to Soviet, both Jewish and Pentacostal dissidents. If five letters arrive in any given week from five different Members to any one of these people, I will give you their own works again. It not only gives them hope that they are not forgotten, but it makes them aware that they will never be dragged off to die in some forgotten gulag camp.

So the more we can do to show solidarity with these people who seem to be forced to live through a dark page of history from the 1930's that we thought we had left behind us, the more we can do to establish a brotherhood or sisterhood with them, the more we protect them. This is going to be a bleak period for the next few years because I remember when one of the politburo members came as a Soviet delegation in March and met with many Members over in the Longworth Building, I remember when one of them left and turned to the gentleman from New York [Mr. GILMAN] and said, "You do yourself and your people," and I assume he was referring to Jews around the world, "you do yourself no good. This is our internal problem." And was his final line not: "It is a closed book"? Were those his exact words?

Mr. GILMAN. Well, more particularly, that "Your continual insistence on human rights keeps a division between our two nations."

Mr. DORNAN of California. Between the Soviet Union and the United States?

Mr. GILMAN. Yes.

Mr. DORNAN of California. Then he said, "It is a closed book."

Mr. GILMAN. Yes.

Mr. DORNAN of California. Well, it is not a closed book. Injustice is never a closed book.

Mr. Speaker, I just close again by repeating what those longsuffering but courageous people have told us personally in Leningrad, Kiev, Moscow, Riga, everyplace that we met with them: "Don't forget us, please write to us." That is not very much to ask.

Mr. GILMAN. I thank the gentleman from California [Mr. DORNAN] for his supportive comments, for he has been a longtime crusader for human rights. He has been particularly supportive of the issue of Soviet Jewry. I recall when we were in the Kremlin and met with the Chief Justice of the Soviet Union, Mr. Smirnov, and the gentleman from California [Mr. DORNAN] showed him his bracelet that he had been wearing and which he had helped to distribute on behalf of Anatoly Shcharansky, and I recall then that the Chief Justice turned to us and said: "Congressmen, you may not have read our white paper on these kinds of cases, but it is my contention that human rights is a propaganda vehicle of the West." Again I want to thank the gentleman for his supportive statements.

□ 1420

Mr. DORNAN of California. Will the gentleman yield?

Mr. GILMAN. I yield to the gentleman.

Mr. DORNAN of California. I just want to describe that, and then we will yield back the time to the gentleman who so graciously let us go ahead of him.

Mr. Speaker, that was one of the proudest moments I ever had, serving as a U.S. Congressman. All of the Members were proud, on that trip, to wear a Shcharansky bracelet. I remember some had Josef Begoun's name on their bracelets.

When a woman shows a bracelet, she tends to graciously just sort of extend her hand and show you the bracelet, but when a man shows a bracelet, he just has a tendency to close his hand a bit and hold the bracelet up this way.

I remember sitting there, right there in the heart of the Kremlin with this Supreme Court Justice across from me and the Labor Minister was there, there were some very high-ranking Soviet officials, and I said, "Sir, we are all wearing remembrance bracelets. We will not forget Anatole Shcharansky and the others."

I motioned to the rest of our delegation; I believe we had an even 10—5 Republicans, 5 Democratic Members—all of them sort of spontaneously put up their hands like this with their bracelet on it, and, not that we were making fists, but it was like 10 solidarity hands raised saying, "We will not forget." It sort of physically stunned the Soviets. They couldn't believe that we would care about citizens that they have forced into a downtrodden position in their society.

The more we do this, the more we crack through that mindset of theirs, we simply are not going to forget that people are being persecuted for religious and political reasons in that large superpower. The book is far from closed.

Mr. GILMAN. That is an appropriate remark to close our special order, because that is what Solidarity Sunday is all about. We will not forget, and it is a symbol for our Nation and the entire world.

● Mr. LENT. Mr. Speaker, on Sunday, May 5, 1985, over 100,000 will march in New York City in the 14th annual "Solidarity Sunday for Soviet Jewry." This rally is a significant demonstration of overwhelming support and sympathy for Soviet Jews who struggle for personal and religious freedom.

Those participating in Solidarity Sunday deserve a special tribute. Their dedicated efforts send a powerful message to those who are kept prisoners in their own country, forbidden the right to practice their Jewish religion and denied the right to emigrate. It is vitally important to let these brave men and women know they are not forgotten in their valiant fight for freedom.

One hundred thousand voices joined together in loud protest against Soviet policies of anti-Semitism is not likely to be overlooked by the Kremlin. Many may speculate that the new leadership under general Secretary Mikhail Gorbachev may ease restrictions on emigration. Yet the harassment and cruel sanctions against Soviet Jews continues.

Hebrew teachers are arrested on fabricated charges. Prisoners of conscience and refuseniks, such as Ida Nudel and Lev Elbert, endure vicious slander and threats. Still others suffer the harsh conditions of Soviet prison camps; some are institutionalized in Soviet psychiatric hospitals, their minds and bodies subjected to injections of dangerous drugs; some are exiled, forbidden from contact with family and friends. So many Soviet Jews endure suffering few of us can comprehend. Yet, they keep fighting.

In this context, it is my prayer that this year's march for Soviet Jewry will be even more successful than last year's and will increase public awareness to the very serious anti-Semitic violence encouraged by the Soviet regime.

This is the goal of Solidarity Sunday. Our voices joined together will help each and every Soviet Jew knows that he or she in not forgotten. Our unity, our solidarity, with them in the spirit of human rights and religious freedom joins us in the prayerful belief that the day of freedom will come for all who seek it.●

● Mr. RANGEL. Mr. Speaker, Jewish emigration from the Soviet Union has fallen drastically in the last 5 years, from 51,320 in 1979 to only 896 in 1984. The denial of religious freedom for Jews by Soviet authorities within the Soviet Union has intensified, including the arrests of many Hebrew teachers last summer. At the same time, the Soviets have virtually closed their borders to those Soviet Jews who would emigrate in order to worship.

It is for these reasons that the Honorable BENJAMIN GILMAN, my New York colleague, and I have joined to ask for this special order to address this issue and to express our support for the "Solidarity Sunday for Soviet Jewry" rally near the United Nations.

The Helsinki Act of 1975, which the Soviet Union signed, binds the Soviet Union to various commitments, including respect for human rights, respect for fundamental freedoms, and cooperation in humanitarian fields. We have seen little respect for these human rights in the treatment of Soviet Jews.

The Soviet Union has not honored its human rights commitments under a number of other international agreements, such as the International Civil and Political Covenant, and the International Covenant on Civil and Political Rights. These United Nations covenants guarantee the right to life, liberty, and security of person, the right to a fair and public hearing in criminal cases by an independent and impartial tribunal established by law, and the right to peaceful assembly.

Many of the major freedoms contained in these covenants have been violated in the oppression of Soviet Jews. Each has been flaunted by the Soviet Union in their treatment of minorities. Here we take religious freedom as the bedrock of our democracy, and in fact America has been known as a sanctuary of religious freedom since the first settlers joined native Americans here for the sole purpose of escaping religious persecution.

I recently traveled to the Soviet Union and met with Soviet leaders. When the issue of Soviet Jews was raised, the standard Soviet answer was simply that it is an internal issue. But the Soviets themselves are not treating emigration as an internal issue.

The Soviet Government is clearly trying the emigration of Soviet Jews to the state of overall United States-Soviet relations. A fiftyfold decrease in emigration by Soviet Jews will not foster détente, however, and the Soviets must realize that the issue of human rights cannot and must not be tied to other issues. Religious freedom is not a United States-Soviet issue. But what we can do and must do is to continue to speak out.

We must speak with a united voice to let the Soviet Union know that we are watching their treatment of Soviet Jews, and to tell them that we will continue to press for increased freedom of emigration in the Soviet Union. The Soviets must also realize that it is in their best interests to allow Soviet Jews to practice their faith openly and to teach their children as they wish. If the Soviet Union will not allow religious freedom, and will not open its borders, it should at least accord Jews the same limited freedom to practice as other religions now have, such as Moslems, Baptists, the Russian Orthodox, and Lutherans.

There are some 400,000 Soviet Jews now trying to emigrate. Several million more suffer discrimination and cannot practice their faith openly. The Soviet Jewish community is the third largest in the world, behind the United States and Israel. We must speak out more loudly as Soviet treatment of its Jewish citizens worsens. I hope you will join us in passing House Resolution 127, "Solidarity Sunday for Soviet Jewry."●

● Mr. FASCELL. Mr. Speaker, I am pleased to join our colleagues from New York, Representatives RANGEL and GILMAN, in observing the 14th annual commemoration of Solidarity Sunday for Soviet Jewry which will take place on May 5. This annual event, which draws thousands of concerned individuals—Jews and non-Jews alike—is a vivid expression of the deep and abiding concern we in the United States have for the Jewish minority in the Soviet Union.

As the emigration rates for Soviet Jews remain at the lowest levels ever, as anti-Semitism continues to be official state policy in the U.S.S.R., as over 20 Jewish prisoners of conscience languish in Soviet prisons and labor camps, and as thousands of would-be emigrants are forcibly separated from their relatives and loved ones, it is essential that Americans step up their efforts to draw the glare of international public opinion onto this tragic situation. The mass demonstration in New York City this Sunday protesting the inhumane treatment of Soviet Jews is an important manifestation of determination and dedication to this cause. I commend the organizers of Solidarity Sunday for their good hard work and I lend my full support to this struggle.●

● Mr. ANNUNZIO. Mr. Speaker, this Sunday, the Coalition to Free Soviet Jews will be holding its 14 annual commemoration of "Solidarity Sunday for Soviet Jewry," and I rise to join with my colleagues in the House of Representatives to join hands with the thousands of people who will gather in New York City, in solidarity with the millions of Jews in the Soviet Union, who are being held hostage by the Communists.

As we are all well aware, in recent months arrests, harassment, and officially sanctioned anti-Semitism have increased by the Communists, and emigration has fallen off significantly, as the Communists have moved toward sealing shut the emigration door. We in Congress must condemn the Communists' conduct in the strongest possible terms for violating international obligations to which the Soviet Union has agreed as a signator of the Universal Declaration of Human Rights, the International Convenant on Civil and Political Rights, and the Helsinki Final Act.

Today, nearly 400,000 Jews, who have indicated their desire to emigrate to Isreal and practice their religion in freedom, are brutally mistreated by the Communists. Despite constant acts of cruelty, prisoners of conscience and refuseniks have remained steadfast to their ideas. These brave men and women have become a symbol of strength and a source of inspiration for hundreds of thousands of Jews in the Soviet Union, and indeed for all people throughout the world trying to escape the yoke of Communist tyranny and oppression.

Mr. Speaker, on this 14th anniversary of "Solidarity Sunday," let us continue to pledge to do everything in our power to pressure the Soviets to allow Jews to practice their religion and to emigrate from the Soviet Union without fear of reprisal, and let us hope and pray that human rights violations against Soviet Jews cease.●

● Mr. JONES of Oklahoma. Mr. Speaker, I would first like to thank the gentlemen from New York, Messrs. GILMAN and RANGEL, for requesting this special order on behalf of the Soviet Jewry. As my colleagues know, I do not cosponsor commemorative legislation, but I fully support their efforts to focus our Nation's attention on the plight of the Jews in Russia, and Solidarity Sunday for Soviet Jewry.

Mr. Speaker, it is with great sadness that I find myself standing here once again.

We all hope and pray that each plea to the Soviet Union to live up to its international obligations will be accepted and therefore be the last.

We all hope and pray that the Soviets finally will respect the right of its people to worship and travel and emigrate freely.

We all hope and pray that the Soviet Union will respect the inviolability of the international postal system.

We all hope and pray that the Soviet Government will work actively to halt, not encourage, the increasingly frequent anti-Semitic acts in Russia.

Alas, we all know that these hopes and prayers are unlikely to be met in the short term and without constant pressure from around the world. We all know too that we have a moral obligation to continue that pressure, to continue to fight for the inalienable rights of the Soviet Jews.

Again, I thank my colleagues for calling this special order, and I sincerely hope that Solidarity Sunday for Soviet Jewry is a success.●

● Mr. BOLAND. Mr. Speaker, I am pleased to participate with my colleagues in this special order on behalf of the plight of Soviet Jews.

Today we are recognizing the more than 400,000 Jews who seek their moral and legal right to leave the Soviet Union in search of religious freedom and the ability to study their culture and history. We have witnessed a dramatic and tragic 95 percent drop in exit visas in the last few years, and the trend appears to be con-

tinuing. There are thousands of Soviet Jewish citizens who have been imprisoned for seeking their legal right to emigrate or for practicing their Jewish religion. Not only are those who desire to emigrate denied the opportunity, but many are prevented from even applying for emigration. Day in and day out the Government of the Soviet Union denies the rights of Jews and others to practice their faith, and subjects them to physical and psychological harassment, beatings, imprisonment, confinement in mental institutions, and the separation of family members.

We must not ignore the blatant abuse of human rights and freedoms perpetrated by the Soviet Government against its innocent citizens. We cannot turn our backs on those who suffer cruel persecution and oppression because they wish to practice their religion freely without fear in the land of their choice. It is important to bring to the attention of the Congress, the citizens of our Nation and, indeed, the world our deep concern over the plight of Soviet Jews. As Members of Congress it is our responsibility to maintain whatever pressure is required to force the Soviets to adhere to the Helsinki accords and to honor their obligations under the International Covenants on Human Rights.

I join my colleagues today in calling upon officials of the Soviet Government to abide by international human rights agreements which recognize the basic rights of human beings, and to remove the impediments to the free exercise of those rights by those of the Jewish faith in their country.●

● Mr. WEISS. Mr. Speaker, I thank my colleagues from New York for arranging this special order in honor of Solidarity Sunday for Soviet Jewry. Coinciding as it does with the 40th anniversary of the defeat of Nazi Germany, this year's observance could not have occurred at a more appropriate time.

One can scarcely pick up a newspaper or turn on the television or radio without encountering stories of the allied victory over fascism. The Soviet Union has approached this anniversary with great enthusiasm, and has eagerly sought joint celebrations with its wartime allies.

There is a cruel irony in the fact that it is now the Soviet Union that oppresses the very group that the Nazis singled out for extermination. Today it is the Soviet Union that prevents Jews from practicing their religion. It is the Soviet Union that harasses them, beats them, and imprisons them on trumped-up charges. It is the Soviet Union that engages in state-supported anti-Semitism and slanderously accuses Jews of using narcotics in their religious rituals. And it is the Soviet Union that has slowed emigration to a mere trickle and prevented Jews from escaping this repression.

Later this month, the signatories to the Helsinki accords will meet in Ottawa to discuss their compliance with the portions of that agreement that deal with human rights. Our delegation knows that it has the full support of the Congress and the American people in its struggle to assure the rights of people everywhere.●

● Mr. FROST. Mr. Speaker, this Sunday, May 5, the Coalition for Free Soviet Jews will hold its annual Solidarity Sunday for Soviet Jewry rally. It is expected that more than 100,000 people will come to speak out on behalf of those who are not free to speak. I commend these dedicated individuals for their commitment to human rights for Soviet Jews, and for their recognition of the fact that we, as the leaders of the free world, cannot be silent in the face of religious oppression. Their example should motivate us all in our personal commitment to Soviet Jewry, and should remind us that year-round activism is essential in the struggle to free the Soviet Jews.

The situation for the Soviet Jews is as critical now as it has ever been. The statistics tell a grim story. Recent figures indicate that 97 Jews were allowed to emigrate in March of this year—a slight improvement over the same period in 1984 but still distressingly low. In fact, this year's statistics are remarkably similar to those of last year—a time when the total number of exit visas issued reached an all time low of 896.

Numbers alone, however, do not convey the desperate circumstances now facing Soviet Jews. The very existence of the refusenik community is increasingly jeopardized as the Soviet Government seeks to repress Jewish cultural life. The teaching of Hebrew is punishable by 7 years of hard labor and many teachers have been arrested. Expressing a desire to emigrate leads to the loss of one's job and the beginning of a life of persecution and hardship. It becomes more difficult every day for the refuseniks to hold onto their Jewish heritage. Now is clearly the time for action, and for a renewal of our commitment to human rights for Soviet Jews.

We are entering a critical period in United States-Soviet relations, and the issue of human rights merits special attention. The current situation, with new leadership in Moscow, offers a unique opportunity to effect real changes for Soviet Jews. The United States has a unique role; it, alone among all nations, can insist that those changes be made. This role brings with it an awesome responsibility—we who live in freedom are morally obligated to reach out to those who suffer from oppression and to do all that we can to secure their freedom.

I ask that you all join with me today in reaffirming our commitment to basic human rights and religious freedom for Soviet Jews.●

● Mr. RUSSO. Mr. Speaker, I commend the thousands and thousands of people who will be involved in Solidarity Sunday for Soviet Jewry on May 5 who recognize that we cannot remain silent in the face of religious repression. Recently I had occasion to meet with a number of refuseniks in the Soviet Union and their families. Never has the situation of the denial of human rights been more vivid, more poignant to me. For all the reading, for all the stories you hear, to personally witness the courage of the people in the Soviet Union who are committed to cultural and religious freedom in the face of awesome retaliation is to feel your own commitment deepen to the principles of human dignity and freedom.

While on the recent trip to Soviet Union as part of the Speaker's delegation, I also had occasion, along with my colleague Representative MILLER, to meet with the first Deputy Minister of Internal Affairs for several hours to discuss human rights. I found these talks productive. I do know that it remains to be seen if the Soviets will make significant concessions in this area. I emphasized to them in our meeting, and will continue to do so in the future, that actions speak louder than words.

The Soviet Government must know that we take the denial of human rights seriously, we take this to heart. I emphasized to them in our meetings that this affects all other areas of mutual concern, be it trade or nuclear arms. This is where it must begin. Conscience, compassion, justice demand an end to human rights violations. And in supporting publicly the struggle of those in the Soviet Union dedicated to human rights, we support the cause of religious and cultural freedom throughout the world. Brave people in labor camps, in jail awaiting trials, those behind locked doors praying for loved ones must know that they are not forgotten.●

● Mr. DWYER of New Jersey. Mr. Speaker, as a cosponsor of legislation which expresses congressional support for Solidarity Sunday for Soviet Jewry, I am pleased and honored to participate in this special order.

Mr. Speaker, as you know, the Solidarity Sunday rally will be held on May 5 in New York City, at which more than 100,000 individuals will participate. This gathering has become the prominent gathering of the year for the expression of support for Soviet Jews. Equally as important, the rally will serve as a reminder to the Soviet Union that Americans will continue to strive for religious and cultural freedom throughout the world.

I think it only fitting at this time to bring to your attention Mr. Speaker, a resolution that was recently sent to me by the Jewish Federation of Central New Jersey. The board of directors of the federation have adopted two Hebrew teachers in the Soviet Union, pressing for their immediate release from Soviet labor camps. As a Member of the U.S. Congress, I appeal to the Soviet Union and all totalitarian regimes for the release of the oppressed. For these people, the United States of America remains the focal point for their dreams of liberty. They indeed see this country as the embodiment of the basic meaning of freedom.

Yuli Edelstein and Aleksandr Kholmainsky were two of the first Hebrew teachers arrested by Soviet authorities. Since their arrest, countless Hebrew teachers have been arrested in an attempt to eradicate all teaching of Hebrew, Jewish culture, and Jewish history in the Soviet Union. As a nation dedicated to the principles of independence and the protection of human rights, the oppressed look to us. We must provide leadership and guidance for their unyielding struggle.

I wish to thank my colleagues, Congressmen RANGEL and GILMAN for calling this special order today and join them in this tribute of strength to the Soviet Jews. As representatives of the free world, we cannot be complacent. It is our duty to publicly deplore all human rights violations against the people of all countries who live under an oppressive government that denies liberty and justice to its citizens.●

● Mr. SCHEUER. Mr. Speaker, I am pleased to join so many of my distinguished colleagues from both sides of the aisle in today's special order on Soviet Jewry. While I am encouraged by the large number of participants with us this afternoon and by the fact that more than 220 Members of this body have cosponsored House Resolution 127, a measure expressing congressional support for Solidarity Sunday for Soviet Jewry, I find it disheartening that there continues to be a pressing need for us to engage in these actions.

It is a tragic irony that, as we observe the 40th anniversary of Europe's liberation from Hitler's awful tyranny, the Jews in the Soviet Union are subjected to an official campaign of harrassment, intimidation, and physical abuse not unlike Nazi policies of the 1930's. Recently, in Alert, the Union of Councils for Soviet Jews ran an article entitled "The Cultural Genocide Continues" which I would like to have inserted into my remarks at this point.

THE CULTURAL GENOCIDE CONTINUES

NAZI CONTROLLED EUROPE: 1930'S

Destruction of Jewish culture and religion.

U.S.S.R.: 1970'S TO NOW

The past year has been marked by an intensified anti-Semitic propanda campaign, harsh measures against Jews seeking to express their cultural and religious heritage, and the establishment of an Anti-Zionist Committee. There are under 60 synagogues for 2½ million Jews; the teaching of Hebrew, Judaica, or any kind of religious text is strictly prohibited; and no printing of a Hebrew bible or prayerbook has been authorized.

NAZI CONTROLLED EUROPE: 1930'S

Jews differentiated from other nationals.

U.S.S.R. 1970'S TO NOW

All Soviets are required to carry an internal passport at all times with their names, address, nationality, etc. Jew's internal passports have, as their nationality, "Ivrei" (Jew), immediately identifying them to employers, doctors, bureaucrats as members of the "hated race of Zionist traitors."

NAZI CONTROLLED EUROPE: 1930'S

Jews perceived as the internal enemy of the people.

U.S.S.R.: 1970'S TO NOW

March, 1983: Russian children, 12 to 18 years old, are now required to read "The Poison of Zionism." Over 200,000 copies have been printed, all intended for schools, in which the point is hammered away that Zionists are arch-imperialists whose sole aim is to undermine and destroy socialist states." Anti-Semitic posters are on sale and prominently displayed in book stores.

Articles in the Soviet Criminal Code pertaining to "malicious hooliganism," "anti-Soviet agitation and propaganda with the intent to defame the Soviet Union," parasitism" are but a few of the laws used as catchalls to arrest and convict Refuseniks. There has never been a case in which a refusenik has been found innocent.

NAZI CONTROLLED EUROPE: 1930'S

The Conspiracy Theory: Jews control the World. Use of mass media as propaganda weapon against the Jews.

U.S.S.R.: 1970'S TO NOW

March, 1980: A Moscow TV program announced that "Zionists have seized power everywhere: banks, newspapers, governments" * * * "Jews speak to much about their victims during the Second World War" * * * the words "final solution" were mentioned without a specific reference as to whom it was directed.

NAZI CONTROLLED EUROPE: 1930'S

Scholars dismissed from University posts because they are Jews.

U.S.S.R.: 1970'S TO NOW

The following is only a partial list of Jewish academicians stripped of degrees and fired from university posts: Drs. Apekin, Shazkina, Vasilevsky, Gurfinkel, Bogdatjeva, Radin. Drs. Senderov and Kanevsky were arrested and convicted after they authorized a treatise "Intellectual Genocide," a documentation of discrimination against Jewish applicants to mathematics departments at Soviet institutions of higher learning.

NAZI CONTROLLED EUROPE: 1930'S

Economic harassment and discrimination against Jews.

U.S.S.R.: 1970'S TO NOW

When Soviet Jews apply to emigrate, they are often fired from their jobs. The KGB makes certain that they are unable to get other jobs in their fields; and, further, menial jobs are difficult to get because the KGB advises prospective employers that the Refuseniks applying are "over-qualified for the job." They are thus forced to live on their savings, unable to earn a living in a country where unemployment, called "parasitism," is a punishable crime, for which some Refuseniks have been jailed.

NAZI CONTROLLED EUROPE: 1930'S

Physical beatings of Jews.

U.S.S.R.: 1970'S TO NOW

Recently, Jews have been beaten up by "hooligans," street ruffians doing the bidding of the KGB. The recent beating of Leningrad Refusenik Vladimir Kizelshtein by uniformed militiamen reflects the "gloves off" attitude now surfacing in the police offices.

NAZI CONTROLLED EUROPE: 1930'S

Torture disguised as medical treatment.

U.S.S.R.: 1970'S TO NOW

Psychiatric institutions are, despite protests from international psychiatric societies, used to incarcerate Refuseniks where they are subject to "tests," and "treatment," another form of torture.

Mr. Speaker, there can be little doubt from this article that history can be, and is being, repeated. It is for this reason that we cannot forget our brothers and sisters and that is why we are here today. We must remain vigilant and continue to call upon the leaders of the Soviet Union to moderate the oppression of their Jewish citizens and to allow them the freedoms and rights guaranteed to them by the Soviet constitution and by the Helsinki accords.●

● Mr. LEVIN of Michigan. Mr. Speaker, I join my colleagues, Mr. GILMAN and Mr. RANGEL, this evening as they address the vitally important issue of the treatment of Soviet Jewry. This is a community persecuted by its own government. They are a people made unwelcome in their own country; they are a people denied their civil and human rights.

On May 5, 1985, Americans will gather in New York City in a show of solidarity with the persecuted Jews of the Soviet Union. Today, we stand together in this House of Representatives spiritually united in that show of solidarity. We declare to the Government of the Soviet Union that the plight of these victims will be heard, whether they are dissidents or refuseniks.

It appears that the Soviets are not content with slowing Jewish emigration to a trickle, leaving people stranded in a no-man's land of nonpersons. During the past year, they have intensified their attacks against the Jewish community and its cultural traditions. It is with great sadness that we read of the blinding of prisoner of conscience, Iosif Berenshtein, who was beaten in his jail cell. Mrs. Berenshtein, inquiring as to the state of her husband's health shortly after the beating, was callously told by Mr. Beregovoy, the head of the Zhitomir Medical Section of the Department of Interior Affairs that "I would like to inform you that the prisoner Berenshtein, Iosif Yakovlevich, inflicted on himself bodily harm in the form of stabbing and cutting injuries on both his eyes, while

acting on his own and while being held in his place of detention * * *."

The arrests and trials of Hebrew teachers also continues. Evgeny Aisenberg of Kharkov was arrested on March 19; he has been the Kharkov Jewish community's only Hebrew teacher. Aleksandr Kholmiansky, earlier convicted and sentenced, arrived at a prison camp in Sverdlovsk. Yuli Edelshtein, too, arrived at a prison camp in Ulanude, close to the Mongolian border. Dan Shapira is being tried as we speak. The crime of all of these brave men is that they wanted to teach. They wanted to nurture the children of their community sharing with them as ancient and beautiful tradition. It would appear that the Soviets are not content with denying the present, they would also like to deny history.

In the spirit of the Helsinki accords, which both of our nations signed almost 10 years ago, we in the U.S. Congress call upon the Soviets to reconsider their treatment of Soviet Jews; let them be citizens or let them go. I join with my colleagues and all Americans as they call to the world's attention the plight of these good and just people.●

● Mr. YATES. Mr. Speaker, I congratulate my dear friends from New York, CHARLIE RANGEL and BEN GILMAN, for holding this special order to commemorate our solidarity with the Jews of the Soviet Union. Once again we are telling the leaders of the U.S.S.R. that the deprivation of basic human rights which is sanctioned and practiced by that government is repugnant to a large and growing number of men and women in all parts of the world.

Over the years I have asked myself why the U.S.S.R. persists in its barbaric treatment of the Jews and other minorities. By denying Soviet Jews the right to teach and practice their religion and by discriminating against them in education and employment, the Soviet Union is building day by day an international reputation that gives the lie to every claim that there is a humanitarian motivation to its policies and economic theories.

It would be eminently reasonable and sensible for the new leadership in the Kremlin to change these destructive policies. Let the Jews freely emigrate, and free them from the state-sponsored harassment and deprivation, and in doing these things the Soviet Union would add greatly to its influence and credibility in the world. We are listening and waiting. I hope they will act.●

● Mr. ADDABBO. Mr. Speaker, I rise to join my colleagues in urging the leadership of the Soviet Union to grant exit visas to all Jews wishing to emigrate and religious freedom to those who wish to remain.

New leadership in the Soviet Union, resumption of arms talks, the possibility of a summit conference, all hold out the promise for improved United States-Soviet relations. A gesture on the part of the Soviets toward the Jewish "prisoners of conscience" would not go unnoticed by this Congress.

The climate for reconciliation between our two nations continues to be poisoned by the Soviet's blatant disregard for basic human rights. This Congress and this Nation cannot turn a blind eye to these violations. The Soviet Union was a signator to the Helsinki accords, and we fully expect them to abide by the provisions of that agreement.

We have no choice but to coexist with the Soviet Union. But if they are truly interested in reducing tensions and creating a new spirit of cooperation, they must live up to their previous commitments. As long as people are persecuted for exercising their inalienable right to emigrate or practice their faith, we cannot sanction a policy of "business as usual" with the Soviet Union.●

● Mr. GREEN. Mr. Speaker, I would like to thank my New York colleagues, Representatives RANGEL and GILMAN, for organizing this special order on behalf of Soviet Jewry.

As many of you know, this Sunday is Solidarity Sunday for Soviet Jewry, an annual event in my district when thousands of people gather at the United Nations to focus the attention of the world on this state-sponsored repression and discrimination.

This Sunday is an especially appropriate time for this annual commemoration for, as we all know, it is also the day in which Americans will be honoring the liberators of Western Europe and the Nazi concentration camps. It is the horrible lesson of World War II which should drive us all in our never-ending struggle to free the thousands of Soviet Jews in captivity today. So I urge my colleagues who will be joining me in commemorations this weekend, to remember the 6 million, to remember the 600,000 captive Soviet Jews, and to remember that we can and must continue to jog the memories and the conscience of humankind.

I would also like to take this opportunity to mention a resolution which I am introducing on behalf of Dr. Semyon Gluzman and his family. Unfortunately, this is the third Congress in which I have introduced resolutions on behalf of Dr. Gluzman and yet this one-time prisoner of conscience remains a virtual prisoner of the state.

Semyon Gluzman's story is one of tremendous courage and conviction. Thirteen years ago, Dr. Gluzman, a trained and talented psychiatrist, was arrested and convicted of "anti-Soviet agitation and propaganda." His "crimes" lay in his refusal to cooperate with the KGB in branding human rights and political activists as mentally ill, as well as in his chronicling of Soviet psychiatric abuses in several samizdat articles.

As punishment, Dr. Gluzman was sentenced to 7 years of hard labor and an additional 3 years of internal exile in Siberia. While in prison, Dr. Gluzman coauthored a guide for fellow dissidents describing techniques to prevent being classified as mentally ill by government psychiatrists and fought for freedom and the more humane treatment of his fellow prisoners. As a result, he was harshly treated by prison guards and spent much of his time in solitary confinement. Though still a young man, Dr. Gluzman left prison with his health broken.

After his release from internal exile in May 1982 Gluzman sought to emigrate to Israel from Siberia. He was refused permission and returned to his native Kiev. Although Dr. Gluzman has continuously expressed his desire to emigrate, Soviet authorities have stated that at no time will he be allowed to do so.

The 3 years Dr. Gluzman has spent in Kiev since his release have been neither happy nor productive ones for him. He has been subjected to harassment and physical abuse and continues to be denied permission to work as a psychiatrist. He currently fills an administrative position at a clinic in Kiev.

The Soviets have denied the Gluzmans the right to live full lives in the U.S.S.R. and at the same time the right to emigrate to Israel. We, in the Congress of the United States, have a responsibility to the Gluzmans and to the many other refuseniks whom we have "adopted" to see to it that the Soviets uphold internationally recognized standards of human rights. I urge my colleagues to join me by cosponsoring House Joint Resolution 270 and by making our voices heard this Sunday.●

● Mr. McGRATH. Mr. Speaker, massive preparations are currently underway in New York for Solidarity Sunday 1985, this year slated for May 5. Hundreds of thousands of marchers and spectators are expected to show their unwavering support in this 14th annual demonstration with refuseniks who have been denied basic human freedoms, including the right to emigrate, and practice their religion.

In light of the continuing repressive campaign the Soviet Government is waging against its Jewish citizens, this rally is a crucial expression of American support for our oppressed brothers and sisters behind the iron curtain.

I have long attended this rally, and believe our presence makes a difference. Despite the low number of emigrants who have been granted permission to leave over the past several

years, I know our vigilance makes a difference in their struggle. The refuseniks are infused with new energy and determination because they receive the message that they are not alone and their struggle is not in vain.

I am honored to support Solidarity Sunday and commend my colleagues from New York, Mr. GILMAN and Mr. RANGEL, for reserving this time to pay tribute to all of Sunday's participants.●

● Mr. BERMAN. Mr. Speaker, it is with a great sense of honor and conviction that I rise to join my colleagues as we declare our solidarity with the persecuted Jews of the Soviet Union.

For the past several years, the world has witnessed the hideous progression of what is now officially sanctioned anti-Semitism. It is a crime in the U.S.S.R. to practice Judaism. Soviet Jews cannot gather to worship, they cannot teach their language, they cannot pass along their traditions, and yet they cannot leave the country to pursue their rights. Once they apply for exist visas, most find that, too, is a crime. They often lose their jobs, become social outcasts, get drafted into military service, or are imprisoned.

The Soviets usually deny the right to emigrate on the basis that the individual's emigration is not "in the interest of the Soviet Union." If world opinion is important to the Soviet Government, and if adhering to their own international agreements is a consideration of Soviet diplomacy, then guaranteeing human rights, be it the freedom to practice religion or the freedom to emigrate, is always in the interest of the Soviet Union.

The preservation of world peace is in the mutual interest of the United States and the U.S.S.R. With Mr. Gorbachev's recent ascent to power and the renewed willingness of both countries to come to the negotiating table, the Soviets have an opportunity to significantly improve relations. Releasing the chains on Soviet Jewry will not only encourage U.S. trade concessions, but will also prove the diplomatic integrity of the new Soviet leadership.

Today, we declare our solidarity with Yakov Levin, Aleksandr Kholmiansky, Yakov Mesh, Iosif Berenshtein, Iosif Begun, and the thousands of others who long for religious freedom. As the symbol of freedom for oppressed people all over the world, we have an obligation to the Jews of the Soviet Union. The lessons of the Holocaust are permanently embedded in our hearts and minds. Our efforts to end the persecution will not end until every Jew is granted religious freedom.●

● Mr. MORRISON of Connecticut. Mr. Speaker, I rise today to urge my colleagues to cosponsor House Resolution 127, expressing the support of the House of Representatives for "Solidarity Sunday for Soviet Jewry" on May 5, 1985. This event provides a timely opportunity for Congress to reaffirm its commitment to religious freedom and personal liberty everywhere in the world.

Basic human rights, including the freedom to practice one's religion, are routinely and increasingly violated by the Soviet authorities. Emigration from the U.S.S.R. last year fell to an all-time low of only 896 people. We will never have a better opportunity to impress upon the new Soviet leadership how seriously we view these sad developments.

This Sunday, May 5, 1985, I will be leading a large delegation of citizens from the Third District of Connecticut and elsewhere in the State to the 14th annual "Solidarity Sunday for Soviet Jewry" rally at the United Nations in New York City. As many as a quarter of a million people are expected to attend this gathering, sponsored by the Coalition to Free Soviet Jews, to demonstrate their support for freedom and liberty and the right to practice one's chosen religion.

It is time that the United States as a nation raise its unified voice in support of these same ideals. I strongly urge my colleagues to join me in cosponsoring House Resolution 127 and hope that many will take the time this Sunday to demonstrate their support for "Solidarity Sunday for Soviet Jews."●

● Mr. PORTER. Mr. Speaker, I am pleased to join my colleagues from New York [Mr. RANGEL and Mr. GILMAN] in calling attention to the "Solidarity Sunday for Soviet Jewry" rally in New York.

As my colleagues are aware, May 5 is the 14th annual rally held in New York to express solidarity with the oppressed Jewish community in the Soviet Union. I commend the organizers of this for their dedication to the cause of Soviet Jewry, and for their fine efforts to remind the Soviet Government of our concern for the victims of human rights abuses in their country.

Earlier this year, over 140 of my colleagues in the House and Senate joined me in writing to General Secretary Mikhail Gorbachev to express our concern over the treatment of Jews in the Soviet Union. In our letter, we noted the signals from the leaders of both of our countries indicating a desire for improved relations. The meetings in Geneva on arms negotiations and the anticipated meeting between Mr. Gorbachev and President Reagan are both signals of this commitment to reducing the tension between the two great superpowers.

In our letter, as we do at every opportunity, my colleagues and I urged Mr. Gorbachev to make a risk-free gesture to the Western world to symbolize his true commitment to world peace. We explained to Mr. Gorbachev that as the new leader of the U.S.S.R., we hoped that he could end the repressive policies aimed against the Jewish community in his country.

We have witnessed the power Mr. Gorbachev has used in making changes in the Soviet Government. Unfortunately, we have yet to see him use his authority to improve the state of affairs for the Jewish community in the U.S.S.R. He appears to have turned his back on our suggestion. The Jewish community continues to suffer greatly.

During the past month, we have heard several rumors that the Soviet Government was ready to ease its repressive policies. Yet none of these rumors have been substantiated—and it appears that the Soviet Government is still sponsoring a strong anti-Semitic campaign.

Many of my colleagues who have visited the Soviet Union and met with refuseniks have come to know the story of Abe Stolar. Abe was born in Chicago, IL, in 1911 and emigrated to the Soviet Union with his parents as a young man. Since 1974, Abe and his family have been waiting for permission to emigrate. In 1975, he and his family were granted permission—yet once they reached the airport, they were turned away by the visa office for an alleged error in Mrs. Stolar's visa.

Two weeks ago, it looked as if the Stolar family was finally going to be allowed to emigrate. But once again, the door of freedom was slammed shut in their face. The Soviet authorities had refused to grant an exist visa to one member of their family. As a result, the rest of the Stolar family turned down the opportunity to emigrate. In response to that situation, 40 of my colleagues joined in sending a telegram to Mr. Gorbachev asking that he intervene to allow the family to emigrate. Our request has so far fallen on deaf ears; today, Abe and his family are no closer to freedom than before.

Simon Levin is another Chicagoan who knows well the Kremlin's policy of refusing its citizens the right to emigrate. In 1978, Simon was allowed permission to leave the Soviet Union, with the understanding that his pregnant wife would soon be allowed to join him. Seven years later, Simon is still waiting for his wife to be granted an exit visa, and has never seen his son Mark. Out of frustration and desperation over her situation, Simon's wife, Tamara, began a hunger strike 6 weeks ago. Today, she is still fasting. In the shadow of death, Tamara clings to the hope that she can be reunited with her husband. Her husband hopes that Tamara's fast will become a call

for justice, and that world opinion-makers will echo her plea for freedom.

This call for freedom is one that has been carried throughout the history of the Jewish people. Today, I join with my colleagues in raising my voice to protest the Soviet Government's policy of denying its citizens the right to live where they choose and to practice their religious beliefs. We wish to call attention to the plight of American citizens, like Abe Stolar and Simon Levin, who are also caught in the web of Soviet oppression. And although we have great hopes for negotiations with the Soviets, we must keep in mind their refusal to live by international agreements on human rights.

We hope we will start seeing a signal of compasssion from within the Kremlin. I pray that one day soon the fight for freedom will succeed in bringing lead Abe Stolar and Tamara Tretyakova to the United States.●

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

THE TIME HAS COME TO SIMPLIFY THE TAX CODE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. ROSE] is recognized for 60 minutes.

Mr. ROSE. Mr. Speaker, for many, many years now there has been a move afoot in this country to simplify our Tax Code.

I have kept a file on some very interesting case histories that I have received from individuals who are in the business community that point very, very clearly to the need of a simplified Tax Code.

I saw Senator SIMPSON quoted recently in a publication where he said that, there are 30,00 lawyers and lobbyists in Washington, each of whom is paid to protect just one word or one paragraph in the Tax Code.

Mr. Speaker, the time has come for us to make the Tax Code simpler, to make it simpler so that the tax burden of running this Government is equally spread across the entire base of this Nation. It is also time to redo the Tax Code so that the Internal Revenue Service and its agents who are charged with the responsibility of and enforcing it can do that in a fair and clear manner for everybody.

I have here a letter that I got several months ago from a businessman, a very wealthy businessman, that points to one great problem that he had seen with the current Tax Code.

I have made notes, and I will read the gist of what he has said to me:

I suppose that I have looked at several hundred companies in the past 30 years, I have purchased personally or helped a company to purchase at least 100 companies. These purchases ranged from several hundred thousand dollars to into the millions. Everytime we got close to making a final deal, the owner of the small and medium sized privately held companies would tell you about items of expense and inventory which had not been reported to the IRS in the proper manner. In the case of large companies, the executives would tell you about their maids, chauffeurs, apartments, use of airplanes, and expense accounts. In addition to long term consulting agreements, large sums of money are really only an increase in price of the company because the executives not only accepted the money as consulting fees but did not do anything at all to earn it. I can give you two personal examples of medium size companies and a large company.

A number of years ago, a gentleman had a company he wanted to sell for $5,000,000.00 cash. I personally went and examined in great detail a number of people he had running the company and the financial results. From a business standpoint, I could see almost immediately that his overhead was way in excess of what it should be in a company of that size, with that type of business. It appeared to me on that surface that this company could be paid out, or could have paid for itself in five years. I bought the company for five million cash and paid it out in 18 months. What I found was this: I found four twin engine airplanes, each with two pilots, one for the owner and the other three were his sons, two of them were going to college. I found his wife's hairdresser, their maid and their chauffeur, all on his payroll. He had at least three girlfriends who he was supporting on the payroll who had never seen the inside of the office. I could go on and on but the net result was he sold the company at what he thought was a fair price but after I cleaned it up, it was making at least twice what he thought it was making, never really knowing the true value of the company because of the many things he did to avoid income tax.

All the things he did, whether they may not have been moral, were certainly allowable under the current structure of our Tax Code.

And then he said:

I was involved in purchasing a large company for an amount in excess of several hundred million dollars. Negotiations for this company went on in the normal way negotiations go. When it appeared that we were close to the price that we were willing to pay, the President and Chief Executive Officer of the company said, and I quote from this man's letter: "We are willing to trade on the basis of the price that we've agreed to, but there are things which myself and three other executives will require before we make a trade." He had them listed for me, and they included four chauffeurs with a lifetime income, five maids with a lifetime income, two jet airplanes to be at their disposal, one apartment in Europe and one in Hong Kong, a new car of their choice every two years and all expenses for fifteen years plus an income of $300,000 for fifteen years. It occurred that these executives had been getting this anyway. Most of what had been involved was for their personal income anyway so it was agreed that we would give them these things. The deal was struck and today, to the best of my knowledge, they are still paying these individuals who contribute nothing to the company, but the company is deducting these costs as business expenses.

Another gentleman wrote me about the problem of taxes for wealthy individuals. He said:

The wealthy individuals that I am talking about, Congressman, are the people who are worth in excess of several million dollars. All of these, as long as I have been in business, have legitimate ways of not paying taxes in excess of capital gain rates. This situation came about because the complex laws that Congress made and the interpretation put on those laws by the Internal Revenue Service. These of course include foreign tax credits, commercial buildings, houses, low rent subsidiaries, public housing, depletion on oil and gas, farms, cattle ranches and many other tax shelters which wealthy people can and do take advantage of. I personally have known people who had in excess of three to five million dollars who pay no taxes because they have these tax shelters. In fact, I saw an article in the paper recently where approximately 100 people who had over a million income paid no taxes because of foreign tax credits and real estate shelters. All of the wealthy people I have known have tax experts who are constantly trying to outwit the Internal Revenue Service.

There is one person who concentrates on their business all of the time and most of them I have known in the past operate in the grey area with all of their tax reports. The accountants would tell them "this is a grey area" the worst you can do is have the IRS check you and assess you a tax which you can fight in tax court—if you lose the only consequence is the tax plus interest and legal fees involved. You and I know that the IRS cannot check all these grey areas. Hundreds of millions of dollars in taxes are lost.

□ 1420

And I am not blaming the IRS for this. This is the way we have written the Tax Code and this is the mess that we hand them to enforce.

The gentleman further writes:

What I am trying to demonstrate in this letter, is the fact that fraud tax cases used to involve in general only wealthy individuals. Today we have a flood of tax cases all over the United States for not only the tax court but also in the district courts. The tax problems that we have today involve big companies, wealthy individuals that kind of do what they want to because the IRS does not have enough people to check out all the operations of the large companies and wealthy individuals. This problem now involves small and medium sized companies, they involve farmers, waitresses, and ordinary working people. Each time some new law is passed or some new regulation is put out by the IRS it is an effort to put a finger in a dike that is already broken wide open. All of these new regulations they are putting out and the new interpretations of the code just makes more dishonest people in the United States.

The real foundation of our democracy calls for an honest tax system that regulates taxes on a fair and equitable basis based on a person's income. You are finding some of the wealthier people in this country are paying no tax at all because of the lobbyists

and the pressures being brought by them to find some tax gimmick for their companies or their clients.

Isn't it a shame, he writes, that the IRS is out trying to find out how many tips a waitress gets? Isn't it a shame that a man has to keep speedometer readings in order to get deductions on the use of his car?

Well, you will be happy to know we are, hopefully, about to do away with that one.

Isn't it a shame that there are banks and insurance companies in the United States that pay only 10 to 14 percent income tax? Isn't it a shame that some of the wealthier people in this country pay no income tax at all?

The bottom line is that all of the things I mention in this letter is that our tax system has broken down entirely.

The Internal Revenue System, with the connivance of Congress, he says, has put out so many laws and so many regulations that they have become almost a joke to the American people. It has become almost a national pastime to see how much that you can get away with without paying your fair share of taxes. I think it was more vividly brought to me last year than it has ever been when I happened to be in an accountant's office—he was not a CPA—who was figuring out an individual's tax return. The accountant asked the low-income fisherman why he had not put down a deduction for insulating his house. He said, he did not insulate his house. And she said, "Oh, don't worry about that, everyone is taking that deduction, so there is no need for you not to take it too. The IRS never checks, anyway, to see if you insulated your house or not because you are in a relative low-income bracket."

Mr. Speaker, that is pathetic.

Another example—and I will be brief and conclude—

About 30 years ago I hired a black tire changer, this man wrote me from the Midwest. He was such an excellent employee that I gave him an opportunity to become a mechanic. He attended several mechanic schools, and, as a result he became an excellent, first-class mechanic, made about $1,800 a month. He stayed in California for a year, then he returned to his home and came to me and asked for his old job. I handed him a W-4 form to sign. I asked him how many dependents he had, and he answered, "How many do I have to have not to pay any taxes?" I looked at a tax table and told him he needed 7, that included his wife and 7 children. I asked him if he had recently married and acquired these dependents. He said, no, he had never married and didn't intend to every marry. I said to him, "John, if you sign this W-4 form, it will be fraud and you will be subject to criminal charges which could result in a prison term." He asked, "Have you ever seen the Internal Revenue put a working mechanic in jail? The government will just have to give me food and shelter and take care of me. Besides, everyone else does it." I told him that that was a matter between his conscience and the IRS. He went back to his job, and to this day he still has 8 dependents, only their names have changed.

After this, I hired a detective that I knew in my hometown, and I checked about 300 employers in my community who were either drivers or mechanics or blue-collar workers. It took him about 7 or 8 months, and he didn't get but about 200 of the people that I asked him to check. Of the 300 that we had listed, 200 had falsified in some way what they said to the government on their W-4 form.

In the past year since then I have witnessed an exceptional number of the lower income group people in this country evading taxes. Some of the many cases involved maids and cooks and maintenance workers. It is not uncommon now for someone in the low-income group to tell you that they are willing to work but are not willing to have Social Security and income taxes deducted from their pay, they will only work for cash. Service people, plumbers, electricians, carpenters, repair people, in most cases either request cash or they give you two bills, one for cash and one for a check. You can bet that most people pay cash. They cannot deduct the cost of the work anyway, they take the cash rate, which of course could be much cheaper. I know of a great many farmers and cattle people, most of whom receive some cash which is never recorded, or they put gas and diesel in their wives' and children's cars and charge it to farm operating costs. The farmers in many, many cases that I have seen trade cattle and hog meat and other produce raised on their farms in exchange for medical care, for the use of boats, personal hotel bills, and many, many other personal needs.

A man from eastern North Carolina wrote me that—

He had for many years been buying crabmeat from a crabber in eastern North Carolina, and this crabber came to me one day and said he couldn't sell me crabmeat any more, and I asked him why. He said he had never paid any income taxes on the money he had made selling crabmeat but his business had gotten so good he just could not sell it to me any more for cash. I told him I was sorry because he had the best crabmeat in the eastern part of the State. He said he did not mean he would not stop selling me crabmeat but he would just have to trade it to me for something. I told him I didn't have anything I could trade him for it. He said, "You have got a freezer full of steak, so we could trade crabmeat for steak." He went away happy, I had my crabmeat, he had his beef.

It is really a shame that every time you make a purchase or sale of a business, the first thing you look at is what effect does it have on taxes. You do not dare to make a move today that involves any amount of money without checking with your tax experts.

I think we are at a crisis in this country, and I do not believe that half of what is out there has actually come to light. I hope and pray that we can move very quickly in this country and rewrite our tax laws and make some inroads into this fraud that is creeping all across the country and adopt the new proposed flat tax that Chairman ROSTENKOWSKI is advocating that we have for this country.

Another gentleman wrote me—and I will have only a few more—a number of years ago, he said:

I had an IRS agent who checked my returns. He was honest and diligent and he was intelligent. I always felt like when he got through with my accounts that he did a good job for the government and the taxpayer. This did not mean we didn't have differences of opinion when we began to deal in new laws and regulations that created gray areas. In fact, we took him to district court on a number of cases and won each and every time. My tax expert spent all of his time on my business, all of it, and the agent only had a certain number of hours that he could put on my return. It was very obvious that the agent could not and did not spend the time on my business that my own tax experts did.

A number of years later he retired. He came by my office to tell me that he was going to California. He then made a statement that I have often thought about, and he said, "I have really enjoyed working on your tax returns. Your business is varied and it is different. It has always been interesting to me. We have had our differences and you have won your cases over the years, because I did not have the time to spend on them that your tax expert did in trying to figure out how you could pay the least amount of taxes. I used to believe I could go into a man's office and leave satisfied that I had done a fair and good job for the government and the taxpayer.

Honestly, I can't now examine a complicated tax return and leave feeling like I have been fair to the Government and the taxpayer. Congress has passed numerous laws involving taxes and the bureaucracy of the IRS interprets these laws through the Tax Courts in such a way that I cannot anymore examine a man's return and feel like I have done the Government and the taxpayer a good job. All these rules and regulations only serve to make liars out of more taxpayers each and everytime a new law or a new regulation is passed. There is not a young agent in the service today who can examine my tax return and tell for sure whether it is correct or not. The grey areas are so complicated that I myself, an agent with 27 years experience, am unable to decipher them on a fair and equitable basis.

After this agent left the service, I began to get new agents in to examine my returns. In great succession, I had agents that in my opinion did an absolutely poor job in the examination of my business. Even though the return involved millions of dollars in transactions, most of the time the agents spent their time looking at travel and entertainment, telephone bills and other matters really of little or no consequence. I will never forget one day at lunch, an agent came into my office with a partnership agreement that involved millions of dollars, the agreement itself cost our business $150,000 to prepare and was prepared by a well known law firm. It covered approximately 600 pages. He asked me if he could take it out to lunch and I said sure—bring it back when you are finished with it. He took it with him and returned to my office about 2:00 p.m., laid the document on my desk and said "it looks all right to me". It didn't take a genius to see that he didn't understand anything in that agreement that related to my taxes. Each year the agents who come to my office are more and more less prepared to examine anybody's tax return. Isn't it a shame that the IRS has a telephone system

where you can call to get answers to your tax problems and they tell you that what they say might not be correct and do not depend on their answers. There is a recent article in the Wall Street Journal where a reporter called something like seven different offices of the IRS and asked them the same question and got six different answers, none of which the IRS recognized as correct.

It is impossible under the tax codes and regulations, for a large majority of people in this country to make out their own tax returns. The accountants who they go to, generally are more interested in saving them money than they are for collecting taxes for our government.

□ 1430

Mr. Speaker, I will conclude at this time and reserve a special order next week to include the remainder of this. The point and the bottom line is very simple: The Tax Code of the United States is far too complicated. People are evading millions and millions of dollars in tax liability because of these complicated tax laws and regulations. Agents are unable to enforce them as we have written the laws.

I suppose and believe that the real reason that we need to rewrite the tax laws is fairness. Fairness for everybody. But I am convinced that if we write a Tax Code fairly, that billions of more dollars will be paid into the Treasury of the United States than is now being paid into the Treasury, and that we will go a long way toward solving the deficit problem that our Government faces if we will simply install a flat, fair tax for all Americans.

Mr. Speaker, I thank you and I yield back the balance of my time.

CINCO DE MAYO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DE LA GARZA] is recognized for 60 minutes.

ME. DE LA GARZA. Mr. Speaker, I take this time to join with my colleagues to extend our greetings to the citizens and the Government of the Republic of Mexico, our neighbors to the south.

Shortly after our battle for independence or our battles for independence in 1776, some 30-odd years later, Mexico declared itself independent and was successful in achieving that independence. We from Great Britian and they from Spain. Possibly the two major countries in the world at that time.

Of unique interest to us is the fact that what we, the Founding Fathers of this great Republic of ours were saying in New York and Philadelphia and throughout the Colonies of life, liberty and the pursuit of happiness, of freedom, of the freedom of the individual. Of the desire to govern themselves; of the birth, actually a very novel experiment of government by the consent of the governed, and of government of, for and by the people, that we also cherish.

The same things were being echoed farther to the south in the new Republic of Mexico which was then "New Spain" as it was called. Again, of unique interest is the fact that almost everything west of the Mississippi including my State of Texas, in 1776, were part of New Spain, and not a part of the initial endeavor of the Colonies of the Northeast.

Then, through circumstances and history, we became a part of the United States of America. By "we" I mean Texas, now New Mexico, Arizona, California, parts of Colorado, Washington, Oregon, and in fact, almost everything west of the Mississippi.

I say this as a preface to why it is that we congratulate and unify ourselves with the people of Mexico on the fifth of May, or otherwise known as "Cinco de Mayo." Because we were fortunate that after our independence we were able to maintain the stability of our Government, and that which was fought for and gained became then the tradition that we, 209 years later, still cherish and love and the Government that we abide by, that Constitution and that Declaration of Independence, still a few blocks from here, are there.

But not so for Mexico. They had the unfortunate situation of having to suffer the yoke of foreign intervention, including ours. Including ours in their later years.

But at the Battle of Puebla in the vicinity of the city of Puebla in 1862, when the French had occupied Mexico, and under Napoleon III, had placed an emperor over the people of Mexico, an Austrian archduke named Maximilian. He had been placed as Emperor of Mexico, not by a vote of the Mexican people; not by pluralism; not by consent, but rather by the forces of the French Emperor.

Now I am happy to say that a young Texan named Ignacio Saragoza, who was a general at a very early age, led the Mexican troops that defeated the French. Not only is the significant part that freedom and justice and equality and the things that we cherish and our Mexican brethren cherish, not only were they successful or was that the begining of their success, but also that the French troops were in the highest tradition of the European-trained military. This group of Mexicans, not trained in that tradition, were able to defeat them. A few years later, in 1867, the Mexican people, forever, threw off the yoke of foreign intervention in their country and became then, as we know now, the democratic state, the Republic of Mexico.

Let me say that Gen. Ignacio Saragoza was born in Bahia del Espiritu Santo. That is near the now city of Goliad, TX.

□ 1440

From there he traveled through various areas, joined the military and became a general, one of the youngest generals. The unfortunate thing is that not too many years later, under 30 years of age, he passed away and was not able to really live the victory that he had assured by leading the Mexican forces at the Battle of Puebla.

In 1867 the French were defeated and Benito Juarez, the rightful, democratically elected President of Mexico, regained his position and since then Mexico has progressed. Even then they had problems, and it was not until 1910 that the final revolution took place wherein they now, 75 years this year, Mexico now has a continuous, successful democratic institution, but 175 years ago they severed their relationships with Spain, shortly after we had severed our relations with Great Britain.

So it is with that in mind that I ask my colleagues to join with me in extending our greetings, our felicitations, to the Government and to the people of Mexico. We in this country have suffered, as they have, military intervention. Fortunately for us, basically it ended with our Declaration of Independence, although we did have some problems with the French in the middle of the last century.

But the fact is that now our two countries work hand in hand, our two peoples basically in many areas are one, and perhaps the gentleman from Texas speaking at this time would be the best example because my ancestors came from Spain in the middle 1700's to what was them New Spain. Then they settled on the north side of the Rio Grande, and when Texas became independent from Mexico, we then became Texans. When Texas joined the Union, we then became citizens of the United States of America.

When I hear the bell at Philadelphia, the echo rings back from the bell at a little village in Mexico where Father Hidalgo and all of the other Mexican patriots who secured Mexico's independence. This little village is named Dolores Hidalgo in the State of Guanajuato, and perhaps history will record that maybe it was not by accident that they were saying the same things in Philadelphia and at Dolores Hidalgo, that they were feeling the same inherent desire for life and liberty and freedom and that a bell was rung at Philadelphia and a few years later a bell rang at Dolores Hidalgo declaring both peoples, at the time, their independence from the yoke of European domination and that today we are able, a descendant of that other group, because of history, now has

become a citizen of this great country of ours and that I should be able to speak here as an American, as a Member of this Congress probably is the most significant factor in the relationship between ourselves and the Republic of Mexico in that the people have never severed their relations. There have been problems, but I say they possibly were mistakes of government and not of the people. The people have always been together because many of us rightfully belong to both sides because we were a part of one and we became a part of the other, and now we share in our sentiments, in our heritage, in our culture, in our language, in our everything, but most of all in our hearts, that dual pride that my forefathers began with the one and here I end with the other, and that we can have the freedom and the liberty to be able to express our sentiments and to, on behalf of the people of the United States, congratulate the people of Mexico in that both of us now, in this, the year of our Lord 1985, both of us are able to declare that our people are basically, to the extent humanly possible, through the faults and failures of a democratic institution, but nonetheless that their Constitution and our Constitution guarantee the inherent right given to us by our Maker, and that, my dear friends, is what our sentiments are as we send our congratulations to the people of Mexico on their celebration of Cinco de Mayo.

CENTRAL AMERICA: DOSE OF REALITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

● Mr. GONZALEZ. Mr. Speaker, basically, Congress prohibited U.S. funding for any efforts to overthrow Nicaragua by CIA personnel and U.S. funding of the Contras' activity in Nicaragua. Since the passage of this prohibition, the President has admitted that his intention all along, despite the congressional mandate, was to change the Government of Nicaragua and make the Sandinistas say "uncle." The President knows as well as we all do that to change a government by military force clearly is to overthrow it.

The congressional mandate of which I speak—the so-called Boland amendment—embodied principles of international law and the charter of the Organization of American States. The United States is a member of the OAS, yet the administration consistently has ignored U.S. obligations and responsibilities pursuant to our participation in the OAS. In fact, international law apparently is of absolutely no concern to this administration, as evidenced by the President's statement this morning that the United States will ignore any actions brought before the World Court regarding the recently imposed sanctions, or any other U.S. actions. The President made the same decision last January, and yet how many of us realize that just because we refuse to participate in these legal proceedings, the World Court continues its business. Just because the United States withdrew, does not mean that Nicaragua withdrew.

The President clearly is escalating the tensions between the United States and Nicaragua. Congress is not doing this—Congress has asked for a peaceful approach to the problem, yet the administration continues to fuel the fire with its every resource. And why has the administration taken its most recent actions of imposing sanctions on Nicaragua and of ignoring the World Court? Mr. Speaker, the President is simply laying the groundwork for his next request for military aid for the Contras. He will be working over the next few months to create as big a crisis as possible in order to justify military intervention in Central America.

After all, this is the President's pattern: He desperately wanted Federal Budget cuts—a very unpopular proposal—so he set the groundwork by cutting taxes, which made the Federal deficit balloon out of control, which created a crisis, which has played on the conscience of the American people, which makes a tax increase or budget cuts absolutely necessary. He set up the Geneva talks to create an apparent crisis to justify the MX missile. And he is setting up the stage for a horrendous crisis in Central America so that he can get his Contra aid this fall and continue to conduct an illegal war which will eventually involve our own U.S. troops.●

URGING A NONVIOLENT POLITICAL SOLUTION TO CONFLICT IN NORTHERN IRELAND

(Mr. O'NEILL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. O'NEILL. Mr. Speaker, I recently had the pleasure of meeting Mr. Denis Haughey, a leader of the nonviolent Social Democrat and Labour Party and a member of the Northern Ireland Assembly.

In addition to discussing matters concerning Ireland, Mr. Haughey expressed to me his deep concern about Irish-American organizations that condone and support the terrorist IRA. As a friend of Ireland, I believe that political violence is reprehensible and inherently antidemocratic.

Mr. Speaker, I insert the recent interview with Mr. Haughey taken from the Brockton Enterprise, and I hope it will encourage Americans to support a peaceful resolution and call for an end to the killings in Northern Ireland.

[From the Brockton Enterprise, Apr. 20, 1985]

NORTHERN IRELAND POLITICIAN SAYS IRA ACTIONS "MISGUIDED"

(By Gil Bliss)

(This interview is dedicated to the memory of Bridgewater State College political science professor Robert Larson of Easton, a man who devoted his life to the notion that politics and cooperation are the fabric that holds our civilization together. Larson died Thursday.)

BRIDGEWATER.—Irish-Americans who support the Irish-Americans who support the Irish Republican Army are "entirely misguided" and "attached to the wrong cause" according to a Catholic Northern Ireland politician whose career has been based on achieving a successful political solution in Ulster through non-violence.

"The violence in Northern Ireland lets the British off the hook all the time. It's easier for them to deal with the violence than it is for them to produce an agreement that allows both sides to live in harmony," said Dennis Haughey, a leader of the non-violent Social Democratic Labour Party and a member of the Northern Ireland Assembly.

Haughey consented to an interview at the Bridgewater home of his cousin, Edward Haughey, an administrator at Bridgewater State College.

At the time, Haughey was in the midst of a 30-day tour of the United States as a guest of the U.S. State Department's International Visitor Program. In an interview with The Enterprise, Haughey outlined the background of the conflict in Ulster, and talked about the history of his political party and the future prospects for peace in the troubled province which remains under British control.

Haughey, 40, is a native of Coal Island in N. Ireland, is a teacher by trade following graduation from college with a joint honors degree in American history and American politics, and divides his time between case work for his SDLP constituents and work on the staff of John Hume, a member of the European Parliament, and leader of the SDLP.

"I can understand why so many people in the Irish-American community feel the way they do in supporting the IRA, but they should be aiming at using political muscle in this country to influence their own government which has a strong and close relationship with Britain," said Haughey.

"This way they can level Britain towards the direction of change. By supporting groups like NORAID, they're just wasting their time," said Haughey.

Haughey pointed out that Irish-Americans have a sentimental attachment for Ireland, but view the conflict as being one between the Irish and the British, a feeling Haughey said is left over from the struggles for independence in Ireland in the early part of this century.

"It's different now," said Haughey. "Four-fifths of Ireland has its independence, the whole thing now is between the people of British descent in Northern Ireland and the rest of the Irish populace."

"That's not going to be solved by shooting people in the back. The only possible way that unity can come is reconciliation between the people. Unity does not come by simply grappling two pieces of territory to-

gether or imposing military control," he said.

Haughey's party was a major architect of the New Ireland Forum Report, a document that proposed three possible political solutions for the Ulster problem. The proposals were flatly rejected recently by British Prime Minister Margaret Thatcher.

The options included creating a unitary state under control of the Dublin government of the Irish Republic; a federal system featuring a regional government in N. Ireland; and a joint authority agreement, where Dublin and London would share governmental responsibility.

Haughey noted that the British flat rejection of the proposals is indicative of their attitude towards the problem. "It's easy for the British to avoid the difficult questions. They label it as a problem of violence and suppressing terrorism. They lose soldiers, but it presents no public backlash, and the response is measurable and predictable. They feel that a whole series of political proposals could make the situation worse."

Despite the recent rejections, Haughey noted that "significant areas of agreement are beginning to emerge between the British and Irish governments."

Haughey explained that the basic conflict is between Unionists, people of British background who fear that they would be overwhelmed in a government controlled by the Catholics; and Nationalists, people of Irish descent who desire to be part of the Irish Republic governed by Dublin.

He traced the problem back to 1921, when the British partitioned the island in response to a loud and sometimes violent movement for independence throughout Ireland.

"The British had settled English and Scottish settlers in Northern Ireland as a deliberate policy of plantation. The greatest resistance to British rule in Ireland had been in the north, so most of the settlers were planted there. When the Irish Republic achieved independence, the British populace in Northern Ireland was afraid for its future in an independent Ireland, so rather than put effort into a political framework to incorporate those people, they partitioned the island," Haughey explained.

The resulting split created a population in Northern Ireland that was 60 percent British and 40 percent Irish.

He noted that the distinction between Catholic and Protestant is not at the root of the issue, but merely the easiest way to distinguish people of British and Irish descent. "The religious aspect is not so important for Catholics, but it is for some fundamentalist Protestant groups that have an objection to Catholicism as a religion," said Haughey.

"The Unionists realized that the Catholics were more fertile, and their population was expanding rapidly. In order to preserve their control, they introduced a system of institutionalized discrimination towards the Catholic populace in areas of housing and jobs, and they used that system to maintain that majority."

"They created pressure in housing and unemployment to attain a high emigration rate," said Haughey.

Haughey was politically active in college, and upon graduation, he and many of his colleagues believed that they could model a movement for change after the American civil rights movement. "We felt that if we could direct attention towards these abuses, hopefully we could build up enough public pressure to have them corrected," he recalled.

"All previous political efforts at a solution had failed, and the British were content to let sleeping dogs lie."

Another strong influence on the then-budding movement was the example set by Mahatma Gandhi in the movement trying to achieve independence in India, also from what was perceived to be an oppressive British government. "He taught us that the justice of a cause allows people to endure the violence of injustice," said Haughey.

The initial efforts of Haughey and his colleagues were directed towards documenting the discrimination through research, and using it to show the British leaders and people that such a situation did actually exist.

To highlight the situation, a group of lawyers and academics formed the Northern Ireland Civil Rights Association, and in 1968, sponsored a march from Coal Island to Dungannon to highlight what they perceived as lack of civil liberties generated by a "persecuting police force with widespread powers of arrest," according to Haughey.

The march garnered widespread international attention, heartened the participants, and worried the Unionist government, who became determined to put a stop to the movement.

During a subsequent march to Derry, a city long considered an "emotional flashpoint" for Catholics because the composition of the local government had been symbolic of their oppression, the police force attacked the peaceful march, and the entire episode was captured on Irish television and relayed to the British people.

"There, for all the world to see, was visible evidence of the repressive nature of the Northern Ireland state. Television pictures of peaceful marchers being beaten about the head savagely by a police force gone berserk aroused concern in Great Britain," remembered Haughey.

The subsequent commotion and later marches caused the British government to force changes in Ulster, changes that were strongly resisted by the Belfast government. "The marches gave people a sense that if they stood together and their cause was right, and if they took appropriate action, they could bring about changes," he said.

The Belfast government was so resistant to the changes that Haughey and his contemporaries felt an organized party for the Nationalists in Northern Ireland was necessary to try and create a framework that could accommodate "normal and healthy changes."

The SDLP was formed, and "the civil rights movement had seized everyone's imagination," according to Haughey. However, another movement was also underway.

"The excitement of the civil rights demonstrations and the resistance of the Belfast government to any kind of change frustrated and angered so many people that the extremist fringe began to acquire more and more support." He said that the extremist groups had not had much support during the success of the civil rights movement.

"In 1970 and 1971, they began to launch into the old activity of bombs and bullets again," he said. "We were angry, because he believed that steady responsible pressure was bringing about steady change. The IRA's campaign of violence detracts attention from the central issue which is trying to live together in peace, freedom, and cooperation."

From 1973-1974, a cabinet consisting of both Unionist and Nationalist elements was put together, and steps had been taken to alleviate the tense political situation by providing Catholic representation in the government. Extremist Protestant groups forced strikes protesting what they perceived as an erosion of their power, and the British government failed to stand up to them, according to Haughey. As a result, the cooperative experiment failed.

"That was the best chance we had at creating a framework to work together," said Haughey.

At this point, Haughey sees the problem as one that can't be solved within Northern Ireland, but one that must be tackled by the governments in Dublin and London. "They're the only two agencies that have the muscle and elbow room as sovereign governments to get something done," he said. "If the British slam the lid on Northern Ireland and sit on it, what's going to happen is going to be pretty scary."

Haughey's SDLP fails to attend sessions of the Northern Ireland Assembly, even though they hold 14 of the 78 seats.

"We feel it's futile to try and force an agreement in the Assembly, but we fought the initial elections in 1982 to maintain our mandate to represent the people. We don't attend the sessions because we'd only be humiliated on a daily basis, which would discredit ourselves and discredit politics," explained Haughey.

As a result, the party handles constituent work, dealing with the government on matters of housing and employment; and issues statements on every public issue.

Haughey hopes that his party will draw support from Irish-Americans with its policy of nonviolent political action as a means of change, and lessen American support for groups like the IRA.

"Americans would be surprised to know just how scanty the resources of the SDLP are," said Haughey.

He said that during his trip he has met with many Irish-American political leaders, including Speaker of the House Tip O'Neill, whom he said are "committed to our approach."

"They've taken a risk with their constituency and stood up to the extemists in this country," he said.

During his trip, Haughey has been trying to get the non-violent view across the media and the public. "We'd like to be able to come out here more often."

The ideal situation for Dennis Haughey, would be a government united with Dublin that would give the Unionists assurances through institutions and resources that they would have a secure place in the society. "I'd bend over backwards to ensure that they'd never fear in any way that they'd be injured or discriminated against," he said.

During his U.S. tour, Haughey visited Washington, D.C., New York, Boston, Minneapolis, San Francisco, New Orleans, and Jackson, Mississippi, where he was scheduled to meet with American civil rights activists.●

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. NELSON of Florida, for 5 minutes, today.

(The following Member (at the request of Mr. DE LA GARZA) to revise and

extend his remarks and include extraneous material:)

Mr. MITCHELL, for 60 minutes, May 7.

(The following Members (at the request of Mr. BEREUTER) to revise and extend their remarks and include extraneous material:)

Mr. GILMAN, for 60 minutes, today.
Mr. HENDON, for 60 minutes, today.
Mr. WALKER, for 60 minutes, today.
Mr. GINGRICH, for 60 minutes, today.
Mr. MACK, for 60 minutes, today.
Mr. WEBER, for 60 minutes, today.
Mr. HUNTER, for 60 minutes, today.
Mr. GROTBERG, for 5 minutes, today.

(The following Members (at the request of Mr. SMITH of Florida) to revise and extend their remarks and include extraneous material:)

Mr. FRANK, for 5 minutes, today.
Mr. BUSTAMANTE, for 5 minutes, today.
Mr. RODINO, for 5 minutes, today.
Mr. MOAKLEY, for 5 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. JONES of Oklahoma, for 5 minutes, today.
Mr. GONZALEZ, for 60 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MICA, to include entire text of letter from Secretary of State Shultz.

Mr. O'NEILL, at the request of Mr. SMITH of Florida, and to include extraneous material.

Mr. BEREUTER, to include extraneous material in his statement in preceding debate.

(The following Members (at the request of Mr. BEREUTER) and to include extraneous matter:)

Mr. GROTBERG.
Mr. LAGOMARSINO.
Mr. SENSENBRENNER.
Mr. COURTER.
Mr. SNOWE.
Mr. JEFFORDS.
Mr. MCGRATH.
Mr. LENT.
Mr. SUNDQUIST.
Mr. FIELDS.
Mr. DAUB.
Mr. MCKERNAN.
Mr. ROWLAND of Connecticut.
Mr. IRELAND.
Mr. DENNY SMITH in two instances.
Mr. CHENEY.
Mr. BROOMFIELD.
Mr. MORRISON of Washington.

(The following Members (at the request of Mr. SMITH of Florida) and to include extraneous matter:)

Mr. MCHUGH.
Mr. COELHO.
Mr. GARCIA.
Mr. MAZZOLI.
Mr. FRANK.
Mr. ACKERMAN.
Mr. DOWNEY of New York.
Mr. JONES of Oklahoma.
Mr. LEVINE of California.
Mr. HAYES.
Mrs. BOXER.
Mr. MONTGOMERY.
Ms. MIKULSKI.
Mr. MOAKLEY.
Mr. STARK in two instances.
Mr. ADDABBO.
Mr. BEDELL.
Mr. FASCELL in two instances.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 47 minutes p.m.) under its previous order, the House adjourned until Monday, May 6, 1985, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1189. A letter from the Director, Federal Emergency Management Agency, transmitting the stockpile report for April-September 1984, pursuant to the Act of June 7, 1939, Chapter 190, Section 11(a) (93 Stat. 324; 95 Stat. 382); Executive Order 12155, Section 1-105; to the Committee on Armed Services.

1190. A letter from the Secretary of Education, transmitting a draft of proposed legislation to amend titles VI and VII of the Education for Economic Security Act in order to clarify certain of their provisions and to improve the operation of the excellence in education programs and magnet school programs they authorize, and for other purposes; to the Committee on Education and Labor.

1191. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting political contributions by Abraham D. Sofaer, of New York, legal adviser-elect, Department of State, and members of his family, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

1192. A letter from the Acting Commissioner, Bureau of Reclamation, Department of the Interior, transmitting notice that it is necessary to construct modifications to six dams on the Salt River project [SRP], AZ, pursuant to Public Law 95-578, section 5; to the Committee on Interior and Insular Affairs.

1193. A letter from the Chief Immigration Judge, Executive Office for Immigration Review, Department of Justice, transmitting a report of grants of suspension of deportation, pursuant to INA, section 244(c) (66 Stat. 214, 76 Stat. 1247); to the Committee on the Judiciary.

1194. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to limit inspection of steam yachts; to the Committee on Merchant Marine and Fisheries.

1195. A letter from the Secretary of Transportation, transmitting the third annual report of accomplishments under the Airport Improvement Program for fiscal year 1984, pursuant to Public Law 97-248, section 521; to the Committee on Public Works and Transportation.

1196. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to increase the authority of the Secretary of Commerce to take necessary actions to collect on loans extended under the Public Works and Economic Development Act of 1965 and section 254 of the Trade Act of 1974; jointly, to the Committees on Appropriations, Public Works and Transportation, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAWKINS: Committee on Education and Labor. H.R. 99. A bill to provide for the conservation, rehabilitation, and improvement of natural and cultural resources located on public or Indian lands, and for other purposes; with an amendment (Rept. No. 99-18, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

SUBSEQUENT ACTION ON A REPORTED BILL

Under clause 5 of rule X the following action was taken by the Speaker:

Referral of H.R. 1931 to the Committee on Public Works and Transportation extended for a period ending not later than May 8, 1985.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CONYERS:

H.R. 2318. A bill to provide price and income protection to family farmers through the management of the supply of the 1986 through 1999 crops of certain agricultural commodities, and for other purposes; jointly, to the Committees on Agriculture and Foreign Affairs.

By Mr. FUQUA:

H.R. 2319. A bill to authorize appropriations for environmental research, development, and demonstration for the fiscal year 1986, and for other purposes; to the Committee on Science and Technology.

By Mr. CONYERS:

H.R. 2320. A bill to enforce the guarantees of the 1st, 14th, and 15th amendments to the Constitution of the United States by prohibiting certain devices used to deny the right to participate in certain elections; to the Committee on House Administration.

By Mr. WIRTH:

H.R. 2321. A bill to authorize appropriations for the National Telecommunications and Information Administration for fiscal years 1986 and 1987, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARNARD:

H.R. 2322. A bill to amend the Consumer Credit Protection Act with respect to consumer leases and lease-purchase agreements; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BLAZ (for himself, and Mr. MONTGOMERY):

H.R. 2323. A bill to expand the eligibility for assistance under the new GI bill educational assistance programs provided in the Veterans' Educational Assistance Act of 1984; jointly, to the Committees on Veterans' Affairs and Armed Services.

By Mr. BONKER:

H.R. 2324. A bill to amend the Tariff Schedules of the United States to clarify the duty treatment of certain types of plywood; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 2325. A bill to amend the Clean Air Act to prohibit the Environmental Protection Agency from adopting regulations regarding lead additives in gasoline which are more stringent than the regulations in effect on January 1, 1985; to the Committee on Energy and Commerce.

By Mr. COMBEST (for himself, and Mr. BOULTER):

H.R. 2326. A bill to amend the Legal Services Corporation Act to provide time limits for certain proceedings with respect to denials of financial assistance under such act; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 2327. A bill to apply to imported machinery for making pulp, paper, or paperboard the same duty as the country of origin of that machinery applies to machinery of that kind that is a product of the United States and is exported to that country; to the Committee on Ways and Means.

By Mr. DASCHLE:

H.R. 2328. A bill to limit the maximum interest rate applicable to loans made under the Consolidated Farm and Rural Development Act and the Small Business Act; jointly, to the Committees on Agriculture and Small Business.

By Mr. DIXON (for himself, Mrs. BOXER, Mr. FRANK, Mr. MORRISON of Connecticut, Mr. BERMAN, Mr. WAXMAN, Mrs. COLLINS, Mr. CONYERS, Mr. OWENS, Mr. FAUNTROY, Mr. VENTO, Mr. BARNES, Mr. LELAND, Mr. GREEN, Mr. ACKERMAN, Mrs. BURTON of California, Mr. ROYBAL, Mr. CLAY, Mr. WHEAT, Mr. WEISS, Mr. STUDDS, Mr. RANGEL, Mr. MITCHELL, Mr. MARTINEZ, Mr. SABO, Mr. CROCKETT, Mr. DELLUMS, Mr. LOWRY of Washington, Mr. STARK, Mr. FOGLIETTA, Mr. MCKINNEY, and Mr. FAZIO):

H.R. 2329. A bill to amend the Immigration and Nationality Act to repeal the provision excluding admission of aliens on the sole ground of sexual deviation; to the Committee on the Judiciary.

By Mr. DORGAN of North Dakota:

H.R. 2330. A bill to amend the Agricultural Act of 1949 with respect to loan rates and target prices for wheat and feed grains, and for other purposes; to the Committee on Agriculture.

H.R. 2331. A bill to allow claims for credit or refund for transportation expenses incurred with respect to employment at the antiballistic missile site near Nekoma, ND; to the Committee on Ways and Means.

By Mr. EVANS of Iowa:

H.R. 2332. A bill to suspend for 3 years the duty on P-sulfobenzoic acid, potassium salt; to the Committee on Ways and Means.

H.R. 2333. A bill to suspend for 3 years the duty on 3.5 dinitro-o-toluamide; to the Committee on Ways and Means.

By Mr. FRENZEL:

H.R. 2334. A bill to amend the Tariff Act of 1930 to provide for an alternative drawback procedure; to the Committee on Ways and Means.

By Mr. GRADISON (for himself, and Mrs. SCHNEIDER):

H.R. 2335. A bill to suspend temporarily the duty on certain stuffed toy figures until December 31, 1990; to the Committee on Ways and Means.

By Mr. GUARINI (for himself, Mr. JONES of Oklahoma, Mr. VANDER JAGT, Mr. RUSSO, Mr. SCHULZE, and Mr. GRAY of Illinois):

H.R. 2336. A bill to impose a duty on uranium hexafluoride [UF6] imported from any country that requires the processing of uranium mined in that country into UF6 before export; to the Committee on Ways and Means.

By Mr. HOWARD (for himself, and Mr. SNYDER) (by request):

H.R. 2337. A bill to provide for the transfer of the Metropolitan Washington airports to an independent airport authority; to the Committee on Public Works and Transportation.

By Mr. JENKINS:

H.R. 2338. A bill to amend schedule 3 of the Tariff Schedules of the United States; to the Committee on Ways and Means.

By Mrs. KENNELLY:

H.R. 2339. A bill to authorize and direct the Secretary of Agriculture and the Administrator of the Environmental Protection Agency to study methods to accelerate the use of integrated pest management; to the Committee on Agriculture.

By Mr. MCCAIN (for himself, Mr. UDALL, Mr. RUDD, Mr. STUMP, and Mr. KOLBE):

H.R. 2340. A bill to designate the Granite Reef Aqueduct of the central Arizona project as the "Hayden Rhodes Aqueduct"; to the Committee on Interior and Insular Affairs.

By Mr. MCCURDY (for himself and Mr. JONES of Oklahoma):

H.R. 2341. A bill relating to the tariff treatment of imported martial arts uniforms; to the Committee on Ways and Means.

By Ms. MIKULSKI (for herself, Mr. ROYBAL, Mr. WHITTAKER, Mr. SCHEUER, Mr. WIRTH, Mr. FLORIO, Mr. MADIGAN, Mr. SIKORSKI, Mr. LELAND, Mr. STOKES, Mrs. COLLINS, Mr. TAUKE, Mrs. LLOYD, Mr. KOLTER, Mr. FORD of Tennessee, Mr. DANNEMEYER, and Mr. ECKART of Ohio):

H.R. 2342. A bill to amend part B of title XVIII of the Social Security Act with respect to vision care under the medicare program, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. MONTGOMERY (for himself, Mr. HAMMERSCHMIDT, Mr. APPLEGATE, Mr. SOLOMON, Mr. SAM B. HALL, JR., Mr. WYLIE, Mr. MICA, Mr. BURTON of Indiana, Mr. DOWDY of Mississippi, Mr. MOLINARI, Mr. EVANS of Illinois, Mr. ROBINSON, and Mr. EDGAR):

H.R. 2343. A bill to amend title 38, United States Code, to make certain improvements in veterans' compensation programs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MONTGOMERY (for himself, Mr. HAMMERSCHMIDT, Mr. SHELBY, Mr. SMITH of New Jersey, Mr. EDGAR, Mr. SUNDQUIST, Mr. APPLEGATE, Mr. BILIRAKIS, Mr. MOLLOHAN, Mr. ROWLAND of Connecticut, Mr. BRYANT, and Mr. FLORIO):

H.R. 2344. A bill to amend title 38, United States Code, to make improvements in the National Cemetery System and in the Veterans' Administration program that provides assistance to certain disabled veterans in acquiring specially adapted residences, and to express the sense of Congress with respect to the Veterans' Administration home loan origination fee; to the Committee on Veterans' Affairs.

By Mr. MOORE:

H.R. 2345. A bill to define natural resource subsidies for purposes of the countervailing duty laws; to the Committee on Ways and Means.

By Mr. MORRISON of Washington (for himself, Mr. FOLEY, Mr. DICKS, Mr. BONKER, Mr. SWIFT, Mr. LOWRY of Washington, Mr. CHANDLER, and Mr. MILLER of Washington):

H.R. 2346. A bill to amend the Internal Revenue Code of 1954 to clarify the treatment of travel expenses in the case of construction workers; to the Committee on Ways and Means.

By Mr. MRAZEK:

H.R. 2347. A bill to extend duty-free treatment to certain plastic sheeting used as radiation shielding material; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 2348. A bill to authorize appropriations to carry out the activities of the Department of Justice for fiscal year 1986, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 2349. A bill to amend the Tariff Schedules of the United States regarding the classification of television apparatus and parts thereof; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI (for himself, and Mr. PERKINS):

H.R. 2350. A bill to suspend until the close of June 30, 1989, the duty on certain bicycle parts and to continue until that date the present treatment of bicycle component parts within foreign trade zones; to the Committee on Ways and Means.

By Mr. ROWLAND of Connecticut:

H.R. 2351. A bill to suspend for 3 years the duty on 2,2'-oxamido bis-(ethyl 3-(3,5-ditert-butyl-4-hydroxyphenyl)propionate); to the Committee on Ways and Means.

H.R. 2352. A bill to amend the Tariff Schedules of the United States to suspend temporarily the duty on derivatives of N-(4-(2-hydroxy-3-phenoxypropoxy)phenyl)acetamide; to the Committee on Ways and Means.

By Mr. WALGREN:

H.R. 2353. A bill to establish a National Advanced Technician Training Program, utilizing the resources of the Nation's 2-year community and technical colleges to expand the pool of skilled technicians in strategic advanced-technology fields, to increase the productivity of the Nation's industries, to contribute to the self-sufficiency of the United States in strategic advanced-technology fields, and to improve the competitiveness of the United States in international trade, and for other purposes; jointly, to the Committees on Education and Labor and Science and Technology.

By Mr. MONTGOMERY:

H.J. Res. 276. Joint resolution to designate May 7, 1985, as "Vietnam Veterans Recognition Day"; to the Committee on Post Office and Civil Service.

By Mr. MCKERNAN (for himself, Ms. SNOWE, Mr. BEDELL, Mr. GILMAN, Mrs. SCHNEIDER, and Mr. BOEHLERT):

H. Con. Res. 136. Joint resolution expressing the sense of the Congress that the Presi-

dent should augment his efforts to resolve trade differences with Canada, with the objective of securing agreements with Canada that would permit fair competition; to the Committee on Ways and Means.

By Mrs. ROUKEMA (for herself, Mr. EVANS of Iowa, Mr. EMERSON, Mr. BEREUTER, Mr. GILMAN, Mr. MORRISON of Washington, Mr. ROBERT F. SMITH):

H. Con. Res. 137. Concurrent resolution expressing the sense of Congress with respect to the forced evacuation of the Ibnet feeding camp in Ethiopia; to the Committee on Foreign Affairs.

By Mrs. ROUKEMA (for herself, Mr. EMERSON, Mr. EVANS of Iowa, Mr. GILMAN, Mr. MORRISON of Washington, Mr. BEREUTER, and Mr. ROBERT F. SMITH):

H. Con. Res. 138. Concurrent resolution expressing the sense of Congress with respect to Ibnet feeding camp; to the Committee on Foreign Affairs.

By Ms. SNOWE (for herself, Ms. OAKAR, Mrs. MARTIN of Illinois, Mr. HAWKINS, Mr. JEFFORDS, Mrs. SCHROEDER, Mr. LEWIS of California, Mrs. SCHNEIDER, Mr. FRANK, Mrs. BOGGS, Mr. MCKERNAN, Mr. DICKS, Mr. GREEN, Mr. RODINO, Mrs. JOHNSON, Mrs. COLLINS, Ms. KAPTUR, Ms. MIKULSKI, Mrs. KENNELLY, Mrs. BOXER, Mrs. BURTON of California, and Mr. RICHARDSON):

H. Con. Res. 139. Concurrent resolution establishing a commission to study compensation and other personnel policies and practices in the legislative branch; to the Committee on House Administration.

By Mr. GEPHARDT:

H. Res. 153. Resolution designating membership on certain standing committees of the House; considered and agreed to.

By Mr. DAUB:

H. Res. 154. Resolution to amend the Rules of the House of Representatives to prohibit voting by proxy in committees and subcommittees; to the Committee on Rules.

By Mr. LELAND (for himself, Mr. HAYES, Mr. CLAY, Mrs. COLLINS, Mr. CONYERS, Mr. CROCKETT, Mr. DELLUMS, Mr. DIXON, Mr. DYMALLY, Mr. FAUNTROY, Mr. FORD of Tennessee, Mr. GRAY of Pennsylvania, Mr. HAWKINS, Mr. MITCHELL, Mr. OWENS, Mr. RANGEL, Mr. SAVAGE, Mr. STOKES, Mr. TOWNS, Mr. WHEAT, Mr. GARCIA, Mr. MINETA, Mr. FAZIO, Mr. WOLPE, Mr. RICHARDSON, Mr. BUSTAMANTE, Mr. ORTIZ, Mr. LEVIN of Michigan, Mrs. BOGGS, Mrs. BURTON of California, Mr. TALLON, Mr. SWIFT, Mr. BROOKS, Mr. SIKORSKI, Mr. ROYBAL, and Mr. DE LA GARZA):

H. Res. 155. Resolution expressing the sense of the House of Representatives that the President should immediately remove Marianne Mele Hall from the Copyright Royalty Tribunal; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 26: Mrs. BENTLEY, and Mr. FEIGHAN.

H.R. 604: Mr. BERMAN, Mr. HUGHES, Mr. MINETA, Mr. MANTON, Mr. SHAW, Ms. SNOWE, Mr. BROOMFIELD, Mr. SOLOMON, Mr. REGULA, Mr. MCCAIN, Mr. AUCOIN, Mr. ZSCHAU, Mr. SCHULZE, Mr. SENSENBRENNER, Mr. GROTBERG, Mr. MACK, and Mr. BOEHLERT.

H.R. 760: Mr. MRAZEK, Mr. PURSELL, and Mr. SHUMWAY.

H.R. 917: Mr. FAUNTROY.

H.R. 932: Mr. NOWAK.

H.R. 935: Mr. WAXMAN. Mr. MCCANDLESS, Mr. SEIBERLING, and Mr. SMITH of Florida.

H.R. 968: Mr. ST GERMAIN.

H.R. 976: Mr. TRAFICANT, Mr. SUNDQUIST, and Mr. SHELBY.

H.R. 1090: Mr. NIELSON of Utah.

H.R. 1136: Mr. ANDREWS, Mr. MURPHY, Mr. KINDNESS, and Mr. BARTON of Texas.

H.R. 1179: Mr. AKAKA, Mr. HUNTER, and Mr. BUSTAMANTE.

H.R. 1200: Mr. FISH, Mr. MILLER of Washington, Mr. BARNES, Mr. DIOGUARDI, and Mrs. ROUKEMA.

H.R. 1247: Mr. SLAUGHTER, Mr. MCMILLAN, and Mr. MCCAIN.

H.R. 1272: Mr. BOSCO, Mr. LEVINE of California, Mr. MCEWEN, Mr. AKAKA, Mr. BUSTAMANTE, Mr. YATES, Mr. BROWN of California, Mr. ROYBAL, Mr. MINETA, Mr. LANTOS, and Mr. BATES.

H.R. 1348: Mr. HAMILTON and Mr. BOLAND.

H.R. 1359: Mr. FEIGHAN.

H.R. 1436: Mr. STRANG.

H.R. 1443: Mr. SOLOMAN, Mr. HILER, Mr. KOLTER, Mr. MONSON, Mr. SLAUGHTER, Mrs. BENTLEY, Mr. BARNARD, Mr. DANIEL, Mr. HEFTEL of Hawaii, and Mr. PACKARD.

H.R. 1511: Mrs. BENTLEY and Mr. FORD of Tennessee.

H.R. 1524: Mr. CARR, Mr. DYSON, Mr. LEHMAN of California, Mr. WISE, Mr. CLINGER, Mr. GLICKMAN, Mr. MOODY, Mr. FEIGHAN, and Mr. CROCKETT.

H.R. 1550: Mrs. LLOYD.

H.R. 1559: Mr. FUSTER.

H.R. 1615: Mr. DASCHLE, Mr. HOPKINS, and Mr. HENRY.

H.R. 1625: Mr. CHAPPIE, Mr. SCHEUER, Mr. FIELDS, Mrs. COLLINS, Mr. KLECZKA, Mr. MCCAIN, Mr. SMITH of New Jersey, Mr. LEVIN of Michigan, Mr. FAZIO, Mr. BEILENSON, Mr. STRANG, Mr. LAGOMARSINO, Mrs. BOXER, Mr. SMITH of Florida, Mr. BERMAN, Ms. OAKAR, Mr. TOWNS, Mr. MURPHY, Mr. BENNETT, Mr. STOKES, Mr. LOWERY of California, Mr. CONYERS, Ms. KAPTUR, Mr. SHAW, Mr. MCGRATH, Mr. GREEN, Mr. PORTER, Mr. AKAKA, Mr. KOLTER, Mr. MANTON, Mr. WORTLEY, Mr. ROE, Mr. MATSUI, Mr. FISH, Mr. BILIRAKIS, Mr. MITCHELL, Mr. DURBIN, Mr. PARRIS, Mr. HERTEL of Michigan, Mr. GUARINI, Mr. LANTOS, Mr. DEWINE, Mr. MORRISON of Connecticut, Mr. GLICKMAN, Mr. FAUNTROY, Mr. BOEHLERT, Mr. CROCKETT, and Mrs. LLOYD.

H.R. 1760: Mr. BROWN of Colorado, Mr. TAUKE, Mr. EVANS of Iowa, and Mr. FRENZEL.

H.R. 1776: Mr. ROSE.

H.R. 1967: Mr. ROE, Mr. FRANK, Mr. GEJDENSON, Mr. ROSE, Ms. KAPTUR, Mr. FOGLIETTA, Mr. RANGEL, Mrs. COLLINS, Mr. MURPHY, and Mr. BUSTAMANTE.

H.R. 1970: Mr. TOWNS, Mr. HAWKINS, Mr. LEHMAN of California, Mr. MURPHY, Mr. PERKINS, Mr. KOLTER, Mr. HENRY, Mr. DYMALLY, Mr. MITCHELL, Mr. MARTINEZ, Mrs. COLLINS, and Mr. RANGEL.

H.R. 2205: Mr. STARK, Mr. HAYES, Mr. RAHALL, Mr. BERMAN, Mr. TOWNS, Mr. MRAZEK, Mr. MOLINARI, Mr. BLILEY, Mr. SOLOMON, and Mr. BATEMAN.

H.R. 2211: Mr. SUNIA, Mr. AKAKA, Mr. KASTENMEIER, Mr. FAUNTROY, Mr. FUQUA, Mr. TOWNS, Mr. BONIOR of Michigan, Mr. OLIN, Mr. COLEMAN of Texas, Mr. SABO, Mr. KOLTER, and Mr. WATKINS.

H.R. 2246: Mr. HAWKINS.

H.R. 2247: Mr. MITCHELL, Mr. HAYES, Mr. OWENS, and Ms. KAPTUR.

H.J. Res. 25: Mr. PORTER, Mr. SOLOMON, Mr. BARTLETT, Mr. BOEHLERT, Mr. CARNEY, Mr. GALLO, Mr. ROTH, Ms. SNOWE, Mr. REID, Mr. FROST, Mr. JONES of North Carolina, Mr. MURPHY, Mr. KASTENMEIER, Mr. MOLINARI, Mr. VALENTINE, Mr. SABO, Mr. WEAVER, Mr. WYLIE, Mr. TAUKE, Mr. VANDER JAGT, Mrs. JOHNSON, Mrs. HOLT, Mr. HEFTEL of Hawaii, Mr. YOUNG of Missouri, Mr. WYDEN, Mr. ROWLAND of Georgia, Mr. PURSELL, Mr. LEACH of Iowa, Mr. LENT, Mr. GRADISON, Mr. BADHAM, Mr. BEREUTER, Mr. COUGHLIN, Mr. DICKINSON, Mr. LIVINGSTON, Mr. MCKERNAN, Mr. PETRI, Mr. HILLIS, Mr. MCKINNEY, Mr. HERTEL of Michigan, and Mr. FAUNTROY.

H.J. Res. 61: Mr. CHANDLER, Mr. FLORIO, Mr. MCEWEN, Mr. MCKERNAN, Mr. OWENS, and Ms. SNOWE.

H.J. Res.79: Mr. LIVINGSTON, Mr. SMITH of New Hampshire, and Mrs. HOLT.

H.J. Res. 146: Mr. BILIRAKIS, Mr. FORD of Tennessee, Mr. LAGOMARSINO, Mr. SUNDQUIST, Mr. EARLY, Mr. WOLF, Mr. STUDDS, Mr. BARNES, Mrs. BYRON, Mr. JONES of Tennessee, Mr. LEVINE of California, Mr. WEISS, Mr. MAVROULES, Mr. HAMILTON, Mr. GORDON, Mr. DE LUGO, Mr. BENNETT, Mr. MCEWEN, Mr. PANETTA, Mr. COBEY, Mr. GEKAS, Mr. CALLAHAN, Mrs. BENTLEY, Mr. ROWLAND of Connecticut, Mrs. HOLT, Mr. MCKERNAN, Mr. MOORE of Louisiana, Mr. STAGGERS, Mr. STALLINGS, Mr. MCKINNEY, Mr. WHITTAKER, Mr. BEREUTER, Mr. CARNEY, Mr. PORTER, Mr. IRELAND, Mr. ANTHONY, Mr. CRAIG, Mr. LELAND, Mr. LEVIN of Michigan, Mr. ROEMER, Mr. EVANS of Illinois, Mr. YATES, Ms. SNOWE, Mr. MITCHELL, Mr. PEPPER, Mr. ST GERMAIN, Mr. SAM B. HALL Jr., Mr. LEHMAN of Florida, Mr. STRATTON, Mr. CAMPBELL, Mr. ROBERT F. SMITH, Mr. VUCANOVICH, Mr. DIOGUARDI, Mr. LANTOS, Mr. GREEN, Mr. HARTNETT, Mr. DORGAN of North Dakota, Mr. DERRICK, Mr. WAXMAN, Mrs. SMITH of Nebraska.

H.J. Res. 161: Mr. HANSEN, Mr. PURSELL, Mr. DAVIS, Mr. YOUNG of Florida, Mr. SAVAGE, Mr. JEFFORDS, and Mr. GUNDERSON.

H. J. Res. 170: Mr. BEILENSON, Mrs. BOGGS, and Mr. EARLY.

H.J. Res. 182: Mr. MONTGOMERY, Mr. FRANK, Mr. STENHOLM, Mr. RALPH M. HALL, Mr. JENKINS, Mr. ANTHONY, Mr. AUCOIN, Mr. BATES, Mr. EARLY, Mr. HEFNER, Ms. KAPTUR, Mrs. KENNELLY, Mr. LEHMAN of California, Mrs. LONG, Mr. MANTON, Mr. ROSE, Mr. SISISKY, Mr. RUSSO, Mr. TAUZIN, Mr. WYDEN, Mr. HOYER, Mr. ANDREWS, Mr. DORGAN of North Dakota, and Mr. BARNARD.

H.J. Res. 204: Mr. ACKERMAN, Mr. AKAKA, Mr. BARTLETT, Mr. BEDELL, Mr. BEILENSON, Mr. BEREUTER, Mr. BIAGGI, Mr. CLINGER, Mr. COBEY, Mr. DE LA GARZA, Mr. DICKINSON, Mr. DORNAN of California, Ms. FIEDLER, Mr. FORD of Michigan, Mr. GRADISON, Mr. GREGG, Mr. KINDNESS, Mr. LEWIS of Florida, Mr. LUJAN, Mr. MCCOLLUM, Mr. MACK, Mr. MADIGAN, Mr. NIELSON of Utah, Mr. OBERSTAR, Mr. O'BRIEN, Mr. PACKARD, Mr. PETRI, Mr. ROBERTS, Mr. ROSE, Mr. ROTH, Mr. SHUMWAY, Mr. SKEEN, Mr. SMITH of Iowa, Mr. SMITH of New Hampshire, Mr. ROBERT F. SMITH, Mr. SPENCE, Mr. STARK, Mr. SYNAR, Mr. WEBER, Mr. WHITLEY, Mr. WIRTH, Mr. WYLIE, Mr. YATES, and Mr. YOUNG of Florida.

H.J. Res. 258: Mr. REID, Mr. FAZIO, Mr. BATES, Mr. VENTO, Mr. WORTLEY, and Mr. MINETA.

H. Con. Res. 2: Mr. NEAL, Mr. DANNEMEYER, and Mr. RITTER.

H. Con. Res. 69: Mrs. BOXER, Mrs. HOLT, and Mrs. BENTLEY.

H. Con. Res. 124: Mr. MITCHELL.

H. Res. 105: Mr. LAFALCE, Mr. STRATTON, Mr. MRAZEK, Mr. ADDABBO, Mr. SCHUMER,

Mr. TORRICELLI, Mr. GEKAS, Mr. BOEHLERT, Mr. MANTON, Mr. MOODY, Mr. NOWAK, Mr. LUNDINE, Mr. FISH, Mr. MARTIN of New York, Mr. MARTINEZ, Mr. MITCHELL, Mr. ACKERMAN, Mr. DYMALLY, Mr. MCHUGH, Mr. CARNEY, Mr. DOWNEY of New York, Mr. SIKORSKI, Mr. FRENZEL, Mr. HOWARD, Mr. KASTENMEIER, Mr. SOLARZ, Mr. OWENS, Mr. GARCIA, Mr. GILMAN, Mr. MOLINARI, and Mr. SCHEUER.

H. Res. 107: Mr. FORD of Michigan, Mr. CHANDLER, Mr. WOLPE, Mr. CROCKETT, Mr. MAVROULES, Mr. RANGEL, Mr. BOSCO, Mr. DURBIN, Ms. KAPTUR, Mr. EDWARDS of California, Mr. WEAVER, Mrs. BOXER, Mr. BUSTAMANTE, Mr. BOEHLERT, Mr. FORD of Tennessee, Mr. KASTENMEIER, Mr. GARCIA, Mr. SABO, Mr. LEVIN of Michigan, and Mr. HALL of Ohio.

H. Res. 127: Mr. STOKES.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 13: Mr. COBEY.

H.R. 1977: Mr. RICHARDSON.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2068

By Mr. WALKER:

—Page 28, after line 25, insert the following new section:

SEC. 128. RESPONSIBILITY OF UNITED STATES MISSIONS TO PROMOTE FREEDOM OF THE PRESS ABROAD.

The United States chief of mission to a foreign country in which there is not respect for freedom of the press shall actively promote respect for freedom of the press in that country. As used in this section, the term "respect for freedom of the press" means that a government—

(1) allows foreign news correspondents into the country and does not subject them to harassment or restrictions, and

(2) allows nongovernment-owned press to operate in the country, and

(3) does not subject the press in the country to systematic censorship.

SENATE—*Thursday, May 2, 1985*

(Legislative day of Monday, April 15, 1985)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. Our prayer this morning will be offered by the Reverend Samuel N. Smith, First Church of the Nazarene, Washington, DC. He is the grandfather of Bill Blair, one of our pages, and is being sponsored by Senator MATHIAS.

PRAYER

The Reverend Samuel N. Smith, First Church of the Nazarene, Washington, DC, offered the following prayer:

Let us pray.

Almighty God, our Father, sanctify unto Thyself this place and these leaders of our beloved land. Make Thy presence known and withhold not Thy grace nor mercies from us.

Protect us all from evil so that our very hearts will persistently hunger and thirst after righteousness. Let us remember with deepest care those who are hungry, persecuted, oppressed, or neglected.

Thou dost know the Members of this body who today carry personal burdens. May Thy grace be given to them according to their need.

Grant courage that we may come to You in boldness and confidence.

Grant humility that we might know child-like faith.

Grant integrity that we might live in obedience to Thy will.

Grant assurance that we can live the most turbulent of our days in joy and thanksgiving.

May we be continually conscious of Thy presence; responsive to Thy love; grateful for Your blessings; and faithful stewards of the privilege Thou hast granted to us.

Do grant Thy mercies upon this Nation that we may be found righteous in Thy sight. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished majority leader is recognized.

SCHEDULE

Mr. DOLE. Mr. President, under the standing order, the leaders have 10 minutes each, unless that time is reserved by the leaders. That will be followed by special orders of 15 minutes each for Senators PROXMIRE, MATSUNAGA, COCHRAN, and EVANS. That would take us to around 11 o'clock. Then there will be routine morning business not to extend beyond the hour of 11:30 a.m., with statements limited to 5 minutes each.

Following that, we will return to the consideration of the Senate budget resolution, Senate Concurrent Resolution 32. The pending amendment is No. 46 dealing with defense reduction offered by myself for Senators GRASSLEY and HATFIELD. It would be my hope that we could vote on that amendment sometime early afternoon, then go to the so-called conforming amendment on COLA's for veterans, civil service retirees and military retirees, and at that point I would guess that we would be getting into the amendment process where things would move fairly rapidly.

At last count, there were 68 or 70 some amendments remaining. There are still about 27 hours remaining on the resolution. I would guess we would go fairly late this evening. For tomorrow, we will see what today brings before we make the final judgment, but I do anticipate rollcall votes tomorrow. So I would caution my colleagues of that. I know many have official plans elsewhere. We will try to accommodate those if we can. There will be no session on Saturday. I do anticipate rollcall votes on Monday.

On Tuesday, there are some conflicts and there may not be any votes after 3 or 4 o'clock in the afternoon on Tuesday. Then we hope to really wind this up not later than Wednesday or Thursday of next week. That is sort of a long-range view.

There are precisely 27 hours and 36 minutes remaining on the resolution. The majority has 11 hours 22 minutes and minority has 16 hours 14 minutes.

Mr. President, I reserve the remainder of my time and I reserve all the time for the distinguished minority leader.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER [Mr. SYMMS]. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR PROXMIRE

Mr. PROXMIRE. Mr. President, it is my understanding that I have a special order for 15 minutes, is that right?

The PRESIDING OFFICER. The Senator is correct. Under the previous order, the Senator from Wisconsin is recognized for not to exceed 15 minutes.

THE PROSPECT OF A NUCLEAR ATTACK FROM THE USSR

Mr. PROXMIRE. Mr. President, each of us in this body must read literally thousands of editorials, columns, and articles every year that influence our attitude toward public policy. Some of these essays easily confirm our predilections; such articles usually have little or no influence on our decisions. They do however make us feel better. And they reinforce and harden our position. Some flatly contradict our prejudices and presumptions. They may move us to question our assumptions. They may make us feel a little less secure about our convictions that we have the only true answers. Many of these essays are very useful to us. They give us information, insight, understanding, a kind of continuing education that every Member of the Congress must have if he is to discharge his responsibility as a Member of the Congress in this preplexing, contradictory, and rapidly changing world.

Mr. President, if I were to pick one short piece to recommend to all Members of the Congress to read from the press of the past year, I would select a little article that appeared in the New York Times of December 9, 1984, entitled "Putting Up With the Russians" and written by a Britain who died in early December of last year, named Edward Crankshaw.

Why is this article so enlightening? And why do I think it is the most useful of the year for a Member of Congress? Here is an article that takes a hard, cold, clear look at the Soviet Union. It recognizes that—

> While the Bolshevik regime was even more vile than it was possible for anyone who had not experienced it to imagine, that although it would make mischief on every possible occasion and find it hard to resist every opportunity for easy expansionism and subversion, there is next to no danger of the Kremlin launching a formal war and it could always be stopped by a firm and clear declaration of the line it must not

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

cross—backed by sufficient force to make that declaration credible.

Crankshaw deplores the panic fear of communism that so disfigured our country in the heyday of Senator Joe McCarthy and that today has distorted our foreign policy in Central America and provoked us into a nuclear overkill gone wild. Crankshaw argues that the Soviet Union's one great achievement has been turning itself into a bogey to give us an excuse to stop thinking.

For 24 years this Senator has served on the Defense Appropriations Subcommittee. Year after year in all those years the Defense Department officials have come before the committee with dire warnings of the growing military power of the Soviet Union and the necessity for our spending ever increasing billions to research, produce, and deploy a nuclear capability that piles endlessly increasing nuclear weapons on an arsenal that already could destroy the Soviet Union many times over even if they hit this country first with a highly successful preemptive first strike. Of course, it is true that the Soviet Union could totally devastate this country with a nuclear attack. But Crankshaw is right. They will not attack, because they know we can retaliate with at least as devastating a second strike totally destroying the Soviet Union. The two superpowers have reached a stand off, and yet the multibillion-dollar arms race careens along. Somehow we have developed the ridiculous notion that the Soviet Union has a military machine that, unless we arm feverishly, could sweep through Europe, overwhelm NATO and force the free world to surrender. How ridiculous, Mr. President!

For 5 long years the Soviet Union has been trying to pound weak, primitive, little Afghanistan into submission. It has moved in with its planes and tanks, its massive manpower and has even resorted to chemical weapons. Afghanistan is not some country distant from Russia separated by an ocean. It is a bordering nation. The Soviet supply lines are relatively short. Mr. President, if the mighty armed forces of the Soviet Union cannot bring Afghanistan to heel after 5 years without using nuclear weapons, what kind of threat do they pose to NATO let alone the United States? Sure, the Soviet Union has a nuclear arsenal they could use against NATO that they have not employed in Afghanistan. But to do so the Soviets would have to accept the certainty that they would be met with a devastating and totally destructive nuclear response. And they would also have to face the fact that their untried, untested nuclear arsenal is based on an ICBM force powered by highly unreliable liquid propellants. If arms technology teaches us anything, it is that untested systems work very badly and often do not work at all. Probably no military power in history has had more experience with new technologies that do not work than the Soviet Union. And few, if any, military powers have had a more consistent record of confining direct aggression to those weak and usually neighboring nations that they know they can intimidate. Under these circumstances, Edward Crankshaw is right in contending that there is next to no danger that the Kremlin will launch a formal war against NATO or the United States.

Mr. President, I ask unanimous consent that the article to which I have referred by Edward Crankshaw from the New York Times of December 9, 1984, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PUTTING UP WITH THE RUSSIANS

Edward Crankshaw, who died last week, was Britain's most sober, and witty, analyst of the Soviet Union. For 40 years, he probed its mysteries and hostilities and set standards for journalism, looking past the games of Kremlinology to the central issues of coexistence.

"Putting Up With the Russians" is the title he chose for his last testament, a just-published collection of past essays. It's as fresh and instructive as the morning paper. His introduction, succinctly recapping the message he most wanted to leave, is quoted here with the permission of Viking-Penguin, Inc.:

The Soviet Union has to be treated not as a monstrous, unfathomable apparition to be contemplated helplessly, but as one country among others (with startling peculiarities, of course) and part of the general global mess. I wanted to show that while the Bolshevik regime was even more vile that it was possible for anyone who had not experienced it to imagine, that although it would make mischief on every possible occasion and find it hard to resist every opportunity for easy expansionism and subversion, there was next to no danger of the Kremlin launching a formal war and it could always be stopped by a firm and clear declaration of the line it must not cross—backed by sufficient force to make that declaration credible. . . .

We, and especially Washington, seem quite suddenly to have forgotten what we have learnt. There are disconcerting signs of a drift back to the old panic fear of the Communist menace, an ideological crusade and the more absurd attitudes of the cold war. There is a general loss of a sense of proportion. Nuclear overkill runs wild. An American President appears to see nothing demeaning in proclaiming to the world at large that the fate of his great, magnificent, rich and so powerful country depends on the outcome of this or that squalid civil war in Central America—and this after Cuba, 1962!

Many years ago I wrote that the Kremlin's one great achievement was turning itself into a bogy to give us an excuse to stop thinking. . . . Too often our politicians and soldiers have preferred wild speculation based on the unsupported proposition [about] a war of conquest with an eye to global hegemony. Further, even less excusably, they have taken at its face value the Kremlin's insistence on the monolithic unity of the Communist world—and by so doing succeeded in welding the very disparate parts more firmly together. . . .

There was and still is indeed a menace of sorts, and one to be taken seriously and quietly: our old friend Russian imperialism, given a new cutting edge by modern armaments and driven by a combination of fear and greed and a cockeyed political philosophy. Of course the Kremlin uses Communism as a stalking-horse, but it was Russia in arms, not Communism, which occupied half Europe in 1945. . . .

I have called it *Putting Up With the Russians* because that is what we have to do. The Soviet Union is a fact of life like the weather. We have to live with it. Soviet leaders go on about 'peaceful coexistence' as though it were an original idea they had dreamed up. It is not an idea at all. We do in fact coexist and will continue to do so whether we like it or not unless and until we blow ourselves off the face of the earth. The adjective 'peaceful' simply begs the question. . . . For us it means, or should mean, live and let live. For the Government of the Soviet Union it embraces the concept of an unceasing 'ideological struggle,' aiming at the salvation of humanity through the substitution, by all conceivable means short of war, of the Soviet political and social system for every differing system in every country on this planet—a process dignified by the name of World Revolution. It is impossible to tell how much or how little the Soviet leadership still believes this antiquated rubbish, but it is certainly influenced in its behavior by at least the habit of belief.

REFUGEES SIGNAL VIOLATIONS OF RIGHTS

Mr. PROXMIRE. Mr. President, a recent article in the Christian Science Monitor reported that thousands of refugees are continuing to flee from many countries. There are more than 9 million refugees in the world today who are seeking asylum. According to the article, they are fleeing because of fear of persecution in their homelands. Mozambique, Angola, Zimbabwe, and Vietnam are just a few of these homelands. Many also come from Latin America, Africa, Eastern Europe, Asia, and the Far East.

If the refugees are lucky enough to escape the brutality and persecution they fear at home, they still face a threat to their lives. Many are attacked and captured while fleeing and placed in refugee camps. Conditions in these camps are purposely kept austere to discourage other refugees from fleeing.

The United States has publicly criticized various countries for these violations of human rights. Specifically, the article mentioned our criticism of Ugandan brutality. This brutality and persecution continue to cause an outpouring of refugees from that country. Roger Winter, director of the U.S. Committee for Refugees, has stated that the "United States could and

should speak up more forcefully when refugees are mistreated."

I believe Mr. Winter is right that we need to speak up more. We cannot be sure when attacks on refugees constitute a planned and determined effort to destroy a particular group of people. We are able to say the refugees are being denied rights to which all humans are entitled. The refugees are experiencing persecution, brutality, and are being denied their right to live in peace.

If we ratify the Genocide Treaty, we would show our disapproval of inhumane policies that threaten any people's survival. The refugees are threatened and are seeking other places to live. We must be able to criticize such injustice freely. The United States of America will be able to speak up more forcefully if we take action and ratify this world treaty.

The persecution and death of so many refugees constitute a great loss to humanity. Hitler's deliberate persecution of so many minorities was also a tremendous loss to humanity. Ratification of this treaty will allow us to take action freely and express our beliefs without fear of recrimination whenever a genocidal act occurs. I urge my colleagues to act upon this treaty now.

RECOGNITION OF SENATOR COCHRAN

The PRESIDING OFFICER. Under the previous order, the Senator from Mississippi [Mr. COCHRAN] is recognized for not to exceed 15 minutes.

HALEY BARBOUR

Mr. COCHRAN. Mr. President, I rise this morning to commend the President for his selection of a very talented friend and fellow Mississippian, Haley Barbour, to be special assistant to the President for political affairs. I know Haley Barbour will be a valuable member of the President's staff.

Since graduating from the University of Mississippi Law School in 1973, Haley's service to the Republican Party at both the State and national levels has been truly outstanding.

From 1973 to 1976, he served as executive director of both the Mississippi Republican Party and the Southern Association of Republican State Chairman.

Following the 1976 National Republican convention, President Ford selected Haley as his campaign director for the Southeastern States.

In 1978, I was fortunate to have him involved in my general election campaign for the Senate as chairman of my steering committee.

In 1982, Haley was the Republican nominee for the Senate, and 2 years later he was chosen to serve on the Republican National Committee.

His performance, Mr. President, in all of these jobs has been exemplary. At the same time, he has also achieved prominence as a practicing lawyer in Yazoo City, MS. He has earned the respect and admiration of his fellow citizens and his professional colleagues. He is a partner in the law firm of Henry, Barbour & de Cell. He has served as city attorney for Yazoo City and in 1980 was elected municipal judge.

He currently is a director of Deposit Guaranty Corp. and serves on the board of the Deposit Guaranty National Bank.

Mr. President, it will indeed be a pleasure for me and I think all other Senators to work with Haley Barbour in his new position of trust and responsibility on the staff of the President of the United States.

MHD ENERGY CENTER MISSISSIPPI STATE UNIVERSITY

Mr. COCHRAN. Mr. President, I want to bring to the attention of my colleagues the significant contributions being made by the MHD Energy Center at Mississippi State University in the field of magnetohydrodynamic [MHD] electric power generation.

In mid-May, scientists at the center will be traveling to the People's Republic of China by invitation to participate in a bilateral exchange of scientific research on magnetohydrodynamics. Both the United States and the People's Republic of China have been committed to the development of MHD as an economically efficient and environmentally safe method of producing electricity for the future.

The benefits for both countries from the bilateral exchange of scientific knowledge will be considerable. The United States has a long history of MHD research on a large scale, and major achievements have been made in such areas as the coal-fired combustor, the high performance generator channel, the super conducting magnet, heat recovery/seed recovery and optical diagnostic instrumentation development. The People's Republic of China has built the only complete pilot-scale MHD combined cycle steam powerplant in the world.

The MHD Energy Center at Mississippi State University is emerging as the acknowledged leader in the development of microprocessor-controlled optical diagnostic instrumentation for MHD power train data acquisition.

While the diagnostic systems developed at Mississippi State are being used on test facilities around the country, they have never been used to acquire necessary measurements such as combustion temperatures, slag surface temperatures, particle size and pollution emission levels on a complete MHD cycle steam powerplant such as the one available in the PRC.

The bilateral scientific exchange agreement, signed by the university, the MHD Energy Center, the U.S. Department of Energy, the U.S. Department of State, and the Shanghai Power Plant Equipment Research Institute in August 1983, calls for tests conducted by MHD Energy Center personnel on the Shanghai Power Plant Equipment Research Institute's MHD facility using the diagnostic instrumentation developed at Mississippi State University. The research developed will help provide the data base needed to commercialize MHD electrical power generation.

MHD, as a method for generating electricity, is extremely attractive because it is a very efficient two-stage high-temperature combustion process capable of producing approximately 50 percent more power from low-cost fuel, such as coal. Electricity is extracted in both stages, and more pollutants are burned off instead of being discharged into the atmosphere.

I commend the MHD Energy Center for its significant contributions to the development of this important technology and to Sino-American friendship and mutual understanding. I hope my colleagues will join me in extending our best wishes for a successful trip.

AMERICAN AGRICULTURE IN INTERNATIONAL TRADE

Mr. COCHRAN. Mr. President, today, leaders of the Western World are in Bonn discussing economic problems that confront all of us. One of the most serious situations that confronts our country today is the matter of the imbalance in our trade. In no sector of our economy is this more dramatically illustrated than in the agriculture area. In an effort to do something constructive to solve these agricultural trade problems that confront our country, I introduced yesterday, with my distinguished friend from Arkansas [Mr. PRYOR] a bill that is designed to make our agricultural products more competitive.

American agriculture's ecomonic potential is not being utilized. It has not shared in the economic recovery that has occurred to date in many other areas of our economy. Financial stress has resulted throughout the agriculture industry. I do not think many realize the extent to which the trade situation in argiculture has deteriorated just in the last several months. Let me give an example of some of the dramatic changes that have taken place just since the end of last year.

In December 1984, the Department of Agriculture was estimating that the dollar value of our trade would amount to about $36.5 billion. In February, they changed that estimate by reducing the figure to $35.5 billion. One month later, in March, they changed it again to $34.5 billion. These

are estimates that are not, we hope, just taken out of thin air. They are based on what is truly happening in the international marketplace. So what is happening is that the effort by U.S. farmers and traders to move our commodities in overseas markets is grinding to a halt. Those efforts are not paying off. This is a dangerous situation, Mr. President, and I think it needs the immediate attention of the Senate.

This legislation that was introduced just yesterday is an emergency bill. It is based upon the notion that we cannot any longer tell all of the competitors we have around the world that we are going to peg our price at a certain loan rate which inevitably becomes a world market price so that they then can price their commodities just a little bit below the U.S. loan rate. Then, with the imbalance in the value of our currency, it becomes impossible for us to compete and to sell U.S. agricultural commodities. Because of this value of the dollar problem that is added to the other factor, we are seeing other countries having to pay a 35-percent higher price for U.S. products than for some products that are produced in neighboring countries.

Some wonder what we can do about it. I am suggesting that we use a new strategy called a marketing loan. That is the centerpiece of the bill that was introduced yesterday. It is the centerpiece of a bill I introduced on April 3, which is a farm bill that involves the entire range of provisions that would make up a farm bill for 1985. This marketing loan is singled out from the larger piece of legislation and introduced as a freestanding bill, because it is something that can be implemented right now to help us become more competitive.

These provisons, if enacted into law, would help bring higher farm prices so farmers can have a better return on their investment, and their labor, but it would lower the effective prices of crops and make them more competitive in world markets.

This is how it would work: Instead of having to forfeit the crop to the Commodity Credit Corporation at the end of the harvest, as is now the custom—if you cannot get on the open market what is the equivalent price of the loan rate, you forfeit the crop to the Commodity Credit Corporation. The Government then holds it, stores it, pays storage costs. That costs a lot of money. Now, under the marketing loan, the farmer can redeem his loan for either the loan rate or the market price, whichever is lower. This will force the sale of U.S.-produced commodities and make us again competitive in the international marketplace. The Government makes up the difference, but the Government does not have to pay the storage costs, it does not have to incur a lot of other expenses that are now a part of the income support structure for American agriculture. So I am hoping that Senators will look at this concept.

We put in the RECORD some questions and answers that are commonly asked about this strategy, and we hope that will prove to be helpful to Senators as they begin to review this proposal.

Mr. President, I yield the floor.

RECOGNITION OF SENATOR MATSUNAGA

The PRESIDING OFFICER. Under the previous order, the Senator from Hawaii is recognized for not to exceed 15 minutes.

Mr. MATSUNAGA. I thank the Chair.

S. 1053—LEGISLATION TO IMPLEMENT RECOMMENDATIONS OF COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS

Mr. MATSUNAGA. Mr. President, with my colleagues Senator INOUYE of Hawaii, Senators STEVENS and MURKOWSKI of Alaska, Senator CRANSTON of California, Senator MELCHER of Montana, Senator DENTON of Alabama, Senators GORTON and EVANS of Washington, Senators RIEGLE and LEVIN of Michigan, Senator PROXMIRE of Wisconsin, Senators KENNEDY and KERRY of Massachusetts, Senators MOYNIHAN and D'AMATO of New York, Senator BURDICK of North Dakota, Senator METZENBAUM of Ohio, Senator SARBANES of Maryland, Senator HART of Colorado, Senator HARKIN of Iowa, Senators BRADLEY and LAUTENBERG of New Jersey, Senator EXON of Nebraska, Senator SIMON of Illinois, and Senator HATFIELD of Oregon, I am today reintroducing legislation, S. 1053, which would carry out the recommendations of the Commission on Wartime Relocation and Internment of Civilians.

The distinguished nine-member study commission, chaired by Washington attorney Joan Bernstein, was established by Congress in 1980 to examine the facts surrounding the issuance of Executive Order 9066 and the subsequent relocation and incarceration of some 120,000 Americans and residents aliens of Japanese ancestry during World War II. In addition, the Commission was mandated by Congress to examine the circumstances surrounding the evacuation of the Aleutian Islands and the relocation of Native American Aleuts. The Commission submitted its final report to Congress, entitled "Personal Justice Denied," in June 1983 and, in November of that year, I introduced S. 2116, a bill very similar to the one being introduced today. S. 2116 was the subject of extensive hearings in 1984; however, it was not reported by committee or considered by the full Senate prior to adjournment of the 98th Congress.

The new bill, S. 1053, would provide a long overdue remedy for what has become known as one of America's worst wartime mistakes: The incarceration in detention camps of some 120,000 Americans and resident aliens of Japanese ancestry from the west coast.

About 80 percent of these evacuees were native-born Americans and the remaining 20 percent were their parents—first generation immigrants who were longtime legal residents of the United States prohibited by the Oriental Exclusion Act of 1924 from becoming naturalized American citizens. In the summer and early fall of 1942, long after the threat of an enemy invasion of the west coast had faded, they were summarily removed from their homes by U.S. Army troops attached to the Western Defense Command and sent to isolated detention camps, surrounded by barbed wire fences and armed guards, in the interior parts of this country. Without warrant, without trial or hearing, they were deprived of their personal freedom and lost their homes, farms, businesses and careers. Although the civil courts and law enforcement agencies were operating normally on the west coast, not a single one of the evacuees was ever charged or indicted for the commission of a crime, much less tried or convicted. All of them, native-born Americans and legal residents alike, were fully entitled to the protection of the United States Constitution, but their constitutional rights were summarily denied them by armed men acting under the dictates of their own Government.

This governmental action was unprecedented in American history, and in the years since the war, scholars and historians have asked "Why?" How could high-minded Americans abandon their most cherished ideals and rob fellow Americans of their inherent constitutional rights simply because they resembled our declared enemy in biological features.

The Commission on Wartime Relocation and Internment of Civilians, through its careful review of wartime records and its extensive public hearings, found the answers to some of these questions. It has confirmed what Americans of Japanese ancestry have always known: The evacuation of Japanese Americans from the west coast and their incarceration in what can only be described as American-style concentration camps was not justified by military necessity, but was the result of racial prejudice, wartime hysteria, and the failure of political leadership. Specifically, the Commission found that:

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First, Lt. Gen. John DeWitt, Commanding General of the Western Defense Command, recommended exclusion of Japanese Americans to the Secretary of War on the grounds that ethnicity (or race) determined loyalty.

Second, the Federal Bureau of Investigation [FBI] and members of Naval Intelligence, who had relevant intelligence responsibility, were completely ignored when they recommended that nothing more than careful surveillance of suspected individuals was necessary.

Third, General DeWitt relied heavily on local politicians rather than on informed military judgments in reaching his conclusions as to what actions were necessary, and politicians largely repeated the prejudiced, unfounded themes of anti-Japanese factions and interest groups on the west coast.

Fourth, no effective measures were taken by President Franklin D. Roosevelt to calm the citizenry of the west coast, or to publicly refute unfounded rumors of sabotage and fifth column activity during the Japanese attack at Pearl Harbor on December 7, 1941.

Fifth, General DeWitt was temperamentally disposed to exaggerate the measures necessary to maintain security, and placed security far ahead of any concern for the liberty and constitutional rights of citizens.

Sixth, Secretary of War Stimson and Assistant Secretary of War John J. McCloy, both of whose views on race differed from those of General DeWitt, failed to insist on a clear military justification for the measures General DeWitt wished to take.

Seventh, Attorney General Francis Biddle, while contending that evacuation of the Japanese Americans was unnecessary, did not argue to the President that failure to make out a case of military necessity on the facts would render the exclusion constitutionally impermissible or that the Constitution prohibited exclusion on the basis of ethnicity, given the then prevailing facts on the west coast.

Eighth, those representing the interest of civil rights and civil liberties in Congress, the press, and other forums were either completely silent or even supported evacuation. Thus there was no effective opposition to the measures vociferously sought by numerous west coast special interest groups, politicians, and journalists.

Ninth, President Roosevelt, without raising the question to the level of Cabinet discussion or requiring careful review of the situation, and despite the Attorney General's arguments and other information before him, agreed with the Secretary of War that evacuation should be carried out.

In the light of these findings, the Commission concluded that a "grave injustice was done to American citizens and resident aliens of Japanese ancestry, who, without individual review or any probative evidence against them, were excluded, removed, and detained by the United States during World War II." In accordance with its mandate from the Congress, the Commission recommended certain remedies, including the following:

First, the establishment by Congress of a $1.5-billion fund which would be used, first, to provide a one-time per capita payment of $20,000 to each of the approximately 60,000 surviving persons of Japanese ancestry who were excluded from their places of residence, pursuant to the Federal Government's order.

Second, the establishment of a fund for humanitarian and public education purposes related to the wartime events. The remaining moneys in the $1.5-billion fund would be used for this purpose.

Third, the enactment of legislation which would officially recognize that a grave injustice was done to the evacuees and which would offer the apologies of the Nation for the wartime acts of exclusion, removal, and detention.

Fourth, the granting of Presidential pardons to individuals who were convicted of violating the wartime statutes imposing a curfew on American citizens strictly on the basis of their ethnicity and requiring ethnic Japanese to leave designated areas of the west coast to report to assembly centers.

Fifth, the "liberal review" by appropriate executive branch agencies of applications submitted by Japanese Americans for the restitution of positions, status or entitlements lost in whole or in part because of acts or events between December 1941 and 1945 (for example, the Department of Defense should be instructed to review cases of less than honorable discharge of Japanese American from the armed services during World War II).

Mr. President, as reported by the Commission, many who were either directly or indirectly involved in the mass evacuation and detention of Americans and resident aliens of Japanese ancestry during World War II have, since the war, acknowledged the wrong inflicted on the evacuees. President Roosevelt himself, in approving the induction of Japanese Americans into the U.S. Army, observed that "Americanism is a matter of the mind and heart—not of race or ancestry." Henry L. Stimson, then Secretary of War, recognized that "to loyal citizens, this forced evacuation was a personal injustice.'" Francis Biddle, then the Attorney General of the United States, expressed his belief that "the program was ill-advised, unnecessary and unnecessarily cruel." Milton Eisenhower described the evacuation and detention of Japanese Americans as "an inhuman mistake." The late Chief Justice Earl Warren, who had urged evacuation as Attorney General of California, stated, "I have since deeply regretted the removal order and my own testimony advocating it, because it was not in keeping with our American concept of freedom and the rights of citizens." Justice Tom C. Clark, who had been liaison between the Justice Department and the Western Defense Command, concluded, "Looking back on it today (the evacuation) was, of course, a mistake."

It is time the Congress, too, acknowledged the grave injustice inflicted by the Federal Government on Americans of Japanese ancestry during World War II. Passage of our bill would remove a blot on the pages of our Nation's history and it would remove a cloud which has hung over the heads of Japanese Americans since the end of World War II.

Mr. President, the bill also provides for the compensation of American-Aleuts who were forced to leave their homes in the Aleutian Islands and parts of Alaska during World War II.

In 1942, Native American Aleuts were evacuated from their ancestral homes in the Aleutian and Pribiloff Islands in Alaska, then a U.S. territory. Although the evacuation was necessary because of the threat of enemy attack, it was marked by poor planning and coordination, and the Aleuts lost most of their personal possessions. They were sent to makeshift camps including abandoned canneries and mines, and, due to a lack of adequate food, clothing and medical care, about 10 percent of the evacuees died. When they were finally allowed to return to the islands, they found that their homes and community buildings had, in many cases, been destroyed.

Mr. President, I strongly urge the favorable consideration of this bipartisan measure by Congress.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD following the statements made by Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. STEVENS. Mr. President, I am pleased to join my colleagues in offering legislation to implement the recommendations of the Commission on Wartime Relocation and Internment of Civilians.

The Commission was established pursuant to Public Law 96-317 and directed to review the facts and circumstances surrounding the relocation and internment of American Citizens and permanent resident aliens of Japanese ancestry during World War II, along with the facts and circumstances which led to the relocation and, in some cases, the detention of Aleut civilians during the same time period.

In discharging its congressional mandate, the Commission held 20 days of hearings, including 3 days of hear-

ings in Alaska, and received the testimony of more than 750 witnesses. The Commission's staff and others conducted exhaustive research. They were able to document in irrefutable detail, from their research in the National Archives and elsewhere, the facts and circumstances of these events that occurred 40 years ago. In these remarks I will address the Aleut issues, as I understand that other Senators will address in separate remarks the tragic circumstances which led to the internment of thousands of loyal Americans of Japanese ancestry.

THE ALEUT PEOPLE

Mr. President, the Aleut people are Native Americans whose ancestors migrated from Asia about 10,000 years ago. They settled the lower Alaska peninsula and the Aleutian Islands, an archipelago that spans the North Pacific for 900 miles from the peninsula to Attu Island. The Aleut villages are among the oldest places of habitation on this continent—the village of Nikolski, for example, has been determined to have been occupied for more than 8,000 years.

Anthropologists have estimated that 10,000 people lived on the Aleutians when the islands were occupied by Russian traders in the 18th century. Their numbers were soon reduced by massacre and disease to less than 2,000. Today there are about 3,600 Americans of Aleut ancestry, and major efforts are being made within the Aleut community to preserve the culture and traditions of this unique people.

As Solicitor of the U.S. Department of the Interior in the Eisenhower administration, I became generally aware that the Aleut communities of the Aleutians and Pribilof Islands had suffered severe dislocation and losses during the World War II. There had been no press accounts of these events at the time—correspondence and information between Alaska and the lower-48 had been subject to censorship during the war.

Unlike the internment of Japanese-Americans, which was subject to widespread publicity, litigation, and public discussion, the Aleut relocation during the war was considered a local administrative inconvenience and scant attention was paid to its effect on the Aleut people outside the immediate area of the Aleutians and the relocation camps.

Mr. President, Congress at my request expanded the mandate of the Commission on Wartime Relocation and Internment of Civilians to include the specific treatment of the Aleuts in World War II. The findings of the Commission document the extreme hardships endured by the Aleuts, and the unjustified losses they sustained. The recommendations of the Commission include restitution for those losses—and restitution, along the line of these recommendations, is provided in the bill we introduce today.

EVACUATION OF ALEUT VILLAGES

After the conquest of Attu and Kiska Islands by Japanese forces in early June 1942, the evaucation of all Aleut villages on the Pribilof Islands and the Aleutian Islands west of Unimak Island was ordered by military authorities in Alaska. Approximately 900 Aleut civilians were evacuated in June and July 1942, and hurriedly relocated to temporary camps in southeastern Alaska.

While this evacuation suffered from poor planning and inadequate logistic support, the Commission determined that it was a rational wartime measure under the circumstances at the time. The Commission found that the Aleuts suffered extreme hardships in the camps. Housing, sanitation, and eating conditions in the camps were deplorable. There were repeated epidemics of disease, and at least 10 percent of those in the camps died. Medical care was wholly inadequate. The Government clearly failed to meet its responsibilities to those under its care.

On returning to their villages, the Aleuts found—after an absence of 2 to 3 years—that houses, churches, community centers, personal property, boats, and other possessions had been destroyed, converted to military use without compensation, or severely damaged. They lost most of their religious icons and family heirlooms. While some attempts were made, with severely limited funds, to provide restitution, the evidence shows without doubt that the Aleuts' losses were never fully compensated by the responsible agencies and officials.

COMMISSION RECOMMENDATIONS

After evaluating the evidence, the Commission recommended five specific measures of restitution for Aleut losses during World War II. These include a trust to be established for the beneficial use of the six surviving Aleut villages subject to relocation and for the beneficial use of surviving Aleuts and their descendants; per capita payment to each surviving Aleut evacuee; the rehabilitation of churches and restoration of church property damaged or destroyed by U.S. forces in the Aleutians; the cleanup of wartime debris left on populated islands of the Aleutians; and the rehabilitation of Attu Island for Aleut ownership and use.

The bill we introduce today would make restriction substantially in accordance with the Commission's recommendations. It includes the $5 million trust as recommended. The authorization of appropriations for the rehabilitation of chuches and church property is established at $1,399,000, while the authorization for minimum cleanup of wartime debris on the Lower Alaskan Peninsula and the Aleutians is set at $15,000,000. Although the Corps of Engineers has estimated that more than $40 million would be required to accomplish the cleanup in 1985 dollars, the smaller amount is authorized only as a supplemental program to the ongoing work in the region. Currently the Department of Defense is working on the problem through funding to the Environmental Restoration Defense Account established in appropriations acts.

While the combination of the DOD effort now underway, and the supplemental program envisioned in this bill, will not completely restore the Aleutian region, it should be adequate to eliminate hazardous debris that threatens the health and safety of the people.

Mr. President, there are three substantive differences between the Commission's recommendations and the provisions of our bill. First, those eligible for per capita payment would include not only the survivors of the evacuation by U.S. forces, but also the surviving Attuans who were held in detention on Hokkaido Island, Japan. I am informed that these people number only five survivors today. Second, our bill provides per capita payment of $12,000 to each of the some 400–500 surviving Aleuts, instead of the recommended $5,000. The legislation includes this increase in per capita payment to reflect comparability with the treatment of the surviving Japanese American internees. Third, our bill provides bidding rights to be exercised by The Aleut Corporation in lieu of conveyance of Attu Island to the Aleut people. Attu Island was designated as wilderness in the Alaska National Interest Lands Conservation Act, and therefore, is not appropriate for conveyance back to the Aleut people. The bidding rights would be exercised by The Aleut Corporation, without any preference over any other bidder, in the disposition of surplus Federal property by the General Services Administration.

Mr. President, title III of our bill, relating to the Aleuts, has been drafted in close consultation with the Aleut leadership and with the residents of the affected Aleut villages. I am pleased to join as a cosponsor and intend to work for rapid consideration of the bill by the committee of jurisdiction.

Mr. President, I ask for unanimous consent that a section-by-section summary of title III of the bill, relating to the Aleut issues, be printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION SUMMARY OF THE ALEUTIAN AND PRIBILOF ISLANDS RESTITUTION ACT

TITLE III—ALEUTIAN AND PRIBILOF ISLANDS RESTITUTION

Section 301—Short Title

This title may be cited as the "Aleutian and Probilof Islands Restitution Act."

Section 302—Definition

The definitions contained in this section are those required to implement the Commission's recommendations in accordance with this title for compensation of individual Aleuts, and the Aleut community generally, for their losses and other injustices suffered during World War II.

The term "affected Aleut villages" includes the six Aleut villages which were evacuated by U.S. forces in June and July, 1942, for relocation to temporary detention camps in remote regions of Southeastern Alaska. The term also includes the Aleut village of Attu, which was not rehabilitated for Aleut occupation or other productive use following liberation of Attu Island from Japanese forces and the repatriation of Attuan citizens from Japanese detention on Hokkaido Island, Japan.

The term "eligible Aleut" includes any Aleut who is living on the date of enactment of this Act and who, as a civilian, was relocated by authority of the United States from his or her home village to an internment camp, or other temporary facility or location, during World War II. The term also includes those Aleuts who were residents of Attu on the date of Japanese occupation of the Island, and who are living on the date of enactment of this Act.

Other terms requiring no elaboration in this summary are also defined.

Section 303—Aleutian and Pribilof Islands Restitution Fund

Section 303(a) establishes within the Treasury of the United States a Fund to be known as the "Aleutian and Pribilof Islands Restitution Fund." This Fund will be administered by the Secretary of the Treasury, and will consist of amounts appropriated to it under this title.

Under section 303(b), the Secretary is required to report to Congress annually on the financial condition of the Fund, and on the results of Fund operations during the preceding fiscal year. All such reports will be printed as House Documents of the session of Congress to which such reports are made.

Section 303(c) through (e) establishes procedures to be followed by the Secretary in managing the assets of the Fund. The interest on any obligations held by the Fund, along with other proceeds from the sale of any obligations, will be credited to and form a part of the Fund.

Section 303(f) provides for the orderly termination of the Fund after the Secretary has accomplished the purposes of the Fund, as set out in other sections of the title. On the date the Fund is terminated, all amounts remaining in the Fund shall be deposited in the miscellaneous receipts account in the Treatury of the United States.

Section 304—Expenditures and Audit of Fund

Section 304(a) provides that the Secretary shall pay to the Administrator of certain specified Aleut restitution programs, as provided in appropriations acts, such sums from the Fund as are necessary to carry out the purposes of this Act.

Under section 304(b), authority is established for audits of the activities of the Administrator by the General Accounting Office, subject to such rules and regulations as may be prescribed by the Comptroller General.

Section 305—Administration of Certain Fund Expenditures

The detailed procedure for designation of the Administrator is established in section 305(a). Under the terms of the section, the Aleutian/Pribilof Islands Association, a nonprofit regional corporation organized under the laws of the State of Alaska for the benefit of Aleuts in the Aleut region, is designated by Congress as Administrator, subject to the terms and conditions of this title.

As soon as practicable after enactment, the Secretary of the Treasury will offer to undertake negotiations with the Association leading to execution of an Agreement setting forth the duties of the Association as Administrator. Any such Agreement entered into with the Association shall be approved by a majority of the Board of Directors of the Association. Independent annual audits of the Association's activities as Administrator are required, and a report of each such audit will be transmitted to the Secretary and to the Committees on the Judiciary of the House and Senate. Upon 30 days notice, under the terms of the required Agreement, the Secretary may terminate the Association's designation as Administrator for good cause shown.

Section 305(b) requires the Secretary of the Treasury to submit to Congress, within 15 days after approval by the parties, the Agreement specified in section 305(a). If the Secretary and the Association fail to reach an agreement within the 60 day period established for negotiations, the Secretary shall notify Congress within 75 days after enactment of such failure to reach agreement. In such circumstances, Congress would have the option of designating another Administrator, or of taking any other appropriate and necessary legislative action.

Section 305(c) provides that the Secretary shall make no expenditures to the Administrator from the Fund until Congress has reviewed for 60 days the Agreement required by section 305(a).

Section 306—Duties of the Administrator

Section 306(a) provides that, out of payments made from the Fund to the Administrator by the Secretary of the Treasury, the Administrator shall make restitution (as provided elsewhere in this section) for certain Aleut losses sustained in World War II, and shall take such other action as may be required by this title.

Section 306(b) directs the Administrator to establish a trust, organized under the laws of the State of Alaska, for the beneficial use of affected Aleuts and affected Aleut communities. This subsection parallels the first recommendation of the Commission for compensation of the Aleuts for losses sustained in World War II.

The principal amount of the trust established under this subsection shall be $5,000,000. It will be governed by not more than seven trustees, appointed by the Administrator from lists of prospective trustees submitted by each affected Aleut village. The trust will be apportioned into eight independent accounts. One account will be established for the independent benefit of the wartime Aleut residents of Attu and their descendants; one account will be established for the independent benefit of each of the six surviving Aleut villages evacuated by U.S. forces; and one account will be established for the independent benefit of those Aleuts who, determined by the trustees, are deserving but who will not benefit directly from the other seven accounts.

Five per centum of the principal amount of the trust will be credited initially to the latter account referenced above. The remaining principal amount will be apportioned among the other seven accounts, in proportion to the wartime population of the village for which each such account is established, as compared to the wartime population of all affected Aleut villages.

The purposes of the trust are outlined in section 306(b)(2). In general, the section authorizes the trustees to use the interest and other earnings from the trust to benefit the elderly, the disabled, the seriously ill, students in need of scholarships, and others in comparable circumstances. Additionally, the section provides that trust earnings my be used to preserve Aleut culture and historical records, to establish community centers in affected villages, and to take such other action as the trustees may determine will improve the condition of Aleut life.

Section 306(c) authorizes the Administrator to rebuild, restore, or replace churches or church property damaged or destroyed in affected Aleut villages during World War II. This subsection is consistent with the third recommendation of the Commission for compensation of Aleuts for losses sustained as a direct result of U.S. governmental actions during World War II.

Under the terms of this subsection, the Secretary of the Treasury shall pay $100,000 from the assets of the Fund to the Administrator within 15 days after expenditures from such Fund are authorized by this title. The Administrator is required to use this payment to make an inventory and assessment of all churches and church property damaged or destroyed in affected Aleut villages during World War II. In addition the Administrator will use the payment to develop specific recommendations and detailed plans for reconstruction, restoration and replacement work to be accomplished on churches and church property.

The inventory and assessment, together with the specific recommendations and detailed plans, shall be submitted within one year after enactment to a review panel composed of the Secretary of Housing and Urban Development, the Chairman of the National Endowment for the Arts, and the General Services Administrator. If the review panel has not disapproved the Administrator's plans and recommendations within 60 days, such plans and recommendations will be implemented as soon as practicable by the Administrator. If any part of the plans and recommendations are disapproved, the Administrator shall revise and resubmit such part to the review panel as soon as practicable.

In the event of irreconcilable differences between the Administrator and the review panel in respect of any part of the plans and recommendations, the Secretary of the Treasury is authorized and directed to submit such part to Congress, for approval or disapproval by Joint Resolution.

Under the terms of section 306(c)(3), the Administrator is required to give preference to the Aleutian Housing Authority as general contractor for work to be performed in implementing the plans and recommendations for reconstruction, restoration, or replacement of churches and church property.

This section authorizes appropriations to the Fund adequate to carry out the purposes of the section, including $1,399,000 to

carry out the church rehabilitation program under section 306(c). In addition, section 306(d) authorizes the Secretary of the Treasury to reimburse the Administrator, not less often than quarterly, for all necessary and reasonable administrative and legal expenses incurred in carrying out its functions under this title.

Section 307—Individual Compensation of Eligible Aleuts

Section 307(a) authorizes and directs the Secretary of the Treasury to make per capita payments out of the Fund to eligible Aleuts, as defined, for uncompensated personal property losses and for other purposes. The subsection requires a payment of $12,000 to each of approximately 400 individual Aleuts who are living on the date of enactment of this Act and who are the survivors of the relocation experience during World War II. All such per capita payments shall be made within one year after enactment of this Act, and shall not be considered income for purposes of any Federal taxes or for the purposes of determining eligibility for or the amount of any benefits or assistance under any Federal program or under any State or local program financed in whole or in part with Federal funds. This section addresses the second recommendation of the Commission for compensation of Aleut losses during World War II.

Under section 307(a) (2) and (3), the Secretary of the Treasury may require the assistance of the Attorney General in locating eligible Aleuts, and the Administrator shall assist the Secretary in identifying and locating eligible Aleuts for the purpose of the section.

Section 307(b) authorizes appropriations to the Fund adequate to make the per capita payments required by the section for restitution of heretofore uncompensated Aleut wartime losses.

Section 308—Supplemental Cleanup of Wartime Debris

Section 308(a) recognizes the on-going program for the removal of wartime debris from the Aleutian and Pribilof Islands region. This on-going program is administered by the Department of Defense through appropriations to the Department's Environmental Restoration Defense Account. The supplemental cleanup program authorized by this section, therefore, shall be exercised only in the event that such Account is inadequate to eliminate hazardous military debris from populated areas of the Lower Alaskan Peninsula and the Aleutian Islands.

Section 308(b) authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to plan and carry out a supplemental program for the removal and disposal of live ammunition, obsolete and abandoned buildings, abandoned machinery, and other hazardous debris remaining in populated areas of the lower Alaskan peninsula and the Aleutian Islands as a result of military activity during World War II. This section is consistent with the fourth recommendation of the Commission.

Section 308(c) provides that the debris removal program shall be the "Minimum Cleanup," as recommended by the Alaska District, Corps of Engineers, in its report dated October 1976. In carrying out the program, the Chief of Engineers is required to consult with the trustees of the trust established in section 306(b), and is further required to give preference to the Aleutian Housing Authority as general contractor.

Section authorizes $15,000,000 to be appropriated to carry out the purposes of this section.

Section 309—Attu Island Restitution Program

Section 309(a) recognizes that Attu Island, recommended by the Commission for conveyance to appropriate Aleut corporate entities, has been designated as wilderness by section 702(1) of the Alaska National Interest Lands Conservation Act. As alternative restitution for the loss of traditional Aleut lands and village properties on Attu Island, compensation shall be made to the Aleut people in accordance with this section.

Section 309(b) directs the Secretary of the Treasury to establish an account designated The Aleut Corporation Property Account, which shall be available for the purpose of bidding on surplus Federal property. The initial balance shall be an amount reflecting the equivalent of $500 per acre for each of the 35,737 acres traditionally occupied and used by the Aleut people on Attu Island—or the equivalent of $17,868,500.

Under procedures established in this subsection, The Aleut Corporation may bid, by using the credits in the Account, as any other bidder for surplus Federal property, wherever located, in accordance with the requirements of section 484 of title 40, United States Code. In using the bidding rights established by this section, no preference will be given by the General Services Administration to The Aleut Corporation.

In addition to the bidding rights established as compensation for The Aleut Corporation in this section, subsection (h) provides that the Secretary of the Interior may convey to the Corporation, as provided under current law, the traditional Aleut village site on Attu Island. This authority is reflected under current law at section 1613(h)(1) of title 43, United States Code. The subsection limits selections under section 1613(h)(1), however, following date of enactment of this act, to such traditional village site on Attu Island and no other site on such Island.

Section 310—Separability of Provisions

This section provides that if any provision of this title, or the application of any provision to any person or circumstance, shall be held invalid, the remainder of this title or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Mr. INOUYE. Mr. President, I am pleased to join my colleagues in introducing legislation in the 99th Congress to implement the findings of the Commission on Wartime Relocation and Internment of Civilians. Few changes have been made in this legislation since November of 1983, when it was first introduced in the Senate.

As most of my colleagues are aware, the Commission was established pursuant to Public Law 96-317 to study the facts and circumstances surrounding the evacuation and internment of thousands of American citizens and resident aliens of Japanese ancestry during World War II. In fulfilling its congressional mandate, the Commission conducted extensive hearings throughout the country in addition to exhaustive archival research over a 3-year period. In its final report entitled "Personal Justice Denied," the Commission concluded that there was no justification for the mass evacuation, relocation, and internment of 120,000 Japanese-American citizens and resident aliens.

Instead, the Commission found that the decision to intern was made solely on the basis of ethnicity, not for any valid military or security reasons. Fear and prejudice obstructed our commitment to uphold the constitutional rights of our people, and as a result, thousands of lives were disrupted immeasurably. The Commission concluded that the Japanese-American case is unique in the constitutional history of our country in that there was a total abrogation of constitutional guarantees inflicted against a single group of citizens and resident aliens solely on the basis of ethnicity.

Based on these findings that concluded that a grave injustice was done to American citizens and resident aliens of Japanese ancestry, who were excluded, removed and detained by the U.S. Government without benefit of individual review, the Commission recommended remedies which comprise the legislation we are introducing today.

In brief, the Commission recommended the establishment of a trust fund from which individual payments to the surviving internees would be made. The remainder would be used for humanitarian and public education purposes in order to preclude this event from occurring again in the future.

Second, the Commission advised the enactment of legislation to officially recognize the injustice that was committed and offer the apologies of the Nation for the evacuation, relocation, and detention.

Third, the Commission recommended the granting of pardons to those who were convicted of violating wartime statutes relating to forced curfews and evacuation on the basis of ethnicity; and finally, a liberal review of individual cases for the restitution of positions, status, or entitlements lost as a result of the evacuation, relocation, and internment.

The Commission made its recommendations after serious and thoughtful deliberation, and on the basis of what they felt to be the just and proper solution, not necessarily what was politically and economically expedient. We should keep in mind that the monetary payment to surviving internees represents a symbolic effort to redress a grave infraction of civil liberties. The actual loss incurred by those who suffered this injustice at the hands of their own Government, is immeasurable.

We must act quickly on this legislation to deter an event as reprehensible as the internment experience from

happening again, as silence on the issue has the danger of appearing as tacit acceptance. I am proud to be a cosponsor of this measure, and I look forward to working with my colleagues to pass a bill this session.

I ask unanimous consent that the following article from the April 28 issue of the New York Times Magazine be printed in the RECORD. Although I was fortunate enough not to have been interned, I visited a camp in Rohwer, AR, and remember being aghast that such a place could exist in America. Mr. Oishi's article is an excellent first-hand view of what it was like to be Japanese-American and interned during World War II.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ANXIETY OF BEING A JAPANESE-AMERICAN

(By Gene Oishi)

My base camp was the Hyatt Regency Hotel, an imposing fortresslike structure towering above downtown Phoenix. My room on the 12th floor looked south over the desert, dotted with flat-topped buttes that looked like bombed-out Mount Fujis. Somewhere out there was the site of the Gila River Relocation Center, the internment camp in which I spent an important part of my childhood during World War II.

As I looked out over the desert from my well-appointed hotel room I could feel traces of a nagging fear, and I began to sense why it had taken me nearly 40 years to revisit the scene of my wartime internment.

It was last April that I made the trip to Arizona, ostensibly to complete my research for an article dealing with the assimilation of Japanese into the American mainstream. Actually, I went there in the hope of overcoming a writer's block.

Much has been written about the internment of Japanese during World War II, and so I had not intended to dwell on that aspect of Japanese-American history. But as I began to write the article, it became clear to me that there was much more that needed to be said about the experience.

I recalled the hearings held in 1981 by the Commission on Wartime Relocation and Internment of Civilians. The commission was created by Congress, in the wake of renewed demands for reparations, to re-examine the internment of Japanese during World War II. Hundreds of Japanese came forth to testify, and many feel that those hearings constituted the most significant event that has occurred in the Japanese community since the internment itself.

The commission concluded its work in the summer of 1983 with a list of five recommendations, including one that calls for a $1.5 billion fund to be used to provide a one-time compensatory payment of $20,000 to each of the approximately 60,000 remaining survivors of the internment. There was a bill in the last Congress—and action on a reintroduced version is expected in the current session—that would implement the commission's recommendations. Regardless of the fate of that bill, the commission hearings had a permanent impact on the Japanese community.

At the hearings, the usually reticent and undemonstrative nisei—second-generation Japanese-Americans—choked back tears or let them flow as they told their stories. Many of the spectators wept, too, as they listened, and it seemed as if a dam had burst and the community was at long last truly mourning its past. The sansei—third-generation Japanese-Americans, most of whom were too young to have experienced the internment—were astonished. "I never saw nisei act that way before," said a sansei afterward.

It was not what the witnesses said that was so remarkable, for most of them simply described the economic and physical hardships they endured. What was remarkable was that they spoke at all. I, too, spoke to the commission at a pre-hearing briefing seminar in June 1981. My throat and chest suddenly felt so constricted that I thought I was coming down with an attack of bronchitis. It took all the strength I had to get through my talk and to keep from breaking into tears.

The reasons for the severity of my reaction, and that of the other witnesses, long remained a mystery to me. Even in the spring of 1983, when I traveled around the country interviewing Japanese of all ages and in a wide variety of occupations, I had not yet plumbed the emotional depths of the internment experience. Nor did I start out with the intention of doing so. My plan was to flesh out what social scientists had been saying for the last two decades: that Japanese-Americans are an extraordinarily successful ethnic group.

As a group (there are about 700,000 Japanese in the United States), they are for the most part prosperous, well-educated and are rapidly joining the mainstream of middle-class life. But in the course of my interviews I began to notice in myself as well as in those I interviewed an intense discomfort with the "model minority" theme.

Chris Iijima, a teacher and politically oriented folk singer in New York, first articulated this discomfort for me in a rational way. Every stereotype, he said, has a "flip side." Hard-working can become ruthless. Resourceful and ingenious can become diabolical. Friendly can become sneaky. Dedicated can become finatical. What Iijima said struck a chord in me, for within my own lifetime I have seen the Japanese stereotype among the American public turn from negative to postive, and there are signs that as a result of economic competition with Japan it might flip again as more Americans view Japan as a threat to their livelihood.

Later, as I thought about Iijima's observation and my reaction to it, I began to understand that the reason for my near-breakdown before the Congressional commission was fear. I was speaking to a commission that represented in my mind the same type of officialdom that in 1942 could not see past the color of our skin and hair and the shape of our eyes and noses and concluded that we were actual or potential enemies.

It was in Arizona, at the scene of my wartime internment, that I began to suspect that our discomfort with stereotypes, even positive ones, was rooted in fear. For the first time, I began to get a sense of how fear had ruled much of my life and perhaps the lives of most Japanese of my generation.

I was surprised by the ease with which I found the old campsite in the Gila River Indian Reservation, about 30 miles south of Phoenix. The barracks were gone, but the concrete foundation blocks, with twisted and rusted steel flanges clinging to them, were still there, as were the large slabs of concrete that once were the floors of the mess halls. From the top of a butte I had often climbed as a child, I could see a cattle farm and greening fields of wheat in the distance. None of this had existed when I first was here. At that time, there was nothing but desert wilderness as far as the eye could see. I felt high indignation; they were ruining my desert, encroaching on that previous isolation that had provided a measure of safety for me as a child. I realized then that I had not wanted to leave the camp. The desert, with its primitive desolation and extremes of weather, can be frightening at times, but it was not as frightening to me as the uncertainties and ambiguities of the world from which I had been ejected.

For the first nine years of my life my home had been Guadalupe, a small farming community in California's Santa Maria Valley. My father, who was a prominent farmer and civic leader in the Japanese community, was arrested early in the morning on Dec. 8, 1941, within 24 hours after the Japanese attack on Pearl Harbor. Though he was never charged with any crime, he thought he was going to be executed and so he wrote a letter of farewell to his family from a cell in the Santa Barbara County Jail.

Although my father and other community leaders arrested with him were not killed, many of the older Japanese feared they were being sent to extermination camps as the general "evacuation" began on the West Coast several months later. These fears I learned of much later, but I got a hint of them at the time from my mother's perpetually furrowed brow, from the sound of her crying at night and from her hair, which seemed to have turned gray overnight.

The roots of the fear went back to the late 19th century, when Japanese first started coming to this country in significant numbers. Like the Chinese before them, Japanese were subjected to intense racial hatred and vilification. Every effort was made to keep them from becoming woven into the social and economic fabric. They were not allowed naturalization privileges. Most Western states passed laws forbidding Asians from owning land. Antimiscegenation and other racially discriminatory laws were enacted. There was pressure put on Congress to stop further immigration from the Far East. In 1882, immigration from China was stopped, and in 1924 the ban was extended to Japan.

With the Japanese attack on Pearl Harbor, racial animosity flared with renewed ferocity. It was a time when racism was not universally condemned as it is today publicly, and members of Congress and newspaper columnists and editors openly expressed racial hatred for the Japanese. Ultimately, in February 1942, President Franklin D. Roosevelt signed Executive Order 9066, which enabled the Government to remove 110,000 Japanese—71,000 of them American citizens—from the West Coast and to place them in internment camps in the interior.

The first camp we were sent to was an "assembly center" built at the county fairgrounds in Tulare, Calif. My memories are of heat, dust and a pervasive, sickening smell of the tar paper with which the barracks were covered. There were two barbed-wire fences surrounding the camp. This was not simply an "assembly center"; it was a prison. Soldiers with fixed bayonets patrolled the area between the two fences, and if you had any further doubts about what this camp was, there were guard towers along the perimeter, each equipped with a machine gun and searchlight.

Tulare was a hateful place, and I suppose anyone who spent time there would find his own reasons for finding it so. Mine never had any coherent pattern. First of all, my mother got sick and I had the feeling that she had deserted me. The food tasted tinny, maybe because it was served on metal trays. Juices from the canned vegetables, canned frankfurters and melting Jell-O flowed together to form a tepid, mildly sweet soup. The latrines were dirty and smelly and swarmed with flies. I still have unpleasant dreams about toilets filled and smeared with human feces. The barracks were crowded and noisy. Our family of six was assigned one small compartment that was barely large enough to hold our cots. The couple in the next compartment were always quarreling, and you could hear every word, even those they whispered.

During the day, I roamed with a band of children who resembled a pack of domestic dogs gone wild. We tried to make friends with the soldiers patrolling the camp, but they were sullen, even a little hostile, so we gave up. I don't know about the other children, but I never held it against the soldiers. Instead, I began to resent the Japanese they were guarding.

The camp in Arizona had no fence. None was needed, situated as we were in the middle of the wilderness. I recall being inordinately afraid of rattlesnakes. I was afraid to go out of the barracks at night for fear that one would come slithering out of the crawl space under the building. It is only in recent years that I have begun to realize that the state of panic in which I lived during the first few months in Arizona was in some way connected with being a Japanese. At the weekly movie, an American war film played that ended with the sinking of a Japanese battleship. As American bombs began exploding on the deck of the ship, Japanese sailors began to panic and leap into the sea. The children and young adults in the audience began to giggle, and as the battleship sank they broke into cheers and applause. I cheered and applauded, too, knowing full well that our parents in the crowd were deeply pained that their children were turning against Japan and perhaps even against them. By late 1943, those who had pledged their loyalty to the United States were allowed to leave. Most of those who remained were children—or older folk who had been born in Japan and who, under the law, were not allowed to become citizens. They knitted, sculptured ironwood, grew morning glories, built rock gardens, or sat in the shade, fanning themselves and squinting against the heat. Life remained pretty much that way until the war ended and we were told to leave.

I recall the first words spoken to me when I met a former schoolmate upon our return to Guadalupe. He had been a friend before the war and I had often gone to his house to play. "Hi, Norman," I said. "Remember me? I'm Gene." Norman stared for some time. I waited for a smile of recognition that never came. Instead, he titled his head back a little and asked with a sniff, "All you Japs coming back?"

I eventually got over Norman's rude welcome. I graduated from high school, served in the Army, went to college, got married to a Swiss woman, moved to the East Coast and began a career as a newspaper reporter. I lived in a white neighborhood, had white friends and for long stretches of time would forget I was Japanese. I would feel extremely uncomfortable when inevitably I would be reminded of it.

For years I thought I was unusual in my reactions, but as I interviewed Japanese around the country, I discovered I was more typical than not of the generation of so-called nisei who grew up in the 1930's and 40's and were interned with their immigrant parents.

Dwight Chuman, a Los Angeles journalist and sansei, or third-generation Japanese, called the nisei "confused young men who succeeded by selling their self-hatred and disappearing into the mainstream mentality." It is difficult to be lectured by a member of the younger generation, but I found myself agreeing with Chuman and with most of the sansei activists I interviewed.

Feelings of self-hatred and shame are well documented among victims of aggression and abuse, such as raped women, abused children and prisoners of war. But until recently, I had not thought of myself as a victim and had not allowed myself to feel fear or anger about the internment. As I interviewed Japanese around the country, I found others who were better able to articulate their feelings.

Bebe Toshiko Reschke, a psychiatric social worker at an adult outpatient clinic in California, was a child during the internment. She recalled that while in camp three military policemen came into her family's compartment to search for contraband.

"I had such a feeling of being violated," she said. "I still have a problem with that, of trusting authority . . . That anyone can have such control over you, and it can happen so fast."

"When I read these stories dealing with Japan," she continued, referring to coverage of Japanese competition with the United States, "I still get that emotional reaction. I think, 'Oh my God, the American public is turning against us again.' This time I'm not going. That's my line. This time I'm going to fight. I've joined the American Civil Liberties Union. That's my way of coping with my fears about what happened."

Her comment is an indication of the anger suppressed by many nisei that is only now beginning to bubble to the surface. The more fortunate Japanese-Americans, in my view, are those who in one way or another expressed their anger at the time. Minoru Yasui, a lawyer and former executive director of the Denver Community Relations Commission, is one of them.

A trim elegant man with a lively twinkle in his eyes, Yasui does not strike one as a stubborn fighter. In fact, as a young lawyer in Portland, Ore., in 1942, he had no intention of turning himself into a test case. "But we couldn't find anyone else to do it," he said. "You were laying your career, your life, your record on the line. . . . It was scary. If you were convicted, you didn't know whether you were going to come out of prison alive."

Despite his fear, Yasui refused to obey a curfew imposed on Japanese-Americans after the outbreak of World War II and refused to leave his home voluntarily when ordered to evacuate. He was arrested and served nine months in the Multnomah County Jail in Portland. Yasui appealed his conviction all the way to the Supreme Court, which upheld it.

Yasui and others who fought for their constitutional rights in court were the exceptions. The Japanese American Citizens League, which assumed leadership within the Japanese community in 1942, discouraged even legal challenges and urged cooperation with the authorities. After an initial protest, league leaders accepted the position of the authorities that the evacuation of all Japanese from the West Coast was a military necessity. They cooperated with the authorities in getting Japanese into camps. Once they were there, the league lobbied Washington successfully to allow nisei to volunteer for the armed forces and to be subject to the draft. At one point, Mike Masaoka, a league leader, was reported to have urged the formation of an all-Japanese "suicide battalion." Masaoka today says he does not recall having used the words "suicide battalion," and goes on to say that even if he had he did not have in mind anything like the kamikaze units formed later in the war by the Japanese enemy.

Passions were whipped raw during the first months of internment. In some camps, Japanese American Citizens League leaders were attacked and beaten. But on the whole, the league position was supported. About 75 percent of Japanese-American males responded "yes" to a loyalty questionnaire that made them subject to the draft. Ultimately, more than 33,000 Japanese-Americans, including women, volunteered or were drafted into the armed forces during the war. In the Pacific, they served as interpreters and translators; and in Europe, the all-Japanese 100th Battalion and the 442d Regimental Combat Team were two of the most decorated and bloodied units of the war.

Thus, Japanese in the United States paid with blood the price of acceptance as Americans. But there are many of us who feel that we are continuing to pay a price.

Amy Iwasaki Mass, a nisei who is a clinical social worker and an instructor at Whittier College, in Whittier, Calif., has worked with many nisei as a therapist and concludes that the internment experience continues to be "a real attack on our sense of well being and our self esteem."

The reaction of many nisei, she said, was much like that of some hostages who start to identify with their captors. "Identification with the aggressor makes us feel safer and stronger," she said.

She observed, as others have, that some nisei have shed their ethnic identity and have merged into the white mainstream. "What is sacrificed is the individual's own self-acceptance," she said. "It places an exaggerated emphasis on surface qualities, such as a pleasant nonoffensive manner, neat grooming and appearance, nice homes, nice cars and well behaved children."

A further misfortune, she said, is that many nisei have passed on their basic insecurity to their sansei children.

Some Sansei, however, have managed to break out of such a nisei mold. One of them is Steve Nakajo, a familiar figure on the streets of San Francisco's Japantown. His generous girth decked out in jeans and sneakers, he walks the streets with a swagger reminiscent of a sumo wrestler. He founded Kimochi Inc. to help the people of Japantown. One of the first projects was a movie escort service. Sansei, wearing yellow and black happi coats, walked or drive issei—first-generation immigrants—to and from Japanese movie theaters. This proved to be a popular service because of the old people's fear of street crime. Later, the Kimochi (which means "feeling") Lounge was opened, where issei could congregate, find reading materials, take up handicrafts and receive counseling for social services. A nutrition program was started as part of the federally financed meal program. Kimochi's crowning achievement, so far, is a $1.3 mil-

lion, 20-bed facility for elderly Japanese. It was built entirely with private contributions, mostly from individuals, but with some corporate and foundation grants.

There are those who say that the internment benefited the Japanese by dispersing them throughout the country and making them more familiar and acceptable to other Americans. Such people ignore the damage done to the Japanese sense of family and to generational ties that sansei like Nakajo are trying to restore.

I am one of those whose trauma was real, and in recent years I have struggled with the thought of my father's humiliation and downfall. After coming to this country in 1903 at the age of 19, he established himself as a successful farmer in Guadalupe. A flamboyant man, he drove a big Buick, wore tailored suits, smoked cigars and sent two sons to Stanford University. With his arrest by Federal Bureau of Investigation agents and the internment of his family, he lost everything he had worked for and achieved in 40 years.

When we returned to Guadalupe after the war, he and my mother went to work as field laborers. Contrary to the Japanese stereotype, my father was a man who freely vented his feelings. A devotee of the Kabuki theater, he would be moved to tears by tales of death, sacrifice and downfall. Yet he never complained about his own economic ruin and loss of status. He carried on as if none of that really mattered. It is only in recent years, long after his death, that I have grown to appreciate his courage and to understand that if the authorities indeed wanted to emasculate him, they did not succeed. When I am able to accept that, perhaps my long night of fear will finally come to and end.

Mr. CRANSTON. Mr. President, I am delighted to support the legislation introduced today by my very good friend from Hawaii [Mr. MATSUNAGA] for redress of one of our Government's greatest acts of injustice.

As we look back with regret on this painful period of injustice—43 years ago—we must reaffirm our pledge that this kind of injustice must never recur.

Enactment of this legislation will help to prevent a recurrence.

And it will help us to look forward with hope to a brighter future of full participation by Asian Americans in the American dream.

My involvement in opposing the relocation of Japanese Americans dates back to the very beginning.

I believe that our Government's action in this case was a terrible affront to the ideals for which our Nation stands.

Shortly after Pearl Harbor, I was assigned to the Office of War Information. There I worked closely with Eleanor Roosevelt and Archibald MacLeish trying to dissuade President Roosevelt from forcefully evacuating Japanese-Americans from the west coast and interning them in so-called relocation camps.

Unfortunately for 120,000 Japanese-Americans—and for the good name of our Nation—military authorities prevailed, and the orders for internment were issued.

More than two-thirds of the internees were American citizens. The rest were legal U.S. residents.

After the internment process began, I visited two of the camps, Tule Lake in California and Heart Mountain, WY. Recently, the children of internees visited Heart Mountain trying to sense what their parents had felt. In part, I can tell them.

For 4 days in the cold, snow-covered camp at Heart Mountain, I spent my time round the clock inside the barbed-wire camp, talking to internees and visiting with a number of boyhood friends from Los Altos.

We ate meals together, talked over old times, walked around in the bitingly cold weather, played poker—in wanton violation of camp rules—and cheered at a football rally.

My friends and former classmates justifiably felt themselves robbed of their citizenship. They were distressed at the racial prejudice behind their internment. They were anxious for their Government to prove its own adherence to democracy and to the very ideals for which we were then at war.

President Roosevelt himself proclaimed, "In vindication of the very ideals for which we are fighting this war it is important to us to maintain a high standard of fair, considerate and equal treatment for the people of this minority as for all other minorities."

But this standard was not upheld.

The mere presence of Japanese blood in loyal American citizens was believed to be enough to warrant removal and exclusion from places they otherwise had a right to go.

The argument that they were removed for their own good, because of possible vigilante attacks, was not persuasive. Most, if not all, Japanese Americans would rather have faced the risk of being killed by individuals than deprived of their liberties by their own American Government. And given the choice to remain interned or fight in the war, most enlisted and served.

One of my most poignant memories is of an intelligent and progressive-minded mother who was still managing—with much difficulty—to conceal from her 4-year-old that they were prisoners in what most inmates considered a racial internment camp.

It was ironic to see American Nisei soldiers, home on furlough and clad in uniform, wandering around inside a fenced-in camp. These Nisei soldiers returned from the battlefields of Europe as the most distinguished and decorated combat unit of the war, and from the Pacific theater as loyal soldiers and as officers in military intelligence. I have never forgotten these impressions.

In 1980, I was cosponsor of the legislation establishing the Relocation Commission. The Commission report issued in 1983 amounted to our Government's official apology—41 years overdue—to the internees and their families.

It confirms what a great many conscientious Americans have long believed: these Americans of Japanese descent were clearly mistreated, and their basic civil liberties violated.

The ACLU singled out the internment and related abuses at the time "the worst single wholesale violation of civil rights of American citizens in our history."

As one commentator on the period said, "Japanese-Americans were the immediate victims of the evacuation. But larger consequences are carried by the American people as a whole. Their legacy is the lasting one of precedent and constitutional sanctity for a policy of mass incarceration under military auspices. This is a result of the process by which the evacuation was made. That process betrayed all Americans."

Since those tragic events took place, a number of the participants have had changed hearts and minds. Henry L. Stimson, who was Secretary of War, realized that "to loyal citizens this forced evacuation was a personal injustice." Former Attorney General Francis Biddle reiterated his belief that "the program was ill-advised, unnecessary and unnecessarily cruel." Justice William O. Douglas, one of the Supreme Court majority in the Korematsu decision holding the evacuation constitutionally permissible, later said the case "was ever on my conscience." And Chief Justice Earl Warren, who as California's attorney general had urged evacuation, afterward said, "I have since deeply regretted the removal order and my own testimony advocating it, because it was not in keeping with our American concept of freedom and the rights of citizens."

On February 17, 1942, Attorney General Francis Biddle wrote to Secretary Stimson opposing the proposed exclusion order, stating that the War Department and the FBI had found no danger of imminent attack or evidence of planned sabotage. Biddle especially objected to removal from their homes of 60,000 American citizens who happened to be of Japanese descent. He refused to let the Justice Department participate in any way with the exclusion policy.

Not a single documented act of espionage, sabotage, or fifth column activity was committed by the Nisei or by resident Japanese aliens on the west coast. Yet their lives were disrupted, fortunes were lost, and loyal citizens and legal residents incarcerated.

The victims of this policy were held collectively guilty, and collectively punished.

Moreover, the Government's attitude toward these innocent people fostered suspicions that often led to violence against them. Many were at-

tacked when they attempted to return to their homes 3 years later.

The legislation I'm cosponsoring today redresses this mass violation of civil liberties and compensates internees for their suffering.

While the loss of liberty and the personal stigma attached to internment can never be erased, Federal reparations are a justifiable response to the legitimate financial losses incurred. An independent study done for the Commission found the economic losses alone to evacuees between $2.5 and $6.2 billion in today's dollar values, including interest for the past 40 years. Many consider this a conservative estimate of the real economic losses of homes and other property, stores and businesses. And these estimates do not begin to measure the personal hardships suffered.

The Commission found the cause of the exclusion and internment policies to be "race prejudice, war hysteria and a failure of political leadership."

On February 19, 1942, President Franklin D. Roosevelt signed Executive Order 9066. Shortly afterward, all American citizens of Japanese descent were barred from living, working, or traveling on the west coast. The same exclusion applied to a whole generation of Japanese immigrants residing at that time in the United States who, because of Federal law, were not permitted to become U.S. citizens.

After the initial plan for "voluntary" exclusion failed, these American citizens or legal residents were forcibly removed by the Army, first to assembly centers"—makeshift quarters in fairgrounds and racetracks—and then to "relocation centers." These latter camps, located in desolate western areas, were surrounded by barbed wire and guarded by military police.

The U.S. Government carried out its policy without reviewing individual cases or providing due process of law, and continued its policy virtually without regard for individuals who demonstrated loyalty to the United States.

Congress made it a crime to violate Executive Order 9066. The U.S. Supreme Court—in one of its most agonizing decisions—held the removal constitutionally permissible because of the war. Interestingly, since that decision a number of Justices from the majority—enough to have reversed the 5-4 decision—have written that on hindsight, they would have voted differently. The Supreme Court in a related case struck down imprisonment of these admittedly loyal American citizens. But long after the fact.

The Commission found that the main impetus leading to the exclusion order was the mistaken notion that individuals of Japanese descent would be loyal to Japan, not to the United States, and groundless fears of fifth column activity even though no evidence of such activities could be uncovered. The Commission stated that "the record does not permit the conclusion that military necessity warranted the exclusion of the ethnic Japanese from the west coast."

After exclusion became official policy, the War Relocation Authority [WRA]—the civilian agency charged with supervising the relocation—assumed that the vast majority of evacuees were loyal and should be allowed to resettle outside of the west coast. But because of harsh objections from certain mountain State politicians, a consensus plan for detention of the evacuees emerged. The WRA gave up on its idea of resettlement, and accepted a program of confinement. Despite WRA's belief that evacuees should be returned to normal productive life, it had, in effect, become their jailer. Since there was no military justification for detention, the WRA instead contended that the program was for the evacuees' own safety.

The history of life during the evacuation and in the relocation camps is one of suffering and deprivation. On the average, families received only 1 or 2 weeks notice of evacuation to an unknown destination. They could take with them only what could be carried. All else was lost or sold for cut-rate prices. Life in the relocation camps was spartan, with shoddy and crowded buildings, defective facilities, faulty heating, inadequate health care, and limited education programs. Privacy was impossible. Families and individuals alike lost their identities and became known only by identification numbers.

Because the Western Defense Command opposed individual loyalty reviews—for fear of weakening the blanket exclusion—no opportunity for individual review was created in the assembly centers. The War Department favored conducting loyalty reviews, but did not act on this until the end of 1942. Although these reviews eventually permitted some to leave relocation centers, it didn't end the exclusion from the west coast. Moreover, even this belated process was offensive, since it treated Japanese Americans as guilty until proven innocent.

In the spring of 1943, Secretary of War Henry L. Stimson, Assistant Secretary of War John McCloy, and Gen. George C. Marshall reached the conclusion that the loyalty reviews eliminated any justification for exclusion from the west coast. They kept their views private, however, and General DeWitt repeatedly opposed ending exclusion until he left the Western Defense Command in late 1943, as did west coast anti-Japanese factions. Secretary Stimson finally put the recommendation before the Cabinet in May 1944. But no action was taken until December 7, 1944, while confinement continued for the great majority of Japanese Americans.

The exclusion and removal of Japanese-Americans resulted from a long history of anti-Japanese-American agitation and legislation on the west coast. By contrast, in Hawaii, where the military commander restrained plans for radical measures and treated the ethnic Japanese as loyal residents—absent evidence to the contrary—only 2,000 ethnic Japanese were taken into custody. The policy developed was in sharp contrast to Government actions against enemy aliens or citizens of non-Japanese descent. For example, the United States never ordered a mass exclusion or detention against American citizens of German or Italian descent.

This episode in American history should never have happened. It's the Government's responsibility to set the record straight and to try, at least, to recognize and partially compensate for past injustices, although the tarnish on our Constitution can never be completely removed.

Our purpose is to recognize and redress the injustices and violations of civil liberties against U.S. citizens and U.S. residents of Japanese and Aleut ancestry by the United States and to discourage similar injustices and violations of civil liberties in the future.

Those eligible are people of Japanese or Alaskan Aleut ancestry excluded from the west coast between December 7, 1941, and June 30, 1946, or deprived of liberty or property as a result of a series of Executive orders, proclamations, laws, Armed Forces directives, or other Federal actions resulting in exclusion, relocation, and/or detention of individuals on the basis of race.

This act is a just and fair redress to those individuals who were excluded and/or interned without justification, in gross violation of their civil liberties as American citizens and residents. I urge my colleagues to support it.

Mr. GORTON. Mr. President, I join my colleagues today in support of legislation to redress the grave wrong done to those Americans of Japanese ancestry who were interned by the U.S. Government during World War II. As a country with a deep-seated commitment to basic human rights, we must vigorously confront this injustice of our past.

It has been almost 2 years since the recommendations of the Commission on Wartime Relocation were published expressing in graphic detail, the inhumanity imposed on this group of Americans in our country only 40 years ago. As the Commission's report documents, unsubstantiated fears about a few were used to rationalize the widescale incarceration of loyal Americans and legally admitted aliens. I can find no justification for the wrongs perpetrated against approximately 120,000 persons of Japanese

birth or descent between 1942 and 1945.

The United States did not intern citizens of German and Italian ancestry, though the same logic applied to Japanese-Americans could have been applied to those of European heritage as well. Notably, however, people of German and Italian descent do not have physical characteristics and cultural traditions which could be used to distinguish them easily from the bulk of American society. In my view, this clearly demonstrates that the relocation and internment of Japanese-Americans during World War II was a prejudicial violation of their civil rights.

Residents of Washington State were particularly affected by the Executive Order 9066. Many residents living in and around Seattle were forced quickly to move to an assembly center near Puyallup, WA, and then further inland to relocation centers and internment camps. The subhuman conditions which existed at these centers and camps cannot be fully appreciated by those of us who were not rounded, shipped off to a relocation center or internment camp, and labeled "dangerous to society."

Life for the internees after their return to society was not easy. Discrimination and harassment continued after the war. The lives of the internees had forever been disrupted and scarred. Nothing can fully compensate the victims for the actions of the U.S. Government. Past attempts at compensation for the harm sustained, such as trauma, deprivation of personal freedoms, and economic loss experienced during relocation and internment, have been incomplete.

Picking an appropriate way of providing such compensation is a difficult task indeed. The legislation introduced today will implement the recommendations of the Commission on Wartime Relocation. I support many of the recommendations made by the Commission. The proposal to make monetary reparations to the internees, however, poses a number of serious questions. I am concerned about the source of the substantial sums necessary to make the recommended payments. I am also concerned about the implications of, and precedents which would be set by, making lump-sum payments to World War II internees, but not to others who have suffered equally serious civil rights violations.

Nonetheless, I am pleased to be a cosponsor of this legislation in order to facilitate thoughtful discussion of this deeply emotional issue. I look forward to working with my colleagues today to redress the wrong that occurred 40 years ago.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER (Mr. KASTEN). The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I should like to speak in behalf of the statement which has been presented by the junior Senator from Hawaii [Mr. MATSUNAGA].

I am pleased to join Senator MATSUNAGA, Senator INOUYE, and my senior colleague, Senator STEVENS, in authorizing this bipartisan bill to implement the recommendations of the Commission on Wartime Relocation and Internment of Civilians. Senator MATSUNAGA has already outlined in eloquent detail the merits of those Japanese Americans who were interned in concentration camps throughout our country, so I will confine my remarks to the injustices done to the Aleut Americans residing in my State of Alaska.

As my colleagues will recall, the independent Commission was established by act of Congress in 1980 to investigate the circumstances surrounding the relocation and internment of Japanese Americans and Aleut citizens during World War II. The Commission's reports were presented to Congress in January and June 1983. Those reports document fully the injustices suffered by those who were relocated to camps far from their homes in early 1942 for the duration of the war.

Mr. President, I recall, as a small child, observing on the outskirts of Ketchikan, AK, the Aleut camp where the Aleuts were confined. It was a very isolated area at the end of the road alongside a creek that flowed into a lake, a heavily timbered area. While there was available care from the U.S. Department of Public Health with regard to their medical needs, it was an area that was prone to some of the exposure of the outdoors in Alaska, which at times can be quite severe.

I recall my mother mentioning that many of those interned had an extraordinary high rate of tuberculosis.

There were areas throughout southeastern Alaska where camps were established, mostly in areas where there had been an abandoned cannery.

In the case of the Aleuts, who inhabited a number of small, remote villages on the Aleutian Island chain and the Pribilofs, the Commission determined that the military decision to relocate the people were justified under the circumstances. The Japanese enemy forces captured Attu and Kiska in early June 1942, and about 881 Aleut villagers were removed from their home villages by Army and Navy forces within the following 60 days.

Unfortunately, the relocation of the Aleuts to abandoned fish canneries and mining camps in southeastern Alaska resulted in disease and death among some of the residents of the camps.

The Commission found on examination that indeed medical care was inadequate and, as Senator MATSUNAGA indicated, there were a number of those Aleut people who died in their internment, shelter and food were below standard, and sanitary facilities were poor. At least 10 percent of all Aleuts relocated to camps perished before their villages were restored on the Aleutian and Pribilof Islands.

Upon their return, after an extended period of time of 2 to 3 to 4 years in camp, the Aleuts were returned to their villages in the western part of Alaska, the Alaska Peninsula, the Aleutian Islands.

The Aleuts found their personal and community property had been converted without compensation for military use, destroyed, or taken by those who occupied villages in the Aleuts' absence. They were never fully compensated for these losses. In addition, some of their churches were burned or were desecrated, or stripped of invaluable religious icons dating from 18th and 19th century Imperial Russia. There was never any effort by our Government to replace or rehabilitate the churches and church properties destroyed or severely damaged while under U.S. control during the war.

Mr. President, the populated areas of the Lower Alaska Peninsula and the Aleutians are still littered with the debris and abandoned structures from the U.S. military occupation of the islands. In recent years at least one child, who lived with his family in Cold Bay, lost the use of his hand when a World War II fuse exploded. He had been playing in an area where live ammunition still litters the lands outside the village. The Commission has recommended that this debris be cleaned up, as the debris from World War II has been cleaned up in Japan, Europe, and elsewhere, often with substantial American assistance.

Mr. President, our legislation implements the five recommendations of the Commission to provide restitution to the Aleut people for the losses they suffered as a consequence of Government operations during the war years. In addition the bill implements the Commission's recommendations for restitution of Japanese-American losses. I know that Senators MATSUNAGA and INOUYE will be addressing the Japanese-American issues in connection with the introduction of this legislation. Thus I have limited my remarks to the Aleut issues at this time.

Mr. President, 40 years and more have passed since the Aleuts were relocated to unimaginably inadequate camp facilities in southeastern Alaska. A number of those who suffered the most are quite elderly—an even greater number have already passed away. I urge the Senate to consider this legislation promptly, as substantial justice to the Aleut people as compensation for losses sustained as a result of U.S. Government activities in World War II. The restitution provided in our bill

should not be unreasonably delayed any longer.

Again, I thank Senator MATSUNAGA for his very eloquent statement, and I am very pleased to be with him.

Mr. MATSUNAGA. Mr. President, will the Senator from Alaska yield?

Mr. MURKOWSKI. I yield.

Mr. MATSUNAGA. I wish to thank him for the leadership he has shown in this matter and for joining me and 24 others in cosponsoring this measure.

I thank the Senator.

Mr. MURKOWSKI. I very much appreciate the comments of my colleague from Hawaii.

EXHIBIT 1

S. 1053

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS AND PURPOSE

SECTION 1. (a) FINDINGS.—The Congress finds that—

(1) the findings of the Commission on Wartime Relocation and Internment of Civilians, established by the Commission on Wartime Relocation and Internment of Civilians Act, accurately and completely describe the circumstances of the exclusion, relocation and internment of in excess of 110,000 United States citizens and permanent resident aliens of Japanese ancestry and the treatment of the individuals of Aleut ancestry who were removed from the Aleutian and Pribilof Islands;

(2) the internment of individuals of Japanese ancestry was carried out without any documented acts of espionage or sabotage, or other acts of disloyalty by any citizens or permanent resident aliens of Japanese ancestry on the west coast;

(3) there was no military security reason for the internment;

(4) the internment of the individuals of Japanese ancestry was caused by racial prejudice, war hysteria, and a failure of political leadership;

(5) the excluded individuals of Japanese ancestry suffered enormous damages and losses, both material and intangible, and there were incalculable losses in education and job training, all of which resulted in significant human suffering;

(6) the basic civil liberties and constitutional rights of those individuals of Japanese ancestry interned were fundamentally violated by that evacuation and internment;

(7) as documented in the Commission's reports, the Aleut civilian residents of the Pribilof Islands and the Aleutian Islands west of Unimak Island were relocated during World War II to temporary camps in isolated regions of Southeast Alaska where they remained, under United States control and in the care of the United States, until long after any potential danger to their home villages had passed;

(8) the United States failed to provide reasonable care for the Aleuts, and this resulted in widespread illness, disease, and death among the residents of the camps; and the United States further failed to protect Aleut personal and community property while such property was in its possession or under its control;

(9) the United States has not compensated the Aleuts adequately for the conversion or destruction of personal property caused by the United States military occupation of Aleut villages during World War II;

(10) the United States has not removed certain abandoned military equipment and structures from inhabited Aleutian Islands following World War II, thus creating conditions which constitute potential hazards to the health and welfare of the residents of the islands;

(11) the United States has not rehabilitated Attu village, thus precluding the development of Attu Island for the benefit of the Aleut people and impairing the preservation of traditional Aleut property on the island; and

(12) there is no remedy for injustices suffered by the Aleuts during World War II except an Act of Congress providing appropriate compensation for those losses which are attributable to the conduct of United States forces and other officials and employees of the United States.

(b) PURPOSES.—The purposes of this Act are to—

(1) acknowledge the fundamental injustice of the evacuation, relocation, and internment of United States citizens and permanent resident aliens of Japanese ancestry;

(2) apologize on behalf of the people of the United States for the evacuation, relocation, and internment of the citizens and permanent resident aliens of Japanese ancestry;

(3) provide for a public education fund to finance efforts to inform the public about the internment of such individuals so as to prevent the reoccurrence of any similar event;

(4) make restitution to those individuals of Japanese ancestry who were interned;

(5) make restitution to Aleut residents of the Pribilof Islands and the Aleutian Islands west of Unimak Island, in settlement of United States obligations in equity and at law, for—

(A) injustices suffered and unreasonable hardships endured while under United States control during World War II;

(B) personal property taken or destroyed by United States forces during World War II;

(C) community property, including community church property, taken or destroyed by United States forces during World War II; and

(D) traditional village lands on Attu Island not rehabilitated after World War II for Aleut occupation or other productive use.

TITLE I—RECOGNITION OF INJUSTICE AND APOLOGY ON BEHALF OF THE NATION

SEC. 101. The Congress accepts the findings of the Commission on Wartime Relocation and Internment of Civilians and recognizes that a grave injustice was done to both citizens and resident aliens of Japanese ancestry by the evacuation, relocation, and internment of civilians during World War II. On behalf of the Nation, the Congress apologizes.

TITLE II—UNITED STATES CITIZENS OF JAPANESE ANCESTRY AND RESIDENT JAPANESE ALIENS

DEFINITIONS

SEC. 201. For the purposes of this title—

(1) the term "eligible individual" means any living individual of Japanese ancestry who—

(A) was enrolled on the records of the United States Government during the period beginning on December 7, 1941, and ending on June 30, 1946, as being in a prohibited military zone; or

(B) was confined, held in custody, or otherwise deprived of liberty or property during the period as a result of—

(i) Executive Order Numbered 9066 (February 19, 1942, 7 Fed. Reg. 1407);

(ii) the Act entitled "An Act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones" and approved March 21, 1942 (56 Stat. 173); or

(iii) any other Executive order, Presidential proclamation, law of the United States, directive of the Armed Forces of the United States, or other action made by or on behalf of the United States or its agents, representatives, officers, or employees respecting the exclusion, relocation, or detention of individuals on the basis of race;

(2) the term "Fund" means the Civil Liberties Public Education Fund established in section 204;

(3) the term "Board" means the Civil Liberties Public Education Fund Board of Directors established in section 206;

(4) the term "evacuation, relocation, and internment period" means that period beginning on December 7, 1941, and ending on June 30, 1946; and

(5) the term "Commission" means the Commission on Wartime Relocation and Internment of Civilians, established by the Commission on Wartime Relocation and Internment of Civilians Act.

CRIMINAL CONVICTIONS

SEC. 202. (a) REVIEW.—The Attorney General shall review all cases in which United States citizens and permanent resident aliens of Japanese ancestry were convicted of violations of laws of the United States, including convictions for violations of military orders, where such convictions resulted from charges filed against such individuals during the evacuation, reloation and internment period.

(b) RECOMMENDATIONS.—Based upon the review required by subsection (a), the Attorney General shall recommend to the President for pardon consideration those convictions which the Attorney General finds were based on a refusal by such individuals to accept treatment that discriminated against them on the basis of race or ethnicity.

(c) PARDONS.—In consideration of the findings contained in this Act, the President is requested to offer pardons to those individuals recommended by the Attorney General pursuant to subsection (b).

CONSIDERATION OF COMMISSION FINDINGS

SEC. 203. Departments and agencies of the United States Government to which eligible individuals may apply for the restitution of positions, status or entitlements lost in whole or in part because of discriminatory acts of the United States Government against such individuals based upon their race or ethnicity and which occurred during the evacuation, relocation, and internment period shall review such applications for restitution of positions, status or entitlements with liberality, giving full consideration to the historical findings of the Commission and the findings contained in this Act.

TRUST FUND

SEC. 204. (a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States the Civil Liberties Public Education Fund, to be administered by the Secretary of the Treasury. Amounts in the Fund shall be invested in accordance with section 9702 of title 31, United States Code,

and shall only be available for disbursement by the Attorney General under section 205, and by the Board of Directors of the Fund under section 206.

(b) AUTHORIZATION.—There are authorized to be appropriated to the Fund $1,500,000,000.

RESTITUTION

SEC. 205. (a) LOCATION OF ELIGIBLE INDIVIDUALS.—(1) The Attorney General, with the assistance of the Board, shall locate, using records already in the possession of the United States Government, each eligible individual and shall pay out of the Fund to each such individual the sum of $20,000. The Attorney General shall encourage each eligible individual to submit his or her current address to the Department of justice through a public awareness campaign.

(2) If an eligible individual refuses to accept any payment under this section, such amount shall remain in the Fund and no payment shall be made under this section to such individual at any future date.

(b) PREFERENCE TO OLDEST.—The Attorney General shall endeavor to make payment to eligible individuals who are living in the order of date of birth (with the oldest receiving full payment first), until all eligible individuals who are living have received payment in full.

(c) NON-RESIDENTS.—In attempting to locate any eligible individual who resides outside the United States, the Attorney General may use any available facility or resources of any public or nonprofit organization.

(d) NO SET OFF FOR ADMINISTRATIVE COSTS.—No costs incurred by the Attorney General in carrying out this section shall be paid from the Fund or set off against, or otherwise deducted from, any payment under this section to any eligible individual.

BOARD OF DIRECTORS

SEC. 206. (a) ESTABLISHMENT.—There is hereby established the Civil Liberties Public Education Fund Board of Directors which shall be responsible for making disbursements from the Fund in the manner provided in this section.

(b) DISBURSEMENTS FROM FUND.—The Board of Directors may make disbursements from the Fund only—

(1) to sponsor research and public educational activities so that the events surrounding the relocation and internment of United States citizens and permanent resident aliens of Japanese ancestry will be remembered, and so that the causes and circumstances of this and similar events may be illuminated and understood;

(2) to fund comparative studies of similar civil liberties abuses, or to fund comparative studies of the effect upon particular groups of racial prejudice embodied by Government action in times of national stress;

(3) to prepare and distribute the hearings and findings of the Commission to textbook publishers, educators, and libraries;

(4) for the general welfare of the ethnic Japanese community in the United States, taking into consideration the effect of the exclusion and detention on the descendants of those individuals who were detained during the evacuation, relocation, and internment period (individual payments in compensation for loss or damages shall not be made under this paragraph); and

(5) for reasonable administrative expenses, including expenses incurred under subsections (c) (3), (d), and (e).

(c) MEMBERSHIP AND TERMS OF OFFICE.—(1) The Board shall be composed of nine members appointed by the President, by and with the advice and consent of the Senate, from persons who are not officers or employees of the United States Government. At least five of the individuals appointed shall be individuals who are of Japanese ancestry.

(2) (A) Except as provided in subparagraphs (B) and (C), members shall be appointed for terms of three years.

(B) of the members first appointed—

(i) five shall be appointed for terms of three years; and

(ii) four shall be appointed for terms of two years; as designated by the President at the time of appointment.

(C) Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office. No individual may be appointed to more than two consecutive terms.

(3) Members of the Board shall serve without pay, except members of the Board shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out the functions of the Board, in the same manner as persons employed intermittently in the United States Government are allowed expenses under section 5703 of title 5, United States Code.

(4) Five members of the Board shall constitute a quorum but a lesser number may hold hearings.

(5) The Chair of the Board shall be elected by the members of the Board.

(d)(1) The Board shall have a Director who shall be appointed by the Board and who shall be paid at a rate not to exceed the minimum rate of basic pay payable for GS–18 of the General Schedule under section 5332(a) of title 5, United States Code.

(2) The Board may appoint and fix the pay of such additional staff personnel as it may require.

(3) The Director and the additional staff personnel of the Board may be appointed without regard to section 5311(B) of title 5, United States Code and may be appointed without regard to the provisions of such title governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Board may not exceed a rate equivalent to the rate payable under GS–18 of the General Schedule under section 5332(a) of such title.

(e) SUPPORT SERVICES.—The Administrator of General Services shall provide to the Board of Directors on a reimbursable basis such administrative support services as the Board may request.

(f) DONATIONS.—The Board may accept, use, and dispose of gifts or donations or services or property for purposes authorized under subsection (b).

(g) ANNUAL REPORT.—Not later than twelve months after the first meeting of the Board and every twelve months thereafter, the Board shall transmit a report describing the activities of the Board to the President and to each House of the Congress.

(h) SUNSET FOR BOARD.—The Board shall terminate not later than the earlier of ninety days after the date on which an amount has been obligated to be expended from the Fund which is equal to the amount authorized to be appropriated to the Fund or ten years after the date of enactment of this Act. Investments shall be liquidated and receipts thereof deposited in the Fund and all funds remaining in the Fund shall be deposited in the miscellaneous receipts account in the Treasury.

TITLE III—ALEUTIAN AND PRIBILOF ISLANDS RESTITUTION

SHORT TITLE

SEC. 301. This title may be cited as the "Aleutian and Pribilof Islands Restitution Act".

DEFINITIONS

SEC. 302. As used in this title, the term—

(1) "Administrator" means the person designated under the terms of this title to administer certain expenditures made by the Secretary from the Aleutian and Pribilof Islands Restitution Fund;

(2) "affected Aleut villages" means those Aleut villages in Alaska whose residents were evacuated by United States forces during World War II, including Akutan, Atka, Nikolski, Saint George, Saint Paul, and Unalaska; and the Aleut village of Attu, Alaska, which was not rehabilitated by the United States for Aleut residence or other use after World War II.

(3) "Aleutian Housing Authority" means the nonprofit regional native housing authority established for the Aleut region pursuant to AS 18.55.995 and the following of the laws of the State of Alaska;

(4) "Association" means the Aleutian/Pribilof Islands Association, a nonprofit regional corporation established for the benefit of the Aleut people and organized under the laws of the State of Alaska;

(5) "Corporation" means the Aleut Corporation, a for-profit regional corporation for the Aleut region organized under the laws of the State of Alaska and established pursuant to section 7 of the Alaska Native Claims Settlement Act (Public Law 92-203);

(6) "eligible Aleut" means any Aleut living on the date of enactment of this Act who was a resident of Attu Island on June 7, 1942, or any Aleut living on the date of enactment of this Act who, as a civilian, was relocated by authority of the United States from his home village on the Pribilof Islands or the Aleutian Islands west of Unimak Island to an internment camp, or other temporary facility or location, during World War II; and

(7) "Secretary" means the Secretary of the Treasury.

ALEUTIAN AND PRIBILOF ISLANDS RESTITUTION FUND

SEC. 303. (a) ESTABLISHMENT.—There is established in the Treasury of the United States a Fund to be known as the Aleutian and Pribilof Islands Restitution Fund (hereinafter referred to as the "Fund"). The Fund shall consist of amounts appropriated to it, as authorized by sections 306 and 307 of this title.

(b) REPORT.—It shall be the duty of the Secretary to hold the Fund, and to report to the Congress each year on the financial condition and the results of operations of such Fund during the preceding fiscal year and on its expected condition and operations during the next fiscal year. Such report shall be printed as a House document of the session of Congress to which the report is made.

(c) INVESTMENT.—It shall be the duty of the Secretary to invest such portion of the Fund as is not, in his judgment, required to meet current withdrawals. Such invest-

ments may be made only in interest-bearing obligations of the United States. For such purpose, such obligations may be acquired—

(1) on original issue at the issue price, or

(2) by purchase of outstanding obligations at the market price.

(d) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary at the market price.

(e) INTEREST ON CERTAIN PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(f) TERMINATION.—The Secretary shall terminate the Fund six years after the date of enactment of this Act, or one year after the completion of all restoration work pursuant to section 306(c) of this title, whichever occurs later. On the date the Fund is terminated, all investments shall be liquidated by the Secretary and receipts thereof deposited in the Fund and all funds remaining in the Fund shall be deposited in the miscellaneous receipts account in the Treasury.

EXPENDITURES AND AUDIT

SEC. 304. (a) EXPENDITURES.—As provided by appropriation Acts, the Secretary is authorized and directed to pay to the Administrator from the principal, interest, and earnings of the Fund, such sums as are necessary to carry out the duties of the Administrator under this title.

(b) AUDIT.—The activities of the Administrator under this title may be audited by the General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, and files and all other papers, things, or property belonging to or in use by the Administrator, pertaining to such activities and necessary to facilitate the audit.

ADMINISTRATION OF CERTAIN FUND EXPENDITURES

SEC. 305. (a) DESIGNATION OF ADMINISTRATOR.—The Association is hereby designated as Administrator, subject to the terms and conditions of this title, of certain specified expenditures made by the Secretary from the Fund. As soon as practicable after the date of enactment of this Act the Secretary shall offer to undertake negotiations with the Association, leading to the execution of a binding agreement with the Association setting forth its duties as Administrator under the terms of this title. The Secretary shall make a good-faith effort to conclude such negotiations and execute such agreement within sixty days after the date of enactment of this Act. Such agreement shall be approved by a majority of the Board of Directors of the Association, and shall include, but need not be limited to—

(1) a detailed statement of the procedures to be employed by the Association in discharging each of its responsibilities as Administrator under this title;

(2) a requirement that the accounts of the Association, as they relate to its capacity as Administrator, shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants; and a further requirement that each such audit report shall be transmitted to the Secretary and to the Committees on the Judiciary of the Senate and House of Representatives; and

(3) a provision establishing the conditions under which the Secretary, upon thirty days notice, may terminate the Association's designation as Administrator for breach of fiduciary duty, failure to comply with the provisions of this Act as they relate to the duties of the Administrator, or any other significant failure to meet its responsibilities as Administrator under this title.

(b) SUBMISSION TO CONGRESS.—The Secretary shall submit the agreement described in subsection (a) to Congress within fifteen days after approval by the parties thereto. If the Secretary and the Association fail to reach agreement within the period provided in subsection (a), the Secretary shall report such failure to Congress within seventy-five days after the date of enactment of this Act, together with the reasons therefor.

(c) LIMITATION ON EXPENDITURES.—No expenditure may be made by the Secretary to the Administrator from the Fund until sixty days after submission to Congress of the agreement described in subsection (a).

DUTIES OF THE ADMINISTRATOR

SEC. 306. (a) IN GENERAL.—Out of payments from the Fund made to the Administrator by the Secretary, the Administrator shall make restitution, as provided by this section, for certain Aleut losses sustained in World War II, and shall take such other action as may be required by this title.

(b) TRUST ESTABLISHED.—(1) The Administrator shall establish a trust of $5,000,000 for the benefit of affected Aleut communities, and for other purposes. Such trust shall be established pursuant to the laws of the State of Alaska, and shall be maintained and operated by not more than seven trustees, as designated by the Administrator. Each affected Aleut village, including the survivors of the Aleut village of Attu, may submit to the Administrator a list of three prospective trustees. In designating trustees pursuant to this subsection, the Administrator shall designate one trustee from each such list submitted.

(2) The trustees shall maintain and operate the trust as eight independent and separate accounts, including—

(A) one account for the independent benefit of the wartime Aleut residents of Attu and their descendants;

(B) six accounts, each one of which shall be for the independent benefit of one of the six surviving affected Aleut villages of Atka, Akutan, Nikolski, Saint George, Saint Paul, and Unalaska; and

(C) one account for the independent benefit of those Aleuts who, as determined by the trustees, are deserving but will not benefit directly from the accounts established pursuant to subparagraphs (A) and (B).

The trustees shall credit to the account described in subparagraph (C), an amount equal to five per centum of the principal amount credited by the Administrator to the trust. The remaining principal amount shall be divided among the accounts described in subparagraphs (A) and (B), in proportion to the June 1, 1942, Aleut civilian population of the village for which each such account is established, as compared to the total civilian Aleut population on such date of all affected Aleut villages.

(3) The trust established by this subsection shall be administered in a manner that is consistent with the laws of the State of Alaska, and as prescribed by the Administrator, after consultation with representative eligible Aleuts, the residents of affected Aleut villages, and the Secretary. The trustees may use the accrued interest, and other earnings of the trust for—

(A) the benefit of elderly, disabled, or seriously ill persons on the basis of special need;

(B) the benefit of students in need of scholarship assistance;

(C) the preservation of Aleut cultural heritage and historical records;

(D) the improvement of community centers in affected Aleut villages; and

(E) other purposes to improve the condition of Aleut life, as determined by the trustees.

(4) There are authorized to be appropriated $5,000,000 to the Fund to carry out the purposes of this subsection.

(c) RESTORATION OF CHURCH PROPERTY.—(1) The Administrator is authorized to rebuild, restore or replace churches and church property damaged or destroyed in affected Aleut villages during World War II. Within fifteen days after the date that expenditures from the Fund are authorized by this title, the Secretary shall pay $100,000 to the Administrator for the purpose of making an inventory and assessment, as complete as may be possible under the circumstances, of all churches and church property damaged or destroyed in affected Aleut villages during World War II. In making such inventory and assessment, the Administrator shall consult with the trustees of the trust established by section 306(b) of this title and shall take into consideration, among other things, the present replacement value of such damaged or destroyed structures, furnishings, and artifacts. Within one year after the date of enactment of this Act, the Administrator shall submit such inventory and assessment, together with specific recommendations and detailed plans for reconstruction, restoration and replacement work to be performed, to a review panel composed of—

(A) the Secretary of Housing and Urban Development;

(B) the Chairman of the National Endowment for the Arts; and

(C) the Administrator of the General Services Administration.

(2) If the Administrator's plans and recommendations or any portion of them are not disapproved by the review panel within sixty days, such plans and recommendations as are not disapproved shall be implemented as soon as practicable by the Administrator. If any portion of the Administrator's plans and recommendations is disapproved, such portion shall be revised and resubmitted to the review panel as soon as practicable after notice of disapproval, and the reasons therefor, have been received by the Administrator. In any case of irreconcilable differences between the Administrator and the review panel with respect to any specific portion of the plans and recommendations for work to be performed under this subsection, the Secretary shall submit such specific portion of such plans and recommendations to the Congress for approval or disapproval by joint resolution.

(3) In contracting for any necessary construction work to be performed on churches or church property under this subsection, the Administrator shall give preference to the Aleutian Housing Authority as general contractor. For purposes of this subsection, "churches or church property" shall be deemed to be "public facilities" as described in AS 18.55.996(b) of the laws of the State of Alaska.

(4) There are authorized to be appropriated to the Fund $1,399,000 to carry out the purposes of this subsection.

(d) ADMINISTRATIVE AND LEGAL EXPENSES.—The Administrator is authorized to incur reasonable and necessary administrative and legal expenses in carrying out its re-

sponsibilities under this title. There are authorized to be appropriated to the Fund such sums as may be necessary for the Secretary to compensate the Administrator, not less often than quarterly, for all such reasonable and necessary administrative and legal expenses.

INDIVIDUAL COMPENSATION OF ELIGIBLE ALEUTS

SEC. 307. (a) PAYMENTS TO ELIGIBLE ALEUTS.—(1) In accordance with the provisions of this section, the Secretary shall make per capita payments out of the Fund to eligible Aleuts for uncompensated personal property losses, and for other purposes. The Secretary shall pay to each eligible Aleut the sum of $12,000. All payments to eligible Aleuts shall be made within one year after the date of enactment of this Act.

(2) The Secretary may request, and upon such request, the Attorney General shall provide, reasonable assistance in locating eligible Aleuts residing outside the affected Aleut villages. In providing such assistance, the Attorney General may use available facilities and resources of the International Committee of the Red Cross and other organizations.

(3) The Administrator shall assist the Secretary in identifying and locating eligible Aleuts pursuant to this section.

(4) Any payment made under this subsection shall not be considered income or receipts for purposes of any Federal taxes or for purposes of determining the eligibility for or the amount of any benefits or assistance provided under any Federal program or under any State or local program financed in whole or part with Federal funds.

(b) AUTHORIZATION.—There are authorized to be appropriated to the Fund such sums as are necessary to carry out the purposes of this section.

SUPPLEMENTAL CLEANUP OF WARTIME DEBRIS

SEC. 308.(a) The Congress finds that the Department of Defense has implemented an on-going program for the removal and disposal of live ammunition, obsolete buildings, abandoned machinery, and other hazardous debris remaining in populated areas of the Lower Alaska Peninsula and the Aleutian Islands as a result of military activities during World War II. Such program is being accomplished pursuant to Acts making Appropriations for the Department of Defense, in accordance with Congressional statements of purpose in establishing and funding the Environmental Restoration Defense Account. The authority contained in this section shall be supplemental to the authority of the Secretary of Defense in administering the Environmental Restoration Defense Account, and shall be exercised only in the event that such Account is inadequate to eliminate hazardous military debris from populated areas of the Lower Alaska Peninsula and the Aleutian Islands.

(b) CLEAN PROGRAM.—Subject to the terms and conditions of subsection (a), the Secretary of Army, acting through the Chief of Engineers, is authorized and directed to plan and implement a program, as the Chief of Engineers may deem feasible and appropriate, for the removal and disposal of live ammunition, obsolete buildings, abandoned machinery, and other hazardous debris remaining in populated areas of the Lower Alaska Peninsula and the Aleutian Islands as a result of military construction and other activities during World War II. The Congress finds that such a program is essential for the further development of safe, sanitary housing conditions, public facilities, and public utilities within the region.

(c) ADMINISTRATION OF PROGRAM.—The debris removal program authorized under subsection (a) shall be carried out substantially in accordance with the recommendations for a "minimum cleanup" contained in the report prepared by the Alaska District, Corps of Engineers, entitled "Debris Removal and Cleanup Study: Aleutian Island and Lower Alaska Peninsula, Alaska," dated October 1976. In carrying out the program required by this section, the Chief of Engineers shall consult with the trustees of the trust established by section 7(b) of this Act, and shall give preference to the Aleutian Housing Authority as general contractor.

(d) AUTHORIZATION.—There are authorized to be appropriated $15,000,000 to carry out the purposes of this section.

ATTU ISLAND RESTITUTION PROGRAM

SEC. 309. (a) In accordance with subsection (3) of the Wilderness Act (78 Stat. 892), the public lands on Attu Island, Alaska within the National Wildlife Refuge System are designated as wilderness by section 702(1) of the Alaska National Interest Lands Conservation Act (94 Stat. 2417). In order to make restitution for the loss of traditional Aleut lands and village properties on Attu Island, while preserving the present designation of Attu Island lands as part of the National Wilderness Preservation System, compensation to the Aleut people in lieu of Attu Island conveyance shall be provided in accordance with this section.

(b) The Secretary of the Treasury shall establish an account designated The Aleut Corporation Property Account, which shall be available for the purpose of bidding on Federal surplus property. The initial balance of the account shall be $17,868,500, which reflects an entitlement of $500 for each of the 35,737 acres within that part of eastern Attu Island traditionally occupied and used by the Aleut people for subsistence hunting and fishing. The balance of the account shall be adjusted as necessary to reflect successful bids under subsection (c) or other conveyances of property under subsections (f) and (g).

(c) The Corporation may, by using the account established in subsection (b) bid, as any other bidder for surplus property, wherever located, in accordance with the requirements of section 484 of title 40, United States Code. No preference right of any type will be offered to the Corporation for bidding for General Services Administration surplus property under this subsection and no additional advertising shall be required other than that prescribed in section 484(e)(2) of title 40, United States Code.

(d) The amount charged against the Treasury account established under subsection (b) shall be treated as proceeds of dispositions of surplus property for the purpose of determining the basis for calculating direct expenses pursuant to section 485(b) of title 40, United States Code.

(e) The basis of computing gain or loss on subsequent sale or other disposition of property conveyed to the Corporation under this section for purposes of any Federal, State or local tax imposed on or measured by income, shall be the fair value of such property at the time of receipt. The amount charged against the Treasury account established under subsection (b) shall be prima facie evidence of such fair value.

(f) The Administrator of General Services may, at the discretion of the Administrator, tender to the Secretary of the Treasury any surplus property otherwise to be disposed of pursuant to section 484(e)(3) of title 40, United States Code, to be offered to the Corporation for a period of 90 days so as to aid in the fulfillment of the Secretary of the Treasury's obligations for restitution to the Aleut people under this section: *Provided,* That prior to any disposition under this subsection or subsection (g), the Administrator shall notify the governing body of the locality where such property is located and any appropriate state agency, and no such disposition shall be made if such governing body or State agency within ninety days of such notification formally advises the Administrator that it objects to the proposed disposition.

(g)(1) Notwithstanding any provision of any other law or any implementing regulation inconsistent with this subsection, concurrently with the commencement of screening of any excess real property, wherever located, for utilization by Federal agencies, the Administrator of General Services shall notify the Corporation that such property may be available for conveyance to the Corporation upon negotiated sale. Within fifteen days of the date of receipt of such notice, the Corporation may advise the Administrator that there is a tentative need for the property to fulfill the obligations established under this section. If the Administrator determines the property should be disposed of by transfer to the Corporation, the Administrator or other appropriate Federal official shall promptly transfer such property.

(2) No disposition or conveyance of property under this subsection to the Corporation shall be made until the Administrator of General Services, after notice to affected State and local governments, has provided to them such opportunity to obtain the property as is recognized in title 40, United States Code and the regulations thereunder for the disposition or conveyance of surplus property.

(3) As used in this subsection, "real property" means any land or interests in land owned or held by the United States or any Federal agency, any improvements on such land or rights to their use or exploitation, and any personal property related to the land.

(h) The Secretary of the Interior may convey to the Corporation the traditional Aleut village site on Attu Island, Alaska pursuant to the authority contained in section 1613 (h)(1) of title 43, United States Code: *Provided,* That following the date of enactment of this section, no site on Attu Island, Alaska other than such traditional Aleut village site shall be conveyed to the Corporation pursuant to such section 1613(h)(1) of title 43, United States Code.

SEPARABILITY OF PROVISIONS

SEC. 310. If any provision of this title, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this title or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

DR. WILLIAM WOOD—ALASKAN OF THE YEAR

Mr. MURKOWSKI. Mr. President, a close friend and gentleman who I admire very much, Dr. William Wood, was recently honored in my State as Alaskan of the Year. I rise today to recognize Dr. Wood and join with my senior colleague, Senator STEVENS, in

paying tribute on this long overdue honor by this fellow Alaskan. I, as Senator STEVENS, join with his wife, Dorothy Jane, in congratulating him and share with my colleagues some of the remarkable achievements of his career.

Bill Wood, who describes himself as an "old farm boy from Illinois," adopted Alaska as his home in 1960 and has been an extraordinary asset to the State of Alaska ever since.

Bill served for 13 years as president of the University of Alaska.

Under his guidance, the university experienced tremendous growth and became a magnificent and respected, not only statewide system of higher education, which he established, but very dominant in areas of Arctic science.

His emphasis on research, particularly in matters pertaining to the North, contributed heavily to the university's growing reputation.

Following his retirement in 1973, Dr. Wood continued to benefit his community of Fairbanks and the State of Alaska through a number of tasks and positions undertaken with selfless determination.

As the mayor of Fairbanks, and later as head of a special city task force, Bill prepared the city for the tremendous changes that were to come with the construction of the trans-Alaska oil pipeline.

When the State of Alaska celebrated its 25th anniversary in 1984, Dr. Wood, as director of Festival Fairbanks 1984, made his community's local celebration into an event that attracted nearly all of the State's past and present dignitaries. Because of his energetic efforts, Fairbanks became the focus of Alaska's silver anniversary celebration.

Mr. President, Dr. Wood's contributions to the State of Alaska go well beyond his record of achievement. He is a creative thinker whose ideas have already begun to shape Alaska's future in ways that are difficult to express. Dr. Wood can grasp the issues of the day, but he is particularly gifted in anticipating and preparing for the issues of tomorrow. His thinking is not confined to the short term.

Twenty years ago, I can remember Bill Wood talking about Pacific-rim trade and the importance of seeking new markets for U.S. goods in Japan, Korea, Taiwan, and the Republic of China. He long ago recognized the inexorable relationship between Alaska and Asia and the role that Alaska could play in the growth of the Pacific. Of course, today, we all recognize that relationship. A great deal of the recent public debate in Alaska and Washington has focused on our trade relationship with the Pacific rim nations. Clearly, Bill Wood recognized the Pacific trade issue before it became acute. Like many Alaskans, I have learned to listen very carefully to what he has to say.

Several years ago, Bill Wood started talking about the development of the Arctic, and the ways we might go about that development in a manner that would preserve and enhance that pristine region of our planet. I am proud to note that the Congress of the United States has begun to respond to some of his ideas with the passage of the Dr. William Wood Review Board Arctic Research and Policy Act, Public Law 98-373. Many of Bill Wood's ideas lay at the very foundation of that legislation. His guidance, encouragement and inspiration were instrumental in the act's passage, and I continue to turn to him for help as the act is implemented.

I am proud that I have the opportunity today to honor Bill Wood for his years of dedicated service to the State of Alaska. There are few living Alaskans who are as respected as he. Dr. William Wood has been rightfully honored as Alaskan of the Year.

Thank you, Mr. President.

RECOGNITION OF SENATOR EVANS

The PRESIDING OFFICER. Under the previous order, the Senator from Washington is recognized for not to exceed 15 minutes.

Mr. EVANS. Thank you, Mr. President.

THE BUDGET

Mr. EVANS. Mr. President, I have chosen this method to speak to my colleagues rather than take up the time of argument on the budget.

Much has been said during the course of argument on both the overall package which is now in front of the Senate and debate on the individual amendments of the pain—the pain we are expecting the American people to go through as a result of budget deficit reduction.

There has been little talk or recognition of the rewards which can come with a successful and bold action on deficit reduction.

Daily we are seeing the growing importance of bold action. Washington State has not fully recovered from the economic distress of a few years ago. Unemployment now stands at 9.3 percent, 2 percent above the national average. Some counties in Washington State have unemployment exceeding 20 percent.

Now the economy is again slowing. The latest forecast for the second quarter of fiscal 1985 is a growth of 1.3 percent, down from the 4.3 percent of the first quarter. We will need an average growth of more than 5 percent for the next two quarters to reach the predicted 3.9 percent per year of the administration.

Further, the Dow-Jones averages are down sharply over the last week.

All of this points to the need for dramatic action by the Members of this Senate.

We have two choices. We can cut the deficits substantially and reap the benefits and rewards which come from doing that, or maintain program spending and watch the deficit continue to grow with the resulting pain which accrues to all of our citizens.

The rewards of success—major economists of this Nation see at least a 1-percent interest drop in the short term and 2 to 3 percent in the long term.

Most economists agree that enactment of a budget package such as the one we are now considering would result in a long-term real growth in the gross national product of at least 4 percent and unemployment dropping from 7.3 to 6.5 percent or lower.

That translates into the creation of 7 million new jobs by 1988, housing starts back to something like a 2 million level, and inflation that is kept under control.

This success comes to all Americans, not just major corporations, not just some who are wealthy. Every Social Security recipient, every retiree, every Federal worker, everyone asked to take part in the pain of deficit reduction will share in the rewards of success. The rewards of lower costs of living, the rewards of lower interest rates and the greater ease in buying housing, and the rewards of new jobs for our children and for our American compatriots can be expected.

Let me turn to a real danger we face and do not readily recognize. We are all operating on the basis that the baseline deficit will be $227 billion next year, if we do nothing. And if we do nothing it will be even larger in 1987 and in 1988. And net interest payments on our growing national debt will consume an ever-increasing share of our Federal income.

But we are being optimistic in making those predictions. The administration, in every single case, has been more optimistic than all the forecasts of our major economists and major analysts. In predictions of the rate of growth of gross national product, they are outside the range of even the most optimistic alternative analyst. In terms of cost of living and interest rates, they are more optimistic in keeping them low than any of the others. And the number of jobs or the unemployment of our citizens suggests much more that can realistically be expected.

But it is a fragile starting point. Every 1 percent of gross national product that we miss will result in a change in the deficit of $19 billion per year and $123 billion over the 3-year period we are debating. That means

that one-third of the total savings we are predicting could be chewed up if our gross national product rises 1 percent less than we are assuming. The same thing in terms of interest rates, $9 billion a year for every 1 percent we miss in our projections. The inflation rate—$500 million for every 1 percent in inflation rate that we are in error.

So, the fact that we are optimistic means that we have to act boldly. We have to go at least as far as the level we are now debating if we are going to get the expected rewards.

The need for action is simply overwhelming. And I would say to my colleagues that it is not a question of: freeze versus nonfreeze, program cuts versus a freeze, or revenue adjustments versus either of those other two. We ought to move swiftly to achieve the maximum-size program possible. This should include both a freeze in our major spending programs plus significant program cuts in a wide variety of areas. And after we have done that job, we may need, in addition, some revenue adjustments in order to create a program of sufficient size. A program that we can then enjoy the end results—the end results in terms of gross national product growth, job growth, cost-of-living stability, plus a program to ensure that the optimistic predictions we have made over the next few years will actually come to pass.

Finally, there is much talk about driving people below the poverty line. One thing we seldom talk about is the fact that if we fail to act, if the cost of living escalates rapidly, if interest rates go up, so too will the poverty line. And more and more people will fall below the poverty line because we fail to act.

I suggest, Mr. President, that we will have more people categorized as poverty stricken if we fail to act than if we act in the most courageous possible fashion. We may be creating some pain to Americans, but also creating the rewards that lie just ahead of bold action.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business not to extend beyond the hour of 11:30 a.m., with statements therein limited to 5 minutes each.

RECOGNITION FOR NURSING HOME EMPLOYEES

Mr. PRESSLER. Mr. President, the week of May 12-18, has been designated as "National Nursing Home Week." The theme of this year's observance, "Celebrate Lifetime Achievements," will honor the significant accomplishments of the more than 1.5 million residents of our Nation's nursing homes.

As nursing home residents and their families gather for special activites and social functions during National Nursing Home Week, it is particularly appropriate to pay special recognition to the tireless and dedicated efforts of the more than 800,000 nursing home employees. As one who has had a family member in a nursing home in South Dakota. I have personally witnessed the devotion to duty and many kindnesses displayed by the hard workers in our long-term care facilities. Without their support, there would be no nursing facilities to serve our needy elderly.

Please join me in expressing our debt of gratitude during this celebration of National Nursing Home Week for the invaluable contributions of the thousands of nursing home employees.

WOMEN IN THE MILITARY: MANY JOBS OFF LIMITS

Mr. COHEN. Mr. President, I would like to take this opportunity to draw attention to an issue that directly touches more than half of our population, but has lost a substantial degree of the careful consideration and necesary commitment it once received and still deserves. The issue to which I am referring is our continued obligation to increase opportunities available to women in the U.S. military.

Serious consideration of women and their relationship to the military began nearly 40 years ago. Since then, there has been an evolutionary, as opposed to revolutionary, process of integration.

It was in 1948 that the Women's Armed Services Integration Act was passed. This granted women the opportunity to become part of the permanent Military Establishment. The act gave Regular and Reserve status to women in the Army, Navy, Marine Corps, and Air Force and was a true milestone for women in the military.

This law, however, was not perfect. It imposed restrictions that included a 2-percent ceiling on the number of women in the Regular Establishment of each service, as well as limited promotion opportunities for female officers.

Another important step was taken in 1951 with the establishment of what has proven to be a highly influential and effective body: The Defense Advisory Committee on Women in the Services [DACOWITS]. Its task has been to advise the Secretary of Defense on all matters concerning women in the services, as well as to keep the public informed of military women and their role in our Armed Forces.

DACOWITS members are both male and female civilians who are selected on the basis of their outstanding reputations in business, the professions, public service, and their records of civic leadership. They serve as individuals, not as official representatives of any group or organization. Members make recommendations to the Department of Defense on matters such as the retentions rate, housing, pay and allowances, job opportunities and existing inequalities. They have initiated countless studies and have been the driving force behind the passage of many essential bills. Great strides have been made for military women due to the commitment of DACOWITS members.

It was in 1967 that a number of the barriers obstructing women's advancement were broken down. A very important event was the DACOWITS inspired passage of Public Law 90-130, which repealed the 2-percent ceiling imposed in 1948, allowed the appointment of women to flag and general rank, and permitted women other than medical personnel to join the National Guard.

The Defense Officer Personnel Act [Dopma] was also established, and it required gender-free promotion opportunities. Overall, military women were heading toward a decade of rapid expansion in opportunities and significant changes in their responsibilities.

The end of the draft and the birth of the All-Volunteer Force propelled women into their most successful military decade, the 1970's. Between 1973 and 1978 the positions of director of the Women Accepted for Voluntary Emergency Service [WAVES], Women in the Air Force [WAF], Women in the Marine Corps, and the Women's Army Corps [WAC] were abolished.

By 1972, the Reserve Office Training Corps [ROTC] was opened to women, and a large number of women enrolled. This was followed by the admission of women into the service academies. We saw our first women graduates in the class of 1980.

Later, in 1978, Congress officially passed legislation abolishing the Women's Army Corps as a separate unit. In addition, basic training was integrated. And, finally, Congress modified section 6015 of title 10 of the United States Code, permitting women to serve permanent duty on vessels not expected to be assigned combat mission, and up to 6 months temporary duty on other Navy ships.

Not surprisingly, from 1970 to 1980, the number of women on active duty grew from 41,000 or 1.9 percent of the active force, to 170,000 and 8.1 percent of total active strength. The number of women in the Reserve components increased substantially as well.

It was in 1980, as I am sure we all remember, that former President Carter proposed resuming registration for the draft. The plan included both men and women. Unfortunately, Congress

chose to exclude women from registration. That, however, should not allow us to decrease our commitment to military women. More remains to be done to fulfill the obligation we should all feel to women in the armed services.

Today, entry to every service branch, opportunities to be promoted, and access to education and training are all, in some manner, denied to women exclusively on the basis of gender. Despite the progress which has been made, artifical barriers continue to confront women seeking military careers.

With the exception of the Air Force and the Coast Guard, the recruitment policies for women in the Army, Navy, and the Marine Corps are much stricter than those for men. All branches of the armed services use the Armed Forces qualification test [AFQT] to determine the enlistment eligibility of personnel.

The AFQT consists of questions in four subject areas measuring basic verbal and quantitative abilities. The scores of the AFQT are used to classify potential enlistees in mental categories ranging from I to V. Congress has limited recruitment of persons who score in category IV to 20 percent of enlistees, while the services have chosen not to enlist any individuals scoring in category V.

The Army does not recruit any mental category IV females. It requires all women seeking enlistment to hold a high school diploma, and it does not accept general educational development [GED] certificates as a replacement. Male category IV high school graduates, however, are eligible for Army service.

Navy recruitment policies have similar disparities between men and women. Once again, all women wishing to enlist must be high school graduates, but those in category IV are eligible. The same would apply if the high school graduate were male. But the Navy will also accept nongraduate, non-prior-service males with a GED who score at least a 49—category IIIB—or better on the AFQT.

The Marine Corps also requires female enlistees to hold a high school diploma or "equivalent education"—a GED is not acceptable. If, however, the applicant is male, he need only to have attended school through the 10th grade. Female high school graduates need a minimum AFQT of 50—category IIIB—while their male counterparts need a score of only 21—category IV—to be accepted into the Marine Corps.

Each of these services has produced unique recruitment policies restricting the enlistment of women, consequently, women face discriminatory policies before they even "get their feet in the door." We must then ask: If the Air Force and the Coast Guard find no difficulties with requiring identical qualifications for both male and female applicants, why cannot the Army, Navy, and the Marines do the same?

Similar disparities exist in the career opportunities for women in each service. An excellent example is found by comparing the Navy and the Coast Guard. Women in the latter serve on all ships in the Coast Guard fleet and in all positions, including the command of ships. The Coast Guard has placed no restrictions based solely on gender in assignment, training, recruitment, or career opportunities.

Women in the Navy, however, are restricted in their permanent assignments to approximately 74 ships—in a fleet approaching 600 in strength. Twenty-eight of these seventy-four ships have surface warfare positions that provide an opportunity for warfare qualification and career development. Twenty-five of these twenty-eight ships are tenders and repair ships whose primary mission is accomplished in port. The remaining 46 ships are diving and salvage ships and civilian manned military sealift command ships—whose military positions are limited only to communication and supply areas.

In a period of war, the Coast Guard would come under the control of the Secretary of the Navy. Ironically, women in the Coast Guard would then be performing in positions restricted to them if they were subject to Navy law. The Coast Guard has stated that its ships would not be sufficiently staffed if women were suddenly denied the positions they presently held.

Similar ambiguities may be found regarding the assignment of women to aircraft, missile crews, and positions on the battlefield. Women can be pilots and navigators in the Army, Navy, and Air Force. They can fly combat support aircraft such as cargo planes, refueling planes, AWAC's, and certain helicopters, but they are not permitted permanent assignment to fighter jets.

Interestingly, though, when we turn to the Marine Corps, we find that all pilot and navigator positions are closed to women. Why are the women who enter pilot positions in the Army, Navy, and Air Force denied identical opportunities in the Marine Corps?

The Army is the only service that restricts the assignment of women by battlefield location. It uses a direct combat probability coding [DCPC] which divides the battlefield into seven positions ranging from high combat probability—P1—to no direct combat probability—P7.

The DCPC does not prevent the permanent assignment of women to combat support or combat service support positions, but it does bar them from assignment to positions expected to engage in direct combat. What is of great concern to Army women is that the DCPC appears to stifle career opportunities for them. The sophistication of modern weapons nullifies any attempts to segregate a battlefield. Women would be routinely brought into a P1 location in war time.

In 1982 we saw 23 additional military occupational specialties [MOS] closed to women due to their combat probability or requirements for physical strength. Only after significant external pressure and internal turmoil did the Army reopen 13 of the 23 MOS's it had proposed closing to women. The Assistant Secretary of Defense announced plans at that time to modify the physical strength test, thus opening more jobs to women.

In addition, it should be noted that the physical strength standards were modified by the Assistant Secretary of Defense to assure that 100 percent of the men would qualify for heavy and very heavy work. The original standard of 100 pounds would have eliminated 20 percent of male enlistees from assignment to heavy or very heavy jobs, in other words combat arms.

At present the Army prohibits women in 49 out of a total 357 occupational specialties and in any "infantry, armor, cannon field, artillery, combat engineer, and low altitude air defense artillery unit of battalion/squadron or smaller size regardless of the occupational specialty."

Women now comprise approximately 9.5 percent of the active duty force. The Department of Defense has projected only a small increase in this number by the end of 1987. During the Carter administration, plans estimated that the percentage of women in the service would reach 12 percent by 1988, but that figure has been scaled down to 10.3 percent.

What we also find is that the majority of women in the services are clustered in the middle to lower officer grades—and the disparity becomes much greater if the medical officers, which includes nurses, are excluded. Currently, there are three women at the flag/general officer level in the Army—and one promotable—three in the Air Force, and three in the Navy; there are none in the Marine Corps. Interestingly, there are very few women line officers in the O-6 grade, indicating a slow expansion in the distribution of women officers.

The Department of Defense has correctly stated that "with time the distribution of women officers should begin to approximate that of men." But because of the small number of women in the O-6 grade we cannot expect to see this for another 7 to 8 years.

What we need to see is women appointed to and given the opportunity to serve in decisionmaking roles. We

need to eliminate the assumption that all military positions are appropriate for men, but that only some are appropriate for women.

The issue of women in the military and the opportunities available to them is much too important to be allowed to settle in the back of our minds. Therefore, I strongly urge that we continue to make a concerted effort to expand the opportunities available to women in the military.

At this point, I would like to place in the RECORD some items prepared by the Women's Equity Action League on this issue and an article from the March 14 Wall Street Journal, "Women Move Up in the Military, But Many Jobs Remain Off Limits." These will, I know, be of interest to all who are concerned about the role of women in the military.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WOMEN MOVE UP IN THE MILITARY, BUT MANY JOBS REMAIN OFF LIMITS

(By Francine Schwadel)

When she was 12 years old, Rosemary Mariner decided to become a pilot. Soon she was washing planes to pay for flying lessons. Later she studied aviation at Purdue University, and in 1973 she joined the Navy.

Today she teaches Navy pilots how to fly jets at a training base in Kingsville, Texas. But because she is a woman, Lt. Cmdr. Mariner, now 31, isn't allowed to fly many of the missions that she is training her male students for.

Cmdr. Mariner has flown attack jets on research missions to test new weapons. She has qualified as an aircraft-carrier pilot and as a surface-warfare officer. But, she says, "Everything I've done is really no big deal for a man."

A MACHO WORLD

Her experience illustrates the formidable barriers that military women still face in this most macho of male worlds. Despite an explosion in their ranks and responsibilities over the past 12 years, women in all branches of the armed services except the Coast Guard are still excluded by federal laws and policies from holding jobs in combat units.

The Navy's 6,606 women officers and 42,258 enlisted women face some of the most severe constraints. They are prohibited by law from holding any of the permanent posts on most of the Navy's 527 ships, effectively keeping them out of jobs that aspiring male officers typically master on their way to the top.

"If I couldn't theoretically reach the top of the profession, how could I be anything but junior varsity?" asks Cmdr. Mariner. Says Lt. Cmdr. Deborah Burnette, a public-affairs officer, "Until I can go everywhere my (male) lieutenant-commander peers can go, it isn't going to be equal."

Money isn't the issue; many women say they were attracted to the military partly because they receive equal pay for equal work.

PROMOTION VS. EQUALITY

The Navy says that good promotion opportunities exist for women, who make up about 9% of its officers and 8% of its enlisted personnel. But Cmdr. Mariner says: "You can't confuse promotion opportunity with equal opportunity. It's the *kinds* of commands and the *kinds* of jobs you get as a senior officer that are very important."

With most women officers still clustered in the junior grades, frustration could spread in the years ahead. The number of jobs women can hold is expected to grow as the Navy expands, but women aren't likely to command anything but support units soon. "We've opened it up as far as we can open it up" under the combat-exclusion law, says Rear Adm. Albert J. Herberger, the Navy's director of personnel policy, and Congress isn't likely to repeal the law in the next few years.

Critics of the law question the wisdom of continuing to restrict women's role in a technological era when brains increasingly count for more than brawn. They also cite studies indicating that it will become harder to recruit men. "We can no longer afford the luxury of discriminating against 50% of the population that has the kind of talent that is difficult to get," says retired Adm. Elmo R. Zumwalt Jr., former chief of naval operations.

When the draft ended in the early 1970s, services recruited women in earnest to meet projected manpower shortages and pressure from feminists. Women became pilots, sailors and military-academy students. They rose through the ranks to become commanding officers of noncombat outfits, and some mixed motherhood with military careers.

The 1980s have brought slower progress—and some backpedaling. In 1981, for example, the Navy tightened restrictions on the temporary assignment of women to ships in the Mediterranean, the Indian Ocean and the Far East.

These days more than two-thirds of the Navy's women officers are either nurses or administrators in such fields as training, recruiting and personnel records. The administrators compete for promotions with men who rotate to shore duty from tours at sea. These women generally bristle at any suggestion that they aren't leading full Navy careers—and many don't want to see the combat exclusion lifted—but the Navy makes it clear that a string of desk jobs wouldn't be considered a good career path for a man.

Now there are so many desk-bound officers on this primarily female track that the Navy has created a new career path to expand promotion opportunities. Under the old system, desk-bound women who wanted to advance had to serve as executive or commanding officers of mostly training, recruiting or personnel-record units. Now they will be allowed to rise in rank—and pay grade—also by holding a series of non-command jobs in several other areas such as financial management, intelligence, international affairs, weapons acquisition and computer science. These fields were open to women before, but there were fewer promotion opportunities.

Opportunities remain extremely limited, however, for the 175 female surface-warfare officers, who are preparing themselves for sea duty. Because of the combat-exclusion law, they can serve on only 33 of the Navy's 527 ships, and those 33 operate mainly on the fringes of the fleet; most don't spend much time at sea. They are repair vessels, research ships, tenders and the like. Lt. Deborah Barnhart's reaction is typical: "To spend 20 years to get to be a capitain of a tender isn't enough incentive."

Surface-warfare women who reach the rank of lieutenant commander after about 10 years have even fewer options. At this stage, men typically compete for jobs as second-in-command of ships, but only one ship is available for a woman with similar qualifications. It is the USS Norton Sound, a missile test ship, and its current executive officer is a man.

IT'S A BOTTLENECK

"It's great as long as you're a lieutenant or below," says Lt. Cmdr. Bonnie Walker, one of six women senior enough to be considered for the Norton Sound job. "Once you make lieutenant commander, the question is, 'Is the Navy going to open up an executive-officer billet for a woman?' And the next question is, 'When?' It's a bottleneck, right now."

Adm. Herberger says the Navy plans to assign a woman to the Norton Sound post in 1986, when it is next scheduled to open up.

But that isn't much consolation for Comdr. Walker, who believes she was qualified in 1984 when the job was last open. If she doesn't go to sea as an executive officer in the next two or three years, the 36-year-old officer figures she will fall behind the men who do, eliminating her from competition for future leadership jobs at sea. The Navy recognizes the problem but says that women like her can still advance by holding leadership jobs ashore. Cmdr. Walker doesn't think that's the same thing.

"For women, just being qualified isn't enough," says 36-year-old Cmdr. Walker, now the satellite-communications officer at Atlantic fleet headquarters in Norfolk, Va. "A lot of women are going to fall by the wayside because we don't have an adequate number of ships available to us to be selected for. What we're trained for is to use our skills at sea."

Because opportunities are limited, the Navy allows only 17 women to enter the surface-warfare community each year. And about 30 such women have transferred out in recent years to other Navy specialties.

One is Lt. Susan Alison Cowan, 25, who transferred partly because she would have faced "a tremendous amount of time without going to sea," she says. Ironically, she became second-in-command of a vessel after giving up on a surface-warfare career. She went to the Navy's diving school and, armed with new qualifications, took over last June as second-in-command of the USS Quapaw, a tug that does towing and salvage work off the West Coast.

The tiny 40-year-old ship, based at Port Hueneme, Calif., is decorated with battle ribbons from World War II, Korea and Vietnam. It is scheduled to be decommissioned in August, but to Lt. Cowan, the first Navy woman ever to serve as second-in-command of a ship, the tug looks "really super."

CHANGE COMES SLOWLY

Lt. Cowan, who pedals an exercise bicycle in her tiny stateroom to stay in shape, doesn't dwell on her status. "Change comes slowly," she says. Later she adds: "I think that the women before me, the way they did the job has opened up what I'm able to do now. And the way I do my job will open up things for women 10 years junior to me."

Joellen Oslund, one of the first women recruited for flight training, resigned in 1979 because the Navy couldn't offer her enough challenge as a helicopter pilot. She and five other women had sued to have the Navy's combat-exclusion law declared unconstitutional.

The court agreed, and Congress relaxed the law somewhat. But the Navy took until December 1983 to decide that women heli-

copter pilots could be deployed temporarily on certain support ships in the Mediterranean, the Indian Ocean and the Far East.

Other women officers who share Mrs. Oslund's frustration stay nevertheless and press for further change. Cmdr. Mariner believes women would be integrated more fully, as blacks were during World War II, if the U.S. were to go to war. "Being paid to go out and fly is super," she says. "But the account comes due when we get attacked. This is not IBM. The reason you've got that uniform on is to defend your country."

RECRUITMENT STATISTICS AND POLICIES: WOMEN IN THE ACTIVE ARMED SERVICES

OVERVIEW

203,310 women, officers and enlisted, served in the U.S. Armed Forces at the end of fiscal year (FY) 1984.[1] They comprised 9.5% of the active duty force.

In FY 84, the Services enlisted 36,114 female non-prior service recruits (Non-prior service recruits are individuals who have never served in the military). This represents an increase of 4.6% from FY 83.

The Armed Forces recruited 93% High School graduates in FY 84, the highest percentage in the history of the All-Volunteer Force. In FY 83, the percentage was 91%, a record high at the time.

By the end of 1987 the Department of Defense (DoD) expects to have over 221,788 women on active duty. This would represent an increase of 41,788 women since 1980, bringing the total percentage of women to 9.9% compared to 9.0% in 1980. While the numbers of women in the Services continues to increase, the percentage of women is still approximately 10%.

The Coast Guard is part of the Department of Transportation. In time of war or national emergency, the Coast Guard could come under the control of the Secretary of the Navy, as directed by the President.

CURRENT RECRUITMENT STATISTICS

At the end of FY 84, the number of enlisted women in each of the services was as follows:

Total Active Forces 203,310 or 9.50%.
Army 66,100 or 10.05%.
Navy 42,258 or 8.60%.
Air Force 55,335 or 11.38%.
Marines 8,577 or 4.88%.
Coast Guard 2,108 or 6.60%.

The numbers below illustrate the differences in the number of female non-prior service recruits in FY 84 as compared to those in FY 83. Each of the Services made small increases in the numbers of female enlisted recruits in FY 84 except for the Navy and the Coast Guard.

Total Active Forces: 1,594 more (does not include Coast Guard data).
Army: 667 more.
Navy: 345 less.
Air Force: 324 more.
Marine Corps: 253 more.
Coast Guard: 173 less (includes regular enlistments and reserves).

The Services project that they will have the following enlisted female end strengths on duty at the close of FY 85 (end strength refers to the number of persons on duty at the end of a fiscal year or some specific stated time).

Army 67,900 or 10.2%.
Navy 44,300 or 8.9%.
Air Force 58,500 or 11.9%.
Marine Corps 8,659 or 4.83%.

FUTURE RECRUITMENT PROJECTIONS

The Army

The Army expects to raise the enlisted female end strength to 70,000 by the end of FY 87. This will amount to a probable increase of 1,000 women per year and is a reduction from a previous projection of 87,000 enlisted women by FY 87.

The Navy

The Navy's projected goal is 45,343 enlisted women by FY 87. This represents an increase of 5,385 from FY 83.

In December 1983, the Navy expanded the career opportunities for a limited number of women officers by authorizing the temporary assignment of helicopter pilots and explosive ordnance disposal officers to additional ships not expected to have a combat mission during the period of assignment. This move represents a limited expansion of opportunities for women because 1) the assignment of women is still subject to the discretion of the ship's commander who can refuse to allow women aboard and (2) it only allows temporary duty. Future recruitment projections for Navy women will increase only if the Navy adjusts its interpretation of the combat exclusion law to expand the number of ships on which women can serve. Otherwise the numbers will stay the same.

The Air Force

The Air Force started admitting women to the security police as of January 1, 1985. Of the 596,000 total jobs in the Air Force, approximately 60,000 have been closed to women under the Air Force's past interpretation of the combat exclusion law. It is estimated that the opening of the security police will result in 26,000 additional jobs for which women will be eligible.

The 1985 Defense Authorization Act contained a provision directing the Air Force to establish female accession goals of 19% in FY 87 and 22% in FY 88. In addition, the Secretary of Defense was directed to study and provide to Congress an analysis of the propensity of women to serve in the Air Force.

The Marine Corps

The Marine Corps projects an enlisted female end strength of 8,989 and 689 female officers by the end of FY 87. Therefore, the percentage of women in the Marine Corps continues to remain virtually the same at slightly under 5%.

The Coast Guard

The Coast Guard does not have a goal for the projected number of female accessions in future years.

RECRUITMENT POLICIES

Service standards are subject to change. Although all recruits for the Department of Defense and Coast Guard take the same entrance examination, higher scores are required by some Services for recruits in special categories (e.g., non-high school graduates) and for the more technical military jobs. (See definitions of AFQT and ASVAB below). Some vacancies are closed to women due to combat exclusion laws and policies.

The Army

The Army is currently not recruiting any Mental category IV females, but they are recruiting Mental category IV males who are high school diploma graduates, and who score a minimum of 16 on the AFQT.

Since 1981 the Army has required all women to have a high school diploma to enlist. Since 1981, Congress has required that 65% of all male enlistees have high school diplomas.

The Army currently prohibits the enlistment of women who hold General Educational Development (GED) certificates. (See definition below.)

The Navy

Non-prior service diploma graduates need a minimum score of 17 on the Armed Forces Qualification Test (AFQT) to enlist in the Navy.

All new female recruits must be high school graduates.

New recruits with a GED and non-graduate non-prior service male recruits need a AFQT score of 49 or better to enlist in the Navy.

The Air Force

Male and female GED holders need a score of 50 or better on the AFQT to enlist in the Air Force. Male and female high school graduates need a score of 21 or better on the AFQT to enlist in the Air Force.

Non-high school graduates need a score of 65 or better on the AFQT to enlist in the Air Force.

The Marine Corps

Female applicants need a high school diploma or equivalent education to enlist in the Marines. The GED is not considered equivalent; however, a year in an accredited college may be, at the discretion of the Marine Corps.

The Marines accept male applicants who have attended school through the 10th grade, and even this standard can be waived by the Marine Corps Commandant for an "exceptionally" qualified applicant.

Female high school graduates need a minimum AFQT score of 50, while male high school graduates need a score of only 21 to be accepted into the Marine Corps.

The Coast Guard

The Coast Guard has removed all restrictions based solely on gender in recruitment, training, assignment and career opportunities.

Male and female high school diploma graduates and those who possess GED equivalency certificates need a minimum score of 40 on the AFQT to enlist.

Combat exclusion laws and/or policies do not apply to the Coast Guard, which is part of the Department of Transportation (rather than DoD) in peacetime.

ABBREVIATIONS AND DEFINITIONS

AFQT: The Armed Forces Qualifications Test is a written test used by all branches of the Armed Services to determine the enlistment eligibility of personnel. The AFQT is derived from the ASVAB and consists of four subjects that measure basic verbal and quantitative abilities. The AFQT scores are used to classify potential enlistees in Mental Categories I through V. The Services actively recruit persons who score in Categories I, II and III. Congress has limited recruitment of persons who score in Category IV to 20% of enlistees. The Services do not enlist Category V.

Category	*AFQT Range*
I	93–100
II	65–92
IIIA	50–64
IIIB	31–49
IV	16–30
V	0–15

ASVAB: Armed Services Vocational Battery, a ten-part test given by the Services to determine eligibility for service. Scores on

[1] Unless otherwise noted, numbers for Total Active Forces do not include figures for the Coast Guard. The Coast Guard has been listed separately when appropriate.

different aptitude composites of the ASVAB determine eligibility to enter specific military occupations.

GED Test: General Education Development Test, a five-part test given to determine if a person can be issued a high school equivalency diploma or certificate. The requirements for passing are determined by each State and vary widely.

Military Accession: New recruit.

NPS: Non-prior Service. No military service currently or at any time in the past.

WOMEN AND COMBAT: A COMPARISON OF THE SERVICES' LAWS AND POLICIES

Women are an integral part of today's All Volunteer Force However, the utilization of women by each branch of the Armed Forces differs based on each service's interpretation of combat exclusion laws and policies. There is little consistency among the services regarding the ways in which women are allowed to participate.

DEFINITION OF TERMS

Close combat

Close combat was defined by the Department of Defense in 1978 as "engaging an enemy with individual or crew-served weapons while being exposed to direct enemy fire, a high probability of direct physical contact with the enemy's personnel, and a substantial risk of capture." These positions are in the combat arm of each service. No women serve in positions considered to be "close combat."

Direct combat

Direct Combat was defined by the Department of the Army in 1982 as "engaging an enemy with individual or crew-served weapons while being exposed to direct enemy fire, a high probability of direct physical contact with the enemy's personnel, and a substantial risk of capture. Direct combat takes place while closing with the enemy by fire, maneuver, or shock effect in order to destroy or capture him, or while repelling his assault by fire, close combat or counterattack." Army women are not permanently assigned in direct combat positions.

Combat support

The combat support positions provide operational assistance to the combat arm. Examples of operational assistance include direct engineering, police, communications and intelligence support. Women in the Army and Air Force serve in combat support roles and specialties; Marine Corps women do not. Navy women are prohibited from permanent assignment to underway replenishment ships that support the battle group.

Combat service support

Combat service support positions provide logistical, technical and administrative services to the combat arm. Military women in all branches serve in combat service support roles.

STATUTORY RESTRICTIONS ON WOMEN IN COMBAT

10 United States Code Section 8549 prohibits the permanent assignment of female members of the Air Force, except those designated under Secion 8067 (medical, dental, chaplain and other "professionals"), to duty in aircraft engaged in combat mission.

10 United States Code Section 6015 prohibits the permanent assignment of female members of the Navy to duty on vessels or on aircraft which can be expected to be engaged in combat mission. The Marine Corps falls under the Department of Navy and adheres to the restrictions of Section 6015. In addition, the Marine Corps further restricts women from serving in combat units or combat "situations."

10 United States Code Section 3012 provides that the Secretary of the Army may assign, detail and prescribe the duties of members of the Army. The Army has determined its policies regarding the role of women by attempting to remain consistent with the "intent of Congress" when the combat exclusion laws were established for the Navy and Air Force.

VARIATIONS AMONG THE SERVICES

The variations among services are best illustrated by looking at their policies of assigning women to ships, planes, missile crews and positions on the battlefield.

Ships

Coast Guard women serve on all ships in the Coast Guard Fleet and in all positions including the command of ships. The Coast Guard has no restrictions based solely on gender in assignment, training, recruitment or career opportunities.

The Coast Guard is part of the Department of Transportation in peacetime, but would come under the control of the Secretary of the Navy in time of war. The Coast Guard does not consider itself bound by the provisions of 10 USC Section 6015.

The only ships to which the Navy permanently assigns women are combat service support ships such as repair (tenders) and research ships. Navy women are not permanently assigned to the combat support ships such as the underway replenishment ships of the Mobile Logistic Support Force.

When a Navy task force is deployed, support ships such as oilers, store ships and ammunition ships accompany the Navy's battle ships. The support ships that replenish the task force are deployed from either the Mobile Logistic Support Force (MLSF) or the Military Sealift Command (MSC) depending on which has the needed support availabale and ready to serve. The MLSF consists of only Navy ships.

The Military Sealift Command is composed of civilian contract ships such as Merchant Marine ships. Since these are civilian ships, there is no restriction on the participation of women. As a result, civilian women are sailing on MSC ships and serving with the Navy's battle group.

Aircraft

Although women can be pilots and navigators in the Army, Air Force and Navy, there are variations among these services regarding the assignment of women to various types of aircraft. In general, women fly combat support aircraft such as cargo planes, refueling planes, AWACs and certain helicopters. However, they are prohibited from permanent assignment to fighter jets. All pilot and navigator positions in the Marine Corps are closed to women.

Missile crews

The Air Force now assigns women to all missile crews. A recent policy change allows women to be assigned to the two-person crews of the Minuteman Missile System from which they were previously barred, as long as both members of the crew are of the same gender. Women are assigned to the four-person Titan missile crews, and will serve there until the missile system is retired in 1987.

Army women are prohibited from assignment to short range missile systems. However, women are assigned to long range missile systems such as the Pershing and Nike-Hercules.

The missile systems in the Navy are found on submarines. Submarines are considered combatant ships by the Navy, and no Navy women serve on them.

Battlefield location

The Army is the only service that restricts the assignment of women by battlefield location. The Army uses a Direct Combat Probability Coding (DCPC) system to determine the probability of engaging in direct combat for every position in the Army. Seven codes are used to classify jobs; code 1 represents a high combat probability and code 7 represents no direct combat probability.

Current Army policy prohibits the permanent assignment of women to positions coded P1. While women are barred from assignment to positions expected to engage in direct combat, the DCPC system does not prevent the permanent assignment of women to combat support and combat service support positions that may routinely bring them into the P1 location on the battlefield.

SENATOR McCLURE RIGHT ON THE MARK

Mr. HATFIELD. Mr. President, today's Wall Street Journal carries a letter to the editor from Senator McCLURE in response to one of that newspaper's articles on Federal spending and the deficit. In editorials and columns, the Journal persists in some very wrongheaded arguments about the expenditure side of the Federal budget, stoutly defending mammoth defense increases as if they had no effect on the deficit, largely ignoring entitlements, and concentrating their scorn on annually funded discretionary programs. And, oh yes, promoting the sham of a line-item veto that addresses neither revenue losing tax loopholes or entitlement spending as the savior of us all.

Senator McCLURE knows better, and has written an excellent rebuttal to the Journal's April 16 article, "The Spending Problem in Profile." I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SACRED COWS BEEF UP THE DEFICIT

In "The Spending Problem in Profile" (editorial page, April 16) Doug Bandow of the Cato Institute—which represents a radical libertarian position—criticized conservatives for failing to take a meat ax and blindly truncate discretionary programs to balance the budget.

If the people at Cato had their way, they would eliminate all discretionary government spending for cancer research, the Drug Enforcement Agency, the national forests, NASA, and the Centers for Disease Control. They would carelessly cut all investments in our future to realize short-term benefits.

But would this be the responsible way to get federal spending under control? Does it attack the source of the problem? Should Congress follow the search-and-destroy tactics advocated by the Cato Institute?

The Institute grossly fails to understand that the budget is in deficit not because Congress has failed to make cuts in discretionary programs, but because it has been unable to cut the growth in the entitlement—or formula—programs, which are expanding automatically every year beyond our ability to pay for them.

Since President Reagan was elected Congress has cut back spending for discretionary programs from 26% of the federal budget to just 15%. And it will support further reductions this year.

Contrary to the misinformation by Cato, the subcommittee which I chair has substantially reduced federal spending. Since 1980, more than $4 billion has been cut from the Department of Energy budget. This includes the Fossil Energy Research and Development budget, which has been reduced from $836 million in 1980 to $274 million this year. Energy conservation has been reduced from $751 million in 1980 to $451 million this year. And the $1 billion Fossil Energy Construction budget has been reduced to zero.

At the same time, spending for formula programs—such as Social Security, other retirement programs, Medicare, Medicaid, housing assistance, student loans, and income-transfer programs—continues to escalate virtually unchecked, although the rate of increase has been reduced slightly. In the past four years, spending for formula programs has increased from about $277 billion to nearly $400 billion.

While Congress has supported cost-cutting measures in discretionary programs, it has clearly failed to make similar curbs on the increases in formula programs, which are considered sacred cows.

Conservatives refuse to raise taxes any higher to pay for an increase in the automatically growing formula programs, while liberals are unwilling to slow the growth. The difference between these two positions can be measured by the size of the deficit—now more than $200 billion. Even if Congress decided to eliminate every discretionary program—about $150 billion—the budget would still not be balanced.

Not all the blame for the deficit, however, rests on Congress. While the administration seeks to further reduce discretionary spending, it continues to allow the formula programs to mushroom exponentially.

The "Rule of 72" points out how fast a budget will expand. Dividing 72 by the rate of growth gives the number of years it will take for a program to double in cost. Formula programs are still automatically expanding by over 10% a year. This means the formula programs now are doubling in cost in less than seven years.

No one would advocate that Congress and the administration eliminate the formula programs in order to balance the budget. However, it is essential to slow the rate they automatically grow year after year.

Four years ago, President Reagan declared war on federal spending. Since then, substantial cuts have been made in discretionary programs, which offer less political resistance. But little more can be squeezed out in these areas. The president and Congress must come to grips with the growth in formula programs.

The Cato Institute has completely missed this point. Instead, it has turned its sights on conservatives because, in Cato's opinion, they do not buckle under and slash all spending in the discretionary programs.

The Cato Institute is suffering from an acute case of selective myopia. Like the administration, it fails to focus on the portion of the federal budget that is primarily responsible for the continuing deficit.

JAMES A. MCCLURE,
U.S. Senate.

S. 1047—BENEFITS TO FORMER PRESIDENTS ACT

Mr. ROTH. Mr. President, I am pleased to join with Senators CHILES and PRYOR as an original cosponsor of the Former Presidents Facilities and Services Reform Act of 1985. I have been working with my colleagues for several years on this legislation and last year we reported it out of the Committee on Governmental Affairs for the first time since the bill's initial introduction in 1980. I congratulate them for their commitment to enacting this important legislation and I am confident that we will finally see it signed into law this year.

Mr. President, the taxpayers pay for a wide range of benefits intended for the support of our former Presidents, everything from 24-hour, round-the-clock Secret Service protection to the provision of office space and equipment. The level of these benefits has grown tremendously over the last two decades to the point that many are asking whether we have created an "Imperial Ex-Presidency."

We do not intend by introducing this legislation to in any way tarnish or downgrade the dignity that should be accorded to our former Presidents. Dignity and opulence are not equivalent, however, and it is appropriate to revise the laws authorizing benefits to former Presidents to ensure that the levels of support are not out of proportion to the duties of the ex-Presidency.

We do not enrich the institution of the ex-Presidency if we provide unrestrained or excessive benefits and funding. Ironically, especially in these times of extremely tight budgets, we could cheapen it in the eyes of the taxpayer by not putting spending restraints in these laws as we are throughout the rest of the budget.

Mr. President, the laws providing support to our former Presidents were originally designed to assist each former President in leading a dignified retired life, free from the need to "commercialize" the institution of the Presidency. However, the cost of these programs has gone from $65,000 in 1955 to $6.3 million in 1975 to over $27 million in 1984. This fourfold increase greatly exceeds the original expectations Congress had for these programs.

The Former Presidents Facilities and Services Reform Act of 1985 is intended to put limits on these increasing costs while maintaining a reasonable amount of support to assist former Presidents in responding to the public and fulfilling their roles as elder statesmen and advisers to the Government and to our citizens. It would also accomplish three additional objectives of equal importance.

First, it will restore the original intent of the former President's programs: to ensure that former Presidents can live dignified retired lives free from the need to demean their status or the institution of the Presidency. Originally, the programs were established for former Presidents like Harry Truman who was severely pressed financially just to handle the mail, telephone calls and requests for speeches he received once he retired from office. They were not intended to create extensive and costly offices and staff to support our former Presidents nor to establish a formal "Office of the Ex-Presidency."

Second, our living former Presidents have done quite well financially once they have left office. Although they deserve to receive some support to respond to the requests of the public that arise as a result of their experience and knowledge as former Presidents, such support should be carefully controlled and offered in a coordinated fashion. The existing laws supporting our past Presidents do not establish limits on the level of benefits to be provided. Our legislation would establish such limits and ensure that benefits for our former Presidents are seen as a part of a comprehensive package, permitting the Congress and the public to better judge the sufficiency and costs of these programs.

Third, by a gradually scaling back benefits and curbing the growth of support programs for former Presidents, the Former President's Facilities and Services Reform Act responds to the public's concern that all Federal programs must be carefully scrutinized and controlled in order to reduce the deficit. A former President has no official statutory responsibilities or duties. Yet, he receives a staff, an office and around-the-clock Secret Service protection. In many ways, he continues to receive all the benefits that a sitting President receives without any of the responsibilities and these benefits have become increasingly costly.

Mr. President, the proper role of former Presidents has been an issue that has faced this country since the days of the earliest Presidents. In those days, former Presidents usually retired to private life upon leaving the duties of office. Today, the pressures upon that role have changed and former Presidents now have much more visibility when they retire.

Given the fact that the taxpayers have, in effect, become guardians and supporters of our former Presidents, however, a careful and prudent balance must be struck between the legitimate support a former President needs to continue to fulfill his responsibilities to the public, and the taxpay-

ers' interest in minimizing excessive Federal spending. Our legislation is designed to strike such a balance and replaces the sometimes conflicting, increasingly costly and open-ended laws currently governing benefit programs for former Presidents with a more prudent and limited benefit structure.

Mr. President, our legislation has three titles, each designed to reform a category of benefits or support for former Presidents. Title I puts limits into place to control the future maintenance and operation costs of the libraries dedicated to former Presidents. Currently, libraries are built to honor former Presidents using privately donated funds. These libraries are then turned over to the Federal Government which transfers the official papers of each President to his library and pays the costs of running the facilities.

These libraries are used by scholars and are visited by the public and currently cost approximately $14 million to run annually. During the hearings on the Library Act of 1955, which established the system of Presidential libraries we have today, it was estimated that only $100,000 a year would be needed to run each library. Today, that cost exceeds $1.5 million on average per facility and it is still growing. The need for controls is obvious.

Our bill would prohibit the Archivist of the United States from accepting any new presidential library unless those private groups financing its construction also provide an endowment equal to 20 percent of the construction and land acquisition costs of the facility. This endowment would be put into a special account by the Archivist to earn interest and would be used to pay for a large share of the operations and maintenance costs of each library.

Because the larger sized facilities are usually the most expensive to heat and cool, repair and operate, our legislation also provides that endowment size would be increased proportionate to any increase in floor size over 70,000 square. In other words, a 105,000 square foot facility would require an endowment of 30 percent of the construction costs of the facility—105,000 square feet is an increase in size of 50 percent over 70,000 square feet, so the endowment is 20 percent multiplied by 1.5 or 30 percent. This provision will discourage private sector donors from constructing grandiose, expensive, and hard to maintain facilities.

Title II of our bill will put limitations into place to control the costs of providing office space, equipment, and staff for former Presidents. There currently are no statutory ceilings on expenses incurred by former Presidents for such things as postage, telephone service, and supplies and equipment. Instead, funding for virtually all of these services is provided with only vague statutory guidance. Only the pensions and office staff provided to former Presidents are subjected to any statutory limitation.

Our legislation will reduce these costs and set limits for the future by establishing a firm cost cap on all such activities, excluding pensions, and gradually reducing them over time. The bill caps all expenses for offices, staff, and related support at $300,000 for each President and reduces this amount in stages over a period of 9 years to a ceiling of $200,000. It also limits the size of the offices provided to former Presidents, requires that they be located in existing federally leased or owned office space, and prevents any of these funds from being used on partisan political matters or to make a financial gain for a former President.

Finally, title III of the bill provides that former Presidents will no longer be entitled to 24-hour, round-the-clock Secret Service protection for their entire lives. Instead, it limits full-time protection by the Secret Service to the first 5 years of a President's retirement. Thereafter, protection could be reinstated by the Secretary of the Treasury for 1-year intervals and the sitting President is authorized to provide emergency protection for short periods of time when the threat warrants it.

In effect, our bill establishes it as Federal policy that former Presidents should be protected but the need for the protection should be routinely reviewed and terminated when it is no longer required. Former President Nixon's recent decision to cancel Secret Service protection in July of this year lends some support to this view. There are also reports that former President Ford is considering requesting that his protection be canceled.

I ask that a copy of President Nixon's letter to the Treasury Secretary requesting the termination of Secret Service protection be printed in the RECORD.

Mr. President, Senators CHILES and PRYOR and I have worked for several years on this legislation. We have consulted closely with the administration and believe we have developed a workable and fair approach to this problem. The bill we have developed will ensure that benefit programs for former Presidents are well coordinated, more cost-effective, and subject to some carefully defined limits. In the current budget climate, these programs, like all others in the budget, must be subject to strong cost discipline and effective controls. I believe our bill is an important step in curbing costs in this area and urge my colleagues to give it their strong support.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK CITY,
March 7, 1985.

Hon. JAMES BAKER III,
Department of the Treasury.

DEAR MR. SECRETARY: This is to advise that I am aware that pursuant to section 3056, title 18, United States Code, the Secret Service is authorized to provide for my protection as a former President. Notwithstanding this authorization it is my desire that such protection be permanently terminated at 11:59 p.m., July 31, 1985. Effective with this termination of protection, I relieve the Secret Service of its responsibility to provide for my personal protection.

Sincerely,

RICHARD NIXON.

AGRICULTURAL EXPORT ENHANCEMENT AND SOIL CONSERVATION ACT 1985

Mr. DIXON. Mr. President, yesterday I introduced a bill, the Agricultural Export Enhancement and Soil Conservation Act of 1985. This act will be an important part of the efforts in the Senate to place American agriculture on a sound economic basis.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1050

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That this Act may be cited as the "Agricultural Export Enhancement and Soil Conservation Act of 1985".

TITLE I—PROTECTION OF EXPORTS

SEC. 101. (a) Section 6 of the Export Administration Act of 1979 (50 U.S.C. App. 2405) is amended by—

(1) adding at the end of subsection (a)(1) the following: "The President may impose or propose to extend export controls under this section on agricultural commodities, other than in connection with the prohibition or curtailment of all exports, in accordance with the procedures set forth in subsection (l) and the other requirements of this section."; and

(2) adding at the end thereof a new subsection (l) as follows:

"(l) AGRICULTURAL COMMODITIES.—(1) If the President imposes export controls or proposes to extend export controls that have been imposed, on any agricultural commodity to carry out the policy set forth in paragraph (2)(B), (2)(C), (7), or (8) of section 3 of this Act, the President shall immediately transmit a report on such action to Congress, setting forth the reasons therefor, in detail, and specifying the length of time the controls are proposed to be in effect which may not exceed six months.

"(2) In the case of export controls imposed by the President—

"(A) if Congress, within sixty days after the date of its receipt of the report under paragraph (1), adopts a joint resolution pursuant to paragraph (4) approving the imposition of export controls, then such controls shall remain in effect for the period specified in the report, for six months after the close of the sixty-day period, or until termi-

nated by the President, whichever occurs first; or

"(B) if Congress, within sixty days after the date of its receipt of such report, fails to adopt a joint resolution approving such controls, then such controls shall cease to be effective upon the expiration of such sixty-day period.

"(3) In the case of export controls proposed to be extended—

"(A) if Congress adopts a joint resolution approving a proposed extension of export controls prior to the expiration of the applicable period described in paragraph (2)(A) or this subparagraph, then such controls shall be extended for the period specified in the report, for six months after the date of enactment of the joint resolution of approval, or until terminated by the President, whichever occurs first; or

"(B) if Congress fails to adopt a joint resolution approving a proposed extension of controls prior to the expiration of the applicable period described in paragraph (2)(A) or subparagraph (A) of this paragraph, then such controls shall cease to be effective upon the expiration of the applicable period.

"(4)(A) For purposes of this paragraph, the term 'resolution' means only a joint resolution the matter after the resolving clause of which is as follows: 'That, pursuant to section 6(l) of the Export Administration Act of 1979, the President may impose, expand, or extend export controls as specified in the report to Congress on .', with the blank space being filled with the appropriate date.

"(B) On the day on which a report is submitted to the House of Representatives and the Senate under paragraph (1), a resolution with respect to such report shall be introduced (by request) in the House by the majority leader and minority leader of the House, for himself and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such a report is submitted, the resolution shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter during which that House is in session.

"(C) All such resolutions introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs and all resolutions introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs.

"(D) If the committee of either House to which such a resolution has been referred has not reported it at the end of thirty days after its introduction, the committee shall be discharged from further consideration of the resolution or of any other resolution introduced with respect to the same matter.

"(E)(i) A motion in the House of Representatives to proceed to the consideration of a resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order; nor shall it be in order to reconsider the vote by which the motion is agreed to or disagreed to.

"(ii) Debate in the House of Representatives on a resolution shall be limited to not more than twenty hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order. It shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

"(iii) Motions to postpone, made in the House of Representatives with respect to the consideration of such a resolution, a motion to proceed to the consideration of other business shall be decided without debate.

"(iv) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to such a resolution shall be decided without debate.

"(v) Except to the extent specifically provided in the preceding provisions of this subparagraph, consideration of a resolution in the House of Representatives shall be governed by the Rules of the House of Representatives applicable to other resolutions in similar circumstances.

"(F)(i) A motion in the Senate to proceed to the consideration of such a resolution shall be privileged. An amendment to the motion shall not be in order; nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(ii) Debate in the Senate on such a resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more then twenty hours, to be equally divided between and controlled by, the majority leader and the minority leader or their designees.

"(iii) Debate in the Senate on any debatable motion or appeal in connection with such a resolution shall be limited to not more than one hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of such a resolution, allot additional time to any Senator during the consideration of a debatable motion or appeal.

"(iv) A motion in the Senate to further limit debate on such a resolution, debatable motion, or appeal is not debatable. No amendment to, or motion to recommit, such a resolution is in order in the Senate.

"(G) In the case of the resolution described in subparagraph (A), if prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same matter from the other House, then—

"(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

"(ii) the vote on final passage shall be on the resolution of the other House.".

(b) Section 7(a)(1) of the Export Administration Act of 1979 is amended by adding at the end thereof the following: "The President may impose, expand, or extend export controls under this section with respect to agricultural commodities only as provided in section 6(l).".

TITLE II—BONUS COMMODITY EXPORTS

SEC. 201. (a) Notwithstanding any other provision of law and in addition to any authority granted to the Secretary of Agriculture or the Commodity Credit Corporation under any other provision of law, the Secretary shall use "bonus commodities" from the Commodity Credit Corporation acquired through its price support operations, to the extent they are available, and shall provide such commodities at no cost to United States exporters, users, and foreign purchasers to offset the adverse effects of export subsidies of competing exporting countries and to offset disadvantages for United States agricultural commodity exports due to the low value of foreign currencies in relation to the United States dollar.

(b) The Secretary shall calculate the estimated annual storage, interest, and handling costs of those Commodity Credit Corporation stocks that the Secretary determines to be in excess of those Commodity Credit Corporation stocks which, together with domestic commercial stocks, are in an adequate carryover status, and declare an amount of such excess stocks, equal to the calculated total costs of the storage, interest, and handling costs of all stocks the Secretary determines to be in excess, to be bonus commodities available for export under this section. The Secretary shall use a minimum of one-third of such bonus commodities each year for the purposes set forth in subsection (a) and, if the Secretary fails to do so, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, the reasons therefor.

TITLE III—FINANCING OF SALES OF AGRICULTURAL COMMODITIES

SEC. 301. (a) Effective with respect to the fiscal years beginning October 1, 1985, and ending September 30, 1989, the Secretary of Agriculture shall use funds of the Commodity Credit Corporation under the CCC Export Credit Sales Program (GSM-5) for export credit for surplus commodities in any year that the carryover stocks of those commodities exceeds the level provided for in paragraph (b) of this section. Such credit shall be limited to sales of those commodities determined to be in excess of reserve requirements. The Secretary of Agriculture shall set rates of interest for credit under this program at a level that will offset changes in the value of the dollar relative to other currencies since 1981.

(b) The Secretary of Agriculture shall make such credits available for exports of feed grains whenever carryover stocks exceed 1.7 billion bushels and for exports of wheat whenever carryover stocks exceed 1 billion bushels.

TITLE IV—PROTECTION OF HIGHLY ERODIBLE LAND

SEC. 401. (a) Except as provided in subsection (b) and notwithstanding any other provision of law, following the date of enactment of this Act, any person who produces an agricultural commodity on highly erodible land shall be ineligible, for—

(1) any type of price or income support assistance made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), or any other Act;

(2) a loan for the construction or purchase of a facility for the storage of such commodity made under section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h));

(3) crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(4) a disaster payment made under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.); or

(5) a new loan made, insured, or guaranteed under the Consolidated Farm and

Rural Development Act (7 U.S.C. 1921 et seq.) or any other provision of law administered by the Farmers Home Administration, if the Secretary determines that such loan will be used for a purpose that will contribute to excessive erosion of highly erodible land.

(b) Subsection (a) shall not apply to—

(1) any agricultural commodity planted by a person before the date of enactment of this Act;

(2) any agricultural commodity planted by a person during any crop year beginning before the date of enactment of this Act;

(3) any loan described in subsection (a) made before the date of enactment of this Act; or

(4) any agricultural commodity produced using a conservation system that has been approved by a conservation district and that is based on technical standards set forth in the Soil Conservation Service technical guide for that conservation district. In areas where no conservation district exists, the Secretary shall determine the adequacy of the conservation system to be used in the production of any agricultural commodity on highly erodible land.

TITLE V—EFFECTIVE DATE

SEC. 501. Except as otherwise provided herein, the provisions of this Act shall become effective October 1, 1985.

SENATOR ROBERT C. BYRD, RECIPIENT, 1984 AWARD FOR LIFE SERVICE TO VETERANS

Mr. DOLE. Mr. President, on Tuesday evening, April 30, this Senator was privileged to participate in a ceremony that honored one of our most distinguished colleagues. In the splendid setting of the Russell Senate Caucus Room, members of the Paralyzed Veterans of America and the Vietnam Veterans Institute, along with friends, well-wishers, and representatives from both the Senate and the House, gathered to say thank you to a man who truly cares—the distinguished minority leader, Senator ROBERT C. BYRD.

Ever since my good friend from West Virginia first came to Capitol Hill, he has been one of the true guardians of the welfare of our veterans. Year in and year out, Mr. BYRD has been at the forefront of legislation that, above all, guarantees that those Americans who gave so much in defense of our cherished freedom will never be forgotten.

In recognition of the Senator's longtime devotion to this worthy effort, the veterans' groups presented the distinguished minority leader with their 1984 Award for Life Service to Veterans—a wonderful portrait to our gentleman friend from West Virginia.

Mr. President, it is fitting that in this time of remembrance of our national agony in Southeast Asia, we take pride in knowing that the distinguished Senator from West Virginia made sure that, even in the dark days of an unpopular war, Congress did not turn its back on our fighting men.

In my view, it is men like ROBERT C. BYRD who deserve real credit for turning this country around on Vietnam, and restoring dignity and pride to the brave vets who fought so well for their country. There may not have been brass bands or cheering thousands for our returning Vietnam veterans, but there was always the strong hand of support extended by Mr. BYRD.

As a World War II veteran, the Senator from Kansas would like to thank the distinguished minority leader for his good work on behalf of the American soldier; and as a colleague, I would like to thank him for his wisdom.

Mr. President, it was an honor to share the stage during Tuesday evening's tribute with so many distinguished colleagues from both parties and from both Houses: Vice President George Bush; Senator STROM THURMOND, President pro tempore of the Senate; Senator ALAN SIMPSON; assistant majority leader and former chairman of the Senate Veterans Committee and currently a key member of that committee; Senator ALAN CRANSTON, Senate minority whip, and ranking Democrat, Senate Veterans' Committee; Senator FRANK MURKOWSKI, chairman, Senate Veterans' Committee; Senator JAY ROCKEFELLER, member, Senate Veterans' Committee; and Representative SONNY MONTGOMERY, chairman, House Veterans' Affairs Committee.

I ask unanimous consent that the following highlights of Mr. BYRD's award ceremony be printed in the RECORD:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESENTATION STATEMENTS

PARALYZED VETERANS OF AMERICA

Paralyzed Veterans of America takes great pride in participating with the Vietnam Veterans Institute in recognizing the contributions of Senator Robert C. Byrd. The presentation of the Award for Life Service to Veterans is a token of our appreciation of the Senator's long standing commitment to the veterans of this nation.

Senator Robert Byrd's advocacy for programs and benefits for veterans has been of particular significance to the members of Paralyzed Veterans of America. PVA's members, all of whom have experienced spinal cord injury or dysfunction, utilize the broad spectrum of services conducted by the Veterans Administration,. Of greatest importance to PVA's members, and millions of other veterans across the nation, has been Senator Byrd's active and vigorous support of a viable VA health-care system which is capable of meeting the many needs of America's veterans.

Paralyzed Veterans of America, through its conduct of programs in Service, Advocacy, Legislation, and Research, realizes that the needs of America's veterans are many and diverse. It is for this reason PVA sincerely enjoys this opportunity to demonstrate our gratitude to an individual who has consistently been a leading proponent of many meaningful programs for veterans.

The career of Senator Robert Byrd, both as Majority and Minority Leader of the United States Senate, is deserving of the highest accolades. His willingness to listen to and judge issues based upon merit is representative of his service to West Virginia, America's veterans, and the nation, itself.

Again, on behalf of the 11,000 members of Paralyzed Veterans of America, it is a pleasure to join with the Vietnam Veterans Institute in saluting Senator Robert C. Byrd and honoring him with the 1984 Award for Life Service to Veterans.

RICHARD D. HOOVER,
President,
Paralyzed Veterans of America.

VIETNAM VETERANS INSTITUTE

The Vietnam Veterans Institute is proud to join with the Paralyzed Veterans of America this year, in presenting the Award for Life Service to Veterans to the Honorable Robert C. Byrd.

The Award is non-partisan and is intended to pay tribute to outstanding Americans who, through public or volunteer service, have consistently contributed to the well being of American veterans. It is an award for loyalty. The kind of loyalty that works to assure that the needs of American veterans are not overlooked, once the nation's need for their loyalty, while in uniform, has passed.

Robert C. Byrd is such an American. Since 1959 (the 86th Congress) he has introduced or supported 66 pieces of legislation on behalf of the veterans of this nation. In his legislative support, he has taken on the tough issues as well as supported the popular ones. In 1965, he backed legislation prohibiting the closing of 11 VA hospitals. Throughout his career, from the FHA mortgage program, to education and training benefits, to cost of living increases in pensions, Robert Byrd has been consistent.

For Vietnam veterans alone, he has supported the Emergency Employment Act of 1971, the Vietnam Era Veterans Readjustment Assistance Act of 1972, Health Care Expansion Acts, as well as Drug & Alcohol treatment and Rehab programs. In 1974, he overrode a presidential veto to assure the Vietnam Veterans Education Act became law. In 1984, he took on the hard and controversial task of supporting an Agent Orange Compensation bill.

In 1983, he also secured passage of his amendment to authorize a bronze medal to be presented to the next of kin of those Americans missing or unaccounted for in southeast Asia.

In our dealings with him, he has been accessible, accommodating and open in his agreement, and just as importantly, open in his disagreement. It is with great pleasure that the Paralyzed Veterans of America and the Vietnam Veterans Institute unveil a portrait of a gentleman, and our recipient of the 1984 Award for Life Service to Veterans.

JERRY E. YATES.
President,
Vietnam Veterans Institute.

A MESSAGE FROM THE PRESIDENT—AS READ BY VICE PRESIDENT BUSH

Mr. BUSH. Ladies and Gentleman, I have the honor of reading a letter from our President that says:

Dear Bob. I am pleased to send my congratulations as you are honored by the Paralyzed Vietnam Veterans Institute Board of Directors at the unveiling of your portrait. It is truly fitting that such an honor is being bestowed on you, for you have devoted so much of your time and energy as a

Senator to those who have served our Nation on the field of battle.

Nancy joins me in sending you our very best wishes.

Sincerely,

RONALD REAGAN.

And I would add, for the President of the Senate, and my wife Barbara, we feel exactly the same way.

EXCERPTS FROM COLLEAGUES' TRIBUTES

Senator THURMOND. Bob Byrd is a true statesman. West Virginia can be proud of him. The Nation can be proud of him. And for all he's done for the veterans, I know they're proud of him. As you know, Bob, when you work for the veterans, you're working for the people who saved this Nation. The men who wore the uniform or the women who wore the uniform are responsible for our freedom today. To our veterans, I can only say you could not have selected a finer person to receive this outstanding award than Bob Byrd.

Senator SIMPSON. It is a deep privilege to be here tonight. Robert Byrd is an extraordinary man, and we are all awed by his prowess and his skills. And to the Vietnam veterans group, I commend you all for your recognition of this great leader. During the time he was majority leader, the Congress passed an amazing array of legislation for the Vietnam veteran. He has shown his full awareness of America's historic obligation to its veterans.

Senator CRANSTON. Too often in our business the hard work that individual Members do in the Congress gets lost in the shuffle, and they don't receive recognition, or enough recognition for their efforts. For not allowing that to happen in the case of Robert Byrd and his work on behalf of veterans, I congratulate all of you and the Vietnam Institute Board of Directors and the Paralyzed Veterans of America. I know of no Senator who has been more steadfast in support of all the right things for veterans.

Senator MURKOWSKI. I think it's appropriate to recognize the solid support of America's veterans which Senator Robert Byrd has demonstrated over the years. He is a man who has never forgotten where the Nation's strength lies, and who through his own selfless work in the Senate, has proven to be a great contributor to a strong America.

Senator ROCKEFELLER. To serve as a junior colleague to Senator Byrd is an experience. He has a great deal of skill and majesty in this complex and excellent Senate. I am proud to be his junior colleague, and look forward to being in that position for many years to come. God bless you, Senator Byrd, for all that you've done for the veterans and for what they this evening are doing for you.

Representative SONNY MONTGOMERY. As far as I know, Senator Byrd has never voted against a veterans' bill and I doubt if he ever will. Robert Byrd has been instrumental in securing funding for VA programs both in West Virginia and across the Nation-especially for the establishment of the new State medical schools at VA hospitals.

I express my pleasure at being able to be with you tonight in paying high tribute to a true friend of West Virginia veterans, of all veterans, and all Americans, Senator Robert C. Byrd.

ACCEPTANCE REMARKS: SENATOR ROBERT C. BYRD

To a large degree, world history has been written on the battlefield. The Trojan War, the Punic wars, the campaigns of Alexander and Napoleon, World Wars I and II and the Vietnam and Korean conflicts—in those mighty clashes. Empires have risen and fallen, and destiny has been changed. And for centuries after, historians and poets glorify the kings, generals, admirals, and marshalls who led the armies or commanded the navies.

Unfortunately, however, battles are fought mostly by private soldiers, sailors, and airmen—men in many cases who, in Abraham Lincoln's words, "gave the last full measure of devotion." But more often, survivors of those conflicts must go on suffering from their wounds an disabilities long after the guns have fallen silent, and the flags have been stored away.

In that regard, an old epigram says, "Nothing is so neglected as a chimney after a house burns down, or a soldier after the battle is won." Too often in the past, that saying was shamefully true. In war after war, men were called from peaceful pursuits to defend their country, and if they were fortunate enough to survive, they were sent home to fend for themselves, whatever their condition.

Some generations ago, that neglect was only too obvious. All across our country, many towns and communities included their share of dramatically disabled veterans—the old soldier hobbling about on a wooden pegleg, the Union Army veteran with the empty shirt sleeve, or the broken doughboy who had been gassed in the trenches of 1918. To America's shame, men who had literally sacrificed "the best years of their lives" for their country, were left to knit what remained of those lives together in the best ways they could.

Fortunately, recent generations of Americans have awakened to their duty to those who have given so much to keep our country free and strong. Most Americans realize what kind of world this would be if Hitler had won World War II, or if communism had been allowed to spread unchallenged across continent after continent. Our freedom and the security of our way of life depend on those who have served in our military forces—the Army, Navy, Air Force, Marine Corps, and others—and most Americans know that we owe those men and women lasting gratitude.

I am glad that Congress has, over the years, enacted legislation to make that gratitude real—to plan programs and provide opportunities to try to repay veterans for the years in which they exchanged their civilian clothes for uniforms, and to ensure that the wounded and disabled be given a chance for a better life, thus fulfilling the duty of a grateful country toward those of our young men and women who have helped make and keep this the greatest Nation in the world. In this regard, I am supportive of legislation to upgrade the non-competitive entry level for Vietnam veterans in the Federal civil service system. Further, in recognition of the brave men who honorably gave their all for our country in Vietnam, I have today introduced a resolution to make May 7 Vietnam Veterans Recognition Day, marking the 10-year anniversary of the official end of America's involvement in its longest war.

Today, I thank the Vietnam Veterans Institute and the Paralyzed Veterans of America for the honor they have bestowed on me in this award. I hope that a grateful Nation's contributions to our veterans have helped in part to repay them for their sacrifices. And in the years to come, we shall continue to work to see that our country keeps faith with those who stood in the ranks to protect us against our enemies and to ensure that our children and grandchildren might enjoy the privilege of being proud, free Americans.

Mr. DOLE. Mr. President, the Senator from Kansas would like to also pay tribute to the very talented artist who created the award portrait. Tom Nielson can be tremendously proud of his wonderful work of art which captures so well the character of the distinguished minority leader.

I would also salute the many veterans who attended the ceremony. Their very presence was a true testament to the esteem that they have for Senator BYRD and a tribute to his dedication to their lives. American veterans, from every war, hold a special place in American society. And men like Senator BYRD will always see to it that their place is secure.

VIETNAM VETERANS RECOGNITION DAY

Mr. DOLE. Mr. President, I call up Calendar No. 94, Senate Joint Resolution 128, and ask for its immediate consideration.

The PRESIDING OFFICER. the joint resolution will be stated by title.

The legislative clerk read as follows:

Joint resolution (S.J. Res. 128) to designate May 7, 1985, as "Vietnam Veterans Recognition Day."

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

Mr. BYRD. Mr. President, I want to thank the distinguished majority leader for calling up this resolution. I also thank him for his cosponsorship of the resolution.

The PRESIDING OFFICER. Are there amendments to the text of the resolution?

Mr. BYRD. No. Mr. President, the amendment to the preamble, of course, will not be read until after action on the resolution takes place. I do have a brief statement, if the Chair will indulge me.

The PRESIDING OFFICER. The Senator may proceed.

Mr. BYRD. Mr. President, this resolution is long overdue and is a symbol of my concern that our Nation's Vietnam veterans be afforded the recognition they are due for their patriotic service.

Next Tuesday, May 7, 1985, marks the 10th anniversary of the official end of America's involvement in the conflict in Vietnam. Some 3.4 million American men and women served in the Vietnam theatre during that long war—the longest conflict this Nation has been involved in since we gained

our independence. More than 57,000 Americans lost their lives there, and an additional 2,400 Americans are still listed missing in action in Southeast Asia. Some 300,000 were wounded and some 75,000 have incurred permanent physical disabilities as a result of their service.

Regardless of the ultimate verdict of history about U.S. involvement in that war, the service that patriotic Americans performed is deserving of their country's recognition.

Mr. President, the Nation is now beginning to review in a more dispassionate and even-handed manner the history of our involvement in the Vietnam conflict. We are still learning the lessons of that conflict. For too long we have taken the painless road of avoiding that history. It is a healthy sign, I believe, that there has been a recent upsurge in commentary and analysis of our role in Vietnam. If we cannot examine our past, then we will be unable to chart our future with wisdom.

It is, then, appropriate that we now take steps to honor our veterans, and the memory of those who did not return from Vietnam. This resolution would designate next Tuesday, May 7th, as "Vietnam Veterans Recognition Day." It is a modest measure, but an essential step in the healing process which is so important for our country.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, I thank the distinguished minority leader for permitting me, and others, to cosponsor his resolution. I believe this is a fitting tribute. I commend the minority leader, and others, Vietnam veterans and others, who have sought this initiative.

I am pleased to cosponsor and support Senate Joint Resolution 128, to denote May 7 as Vietnam Veterans Recognition Day.

Although we have not yet fully resolved our national debate about the Vietnam war and our involvement in it, there is one aspect of the war on which there should be bipartisan, indeed unanimous, agreement—that the more than 3 million Americans who served our country in the Vietnam theater did so with honor, with distinction, and in a manner consistent with the highest traditions of our military services.

Some 57,000 of those service men and women lost their lives doing their duty. Two thousand four hundred of them are still listed as missing in action, and we must continue to demand from the Communist authorities in Indochina a complete accounting for them. Tens of thousands of others suffered injury, some of them permanently disabling injury, which has altered their lives.

And all of those who served—including those who were fortunate enough to have escaped death or injury—sacrificed greatly for their country, in ways that only other combat veterans can fully appreciate. All of them gave a part of themselves and their lives to do what they thought was right. All of them deserve the recognition and the thanks of their fellow citizens for what they gave.

It is not only fitting that we should set aside a day to honor their service and their contribution. It is imperative that we do so. It is not something that we are giving to the Vietnam veterans—it is something we owe to them.

I commend those who have taken this initiative to denote May 7 as Vietnam Veterans Recognition Day.

But, far more importantly, I want to salute the memories of all of our Vietnam service men and women—those who are fallen, those whose fate is still unknown and those who have returned to resume their lives here at home. Let us remember and honor each of them on May 7 and, indeed, every time we reflect on the duties and privileges of being an American.

As the distinguished minority leader indicated, it will designate May 7 as Vietnam Veterans Recognition Day.

Mr. MURKOWSKI. Mr. President, I rise to join my distinguished colleague, ROBERT BYRD, in the resolution he has introduced and which I have cosponsored, which provides that May 7, 1985, be designated "Vietnam Veterans Recognition Day."

At the time, I want to again congratulate Senator BYRD on being honored by the Paralyzed Veterans of America earlier this week, and for the presentation of a portrait painted by Veterans' Administration artist, Tom Neilsen.

At that ceremony, many of Senator BYRD's colleagues commended him for his service to America's veterans—all our veterans, not just those from the Vietnam era, or World War II, Korea or World War I. And I join with my colleagues in echoing those praises for Senator BYRD.

Mr. President, the resolution before us reflects the highest values we place on all veterans. But it is specially designed to honor the unique service of the Vietnam veteran.

We must recognize and appreciate the unique nature of the Vietnam war, and we must continue to address the special needs of its veterans in light of the times during which the conflict occurred.

Mr. President, we must also recognize and appreciate that the vast majority of Vietnam veterans have shown a remarkable ability to overcome physical, psychological, and economic hardships; they are among the most productive members of our society and they have achieved educational and salary levels higher than many of their nonveteran peers.

As to their feelings for America, you will not find a more patriotic and freedom-loving citizen than the Vietnam veteran. As any of our Nation's veterans will attest, only by fighting for freedom can one truly appreciate the consequences of its loss.

The 10 years since our disengagement from Southeast Asia have been a bittersweet time for America. But I believe it has been one in which all Americans have seen, once again, that despite the public criticisms and a heated national debate over our involvement in that conflict, the men and women of our Armed Forces who were sent to try to secure freedom in distant lands stuck to their end of the bargain and upheld the finest traditions of the American military.

Vietnam veterans are deserving of high praise and recognition, just as their colleagues-in-arms have deserved such praise and recognition throughout our great history. Let us show them that although our Nation was divided regarding military involvement in Vietnam, we, as a nation, are truly grateful for their contributions, given selflessly and often with the ultimate sacrifice. The resolution is meant to pay a formal tribute to the patriotic efforts made on our behalf by our Vietnam veterans.

For those efforts we will be forever grateful, and that gratitude, in some measure, is what the good Senator's resolution is all about. So I support this resolution and urge my colleagues to join with us in making May 7 a formal day of recognition for the Vietnam veteran.

Mr. SIMPSON. Mr. President. I am most pleased to lend my support to Senate Joint Resolution 128, to designate May 7, 1985, as "Vietnam Veterans Recognition Day". May 7, 1985, will mark the 10th anniversary of the ending of the Vietnam war. With this anniversary has come much reflection and examination of America's role in Vietnam and the sacrifices made by American fighting men and women who served in the Vietnam theater. More than 57,000 Americans made the ultimate sacrifice for their country during that war. Another 2,400 Americans are still listed as missing in action in Southeast Asia.

It is very right and our duty that the country should pause on May 7, 1985, and remember with feelings of compassion and pride the men and women who fought in Vietnam. It is right and good that the Senate should support Senate Joint Resolution 128, designating "Vietnam Veterans Recognition Day" and requesting the President to issue a proclamation calling upon all Americans to observe that day.

So then, I commend the efforts of Senators BYRD and CRANSTON in intro-

ducing this resolution which I have cosponsored and I join my colleagues in support of this well deserved recognition. Throughout the 10 years since the end of the war, Congress has kept and honored its obligations to the Vietnam veteran through the enactment of significant legislation specifically targeted at assisting those soldiers. It is only fitting that we should take this time for a moment of pause in our daily activities both here in Congress and throughout the Nation to pay tribute to the Vietnam veteran.

Mr. DOLE. Mr. President, the Senator from South Dakota, a Vietnam veteran, would like to say a word.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. PRESSLER. Mr. President, I am happy to join as a cosponsor of this resolution. I commend its sponsors. Let me say that I have taken a particular interest in Vietnam veterans since having served in Vietnam as a lieutenant many years ago. Only recently, I joined with some other Vietnam veterans in this Chamber in sponsoring legislation regarding the mental health and physical health of Vietnam veterans. This legislation would improve our Veterans' Administration hospitals, particularly for our Vietnam veterans still suffering from posttraumatic stress disorder.

We have also joined in offering legislation regarding special training for Vietnam veterans who have not gotten into the job market—both vocational-technical training as well as higher education.

We have also urged that the VA take special account of the fact that the Vietnam war was a different kind of war in terms of veterans, and that many Vietnam veterans have suffered feelings of guilt or feelings of stress, and have not fit into the regular job market as veterans of other wars who were welcomed home. The attitude in the country has changed substantially. I recall when I first returned from Vietnam that very few people would wear their uniforms on the streets because they were accosted or would run the risk of an insult. That was a rather sad day in our country's history. That has changed fortunately. Vietnam veterans are now being recognized.

I think it is a much healthier atmosphere. But it is indeed appropriate that there should be a "Vietnam Veterans Recognition Day" and I am happy to join as a cosponsor and urge its immediate passage.

The PRESIDING OFFICER. Are there amendments to the resolution? If there be no amendments, the question is on the engrossment and the third reading of the joint resolution.

The resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. DOLE. I move to reconsider the vote.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 47

The PRESIDING OFFICER. The clerk will now state the amendment to the preamble..

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] for himself and Mr. DOLE, proposes an amendment numbered 47.

On page 2, in the 1st Clause, after the word suffer, strike "physically and psychologically"

On page 2, in the 4th Clause, strike, "and respond appropriately to the needs of"

The PRESIDING OFFICER. The question is on agreeing to the amendment to the preamble.

The amendment to the preamble (No. 47) was agreed to.

Mr. DOLE. I move to reconsider the vote.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The joint resolution (S.J. Res. 128), with its preamble, as amended, is as follows:

S.J. RES. 128

Whereas over three million American fighting men and women who served in the Vietnam theater for over a decade acquitted themselves in the highest traditions of American service personnel;

Whereas more than fifty-seven thousand Americans lost their lives there, and an additional two thousand four hundred Americans are still listed as missing in action in Southeast Asia;

Whereas thousands of Vietnam veterans still suffer from the effects of the war, including many who are permanently disabled;

Whereas regardless of the ultimate verdict of history about United States involvement in that war, the service that patriotic Americans performed in the Vietnam theater is deserving of continued and reemphasized grateful recognization;

Whereas the Nation is now beginning to review in a more dispassionate and even-handed manner the history of our involvement in the Vietnam conflict;

Whereas for too long the Nation failed to honor the service of Vietnam veterans and was instead anxious to place the Vietnam experience behind it; and

Whereas May 7, 1985, marks the tenth anniversary of the official end of America's involvement in the conflict in Vietnam: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 7, 1985, is designed "Vietnam Veterans Recognition Day" and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such a day with appropriate activities.

Mr. BYRD. Mr. President, I thank again the distinguished majority leader for calling up this resolution, and also for his chief cosponsorship. In addition to Mr. DOLE and myself, the following Senators are cosponsors of the legislation:

Mr. MELCHER, Mr. DODD, Mr. CHILES, Mr. ABDNOR, Mr. STAFFORD, Mr. SIMPSON, Mr. WARNER, Mr. GOLDWATER, Mr. NICHOLS, Mr. STEVENS, Mr. PRYOR, Mr. BOREN, Mr. LAUTENBERG, Mr. MURKOWSKI, Mr. PRESSLER, Mr. KASTEN, Mr. DOMENICI, Mr. MATSUNAGA, Mr. MATTINGLY, and Mr. METZENBAUM.

I thank all of those who have joined in cosponsoring this measure.

Again, I thank the majority leader for providing that other cosponsors may, during the day, add their names.

Mr. DOLE. Mr. President, I also would like, if there is no objection by the minority leader, to ask unanimous consent that Members may have the right to submit statements throughout the day to the resolution.

Mr. BYRD. I have no objection, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time for morning business has expired.

FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1986

The PRESIDING OFFICER. The clerk will state the pending legislation.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the U.S. Government for the fiscal years 1986, 1987, and 1988 and revising the congressional budget for the U.S. Government for the fiscal year 1985.

The Senate resumed consideration of the concurrent resolution.

Pending:

Dole (for Grassley and Hatfield) Amendment No. 46 (to Amendment No. 43, as amended), to limit the growth in Fiscal Year 1986 budget authority for defense to an inflation adjustment.

Mr. GOLDWATER addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. GOLDWATER. Mr. President, what is the situation relative to time?

The PRESIDING OFFICER. The Senator controlling the time in opposition has 27 minutes. The proponents of the amendment have 13 minutes.

Mr. GOLDWATER. I thank the Chair.

Mr. METZENBAUM. Will the Senator from Arizona yield for just a question?

Mr. GOLDWATER. Well, all right.

Mr. METZENBAUM. I only want to ask the Senator from Arizona whether he intends to use the remainder of the time until 12 o'clock. I have no objection, but I just want guidance.

Mr. GOLDWATER. No, I shall not use 27 minutes, but I cannot tell him how many minutes I will use.

Mr. METZENBAUM. I thank the Senator from Arizona and I apologize for the interruption.

Mr. GOLDWATER. That is all right.

The PRESIDING OFFICER. The Senate may proceed.

Mr. GOLDWATER. Mr. President, I believe it is time once again to remind my colleagues of the hard facts concerning the security of our Nation. It has become obvious over the past few weeks that many of my colleagues have conveniently forgotten that there is a growing threat to our national security. I want to ensure that the Senate is fully aware of the impact of further reductions in the defense budget.

I might remind my colleagues, if they will look at their Constitution, that the first responsibility of Members of Congress is to provide for the defense of their country. It is not to provide for food stamps, social security, retirement, COLA, or anything else; it is to defend their country and defend this country's freedom.

Mr. President, for a brief period in the early 1980's, Americans shook the shortsighted notions of the 1970's. But now, as the price of defending our interests and holding to our cherished principles has become the focus of popular attention, too many Americans in positions of leadership want to return to the policies of weakness, conciliation, and isolationism.

Mr. President, I recognize that in Washington, DC, and in other parts of our Nation, there are many organizations that are opposed to our strong defense and offense position. This is their right. I watched, for example, on channel 26 last Sunday night a complete program against the structure, the ability, and so forth, of our Armed Forces. All I am asking my colleagues is that when they are supplied information on our Armed Forces, they realize the source and whether they are willing to stand behind the veracity of the statements that they will receive.

Mr. President, the threat that we face is real, is ominous, and it is growing. The Soviet Union has not frozen its defense efforts over the last 4 years; it has moved ahead rapidly in all categories. Over the past 10 years, the Soviet Union has fielded an additional seven divisions and has outproduced us in virtually all ground force weapons systems. The Soviets have produced tactical aircraft at twice the rate of U.S. production and have increased their fleet of nuclear attack submarines by 50 percent.

Mr. President, I might remind my colleagues that we have not, in almost 20 years, purchased enough tactical aircraft to meet the normal attrition of accidents that occur within those forces.

Over the same period, talking now of the Soviets again, they have quadrupled their arsenal of ICBM warheads and deployed more than 420 intermediate range nuclear missiles.

Mr. President, I have to comment here that if there is one thing the Soviets worry about in relation to the United States it is our mastery of technology. I want to say at the same time that the technology of the Soviet Union has increased rapidly. The equipment that they are putting into use today is far, far better from a technological standpoint than they were a few years ago; nevertheless, we retain that leadership. As long as we do, that respect from the Soviet Union will exist. In fact, I think it is one of the reasons that the Soviets agreed to come back to the bargaining table in Geneva—that plus the fact that we have probably the strongest conventional forces in the world regardless of size.

There are no reliable indicators that the Soviet arms buildup is abating and there is no logic in assuming that the Soviet military budget would be frozen if we froze the U.S. defense budget. As President Reagan has said, we are not free to size our defense efforts simply in terms of our domestic economy. We must respond to requirements that are outside of our control.

Let me remind my colleagues also that when I speak of the Soviet Union, I speak of them only as one potential enemy of our freedom.

We are committed, Mr. President, to military action with no treaty. For example, we have promised the country of Israel that, if they are attacked, we will come to their defense. Now, that is a matter of honor. It is a promise that I think we would have to honor. So we are not only talking about the possibility of having to engage in combat with the Soviet Union. We have another country coming up that we have, unfortunately, blessed by our recognition, Red China—just to mention a few of the places that we did not have as possible enemies or sites of conflict a few years ago.

Four years ago the Congress and the American people endorsed a defense recovery program which would help our Nation recover from the neglect of the 1970's, but the Congress has reneged on that endorsement and made significant reductions in the President's defense budget plan.

Since March 1981, when the President submitted a 5-year defense budget in response to the mandate provided by the American people in November 1980, the Congress has cut almost $100 billion from the defense budget. The President's budget request for 1986 is almost $60 billion less than what he proposed in his original 5-year plan for this coming fiscal year.

Now, the President has agreed to reduce his defense request for 1986 by an additional $10 billion, resulting in a total cut from the March 1981 plan of $165 billion. And still some of my colleagues in the Congress want to cut more.

It has become sort of a fetish with my colleagues in the Congress that the only place we can achieve any hope of reducing our deficit is through the defense budget. Let me remind my friends that we could eliminate the defense budget and it would not solve our deficit problems. We are not in trouble because we have been spending money on defense. It might contribute to it a bit. Our trouble stems from the almost unlimited number of welfare programs Congress has enacted in the last 50 years. It is contributed to by the inability of Social Security to support itself, by the inability of almost every Government retirement plan, civil service, railroad retirement, veterans, and now my colleagues say, "Well, we will take it out of the hide of our Armed Forces."

Many of my colleagues argue that the defense budget has grown at the expense of domestic programs. I will tell you unequivocally that this statement is untrue. The Congress has cut the defense budget request to varying degrees in 8 of the past 10 years while adding to the domestic budget in 6 of those 10 years, and on the whole the size of the increases in the nondefense area have far exceeded the cuts in defense. This demonstrates to me that the major share of responsibility for rising deficits must rightfully be pinned on growing domestic programs rather than defense, contrary to the assertions of some of my colleagues.

Now, Mr. President, several of my colleagues will propose amendments to the budget resolution which would accomplish similar levels of deficit reduction either by raising taxes or by cutting defense but not by significantly reducing spending for politically popular domestic programs. But what share of the deficit reduction burden must defense bear? According to OMB, the defense budget represents approximately 26 percent of Federal outlays in 1985. Under the Senate-administration compromise plan, defense provides over 36 percent of the total deficit reductions in 1986, and 33 percent of total reductions over the 3 years.

Mr. President, Senator GRASSLEY's proposal, which I in part am addressing, would cut an additional $5 billion from 1986, making the defense share in that year over 44 percent of the total reductions. Over 3 years, the Grassley amendment would take 43 percent of total deficit reductions from the defense function.

Now, I believe that the Senate-administration compromise represents more than a fair share of reductions from the defense budget and that Senator GRASSLEY's proposal goes too far.

I ask my colleagues who want more cuts in defense, from where would these cuts come?

I mentioned yesterday on the floor that I have been in this community almost every day since last November's election. I have been begging my colleagues to tell me where they want defense cut. I think the first statement I made was, "Yes, we can reduce defense spending. Where do you want to cut it?" I have not had one single proposal of where we might cut this defense budget.

The Armed Services Committee, which I chair, has reported a national defense authorization bill for 1986 which represents approximately 3 percent real growth in defense over 1985. Now, we took a shot at marking that bill to a level allowing no real growth, and a bipartisan majority of the committee would not endorse that level of reduction. I ask, therefore, that those who advocate greater reduction tell me precisely where they would take those cuts.

I have a hunch that there will be 50, 60, or 70 amendments offered on this floor in the next several days pointing a finger at precise places where my colleagues feel there can be further cuts.

It is not enough, however, to say cut this weapon system or that one in order to achieve the major outlay savings required by a budget freeze. It is not that simple. Looking at the outlay distribution for the 1986 defense budget, one finds the following: 42.9 percent will be devoted to pay and related expenditures; 7 percent will go for operating expenses; 38.3 percent will be spent to fund prior year commitments, and only 11.9 percent represents discretionary investment for 1986. This means that unless we are willing to sharply curtail operations, significantly reduce pay or cancel existing contracts, the brunt of cuts must be absorbed in the discretionary investment area. And Congress has shown over the past 4 years that we will not substantially reduce pay for military personnel and defense civilians or make significant cuts in the operation and readiness area.

Now, Mr. President, in that respect I would like to warn my colleagues against entertaining the idea of introducing amendments that have anything to do with retirement or anything affecting the military. I will be the first to recognize that the whole retirement structure needs going over. I will tell you at this time that Senator NUNN and I and other members of the Armed Services Committee have been working on a very, very thorough, heavily detailed document that will outline the real problems that we face in the Pentagon in the command structure. This is the first time it has been attempted since the 1920's.

I further remind my colleagues that the Constitution charges us with raising the Army and the Navy and retaining control over them.

So I do not want to see amendments offered to tamper with personnel, because at the present time we have the best personnel we have ever had in the armed services in my long, long association with them.

I do not want to see at this time a beginning of a loss of great interest, as shown in our ability to fill our ranks, not just with young men and young women, but young men and young women of high school level, which is something we have never accomplished before.

My colleague from Iowa offered an amendment yesterday to cut the defense function in the budget resolution by more than $17 billion in outlays for 3 years. In explaining his reasons for offering this amendment, my colleague cited the familiar theme of waste, fraud, and abuse in Pentagon procurement practices.

Senator DOMENICI correctly made the point the other day that we can all complain about inefficiencies in defense procurement practices. But when the Pentagon is involved in almost 15 million transactions and awards, over $146 billion in contracts annually, cutting the defense budget is not going to eliminate these inefficiencies.

I want to take my hat off to my friend from Iowa for the great work he and the Senator from Delaware [Mr. ROTH] and others have been doing in this general area of calling the attention of the American people to obvious examples of waste, such as $5 nuts and bolts, $200 wrenches, and so forth. But when you are engaged in 15 million transactions a year, it is pretty difficult to figure out how we are going to eliminate these things.

However, if we study the bill we have introduced from the Armed Services Committee, we find an amendment that lists every bad piece of business that Senator GRASSLEY and Senator ROTH have pointed out. The bill lists them and prohibits them and provides not just minor penalties but very severe penalties—jail and money. Even though most of these would probably be allowed by the Internal Revenue Service, we do not propose to allow them in the general conduct of the business of purchasing equipment.

I might also make a comment relative to the Navy, and the Navy is merely an example. Through Secretary Lehman, there has been established a competitive group. I spoke with this group several months ago. Every one of them has at least the rank of captain, many the rank of commodore. Their job is to go around the country and try to chisel, try to get the cost of equipment down. Have they done any good? They did enough good last year to refurbish the U.S.S. *Missouri* and build two frigates, without any additional cost to the taxpayer.

The other services, I can report, are now engaged in similar exercises. I think that those facts, along with the work that Secretary Weinburger has been doing in this field, will have an immediately demonstrable effect.

I should like to make my colleagues aware of a few of the instances in which the Department of Defense has discovered and combatted waste and inefficiency in the procurement process.

Critics charge that the weapons costs are growing out of control. The Congressional Budget Office reports, however, that the annual rate of cost growth for major defense systems has declined from 14 percent in fiscal 1980 to less than 1 percent in 1984.

For example, the cost of the C-5B transport plane dropped by 10 percent in the last year. The Army's UH-60 Blackhawk helicopter costs 9.5-percent less than last year. The CG-47 Aegis class cruiser costs 8-percent less than last year. Reductions in weapons costs indicate a major improvement in the procurement process—contrary to the allegations of my colleagues.

I might comment on another piece of equipment. The AH-64 attack helicopter has dropped in price from $16.5 million to under $10 million.

The major achievement of the Department of Defense is increased competition for procurement contracts. Since fiscal year 1980, the number of yearly competitive contracts has increased by 37 percent, to over 6 million contractors. During fiscal year 1984 alone, the Department of Defense competitive awards increased to more than $53 billion, or 43 percent of all procurement dollars. Only 28 percent of contract awards were not competitive.

Internal audits in the Department of Defense uncovered most of the so-called horror stories relating to spare parts procurement. For example, while the Pentagon did buy a diode for $110, they received a refund for that single overcharge and in the same year purchased more than 120,000 of the same piece for only 4 cents each. The Pentagon did buy a hammer for $435, but subsequently received a refund of the overcharges and purchased over 87,000 hammers for $6 to $8 each. DOD never bought the $9,600 allen wrench because the purchase was stopped when the excessive charge was discovered.

Critics charge that the Pentagon allows excessive contractors charges and ignores fraudulent practices. But the facts show that DOD will recover over $200 million from two manufacturers who billed the Pentagon for improper charges from 1978 to 1983. The Pentagon has suspended payments to

contractors who make false claims. DOD investigative services opened over 48,000 fraud and larceny charges over the past 3 years, referring over 20,000 for prosecution or administrative action and winning over 1,500 convictions. Over 1,000 unscrupulous defense contractors have been suspended or debarred from doing business with DOD since 1981.

My colleague was probably unaware of these facts, and I am happy to enlighten him.

Mr. President, our budget problems are very real, and we must address them responsibly and with dispatch; but our deficit problems cannot be remedied at the expense of national security.

I have to say that freezing the defense budget has quite a bit of sex appeal the first time you hear it. A freeze of everything across the board would make every committee's job practically nonexistent. It would be a lot easier than what we go through today. When we look at the defense budget and realize what we are talking about, freezing is going to result in only one thing—ultimately, much higher cost for each item we freeze.

For example, in this year's military budget there is only one new item. It is a $40-million contract to buy communications equipment so that the Army will have better access to the entire area they are defending, and it will allow them at this time to have better communications with the Air Force.

That is the only item that we have in this year's budget that is not new.

Where does the rest of the money go? It goes to pay for things that we have not only bought but for things which are now in our inventory. For example, the F-15 aircraft, the F-14, the F-16, the F-81, the B-1B, the M-1 tank, the Bradley Battlewagon, so on and so on.

These are moneys that we owe and if the United States all of a sudden says to these manufacturers across this country "We are not going to pay you this year," I do not think it take much imagination to realize what is going to happen when we start paying contractors again and start placing orders again as we should be. Freezing would be a giant step backward after 4 years of success in restoring our military posture and regaining the confidence of our allies.

We must make the difficult and politically unpopular decisions which are necessary to make responsible reductions in both defense and domestic spending, and I urge my colleagues to continue to support the Senate-administration compromise.

In closing, Mr. President, I have spent almost every year of my adult life close to the military. I have to say that I speak with some prejudice when I speak in favor of the military. I have never known the military strength of the United States to be as well off as it is today. I hear a lot of so-called academic experts, I have read a lot of books, pooh-poohing this idea, but I go out in the field, Mr. President, I travel around this world, and I talk to the men in uniform. I do not talk to the officers. I talk to the enlisted men. That is where you get the real truth.

Never have we had as well prepared Armed Forces as we have today not only from the standpoint of equipment, although we do not have enough of it, but from the standpoint of individual proficiency in the use of this equipment and individual respect, discipline, and loyalty to the cause.

So, when we begin looking at places we might cut this budget, let us think about that. Let us think about our country. Let us stop trying to think a way we can get reelected, and that seems to be the only exercise we have been going through on this floor. How many votes can I cast that will get me reelected. Getting reelected is not the important thing. Protecting our freedom, defending our rights, and the rights of the American citizen is our first prerogative, and I urge you do not forget it.

I yield the floor.

The PRESIDING OFFICER (Mr. WILSON). The Senator from Ohio.

Mr. METZENBAUM. Mr. President, how much time remains on the amendment and how much time on the resolution?

The PRESIDING OFFICER. Remaining time on the amendment is 15 minutes under the control of the majority leader.

Mr. METZENBAUM. I yield myself such time as I may need on the resolution.

The PRESIDING OFFICER. The Senator may proceed.

Mr. METZENBAUM. Mr. President, I think that the amendment being considered at this moment is probably as important as any amendment we will consider.

I think that the Senator from Iowa, whom I commend for having offered this amendment, stated it so well when he said yesterday that we have created a new group of welfare queens, defense contractors.

The Senator from Iowa is right. The five largest defense contractors in this country received $620 million in Federal tax refunds even though they did not pay a penny of Federal income tax on their profits of $10.5 billion over a period of 3 years, 1981 to 1983.

Defense contractors are the ones who participate in the ads telling us we ought to balance the budget, but not at their expense.

Boeing made $1.5 billion and received $267 million in refunds. General Dynamics made $931 million and received $71 million in refunds. Grumman Corp. $474 million; no taxes paid. And Lockheed $1.08 billion in profits; no taxes paid.

And let us not forget General Electirc which earned $6.5 billion in profits from 1981 to 1983, paid no taxes, and received refund checks totalling $283 million.

Of course, some major defense contractors did pay taxes but at very, very low rates. Martin Marietta Co. paid 1.5 percent; Rockwell International, 3.1 percent; and TRW 6.7 percent.

My distinguished colleague, chairman of the Armed Services Committee, said, how are we going to balance the budget, what are we going to do? Well, I think that one of the things we could do in order to balance the budget is to see to it that every corporation in this country that makes profits bears a fair share of that tax burden.

I think that we ought to understand full well that the proposal of the Senator from Iowa is not to cut defense spending. I think if I stood here for the next 20 minutes and repeated myself over and over again, it might still be difficult to get the media to explain to the American people that there is not a Senator in this body who has come forward with a proposal to cut defense spending. Some argue that we cut defense spending when we spend less than some figure the President has set as the amount needed for defense spending. But even the Budget Committee proposal provided for an inflation allowance, which is not the same way that every other program in this country was treated. And this proposal is for 3 percent in excess of inflation.

In other words, the Senator from Iowa is trying to eliminate that 3 percent above inflation. He is not attempting to eliminate the inflation increase. He is just saying, "Look, enough is enough."

What he is saying and what all of us are saying who support this amendment is that in considering a budget you have to look at the priorities, you have to be fair, and you have to see what you get for your money; and there has been so much waste and fraud and abuse in the Department of Defense that it is embarrassing.

The man who heads that department had a reputation in his younger years as being Cap the Knife, and many of us thought that when he came into office in the Department of Defense that we would really see a tough-minded approach being brought to the whole issue of defense spending. And as a matter of fact, there is not that much secret about it, that the distinguished chairman of the Armed Services Committee and I some years ago wrote an eight-page letter to the Secretary of Defense indicating how there might be some economies and ef-

ficiencies in the Department of Defense.

Nor is it a secret that he and I joined together trying to force the Department of Defense to utilize competitive bidding in the purchase of a plane called the CTX. The CTX purchase is not the most major item in the Defense Department expenditures, but it is indicative of the determination of the Department of Defense not to use competitive bidding unless forced to do so.

I remember when Mr. Carlucci was the Deputy Secretary of Defense, and an able one was he. I remember when Senators ARMSTRONG and WARNER and I met with Mr. Carlucci and Cap Weinberger to talk about our concerns about wasteful Department of Defense spending, and he indicated then, and I have no reason to doubt his commitment, that indeed the Department of Defense was going to move into this area and we indicated our concern at that point that the failure to use competitive bidding by the Department of Defense in something like 90 percent of the dollars spent for procurement was wasteful and inefficient.

No local township trustee or city official or county official or State official could get by with the same failure to use competitive bidding.

This issue of competitive bidding is not a new one for the Senator from Ohio. I have stood on the floor of the Senate when there was a Member of my own party, the chairman of the Armed Services Committee, and I have fought and proposed amendments to require competitive bidding. And I have seen the acceptance of those amendments on the floor of the Senate only to see them disappear in the conference committee.

No matter how you slice it, there remain serious problems with competitive bidding and other businesslike practices in the Department of Defense. Everyone talks about it as being a wish and a hope.

But the situation with respect to Mr. Carlucci was an interesting one because, after we had had the meeting with him and after we had urged upon him the utilization of competitive bidding, we found Mr. Carlucci issued 31 new initiatives by the Department of Defense. And by some strange reason that I still have never had explained to me, there was one initiative that was not included and that was the requirement to use competitive bidding.

And so when we raised the issue with him again, there was a 32d change that was made, and competitive bidding was included, but it was alleged there was an oversight at that point.

One thing we know. Everybody wants to balance the budget. Not one Member of the U.S. Senate says that we should not have a balanced budget. And everybody in America writes letters, or some do, but all those who do urge this Congress to balance the budget. Often, when I get a letter from somebody of that kind I usually point out to him or her the fact that he or she may also be supporting at the very same point some part of the budget, some part of our tax laws, some part of our expenditures that would really not help us to balance the budget.

Everybody wants to balance the budget provided that somebody else pays the tab. And so what we are thinking about with the Grassley amendment is a strong move in the direction of balancing the budget by agreeing to give the Department of Defense an increase in their spending commensurate with the amount of inflation for the period but nothing more.

What we are talking about is whether or not we are going to spend for a single MX missile the same amount of money that could be used to eliminate poverty in 100,000 female-headed families for a year.

As a matter of fact, for the cost of one nuclear attack carrier, we could pay for all the foster care needed in the United States for the next decade. That would be about 100,000 foster care arrangements per month for 10 years.

For the cost of a single M-1 tank, we could send 5,311 children to remedial reading classes for 1 year. And would we not have a better America if we did that instead of buying the tanks and some of the equipment that is presently being purchased that does not even work, such as the Divad?

In 1980, defense was 23 percent of Federal outlays. It will reach 30 percent by the end of fiscal year 1986. In fiscal year 1980, we spent $144 billion in defense; by fiscal year 1985 we will be spending $293 billion, more than a 100-percent increase over 1980. And by 1990, we will be spending $488 billion, about 3½ times, as a matter of fact, the amount that we were spending in 1980. We have doubled the defense budget in 5 fiscal years and we will nearly double it again by 1990 if we proceed along the present path.

Over the next 5 years, the President wants $2 trillion for defense. Now what is $2 trillion? Two trillion dollars is so much money, it is such a big number, that hardly any human being can conceive of what $2 trillion is. But I think everybody ought to understand what it is. I think those who work here ought be understand what it is. I think everybody in the media ought to understand what it is.

The simplest way that I can explain to them what $2 trillion for defense is over the next 5 years is to say that every single household in this country will have to pick up the tab to the extent of $25,000—$25,000 for every single household in America. That is what a $2 trillion defense budget means to America.

Secretary Weinberger's credibility has become an issue in this whole matter of defense spending. Now the Secretary, who I respect and who I think is a decent human being, frankly speaking, has a credibility problem. And that credibility problem is not just in the Senate. It is with the American people.

Cap Weinberger in 1981, said this:

> We can do this because the American people are prepared, for the first time in two decades, to make major increases in resources available for defense.

Cap Weinberger was right. And I do not question what he said in 1981. Because in 1980, 71 percent of all Americans, according to the Harris survey, wanted defense increases. But 4 years, and $1 trillion later, the American people are saying: "Stop. Enough is enough." But the Secretary of Defense, unfortunately, and Ronald Reagan, unfortunately, are not listening.

The Harris Poll in January of this year has support for increased defense spending not at 71 percent, not at 61 percent, not at 40 percent, not at 20 percent, but at 9 percent of the American people, according to the January Harris Poll. That is the lowest that it has been in 14 years. Yet the Department of Defense comes to the Senate with a $2 trillion defense budget—that is the 5-year projection—$25,000 for every household in America. So I say that the Secretary has a big credibility problem.

He says it is the Russian threat, their superiority, that dictates the budget increase. By a 57 to 37 percent majority, Americans reject that claim, accordiing to the Harris survey.

The Secretary says he has brought cost overruns under control. But, Mr. President, by an 84 to 11 percent majority, the American people do not agree with him.

The Secretary says he has come to grips with waste, fraud, and abuse in the Department of Defense. But by 89 to 8 percent majority—89 to 8—the American people believe there is still too much waste in defense spending.

The Secretary says we need every single weapons system in the budget, but by a 74 to 19 percent majority the American people say that the military keeps coming up with too many systems that just will not work.

And then the Secretary says that the Defense Department does not contribute to the deficit in a major way, and the President adopts that line of reasoning. And he say that budgets for other programs are largely irrelevant to the defense budget.

But those of us in the Senate know differently. We know that budgets are about choices. The Secretary and the President would say there is no con-

nection. The American people do not agree with that. They know that there are choices, tough choices, to be made. They are not making them the way the President and the Secretary would have us believe. According to the Harris survey, by 77 to 15 percent, or 5 to 1, an overwhelming majority would cut defense spending before cutting Medicare benefits, and by a 74 to 20 percent majority they would cut defense spending before cutting Federal aid to education.

Another substantial 71 to 21 percent majority would cut defense spending before making any further cuts in Federal health and nutrition programs. By 57 to 32 percent, a clear majority would prefer to seek cuts in defense spending before cuts in Federal farm price supports.

Of course, we do not run Government by polls, and I know that I have belabored the point with respect to the Harris survey. But I think those who would come to the Senate and say that the American people want to spend more and more on defense are not reflecting the will of the American people. I think those who would say that in order to balance the budget we have to gut social programs while increasing defense by $23 billion are not reflecting the will of the American people.

I do not think I ever received as many comments and reactions as I did on a recent trip to Ohio from people who indicated their concern—about how they were going to send their children to college; about whether they were going to have a larger tax burden or be unable to run their local communities by reason of cutbacks in general revenue funds.

The American people are scared. They are afraid of what the President of the United States and we here in the Congress are doing to them. The American people still believe in a strong defense, but they no longer believe that $1 billion a day defense budget is a guarantee. They want the Department of Defense to live within this Nation's means. They also want to cut the deficit. They want restraint and shared sacrifice. You can no longer pass off a $23 billion increase next year as being a tough cut on the Department of Defense. Quit kidding the American people. The American people know that an increase is not a cut. We ought not try to convince them that increasing defense spending is indeed a cut from some mythical figure that the President of the United States and some Members of the majority party arrived at in the Rose Garden sometime ago.

I say to you that I believe that the challenge before us is one that we can accept. We can meet our responsibility by bringing an element of fairness, and an element of equity to this budget. In order to do that, we must determine what kind of defense spending we should have as compared to what kind of spending we should have for domestic programs in this country.

A very famous President, a very famous Commander in Chief made this statement on the question of national priorities. On April 16, 1953, Dwight Eisenhower said the following:

> Every gun that is made, every warship launched, every rocket fired signifies . . . a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its labors, the genius of its scientists, the hope of its children.

Now is the time to heed the eloquent advice of our former Commander in Chief, our former President.

Mr. DOMENICI. Parliamentary inquiry, Mr. President. How much time remains in opposition to the amendment?

The PRESIDING OFFICER. All of the time in opposition has expired.

Mr. DOMENICI. How much time remains for those who support the amendment?

The PRESIDING OFFICER. Thirteen minutes.

Mr. DOMENICI. I understand the distinguished Senator from Indiana desires to speak in opposition to the amendment. Senator, we have about 11 hours on the resolution. I think the other side has about 16. I yield such time as you might need off the resolution. Do you need 10 minutes? I yield 10 minutes to the distinguished Senator from Indiana off the resolution.

Mr. QUAYLE. Mr. President, I thank the distinguished chairman of the Budget Committee for yielding time.

Mr. President, I serve on the Budget Committee and also the Senate Armed Services Committee, and have spent a lot of time on looking at the defense budget, and trying to figure out what we ought to be spending, and what kind of needs we have in the area of national security. Having served on those two committees, I have had the privilege of listening to a lot of reasons that we ought to cut defense spending, and quite frankly a lot of reasons to cut defense spending have been rather irrational. We somehow come up with: If we cut Social Security, we must cut defense. If we cut nondefense here, he have to cut defense there, forgetting the fact that defense spending is judged on the threat and the allocation of resouces to meet that threat.

Now we have just heard somewhat of a reason to cut defense spending: Defense corporations do not pay any taxes. I might also state that is one that is really one of the more irrelevant matters as to how much money we should be spending on national defense. That argument on whether defense corporations or any other corporations ought to be paying taxes ought to take place in the tax simplification proposal that the administration will be suggesting. But that does not disabuse anyone nor does it change the tenor of the debate on defense spending because I think the whole debate has been many times very irrelevant to the fundamental point, that is, what should our allocations of defense spending be to meet the Soviet threat?

I have the deepest personal affection for the Senator from Iowa. He and I had the privilege of serving together in the House of Representatives. We were elected in that class, or infamous class, of 1980 that we will be hearing one heck of a lot about in these next few months. We have enjoyed a very good personal relationship over the years. But having said that, we do have violent policy differences on how we ought to approach the area of national security.

I know that he will take my remarks in the policy area and not as a personal matter. But I really believe, Mr. President, that in fact in this budget debate we are simply picking numbers out of the air. We have one day a 3-percent real growth defense budget, next day we have 4-percent real growth defense budget, and now we have a zero-percent real growth budget. There also was a proposal to freeze military spending at the nominal level we approved last year. That would mean we would have a negative 4-percent real growth in defense spending. In the Budget Committee the Senator from Iowa had positioned that he was for a zero, and absolute zero growth: minus 4 percent. Now we are on the floor and the amendment before us is a zero growth but to allow for inflation. And so we have had a change of opinion of the Senator from Iowa from the Budget Committee to the floor that I think has moved in the right direction. Maybe if we had this debate a few months later on we might get the Senator from Iowa and others to move from that zero percent to 3 percent. I do not know. I do not know what factors went into the change of opinion of the Senator from the Budget Committee to the floor but I certainly welcome it. I welcome those who have moved from supporting zero growth, which is a minus 4 percent, to have a nominal increase of 3 or 4 percent. It is heading in the right direction. I am hopeful, though, quite hopeful, that this amendment will be defeated.

Mr. President, what we are doing here is playing bingo. We are calling off numbers, numbers that nobody knows what meaning they have except those in the Armed Services Committee, who have diligently, under the leadership of Chairman GOLDWATER and ranking member Senator NUNN, gone through and analyzed back to where we can make reductions and

cuts in the area of national defense. But, no, right now, it is a bingo game out here. You know, zero percent—that is a zero-percent increase, not zero minus 3 or 4 percent. You can just get up and call off numbers and make a speech and that is it.

Let me tell you, Mr. President, I do not think we ought to be playing bingo with national security. This is a very, very important issue. This is an issue of vital concern to this country. Certainly, defense spending is going to take its licks like everybody else. We have cut defense spending. We have cut defense spending from the rose garden over the 3-year period of time, with the 3-3-3, about $125 billion over the next 3 years—a $125 billion cut. The Senate Armed Services Committee, to get down to the 3-percent real increase, cut out $19 billion in 1 fiscal year; $19 billion of cuts in 1 year, $125 billion over 3 years. That is, in fact, a serious cut in defense.

Believe me, Mr. President, I understand the politics of the situation so well. I understand that it is in fact politically popular to say, well, we are just going to cut defense. Well, we have cut defense. The question is now, do we want to cut defense even more? We had a very, very good discussion of this situation in the Senate Armed Services Committee. It was a bipartisan vote. We took hours and hours of testimony. We reported it out overwhelmingly at 3 percent and here we are on the verge of saying, well, we have come down and cut the President's increase in half; now, that is not good enough and we really need to cut it down even further.

I suggest that if we, in fact, do that, we are really getting into the high-risk area, and I hope that the Senate will follow the lead of the Armed Services Committee on a bipartisan basis and not the lead of just a number that happens to be plucked out of the air and put into the budget resolution, and say this is what we ought to be spending on national defense.

Mr. President, one of the things that we all look for is some degree of stability and some feeling that when the Government of the United States says something, there is a reasonable degree of assurance that they are going to live up to that commitment.

The commitment that the United States has made with our allies in the past few years is that we are in fact going to increase defense spending because of the neglect we had in the decade of the 1970's and the fact that we do not want to return to being a nation that lacks respect, that lacks credibility, that is viewed by the world as impotent. That decision was made by the people of the United States in 1980 and was reaffirmed in 1984, that if given the choice and the risk, we believe we ought to decide on the side of being too strong. But if you give the American people or give somebody else a choice, particularly our allies, in the question, would you rather have an America too strong or would you rather have an America too weak, they will say, we will risk on the side that we would rather have an America too strong rather than an America too weak.

Mr. President, last year, on the floor of the Senate, by a vote of 76 to 16 on June 7, we adopted an amendment that confirmed and said, it is the sense of the Congress "that the President should insist that the pertinent member nations of the North Atlantic Treaty Organization meet or exceed their pledges for an annual increase in defense spending during fiscal year 1984 and 1985 of at least 3-percent real growth." We said of our allies that we expect them to have a 3-percent real growth. We have a lot of alliance bashing. We say, "Oh, come on, NATO, do your share; come on, Japan, you are not doing your bit."

We had Senators stand up and they said, "It is a paltry 1.2 percent to 1.7 percent average real growth rate for our European allies. We and our allies can afford a mutual defense. As a matter of fact, we cannot afford not to defend ourselves."

Again, this Senator reaffirms that NATO ought to have a 3-percent real increase in defense. By asking NATO and our other allies to have a 3-percent real increase in defense implies that the United States will do equally well.

I can say one thing, Mr. President. We are now down to 3 percent and if, in fact, we go below that, but even as we are now at that level, there will not be too many NATO amendments this year. As a matter of fact, I would not be at all surprised if perhaps in the Bundestag or the British Parliament, they might introduce resolutions over there saying, "United States, you ought to live up to your commitment. You said we ought to spend up to 3 percent; why don't you?"

Mr. President, where does that put us as a nation, that we are as a matter of fact not going to live up to that commitment we have made, that commitment that we have made as a nation, the commitment we made as a Congress just a year ago? And all of a sudden, because of some other reason, we decide just to pull the plug on a steady projection of increasing defense spending by 3 percent over the next 3 years.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. QUAYLE. May I have 5 more minutes?

Mr. DOMENICI. I yield 5 additional minutes off the resolution.

The PRESIDING OFFICER. The Senator from Indiana may proceed.

Mr. QUAYLE. I thank the Chair.

I would like to read a couple of other statements that were made by Senators during the debate that stated our commitment of 3 percent. Senators said, "We are asking the Europeans just to live up to what we do." Last year, we asked them to live up to a 3-percent commitment. Now what are we going to tell them? Live up to a zero-percent commitment? I mean, come on, we have to have some degree of harmony, some degree of consistency.

Another Senator said, "I submit that if this alliance is not strong enough so that we can have a team which operates as a team and meets its commitments as a team, then we are going to be weakened."

I would say that we, in fact, will be severely weakened if, in fact, we adopt this amendment.

Mr. COHEN. Mr. President, will the Senator yield for a question?

Mr. QUAYLE. I shall be glad to yield.

Mr. COHEN. As I recall, and perhaps he will refresh my recollection, last year, there was a major amendment debated in this body as to whether or not, if the Europeans did not measure up and do more, we were going to start withdrawing our troops. It seemed to me that sent shock waves through not only this country's military establishment, but the Europeans'. And they are still bruised by that particular amendment.

I happen to have agreed with the goal of the Senator who offered the amendment, but not necessarily the method used. Here we are, less than 1 year later, talking about doing far less. It seems to me the Senator makes a very valid point that it is difficult to argue to the Europeans that they have not measured up, and we are going to pull troops out if they do not shape up or ship out, as I recall the phrase used last year. Here we are, maybe 8 or 9 months later, calling for doing exactly the same thing the Europeans were doing a year ago.

Mr. QUAYLE. The Senator is absolutely correct. And the Senator, who was a very pivotal person in that debate, knows full well the parameters of that debate. That debate, as he said, was either shape up or ship out. I believe that is what it was.

I think the point the Senator makes and perhaps one good thing would come out of this, is that at least this body is not going to get any NATO amendments this year. I think it would be difficult for the Senate to stand up and say, "NATO, you live up to your commitment." What is that commitment? That commitment, if we adopt the Grassley amendment, would be zero.

I agree with the Senator from Maine, who is an expert in this particular arena, that perhaps some of

our legislators across the ocean might be introducing amendments to ask the United States to live up to their commitment.

It would be sort of the reverse NATO amendment.

Last year we adopted a sense-of-the-Senate resolution that we ought to spend 3 percent at least. I remember on the campaign trail last year, former Vice President Walter Mondale's defense budget was the NATO budget of a 3-percent increase. Now we are seeing the possibility that we are not going to have 3 percent, that we are going to go down to zero growth.

Mr. President, I also want to discuss the issue of fairness and that somehow defense is not paying its fair share of the budget deficit reduction package.

The budget deficit reduction package now with Social Security added back into it, if this amendment would pass, would make defense spending cuts about 43 percent of the total budget deficit reduction package. Defense spending is only 26 percent of the budget.

If you want to play with numbers and statistics, I can produce statistics showing that you are going to be making an inordinate amount of cuts in defense spending, and I do not believe we want to do that. I do not think it is fair.

Looking at the issue of national security, I do not think that is the right thing to do. But fairness is a very important argument that has in fact been waged over these past months.

Now, Mr. President, I want to refute a couple statements that have been made by my friend from Iowa. He has stated that competition is somehow alien to the Defense Department. I can tell you that competition is becoming much more the rule rather than the exception. Consider that tactical missiles—the Sidewinder, Sparrow, Maverick, and Hellfire—are being produced by two competing manufacturers. Second sources are also planned for the Phoenix and AMRAAM, and the committee has directed the Army to evaluate a second source for the TOW missile.

As chairman of the acquisition subcommittee, I can also assure the Senator that competition and how we get more for the dollar in the Department of Defense is something about which I am vitally concerned, and the committee is also concerned. I know the chairman of the Armed Services Committee has said that this subcommittee is perhaps one of the most important subcommittees of the Senate Armed Services Committee, because we are going to get a better procurement system, we are going to get more competition. I know the Senator from Maine has an intense interest in this area. We have more competition. Competition is in fact saving money.

Competition by dual sourcing, once you award a contract and get another contractor involved, sometimes takes up-front money, but it is going to save money in the long run. If in fact we go down to zero growth, I can assure you competition is going to take two steps backward, because one of the vital things that we put in the defense bill that is going to come to this floor is encouraging more dual sourcing.

I asked the question of all the services when they were before the committee: "In the cases where you have had dual sourcing, does it cost you less in the long run or more?" Each and every time they said, "It costs less."

I can tell the Senator that what he is trying to achieve—more competition and less cost—will not happen; his amendment will be counterproductive, and we will be having a debate on why unit costs are coming up, why we are not having dual sourcing and why we are not getting efficiency in the Department of Defense.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. QUAYLE. Mr. President, I ask for 2 more minutes.

Mr. DOMENICI. I yield the Senator an additional 2 minutes.

Mr. QUAYLE. The reason why, Mr. President, simply would be that with a budget squeeze we could not afford to have some of the dual sourcing that I would like to see and some of the dual sourcing that in fact the Senator from Iowa says he would like to see.

The Senator also says that the unit costs are supposed to decline as production rates increase, but he claims this has not been the case. Again, I have to take strong exception.

Two years ago the administration proposed to buy six EA-6B electronic aircraft for the Navy at a cost of $66.6 million each. In this year's budget, by increasing that production rate to 12 aircraft per year, the unit cost is reduced to $38.9 million each, a reduction of over $27 million per aircraft.

There are other examples, Mr. President. I ask unanimous consent that other items where in fact we have lower unit costs be make a part of the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Two years ago when we bought only 230 HARM missiles, they cost over $800,000 each. This year, by procuring 1,715 missiles, that price is reduced to $278,000 each.

Two years ago, when we bought 112 AH-64 attack helicopters for the Army, each helicopter cost $11.9 million. This year by increasing the production rate to 144 aircraft, that price is reduced to $8.8 million per aircraft.

Mr. QUAYLE. Finally, Mr. President, now is not the time to cut defense, for the reasons I outlined, and many more that others will state. We have made a reasoned approach on a bipartisan basis of 3 percent. We have reduced defense. Defense is a part of the deficit reduction package. But we have other considerations. In fact, the national security interests of our country are at issue. If others cannot look to the United States for leadership, for respect, for commitment, for resolve, stability and determination, then I do not know to what country they can look. National security is in fact the No. 1 priority of any nation. It is the No. 1 priority of this Nation. We should take it seriously. The Senate Armed Services Committee has taken that effort seriously. It has produced a bipartisan resolution and I hope that the entire Senate will accept that proposal rather than the proposal offered by the Senator from Iowa.

Mr. DOMENICI. Mr. President, did the distinguished occupant of the chair desire to speak in opposition to the amendment?

The PRESIDING OFFICER. The Chair does and would be grateful for relief.

Mr. DOMENICI. Mr. President, I yield 5 minutes to the distinguished junior Senator from California to speak in opposition. While he is taking his chair as a Senator, let me yield myself 1 minute.

Mr. President, I am having difficulty understanding just what the rationale is for cutting defense. I have not yet heard what I perceive to be a valid reason for anyone to cut defense. I understand some think that, if we cut deep enough, we may reduce the cost overruns, the so-called cost growth, of major weapons systems.

Well, we do not have to dramatically cut defense to see that happen. We have already seen it happen dramactically: In 1981, that overage was 14 percent; in 1982, it was 12 percent; in 1983, it was 3 percent; and in 1984 it was 1 percent.

I really do not know how one could expect much better performance. If you want to save money by getting rid of weapons systems you can do that but that would put America in the position where our deterrent strength invites those who do not like what we stand for, to involve us around the world and ultimately make us weak enough where we will risk a war. But I will have some more to say about the other view that maybe by cutting defense, we will automatically stop all of the waste. I will give some analysis of why that will not work and how we are already making some dramatic improvements in that area at a later time. Now I yield to the distinguished junior Senator from California.

The PRESIDING OFFICER (Mr. QUAYLE). The Senator from California is recognized.

Mr. WILSON. I thank the Chair and the distinguished manager.

Mr. President, 3 years ago when our Nation began to face the awesome

threat of a crippling Federal deficit, one of our own, a Senator of unusual courage and compassion, a Senator taken tragically and all too early from us, cautioned his colleagues against the temptation to solve our domestic fiscal crisis by savaging our Nation's defense. Mr. President, the Senator I refer to is Scoop Jackson. I quote him today and bid my colleagues heed his wisdom now as we did then. Senator Jackson said:

> Mr. Chairman, I would hope that this would be a time of steadiness, a time to go about our work in a manner and in a way which will demonstrate to the world that we can provide a very strong and steady hand in a very unsteady world. I think that is the challenge that we all face because the world looks to this country with only seven percent of its population and the world expects at times bigger things than we are capable of providing, but above all else I think we need to provide a steadiness, not only in reality, but in appearance that will give confidence to others.

Mr. President, Congress must neither retreat nor shirk its responsibility to deal with these cancerous deficits despite the difficult and painful nature of that task. Reducing the deficit is one of the most painstaking processes. The issue remains in doubt, and nothing should escape our scrutiny, and nothing has.

Defense has already made a most significant contribution. But we must recognize, as our colleague Scoop Jackson recognized in that speech on this floor a few brief years ago, that unlike other portions of the Federal budget that are purely internal matters, the defense budget of the United States not only protects the safety, freedom, and security of our own citizens, but also, that of millions of people around the world who depend upon our assurances and upon our strength. We have not made these assurances, these commitments, lightly. The Senate of the United States has been required by the Constitution to ratify the treaties that our defense spending honors, and we should not and cannot take lightly the consequences of those treaty obligations.

The defense budget, Mr. President, represents the tangible manifestation of our commitments to our allies—commitments, Mr. President, that without resources lose credibility. Heeding Senator Jackson's caution, we have embarked on a steady course to insure defense resources commensurate with our commitments. The American people have overwhelmingly endorsed this course. They have rejected the imprudence of "defense on the cheap," and have reaffirmed the inextricable link between ourselves and our allies.

In 1979, our Nation and our NATO allies, in recognition of an ominous and growing threat, pledged to each other to provide at least 3-percent real growth of our individual defense resources, to deploy almost 500 intermediate range nuclear weapons in Europe and to unilaterally dismantle over 1,000 nuclear weapons in the NATO arsenal. These historic agreements, Mr. President, proved to be watersheds in alliance relations and have led the way for the solidarity we enjoy today. There are many Senators, Mr. President, who, while applauding our allies for their fortitude with respect to these intermediate range nuclear force deployments, have chided our allies, have goaded our allies, and—as I have heard personally from many senior alliance defense ministers—have publicly rebuked our allies for falling short in meeting the agreement on 3-percent real growth in defense expenditures.

It has been argued on this very floor, Mr. President, that Americans must ask why it is that we should bear the burden for Europe's defense when the Europeans will not even spend their fair share. Many allies have claimed that domestic fiscal crises have made meeting the resource commitments of 1979 excruciatingly painful, and politically very difficult. This Senate, Mr. President, last year came within a few votes of withholding our resources for the defense of Europe pending NATO compliance with the 1979 accord on 3-percent real growth in defense spending, despite the economic crises faced by our European allies.

Yet, Mr. President, our allies have cinched up their belts. They have courageously taken the political heat. Many have sacrificed their political bases, and this year they have met the 3-percent real growth target.

Can you imagine what now—after their meeting their goals by such painful efforts—a reduction in U.S. defense expenditures this year below the 3-percent real growth that we insisted upon, will do to our credibility with those allies? Can you imagine the impact on the morale and solidarity of the NATO alliance? What other inference can our allies worldwide draw from such an action? They will infer, Mr. President, that U.S. commitment to our allies is more rhetorical than real, and no more lasting than a passing political fashion, full of sound and fury but signifying little in the long run as our limited national attention is diverted by some new domestic pressure. Mr. President, this inconstancy does not serve us or our allies well. It undermines both our real and symbolic strength and thus our value as an ally. As this amendment would shrink and demean America's part as leader of the free world, so would it immeasurably weaken the whole of free world alliances.

Mr. President, because of the constraints of time, I will leave it to my distinguished colleagues who have informed the Senate already as to the direct impact on readiness, military capability and quality of life for our service men and women that such reductions necessarily involve. I will leave to them the direct and indirect economic impact of these cuts on employment, on the jobs of millions of Americans who proudly serve this Nation by insuring that democracy's arsenal is and will always be the finest we are capable of providing.

Yes, this amendment threatens both the security of our Nation and the jobs of honest, patriotic working men and women, steelworkers, engineers, machinists, scientists, iron workers, and tradesmen who unfortunately and inevitably bear the financial and psychological burden of attacks on the integrity of our defense industry. We cannot justify defense spending as a stimulus to employment. Neither can we ignore the fact that our national security interest coincides with our national interest in providing needed jobs to millions of defense workers.

Of course there must be continued efforts, as the distinguished Senator from Indiana has said, in terms of reforming procurement.

But Mr. President, there is no line item in the defense budget for waste, fraud, and abuse. If there were such a line, we would all gladly reduce it to zero. But it is not that simple. Procurement reform is vitally needed, as the Senator from Indiana has pointed out, but meat axe cuts to the defense budget will not achieve reform. It will impede reform. A vote for this measure is not and must not be thought to be a vote for procurement reform.

In fact, Mr. President, cuts of the type contemplated in this amendment may well serve to aggravate and prolong procurement abuses by excising funds that would otherwise be used to pay the upfront costs of increased competition which challenge comfortable sole source procurements.

Nor is a vote for this amendment a vote for fairness. Defense has taken its fair share of the burden of defense reduction. We have already whittled almost $60 billion from the original defense request for fiscal year 1986. Further cuts can represent only a shortsighted, punitive action against legitimate and necessary defense spending.

Procurement, even were the excesses of the process accurately portrayed by media reports, is not the bulk of the defense budget, nor even close to it.

What will inevitably be the consequence of these reductions, Mr. President, is the kind of incremental erosion of U.S. military capabilities that we saw in the seventies. And this erosion, Mr. President, will inevitably impact on our commitments to our allies. There are many in the Chamber today who can recall all too vividly the consequences of this erosion. They re-

member when President Carter sought to withdraw U.S. troops from Korea because, he said, his defense budget did not match our commitments.

Who among us, Mr. President, will tell us which of our commitments we can fail to honor, or what costs such failure will carry? Which ally we can turn our back on? From which free people we can withhold our shield? And how long, Mr. President, will we be able to claim the leadership of the free world? Or even claim the trust and loyalty of our allies? If America is seen as faltering in our resolve, if we are seen as an unreliable ally, our alliances will exist on paper but not in fact.

Mr. President, I would urge my colleagues to reject this amendment as I suggest our colleague, Scoop Jackson, would have urged us. Let us show the kind of steadiness that he counseled, the kind of leadership the world expects of us. Let us again meet the challenge of freedom as Americans have done for generations. Let us do so with clear will and purpose, knowing that the cost of this defense spending will avoid an infinitely greater and more precious cost in lives.

The PRESIDING OFFICER. Who yields time?

Mr. GRASSLEY. Mr. President, I yield myself 7 minutes from the amendment. If I need more time, I will ask to take it from the resolution.

The PRESIDING OFFICER. The Senator is recognized for 7 minutes.

Mr. PRESSLER. Mr. President, will the Senator from Iowa [Mr. GRASSLEY] yield for a brief colloquy on his amendment?

Mr. GRASSLEY. I am happy to yield to my distinguished friend from South Dakota.

Mr. PRESSLER. As a cosponsor of the amendment of the senior Senator from Iowa, I would like to briefly explore the effects of the amendment.

As I understand it, this amendment would hold the increase in fiscal year 1986 defense spending to an inflation increase, and would allow a 3-percent increase above inflation during each of the next 2 fiscal years. Is that a fair interpretation?

Mr. GRASSLEY. The Senator from South Dakota is correct.

Mr. PRESSLER. In other words, for fiscal year 1986, both Social Security cost-of-living adjustments and the national defense budget function would receive the same treatment? Both would be held harmless for inflation?

Mr. GRASSLEY. The Senator is correct. Both receive an inflation adjustment for the coming year.

Mr. PRESSLER. May I ask the Senator how much of an increase would occur in defense spending under his amendment? And how does that amount compare to the cost of the full Social Security COLA for which we both voted yesterday?

Mr. GRASSLEY. Mr. President, this amendment would restore the total deficit-reduction package to $52 billion. It would save the $3.2 billion lost yesterday in Social Security.

Mr. PRESSLER. I appreciate the Senator's remarks. They are indeed reassuring.

At this point, Mr. President, I ask unanimous consent to print in the RECORD a brief statement on the Social Security COLA vote yesterday.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE SOCIAL SECURITY COLA

I recently conducted a poll in my home state to determine what South Dakotans consider to be the most serious problem facing the nation. By an overwhelming margin, the budget deficit was selected as the number one problem. I have supported and fought for a balanced federal budget ever since coming to Congress. I support much of what is accomplished by the Administration/leadership compromise budget package. It does make some meaningful cuts in the huge deficit. However, I could not support the proposed reduction in Social Security cost-of-living allowances for several reasons.

The Social Security Act Amendments of 1983 created significant reform in the Social Security system. These difficult changes were made in order to ensure the continued solvency of the system. Many were not popular. However, they were necessary. One major reform resulting from these Amendments was the removal of the Social Security program from the unified budget beginning in FY 1993.

Although currently Social Security payroll taxes are counted as revenues and benefits are counted as outlays under the unified budget, the Social Security account is separate from other budget functions. Social Security is not a discretionary spending program. It is financed completely by its own tax. Any revenue savings achieved through a COLA reduction cannot, by law, be used for any other purpose than Social Security. This fact should be recognized by every member of Congress in these deliberations.

This means that any deficit reduction Congress claims to accomplish through reduction of Social Security COLAs is a false savings. Because these savings cannot be applied against the budget deficit it is unfair to tell the citizens we represent that a reduction of Social Security COLAs will result in a reduction of deficits. This is simply untrue. More importantly, this line of logic paints a false picture of the true nature of the deficit problem. Because these savings cannot be used to reduce the deficit, to include them in the total deficit reduction figure is truly misleading.

Reduction in Social Security COLAs will have a severe impact on a very vulnerable constituency—the elderly and handicapped living on fixed incomes. The Congressional Buget Office tells us that the COLA changes contained in the compromise budget would have caused 650,000 Americans to fall below the poverty level over the next three years. Most of these would have been the elderly who worked all their lives to help build this country. They have contributed part of their hard-earned income to the Social Security system. Are we to show our gratitude by forcing them into poverty in the name of false deficit reduction? I say, "No."

It is important to reduce the budget deficit, but it must be done truthfully, meaningfully, and fairly. Americans are willing to accept their fair share of the burden of deficit reduction. How can we ask those we represent to accept cuts and freezes in virtually every domestic program and then not apply all these savings to the deficit issue? To ask for these cuts and then allow a huge increase for defense spending is simply not fair. This amendment would place defense on an equal footing with Social Security. In fact, by removing the three percent real growth increase in defense spending, we will—unlike with Social Security COLA reductions—achieve actual, additional reduction in the federal deficit. For fairness' sake, I supported the restoration of Social Security COLAs. For fairness' sake, I will support this reduction in defense spending.

DEFENSE EXPENDITURES

Mr. PRESSLER. In addition Mr. President, as chairman of the European Affairs Subcommittee of the Foreign Relations Committee, I have long been concerned about the failure of our European allies to contribute their fair share to our mutual defense burden. We spend close to 60 percent of our defense expenditures in defense of Europe, and I have argued that this is unfair to American taxpayers. Why should they spend more of their tax dollars on European defense than the Europeans spend on their own defense. I am glad we have a strong alliance, but we need a better balance in defense contributions. U.S. forces are spread thinly throughout the world. We cannot do the job alone, and we need more help from our wealthy allies in NATO and Japan.

As the Senator from Iowa knows, the NATO Allies agreed in 1979 to commit themselves to spend annually on defense an amount that is 3 percent in excess of inflation. Over the entire period since 1979, the United States has consistently exceeded that pledge, while the European NATO partners collectively have fallen below the 3 percent real growth standard.

In view of these facts, would the Senator care to comment on whether his amendment would be consistent with our NATO commitments?

Mr. GRASSLEY. Over the last 4 years, the defense budget has grown from $211 billion in fiscal year 1982 to $292 billion in fiscal year 1985, a 39-percent growth rate in current dollars and 22 percent in constant dollars. This growth is unprecedented in the post World War II era. The last four appropriations exceeded, in constant dollars, the four most costly years of the Korean and Vietnam wars. More import, the cumulative effect of a hypothetical 4-year freeze at today's levels would exceed the cumulative expenditures of the last 4 years by 10 percent in constant dollars.

In short, the defense budget would be frozen at a very high level. This would be more than enough, by any

measure, to meet our NATO commitment.

Since 1978, when we reached a common understanding with our NATO Allies to increase defense expenditures or outlays at a rate of 3 percent annually, we have exceeded that commitment every year. That surplus now stands at nearly $117 billion. In fact, had we held to that 3-percent spending commitment, defense outlays would have been approximately $40 billion lower in fiscal year 1985. Even if we freeze defense budget authority for 3 years, outlays will grow at 3 percent—exactly our NATO commitment.

Mr. PRESSLER. I thank the Senator, and commend him for his vigorous leadership to reform our defense modernization effort of the past several years, but I certainly agree with him that we cannot write blank checks for the Pentagon.

I certainly agree with you that the United States has overfulfilled its pledge. The Senator has made a strong case, both on the grounds of equity and fairness, as well as greater efficiency in managing our defense resources, for this amendment.

Mr. President, I commend the Senator for this amendment to allow an inflation increase for defense during the next fiscal year, the same treatment we have accorded Social Security. His amendment also provides for a real growth increase for defense in fiscal years 1987 and 1988. The overall package which we approved on Tuesday is not unravelled by yesterday's vote for a full Social Security COLA. I am pleased to be a cosponsor of Senator GRASSLEY's amendment, which saves enough money to cover the full COLA without destroying the overall savings in the leadership-White House compromise budget package.

Mr. GRASSLEY. I compliment Senator PRESSLER not only for this amendment, but also for his help over the last 3 years in our efforts to have an across-the-board budget freeze which would affect defense as well.

I would also wish at this point to add that it is necessary for me to repeat a portion of my statement from yesterday, and a point I just raised with Mr. PRESSLER, because I think it speaks to many of the questions that the Senator from Indiana raised and also a lot of consideration that has to be given to just where are we as far as the level of defense expenditure is concerned, and what we can do within that level.

Yesterday I said:

> Over the last 4 years, the defense budget has grown from $211 billion in fiscal year 1982 to $292 billion in fiscal year 1985, a 39 percent growth rate in current dollars and 22 percent in constant dollars. This growth is unprecedented in the post WW2 era. The last four appropriations exceeded, in constant dollars, the four most costly years of the Korean and Vietnam wars. More important, the cummulative effect of a hypothetical 4-year freeze at today's levels would exceed the cummulative expenditures of the last 4 years by 10 percent in constant dollars.
>
> In short, the defense budget would be frozen at a very high level.

That is a quote from my statement of yesterday.

I would like to say that in my judgement this would be more than enough by any measure to meet our NATO commitments.

Since 1978, when we reached a common understanding with our NATO allies to increase defense expenditures or outlays at a rate of 3 percent annually, we have exceeded that commitment every year. That surplus now stands at nearly $117 billion. That is money we have got in the bank. In fact, had we held to that 3 percent spending commitment and not exceeded it, defense outlays would have been approximately $40 billion lower in fiscal year 1985.

The evidence shows DOD can get tough and it can squeeze out excess costs and overhead. I referred to a study yesterday and I have another study here. The study I have here shows 7 percent factory efficiency and 420 percent scrap-and-rework. I would like to know if we should ignore this evidence. Now, there is no effort on my part to say that the workers in our defense industry are unproductive or unpatriotic. In fact, I would say they are probably some of the most patriotic and could be much more productive if the system in which they worked would look internally and not through the subsidization that we have provided the industry, and be able to ignore the great inefficiency there. Our people will produce according to the system they are in, but we need some changes for greater efficiencies within our defense industry.

Mr. President, the entire Nation—our constituents—are focusing today on this vote to freeze the defense budget.

They are wondering what our response will be. They are wondering how their elected officials will repond to the horror stories they have read about in their hometown newspapers.

They are expecting us to correct what they perceive as a very serious problem. And serious, indeed, it is.

Will we reward the payment of $750 for a pair of pliers? Or $7,000 for a coffeepot? Or charging taxpayers to board Fursten-the-Dog?

Will we reward on a larger score of 33 percent factory inefficiency? Or 41 percent scrap-and-rework?

And will we reward a Defense Department which was given 75 percent more in constant dollars over the past 4 years than the 4 years under President Carter for tactical fighters and bought 11 percent fewer planes?

These abuses have occurred for no other reason, Mr. President, than because there is just too much money available for defense.

Why else would pliers cost $750? It's because that is what the market will bear—that is what we in Congress are willing to provide.

The PRESIDING OFFICER (Mr. WILSON). The Senator's 7 minutes have expired.

Mr. GRASSLEY. I yield myself 5 minutes off the resolution.

The PRESIDING OFFICER. The Senator is not entitled to do that.

Mr. GRASSLEY. Could I have 5 minutes off the resolution?

Mr. DOMENICI. I will be glad to do that. I understood that the Senator managing the floor on the other side wanted to yield the Senator 5 minutes.

Mr. GRASSLEY. Will the Senator in control from the other side yield?

Mr. PELL. I yield 5 minutes to the Senator.

Mr. GRASSLEY. Now our constituents across the country are standing by right this minute. They are waiting. They are waiting to see how we are going to respond to this problem.

The worst action we can take as a representative body is to ignore the problem and to dash their expectations. And what a terrific signal that would send.

But I am confident, Mr. President, that this body will send a very strong message to our people that we will take this very important first step toward gaining control of a bureaucracy, an industry, and, yes, even a Congress, which have encouraged these abuses.

It is time for us to use that simple two-letter word which, alone, is powerful enough to correct this serious problem. That two-letter word is: "No."

I have heard my distinguished colleagues who oppose this amendment, yet they have failed to refute the input/output analysis I presented yesterday on the floor: That unprecedented budget growth in defense has not bought more tanks, planes, and ships, but rather what has it brought? It has brought exhorbitant costs and overhead.

Indeed, no one can refute this analysis because it is made with DOD's own data.

Let no one doubt my interest in a strong defense for this country or my support of the President in what he has done in this world to restore credibility to our Nation's defense posture. However, that defense base cannot remain strong if our industrial base erodes or if we spend money unwisely on defense equipment which will neither provide the right quantity nor quality of weaponry to defend this country and the lives of our fighting sons and daughters.

This country has over the years been extremely good to business. It is now

time for our defense industry to return that kindness to this great country of ours and our fighting men and women.

Let me say, too, that I have a great deal of respect for the chairman of the Armed Services Committee. I happen to have had so much respect for him, and I still do, that in 1964 I was the Butler County chairman for the "Goldwater for President" campaign. I first heard him speak in Iowa City 4 years before that, and I was a supporter of his since that early day.

I think in a very real sense that I am doing what the Senator from Arizona said before Christmas when he was quoted in U.S. News & World Report. He said "I expect to be chairman of the Armed Services Committee next year." Of course, he has become that.

I am going to make my final 2 years in the Congress an effort to get the cost of weaponry down. I would favor freezing military spending at last year's level.

And he had this to say about the manufacturers. He said:

The average manufacturer in this field knows that he has had a gravy train ever since World War II. I just have a strong gut feeling that we can cut military contracts, maybe not a lot, but we can head manufacturers' prices for weapons the other way or we can't buy them.

That set a tone before Christmas when I figured that we would really be able to make a great change in the way the Defense Department does business.

I have been working on this for 3 years. I think we have a real opportunity to make a difference right now, to send a signal, to send that very same signal I think my friend and colleague from Arizona was trying to send before Christmas in 1984.

Mr. GOLDWATER. Will the Senator allow me a couple of minutes?

Mr. DOMENICI. I yield to the Senator from Arizona.

Mr. GOLDWATER. The Senator quoted me correctly. I am not one who stays hitched to an idea when I find out it is no good. And I found out that the freezing would be disastrous.

But I would like to ask my friend from Iowa one question that has plagued me. During all the 3 years of research, how much is the total amount that you have come to on screwdrivers, toilet seats, et cetera, et cetera? Are we talking about a couple of billion dollars?

We have already cut $10 billion out of the defense budget. You want to cut another $9 billion out. And I know of amendments coming up that will result in a $40 billion cut.

I would like to have the total figure of all the bad buys that we made. I think it would be a great addition to our knowledge. I do not think it is great. I do not like it any more than my friend from Iowa likes it. But at the same time I am wondering just how much it amounts to.

Over the past 20 years, 1966 to 1985, the total Federal budget has grown in real dollars from $456.8 billion to $928.9 billion. Defense spending accounted for 11 percent of that increase, while domestic spending and net interest payments accounted for the other 89 percent. In comparing just domestic and defense expenditures during that period, the growth in domestic spending outpaced defense and increased by a ratio of 7 to 1.

And I might add that the Armed Services Committee has already knocked that figure way down.

Mr. DOMENICI. Mr. President, I am going to yield shortly to the distinguished Senator from Alabama.

I yield myself 3 minutes.

I heard my good friend from Arizona talk about the overall budget, and I recall that the distinguished Senator from Ohio quoted President Eisenhower.

Well, let me tell you that the United States of America has done precisely what Dwight Eisenhower recommended. Since he left office in 1960, we have increased education spending for the needy 2,300 percent, medical spending, 2,700 percent.

We have had no real growth in defense for an entire decade; one whole decade, no real growth. We saw social spending at the same time grow 1,400 percent.

Now, this year, my best estimate is that for nutrition type programs and programs that help the poor children, since somebody addressed that, we are spending $91 billion this year, for needy children in America.

We had the implication that we ought to cancel the B-1 bomber so that we could spend some money for the needy. The welfare of the needy is a good goal, but so is the defense of our country. It is not that one is good and one is not, that one is necessary and the other is not. They are both things that we have to do. We have not, in the last 15 to 20 years neglected the needy in this country so that we could build the defense of our country.

I mean there are some who would put defense in a higher priority—I might—but we have increased spending for both. And to stand up here and ignore what we have done and say, "if you just do not build some battleship you could feed some children," is a repudiation of the way we make public policy.

If you do not like Amtrak,—that is $800 million a year—that could be put to use for the needy. If you do not like Job Corps, which helps a little tiny group, that could be used to put more in a lunch program. I hope nobody believes that any of this is a solid reason for cutting defense.

I just cannot understand how we are here and nobody is talking about what we need for defense. I mean, we have been here talking for 2 days and all I am hearing is that we are spending too much for toilet seats. Well, we have already cut defense over the last 4 years by hundreds of billions of dollars. We are prosecuting more people for cheating and fraud than ever in history. We brought down cost overruns from 14 percent to 1 percent, in 4 years.

Why are we not talking about what our free Nation needs to maintain the peace? It seems to me that peace is as admirable a goal as any other goal we have got. Sooner or later we have got to come down to the Senate floor and discuss what we need for defense, not what our thoughts are about how we will make the Defense Department more responsive if we squeeze them far enough. It seems to me that we are neglecting the very basic thing we should be talking about.

If there is somebody who can come down and say we ought to take $30 billion or $40 billion out of defense because they know we do not need something, that makes a good argument. Or if you can really convince anybody that the Defense Department that has to execute 52,000 procurement actions a day—and that is what I understand the number is, why would anyone think that a reduction of a couple billion dollars is going to catch some more waste.

They are catching waste, they are catching it in bushels. They are prosecuting more offenders than ever in history. So we ought to be talking about continuing all of this and deciding how much money is legitimately needed for defense.

And maybe there is somebody that knows enough about defense that can convince the President of the United States and the U.S. Senate that we do not need 3 percent growth. I have not heard that kind of argument here in the last 12 or 15 hours.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I yield 10 minutes to the distinguished junior Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. DENTON. We are facing an issue here, Mr. President, which has been eloquently addressed but not adequately addressed yet because we do not have the time. I want to side with my chairman on the Armed Services Committee, Senator GOLDWATER, and with the bipartisan majority on the Armed Services Committee in oppos-

ing a further cut in our defense spending.

I want to summarize some of the major reasons why further cuts to the defense budget, beyond those already made by the administration and the Armed Services Committee, are a bad thing. The amendment before us should, indeed must, be defeated in the interests of our Nation.

First, Mr. President, it is our obligation to provide for the defense and the security of our country. Bipartisanly, we must recall that the Preamble to the Constitution states the purposes to include providing for the common defense and promoting the general welfare. The first is a mandate, the second leaves a lot of maneuvering room. If the Federal Government does not do all that might be done for the general welfare, the States have the power and the resources to act, but the States themselves can do nothing if the Federal Government fails to provide for the common defense.

Second, we face a very real current and growing threat to our security and freedoms, and to those of our allies. What is required to provide for the defense of our country must be determined by the threat that we face, not by other considerations. Had we learned that lesson in, say, the 1930's, World War II might not have been fought and certainly would have been less costly in blood and treasure.

Third, national defense is not simply another Government program like food stamps or agricultural subsidies or loans for education. If we are not secure, then whether or not we provide those other programs is a meaningless question.

Fourth, the argument that our spending on national defense has increased unreasonably is simply not true. I call the attention of my colleagues to the fact that, in 1962, when John F. Kennedy was President, expenditures on national defense amounted to 45.9 percent of the budget and expenditures on human resources amounted to 28.8 percent of the budget. In that calculation, human resources included the functions for education, training, employment, social services, health, income security, and veterans benefits and services.

Under the so-called Senate-administration compromise, however, the compromise that we narrowly approved on Tuesday, spending on national defense amounts to only 28.5 percent of projected outlays, and expenditures on human resources amount to 48.9 percent of outlays.

In other words, the pattern of expenditures has more than reversed itself in only 24 years. In fiscal year 1986, we would, under the compromise, spend almost exactly the same percentage of the budget on defense as we expended on social services in 1962, while we would spend a greater proportion of the budget on social services in 1986 than we spent on defense in 1962. I think that we have to bring ourselves up short or the Nation is going to be in peril.

Let me point out, in addition, that human resources spending does not include functions for general science, space and technology, energy, natural resources and environment, agriculture, commerce and housing credit, transportation, or community and regional development, many of which would be considered generally as social programs.

I would be happy to show my colleagues the figures, and explain how I calculated the numbers for fiscal year 1986, which I did myself because I did not get much assistance from the General Accounting Office in updating its charts from its 1983 study on defense and the national budget.

Let me also point out that, as a fraction of the gross national product, defense expenditures now are lower than they were in any year of the Kennedy or Eisenhower administrations. Even as recently as 1969, the last year that we had a balanced budget, defense consumed 9 percent of GNP as compared with about 6.6 percent in fiscal year 1985.

I hope that my colleagues will recognize that the budget problem we face today does not come from unrestrained expenditures on national defense but, rather, from a massive increase in our spending on human resources and social programs during the last 24 years. That is not a judgment on the value of that social spending as a whole or on any specific program. It is simply a statement of fact.

Fifth, I doubt that there is anyone in this Chamber, or any informed person anywhere, who would argue that the threats that we face today, to ourselves, to our allies, and to free and independent countries throughout the world, are less serious than they were in 1962. Indeed, I believe that most of us would agree that the threats are more serious, more acute, than they were then. Yet we devote a smaller proportion of our national resources to meeting them.

Let me give my colleagues just one example, which is a Navy example. It is an example that I think, perhaps more forcefully than any other I could use, shows you what has been happening to the balance of power between the Soviet Union and the United States on seas. Keep in mind that the U.S.S.R.'s landpower has no need to defend from the sea. We have to defend from the sea because we are seapower. The Soviet Union had no navy to speak of during World War II.

I want to focus on a measure of the ability to project naval force. That measure is called "ship days out of area," which means the days that ships are deployed out of their home waters, the days that they spend projecting naval power. I have gotten several charts that show what has happened during the past 20 years.

Keep in mind that it takes a lot more naval power to control the seas and permit their use than it does to interdict the seas. Any war at sea will show you how with a handful of submarines the Germans were able to just about permanently interdict the seas against our necessary communication with Europe.

The first chart shows worldwide ship days out of area for the United States and the Soviet Union in 1965, 1972, and 1983. It shows a dramatic change. In 1965, the United States had 17 times more ship days out of area than the Soviet Union, 109,500 to 6,300. By 1972 the Soviet Union had two-thirds as many deployed days as we had, and in 1983 the United States had only 1,000 more deployed days. The trend is clear.

Take a look at a snapshot of 1 year, the turning point 1979. In that year the Soviet Union actually had more ship days out of area than the United States did. That shows what President Reagan has been about, to redress the situation in just one field of military activity, the sea.

So we have come back some but we are not far enough. We are nowhere near the point we need to be in terms of power to control our communications by sea.

If we look at the Mediterranean, the change is even more dramatic. In 1965, the United States had more than four times as many ship days as the Soviet Union did. In 1983, the Soviet Union had 50 percent more deployed days than we did.

The next chart shows the same dramatic change in the Atlantic. In the Pacific, we have gone from more than 50 times as many ship days in 1965 to only 1⅔ as many in 1983.

Finally, in the Indian Ocean, the Soviet Navy had no presence in 1965. Today their presence is nearly as great as our own, and we all know how critical that area has become.

The trends are facts. They are disturbing, sobering, even frightening. They are indications of the degree to which our security has slipped. We cannot for political reasons, for partisan reasons, neglect to look at those facts. The Red Star is now carried by a real blue water navy and it threatens our lifelines and our vital interests.

Sixth, while I am talking about proportions, let us recall that, under the previous administration, that of a President from the other party than mine, we called upon our NATO allies to get them to allocate resources to their defense at a rate of at least 3 percent real growth per year.

Now today what kind of example will we be giving if we cannot do at least that in a time of severe pressure from places we have not experienced before: Central America, Southeast Asia, with Thailand staying alive not because of fear of the United States but because Communist jackals are fighting over the spoils of that which we lost in the Vietnam war. Laos, Cambodia have gone down the drain. Thousands of Vietnamese people drowned in an effort to vote by swimming away from that country, not to mention the number that are enslaved, have been killed, and are being reeducated now.

Mr. President, how can we expect our friends and allies to increase their own contributions to our mutual defense efforts if we are going to decrease our own? Can anyone here fathom the consequences that might ensue from the abandonment among the NATO countries of their efforts to correct a situation of imbalance that we all know was critical and getting worse? After Afghanistan, do my colleagues really want to bet that the Soviet Union will not under any circumstances utilize its own armed forces in a way that directly threatens the free nations of Western Europe? Can they guarantee, for example, that the Soviet Union will keep its hands off Austria, or Finland, or Yugoslavia, none of whom are members of NATO but all of whom exist in independence under the NATO shield?

Seventh, consider the message that a reduction in defense expenditures below the 3-percent level would send to the Soviet Union, particularly in the context of our negotiations underway in Geneva. If the United States unilaterally reduces its defensive strength, then there is little incentive for the Soviet Union to bargain away its own forces and capabilities. The Congress will do it for them. Once again, we are in danger of seeing the real negotiations conducted not with the Soviet Union but within the Congress of the United States.

Eighth, and of particular interest to those of my colleagues who approach this problem as cost accountants rather than as statesmen and strategists, cuts in defense outlays today will produce increased costs tomorrow. As production rates slow, costs are increased. Essential manufacturing capabilities are lost. Skilled labor is dispersed. Slow production rates also increase unit costs, whether for tanks or trucks or aircraft or ships. Contracts already signed must be fulfilled, and in consequence other, more necessary contracts may never be concluded at all.

Whatever the views of my colleagues about battleships, it is worth noting that our country no longer has the capability to build them, because we have no current industrial capability to make the armor plate. Perhaps more to the point, we no longer have the industrial capability to manufacture SR-71 aircraft. Not that we want to build any of them either, but the point does demonstrate that manufacturing capabilities and capacities are lost if they are not sustained.

Ninth, the Armed Services Committee did conclude, in its deliberations, that a real growth of 3 percent in the defense budget is required for our security and to meet our obligations. Our chairman and many Members are generous in the way that they looked at the matter and frequently changed their views, and most of us did when we looked soberly at the consequences of zero growth, which would actually be a reduction because of the situation with contracts and other obligations. And we took a lot more time reaching that conclusion than we will take here on the floor when we are considering the matter as just one part of the budget resolution. Although there was disagreement in the committee, the votes for the 3-percent figure were bipartisan. And I believe that I am correct in saying that every Member who voted against the 3-percent figure had concerns about items that were cut, or that might be cut at a lower rate of real growth. In several cases, they asked to have the money restored, and it was.

We started, the President started, with an increase that was much greater than the 3 percent now in the compromise. That was trimmed, modified, and Rose Gardened down, and then further reduced to 5.9 percent. In the Armed Services Committee, I pledged to fight and die for 4 percent, and here I am arguing to preserve 3 percent. Frankly, I feel a little silly to be in that position, kind of like the butt end of the salami.

Nonetheless, to paraphrase from the song, I've gone about as far as I can go, and my colleagues who share my support for a strong defense have gone about as far as they can go. We've compromised, and then compromised the compromise. Yet we cannot afford to compromise our national security, and it is time to take a stand on that and to be counted, win or lose. We have gone about as far as one can go and still look ourselves in the eye as being worthy of the mandate to provide for the common defense.

Even by going to 3 percent, we have done damage to our national security by reducing funds available for spare parts, for operation and maintenance, for procurement of vital weapons systems, for research and development. It is true that we in the committee did not wield a meat axe and eliminate a bunch of programs. Rather, we tried to do our job conscientiously and effectively, but nonetheless the reduction to 3 percent impairs our national security, not only this year but in years to come. I won't recite the cuts in detail, but they are there, and they hurt.

I don't know who is keeping a tally on votes on final passage, but whoever it is should make a note that this Senator will not vote for a budget resolution that contains anything less than 3 percent real growth for defense.

Tenth, a rapidly growing broad coalition of businesses and organizations, gathered together in the deficit reduction coalition, has strongly supported the so-called Senate-administration compromise, including 3 percent real growth in defense spending. I have talked with their representatives, and I have heard from many of them in writing. There is no question that their concern that we act to control and reduce the deficit is tempered by a recognition that we cannot sacrifice our national security in the process, that we cannot balance the budget on the back of defense.

Moreover, they understand the vital link between our national security policy and our domestic economy. They know that when we lose allies and access to resources, when other nations conclude that we have lost the will to look after our own vital interests, our trade and our economy suffer. The best example of that is the devastating effect of the OPEC oil price increases of 1973 and subsequently upon our domestic economy, increases that would not have taken place so suddenly or in such magnitude had we not demonstrated in Vietnam our unwillingness to persevere in our commitments.

Finally, let us recall that, in both 1980 and 1984, the people of this country voted overwhelmingly for a Presidential candidate who ran openly on a platform of further strengthening our national defenses.

How can we dismiss that as a body? How can we dismiss that in some political orgy, led by the press, that we have to cut everything equitably? There is no connection between providing for the common defense and promoting the general welfare. We must provide what we need.

I believe that the amendment before us is ill-advised and not in the best interests of our country. I wish we were going to deliberate it as long in this body as we did in the Armed Services Committee, but we are not. I regret that.

I urge my colleagues to remember their obligation to ensure our national security, to ignore partisan politics, to bipartisanly back this President just as I would have hoped that we would have backed President Carter in what he wanted to do about stopping the action in Angola. We did not. We did not back our Presidents in trying to continue to send aid to Vietnam when we could have saved that situation

after we won the military victory. We are in a similar position today. I ask my colleagues to think about it, to defeat this and any other efforts further to reduce spending on our national defense.

Thank you, Mr. President. Thank you, Senator DOMENICI.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

ORDER FOR RECESS UNTIL 2:33 P.M.

Mr. DOMENICI. Senators are asking when we are going to vote. Some are coming to the floor in anticipation. As I understand it, Senator THURMOND wants to speak, and I am going to yield him 5 minutes shortly. But I understand that the distinguished majority leader desires that we go in recess immediately thereafter for an hour and time to be charged against neither side.

So everybody will understand, Mr. President, I yield 5 minutes to the distinguished Senator THURMOND, I ask unanimous consent that immediately thereafter the Senate stand in recess for a period of 1 hour, and that the time not be charged against the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Carolina.

Mr. THURMOND Mr. President, I rise in opposition to the pending amendment that would reduce defense expenditures for fiscal year 1986 to a level of zero real growth over expenditures for fiscal year 1985. Further cuts in the defense budget are unnecessary and unwise.

Defense spending has already undergone its fair share of budget restraint compared to nondefense spending. Twenty-five years ago, defense spending accounted for 52 percent of the Federal budget. Today, it accounts for little more than 26 percent of the Federal budget—about one-half. During this period when defense spending was declining as a portion of the Federal budget, our security needs did not decline. In fact, they rose substantially. We cannot afford to view our levels of defense spending solely as a budget function; we must take full account of the threat we face and our commitments to our allies.

Mr. President, in the 20-year period from 1964 to 1984, defense spending grew by only 12 percent in real terms while nondefense spending grew by 178 percent in real terms during the same period. The deficit is not a result of excessive growth in defense spending; it is a result of excessive growth in nondefense spending.

While we debate how to further cut defense spending, the Soviets continue to out-produce the United States in nearly all categories of weapons systems. During the last 25 years, our defense posture has declined in all but 6 of 29 major weapons systems categories. The Soviets have been relentless in their production of new equipment and show no signs of slowing. President Reagan summed it up nicely when he stated that we are not free to size our defense effort simply in terms of our domestic economy. We must respond to requirements that are outside of our control.

Mr. President, the compromise adopted by the Senate on April 30 calls for real growth in defense spending of only 3 percent for fiscal year 1986 over 1985. This compromise also calls for defense cuts totaling 36 percent of the deficit reduction for fiscal year 1986. Over a 3-year period, defense cuts will average 33 percent of the deficit reduction. Cuts of this nature, while disproportionate to defense spending's portion of the Federal budget, will afford us the capability to meet our defense requirements. To go below this level is unwise and will be seen as an effort to avoid the tough decisions in cutting nondefense spending.

Mr. President, I strongly urge all of my colleagues to oppose this amendment.

Mr. President, defense does not have constituents. Food stamps have constituents; nearly every domestic program in our budget has constituents. Why is defense so important? Mr. President, I want to say the chief enemy internally of the people today is crime, the criminal. The chief enemy externally is the Soviet Union. They have not abandoned their goal of world aggression. They still have that as their goal. That is to be seen in places like Afghanistan today and down in Nicaragua.

There they have attempted to establish a foothold as they did in Cuba.

We have to keep this country stronger if we are going to keep it free. It is that simple. I hope Members of this body will have the courage and have the wisdom not to cut the defense budget below a 3-percent growth. We need that growth to keep this country free.

RECESS FOR 1 HOUR

The PRESIDING OFFICER (Mr. DENTON). In accordance with the previous order, the Senate will recess for 1 hour.

Thereupon, at 1:33 p.m., the Senate recessed until 2:33 p.m.; whereupon, the Senate reconvened when called to order by the Presiding Officer (Mr. WARNER).

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOLE. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. Six minutes.

Mr. DOLE. I am prepared to yield back the 6 minutes. I understand the distinguished Senator from Oregon is on his way to the floor to speak briefly on the amendment. I do not want to deprive him of that opportunity.

Mr. President, it is my understanding that there will be a tabling motion by the chairman of the committee, so there will be a vote very soon.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that there would not be sufficient time remaining to call for a quorum. Under the precedents of the Senate, a Senator making such a request must have at least 10 minutes.

Mr. DOLE. Speaking on the resolution, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. Five minutes remain on the amendment.

Mr. DOLE. Mr. President, I yield 5 minutes to the Senator from Oregon.

The PRESIDING OFFICER. Five minutes are yielded to the Senator from Oregon.

Mr. HATFIELD. Mr. President, I am very pleased to join with my colleague from Iowa (Mr. GRASSLEY) in offering this amendment. I think the basic question we are really dealing with here today is not so much a question of dollars as it is the more important question, the security of our Nation, the defense of the United States. I believe that any nation that is a debtor nation, carrying a $200 billion budget deficit and a $140 billion trade deficit, is not a secure nation in any sense of the word.

Our future military security is critically dependent upon a healthy economy. I think most of us realize that that was demonstrated very eloquently during World War II, particularly when the industrial productivity of this Nation was capable of being increased and sustained at a level to produce the armaments not only for our own fighting personnel, but for our allies as well. The real distinction in those forces arrayed against each other in World War II, I feel, was ultimately spelled out in industrial capacity and economic strength. There is no one any more concerned than I am on the matter of the security of this Nation. I think the mistaken view is held that any kind of increase in ap-

propriations translates into increased security.

Let me point out to my conservative brethren particularly that this was precisely the thesis acted on by Mr. Roosevelt in the New Deal: the more money you spent on a social problem, the more likely you were to correct it. It did not prove any more accurate in dealing with social problems than it will today on defense.

It does not work that way. In fact, I think this amendment offered by Senator GRASSLEY and myself would achieve a goal that we all want. That is, we build more security for the Nation because we would be working toward a smaller deficit, thereby establishing a stronger productive economy, lower interest rates, and so forth. Second, we would slow down the rate of military spending.

Mr. President, I defy anybody in this Chamber to tell me that we can actually manage and manage well the spending of $1 trillion in the last 4 years for military and the proposed $2 trillion that the administration wants to spend for the next 5 years. All of these $150 wrenches, hammers, and screws, and everything else we read about, are illustrative of our inability to manage the flow of that rate of spending. It is not feasible. 53,000 people in the procurement program of the Pentagon—53,000 people. If we would return it back to the Navy, the Air Force, and the Army to procure, we would probably have a little more ability to control.

Right now, the Secretary of the Navy cannot do anything about it, the Secretary of the Army cannot do anything about it, the Secretary of the Air Force cannot do anything about it. The Secretary of Defense has too much of a pyramid, too many layers of bureaucracy between himself and the departments he is procuring for to get this done well. We get these expenditures—Senator ROTH's toilet seat and all the other examples that are bizarre, that are indicative that when you have such a flow of money, you really cannot manage it. This would slow that down.

Last, this does not in any way impair the procurement of the weapons programs that we are committed to; in fact, recent reports indicate that those weapons would not be affected by this slight reduction.

I want also to indicate, Mr. President, that the Appropriations Committee has had a very interesting experience. If you recall, in the fiscal year 1984 supplemental appropriations last year, the reactivation of the battleship *Missouri* was accomplished with $336 million in budget savings—budget savings. Shortly thereafter, the Appropriations Committee eliminated over $2.8 billion in excessive cost adjustments, in the fiscal year 1986 operation and maintenance account alone. This year, the MX has been funded with unobligated balances of previously appropriated funds. These large unobligated balances indicate that the flow of money is not being managed properly, and I do not think it can be with the kind of heavy expenditure that is being heaped upon the Pentagon.

Mr. President, we are certainly cognizant of the fact that the Soviet Union has a fundamental part in our whole security planning and our foreign policy. Let me say that this is not the sole factor in making military policy that relates to military spending. In addition, we have to be concerned about feeding the hungry, clothing the naked, and housing the homeless. We have to be concerned about those other components of our national security—a good education system, a strong productive economy, good trade relations, and good trade balance, less dependence upon imported energy—all components of our national security. Money alone is not the objective, it is but one course and one means toward achieving security.

Let me close with my favorite statement, made by a five-star general who understood national security better than any President I know, General Eisenhower. He warned the Nation on many fronts, military-industrial problems, and so forth.

He said there may come a time when spending additional money for rockets and bombs in the name of national security, when there are people who hunger and are not fed, who are cold and not clothed, far from strengthening the Nation's security, will actually weaken it.

I ask the Senate to consider that spending for the military program is but one component of our national security; getting this deficit down is as important to our future and our security as any other part of that very complex picture that we call national defense.

Mr. KENNEDY. Mr. President, I rise in support of the amendment to hold the increase in defense spending to the rate of inflation—the level recommended by the Budget Committee.

I believe that the Congress can fulfill its obligation to provide for the national defense within a budget that is limited to a cost-of-living increase for the Pentagon in budget authority. Even with such a limit, outlays—actual spending—would continue to grow significantly in real terms. After providing for substantial real growth over the last few years, a period of consolidation—particularly in our procurement programs—is warranted. We can continue to provide for real growth in readiness, sustained progress in research and an adequate pay raise within the zero real growth target approved by the Budget Committee.

In our deliberations in the Armed Services Committee we considered what reductions were necessary to achieve zero real growth. An analysis of this effort demonstrates that the required cuts can be made without jeopardizing critical programs. Although this level requires reducing the production rate for some programs and cancelling a few programs of marginal worth, the overall impact is quite modest. In some respects, reductions would actually improve our security, through elimination of wasteful and dangerous programs like the MX ($2 billion) and substantial reductions in others, such as SDI, where the committee has approved a $2 billion increase in funding, to more than twice last year's level of $1.4 billion. For this reason, I offered an amendment in the Armed Service Committee to report the bill at the zero real growth level, as in this amendment.

Many in this debate have argued that the defense budget should not be determined by arbitrarily picking a total funding level. I couldn't agree more. But 3 percent real growth is itself just an arbitrary level. What matters is what we actually receive in national security for our dollar. And I am convinced from our work in the Armed Services Committee that we can have a stronger, and more effective defense with the level of spending proposed by this amendment, if we shape our defense budget wisely.

FOR THE GRASSLEY AMENDMENT

Mr. PELL. Mr. President, amendment No. 48, offered by the distinguished Senator from Iowa is the keystone of this whole debate on the restoration of fiscal solvency for the Federal Government. It would permit us to live within the overall limits of Senate Concurrent Resolution 32 while restoring reasonable levels of funding for programs that many of us feel are essential, but it would do so without compromising our national security.

By freezing Defense Department budget authority to zero growth adjusted only for inflation, the Grassley amendment would provide the same level of funding as proposed by the Senate Budget Committee. But most important, it would realize savings of $10.3 billion from the overall total of the leadership compromise budget in fiscal year 1986. These savings will comfortably cover the $4.4 billion cost of restored Social Security COLA's and conforming adjustments in civil service and veterans' pensions, with enough left over for education, Amtrak, the SBA, and other worthy programs.

I would prefer that the budget authority for the outyears of fiscal 1987 and 1988 be frozen at zero growth as well, or at a lesser rate of increase than the 3 percent allowed by the

Grassley amendment, and I believe we will need to address those levels next year to assure continued integrity of the budget.

For the present, it is important to note that the Grassley amendment would do nothing more nor less for the defense budget than we have already done for Social Security, namely, we have adjusted it to allow for the inexorable process of inflation. But in doing so, I am quite satisfied that we would not be compromising national security one iota.

It is worth noting in this regard that the staff of our own Armed Services Committee has found that a freeze in defense spending would not force cancellation of any weapons systems and would in fact allow for significant increases in many of them. A zero growth budget would still allow a 6-percent increase in aircraft purchases, a 44-percent increase in missile purchases, and no decrease in procurement of combatant ships, according to a report of the committee's minority staff.

Moreover, the distinguished Senator from Iowa has presented what I believe is overwhelming evidence that our vast defense outlays not only are failing to produce commensurate results in terms of improved defenses, but that they are being squandered on egregious inefficiencies and outright fraud by defense contractors.

The public, I believe, is fed up and disgusted by the outward evidence of malfeasance by defense contractors—overcharges, fraudulent billings, and high living charged to the Federal Government, not to mention $600 toilet seats and $7,000 coffeemakers. No matter who roots out the problem—and of course the administration is to be congratulated for its efforts in this regard—the point is that all of these problems are symptoms of a system gone amok, the excesses of which must be counted as major contributing factors to our current budgetary dilemma.

In these circumstances, to fund the Department of Defense at anything more than a zero growth level is tantamount to force-feeding a goose. What else are we to assume when we hear that there are some $50 billion in prior budget allocations still in the clogged fiscal pipelines of the Pentagon. The Grassley amendment would slow down the furious pace of defense expenditures and hopefully allow us to get control of the defense budget before it controls us all. I support it and I urge my colleagues to do the same.

Mr. HATCH. Mr. President, I am supporting the compromise budget resolution calling for 3 percent real growth in defense spending in each of the next 3 fiscal years. I take this position with the caveat that the Senate has a duty to review the national security implications of this reduction in defense spending from what had been estimated in previous budget resolutions.

There is no doubt that defense spending can be cut—but less spending means less capability, and less capability will compel us to reassess our defense and national security commitments and the threats that generate them.

What is the threat? In the last 5 years, the Soviets have nearly doubled the number of strategic warheads targeted at the United States. They have deployed twice the number of new weapon systems introduced by the United States; and their rate of production of tanks, aircraft, and ships is double that of the United States. Furthermore, the Soviet Navy is now a global challenge to the United States. Their Cuban surrogates pave a Marxist-Leninist path into Africa and Central and South America. Soviet military forces and advisers fight in or occupy more foreign territory than at any other time in post-war history.

The U.S. response to this Soviet threat has been a mere $19 billion—in 1972 dollars—increase in defense spending during the so-called 4-year buildup of the first Reagan term. In fact, it is entirely conceivable that the 1988 Presidential campaign will turn on deficiencies in America's defense capabilities—despite the antidefense rhetoric of the early and mideighties. For, in truth, there has not been a massive defense buildup. There has only been the redressing of the decade of neglect which began in the early seventies. Defense spending in the Carter years typified this neglect, constituting only approximately 24 percent of the Federal budget and 5 percent of our GNP. In 1961, in contrast, in peacetime under John F. Kennedy, defense spending equaled about 48 percent of the budget and 9 percent of GNP.

President Carter recognized the mistake of this neglect and underspending. He revised the projected levels of spending upward of his last 5-year defense plan. President Reagan has not outspent what Jimmy Carter planned. In fact, what was proposed in his original fiscal 1986 budget was below what Carter proposed for 1986. What the President has accepted and is included in this compromise budget is below what Jimmy Carter planned for fiscal 1985. I repeat, this year's recommended level is below what Carter proposed to spend for last year.

The reverse has happened with nondefense spending. Nondefense spending by both the public and private sectors has risen by $145 billion—also in 1972 dollars—over the same period. It has risen this much despite such substantial economic prosperity as a 24-percent increase in GNP and 25-percent growth of national income. Thus, the difference of our approach to defense spending, on one hand, and nondefense expenditures, on the other, seems to defy logic:

We are spending less on defense in the face of a greater external threat; and

We are spending more on domestic social programs, despite the high level of domestic economic prosperity.

The 3-percent real-growth defense budget will save nearly $98 billion from originally planned levels over the next 3 years. But before we applaud this short-term recoupment, let us examine the consequences. More specifically: since less defense spending means less capability, the Senate will ultimately be faced with hard decisions as to what commitments have to be reduced concomitantly with reduced spending. What commitments will the Senate reduce?

Will we reduce our presence in NATO, and will our allies see a return to the late seventies when Europe was a low U.S. defense priority?

Will we foster instability on our southern borders by ignoring Cuban subversion and Soviet encroachments into Latin America?

In the Middle East and Southeast Asia, will we be able to ensure the security of Israel, or of world access to precious resources?

Will our own States and territories in the Pacific Basin be secure, and our allies and friends there confident of our strength?

Will we be able to continue to support the friendly, independent, and stable nations of Africa?

The Secretary of Defense told the Senate Budget Committee on March 7 where cuts could be made; but they will expressly and necessarily limit our capability to continue all these commitments. This will force our attention back to the need to reconcile spending reductions, made willy-nilly, with our commitments. For example:

The deletion of C-5B aircraft will curtail our airlift capacity for contingencies worldwide, but especially in the Middle East and NATO.

A loss of 240 M-1 tanks will create greater risk in NATO.

The nonavailability of A-6E and A-6F fleet aircraft will make our worldwide force-projection capacity inconsistent with the threats that our carrier groups face in the Far East, the Indian Ocean, and the Mediterranean.

I warn my colleagues that morally we cannot cut our defense capacity without adjusting our commitments, nor can we look to DOD and the administration to make these difficult decisions alone. As a senior partner in defense policymaking, the Senate cannot escape its constitutional responsibilities. I will support reducing defense spending as agreed to in this compromise budget agreed to by the President. But I also warn my col-

leagues that I will continually remind them of their concomitant responsibility to ensure our national security adequately once they have taken the first step to cut defense spending.

Mr. GRASSLEY. Mr. President, I hope my colleagues' lunches were not interrupted by too many trans-Atlantic phone calls.

I would like to submit for the RECORD a couple of articles that are pertinent to informal discussions off the Senate floor right now.

These articles relate to the boondoggle-nature of military bases.

The statements follow:

[From Forbes Magazine, Apr. 22, 1985]

GOLD BRICKS?

(By Richard Behar)

One of the oldest claims of budget cutters is that hundreds of millions of dollars can be saved annually by closing unneeded military bases. And one of the oldest political truths is that they can't be closed. Now there's some respectable evidence that closing a base doesn't guarantee local catastrophe. Rather, with some work, it can lead to even more jobs.

"The key to success or failure is local initiative," says William Laubernds, president of the Chippewa County Economic Development Corp., in Michigan's cold, empty Upper Peninsula. The Air Force closed a 4,500-acre base in Kinross township there in 1978. Gone were 650 civilian jobs, a $40 million payroll and 25% of the county's 40,000 population.

Today the base site contains a 1,200-unit housing development, a 1,850-acre industrial park, a railroad, power plant, shopping mall, waste-treatment facility, golf course and an airport, most gifts from Uncle Sam. "The military was actually still constructing buildings after they left the place," laughs Laubernds. "And we're turning around and offering leases at as low as 10 cents a square foot." A dormitory for soldiers is now a medium-security prison, and the entire former base employs 1,000 locals in 49 firms, many defense-related. "In the long run the community is probably better off," says Laubernds. "Every government program ends, and you better have something else planned with the private sector."

Rhode Island issued bonds to buy land at Quonset Point-Davisville in North Kingstown when the Navy closed most operations there in 1974. "At first it was devastating," recalls Fred Santaniello, manager of an industrial park that replaced the base. Now 73 companies from computer designers to seafood processors to car importers are housed there, he says. An 8,000-foot runway accommodates cargo jets. The largest employer, General Dynamics, pays $1 per square foot annually for 206 acres, building nuclear subs with 5,400 jobs, vs. 4,500 lost when the Navy left.

There are failures, too, since bases are often in faraway places. In Glasgow, Mont., an agricultural community about 150 miles from Billings, the Air Force closed a B-52 base in 1968. Gone were 4,000 jobs, and Glasgow's head count shrank 50%, to 4,500. The industrial park has only one paying tenant: a drug program operating out of the old military hospital. There's no use for the gymnasium, nightclub, chapel, movie theater and bowling alley and 2 million square feet of available space.

From 1961 to 1981, 94 major installations were padlocked, but none since. The Pentagon's Office of Economic Adjustment, set up in 1961 to help the transition, says most are now thriving industrial centers with a better than 1-to-1 civilian job replacement ratio.

Senator Barry Goldwater, the Arizona Republican, is studying a proposal for 22 military base closings across the country. One of his targets is Fort Devens, 35 miles outside Boston. Devens, an intelligence training center and the early home of the Green Berets, has a payroll of $194 million for 9,000 military and civilian personnel. But Boston and New England are in much better economic shape than they used to be. "We're much better able to absorb a closing if it ever happened," says Robert Cogan, chairman of a local industrial commission.

Cogan helped lead a fight to save the base a decade ago and doesn't relish the thought of taking on the Pentagon again. But things could be worse. Those 9,338 acres have enormous civilian potential. "From an economic development standpoint, it's paradise," he says.

Moral: There may be money in plowshares just as in swords. It just takes a lot of work.

[From the Reader's Digest, April 1985]

THE MILITARY-BASE BOONDOGGLE

(By Randy Fitzgerald)

Historic Fort Sheridan sits on the shore of Lake Michigan, about 28 miles north of downtown Chicago. Established in 1887, the old Army base is now staffed mostly by recruiting and administrative personnel. While 62 of its acres are devoted to training or operations, and 32 to administration, over 150—including two lovely beaches and a superb 18-hole golf course—are used for recreation.

For more than a decade the Department of Defense (DOD) has wanted to close Fort Sheridan. This would save taxpayers at least $9 million annually, with another $50 million or more coming from sale of the property. An Army study is blunt: "No strategic or mobilization mission has been identified for Fort Sheridan." But fearing the economic impact of closure, members of the Illinois Congressional delegation used their legal and political clout to keep Fort Sheridan open.

Of the DOD's 4000 military facilities nationwide, at least 50 are obsolete and could be closed. Many were established long before modern communications, interstate highways and jet aircraft rendered them uneconomical and unneeded. If the military-base structure was realigned, savings to the taxpayers—as calculated in 1981 by the Office of Management and Budget and in 1983 by the Grace Commission—could be $2 billion a year.

But no military-base-realignment package has been sent by the DOD to Capitol Hill since 1979. The reason is that any attempt by the Pentagon to close unnecessary facilities is met by widespread Congressional opposition. Every state and about half of Congressional districts contain military installations, and the pervasive Congressional attitude, summed up by one lawmaker, is: "Protect my pork and I'll protect yours."

In the face of such reaction, it is little wonder that the Pentagon has practically given up on closing bases. "Tragically," says Rep. Denny Smith (R., Ore.), "national-security decisions are being thwarted by local political interests that sabotage efforts to provide a strong national defense in a fiscally responsible manner."

Until 1977, the Executive Branch enjoyed a relatively free hand in fashioning the nation's base structure. Then Congress passed, and President Jimmy Carter signed, legislation creating hurdles against closures. The new law required, first, that the Pentagon notify Congress when it is even considering closing a base. The Pentagon must then prepare economic-, environmental-, and strategic-impact studies that can take up to a year and $1 million each to complete. Finally, Congress can veto any closure simply by refusing to consider it.

President Carter's signature came back to haunt him a year later when Secretary of Defense Harold Brown released to Congress a list of 85 base closures and reductions intended to save taxpayers $337 million a year. Democrats and Republicans, liberals and conservatives, put aside their differences to join in opposition to the package of economies.

Consider the case of Goodfellow Air Force Base in Texas, described in a 1979 Pentagon study as "a small, single-mission training base with a relatively high per-capita operating cost." Shutting down the base, the study estimated, would save $11 million annually.

Sen. John Tower (R., Texas)—since retired—thundered that the elimination of Goodfellow was "a major national-security risk." Rep. Tom Loeffler (R., Texas), whose district includes Goodfellow, added language to the 1980 military-construction legislation ordering the Pentagon not to close Goodfellow until a new series of studies had been prepared analyzing the "socioeconomic factors in the affected area." Since 1981, Tower, then chairman of the Senate Armed Services Committee, and Loeffler, a member of the House Appropriations Subcommittee on Military Construction, added money to the military budget for construction at the base. They appropriated $41 million for new facilities, a ploy designed to make it even more difficult for the DOD to justify eliminating the base in the future.

Fort Monroe, Virginia, continuously manned since 1823, was targeted for closure because it is too old and too small. The Pentagon estimated savings of $10 million a year if the fort's occupants were transferred to another post a few miles away. Rep. Paul Trible (R., Va.)—now a Senator—whose district encompassed the fort, objected that closure would cause "severe economic disruption" to the surrounding community. Vowing to maintain the historic military post, he inserted into the 1980 military-construction bill the same language that helped prevent the closing of Goodfellow.

After the Reagan Administration took office in 1981, the DOD drew up a new list of at least 50 obsolete, under-utilized or too costly facilities. As news of the possible closures leaked out, the Northeast-Midwest Coalition, representing over 200 members of Congress, demanded a complete moratorium on base closings in their states. Rep. Margaret Heckler (R., Mass.)—later named Secretary of Health and Human Services—wrote the Secretary of the Army that she would "be severely constrained" from supporting any increase in the defense budget if Fort Devens in Massachusetts was closed. The protests paid off. The Administration abandoned plans to ask Congress to close Fort Devens or the other obsolete bases.

Though lawmakers argue that base closures would jeopardize the local economy, it need not be that way. Take, for instance, Benicia, Calif. When the Pentagon announced in 1961 that the 110-year-old arsenal there would be closed, it seemed that a killing economic blow had been dealt the surrounding community. With a payroll of

2400, Benicia's arsenal was Solano County's largest employer.

But some civic leaders recognized that the 2000-acre abandoned facilities—with a port, airstrip, roads and buildings already in place—posed a golden industrial-development opportunity. Today, the Benicia Industrial Park is home to dozens of businesses from specialty manufactures and warehouses to a refinery, employing over 4500 people.

Consider also the case of Kincheloe Air Force Base in Michigan's Upper Peninsula. When the $700-million base was closed in 1977, 700 jobs and $36 million in annual revenues were lost to the rural community of 26,000. But the closing proved to be an economic boon. The Chippewa County board of commissioners established a local economic-development corporation to offer low-interest loans and lease the land at bargain-basement rates. Nearly 30 companies have established commercial and industrial operations at the former base, creating more than 1000 new jobs. Reports Industry Week magazine: "Amazingly, in what was once a town of deserted buildings and shattered dreams, plans are now under way for the construction of additional facilities to meet expansion demands."

The experiences at the Benicia arsenal and Kincheloe Air Force Base are not unique. Numerous communities nationwide have overcome the initial shock of base closings to turn apparent disaster into an economic blessing.

A Pentagon-commissioned study of 12 converted military installations found that in most cases the base closure turned out to be a boon. "Not only have the local economies not suffered the severe setbacks anticipated," the study reported, "but civilian acquisition and operation have had unexpected benefits. In almost every case, the civilian jobs lost because of the base closure have been offset with an equal or greater number of new jobs."

If the budget deficit is to be lowered, Congress must summon the courage to shut down economically indefensible installations and place the national interest above shortsighted local concerns. No longer should Congress force the Pentagon into the business of combating unemployment and subsidizing the local economy of communities with costly, unnecessary military facilities. Shutting down just ten unneeded installations, says Senate Armed Services Committee Chairman Barry Goldwater (R., Ariz.), would save one billion dollars a year.

Congressman Smith has introduced legislation to give the Executive Branch more flexibility in operating the military structure. His bill would limit the requirement for the Pentagon to perform lengthy, costly closure-impact studies. Smith has been unable to line up a single co-sponsor in the House or Senate. But the Congressman, a decorated F-4 combat pilot with 180 missions over Vietnam, vows to keep up the fight.

"Congress must remove the unnecessary legislative barriers that bar the President and the Secretary of Defense from taking the swift action necessary to manage our base structure efficiently," Smith says. "We need to shelter national-security decisions from local self-serving political interests."

To which beleaguered taxpayers can—along with letters of support to Rep. Denny Smith—add an amen.

Mr. SIMON. Mr. President, Senator GRASSLEY has offered an amendment to freeze defense budget authority for fiscal year 1986 at the level of inflation, and to increase these levels in fiscal year 1987 and fiscal year 1988 at 3 percent above inflation. That works out to $302.5 billion in fiscal year 1986, $323.4 billion in fiscal year 1987, and $346.8 billion in fiscal year 1988. Secretary of Defense Caspar Weinberger has urged this body not to pass the Grassley amendment, raising a number of objections relating to capability, costs, and commitments. I support Senator GRASSLEY in his efforts to regain control over runaway defense budgets, and I would like to take a few moments to respond to Secretary Weinberger's assertions.

In a letter to me dated April 25, 1985, the Secretary made eight general points, to which I will reply in turn. First, it is claimed that a defense budget freeze will not meet our national security requirements. National security, however, is not easily translatable into a dollars-and-cents figure; it is by definition based upon perceptions of United States and alliance interests, hostile threats, and the degree of power necessary to provide for the common defense. Naturally, these are assumptions which are subject to wide interpretation. Beyond a certain point, do we really gain an extra increment of deterrence by pouring a disproportionate sum of dollars into highly questionable programs? I do not believe that we do.

If we can be as creative in saving money in a sound way as we are in building new weapons systems, we can save money and have a sounder defense.

There is a further argument to be made on the question of requirements. National security has surely been defined too narrowly when we view it only in terms of military acquisition and the accumulation of hardware. Economic solvency is an essential prerequisite to sustaining defense strength. Cost over-runs and perennial inefficiency is detracting from a strong military establishment. Raging deficits, fueled in large part by excessive defense budgets, will reduce our security over the long run by weakening the Nation's defense industrial base.

Second, the Secretary asserts that programs are not made any cheaper by delaying spending this year. The assumption here, of course, is that stretched-out procurement raises associated costs—for example, through the necessity of restarting closed production lines. We seldom ask, however, just how genuine the program was in the first place, and whether we need to fund it year after year at ever-increasing budget authority. There are many such dubious programs in this year's defense budget.

Third, the Secretary maintains that a freeze will undercut our leadership in NATO and compromise the 3-percent real growth commitment. But as members of the first Reagan administration have acknowledged, percentage-increase commitments do not necessarily purchase commensurate gains in security. A stronger conventional defense cannot be measured solely by the dollar inputs, but rather must instead be measured by force posture outputs—outputs that depend mostly on less tangible yardsticks, such as innovative strategy and tactics, combat morale, where spending priorities are directed, and so on. Foolish spending commitments at 3 percent real growth is much worse than wise spending at zero growth. We have exceeded the expenditure of any of our NATO allies.

Fourth, the Secretary tells us that research and procurement will end up short-changed. Leaving aside the glaring need to reassess a number of provocative or unnecessary expenditures—particularly those falling under strategic modernization—the growth in noncompetitive bidding, supersecret research projects estimated by some to have increased by 52 percent this year alone without sufficient congressional oversight, and endemic procurement problems indicate a more-than-sufficient budget in research and procurement. When the strategic defense initiative organization within the DOD spends only 2.5 percent of its budget authority after nearly half a year of such authority, I do not see the pressing need to surge forward with these types of programs.

Fifth, the Secretary says that our military capability will be adversely affected. However, Senator GRASSLEY's fine report of February 7, 1985, details the large percentage increase in operations and maintenance spending over the past several years and the concomitant decrease in flying hours and steaming days. Readiness, therefore, cannot be said to depend on additional increases in budget authority.

Sixth, the Secretary argues that the Soviets don't freeze their spending on defense. Irrespective of this statement's validity—and we have seen historical spending patterns reevaluated downward by the CIA—this doesn't guarantee that Moscow is buying improved force effectiveness. The futile comparison of spending levels between the United States and the U.S.S.R. is, as historian Barbara Tuchman has written, rather like judging a beauty contest by how much the contestants spend at the hairdresser.

Seventh, the Secretary claims that a freeze will display a lack of resolve. I would contend that just the opposite will occur: A freeze will show that we are committed to economic growth and solvency just as surely as we are to military strength. Our resolve and international prestige are based on more than the amount of dollars we are willing to spend, and certainly overspend, on defense. I will discuss

this in the future on the floor in more detail.

Finally, the Secretary says that his request for fiscal year 1986 is already $63 billion below the 1981 plan and $45 billion below last year's plan. These so-called budget cuts are based upon planning documents that initially asked for $1.6 trillion over 5 years, estimates that in turn were and in large part still are based on highly inflated threat projections. In reality, the defense budget will have increased by 26 percent in constant fiscal year 1986 dollars and by 47 percent in current dollars since fiscal year 1981, that is, including the first Reagan budget of fiscal year 1982.

A defense budget freeze, in short, will not only give us time to get our defense contracting house in order, but will greatly contribute to growth in our economy without jeopardizing the combat effectiveness and deterrent power of our Armed Forces.

Mr. CHAFEE. Mr. President, I support the Hatfield-Grassley amendment to reduce the level of spending for defense in the Federal budget for fiscal year 1986.

The adoption of this amendment is essential in order for us to succeed in cutting the Federal deficit. Not only will it further reduce outlays—it will demonstrate Congress' resolve that no segment of the Federal budget should be exempt from savings as we attempt to bring the deficit under control.

As soon as it became apparent that decisive action was needed this year to attack the deficit problem, every Senate committee began to examine the programs within its jurisdiction in the search for savings. The compromise budget package which we have adopted achieves these savings through a combination of spending freezes and reductions which touch virtually every Federal program and every segment of society. Programs such as Mass Transit, Rural Housing Assistance, Education, Economic Development, Health Research, and many others have been asked to help shoulder the burden of reducing the deficit.

I have supported the budget package now before us because reducing the deficit is absolutely critical in order to keep our economic recovery on track. One of my chief concerns has been to assure that the reductions be balanced. It is essential for the public to know that Congress has acted, to the greatest extent possible, to assure that all elements of our society share in the burden of deficit reduction.

The administration's original spending request for the Department of Defense called for an increase of 6 percent in terms of real growth in the next fiscal year. I believe such an increase would be excessive, and am pleased that the compromise plan which we have adopted reduces that increase to 3 percent. However, at a time when the deficit crisis compels sacrifice from every sector of society and every segment of the budget, we must do more.

The amendment I am supporting will further reduce defense spending to zero real growth in the next fiscal year, resulting in budgetary savings of $21.5 billion next year and $115 billion over the next 3 years. This provides an additional 3-year saving of $17.7 billion beyond the compromise plan which has been adopted.

I do not think it is fair to ask the public to support stringent reductions in domestic programs and exempt the military from sharing part of the burden. Our national security will not be imperiled if, for 1 year, we tell the Pentagon to live on a diet of zero real growth. While a military freeze—that is, providing the same number of actual dollars in 1986 as we provided in 1985—would undoubtedly do harm to our shipbuilding, modernization, and conventional arms programs and could require shortsighted manpower reductions, I am convinced that the Defense Department could survive zero real growth with no real harm to essential components of our national security.

Every action we take in this budget debate will affect our Nation's economic vitality. If we succeed in reducing the deficit, our economic future will be a brilliant one. By adopting this amendment we will help to complete the job of reducing the deficit in a way that is truly balanced and fair.

I hope my colleagues will join in supporting this amendment.

Mr. HEINZ. Mr. President, I support a freeze in defense spending and my support for an across-the-board package including a defense spending freeze has been on the record for some time. However, I will vote to table the amendment offered by Senator GRASSLEY because I believe that this is not the best way—there should be a package, and because, in part, it is too early in the budget process to reduce defense spending. I have addressed the issue of the need for a package many times. Let me say a word on the second point. If we cut defense now, it will not go for deficit reduction, it will only be ploughed back into other areas of the budget. Indeed, Mr. President, I know of one amendment that may be offered which would transfer the $18 billion saved by freezing defense for a year to agriculture programs. Quite frankly, I would not mind taking that $18 billion and putting it into programs which benefit Pennsylvania and other States in the Northeast and Midwest. That money could go a long way toward maintaining Amtrak, urban mass transit, rural housing unemployment assistance, job training—I have a long list, Mr. President. And that is just the point. All of us have a long list of things we would like to accomplish, but the one thing we must accomplish is a reduction in spending, and a big one. We need to adopt a deficit reduction package that gets us on a path to a balanced budget by the end of the decade, and we will not do that if we start redistributing money in the budget. We need to cut money out of the budget, not redistribute it. So let there be no doubt—I favor a freeze in defense spending and will support it at the proper time as part of an appropriate package, but we have got to make some tough decisions first. We cannot balance the budget by taking money from defense and putting it back into other programs. We can only do it with across-the-board reductions in all programs, except those which protect our poorest citizens, devoting the savings to deficit reduction.

Mr. DECONCINI. Mr. President, I support the provisions of the amendment offered by Senator GRASSLEY which would set defense spending at fiscal year 1985 levels and allow a 3-percent real growth rate for the next 2 years.

Let me make very clear that I am for a strong defense of our Nation and I support the procurement of the major military systems that are being brought into our Nation's arsenal as a result of initiatives taken by the Carter and Reagan administrations, such as the B-1 bomber, the Apache helicopter, the MX missile, and the Trident submarine. I intend to use whatever influence I may have in ensuring that our Armed Forces have the best equipment and the best living conditions possible to ensure a strong and vital protective force for our Nation and our allies.

Under the budget proposal before us, defense spending would climb to a level that is $35 billion higher—after inflation—than at the peak of the Vietnam war in 1968 and $81 billion higher than the peak year of President Kennedy's defense buildup. But along with the massive pumping of funds into the Defense Department has come wasteful spending of shocking proportions.

Not a week goes by without another story in the news of a $44 lightbulb or an $8,000 coffee pot or a $400 hammer that the Defense Department has used Americans' tax dollars to buy. Defense Department figures which show that despite an 87-percent increase in the procurement budgets for tanks and helicopters, we have only added 30 percent more tanks and 45 percent more helicopters to our arsenal clearly indicate that we are spending more and getting less. Add to this the frequent reports of enormous cost overruns and of weapons systems that either don't work or might not work due to workmanship errors or design problems and the result is a spending procedure that is out of control.

The Grassley amendment represents a positive approach to bringing to a halt the waste and abuse of the tax dollars that have been freely flowing into and out of the Defense Department. It is a critically important first step in bringing defense spending under control and in reforming defense spending procedures to prevent further waste. Right now, the American people are not getting the military force that they have paid for. This amendment is our opportunity to ensure that the national defense of the United States is protected by developing a military force that operates like a fine-tuned machine instead of an insatiable giant.

Mr. NUNN. Mr. President, will the Senator from Kansas yield?

The PRESIDING OFFICER. The Chair wishes to advise the Chamber that time on the amendment has expired.

Mr. NUNN. Will the Senator yield to me 1 minute on the bill?

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. NUNN. Mr. President, I will not vote for the Grassley amendment, but I would like to share with my colleagues a couple of thoughts I have on this subject.

First, I believe the appropriate level of defense spending today, considering the threat, is in the 3- to 5-percent range. Considering the deficit, I believe we have to have restraint in defense. I would agree with the Senator from Oregon when he said national security is defined in broader terms than just military spending and includes the economy of the United States. For that reason, I voted in the budget deliberations in the Armed Services Committee to go to a 3-percent level in 1986, 3 percent in 1987, and 3 percent in 1988.

Yesterday I voted against the continuation of the COLA at 2-2-2 by voting for the Hawkins amendment. I did that, though, and said to my colleagues at the time, although not on the floor, that if we had a responsible overall package I would vote to freeze COLA's preferably for 1 year. I have voted that way before. I do not consider the package to which the Grassley amendment is addressed, that is, the compromise package, to be responsible fiscal policy. This package that we are voting on never gets the deficit, according to the Congressional Budget Office, below $100 billion, even going out to 1990. The deficit in 1988 is $145 billion. I simply do not choose to go to my State and tell my elderly citizens that I voted to freeze their COLA in order to get the deficit down to $145 billion. If I am going to ask for sacrifice on the part of the elderly citizens and some of the most vulnerable groups in our society, then I think it ought to be in a cause which gets the deficit under control. By that I mean a 4- to 5- to 6-year glidepath that would get the deficit down to zero. Not $100 billion, but zero.

I feel the same thing about defense. Defense is, I think all of my colleagues know, one of my top priorities. I am not willing to see defense cut to zero growth in order to get the deficit down to $145 billion, but I add to that that I think Senator GRASSLEY and others have made a very legitimate point. Defense must play a role in deficit reduction. If this body votes on a package with a fiscal glidepath to get the budget under control over the next 4 to 5 to 6 years, then I will be prepared to vote to go to zero real growth on defense, which is what this amendment does.

I will not vote for the Grassley amendment, but I think the point is being made. I think the President has to recognize that we cannot continue down the road that he has chosen to lead us for the last 4 years, that is, an adamant refusal to look at new revenues, an adamant insistence on increases in defense, and a continued inability to project a budget which gets the deficit under $100 billion even with extremely optimistic economic assumptions and with Draconian cuts in some areas. So I am waiting on a responsible package. I think there is one being worked on. I happen to believe the only way we are going to reach these conclusions is to have a bipartisan approach at some point. If we do not, the country is going to suffer. I hope to be a part of that before this budget deliberation concludes.

Mr. President, I thank the Senator from Kansas for yielding.

Mr. GOLDWATER addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. GOLDWATER. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. GOLDWATER. Has all the time expired?

The PRESIDING OFFICER. All time has expired under the amendment.

Mr. GOLDWATER. Mr. President, I move to table the Grassley amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I ask unanimous consent that the distinguished Senator from Georgia [Mr. NUNN] may proceed for 1 minute.

Mr. NUNN. Mr. President, I will not even take that long.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NUNN. Mr. President, the Senator from Mississippi [Mr. STENNIS] heard my remarks on the defense budget, on the national security implications of the deficit, and on the overall budget deficit and asked that he be known to agree with these views.

I just report that to my colleagues.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona to lay on the table the amendment of the Senator from Iowa.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

SEVERAL SENATORS. Regular order, Mr. President.

The VICE PRESIDENT. Is there any other Senator in the Chamber who desires to vote?

Mr. HATFIELD. Mr. President, how am I recorded?

The VICE PRESIDENT. Regular order has been called for.

Mr. HATFIELD. Mr. President, I would like to vote.

The VICE PRESIDENT. The Senator may vote.

Mr. HATFIELD. I would like to vote aye.

The VICE PRESIDENT. The Senator will be so recorded.

Mr. HATFIELD. Mr. President, I would like to be recorded voting nay.

The VICE PRESIDENT. Are there any other Senators in the Chamber who desire to vote?

Mr. CRANSTON. Regular order.

SEVERAL SENATORS. Regular order.

The VICE PRESIDENT. Regular order has been called for.

Are there any other Senators in the Chamber who desire to vote? Senators may only vote. Regular order has been called for.

The clerk will report, unless there are other Senators in the Chamber desiring to vote.

Mr. METZENBAUM. Regular order.

The VICE PRESIDENT. The clerk is compiling the tally.

Mr. METZENBAUM. Regular order.

The VICE PRESIDENT. Regular order has been called for. The clerk will report.

SEVERAL SENATORS. Regular order.

The VICE PRESIDENT. The Senate is not in order. Will Senators please take their seats so the clerk may report?

The Senate is not in order.

Is there any other Senator who desires to vote?

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 36 Leg.]

YEAS—48

Armstrong	Hawkins	Packwood
Bradley	Hecht	Quayle
Cochran	Heflin	Roth
Cohen	Heinz	Rudman
D'Amato	Helms	Simpson
Denton	Humphrey	Specter
Dole	Johnston	Stafford
Domenici	Kasten	Stennis
Durenberger	Laxalt	Stevens
Evans	Long	Symms
Garn	Lugar	Thurmond
Glenn	Mattingly	Trible
Goldwater	McClure	Wallop
Gorton	McConnell	Warner
Gramm	Murkowski	Wilson
Hatch	Nunn	Zorinsky

NAYS—51

Abdnor	Dodd	Mathias
Andrews	Eagleton	Matsunaga
Baucus	Exon	Melcher
Bentsen	Ford	Metzenbaum
Biden	Gore	Mitchell
Bingaman	Grassley	Moynihan
Boren	Harkin	Nickles
Boschwitz	Hart	Pell
Bumpers	Hatfield	Pressler
Burdick	Hollings	Proxmire
Byrd	Inouye	Pryor
Chafee	Kassebaum	Riegle
Chiles	Kennedy	Rockefeller
Cranston	Kerry	Sarbanes
Danforth	Lautenberg	Sasser
DeConcini	Leahy	Simon
Dixon	Levin	Weicker

NOT VOTING—1

East

So the motion to lay on the table was rejected.

The VICE PRESIDENT. The majority leader is recognized.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

Mr. STEVENS. Will the Senator withhold for one moment?

Mr. DOLE. I will.

Mr. STEVENS. Mr. President, I deplore that conduct we have just witnessed. I remember holding a vote for 2 hours or more for a Member on the other side. To have that kind of display because it might have been a vote in the other direction to me reflects on this Senate. I really deplore that, I believe it should stop. It is the leadership's prerogative to determine when the votes are in. That was a legitimate waiting for an absent Member at the time. That kind of display, I think, really brings the wrath of the public on the Senate. We have a right to wait for every Member to come. I believe the leadership was right in waiting this time despite the fact that they knew the vote would not be for the side the majority leader was taking.

Mr. DOLE. Mr. President, I suggest the absence of a quorum,

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HECHT). Without objection, it is so ordered.

Mr. DOLE. Mr. President, we know there was a motion to table the Dole-Grassley-Hatfield amendment. While we are waiting here for a minute or two, could the Chair advise what the vote was on that motion to table?

The PRESIDING OFFICER. The vote was 48 yeas, 51 nays.

Mr. DOLE. Still the same.

[Laughter.]

Mr. DOLE. Based on that vote, we have been visiting with a number of people, without success at this time. It is now 5 minutes after midnight in Bonn, too late to place a call and have him come over. So we were discussing with the distinguished minority leader if there might be some way to accept the amendment on a voice vote. He is now making inquiries on his side.

I have talked with the principal sponsors—the sponsors of the amendment, Senator GRASSLEY and Senator HATFIELD. They are ready to proceed on a voice vote. I think we are just waiting for the distinguished minority leader.

Mr. President, while we are waiting for a final check, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I understood there were to be a series of votes and I was supposed to go to the funeral of my stepfather-in-law in England. The plane has left now. Was I incorrect about that assumption?

Mr. DOLE. No, Mr. President. I shall offer for myself conforming amendments on military retirees and civil service veterans. Then it is my understanding that, from that side, there will be a Medicare amendment.

I do not know if that is correct or not. That would be followed by additional amendments. As I have indicated from the start, the two big sticking points were COLA's and defense. We saw the need to resolve those up front so we could start working on a final package. So, the Senator is correct. I guess there could be three or four rollcall votes yet this evening and probably some tomorrow.

Mr. PELL. I thank the Senator.

Mr. DOLE. We do hope to leave at a reasonable time tomorrow because I know a number of Senators on both sides have indicated a desire to do so.

Mr. DIXON. Will the majority leader yield for a moment?

May I say to the majority leader, without any criticism whatsoever, that I canceled midafternoon and dinner events last week and there were no rollcalls. I have engagements this Friday, which I am perfectly willing to cancel. I understand my first duty is here, but can we have some assurance we should go ahead and cancel them? I hate to keep people waiting. I am perfectly willing to stay here and vote tomorrow. But the first engagement would be early in the morning, and it is a major business group in the Rock Island area. I would sort of like to let them know if I am not coming. I have no problem about not coming.

Mr. DOLE. I would indicate to my friend from Illinois that we intend to come in early in the morning, and there will be amendments. Now, I cannot demand rollcalls.

Mr. DIXON. No, but the Senator does expect to do business tomorrow?

Mr. DOLE. Yes.

Mr. DIXON. I thank the majority leader.

Mr. DOLE. We have been expecting to do business all week, and we have done a little. I do not know whether it is the right kind of business.

Mr. President, I do suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I think the distinguished Senator from Alabama wishes to make a statement, but I believe we can dispose of the amendment. I have discussed it with the manager, and I think he is prepared to accept the amendment.

I am happy to yield 2 minutes to the Senator from Alabama.

Mr. HEFLIN. Mr. President, I only want to make a statement to the effect that I oppose the Grassley amendment and I wish to be recorded as having voted "no" on a voice vote. I did not feel that we would do it on a voice vote. However, I have discussed it with a number of Senators, including the leadership on both sides of the aisle; and rather than delay the proceedings of the Senate further, when we need to get on with the business, I am not going to object to a voice vote. Neither will I request the yeas and nays on this amendment. But I clearly want it understood that I oppose this amendment.

Mr. BYRD. Mr. President, I have run the cloakroom line on this side of the aisle. We have no objection to proceeding with a voice vote on this matter, and I personally recommend that we do that. I join the majority leader in making that request.

Mr. DOMENICI. Mr. President, is all time yielded back on the amendment?

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment (putting the question.)

Mr. BYRD. Mr. President, I ask for a division.

The PRESIDING OFFICER. A division is requested. Senators in favor of the amendment will rise and stand until counted. [After a pause.] Those opposed will rise and stand until counted.

On a division, the amendment (No. 46) was agreed to.

Mr. HATFIELD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CRANSTON and Mr. GRASSLEY moved to lay the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 48

(Purpose: To restore COLA reductions for non-Social Security Retirement Programs)

Mr. DOLE. Mr. President, I send to the desk an amendment for myself and the Senator from Alaska [Mr. MURKOWSKI].

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for himself and Mr. MURKOWSKI, and other Senators, proposes an amendment numbered 48.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, increase the amount on line 12 by $200,000,000.

On page 3, increase the amount on line 13 by $900,000,000.

On page 3, increase the amount on line 14 by $1,700,000,000.

On page 3, increase the amount on line 18 by $900,000,000.

On page 3, increase the amount on line 19 by $2,400,000,000.

On page 3, increase the amount on line 20 by $3,900,000,000.

On page 3, increase the amount on line 25 by $900,000,000.

On page 4, increase the amount on line 1 by $2,400,000,000.

On page 4, increase the amount on line 2 by $3,900,000,000.

On page 4, increase the amount on line 6 by $900,000,000.

On page 4, increase the amount on line 7 by $3,300,000,000.

On page 4, increase the amount on line 8 by $7,200,000,000.

On page 4, increase the amount on line 12 by $900,000,000.

On page 4, increase the amount on line 13 by $2,400,000,000.

On page 4, increase the amount on line 14 by $3,900,000,000.

On page 24, increase the amount on line 3 by $700,000,000.

On page 24, increase the amount on line 13 by $1,700,000,000.

On page 24, increase the amount on line 22 by $500,000,000.

On page 24, increase the amount on line 23 by $2,700,000,000.

On page 27, increase the amount on line 4 by $200,000,000.

On page 27, increase the amount on line 5 by $200,000,000.

On page 27, increase the amount on line 13 by $500,000,000.

On page 27, increase the amount on line 14 by $500,000,000.

On page 27, increase the amount on line 22 by $800,000,000.

On page 27, increase the amount on line 23 by $800,000,000.

On page 33, increase the amount on line 2 by $200,000,000.

On page 33, increase the amount on line 3 by $200,000,000.

On page 33, increase the amount on line 11 by $400,000,000.

On page 33, increase the amount on line 12 by $400,000,000.

On page 37, decrease the second amount on line 20 by $276,000,000.

On page 37, decrease the amount on line 22 by $694,000,000.

On page 37, decrease the second amount on line 23 by $1,124,000,000.

On page 41, decrease the amount on line 17 by $372,000,000.

On page 41, decrease the amount on line 19 by $922,000,000.

On page 41, decrease the amount on line 21 by $1,480,000,000.

On page 43, decrease the amount on line 7 by $231,000,000.

On page 43, decrease the amount on line 8 by $209,000,000.

On page 43, decrease the first amount on line 9 by $541,000,000.

On page 43, decrease the second amount on line 9 by $514,000,000.

On page 43, decrease the amount on line 10 by $843,000,000.

On page 43, decrease the amount on line 11 by $819,000,000.

On page 44, decrease the second amount on line 19 by $276,000,000.

On page 44, decrease the amount on line 21 by $694,000,000.

On page 44, decrease the second amount on line 22 by $1,124,000,000.

On page 49, decrease the second amount on line 3 by $372,000,000.

On page 49, decrease the amount on line 5 by $922,000,000.

On page 49, decrease the amount on line 7 by $1,480,000,000.

On page 50, decrease the amount on line 18 by $231,000,000.

On page 50, decrease the amount on line 19 by $209,000,000.

On page 50, decrease the first amount on line 20 by $541,000,000.

On page 50, decrease the second amount on line 20 by $514,000,000.

On page 50, decrease the amount on line 21 by $843,000,000.

On page 50, decrease the amount on line 22 by $819,000,000.

The cosponsors of the amendment are: Mr. DOLE (for himself), Mr. MURKOWSKI, Mr. TRIBLE, Mr. ROTH, Mr. ABDNOR, Mr. WARNER, Mr. DOMENICI, and Mr. STAFFORD.

Mr. DOLE. Mr. President, yesterday the Senate voted to make no adjustments to Social Security cost-of-living adjustments. The majority leader disagreed with that result and voted against the Hawkins-D'Amato amendment.

Nevertheless, if we are going to make no adjustments in Social Security COLA's, many Senators believe that equity demands that we not make adjustments in other pension programs, such as civil service retirement, military retirement, veterans' benefit, black lung, and other miscellaneous pension programs.

Accordingly, I have offered an amendment on behalf of the distinguished chairman of the Veterans' Affairs Committee [Mr. MURKOWSKI]; the Senator from Virginia [Mr. TRIBLE]; and the Senator from Delaware [Mr. ROTH], the Senator from South Dakota [Mr. ABDNOR], the Senator from Virginia [Mr. WARNER], the Senator from New Mexico [Mr. DOMENICI], and the Senator from Vermont [Mr. STAFFORD]. This is simply a conforming amendment that follows from the Senate's action yesterday on Social Security.

Mr. DOMENICI. Mr. President, I support this amendment. I did not favor putting back full cost of living adjustments for Social Security, and I had ample opportunity to explain why yesterday. My view did not prevail, nor did that of the majority leader.

Frankly, I have been of the opinion since I started this budget process this year—it seems months ago—that if we were going to modify in any way the cost-of-living index for any of the pension plans, whether to freeze them for 1 year, or provide a guarantee of at least 2 percent that was before the Senate, we should treat all retirees alike—that is, military retirees, veterans pensioners, veterans compensation, retired Federal employees, Coast Guard retirees, black lung retirees, and so forth. That is why I support the pending amendment. Since we have used the word "fair," I think it is only fair that we treat all pensioners the same.

This amendment will add about $7 billion to the deficit. That means, when you add this to what we did yesterday on Social Security, we will be adding a little more than $30 billion to the deficit. I am not for adding to the deficit, obviously, but I think that in the interest of fairness, we should treat all retirees alike. I hope the Senate will adopt this amendment tonight. I believe it is the right thing to do.

Mr. CHILES. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER (Mr. QUAYLE). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. CRANSTON addressed the Chair.

Mr. CHILES. Mr. President, I yield Senator CRANSTON such time as he requires on the amendment.

VETERANS' ADMINISTRATION—COMPENSATION AND PENSION COLA'S

Mr. CRANSTON. Mr. President, as the ranking minority member of the Veterans' Affairs Committee, I rise in support of the pending amendment. This amendment would provide for full cost-of-living adjustments, in fiscal year 1986, 1987, and 1988, in, among other benefits, VA compensation benefits paid to service-connected disabled veterans and to the survivors of those who die from service-connected causes, and in VA pension benefits paid to needy, non-service-connected disabled and aged wartime veterans and to the needy survivors of wartime veterans. These COLA's would be provided at the same percentage as the Social Security COLA's on which the resolution—as amended by the Senate in adopting the Social Security full COLA amendment—is premised, that is, the COLA's scheduled to be granted to Social Security beneficiaries under the indexing provisions of current law.

As my colleagues are aware, on behalf of myself and the other Democratic members of the Veterans' Affairs Committee, Senators DECONCINI, MATSUNAGA, MITCHELL, and ROCKEFELLER, as well Senators INOUYE, SARBANES, KENNEDY, EXON, RIEGLE, LEAHY, BURDICK, and BINGAMAN, I am planning to offer an amendment to provide for adequate levels of funding for veterans' programs. On April 2, I announced my intent to offer this amendment in a letter sent to all Senators. I had the amendment printed in the RECORD on that same day.

The pending amendment, by providing for full COLA's in VA compensation and pension benefits, would eliminate just one of the inequitable results that the so-called Reagan/Senate Republican leadership agreement would impose upon our Nation's veterans and which our amendment would correct.

To make the other changes that fairness requires, I still intend to offer those portions of that amendment that address other issues in function 700, veterans' benefits and services.

As presented to the Senate, the Republican leadership/Reagan package would apply to the VA's service-connected disability compensation and need-based pension programs the same arbitrary, complex COLA-reduction formula it has proposed to apply to Social Security and which the Senate has now rejected. Thus, instead of COLA's at the administration-projected inflation rates of 4.1, 4.3, and 4.1 percent in fiscal years 1986, 1987, and 1988, respectively—on which the Republican leadership/Reagan budget proposal is premised—The President proposes to cut veterans' compensation and pension COLA's by more than half, to only 2 percent, in each of those years.

FAIRNESS TO VETERANS

Major veterans organizations have stated clearly that if all COLA's are foregone in fiscal year 1986 so should be VA compensation and pension COLA's. Presumably, they would be equally as willing to share in an across-the-board COLA's reduction—although perhaps not one that cuts into their COLA's in each of 3 years running. In any event, that is not what the Republican leadership/White House package entailed and, with a full Social Security COLA, now approved is not what the pending resolution would entail.

Rather, in addition to the fact that the President's package would provide Supplemental Security Income and Food Stamp beneficiaries with full COLA's in all 3 fiscal years, a full COLA for Social Security would also now be given. But either way, the full compensation and pension COLA's should be provided.

I have heard the argument made with respect to the COLA's for SSI and Food Stamp beneficiaries that veterans should not feel that the Reagan/Republican leadership package discriminates against them, that they should acknowledge fairness in a policy that enable benefits for welfare recipients to keep pace with inflation while denying such treatment to those who served our Nation in time of war and those disabled in military service.

That argument plays on the conceptual distinction between compensation and pension, which are considered benefits earned through honorable service, on the one hand, and welfare programs, such as SSI and Food Stamps for low-income persons, on the other hand, which are not earned benefits. But, this argument turns the distinction inside out. Veterans' benefits, by virtue of being earned benefits, are more—not less deserving of favored treatment.

The Reagan/Republican leadership package seemed to consider veterans especially deserving of unfavorable treatment. And not that the Senate has gone on record as supporting full Social Security COLA's, that unfavorable treatment would be aggravated if the pending amendment is not approved.

COMPENSATION

The VA's service-connected disability compensation program has been and should remain a top priority of the Congress. Under this program, benefits are paid to the veteran to replace the average impairment of earning capacity attributed to his or her service-connected disability, and benefits to replace lost earnings are paid to the survivors of those who die from service-connected causes.

In the cases of many seriously disabled veterans, VA compensation is the only source of income.

Based on the administration's projections of inflation, in the case of a 100-percent service-connected disabled veteran, the reduced COLA formula on which the resolution is premised would mean the loss of more than $2,100 over the 3-year period encompassed by this resolution, and over $4,400 in a 5-year period. Assuming 45-year-old totally disabled compensation recipient lives to be 65, the loss for those 20 years would total almost $29,000 If COLA rates remained at 4 percent after fiscal year 1988.

It has been asserted that the Republican leadership package treats service-connected disabled veterans and the survivors of those who have died from service-connected causes more equitably than did the version reported by the Senate Budget Committee, which would simply have denied them a COLA in fiscal year 1986. The fact is, however, that the Republican leadership package would even more seriously erode the value of compensation benefits than the Budget Committee had proposed.

Based on the Administration's projections for Social Security COLA's, as of December 1, 1987, compensation for a veteran with a service-connected disability rated totally disabling would be $420 per year less under the Republican leadership package than it would have been under the Budget Committee's proposal. Through the end of fiscal year 1990, the totally disabled compensation recipient would receive $1,044 less under the Republican leadership's COLA reduction proposal than under the Budget Committee's 1-year freeze.

PENSION

In the case of VA pension—a needs-based program as is SSI—individuals would be penalized simply being wartime veterans or survivors of wartime veterans since SSI, as well as Social Security, recipients would receive full COLA, but VA pensioners would be at the reduced level.

The argument has been made, however, that denying pension recipients, but not SSI recipients, a full COLA is fair because the benefit levels under the new Pension Program, enacted in 1978 in Public Law 95-588, are significantly higher than SSI benefits. This argument seems to attempt to create the false impression that VA pensioners are fairly well off and that there is no need for their benefits to keep pace with inflation.

That is just not so.

Veteran-pensioners are truly needy individuals who are either 65 or older or permanently and totally disabled. Those eligibility criteria parallel SSI. The improved VA Pension Program enacted in 1978 is a very strict needs-based system.

The income standard applicable to a 70-year-old World War II veteran with

no dependents is $5,709 per year. If the veteran receives $3,500 per year in Social Security benefits and no other non-pension income, his or her pension would be $2,209 per year—$184 per month.

In the case of a Vietnam-era veteran who is permanently and totally disabled and has a spouse and one child, the income standard is $8,446. This family of three would have only $705—about $235 per person—per month to live on. Do they not need full protection against inflation?

Can low-income persons such as these afford—as the President and the Republican leadership proposes—to suffer a reduction of nearly 7 percentage points in their benefits over a 3-year period? Is that the expression of gratitude and special consideration that the Senate, the Congress, and the Nation intends for those who have answered the call and taken up arms in time of war?

Mr. President, the April 15, 1985, booklet entitled "Senate/Administration Deficit Reduction Plan" provides the following one-line justification for the reductions in COLA's for VA pensioners: "Since pension cap exceeds poverty line, COLA restraint will not result in any veteran falling into poverty." That's one line stating two concepts and both of them are false.

It is simply not true that the pension income standards are above the poverty line generally. In fact, the levels are above the poverty line only in the cases of veterans with no dependents or only one or two dependents. The pension income levels permitted for a veteran with a spouse and two children and all those with more than three dependents are already below the poverty line.

For example, a veteran-pensioner with two dependents in 1984 received $8,160 for the year while the poverty line, determined by the Bureau of the Census, for a family of 3 was $8,280. Moreover, the VA pension income standards for all surviving spouses are well below the Census Bureau's poverty level figures. For example, the pension provided to a surviving spouse with no dependents in 1984 was $3,695—that's 30 percent below the $5,280 poverty level for a single person for 1 year.

The second part of the justification—that "COLA restraint will not result in any veteran falling into poverty"—is as wrong as it possibly could be. All, I repeat, all veteran-pensioners under the current Pension Program who are not already below the poverty line would be pushed down below the poverty line as the result of the Reagan/Republican leadership proposal.

As projected by the Education and Public Welfare Division of the Congressional Research Service, using Social Security trustees' economic assumptions, the 1987 poverty line for one person has been estimated at $6,060 per year; with 2 percent COLA's, the pension in that same year for a veteran with no dependents would be $5,939. Indeed, in 1987, the only veteran-pensioner group that is estimated to exceed the poverty line with 2 percent COLA's are those veterans with one dependent—and then only by $31. By 1988, even the veteran-pensioner with one dependent would, as already would have all other veteran-pensioner groups in fiscal year 1987, fall below the poverty line—the pension level would be $6,058 while the poverty line for a family of two in 1988 is estimated at $6,370.

Mr. President, I also note that, if full Social Security COLA's were granted, VA pensioners who have some Social Security income would—if VA pension benefits levels are not also increased commensurately—realize no real dollar increase in their total incomes from the 4.1-percent Social Security COLA. Their total incomes would increase by only 2 percent. Under the improved VA Pension Program, which was enacted in 1978 and took effect on January 1, 1979, VA pension benefit rates are based on the extent to which a pensioner's income falls below a given standard. For example, as I have noted, in the case of a veteran-pensioner with no dependents the income standard is $5,709, and if that veteran received Social Security benefits of $3,500 per year and had no other nonpension income, his or her VA pension would be $2,209 per year. Increasing that veteran's Social Security benefit by 4.1 percent to $3,643, while providing for only a 2-percent increase, to $5,832, in the applicable pension standard, would result in a decline in that veteran's pension—from $2,209 to $2,180.

Mr. President, this phenomenon of VA pensioners experiencing reductions in their pensions by virtue of increases of less than 2 percent would occur in all cases of VA pension recipients who have some Social Security income. In my view that would be an unfair, untenable result, and it can be corrected only by providing VA pension COLA's at the same percentage as Social Security COLA's.

I also note that, if a VA pension COLA is not granted at the same percentage as Social Security, VA pension recipients who are still on the rolls of the pension program that was in existence prior to January 1, 1979, could actually be made worse off financially.

When the current VA Pension Program took effect on January 1, 1979, the benefit levels of those who were on the prior Pension Program rolls as of December 31, 1978, and who thereafter remained on those rolls were frozen for so long as their incomes did not exceed the applicable income limitation under the prior program. Those income limitations are raised annually at the same rate that Social Security benefits are increased. Increasing Social Security benefits without increasing these limitations by the same percentage would undoubtedly mean that many pensioners would lose their entitlement to these prior-law pension benefits completely and actually suffer a reduction of income.

THE 2-PERCENT GAMBLE IS DEMEANING

Some might try to justify this unfair treatment of veterans by pointing out that the Republican leadership package would "guarantee" 2-percent COLA's in each of the 3 years even if inflation drops below 2 percent. The odds of that national lottery paying off are as poor as the logic behind that entire jerry-built device.

Veterans deserve fair, equitable, and dignified consideration under the budget. I consider it undignified and demeaning—as well as unfair and inequitable—to our Nation's service-connected disabled veterans to offer them in this budget proposal substantially less than full COLA's in fiscal years 1986, 1987, and 1988 and to try to entice them into accepting it by promising to give them 2-percent COLA's in each of those years even if the rate of inflation does not justify those COLA's.

The suggestion that the possibility of unwarranted increases in these veterans' benefits would buy them off is insulting. They've never asked for unjustified COLA's. Who is it who thinks that such increases would be tempting to them?

In any event, it sure didn't work since all the major veterans' organizations support my amendment restoring full COLA's.

Moreover, Mr. President, if one were to assume that, against all odds, the inflation rate in fiscal years 1986, 1987, or 1988 were to fall below 2 percent, why should the Federal Government pay 2-percent COLA's in Social Security, retirement benefits, and VA compensation and pension rates? If, for example, the actual rate were only 1 percent in these years, the total cost in VA compensation and pension would exceed $100 million per year. The Federal Government would thus be paying out hundreds of millions of dollars with no policy justification for doing so that I can perceive.

Yet, those considered the most needy group of welfare recipients—SSI recipients—would not share in this windfall. Nor would food stamp recipients.

Mr. President, there is one further quirk in the pending resolution without any justification that I can comprehend. In the event that inflation is unexpectedly high in any of the 3 years involved, compensation and pension COLA's would be higher than 2 percent—but the amount of the

COLA's would not be based solely on how high the rate of inflation was. Rather, the COLA's would be based on how far off the administration's current estimate of inflation turned out to be.

For purposes of illustration, if the applicable inflation rate were actually 5 percent in each of fiscal years 1986 and 1987, the COLA's would be 2.9 percent in fiscal year 1986 and 2.7 percent in fiscal year 1987. The reason for this difference would be that the administration's estimate of 4.3 percent for fiscal year 1987 would be closer than its 4.1-percent estimate for fiscal year 1986. The question I cannot answer in my own mind is what the size of the error made by an OMB forecaster has to do with sound public policy and with the real needs—for food, clothing, shelter, and other necessities—of the individuals who receive the benefits involved.

Surely, no one expects the inflation rate to be below 2 percent for any of those years; so the so-called carrot is truly misleading.

The pending package seeks to transform the provision of COLA's in these vitally important VA programs into tawdry gambles—tosses of dice that are plainly loaded in the administration's favor with a cynical and totally ill-conceived minimum COLA guaranty thrown in as an illusory sweetner.

What a terrible array of unfair, absurd policies this COLA reduction proposal entails!

The Senate should reject it overwhelmingly and, by so doing, restore a measure of fairness, dignity, and sound judgment to the budget process.

CONCLUSION

For these reasons, Mr. President, I strongly support a full COLA for VA compensation and pension recipients and military and civilian retirees.

Providing these COLA's would represent the first step—only the first step, but an essential one—toward making this budget resolution one that affords our Nation's veterans the fairness with which they deserve to be treated. The opportunity for taking the remaining necessary steps will occur when we offer our amendment to deal with other inequities in the Reagan/Senate Republican leadership cut in veterans' programs.

Mr. THURMOND. Mr. President, I rise to offer support for the amendment proposed by our distinguished majority leader, Senator DOLE.

Having been involved in many of the negotiation sessions conducted by the majority leader in the past several weeks, I know that he does not offer this amendment without serious concerns over the budgetary impact it could have if included in whatever final budget resolution is adopted by the Congress. He has expressed these concerns to me, Mr. President, and I would say to the distinguished majority leader that I share those same concerns. Nevertheless, by the same sense of fairness which has led Senator DOLE to offer this amendment, I am compelled to support its adoption.

Mr. President, prior to the adoption yesterday of the amendment offered on behalf of Senators D'AMATO and HAWKINS, all Federal pension recipients were treated equally under the assumptions of this budget proposal. All would have received at least a 2-percent cost of living adjustment—COLA—in each of the next 3 fiscal years. In the event the consumer price index [CPI] rises by more than 4 percent in any of those years, all would have received a further increase equivalent to the amount by which any rise in the CPI exceeds 4 percent.

I voted against adoption of the D'Amato/Hawkins amendment, Mr. President, because I firmly believe all Federal pension recipients should be treated equally and because it is necessary to restrain the growth of all Federal entitlement programs. If one group of Federal pensioners is called upon to sacrifice in order to reduce the huge Federal deficit by way of receiving slightly smaller COLA's in the future—than they otherwise would under present law—it is only fair that all others be called upon to accept a similar, reasonable sacrifice.

With the adoption of the D'Amato/Hawkins amendment, that is no longer the case. As the budget proposal now stands, should inflation rise by 3 percent or more in any of the next 3 fiscal years, Social Security recipients would receive slightly larger COLA's than would other Federal pension recipients. I voted against the amendment, in part, because I believe this to be neither fair nor equitable to veterans, military retirees, civil service retirees, or other Federal pension recipients.

Mr. President, now that Social Security recipients are slated to receive a full COLA, my belief that all Federal pension recipients should be treated equally causes me to vote for adoption of the pending amendment. This proposal would restore funding sufficient to provide all Federal pension recipients with full COLA's in the next 3 fiscal years.

Unfortunately, Mr. President, adoption of this amendment, coupled with earlier passage of the Social Security COLA restoration, significantly reduces the likelihood of achieving the savings necessary to prevent inflation and interest rates from again rising to levels that will destroy our economy. Therefore, I hope we have the opportunity to again consider the question of limiting the size of future COLA adjustments to all Federal pension recipients before a final budget resolution is adopted. While I am compelled to vote in favor of this amendment from an equity standpoint, I remain firm in my belief that reasonable sacrifices on the part of all Federal pension recipients will be necessary if we are to truly achieve budget savings of the size necessary to ensure a continued strong economy.

Congress, as well as the various Federal retiree groups, must understand that the solvency of their retirement funds is inextricably linked to and dependent upon a healthy economy. Without a vibrant, growing economy, there simply will not be sufficient tax contributions from working employees flowing into the various retirement trust funds to pay out full benefits plus cost-of-living adjustments to the various Federal retirees. Without deficit reductions of the magnitude proposed in the Senate-administration budget compromise, it is not reasonable to expect a healthy economy for this Nation in the years ahead, and the solvency of the several Federal retirement programs will again be in jeopardy. That is the crux of the matter, Mr. President, and that it why it is so important and necessary that recipients of all Federal retirement pensions support reasonable restraint and cost savings in the COLA's for their benefit programs.

Additionally, I believe that our older Americans who have given so much to our Nation also understand better than any one why we must end the irresponsible shortsighted practice of burdening our children and their children with our debts.

Thus, Mr. President, while I shall vote for this amendment in order to restore fairness and equity in the treatment of Federal pensioners, I sincerely hope we can revisit this entire issue and achieve a consensus for reasonable restraint and budgetary savings.

Mr. WARNER. Mr. President, I rise today in support of this amendment, conforming Federal and military retirement and veterans compensation with the actions taken restoring full CPI based cost-of-living adjustments [COLA's] with the Social Security system.

I would like to commend my colleague from Virginia, Mr. TRIBLE, forhaving taken the initiative on this important issue.

It is true that I was prepared to support COLA limits approved as a part of the White House-Republican Senate leadership package.

In fact, I voted May 1 with my colleagues in the Republican leadership, including Mr. TRIBLE, in favor of the Social Security limitation.

A 65 to 34 majority of the Senate rejected that proposal, however, thus departing from the leadership package and setting the budget resolution on a substantially different course.

Following the Social Security vote, and rightly so, our distinguished majority leader, Senator DOLE, called for

the consideration of Senator TRIBLE's amendment conforming the other Federal retirement programs with Social Security.

This action is consistent with our intent to provide equitable treatment for all participants in Government retirement programs.

I understand the significant impact on the proposed budget package that this amendment will have.

However, I also understand that the issue of all retirement COLA's may be revisited later in the budget process.

We must remain consistent in this process.

It is my opinion that the retirement sector should remain whole in such debate, and that this conforming amendment is needed to adhere to that policy.

Above all, we must endeavor to sustain to a policy of fairness and equal treatment to all who depend upon COLA's.

In that context, Federal, Military, and veteran COLA's must certainly be awarded on the same basis as Social Security.

Mr. GRASSLEY. Mr. President, as you are aware, I have been a long-time supporter of an across-the-board budget freeze as the best means of bringing Federal spending under control. The beauty of my budget freeze lies in the fact that it treats all programs equally. No one will be asked to relinquish benefits or funding so that other programs can be increased. Retirees should not be asked to take a cut in their retirement benefits to enable the Defense Department or any other Federal agency to increase its spending.

In light of yesterday's vote to restore the cost-of-living adjustment for Social Security recipients, I believe it is only fair to treat all retirement programs equitably. Treating all individuals equally is consistent with my across-the-board freeze. I cannot vote to exempt veterans pensions, railroad retirement benefits, military pensions, or civil service retirees from those eligible to receive a cost-of-living adjustment in 1986 or ask these persons to sacrifice their COLA's when other groups will not be asked to do the same.

We cannot reduce the deficit by treating Federal programs unfairly. We must take charge of our spending in an evenhanded manner. It is time to take an across-the-board spending freeze seriously.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield myself time from the resolution on this side or from the amendment.

A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BYRD. Does anyone on this side have any control of the time on this particular amendment?

The PRESIDING OFFICER. The minority leader has control of the time.

Mr. BYRD. I thank the Chair. Then I yield from the time on the amendment.

The PRESIDING OFFICER. The Senator is recognized.

Mr. BYRD. Mr. President, yesterday, in what I believe was a demonstration of the Senate's commitment to basic fairness, the Senate voted by a large margin to strike the provision from the White House-Republican leadership budget that cut cost-of-living adjustments for Social Security beneficiaries.

Now there is an amendment that is before us that will extend this COLA restoration to Federal civilian retirees, military retirees, and recipients of veterans pensions and disability benefits. The great majority of Federal civilian retirees and many of the military retirees and recipients of the benefits depend on those benefits in the same manner as Social Security beneficiaries depend on these payments. Oftentimes these benefits are the only income received by these recipients.

I think it is important, Mr. President, to extend the concept of equity demonstrated in this Chamber yesterday to these other retirees.

I support the amendment, Mr. President, and hope the Senate will adopt it.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield myself such time as I might need off the amendment.

The PRESIDING OFFICER. The Senator from Florida.

Mr. CHILES. Mr. President, I am delighted that the majority leader has presented this amendment. I think it is exactly what we should be doing to conform to the vote we had yesterday.

I think it is clear that the COLA recipients, the people who are receiving cost of living should be treated the same way, and I think that is the purpose of this amendment.

We have said that we were not going to impose the COLA minus 2 for 3 years on Social Security recipients. Now that we have said that, this conforms to see that that will not happen to Federal retirees, military retirees, and Federal worker retirees, and veterans. Those are areas that we certainly should treat the same.

Mr. President, on our side we are just checking the amendment, and it will take us just a few minutes to determine if we feel it does conform to each of these programs.

So I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield as much time to the Senator from Wyoming as he desires. But let me yield myself 30 seconds.

I ask unanimous consent that a summary of the impact of this amendment be printed in the RECORD. This table shows that the amendment would increase the budget outlays by $7.2 billion itemized by each Federal pension program. The amendment will now return these programs to current policy—full COLA's.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

OTHER COLA'S TO BE RESTORED TO FULL VALUE IN LINE WITH FULL SOCIAL SECURITY COLA

Program and 3-year effect

Military retirement ($2.1 billion).
Civil Service Retirement ($2.7 billion).
Veterans' Pensions ($382 million).
Veterans' Compensation ($1.2 billion).
Federal Employee Workers' Compensation Administration ($18 million).
Foreign Service Officers' Retirement ($27 million).
Coast Guard Retirement ($37 million).
Black Lung Retirement ($57 million).
Coal Miners' Retirement ($100 million).
Total: $7.2 billion.
(Also affected: Miscellaneous other programs with COLA provisions but which are not pension/benefit in nature.)

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. SIMPSON. Mr. President, if I may speak briefly on this issue, I am very supportive of the amendment of Senator DOLE conforming matters to what we did yesterday with regard to Social Security.

I think it is important, and I would add to what Senator CRANSTON has said that I serve as a member of the Veterans' Affairs Committee and it is certainly a bipartisan effort as to what we do in the Veterans' Affairs Committee with regard to veterans.

The members of that committee, and their fine chairman, Senator MURKOWSKI, have done extraordinary work for veterans and will continue to do so.

Mr. President, what I advise and think you must be aware is that there will be presented an amendment by Senator CRANSTON that says the present amendment is phase 1 or step 1. I can tell you step 2 is an extraordinary one because it calls or will call for $4 billion of expenditures in addition to a very generous budget of nearly $27 billion for the veterans of this country.

I am a veteran. I am very proud of that.

The first step is fine with me. I am ready to go along with that and the majority of the body will.

As to the second step, Senators want to be sure that they are here and participating because it will be a blockbuster in cost. It adds back things that have never even been requested.

So I just want to be sure that my colleagues hear that this is an issue that will be revisited. Equity and fair-

ness are the words we hear, and I agree with that. I think it is a good step, but equity and fairness will not lead us to an additional $4 billion in a 3-year period as an amendment which will be presented as phase 2 or step 2.

I did wish to suggest that to the body.

Mr. DOLE. Mr. President, I yield 5 minutes to the distinguished Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 5 minutes.

Mr. TRIBLE. Mr. President, I thank the majority leader for yielding.

I rise in support of this amendment. I am pleased to join with the majority leader in offering this amendment today.

Mr. President, since the Senate has approved full COLA's for Social Security benefits, fairness dictates that Federal civilian and military retirement benefits, as well as the veterans' pension and compensation benefits, be fully indexed for inflation, as well. To limit the cost-of-living adjustment for Federal retirees and veterans while the COLA's for Social Security recipients are fully indexed is an injustice to those individuals who have dedicated their lives to Government service.

Mr. President, as the Senate looks for ways to restrain Federal spending and reduce the deficit, our solutions must be equitable. All of us are part of the problem and all of us must be part of the solution.

Without this amendment, the Federal retirees and veterans will be saddled with a burden which the Senate has determined to be too onerous for Social Security recipients. So, in the name of fairness, I hope the Senate will adopt this amendment.

I yield back the balance of my time.

Mr. DOLE. Mr. President, I will take a moment to say that many Senators believe that equity demands that we at least temporarily put everything back where it was. But I would also indicate that it is my hope that we revisit the COLA matter later on, if not this week, next week.

This amendment will produce $7.2 billion in lost savings added to the $23 billion lost yesterday. That is about $30 billion taken from the package.

Some would say, "Well, we made up $17 billion of that today by cutting defense, and you could probably get the rest by raising taxes."

I would say that the vote yesterday came as no surprise. We anticipated that. I think we probably anticipated the vote today on the 0-3-3 defense proposal. And maybe that is the way it would have come out a week from now, but it makes it a little more difficult to negotiate when you start out from 0-3-3.

But, in any event, I believe it is still the hope of the veterans and civil service retirees and military retirees and Social Security retirees that we do something on the deficit. I would not want anybody to misinterpret what we are doing here to mean that it is all over. I would suggest just the opposite. I think it is just beginning. We will have additional votes this evening to see how far we want to extend dumping things out of the package.

I think we have reached a tentative conclusion on the two major items—on defense and Social Security. It seemed to many of us that we ought to address those issues. The White House and the President have an interest in those two areas. The President indicated 3-3-3 percent real growth was essential to defense. He did join the package on the basis of Social Security receiving a guaranteed annual COLA of 2-2-2; that is, a 2 percent increase in COLA's for the next 3 years. Both of those White House positions have failed.

But I hope that the President will understand that we made the best effort and that now we have to do something a bit different. Maybe not. We can always offer 3-3-3 later on defense or 1½-3-3 or 2-3-3. There are still hundreds of other combinations that could be pursued.

So I just suggest that anybody in a budget resolution debate who draws conclusions from one or two votes may not fully understand the process.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill clerk proceeded to call the roll.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. DOMENICI. How much time does the Senator from Alaska desire?

Mr. MURKOWSKI. I would need about 3 or 4 minutes.

Mr. DOMENICI. I yield 5 minutes to the Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I rise to support the conforming amendment offered by my distinguished colleague the majority leader, Senator DOLE. This amendment would grant full COLA's to our Nation's veterans as well as for other entitlement program recipients.

Mr. President, as I noted yesterday in my floor statement when the Social Security amendment was pending, it would be important to consider the full impact that the adopting of such an amendment would have on the equal sharing of the burden of deficit reduction. It was clear to me that equity and fairness would demand that other Americans receive the same protection—military, coast guard and civil service retirees, among others.

In the same selfless spirit which characterizes their duty to this Nation in good times and bad, the veterans, through conversations with their various representative organizations, have told me that they will accept reduced COLA's if other groups make the same sacrifice.

I find this attitude totally consistent with the high standards reflected in other issues the veterans have either sacrificed for or compromised on, and I commend their willingness to take the same sacrifices as we are asking other groups to take in these time of fiscal restraints. Certainly the veterans should not be asked to sacrifice any more than any other American.

It is the service and sacrifice of the men and woman who answered our Nation's call to arms that allows us the luxury of standing here today in freedom.

It is clear to me that if the Senate decided to endorse full COLA's for Social Security recipients, the veteran should receive no less. I continue to believe that veterans should receive the same COLA's as other beneficiaries of Federal entitlement programs. In fact, although I opposed the breakdown of the leadership compromise and therefore opposed the Social Security COLA amendment, I had planned to offer an amendment to restore full COLA's for VA compensation and pension recipients if the Social Security amendment was adopted and I made my intentions known to my colleagues yesterday.

Our distinguished majority leader has reached this very same conclusion. And since the Social Security amendment was adopted, he has decided to offer an amendment to restore COLA equity to recipients of other Federal entitlement programs. I fully support him in his decision, which I realize was most difficult to make in the context of working hard to keep the compromise from unraveling. However, I do endorse his decision and would urge my colleagues to support the amendment. At this time I also wish to note that as far as the rest of the compromise is concerned, I believe it is important to support the entire package as a reasonable measure to begin to tackle our burgeoning deficit. I would urge that other Members put aside individual concerns and join together to support the compromise which, although not perfect, is a worthy effort and should be endorsed and adopted.

I believe that Senator SPECTER, Senator STAFFORD, Senator SIMPSON, and Senator ABDNOR, also would like to join me as cosponsors.

I yield the floor to my colleague from New Mexico, the chairman of the Budget Committee.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. I yield back all of my time.

Mr. DOMENICI. I yield back all of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from Kansas. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Missouri [Mr. EAGLETON] is necessarily absent.

The PRESIDING OFFICER (Mr. GORTON). Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 80, nays 18, as follows:

[Rollcall Vote No. 37 Leg.]

YEAS—80

Abdnor	Gorton	Mitchell
Andrews	Gramm	Moynihan
Armstrong	Grassley	Murkowski
Baucus	Harkin	Nickles
Bentsen	Hart	Nunn
Biden	Hatfield	Packwood
Bingaman	Hawkins	Pell
Boren	Heflin	Pressler
Bradley	Heinz	Pryor
Bumpers	Hollings	Quayle
Burdick	Inouye	Riegle
Byrd	Johnston	Rockefeller
Chafee	Kasten	Roth
Chiles	Kennedy	Rudman
Cochran	Kerry	Sarbanes
Cohen	Lautenberg	Sasser
Cranston	Leahy	Simon
D'Amato	Levin	Simpson
DeConcini	Long	Specter
Dixon	Lugar	Stafford
Dodd	Mathias	Stennis
Domenici	Matsunaga	Thurmond
Durenberger	Mattingly	Trible
Exon	McClure	Warner
Ford	McConnell	Weicker
Glenn	Melcher	Zorinsky
Gore	Metzenbaum	

NAYS—18

Boschwitz	Goldwater	Laxalt
Danforth	Hatch	Proxmire
Denton	Hecht	Stevens
Dole	Helms	Symms
Evans	Humphrey	Wallop
Garn	Kassebaum	Wilson

NOT VOTING—2

Eagleton	East

So the amendment (No. 48) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. RIEGLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, let me indicate to my colleagues what the program is for the remainder of the evening. I expect we will stay in until about 11 o'clock, and as I understand there may be an amendment, the minority leader just indicated, from that side, perhaps on Medicare, Medicaid. I am not certain. He did not indicate just what. So that will be the next amendment. I hope we can dispose of several amendments this evening. I would like to come in quite early tomorrow morning, say 8 or 8:30, and try to have four or five votes before 1 or 2, 2:30, 3 o'clock so we get the last plane to Chicago——

Mr. DIXON. I thank the majority leader.

Mr. DOLE [continuing]. For those going that way. And then I expect to have votes on Monday. Tuesday, as I have indicated before, we have some problems on this side that I need to consider, and it appears after 4 p.m. on Tuesday, maybe 3 or 4 p.m., there would be no votes. So if you want to plan dinner next Tuesday, it looks like a good time. We might have debate but no votes on Tuesday evening. On Wednesday, as I understand it, it is the hope of the distinguished manager that we might wrap up this package. At least Wednesday or Thursday. So that is the forecast.

There are how many hours left on the resolution?

The PRESIDING OFFICER. There are 24 hours and 34 minutes left on the resolution.

Mr. DOLE. We are already half finished and it has only been a couple, 3 weeks, so that is an indication of where we are.

Mr. LEAHY. Will the distinguished leader yield for a question? He said there may be votes on Monday. Is there a time before which there would not be votes on Monday?

Mr. DOLE. We hope to protect Senators until, say, 1, 2 o'clock.

Mr. LEAHY. 2:25 maybe, thereabouts.

Mr. DOLE. Can the Senator give me an indication how he is voting?

Mr. LEAHY. How would the Senator like me to vote? No, but the distinguished majority leader thinks it probably would not be until the first part of the afternoon before there would be votes?

Mr. DOLE. I assume we would not come in quite as early because there are Members returning from their States; we recognize that. I hope we could have votes on Monday. Obviously, if somebody did not want us to have votes, we would have votes on Monday.

Mr. LEAHY. That is all I am suggesting. I thank the distinguished majority leader.

RECESS UNTIL 6:45 P.M.

Mr. DOLE. Mr. President, I ask unanimous consent the Senate stand in recess until 6:45 p.m.

The motion was agreed to, and at 6:17 p.m. the Senate recessed until 6:45 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. GORTON]

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from the State of Washington, suggests the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ARMSTRONG. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the proceedings under the quorum call be charged equally to the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PACKWOOD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COCHRAN). Without objection, it is so ordered.

AMENDMENT NO. 49

(Purpose: Sense of Congress that minimum taxes ought to be imposed on corporations and individuals, to be used for individual income tax rate reduction)

Mr. PACKWOOD. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

Mr. BYRD. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Senator from West Virginia [Mr. BYRD] reserves the right to object.

The amendment will be stated.

The legislative clerk read as follows:

The Senator from Oregon [Mr. PACKWOOD] for himself, Mr. DOLE, and Mr. RUDMAN, proposes an amendment numbered 49:

At the end of the pending amendment, add the following: It is the sense of the Congress that revenues should be increased and it is assumed that the Committees on Finance and Ways and Means will raise these revenues through legislation providing for payment of minimum taxes by corporations and individuals on the broadest feasible definition of income to assure that all of those with economic income will pay tax, and it is further assumed that the resulting revenues be used to reduce individual income tax rates and to increase the threshold amounts for tax payments by individuals in connection with consideration of comprehensive tax reform legislation.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. I yield myself 30 seconds.

I beg the Senator's pardon. I did not understand his request. I did not understand he was sending an amendment to the desk.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMENICI. Under the procedures of the Budget Act, it is my understanding the proponents of the amendment will have one-half hour and the opponents will have a half hour. Is that correct?

The PRESIDING OFFICER. The proponent has one-half hour and the manager has one-half hour, if he opposes the amendment.

Mr. DOMENICI. The manager of the bill on this side does not oppose the amendment.

The PRESIDING OFFICER. In that case, then, the minority leader controls time in opposition.

The Senator from Oregon.

Mr. PACKWOOD. Mr. President, this is a sense-of-the-Senate resolution calling upon the Senate Finance Committee to enact a minimum tax both on individuals and corporations. I define minimum tax to mean a tax that will guarantee that all corporations and all individuals, whatever their source of income and whatever their source of deductions or preferences, will have to pay some tax. The sense-of-the-Senate resolution does not call for a tax increase. It is revenue neutral. It provides that any money raised by minimum tax will be used to offset individual rates or to raise the threshold upon which taxes are levied so that we can eliminate from taxation some people at the lower end of the tax scale. But I emphasize again it is not a tax increase. It is designed to levy a tax on those who now have relatively large individual incomes and pay no tax or corporations that have economic income and pay no tax. And I emphasize again, they would pay it regardless of what their deductions, exemptions, or other tax preferences may be.

I also want to emphasize that this is not a substitute for tax reform. There are many who have been advocating a minimum tax I think as a smoke screen in the hopes that one would be enacted and we would not approach genuine tax reform.

That is an issue at hand. That is an issue that should be discussed, debated, and acted upon. As far as I am concerned, as chairman of the Finance Committee, I am going to do everything I can to get a tax reform bill to the floor of the Senate and through the Senate and through conference and to the President no later than the end of this year and hopefully earlier. This would be a part of a tax reform bill or if, for whatever reason, there is no tax reform bill, this would be a recommendation to the Finance Committee that we still enact minimum taxes so that the wealthy and the privileged, individually or corporate, cannot escape the payment of some taxes.

The time has come, Mr. President, when we can no longer have headlines as appeared in the Washington Post earlier this year. I am not blaming the Post, the story was accurate. The headline said that 299 individuals who made over $200,000 in 1983 paid no income tax.

Now, interestingly enough, the last paragraph of the story indicated that some 200,000-plus individuals who made over $200,000 paid something like $58-$60 billion in taxes. The story was that 299 who made over $200,000 paid no taxes. I am not here to argue the merits of whether or not their deductions were legal. As best I can tell, their deductions were legal. I am talking about now either changing the law so the deductions are not legal or in essence saying no matter what your legal deductions are, at the end of it all, if, after you take all your deductions, exemptions, and preferences, you would otherwise have paid no tax, you will pay some tax.

Mr. President, it is imperative that a minimum tax, a real effective minimum tax be passed so that all of the public in this country senses that all Americans, individual or corporate, are paying a fair share of taxes.

I was struck by a poll reported to the Finance Committee by Mr. Henry Block, of H & R Block, a number of years ago, when he testified. Obviously, Mr. Block has an interest in what the public thinks about taxes. He submitted a question at the time asking if they were in favor of tax simplicity.

He was stunned to receive an answer indicating, as I recall, that 85 percent supported tax simplicity. The reason he was stunned was that about two-thirds of the people in this country do not itemize. They have a simple tax. He indicated that even those who did not itemize might come to him—this was 6 or 7 years ago—and pay him $15 or $20 to do a simple tax, but he said it was more a form of insurance rather than complexity.

Still, he was so intrigued by the answer, when so few people had complicated taxes, as to why so many wanted simplified taxes, that he quizzed further; and he found that the bulk of the people, when they heard the word "simplicity," were answering "fairness," and they equated simplicity with fairness.

So that when he redrafted his poll to find out if the respondents were interested in simplicity for the sake of simplicity for themselves, less than 5 percent regarded it as a significant issue. They wanted simplicity because they were convinced that the complexity of the Tax Code allowed people to escape taxation who they thought should pay taxes.

Mr. Block was further intrigued when he discovered that the bulk of the people were not asking that their taxes be lowered. What they were asking was that everyone pay a fair share of taxes.

This resolution will call upon the Senate to enact a minimum tax for individuals and corporations which will ensure that they at least pay some taxes. When we have hearings on it, when we move it through committee, and when we bring it to the floor, we can debate whether or not it is enough, whether or not it is fair; but at least we can guarantee that there never again will be a headline that 299 people who made over $200,000 paid no taxes.

I will conclude by saying once more that this is not a tax increase. It is revenue neutral. It is intended to be revenue neutral. Any moneys raised from this minimum tax will be used either to lower individual tax rates—not corporate—or to remove from taxation those who are now at the lower end of the scale and perhaps pay some slight tax; but, through a feeling of fairness, we might decide that they should pay no tax. That would be the use of these revenues.

I call upon the Senate to approve this resolution and to call upon the Finance Committee to enact the minimum tax.

The PRESIDING OFFICER. Who yields time?

Mr. RUDMAN addressed the Chair.

Mr. PACKWOOD. Mr. President, I yield to the Senator from New Hampshire such time as he needs.

Mr. RUDMAN. I thank the distinguished chairman of the Senate Finance Committee for yielding time. I will be very brief.

Mr. President, the other night, when the distinguished Democratic leader made his response to the President, he covered a number of points that I could disagree with but one that I could surely agree with. He talked about the fairness of lower-income Americans paying income taxes of various kinds, while many American corporations and many individuals, through a variety of legal uses of our Tax Code, avoid any tax at all or, at best, pay a very small tax.

Of course, as I am sure the Democratic leader would acknowledge, the Members on his side of the aisle do not have a monopoly on fairness. I would say that the desire for fairness exists on both sides of the aisle.

The same evening that the distinguished Democratic leader spoke, I was struck by a commercial that has been running on all the television networks. Maybe my colleagues have seen it. If they have not, I commend it to them.

The commercial depicts a very expensively but casually dressed man in his 30's or early 40's leaving his very well-manicured home in the suburbs, walking by his very expensive, imported car, and sort of musing aloud.

He says something like this:

You know, I made a lot of money last year. Unfortunately, I also paid a lot of taxes. If I had invested in XYZ Corporation

I would not have paid any taxes at all. Next year, that's what I am going to do, because it is not what you earn; it is what you keep.

I think that commercial is going to probably cut down that company's business in the future; because that commercial depicts the essential unfairness of the Tax Code as well as anyone can do it; Madison Avenue has pulled it off.

So I spoke to the distinguished majority leader and the distinguished chairman of the Finance Committee late last week and said that I certainly hope we would not reject an idea soley because the distinguished Democratic leader happened to mention it on national television. The fact is that Senator BYRD was quite correct, and his views are shared by people on both sides of the aisle. The American people ought to know that Republicans in this body and Democrats in this body abhor the unfairness of the Tax Code.

At a time when we are asking the American people, in this budget resolution, to make numerous sacrifices, it seems at least to me, and I hope to a number of my colleagues, that, at the very least, we should pass legislation that would say to the Senate Finance Committee that we should now rake in some of those dollars that have been sheltered, and sheltered so well for so long, and put them in the pockets of middle and lower-income Americans who, in my view, are paying more than their fair share.

I urge that we demonstrate fairness by supporting this resolution.

I thank the distinguished chairman of the Finance Committee for yielding to me.

Mr. PACKWOOD. I thank the Senator from New Hampshire. I thank him for cosponsoring the resolution.

Mr. President, I yield 5 minutes to the Senator from Kansas.

Mr. DOLE. Mr. President, I commend the distinguished chairman of the Finance Committee. It is a most responsible committee.

A GOOD IDEA IF USED FOR THE RIGHT PURPOSE

A broad-based minimum tax to assure that corporations and wealthy individuals cannot avoid paying their fair share of income taxes and to provide revenues to reduce tax rates and increase the amount of income an individual can earn before being subjected to income tax meets the essential requirements of fairness and equity. Everyone should support this amendment.

LONG-TIME ADVOCATE

This Senator has favored, and, more than that, actively and successfully worked to limit the ability of profitable corporations to avoid taxes. In 1982, as chairman of the Finance Committee, I led efforts to enact a minimum tax. We, in fact, included a much more broad-based individual minimum tax as part of the Tax Equity and Fiscal Responsibility Act.

The President also included a proposal for a more effective minimum tax as part of his fiscal year 1983 budget. However, fierce lobbying from industries that would have been affected, as well as several technical problems, caused us to take a different approach. Instead of a corporate minimum tax, we decided to attack the problem directly by reducing the value of tax preferences used by corporations to avoid taxes.

The Tax Equity and Fiscal Responsibility Act reduced by 15 percent percentage depletion for coal and iron ore, bad debt reserve deductions, interest paid deductions for financial institutions for debt incurred to purcase tax exempt obligations, DISC tax benefits, depreciation recapture on real property, special writeoffs for pollution control facilities, intangible drilling costs, and mineral exploration and development costs.

MANY MINIMUM TAX SUPPORTERS DID NOT SUPPORT TEFRA

Some of my colleagues may remember that, despite this direct effort in TEFRA to help assure that profitable corporations and wealthy individuals pay income taxes, it was very difficult to get enough votes to pass the Senate.

The vote on passage of the Senate's version of TEFRA was 50 to 47. The following Senators voted nay, and I ask unanimous consent that the names be printed in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Senators Baucus, Bentsen, Biden, Boren, Bradley, Bumpers, Burdick, Byrd, Cannon, Chiles, Cranston, DeConcini, Dixon, Dodd, Eagleton, Exon, Ford, Glenn, Hart, Hawkins, Heflin, Hollings, Huddleston, Jackson, Johnston, Kasten, Kennedy, Leahy, Levin, Long, Matsunaga, Mattingly, Melcher, Metzenbaum, Mitchell, Moynihan, Nunn, Pell, Proxmire, Pryor, Randolph, Riegle, Sarbanes, Sasser, Stennis, Tsongas, and Zorinsky.

MINIMUM TAX IS A GOOD BACKUP TO BASIC REFORM

Mr. DOLE. If Congress does its best in addressing basic tax reform, every individual and corporation should pay a fair share of regular income tax. But this Senator, for one, has no illusions that all tax incentives will, or should, be repealed as part of any tax reform effort.

As long as we retain tax incentives in the code, there will be the possibility that some corporation will use so many of them that it will pay little or no regular income tax. A broad-based minimum tax is an effective way to provide a backstop to the regular income tax.

The resolution focuses on the integrity of the Tax Code in requiring that the tax burden be distributed more equitably among our citizens. It does not suggest that a minimum tax should be used as an expedient way to raise taxes and avoid spending restraint.

REVENUES ARE NOT THE CAUSE OF BUDGET DEFICITS

What we have is not a lack of taxes, but a lopsided distribution of taxes. Revenues, as a percentage of GNP, have risen from 18.1 percent in 1966 to 18.9 percent in 1986. This does not support contentions of a revenue hemorrhage.

The share of Federal revenues borne by individuals has, however, risen in the last 20 years. In 1966, individuals, through income and payroll taxes, contributed 49.8 percent of Federal revenues. In 1986, this percentage is estimated to be 61.3 percent.

Over the same period, the corporate share of Federal receipts has decreased from 30.7 percent to 25.1 percent.

A minimum tax should be used to help redress that imbalance, not merely to raise taxes.

Mr. President, I think this is a good idea if the money is used for the right purpose. That is precisely why, before we start talking about more taxes and locking somebody in, we should wait and see what develops, as the distinguished chairman has pointed out.

I am advised that the Secretary of the Treasury will unveil the so-called administration proposal on tax fairness and tax simplification within the next 2 weeks.

The whole thrust of the tax fairness program is to do away with preferences, to do away with a lot of tax shelters, for rate reduction. That is precisely why we mention rate reduction—individual income rate reduction.

I believe the record is fairly clear that I have been a long-time advocate to end the ability of profitable corporations to avoid taxes.

Many minimum tax supporters did not support TEFRA in 1982. In fact, the vote was 50 to 47 on this floor, and I am advised that had the other 3 Members been present, it would have been 50 to 50, and it would not have passed. So I suggest that some people who talked about tax fairness—and we closed about $100 billion worth of loopholes in 1982—did not vote for the package.

One of the Senators who opposed us on TEFRA was the distinguished Senator from Ohio [Mr. METZENBAUM].

I know he is concerned about tax fairness. He is very astute, and he understands the Tax Code.

But at least at that moment he could not vote for the tax fairness bill we brought out here.

I make the final point: The reason we do not want to raise taxes just so we do not have to cut spending revenues is not the problem. The problem is spending.

I think this is a good approach. This should excite the Senator from New Jersey who is just coming in the Chamber. He looks excited. We are pleased.

So it just seems to me this is an opportunity to start the ball rolling on all this tax reform and tax fairness. We are talking about rate reduction, not using the money so we do not have to make tough decisions on spending cuts.

I am afraid that is a proposal that many have in mind.

I applaud the distinguished chairman of the Finance Committee and the distinguished Senator from New Hampshire who raised this question a few days ago, and I hope that we will have a unanimous vote, and I have discussed this with members of the Finance Committee. They appreciate this approach. They are sincere in their efforts to do it. But they do not believe we ought to be raising taxes just to spend more money.

Mr. PACKWOOD. Mr. President, as far as I am concerned, as chairman of the Finance Committee, I can assure the majority leader of the Senate that it is not my intention to consider any tax increase proposals. I am perfectly receptive to tax reform, tax changes, tax fairness. If we get a tax reform bill before the year is out I am willing to work with the President and the chairman of the Ways and Means Committee on it.

I echo what the majority leader said. This is not a tax increase. It is a minimum tax. Money will be used to lower taxes on individuals or to remove from the tax rolls those at the lower end of taxation who perhaps should be removed from it altogether.

The PRESIDING OFFICER. Who yields time?

The Chair reminds Senators the 30 minutes in opposition to the amendment is controlled by the minority leader and the proponent of the amendment controls the time in support of the amendment.

Mr. LEVIN. Mr. President, I am wondering if my friend from Oregon will yield for a question.

The PRESIDING OFFICER. Does the Senator from Oregon yield?

Who yields time?

Mr. BYRD. Mr. President, I yield to Senator LEVIN 5 minutes on the amendment.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 5 minutes.

Mr. LEVIN. Mr. President, I wonder if my friend from Oregon will yield for a question?

Mr. PACKWOOD. Yes, I am happy to yield for a question.

Mr. LEVIN. As he knows, I have been a strong supporter of a mimimum tax on corporations and individuals for some time, and indeed we have discussed this matter with him and a number of other Senators in this Chamber.

I am all in favor of making sure that tens of thousands of profitable companies that now pay no taxes and wealthy individuals who now pay no taxes finally pay some taxes.

I think I am in agreement with my friend from Kansas on that also. It is long overdue.

So I am going to be voting for this resolution, even though I think the purpose to which it would apply, is too narrow and we should apply some of this to the deficit, because I do think that some of the money which will be raised from people who have for too long escaped paying taxes should be applied to one of the biggest problems we have in this country right now, which is the deficit.

So, as my friend from Oregon knows, when the time comes at the Finance Committee, I would be plugging away there at a hearing urging that some of these funds be applied to deficit reduction.

Mr. PACKWOOD. Mr. President, I say to my good friend from Michigan part of the reason I am introducing this is as a result of the conversation he and I had in my office one day about the minimum tax. He introduced a good minimum tax bill. I think many of his ideas are good ideas. Senator METZENBAUM introduced a minimum tax bill as did Senator CHAFEE; and Senators BENTSEN and DANFORTH also have one in.

We can have a debate at the time. We are all agreed that loopholes should be closed, and we will have a very good debate at that time whether or not the revenues should be used to reduce the deficit or reduce taxes. That is a fair debate.

My preference would be to use them to reduce taxes, but that is for another time.

Mr. LEVIN. I take it then that is an open question, is it not?

Mr. PACKWOOD. Anything is an open question so long as you have 51 votes one way or another. When we start to have hearings on it that issue will be fully aired.

Mr. LEVIN. I take it in supporting this kind of resolution I will not be preempted from arguing when the time comes that we ought to be using those revenues for deficit reduction.

Mr. PACKWOOD. Absolutely.

Mr. LEVIN. I thank the Senator.

Mr. BRADLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Who yields time?

The minority leader has control of the time in opposition.

Mr. BYRD. I yield.

Mr. BRADLEY. Mr. President, will the chairman of the Finance Committee yield for a question?

Mr. BYRD. How much time does the Senator wish?

Mr. BRADLEY. Five minutes.

Mr. BYRD. I yield 5 minutes to the Senator.

The PRESIDING OFFICER. The distinguished Senator from New Jersey is recognized for 5 minutes.

Mr. BRADLEY. Mr. President, this resolution, which I have seen in the last 30 seconds, purports to be a resolution that calls for lower rates and a broader based income tax system that is revenue neutral.

My problem is perhaps only with the language, and maybe the distinguished chairman of the Finance Committee could change that language, but as it now reads, and I think it may be unintended, it says, "It is the sense of the Congress that revenues should be increased * * *"

We are dealing with a budget resolution. If revenues are increased, that is a tax increase and we do not have revenue-neutral tax reform.

So I wonder if it is the intention of the chairman of the Finance Committee to raise taxes with this resolution because, as it is now written, it raises taxes.

Mr. PACKWOOD. It is designed to raise certain taxes on those corporations and individuals who now pay no tax and it is designed to use those revenues to reduce individual taxes or to remove from taxation those at the lower end of the scale who pay some tax and in fairness should pay none.

In toto, the resolution is revenue neutral. But clearly you have a minimum tax levied on individuals and corporations who now pay no tax. Their taxes are going to go up.

Mr. BRADLEY. Mr. President, I understand what the distinguished chairman of the Finance Committee has said. In tax reform some people who do not pay taxes are going to have to pay taxes. I understand that. But that does not lead to an overall increase in revenues.

Mr. PACKWOOD. No. If you look at my——

Mr. BRADLEY. If you have a tax system in which 10 or 20 percent of the people do not pay any tax and you put a minimum tax on, they are going to have to pay more tax, but that does not increase the overall revenue number, if you are going to cut the taxes of those people who are not using the loopholes. Now I do not think it is the intention of the chairman of the Finance Committee to support a resolution that raises taxes. That is contrary to what the President has said tax reform should do. It is clearly contrary, I think, to what the intention of the Senate is.

Mr. PACKWOOD. If the Senator will notice, on line 8, the phrase "resulting revenue"—this is the increase in taxes we are going to get from people who now pay no tax, and it will be "* * * used to reduce individual

income tax rates and to increase the threshold amounts for tax payments by individuals in connection with the consideration of comprehensive tax reform legislation."

I do not know how it could be written anymore clearly than to be revenue neutral.

Mr. BRADLEY. Mr. President, I do not know if I am quite getting through to the distinguished chairman. Indeed, the resulting revenues from a minimum tax, according to this, will be used to reduce individual income tax rates and to raise the amount someone can earn before they have to pay any taxes. No one has any disagreement with that. But that does not increase overall Government revenues.

I understand that if you began with the second clause of the sentence, you could very well say you want to take the revenues that you derive from a minimum tax and you want to cut individual tax rates appropriately and raise the floor before someone has to pay any income tax. If that is the intention, then the Senator should simply eliminate the first clause which says revenue should be increased.

Mr. PACKWOOD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. METZENBAUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. DOLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The bill clerk resumed the call of the roll.

Mr. PACKWOOD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO 49, AS MODIFIED

(Purpose: Sense of Congress that minimum taxes ought to be imposed on corporations and individuals, to be used for individual tax rate reduction

Mr. PACKWOOD. Mr. President, I send a modified amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oregon [Mr. PACKWOOD] modifies amendment No. 49 as follows:

At the end of the pending amendment, add the following: It is the sense of the Congress that tax legislation should be enacted to provide for payment of minimum taxes by corporations and individuals on the broadest feasible definition of income to assure that all of those with economic income will pay tax, and that the resulting revenues be used to reduce individual income tax rates and to increase the threshhold amounts for tax payments by individuals in connection with consideration of comprehensive tax reform legislation.

The PRESIDING OFFICER. The Senator has a right to modify his amendment and his amendment is so modified.

Mr. PACKWOOD. Mr. President, I am grateful to my colleague from New Jersey, Senator BRADLEY, for calling to my attention the fact that the original amendment might have given the impression that this was a net tax increase. As this now is drawn, it is very clear that we are encouraging the Finance Committee to enact minimum tax legislation on corporations and individuals that now pay no taxes and that whatever revenues are raised from that tax shall be used for individual tax reduction or for removing from the tax rolls those at the lower end of the scale who, perhaps, in the sense of fairness, should be removed from paying any taxes.

Once more, I wish to thank my colleague from New Jersey, Senator BRADLEY, for calling that to our attention.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. METZENBAUM. Mr. President, I ask that the time be yielded to me from the opposition.

The PRESIDING OFFICER. The Chair advises the Senator that the minority leader controls the time in opposition to the amendment.

Mr. CHILES. Mr. President, I yield 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. METZENBAUM. Mr. President, I think we ought to understand what the issue is before this body. This proposal does nothing. It is mere conversation. It says what the sense of the Congress is, and I think that is fine. But I think we ought to be dealing with realities. We are on a budget resolution here and the budget resolution ostensibily is for the purpose of putting in place the will of Congress as it pertains to the amount of income we will have and as pertains to the amount of expenses that we will have.

Now, it is a known fact that the Senator from Ohio, with the support of several Senators from that side of the aisle as well as some on this side of the aisle, has proposed a minimum corporate tax. The minimum corporate tax that we proposed is the very minimum corporate tax that the President of the United States proposed back in 1982. I do not have any idea where he is on it at the moment, but I know that when I offered it on the floor of the Senate about a year ago I only received 30 votes.

Now this amendment, which is not a substantive amendment, is only a sense-of-the-Congress resolution saying we ought to move in on the issue of minimum corporate taxes and minimum individual taxes, on to impose a minimum tax on the broadest feasible definition of income to assure that all of those with economic income will pay taxes. That is fine. I have no problem with that.

But I have a lot of problems about the further assumption that the resulting revenues to be used to reduce individual income tax rates and to increase the threshold amounts for tax payments by individuals in connection with consideration of comprehensive tax reform legislation.

That is blarney. That is just saying you are going to take the money and you are not going to do anything about reducing the deficit. The American people are out there crying for us to reduce the deficit. Business organizations are pounding at our door, saying, "Reduce the deficit." Democrats and Republicans are all standing on the floor, saying, "We want to reduce the deficit."

So some of us would like to submit an amendment providing for minimum corporate tax and some would like to propose an amendment advocating a minimum individual tax. Why should 65 major U.S. corporations make $49.5 billion in the last 3 years and not pay any Federal income taxes and in fact receive $3.2 billion in refunds? Why? Why should the five largest defense contractors receive $620 million in Federal tax refunds even though they did not pay a penny of tax on their profits of $10.5 billion

Why should General Dynamics, a leading defense contractor, which has not paid any taxes since 1972, continue to have that privilege? And why should W.R. Grace and Co., headed up by that great balancer of the budget, Peter Grace, who has claimed that we, Congress, lack the guts to deal with the deficit, why should his company have been permitted to earn $684 million in profits and pay no taxes? In fact, they managed to collect $12.5 million in tax refunds.

Now, I support the first half of this amendment, I have no problem with it. But I have a great deal of problem with the second half of it, which assumes that all those dollars are going to be used to reduce individual taxes.

Frankly speaking, I do not hear the American people pounding at our door saying, "Reduce our taxes, reduce our taxes." Of course, everybody would like to have their taxes reduced. Who among us would not?

But that is not the issue. The issue is priorities in this country. I have heard Senators who have been on the floor saying everybody has to sacrifice. We have to call upon everybody to sacrifice equally. If that is the case, why are we proposing that we eliminate 17 programs, cut back on so many other human service programs, cut back on

Medicare, Social Security, and so many other matters of that nature and yet refuse to take in some money by minimum corporate and individual taxes. Why should we say that we will only use those dollars to reduce taxes?

I would like to make a parliamentary inquiry if I may have the attention of the Parliamentarian.

The PRESIDING OFFICER. The Senator should state his inquiry.

Mr. METZENBAUM. I ask the Parliamentarian whether or not this resolution is subject to a division since the first portion of its relates to the matter of the collecting of taxes, and the second portion of it has to do with an assumption as to how the funds will be used.

Mr. LONG. Mr. President, will the Senator yield?

Mr. METZENBAUM. No. I am waiting for my inquiry.

The PRESIDING OFFICER. The Chair has the inquiry under advisement.

The language of the amendment, if divided, would not be grammatical. It does not appear to be subject to division since each divison has to stand on its own as a substantive entity.

Mr. METZENBAUM. Will the Parliamentarian not agree that each portion beginning with the phrase "and it is further assumed that the resulting revenues be used to reduce individual income tax rates and to increase the threshold amounts for tax payments by individuals in connection with consideration of comprehensive tax reform legislation" could stand on its own as per the original portion of the resolution? The Senator from Ohio is prepared to ask for a division.

Mr. President, I ask for a division of the amendment.

The PRESIDING OFFICER. Would the Senator please indicate where he wishes the amendment be divided?

Mr. METZENBAUM. Yes. The first portion of the amendment would be concluded by saying "to assure that all of those with economic income will pay taxes." And the balance then would be the second portion which would have to do with how those funds would be used.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. METZENBAUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METZENBAUM. Mr. President, will the manager of the bill allow me 5 minutes more off the bill?

Mr. CHILES. Five minutes off the amendment.

Mr. METZENBAUM. Mr. President, on my time I ask the Senator, the author of the amendment, whether it is not the fact that the thrust and intent of this resolution is to effect that such revenues as will be produced by the minimum taxes are to be used to reduce individual income taxes, to increase the threshold amounts for tax payments by individuals and that they will not be used to reduce the deficit?

Mr. PACKWOOD. Mr. President, that indicates that they will be used to reduce taxes as I indicated to the Senator from Michigan earlier. When the committee considered this, the majority is the majority. The majority on this floor is the majority. It is the intention of the sponsors of this amendment to use the revenues to reduce individual taxes.

Mr. METZENBAUM. And not to reduce the deficit? That is the intention of this resolution?

Mr. PACKWOOD. We hope by the time we are done this week, we will reduce the deficit by reducing spending.

Mr. LEVIN. Will my friend yield?

Mr. METZENBAUM. Without losing my right to the floor, I yield for 30 seconds.

Mr. LEVIN. I wonder on that basis if I could ask the chairman of the Finance Committee a question; that is, I asked before whether or not one could consistently vote for this resolution since I am so much in favor of minimum taxes on corporations and individuals, and yet consistent with that positive vote argue that the proceeds of that minimum tax be used for deficit reduction. At that time, I believe his answer was, "Absolutely." Subsequent to that, the words "assumption" or "further assume" had been stricken by a modification to which he agreed. Would his answer to my question be any different now than it was then?

Mr. PACKWOOD. The answer would not change. The Finance Committee is governed by a majority vote and this body is governed by a majority vote. Whatever we choose to do with the revenues, we will do.

Mr. LEVIN. In your view, one could consistently vote for this resolution, and then argue that the proceeds could be used for deficit reduction?

Mr. PACKWOOD. Yes. I do not want to mislead my friend. The proceeds could be used to reduce individual taxes, but in my view, that does not bind the Senator from Michigan.

Mr. LEVIN. Is it your view that one could consistently vote for this resolution and then argue from that that the proceeds be used for deficit reduction?

Mr. PACKWOOD. Yes.

Mr. METZENBAUM. If that is the case, what the Senator from Oregon is saying is that we could pass this, but the Senate is always master of its own destiny, and if 51 Senators want to vote to reduce the deficit at a later point, they can do that. But the fact is that the resolution as presently drafted does not indicate that it is to be used to reduce the deficit.

We are in a parliamentary situation where no amendment is possible to this resolution, nor to any other amendment which is offered. I would ask the distinguished chairman of the Finance Committee, in view of his responses to the Senator from Michigan as well as his response to me, whether then he would be willing to include in the resolution language indicating that it is assumed that the resulting funds could be used to reduce individual income tax rates, to reduce the amount of tax rates by individuals, or to reduce the deficit in connection with the consideration of comprehensive tax reform legislation? Would he be willing to put into this resolution some indication, a recognition on his part, that these funds could be used to reduce the deficit, which so many of us feel strongly should be the case?

Mr. PACKWOOD. In answer to the Senator, my preference is to use it to reduce individual income taxes. I can be overruled. We can come up with an amendment where somebody strikes out "individual" and it passes. I want to stress on the record that these funds be used for the reduction of individual income taxes.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired. Who yields time?

Mr. METZENBAUM. Will the Senator yield an additional 2 minutes?

Mr. CHILES. I yield an additional 2 minutes.

Mr. METZENBAUM. Under the circumstances, I want to urge my colleagues to vote against it, and I urge them to vote against it because it is wrong. On a budget resolution where we are trying to reduce the deficit, this proposal would not accomplish our intent.

When I asked the chairman of the Finance Committee if he would be willing to amend the resolution to provide that the funds from a minimum corporate or individual tax could be used for the purpose of reducing the deficit, his response is, well, it could be. But the fact is that the thrust of the resolution indicates exactly the opposite.

I then asked him to change the language so that it would indicate that that would at least be one of the alternatives, and he was not willing to do that.

Under those circumstances, if you want to reduce the deficit, if you want to balance the budget, you ought not to be voting for this resolution. But if you just want to put in a minimum corporate tax or a minimum individual tax and as a consequence thereof reduce taxes somewhere else along the line, maybe for some of the wealthy of

this country who we always seem to take care of so well, then so be it, then vote for it. But I for one want to vote against it and will offer at a later point a minimum corporate tax in order that this body may actually express itself and indicate that it wants a minimum tax on corporations and wants it for the purpose of reducing the deficit.

Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER (Mr. ABDNOR). The time of the Senator has expired.

Mr. METZENBAUM. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been.

Mr. METZENBAUM. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. ARMSTRONG. Will whoever controls time yield me some time?

Mr. PACKWOOD. How much time have I remaining?

The PRESIDING OFFICER. Eight minutes and thirty-nine seconds.

Mr. BUMPERS. How much time is there in rebuttal?

The PRESIDING OFFICER. The proponents have 8 minutes 39 seconds. The proponents have 8½ minutes and the opponents have 3 minutes 39 seconds.

Mr. PACKWOOD. I yield 3 minutes to the Senator from Colorado.

Mr. ARMSTRONG. I thank the distinguished Senator for yielding.

I do not need much time because I think what I am about to say will be fairly unpopular. I do not want to let this moment pass without making it clear to my colleagues that I think it is time to draw a line on some of the emotional rhetoric about whether corporations pay taxes. It may well be in due course that the Senate Finance Committee ought to report some kind of minimum tax legislation. I may vote for it and support it and it may be a wonderful idea.

But the notion is gaining in this Chamber, and I regret to say in some learned journals of opinion and even out of the country, that somehow the corporations of this country have connived to avoid paying taxes.

So far as I am aware, that is not true.

It is true that corporations, like other taxpayers, have taken advantage of the tax laws which have been written by the Congress of the United States. There are a lot of loopholes in the Tax Code. There are a lot of Members of this Chamber who had something to do with putting those loopholes in there.

For some reason or another Members have wanted to encourage what they deem to be socially desirable forms of behavior.

We had an energy crisis in this country and a lot of people were running around saying, "We ought to encourage more production of energy. We ought to have incentives in the Tax Code to get countries to explore and produce domestic energy." Those are loopholes.

Someone else said, "We ought to have more private enterprise jobs," so we created some tax incentives for corporations to employ people who would otherwise not be employed. Those became tax loopholes.

Somebody else said what we really ought to have to stimulate the economy in this country is a provision to have corporations make large capital expenditures—and I think it was President Kennedy—and from that came the tax credit, which some people think now is an egregious loophole.

My own position is that we can do without a lot of things in the Tax Code, those loopholes, or incentives, whatever you want to call them, including one or two that I might have had a hand putting in there, thinking that some socially desirable effect might thereby be served.

But the notion that somehow corporations have connived to do something is starting to get under my skin.

It also goes against my grain when Senators stand up and say these great corporations making billions of dollars in profits pay no tax.

That is, so far as I am aware, not the case. It is perfectly true that some corporations, as a result of provisions written into the Tax Code, pay no income taxes.

The other day the Senator from Ohio made some statements to the effect that there were a number of corporations that paid no taxes. He listed some of them. One of them he happened to list he said had gotten a tax refund in the last 3 years of $50 million, even though it had made large profits.

It so happens, according to the best information made available to me, if you think only of income taxes, this corporation paid about $100 million in taxes and did not get a $50-million refund as he suggested.

But the more revealing fact to keep in mind is this particular corporation paid about $4 billion in other taxes during the period in question. Maybe Social Security taxes do not count, but for the average corporation in this country, payroll taxes are far larger and more significant than are Federal income taxes. In most cases, just like for individual taxpayers, the payroll tax is a far bigger burden.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ARMSTRONG. Will the manager yield 1 additional minute?

Mr. DOMENICI. I yield 3 minutes off the bill.

Mr. ARMSTRONG. The point I was trying to establish is that for most corporations, just as for most individual taxpayers, the payroll tax is a far larger bite than is the income tax.

Let me just be plain about that. Whether you are talking about individual working men and women or large corporations, the payroll tax is a much bigger bite than is the Federal income tax. For a lot of individuals and some corporations, other forms of taxes also account for more than the Federal income tax. There is the windfall profit tax, sales taxes, Federal and State excise taxes, and property taxes.

I am not saying we should not have tax reform. I think President Reagan should be commended for spearheading this effort. I believe in due course we will have a tax reform bill. I personally hope it will be in the form and shape that I can vote for it myself, as I expect to. It may be that one feature of that will be some form of corporate minimum tax. I am not sure about that yet.

I also hope personally, let me say, Mr. President, that there would be some form of alternative maximum tax available for both individuals and corporations, and in the right time I would like to tell Senators about that because I think it may be the surest and best way to close a bunch of loopholes.

Mr. President, in closing, I want to send to the desk a statement in response to all of these charges about the horrible abuses, indeed the bloodcurdling stories, that have been told about how these corporations are getting away with murder, they are not paying taxes, they are not even paying as much taxes, we are told, as some poor widow up in Wisconsin who pays more taxes than these corporations. It just is not so.

Now, income taxes are one thing, but other kinds of taxes are something else. And with respect to 11 of the 13 companies which have been specifically mentioned by name, my statement responds to that and to the best of my knowledge proves the point I just made. There are two corporations we have not yet heard from.

Finally, Mr. President, let me say that it is distasteful to me personally to talk about tax policy in terms of individual taxpayers, even in terms of corporate taxpayers, because the issue of what is right and wrong, it seems to me, is better understood by resort to general principles than to the kind of emotional appeals that point out this big taxpayer or that big taxpayer.

Mr. President, I thank again the manager and the Finance Committee chairman for yielding to me.

My own belief is that this is not the end of the debate; it is just the start, and I must say I am looking forward

to it. Tax reform is long overdue in this country.

The PRESIDING OFFICER. Is the Senator from Colorado requesting that the document be made a part of the RECORD?

Mr. ARMSTRONG. Yes. I thank the Chair. I send it to the desk in the hopes that my colleagues grant unanimous consent that it be incorporated in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR ARMSTRONG

During the floor debate on April 25, 1985, I provided for the record some initial information I obtained to counter statements that were made that some corporations which did not pay federal taxes from 1981 to 1983 "had a free ride from their government for the last three years, who have not paid a penny in taxes."

Having now spent more time in gathering this information I would like to provide it for the record. The results are interesting and revealing and totally refute the argument that the corporations whose names appeared in the CONGRESSIONAL RECORD on the 25th of April do not pay taxes and the information counters the impression left that these corporations are not doing their civic duties in the way of paying taxes. One of the facts that I have found is that some oil companies pay sizable amounts in Windfall Profits taxes and that these are deductible from federal income taxes and therefore reduce those taxes by considerable sums. Those of my colleagues who criticize these corporations for not paying any federal income taxes should understand this.

I would like to share this information with my colleagues and others who are interested in learning of the factual findings that were provided to me through the companies listed below.

TAXES PAID FOR TAX YEARS 1981–83

Corporations	Federal	State/local
Air Products	$2.1 million	$112 million.
Allied Corporation	$291 million	$715 million.
American Cyanamid	$139.1 million	$120.1 million.
Champion International	$162.9 million	$135.1 million.
DOW Chemical	$311 million	$243 million.
DuPont	$125 million	$2.9 billion.
Greyhound	$11.1 million	$340 million.
Martin Marietta	$15 million	$319 million.
Texaco	$2.4 billion	$1.9 billion.
Union Carbide	$296 million	$297 million.
Xerox	$422 million	$135 million.

Note.—Federal taxes include Federal income tax, minimum tax, windfall profits tax, Superfund taxes, the employer portion of Federal payroll taxes, Federal unemployment taxes and some Federal excise taxes. State and local taxes include State and local income taxes, property taxes, sales use tax, State and local unemployment taxes. Some corporations combined their Federal and State employment taxes. The Record of April 25, 1985 incorrectly reproduced the Texaco press release and other direct taxes should have been $1.9 billion.

Mr. President I would like to take the opportunity to make a few additional comments regarding corporate taxation. It is not perfect and there are undoubtedly some inequities. We are about to embark on the road of tax reform with President Reagan at the forefront and I welcome thorough review of the federal tax system. These corporations contributed significant amounts to federal and state coffers. According to the 1984 Annual Report of the Commissioner and Chief Counsel of the Internal Revenue Service for fiscal year 1984 corporate income and profits taxes exceeded $74 billion dollars, the highest dollar amount of collections in the history of the country.

Any rush to judgment about the level of corporate taxes should take into account such features as the deductibility of windfall profits taxes and other taxes paid, the role of subsidiaries which pay taxes relieving the parent of some tax burden, deferred taxes, taxes paid on a world-wide basis and a host of other features. Some of these features in the tax code reduce tax liability others are meant to achieve fairness.

Another method available to make some judgments regarding corporate tax burdens is to look at corporate income as a percent of GNP. In 1984 corporate income was 6% of GNP and for FY 84 9% of all federal revenue came from corporate income taxes. It is true that corporate income as a percent of GNP has declined through the years. In 1950 the percent was 14% and in 1960 it was 10%. The reduction of corporate taxes as a percentage of all federal revenue follows this decline. Corporate taxes as a percent of federal revenue has declined since 1975. At that time corporate taxes accounted for 41% of federal revenue, then 32% in 1980, 29% in 1982, then up to 32% in 1983 and for FY 84 it was 25%. These figures come from the Commerce Department National Income Accounts. Despite this trend corporate revenues in dollar terms have never been higher, as I mentioned above.

The Economic Recovery Tax Act of 1981 was intended to reduce tax rates for individuals and corporations to provide economic incentives to work, save and encourage business investment. That has occurred and as a result the entire Nation benefits. Tax avoidance cannot be tolerated but in the rush to end those limited instances where it exists let's do so with care and deliberation.

Mr. CHILES. Mr. President, I yield 3 minutes to the Senator from Illinois [Mr. SIMON].

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. I thank the Chair and I thank my colleague from Florida.

I think we have to stop playing games. I am not talking about the Senator from Oregon. I am talking about all of us. We face a very, very tough problem in this deficit. I think it is the No. 1 problem, by far. Tax reform is popular. And I know this resolution is going to carry. My vote is going to be against, but it is going to carry. But the No. 1 problem that the people of this country want us to deal with and we ought to be dealing with is this question of the deficit, and that is going to require revenue. Let us face it. We all admit it privately. Too few of us are saying it publicly. And we ought to be saying it publicly.

I talked privately to a top official of the Reagan administration, not about whether there should be increased revenue but how you get increased revenue. And right here on this floor yesterday we passed—I voted for it because I do not want to put this on the backs of senior citizens—the Social Security COLA amendment. We cannot pass those kinds of amendments without implicitly saying to ourselves, "You have to have some revenue. We have to face the music."

I remember when I was first elected to the State legislature in Illinois, and a man in South Roxana, IL, sent me a letter. He had 13 points to his letter. The first 12 were increased services he wanted from Government, and the 13th point was cut taxes, and believe it or not we have almost adopted his program.

We have to face the music. I do not mean any disrespect now to the distinguished Senator from New Mexico, the chairman of the committee, or the distinguished Senator from Florida, the ranking member, because times are different, personalities are different, but I served for 6 years in the House Budget Committee, and I can remember when you had——

The PRESIDING OFFICER. The Senator's 3 minutes has expired.

Mr. CHILES. I yield the Senator 2 additional minutes.

Mr. SIMON. I thank the Senator.

The PRESIDING OFFICER. The Senator only has one-half minute remaining.

Mr. CHILES. Off the resolution, Mr. President.

Mr. SIMON. I can remember when Senator Muskie chaired the committee, Senator Bellmon was a ranking member, and we faced the unpopular questions in a bipartisan mood recognizing that there were no popular answers. I think that is where we are today. We are facing a situation where there are no popular answers. Democrats are, frankly, hoping Republicans are going to come up with the unpopular answers. Republicans are hoping Democrats are going to come up with the unpopular answers. I think we ought to pull together and not adopt, with all due respect to my friend from Oregon, this kind of a meaningless addendum to this budget resolution. We ought to be facing the tough realities, and I hope soon we get down to doing that. I thank the Senator from Florida.

Mr. CHILES. Mr. President, I yield 1 minute off the resolution to the distinguished Senator from Arkansas.

Mr. PRYOR. Mr. President, I have a question I would like to pose to the distinguished chairman of the Finance Committee. I applaud the Senator from Oregon for offering such a resolution. When he originally proposed it, I had the greatest intention of voting for it and I still might, but not having my glasses on tonight and not wanting to go back to the office to get them, I would like to ask the Senator what I think I see on this page. It would imply that we are about to change drastically the zero bracket amount when I see "all of those with economic income will pay tax." That is lines 6 and 7.

To me it says that if one of these young pages comes and works a month or two and maybe makes $1,000 during the summer, that would be economic income and therefore a tax would be

paid. I was under the impression that we were around $3,000 or $3,400 before an individual had to pay a tax. That is my question. Is that what the resolution says?

Mr. PACKWOOD. No. The remainder of the resolution, roughly the last four lines, indicates that the revenues from this will be used either to reduce individual rates or to remove from taxation those at the lower end of the scale. So there is a dual purpose to the use of the revenues and clearly taxes would not be raised for those at the $3,000, $4,000, $5,000 level.

Mr. PRYOR. I thank the Senator.

Mr. CHILES. Mr. President, I yield 5 minutes to the Senator from New Jersey [Mr. BRADLEY].

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BRADLEY. I thank the distinguished minority manager of the Budget Committee for yielding.

Mr. President, I would simply like to confirm what the chairman of the Finance Committee has stated, and I would like him to respond to my statement. This is a resolution which says that we shall broaden the tax base by eliminating certain credits, exclusions, and deductions, so that we arrive at economic income, and that the revenue which we derive from that reform will be used to lower individual tax rates and to raise the threshold that someone must go beyond before they reach the taxable income level. Is that not correct?

Mr. PACKWOOD. Yes; although I want to make sure that we are not talking about eliminating preferences. In essence we are saying regardless of the preferences, regardless of the fact that the law allows you to deduct A, B, C, D, E, you are going to pay some tax. We are going to say henceforth, no matter what your preference, you are going to have to pay some tax.

Mr. BRADLEY. That introduces another issue into the debate. As I read this document, it says to provide for payment of minimum taxes by corporations and individuals. Now, I believe the way you get the most effective minimum tax is through tax reform, and tax reform is by getting people who do not pay, to pay, and taking that revenue to reduce tax rates and to raise the threshold before they have to pay any taxes. I do not think the distinguished chairman means otherwise.

Mr. PACKWOOD. I want to make sure my good friend from New Jersey understands what I am saying. This calls for a minimum tax on corporations and a minimum tax on individuals, so you no longer have these stories that the privileged and the rich are escaping taxation. It may or may not raise a great deal of revenue, depending upon where you set the percentage. I share my good friend's passion for tax reform.

I want it clearly understood that I do not regard the minimum tax as a substitute for tax reform. It can be a part of a tax reform bill. It could stand on its own, as a matter of fact, if we did not get any tax reform bill, and I think it should be enacted on its merits regardless of a tax reform bill.

Mr. BRADLEY. I think I hear the chairman saying that if a minimum tax were to pass, the revenue derived therefrom would be used to lower tax rates and to raise the threshold. Is that correct?

Mr. PACKWOOD. That is correct.

Mr. BRADLEY. I think it makes a very clear choice. This is what will inevitably be a much longer battle this year.

I think it is important to point out that given the choice between major tax reform and a minimum tax, we are better off if we go with major tax reform, because the minimum tax addresses only one of the three problems—that is, people who pay too little tax; we want to get the rates down, which is the second problem; and we also want to make this system fairer.

I think this resolution clearly signals the chairman's intent to use the minimum tax to get tax rates down and make the system fairer.

Mr. PACKWOOD. I assure the Senator from New Jersey that I do not regard this as the sine qua non of tax reform or that if we adopt this resolution we have all the tax reform we need.

Mr. BRADLEY. It is the chairman's intention to go much beyond the language of this, to further reduce tax rates much more than would be provided if we only referred to minimum taxes. Is that correct?

Mr. PACKWOOD. Absolutely.

As I read the Finance Committee and the Senate, we are not likely to pass such a minimum tax that it would produce so much revenue that we could dramatically reduce rates.

Mr. BRADLEY. It is also the chairman's intent, signaled by this resolution, that in revenue derived from a proposal such as this, we want to get more so that we can raise the threshold for lower income people. Is that correct?

Mr. PACKWOOD. The Senator lost me. Will he repeat that?

Mr. BRADLEY. The Senator stated that it is his intent that this is not the total picture, that to look at tax reform and the minimum tax is only a little bit, and it is his intention to go beyond that and get rates down further.

My question to the Senator, to confirm the same reasoning, is that it is also his intention to take any additional revenue to raise the amount people can earn before they have to pay anything. Is that correct?

Mr. PACKWOOD. That is correct.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BRADLEY. I ask for 2 more minutes.

I think that is very important in this debate, because the fact is that when we talk about a minimum tax—15 percent or 20 percent or whatever it is—we are ignoring the fact that a single person making $15,000 a year is in the 20-percent tax bracket, while a couple making $30,000 a year is in the 25-percent tax bracket. We want to get their rates down as well as taking care of people at the lower income level.

I am satisfied, from my perspective, that this is a positive resolution. It indicates direction. It also indicates that the intention of the Senate is to go much beyond what this resolution says in direct language. So I strongly urge the Senate to adopt this resolution and send a clear message about what our intention is for the coming debate.

Mr. PACKWOOD. I thank my colleague.

Mr. CHILES. Mr. President, I yield 5 minutes to the distinguished Senator from Arkansas.

Mr. BUMPERS. Mr. President, one of the reasons we are here tonight in this debate is because of what we did in 1981.

Eleven Senators stood up and said: "If we cut taxes $750 billion over the next 5 years and then spend $1.8 trillion on defense, you are going to have major deficits big enough to choke a cow."

If there is anything people detest worse than a politician, it is a politician saying, "I told you so."

Here we are doing exactly what many Senators knew we were going to be faced with.

The President says, "Make my day." I am prepared to make his day. I am not going to vote for a package, first of all, that presumes to cut spending by $52 billion this year on the assumption that the unemployment rate is going to be 5 percent and the interest rate is going to be 5 percent in 1989. That is highly unlikely, and everybody knows this.

The CBO says that the President's proposal will cut spending not $52 billion but $37 billion. Thirty-seven billion dollars is the "honest-John" figure, and the increase in interest on the national debt alone in 1986 will be $24 billion.

The day before yesterday, CBO finally came up with figures that are set out in the RECORD, after the distinguished Senator from South Carolina had requested them, which show that the President, himself, is asking for increased spending of $118 billion. There are, admittedly, $15 billion in offsets. Cut it down to $103 billion.

Here is another scenario: Give the President the benefit of the doubt on

his proposed spending cuts. Take the figures at face value. They are still asking for $103 billion in increased spending. So where is the deficit reduction?

The Senator from Colorado says, "I'm getting ready to say something unpopular. I don't think corporations are trying to shirk taxes." I have never heard anybody accused of saying anything unpopular when he says, "I don't think taxes should be raised."

Who were unpopular were 11 Senators standing on the floor in 1981 and telling the honest-to-God truth to this body.

So here we are. The President says, "Make my day." Well, I am prepared to do so; because if the President is telling me that 65 corporations in this country are entitled to make $50 billion in corporate profits in 1981, 1982, and 1983, and not only not pay one dime of income tax but also raid the public trough for $3.5 billion in refunds, and he tells me not to do anything about it, I am going to help make his day.

I am not going to vote for this resolution. My daughter just got out of college and is employed, and I was shocked to see how much tax she had to pay on her modest salary for 1984. But my concern is not the amount of taxes she has to pay. It is whether or not she will even have a job in the future. I am concerned what these deficits will do to our economy. So I am going to vote against this proposal because I like only 50 percent of it.

We cut taxes exorbitantly in 1981, and I recognize that raising the threshold would be a very desirable thing. It is like indexation. There is a powerful argument to be made for indexing income taxes. We all know the arguments. It is compelling and it is persuasive. However, as the distinguished Senator from Rhode Island [Mr. CHAFEE] said one night, when he and I were trying to do something about it, it is a great idea. We just cannot afford it.

You can talk about deficits all you want and say that we have to do something about deficits. What we are saying here is that we have to do something about the deficits, but we don't intend to.

"Make my day." The sequel to that is that this country has to suffer economically instead of asking corporations to face up to their legitimate civic responsibilities. The corporations of this country in 1950 were paying 28 percent of all the taxes collected, and today are paying 6 percent of all the taxes collected in this country—if that is what it takes to make the President's day, if that is what it takes, frankly, in order to give the financial markets of this country some stability and confidence, I have no problem in voting for it. If the President vetoes it and this body sees fit not to override it, then we will just have to live with the consequences.

I cannot support the amendment.

I thank the Senator for yielding.

Mr. CHILES. Mr. President, I yield 5 minutes to the distinguished Senator from Texas.

Mr. BENTSEN. I thank the distinguished Senator from Florida.

Mr. President, I heard the argument made a moment ago that these corporations that pay no income taxes had paid a great deal of ad valorum taxes, school taxes, sales taxes, and payroll taxes. But, you know, those are the same taxes that individuals pay. What we are talking about really is income taxes. Individuals pay them, and profitable corporations should pay them.

I congratulate the Senator from Oregon in bringing this to the attention of the Senate. Senator DANFORTH and I have introduced this kind of legislation, and Senator METZENBAUM and others have introduced this kind of legislation.

On April 15 you had the average family of four earning $25,000 a year paying about $2,500 in taxes, and sometimes really having to scrape to be able to do that. They then turn around and read in the newspapers that some major corporations, including major constituents in my State, are earning billions of dollars in profits and not only not paying taxes but getting very major tax refunds. And they read about other corporations not having paid taxes for more than a decade. When that fellow reads that, he says something is wrong with the system, the system is just not right, is not fair, and that we ought to do something about it. And that we should.

A corporate minimum tax is a first step. That is no substitute for reforming the tax system and trying to bring about more fairness and more simplification, but it is a step in the right direction, and we should be doing that.

I do not know when the tax reform bill is going to get over here. I am not sure when it is going to pass the House of Representatives, and I sure do not know when it is going to finally work its way through the Senate. It is going to get a lot of massaging from the first one who ran it up the flagpole to the last person who votes for it. We know it's only the product of a word processor. It is something that is going to have a lot of changes I believe before it gets to us. Then it will have some more.

I am one of those. I believe we should leave some incentives in the tax system, try to accomplish some economic objectives in our country, some social objectives for our country.

Mr. President, what you have seen in these corporations is an overuse of the tax preferences. You see the situation where the individual parts of our tax system add up to an unjust whole, and you create a perception of unfairness in the system. That perception is right. Therefore, this kind of a minimum tax is something that I think we should do and we should move forward with it.

I can understand a chief executive of a corporation who says, "I must do everything I can to avoid taxes." It is our fault that we have such a tax system and that we have not taken the kind of steps that we have to take to try to close that.

I have looked at that list of over 250 corporations that were checked and I have seen over half of them had not paid any tax at all in the last 3 years.

So it is obvious that we have to move forward, and I am going to support the resolution of the Senator from Oregon, the chairman of the Finance Committee.

This resolution calls for imposing a minimum tax and reducing individual tax rates with the revenues we raise. Another worthy use of the revenue would be to reduce the deficit. The chairman of the Finance Committee has assured us that that is one of the options that will be considered.

I frankly do not think this resolution goes far enough, but I do think it is a step in the right direction and I hope we will pass it tonight.

Mr. CRANSTON. Mr. President, I yield 2 minutes to the Senator from Michigan.

Mr. LEVIN. Mr. President, I am going to support the pending resolution for a number of reasons:

First of all, it finally expresses the sense of, I hope, a majority of this Senate, that we have to make sure that people who use the deductions and shelters in our tax system still when they are all done taking their deductions, all done taking their shelters, pay something in Federal income taxes.

That is the first half of this resolution. I am talking about corporations and individuals. I am all for it and I congratulate the chairman of the Finance Committee for moving in this direction.

For many of us this addresses the fairness aspect of the tax simplification movement. For others it will not. For others there is still a long distance to go, but for some of us a minimum tax on corporations and individuals is a way of addressing the fairness element of the tax simplification movement.

The second half of this resolution troubles me a little bit for the reasons that the Senator from Arkansas and the Senator from Ohio have mentioned, but this resolution is not amendable, it is not divisible, and so what we are left with is a resolution in the first half of which we agree with and the second half of which is not as flexible as we like except that our

friend from Oregon said it is perfectly consistent to vote for this resolution and later on argue that the proceeds of the minimum tax be applied to deficit reduction. It is that legislative history that I am relying on, and I think others will rely on, in voting for this resolution.

So, Mr. President, I will vote for the sense of the Senate resolution in support of the enactment of an effective minimum tax because it is long overdue that we make sure that profitable corporations and wealthy individuals pay their fair share in taxes. I am pleased that the chairman of the Finance Committee indicated to me in the debate on this resolution that support of this resolution is in no way inconsistent with later arguing for the revenues generated by this tax to be used for deficit reduction. Under the parliamentary situation, this resolution is not subject to amendment. But I accept the words of the chairman of the Finance Committee that how the revenues generated by this tax will be used is a battle for another day.

It is appropriate for some of the revenues generated by a more effective minimum tax to be used at least in part for deficit reduction because it is essential for a budget package of shared sacrifice. A more effective minimum tax may be the only way for some profitable corporations and wealthy individuals to share in the burden of deficit reduction. Further, it is impossible to contemplate asking some of the most vulnerable members of our society to tighten their belts unless we also make sure that wealthy individuals and profitable corporations who are not paying anything in taxes to pay at least a minimum amount.

Mr. CRANSTON. Mr. President, I yield 2 minutes to the Senator from Ohio.

Mr. METZENBAUM. Mr. President, I think my colleagues should understand what they are doing when they vote for this resolution.

They are voting for three things. First is they are voting to indicate their support for a minimum tax.

The second thing is that they are indicating that they want the money to be used to reduce other taxes, not to reduce the deficit.

But the third thing, and the one that I do not think has been mentioned, has to do with the language of the resolution, and if I am stating it incorrectly, I hope that the author of the resolution will correct me.

But if you will note in lines 4, 5, and 6, it says, "providing for the payment of minimum taxes by corporations and individuals," and this is the relevent language, "on the broadest feasible definition of income."

I believe that the chairman of the Finance Committee knew full well what were his intentions when he included that language because, if I understand it correctly, the "broadest feasible definition of income" would mean taxing Social Security, taxing pensions, taxing life insurance—that is an item we see so many TV ads about—taxing medical insurance payments, taxing disability payments, taxing health and welfare benefits, taxing unemployment compensation, and a host of other items.

That is the only reason that I could understand the language "on the broadest feasible definition of income."

And, as you well know, we have already moved to the point of taxing indirectly Social Security income and we have already moved with respect to the matter of taxing tax-exempt bond income, and if the chairman of the Finance Committee thinks I am wrong in interpreting the language this way and misrepresenting the facts to my colleagues in the Senate, then I would appreciate his correcting me, but I see no other way that that language can be interpreted other than the way the Senator from Ohio has interpreted it.

Mr. PACKWOOD. Mr. President, I am amused by the interpretation by my good friend from Ohio. That reminds me of a great book. The author, Shakespeare, I am sure, though he had a good line. But someone tried to read in what Shakespeare said about his mother when he wrote it.

My good friend from Ohio knows what this means. It does not intend to reach the poor on Social Security by taxing their income or those who have a pension from their company of $150, $200 a month in addition to Social Security.

It is meant to get at those, principally the wealthy, who make legitimate deductions that are allowed by law and somehow arrange to have no taxable income. They, by and large, are not cheats, they are not evading the law. They are taking advantage of the law. And all this resolution says is we are going to change the law so that those wealthy and privileged individuals and corporations can no longer take advantage of it.

THE MINIMUM TAX AMENDMENT

Mr. CHAFEE. Mr. President, I must respectfully oppose the amendment of Senator PACKWOOD regarding a sense of the Senate resolution on minimum taxes. Although in principle I support the enactment of a revised and workable minimum tax for both corporations and individuals, nevertheless I plan to vote against this amendment.

Any minimum tax proposal should simply be a straightforward fix of the current minimum tax provisions of the Tax Code. There is no reason to require that such a repair job on the Tax Code be "revenue neutral."

I have introduced, with Senator MOYNIHAN, a minimum tax proposal for both individuals and corporations. In my statement for introduction, I cited some of the same statistics which Senator PACKWOOD cited tonight about the corporations and wealthy individuals with substantial income who are currently able to legally avoid paying taxes. These individuals and corporations can do this because the current minimum taxes in the Tax Code are not working. These provisions should be fixed.

Fixing the minimum tax provisions of the Tax Code is analogous to fixing a leaky roof of your house, while waiting and planning to do a complete renovation. We need to completely reform our Tax Code, and I am looking forward to working with the President when he submits his proposal later this month, and to working with the chairman of the Finance Committee, who stated tonight that he plans to do everything he can to get a tax reform bill passed by the end of this year. However, in the meantime we cannot ignore the leaky roof.

Enacting a minimum tax should not divert our energy from true tax reform. It is simply necessary maintenance. Senator PACKWOOD's proposal would confuse tax reform with necessary repair of the Tax Code. He proposes to enact a minimum tax on corporations and individuals and then use the revenues raised to reduce the tax rates for individuals. Reducing the tax rates and broadening the tax base are the key components of tax reform. Interjecting rate reduction into the process of enacting a workable minimum tax is inappropriate and possibly counterproductive because it steals some of the themes and thus the thunder of real tax reform.

In addition, any additional revenue that will be raised by fixing the current minimum tax provisions of the Code should be used to reduce the Federal deficit. Certainly we are all aware of the agony of the past few weeks as we struggle to cut spending programs to reduce this deficit. It simply makes no sense to refuse to apply the revenues that might be raised from fixing the existing provisions in the Tax Code to reducing the deficit, especially since the minimum tax is directed precisely at wealthy corporations and individuals not now making even a minimum contribution to deficit reduction.

I support the adoption of minimum tax, but not in the form proposed by Senator PACKWOOD tonight. In the context of the current budget crisis and the beginning debate on tax reform, it is not necessary or appropriate to require that a minimum tax proposal be "revenue neutral."

Mr. DOMENICI. Parliamentary inquiry. How much time do we have remaining on the amendment on each side?

The PRESIDING OFFICER. The minority leader's time has expired,

and the Senator from Oregon has 3 minutes.

Mr. DOMENICI. I yield myself 5 minutes off the resolution.

Does the Senator know if any other Senators desire to speak in favor of the proposal? I do not think we have many more on our side who desire to speak in favor of the amendment.

I kind of wish the Senator from Arkansas was here so I could address my remarks to his remarks, but in his absence I will try my best.

Frankly, I hope the distinguished Senator from Arkansas knows a lot more about the Tax Code than he knows about the budget because obviously the statements he has made about the budget here do not make any sense. So I truly hope that he knows what he said about taxes, because if they are both about the same dimension and level of accuracy, then I do not know what we heard.

We talk a lot about reducing this deficit. Now somebody gets up and says that the deficit reduction package—I do not know if it was the President's of 3 months ago or the one here, but obviously it is not enough. Well, let me tell you, I have not heard very many people that want to support that much. It is not $52 billion. The one that we have up there is $295 billion over 3 years. Now maybe it is not enough.

I will tell you right now, if we can get 51 Senators that want to get in a room and say, "We are ready to cut the expenditures of this Government $295 billion," then let us talk about what the distinguished Senator is talking about—about making someone's day. Because he is right. After we made $295 billion, we have got some deficit left. But I tell you, it is $295 billion less than we would have had, plus a whole bunch of interest we will save that we would have spent. So we ought to start with that.

If it is not enough, then why do we not get a lot of people to come up and say, "We sign up for $295 billion worth of savings," and let us put a little group together and say, "It is not enough." Then let us look at what we will do. I am not committing to anybody. But maybe I would look at taxes then. The problem is that nobody is willing to say, even though it is not enough, if it is not, that they will not even do that much. They want to start talking about taxes immediately.

I will tell you the best information I have to give you. If you put that package in place that is up there at the desk, $295 billion, 3 years from now at the end of the fiscal year, I say to my good friend from Florida, who understands estimates, we will have a deficit of between $98 billion and $147 billion. And I cannot tell you which one is right, but I can tell you it is $295 billion plus interest savings less than it is going to be.

And why can I not tell you whether it is 98 or 147? It is because I cannot predict for you what the inflation rate 3 years from now is going to be, what the unemployment rate 3 years from now is going to be, or what the interest rate 3 years from now is going to be.

But what I can tell you is that all of those are going to be better if you cut $295 billion than otherwise. And where do I get those two numbers? No argument on numbers from CBO. They just say, "We are not sure the interest rate is going to be that low 3 years from now, and we are not sure the inflation rate is going to be that low or the unemployment rate, and we chose a more optimistic set of economic assumptions."

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. I yield myself 3 more minutes.

The facts are, there are program changes mandated to the Finance Committee and mandated to every other committee with freezes that take $295 billion out of the expenditure side that would otherwise be there.

Now, having said that, we can have an argument about whose day we want to make with more taxes. But I want to tell you why I am going to support this resolution. There are a lot of people in this Chamber that want this tax bill, the tax bill that might flow from this resolution, to be passed. And they are standing up telling Americans, "We want to pay the deficit with it. We want to pay for programs of the national Government."

I do not want to. Do you know why I do not want to? Because there are millions of U.S. citizens that are in poverty that are paying taxes—millions of Americans in poverty that are paying taxes.

When we changed the cost of living on Social Security everybody ran down here and said, "There are 500,000 people going to drop $5 below the line of poverty."

I have got the most recent one here, the poverty level in the United States. In 1977, people in poverty paid zero taxes. Do you know what the poverty mass, all those millions in poverty pay today? 11.7 percent of their income they pay in Federal income taxes. Do you know how much it will cost to take them off the rolls where they ought to be?

Why should we be inventing programs here to try to help the working poor? We go through all kinds of gyrations—Will it help them? Will it not help them?"—when we are taxing them. Why do we not stop taxing them first before we decide to give them a little subsidy here? Do you know what it is going to cost, for those on the Finance Committee, to take them off? $16 billion in taxes.

So I am voting for this because if something like this passes, I want the first $16 billion to take the poor people off the tax roles. And I do not want to use that $16 billion to pay for Amtrak; I do not want to use it to pay for Job Corps; I do not want to use it to pay for EDA; and I do not want to use it to pay for the Appalachian Regional Commission, none of which, in my opinion, are even one-tenth as important as taking millions of poor people off the tax roles.

Now you have a choice here. Do you want to cut programs and have tax reform and use the tax reform money to help poor people not pay taxes or do you want to fool them?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. I yield myself 2 more minutes.

Or do you want to fool them, and do you want to say, "We are going to take that tax and keep all these programs here that you all think are helping you, and we are going to leave all those poor people on the tax rolls paying taxes"?

I can tell you a lot more about how we got in this mess. Some think it has been a tax hemorrhage. I can tell you about that, too.

In fact, I have a table here. I ask unanimous consent that the record level of taxes paid by the American people from 1966 through 1985 be printed in the RECORD. If you will look at it, you will find that you are paying taxes at just about the average level that you paid before the hemorrhage occurred, whenever it occurred.

The being no objection, the table was order to be printed in the RECORD, as follows:

	Revenues as a percentage of GNP	Spending as a percentage of GNP
1966	18.1	18.6
1967	19.1	20.3
1968	18.4	21.4
1969	20.5	20.2
1970	19.9	20.2
1971	18.1	20.4
1972	18.4	20.4
1973	18.4	19.6
1974	19.1	19.5
1975	18.9	22.5
1976	18.2	22.7
1977	19.1	22.0
1978	19.1	21.9
1979	19.7	21.4
1980	20.1	22.9
1981	20.8	23.5
1982	20.3	24.5
1983	18.6	25.1
1984	18.6	23.8
1985 [1]	19.0	24.8
1986 [1]	18.9	23.2
1987 [1]	18.9	22.6
1988 [1]	19.3	22.2

[1] Projected.

Mr. BOREN. Mr. President, I have decided to support this amendment offered by Mr. PACKWOOD because of the assurance given on the floor by the author in colloquies with Senator LEVIN that support of this resolution

is not inconsistent with later arguing that some or all of the revenues generated by this minimum tax would be used for deficit reduction.

I also want it understood that I would only favor revenue increases if they are part of a total deficit reduction package that contains more spending cuts than it does revenue changes. I also strongly believe that any revenue increases should be used to either reduce the deficit or reduce taxes and not to fuel spending increases.

I do believe that a minimum tax also offers a positive alternative to some recent Treasury Department proposals to change the Tax Code in ways that would blunt necessary incentives for saving and investment and necessary soundly beneficial activities by the private sector.

Mr. CRANSTON. Mr. President, I yield 1 minute off the resolution to the Senator from Massachusetts.

Mr. KERRY. Mr. President, I would like to ask the distinguished chairman of the Finance Committee a question. I would like to ask him whether it is clearly his intent in this measure, as it is construed or constructed later on by the Finance Committee, that this is in no way to be construed as or constructed in that process as a new tax, but rather it is his intent solely, as I believe was hinted at in the colloquy with the distinguished Senator from New Jersey, that it is exclusively the making more fair of an existing tax. Is that a correct interpretation?

Mr. PACKWOOD. No, that is not correct interpretation. For those who are paying no tax now, for those privileged few who manage to escape taxation, there would be a new tax on them.

I do not want to mislead my colleague from Massachusetts. The moneys will be used to relieve the taxes on the poor and to cut taxes generally. That is the thrust of the resolution. It is revenue neutral and it is not a substitute for tax reform.

There have been some stories, and I think some people—I have not noticed it in this body yet, but some others—allegedly want a minimum tax, and I think are using it as a smoke screen to avoid tax reform. That is not my intention.

Mr. KERRY. I wonder if I might explore that with the distinguished Senator.

First, a new tax is a tax—

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mr. CRANSTON. I yield 1 additional minute off the resolution.

Mr. KERRY. Thank you very much.

A new tax is a tax that has not existed previously. A corporate tax is in existence. A personal income tax is in existence. If some individuals are not paying those taxes, they are not paying them because of various deductions and loopholes that may exist. I believe the distinguished Senator intends to close those loopholes and therefore, yes, the individual may wind up paying a tax but it is not the creation of a new tax on the books. It is a payment of a tax that they should have in fact been paying and insomuch as it is that, it is your intention that it is not a new tax?

Mr. PACKWOOD. No. Again I do not think my good friend phrases it correctly. When we get to tax reform—

The PRESIDING OFFICER. The Senator's minute has expired.

Mr. CRANSTON. I yield the chairman of the Finance Committee 1 additional minute.

Mr. PACKWOOD. I thank my good friend from California.

I hope we close a lot of loopholes when we get to tax reform. But this minimum tax could go into effect if we had no tax bill. We simply say even if you had large tax deductions and you come down to no taxable income, and pay no tax, we would still say you are going to pay some tax whether or not we ever change the deduction. I hope we do. I hope we have tax reform but this resolution stands on its own whether we do or not.

The PRESIDING OFFICER. The Senator from Oregon has 2 minutes left on the amendment.

Mr. SYMMS. Mr. President, may I have 1 minute?

Mr. PACKWOOD. One minute to the Senator from Idaho.

Mr. SYMMS. Mr. President, the point I think that should be made here—and I heard my distinguished friend from Ohio make the point—about corporations who do not pay taxes and that everyone ought to recognize that any corporate tax does one of two things: It either passes the tax on to the consumers, or it taxes the means of production. If you tax the means of production too hard, then you cause more unemployment, and that does not help the people in the lower income group. On the other side of it, to the extent that those taxes are passed forward to the consumers, it is very regressive. The corporate tax is one of the most regressive taxes in our entire system. I think everybody ought to make it very clear here that when they are passing a minimum corporate tax, they are passing a regressive tax on the working or in some cases the non-working consumers who have to buy the products that those corporations pass on, and then they collect the taxes and send it in to the Government. I think that is the problem that is being missed here in this debate entirely.

The PRESIDING OFFICER. The Senator from Oregon has 2 minutes. Does he yield back his time?

Mr. PACKWOOD. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon, as modified. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMSPON. I announce that the Senator from Minnesota [Mr. DURENBERGER] is necessarily absent.

I also announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Missouri [Mr. EAGLETON] and the Senator from Mississippi [Mr. STENNIS] are necessarily absent.

The PRESIDING OFFICER (Mr. ANDREWS). Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 79, nays 17, as follows:

[Rollcall vote No. 38 Leg.]

YEAS—79

Abdnor	Gorton	Mitchell
Andrews	Gramm	Moynihan
Armstrong	Grassley	Murkowski
Baucus	Harkin	Nickles
Bentsen	Hart	Packwood
Biden	Hatfield	Pell
Bingaman	Hawkins	Pressler
Boren	Hecht	Proxmire
Boschwitz	Heinz	Pryor
Bradley	Helms	Quayle
Burdick	Humphrey	Rockefeller
Byrd	Inouye	Roth
Cochran	Johnston	Rudman
Cohen	Kassebaum	Sasser
Cranston	Kasten	Simpson
D'Amato	Kennedy	Specter
Danforth	Kerry	Stafford
DeConcini	Lautenberg	Stevens
Denton	Leahy	Symms
Dixon	Levin	Thurmond
Dole	Long	Trible
Domenici	Lugar	Warner
Evans	Matsunaga	Weicker
Exon	Mattingly	Wilson
Ford	McClure	Zorinsky
Garn	McConnell	
Goldwater	Melcher	

NAYS—17

Bumpers	Hatch	Nunn
Chafee	Heflin	Riegle
Chiles	Hollings	Sarbanes
Dodd	Laxalt	Simon
Glenn	Mathias	Wallop
Gore	Metzenbaum	

NOT VOTING—4

Durenberger	East
Eagleton	Stennis

So the amendment, as modified, was agreed to.

Mr. PACKWOOD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Does the majority leader seek recognition?

Mr. DOLE. Mr. President, let me suggest that we have about a 5-minute quorum call. Then I will come back and I think give my colleagues an announcement whether or not there is going to be another amendment this evening.

The PRESIDING OFFICER. Does the majority leader suggest the absence of a quorum?

Mr. DOLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, let me indicate that I have been conferring with the distinguished manager of the bill, Senator DOMENICI, and other Members on this side to see what amendment we might proceed with tonight.

What I would like to do, if it meets with the approval of my colleagues, is to lay down an amendment, not have any vote tonight, come in quite early in the morning, say 8:30 for special orders, probably have a vote by 10:30 or 11 on the amendment, then hopefully call a couple other amendments up tomorrow, vote on those and hopefully leave at some reasonable time in the afternoon. So there would not be any additional votes this evening. There is an amendment on that side. We have looked at a couple of possibilities. But I think if there is no objection, I would like to come in at 8:30.

ORDERS FOR FRIDAY, MAY 3, 1985

Could I obtain unanimous consent for that now to come in at 8:30 a.m. on Friday, May 3? And also, after the recognition of the two leaders under the standing order, there be a special order in favor of the distinguished Senator from Wisconsin, Senator PROXMIRE, not to exceed 15 minutes. Then I would ask unanimous consent that there be a period for transaction of routine morning business not to extend beyond the hour of 9 a.m. with statements limited therein to 5 minutes each

The PRESIDING OFFICER. Without objection, the requests of the majority leader are granted.

Mr. DOLE. Then we would be back on Senate Concurrent Resolution 32 at 9 o'clock, and hopefully we would be able to have a vote by 10:30, 11, 11:30, maybe, at the latest, noon, and hopefully a couple other votes.

We have amendments on this side. I understand the distinguished minority leader is working on a number of amendments. He may or may not be prepared tomorrow. But we have conferred and we expect to have votes on Monday. I have been asked that on this side and the answer is yes. I think the minority leader will concur in that.

Mr. BYRD. Yes, Mr. President. As I have indicated to the distinguished majority leader, possibly if we have votes on Monday—I would anticipate that we would—but if we could have an understanding that they would not occur maybe before 3 or 4 o'clock.

Mr. DOLE. I indicated earlier probably not before 2 o'clock, and I am certainly willing to extend that to 3 o'clock. I would also have to suggest we might be in a little later that evening, Monday evening, until 7 or 8 or 9 o'clock.

Mr. BYRD. Mr. President, may I ask the majority leader, he indicated earlier that on Tuesday evening next there would be a function which Members on his side would want to attend and that we would probably have no votes after——

Mr. DOLE. I would say after 4 o'clock. Maybe debate after that, but no votes.

Mr. BYRD. Then on Wednesday evening, if we could have a similar understanding to accommodate a function on this side that we would like to attend—we would be happy to have the distinguished majority leader attend and others on his side—could we have that understanding that on both of those evenings we not go late?

Mr. DOLE. I think it is fair if we are going to ask for that consideration on Tuesday. It is not an event that I have been invited to attend, but the Vice President is going in my place. But in any event, I think it would be about the same time or a little later.

Mr. BYRD. Yes, about the same time.

Mr. DOLE. But would the minority leader agree that we ought to finish this bill next week?

Mr. BYRD. Yes. We have about 21 hours left, 20 or some such. I should think that we ought to try to finish by midweek.

Mr. DOLE. One suggestion has been brought to my attention, which is probably a little late, that we might agree to reduce the time tomorrow, proportionate time, and lay down an amendment and take it up on Monday. Maybe it is a little late to get into that, because several Members have changed their plans.

But we will accommodate the minority leader on Wednesday. We had hoped to go late on Wednesday, but we will try to work that out.

We will come in early next Tuesday and Wednesday of next week. So if there is no objection, and there has been none, to the request, I will yield the floor to the distinguished Senator from Oregon to lay down the amendment and then we will go out.

Mr. BYRD. Mr. President, I thank the distinguished majority leader.

AMENDMENT NO. 50

Mr. PACKWOOD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Oregon [Mr. PACKWOOD], for himself, Mr. CHAFEE, Mr. DURENBERGER, and Mr. HEINZ, proposes an amendment nubmered 50 to amendment No. 43.

The amendment reads as follows:

In the pending amendment, do the following:

On page 3, increase the amount on line 12 by $200,000,000.

On page 3, increase the amount on line 13 by $900,000,000.

On page 3, increase the amount on line 14 by $2,200,000,000.

On page 3, increase the amount on line 18 by $200,000,000.

On page 3, increase the amount on line 19 by $1,100,000,000.

On page 3, increase the amount on line 20 by $1,900,000,000.

On page 3, increase the amount on line 25 by $200,000,000.

On page 4, increase the amount on line 1 by $1,100,000,000.

On page 4, increase the amount on line 2 by $1,900,000,000.

On page 4, increase the amount on line 7 by $400,000,000.

On page 4, increase the amount on line 8 by $1,200,000,000.

On page 4, increase the amount on line 13 by $400,000,000.

On page 4, increase the amount on line 14 by $800,000,000.

On page 21, increase the amount on line 16 by $200,000,000.

On page 21, increase the amount on line 17 by $300,000,000.

On page 21, increase the amount on line 24 by $500,000,000.

On page 21, increase the amount on line 25 by $600,000,000.

On page 22, increase the amount on line 16 by $200,000,000.

On page 22, increase the amount on line 17 by $200,000,000.

On page 22, increase the amount on line 24 by $600,000,000.

On page 22, increase the amount on line 25 by $700,000,000.

On page 23, increase the amount on line 7 by $1,500,000,000.

On page 23, increase the amount on line 8 by $1,100,000,000.

On page 33, increase the amount on line 2 by $100,000,000.

On page 33, increase the amount on line 3 by $100,000,000.

On page 33, increase the amount on line 11 by $200,000,000.

On page 33, increase the amount on line 12 by $200,000,000.

On page 40, decrease the first amount on line 16 by $180,000,000.

On page 40, decrease the amount on line 17 by $827,000,000.

On page 40, decrease the second amount on line 18 by $1,617,000,000.

On page 46, decrease the amount on line 10 by $180,000,000.

On page 46, decrease the second amount on line 11 by $827,000,000.

On page 46, decrease the amount on line 13 by $1,617,000,000.

On page 51, decrease the first amount on line 7 by $180,000,000.

On page 51, decrease the amount on line 8 by $587,000,000.

On page 51, decrease the second amount on line 9 by $1,047,000,000.

Mr. PACKWOOD. Mr. President, this is an amendment offered for

myself, Senator CHAFEE, Senator DURENBERGER, and Senator HEINZ relating to Medicare and Medicaid as a mark of $16.3 billion in Medicare and $1.2 billion in Medicaid for a total of $17.5 billion.

It eliminates the very objectionable Medicaid cap that has disturbed so many State officials. In Medicare, it make some slight changes in part B deductibles and other reductions in fairness from the initial suggestions of both the Budget Committee and the budget proposal that was initially before us.

Beyond that, I do not think there is much need for any further explanation. I can answer most of the questions about it tomorrow for any of those who are interested.

Mr. BYRD. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

ROUTINE MORNING BUSINESS

(During the day routine morning business was transacted and additional statements were submitted, as follows:)

MESSAGES FROM THE HOUSE

At 11:03 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 37. Concurrent resolution providing for acceptance of a statue of Jeannette Rankin presented by the State of Montana for placement in National Statuary Hall, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 130. Concurrent resolution expressing the sense of the Congress with respect to the President's visit to the Federal Republic of Germany in May 1985.

The message further announced that pursuant to the provisions of section 1928(a) of title 22, United States Code, the Speaker appoints as members of the U.S. group of the North Atlantic Assembly the following Members on the part of the House: Mr. FASCELL, chairman, Mr. ROSE, vice chairman, Mr. BROOKS, Mr. ANNUNZIO, Mr. HAMILTON, Mr. GARCIA, Ms. OAKAR, Mrs. BURTON of California, Mr. BROOMFIELD, Mr. WHITEHURST, Mr. O'BRIEN, and Mr. BADHAM.

The message also announced that pursuant to the provisions of section 5, Public Law 83-420, as amended, the Speaker appoints Mr. BONIOR of Michigan and Mr. GUNDERSON as members of the Board of Directors of Gallaudet College on the part of the House.

The message further announced that pursuant to the provisions of section 276(h) of title 22, United States Code, the Speaker appoints as members of the U.S. delegation of the Mexico-United States Interparliamentary Group for the 1st session of the 99th Congress the following Members on the part of the House: Mr. DE LA GARZA, chairman, Mr. YATRON, vice chairman, Mr. ALEXANDER, Mr. RANGEL, Mr. LELAND, Mr. COLEMAN of Texas, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. LOEFFLER, Mr. DELAY, and Mr. MCCAIN.

MEASURES PLACED ON THE CALENDAR

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 130. Concurrent resolution expressing the sense of the Congress with respect to the President's visit to the Federal Republic of Germany in May 1985.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1019. A communication from the Secretary of Agriculture transmitting a draft of proposed legislation to provide for the regulated industry to bear the cost, at least in part, of administering the Packers and Stockyards Act; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1020. A communication from the Executive Associate Director for Budget and Legislation, Office of Managment and Budget, Executive Office of the President, transmitting, pursuant to law, a report on the apportionment of an appropriation indicating the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

EC-1021. A communication from the Clerk of the United States Claims Court, transmitting, pursuant to law, The Court's judgement in *Minnesota Chippewa Tribe, et al* v. *The United States; to the Committee on Appropriations.*

EC-1022. A communication from the Acting Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Navy's proposed letter of offer to Korea for defense articles estimated to cost in excess of $50 million; to the Committee on Armed Services.

EC-1023. A communication from the Secretary of Defense, transmitting, pursuant to law, a report on NATO Convention Defense; to the Committee on Armed Services.

EC-1024. A communication from the Acting Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Army's proposed letter of offer to Saudi Arabia for defense articles estimated to cost in excess of $50 million; to the Committee on Armed Services.

EC-1025. A communication from the Deputy Assistant Secretary of Defense (Administration), transmitting, pursuant to law, notice that the Department of the Navy plans to exercise the provision of law concerning the examination of records by the Comptroller General; to the Committee on Armed Services.

EC-1026. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, the stockpile report to the Congress for the period April-September 1984; to the Committee on Armed Services.

EC-1027. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a report on loan, guarantee, and insurance transactions supported by the Bank to Communist countries during March 1985; to the Committee on Banking, Housing, and Urban Affairs.

EC-1028. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the annual consolidated report on the community development programs administered by the Department during 1985; to the Committee on Banking, Housing, and Urban Affairs.

EC-1029. A communication from the Secretary of Transportation, transmitting, pursuant to law, the tenth annual report of the Department of Transportation in administering the Deepwater Port Act during fiscal year 1984; pursuant to 33 USC, referred jointly to the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, and the Committee on Environment and Public Works.

EC-1030. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report on the activities of the United States Travel and Tourism Administration, Department of Commerce, for fiscal year 1984; to the Committee on Commerce, Science, and Transportation.

EC-1031. A communication from the Secretary of the Interstate Commerce Commission, transmitting, pursuant to law, notice of extension of the time period for a determination in Railroad Car Service and Car Hire Pooling Agreement; to the Committee on Commerce, Science, and Transportation.

EC-1032. A communication from the Secretary of Transportation, transmitting a draft of proposed legislation to limit inspection of steam yachts; to the Committee on Commerce, Science, and Transportation.

EC-1033. A communication from the Secretary of Transportation, transmitting, pursuant to law, the third annual report of accomplishments under the Airport Improvement Program for fiscal year 1984; to the Committee on Commerce, Science, and Transportation.

EC-1034. A communication from the Secretary of Transportation, transmitting, pursuant to law, the annual report on the recommendations of the National Transportation Safety Board to the Secretary during calendar year 1984 regarding transportation safety; to the Committee on Commerce, Science, and Transportation.

EC-1035. A communication from the Secretary of Energy, transmitting, pursuant to law, certain energy information requirements; to the Committee on Energy and Natural Resources.

EC-1036. A communication from the Secretary of the Interior, transmitting, pursuant to law, the financial statements of the Colorado River Basin Project for fiscal year 1984; to the Committee on Energy and Natural Resources.

EC-1037. A communication from the Secretary of Transportation, transmitting, pursuant to law, the sixth annual report on the administration of the Offshore Oil Pollu-

tion Compensation Fund for fiscal year 1984; to the Committee on Energy and Natural Resources.

EC-1038. A communication from the Secretary of Energy, transmitting, pursuant to law, the fourth annual revised comprehensive program management plan for the Federal Wind Energy Technology Program; to the Committee on Energy and Natural Resources.

EC-1039. A communication from the Acting Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on refunds of excess royalty payments; to the Committee on Energy and Natural Resources.

EC-1040. A communication from the Acting Commissioner of the Bureau of Reclamation, Department of the Interior, transmitting, pursuant to law, a report on modifications to six dams on the Salt River Project, Arizona; to the Committee on Energy and Natural Resources.

EC-1041. A communication from the Secretary of the Interior as Chairman of the National Park Foundation, transmitting, pursuant to law, the 1984 annual report of the National Park Foundation; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THURMOND, from the Committee on the Judiciary, without amendment and with a preamble:

H.J. Res. 195: Joint resolution designating May 1985 as "Older Americans Month."

S.J. Res. 59: Joint resolution to designate "National Science Week."

S.J. Res. 64: Joint resolution to designate the week beginning May 5, 1985, as "National Correctional Officers Week."

S.J. Res. 66: Joint resolution designating June 14, 1985, as "Baltic Freedom Day."

S.J. Res. 83: A joint resolution designating the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week."

S.J. Res. 87: Joint resolution to provide for the designation of July 19, 1985, as "National POW/MIA Recognition Day."

S.J. Res. 92: Joint resolution to designate October 1985 as "National Foster Grandparents Month."

S.J. Res. 93: Joint resolution to designate the month of May 1985 as "Better Hearing and Speech Month."

S.J. Res. 103: Joint resolution to designate the month of May 1985, as "Very Special Arts U.S.A. Month."

S.J. Res. 104: Joint resolution to proclaim October 23, 1985, as "A time of remembrance" for all victims of terrorism throughout the world.

S.J. Res. 118: Joint resolution to designate May 25, 1985 as "Missing Children Day."

S.J. Res. 123: Joint resolution to designate Dr. Jonas Salk Day.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted.

By Mr. THURMOND, from the Committee on the Judiciary:

Kenneth F. Ripple, of Indiana, to be U.S. Circuit Judge for the Seventh Circuit;

John P. Moore, of Colorado, to be U.S. Circuit Judge for the Tenth Circuit;

Joseph H. Rodriguez, of New Jersey, to be U.S. District Judge for the District of New Jersey;

George F. Gunn, Jr., of Missouri, to be U.S. District Judge for the Eastern District of Missouri;

Sam B. Hall, of Texas, to be U.S. District Judge for the Eastern District of Texas; and

Herbert M. Rutherford III, of Virginia, to be U.S. Marshal for the District of Columbia for the term of 4 years.

By Mr. GOLDWATER, from the Committee on Armed Services:

Mr. GOLDWATER, Mr. President, from the Committee on Armed Services, I report favorably the attached listings of nominations.

Those identified with a single asterisk (*) are to be placed on the Executive Calendar. Those identified with a double asterisk (**) are to lie on the Secretary's desk for the information of any Senator since these names have already appeared in the CONGRESSIONAL RECORD and to save the expense of printing again.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The nominations ordered to lie on the Secretary's desk appeared in the RECORDS of April 4, April 17, and April 22, 1985 at the end of the Senate proceedings.)

ROUTINE MILITARY NOMINATIONS WHICH HAVE BEEN PENDING WITH THE SENATE ARMED SERVICES COMMITTEE THE REQUIRED LENGTH OF TIME AND TO WHICH NO OBJECTIONS HAVE BEEN RAISED

1. *General Bernard W. Rogers, U.S. Army, (age 63) to be placed on the retired list. (Ref. #72)

2. *Rear Admiral William D. Smith, U.S. Navy, to be Director of Budget and Reports. (Ref. #179)

3. **In the Air National Guard there are 22 promotions to the grade of lieutenant colonel (list begins with Richard G. Broberg. (Ref. #180)

4. *Lt. Gen. D'Wayne Gray, U.S. Marine Corps, to be reassigned. (Ref. #183)

5. *Lt. Gen. Richard K. Saxer, U.S. Air Force, (age 56) to be placed on the retired list. (Ref. #190)

6. **In the Air Force there are 2 permanent promotions to the grade of lieutenant colonel (list begins with James S. Majors). (Ref. #200)

7. **In the Air Force there are 3,382 permanent promotions to the grade of major (list begins with David M. Abbate). (Ref. #201)

8. **In the Air Force there are 382 appointments to a grade no higher than major (list begins with David M. Abbate). (Ref. #202)

9. **In the Air Force there are 925 appointments to the grade of second lieutenant (list begins with Alan A. Abangan). (Ref. #203)

10. **In the Army there are 18 appointments to the grade of second lieutenant (list begins with Floyd Z. Light, Jr.). (Ref. #204)

11. **In the Army there are 1,072 appointments to the grade of second lieutenant (list begins with Derric L. Abrecht). (Ref. #205)

12. **In the Marine Corps there are 116 permanent appointments to the grade of colonel (list begins with Granville R. Amos). (Ref. #206)

13.**In the Navy there are 48 appointments to the grade of ensign (list begins with Mark S. Ammons). (Ref. #207)

14.**In the Navy Reserve there are 188 appointments to the grade of ensign (list begins with Christopher A. Aiello). (Ref. #208)

15.*Lt. Gen. William E. Odom, U.S. Army, to be reassigned. (Ref. #211)

16.*Vice Admiral Crawford A. Easterling, U.S. Navy, (age 56) to be placed on the retired list. (Ref. #212)

17.*Vice Admiral Wiliam J. Cowhill, U.S. Navy, (age 56) to be placed on the retired list. (Ref. #213)

18.*Vice Admiral Powell F. Carter, Jr., U.S. Navy, to be reassigned. (Ref. #214)

19.**In the Marine Corps and the Marine Corps Reserve there are 270 permanent appointments to the grade of lieutenant colonel (list begins with James R. Abelee). (Ref. #215)

20.**In the Navy Reserve there are 48 appointments to the grade of permanent ensign (list begins with William M. Bartleman, II). (Ref. #216)

21.*Lt. Gen. Herman O. Thomson, U.S. Air Force, (age 56) to be placed on the retired list. (Ref. #218)

22.*Lt. Gen. Jack I. Gregory, U.S. Air Force, to be reassigned. (Ref. #219)

23.*Lt. Gen. John L. Pickitt, U.S. Air Force, to be reassigned. (Ref. #220)

24.*Maj. Gen. Dale A. Vesser, U.S. Army, to be lieutenant general. (Ref. #221)

25.*In the Navy Reserve there are 9 permanent promotions to the grade of rear admiral (list begins with Richard Edward Young). (Ref. #222)

26.**In the Marine Corps there are 8 permanent appointments to the grade of second lieutenant (list begins with Michael J. Piirto). (Ref. #223)

27.**Commander Donald E. Williams, U.S. Navy, to be captain. (Ref. #224)

28.*Commodore John R. McNamara, U.S. Navy, to be Chief of Chaplains. (Ref. #229)

Total, 6,504.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. THURMOND (for himself and Mr. DECONCINI):

S. 1052. A bill to amend title 38, United States Code, to require the Administrator of Veterans' Affairs to carry out demonstration projects to furnish chiropractic services to certain veterans and to evaluate the cost effectiveness of furnishing such services to such veterans; to the Committee on Veterans' Affairs.

By Mr. MATSUNAGA (for himself, Mr. INOUYE, Mr. STEVENS, Mr. MURKOWSKI, Mr. CRANSTON, Mr. GORTON, Mr. EVANS, Mr. RIEGLE, Mr. LEVIN, Mr. MELCHER, Mr. PROXMIRE, Mr. KENNEDY, Mr. KERRY, Mr. HATFIELD, Mr. METZENBAUM, Mr. BURDICK, Mr. HARKIN, Mr. DENTON, Mr. MOYNIHAN, Mr. D'AMATO, Mr. HART, Mr. SARBANES, Mr. EXON, Mr. SIMON, Mr. BRADLEY and Mr. LAUTENBERG):

S. 1053. A bill to accept the findings and to implement the recommendations of the Commission on Wartime Relocation and Internment of Civilians; to the Committee on Governmental Affairs.

By Mr. HEINZ (for himself, Mr. GLENN, Mr. CRANSTON, Mr. ANDREWS, Mr. BURDICK, Mr. COHEN, Mr.

CHILES, Mr. HUMPHREY, Mr. DIXON, and Mr. PROXMIRE):

S. 1054. A bill to amend the Age Discrimination in Employment Act of 1967 to remove the maximum age limitation applicable to employees who are protected under such Act, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. GOLDWATER (for himself and Mr. DECONCINI):

S. 1055. A bill to designate the Granite Reef aqueduct of the Central Arizona Project as the "Hayden-Rhodes Aqueduct"; to the Committee on Energy and Natural Resources.

By Mr. STENNIS:

S. 1056. A bill for the relief of Colonel John R. Vincent, United States Air Force Reserve; to the Committee on Armed Services.

By Mr. PACKWOOD:

S. 1057. A bill to amend the Coastal Zone Management Act of 1972 regarding activities directly affecting the coastal zone; to the Committee on Commerce, Science, and Transportation.

By Mr. DANFORTH:

S. 1058. A bill to amend Schedule 3 of the Tariff Schedules of the United States; to the Committee on Finance.

By Mr. INOUYE:

S. 1059. A bill to amend title 10, United States Code, to authorize the appointment of health care professionals to the positions of Assistant Secretary of Defense for Health Affairs, the Surgeon General of the Army, the Surgeon General of the Navy, and the Surgeon General of the Air Force; to the Committee on Armed Services.

By Mr. D'AMATO:

S. 1060. A bill to amend title II of the Social Security Act to protect the benefit levels of individuals becoming eligible for benefits in or after 1979 by eliminating the disparity (resulting from changes made in 1977 in the benefit computation formula) between those levels and the benefit levels of persons who became eligible for benefits before 1979; to the Committee on Finance.

By Mr. PRESSLER (for himself and Mr. KERRY):

S. 1061. A bill to amend title 38, United States Code, to establish a program of delayed reentry and psychological readjustment assistance and vocational rehabilitation for Vietnam veterans; to the Committee on Veterans' Affairs.

By Mr. PRESSLER (for himself and Mr. KERRY):

S. 1062. A bill to amend chapter 73 of title 38, United States Code, to establish a program to require comprehensive research on, studies of, and a review of the professional literature on potential physiological and psychological health problems affecting Vietnam veterans, and to require training for Veterans' Administration personnel in counseling, screening, testing, evaluation, treatment, therapy, readjustment, and rehabilitation relating to the unique medical and psychosocial needs of Vietnam veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. D'AMATO (for himself and Mr. THURMOND):

S. 1063. A bill to amend section 376 of title 28, United States Code, to provide that certain judicial annuities for surviving spouses shall not terminate by reason of remarriage of an annuitant after age sixty; to the Committee on the Judiciary.

By Mr. PELL (for himself, Mr. DENTON, Mr. NUNN, Mr. MITCHELL, Mr. BINGAMAN, Mr. KERRY, Mr. MATSUNAGA, Mr. HART, Mr. BRADLEY, and Mr. MOYNIHAN):

S. 1064. A bill to provide for the continuation of the National Diffusion Network; to the Committee on Labor and Human Resources.

By Mr. THURMOND (for himself and Mr. BIDEN) (by request):

S. 1065. A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1986 and for other purposes; to the Committee on the Judiciary.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1066. A bill for the relief of Harold M. Wakefield; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. Res. 153. Resolution to refer the bill (S. 1066) entitled "A bill for the relief of Harold M. Wakefield" to the Chief Judge of the United States Claims Court for a report thereon; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THURMOND (for himself and Mr. DECONCINI):

S. 1052. A bill to amend title 38, United States Code, to require the Administrator of Veterans' Affairs to carry out demonstration projects to furnish chiropractic services to certain veterans and to evaluate the cost effectiveness of furnishing such services to such veterans; to the Committee on Veterans' Affairs.

VETERANS' CHIROPRACTIC SERVICES DEMONSTRATION PROJECTS ACT

Mr. THURMOND. Mr. President, today I am introducing legislation to authorize the Veterans' Administration to conduct demonstration projects for the purposes of providing chiropractic services to eligible veterans and evaluating the therapeutic benefits and cost-effectiveness of such services. I am pleased that Senator DECONCINI has joined as an original cosponsor of this measure.

Current law authorizes the Veterans' Administration to provide chiropractic services to veterans, and Veterans' Administration physicians may, on a case-by-case basis and at the expense of the VA, refer an eligible veteran to a private chiropractor for treatment. However, despite this authority, few veterans have actually been referred to private chiropractors by VA physicians.

Mr. President, chiropractic treatment has become a recognized and effective means of treating certain physical impairments and disorders. In virtually all other areas of the Federal health care delivery system, Congress has recognized the important role of chiropractic care. Moreover, a number of States also include chiropractic services under their medical assistance programs. It is my strong belief that our Nation's veterans deserve the same access to medical treatment, including chiropractic treatment, as that available to recipients of other Federal and State health care programs.

At this point, it is appropriate to list some of the programs on the Federal level which authorize chiropractic services. The provision of chiropractic services is authorized for eligible persons under the Medicare and Medicaid Programs. Chiropractic services are provided to Federal employees under several health plans offered through the Federal Employee Health Benefit Program. Federal employees have chiropractic coverage under the Federal Employee Workers' Compensation Program. Chiropractic health services are included in the Railroad Retirement Act. Last year, with passage of the Department of Defense Authorization Act of 1985, Public Law 98-525, Congress authorized the Secretary of Defense to conduct demonstration projects for the purpose of evaluating the cost-effectiveness of chiropractic services under the CHAMPUS Program.

Mr. President, it is time that the policy and practice of the Veterans' Administration be brought in conformity with these programs. The chiropractic patient population today in the United States is estimated to be between 10 and 20 million. Our Nation has some 28 million veterans, and there is no doubt that a substantial number of our veterans who receive medical care at Veterans' Administration facilities are either actual or potential chiropractic patients.

Mr. President, the legislation which I propose today would authorize the Veterans' Administration to conduct no less than five demonstration projects in five different geographical regions of the country to provide chiropractic services to eligible veterans. In the conduct of these demonstration projects, the VA would enter into cooperative agreements with no less than five chiropractic colleges to coordinate the provision of chiropractic services to veterans and perform clinical research and data collection regarding the therapeutic benefits and cost-effectiveness of such services.

Under the provisions of my bill, an eligible veteran may receive no more than $600 in chiropractic services in any 12-month period, and the Administrator would be authorized to prescribe a limit on the amount payable to any chiropractic college in any fiscal year under a cooperative agreement. In addition, total expenditures for chiropractic services under the demonstration projects would be limited to $2,000,000 in any fiscal year. It is

intended that the demonstration projects be funded from appropriations for medical and prosthetic research and development.

Mr. President, although the House of Representatives has failed on three previous occasions to accept Senate-passed legislation authorizing the establishment of a pilot program of chiropractic services for veterans—legislation which I introduced—it has joined the Senate in strongly urging the Veterans' Administration to re-evaluate its position and use existing authority to provide chiropractic services in appropriate cases as part of the medical care afforded to veterans. This message has been virtually ignored by the Veterans' Administration. I, therefore, urge Congress to send a stronger message to the Veterans' Administration on this matter by favorably considering this legislation.

By Mr. MATSUNAGA (for himself, Mr. INOUYE, Mr. STEVENS, Mr. MURKOWSKI, Mr. CRANSTON, Mr. GORTON, Mr. EVANS, Mr. RIEGLE, Mr. LEVIN, Mr. MELCHER, Mr. PROXMIRE, Mr. KENNEDY, Mr. KERRY, Mr. HATFIELD, Mr. METZENBAUM, Mr. BURDICK, Mr. HARKIN, Mr. DENTON, Mr. MOYNIHAN, Mr. D'AMATO, Mr. HART, Mr. SARBANES, Mr. EXON, Mr. SIMON, Mr. BRADLEY, and Mr. LAUTENBERG):

S. 1053. A bill to accept the findings and to implement the recommendations of the Commission on Wartime Relocation and Internment of Civilians; to the Committee on Governmental Affairs.

(The remarks of Mr. MATSUNAGA and other Senators, and the text of the legislation appear earlier in today's RECORD.)

By Mr. HEINZ (for himself, Mr. GLENN, Mr. CRANSTON, Mr. ANDREWS, Mr. BURDICK, Mr. COHEN, Mr. CHILES, Mr. HUMPHREY, Mr. DIXON, and Mr. PROXMIRE):

S. 1054. A bill to amend the Age Discrimination in Employment Act of 1967 to remove the maximum age limitation applicable to employees who are protected under such act, and for other purposes; to the Committee on Labor and Human Resources.

AGE DISCRIMINATION IN EMPLOYMENT ACT AMENDMENTS

● Mr. HEINZ. Mr. President, President Reagan announced his support for an end to mandatory retirement nearly 3 years ago. Today, I am again introducing legislation to fulfill this long-deferred goal: The prohibition of mandatory retirement based solely on age. I am pleased that Senator GLENN, the ranking minority member of the Aging Committee and Senators ANDREWS, COHEN, HUMPHREY, BURDICK, CHILES, CRANSTON, DIXON, and PROXMIRE join with me in sponsoring this bill. A similar bill has been introduced in the House of Representatives by Congressman CLAUDE PEPPER.

Currently, there are 1.2 million Americans age 70 and over in our work force. Many of these people want to continue working—sometimes for reasons of self-fulfillment, but more often for reasons of economic necessity. Federal law now deprives these people of the same guarantees of equal opportunity in employment that other citizens enjoy. They are deprived of this protection not on the basis of who they are and what they can do, but solely on the basis of their age. This seems to me the rankest form of discrimination, and we should no longer tolerate it in Federal law.

In 1978, the Age Discrimination in Employment Act was amended to eliminate mandatory retirement for nearly all Federal workers and to increase to 70 the age at which non-Federal workers could be forcibly retired. This bill will abolish that age 70 cap and reverse a policy that implicitly sanctions arbitrary discrimination against working men and women over the age of 70. While this is a simple change in the law, it will make an enormous difference in the lives of those who will soon face the devastating effects of age discrimination.

Admittedly, Mr. President, the recent economic slowdown created a difficult climate for the full utilization of older workers. There has been a tendency to fall back on traditional retirement and separation procedures in order to reduce the size of a firm's work force. But the demographic projections are quite different for the near future. We need to look beyond the immediate situation and prepare for the inevitable work force changes that will occur with complete recovery and with time. Our Nation will need these productive older workers. As you are aware, Mr. President, the age distribution of the population will be shifting dramatically over the coming decades. The younger working-age population—ages 16-44—has ceased its rapid growth and between now and the year 1995, will actually show marked declines. What this means is that our standard of living is threatened due to possible future labor shortages unless we as a nation continue to increase the size of our work force. And since everyone who will be a younger worker during the next 20 years has already been born, we know that the only way that we will be able to grow and prosper is if able bodied, productive older workers, who are today in their late forties or fifties or even early sixties, have the opportunity and incentive to continue working. The behavior of this future group of older workers will be vital to our continued economic growth.

We also need to encourage older people to remain productive to lessen the strains on our retirement income programs. If those now forced to retire were working, the overall obligation of the Social Security trust fund would be decreased, and the number contributing would increase. Recent figures from the Social Security Administration estimate the savings to the OASDI trust funds from prohibiting compulsory retirement at $0.7 billion annually by the year 2000 and $4 billion annually by the year 2020.

But the importance of abolishing the age 70 limit for ADEA protection lies not only in the positive shifts in behavior it will bring about. In fact, such shifts will be relatively minor. Persons over age 70 constitute just 1.2 percent of our 105 million person work force. Lifting the age cap will have a negligible impact on that figure. Rather, the importance of removing age 70 is its message to present and future older workers: You are to be employed on the basis of your capability, not on the basis of your birth date.

Mr. President, the problems associated with age discrimination are not new to the Congress. The first ADEA bill, enacted in 1967, stemmed from the Congress' determination that age discrimination, like discrimination based upon race, religion, or sex, is inherently contrary to the principle of individual merit. The original act was designed to protect workers between the ages of 40 and 65. In 1978, the age for protection was raised to 70. At that time, it was agreed that age 70 would be used until the Department of Labor conduct a study on the impact of totally eliminating mandatory retirement. The results of that study indicate beyond all doubt that raising the permissible mandatory retirement age to 70 has had no significant negative economic or social impact. It further concludes that eliminating mandatory retirement entirely would not produce any work force dislocations. These conclusions pave the way for those of us in the Congress to remove the most visible symbol of age discrimination in the work place.

Public opinion in this country clearly supports the bill we are now introducing. A recent Harris poll found that by a 9-to-1 margin, a majority of all ages feel that "nobody should be forced to retire because of age." By another lopsided margin, three-quarters of all adults are convinced that "most employers discriminate against older people and make it difficult for them to find work." The poll also found that 3 out of 4 retirees wish they had some form of employment after retirement. Taken together, the Department of Labor study and the survey findings show that mandatory retirement remains an unnecessary and unjustified obstacle to older workers and, indeed,

an abridgement of their right to remain contributors to the American economy.

Mr. President, unlike the measure I introduced in the 98th Congress, this bill does not contain a controversial, albeit temporary exemption for tenured professors of colleges and universities. I am aware of the special complications involving academic tenure and of the concern that uncapping the retirement age for tenured professors might result in reducing the number of openings for new faculty members. I am aware also that the tenure system, which has been a critical factor in ensuring academic freedom, creates special circumstances regarding retirement, and I am sympathetic to these concerns. The fact that in this legislation we have elected to omit the exemption at this time should not be viewed as prejudicial, in any way, to a final decision on how to address this concern.

I am also mindful of the fact that during the 1980's the traditional college-age population has decreased. However, enrollment levels are expected to be maintained during the late 1980's as the increased enrollment of older students offsets the enrollment declines of younger students. In addition, the national birthrate began to climb once again in 1977. The National Education Association states that there are 54,000 more elementary schoolchildren in the Nation's classrooms, the first noticeable increase in 14 years. And this growth will continue into the 1990's, according to the National Center for Education Statistics. Thus baby boomlet may not be as big or as long as the baby boom after World War II, but it will help to expend student enrollment, and should then create demand for college professors of all ages.

Mr. President, passage of this mandatory retirement bill will not end age discrimination. This form of discrimination has persisted in this country on the basis of misconceptions concerning the aging process and unfounded stereotypes about older people. But with this new legislation we can begin to reeducate the American public, and especially employers, about the vast reservoir of talent and expertise that older Americans have to offer to the social and economic development of our society.

Some of the legal barriers to continued employment are ironically part of the very law that is supposed to help and protect older workers. The ADEA allows employers to refuse to hire and also to terminate older workers on the basis of age if age constitutes so-called bona fide occupational qualification needed for the conduct of a business. Thus, workers such as police officers, firefighters, pilots, and incumbents in other jobs that often involve stress or relate to public safety are often refused jobs or forced to retire early simply on the basis of age. I realize Mr. President, that these matters are complicated and that physical strength to meet rigorous job demands may well ebb as a worker grows older. But the history of litigation under this exception indicates that many employers are attempting to utilized it as a means to refuse employment to older workers.

These legal barriers are serious problems that need close examination and scrutiny. But the most serious barrier and the most insidious—is simple lack of choice. Our present system allows for Government regulation of something our Founding Fathers placed the highest value on: Individual citizen choice. Our public and private employment policies are geared to either full-time work or full-time retirement. They deliminate the very choice that appears to most older workers: Part-time employment. This bill will return to business and individual citizens the freedom of choice about when to retire.

On summary, the continued use of mandatory retirement policies is both morally unsupportable and contrary to the economic interests of employers, employees, and the American public. It is bad for workers, bad for business, and bad for the economy. Incalculable human talent—and spirit—has been wasted as able workers have been forced in premature idleness. Eliminating this type of discrimination will signal our recognition of the value of older workers in the workplace and will signal our intention to reject all barriers to their full participation.

I ask that the text of the bill appear in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Age Discrimination in Employment Amendments of 1985".

SEC. 2. Section 12 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 631-634) is amended—

(1) in subsection (a) by striking out "but less than 70 years of age", and

(2) in subsection (c)(1) by striking out "but not 70 years of age,".

SEC. 3. The amendments made by section 2 of this Act shall take effect on January 1, 1986, except that with respect to any employee who is subject to a collective bargaining agreement—

(1) which is in effect on March 14, 1985,

(2) which terminates after January 1, 1986,

(3) any provision of which was entered into by a labor organization (as defined by section 6(d)(4) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)(4)), and

(4) which contains any provision that would be superseded by such amendments, but for the operation of this section,

such amendments shall not apply until the termination of such collective-bargaining agreement or January 1, 1989, whichever occurs first.●

PROHIBITING MANDATORY RETIREMENT

Mr. CRANSTON. Mr. President, I am please to join in cosponsoring the legislation, S. 1054, being introduced today by the Senator from Pennsylvania [Mr. HEINZ], chairman of the Senate Select Committee on Aging and the Senator from Ohio [Mr. GLENN], the ranking minority member of that committee. This legislation would abolish mandatory retirement for the vast majority of American workers by amending the Federal Age Discrimination in Employment Act [ADEA] to remove the provision in current law that denies the protections of that act to individuals 70 years old or older.

Mr. President, I am a long-time and strong advocate of abolishing mandatory retirement. On the first day of this Congress, I introduced legislation, S. 2, the proposed "Older Americans Employment Opportunities Act of 1985," which included, among a number of other proposals aimed at increasing opportunities for older Americans to stay in the work force if they so desired, provisions to remove the age 70 ceiling from the ADEA in order to abolish mandatory retirement.

During the 97th Congress, I also cosponsored legislation, S. 2617, proposed by the Senator from Pennsylvania which would have removed the age 70 ceiling. Unfortunately, I was unable to join as a cosponsor of a subsequent bill which the Senator from Pennsylvania introduced during the last Congress, S. 832, because the version introduced in the 98th Congress included provisions which I could not support which would have resulted in excluding a certain category of workers—tenured college professors—from the full protection of ADEA. Accordingly, in the 98th Congress, I introduced two bills—S. 1751 and an earlier version of S. 2—which would have prohibited mandatory retirement for all employees covered by the ADEA.

I am particularly delighted therefore that the legislation being introduced today by the Senator from Pennsylvania and the Senator from Ohio would not create an exception which would allow universities or colleges to force certain employees to retire at an arbitrary age. My own bill, S. 2, would go a step farther and eliminate as well the exemption in existing law that allows companies to force into retirement employees with certain pension rights. Nonetheless, I am pleased that the chairman and the ranking Democratic member of the Senate Aging Committee share my conviction that we should not be creating any new exclusion of any workers from the full pro-

tection of the ADEA and have eliminated the exemption for tenured faculty members in the version of the legislation that they are introducing in the 99th Congress.

NEED TO ELIMINATE MANDATORY RETIREMENT FOR ALL WORKERS

Mr. President, mandatory retirement should be abolished. Forcing older workers out of their jobs at some arbitrary age is an archaic, discriminatory, and unreasonable policy. It robs society of the contribution and productivity of an increasingly important segment of our work force, and it robs these individuals of the dignity and self-sufficiency which comes from working. In 1978, we began to deal with the issue of mandatory retirement by abolishing it for Federal workers and by raising the age from 65 to 70 for most other workers. I supported the 1978 legislation as an interim step toward total abolition of mandatory retirement, and I led the Senate floor fight against excluding any category of worker from protection. Although those efforts were not entirely successful, the exception for tenured faculty members expired on July 1, 1982. Thus today, these employees enjoy the same protection against mandatory retirement as do millions of other workers. That is the way the law should remain.

Mr. President, at the time the 1978 legislation passed, many opponents argued that eliminating mandatory retirement would result in a loss of job opportunities for younger workers, for women, and for minorities. The 1978 law directed the Department of Labor to conduct a study to determine the impact on these categories of workers of raising the mandatory retirement age from 65 to 70 and of abolishing it altogether. That report, released in final form in 1983, found those allegations to be without any basis in fact. It concluded that there was no significant job slot competition between older workers likely to continue in the work force and those other categories of workers. The 1981 interim report of the Department of Labor calculated that the additional over-65 workers would be potential competitors of less than one-quarter of 1 percent of all full-time workers aged 16 to 24; of less than one-half of 1 percent of all black workers aged 16 to 59; and of about one-tenth of 1 percent of all full-time female workers aged 16 to 59.

Like many of the myths that surround age discrimination, the allegation that we must treat older workers unfairly in order to protect other categories of workers is simply untrue. Injustice seldom breeds justice, and here the facts are totally unsupportive of perpetuating age discrimination because of some mistaken notion about the needs of other workers.

NO JUSTIFICATION FOR EXEMPTIONS FROM PROTECTION

Mr. President, there is simply no basis for continuing to deprive older Americans of the right to continue to work if they want to. Unreasonable discrimination on the basis of age is just as invidious and unfair as discrimination based on race or sex or religion or national origin. It has no place in our society. Every worker ought to have the right to be judged on the basis of his or her abilities, and not because they have reached some arbitrary age. The issue is one of basic civil rights and fairness.

That is why I have felt so strongly that we should not be providing exceptions for particular categories of workers. If it is wrong to force individuals, without regard to their individual competency, to retire at a set age then there is no justification for carving out particular segments of the workforce where such invidious discrimination can be practiced. The law clearly does not limit any employer's ability to discharge any employee, regardless of age, who cannot adequately perform his or her duties. That ought to be the standard in every occupational field, not some arbitrary factor, whether it be age, race, disability, or some other form of bias.

CONCLUSION

Mr. President, the time is long passed for Congress to abolish once and for all its sanctioning of mandatory retirement policies. Extending the protections of the ADEA to workers over age 70 will accomplish that goal. Mandatory retirement, like other forms of unfair treatment, is a practice that must be ended.

● Mr. GLENN. Mr. President, as the ranking Democratic member of the Senate Special Committee on Aging, I am pleased to join my colleagues in introducing this legislation to extend the protections of the Age Discrimination in Employment Act to persons age 70 and over. With passage of this legislation, workers will not be forced to retire solely because of their birthdate. This legislation will be significant for many older persons who want to continue working, without having an adverse impact on employers or other segments of the labor force.

The Age Discrimination in Employment Act [ADEA] prohibits discrimination in employment because of age in such matters as hiring, job retention, compensation, and other terms, conditions, and privileges of employment. The ADEA protects workers from age 40 to 70 from discrimination by most employers of 20 or more persons—including State and local governments—employment agencies, and labor organizations—with 25 or more members. Federal Government employees are protected from age 40, without any upper age limit. The original 1967 act protected workers aged 40 to 65. I supported legislation in 1978 which raised the upper age limit from 65 to 70. The legislation we are introducing today lifts this age 70 cap in the ADEA to protect all older workers from employment discrimination based on age.

Currently, there are 1.2 million Americans over the age of 70 in our work force. Many of these people want to continue working—sometimes for reasons of self-fulfillment, and often for reasons of economic necessity. Federal law now deprives these people, solely on the basis of their age, of the same guarantees of equal opportunity in employment that other citizens enjoy. It is inequitable to judge a person's qualifications for a job solely on the basis of age, without regard to fitness for a job. In fact, chronological age alone is a poor indicator of ability to perform a job. Research shows that older workers can be equal or superior to younger workers in the areas of quality and quantity of work, dependability, judgment, human relations, attendance, and on-the-job safety. Nine out of ten employers in a 1981 study by Mercer, Inc., stated that older workers perform as well on the job as younger workers and that older workers are more committed to company objectives than younger workers.

Our Nation needs the contributions of these productive older workers. The bulk of our current work force is the group of younger workers aged 16 to 44, but this group will peak in numbers around 1990 and then begin to decline. In order to sustain economic growth and productivity, we must look to the pool of middle-aged and older persons. We should allow them to compete in the work force in a fair position without discrimination.

As part of the 1978 amendments to the ADEA, Congress required the Department of Labor to study the effects of raising the mandatory retirement age from 65 to 70, and the feasibility of eliminating the age 70 cap altogether. The Labor Department's 4-year study shows that abolishing the mandatory retirement age would have no significant negative impact on our Nation's work force or employers. The Labor Department's findings include the following:

Employers have not experienced major administrative difficulties or increased costs with mandatory retirement at age 70, and do not anticipate major changes in retirement patterns if mandatory retirement is eliminated.

Abolishing mandatory retirement would have no significant negative impact on the employment of minorities, youth or women. These latter groups tend to be involved in different occupations—manufacturing, retail, wholesale—while older workers tend to be involved in administrative and service occupations.

The elimination of mandatory retirement would have a marginal impact on the employment of older persons and a very small impact on the total labor force. About 200,000 additional persons would continue working by the year 2000 as a result of the elimination of mandatory retirement. This would mean a 5-percent increase in older workers, and these older workers would represent less than 0.2 percent of the total work force in the year 2000.

Research by the Department of Labor, the Social Security Administration, and others shows that the two primary factors in deciding when to retire are health condition and availability of retirement income. The majority of the work force retires between 62 and 65 because current Social Security and pension policy favors retirement at these ages. We do not want to force anyone to continue working beyond the time that they are able. However, workers should be able to choose to continue working, and the legislation we are introducing today will give them that opportunity.

I could go on, but I think it would be more helpful if I shared the thoughts of a constituent, Mary Ellen Wobbecke of Cleveland Heights, OH. Ms. Wobbecke wrote me the following:

DEAR SENATOR GLENN: It is my understanding that people are required to retire at the age of 70.

I am a 58-year-old school psychologist. Looking ahead, I do not want to be forced to retire at age 70. I did not start working until my 40's, and dropped out for a few years to attend graduate school. I am in good health, and want to build a decent retirement income. I would like to work for as long as I want to—75 or 80.

Therefore, I am asking you to look into this matter. Possibly you would be willing to start legislation which would make retirement an option, rather than a requirement.

In this day of increasing retirement costs (to Social Security) such a change in the law would be beneficial to the government's coffers, as well as to human beings.

Thank you.

MARY ELLEN WOBBECKE,
Cleveland Heights, OH.

Most Americans share Ms. Wobbecke's attitudes about forced retirement. A 1981 survey of the general population by Louis Harris & Associates found that 90 percent of those interviewed agreed with the statement, "Nobody should be forced to retire because of age if he wants to continue working and is still able to do a job."

Let us join together with other Americans in recognizing the skills and talents of older persons by protecting them from age discrimination in employment. I urge my colleagues to support this legislation to eliminate the age 70 cap in the Age Discrimination in Employment Act.●

By Mr. GOLDWATER (for himself and Mr. DECONCINI):

S. 1055. A bill to designate the Granite Reef Aqueduct of the Central Arizona project as the "Hayden-Rhodes Aqueduct"; to the Committee on Energy and Natural Resources.

HAYDEN-RHODES AQUEDUCT

Mr. GOLDWATER. Mr. President, I am introducing, today, a bill to change the name of the central Arizona project's Granite Reef Aqueduct to the Hayden-Rhodes Aqueduct, to honor the late Senator Carl Hayden, and former Congressman John Rhodes, two great men from Arizona who were so vitally important to the successful accomplishment of congressional authorization for the central Arizona project.

Water, the source of all life, has started to flow in the aqueduct that will bring our share of the Colorado River to the people, industries, and farms of central Arizona.

I'm not going to tell you now about this incredible water delivery system, the tunnels, the pumping plants, and the operations. I will simply remind you this is the largest reclamation project ever undertaken by the Federal Government, and it's very doubtful ther will ever be another like it.

Arizona's modern day history began with the construction of the Roosevelt Dam on the Salt River, that conserved water so that there might be life in Phoenix. The States future now depends on the central Arizona project, which will bring water all the way to Tucson and three counties in between.

We are going to have the celebrations beginning later this year befitting such a monumental engineering feat.

My purpose today is to speak of the dreamers and workers who said it could be done.

Two among these who stand out in everyone's mind are Senator Carl Hayden and Congressman John Rhodes. One was a native Arizona pioneer who became both an Arizona and a national institution. The other was one who settled in Arizona in more recent times to become one of its greatest statesmen.

Senator Hayden was born 108 years ago in the town of Tempe. At that time, the free-flowing Salt River passed by on its way to the Gulf of California. In those territorial days, all the settlers talked about was gold, Indians, and water. He took care of the small population as a sheriff of Maricopa County before statehood, and he took care of water resources during his lengthy career in Congress which extended 57 consecutive years, longer than any person in our history.

He had a number of great legislative accomplishments as a Member of the House for 15 years and the Senate for 42 years, like the Interstate Highway System and the GI bill, but the greatest and dearest to his heart was the central Arizona reclamation project.

Any mention of Carl Hayden always brings to mind his reputation as a man of few words and mighty deeds.

Though in his later years in the Senate he was President pro tempore, third in line of succession to the Presidency, chairman of the Appropriations Committee and Joint Congressional Committee on Printing, and sat on the Democratic Policy Committee and on Rules and Administration, he never abused the power those positions would portend.

He wasn't even widely known. Senator Hayden chose to be a work horse, not a show horse.

When he was asked by a reporter whether his successes stemmed from his power as appropriations chairman or seniority, Senator Hayden responded, "If you have a good project, the Congress will adopt it."

In the same interview, Senator Hayden made the statement, "You just don't enact important legislation except by coming to an agreement, where there are differences of opinion."

So it was with the central Arizona project. There were times during the many years the project was under consideration when many of the people back home were discouraged and impatient, and always Senator Hayden remained the optimist and kept his steady hands on course.

He was to see the central Arizona project signed into law by President Johnson in September 1968, the year before he retired from office and 5 years before he passed away in his beloved State.

Forty years from the date Senator Hayden took office in the House of Representatives, Arizona elected its first Republican to the House, John Rhodes. For the next 16 years, John Rhodes dedicated his time and his considerable talents to the passage of the central Arizona project. He served in that important role in bringing bipartisanship to the effort, not only in Congress but also in the State of Arizona.

He is one of those persons who took up residence in Arizona while serving there in the Air Force during World War II, and who, in a short time, became a leader in the affairs of the fast growing State.

About his service in Congress, George Will wrote:

One glance tells you: God had a Congressman in mind when he made John Rhodes. And he is just what the Founding Fathers had in mind when they designed the House of Representatives, the body intended to be closest to the commonman.

With all the many honors that came to John Rhodes during his 30-year career here, which included being elected unanimously four times as minority leader, he will always claim as

his crowning achievement the enactment of the CAP.

He couldn't have planned his career in Congress better in order to have been successful in helping the small Arizona delegation attain passage of the central Arizona project and, afterward, assure the project was funded in an orderly manner. His first assignment was on the Interior and Insular Affairs Committee, the authorizing committee, where he served with the dean of Western water, the late Wayne Aspinall. Later he took a seat on the Public Works Appropriations Subcommittee, working with the late Mike Kirwan.

His knowledge of the institution, his legislative craftsmanship, his personal dedication, perseverance, and integrity, made John Rhodes the ideal associate of Senator Hayden. To these two men Arizona owes a great debt of gratitude. The Hayden-Rhodes Aqueduct will revere their names in the annals of the history of the central Arizona project.

By Mr. PACKWOOD:

S. 1057. A bill to amend the Coastal Zone Management Act of 1972 regarding activities directly affecting the coastal zone; to the Committee on Commerce, Science, and Transportation.

COASTAL ZONE MANAGEMENT ACT AMENDMENTS

● Mr. PACKWOOD. Mr. President, I am today introducing legislation to amend the Coastal Zone Management Act of 1972 [CZMA] to clarify the consistency provision of that act—section 307(c)(1). This action reflects my continuing concern over the proper relationship between the Federal Government and the States in coastal areas, as well as my desire to protect the CZMA and its consistency provision from further erosion. In addition, Mr. President, I am committed to protecting the spectacular and pristine shore of my native Oregon, which has been included in the Department of Interior's 5-year oil and gas leasing plan for the first time in many years.

Clarification to the CZMA was made necessary by the 1984 Supreme Court decision in Watt versus California. In that case, the Court held that Federal oil and gas lease sales in the Outer Continental Shelf do not "directly affect" State waters. As a result, the Court ruled that Federal oil and gas lease sales need not be consistent with federally approved State coastal zone management programs.

The Supreme Court's decision violates the intent of Congress, expressed through the CZMA, that the States be provided with the authority to develop and administer programs for managing their coastal resources. Coastal zone management was envisioned by Congress to be a cooperative partnership between the Federal Government and the States, with the States working toward national goals on a voluntary basis. In this way, a rational and balanced approach to both development and conservation would be assured.

Toward that end, Oregon and 27 other States have approved coastal zone management programs. In a number of cases, the States have had to enact new legislation and commit significant resources to coastal zone management. In return, the States were assurred that Federal activities directly affecting the coastal zone would, to the maximum extent practicable, be consistent with that State's coastal management plan.

The agreement expressed in the CZMA has been breached by the Supreme Court's decision. If the States are excluded from the negotiating table in the crucial first stages of oil and gas development, uncertainty, added delay, and expense for both the developers and the States will occur later in the process.

The Court's decision is not supported by the legislative history of the CZMA. In the Commerce Committee report accompanying the 1976 amendments to the act, the term "leases" was inserted wherever the phrase "licenses or permits" appeared, and the committee stated in its report:

> In practical terms, this means that the Secretary of the Interior would need to seek the certification of consistency from adjacent states . . . before entering into a binding lease agreement with private oil companies.

Since this language was insufficient to apprise the Court of Congress' intent, an amendment to the statute is required.

The amendment I am introducing today is the same one approved by the Commerce Committee and reported to the full Senate in the 98th Congress. It embodies clarifications dictated by national security and a modification requested by fishing interests. It embodies the best thinking of the affected parties and was the subject of hearings in the last Congress.

Mr. President, the bill I am introducing does not grant States any new authority nor give them veto power over oil and gas development in the Outer Continental Shelf. Instead, it simply restates the rights granted by Congress to the States in 1972 which the Supreme Court has incorrectly limited. This legislation will restore the correct balance between Federal and State interests in coastal resource protection and development by guaranteeing the States' a say in Federal activities directly affecting their coastal zones.●

By Mr. INOUYE:

S. 1059. A bill to amend title 10, United States Code, to authorize the appointment of health care professionals to the positions of Assistant Secretary of Defense for Health Affairs, the Surgeon General of the Army, the Surgeon General of the Navy, and the Surgeon General of the Air Force; to the Committee on Armed Services.

APPOINTMENT OF CERTAIN HEALTH CARE PROFESSIONALS

● Mr. INOUYE. Mr. President, today I am introducing legislation which would provide that various positions within the Department of Defense Health Care Program would be opened up for a range of health care providers, depending upon their administrative and clinical skills.

For example, it is my understanding that the position of Surgeon General of the U.S. Army is not limited to physicians. Instead, such an appointment may be made from officers who have shown by extensive duty in the branch concerned, or by similar duty, that they are qualified for the appointment. The Department of the Army has informed me that the phrase "branch concerned" refers to the six corps of the Army Medical Department and, thus, for example, presumably a military dentist might be appointed to that position.

The legislation which I am introducing today would ensure that each of the Surgeons General and the Assistant Secretary of Defense for Health Affairs, shall, in fact, become eligible for interdisciplinary appointments.

Mr. President, I request unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of section 136(b) of title 10, United States Code, is amended by adding at the end thereof the following new sentence: "The President shall appoint the Assistant Secretary of Defense for Health Affairs from among persons who are educationally and professionally qualified to furnish health care to other persons, including doctors of medicine, dentistry, or osteopathy, nurses, and clinical psychologists.".

SEC. 2. Section 3036 of title 10, United States Code, is amended—

(1) in subsection (b), by inserting before the period at the end of the third sentence the following: "and shall be appointed as prescribed in subsection (f)"; and

(2) by adding at the end thereof the following new subsection (f):

"(f) The President shall appoint the Surgeon General from among commissioned officers in any corps of the Army Medical Department who are educationally and professionally qualified to furnish health care to other persons, including doctors of medicine, dentistry, or osteopathy, nurses, and clinical psychologists.".

SEC. 3. Section 5137 of title 10, United States Code, is amended—

(1) in the first sentence of subsection (a), by striking out "in the Medical Corps" and inserting in lieu thereof "who are educationally and professionally qualified to furnish

health care to other persons, including doctors of medicine, dentistry, or osteopathy, nurses, and clinical psychologists"; and

(2) in subsection (b), by striking out "in the Medical Corps" and inserting in lieu thereof "who is qualified to be the Chief of the Bureau of Medicine and Surgery".

SEC. 4. The first sentence of section 8036 of title 10, United States Code, is amended by striking out "designated as medical officers under section 8067(a) of this title" and inserting in lieu thereof "educationally and professionally qualified to furnish health care to other persons, including doctors of medicine, dentistry, or osteopathy, nurses, and clinical psychologists".●

By Mr. D'AMATO:

S. 1060. A bill to amend title II of the Social Security Act to protect the benefit levels of individuals becoming eligible for benefits in or after 1979 by eliminating the disparity—resulting from changes made in 1977 in the benefit computation formula—between those levels and the benefit levels of persons who became eligible for benefits before 1979; to the Committee on Finance.

BENEFIT LEVELS OF SOCIAL SECURITY BENEFICIARIES AFTER 1979

● Mr. D'AMATO. Mr. President, there comes a time when compassionate justice calls out for action on behalf of the many who cannot stand here and speak for themselves. Therefore, I rise today to appeal to the basic sense of fairness that our Democracy embodies—a sense of what is right that can no longer be denied by halfhearted efforts and weak resolutions. It is to this end that I address the issue of the Social Security notch.

In the 98th Congress I cosponsored S. 2644, a bill designed to rectify this enormous injustice, but much to my dismay, the promise of security to our senior citizens did not receive the priority attention that it so rightfully deserved. The needs of our parents and grandparents did not, cannot, and will not, fade silently away. Thus, I offer legislation today that will give hope to those members of our society born between 1917 and 1921.

The notch was an ill-conceived solution to what was an already poorly designed Social Security formula. In 1973, the Board of Trustees of the Social Security trust funds revealed that recent computations of forthcoming benefits were grossly incorrect. In the simplest of terms, future adjustments for benefits had been doubly indexed for inflation. This double indexing was largely responsible for a 1977 projection of a long-range deficit equal to approximately 40 percent of the projected cost of the program. Obviously, something had to be done. The result, however, was cruel and unfair.

In 1977, Social Security legislation was passed that would deny future security to thousands of senior citizens. Realizing that the previously incorrect formula would both bankrupt the system and pay disproportionately high benefits to some recipients, there was a tremendous movement backward. A new formula was calculated for the payment of benefits to individuals becoming eligible after 1978. Less than 2 full years after the change would be made there would be an adjustment downward of benefits. This was not a great deal of time to change plans for those about to retire. Regardless of the intent of the 1977 amendments, the effect was devastating.

When the dust had settled, it was clear that if you reached 62 years of age after January 1, 1979, or were born after 1916, your hopes of a secure retirement had been dashed. Although attempts were made to lessen the impact for those immediately facing retirement, those born between 1917 and 1921, the ball had already started to roll downhill. If you were born January 1, 1917, and your neighbor was born December 31, 1916, you could be certain that if all other factors were the same, you would receive lower benefits based on your date of birth alone.

This arbitrary inequity sealed the fate of many unsuspecting senior citizens who would now spend their so-called years of leisure short of good housing, proper medical attention, and even decent meals. A society certainly falters when it neglects the needs of those who have given of themselves in times of war and times of peace for the sole purpose of balancing budgets. This type of action is not the mark of a great nation.

As great a damage as has been done, it is not too late to rectify this situation and to send the message that we still care. My legislation would compensate for some of this lost income by incorporating 3 more years of employment after age 62 for computation in Social Security benefits. This would be made available for those who reached 62 in 1979 or later. It also establishes an income ceiling of $29,700 for those 3 years after eligibility starts, and allows for a lump-sum retroactive payment for those who have forgone their rightful benefits since 1979. The $29,700 income ceiling allows for a justifiable benefit increase now. However, since this figure remains constant, it prevents mammoth escalations in the future with ample time for these future retirees to plan for their retirement years.

Every day we delay in our efforts to correct the notch we risk missing the chance to return these benefits to those who deserve them. Will this Government abandon those who fought so hard to survive the Great Depression and to save our country in World War II? Is the legacy of a free and strong nation to be answered in the manner the notch does? I urge my colleagues to join me in this struggle, and I ask unanimous consent that my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 215(a)(4) of the Social Security Act is amended—

(1) by striking out "who had wages or self-employment income credited for one or more years prior to 1979" in subparagraph (B) and inserting in lieu thereof "who has 27 or more quarters of coverage based on wages and self-employment income credited for years prior to 1979".

(2) by striking out "prior to 1984" in clause (i) of subparagraph (B) and inserting in lieu thereof "after December 1978";

(3) by inserting "as in effect in December 1984" after "section 215(d)" in clause (ii) of subparagraph (B); and

(4) by striking out the last sentence.

(b) The first sentence of section 215(a)(5) of such Act is amended—

(1) by striking out "(other than an individual described in paragraph (4)(B))";

(2) by striking out "except that," and inserting in lieu thereof "except that (A)"; and

(3) by inserting before the period at the end thereof the following: ", and (B) in the case of an individual described in paragraph (4)(B), such individual's average monthly wage shall be computed as provided by subsection (b)(4)".

SEC. 2. The first sentence of section 215(b)(4) of the Social Security Act is amended by striking out "except that" and all that follows and inserting in lieu thereof the following: "except that—

"(A) paragraph (2)(A) (as then in effect) shall be deemed to provide that the number of an individual's 'benefit computation years' may not exceed 25;

"(B) paragraph (2)(C) (as then in effect) shall be deemed to provide that an individual's 'computation base years' may include only calendar years in the period after 1950 (or 1936 if applicable) and prior to 1979, plus the 3 calendar years after 1978 for which the total of such individual's wages and self-employment income is the largest; and

"(C) the 'contribution and benefit base' (under section 230) with respect to remuneration paid in (and taxable years beginning in) any calendar year after 1981 shall be deemed to be $29,700.".

SEC. 3. Section 215(f)(7) of the Social Security Act is amended by striking out "For purposes of recomputing a primary insurance amount determined under subsection (a) or (d) (as so in effect) in the case of an individual to whom those subsections apply by reason of subsection (a)(4)(B)" and inserting in lieu thereof the following: "For purposes of recomputing a primary insurance amount determined under subsection (a) (as so in effect) in the case of an individual to whom that subsection applies by reason of subsection (a)(4)(B)(i) as in effect after December 1978, the average monthly wage shall be determined as provided by subsection (b)(4). For purposes of recomputing a primary insurance amount determined under subsection (d) (as so in effect) in the case of an individual to whom that subsection applies by reason of subsection (a)(4)(B)(ii)".

SEC. 4. Section 215(i)(4) of the Social Security Act is amended by striking out "(but the application" and all that follows down

through "paragraph (4) of that subsection)".

SEC. 5. (a) Section 215(a)(7)(A) of the Social Security Act is amended by inserting "or (by reason of paragraph (4)(B)(i)) under section 215(a) as in effect in December 1978" after "under paragraph (1) of this subsection" in the matter preceding clause (i).

(b)(1) Section 215(a)(7)(B)(i) of such Act is amended by striking out the first sentence and inserting in lieu thereof the following: "In applying subparagraph (A) in the determination of an individual's primary insurance amount, there shall first be computed (I) in the case of an individual whose primary insurance amount would be computed under paragraph (1) of this subsection, an amount which is equal to the individual's primary insurance amount under that paragraph, reduced by substituting (for purposes of this computation) the applicable percent specified in clause (ii) of this subparagraph for the percentage of the individual's average indexed monthly earnings established by subparagraph (A)(i) of paragraph (1), or (II) in the case of an individual whose primary insurance amount would be computed under section 215(a) as in effect in December 1978 by reason of paragraph (4)(B)(i) of this subsection, an amount which is equal to the individual's primary insurance amount under that section, reduced by a percentage equivalent to the percentage reduction which (as determined under regulations prescribed by the Secretary) would occur under subclause (I) if such primary insurance amount were a primary insurance amount under paragraph (1) of this subsection.".

(2) The second sentence of section 215(a)(7)(B)(i) of such Act is amended by inserting "or (by reason of paragraph (4)(B)(i)) under section 215(a) as in effect in December 1978" after "under paragraph (1) of this subsection".

(3) The third sentence of section 215(a)(7)(B)(i) of such Act is amended by inserting ", or (by reason of paragraph (4)(B)(i)) under section 215(a) as in effect in December 1978," after "under paragraph (1) of this subsection".

SEC. 6. (a) The amendments made by this Act shall be effective as though they had been included or reflected in section 201 of the Social Security Amendments of 1977.

(b) In any case where an individual is entitled on the date of the enactment of this Act to old-age insurance benefits under title II of the Social Security Act which were computed—

(1) under section 215 of that Act as in effect (by reason of the Social Security Amendments of 1977) after December 1978, or

(2) under section 215 of that Act as in effect prior to January 1979 by reason of subsection (a)(4)(B) of such section (as amended by the Social Security Amendments of 1977),

the Secretary of Health and Human Services (notwithstanding section 215(f)(1) of the Social Security Act) shall recompute such individual's primary insurance amount so as to take into account the amendments made by this Act, and shall pay to such individual in a lump sum any additional amount to which such individual is entitled (for the period beginning with the first month for which such individual was entitled to such benefits and ending with the month preceding the first month with respect to which such recomputation is effective) by reason of such amendments. No recomputation of an individual's primary insurance amount under the preceding sentence shall have the effect of reducing or otherwise affecting any monthly insurance benefit which is payable under title II of the Social Security Act to any other person on the basis of such individual's wages and self-employment income for any month before January 1985.●

By Mr. PRESSLER (for himself and Mr. KERRY):

S. 1061. A bill to amend title 38, United States Code, to establish a program of delayed reentry and psychological readjustment assistance and vocational rehabilitation for Vietnam veterans; to the Committee on Veterans' Affairs.

VIETNAM VETERANS' DELAYED REENTRY AND PSYCHOLOGICAL READJUSTMENT AND VOCATIONAL REHABILITATION ASSISTANCE ACT

● Mr. PRESSLER. Mr. President, I am introducing legislation today which addresses critically unmet readjustment needs of Vietnam veterans in the area of health care and research.

The Vietnam Veterans Delayed Reentry, Psychological Readjustment and Vocational Rehabilitation Assistance Act will accord the Veterans' Administration the necessary authority it requires to resolve the unique psychosocial problems affecting Vietnam veterans within the parameters of existing VA resources. All provisions of the bill have precedent in the comprehensive psychological readjustment assistance accorded World War II veterans by the VA.

Operation Outreach, the Veterans' Administration's psychological readjustment program, is limited in its resources, its authority and in its professional capabilities. The Delayed Reentry Act will provide Vietnam veterans who are suffering from psychological readjustment problems related to their military service or readjustment therefrom with priority treatment within the mainstream VA mental health resources. The act gives service-connected disability status, at a non-compensable level, to Vietnam and other eligible veterans who experience mental health problems which are determined by a VA psychiatrist or psychologist to require mental health services to facilitate successful readjustment to civilian life. This means that these veterans will receive priority in treatment and access to the VA's mental health resources before the 75 percent of veterans whose mental problems have no connection to their military service, but who are receiving mental health services from the VA. These veterans would not be subject to income limitations imposed upon non-service-connected veterans. They would receive no priority medical treatment other than that required to resolve their psychological readjustment problems.

Veterans' Administration psychiatrists and psychologists would be required to make special efforts to determine if Vietnam veterans' psychological problems were incurred or aggravated in the service, or are a post-traumatic stress disorder, thus warranting a service connection for a disability.

The Veterans' Administration's "Physician's Guide for Disability Evaluation Examinations" (March 1, 1985) warns of serious problems with possible prior misdiagnosis of veterans potentially suffering from PTSD.

DIAGNOSTIC PITFALLS

(a) Prior misdiagnosis. Since DSMII (Diagnostics and Statistics Manual of the American Psychiatric Association) provided no diagnostic category for a war stress reaction, post-traumatic stress disorder may have been misdiagnosed prior to 1980 as a personality disorder, a primary substance abuse disorder, a borderline state, or even schizophrenia. A high index of suspicion should be maintained for any war zone veteran carrying such a diagnosis from this period, especially if the record does not contain a highly detailed military history.

(b) Standardized Diagnostic Instruments. As of the mid-1980s, standardized instruments (e.g. the MMPI, DSI, SCL-90, and SADS) have not been validated for PTSD and ARE NOT capable of sorting symptoms and responses into the diagnosis of PTSD. Until sufficient standardized research is completed, such instruments cannot be utilized to document the presence or absence of PTSD. They may even suggest incorrect diagnoses.

The legislation requires the VA to institute a comprehensive research and training program for professional, paraprofessional, and lay personnel dealing with Vietnam veterans, to assure that they have the ability to counsel, screen, and test Vietnam and other veterans with PTSD and accord them effective therapy, readjustment, and rehabilitation for their unique medical and psychosocial readjustment problems.

Fewer than 10 percent of the patients in the VA health care system are Vietnam-era veterans with medical or psychological problems related to their military service. While the VA has made significant gains in recent years, many VA hospitals are ill-equipped (only 1 hospital in 10 has a special PTSD ward or program) to provide empathetic counseling, screening, and treatment for these veterans. Many VA medical personnel lack the training resources and experience to deal with the unique psychological effects of the Vietnam war and post-traumatic stress disorders.

The legislation also authorizes veterans whose serious mental health problems are related to their military service or readjustment therefrom, but do not warrant permanent disability compensation, to participate in the Veterans' Administration's vocational rehabilitation program under chapter 31 of title 38 United States Code.

There is precedent for this action in the comprehensive mental health and

vocational rehabilitation assistance the VA accorded World War II veterans with psychoneurosis problems. Over one-half of the World War II disabilities were classified as "psychoneurosis". Those veterans were given temporary service connected disability status and accorded comprehensive mental health services and vocational rehabilitation. When the World War II veterans had resolved their psychological problems and readjusted to civilian life, their disability status was dropped.

Costs of the legislation will be absorbed within existing VA appropriations.●

By Mr. PRESSLER (for himself and Mr. KERRY):

S. 1062. A bill to amend chapter 73 of title 38, United States Code, to establish a program of comprehensive research on, studies of, and a review of the professional literature on potential physiological and psychological health programs affecting Vietnam veterans, and to require training for Veterans' Administration personnel in counseling, screening, testing, evaluation, treatment, therapy, readjustment, and rehabilitation relating to the unique medical and psychological needs of Vietnam veterans, and for other purposes; to the Committee on Veterans' Affairs.

COMPREHENSIVE VIETNAM VETERANS RESEARCH AND TRAINING ACT

● Mr. PRESSLER. Mr. President, the Comprehensive Vietnam Veterans Literature Review and Training Act of 1985 will require the Veterans' Administration to conduct a comprehensive literature review, research, and studies of all potential health care detriments affecting Vietnam veterans and their natural children. Such review will be carried out in consultation and cooperation with the Secretary of Human Services and the Directors of the National Institutes of Health and Mental Health.

With the exception of the $100 million in research being carried out on agent orange, there is very little relevant activity in areas of potential health care detriment to Vietnam veterans. The vast majority of PTSD research is surveying the symptoms—not seeking the solutions to the problems that affect potentially one-half million veterans.

There is little in medical schools and psychiatric training, or in much VA medical training to prepare VA personnel to handle Vietnam-related problems—let alone provide the comprehensive and empathetic counseling and treatment that Vietnam veterans suffering the consequences of their military service deserve and require. Less than 10 percent of the patients the VA will see in a given year will be Vietnam veterans experiencing medical or psychological problems that are a consequence of their military service.

This legislation would require the VA to provide appropriate training to its personnel in the counseling and screening, testing, evaluation, treatment, therapy, readjustment, and rehabilitation of the unique psychosocial needs of Vietnam-era veterans.

As I have stated, the review of prior activities in the PTSD area is to be carried out by the VA Administrator, in consultation with the Directors of the National Institute of Health and the National Institute of Mental Health. This joint review will prove particularly beneficial as we attempt to dig deeper into the problems and symptoms of posttraumatic stress disorder. I am quite certain that the expertise these two Directors can bring to bear in this review will prove most beneficial to the Administrator.

Nine months after this bill is enacted, the VA Administrator will submit to Congress his recommendation on further activity that should be carried out in this area. These recommendations will be extremely helpful as we move to increase our limited knowledge on PTSD through meaningful additional research projects.●

By Mr. D'AMATO (for himself and Mr. THURMOND):

S. 1063. A bill to amend section 376 of title 28, United States Code, to provide that certain judicial annuities for surviving spouses shall not terminate by reasons of remarriage of an annuitant after age 60; to the Committee on the Judiciary.

JUDICIAL SURVIVORS ANNUITIES

● Mr. D'AMATO. Mr. President, today I am introducing legislation to correct an inequity in the law relative to judicial survivors annuities. This matter has been brought to my attention by my good friend and colleague, Congressman BILL GREEN. I am most pleased that the very distinguished chairman of the Senate Committee on the Judiciary, Senator THURMOND, joins me in cosponsoring this bill. Our legislation is identical to Congressman GREEN's bill, H.R. 1472.

Our bill amends current law to provide that widowed annuitants of Federal judges 60 years of age or older shall not lose their annuities when they remarry. Our intent is to give the survivors of Federal judges the same rights afforded other annuitants under both the Social Security Amendments of 1977 (Public Law 95-216) and the civil service retirement survivor annuities reinstatement (Public Law 95-318).

This legislation corrects the 95th Congress' failure to consider the case of widowed annuitants of Federal judges 60 years of age or older who remarry. I urge my colleagues to give this measure their full support.●

By Mr. PELL (for himself, Mr. DENTON, Mr. NUNN, Mr. MITCHELL, Mr. BINGAMAN, Mr. KERRY, Mr. MATSUNAGA, Mr. HART, Mr. BRADLEY, and Mr. MOYNIHAN):

S. 1064. A bill to provide for the continuation of the National Diffusion Network; to the Committee on Labor and Human Resources.

NATIONAL DIFFUSION NETWORK ACT

● Mr. PELL. Mr. President, today I am introducing, along with my colleagues, Senators DENTON, NUNN, MITCHELL, BINGAMAN, KERRY, MATSUNAGA, HART, BRADLEY, and MOYNIHAN, legislation to provide for independent statutory definition for the National Diffusion Network.

This program was created in 1974 for the purpose of identifying and promoting programs of demonstrated excellence in school systems throughout the Nation. The network was engineered so that education programs which are successful in Maine could be made known to school systems in California, and could be implemented and adapted to the specific needs of each school. The NDN was developed on the premise that most education problems are currently being successfully addressed in at least one location in the United States, and that information concerning programs of proven success should be made available to school systems facing similar problems.

Through means of the network, schools can capitalize on efforts already undertaken by other schools to develop effective programs. In this manner, the NDN provides one of the swiftest and most cost-effective means for adoption of exemplary projects across the Nation, by avoiding duplicity of cost and duplicity of effort. The average cost of developing an NDN project is $250,000, but the cost of duplicating that program in another school district is only $708!

The National Diffusion Network identifies outstanding programs after careful review by the Department of Education's Joint Dissemination Review Panel, comprised of education experts throughout the country. Programs are approved for both demonstrated success and adaptability to other schools. The NDN then supports and strengthens these projects and operates a system of demonstration sites where these programs can be shown to potential adopters. NDN facilitators—one or more in each State—help a school in search of new programs find current NDN projects which will address that school's specific needs. Facilitators then assist with the training and technical assistance in implementation of the program.

National Diffusion Network Programs range from handicapped education, to basic skills development, to adult education, to exemplary pro-

grams in math and science. Since 1974, the NDN has grown from 76 to 391 programs. The most recent statistics available indicate that in 1982–83, over 18,000 public and private schools across the Nation have adopted NDN programs. Consequentially, over 66,000 teachers and administrators have received inservice training, and 1.7 million students benefited.

The importance of continuing the network's work was recognized in the Education and Consolidation Improvement Act of 1981. That act provided for the network's funding out of the discretionary funds reserved for the Secretary of Education. This placed the network in the unusual position of being named in the law but not being defined or described.

The legislation I am introducing would correct this discrepancy by providing a statutory definition for the National Diffusion Network. It would allow funding for the network to continue either through the Secretary's discretionary fund or through a separate congressional appropriation.

The National Diffusion Network clearly carries out the mandate from the President's Commission on Excellence in Education to promote educational quality in our schools. In its prescient report, A Nation at Risk, the Commission called for effective dissemination of the numerous examples of local success as a result of superior effort, and better understanding of learning and teaching.

One of the most successful NDN projects, project IPASS, is located in Pawtucket, RI. This program, through use of microcomputers, provides individual mathematics instruction for students in the intermediate grades who are having difficulty with math concepts, enabling them to catch up to the math level of their peers. This program has been so successful for these students, that they have been able to return to their regular classes in several months. Schools in 14 other States have already adopted this program at minimal cost. Another fine program which we are proud to have in Rhode Island is Cranston's Comprehensive Reading Program for grades K–12. This program combines a number of instructional approaches, including pacing, parent involvement, reading specialists and diagnostic assessment to work intensively on reading comprehension.

I would strongly urge my colleagues to learn about NDN projects in their own States. I am confident that in reviewing these projects my colleagues will become encouraged by the number of exemplary programs in this country. They will become encouraged that despite the gloomy pronouncements of the President's Commission, we do indeed have many programs of demonstrated excellence in many school districts in our Nation—programs which improve reading comprehension, mathematical reasoning, analytic thinking, or scientific inquiry.

I am sure that my colleagues will recognize the impact that dissemination of this information through the National Diffusion Network has on the quality of education in this country. I urge them to support and cosponsor this legislation.

I ask unanimous consent that the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1064

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Diffusion Network Act".

SEC. 2. (a) The Secretary of Education (hereafter in this Act referred to as the "Secretary") shall carry out a program to promote the spread of exemplary educational programs, products, and practices to interested elementary and secondary schools throughout the Nation and, in so doing, improve the quality of education through the adoption and implementation of validated innovations and improvements in such programs, products, and practices.

(b) In carrying out the program described in subsection (a), the Secretary shall—

(1) acquaint persons responsible for the operation of elementary and secondary schools with information about exemplary eduational programs, products, and practices;

(2) assist them in adopting and implementing programs, products, and practices, which those persons determine to hold promise for improving the quality of education in the schools for which they are responsible by providing materials, training, and technical assistance; and

(3) ensure that all such programs, products, and practices are subjected to rigorous evaluation with respect to their effectiveness and their capacity for adoption.

(c) For the purpose of carrying out the program described in subsection (a), the Secretary is authorized to make grants to, and contracts with, local educational agencies, State educational agencies, institutions of higher education, and other public and nonprofit private educational institutions and organizations.

(d) The program described in subsection (a) shall be deemed to be a continuation of the National Diffusion Network for which provision is made in section 583(a)(1) of the Education Consolidation and Improvement Act of 1981. The Secretary shall allocate to the program established by this Act funds available to the Secretary under section 583 of such Act. In addition to the funds available for any such fiscal year for the purposes of this section, there are authorized, for the purpose of carrying out this section, such sums as may be necessary for each of the fiscal years 1986 throught 1989.●

By Mr. THURMOND (for himself and Mr. BIDEN) (by request):

S. 1065. A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1986, and for other purposes; to the Committee on the Judiciary.

DEPARTMENT OF JUSTICE APPROPRIATION AUTHORIZATION ACT

Mr. THURMOND. Mr. President, at the request of the administration, and on behalf of myself and the ranking minority member of the Judiciary Committee, Senator JOSEPH R. BIDEN, Jr., I am introducing a bill authorizing certain activities of, and appropriations for, the Department of Justice.

In the 98th Congress, the Department recommended legislation which would, first, authorize appropriations for the fiscal year, and, second, enact into the United States Code various authorities which traditionally have been part of the annual authorization bill, such as those relating to the purchase of vehicles and firearms, and some new provisions. The request for permanent authority was the result of "serious concern" on the part of the Department that authorizing legislation had not been enacted since fiscal year 1980, except on a continuing basis. Indeed, there was even a lapse in that continuing authorization during 1982.

Mr. President, Senator BIDEN and I have also been gravely disturbed by this deplorable situation. We therefore carefully examined the proposals relating to permanent authority with an eye toward minimizing the disruptive effects of the annual authorization process on the Department, while preserving the important oversight responsibilities of the Committee on the Judiciary. When the committee reported authorization bills relating to fiscal years 1984 and 1985, it adopted amendments in the nature of a substitute, which I offered, along with Senator BIDEN, with the aim of achieving that goal. Those amendments provided appropriations ceilings for the fiscal year, created permanent authority for routine, noncontroversial activities of the Department, and retained annual authority for sensitive Department activities and new functions requested by the Department. The bills, as amended, passed this body without objection. Unfortunately, the House never considered them. However, I am hopeful that the bill which we are introducing today will ultimately be enacted in a form similar to those passed by the Senate in the last Congress.

Mr. President, I want to thank the various committee members for their past assistance in processing authorization bills. Senator BIDEN and his staff have been especially cooperative in this effort. I look forward to continuing our fruitful working relationship in connection with the fiscal year 1986 measure. Hopefully, with the responsible cooperation of all of our colleagues here and in the other body, we will be able to enact an authorization bill for the first time in 6 fiscal years.

Mr. President, I ask unanimous consent that a copy of the bill which I am introducing, the letter of transmittal from the Department of Justice, and section-by-section analysis of the bill be printed in the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1065

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Justice Appropriation Authorization Act, Fiscal Year 1986."

SEC. 2. There are authorized to be appropriated for the fiscal year ending September 30, 1986, to carry out the activities of the Department of Justice (including any bureau, office, board, division, commission, or subdivision thereof) the following sums:

(1) For General Administration: $63,243,000.

(2) For the United States Parole Commission: $9,415,000.

(3) For General Legal Activities including not to exceed $110,000 which may be transferred from the "Alien Property Funds, World War II," for the general administrative expenses of alien property activities, and for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi War Criminals: $200,277,000.

(4) For the Foreign Claims Settlement Commission: $879,000.

(5) For the Antitrust Division: $43,476,000.

(6) For the United States Attorneys and Marshals: $478,057,000.

(7) For the Support of United States Prisoners in non-Federal institutions: $53,240,000; and in addition, $5,000,000 shall be available under the Cooperative Agreement Program until expended for the purpose of renovating, constructing, and equipping state and local correctional facilities; Provided that amounts will be available for the reimbursement to Saint Elizabeths Hospital and to other appropriate health care providers for the care, diagnosis and treatment of United States prisoners and persons adjudicated in Federal courts as not guilty by reason of insanity at rates that in the aggregate do not exceed the full cost of the services.

(8) For expenses authorized by 28 U.S.C. 524, as amended by the Comprehensive Forfeiture Act of 1984, such sums as may be necessary to be derived from the Department of Justice Assets Forfeiture Fund, provided, that in the aggregate, not to exceed $10,000,000 shall be available for expenses authorized by subsection (c)(1)(B), (c)(1)(E), and (c)(1)(F) of that section.

(9) For Fees and Expenses of Witnesses: $47,900,000, of which not to exceed $550,000 may be made available for planning, construction, renovation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites.

(10) For the Community Relations Service: $33,217,000 of which $26,583,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements and other expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980, (P.L. 96-422).

(11) For the Federal Bureau of Investigation including not to exceed $70,000 to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General: $1,185,664,000 of which not to exceed $25,000,000 for automated data processing and telecommunications and $1,000,000 for undercover operations shall remain available until September 30, 1987; and of which $3,000,000 for research related to investigative activities shall remain available until expended: Provided that notwithstanding 31 U.S.C. 3302(b), the Director of the Federal Bureau of Investigation may establish and collect fees to process fingerprint identification records for noncriminal employment and licensing purposes, and to the extent specified in appropriations acts credit not more than $13,500,000 of such fees to this appropriation to be used for salaries and other expenses incurred in providing these services. Provided further, that $13,120,000 shall remain available until expended for constructing and equipping new facilities at the FBI Academy, Quantico, Virginia.

(12) For the Drug Enforcement Administration including not to exceed $70,000 to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General: $345,671,000 of which not to exceed $1,200,000 for research shall remain available until expended and not to exceed $1,700,000 for purchase of evidence and payments for information shall remain available until September 30, 1987.

(13) For the Immigration and Naturalization Service including not to exceed $50,000 to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General: $577,510,000 of which not to exceed $400,000 for research shall remain available until expended: Provided, that appropriations may be used for a uniform allowance of not to exceed $425 per annum for members of the Boarder Patrol and not to exceed $300 per annum for Immigration Inspectors of the Immigration and Naturalization Service who are required by regulations or statute to wear a prescribed uniform in the performance of official duties.

(14) For the Federal Prison System including the Federal Prison's industries and the National Institute of Corrections: $606,067,000 including $503,450,000 for Salaries and Expenses; and including $13,120,000 to remain available until expended for carrying out the provisions of sections 4351-4353 of title 18, United States Code, which established a National Institute of Corrections and $46,063,000 to remain available until expended for planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling and equipping of such facilities for penal and correctional institutions, including all necessary expenses incident thereto: Provided, That labor of the United States Prisoners may be used for work performed under this appropriation: Provided further, That appropriations may be used for a uniform allowance of not to exceed $300 per annum, for employees of the Federal Prisons System who are required by regulation or statute to wear a prescribed uniform in the performance of official duties.

SEC. 3. Part II of title 28, United States Code, is amended by inserting after chapter 37 the following new chapter:

"CHAPTER 38—GENERAL AUTHORIZATIONS—DEPARTMENT OF JUSTICE

"Sec.
"576. General authorizations.
"577. Evaluations.

"§ 576. General authorizations—Department of Justice

"(a) The Attorney General or his designee is authorized to make payments from Department of Justice appropriations for:

"(1) the hire of passenger motor vehicles;

"(2) miscellaneous and emergency expenses authorized or approved by the Attorney General, the Deputy Attorney General, the Associate Attorney General, or the Assistant Attorney General for Administration;

"(3) benefits authorized under section 901(3), (5), (6A), (8), (9) and section 904 of the Foreign Service Act of 1980 22 U.S.C. 4081(3), (5), (6A), (8), (9) and 22 U.S.C. 4084), and under the regulations issued by the Secretary of State;

"(4) the purchase of insurance for motor vehicles and aircraft operated in official government business in foreign countries;

"(5) services as authorized by 5 U.S.C. 3109;

"(6) official reception and representation expenses in accordance with distributions, procedures, and regulations issued by the Attorney General;

"(7) per diem allowances and transportation expenses for an employee who serves in a law enforcement, investigative, protective, or other capacity, and for members of his immediate family in accordance with regulations prescribed under 5 U.S.C. 5707 by the Administrator of the General Services Administration or his designee, when necessarily occupying temporary living accommodations at or away from the employee's designated post of duty because of a threat to life or property or because law enforcement, investigative or protective interests may be compromised.

"(8) attendance at meetings in accordance with the regulations issued by the Attorney General;

"(9) assistance to individuals under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422) who meet the definition of 'Cuban and Haitian entrant' under section 501(e) of said Act but for the application of paragraph (2)(B) thereof;

"(10) payment of interpreters and translators who are not citizens of the United States; and

"(b) travel advances issued to law enforcement officers of the Department of Justice when engaged in undercover activities shall be deemed to be public moneys within the meaning of 31 U.S.C. 3527.

"(c) The Offices, Divisions and subdivisions included in the Salaries and Expenses, General Legal Activities appropriation of the Department of Justice are authorized to make payments from their appropriations for:

"(1) the hire of passenger motor vehicles;

"(2) miscellaneous and emergency expenses authorized or approved by the Attorney General, the Deputy Attorney General, the Associate Attorney General, or the Assistant Attorney General for Administration;

"(3) expenses for collecting evidence, to be expended under the direction of the Attorney General and accounted for on the cer-

tificate of the Attorney General or the Deputy Attorney General;

"(4) advance of public moneys under 31 U.S.C. 3324;

"(5) expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422).

"(d) The Antitrust Division is authorized to make payments from its appropriation for the hire of passenger vehicles.

"(e) The Department of Justice is authorized to make payments from the Fees and Expenses of Witnesses appropriation for:

"(1) expenses, mileage, compensation, and per diem of witnesses in lieu of subsistence, as authorized by law;

"(2) advances of public moneys under 31 U.S.C. 3324;

"(3) planning, construction, renovation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites.

"(4) No sums authorized to be appropriated shall be used to pay any witness more than one attendance fee for any one calendar day."

"(f) The Community Relations Service of the Department of Justice is authorized to make payments from its appropriation for:

"(1) the hire of passenger motor vehicles; and

"(2) payments in advance for grants, contracts, and reimbursable agreements and other expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants.

"§ 577. Evaluations

"(a) The Attorney General shall perform periodic evaluations of the overall efficiency and effectiveness of the Department of Justice programs and any supporting activities funded by appropriations and annual specific program evaluations of selected subordinate organizations' programs, as determined by the priorities set by the Attorney General.

"(b) Subordinate Department of Justice organizations and their officials shall provide all the necessary assistance and cooperation in the conduct of evaluations, including full access to all information, documentation, and cognizant personnel, as required."

SEC. 4. Section 263a of title 22, United States Code, is amended by adding the following at the end thereof:

"The Attorney General is authorized to make payments from the Salaries and Expenses, General Legal Activities appropriation of the Department of Justice for expenses necessary to host, at intervals of ten years or longer, the annual meeting of the General Assembly of INTERPOL, and to periodically sponsor INTERPOL conferences on emerging topics of international crime.

SEC. 5. (a) Chapter 31 of title 28, United States Code is amended by inserting after section 525 the following new section:

"§ 525a. Department of Justice gift acceptance authority

"(a) The Attorney General is authorized to accept and utilize, on behalf of the United States, any gift, donation, or bequest of real or personal property for the purpose of aiding or facilitating the work of the Department of Justice. No gift may be accepted:

"(1) that attaches conditions inconsistent with applicable laws or regulations, or

"(2) that is conditioned upon or will require the expenditure of appropriated funds unless such expenditure has been authorized by Act of Congress. Gifts from foreign governments may be accepted only pursuant to the Foreign Gifts Act, 5 U.S.C. 7342.

"(b) The Attorney General shall promulgate rules for accepting gifts pursuant to this provision, to ensure, among other things, that no gifts are accepted under circumstances that will create a conflict of interest for the Department of Justice.

"(c) Gifts and bequests of money and the proceeds from sales of property received as gifts or bequests that were not immediately useable by the Department of Justice may be credited to any appropriation or fund that is available for similar purposes, to remain available until expended, upon order of the Attorney General.

"(d) Gifts, bequests of property, and property acquired from the proceeds credited to appropriations or funds pursuant to subsection (c), and which are no longer required by the Department of Justice for its needs and the discharge of its responsibilities, shall be reported to the Administrator of General Services for transfer, donation, or other disposal in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended.

"(e) Property accepted pursuant to this section and the proceeds credited to appropriations or funds pursuant to subsection (c) shall be used as nearly as practicable in accordance with the terms of the gift or bequest.

"(f) For the purpose of Federal income, estate, and gift taxes, property accepted under subsection (a) of this section shall be considered as a gift or bequest to or for the use of the United States."

"(b) Subsection 871(c) of title 21, United States Code, is hereby repealed.

SEC. 6. Section 104 of the Act of March 14, 1980, (P.L. 96-209) (22 U.S.C. 1622d) is amended by adding the following at the end thereof:

"The Commission is authorized to make payments from its appropriation for the hire of passenger motor vehicles (for field use only); and advances of funds abroad."

SEC. 7. (a) Part II of title 28, United States Code, is amended by inserting after chapter 35 the following new chapter:

"CHAPTER 36—GENERAL AUTHORIZATIONS—UNITED STATES ATTORNEYS AND MARSHALS SERVICE

"§ 555. General authorizations—United States Attorneys and Marshals Service

"Appropriations for the United States Attorneys and the United States Marshals Service are available for:

"(a) the purchase of firearms and ammunition and attendance at firearms matches and law enforcement competitions;

"(b) lease and purchase of law enforcement and passenger motor vehicles;

"(c) supervision of the United States prisoners in non-federal institutions;

"(d) bringing to the United States from foreign countries persons charged with crime;

"(e) purchase, lease, maintenance, and operation of aircraft; and

"(f) payments of rewards and the purchase of evidence and payments for information.".

(b) Section 1921 of title 28, United States Code, is amended to read as follows:

"§ 1921. United States Marshal's fees

"(a)(1) The United States Marshals or deputies shall routinely collect, and a court may tax as costs, fees for the following:

"(A) serving a writ of possession, partition, execution, attachment in rem, or libel in admiralty, warrant, attachment, summons, capias, or any other writ, order or process in any case or proceeding;

"(B) serving a subpoena or summons for a witness or appraiser;

"(C) forwarding any writ, order, or process to another judicial district for service;

"(D) the preparation of any notice of sale, proclamation in admiralty, or other public notice or bill of sale;

"(E) the keeping of attached property (including boats, vessels, or other property attached or libeled), actual expenses incurred, such as storage, moving, boat hire, or other special transportation, watchmen's or keepers' fees, insurance, and an hourly rate including overtime for each deputy marshal required for special services, such as guarding, inventorying, and moving;

"(F) copies of writs or other papers furnished at the request of any party;

"(G) necessary travel in serving or endeavoring to serve any process, writ, or order, except in the District of Columbia, with mileage to be computed from the place where service is returnable to the place of service or endeavor; and

"(H) overtime expenses incurred by deputy marshals in the course of serving or executing civil process.

"(2) The Marshals shall collect, in advance, a deposit to cover the initial expenses for special services required under subparagraph (E), and periodically thereafter such amounts as may be necessary to pay such expenses until the litigation is concluded. This paragraph applies to all private litigants, including seamen proceeding pursuant to section 1916 of this title.

"(3) For purposes of subparagraph (G), if two or more services or endeavors, or if an endeavor and a service, are made in behalf of the same party in the same case on the same trip, mileage shall be computed to the place of service or endeavor which is most remote from the place where service is returnable, adding any additional mileage traveled in serving or endeavoring to serve on behalf of that party. If two or more writs of any kind, required to be served on behalf of the same party on the same person in the same case or proceeding, may be served at the same time, mileage on only one such writ shall be collected.

"(b) The Attorney General shall prescribe from time to time regulations for the fees to be collected and taxed under subsection (a).

"(c)(1) The United States Marshals Service shall collect a commission of 3 per centum of the first $1,000 collected and 1½ per centum on the excess of any sum over $1,000, for seizing or levying on property (including seizures in admiralty), disposing of such property by sale, setoff, or otherwise, and receiving and paying over money, except that the amount of the commission shall be within the range set by the Attorney General. If the property is not disposed of by Marshal's sale, the commission shall be in such amount, within the range set by the Attorney General, as may be allowed by the court. In any case in which the vessel or other property is sold by a public auctioneer, or by some party other than the Marshal or his deputy, the commission authorized under this subsection shall be reduce by the amount paid to such auctioneer or other party. This subsection applies to judicially ordered sales and execution sales, without regard to whether the judicial order of sale constitutes a seizure or levy within the meaning of State law.

"(2) The Attorney General shall prescribe from time to time regulations which establish a minimum and maximum amount for the commissions collected under paragraph (1).

"(d) The United States Marshals may require a deposit to cover any of the fees and expenses prescribed under this section.

"(e) Without regard to the provisions of 31 U.S.C. 3302(b), the United States Marshals Service is authorized to credit amounts from fees and expenses collected (including amounts for overtime expenses) for the service of civil process, including complaints, summonses, subpoenas, and similar process performed by the Marshals to its current appropriation account (Salaries and Expenses, United States Attorneys and Marshals) for the purpose, only, of carrying out those activities.

SEC. 8. Chapter 301 of title 18, United States Code, is amended by inserting after section 4002 the following new section:

"§ 4002A. Support of United States Prisoners.

"The Attorney General or his designee is authorized to make payments from the Support of United States Prisoners appropriation for:

"(a) the necessary clothing, medical aid, and payment of rewards; and

"(b) entering into contracts or cooperative agreements for the necessary construction, physical renovation, and the acquisition of equipment, supplies, or materials required to improve conditions of confinement and services of any facility which confines Federal detainees, in accordance with regulations issued by the Attorney General: *Provided* That, amounts made available for constructing any local correctional facility shall not exceed the cost of constructing space for the average Federal prisoner population to be housed in the facility or in other facilities in the same correctional system, as projected by the Attorney General: *Provided further*, That following agreement on or completion of any federally assisted correctional facility construction, the availability of the space acquired for Federal prisoners with these Federal funds shall be assured and the per diem rate charged for housing Federal prisoners in the assured space shall not exceed operating costs for the period of time specified in the cooperative agreement.

SEC. 9. Chapter 33 of title 28, United States Code, is amended by inserting after section 537 the following new sections:

"Sec.
"538. General authorizations—Federal Bureau of Investigation.
"539. Fees for furnishing identification services.

"§ 538. General authorizations—Federal Bureau of Investigation

"(a) The Federal Bureau of Investigation is authorized to make payments from its appropriation for:

"(1) expenses necessary for the detection and prosecution of crimes against the United States;

"(2) protection of the person of the President of the United States and the person of the Attorney General;

"(3) acquisition, collection, classification and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, cities, and other institutions, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies;

"(4) such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General;

"(5) purchase for police-type use and the lease of passenger motor vehicles;

"(6) purchase, lease, maintenance, and operation of aircraft;

"(7) purchase of firearms and ammunition and attendance at firearms matches and law enforcement competitions;

"(8) payment of rewards;

"(9) expenses to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General;

"(10) payment of travel and related expenses for immediate family members of employees, including expenses incurred for specialized training and orientation, if such training and orientation is not offered by the Department of State, in connection with a transfer to Puerto Rico, other territories and possessions of the United States, and assignments in a legal attache post outside the territory of the United States; and

"(11) research related to investigate activities.

"(b) None of the sums authorized to be appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any employee in the competitive service.

"§ 539. Fees for furnishing identification services

"The Federal Bureau of Investigation may establish and collect fees for the processing of noncriminal employment and licensing fingerprint cards. Such fee is to represent the cost of furnishing the service. The funds collected shall be credited to the Salaries and Expenses, Federal Bureau of Investigation appropriation without regard to 31 U.S.C. 3302(b), and shall be available only to the extent specified in appropriatons acts and may be used to pay for salaries and other expenses incurred in operating the FBI Identification Division, and such funds may be carried over from fiscal year to fiscal year for such purposes. There will be no fee assessed in connection with the processing of requests for criminal history records by criminal justice agencies for criminal justice purposes or for employment in criminal justice agencies. 'Criminal justice agency' is defined in 28 C.F.R. 20.3."

"SEC. 10. Section 6 of the Act of July 28, 1950 (c. 503) (8 U.S.C. 1555), is amended to read as follows:

"§ 6. General authorizatons—Immigration and Naturalization Service

"The Immigration and Naturalization Service is authorized to make payments from its appropriation for:

"(a) interpreters and translators who are not citizens of the United States and distribution of citizenship textbooks to aliens without cost to such aliens;

"(b) allowances (at such rate as may be specified from time to time in the appropriation act), to aliens while held in custody under the immigration laws, for work performed;

"(c) expenses to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for on the certificate of the Attorney General or the Deputy Attorney General;

"(d) expenses related to the purchase and/or lease of privately owned horses;

"(e) advance of cash to aliens for meals and lodging while en route;

"(f) expenses and allowances incurred in tracking lost persons as required by public exigencies in aid of State or local law enforcement agencies;

"(g) payment of rewards and purchases of evidence and payments for information;

"(h) purchase for police-type use and lease of passenger motor vehicles;

"(i) purchase, lease, maintenance, and operation of aircraft;

"(j) purchase of firearms and ammunition and attendance at firearms matches and law enforcement competitions;

"(k) planning, acquisition of sites and construction of new facilities and construction, operation, maintenance, remodeling and repair of buildings and the purchase of equipment incident thereto, subject to the limitation of 18 U.S.C. 1252(c) and 18 U.S.C. 4003 to remain available until expended;

"(l) refunds of maintenance bills, immigration fines and other items properly returnable except deposits of aliens who become public charges and deposits to secure payment of fines and passage money;

"(m) acquisition of land as sites for enforcement fences, and construction incident to such fences;

"(n) research related to immigration enforcement to remain available until expended:

"(o) contracting with individuals for personal services abroad, provided that such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Office of Personnel Management; and

"(p) entering into contracts with private organizations or entities for the safekeeping, care and subsistence of persons held under any legal authority."

SEC. 11. Authority for the Immigration and Naturalization Service to accept voluntary services:

Notwithstanding the provisions of 31 U.S.C. 1342, the Commissioner of the Immigration and Naturalization Service is authorized to accept voluntary and uncompensated services to assist the Service in information services to the public. Persons providing voluntary services shall not be used to displace any federal employee and shall not be considered federal employees for any purpose except for the purposes of chapter 81 of title 5, United States Code, (relating to compensation for injury) and 28 U.S.C. §§ 2671-2680 (relating to tort claims).

SEC. 12. Drug Enforcement Administration general authorizations "Chapter 13 of title 21, United States Code, is amended by inserting after section 904 the following new section:

"§ 905 General authorizations—Drug Enforcement Administration

"The Drug Enforcement Administration is authorized to make payments from its appropriation for:

"(a) the lease and purchase of law enforcement and passenger motor vehicles;

"(b) payment in advance for special tests and studies by contract;

"(c) payment in advance for expenses arising out of contractual and reimbursable agreements with State and local law enforcement and regulatory agencies while engaged in cooperative enforcement and regulatory activities in accordance with section 503a(2) of the Controlled Substances Act [P.L. 91-513 (1970)];

"(d) expenses to meet unforeseen emergencies of a confidential character to be ex-

pended under the direction of the Attorney General, and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General;

"(e) Payment of rewards;

"(f) publication of technical informational material in professional and trade journals and purchase of chemicals, apparatus, and scientific equipment;

"(g) purchase, lease, maintenance, and operation of aircraft;

"(h) contracting with individuals for personal services abroad, provided that such individuals shall be not regarded as employees of the United States Government for the purpose of any law administered by the Office of Personnel Management;

"(i) purchase of firearms and ammunition and attendance at firearms matches and law enforcement competitions;

"(j) research related to enforcement and drug control to remain available until expended; and

"(k) payment of travel and related expenses for immediate family members of employees, including expenses incurred for specialized training and orientation, if such training and orientation is not offered by the Department of State, in connection with a transfer to Puerto Rico, other territories and possessions of the United States, and assignment in a post outside the territory of the United States.

SEC. 13. Chapter 303 of title 18, United States Code, is amended by inserting after section 4043 the following new section:

"§ 4044. General authorizations—Bureau of Prisons

"The Bureau of Prisons is authorized to make payments from its appropriations for:

"(a) the administration, operations, and maintenance of Federal penal and correctional institutions, including supervision and support of United States prisoners in non-Federal institutions, and for inmate legal services within the systems;

"(b) purchase and lease of law enforcement and passenger motor vehicles;

"(c) compilation of statistics relating to prisoners in Federal penal and correctional institutions;

"(d) purchase of firearms and ammunition and medals and other awards;

"(e) payment of rewards;

"(f) purchase and exchange of farm products and livestock;

"(g) construction of buildings at prison camps and acquisition of land as authorized by 18 U.S.C. 4010;

"(h) entering into contracts with private organizations or entities for the safekeeping, care and subsistence of persons held under any legal authority; and

"(i) planning, acquisition of sites and construction of new facilities, and constructing, remodeling and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, to remain available until expended and the labor of United States prisoners may be used for work performed with sums authorized to be appropriated by this subsection.

SEC. 14. Chapter 307 of title 18, United States Code, is amended by inserting after section 4128 the following new section:

"§ 4129. General authorizations—Federal Prison Industries, Inc.

"Federal Prison Industries, Incorporated, is authorized to make such expenditures, within the limits of funds and borrowing authority, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase and hire of passenger motor vehicles."

SEC. 15. Section 4204(b) of title 18, United States Code, is amended by adding at the end thereof the following new subsection:

"(9) hire passenger motor vehicles."

SEC. 16. Part II of title 28, United States Code, is amended by inserting after chapter 37 the following new chapter:

"CHAPTER 40—UNDERCOVER INVESTIGATIVE OPERATIONS

"Sec.
"599. Federal Bureau of Investigation undercover operations.
"599A. Drug Enforcement Administration undercover operations.".

§ 599. Federal Bureau of Investigation Undercover Operations

"(a) The authorizations and exemptions provided below may be utilized—

for each operation designed to detect and prosecute crimes against the United States, only upon written certification of the Director of the Federal Bureau of Investigation (or, if designated by the Director, a member of the Undercover Operations Review Committee) and the Attorney General (or if designated by the Attorney General, a member of such committee) that any action authorized by this section is necessary for the conduct of such undercover investigation, or in each operation designed to collect foreign intelligence or to conduct foreign counterintelligence, upon written certification of the Director, Federal Bureau of Investigation (or if designated by the Director, the Assistant Director, Intelligence Division) and the Attorney General (or if designated by the Attorney General, the Counsel for Intelligence Policy). The type of exemptions sought for each operation shall be specified in the certification and the use of the exemptions for each operation will be reviewed during the operation by the Director's designee.

"(1) Appropriations may be used for purchasing or leasing property, buildings, facilities, space, goods, insurance, licenses and any equipment necessary to establish and/or operate an undercover operation. These acquisitions shall be made in accordance with prevailing commercial practices so long as such practices are consistent with the purposes of the undercover operation. Laws applicable to federal acquisitions, federal property management and federal appropriations shall not apply to any acqusition for a certified undercover operation where compliance with such laws would risk compromise of the undercover nature of the investigation.

"(2) Appropriations may be used to establish, acquire and/or operate proprietary corporations or business entities in accordance with prevailing commercial practices so long as such practices are consistent with the purposes of the undercover operation. Laws applicable to federal appropriations and government corporations shall not apply to any transaction for a certified undercover operation where compliance with such laws would risk compromise of the undercover nature of the investigation.

"(3) Appropriations and the proceeds from such undercover operation may be deposited in banks or other financial institutions and may be used to offset necessary and reasonable expenses incurred in such operation without deposit in the Treasury.

"(b) As soon as the proceeds from an undercover investigative operation with respect to which an action is authorized and carried out under subparagraph (3) of paragraph (a) are no longer necessary for the conduct of such operation, such proceeds or the balance of such proceeds remaining at the time shall be deposited in the Treasury of the United States as miscellaneous receipts.

"(c) If a corporation or business entity established or acquired as part of an undercover operation under subparagraph (2) of paragraph (a) with a net value of over $150,000 is to be liquidated, sold, or otherwise disposed of, the Federal Bureau of Investigation, as much in advance as the Director or his designee determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury of the United States as miscellaneous receipts.

"(d)(1) The Federal Bureau of Investigation shall conduct a detailed financial audit of each undercover investigative operation which is closed in fiscal year 1986, and each fiscal year thereafter, and shall,

"(A) submit the results of such audits in writing to the Attorney General, and

"(B) not later than 180 days after such undercover operation is closed, submit a report to the Congress concerning such audit.

"(2) The Federal Bureau of Investigation shall also submit a report annually to the Congress specifying—

"(A) the number, by programs, of undercover investigative operations pending as of the end of the one-year period for which such report is submitted,

"(B) the number, by programs, of undercover investigative operations commenced in the one-year period preceding the period for which such report is submitted, and

"(C) the number, by programs, of undercover investigative operations closed in the one-year period preceding the period for which such report is submitted and, with respect to each such closed undercover operation, the results obtained. With respect to each such closed undercover operation which involves any of the sensitive circumstances specified in the Attorney General's Guidelines on FBI Undercover Operations, such report shall contain a detailed description of the operation and related matters, including information pertaining to—

"(i) the results,

"(ii) any civil claims arising out of the investigation, and

"(iii) identification of such sensitive circumstances involved, that arose at any time during the course of such undercover operation.

"(e) for purposes of paragraph (d)(1)—

"(1) the term "closed" refers to the point in time at which—

"(a) all criminal proceedings (other than appeals) are concluded, or

"(b) covert activities are concluded, whichever occurs later;

"(2) the term "employees" means employees, as defined in 5 U.S.C. 2105, of the Federal Bureau of Investigation, and

"(3) the terms 'undercover investigative operation' and 'undercover operation' mean any undercover investigative operation of the Federal Bureau of Investigation (other than a foreign counterintelligence undercover investigative operation)—

"(A) in which—

"(i) the gross receipts (excluding interest earned) exceed $150,000, or

"(ii) expenditures (other than expenditures for salaries of employees) exceed $150,000, and

"(B) which is exempt from laws applicable to federal appropriations and government corporations.

"§ 599A. Drug Enforcement Administration Undercover Operations

"(a) The authorization and exemptions provided below may be utilized—

for each operation designed to detect and prosecute crimes against the United States, only upon written certification of the Administrator of the Drug Enforcement Administration or his designee and the Attorney General or his designee that any action authorized by this section is necessary for the conduct of such undercover investigation. The type of exemptions sought for each operation shall be specified on the certification and the use of the exemptions for each operation will be reviewed during the operation by the Administrator's designee.

"(1) Appropriations may be used for purchasing or leasing property, buildings, facilities, space, goods, insurance, licenses and any equipment necessary to establish and/or operate an undercover operation. These acquisitions shall be made in accordance with prevailing commercial practices so long as such practices are consistent with the purposes of the undercover operation. Laws applicable to federal acquisitions, federal property management and federal appropriations shall not apply to any acquisition for a certified undercover operation where compliance with such laws would risk compromise of the undercover nature of the investigations.

"(2) Appropriations may be used to establish, acquire and/or operate proprietary corporations or business entitles in accordance with prevailing commercial practices so long as such practices are consistent with the purposes of the undercover operation. Laws applicable to federal appropriations and government corporations shall not apply to any transaction for a certified undercover operation where compliance with such laws would risk compromise of the undercover nature of the investigation.

"(3) Appropriations and the proceeds from such undercover operation may be deposited in banks or other financial institutions and may be used to offset necessary and reasonable expenses incurred in such operation without deposit in the Treasury.

"(b) As soon as the proceeds from an undercover investigative operation with respect to which an action is authorized and carried out under subparagraph (3) of paragraph (a) are no longer necessary for the conduct of such operation, such proceeds or the balance of such proceeds remaining at the time shall be deposited into the Treasury as miscellaneous receipts.

"(c) If a corporation or business entity established or acquired as part of an undercover operation under subparagraph (2) of paragraph (a) with a net value of over $150,000 is to be liquidated, sold, or otherwise disposed of, the Drug Enforcement Administration, as much in advance as the Administrator or his designee determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury of the United States as miscellaneous receipts.

"(d)(1) The Drug Enforcement Administration shall conduct a detailed financial audit of each undercover investigative operation which is closed in fiscal year 1986, and each fiscal year thereafter, and shall,

"(A) submit the results of such audits in writing to the Attorney General, and

"(B) not later than 180 days after such undercover operation is closed, submit a report to the Congress concerning such audit.

"(2) for the purposes of paragraph (1), the terms 'undercover investigation operation' and 'undercover operation' mean any undercover investigative operation of the Drug Enforcement Administration—

"(A) in which—

"(i) the gross receipts (excluding interest earned) exceed $150,000, or

"(ii) Expenditures (other than expenditures for salaries of employees) exceed $150,000, and

"(B) which is exempt from laws applicable to federal appropriations and government corporations."

SEC. 17. The table of chapters for part II of title 28, United States Code, is amended by inserting after the item related to chapter 35 the following new item:

"36. General Authorizations—United States Attorneys and Marshals Service..... 555".

and by inserting after the item relating to chapter 37 the following new item:

"38. General Authorizations..... 576.".

and by inserting after the item relating to chapter 39 the following new item:

"40. Undercover Investigative Operations..... 599.".

SEC. 18. The table of sections for chapter 301 of title 18, United States Code, is amended by inserting after the item relating to section 4002 the following new item:

"4002A. Support for United States prisoners in non-Federal institutions.".

SEC. 19. The table of sections for chapter 303 of title 18, United States Code, is amended by inserting after the item relating to section 4043 the following new item:

"4044. General authorizations—Bureau of Prisons."

SEC. 20. The table of sections for chapter 307 of title 18, United States Code, is amended by inserting after the item relating to section 4128 the following new item:

"4129. General authorizations—Federal Prison Industries, Inc."

SEC. 21. The table of sections for chapter 13 of title 21, United States Code, is amended by inserting after the item relating to section 904 the following new item:

"905. General authorizations—Drug Enforcement Administration."

SEC. 22. The table of sections for chapter 31 of title 28, United States Code, is amended by inserting after the item relating to section 525 the following new item:

"525a. Department of Justice gift acceptance authority."

SEC. 23. The table of sections for chapter 33 of title 28, United States Code, is amended by inserting after the item relating to section 537 the following new item:

"538. General authorizations—Federal Bureau of Investigation."

"539. Fees for furnishing identification services."

SEC. 24. The table of sections for chapter 36 of title 28, United States Code, shall read as follows:

"555. General authorizations—United States Attorneys and Marshals Service."

SEC. 25. The table of sections for chapter 38 of title 28, United States Code, shall read as follows:

"576. General authorizations."

"577. Evaluations."

SEC. 26. The table of sections for chapter 40 of title 28, United States Code, shall read as follows:

"599. Federal Bureau of Investigation undercover operations."

"599A. Drug Enforcement Administration undercover operations.".

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS,
Washington, DC, April 29, 1985.

Hon. GEORGE A. BUSH,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: There is forwarded herewith a legislative proposal to meet the requirements of the Fiscal Year 1986 appropriations authorization process for the Department of Justice. As in the 1985 proposal, this legislation would incorporate much of the general authorization language previously contained in the Department's annual appropriations authorization bill within title 28 and other titles of the United States Code. This would take most of the funding related authorities out of the annual authorization cycle. Sections one through four of the proposal have been drafted to satisfy the statutory requirement of submitting to the Congress an annual funding level authorization request for the Department. This portion of the legislative proposal addresses only specific funding levels for 1986.

Again, we have taken the approach of drafting a two part proposal because of our serious concern regarding the current authorization process. The Department's 1981, 1982, 1983, 1984 and 1985 authorization bills were not passed and action on continuing our authorities is often in doubt.

It is critical that the Department be provided a reasonable expectation of continuity for its basic programs. The authorization process of recent years has not met this expectation. On the contrary, it has fostered an environment which makes planning and program implementation most difficult. This has prompted our request for legislation which would take many basic, noncontroversial authorities out of the annual authorization cycle and place them into permanent law.

The annual authorization bill requests resource levels identical to the President's 1986 appropriation request. The "permanent" authorization portion requests most of the same general provisions the Department routinely includes in its authorization requests, e.g., undercover provisions for the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA), authority to use confidential funds, and authority to pay rewards.

However, this authorization bill does include two significant changes which follow:

"Proposed Section 6(p) (p. 21) contains language which would allow INS to make payments from its appropriation for entering into contracts for detention of persons held under legal authority. This would provide the INS with the flexibility to ensure that proper care, safekeeping and subsistence is provided to detainees no matter where apprehension occurs. This is similar

to authority provided to the Bureau of Prisons.

"Proposed Sections 599 and 599A (pp. 25-33) concerning undercover authority for the FBI and DEA have been revised to provide generic exemptions from laws applicable to appropriations, procurement and government corporations. This approach is similar to that proposed for the Department of Defense in the draft Intelligence Authorization Act for Fiscal Year 1986 which clarifies the intent of undercover operations while providing sufficient latitude to anticipate unforeseen circumstances. The section-by-section analysis provides illustrations of the types of exemptions this language provides."

We are confident the overall approach contained in this legislative proposal will adequately address the needs of the Congress to carry out its legislative mandate and oversight function while, at the same time providing for the Department's program continuity needs.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the presentation of these legislative proposals to the Congress and that their enactment would be in accord with the program of the President.

Sincerely,

PHILLIP D. BRADY,
Acting Assistant Attorney General,
Office of Legislative and
Intergovernmental Affairs.

SECTION-BY-SECTION ANALYSIS

PROPOSED SECTIONS 1 AND 2

This portion of the legislative proposal addresses the provisions of section 204 of P.L. 94-503 which requires specific fiscal year authorization for appropriations for the Department of Justice for any fiscal year beginning on or after October 1, 1978.

Each of these provisions apply only to fiscal year 1986.

P.L. 94-504, Section 204:

No sums shall be deemed to be authorized to be appropriated for any fiscal year beginning on or after October 1, 1978, for the Department of Justice (including any bureau, agency, or other similar subdivision thereof) except as specifically authorized by Act of Congress with respect to such fiscal year. Neither the creation of a subdivision in the Department of Justice, nor the authorization of an activity of the Department, any subdivision, or officer thereof, shall be deemed in itself to be an authorization of appropriations for the Department of Justice, such subdivision, or activity, with respect to any fiscal year beginning on or after October 1, 1978.

Approved October 15, 1976.

PROPOSED SECTION 3

This language amends title 28 of the United States Code by creating a new Chapter 38 which would provide general authorizations for the Department of Justice especially the General Administration area.

Part II of title 28, United States Code, is amended by inserting after chapter 37 the following new chapter: Chapter 38 General Authorizations—Department of Justice.

§ 576. General authorizations—Department of Justice:

Proposed Section 576(a)—The Attorney General or his designee is authorized to make payments from Department of Justice appropriations for.

Proposed Section 576(a)(1) the hire of passenger motor vehicles:

This provision allows the Department of Justice to lease automobiles and general purpose vehicles from the General Services Administration for the purpose of providing necessary transportation for the Attorney General and other high-level staff in the Washington, D.C. area.

Proposed Section 576(a)(2) miscellaneous and emergency expenses authorized or approved by the Attorney General, the Deputy Attorney General, the Associate Attorney General, or the Assistant Attorney General for Administration.

This provision allows the Attorney General to respond to unforeseen circumstances where a need for action is clear but is not considered a normal cost of administration. Examples of these expenses include the Department's response to the Miami civil disturbances, the Atlanta mass homicide situation, and the influx of the Cuban boatlift entrants. Another situation which required the use of this emergency authority was the Department's initial involvement at Wounded Knee, South Dakota.

Proposed Section 576(a)(3) benefits authorized under section 901 (3), (5), (6A), (8), (9) and section 904 of the Foreign Service Act of 1980 22 U.S.C. 4081 (3), (5), (6A), (8), (9) and 22 U.S.C. 4084), and under the regulations issued by the Secretary of State:

The Foreign Service Act of 1946 was the basic statutory source for providing medical treatment and health care facilities for Department of Justice employees serving overseas. The Foreign Service Act of 1946 was replaced by the Foreign Service Act of 1980 (P.L. 96-465) on October 17, 1980. This language conforms the FY 1985 Authorization bill with certain benefits included in the Foreign Service Act of 1980. These provisions would allow the payment of certain travel benefits for employees stationed overseas and their dependents.

Proposed Section 576(a)(4) the purchase of insurance for motor vehicles and aircraft operated in official government business in foreign countries:

A number of overseas employees in the Department of Justice, in particular the Immigration and Naturalization Service, the Federal Bureau of Investigation, the Drug Enforcement Administration, are required to operate motor vehicles or aircraft in the scope of their employment. In addition, a number of officers stationed in the United States at points along the borders use automobiles to enter Canada and Mexico in the performance of their official duties. This provision authorizes the Department to pay the premiums or fees for contracts of indemnification or insurance of officers, employees and agents for their liability or that of the United States.

If an employee of the Department, while operating a motor vehicle or aircraft on official business in a foreign country becomes involved in a collision which causes personal injury or property damage, then this section provides a basis for payment of damages to a third party. Failure by the United States to assume responsibility for these third party claims could possibly result in international incidents, especially in those countries with compulsory insurance laws. This provision protects employees and permits them to comply with the laws of embarassment or unfavorable publicity for the United States.

Proposed Section 576(a)(5) services as authorized by 5 U.S.C. 3109:

This provision allows the Department flexibility in its hiring practices, and maximized managerial efficiency. Section 3109 of title 5 requires that the use of temporary or intermittent services be authorized by an appropriation or other statute.

Proposed Section 576(a)(6) official reception and representation expenses in accordance with distributions, procedures, and regulations issued by the Attorney General:

This language authorizes the use of funds to cover the expenses of Department of Justice senior employees whose official positions entail the responsibility for establishing and maintaining the relationships of value to the Department.

Proposed Section 576(a)(7) per diem allowances and transportation expenses for an employee who serves in a law enforcement, investigative, protective, or administrative support and clerical capacity, and for members of his immediate family in accordance with regulations prescribed under 5 U.S.C. 5707 by the Administrator of the General Services Administration or his designee, when necessarily occupying temporary living accommodations at or away from the employee's designated post of duty because of a threat to life or property or because law enforcement, investigative or protective interests may be compromised.

Authority is proposed to provide per diem allowances and transportation expenses for law enforcement employees and transportation expenses for their families in emergency situation, principally because of threat to life or property. Primarily, the adjustment amends the current travel regulations to permit temporary living accommodations.

Proposed Section 576(a)(8) attendance at meetings in accordance with the regulations issued by the Attorney General:

This provision ensures that funds for attendance at meetings are expended in the legally required manner, thus eliminating waste and deliberate abuse.

Proposed Section 576(a)(9) assistance to individuals under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422) who meet the definition of "Cuban and Haitian entrant" under section 501(e) of said Act but for the application of paragraph (2)(B) thereof:

Title V of the Refugee Education Assistance Act of 1980 (Public Law 96-422) was added primarily to provide federal reimbursement for State and local government expenditures for Cuban and Haitian entrants. However, because of the way section 501(e) of the Act defines Cuban and Haitian entrants, funds provided for this program cannot be applied to Cuban and Haitian entrants who are under "final, nonappealable, and legally enforceable orders of deportation or exclusion." When Cuba refused to accept these individuals, this language was designed to overcome the restricting clause so benefits could be provided to these entrants. Recently an agreement was negotiated between the United States and Cuba which provides for repatriation of 2,764 Mariel Cubans. It is anticipated that this repatriation will ultimately have an effect on Community Relations Service activities; however, currently it is not possible to predict when or to what extent, the reception, processing and care of Cubans and Haitians program will be effected.

Proposed Section 576(a)(10) payment of interpreters and translators who are not citizens of the United States:

This legislation would permit the Attorney General to pay interpreters and translators who are not U.S. citizens. It is designed primarily to assist the Executive Office for Immigration Review (EOIR) in carrying out its functions. Translators and interpreters are necessary to facilitate communications between EOIR personnel and persons who do not speak or write English. EOIR has oc-

casionally had difficulty in obtaining the services of native-born naturalized United States citizens. This provision would provide EOIR the capability to procure the services of interpreters and translators who, while not United States citizens, are legally allowed to work in the United States.

Proposed Section 576(b) Travel advances issued to Special Agents of the Department of Justice engaged in undercover activities shall be deemed to be public moneys within the meaning of 31 U.S.C. 3527:

This provision would relieve the agents of liability for loss of travel advances when there is no fault or negligence of the agents in consonance with the standards set forth in 31 U.S.C. 3527. The inherently dangerous nature of law enforcement should entitle DOJ agents (and their estates) to be afforded some protection from the potential liability for non-negligent loss of travel advance funds.

Proposed Section 576(c):

This section addresses authorization for those organizations within the General Legal Activities area and the Antitrust Division. The General Legal Activities area includes the Office of the Solicitor General, the Tax Division, the Criminal Division, the Civil Division, the Land and Natural Resources Division, the Office of Legal Counsel, the Civil Rights Division and U.S. National Central Bureau—INTERPOL.

Proposed Section 576(c) the Offices, Divisions, and subdivisions included in the Salaries and Expenses, General Legal Activities appropriation of the Department of Justice, and the Salaries and Expenses, Antitrust Division appropriation are authorized to make payments from their appropriations for:

Proposed Section 576(c)(1) the hire of passenger motor vehicles:

The Department of Justice leases automobiles and general purpose vehicles for the purpose of providing necessary transportation for high level staff in the Washington, D.C. area.

Proposed Section 576(c)(2) miscellaneous and emergency expenses authorized or approved by the Attorney General, the Deputy Attorney General, the Associate Attorney General, or the Assistant Attorney General for Administration:

The language authorizes the use of funds in unforeseen circumstances, such as expenses related to appointment of an independent counsel under the Ethics in Government Act.

Proposed Section 576(c)(3) expenses for collecting evidence, to be expended under the direction of the Attorney General and accounted for on the certificate of the Attorney General or the Deputy Attorney General:

Funds authorized by this provision are used primarily by the Criminal Division to collect information.

Proposed Section 576(c)(4) advance of public moneys under 31 U.S.C. 3324:

Occasional advances have been made to State and local governments when they cannot legally begin performance on a contract until they receive partial payment in advance. Section 3324 of title 31, United States Code, prohibits the advance of public moneys unless authorized by the appropriation or other law.

Proposed Section 576(c)(5) expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422):

Executive Order 12341 dated January 29, 1982 transferred this program to the Department of Justice. The Criminal Division executes the duties and administration of the Attorney General's Review Panel which screens Cuban entrants, currently housed in the Atlanta Federal Penitentiary, for possible parole.

Proposed Sections 576(d). The Antitrust Division is authorized to make payments from its appropriation for the hire of passenger vehicles:

This provision allows the Antitrust Division to lease automobiles and general purpose vehicles from the General Services Administration for the purpose of providing necessary transportation for high level staff in the Washington, D.C. area.

Proposed Section 576(e) This section addresses certain authorizations for the Fees and Expenses of Witnesses area.

Section 576(f) The Department of Justice is authorized to make payments from the Fees and Expenses of Witnesses appropriation for.

Proposed Section 576(e)(1) expenses, mileage, compensation, and per diem of witnesses in lieu of subsistence, as authorized by law:

The protection of witnesses activity provides financial security for government witnesses and potential government witnesses and their families in legal proceedings against persons alleged to be involved in organized criminal activity. Subsistence and relocation costs are paid from this appropriation.

Proposed Section 576(e)(2) advance of public moneys under 31 U.S.C. 3324:

Advances of fees and expenses are often necessary to ensure appearance of those witnesses who could not otherwise afford to appear. Section 3324 of title 31 United States Code prohibits the advance of public moneys unless authorized by an appropriation or other law.

Proposed Section 576(e)(3) planning, construction, renovation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites.

These proposed language changes would clarify the Department's authority to use this appropriation to fund specific expenses incident to the operation of the witness Security Program. Specifically, these changes pertain to the operation of command posts and the renovation and construction expenses associated with the establishment of "safesite" facilities for the protection of individuals admitted to the Witness Security Program and the processing and protection of individuals admitted to the Witness Security Program and the processing and protection of individuals considered to be protected entrants into the Witness Security Program. The language change clarifies (1) the extent of the authority given to the Attorney General by Title V, Section 502, of the Organized Crime Control Act of 1970, (P.L. 91-452) as it relates to "renovation" and "construction" in light of 41 U.S.C. 12 and 31 U.S.C. 1301, 1307 and (2) the source of funding to exercise the authority contained in Section 502.

Proposed Section 576(e)(4) No sums authorized to be appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

The limitation of one attendance fee reduces the possibility of excess payments to witnesses who testify more than once on any given calendar day.

Proposed Section 576(f) The Community Relations Service of the Department of Justice is authorized to make payments from its appropriation to pay for.

Proposed Section 576(f)(1) the hire of passenger motor vehicles:

Automobiles are leased from the General Services Administration for the purpose of providing necessary transportation for key personnel in carrying out their proper assignments.

Proposed Section 576(f)(2) payments in advance for grants, contracts, and reimbursable agreements and other expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants.

On January 21, 1982, the President, by Executive Order 12341, transferred from the Department of Health and Human Services (HHS) to the Department of Justice the responsibility and funding for the Cuban/Haitian entrant processing and care activities mandated by Section 501(c), Title V of the Refugee Education Assistance Act of 1980. This transfer of responsibility has been ratified by the Congress in past appropriation actions. The Department of Justice, with the concurrence of the Office of Management and Budget, has decided to consolidate the major activities related to the 501(c) program within the Community Relations Service (CRS). It was decided that since the President had vested the responsibility and the funding for this program in the Department of Justice, the personnel carrying out the program's principal activities would also be vested in the Department of Justice.

The consolidation of these activities required the transfer of personnel associated with the 501(c) Cuban/Haitian entrant related activities formerly situated in the Office of Refugee Resettlement, HHS to CRS. Since a considerable portion of the activities within this program is conducted through funding of grants or entering into contracts with qualified voluntary agencies or other qualified individuals to resettle or place Cuban/Haitian entrants, appropriate statutory language is required for CRS.

§ 577. Evaluations:

This section includes a generic authority to conduct evaluations of Department programs.

Proposed Section 577(a) The Attorney General shall perform periodic evaluations of the overall efficiency and effectiveness of the Department of Justice programs and any supporting activities funded by appropriations authorized and annual specific program evaluations of selected subordinate organizations' programs, as determined by priorities set by the Attorney General.

Proposed Section 577(b) Subordinate Department of Justice organizations and their officials shall provide all the necessary assistance and cooperation in the conduct of evaluations, including full access to all information, documentation, and cognizant personnel, as required.

A similar provision was included in most of the past Department of Justice Appropriation Authorization Acts. It was again proposed by the Department for fiscal year 1984 and is being reinitiated by the Department in an effort to continue to improve its management capabilities and to work with Congress to increase the overall efficiency and effectiveness of the Department's programs.

PROPOSED SECTION 4

Section 263a of title 22, United States Code, is amended by adding the following at the end thereof:

The Attorney General is authorized to make payments from the Salaries and Expenses, General Legal Activities appropriation of the Department of Justice for expenses necessary to host, at intervals of ten years or longer, the annual meeting of General Assembly of INTERPOL, and to periodically sponsor INTERPOL conferences on emerging topics of international crime.

The additional legislative authority being proposed is extremely important to INTERPOL-USNCB, and to the United States in general. Currently, the United States, through the INTERPOL-USNCB, is exerting a greater leadership role in the international organization. In this regard, the INTERPOL-USNCB, with substantial member country support, has successfully initiated an ongoing fiscal audit and review of the INTERPOL General Secretariat and plans are currently being made to implement a similar management review of the General Secretariat.

Additionally, during the recent meeting of the General Assembly, the United States achieved the support of the majority of the INTERPOL member countries in passing specific resolutions relating to international crime. The increasing leadership role of the United States in the international organization also is reflected by this country's successful efforts to seek and win the Presidency of INTERPOL in 1984. As United States involvement continues to expand, it is important that a highly credible United States image is maintained and that INTERPOL member countries perceive that the United States is assuming a greater participatory role in the organization.

One way to accomplish this objective is for the INTERPOL-USNCB to host the annual meeting of the INTERPOL General Assembly at intervals of approximately ten years or more. The proposed legislative language would clarify the USNCB's role in hosting such annual meetings and conferences.

PROPOSED SECTION 5

This section would establish general statutory authority for the Department of Justice to accept gifts.

Sec. 5(a). Chapter 31 of title 28, United States Code, is amended by inserting after the section 525 the following new section.

§ 525a. Department of Justice gift acceptance authority:

Sec. 525a. (a) The Attorney General is authorized to accept and utilize, on behalf of the United States, any gift, donation, or bequest of real or personal property for the purpose of aiding or facilitating the work of the Department of Justice. No gift may be accepted:

(1) that attaches conditions inconsistent with applicable laws or regulations, or

(2) that is conditioned upon or will require the expenditure of appropriated funds unless such expenditure has been authorized by Act of Congress. Gifts from foreign governments may be accepted only pursuant to the Foreign Gifts Act, 5 U.S.C. 7342.

(b) The Attorney General shall promulgate rules for accepting gifts pursuant to this provision, to ensure, among other things, that no gifts are accepted under circumstances that will create a conflict of interest for the Department of Justice.

(c) Gifts and bequests of money and proceeds from sales of property received as gifts or bequests that were not immediately useable by the Department of Justice may be credited to any appropriation or fund that is available for similar purposes to remain available until expanded upon order of the Attorney General.

(d) Gifts, bequests of property and property acquired from the proceeds deposited in accordance with subsection (c), and which are no longer required by the Department of Justice for its needs and the discharge of its responsibilities, shall be reported to the Administrator of General Services for transfer, donation, or other disposal in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended.

(e) Property accepted pursuant to this section and the proceeds credited to appropriations or funds pursuant to subsection (c) shall be used as nearly as practicable in accordance with the terms of the gift or bequest.

(f) For the purpose of Federal income, estate, and gift taxes, property accepted under subsection (a) of this section shall be considered as a gift or bequest to or for the use of the United States."

The proposed legislation would authorize the Attorney General to accept gifts, donations, or bequests of real or personal property to aid the Department in carrying out its functions. Gifts that attach conditions inconsistent with applicable laws or that are conditioned upon or require the expenditure of appropriated funds (unless the expenditure had been authorized by Congress) may not be accepted. The Attorney General is required to establish rules to insure that no gifts are accepted that will create a conflict of interest for the Department.

The Department of Justice currently has no general statutory authority to accept gifts, although similar authority exists for the Treasury Department (31 U.S.C. 3113), and the Administrative Conference of the United States (5 U.S.C. 575). Without specific authorizing legislation, no federal official may properly accept gifts or contributions for particular agencies to augment congressional appropriations.

The Department has received a variety of gift offers, including an offer of eight Morgan Horses to the Immigration and Naturalization Service, and an offer to the FBI of a piece of real property that was to be used in a foreign counterintelligence operation.

Proposed Section 5(b) Subsection 871(c) of title 21, United States Code, is hereby repealed.

21 U.S.C. 871—(c) The Attorney General may accept in the name of the Department of Justice any form of devise, bequest, gift, or donation where the donor intends to donate property for the purpose of preventing or controlling the abuse of controlling substances. He may take all appropriate steps to secure possession of such property and may sell, assign, or transfer, or convey any such property other than moneys.

The Department is proposing that this subsection be deleted so that all organizational units within the Department will be subject to a standard gift provision. The provisions of this subsection will be fully subsumed by proposed section 525a of title 28.

PROPOSED SECTION 6

This language amends Section 104 of the Act of March 14, 1980, 94 Stat. 97, and provides certain authorizations for the Foreign Claims Settlement Commission.

Proposed Section 6 Section 104 of the Act of March 14, 1980, [P.L. 96-209, 22 U.S.C. 1622] is amended by adding the following at the end thereof:

The Commission is authorized to make payments from its appropriation for the hire of passenger motor vehicles (for field use only);

Motor vehicles are used from time to time for the field work of the Commission.

Advances of funds abroad:

There have been instances in previous programs where the Commission was required to advance funds to foreign governments as part of leasing arrangements or contracts abroad. Federal law prohibits the advance of funds unless authorized by the appropriation or other law.

PROPOSED SECTION 7

Subsection 7(a) Part II of title 28, United State Code, is amended by inserting after chapter 35 the following new chapter: Chapter 36—General Authorizations—United States Attorneys and Marshals Service.

§ 555. General Authorization—United States Attorneys and Marshals Service:

This section amends part II of title 28, United States Code, to provide certain authorizations for United States Attorneys and the United States Marshals Service.

Proposed Section 555 Appropriations for the United States Attorneys and Marshals are available for:

Proposed Section 555 (a) the purchase of firearms and ammunition and attendance at firearms matches and law enforcement competitions:

The marshals and their deputies perform hazardous law enforcement duties which not only require expertise in handling weapons but superior physical ability. These duties range from providing personal protection to judges and witnesses to arresting and transporting felons. Attendance at firearms matches increases the expertise in the use of firearms and is a significant factor in boosting agent morale. This authority is identical to the authority requested for other organizations in the Department. Marshal Service personnel work hand in hand with State and local law enforcement officials. Participation in these matches and competitions promotes physical fitness and contributes to the improved conduct of this agency's mission.

Proposed Section 555(b) lease and purchase of law enforcement and passenger motor vehicles.

Personnel require passenger motor vehicles to perform their routine duties such as service of government process, movement of prisoners, and the transportation of protected witnesses.

Proposed Section 555(c) supervision of United States prisoners in non-federal institutions:

This clause provides for the safekeeping of United States prisoners in non-Federal institutions. Minimum standards for health and general welfare for the United States prisoners are required when contracting with non-Federal institutions for housing such prisoners.

Proposed Section 555(d) bringing to the United States from foreign countries persons charged with crime:

Extradition involves the return of fugitives ordered surrendered by a foreign government pursuant to a request by the United States.

Proposed Section 555(e) purchase, lease, maintenance, and operation of aircraft:

Aircraft is used to transport United States prisoners in the custody of the U.S. Marshals Service. This authority will be utilized only if it will result in a cost savings. The U.S. Marshals Service does not intend to acquire a large number of aircraft.

Proposed Section 555(f) payment of rewards and the purchase of evidence and payments for information.

This language provides for payments to informants or other persons aiding the Government in the arrest of suspects, federal law violators and their prosecution.

Proposed Section 8(b) Section 1921 of title 28, United States Code, is amended to read as follows: § 1921. United States Marshal's fees:

This subsection would amend section 1921 of title 28, United States Code, as follows:

"(a)(1) The United States Marshals or deputies shall routinely collect, and a court may tax as costs, the fees for the following:

"(A) serving a writ of possession, partition, execution, attachment in rem, or libel in admiralty, warrant, attachments, summons, capias, or any other writ, order or process in any case or proceeding:

"(B) serving a subpoena or summons for a witness or appraiser:

"(C) forwarding any writ, order, or process to another judicial district for service:

"(D) the preparation of any notice of sale, proclamation in admiralty, or other public notice or bill of sale:

"(E) the keeping of attached property (including boats, vessels, or other property attached or libeled), actual expenses incurred, such as storage, moving, boat hire, or other special transportation, watchmen's or keepers' fees, insurance, and an hourly rate including overtime for each deputy marshal required for special services, such as guarding, inventorying, and moving:

"(F) copies of writs or other papers furnished at the request of any party:

"(G) necessary travel in serving or endeavoring to serve any process, writ, or order, except in the District of Columbia, with mileage to be computed from the place where service is returnable to the place of service or endeavor:

"(H) overtime expenses incurred by deputy marshals in the course of serving or executing civil process.

"(2) The Marshals shall collect, in advance, a deposit to cover the initial expenses for special services required under subparagraph (E), and periodically thereafter such amounts as may be necessary to pay such expenses until the litigation is concluded. This paragraph applies to all private litigants, including seamen proceeding pursuant to section 1916 of this title.

"(3) For purposes of subparagraph (G), if two or more services or endeavors, or if an endeavor and a service, are made in behalf of the same party in the same case on the same trip, mileage shall be computed to the place of service or endeavor which is most remote from the place where service is returnable, adding any additional mileage traveled in serving or endeavoring to serve on behalf of that party. If two or more writs of any kind, required to be served in behalf of the same party on the same person in the same case or proceeding, may be served at the same time, mileage on only one such writ shall be collected.

"(b) The Attorney General shall prescribe from time to time regulations for the fees to be collected and taxed under subsection (a).

"(c)(1) The United States Marshals Service shall collect a commission of 3 per centum of the first $1,000 collected and 1 per centum on the excess of any sum over $1,000 for seizing or levying on property (including seizures in admiralty), disposing of such property by sale, setoff, or otherwise, and receiving and paying over money, except that the amount of the commission shall be within the range set by the Attorney General. If the property is not disposed of by marshal's sale, the commission shall be in such amount, within the range set by the Attorney General, as may be allowed by the court. In any case in which the vessel or other property is sold by a public auctioneer, or by some party other than the marshal or his deputy, the commission authorized under this subsection shall be reduced by the amount paid to such auctioneer or other party. This subsection applies to judicially ordered sales and execution sales, without regard to whether the judicial order of sale constitutes a seizure or levy within the meaning of State law.

"(2) The Attorney General shall prescribe from time to time regulations which establish a minimum and maximum amount for the commissions collected under paragraph (1).

"(d) The United States marshals may require a deposit to cover any of the fees and expenses prescribed under this section.

"(e) Without regard to the provisions of 31 U.S.C. 3302(b), the United States Marshals Service is authorized to credit amounts from fees and expenses collect (including amounts for overtime expenses) for the service of civil process, including complaints, summonses, subpoenas, and similar process performed by the Marshals to its current appropriations account (Salaries and Expenses, United States Attorneys and Marshals) for the purpose, only, of carrying out those activities."

The language would permit the Attorney General to set fees for the service of process commensurate with the costs incurred to serve such process. The receipts from such fees are to be credited to the U.S. Marshals Service's appropriation.

PROPOSED SECTION 8

This section would amend chapter 301 of title 18, United States Code, by inserting a new section after section 4002 providing certain authorizations for the Support of United States Prisoners appropriation.

Chapter 301 of title 18, United States Code, is amended by inserting after section 4011 the following new section:

§ 4002A. Support of United States Prisoners:

"The Attorney General or his designee is authorized to make payments from the Support of United States Prisoners appropriation for:

Proposed Section 4002A(a) the necessary clothing, medical aid:

The contracts with non-Federal institutions provide funds to these institutions to confine, clothe and provide medical care for certain unsentenced Federal inmates, for certain sentenced Federal prisoners awaiting transportation to permanent incarceration facilities, and for certain Federal prisoners called to non-Federal facilities for judicial purposes.

Proposed Section 4002A(a) (continued) and payment of rewards:

This authority is required to allow the U.S. Marshals Service to pay rewards for the capture of escaped Federal prisoners who were in the custody of the U.S. Marshals Service at the time of escape.

Proposed Section 4002A(b) entering into contracts or cooperative agreements for the necessary construction, physical renovation, and the acquisition of equipment, supplies, or material required to improve conditions of confinement and services of any facility which confines Federal detainees in accordance with regulations issued by the Attorney General: *Provided*, that amounts made available for constructing any local correctional facility shall not exceed the cost of constructing space for the average Federal prison population to be housed in the facility or in other facilities in the same correctional system as projected by the Attorney General. *Provided further*, that following agreement on or completion of any federally assisted correction facility construction the availability of the space acquired for Federal prisoners with these Federal funds shall be assured and the per diem rate charged for housing prisoners in the assured space shall not exceed operating costs for the period of time specified in the cooperative agreement.

This language would provide the Department with statutory authority to use the "Support of United States Prisoners" appropriation for the purpose of improving local jail facilities and conditions.

PROPOSED SECTION 9

Chapter 33 of title 28, United States Code, is amended by inserting after section 537 the following new sections:

§ 538. General Authorizations—Federal Bureau of Investigation:

Proposed Section 538(a) The Federal Bureau of Investigation is authorized to make payments from its appropriation for:

Proposed Section 538(a)(1) expenses necessary for the detection and prosecution of crimes against the United States:

Authorization for appropriations for the detection and prosecution of crimes against United States includes the expenses necessary for the FBI to conduct investigations of those violations of Federal law for which the FBI has responsibility. In addition to national priority areas of organized crime, foreign counterintelligence terrorism and white-collar crime, the FBI has primary jurisdiction over numerous other Federal statutes concentrating on such areas as interstate crimes, forcible crimes against banking institutions, civil rights, and fugitive investigations. Typical expenses include personnel compensation and benefits, travel and transportation of persons and property, rent, communications and utilities, capital and noncapital equipment, and supplies.

Proposed Section 538(a)(2) protection of the person of the President of the United States and the person of the Attorney General:

Appropriations are utilized for the purposes of assuring the security of the President, and of the Attorney General, when so requested by the Department of Justice. Typical expenses include personnel compensation and travel costs.

Proposed Section 538(a)(3) acquisition, collection, classification and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, cities, and other institutions, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies:

Authorization for appropriations for the collection and preservation of identification and other records and their exchange with authorized officials includes expenses for the maintenance at FBI Headquarters of the Central Records System, consisting of over six million investigative, personnel, applicant, administrative, and general case files, and for the maintenance of fingerprint identification records submitted by over 20,000 authorization agencies. In addition, this authorization for appropriations includes expenses of providing information contained in FBI records to other Federal agencies in compliance with Executive

Order 10450 and to authorized officials of States, cities, and other institutions.

Proposed Section 538(a)(4) such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General:

This language would permit the expenditure of funds at the direction of the Attorney General for other investigations regarding official matters as determined by the Attorney General.

Proposed Section 538(a)(5) purchase for police-type use and lease of passenger motor vehicles:

Authorization for appropriations for motor vehicles includes the expenses associated with the purchase and hire of motor vehicles utilized by investigative and support personnel in the performance of their official duties.

Proposed Section 538(a)(6) purchase, lease, maintenance and operation of aircraft:

Authorization for appropriations for aircraft includes the expenses of acquisition, lease, maintenance and operation of aircraft strategically located in various field offices of the Federal Bureau of Investigation.

Proposed Section 538(a)(7) purchase of firearms and ammunition and attendance at firearms matches and law enforcement competitions:

Authorization for appropriations for firearms and ammunition includes the expenses of acquisition and maintenance of firearms and implementation of FBI firearm training programs utilized by employees in the performance of their official duties.

A provision has been added to allow FBI agents to attend certain organized firearms matches. Participation in competitive matches with other law enforcement agencies improves firearms proficiency and improves the morale of the agents. At times these matches include other law enforcement competitions designed to test certain physical skills related to the profession. Other entities in the Justice Department are requesting authority to permit their agents to attend firearm matches and other competitions.

Proposed Section 538(a)(8) payment of rewards:

Authorization for appropriations for payment of rewards is utilized on a selective basis for information which results in the identification and apprehension of individuals being sought by the Federal Bureau of Investigation.

Proposed Section 538(a)(9) expenses to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General:

The word "solely" has been dropped from the phrase "solely on the certification of the Attorney General." The word "solely" restricts the certification process by providing that only the Attorney General is permitted to approve the use of funds for such purposes. Removing the word "solely" and adding the Deputy Attorney General permits expeditious certification by either the Attorney General or the Deputy Attorney General.

Proposed Section 538(a)(10) payment of travel and related expenses for immediate family members of employees, including expenses incurred for specialized training and orientation, if such training and orientation is not offered by the Department of State, in connection with a transfer to Puerto Rico, other territories and possessions of the United States, and assignment in a legal attache post outside the territory of the United States:

This provision would allow family members of agents under transfer to Puerto Rico, other territories and possessions of the United States and legal attaché posts outside U.S. territories, travel and per diem allowances. These expenses would be incurred when receiving orientation training prior to the agent's departure to a new assignment. Family success in adjusting to life in a new environment depends largely upon language ability, attitude and cultural awareness prior to arrival. Training and orientation will be coordinated by the FBI Academy and the State Department's Foreign Service Institute.

Proposed Section 538(a)(11) research related to investigative activities:

The Technical Services Division of the FBI is involved in several long-term, high-technology research projects. These projects relate to audio and technical collection systems, surveillance aids, and radio engineering. Due to the high degree of sophistication some of these projects involve, some aspects of them are contracted out to private industry. Because funding for these projects is available only on a fiscal year basis, the FBI has experienced some reluctance on the part of private companies to sign contracts to assist in our research. No year authority for research activities will be requested in the appropriation act to permit the FBI to enter into long-term contracts and enhance its ability to conduct scientific research.

Proposed Section 538(b) None of the sums authorized to be appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any employee in the competitive service.

All positions in the Federal Bureau of Investigation are excepted from the competitive service and the incumbents of such positions occupy positions in the excepted service.

§ 539. Fees for furnishing identification services:

Proposed Section 539 The Federal Bureau of Investigation may establish and collect fees for the processing of non-criminal employment and licensing fingerprint cards. Such fee is to represent the cost of furnishing the service. The funds collected shall be credited to the Salaries and Expenses, Federal Bureau of Investigation appropriation without regard to 31 U.S.C. 3302(b), and shall be available only to the extent specified in appropriations acts and may be used to pay for salaries and other expenses incurred in operating the FBI Identification to fiscal year for such purposes. There will be no fee assessed in connection with the processing of requests for criminal history records by criminal justice agencies for criminal justice purposes or for employment in criminal justice agencies. 'Criminal justice agency' is defined in 28 C.F.R. 20.3."

This language allows the FBI to set fees for services rendered by the Identification Division and permits the receipts from these fees to be utilized in paying for the operation of the FBI's Identification Division.

PROPOSED SECTION 10

This section would amend section 6 of the Act of July 28, 1950, 64 Stat. 380 (8 U.S.C. 1555) to provide authorization for certain activities for the Immigration and Naturalization Service.

Proposed Section 10 "Section 6 of the Act of July 28, 1950, (c. 503) (8 U.S.C. 1555) is amended to read as follows:

§ 6. General authorizations—Immigration and Naturalization Service:

Proposed Section 6 "The Immigration and Naturalization Service is authorized to make payments from its appropriation for:

Proposed Section 6(a) interpreters and translators who are not citizens of the United States and distribution of citizenship textbooks to aliens without cost to such aliens:

Translators and interpreters are necessary to facilitate communication between Service personnel and persons not speaking or writing English. While protecting the interests of the non-English speaking people, translators and interpreters are primarily used during deportation proceedings and other legal hearings. The textbooks provide clear instruction in citizenship responsibilities to applicants for naturalization. Similar authority exists at 8 U.S.C. 1555.

Proposed Section 6(b) allowances, (at such rate as may be specified from time to time in the appropriation act), to aliens while held in custody under the immigration laws, for work performed:

Payment of allowances to aliens held in custody is for work such as serving meals and cleaning. Such expenses are incurred by the Detention and Deportation function. This authority is contained in existing law (8 U.S.C. 1555).

Proposed Section 6(c) expenses to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for on the certificate of the Attorney General or the Deputy Attorney General:

These expenses are often necessary to protect the identity of informants. This proposal would amend existing authority (8 U.S.C. 1555) by deleting the word "solely" from the phrase "solely on the certificate of the Attorney General." The provision permits the expenditure of funds for the collection of evidence and information of a confidential nature. The word "solely" restricts the certification process by providing that only the Attorney General is permitted to approve the use of funds for such purposes. Removing the word "solely" and adding the Deputy Attorney General permits expeditious certification by either the Attorney General or the Deputy Attorney General.

Proposed Section 6(d) expenses related to the purchase and/or lease of privately owned horses:

This language would allow INS to use horses in its routine activities under the Border Patrol program. Remote areas not accessible by motor vehicle require the use of such horses to accomplish routine patrol. Similar authority currently exists in 8 U.S.C. 1555.

Proposed Section 6(e) advance of cash of aliens for meals and lodging while enroute:

Section 3324 of title 31, United States Code, prohibits the advance of public money unless authorized by appropriation or other law.

Proposed Section 6(f) expenses and allowances incurred in tracking lost persons as required by public exigencies in aid of State or local law enforcement agencies:

Local law enforcement agencies often request Border Patrol agents to participate in searches for lost persons. Without the proposed language, there is no authority to pay officers while on a regular tour of duty or on an overtime basis. This authorization is also necessary to clarify employee rights to

benefits if injured or killed while conducting searches.

Proposed Section 6(g) payment of rewards and purchases of evidence and payments for information:

Such expenses are incurred by the border and interior enforcement program activities of the Service. Payment of rewards is used for purposes of a confidential nature such as informant development, infiltration, and information or evidence in civil or criminal prosecution.

Authority is also included for the Immigration and Naturalization Service (INS) to use funds for the purchase of evidence and to make payments for information. The nature of investigative operations carried out by INS requires the use of certain amounts of money for the purchase of evidence and for the payment for information. This provision would permit the use of appropriated funds for these purposes. The use of these funds is particularly critical to the anti-smuggling program.

Proposed Section 6(h) purchase for police-type use for the current fiscal year and lease of passenger motor vehicles:

Motor vehicles are a necessary enforcement tool of the Service for pursuit of individuals in violation of the immigration laws, transportation of aliens in custody, travel status situations, and case investigation.

Proposed Section 6(i) purchase, lease maintenance, and operation of aircraft:

Aircraft are used in the Service by the Border and Interior Enforcement Program Activities. These aircraft are an effective method of detecting the presence of persons attempting or completing unlawful entry into the United States, while providing further assistance in the containment and apprehension of these individuals.

Proposed Section 6(j) purchase of firearms and ammunition and attendance at firearms matches and law enforcement competition:

Firearms and ammunition are provided primarily to Border Patrol and Investigative Agents of the Service for use in emergency situations only. Firearms matches are conducted to develop the expertise and safe use of these weapons. Similarly, matches many times offer additional competitions which test the skills of agents.

Proposed Section 6(k) planning, acquisition of sites and construction of new facilities and construction, operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto, subject to the provisions of 8 U.S.C. 1252(c) and 18 U.S.C. 4003:

These buildings and associated equipment are used primarily for purposes of alien detention, inspections and border patrol facilities and in some cases, living quarters for officers assigned to remote locations. Language has been added to refine the authority INS has to construct facilities. INS believes that additional language for planning, site acquisition and construction is required to clarify its authority to construct facilities. No year authority is requested for this provision in order to facilitate construction.

Proposed Section 6(l) refunds of maintenance bills, immigration fines, and other items properly returnable except deposits of aliens who become public charges and deposits to secure payment of fines and passage money:

Occasionally it is necessary to refund immigration fines collected from a carrier when it is determined, through adjudication, that such fines were improperly imposed and other items properly refundable.

Proposed Section 6(m) acquisition of land as sites for enforcement fences, and construction incidental to such fences:

Enforcement fences are utilized by the Service in certain border areas as part of its prevention strategy, and are useful for the purpose of controlling the flow of unlawful entrants into areas where apprehension is most assured.

Proposed Section 6(n) research related to immigration enforcement to remain available until expended:

This research includes the evaluation of new technology for its applicability to Service programs, such as communications systems and detection services. Research and development projects have, for example, been directed toward new capabilities in wide area surveillance through infrared and radar devices, in automatic inspections of large vehicles and rooms through heartbeat detector techniques, and in selected enforcement and public service activities through satellite and digital communications techniques. No year authority for research activities will be requested in the appropriation act.

Proposed Section 6(o) contracting with individuals for personal services abroad, provided that such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Office of Personal Management:

The INS currently has the authority to hire aliens, by contract, abroad. This authority continues to be necessary to hire investigative assistants, translators and other aliens for a variety of purposes in its foreign offices. Recruitment actions for clerical positions in many overseas offices meet with negative results because few qualified people apply due to the remote locations and adverse living conditions. Even when recruitment is successful, the time between selection and actual arrival at post often leaves the INS foreign offices without the assistance of necessary support personnel for extended periods of time. There are dependents of U.S. Foreign Service Offices, U.S. military personnel and other U.S. citizens at all posts where INS has an office who are available for temporary employment.

Proposed Section 6(p) entering into contracts with private organizations or entities for the safekeeping, care and subsistence of persons held under any legal authority.

The Attorney General has general authority to hold under legal custody those who violate Immigration laws and (18 U.S.C. 4082) to "designate as a place of confinement any available, suitable, and appropriate institution or facility, whether maintained by the Federal Government or otherwise." INS frequently has a need to place Federal detainees in quarters located far away from Federal facilities and in some cases Federal facilities are unable to accommodate additional persons held by INS. This provision would allow INS to enter contracts with a variety of agencies, public or private for the custody and care of persons held under legal authority. This concept of contractual placement of offenders in the facilities of another jurisidiction or agency is recognized in 18 U.S.C. 4002 (placing Federal offenders in state institutions), and in 18 U.S.C. 5003 (contracting to receive state offenders in Federal institutions).

PROPOSED SECTION 11

This section would provide authority for the Immigration and Naturalization Service to accept voluntary services.

Notwithstanding the provisions of 31 U.S.C. 1342, the Commissioner of the Immigration and Naturalization Service is authorized to accept voluntary and uncompensated services to assist the Service in information services to the public. Persons providing voluntary services shall not be used to displace any federal employee and shall not be considered a federal employee for any purpose except for the purpose of chapter 81 of title 5 United States Code, (relating to the compensation for injury) and 28 U.S.C. §§ 2671-2680 Code, (relating to Tort Claims).

The authority to use voluntary services without compensation in the information service function of INS would remove the restriction in 31 U.S.C. 1342 for the acceptance of such services. This provision will enable voluntary agencies to operate "ask immigration" tape libraries in conjunction with INS and maintain roving information representatives in INS' waiting rooms.

PROPOSED SECTION 12

This section would provide authority for certain activities of the Drug Enforcement Administration.

PROPOSED SECTION 12 Chapter 13 of title 21, United States Code, is amended by inserting after section 904 the following new chapter:

§ 905. General authorizations—Drug Enforcement Administration.

Proposed Section 905(a) the lease and purchase of law enforcement and passenger motor vehicles:

This provision authorizes the hire of passenger motor vehicles to give special agents the capability to operate in a clandestine mode to carry out surveillance and other enforcement techniques in enforcing the drug abuse laws. The vehicles must appear to be the same as those found in the environment in which the agents carry out their mission, with no identification to indicate that the vehicles are government owned. Vehicles purchased for law enforcement use typically cost more than fleet-type vehicles. DEA's operations, such as special investigative matters and regulatory and training activities, are most effectively and efficiently carried out through use of passenger motor vehicles hired or leased from private organizations and from GSA.

Proposed Section 905(b) payment in advance for special tests and studies by contract:

This section provides for payment in advance for research contracts and projects. Advance payment is the most efficient financing mechanism. These projects maximize the effectiveness of DEA's operations by development of new or improved techniques and procedures and increase the quantity and quality of investigative evidence. Section 3323 of title 31, U.S.C., prohibits advance payments unless specifically authorized by the appropriation or other law.

Proposed Section 905(c) payment in advance for expenses arising out of contractual and reimbursable agreements with State and local law enforcement and regulatory agencies while engaged in cooperative enforcement and regulatory activities in accordance with section 503a(2) of the Controlled Substances Act [P.L. 91-513 (1970)]:

This section provides for the funding of contracts, cooperative or reimbursable agreements, executed for the purpose of supporting cooperative law enforcement activities with State and local law enforcement, and with controlled substances regu-

latory agencies. These agreements aid in suppressing the abuse of controlled substances through the institution and prosecution of cases in courts and before licensing boards. It is often necessary to advance funds to accomplish this activity.

Section 905(d) expenses to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General, and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General:

These expenses are necessary for the purchase or procurement of information or evidence from individuals whose identity must be protected and remain confidential, to meet emergency situations threatening the personal safety of Government agents, informants, or their families, and for emergency situations in which disclosure of the expenditures would jeopardize investigative operations. The above language has been included in DEA's appropriation since 1974. It had also been included in the appropriation of predecessor agencies from 1966. The word "solely" has been dropped from the phrase "solely on the certificate of the Attorney General." The provision permits the expenditure of funds for the collection of evidence and information of a confidential nature. The word "solely" restricts the certification process by providing that only the Attorney General is permitted to approve the use of funds for such purposes. Removing the word "solely" and adding the Deputy Attorney General permits expeditious certification by either the Attorney General or the Deputy Attorney General.

Proposed Section 905(e) payment of rewards:

This language provides for payments to informants or other persons aiding the Government in the arrest of suspects, seizure of drugs, or prosecution of violators.

Proposed Section 905((f) publication of technical and informational material in professional and trade journals, and purchase of chemicals, apparatus, and scientific equipment:

This section provides for the publication of materials which help to develop an awareness of Federal drug enforcement and drug industry regulatory activities. The DEA laboratories perform analyses of drug evidence and provide expert scientific testimony for prosecutorial purposes. In-depth ballistics examinations are performed to help determine sources of drugs. Research capability is maintained in the areas of forensic science and advanced technological development.

Proposed Section 905((g) purchase, lease, maintenance, and operation of aircraft:

This provision authorizes aviation support for DEA operations. Aircraft is needed by DEA to detect and interdict narcotics traffic primarily through air to ground surveillance, overwater surveillance, and undercover operations. The use of aircraft by drug traffickers is well documented. The use of aircraft for surveillance activities can often replace complex or impossible ground surveillance.

Proposed Section 905(h) contracting with individuals for personal services abroad, provided that such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Office of Personnel Management.

The authority to employ aliens and U.S. citizens, by contract, abroad, is necessary to hire investigative assistants, translators, clerical and other personnel in foreign offices. Staffing clerical positions with personnel hired in the U.S. is difficult in many foreign offices and impossible in others due to remote locations and adverse living conditions. Recruitment of personnel from the U.S., even if successful, is generally met with extended delays in the selectee's actual arrival at post. Hence, without this authority, the office will be without clerical assistance for extended periods of time. There are dependents of State Department Foreign Service Officers, U.S. Military personnel and other U.S. citizens at all posts where DEA has an office who are available for temporary employment.

Proposed Section 905(i) purchase of firearms and ammunition and attendance at firearms matches and law enforcement competitions.

This section provides authorization for appropriations for firearms and ammunition including the expense of acquisition and maintenance of firearms utilized by employees in the performance of their official duties. These duties include participating in firearms matches to develop the expertise and safe use of weapons. Events which offer firearms matches often include competitions which test other law enforcement skills. Under this authority it would be clear that agents could also participate in these other competitions.

Proposed Section 905(j) research related to enforcement and drug to remain available until expended.

This language provides for a research and engineering program covering the following elements: search and surveillance; communications; command and control; regulatory support; forensic sciences; operational support; and special studies. No year authority for research activities is being sought in the Department's appropriation request.

Proposed Section 905(k)—payment of travel and related expenses for immediate family members of employees, including expenses incurred for specialized training and orientation, if such training and orientation is not offered by the Department of State, in connection with a transfer to Puerto Rico, other territories and possessions of the United States, and assignment in a post outside the territory of the United States.

This provision would allow family members of agents under transfer to Puerto Rico, other territories and possessions of the United States and posts outside U.S. territories, travel, and per diem allowances. These expenses would be incurred when receiving orientation training prior to the agent's departure to a new assignment. Family success in adjusting to life in a new environment depends largely upon language ability, attitude, and cultural awareness prior to arrival. Training and orientation will be coordinated by the Federal Law Enforcement Training Center, Glynco, Georgia.

PROPOSED SECTION 13

This section would amend chapter 303 of title 18 United States Code by inserting a new section 4044 authorizing certain activities by the Bureau of Prisons.

Proposed Section 13 Chapter 303 of title 18, United States Code, is amended by inserting after section 4043 the following new section:

§ 4044. General authorizations—Bureau of Prisons:

The Bureau of Prisons is authorized to make payments from its appropriation for:

Proposed Section 4044(a) the administration, operation, and maintenance of Federal penal and correctional institutions, including supervision and support of United States Prisoners in non-Federal institutions, and for inmate legal services within the system:

The Bureau contracts with appropriate non-Federal agencies for facilities to board certain types of Federal offenders and detainees. These facilities are used for the following reasons:

(1) to relieve overcrowding in Federal institutions,

(2) to offer protection to Federal offenders who would be in danger in Federal institutions,

(3) to help keep inmates near to their home communities,

(4) to provide programs not generally available in Federal institutions, and

(5) to place juvenile offenders in residential facilities.

Provision is also made to make available certain funds for inmate legal services, such as assistance programs where law students represent inmates on selected matters.

Proposed Section 4044(b) purchase and lease of law enforcement and passenger motor vehicles:

Hire of passenger motor vehicles is often necessary for personnel in travel status. Law enforcement and passenger vehicles are used to transport offenders and for routine functions in the operation of Bureau of Prison facilities.

Proposed Section 4044(c) compilation of statistics relating to prisoners in Federal penal and correctional institutions:

Administrative services performs up-to-the-minute locator and status information on all individuals in the custody of the Attorney General; population counts and statistics; and inter-agency, inter-facility and intra-institution population movement schedules, notices, statistics, and computation and update of sentences; this language provides the authority to gather such information.

Proposed Section 4044(d) purchase of firearms and ammunition and medals and other awards:

Expenses are incurred for the purchase of firearms and ammunition necessary to ensure the security of Bureau facilities and to respond to emergency situations. Correctional officers must undergo weapons familiarization as a routine part of their training activities. Medals and other awards are offered to staff personnel for recognition of superior performance.

Proposed Section 4044(e) payment of rewards:

Rewards are offered for information leading to the capture of those who escape from Federal penal or correctional institutions.

Proposed Section 4044(f) purchase and exchange of farm products and livestock:

The farm program uses available land resources to produce food products that will be used by federal correctional institutions. Farm productivity provides a primary hedge against inflation and spiraling food costs. The effective use of equipment, supplies, and manpower is used to achieve maximum use of the available land resources.

Proposed Section 4044(g) construction of buildings at prison camps:

Projects of $100,000 or less may be charged to the Salaries and Expenses appropriation of the Bureau of Prisons. Projects in excess of $100,000 are funded from the Buildings and Facilities appropriation with the specific line items being approved by Congress. The nature of construction at prison camps involves housing and adminis-

trative facilities for staff and inmates at the prison camp.

Proposed Section 4044(g) (continued) and acquisition of land as authorized by 18 U.S.C. 4010:

Acquisition of land primarily to perimeter security and camp expansions. As correctional programs expand, the necessity for renovation or expansion of existing facilities often requires the acquisition of additional acreage. Section 4010 of title 18, U.S.C., indicates the Attorney General may acquire land, if authorized by law.

Proposed Section 4044(h) entering into contracts with private organizations or entities for the safekeeping, care and subsistence of persons held under any legal authority:

The Bureau of Prisons has general authority (18 U.S.C. 4042) to "provide for the safekeeping, care, and subsistence of all persons charged with or convicted of offenses against the United States, or held as witnesses or otherwise." A place of confinement may be "any available, suitable, and appropriate institution, whether maintained by the Federal government or otherwise" (18 U.S.C. 4082). With expanding prison populations, and special needs for some offenders, this authorization recognizes the necessity of looking to a variety of agencies, public and private, for the custody and care of Federal offenders and others who are in lawful federal custody. It provides specific authority to enter contracts, wherever the appropriate contract source may be found, for the care of such persons. This concept of contractual placement of offenders in the facilities of another jurisdiction or agency is recognized in 18 U.S.C. 4002 (placing Federal offenders in state institutions), and in 18 U.S.C. 5003 (contracting to receive state offenders in federal institutions).

Proposed Section 4044(i) planning, acquisition of sites and construction of new facilities and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account:

This section provides authority for the Buildings and Facilities activities of the Bureau of Prisons. This language authorizes appropriations for planning, acquisition of sites, constructing, remodeling, and equipping of penal and correctional institutions. The purposes of the site acquisition and planning process are to identify and locate suitable sites for construction of new correctional facilities, and to design these facilities in a manner consistent with security, program requirements, and architectural innovation. Construction is completed within a specific timetable, within budgeted costs, and with the highest degree of quality. Rehabilitation and renovation of buildings is made to effect repairs at existing facilities and make modifications to accommodate new correctional programs.

Proposed Section 4044(i) (continued) to remain available until expended:

A no-year appropriation allows for the efficient and effective implementation of construction funds. Construction schedules are approximately two years for the warmer climates and two and a half years for the colder climates. Proposed Section 4044(i) (continued) and the labor of United States prisoners may be used for work performed with sums authorized to be appropriated by this subsection.

The use of inmate labor contributes to lower construction costs and provides inmates with vocational training opportunities.

PROPOSED SECTION 14

Chapter 307 of title 18, United States Code, is amended by inserting after section 4128, the following new section:

§ 4129. General authorizations—Federal Prison Industries, Inc.:

Proposed Section 4129 Federal Prison Industries, Incorporated, is authorized to make such expenditures, within the limits of funds and borrowing authority and in accord with the law, and to make such contracts and commitment without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation:

This section will provide authorization for Federal Prison Industries (FPI) Inc. FPI was created by Congress in 1934 and is a wholly-owned Government Corporation. Its mission is to employ and train Federal inmates through a diversified program providing products with a minimum of competition to private industry and labor. Employment provides inmates with work, develops occupational knowlege and skills, and earns money for personal expenses and family assistance.

Proposed Section 4129 (continued) including purchase and hire of passenger motor vehicles.

Passenger motor vehicles are often necessary for personnel in travel status. Purchase of passenger motor vehicles is required for routine functions in the day-to-day operation of the factories at Bureau facilities.

PROPOSED SECTION 15

This section would amend 18 U.S.C. 4204(b) by adding a new paragraph at the end for the United States Parole Commission.

Proposed Section 15 Section 4204(b) of title 18, United States Code, is amended by adding at the end thereof the following new subsection:

Proposed Section 4204(b)(9) hire passenger motor vehicles.

Passenger motor vehicles are necessary for transporting hearing examiners to hearing locations. This language would authorize the hire of such vehicles.

PROPOSED SECTION 16

This section would amend Title II of part 28, United States Code by inserting a new Chapter 40 which would provide authorization for certain undercover investigative operations of the FBI and the DEA.

Proposed Section 16 Part II of title 28, United States Code, is amended by inserting after chapter 37 the following new chapter: Chapter 40—Undercover Investigative Operations.

§ 599 Federal Bureau of Investigation undercover operations:

PROPOSED SECTION 599

(a) The authorizations and exemptions provided below may be utilized—

For each operation designed to detect and prosecute crimes against the United States, only upon written certification of the Director of the Federal Bureau of Investigation (or, if designated by the Director, a member of the Undercover Operations Review Committee) and the Attorney General (or if designated by the Attorney General, a member of such committee) that any action authorized by this section is necessary for the conduct of such undercover investigation, or

In each operation designed to collect foreign intelligence or to conduct foreign counterintelligence, upon written certification of the Director, Federal Bureau of Investigation (or if designated by the Director, the Assistant Director, Intelligence Division) and the Attorney General (or if designated by the Attorney General, the Counsel for Intelligence Policy). The type of exemptions sought for each operation shall be specified on the certification and the use of the exemptions for each operation will be reviewed during the operation by the Director's designee.

(1) Appropriations may be used for purchasing or leasing property, buildings, facilities, space, goods, insurance, licenses and any equipment necessary to establish and/or operate an undercover operation. These acquisitions shall be made in accordance with prevailing commercial practices so long as such practices are consistent with the purposes of the undercover operation. Laws applicable to federal acquisitions, federal property management and federal appropriations shall not apply to any acquisition for a certified undercover operation where compliance with such laws would risk compromise of the undercover nature of the investigation.

(2) Appropriations may be used to establish, acquire and/or operate proprietary corporations or business entities in accordance with prevailing commercial practices so long as such practices are consistent with the purposes of the undercover operation. Laws applicable to federal appropriations and government corporations shall not apply to any transaction for a certified undercover operation where compliance with such laws would risk compromise of the undercover nature of the investigation.

(3) Appropriations and the proceeds from such undercover operation may be deposited in banks or other financial institutions and may be used to offset necessary and reasonable expenses incurred in such operation without deposit in the Treasury.

(b) As soon as the proceeds from an undercover investigative operation with respect to which an action is authorized and carried out under subparagraphs (3) of paragraph (a) are no longer necessary the conduct of such operation, such proceeds or the balance of such proceeds remaining at the time shall be deposited in the Treasury of the United States as miscellaneous receipts.

(c) If a corporation or business entity established or acquired as part of an undercover operation under subparagraph (2) of paragraph (a) with a net value of over $150,000 is to be liquidated, sold, or otherwise disposed of, the Federal Bureau of Investigation, as much in advance as the Director or his designee determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury of the United States as miscellaneous receipts.

(d)(1) The Federal Bureau of Investigation shall conduct a detailed financial audit of each undercover investigative operation which is closed in fiscal year 1985, and each fiscal year thereafter and shall,

(A) submit the results of such audits in writing to the Attorney General, and

(B) not later than 180 days after such undercover operation is closed, submit a report to the Congress concerning such audit.

(2) The Federal Bureau of Investigation shall also submit a report annually to the Congress specifying—

(A) the number, by programs, of undercover investigative operations pending as of

the end of the one-year period for which such report is submitted,

(B) the number, by programs, of undercover investigative operations commenced in the one-year period preceding the period for which such report is submitted, and

(C) the number, by programs, of undercover investigative operations closed in the one-year period preceding the period for which such report is submitted and, with respect to each such closed undercover operation, the results obtained. With respect to each such closed undercover operation which involves any of the sensitive circumstances specified in the Attorney General's Guidelines on FBI Undercover Operation, such report shall contain a detailed description of the operation and related matters, including information pertaining to—

(i) the results,

(ii) any civil claims arising out of the investigation, and

(iii) identification of such sensitive circumstances involved, that arose at any time during the course of such undercover operation.

(e) For purposes of paragraph (d)(1)—

(1) the term "closed" refers to the point in time at which—

(a) all criminal proceedings (other than appeals) are concluded, or

(b) covert activities are concluded, whichever occurs later;

(2) the term "employees" means employees, as defined in 5 U.S.C. 2105, of the Federal Bureau of Investigation, and

(3) the terms "undercover investigative operation" and "undercover operation" means any undercover investigative operation of the Federal Bureau of Investigation (other than a foreign counterintelligence undercover investigative operation)—

(A) in which—

(i) the gross receipts (excluding interest earned) exceed $150,000, or

(ii) expenditures (other than expenditures for salaries of employees) exceed $150,000, and

(B) which is exempt from laws applicable to federal appropriations and government corporations, except that clauses (A) and (B) shall not apply with respect to the report required under subparagraph (2) of such paragraph.

Subsection (a) has been revised to clarify the administrative latitude conferred upon the FBI for the limited purpose of conducting undercover or intelligence activities. These activities require agents to conform to the standards of commercial, and sometimes even criminal environments. It is impossible to conform to these standards while complying with statutory requirements that govern routine government procurement and financial transactions.

In specifically authorizing the undercover and intelligence activities Congress never intended to compromise the security of these missions or the safety of the agents involved. In the current authorization Congress has exempted the FBI from certain procurement and financial requirements e.g. the Anti Deficiency Act, 31 U.S.C. § 1341.

It is not intended that the authorities contained in this section will relieve the Department of Justice from any requirements of the applicable laws other than in the establishment and conduct of its undercover operations.

The list of exemptions, cited in the current authorization, merely provides illustrations of the types of requirements from which an undercover operation must be exempt in order to preserve its cover. This list is not exhaustive, and cannot be, for it is virtually impossible to foresee and list by citation every statutory requirement that is incompatible with undercover and/or intelligence activities.

Therefore, subsection (a) has been revised to describe the exemptions, categorically in order to capture and embody all the provisions that may compromise the security of an investigation or an agent. The categorical references are to the following areas of law: federal acquisitions, federal property management, federal appropriations and government corporations. These categories of law are defined below.

"Federal Acquisitions" means acquiring by contract supplies or services by purchase or lease using appropriated funds. These activities are principally governed by Title 41 of the United States Code. Requirements that may be incompatible with undercover operations include: the requirement to advertise proposed purchases and proposed contracts for supplies or services, 41 U.S.C. § 5, and the inclusion of certain contract provisions such as the Walsh-Healey Act representations and stipulations required by 41 U.S.C. § 35, the requirement to purchase blindmade products, 41 U.S.C. §§ 46–48C; the prohibition on advance payment to contractors, 41 U.S.C. 255; and the requirements for full and open competition, 41 U.S.C. § 253.

"Federal property management" means the control and use of Federal real and personal property. These activities are principally governed by Title 40 of the United States Code. Restrictions that may be incompatible with undercover operations include: limitations on the leasing of space in the District of Columbia, 40 U.S.C. § 34; restrictions on construction loans for office buildings by Government Corporations 40 U.S.C. § 33a; limitation on a Government Corporation's leasing of buildings in addition to the limitation on rental rates, 40 U.S.C. § 129; and the prohibition against the inclusion, in any lease, of any provision regarding the repair of real property, 40 U.S.C. § 303b.

"Federal appropriations" means an act of Congress that permits Federal agencies to incur obligations and to make payments out of the Treasury for specified purposes. Fiscal transactions are principally governed by Title 31 of the United States Code. Restrictions that may be incompatible with undercover operations include: the proscription against the depositing of money in banks or lending money 31 U.S.C. § 3302(a); the requirement that all proceeds shall be deposited into the General Treasury 31 U.S.C. § 3302(b); the requirement that contracts and leases must be reexecuted at the beginning of each fiscal year 31 U.S.C. § 1341; the prohibition against the acceptance of voluntary services 31 U.S.C. § 1342; the proscription against installing telephones in private residence 31 U.S.C. § 1348; and the requirement that agreements be in writing in order to record an amount as an obligation 31 U.S.C. § 1501.

"Government Corporations" means a corporation that is owned by the Federal Government. While undercover proprietaries are not government corporations in the classical sense, they nonetheless meet the definition set out in 31 U.S.C. § 9101(1). Government Corporations are principally governed by Title 31 of the United States Code. Requirements that pertain to Government Corporations that may be incompatible with undercover operations include: the requirement that each corporation established or acquired by an agency be specifically authorized by Congress 31 U.S.C. § 9102; the requirment for budget submission 31 U.S.C. § 9103; the requirement that the Comptroller General's approval be obtained prior to the consolidation of a corporation's cash 31 U.S.C. § 9107; and the limitation on the obligations that may be issued by a government corporation, 31 U.S.C. § 9108.

It is intended that undercover operations utilize these exemptions only to the extent that it is necessary, and that they be conducted in a manner that is generally consistent with ordinary commercial practice. Adequate safeguards are provided in the legislation and the Department's own procedures to ensure the proper application of the exemptions and the appropriate use of funds. The type of exemptions sought will be specified on the certification. The use of the exemptions will be reviewed by the Director's designee, during the operation. Review of the use of the exemptions means periodic examination of submissions of exemption data, from field divisions, at FBI headquarters. "Director's designee" means: (1) with respect to undercover operations, a member of the Undercover Operations Review Committee or other person designated by the Director who is responsible for review of exemption data; (2) with respect to foreign counter intelligence operations, a member of the Intelligence Division Undercover Operations Review Committee or other person designated by the Director who is responsible for review of exemption data.

Subsection (a) requires that the exemptions be used only upon the certification of a high ranking official that the activities that warrant exempt status are necessary for the undercover or intelligence mission. Subsection (c) requires that the assets from a liquidated business revert to the Treasury. Subsection (d) requires the FBI to audit closed undercover operations and report the findings to the Attorney General and Congress. These safeguard will ensure the integrity and efficiency of these law enforcement activities while the exemptions will ensure their effectiveness.

"§ 599A. Drug Enforcement Administration Undercover Operations:

PROPOSED SECTION 599A

(a) The authorizations and exemptions provided below may be ulitized—for each operation designed to detect and prosecute crimes against the United States, only upon written certification of the Administrator of the Drug Enforcement Administration or his designee and the Attorney General or his designee that any action authorized by this section is necessary for the conduct of such undercover investigation. The type of exemptions sought for each operation shall be specified on the certification and the use of the exemptions will be reviewed during the operation by the Administrator's designee.

(1) Appropriations may be used for purchasing or leasing property, buildings, facilities, space, goods, insurance licenses and any equipment necessary to establish and/or operate an undercover operation. These acquisitions shall be made in accordance with prevailing commercial practices so long as such practices are consistent with the purposes of the undercover operation. Laws applicable to federal acquisitions, federal property management and federal appropriations shall not apply to any acquisition for a certified undercover operation where compliance with such laws would risk compromise of the undercover nature of the investigations.

(2) Appropriations may be used to establish, acquire and/or operate proprietary corporations or business entities in accordance with prevailing commercial practices so long as such practices as consistent with the purposes of the undercover operation. Laws applicable to federal appropriations and government corporations shall not apply to any transaction for a certified undercover operation where compliance with such laws would risk compromise of the undercover nature of the investigation.

(3) Appropriations and the proceeds from such undercover operation may be deposited in banks or other financial institutions and may be used to offset necessary and reasonable expenses incurred in such operation without deposit in the Treasury.

(b) As soon as the proceeds from an undercover investigative operation with respect to which an action is authorized and carried out under subparagraph (3) of paragraph (a) are no longer necessary for the conduct of such operation, such proceeds or the balance of such proceeds remaining at the time shall be deposited into the Treasury as miscellaneous receipts.

(c) If a corporation or business entity established or acquired as part of an undercover operation under subparagraph (2) with a net value over $150,000 is to be liquidated, sold or otherwise disposed of, the Drug Enforcement Administration, as much in advance as the administrator or his designee determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury as miscellaneous receipts.

(d)(1) The Drug Enforcement Administration shall conduct a detailed financial audit of each undercover investigative operation which is closed in fiscal year 1986, and each fiscal year thereafter and shall,

(A) submit the results of such audits in writing to the Attorney General, and

(B) not later than 180 days after such undercover operation is closed, submit a report to the Congress concerning such audit.

(2) for the purposes of paragraph (1), 'undercover investigative operation' and 'undercover operation' mean any undercover investigative operation of the Drug Enforcement Administration—

(A) in which

(i) the gross receipts exceed $150,000, or

(ii) expenditures (other than expenditures for salaries of employees) exceed $150,000 and

(B) which is exempt from laws applicable to federal appropriations and government corporations.

Subsection (a) has been revised to clarify the administrative latitude conferred upon the DEA for the limited purpose of conducting undercover or intelligence activities. These activities require agents to conform to the standards of commercial, and sometimes even criminal environments. It is impossible to conform to these standards while complying with statutory requirements that govern routine government procurement and financial transactions.

In specifically authorizing the undercover and intelligence activities Congress never intended to compromise the security of these missions or the safety of the agents involved. In the current authorization Congress has exempted the DEA from certain procurement and financial requirements e.g. the Anti Deficiency Act, 31 U.S.C. § 1341.

It is not intended that the authorities contained in this section will relieve the Department of Justice from any requirements of the applicable laws other than in the establishment and conduct of its undercover operations.

The list of exemptions, cited in the current authorization, merely provides illustrations of the types of requirements from which an undercover operation must be exempt in order to preserve its cover. This list is not exhaustive, and cannot be, for it is virtually impossible to foresee and list by citation every statutory requirement that is incompatible with undercover activities.

Therefore, subsection (a) has been revised to describe the exemptions categorically in order to capture and embody all the provisions that may compromise the security of an investigation or an agent. The categorical references are to the following areas of law: federal acquisitions, federal property management, federal appropriations and government corporations. These categories of law are defined below.

"Federal Acquisitions" means acquiring by contract supplies or services by purchase or leasing using appropriated funds. These activities are principally governed by Title 41 of the United States Code. Requirements that may be incompatible with undercover operations include: the requirement to advertise proposed purchases and proposed contracts for supplies or services, 41 U.S.C. § 5, and the inclusion of certain contract provisions such as the Walsh-Healey Act representations and stipulations required by 41 U.S.C. § 35, the requirement to purchase blind-made products, 41 U.S.C. §§ 46–48C; the prohibition on advance payment to contractors, 41 U.S.C. § 255; and the requirements for full and open competition, 41 U.S.C. § 253.

"Federal property management" means the control and use of Federal real and personal property. These activities are principally governed by Title 40 of the United States Code. Restrictions that may be incompatible with undercover operations include: limitations on the leasing of space in the District of Columbia, 40 U.S.C. § 34; restrictions on construction loans for office buildings by Government Corporations 40 U.S.C. § 33a; limitation on a Government Corporation's leasing of buildings in addition to the limitation on rental rates, 40 U.S.C. § 129; and the prohibition against the inclusion, in any lease, of any provision regarding the repair of real property, 40 U.S.C. § 303b.

"Federal Appropriations" Means an act of Congress that permits Federal agencies to incur obligations and to make payments out of the Treasury for specified purposes. Fiscal transactions are principally governed by Title 31 of the United States Code. Restrictions that may be incompatible with undercover operations include: the proscription against the depositing of money in banks or lending money 31 U.S.C. § 3302(a); the requirement that all proceeds shall be deposited into the General Treasury 31 U.S.C. § 3302(b); the requirement that contracts and leases must be reexecuted at the beginning of each fiscal year 32 U.S.C. § 1341; the prohibition against the acceptance of voluntary services 31 U.S.C. § 1342; the proscription against installing telephones in private residences 31 U.S.C. § 1348; and the requirement that agreements be in writing in order to record an amount as an obligation 31 U.S.C. § 1501.

"Government Corporations" means a corporation that is owned by the Federal Government. While undercover proprietaries are not government corporations in the classical sense, they nonetheless meet the definition set out in 31 U.S.C. § 9101(1). Government Corporations are principally governed by Title 31 of the United States Code. Requirements that pertain to Government Corporations that may be incompatible with undercover operations include: the requirement that each corporation established or acquired by an agency be specifically authorized by Congress 31 U.S.C. § 9102; the requirement for budget submission 31 U.S.C. § 9103; the requirement that the Comptoller General's approval be obtained prior to the consolidation of a corporation's cash 31 U.S.C. § 9107; and the limitation on the obligations that may be issued by a government corporation, 31 U.S.C. § 9108.

It is intended that undercover operations utilize these exemptions only to the extent that it is necessary. and that they be conducted in a manner that is generally consistent with ordinary commercial practice. Adequate safeguards are provided in the legislation and Department's own procedures to ensure the proper application of the exemptions and the appropriate use of funds. The type of exemptions sought will be specified on the certification. The use of exemptions will be reviewed by the Administrator's designee, during the operation. Review of the use of the exemptions means periodic examination of submissions of exemption data from field divisions, at DEA headquarters. With respect to undercover operations, Administrator's designee means any person designated by the Administrator who is responsible for review of exemption data.

Subsection (a) requires that the exemption be used only upon the certification of a high ranking official that the activities that warrant exempt status are necessary for the undercover or intelligence mission. Subsection (b) requires that all proceeds received from undercover operations, that are not longer necessary to the operation, revert to the General Treasury. Subsection (d) requires the DEA to audit every closed undercover operation and report the findings to the Attorney General and Congress. These safeguards will ensure the integrity and efficiency of these law enforcement activities while the exemptions will ensure their effectiveness.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1066. A bill for the relief of Harold M. Wakefield; to the Committee on the Judiciary.

RELIEF OF HAROLD M. WAKEFIELD

● Mr. MURKOWSKI. Mr. President, I am introducing a private relief bill for Mr. Harold M. Wakefield and a bill to instruct that this matter be sent to the Court of Claims for adjudication.

Mr. Wakefield's story is one of compelling bravery and patriotism in the face of difficult circumstances. The service that Harold Wakefield performed on behalf of the U.S. Government should make us all proud.

Mr. Wakefield first came to Alaska in 1950. In the early 1970's, more than a decade ago, he had a well paying, highly responsible managerial position. He had a growing family and found Alaska to be the ideal location to raise his children.

In 1972, Mr. Wakefield's father passed away and Wakefield took over

the family's boat shop. A year later, a customer came to that shop and offered to sell an expensive diesel marine engine. Mr. Wakefield had just recently read in the local newspaper that a flat bed truck containing a number of new snow machines and this same diesel engine had been hijacked. Rather than simply saying "no" to the offer to purchase stolen property, Wakefield said he would think about it and then proceeded to the Federal Bureau of Investigation to report the incident.

During the meeting with the FBI, Mr. Wakefield was asked if he would help recover the stolen engine. Despite the potential danger involved, he agreed. At the request of the FBI, Wakefield contacted the individual who offered him the engine and indicated he might be willing to make a purchase if the price was right. With that, the FBI placed a wiretap on Mr. Wakefield's telephone. Meanwhile, the FBI was unsuccessful in getting a search warrant. To continue the investigation, the FBI needed Wakefield to become further involved with the sting operation. The Bureau asked that Wakefield meet with the criminals and work out a deal.

At a restaurant in Anchorage, Mr. Wakefield met with an individual who later was identified as Allen Wayne Hurley, the leader of the Alaska chapter of the Hell's Angels. An agreement was made on the purchase of the stolen engine. The FBI now knew who was behind the hijacking and Mr. Wakefield could have left the case at this point. He had done more than his civic duty required. However, the FBI asked that he again become personally involved in getting the stolen property back by purchasing the engine for $10,000.

Under these pressures, the character of Henry Wakefield shown through. He found himself intimately involved with an investigation that could have cost more than mere time and inconvenience. He had to consider that the person he was dealing with was the leader of the Hell's Angels. Not only was Mr. Wakefield risking his life, his family was placed in danger with his increasing involvement in this operation.

Remarkably, Mr. Wakefield did not back down. Instead he decided to go forward with the set-up. The engine was purchased and Wayne Hurley was arrested.

With their leader facing trial, the Hell's Angels began intimidating the Wakefields. They terrorized Mr. Wakefield's widowed mother. Mr. Wakefield was forced to move her to California. Of course, Mr. Wakefield was also in danger. To change his appearance, he shaved off his beard and had his hair cut. He slept with a loaded gun by the bed and had a gun in the family cars. The house was wired with alarms and Wakefield and his wife took turns staying awake at night to make sure the family was protected.

Trying to avoid the danger, Mr. Wakefield decided to go to Costa Rica for 1 year with his wife and four daughters. He returned to Alaska only to testify at Hurley's trial and then went back to his family in Central America. His plan was to return to Alaska and reestablish his life after this event had quieted down and it would be safe to come home.

The family left Anchorage for Costa Rica in December of 1974. Mr. Wakefield returned to Alaska secretly in April of 1975 for the trial. Upon arriving at the Anchorage International Airport, Wakefield was told by the FBI and U.S. Attorney's office that Hurley had taken out a contract on his life—one large enough to attract a professional hit-man from out-of-State. In fact, the FBI brought up a special agent to claim fulfillment of the contract so that Hurley and his gang would believe Mr. Wakefield was dead. The agent gave the Hell's Angels forged evidence to show that Wakefield had been killed.

Proceeding under a great deal of secrecy and security, Wakefield testified against the leader of the Hell's Angels. During the time he was in Anchorage, Wakefield was under the witness protection program. Hurley was convicted and Mr. Wakefield immediately left for his family in Costa Rica.

And there this story should have ended, with Mr. Wakefield returning to Alaska shortly after the trial and continuing his career and raising his family. However, it was not to be. Three days after being convicted, Hurley overpowered two guards and escaped from the Anchorage jail. The U.S. Marshal's Office contacted Mr. Wakefield and told him it was not safe to return to Alaska. Because of the network of Hell's Angels across the United States, there was no place in this country where Wakefield and his family would be truly safe. The Marshal's Office was confident that Hurley would be recaptured shortly. Unfortunately, the prediction was wrong. Hurley eluded law enforcement officers throughout the Pacific coast for over 8 years, until August 1984 when he was finally captured in Bellingham, WA, with over $400,000 worth of marijuana and sophisticated growing equipment. Last fall Alaska's most wanted fugitive was returned to Anchorage and finally sentenced for the 1973 crime. He was given 5 years in Federal prison.

During the 9 years between Hurley's escape and recapture, Mr. Wakefield was running out of funds in Costa Rica and was forced to return to the United States. He and his family lived in Alabama for 1 year and then moved to Florida. He could not work full time because he was unable to give a complete employment history and so was unable to get a responsible position.

Through these years of moving about and making ends meet with part-time jobs, the Wakefields kept in close contact with the Marshal's Office in both Anchorage and Florida. Finally in 1982, 7 years after he testified against Hurley, the U.S. Marshal gave Mr. Wakefield the go-ahead to return home to Alaska.

During this entire time, Mr. Wakefield received no money of any kind from the U.S. Government except $25 for testifying before the grand jury and reimbursement for his airplane ticket when he returned to Anchorage for the trial.

Mr. President, early on, Mr. Wakefield turned down permanent witness protection because he did not want to change his name and permanently move from Alaska. Additionally, he was told that Hurley would be captured and imprisoned in a short period of time. With "20/20" hindsight, perhaps Wakefield should have chosen witness protection. The rules of the Justice Department do not permit retroactive application of the witness protection program. Mr. Wakefield, who has lost thousands of dollars because he helped the Government, now has no recourse through normal governmental channels to recover his losses. Therefore, his last resort is this private relief measure that I am introducing today.

The merits of Mr. Wakefield's claim should be adjudicated by the Court of Claims, which will assess his monetary loss. For all that Henry Wakefield has gone through these past years on behalf of his country, we should at least provide him an opportunity to present his claim before the only remaining tribunal that can provide relief. ●

ADDITIONAL COSPONSORS

S. 262

At the request of Mr. BYRD, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 262, a bill to provide for the preservation of the ferroalloy industry in the United States.

S. 283

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 283, a bill to amend the Clean Air Act to better protect against interstate transport of pollutants, to control existing and new sources of acid deposition, and for other purposes.

S. 288

At the request of Mr. GORTON, the name of the Senator from Idaho [Mr. MCCLURE] was added as a cosponsor of S. 288, a bill to provide Federal coordination for the continued development and commercialization of food irradia-

tion through the establishment of a Joint Operation Commission for Food Irradiation in the Department of Agriculture and through other means.

S. 377

At the request of Mr. DECONCINI, the name of the Senator from Connecticut [Mr. WEICKER] was added as a cosponsor of S. 377, a bill to provide for a General Accounting Office investigation and report on conditions of displaced Salvadorans, to provide certain rules of the House of Representatives and of the Senate with respect to review of the report, to provide for the temporary stay of detention and deportation of certain Salvadorans, and for other purposes.

S. 657

At the request of Mr. THURMOND, the names of the Senator from Arizona [Mr. DECONCINI], and the Senator from Kentucky [Mr. FORD] were added as cosponsors of S. 657, a bill to establish the Veterans' Administration as an executive department.

S. 680

At the request of Mr. THURMOND, the name of the Senator from Maryland [Mr. MATHIAS] was added as a cosponsor of S. 680, a bill to achieve the objectives of the multi-fiber arrangement and to promote the economic recovery of the United States textile and apparel industry and its workers.

At the request of Mr. BUMPERS, his name was added as cosponsor of S. 680, supra.

S. 739

At the request of Mr. DIXON, the name of the Senator from Colorado [Mr. HART] was added as a consponsor of S. 739, a bill to establish a National Endowment for the Homeless.

S. 848

At the request of Mr. COHEN, the names of the Senator from North Carolina [Mr. HELMS], the Senator from Virginia [Mr. WARNER], the Senator from Rhode Island [Mr. PELL], and the Senator from Virginia [Mr. TRIBLE] were added as consponsors of S. 848, a bill to provide for orderly trade in nonrubber footwear, to reduce unemployment, and for other purposes.

S. 887

At the request of Mr. DOLE, the names of the Senator from Illinois [Mr. SIMON], and the Senator from North Dakota [Mr. ANDREWS] were added as cosponsors of S. 887, a bill to amend the Internal Revenue Code of 1954 to extend the deduction for expenses incurred in connection with the elimination of architectural and transportation barriers for the handicapped and elderly.

S. 906

At the request of Mr. GORTON, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 906, a bill to provide for the imposition of a surcharge duty on products imported from foreign countries under certain conditions, and for other purposes.

S. 908

At the request of Mr. MCCONNELL, the names of the Senator from Kansas [Mr. DOLE], the Senator from Maryland [Mr. MATHIAS], and the Senator from Kansas [Mrs. KASSEBAUM] were added as cosponsors of S. 908, a bill to provide market expansion and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and for other purposes.

S. 945

At the request of Mr. THURMOND, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 945, a bill to recognize the organization known as the National Association of State Directors of Veterans' Affairs, Incorporated.

S. 983

At the request of Mr. MCCLURE, the names of the Senator from South Carolina [Mr. HOLLINGS], the Senator from Michigan [Mr. LEVIN], and the Senator from Montana [Mr. MELCHER] were added as cosponsors of S. 983, a bill to provide for limited extension of alternative means of providing assistance under the School Lunch Program and to provide for national commodity processing programs.

S. 987

At the request of Mr. EXON, the names of the Senator from New Jersey [Mr. BRADLEY], and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of S. 987, a bill to recognize the organization known as the Daughters of the Union Veterans of the Civil War 1861-65.

SENATE JOINT RESOLUTION 83

At the request of Mr. DOLE, the names of the Senator from Michigan [Mr. LEVIN], and the Senator from Idaho [Mr. MCCLURE] were added as cosponsors of Senate Joint Resolution 83, a joint resolution designating the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week."

SENATE JOINT RESOLUTION 92

At the request of Mr. DENTON, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of Senate Joint Resoluition 92, a joint resolution to designate October 1985 as "National Foster Grandparents Month."

SENATE JOINT RESOLUTION 128

At the request of Mr. BYRD, the names of the Senator from Kansas [Mr. DOLE], the Senator from Montana [Mr. MELCHER], the Senator from Connecticut [Mr. DODD], the Senator from Florida [Mr. CHILES], the Senator from South Dakota [Mr. ABDNOR], the Senator from Vermont [Mr. STAFFORD], the Senator from Wyoming [Mr. SIMPSON], the Senator from Virginia [Mr. WARNER], the Senator from Arizona [Mr. GOLDWATER], the Senator from Oklahoma [Mr. NICKLES], the Senator from Alaska [Mr. STEVENS], the Senator from Arkansas [Mr. PRYOR], the Senator from Oklahoma [Mr. BOREN], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Alaska [Mr. MURKOWSKI], the Senator from South Dakota [Mr. PRESSLER], the Senator from Wisconsin [Mr. KASTEN], the Senator from New Mexico [Mr. DOMENICI], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Georgia [Mr. MATTINGLY], the Senator from Michigan [Mr. LEVIN], the Senator from Arizona [Mr. DECONCINI], and the Senator from New Hampshire [Mr. RUDMAN] were added as cosponsors of Senate Joint Resolution 128, a joint resolution to designate May 7, 1985 as "Vietnam Veterans Recognition Day."

SENATE RESOLUTION 130

At the request of Mr. WALLOP, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of Senate Resolution 130, a resolution relative to the sport fish restoration trust fund.

SENATE RESOLUTION 140

At the request of Mr. BENTSEN, the names of the Senator from South Carolina [Mr. HOLLINGS], the Senator from New Hampshire [Mr. HUMPHREY], and the Senator from New Hampshire [Mr. RUDMAN] were added as cosponsors of Senate Resolution 140, a resolution urging the President to impose a trade boycott and embargo against Nicaragua.

SENATE RESOLUTION 148

At the request of Mr. HELMS, the name of the Senator from Oklahoma [Mr. BOREN] was added as a cosponsor of Senate Resolution 148, a resolution commemorating the 50th anniversary of the Rural Electrification Administration.

SENATE RESOLUTION 153—TO REFER THE BILL S. 1066 TO THE U.S. CLAIMS COURT

Mr. MURKOWSKI (for himself and Mr. STEVENS) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 153

Resolved, That the bill (S. 1066) entitled "A bill for the relief of Harold M. Wakefield" now pending in the Senate, together with all the accompanying papers, is referred to the Chief Judge of the United States Claims Court. The Chief Judge shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equi-

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tably due from the United States to the claimant.

AMENDMENTS SUBMITTED

VIETNAM VETERANS RECOGNITION DAY

BYRD (AND DOLE) AMENDMENT NO. 47

Mr. BYRD (for himself and Mr. DOLE) proposed an amendment to the joint resolution (S.J. Res. 128) to designate May 7, 1985, as "Vietnam Veterans Recognition Day"; as follows:

On page 2, in the first clause, after the word suffer, strike "physically and psychologically".

On page 2, in the fourth clause, strike, "and respond appropriately to the needs of".

FIRST CONCURRENT RESOLUTION ON THE BUDGET, DOLE (AND OTHERS) AMENDMENT NO. 48

Mr. DOLE (for himself, Mr. MURKOWSKI, Mr. TRIBLE, Mr. ROTH, Mr. ABDNOR, Mr. WARNER, Mr. DOMENICI, Mr. STAFFORD, and Mr. SIMPSON) proposed an amendment to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI), and subsequently amended, to the concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the U.S. Government for fiscal years 1986, 1987, and 1988, and revising the congressional budget for the U.S. Government for the fiscal year 1985; as follows:

In the pending amendment, do the following:

On page 3, increase the amount on line 12 by $200,000,000.

On page 3, increase the amount on line 13 by $900,000,000.

On page 3, increase the amount on line 14 by $1,700,000,000.

On page 3, increase the amount on line 18 by $900,000,000.

On page 3, increase the amount on line 19 by $2,400,000,000.

On page 3, increase the amount on line 20 by $3,900,000,000.

On page 3, increase the amount on line 25 by $900,000,000.

On page 4, increase the amount on line 1 by $2,400,000,000.

On page 4, increase the amount on line 2 by $3,900,000,000.

On page 4, increase the amount on line 6 by $900,000,000.

On page 4, increase the amount on line 7 by $3,300,000,000.

On page 4, increase the amount on line 8 by $7,200,000,000.

On page 4, increase the amount on line 12 by $900,000,000.

On page 4, increase the amount on line 13 by $2,400,000,000.

On page 4, increase the amount on line 14 by $3,900,000,000.

On page 24, increase the amount on line 3 by $700,000,000.

On page 24, increase the amount on line 13 by $1,700,000,000.

On page 24, increase the amount on line 22 by $500,000,000.

On page 24, increase the amount on line 23 by $2,700,000,000.

On page 27, increase the amount on line 4 by $200,000,000.

On page 27, increase the amount on line 5 by $200,000,000.

On page 27, increase the amount on line 13 by $500,000,000.

On page 27, increase the amount on line 14 by $500,000,000.

On page 27, increase the amount on line 22 by $800,000,000.

On page 27, increase the amount on line 23 by $800,000,000.

On page 33, increase the amount on line 2 by $200,000,000.

On page 33, increase the amount on line 3 by $200,000,000.

On page 33, increase the amount on line 11 by $400,000,000.

On page 33, increase the amount on line 12 by $400,000,000.

On page 37, decrease the second amount on line 20 by $276,000,000.

On page 37, decrease the amount on line 22 by $694,000,000.

On page 37, decrease the second amount on line 23 by $1,124,000,000.

On page 41, decrease the amount on line 17 by $372,000,000.

On page 41, decrease the amount on line 19 by $922,000,000.

On page 41, decrease the amount on line 21 by $1,480,000,000.

On page 43, decrease the amount on line 7 by $231,000,000.

On page 43, decrease the amount on line 8 by $209,000,000.

On page 43, decrease the first amount on line 9 by $541,000,000.

On page 43, decrease the second amount on line 9 by $514,000,000.

On page 43, decrease the amount on line 10 by $843,000,000.

On page 43, decrease the amount on line 11 by $819,000,000.

On page 44, decrease the second amount on line 19 by $276,000,000.

On page 44, decrease the amount on line 21 by $694,000,000.

On page 44, decrease the second amount on line 22 by $1,124,000,000.

On page 49, decrease the second amount on line 3 by $372,000,000.

On page 49, decrease the amount on line 5 by $922,000,000.

On page 49, decrease the amount on line 7 by $1,480,000,000.

On page 50, decrease the amount on line 18 by $231,000,000.

On page 50, decrease the amount on line 19 by $209,000,000.

On page 50, decrease the first amount on line 20 by $541,000,000.

On page 50, decrease the second amount on line 20 by $514,000,000.

On page 50, decrease the amount on line 21 by $843,000,000.

On page 50, decrease the amount on line 22 by $819,000,000.

PACKWOOD (AND OTHERS) AMENDMENT NO. 49

Mr. PACKWOOD (for himself, Mr. DOLE, and Mr. RUDMAN) proposed an amendment, which was subsequently modified to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) and subsequently amended, to the concurrent resolution (S. Con. Res. 32), supra; as follows:

At the end of the pending amendment, add the following: It is the sense of the Congress that tax legislation should be enacted to provide for payment of minimum taxes by corporations and individuals on the broadest feasible definition of income to assure that all of those with economic income will pay tax, and that the resulting revenues be used to reduce individual income tax rates and to increase the threshold amounts for tax payments by individuals in connection with consideration of comprehensive tax reform legislation.

PACKWOOD (AND OTHERS) AMENDMENT NO. 50

Mr. PACKWOOD (for himself, Mr. CHAFEE, Mr. DURENBERGER, and Mr. HEINZ) proposed an amendment to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) and subsequently amended, to the concurrent resolution (S. Con. Res. 32), supra; as follows:

In the pending amendment, do the following:

On page 3, increase the amount on line 12 by $200,000,000.

On page 3, increase the amount on line 13 by $900,000,000.

On page 3, increase the amount on line 14 by $2,200,000,000.

On page 3, increase the amount on line 18 by $200,000,000.

On page 3, increase the amount on line 19 by $1,100,000,000.

On page 3, increase the amount on line 20 by $1,900,000,000.

On page 3, increase the amount on line 25 by $200,000,000.

On page 4, increase the amount on line 1 by $1,100,000,000.

On page 4, increase the amount on line 2 by $1,900,000,000.

On page 4, increase the amount on line 7 by $400,000,000.

On page 4, increase the amount on line 8 by $1,200,000,000.

On page 4, increase the amount on line 13 by $400,000,000.

On page 4, increase the amount on line 14 by $800,000,000.

On page 21, increase the amount on line 16 by $200,000,000.

On page 21, increase the amount on line 17 by $300,000,000.

On page 21, increase the amount on line 24 by $500,000,000.

On page 21, increase the amount on line 25 by $600,000,000.

On page 22, increase the amount on line 16 by $200,000,000.

On page 22, increase the amount on line 17 by $200,000,000.

On page 22, increase the amount on line 24 by $600,000,000.

On page 22, increase the amount on line 25 by $700,000,000.

On page 23, increase the amount on line 7 by $1,500,000,000.

On page 23, increase the amount on line 8 by $1,100,000,000.

On page 33, increase the amount on line 2 by $100,000,000.

On page 33, increase the amount on line 3 by $100,000,000.

On page 33, increase the amount on line 11 by $200,000,000.

On page 33, increase the amount on line 12 by $200,000,000.

On page 40, decrease the first amount on line 16 by $180,000,000.
On page 40, decrease the amount on line 17 by $827,000,000.
On page 40, decrease the second amount on line 18 by $1,617,000,000.
On page 46, decrease the amount on line 10 by $180,000,000.
On page 46, decrease the second amount on line 11 by $827,000,000.
On page 46, decrease the amount on line 13 by $1,617,000,000.
On page 51, decrease the first amount on line 7 by $180,000,000.
On page 51, decrease the amount on line 8 by $587,000,000.
On page 51, decrease the second amount on line 9 by $1,047,000,000.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON NUTRITION

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Nutrition, of the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on Thursday, May 2, 1985, in order to conduct a hearing on child nutrition programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

NATIONAL SMALL BUSINESS WEEK

● Mr. RIEGLE. Mr. President this year, the week of May 5-11 has been designated "National Small Business Week;" 1985 marks the 21st year our Nation has acknowledged the contributions and achievements of small businesses throughout the country.

National Small Business Week is a very special week—special because it affords small businesses the recognition they deserve as the backbone of our Nation's economy. With this in mind, I would like to take a few moments to reflect on the vital contributions small businesses have provided in maintaining our country's economy as the world's leader.

This year there are over 15 million businesses in the United States; 98 percent of these are considered small businesses.

Between 1982 and 1983 the number of people employed by small businesses increased 2.6 percent. This represents almost twice the rate of increase in employment for large businesses.

The number of new jobs created by small business in 1981 and 1982 was 2,650,000. The small business sector is by far the largest creator of jobs in our economy.

Small business has afforded many minority and women entrepreneurs the opportunity to bring into reality their desire for economic freedom. From 1983 to 1984 the number of women who owned their own business increased 5.1 percent from 2,440,000 to 2,566,000. The number of minorities who owned their own business increased 10.3 percent from 570,000 to 629,000 during that same period.

Small businesses have also been instrumental in my own State of Michigan in putting people back to work. In 1984, small businesses provided over 1.5 million people with employment. This represents nearly 50 percent of Michigan's total employment.

By understanding the vital function small businesses play in our country, it is clear that small business will continue to provide our Nation with the growth and economic well-being needed in the decades ahead.

I am most pleased at this time to note that Mr. Patrick Thompson, president of Trans-Matic Manufacturing Co., located in Holland, has been selected the Michigan "Small Business Persons of the Year" by the U.S. Small Business Administration. Mr. Thompson started Trans-Matic Manufacturing in 1968 with two employees and sales of $51,000. Today, Trans-Matic Manufacturing is considered a leader in the application of high speed transfer presses, and employs over 80 people with sales of $8 million. Also of special note, the employees of Trans-Matic Manufacturing earned nearly $5,000 in profit-sharing bonuses last year, and Trans-Matic has shown an increase of 200 percent in productivity the last 10 years. This is a direct result of Mr. Thompson's strong belief in participative management.

Mr. Thompson, in addition to managing a successful business, is also active in civic affairs. He is a member of the board of directors of the Holland Education Foundation and was chairperson for the 1984 Hope College annual community fund drive. I congratulate Mr. Thompson for his achievement, and all of the employees at Trans-Matic Manufacturing who share this award through their dedication.

I would also like to take this opportunity to recognize several small business advocates in Michigan, who are being honored for providing a vast amount of time, energy, and expertise to Michigan small businesses in an effort to create a successful small business environment.

Mr. David T. Harrison, senior vice president of the First American Bank of Kalamazoo, is the "Financial Services Advocate" of the year. Mr. Harrison is one of the founders and the first president of the Kalamazoo Small Business Development Corp., and has taken an active role in responding to the financial needs of small businesses in Kalamazoo. Mr. Harrison was also a leader in implementing First America's Certified Lenders Program and Cooperating Bank Program with the SBA.

Mr. Edward M. Parks, managing partner of the Plante & Moran CPA firm in Southfield, is the "Accountant Advocate" of the year. Mr. Parks' dedication to small business has led to many innovative programs within Plante & Moran designed to assist small businesses. He has also given his strong support and encouragement to the staff of Plante & Moran to provide voluntary assistance to numerous associations, chambers of commerce, and other groups that directly assist small businesses.

Ms. Martha Mertz, president of the E&D Corp. located in Okemos, is the "Woman-In-Business Advocate of the Year." She also serves as president of the Lansing Regional Chamber of Commerce, through which she initiated an aggressive program designed to encourage women to participate in the chamber. This program resulted in an increase in women membership from 46 to 256 in just a few short years. She has a longstanding commitment to community involvement and created the Athena Award to focus community awareness on the contribution of business women to the local economy.

Mr. Wayne A. Curto, president of Pocketsavers, a cooperative direct mail company which he started in 1979, is the "Veteran Advocate of the Year." Mr. Curto has unselfishly given his time and expertise to other veterans and small business owners by participating in veterans business conferences, and local small business programs. He is a member of eight chambers of commerce in addition to managing Pocketsavers, which employs a full-time staff of 24, and has 23 independent contractors.

Mr. Larry Leatherwood, liaison officer with the Michigan Department of Transportation, is the "Minority Advocate of the Year." Mr. Leatherwood has exhibited a long and outstanding commitment to providing assistance to minority business. He is a founder and current president of the Minority Technology Council of Michigan. In his past position as director of the Division of Minority Business Enterprise within the Michigan Department of Commerce, he was responsible for providing assistance to over 2,000 clients through the department's program of assisting minority firms. In his current position, Mr. Leatherwood has been responsible for a significant increase in the number of minority- and women-owned business with the Michigan Department of Transportation.

Mr. Jack Hogan, news director of WZZM-TV-13, in Grand Rapids, is the "Media Advocate of the Year." Mr. Hogan has shown through his weekly "Success" feature for the station's regular newscast, that local small businesses can have a position and beneficial effect on their community, and has motivated others to start or expand their own businesses.

Mr. Chad C. Frost, chairman of the board of Frost, Inc., and president of Amprotect, Inc., is the "Innovation Advocate of the Year." Mr. Frost is another who has given his time, knowledge, and experience to helping other small business owners. He is a member of the board of the Michigan Technology Council, and chairman of the board of the West Michigan Technology Council. Mr. Frost is recognized as an expert on leading edge technologies and has spoken to public and private organizations on how these technologies can be applied to business.

The men and women I have spoken to here today have provided strong leadership throughout Michigan's small business community. They deserve our praise and admiration for serving as an example not just to Michigan business owners, but to small business owners throughout our country. These leaders have shown that small business is ready, willing, and able to adjust to and meet the challenges of our changing economy. I am extremely pleased to have been able to bring before you today their accomplishments, and the key role small business plays in Michigan.●

SENATE JOINT RESOLUTION 64—NATIONAL CORRECTIONAL OFFICERS WEEK

● Mr. D'AMATO. Mr. President, I rise today to cosponsor the joint resolution introduced by my Banking Committee colleague, Senator RIEGLE, to designate the week of May 5, 1985, as "National Correctional Officers Week." These officers supervise the hundreds of thousands of inmates housed in our Nation's jails, prisons, and other detention centers. They must do so under circumstances of serious overcrowding and tension that make their job even more difficult. I have visited many of these institutions, and I can only marvel at the professionalism of our correctional officers.

We ask much more of these brave men and women than that they merely keep order. We ask them to work with all inmates, even the most dangerous, to give them the opportunity to become productive and responsible citizens again.

I am pleased to cosponsor this joint resolution to accord those who undertake these most difficult and dangerous responsibilities the recognition and appreciation they deserve. I urge my colleagues to pass this joint resolution unanimously.●

HOWE MILITARY SCHOOL CELEBRATES ITS CENTENNIAL

● Mr. QUAYLE. Mr. President, to survive 100 years, from 1884 to 1984, as a private secondary school is no easy feat. To survive 100 years as a private secondary school with a commitment to excellence and high moral values, and a widely recognized superb reputation for educating young adults is an even greater feat. Yet, Howe Military School in Howe, IN, has done just that and has still flourished over the years.

Howe Military School has been celebrating its centennial throughout this current school year, 1984–85, and certainly deserves such an ongoing acknowledgement of the school's achievements and the achievements of its graduates. Howe Military School has graduated over the years hundreds of young Americans with superb academic backgrounds, high personal standards, and a strong sense of patriotism. Howe embodies what private education is and should be. Its superintendent, General Scott, its faculty, board of trustees, alumni, and supporters are dedicated to providing the students a foundation based on the principles that guided the creation of our Nation.

Howe Military School has always provided its students with a traditional education and has never swerved from its path when other secondary schools were trying to make their students happy by adding all sorts of new and experimental classes. Howe has had strong ties with the church also, which has helped guide the school and has contributed to the classic and moral education of the students.

For the most part, private schools have been able to attain greater academic quality, generate more concern for moral values, and offer a generally better disciplined classroom atmosphere than have public schools. Private education, like that offered at Howe, continues to exist because of the demand for its services. It meets the needs of a pluralistic United States because parents exercise more influence over its policies and because it combines high academic achievement and respect for traditional moral and spiritual values.

Howe Military School offers all this as well as high quality military training to its students. Ninety percent of these students go on to college or to our service academies. They are well-prepared, committed, and patriotic young adults. With the graduation of its students, Howe is performing a service to Indiana, the Midwest, and our Nation. Howe has performed this service for 100 years already. I feel certain that Howe Military School will continue to teach, lead, and prepare our youth for another 100 years.●

MARCH 1985 TRADE DEFICIT

● Mr. BINGAMAN. Mr. President, it was announced Tuesday that the U.S. merchandise trade deficit was $11 billion in March. The March total was down only slightly from February's $11.4 billion figure. As a result, the deficit for the first quarter of the year is running at an annual rate of $131 billion. At this rate, the 1985 trade deficit is expected to exceed last year's record deficit of $123.3 billion. I ask that an article which appeared in today's Washington Post on the trade deficit be printed in the RECORD following my remarks.

Mr. President, I continue to be amazed at the lack of concern that has been expressed over our deteriorating trade posture. We must immediately begin to reverse the harmful trend of rising imports, lack of commitment to expanding exports, and little concern for developing a coordinated trade policy. These issues, and the related issue of the competitiveness of American industry, are of the utmost importance to the economic security of our Nation.

Last year, the United States experienced a trade deficit of $123.3 billion, the ninth year in a row that we have imported more than we have exported. This is a striking reversal for a nation that has maintained a surplus in its trade with the rest of the world for most of our history as an industrial nation. In fact, this year we have become a net debtor nation for the first time since early in this century.

Although part of the enormous trade deficit is related to the high value of the dollar relative to the currency of other nations, the deteriorating trade imbalance also reflects a weakening of our competitive position in the world economy. This lack of competitiveness is not limited to the so-called sunset industries such as steel and automobiles, but is showing up in almost every sector of the American economy. Seven out of ten American high-technology sectors have lost market share since 1965, and in 1984 our trade deficit with Japan in electronics was greater than in automobiles. The declining competitive position of American industry is further documented in a recently completed report, "The President's Commission on Industrial Competitiveness."

Many other industries are also experiencing serious decline due to foreign competition, much of it unfair competition as a result of subsidization and imposition of trade barriers. These industries include mining, textiles, and agriculture among others. The mining industry in New Mexico, copper, potash and uranium have experienced serious declines as mines have closed, workers have been laid off and local economies have been seriously disrupted. As a result, we must begin to rethink our trade laws and remedies against unfair trade practices.

It is true that in many cases American products do not have the same access for foreign markets as foreign products have to U.S. markets. This problem has been the focus of much discussion in the Congress and country

recently, with particular reference to Japan. I strongly support any effort that results in the lowering of barriers, tariff and nontariff, to American exports to Japan. However, we must recognize that Japan accounts for only one-third of the worldwide American trade deficit. Our worldwide deficit continues to grow with all of our trading partners, including the European Economic Community and other so-called new Japans—South Korea, Taiwan and Singapore, in particular. In fact, recently these imbalances have grown even faster than our imbalance with Japan. We must open Japan's markets but we must also recognize this worldwide situation.

More than ever before we operate in a highly competitive international marketplace and world economy. International trade now accounts for over 10 percent of our gross national product. Almost 10 million American workers—several thousand in New Mexico—owe their jobs to trade related activities. Currently over 70 percent of American products now must compete with imports from countries in Europe, Asia and Latin America. A more constructive approach recognizes that the present trade imbalances are not transitory, but are likely to continue unless some action is taken. I have been active in trying to address these issues in the Senate. Specifically, I have introduced a bill, S. 450, to create a bipartisan National Trade Commission which would recommend means of developing a coherent trade policy, enhance our ability to export and improve the system of trade remedies. I am also a member of the Democratic Working Group on Trade Policy which recently issued its preliminary report on our trade policies and how to improve our trade posture.

I am also concerned that as we are now debating the budget for fiscal year 1986 we still are not recognizing the challenge and the consequences of our failure to address our trade problems. Interestingly, the budget submitted by the President and the GOP compromise plan passed by the Senate Tuesday contain spending cuts that would further exacerbate our competitiveness problems. Cuts are called for in programs to promote exports, to encourage research and development, and to improve our educational system in critical math, science, and high technology areas. We must all work to restore and enhance these programs and resist shortsighted cuts in these key areas.

The present economic summit in Bonn presents a good opportunity for this country to lead the way in bringing about a rethinking of our trade relationships. I hope it is an opportunity that will not be lost in blind adherence to the "nonpolicies" of the past which have brought us to this untenable trade deficit.

The strength and vitality of the American economy are the underpinnings of our standard of living and our security. I believe we now face a challenge to our economic leadership in the world. I also believe that once we recognize that challenge and develop a consensus on how to meet it, we will bring to bear all the ingenuity, creativity and energy that has made this country great.

The article from the Washington Post follows:

TRADE DEFICIT DROPS TO $11 BILLION

(By Stuart Auerbach)

The United States' merchandise trade deficit dipped to $11 billion in March, but without significantly slowing the record pace for the year that has dragged down the economy, the Commerce Department reported yesterday.

The March total was down slightly from February's $11.4 billion figure. Nonetheless, the deficit for the first quarter of the year is running at an annual rate of $131 billion, resulting in predictions that the 1985 total will top last years record deficit of $123.3 billion.

The Commerce Department said that the picture would have been bleaker, with a damaging surge of imports, except for a sharp decline for the fourth straight month in the value of petroleum products brought into the country.

Manufactured goods—including telecommunications equipment, industrial machinery, chemicals, footwear and clothing—continued to pour into the country as total imports reached $29.3 billion, an increase of less than 1 percent over February. Petroleum imports, however, showed a 16.8 percent decrease.

"The leading indicators, down 0.2 percent in March, have been affected by the loss in market shares to foreign manufacturers," Commerce Secretary Malcolm Baldrige said.

"The economy probably will strengthen during the current quarter, but domestic production gains will be limited by higher imports and flat export sales," he continued. "This drag on the economy would be moderated by reducing the budget deficit, lowering barriers" to American exports "and by stronger growth abroad."

House Democrats blamed an overvalued dollar for much of the trade deficit and called on the Reagan administration to convene an international monetary conference this year. The Democrats thus allied themselves with the United States' European allies—especially France—who are pressing Reagan to include monetary reform with his push at this week's economic summit for a new round of global trade talks.

Rep. Sam Gibbons (D-Fla.) said the March trade figures show "there is no turnaround" in economic problems caused by the supercharged dollar. Senate Democrats, headed by Lloyd Bentsen (D-Tex.) and a key Republican, John C. Danforth (R-Mo.), also pressed President Reagan to concentrate on correcting world currency misalignments rather than pushing for new trade talks.

Bentsen also complained that Reagan is bringing no trade specialists in his entourage to the summit, which starts Thursday in Bonn. "I think that is a serious mistake. It shows a lack of giving trade the priority and commitment that it needs. The trade deficit is not going to get turned around until the administration gets a coordinated trade policy and begins to show leadership in the White House," Bentsen said.

Baldridge said the dollar has increased 17 percent since March 1984 and 78 percent from its low point in July 1980.

A strong dollar makes American products more expensive in other countries and lowers the price of imports, making them more attractive to Americans.

The increase in overall imports was moderated by decreases in the number of automobiles shipped to the United States, especially from Japan, which most likely cut its shipments to conform to quotas that ended March 31. The Japanese government, however, announced that it will allow a 25 percent increase in automobile shipments to the United States for the next 12 months. Automobile shipments from Canada increased, indicating that the U.S. market remains firm.

Imports for the first quarter ran ahead of exports by $32.7 billion, an increase of 9 percent over last year's record pace, overwhelming slight improvements in U.S. companies' export performance.

U.S. overseas sales jumped to $18.4 billion in March, a 3.3 percent increase over February's $17.9 billion figure and 3 percent higher than the previous March. Exports had dropped by 8 percent in February for the sharpest decline in seven years. Overseas sales of aircraft and parts overcame a 13.6 decrease in exports of farm products in March.

The trade deficit with Japan, which is the United States' largest, dipped slightly in March to $3.2 billion, the lowest level since December and $1 billion less than February. The United States also recorded trade deficits of $2.1 billion with Canada, $1.7 billion with Western Europe and $1.3 billion with Taiwan.●

PROPOSED ARMS SALES

● Mr. LUGAR. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

In keeping with my intention to see that such information is available to the full Senate, I ask to have printed in the RECORD at this point the notifications which have been received. Any portion which is classified information has been deleted for publication, but is available to Senators in the office of the Foreign Relations Committee, room SD-423.

The notifications follow:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC, April 30, 1985.

Hon. RICHARD C. LUGAR,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding

herewith Transmittal No. 85-24, concerning the Department of the Army's proposed Letter of Offer to Saudi Arabia for design and construction services estimated to cost $450 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

GLENN A. RUDD,
Acting Director.

[Transmittal No. 85-24]

NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(b) OF THE ARMS EXPORT CONTROL ACT

(i) Prospective purchaser: Saudi Arabia.

(ii) Total estimated value: $450 million.

(iii) General description of facilities to be constructed: This is an extension of an existing case to provide design and construction services of the U.S. Army Corps of Engineers (USACE) in connection with the Saudi Arabian Army's Ordnance Corps (SAAOC) Logistics System, including engineering planning assistance, USACE sponsored SAAOC technical orientation visits to CONUS agencies and installations, technical service contracts, financial services and commercial procurement including construction from 26 July 1985 through 25 July 1986 with an option for an additional year.

(iv) Military Department: Army (HEI).

(v) Sales commission, fee, etc., paid, offered, or agreed to be paid: None.

(vi) Sensitivity of technology contained in the Defense articles or Defense services proposed to be sold: None.

(vii) Section 28 report: Case not included in section 28 report.

(viii) Date report delivered to Congress: April 30, 1985.

POLICY JUSTIFICATION

Saudi Arabia—Design and Construction Services

The Government of Saudi Arabia has requested an extension of an existing case to provide design and construction services of the U.S. Army Corps of Engineers (USACE) in connection with the Saudi Arabian Army's Ordnance Corps (SAAOC) Logistics System, including engineering planning assistance, USACE sponsored SAAOC technical orientation visits to CONUS agencies and installations, technical service contracts, financial services and commercial procurement including construction from 26 July 1985 through 25 July 1986 with an option from an additional year. The total cost is estimated to be $450 million.

This sale is consistent with the stated U.S. policy of assisting friendly nations to provide for their own defense by allowing the transfer of reasonable amounts of defense articles and services. It will demonstrate the continuing willingness of the United States to support the Saudi Arabian effort to improve the security of the country through moderization of its forces. In a regional context, enhancement of the defensive capabilities of Saudi Arabia will also contribute to overall Middle East security.

This case will extend for one year, and provide an option for an additional year, the services of the USACE to continue the modernization of the SAAOC logistics system initiated in 1972.

The sale of this equipment and support will not affect the basic military balance in the region.

There will be no prime contractor for this transaction. The USACE is the principal organization to implement provisions of this case.

Implementation of this sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to Saudi Arabia.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC, April 30, 1985.

Hon. RICHARD C. LUGAR,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding under separate cover Transmittal No. 85-25, concerning the Department of the Navy's proposed Letter of Offer to Korea for defense articles and services estimated to cost $50 million or more. Since most of the essential elements of this proposed sale are to remain classified, we will not notify the news media.

Sincerely,

GLENN A. RUDD,
Acting Director.

[Transmittal No. 85-25]

NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(b) OF THE ARMS EXPORT CONTROL ACT

(i) Prospective purchaser: Korea.

(ii) Total estimated value: Major Defense Equipment [1] and Other (Deleted).

(iii) Description of articles or services offered: (Deleted).

(iv) Military Department: Navy (SBN).

(v) Sales commission, fee, etc., paid, offered, or agreed to be paid:

(vi) Sensitivity of technology contained in the Defense articles or Defense services proposed to be sold: None.

(vii) Section 28 report: Included in report for quarter ending December 31, 1984.

(viii) Date report Delivered to Congress: April 30, 1985.

POLICY JUSTIFICATION

(Deleted).

(Deleted).

This sale will contribute to the foreign policy objectives of the United States by helping to improve the security of a friendly country which has been and continues to be an impetus for modernization and progress in Eastern Asia. The sale of this equipment and support will enhance deterrence and contribute to the preservation of peace and stability on the Korean peninsula.

(Deleted).

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be Rockwell International of Columbus, Ohio.

Implementation of this sale will require the assignment of two additional U.S. Government personnel for three months and four contractor representatives for 12 months to Korea.

There will be no adverse impact on U.S. defense readiness as a result of this sale.●

S. 1048—THE ANTIFRAUDULENT ADOPTION PRACTICES ACT OF 1985

● Mr. BENTSEN. Mr. President, yesterday, I joined with my distinguished colleague from Alabama, Senator DENTON, in introducing the Antifraudlent Adoption Practices Act of 1985, S. 1048. I joined with my colleague as an original cosponsor of that legislation.

I have read reports about a small group of unlicensed independent adoption brokers that may have defrauded nearly 40 couples of up to $7,000 apiece by promising to find them adoptable babies.

Allegations of deceptive adoptive practices by this group have been made by couples in at least 20 States—from Hawaii to Pennsylvania. And if the accused brokers are to be believed, the actual number of fraudulent agreements may be as high as 400. One of the serious allegations stemming from these reports is the charge that pregnant women are smuggled into the United States as a way of circumventing immigration requirements relating to adoption.

Unfortunately, Mr. President, the seamy scenario I have described may only represent the tip of the iceberg in the largely unregulated world of international and interstate adoption. A reveiw of recent adoption statistics points to this unfortunate conclusion. Last year, according to the National Committee for Adoption, an estimated 2 million American couples were waiting to adopt children. Of these, only 60,000 were able to obtain a child. Foreign and interstate placements account for nearly 14 percent of reported adoptions—we have no reliable estimates of unreported independent placements.

As an adoptive parent I sympathize with the desire of all prospective parents to bring a child into their homes. And I believe that States, whose jurisdiction over family law is well established, should continue to exercise primary responsibility for regulation of adoption practices. However, because a significant number of adoptions occur outside the reach of State statute, the Federal Government has a responsibility to insure against deliberate and unconscionable deception of vulnerable children and their families—both natural and adoptive.

Under the provisions of our bill, the Federal Government would work in concert with States to supplement—and not supplant—State adoption statutes. This much needed measure would make fraudulent practices by an adoption service that operates between States or internationally a Federal crime punishable by a fine of up to $10,000 and imprisonment of up to 5 years. Enactment of this bill will provide access to the Federal courts for both prospective parents and pregnant mothers. In addition, this legislation will direct the Secretary of Health and Human Services to join with States in reviewing all adoption legislation to determine whether improvements in

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[1] As defined in Section 47(6) of the Arms Export Control Act.

existing law should be made as a means of better insuring that adoptive children and their parents are protected.

I hope my colleagues will agree with the objective of this bill and join us to secure its swift passage.●

ACID RAIN

● Mr. D'AMATO. Mr. President, I rise today in support of S. 283, introduced by my distinguished colleague, Senator MITCHELL. I am pleased to be added as a cosponsor of this bill.

In the past, I have indicated my support for a similar bill, S. 52, which is also pending before the Committee on Environment and Public Works, and I continue to support that bill. In cosponsoring both S. 283 and S. 52, I want to make it clear that I am ready to back any reasonable proposal which will substantially reduce sulfur dioxide emissions. We simply cannot tolerate any further delays in reducing this pollution. I am tired of proposals which suggest we should postpone action until we have more studies or more discussions. This is a problem that is going to cost us valuable, irreplaceable resources if we fail to act quickly.

Acid rain is a growing concern in the State of New York, not only for its detrimental effects on aquatic chemistry and life, but also for the increasing appearance of problems with our forests, crops, and even our drinking water.

As I regularly visit the beautiful Adirondack region, I have been particularly concerned over the damage in that area. As a rule, the Adirondack lakes do not have enough natural buffering capacity to neutralize the detrimental effects of acid rain. The combined effect of the damage to the forests and the loss of sport fisheries has cost the region millions of dollars in lost tourism. Acid rain is a growing disaster. It has even scarred the Statue of Liberty.

Mr. President, I do not believe, as some would propose, that we should simply study this problem over and over before taking action. Without prompt action, this problem will grow. A lake can take only so much acid; after a point, it may lose its fish and plant life forever. Some of our lakes have passed that point, while others are drawing dangerously close. Once acid rain has laid waste a forest, it takes decades for the trees to grow back.

Worse yet, acid rain may do harm we are only starting to understand. If enough acid gets into a reservoir, it might release aluminum and mercury from the bottom, with serious implications for our drinking water supplies. Acid might also leak lead from the pipes in water delivery systems. The health effects are still unknown, but the possibilities are disturbing.

The single greatest source of acid precipitation is believed to be sulfur in coal burned by electric utilities. Nationally, emissions of sulfur dioxide are running at about 25 million tons per year.

S. 283 would require sulfur dioxide emissions to be reduced by 10 million tons per year by 1994. I want to make it clear that I believe that those responsible for this pollution should bear the costs of these reductions. The message is simple: we have to cut down on the air pollution that causes acid rain—and we have to make the polluters pay.

The citizens of New York are extremely concerned about acid rain. The overwhelming majority of New Yorkers who have contacted me on this issue have indicated that they support strong acid rain legislation—even if it means slightly higher utility bills. They do not want to see Congress delay action through more hearings. They do not want to see Congress delay action through more discussions. They do not want to see us authorize more studies which do nothing to actually accomplish a reduction in emissions. They want a solid, strong acid rain control program, and they want it now.●

ADVANCE NOTIFICATION—PROPOSED ARMS SALES

● Mr. LUGAR. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon receipt of such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Committee on Foreign Relations.

Pursuant to an informal understanding, the Department of Defense has agreed to provide the committee with a preliminary notification 20 days before transmittal of the official notification. The official notification will be printed in the RECORD in accordance with previous practice.

I wish to inform Members of the Senate that such a notification has been received.

Interested Senators may inquire as to the details of this advance notification at the office of the Committee on Foreign Relations, room SD 423.

The notification follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC, April 30, 1985.

In reply refer to: I-02275/85ct

Dr. M. GRAEME BANNERMAN,
Deputy Staff Director, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR DR. BANNERMAN: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The Department of State is considering an offer to a Northeast Asian country for major defense equipment tentatively estimated to cost $14 million or more.

Sincerely,

GLENN A. RUDD,
Acting Director.●

HARVESTING THE TAX CODE

● Mr. BOSCHWITZ. Mr. President, the current tax structure in our country provides for agricultural tax shelters that permit high-income investors to shelter nonfarm income in agricultural investments. This not only adds to our agricultural surpluses, but also costs our Government billions of dollars every year in lost tax revenues.

To remedy this situation, my esteemed colleague from South Dakota, Senator JAMES ABDNOR, has introduced legislation to limit to the national median family income ($23,600) the amount of off-farm income that can be used to offset a farm loss. This will help to make "farming the Tax Code" substantially less attractive to those in search of tax shelters. I commend Senator ABDNOR on having taken the leadership here in the Senate in addressing this problem in our tax structure and have added my name as cosponsor of Senate bill 244.

Recently, Newsweek magazine published an article on Senator ABDNOR's involvement with this issue. I ask that this article, "Harvesting the Tax Code" from the March 18 edition of Newsweek be inserted into the RECORD.

[From Newsweek, Mar. 18, 1985]

HARVESTING THE TAX CODE

The need for shelter is almost as basic as the need for food, and some enterprising humans have figured out a way to satisfy both. The past 20 years have produced a bumper crop of agricultural tax shelters, generally designed to shelter nonfarm income with farming losses. But in the midst of the deep agricultural depression, there is a growing belief that farming the tax code is making matters worse. Republican Sen. James Abdnor of South Dakota argues that the phenomenon "adds to our surplus-production problems," drives up land prices—and may even be accelerating soil erosion by encouraging the planting of marginal lands.

As a result, Abdnor is one of several farm-belt legislators leading a drive to make agricultural shelters less attractive. In terms of deals marketed to investors, such shelters

amounted to less than .5 percent of the $18.6 billion in limited partnerships sold in 1984, according to tax-shelter consultants Robert A. Stanger & Co. But the various types of agricultural shelters cut a wide swath through farming. In 1981 farm net income reported to the Internal Revenue Service totaled $8.5 billion; farm tax and operating losses equaled $16.3 billion.

Most of those losses were incurred by full-time farmers aiming to make a profit, but a large portion were reported by several kinds of tax-code farmers. An estimated 60 percent of farm operators also earn income off the farm—and they may incur tax losses in farming that they apply against their nonfarm income, sometimes leaving them with little or no tax liability. But there are, also, high-income earners—many of them professionals or celebrities—who live on or own farms that may produce as little as $1,000 in sales each year. These "gentlemen farmers" often use tax benefits from farming—such as investment tax credits or depreciation of farm equipment and livestock—to shelter nonfarm income; if they live on a farm, they may be able to deduct almost all their living expenses and generate huge tax losses. Finally, there are also passive tax-shelter investors who simply buy into an agricultural partnership, drawing many of the same tax benefits they would get from other forms of shelters.

Tax-code farming may produce a number of distortions in the economics of agriculture. Take, for example, the development of the "supercow"—a superior milk producer that is artificially induced to produce dozens of calf embryos a year. Because cows are eligible for investment tax credits, rapid depreciation and other tax benefits, these are bought and sold frequently, bidding up prices to stratospheric levels. And because they and their offspring are so good at producing milk, some dairy farmers complain that they are exacebating the nation's huge dairy surplus. "Is it fair? Hell, no," says George Morgan, a Walton, N.Y., dairy farmer who manages cows for investors. "But [I don't believe] the current tax system [is] fair at all."

Some economists think critics of tax-code farming overstate its ills. The current overproduction of cow embryos should be self-correcting; if the embryos "aren't very marketable," says Allen Bock, a professor of agricultural law at the University of Illinois, the business should shrink. Moreover, government dairy price supports are far more responsible for the dairy surplus than any number of supercows. Nonetheless, Abdnor has introduced a bill to limit to $23,600 the amount of off-farm income that any individual can offset with farm losses. The bill is considered a long shot, but if it passes, it could send many absentee farmers looking for shelter somewhere else.●

WINNIE MANDELA—A VOICE OF CONSCIENCE FROM SOUTH AFRICA

● Mr. KENNEDY. Mr. President, I would like to call my colleagues' attention to an article published in today's edition of USA Today. "We're Tired of Slavery; We Fight for Freedom" is a profoundly moving account of an interview with Winnie Mandela in Johannesburg.

At age 50, Winnie Mandela has spent almost half her life banned, detained, or banished. She has raised her children alone since her husband, Nelson Mandela, the leader of the African National Congress, was imprisoned in 1963 and sentenced to life imprisonment for leadership in the effort to achieve equal justice for all the people of South Africa.

Today in South Africa, black families are denied the most basic human rights by their Government—the right of children to grow up with their parents, the right of man and wife to be together, the right to make a home for those we love. Winnie Mandela's ordeal over the past two decades has been a continuing testament to the harsh injustices inflicted on the black majority by the racist South African regime and the abhorrent system of apartheid. Her courage and enduring commitment to justice are a symbol of the aspirations of the oppressed majority for justice and equal rights.

In the interview in USA Today, Winnie Mandela eloquently reminds us why it is as true in South Africa now as it was in America a generation ago that separate can not be equal. Her courage and unbroken spirit make her an inspiration to people all over the world who care about freedom and human rights. I ask that the full text of her interview, "We're Tired of Slavery; We Fight for Freedom," be printed in the RECORD.

The text follows:

[From the USA Today, May 2, 1985]

WE'RE TIRED OF SLAVERY; WE FIGHT FOR FREEDOM

USA TODAY. Your husband, Nelson Mandela, has been in jail for more than 20 years. How can he still be a respected leader of the African National Congress, which has been banned by the South African government?

MANDELA. Nelson is the embodiment of the aspirations of the people of this country. In him one sees the future of South Africa as embodied in the Freedom Charter, the document that was drawn by the people of this country in 1955. The Freedom Charter is the black man's political bible, the future constitution of this country. Mandela is the African National Congress—Mandela in exile and all the leaders in exile.

USA TODAY. You have been banned for 23 years. What does it mean to be banned?

MANDELA. To be banned means your house is literally turned into a prison by simply a stroke of a pen. I am under house arrest as well, which means I'm confined to my premises from 6 p.m. to 6 a.m. the following day. I cannot receive anyone during the house arrest hours. I can only see one person at a time. At any time in my life for the past 23 years, I have only been allowed to communicate with one person at a time.

USA TODAY. Why?

MANDELA. More than one is regarded by the racist regime as a social gathering. I am prevented from attending social gatherings. I may not enter school premises. I may not enter any institution. I may not enter any building where there are printing machines because I cannot disseminate any literature. A banning order means complete isolation from the reality of life.

USA TODAY. How has it affected your family?

MANDELA. I have never been able to play my role as a mother. I haven't been able to give my children any kind of normal life. One of the greatest prides of any parent, when a child reaches school-going age, is the pride of taking your child to the school the first time and introducing your child to the teacher.

USA TODAY. Have you ever been charged with a crime?

MANDELA. Never, with the exception of the time I was jailed and held incommunicado, held without trial in solitary confinement for 18 months. That was in 1969. I was charged with furthering the aims of communism, a charge that couldn't stick even in their courts, a charge that was thrown out by their own judges.

USA TODAY. What is the charge against Nelson Mandela?

MANDELA. High treason.

USA TODAY. The leaders of the ANC were all jailed for high treason in 1962?

MANDELA. Yes. None of those men has spilled an ounce of blood. None of those men was ever involved in any acts of terrorism. Those men have never lifted up a finger against any white man. Those men are sentenced to life imprisonment for political sabotage.

USA TODAY. There are over 20 million blacks in South Africa. If there could be an election by some miracle, how many people would vote for representatives of the African National Congress?

MANDELA. It could count on the masses of this country, with the exception of those who are the government's imposed leaders. It is difficult to give you statistics, but the majority of this country's blacks are members of the African National Congress.

USA TODAY. How do you respond to charges that you're really involving yourself in terrorism, not defense?

MANDELA. This is what they think they can continue deceiving the world into believing, that they are dealing here with a band of terrorists. The African National Congress never embarked on violence of their own accord. It launched the military arm in answer to the government's violence. It was the only honorable way, the only channel that was left after the government's total refusal to enter into any aspect of negotiation with the masses of this land.

USA TODAY. You oppose violence?

MANDELA. No sane man could take up arms, could resort to violence when there was an alternative. No sane man can embark on a course of violence for violence's sake. When Mandela delivered his speech the day he was sentenced to life imprisonment with the rest of the leadership, he said they wanted to guide the inevitable violence they saw coming. They wanted to contain it. They wanted to avoid loss of blood. Acts of sabotage were all over the country. People were beginning to express their anger in uncontrolled acts of violence, which led to mass deaths. The decision to embark on the armed struggle was not an easy one for the African National Congress. Our military arm of the ANC is named for the spear of the nation and that is the only tool we have had to defend ourselves with from the moment the white settlers arrived in this country.

USA TODAY. What was your reaction to the killing of the unarmed black protesters not long ago in the Port Elizabeth area?

MANDELA. That is the violence that continues to be the order of the day. The African National Congress leadership warned the government that with apartheid as it was and with the racist regime passing more and more racist laws, that could only lead to

more polarization between the races, that the laws were such that the people's anger could only be expressed by fighting a government that was not prepared for anything else other than violence.

USA TODAY. Why does that particular area see so much unrest?

MANDELA. Most of the trade unions are based there. The government continues to give an impression that it can divorce the black worker from the African National Congress.

USA TODAY. By forbidding involvement in politics?

MANDELA. Yes. For instance, one hears this common language from Pretoria that the worker should concern himself with his labor. But there is no aspect of a black man's life that is not political. The black worker doesn't have the same status as the white worker. How can the black worker not be part of the political stream when his very existence and position there in the factory is determined by apartheid laws, when he can never supervise a white. No matter how skilled or educated he is, he cannot supervise a white illiterate. How can the black worker not be a politician?

USA TODAY. What do you mean a politician?

MANDELA. Your blackness is a commitment. Your own existence, the fact that you live in an area that is designated for you at the stroke of a white man who is governing you. I cannot live where I please. I cannot work where I please. I am in exile. My people cannot sell their labor as they please. The country is bled dry economically today by a racist government that refuses to dismantle apartheid. In this country, a government has to do each item—no matter how infinitesimal—four times. For instance, schooling: There has to be a school for whites, a school for Indians, a school for coloreds, and a school for blacks.

USA TODAY. What should opponents of apartheid around the world do?

MANDELA. The West refuses to understand what we mean by saying leave us alone. We are tired of being well-fed slaves. We want to fight for our freedom on empty bellies. Stop sustaining and maintaining apartheid. Stop financing apartheid. Again, the white man prescribes for us. He tells us we will suffer, as if we have not been suffering.

USA TODAY. Should U.S. firms stop investing in South Africa?

MANDELA. The country is as it continues today because of the apartheid laws. Had it not been for the fact that it continues to be financed by the West, we probably would have been 10 years in advance today in our fight for our liberation. This country has continued to bleed the international community to finance apartheid. This is what the West does not want to understand. Disinvestment is the only other peaceful measure we know of. All other avenues have been closed to us. That is why we say stop supplying a racist regime with arms that kill us, stop giving them money to finance apartheid that is killing our people. We, too, thirst for the dignity of ourselves, and for that dignity we are prepared to go hungry.

USA TODAY. Why did your husband refuse the government's offer of freedom?

MANDELA. You do not jail men for life for their ideological beliefs and still insult them by offering release under exactly the same conditions that drove them to prison 23 years ago. Mandela is not in prison because he is fighting for his own individual freedom. Mandela is in prison, and the rest of the leaders are in prison, for the freedom of the people of this country.

USA TODAY. What happens now? Is this the beginning of a bloody revolution?

MANDELA. It is not the beginning; it is the protracted revolution. It started the day the Afrikaner closed the chapter of negotiation with the people of this country, the day the Afrikaner jailed the leadership. It began then.●

COSPONSORING S. 925—TO WITHDRAW MOST-FAVORED-NATION STATUS FROM THE ILLEGAL GOVERNMENT OF AFGHANISTAN

● Mr. D'AMATO. Mr. President, I rise today to cosponsor legislation, S. 925, introduced by my good friend, the senior Senator from New Hampshire and the chairman of the Congressional Task Force on Afghanistan. S. 925 would withdraw most-favored-nation status from the illegal Government of Afghanistan. Such action will represent a commitment on behalf of the United States to stand fully behind the freedom fighters seeking to remove the Karmal regime. It seems only consistent that, while we support the Afghan freedom fighters, we should withdraw most-favored-nation status from the Soviet puppet regime which has consciously accompliced Soviet attempts to obliterate the Afghan people.

This war has been primarily fought by the Soviet Army. After 5 years of brutal fighting, 115,000 Soviet soldiers are stationed within Afghanistan, while another 35,000 to 40,000 are on the Soviet border available at a moment's notice. Due to the Soviet's scorched earth policy and indiscriminate bombings, over 4 million Afghans have either been killed or forced to leave their country. Those Afghans who are brave enough to stay and resist Soviet domination are subject to antipersonnel mines, indiscriminate bombing, and chemical warfare. The Soviets have even restored to dropping toy bombs or "butterflies" from planes by the thousands. Hundreds of children roam Pakistani refugee camps devoid of hands and feet, thanks to these toys.

Against the might and brutality of the Red Army, the Mujahidin, or Afghan freedom fighters, have not relented. For the Soviets, they have turned the quick annexation once hoped for into a quagmire. In combat, they have killed between 8,000 and 9,000 Soviet soldiers and have inflicted 25,000 Soviet casualties. The Soviet Union can claim only 10 to 15 percent of this nation under its undisputed control. In short, the Afghan people will continue to fight until the Soviet oppressors have been removed from their soil. The United States must applaud this effort and must continually and consistently take actions to aid the freedom fighters.

On the first day of the 99th Congress, I introduced a resolution, Senate Resolution 34, which would turn the spotlight of world attention to the tragedy in Afghanistan. My resolution condemns the Soviets for their 5 years of military occupation and subjugation of the Afghan people and calls upon the President to supply the Afghan freedom fighters with all needed medical, military, and food aid. I believe Senate Resolution 34 and S. 925 depict the true sense of this Congress on the brutal atrocities of the Soviets toward the people of Afghanistan, and the need of the United States to fully support those Afghans seeking to repel the Soviet Army from Afghan sovereign lands. As the leader of the free world, the United States must support the quest for freedom worldwide, especially in Afghanistan.

Mr. President, I urge the adoption of both of these bills.

Thank you, Mr. President.●

SECURITIES SAFETY AND SOUNDNESS ACT OF 1985

● Mr. DOMENICI. Mr. President, in case my colleagues did not have an opportunity to read the most recent edition of Business Week, I would like to share with them an excerpt from the magazine's cover story on executive pay. The story shows that not only is T. Boone Pickens one of the savviest entrepreneurs to hire Wall Street, but also that he is one of the most highly compensated executives in corporate America. As a matter of fact, Pickens ranked No. 1 with a total compensation package of $22 million annually.

I insert this story in the RECORD, not because of his salary. I do not know if he is worth it or not. But any notion that a takeover of a company by Pickens will automatically benefit stockholders should be dispelled by this article. I ask that the article be printed in the RECORD.

The article follows:

DOES BOONE PICKENS PRACTICE WHAT HE PREACHES?

Mesa Petroleum Co. Chairman T. Boone Pickens Jr. had just finished another sermon on the "sunset" oil industry and its wastrel leaders. It was a well-worn speech on how big oil companies are liquidating themselves and should share their huge cash flows with stockholders.

The meeting was packed with independent oilmen in awe of the messenger of doom for Cities Service, Gulf, Phillips—and now perhaps Unocal. Still, there was one doubting Thomas. From back in the crowd, he asked: "What are the Mesa shareholders getting out of all of this?"

The question follows Pickens everywhere these days, as Mesa's stock trades at about $17 a share, up almost 30% from early 1984, when it looked as if Gulf Oil Corp. might escape from Mesa and leave it with big losses. But it is down from $22 last December and is only half of the 1981 high of $34.

LOWEST PROFITS

Meanwhile, Pickens has emerged as the highest-paid executive of any public compa-

ny, earning $22.8 million last year. "He's gone too far," chides one Mesa alumnus. Pickens retorts that he is getting his just rewards: "I've never questioned a corporate executive making money if he makes money for stockholders, and I make a lot of stockholders."

The facts, though don't support his claim. Even though Mesa posted a 34.2% return on equity in 1984, it yielded only a 7% return to shareholders in the past three years. Pickens' millions made him the CEO who produced the lowest profits and shareholder gains for his pay (table, page 81).

Mesa's board awarded Pickens a salary and bonus of $4.2 million in 1984—more than he earned in the prior three years combined. And after Mesa "lost" Gulf to Chevron for a profit of some $700 million, Mesa Director Cyril Wagner Jr. proposed that Pickens and a few aides get a $20 million bonus. It was approved in "deferred compensation units" that could be used to play along with Mesa in future takeover attempts. Pickens' share: $18.6 million.

Mesa's board also made Pickens a gift of an additional $7.6 million in "loan" chits for speculating—at no risk—on future deals. This allowed him to earn $5.5 million, or almost 7% of Mesa's profits, on the forced restructuring of Phillips Petroleum Co. earlier this year. Thus, Pickens is already a shoo-in to make 1985's best-paid list.

His defenders note that besides being his own investment banker, Pickens assumed hands-on responsibility for oil and gas exploration at Mesa after cleaning house last year. "If it weren't for Boone Pickens there would be no Mesa," says Wales H. Madden Jr., an Amarillo (Tex.) lawyer and Mesa director. "He's worth every penny he's paid." Presumably so are Mesa's directors, whose 1985 pay has been doubled to $50,000, plus expenses.

Madden admits that a shareholder suit is possible over Pickens' pay. If so, it will be the second. The first was over the options for 6 million shares at $11.50 awarded to Pickens in 1979. Pickens settled the suit by taking only 4.8 million options, which still would bring him up to 9% of the company, and are worth about $30 million.

Despite $1 billion in gains since 1981 from losing out to higher bidders in each of its forays, Mesa has neither upped its meager dividend nor bought back its stock to split the booty with shareholders. Mesa's dividend payout last year totaled $14 million—far less than Pickens' pay.

Nor has Mesa replaced its oil and gas reserves through exploration. Last year it resorted to buying back reserves in a tender offer for the Mesa Royalty Trust it had spun off to shareholders in 1979. Pickens was the largest unit-holder in the trust. From a high of $45 per unit in 1980, the trust had sunk to $29. Mesa offered $35.

"I don't know any other CEO that has done as much for shareholders as I have," says Pickens. Even though Mesa's stock price has slumped, Pickens contends that's just Wall Street's fretting over his takeover attack against Unocal. Moreover, Mesa still sells at about 90% of appraised breakup value—twice the ratio for most major oils.

GOING DOWNHILL

The real payoff for Mesa shareholders may be just around the corner, says Alan L. Edgar, an oil analyst at Schneider, Bernet & Hickman Inc. in Dallas. If Pickens can wrest control of Unocal for $54 a share, or about $9 billion, he can then take Mesa private by borrowing on the remainder of Unocal's assets. Pickens himself has recently been a big buyer of Mesa stock. If he loses Unocal to a higher bidder, the profit could still allow a Mesa leveraged buyout.

Such speculation is not new and is small consolation to longtime shareholders. Says an ex-Mesa officer. "His credibility is really going downhill."●

TRI-INDUSTRIES, INC., SMALL BUSINESS CONTRACTOR OF THE YEAR

● Mr. LUGAR. Mr. President, I would like to share with the Senate the outstanding achievement of a Terre Haute, IN, manufacturer which will be honored for its record as the top Federal procurement prime contractor in a six-State region. The firm, Tri-Industies Inc., was selected as the outstanding prime contractor in the Small Business Administration's Region V which encompasses Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin. I ask that my remarks be printed in full:

The remarks follow:

INDIANA MANUFACTURER SELECTED REGIONAL SMALL BUSINESS CONTRACTOR OF THE YEAR

Tri-Industries, Inc., a Terre Haute, Indiana, manufacturer will be honored in Terre Haute, May 3, 1985, and in Washington, D.C. next week during National Small Business Week for its outstanding record as a federal procurement prime contractor. It is indeed a joy and honor to join in the accolades due this constituent firm, which was selected by the Small Business Administration as the outstanding prime contractor in a six-state region encompassisng Indiana, Illinois, Michigan, Minnesota, Ohio and Wisconsin.

Tri-Industries is a precision manufacturing house of combustion components and other major components for military and commercial manufacturers of gas turbine engines. Founded in 1955 by Vernon Hux, Tri-Industries has grown from a five-man operation to a modern plant employing 200 people. Vernon Hux is a veteran of 39 years of achievement in the machine trades industry, with 34 years experience in the aerospace industry.

I toured Tri-Industries in December, 1984, and can attest to the quality management and dedicated workforce of the company. The aerospace industry has changed dramatically in the last 30 years as manufacturers and designers have sought to keep pace with advances in aerospace technology. Tri-Industries' committment to quality, service, and economy has made it an integral part of the aerospace component field and will enable it to shape the future of the aerospace industry.

In the last year, the company has invested more than $5 million in facilities and equipment, including a move to a new physical plant which doubled the firm's size. Projections call for Tri-Industries' sales to double in the next two years and employment to increase by an additional 50 percent.

Tri-Industries selection as the outstanding prime contractor in SBA's Region V and third nationally attests to the company's unmatched excellence in the design and manufacture of aerospace components. And while we pause today to congratulate Tri-Industries on their past achievements, I am convinced that the company stands ready to meet future challenges with the same commitment to excellence.●

SAVE THE LAND BETWEEN THE LAKES FACILITY

● Mr. GORE. Mr. President, I present to the Senate a petition signed by 513 citizens from Stewart County, TN, in support of continued operation of the TVA Land between the Lakes Facility.

The petition follows:

We the undersigned residents of Stewart County oppose any reduction or change in status of land between the lakes.

JIMMY G. FITZHUGH
(And 512 others).●

NATIONAL DAY OF PRAYER

Mr. ARMSTRONG. Mr. President, our Nation has been blessed by God as no other nation in the history of mankind. Therefore, it is fitting that the President has proclaimed today the 33d consecutive National Day of Prayer, in humble acknowledgement of the God of our Founding Fathers for his graciousness to us these past 200 years.

Observances of a National Day of Prayer date back to 1775, when the Continental Congress declared the first one. Through the succeeding decades other national days of prayer were declared from time to time until 1952, when, by joint action, the two Houses of Congress established the custom of a National Day of Prayer on annual basis. By this action, the Nation's Chief Executive was instructed to set aside one such day each year.

During the Constitutional Convention in 1783, Benjamin Franklin reminded his colleagues of the active role that the hand of divine providence had played in their struggle against tyranny. He said:

When we were sensible to danger we had daily prayer in this room for divine protection. Our prayers, Sir, were heard, and they were graciously answered * * *. And have we now forgotten that powerful Friend? Or do we imagine that we no longer need his assistance?

In 1863, during the most critical juncture of our Nation's history, Abraham Lincoln once again appealed to divine providence for His assistance when he declared a Day of Humiliation, Fasting and Prayer. He said:

It is the duty of nations, as well as of men, to own their dependence upon the overruling power of God, to confess their sins and transgressions * * * and to recognize the sublime truth, announced in the Holy Scriptures and proven by all history, that those nations only are blessed whose God is the Lord * * *.

Across the Nation today, thousands of people took 5 minutes at noon to express their thanks to God and pray for his continued blessing upon this Nation and its leaders. Quite frankly, I find this a tremendous encouragement

to know that many of the people of this great country willingly took their time to do this. And I would hope that the American people would begin from this day forward to make it a daily habit to pray for their leaders, both in Washington, DC, and in their home States.

If Benjamin Franklin and Abraham Lincoln were alive today, I believe they would remind us of the importance of continuing to seek divine guidance as we address the many complex and critical issues facing our Nation today and in the days ahead of us. What we do here today, this week, this month, this year, will profoundedly affect future generations of Americans, as our past has deeply influenced us. We cannot afford to forget the blessings of our past as we seek to perform our God given responsibilities.

Mr. President, the National Day of Prayer is a truly significant day in the spiritual life of the Nation. To give my colleagues some idea of the events and observances that have occurred around the Nation this day, here is a brief summary of the activities as compiled by Mrs. Bill Bright, chairman of the National Day of Prayer Committee:

More than 20 States and over 50 cities have issued proclamations declaring May 2 a Day of Prayer.

In observance of this year's theme, "Take 5 at 12" church bells and chimes all over America will sound a national call to prayer.

As many as 58 prayer breakfast and luncheon observances will take place from Oregon to Florida and California to North Carolina.

State and local coordinators have indicated that rallies are planned on the steps of city halls in at least 15 major cities.

One mayor of a large southern city city sent a copy of his proclamation to all pastors in the city encouraging them to observe the Day of Prayer.

In Las Vegas, NV, the State coordinator has secured the donation of seven electronic billboards—reader boards—to communicate the "Take 5 at 12" challenge. They were in such strategic places as the entrance and the exit to the airport, on the main strip, a shopping mall, and a sports arena.

The Florida coordinators are hosting a dinner party for over 400 civic and religious leaders at which a State representative will be featured.

The Governor of Florida made a special 30-second and 60-second public service announcement encouraging Floridians to join in prayer for their State and Nation on May 2.

CNN, the cable news network, is featuring the National Day of Prayer on their network around the world, as is Super Station WTBS.

Untold thousands of National Day of Prayer table tent literature were printed and displayed in restaurants all over the Nation who ordered camera-ready artwork.

In Washington, DC, today construction workers will be asked to "Take 5 at 12" as they open their lunchpacks and read one of the 12,000 fliers a lunch canteen owner has placed in them.

Many small businesses are closing at noon to allow their employees to take time to pray for our Nation.

Across our Nation, executives have informed us that they are encouraging their employees to take time at noon or during the day for prayer for our country.

In California, an 85-year-old man wanted to inform his city about the Day of Prayer, so he went to the mayor and secured a proclamation. He then, at his own expense, printed 100 posters about the day and took them around to the businesses. The response from this multiracial community was so great, that he had to reprint about 1,000 more.

The Reverend Billy Graham is in Hartford, CT, today speaking to 2,000 pastors. At noon he will lead them in a time of prayer for our Nation.

The National Day of Prayer Task Force has distributed literature to over 21,000 people and organizations including almost 12,000 press release packets.

I would like to offer my thanks and encouragement to all those who took part in observing the National Day of Prayer today. At this point I would further ask unanimous consent that the President's proclamation of the National Day of Prayer be inserted into the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

NATIONAL DAY OF PRAYER, 1985

(By the President of the United States of America)

A PROCLAMATION

The history of the American Nation is one of conviction in the face of tyranny, courage in the midst of turmoil and faith despite the rolls of doubt and defeatism. Throughout our 208 years of freedom, the people of the United States have drawn upon the lessons learned at the dawn of our liberty by acting "with a firm reliance on Divine Providence" and expressing gratitude for the many blessings a loving God has showered upon us.

These lessons have not been learned and honored without difficulty. During the Revolutionary War, the Continental Congress proclaimed a National Day of Prayer each year for eight years, a practice that ended with the winning of the peace in 1783. Decades later, while the Civil War raged, this observance was renewed by Abraham Lincoln. Responding to a Senate Resolution requesting the President to designate and set apart a day for prayer and humiliation, Lincoln said that "intoxicated with unbroken success, we have become too self-sufficent to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us." He then called the Nation to prayer.

Our very existence as a free Nation, then, has provided potent witness to the efficacy of prayer. Grover Cleveland, in his First Inaugural Address, said, "Above all, I know that there is a Supreme Being who rules the affairs of men and whose goodness and mercy have always followed the American people, and I know He will not turn from us now if we humbly and reverently seek His powerful aid." Franklin D. Roosevelt, in his Fourth Inaugural Address, expressed the same thought, "The Almighty God has blessed our land in many ways . . . So we pray to Him now for the vision to see our way clearly—to see the way that leads to a better life for ourselves and for all fellow men—to the achievement of His will, to peace on earth."

Today our Nation is at peace and is enjoying prosperity, but our need for prayer is even greater. We can give thanks to God for the ever-increasing abundance He has bestowed on us, and we can remember all those in our society who are in need of help, whether it be material assistance in the form of charity or simply a friendly word of encouragement. We are all God's handiwork, and it is appropriate for us as individuals and as a Nation to call to Him in prayer.

By joint resolution of the Congress approved April 17, 1952, the recognition of a particular day set aside each year as a National Day of Prayer has become a cherished national tradition. Since that time, every President has proclaimed an annual National Day of Prayer, resuming the tradition begun by the Continental Congress.

Now, therefore, I, Ronald Reagan, President of the United States of America, do hereby proclaim May 2, 1985, as a National Day of Prayer. I call upon the citizens of this great Nation to gather together on that day in homes and places of worship to pray, each after his or her own manner, for unity of the hearts of all mankind.

In witness whereof, I have hereunto set my hand this twenty-ninth day of January, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and ninth.

RONALD REAGAN.

ORDERS FOR FRIDAY, MAY 3, 1985

ORDER FOR RECESS UNTIL 8:30 A.M.

Mr. DOLE. Mr. President, apparently there was some confusion about the earlier request. I renew the request and ask unanimous consent that when the Senate completes its business today it stands in recess until the hour of 8:30 a.m. on Friday, May 3, 1985.

The PRESIDING OFFICER. Without objection, the request is granted.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE ON FRIDAY

Mr. DOLE. Mr. President, and there was a request for the distinguished Senator from Wisconsin, Mr. PROXMIRE, to be recognized on a special order not to exceed 15 minutes. Was that properly put?

The PRESIDING OFFICER. Without objection.

Mr. DOLE. Is there any further business to come before the Senate?

Mr. BYRD. No.

RECESS UNTIL 8:30 A.M. TOMORROW

Mr. DOLE. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order just entered, that the Senate stand in recess until 8:30 a.m. tomorrow.

Thereupon, at 9:50 p.m., the Senate recessed until tomorrow, Friday, May 3, 1985, at 8:30 a.m.

EXTENSIONS OF REMARKS

A FARM BILL WHICH PRESERVES THE FAMILY FARM

HON. BYRON L. DORGAN
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. DORGAN of North Dakota. Mr. Speaker, the long feared farm crisis is at hand. Farmers are facing the most troubling times since the Great Depression. Only with strong assistance targeted toward the family farm will they weather the current storm. That is why I am introducing today the Family Farm Survival Act of 1985.

This bill takes into account both the complexities of the modern agricultural economy and our great need to limit Government expenditures for any purpose. It sets target prices high enough that the family farmer can be assured of enough income to survive hard times, yet keeps loan rates low so that we can export as much as the world wants without overpricing our goods on world markets. It keeps expenditures down by limiting the amounts of direct payments and CCC loans given to any producer. With this bill the family farm can survive the current crisis, yet Government spending on farm programs will be kept as low as possible.

Some with little experience with agriculture scoff at the importance of the family farm to America. Let those scoffers take note: Their jobs may depend on the survival of American agriculture. The food and agricultural system in this country accounts for fully 20 percent of the gross national product. For each person employed in farming, six are employed in processing, transporting, wholesaling, or other occupations dependent on supplies from the farms.

American consumers have grown accustomed to a steady stream of products on supermarket shelves. They take for granted dependable prices, and dependable supplies. They may not realize that this is due largely to a diversified system of family farms stretching across the continent, and of Government farm policies designed to dampen price swings and insure supplies. Government policies toward agriculture must be cognizant of enormous budget deficits, and so restrain spending on farm programs. But they must be cognizant as well of the necessity to maintain a structure of viable family farms in the country. Without price supports family farms will be absorbed into ever-increasing conglomerate farms; not only will a way of life die, but so will the most productive and dependable agricultural system the world has ever known.

INCOME PROTECTION THROUGH PRODUCER PAYMENTS

My legislation is designed to increase the incomes of family farmers, while removing any possible interference with worldwide market forces. It will:

Set target prices close to the estimated level of production costs on the commodities covered (wheat, corn, other feed grains).

For wheat, the target price in fiscal year 1986, will be $5.25 a bushel, with increases of 3 percent in each succeeding year to adjust for anticipated increases in production costs. For corn, the target price will start at $3.56 a bushel in fiscal year 1986, with 3-percent increases. Target prices of other feed grains will be proportional to corn.

We need to increase target prices to give farmers enough income to stay on the land. USDA recently reported that:

> Between 20 and 30 percent of all commercial farmers (sales over $100,000) are facing financially stressful conditions, requiring decisive steps to improve cash flow and profits.

It may be even worse in States like Iowa and Nebraska. If these farmers fail the distress will ripple out: Land value will decrease (it dropped 8 percent in North Dakota in 1984), putting more country banks in jeopardy as their collateral dries up. Surviving farmers will have less ability to take out debt for a new crop year, for their collateral will be diminished. This scenario is already all too true, and accounts for the fact that there are fewer people farming in North Dakota than ever before. We need to stop the ripples from spreading further.

A few years ago farmers thought their income problems were solved by growing export markets. No longer. The export balloon was punctured by an overvalued dollar and stagnant international demand: USDA projects wheat exports of 37 million metric tons this fiscal year, the lowest since 1979. The result will be declining wheat prices, according to forecasting firms; $3.50 a bushel today, $3.40 a bushel in 1986, $3.38 a bushel in 1987.

The other side of the ledger is just as bleak. While income has stagnated, costs have skyrocketed. Family farmers are now paying for the tight money monetary policies which have caused interest costs to rise 76 percent from 1979 to 1983, in North Dakota.

Farmers are paying today for fiscal policies which created an overvalued dollar, and monetary policies which drove up interest rates. Many cannot survive with current Government policies. The target prices in this bill will provide an adequate income to the family farmer no matter what happens to market prices over the next 4 years. No longer will they be sacrificial lambs at the altar of misguided economic policies.

PAYMENT LIMITATIONS

This bill will limit deficiency payments to the first 12,000 bushels of wheat or the first 15,000 bushels of corn produced by a farmer, and limit nonrecourse CCC loans to $150,000 per farmer.

The price support system today badly skews Government benefits toward the biggest producers, who need Government assistance the least. In 1982 the top 10 percent of wheatgrowers—large and even giant farms, with wheat crops covering from 1 thousand to many thousands of acres—received 43 percent of Government assistance from the crop programs. On the other hand the smallest half of wheatgrowers received only 11 percent of Government help. The rich got richer in the wheat program, and it was no different for growers of corn, rice, cotton, or any of the other crops covered by farm programs.

The distribution of CCC loans, along with the associated costs, is even more skewed. There is no limit to CCC loans today, and so the largest 10 percent of wheatgrowers got fully half of CCC outlays in 1982. The giant wheat farms—those with over 2,500 acres in wheat production, received almost a quarter of benefits from the CCC loan program, even though they were just 1 percent of the farmers participating in the program.

This maldistribution is the direct result of Government policy. Current farm programs are commodity based: the more you produce, the more you get. Commodity-based income supports get too much to giant producers, who need it least, and too little to mid-sized farmers, who need it most.

The enormous budget deficits—more a threat to the family farmer, perhaps, than anything nature has invented—compell us to limit Government spending. We must carefully examine all programs, including farm programs, targeting assistance to those who need help, rather than those whose outstretched hands are the biggest.

INCREASED EXPORT COMPETITIVENESS

This bill will set commodity loan rates at 75 percent of the average of

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

annual market prices over the past 5 years, not including the highest and lowest years.

Setting loan rates in this manner approximates current market prices. There has been much recent discussion on the adverse impact of higher loan rates on the farm economy. Some maintain that loan rates set a floor on the prices of U.S. commodities, permitting little flexibility when trading in international markets and letting other exporters know far in advance the price of U.S. goods. I think the overvalued dollar hinders our exports far more than loan rates higher than market prices; nonetheless, we must remove all possible barriers to our exports. With higher target prices the lower loan rates will do no disservice to family farmers, and it may do them some good.

HOW WILL THE PROGRAM WORK FOR MOST FAMILY FARMERS?

How will this bill affect producers? Consider wheat farmers. In 1986, according to forecasts, the price of wheat will be $3.40 a bushel. That would be the income received by farmers with no Government farm program, or with the type of purely free market farm program as espoused by the administration.

The target price for wheat in this bill is $5.25 in 1986. The projected deficiency payment would then be $1.85 a bushel. Farmers could receive this payment for the first 12,000 bushels they harvested.

Two-thirds of all wheat growers who participated in crop programs nationwide had 333 acres or less in wheat in 1982. The full production from farms such as these would be covered by a 12,000-bushel limit on direct payments, assuming a 30-bushel yield per acre. In North Dakota the average wheat farm harvested 335 acres of wheat in 1982. This would be right at the limit of direct payments. Farmers producing at the 12,000-bushel limit would receive—if the forecasted price is accurate—$22,200 as a deficiency payment. Farmers producing less would receive the full $1.85 deficiency payment on each bushel. Larger farms could harvest more wheat, but their entire harvest would not be fully covered by deficiency payments. A 2,000-acre farm, with 1,000 acres in wheat, could not get more than the maximum $22,000 deficiency payment received by the average farmer.

This is hardly a windfall for family farmers, but it gives some breathing room. Farmers could produce as much as they wanted. Government assistance, though, would stop at 12,000 bushels (for wheat), targeted at the midsized farm. Larger producers would have to listen to signals from the marketplace when deciding how much to plant, and if exports grew again they could sell by the carload.

Computer analyses of this farm program done by the Congressional Research Service indicate that it would work best with a 10 to 15 percent set-aside. My bill leaves the set-aside to the discretion of the Secretary of Agriculture, so that he can make year-by-year adjustments reflecting the previous crop year's weather and market conditions and economic forecasts for the coming year.

This bill is not a panacea, nor is it engraved in concrete. It is a starting point, intended to focus debate on whether or not we intend to help the family farm survive these troubled times.

Make no mistake: The issue in the 1985 farm bill is the survival of the midsized family farm. The Senate majority leader once said:

Farm bills satisfy everyone but those who live in the cities, those who live in the small towns and those who live in the country.

He might change his mind when he sees this bill. By targeting a limited amount of Government expenditures at midsized farms, and by removing the interference of the loan rate with market forces, we could satisfy everyone but the giant producers. I would be satisfied with that.●

WOLF BLITZER ON U.S. AID TO ETHIOPIAN JEWS

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. COURTER. Mr. Speaker, as the Ethiopian disaster continues, it will do our spirits good to take note of the good work—both noble and careful—done by American and Israeli officials to plan and carry forward the airlift of Jewish refugees. These Ethiopian natives have been permanently spared further depredations by the Dergue, Colonel Mengistu's Marxist-Leninist junta. And their rescue comes in an appropriate year—the 40th since the war and the Holocaust were brought to an end in Europe.

Recently, Wolf Blitzer, the Jerusalem Post's outstanding Washington correspondent, offered an analysis of how the airlift plans developed in the political circles of our capital. Some excerpts from his article follow. I believe they show, in this anniversary year, that in fact we have not forgotten.

JEWS IN ETHIOPIA: U.S. CARED THIS TIME

(By Wolf Blitzer)

U.S. involvement was dramatically underscored in recent weeks by the C-130 military transport airlift of hundreds of stranded Ethiopian Jews from camps in the Sudan to Israel. This was a combined State Department-Pentagon-Central Intelligence Agency operation that was actively promoted by Vice President Bush and personally authorized by President Reagan. It was extremely sensitive, both diplomatically and militarily. But it was only the culmination of a critical and extremely supportive U.S. involvement with Israel and others for more than a year to bring Ethiopian Jews to Israel.

The use of U.S. planes was necessitated after Israel's chartering of Belgian planes was suspended in early January. That followed Israel's ill-faced confirmation of an airlift of Ethiopian Jews to Israel.

There have been several important developments over the past 40 years that have resulted in this remarkable change of governmental attitude in Washington. They suggest that lessons of the Holocaust have indeed been learned.

First, Israel exists today as a guaranteed haven for all Jewish refugees. This after all, is Israel's raison d'etre. There was no such country in the 1930s and 1940s willing to accept masses of European Jews. Six million died, one of out every three Jews then living in the world.

In a very practical way, the fact that Israel is willing to welcome Ethiopian Jewish refugees has made U.S. governmental cooperation in facilitating their rescue so much easier.

Second, the U.S. Jewish community has become significantly more self-confident and politically powerful over the past half-century. Jewish organizational clout today is an important force in Washington—something that the executive branch of the U.S. government cannot ignore.

In the past several months, in this regard, several young Jewish foreign-service officers and political appointees in the State Department's bureaus of African Affairs, Refugee Affairs, Human Rights and Humanitarian Affairs, and elsewhere were personally very active in making sure that the U.S. was doing everything possible to help save Ethiopian Jews. They did so in the best professional manner—quietly, behind the scenes, with no fanfare or publicity. They would not let the issue die.

They, of course, had the blessings of Messrs. Reagan and Bush and Secretary of State George Shultz. They also had the critical support of many non-Jewish U.S. diplomats serving in Washington and out in the field, especially in Ethiopia and the Sudan. Some, motivated strictly by humanitarian concerns, took courageous steps to save Ethiopian Jews. Their full stories—in the best tradition of Swedish diplomat Raoul Wallenberg who personally saved many Hungarian Jews during World War II—will be told one day.

There have been allies in this current struggle. There were, for instance, many direct representations from Democrats and Republicans on Capitol Hill urging a more assertive U.S. approach toward the Ethiopian Jewry issue. This congressional involvement was significant in reinforcing the Reagan administration's general policy orientation.

In the 1930s there was no similar informal network of influential U.S. politicians and bureaucrats—Jews and non-Jews alike—willing to take the lead in saving Europe's Jews. The end result was very painful. Times fortunately, have changed.●

UNITED NATIONS FINANCES SWAPO TERRORISTS WITH U.S. TAX DOLLARS

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. FIELDS. Mr. Speaker, frustrated with the 6-year delay in implementation of U.N. Resolution 435, Namibia's duly elected internal political leaders recently asked South Africa to grant Namibia full powers of local self-government pending ultimate independence in accordance with U.N. Resolution 435. South Africa agreed, and a transitional government of Namibia with full autonomy will take over all powers of local government in June.

Since 1920 Namibia has been administered by the Republic of South Africa pursuant to a League of Nations mandate.

In 1978 the United States, along with Great Britain, France, West Germany and Canada, all of whom were then U.N. Security Council members, adopted a plan for independence for Namibia in U.N. Resolution 435. Namibia is the last colonial area in Africa.

Since 1978 the Soviet-surrogate government in Angola, Namibia's northern neighbor, has blocked the independence plan embodied in U.N. Security Council Resolution 435. Angola permits a Soviet-backed terrorist organization known as SWAPO to maintain bases in southern Angola—while SWAPO continues to try to seize control of Namibia by force before an election under U.N. Resolution 435. And the United Nations continues to designate SWAPO as the "sole" representative of the Namibian people—a demonstration of partiality for one group which makes a fair and free election under U.N. supervision an impossibility. Finally, Angola refuses to remove the 35,000 Cuban combat troops the Soviet-puppet government in Angola relies on to keep it in power.

The transitional government and the Multiparty Conference Leaders of Namibia are pledged to support U.N. Resolution 435. They emphasize that the transitional government is not a step toward a unilateral declaration of independence. The only independence plan is U.N. Resolution 435 which can be implemented as soon as: First, all Cuban troops leave Angola, as demanded by President Reagan and South Africa, and second, the United Nations establishes its impartiality by recognizing and treating equally all political parties in Namibia—not just Soviet-backed SWAPO.

The U.S. national security stake in a truly free and independent Namibia is enormous. We cannot let the Soviets gain control of the Namibian gateway to strategic minerals in southern Africa upon which the United States is 100 percent import-dependent. The United States cannot risk being subjected the Soviet diplomatic "blackmail" through threats to disrupt our access to the only free world sources of platinum, chromium, and a host of similar critical and strategic minerals.

The following article describes a part of the problem:

UNITED NATIONS FINANCES SWAPO TERRORISTS WITH U.S. TAX DOLLARS

Namibia (South West Africa), is a country generally unknown to Americans despite the important U.S. national defense interests involved there. Few American taxpayers are aware that they may be helping finance their own destruction to the extent the United Nations diverts U.S. contributions to finance pro-Soviet terrorists.

Operating from bases in Soviet-controlled Angola with the help of 25,000 Cuban soldiers, the Soviet-backed South West Africa People's Organization (SWAPO) is trying to take over Namibia (South West Africa) by terrorist violence, in the same way a Soviet-backed "puppet" seized control of Angola in 1975.

Why? Namibia has the largest uranium mine in the world, vast resources of copper, diamonds, tin, gold and oil, and its western coast deep water port can harbor Soviet nuclear submarines to bisect the oil and mineral lifeline from the Persian Gulf to the U.S. and NATO countries. (28,000 ships a year follow this route).

If the SWAPO guerrillas can drag Namibia behind the "iron curtain," the U.S. loses another ally in the mineral "resource war" and Russia makes a huge gain in its campaign to control the strategic minerals in southern Africa.

The U.S. Congress annually appropriates $1 billion hard-earned U.S. tax dollars to the U.N.—25 percent of the total U.S. budget.

The U.N. General Assembly, described by the Washington Post as "an institutional outrage," a "moral swamp" which operates much of the time by the "mob rule of its Third World majority in close alliance with its Communist bloc," gives SWAPO $24 million a year, and millions more to other Soviet-sponsored terrorists, such as the Palestine Liberation Organization (PLO), Cuban guerrillas in Angola and the Caribbean, and elsewhere.●

THE PRESIDENT'S TRIP

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. DENNY SMITH. Mr. Speaker, I would like to discuss my reasons for voting against House Concurrent Resolution 130, concerning the President's trip to West Germany.

I firmly believe that it is not a legitimate function of this body to be telling the President where he should or should not go on state visits. In their wisdom, our Founding Fathers skillfully crafted the Constitution to ensure the preeminent role of President in the conduct of U.S. foreign affairs. Court cases have reaffirmed the leading role of the President in this area.

Members of Congress would be outraged if the President or the State Department attempted to alter the agendas of our factfinding trips abroad. In the same manner, Congress must not attempt to dictate to the President the itinerary of his trip.

The President's gesture of reconciliation, coming 40 years after the end of World War II, does not mean that our Nation has forgotten the heinous crimes of the Holocaust. Auschwitz, Dachau, and the other concentration camps will always be remembered by the American people, and serve as stark reminders of man's inhumanity to man.

I commend the President's decision to visit the site of the Bergen-Belsen concentration camp. The suffering of the Jews will never be forgotten or repeated.

Today, West Germany is one of our strongest allies. While we will never forget the Holocaust, we cannot revisit the sins of the fathers on the sons. Let us continue to foster the friendship that has developed between our two nations in the postwar era.●

FEDERAL EDUCATION PROGRAM WORKS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. FRANK. Mr. Speaker, it has unfortunately become fashionable for many people to talk only of the shortcomings in Government programs, and to ignore the very real successes that often occur when Government is employed correctly by society to deal with serious social problems. One program which I have found to be very successful in my own district, and in the Nation as a whole, is the chapter I program, formerly known as title I, which provides educational assistance to students, particularly in the reading and arithmetic areas.

Recently, in the April 18 issue of the Walpole Times Mary H. Sheridan, chapter I director of the Walpole public schools, published a useful reminder of the degree to which this program has been so helpful to many young people.

I ask that Mary Sheridan's article be reprinted here, in recognition of the good work that has been done in the Walpole schools on this subject, and as a reminder of the importance that properly run Government programs can play in the lives of many who are in need of assistance.

[From the Walpole Times, Apr. 18, 1985]

CHAPTER I HAS 20 YEAR HISTORY OF SUCCESS IN WALPOLE

(By Mary H. Sheridan)

The week of April 8 has been designated as Chapter I Birthday Week in Massachusetts. The legislation that made this federal program possible was signed April 15, 1965 by President Lyndon Johnson. Since then Chapter 1, formerly known as Title I, has given millions of students in our country a chance for success in the basic skills.

Chapter I began in Walpole at the Stone School (now the Town Hall) as a five-week summer program in 1967. Frank Farley, director of guidance, was the director of the "Individualized Subskills Learning Program."

In 1968 Harold Varney, principal of Old Post Road School, became the Title I Director until 1980 when the summer program was discontinued in favor of a school year program. During those 12 years the number of children served increased from 80 to 125, and the budget increased from $18,000 to $41,000. In the summer of 1973 the length of the program, then held at Fisher School, was increased from five to six weeks in order to give students additional help. The student to teacher ratio was approximately 5 to 1, and high school and college students served as aides to the teachers. Emphasis was on reading and arithmetic skills.

During the last summer of the program children from prekindergarten through grade 3 attended with 22 teachers and 17 teacher-aides on the staff, including classroom teachers, a reading specialist, a learning disabilities teacher, a speech and language teacher, a guidance counselor and a media specialist.

The 1979 evaluation of Dr. Paul H. Todesco, an outside evaluator from the Bureau of Educational Field Services at Northeastern University, was typical of previous evaluations:

"It is my sincere belief that the 1979 Title I Summer Program in Walpole was very succesful. The program offered a meaningful and evolutionary program for the students who attended. The program shows an effort to humanize the curriculum more effectively by integrating math, reading, art, science, and physical education. At the same time, it had available ample support staff to treat specific student needs. I was, and am, impressed with the quality of leadership and instruction shown in this program. The quality of the aides gives me great hope for the future. I highly recommend the continued support of this model program."

The school year program now serves about 160 students in Walpole's elementary and middle schools, as well as students at Blessed Sacrament School who are residents of Walpole. This year's grant of $80,000 has provided funds for supplementary instruction in reading, math and writing. Students are given individualized instruction, in small groups by the Chapter I staff who work closely with the classroom teachers to diagnose, coordinate and plan a program that best meets the needs of these pupils. In 1985 we continue to offer the quality of program began in 1967 and applauded by Dr. Todesco.

Mary H. Sheridan is Chapter I director in the Walpole Public Schools.●

A TRIBUTE TO SARAH McLENDON

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. DE LA GARZA. Mr. Speaker, on Monday, April 22, the University of Missouri School of Journalism paid a deserved and, I believe overdue, tribute to one of this Nation's most effective journalists, Sarah McLendon.

On the concluding day of its annual journalism week program at Columbia, MO, the school presented its annual honor medals to seven outstanding leaders in their fields. One of the 1985 Missouri honor medals was presented Monday evening to Mrs. McLendon.

I should point out to the House that these medals, coming from one of the Nation's leading institutions in the field of journalism education, are marks of great distinction. They are awarded only to men and women who have made great and lasting contributions to the field in which they work and to the people they serve.

Sarah McLendon, a correspondent who is familiar to many of us in this House because of her long experience in covering Washington, is a native of my State of Texas—and as a Texan, I am proud to salute her. She is also a graduate of the institution which honored her, one of a number of Missouri journalism graduates who have compiled distinguished records here in Washington as well as many other parts of the Nation and the world.

The Missouri medal winners are not cited for one specific story or article. This is a prize given on the basis of contributions to journalism over many years of dedicated service.

In Sarah McLendon's case, this award was based on her record of enterprise and independence in coverage of national and regional news over her years in the Capital—for her courage in asking the hard questions that had to be asked for the sake of her readers in Texas and elsewhere—and for her skill and diligence in digging out the news that matters from the White House, the Congress, and the rest of the Washington scene. And beyond that, I believe Sarah McLendon was also being honored for her determined and continuing work over many years to fight for the rights of women in journalism—a fight that has produced some impressive results.

Mr. Speaker, I want to add my congratulations to Sarah McLendon for this latest public evidence of the high regard in which she and her work are held. But I also want to congratulate the University of Missouri's Journalism School for having the perception to know a distinguished journalist when it sees one.

J-WEEK 1985

WEDNESDAY, APRIL 17

6:30 p.m.—Hilton Inn. Pictures of the Year Banquet. Speaker: Fred Richin. International Center of Photography.

THURSDAY, APRIL 18

9 a.m.—Jesse Auditorium.

4 p.m.—Pictures of the Year Awards Shows. Presentation of POY awards and slide shows by winners.

11:30 a.m.—Candlelight Lodge. Region 7 NPPA Luncheon.

FRIDAY, APRIL 19

9 a.m.—Missouri United Methodist Church. Keynote Address: George Watson, Producer, Viewpoint, ABC News.

10:40 a.m.—Gannett Auditorium. Jeanee Von Essen, Foreign Correspondent, Cable News Network.

11:40 a.m.—Gannett Auditorium. The Politics of Humor: Bill Mauldin, Pat Oliphant, editorial cartoonists.

1:40 p.m.—Gannett Auditorium. American Advertising Federation District 9 winning presentation.

2:40 p.m.—Neff Auditorium. PR-Advertising Hiring Panel: Ralph Wemhoener, consultant, Ted Bates Advertising; Linda Fox Pobuba, Ross Roy, Inc.

3:40 p.m.—Gannett Auditorium. Robert Shaplen, staff writer, The New Yorker.

7:30 p.m.—Gannett Auditorium. Broadcast Panel: Ron Mitchell, reporter, KUSA-TV, Denver; John Quarderer, news director, KOMU-TV, Columbia.

8 p.m.—Tiger Hotel Ballroom. Media Auction: Memorabilia of journalists such as Tom Wicker, Sydney Schanberg, William F. Buckley and Ted Koppel will be auctioned by Sigma Delta Chi.

SATURDAY, APRIL 20

8:40 a.m.—Gannett Auditorium. The Law of Advertising: Where has all the Puff Gone? Louis Bridenstine, Jr., general counsel/secretary, Campbell-Ewald.

10 a.m.—Gannett Auditorium. Advertising Regulation Panel: Lorraine Reid, senior vice president, Council of Better Business Bureaus; Gerard Smith, associate publisher, Newsweek; Larre Barrett, vice president, ABC Sports; Robert E. Haynes, General Foods Corp.

1:40 p.m.—Gannett Auditorium. The Advertising Lobby in Washington: Dan Jaffee, legal counsel, American Advertising Federation.

2:40 p.m.—Gannett Auditorium. Consumer Advertising/Local Regulation: James C. Schmidt, president, Better Business Bureau, St. Lous; Jeffie Mussman, director, Fashion & Promotion, Jones Store Co., Kansas City; William Webster, Missouri attorney general, Jefferson City; Melvin Zelenak, associate professor of family economics and management, UMC.

2:40 p.m.—Gannett Forum. The LSU Seven: Presentation by Jesse Cutrer and Carl Corbin, two of seven journalism students expelled from Louisiana State University in 1934 when then-Senator Huey Long objected to a letter in the school newspaper.

2:40 p.m.—Ellis Library Auditorium. Kansas City Spirit Program: Todd Leiweke, Leiweke & Co.: Melissa Sturgis, executive director. Downtown, Inc., Kansas City: Charles Wheeler, Wheeler Laboratories.

3:40 p.m.—Ellis Library Auditorium. PR: Should We Believe Them? Phil Morton, manager, information department. ALCOA: Robert Newman, vice president, corporate communications, Continental Insurance, New York: Lyn D. Johnson, vice president,

corporate communications, Houston Natural Gas.

SUNDAY, APRIL 21

2 p.m.—American Legion Park. JSA Softball Tournament and Picnic.

MONDAY, APRIL 22

8:40 a.m.—Jesse Auditorium. Women in Media Panel: Do All Views Get Through the Media? Joan Richman, vice president. CBS News: Jo Moring, vice president, NBC.

9:40 a.m.—Jesse Auditorium. Are Women Accorded Equal Coverage? Alison Muscatine. The Washington Post: Harriett Woods. Missouri lieutenant governor: Tad Barimus. Associated Press: Christine Craft, media lawsuit lecturer.

10:40 a.m.—Jesse Auditorium. Medalist Presentation: Sarah McClendon, Washington journalist, 1985 Missouri Honor Medalist.

10:40 a.m.—Missouri Photo Lab. Medalist Presentation: Arnold Newman, photojournalist, 1985 Missouri Honor Medalist, meet with photojournalism students.

11:40 a.m.—Gannett Auditorium. How I Got My Job: recent graduates panel and brown bag lunch. Reid Stella, Ross Roy Agency. Detroit: Brian Miller, executive producer. KOTV, Tulsa: Nancy Grasso. St. Louis Magazine: Jane Meacham, copy editor, Dallas Times-Herald.

1:40 p.m.—Gannett Auditorium. Medalist Presentation: Jo Foxworth, president. Jo Foxworth, Inc., advertising agency, 1985 Missouri Honor Medalist.

1:40 p.m.—Gannett Forum. Medalist Presentation: Sang Man Kim, chairman of the board. Dong-A-libo, largest independent daily newspaper in Korea. 1985 Missouri Honor Medalist.

2:40 p.m.—Gannett Auditorium. Medalist Presentation: Arnold Newman, photojournalist, 1985 Missouri Honor Medalist.

2:40 p.m.—Gannett Forum. Medalist Presentation: Bill Bray, diector of Missouri Press Association, 1985 Missouri Honor Medalist.

2:40 p.m.—Gannett Foyer. JC Penney-Missouri Journalism Awards Program 25th Anniversary Reception.

7 p.m.—Lela Raney Wood Ballroom, Stephens College. Journalism Banquet, presentation of Honor Medals Speaker: Fred Friendly, former president of CBS News and current director of Medal and Society Seminars, 1985 Missouri Honor Medalist.●

WHAT SANDINISTAS FEAR IS DEMOCRACY

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. LAGOMARSINO. Mr. Speaker, I would like to take this opportunity to praise the efforts of outgoing Assistant Secretary of State Tony Motley for the outstanding job he did during his 2 years as head of the Latin American Bureau. In my dealings with Secretary Motley, whether in direct conversation with him or through his appearances before the House Foreign Affairs Committee, I was always impressed with his knowledge, his candor and his grasp of the vital issues affecting United States-Latin American relations.

In particular, Secretary Motley's leadership was significant for his contribution to the peace process in Central America and the search for an approach which provides for economic and social justice as well as for the strengthening and growth of democracy.

Secretary Motley's performance was especially noteworthy for his pursuit of the protection of U.S. national security interests as affected by our relations with Nicaragua. His incisive analysis of the problems and threat posed by the Sandinista regime demands the attention of all of us concerned about peace and stability in the Western Hemisphere. Shortly before he announced his resignation as Assistant Secretary, Tony Motley wrote an article which appeared in the April 23 Los Angeles Times, entitled "What Sandinistas Fear is Democracy." I urge my colleagues to read this thought-provoking analysis.

The article follows:

WHAT SANDINISTAS FEAR IS DEMOCRACY

(By Langhorne A. Motley)

President Reagan's call for dialogue in Nicaragua brought a quick rejection from Nicaraguan Foreign Ministers Miguel d'Escoto, who described it this way: "We are being told, 'Drop dead or I'll shoot you.'" Before dismissing this retort as cynical bombast, we should look closely at the underlying assumption in D'Escoto's statement. He is equating democracy with death.

The President's proposal is based on the call by the unified Nicaraguan opposition for a cease-fire. Does that threaten death?

The opposition offered to recognize Daniel Ortega as president of Nicaragua. Does that say "Drop dead?"

The unified opposition asked for a plebiscite to be held to ratify the last election, and pledged to abide by the results. Does that sound fatal?

The opposition wants a dialogue mediated by the Roman Catholic Church. They want the nations of the region to serve as guarantors of legal rights. They want these nations to ensure that press censorship is lifted and freedom of expression and assembly are not impeded. They want something that they were denied in the last election, a chance to compete fairly. Does that sound unreasonable?

Many international observers called this proposal a fair offer. However, the Sandinistas responded by calling anyone associated with the plan a Somocista, and by rounding up democratic opposition advocates in Nicaragua on trumped-up charges. The Sandinistas refused to receive the envoy from the group, Arturo Cruz, a one-time member of the Sandinistas' junta and their first ambassador to Washington.

Clearly it was the Sandinistas who have been saying "Drop dead" to a good-faith effort to peacefully resolve the conflict in that country. Instead of accepting the offer to talk, they are forcibly moving 65,000 to 100,000 campesinos out of northern Nicaragua and are burning villages to prevent a return to the area. They apparently are preparing to free-fire zones in which they would do more than just say "Drop dead." They apparently are preparing to kill anyone or anything that happens to wander through these areas.

The refusal of the Sandinistas to talk and their preparation for a "final offensive" prompted Reagan to propose his peace plan. He asked the opposition to extend its offer to negotiate for 60 days. He asked the Sandinistas to accept the cease-fire offer and begin talks. He asked Congress to give him the authority to provide humanitarian aid to the resistance forces, and pledged not to supply military aid for at least 60 days—no matter how the Sandinistas responded.

The international community reacted positively, especially the presidents of Nicaragua's neighbor nations. The leaders of the nations involved in the broader Contadora negotiations called it a "forward step" that was "fully consistent with the contadora process," and urged the Sandinistas to consider dialogue. The newly elected democratic leaders in Uruguay and Argentina have also praised this proposal.

Still the Sandinistas refuse to talk.

If the Sandinistas indeed see peace as a threat and democracy as death, they cannot expect to continue receiving support or sympathy from democratic states. Even today many of those who previously supported them have refused to defend their actions. Many Americans who previously doubted the prudence of military aid to the democratic resistance have been baffled and disgusted by the policies of the Sandinistas.

This tide of opinion turned on the Sandinistas because they rejected a reasonable offer. Their refusal to talk reinforces the theory that only pressure has led to changes in the policies of the Sandinistas. They refused to participate in regional talks until the insurgency began. They refused to sign the Contadora Group's 21-point document of objectives until the insurgents began increasing the pressure. Once Congress limited U.S. aid, the Sandinistas refused to consider any additional changes in what was clearly a draft treaty.

They could, of course, prove this theory wrong and initiate talks without seeming to be forced into them. That is what many, including well-meaning members of Congress and the presidents of several Latin nations, would have them do.

However, this stalemate is no excuse for avoiding the challenge of making peace. Reagan has accepted this challenge. He has asked Congress to give him the flexibility that can lead to a negotiated peace in Nicaragua. As the President has said: This is not a call for the overthrow of the Sandinistas; it is a call for democracy. Despite the fears of Miguel d'Escoto, democracy is life, not death.●

WILBUR COHEN ON SOCIAL SECURITY

HON. JAMES R. JONES

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. JONES of Oklahoma. Mr. Speaker, August 14, 1985, marks the 50th anniversary of passage of Social Security into law by President Franklin Delano Roosevelt, making a reality of retirement security for our Nation's senior citizens.

My good friend, Wilbur J. Cohen, who served at that time in FDR's Cabinet Committee on Economic Security,

and later as Secretary of Health, Education and Welfare in the Johnson administration, and who now serves as professor at the LBJ School of Public Affairs, at the University of Texas, Austin, has written an OpEd piece for the April 5, 1985, issue of the Austin (TX) American Statesman, to honor this occasion.

Mr. Speaker, with your permission, I would like to have Mr. Cohen's article printed in the Extensions of Remarks, so that my colleagues can have the benefit of Mr. Cohen's wisdom.

At a time when the stability of Social Security Trust Fund is being questioned by some, and when our Nation's younger citizens wonder if Social Security will be there for them when they retire, I think Wilbur Cohen's article makes for good reading. I recommend it highly.

[From the Austin (TX) American Statesman, Apr. 5, 1985]

AFTER 50 YEARS, SOCIAL SECURITY HERE TO STAY

(By Wilbur J. Cohen)

Fifty years ago today the first step took place in the congressional legislative process which eventually made Social Security to reality: the House Committee on Ways and Means reported a Social Security bill favorably to the full House of Representatives.

I was a young research assistant whose assignment was to monitor congressional developments for President Franklin D. Roosevelt's Cabinet Committee on Economic Security which drafted the basic program. I followed the bill through Congress until it was signed by FDR on Aug. 14, 1935.

The Social Security Act then was—and now is—more than an old age program. Today it includes Old Age, Survivors and Disability Insurance and Medicare; unemployment insurance, maternal and child health, crippled children and child welfare services, Aid to Families with Dependent Children, Supplemental Security Income (SSI) program, Medicaid (Title XIX) and the Social Services Program (Title XX).

Old Age, Survivors and Disability Insurance is what most people think of as "social security." It is the largest program in the Social Security Act—37 million persons are currently drawing benefits—and is an essential part of the safety net in our nation. Without it there would be some 15 million more persons in the poverty group today and many more persons on welfare.

This program has helped millions of American of all ages. Many Americans have forgotten what it would be like without it. Most young people do not realize what their financial obligations would be to their parents and grandparents if there were no Social Security. Social Security has proved to be effective, enduring and beneficial in protecting the American family and our economic system.

But there is still a great deal of public anxiety over Social Security's future.

Many young people today do not believe that Social Security will be here to pay off when they retire. I do not share such "gloom and doom" about our government and our economy.

Social Security has been paid for the past 44 years and based on that experience, I believe that Congress will see to it that it continues to pay out for the indefinite future.

Many persons believe that the Social Security program is bankrupt. That is just not so.

President Reagan's actuaries and key Cabinet officers have estimated that the case benefits are adequately funded as far as the eye can see. Yet, there are many persons who do not know this.

Young persons who are currently contributing to Social Security frequently question whether they are getting their money's worth.

My answer is an unequivocable "yes." Here are the reasons why:

The disability and survivors insurance protection is especially valuable to younger persons and families. The four different types of protection offer a family protection package: disability, life (survivors) insurance, old age benefits and Medicare. And administrative costs are only 1.5 percent of the benefits.

One distinctive feature of Social Security which very few private plans contain is that the benefits are increased each year if the cost of living goes up 3 percent or more. This feature alone will serve to give young contributors their money's worth.

Some critics in 1935 said the plan was unconstitutional and would "destroy old age retirement systems set up by private industries."

Neither of these predictions became true.

I believe that many of the worries about the future difficulties of Social Security will not become true.

Today, we hear it repeated that because the number of beneficiaries will grow in relation to the number of worker contributors, the program will be financially unsound 25 to 50 years from now. This is not the whole picture.

These fears do not take into account future increases in productivity per worker and future increases in the gross national product which will keep Social Security financially viable.

Social Security is here to stay because it provides a floor of protection on which individuals and private plans can build greater protection.

We need, however, a better safety net especially for the millions of women and children now living in poverty. We need a comprehensive nationwide health policy which will cover the millions now without health insurance protection.

I am proud of having had a small role over 50 years in building and preserving a program that has helped in reducing the need for welfare and in undergirding our free market economy for those who would otherwise fall through it.●

COAST GUARD CONSOLIDATION PLAN: A MISTAKE

HON. F. JAMES SENSENBRENNER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. SENSENBRENNER. Mr. Speaker, I would like to introduce into the record testimony I made today before the House Appropriations Subcommittee. This proposed consolidation of search and rescue missions on the Great Lakes by the U.S. Coast Guard is inequitable and unsafe for citizens and the maritime industry of this region.

I will present testimony today on the proposed Great Lakes consolidation plan. I represent the Ninth District of Wisconsin, which is one of the States affected by this proposal.

The fiscal year 1986 budget request from the U.S. Coast Guard includes the closing of nine search and rescue stations on the Great Lakes. One such station slated for closure is located in Sheboygan, WI. In addition, this plan calls for the curtailment of four additional search and rescue stations in the Great Lakes region. The Coast Guard proposes to save $5 million through these actions. These closures are the only ones planned throughout the entire United States, and I strongly oppose this plan to single out the Great Lakes area.

In 1981, the House Merchant Marine and Fisheries Subcommittee on the Coast Guard and Navigation conducted a comprehensive series of hearings into all phases of Coast Guard operations and procedures. That effort resulted in a report—House Report 97-355—which concluded, "a serious imbalance exists between the Coast Guard responsibilities and the resources available to the service." This imbalance was cited as causing a steady deterioration in the ability to carry out the Coast Guard's missions effectively. The proposed consolidation plan will encourage further decline in the Coast Guard's search and rescue services in the Great Lakes, services which are the Coast Guard's most important mission.

This plan eliminates the nine Coast Guard stations on the Great Lakes regardless of the consequences to the safety of persons who rely on their maritime services. The effects on safety, specifically the additional time it will take for the Coast Guard to arrive on the scene of an emergency, is my deepest concern about this proposal. Let me use the Sheboygan station as an example.

According to the statistical analysis compiled by the U.S. Coast Guard here in Washington, DC, it is estimated the Sheboygan Coast Guard's average response time is 28 minutes. With the closing of this station, the average response time will increase to 84 minutes. Computer generated statistics aside, my office contacted the Sheboygan Coast Guard station and received the following information. Responding to specific questions, they estimated their average response time to be between 10 and 15 minutes, once they are underway. Though Rear Adm. Arnold Danielson, commander of the 9th Coast Guard District, states that the response time to the Sheboygan area by either the Milwaukee or Two Rivers station would be within the 2 hour acceptable standard response limit, common sense tells us the response time will be increased by haz-

ardous seas and inclement weather. While the Coast Guard may find a response time of up to 2 hours time acceptable, I do not. Hypothermia could be a major problem. Very few human beings can survive 1 to 2 hours submersion in the frigid waters of Lake Michigan, whose average temperature during the boating season is about 50 degrees.

Last year, the Sheboygan Coast Guard personnel responded to 107 requests. Only six were routine requests for towing. The other 101 requests were classified as severe, moderate, or slight situations. While a severe situation is self-explanatory, let me define the other two terms. A moderate situation occurs when a threat to life or property exists and you can assume the personnel and/or property would have been seriously injured or lost had action not been taken. A slight situation is where no threat to life or property exists. However, had action not been taken, the situation may have degenerated into a threat to life or property. I would like to quote a woman from Sheboygan, Charlene Shircel, because she has a point worth considering. She said, "Out of the 100-plus calls the Sheboygan Coast Guard made in 1984, only a small percentage was considered life or property threatening because the Coast Guard got there. Who dares to guess how many situations would have been life threatening without the Coast Guard service?"

I also object to the consolidation plan because it lacks equity. We know this plan was in response to the Office of Management and Budget's budget balancing efforts. It is also my understanding that this proposal does not conform to the Coast Guard's usual practice of looking servicewide for cost savings. To target only 1 of 12 Coast Guard districts and a specific geographic region of our country is plainly unfair and unjust. It appears someone decided to cut the Coast Guard budget. The response to this order, probably from OMB was to arbitrarily close down some stations to meet budget guidelines. This was most likely the easiest way. I suggest the possibility of budget cuts agencywide which may be more difficult, but can potentially maintain the search and rescue mission.

Having said this, let me add I found it most difficult and frustrating to obtain additional information about the consolidation plan from the Coast Guard. In fact, I did not receive a response to my original request for more information until 1½ months later. To get telephone calls returned from the Coast Guard's congressional liaison office was asking for a miracle. It took an irate phone call to the Department of Transportation to accomplish this. When my staff contacted the Sheboygan Coast Guard Station, their personnel were limited to strictly giving out statistics. It is obvious those in authority have insisted on clearing any information disseminated about the plan. Could it be that those who are in charge of saving lives, within the Coast Guard, do not believe this plan is safe or equitable either?

Since statistics seem to be the name of the game in this proposal, let me cite a few more. An article in the Milwaukee Journal, stated the cuts were proposed because a Federal study concluded that the Great Lakes area had a substantial number of rescue stations, but a low number of response situations. According to the study, 25 percent of the Coast Guard rescue stations were in an area of the country with only 11 percent of all rescue cases. James Ingham, group commander of the rescue base in Milwaukee and the man with authority over 13 rescue stations on the west side of Lake Michigan argues, and rightly so, these are misleading statistics because, as Commander Ingham put it, "6 months out of the year we have ice on the lake. For half of the year we don't have any search and rescue missions." This assessment was reiterated by the minority staff on the Merchant Marine and Fisheries Subcommittee on Coast Guard and Navigation. Their analysis of the search and rescue statistics showed one must assume the decision to close stations on the Great Lakes was made using annual statistics. On a per year basis, the 9th Coast Guard District does have the second lowest number of responses, excluding Hawaii, and Alaska. However, if you examine the search and rescue statistics month-by-month and evaluate the statistics for May, June, July, August, and September, the months when the Great Lakes are busiest, the statistics show the 9th Coast Guard District has the second highest number of responses behind the 2d Coast Guard District in New York.

I firmly believe the proposed Coast Guard consolidation plan is unsafe and inequitable to the maritime community of the Great Lakes region. The question you must answer is whether the $5 million saved by this plan is worth the numerous lives which will be put at risk should this plan be implemented. I, therefore, urge the subcommittee to reject the Great Lakes consolidation plan and encourage the Coast Guard to cut costs by looking for savings servicewide as well as exploring other means to reduce their budget.●

MEDICAL AND RELIGIOUS LEADERS URGE CONGRESSIONAL ACTION TO ELIMINATE HUNGER IN AMERICA

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. LELAND. Mr. Speaker, I would like to submit the following letter urging immediate congressional action to eradicate hunger in America. This letter was submitted by 265 prominent health, medical and religious leaders from across the Nation. This letter is unique in the stature and diversity of its signatories. They include deans of major medical schools and schools of public health, high level representatives of teaching hospitals and members of the Institute of Medicine, as well as leaders of Protestant, Jewish, and Catholic denominations in the United States.

The authors of this letter bring our attention to the mounting documentation of hunger and malnutrition in our Nation today. The concern of religious leaders reminds us of the women, children and unemployed who seek emergency food aid and join the long lines outside of soup kitchens and food pantries in cities and towns across the Nation. The strong representation by the professional medical associations among the signatories of this letter reminds us of the abnormally high rates of hunger and malnutrition-related disease reported in the 1980's—particularly among poor infants, children and the elderly who are most vulnerable to the consequences of even mild undernutrition.

I submit the following letter to urge my colleagues to take action this year to strengthen public and private efforts to feed the poor of this Nation:

APRIL 18, 1985.

To Congressional Leaders:

We believe there is no excuse for hunger in America.

As religious leaders and members of the health and medical professions, we call upon you to respond immediately to the present problem.

Fifteen national studies have concluded that hunger is again a serious problem in the nation. Recently, a group of prominent physicians found that hunger is worsening because of the unevenness of the economic recovery. Increasing numbers of families are standing in church soup lines. The gap between poor Americans with access to food stamps and those without grows wider.

We worry particularly about evidence linking hunger to ill health. After 20 years of decline, the infant mortality rate is levelling off. Unusually high rates of growth failure and anemia are found among poor children. Chronic diseases worsened by inadequate nutrition are seen among the elderly poor.

The commitment of a nation to feed its people is perhaps the most fundamental measure of its values. We believe that gov-

ernment action to assure access to adequate nutrition for all is medically wise. We believe it is fiscally responsible. And we believe it is our obligation as a people.

Bipartisan Congressional leadership virtually eliminated hunger in this nation once before. Hunger has returned, and it can be eliminated again.

We ask that you take immediate steps to eradicate hunger in America.

Sincerely yours,●

A TRIBUTE TO WILLIAM H. TOLES

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. ADDABBO. Mr. Speaker, I would like to bring to the attention of my colleagues the achievements of William H. Toles. Mr. Toles is scheduled to be honored by the Friends of York College (Queens, NY) at their 11th annual buffet and cocktail party on May 8.

The honor will be in recognition of Mr. Toles' tireless support of York College and the Jamaica community. Due in part to his efforts, enrollment has grown tremendously and York College has become an integral part of the City University of New York System. His work as a board member of the Greater Jamaica Development Corporation has been instrumental in the revival of the community.

Mr. Toles' list of accomplishments are not limited to his work in the community, however. A native of Poughkeepsie, NY, he served with the North Atlantic Wing of the Air Transport Command in World War II. After the war, he played professional football for the Brooklyn Football Dodgers of the old All-American Conference.

Mr. Toles holds a master's degree in social work from Howard University. He is widely recognized for his expertise in the area of minority business development. As a corporate officer with 15 years experience at ITT Continental Baking Co., and 12 years as executive director of Settlement House, his advice is frequently sought in the fields of economic development and employment, housing, and health and welfare.

He has been associated with many causes and organizations and received many awards over the years. Mr. Toles is a past chairman of the board of directors and Queens Borough director of the New York Urban League. He is also a past lieutenant governor of the N.Y. District of the Kiwanis International. He has also served prominently with the NAACP, the Queensboro Society for the Prevention of Cruelty to Children, and the New York State Division of the Human Rights Advisory Board, to name just a few.

The Queens community is fortunate to have Mr. Toles among its residents. The Friends of York College have indeed chosen a worthy recipient for their tribute.●

UNICEF REMEMBERED

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. FASCELL. Mr. Speaker, Mrs. Virginia M. Gray, former executive director of the Citizens Committee for UNICEF, recently published her memoirs, entitled: "Love is Not Enough: Recollections of a Capitol Hill lobbyist for UNICEF," It is a personal account, depicting two and a half decades of dedicated service in behalf of the U.N. Children's Fund, which merits both our recognition and our collective appreciation.

Of all programs within the U.N. system, UNICEF is generally regarded as one of the most effective, and U.S. contributions have always been essential to the organization's survival. Virginia Gray was tireless in campaigning for congressional appropriations to aid mothers and children—and she was highly persuasive in her efforts to clear up misunderstandings which often arose over seemingly unrelated issues which had a potentially negative impact on UNICEF. Her weapon, as always, in this struggle was to make the facts available and to let the facts speak for themselves.

In her book, Mrs. Gray discusses the structure and functions of UNICEF, its place in the U.N. system and the history of its development from its inception in 1946 to the present. Her description of the practical lobbying measures she employed over 25 years of devoted service to her cause remain relevent today.

Several years ago, Mrs. Gray received UNICEF's Oscar "in appreciation for distinguished service to the U.N. Children's Fund and through it, to the mothers of the world." It was an award long overdue to this remarkable woman and promoter of the general interest.

I commend both her accomplishments and her book to the attention of my colleagues.●

REFORM IN FEDERAL SPENDING

HON. BEAU BOULTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. BOULTER. Mr. Speaker, throughout my congressional campaign, I emphasized the dire need in this country for reform in Federal spending. "Balanced budget," "fiscal responsibility," and "reduced spending" were probably the most frequently used words in my vocabulary.

When I arrived in Washington, I was surprised—shocked actually—to find that other than individual legislative efforts, no real consolidated push was being made to begin implementing the cost-cutting recommendations of the President's private sector survey on cost control—the Grace Commission.

At Budget Committee field hearings I was fortunate enough to meet with J. Peter Grace, head of the commission, and spoke with him about the fact that a full 73 percent of the 2,478 recommendations made by the commission to cut waste and inefficiency throughout the Federal Government, required congressional action for enactment. We discussed the possibility of a caucus designed solely to push for that enactment.

To get an idea of how badly we need to begin implementing Grace Commission recommendations we only need to consider an example Mr. Grace gave me. At our current rate of spending, by the year 2000 our annual deficit will be $2 trillion—that is $169,000 per taxpayer.

This example was inspiration for me to found the Grace caucus in the House of Representatives. In order to make this caucus the most effective in its efforts to cut the fat from the Federal Government, I invited Congressman BUDDY ROEMER from Louisiana to serve as cochair of this bipartisan effort.

At the kickoff meeting for the Grace caucus, Mr. Grace himself spoke to a group representing over 30 Members of Congress about the value of such a caucus and what it might hope to accomplish. He presented to us, at that meeting, a list of the 10 areas in which action could start immediately chopping away at the $424 billion in Federal waste that the Grace Commission has identified.

These areas, ranging from procurement and contracting out within the Department of Defense to Federal personnel management systems, will serve as the basis for the task forces within the caucus. Each will direct its energies toward specific recommendations, and work to coordinate legislative initiatives to enact cost-saving measures.

The response to the Grace caucus, I am pleased to report, has been strong. We are preparing to announce our bipartisan Executive Steering Committee, designed to provide leadership and direction on this vital effort. I have included a list of 54 Members of the House who want to take an active role in this movement to finally stop talking about reducing the Federal waste and needless costs taking firm action.

Mr. Speaker, we hear a lot about our economic problems. We hear that the trade deficit is the most immediate threat to our economic viability. We

all know unemployment is a continuing legitimate concern, and the final answer will be long-term economic growth.

With these goals in mind, let me say our economic problems exist due to one overriding ill present in our economy, and that is the lack of capital formation. If our industries could raise the capital they need at lower interest rates and without the fear of returning inflation, then we would not have the lagging economic indicators we have today. My point is that Mr. Speaker: As the economist Milton Friedman says, the problem is not the deficit, it is the size of Federal spending.

Our Nation can never have adequate capital formation so long as its Government spends money without regard to purpose or efficiency. The Grace Commission did us a great service by presenting Congress with specific recommendations as to how this Government spends money contradictorily and inefficiently. If we simply reduce duplicity of effort and the inefficiency in our Federal Government, then we will do a great service in allowing ample capital formation for future economic growth. It is with this purpose, that the Grace caucus proceeds.

I have written a letter, which all the Republican members of the House Budget Committee have cosigned, requesting that the budget resoluton reported out of the committee include definitive language requiring each standing committee of the House to review the recommendations made by the Grace Commission which fall within their jurisdiction, and report on the potential impact of implementation of each spending reduction option. That letter has been sent to the chairman of the Budget Committee, the Honorable WILLIAM GRAY.

While we all realize that not all of the recommendations are viable, adoption of only one-fourth of the recommendations would potentially save $100 billion over the next 3 years. By studying each recommendation, we feel that a consensus can be reached on a significant number to produce substantial savings to the Federal budget.

Since forming the Grace caucus, I have had several opportunities to speak with outside groups representing wide-ranging interests in the private sector. Again, the support for the Grace caucus has been strong.

And just within the past few days, I have spoken to Members of the other body about their interest in forming a bicameral arm of the Grace caucus.

Obviously, the idea is catching on. I honestly believe that there is a growing voice among the American people, urging us to begin action that will serve to substantially reduce our Federal deficit, and bring our financial house into order.

I look forward to the growing role that I am convinced that the Grace caucus will play in our battle of the budget. The recommendations made by the Grace Commission are, in many cases, clear and simple opportunities to hold true to our commitments of fiscal responsibility. I encourage any of my colleagues who are interested in being a part of this action to contact me.

GRACE CAUCUS MEMBERSHIP—MAY 1, 1985

Beau Boulter (R-TX), founder and chairman.
Buddy Roemer (D-LA), co-chairman.
1. Dick Armey (R-TX).
2. Joe Barton (R-TX).
3. Helen Bentley (R-MD).
4. John Breaux (D-LA).
5. Thomas Bliley (R-VA).
6. Hank Brown (R-CO).
7. Sonny Callahan (R-AL).
8. Bill Cobey (R-NC).
9. Howard Coble (R-NC).
10. Jim Courter (R-NJ).
11. Larry Craig (R-ID).
12. Phil Crane (R-IL).
13. Bill Dannemeyer (R-CA).
14. Buddy Darden (D-GA).
15. Tom DeLay (R-TX).
16. Joe DioGuardi (R-NY).
17. Bob Dornan (R-CA).
18. David Dreier (R-CA).
19. Harris Fawell (R-IL).
20. Bobbi Fiedler (R-CA).
21. Thomas Foglietta (D-PA).
22. Dean Gallo (R-NJ).
23. Ben Gilman (R-NY).
24. John Grotberg (R-IL).
25. Paul Henry (R-MI).
26. Larry Hopkins (R-KY).
27. Duncan Hunter (R-CA).
28. Paul Kanjorski (D-PA).
29. John Kasich (R-OH).
30. Tom Kindness (R-OH).
31. Bob Lagomarsino (R-CA).
32. Trent Lott (R-MS).
33. Dan Lungren (R-CA).
34. Buddy MacKay (D-FL).
35. Connie Mack (R-FL).
36. Alex McMillan (R-NC).
37. David Monson (R-UT).
38. Ron Packard (R-CA).
39. Don Pease (D-OH).
40. John Rowland (R-CT).
41. J. Roy Rowland (D-GA).
42. Pat Schroeder (D-CO).
43. Mark Siljander (R-MI).
44. Bob Smith (R-OR).
45. Denny Smith (R-OR).
46. Robert Smith (R-NH).
47. Charlie Stenholm (D-TX).
48. Mike Strang (R-CO).
49. Pat Swindall (R-GA).
50. Barbara Vucanovich (R-NV).
51. Robert Walker (R-PA).
52. Ed Zschau (R-CA).
Additions:
53. Steve Bartlett (R-TX).
54. Jim Kolbe (R-AR).●

FLAWED RULING BY THE IRS

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. DORGAN of North Dakota. Mr. Speaker, today I am reintroducing a bill to correct a wrong done to over 100 workers in North Dakota as a result of a flawed ruling by the Internal Revenue Service. I introduced the identical bill in the 98th Congress which passed in the House but not in the Senate and, subsequently, did not survive the committee of conference on the Deficit Reduction Act of 1984. If my bill had been enacted last term, taxpayers who have patiently sought restitution for over 10 years would have achieved the justice denied them by the IRS ruling.

Present law (Code sec. 162) allows a deduction for all ordinary and necessary expenses paid or incurred in carrying on a trade or business. Traveling expenses—including meals and lodging—which meet these general requirements are deductible if incurred while away from home in the pursuit of a trade or business. No deduction is allowed for personal, living, or family expenses, including the cost of commuting to and from work.

Between 1970 and 1974, the U.S. Government employed a large number of workers at the anti-ballistic-missile [ABM] site near Nekoma, ND. Many of these workers had to travel great distances to get to the job. In addition, there was no housing at the job site. The ABM workers who had to travel great distances to get to the job site availed themselves of the deduction allowed under section 162.

But, the IRS disallowed the deduction for those workers who had worked on the ABM site more than 12 months. Over 118 workers at the ABM site in North Dakota were denied the travel-expense deductions legally owed to them, while workers who had been employed at the site for less than 1 year were allowed the deductions. This happened because the IRS ruled that away-from-home expenses are deductible if the duration of one's assignment, at a location away from home, is temporary, that is, if it is less than 12 months. If the job is for more than 1 year, the IRS classifies it as indefinite and disallows the deductions.

I believe this IRS rule is flawed because it fails to distinguish travel undertaken for employment purposes from travel undertaken for personal purposes. In essence, the workers at the ABM site incurred travel expenses in order to practice their trade but could not take the deductions allowed under section 162.

Under my bill, traveling expenses in connection with employment at the anti-ballistic-missile site near Nekoma, ND are deductible if (1) the expenses are otherwise deductible as a business expense under section 162(a); (2) the expenses were paid or incurred after 1969 and before 1975; and (3) the expenses were claimed on a tax return filed for any taxable year which includes any portion of the period described in (2). Also, the bill permits

taxpayers who are entitled as a result of the provisions of the bill to a refund or credit of any overpayment, but for the operation of the statute of limitations or other rule of law, to obtain the refund or credit by filing a claim within 1 year after the date of enactment. The bill applies to taxable years ending after 1969, with respect to expenses paid or incurred after 1969 and before 1975.●

THE PROPER DECISION WAS MADE

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. PICKLE. Mr. Speaker, there has been a lot of partisan rhetoric over the issue of who won the election in the Eighth District of Indiana from both parties in recent months. Throughout this debate I have tried to look beyond party politics and to make a decision that is fair and based on the facts. After closely examining all of the information available on this issue, I can find no reason to dispute the finding of the House Administration Committee that Representative FRANK MCCLOSKEY won the election.

I must admit that I had serious reservations from the beginning about whether the House should get involved in this election. I believe we should accept the State-certified election returns, except in extremely unusual cases. However, after the House investigation got underway, we found that the counting irregularities did justify our intervention and the task force recount was conducted in a fair, thorough, and open manner.

I have not participated in the debate on this issue over the past 4 months. Instead, I have tried to observe the entire process as objectively as possible. And in the end, I reached three conclusions.

First, it is entirely proper for the House to review this election. Article 1, section 5 of the Constitution states: "Each House shall be the judge of the elections, returns, and qualifications of its own members." In the past 100 years, both Houses have had to decide many disputed elections. It is a difficult role for us to fulfill but it is one that is mandated by our Constitution.

Second, it is clear that the conduct of the election and the recount process in Indiana were both disasters. Election laws and procedures were ignored in some areas and applied selectively in others. Voting and recount procedures varied in nearly each of the counties in the district. Some have criticized the House Administration Committee for not following Indiana law in its counting procedure but it is obvious that Indiana law has not been applied consistently at many points since the moment the polls opened on the morning of November 6, 1984.

Third, the investigation by the House Administration Committee and the recount by the General Accounting Office were the fairest and most accurate possible under the tangled circumstances of that election. I have reviewed the counting rules and procedures used by the GAO and I have been unable to find any fault in them. I have read the transcript of all of the meetings of the task force and cannot find any point at which any effort was made to favor one candidate over another.

On the critical issue of whether to count 32 absentee ballots, I believe the task force made the right decision in not counting them. Even though similar ballots had improperly been mixed in with other ballots and counted on election night and could no longer be distinguished from legitimate ballots, that was no reason to compound the error by counting 32 more improperly cast ballots. Even the recount director, James Shumway, who was recommended by the Republicans and confirmed by the Democrats to supervise the recount, has stated that those ballots should not be counted.

Mr. Speaker, when this dispute arose in the House in January, I made a commitment to my constituents that I would not make a decision based on party politics so I have taken a very critical look at this entire matter. I have searched for any indication that the work of the task force was designed to achieve a desired result. There is no indication that happened. And since I can find no objection to the process, I cannot dispute the final result.

The bitter political fight over this election has obscured many of these facts. But no one stole this election. Moreover, I deeply, deeply resent anyone saying that the election was stolen. Anyone who claims that the election was stolen is simply and purely engaging in political demagoguery.

Mr. Speaker, after examining the facts in this case, I am convinced that the proper decision was to seat Representative FRANK MCCLOSKEY and that no other conclusion can be justified.●

A TRIBUTE TO DR. PEGGY BUCKLEY

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. THOMAS of California. Mr. Speaker, it gives me great pleasure to inform my colleagues today that Dr. Peggy Buckley of Bakersfield College is being honored as 1985 Kern RN of the Year.

It pleases me to learn that Peggy Buckley is receiving this honor, not only because her entire professional career as a registered nurse and educator has been exemplary, but also because Peggy is a long and dear acquaintance whom I greatly respect and admire.

I will not even attempt, in the limited time available here, to list all of Peggy Buckley's many contributions to nursing and to the field of education. She was already a veteran educator at Bakersfield College when I arrived here as a government teacher fresh from graduate school in 1965, and I have witnessed in the years since what it means to be totally committed to one's profession and one's community.

Peggy Buckley has built Bakersfield College's nursing program into one of the finest of its kind in the country. At the same time, she has furthered her own education, receiving B.A., M.A., and Ed.D. degrees while employed fulltime as a registered nurse and educator. She has put these advanced degrees to good use in the nursing program where she inspires respect and devotion among her students and colleagues. Ask anyone who knows Peggy Buckley what sort of person she is, and to a person, they will be effusive in their praise.

One fact, perhaps, helps to portray Peggy's sense of dedication as well as any personal testimony that I could offer: Peggy still works 1 weekend each month as a staff nurse at an acute-care hospital, using time that all would agree she is entitled to spend leisurely, serving others.

In addition to her work as director of Bakersfield College's registered nursing program and her monthly "moonlighting" stint, Peggy Buckley serves her community as a member of numerous county and State nursing, medical, health, and education advisory councils.

I cannot imagine a more qualified recipient of the RN of the Year award than Peggy Buckley. Peggy is a "nurse's nurse," a "teacher's teacher" and someone whom I am proud to know. I commend Dr. Buckley to my colleagues, and I would also like to say, "Congratulations, Peggy. You certainly deserve it."●

CALL FOR MS. HALL'S RESIGNATION

HON. CHARLES A. HAYES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. HAYES. Mr. Speaker, the pattern of insensitivity of the Reagan administration toward minorities has manifested itself once again. Black Americans and, indeed, all Americans

of good conscience, are incensed by the act of the Reagan administration's newly appointed chairman of the Copyright Royalty Tribunal—Ms. Marianne Hall.

As many Members of this body know, Ms. Hall was the professional writer/editor of a book entitled, "Foundations of Sand," which so degrades black Americans that it could very easily have been published by the Ku Klux Klan. I am outraged, but unfortunately not surprised, that an official of this administration has admitted coauthoring a book filled with some of the most despicable racial garbage I have ever heard in my life. Using terms such as "jungle-freedom-types" and advocating policies such as "separate but superior schools with all male teachers," she has brought racism to a new low. Unfortunately, Mr. Speaker, Ms. Hall's appointment only typifies the attitude of the Reagan administration toward minorities in this country and for that matter, in its foreign policies as well.

The President has a Civil Rights Commission which has basically divested itself from offering any support to our civil rights statutes. He has an Equal Employment Opportunity Commission which lacks the initiative to pursue meaningful reforms of employment discrimination practices. His foreign policy of constructive engagement allows our Government to sit idly by while hundreds of black South Africans are killed simply because they want to enjoy the same freedom as their white counterparts. Now, our President will visit Bitburg, the scene of atrocities that are unthinkable in our Nation today.

Mr. Speaker, while it is the prerogative of the President to appoint people who share his political ideology, the citizens of this country deserve to have appointees who do not bring with them such openly racist attitudes and beliefs such as those demonstrated by Ms. Hall.

I do not want to hear excuses from Ms. Hall that she merely edited the work. I call on President Reagan to immediately request her resignation. Hopefully, before he can do that, Ms. Hall will find it within herself to resign and save what little respect she now carries. Mr. Speaker, we have a lot of problems with this administration, and her leaving will not solve them all. But, it will indicate an end to the latest episode of blatant racism to surface from this administration.●

NEW LEGISLATION TO REFORM BALLOT ACCESS AND BALLOT STATUS LAWS FOR ALL FEDERAL ELECTIONS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. CONYERS. Mr. Speaker, today I have introduced legislation to reform the enormously difficult ballot access and ballot status requirements for Federal elections now in effect in most States. This measure takes a step toward democratizing the electoral process by equalizing the standards for participation imposed in independent and major and minor party candidates. Its passage will result in a strengthening of the voting rights protected by the 1st, 14th, and 15th amendments to the Constitution.

During the past century, State legislatures have imposed increasingly burdensome restrictions on access to the ballot by independent and minor party candidates. In 1984, a Democratic Party Presidential candidate needed only 25,500 valid petition signatures to run in every primary and caucus in this country. By contrast, it took an independent candidate 5 times that number of signatures to appear on the California ballot alone, and 30 times that number of signatures—725,000—to appear on the ballot in all 50 States and the District of Columbia.

Signature requirements for independent Presidential candidates range from a low of 175 in Washington to a high of 116,000 in California. Some States require that petition signatures be obtained within a very limited period of time. Arizona, for example, requires 7,264 signatures be collected in a 10-day period. Still, States such as New York, Michigan, Missouri, and Virginia impose geographical distribution requirements stipulating where and how many signatures must be collected. On the other hand, other States—for example, Kansas—require that the petition circulator live in the same neighborhood as the petition signer even if the candidate is running for a Federal office.

While virtually all Sates recognize the right of an individual candidate to run for office, many States impose additional restrictions on the use of party designations by independent candidates. Ohio, Oregon, Oklahoma, Alabama, Montana, North Dakota, Kansas, and Nebraska require additional and often unattainable petition signatures for party designation. Illinois requires that a party, to have its name appear on the ballot, run an entire slate of candidates.

In California a minor party must register 81,000 voters into the party in order to appear on the ballot. Laws in Texas, New York, Arizona, Nebraska, and West Virginia make the right of independent candidates' names to appear on the ballot inconsistent with the electorate's right to vote, in that voters who sign nominating petitions for independents are prohibited from voting in a primary election for the same office. The New England States, Michigan, Florida, and Arizona require independent candidates to go through the laborious process of checking local voter registration rolls to verify the registration of each signer. Michigan has no procedures for independent candidates to get on the ballot, even though the State has lost ballot access cases in Federal court since 1976. In Georgia, a political party needs 60,000 people to sign 11 petitions each if it is to have a party designation on the ballot. Such diversity in requirements creates an unduly burdensome and restrictive environment into which citizens seeking to exercise their voting rights must venture in order to compete with major party candidates.

The right to ballot status, automatic access for a party's candidates to the ballot, is also more difficult to achieve for minor parties than major parties. For example, Georgia requires 20 percent of the vote for Governor or 20 percent of the entire national vote for President. Alabama requires 20 percent of the vote in any statewide election. Because different States require that the threshold number of votes be obtained in different electoral contests, that is Congress in Wyoming, Secretary of State in Indiana, it is impossible for a new party to obtain ballot status in more than 32 States even if that party's candidate won the Presidency of the United States.

These onerous, and in many instances, prohibitive restrictions on ballot access are justified on the grounds that the electorate needs to be protected against frivolous candidates. On the contrary, the labyrinth of State-enacted restrictions on participation in the electoral process by independent candidates and parties deprives them, together with the great number of voters who would otherwise vote for these candidates and parties, of their constitutional rights of freedom of political expression and equal protection under the law.

There is a clear need for Federal legislation in the area of State electoral laws in order to eliminate this unfairness. That is why I have proposed legislation which creates fair and uniform standards for ballot access and ballot status in all Federal elections. The test of this measure is as follows:

H.R. 2320

A bill to enforce the guarantees of the first, fourteenth, and fifteenth amendments to the Constitution of the United States by prohibiting certain devices used to deny the right to participate in certain elections

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BALLOT ACCESS RIGHTS.

A State shall not use any device to abridge or deny the right of an individual to be placed as a candidate on, or to have such individual's political party, body, or group affiliation in connection with such candidacy placed on, a ballot or similar voting materials to be used in a Federal election.

SEC. 2. DEFINITION OF DEVICE.

For the purposes of this Act, the term "device" means any requirement, condition, or prerequisite to being placed on, or having individual's political party, body, or group affiliation placed on, a ballot or similar voting materials, other than a requirement, condition, or prerequisite described in section 3.

SEC. 3. ALLOWED REQUIREMENTS FOR BALLOT ACCESS.

(a) PETITION.—A State may impose any or all of the following requirements, conditions, or prerequisites:

(1) That an individual seeking to exercise rights protected by this Act present a petition stating in substance that the signatories desire such individual's name and political party, body, or group affiliation to be placed on the ballot or other similar voting materials to be used in the Federal election with respect to which such rights are to be exercised.

(2) That the political party, body, or group affiliation, if any, of such individual be shown on such petition.

(3) That such petition, to be effective, must have not more than the greater of—

(A) 1000 signatures; or

(B) a number of signatures equal to 1 tenth of 1 percent of the number of registered voters on the date of the most recent previous Federal election, if any, for the office for which such individual is a candidate who voted in such election for such office.

(4) That such petition may be signed only by persons residing anywhere in the bounds of the geographic area from which an individual is to be elected to such office.

(5) That such petition may be circulated only during a period—

(A) beginning not later than the 270th day before the date of the election with respect to which such rights are to be exercised; and

(B) ending not earlier than the 60th day before the date of such election.

(b) PARTY VOTE.—A State may impose the requirement, condition, or prerequisite that, in order to have an individual's political party, body, or group affiliation placed on a ballot or similar voting materials to be used in the Federal election with respect to which rights protected by this Act are to be exercised, without having to satisfy any requirement relating to a petition under section 3(a), that or another individual, as a candidate of that political party, body, or group, must have received whichever is the lesser of—

(1) 20,000 votes; or

(2) 1 percent of the votes cast;

in the most recent general Federal election for President or Senator in that State.

SEC. 4. RULEMAKING.

The Attorney General may make rules to carry out this Act.

SEC. 5. GENERAL DEFINITIONS.

As used in this Act—

(1) the term "Federal election" means a primary, general, special, or runoff election for the office of—

(A) President or Vice President;

(B) Senator; or

(C) Representative in, or Delegate or Resident Commissioner to, the Congress; and

(2) the term "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.●

CLIFFORD/McNAMARA WARN ABOUT ADVERSE ARMS CONTROL AND BUDGET IMPACT OF SDI

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. FASCELL. Mr. Speaker, in testimony yesterday before my Subcommittee on Arms Control, former Defense Secretaries Clark Clifford and Robert S. McNamara highlighted the adverse arms control and budgetary impact of the President's proposed Strategic Defense Initiatives [SDI]. Yesterday's hearing was the second in a series of hearings in the 99th Congress on arms control in space. These hearings represent a continuation of the hearings conducted by the subcommittee during the 98th Congress which led to the release of the subcommittee's Interim Report on the Administration's Space Arms Control and Defense Policy on May 17, 1984. That Interim Report identified the following five areas of concern which still remain true today. They are: Excessive costs of SDI, the technical nonfeasibility of a perfect nuclear defense, the incompatibility of SDI and arms control, the growing likelihood of United States and Soviet Union defense programs stimulating a dual nuclear arms race in both offensive and defensive nuclear weapons, and the alienation of our closest allies in Europe.

Commenting on the impact of a U.S. decision to develop and deploy even partial defense systems, Clifford said: "This will effectively and perhaps permanently prevent control and reduction of Soviet offensive missile systems." He added: "It will drive both sides to seek security in unilateral action rather than negotiation."

In his testimony, former Secretary of Defense McNamara underscored the necessity for both the United States and the Soviets to reaffirm their commitment to the ABM Treaty "because the treaty formalizes the insight that not only the deployment, but even the development of strategic defenses would stimulate an offensive buildup. Were the treaty to collapse, we could not move toward our goal of reducing the offensive threat."

Both former Secretaries of Defense also endorsed the necessity to maintain a prudent research program in defense systems with Secretary Clifford recommending keeping the fiscal year 1986 level at the current fiscal year 1985 level of $1.4 billion.

As we all examine the administration's fiscal year 1986 SDI/BMD request of $4.2 billion, it is my hope that we will work toward substantially reducing that figure to a level more consistent with our fiscal and arms control interests.●

STANISLAUS STATE UNIVERSITY

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. COELHO. Mr. Speaker, at this time I would like to take this opportunity to recognize California State University, Stanislaus [CSUS] on its newly conferred university status. Stanislaus State University was authorized by Gov. Goodwin J. Knight in 1957 as a State college. In 1963, its first accreditation was given, and freshmen began entering in 1965 as the first two master's degrees were awarded. Since that time, numerous achievements in sports have been attained by students such as the college's first all-American athlete in 1971, CSCS's first division III championships in golf and baseball, and in 1981, the basketball team earned fourth place in the Nation.

The academic achievements of the CSCS have been noteworthy. The academic area was organized into a three-school model of arts, letters, and sciences; business administration; and education. By 1984, over 10,000 students had graduated from CSCS. In 1979, the library collection surpassed over 200,000 volumes. In 1980, interactive microwave television was beamed to two surrounding cities creating more opportunity for students to take advantage of the academic opportunities at CSCS. In March of 1985, the board of trustees of the California State University approved university status for the college.

In light of California State University, Stanislaus' achievement of university status, I would like to invite you to join with me in congratulating CSUS on its new status. CSUS has earned the respect of the academic world, and deserved ours as well.●

REAL ESTATE TRANSFER TAX

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. STARK. Mr. Speaker, I will on Monday, May 6, introduce legislation which would eliminate any tax on the gain from the sale of real estate and would substitute in its stead a flat 2 percent Federal transfer tax. The legislation I am proposing today is revenue neutral and is designed to provide greater economic freedom and increase the transferability of real estate.

Gains from the sale of real estate are usually taxed at capital gains rates which can be as high as 20 percent. At the same time, the Code provides numerous mechanisms for avoiding this capital gains tax, like-kind exchanges, roll overs, and income exclusions are all methods by which the capital gains tax can be avoided. These opportunities have resulted in numerous uneconomic decisions to avoid paying the capital gains tax. A simple 2 percent transfer tax would free people from this unnecessary and uneconomic tax planning while, at the same time, assuring that we collect some tax revenue from real estate. The low level of the transfer tax attests to the general failure of the capital gains tax on noninventory real estate. A real estate transfer tax would be largely self-enforcing since nonpayment of the tax would give the government a lien on the property and therefore cloud the property's title. A transfer tax would also free individuals from the need to constantly roll over their principal residence and from having to wait until age 55 to take advantage of the once-in-a-lifetime exclusion. Legislation would apply to all nonbusiness inventory property, both residential and commercial and would be effective for tranfers after the date of enactment of the legislation.

Mr. Speaker, I think my legislation will be supported by those who sincerely believe that our tax system should work as simply and unintrusively as possible. It will, of course, be opposed by those who habitually and consistently avoid any tax on real estate gains. In the spirit of tax reform is it not better to have a maximum 2-percent tax on real estate rather than a 20-percent tax on real estate gains?

The text of the legislation follows:

H.R. 2366

A bill to amend the Internal Revenue Code of 1954 to exempt all gain from the sale of real property from income tax and to impose a transfer tax on transfers of real property

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NONRECOGNITION OF GAIN AND LOSS IN REAL PROPERTY TRANSACTIONS.

(a) IN GENERAL.—Section 1250 of the Internal Revenue Code of 1954 (relating to gain from dispositions of certain depreciable realty) is amended to read as follows:

"SEC. 1250. NONRECOGNITION OF GAIN AND LOSS IN REAL PROPERTY TRANSACTIONS.

"(a) GENERAL RULE.—No gain or loss shall be recognized on the sale or exchange (or other disposition) of real property.

"(b) TREATMENT OF INCIDENTAL PERSONAL PROPERTY.—In the case of any disposition of real property, any incidental personal property involved in the disposition shall be treated as real property if the consideration for such personal property is taken into account for purposes of the tax imposed by section 4451.

"(c) EXCEPTION FOR INVENTORY.—This section shall not apply to any disposition by the taxpayer of property which (in the hands of the taxpayer) is described in section 1221(1) (relating to inventory and property held for sale to customers.)

"(d) SECTION OVERRIDES OTHER PROVISIONS.—This section shall apply notwithstanding any other provision of this subtitle (including sections 1245, 1252, 1254, and 1255)."

(b) CLERICAL AMENDMENT.—The table of sections for part IV of subchapter B of chapter 1 of such Code is amended by striking out the item relating to section 1250 and inserting in lieu thereof the following:

"Sec. 1250. Nonrecognition of gain and loss in real property transactions."

SEC. 2. TAX ON CONVEYANCES OF REAL PROPERTY.

(a) IN GENERAL.—Chapter 36 of the Internal Revenue Code of 1954 (relating to certain other excise taxes) is amended by inserting after the table of subchapters the following new subchapter:

"SUBCHAPTER A—CONVEYANCES OF REAL PROPERTY

"Sec. 4451. Imposition of tax.
"Sec. 4452. Liability for tax.
"Sec. 4453. Definitions and other special rules.

"SEC. 4451. IMPOSITION OF TAX.

"(a) GENERAL RULE.—There is hereby imposed on each real estate deed a tax equal to 2 percent of the consideration.

"(b) EXCEPTION FOR INVENTORY.—The tax imposed by subsection (a) shall not apply to any real estate deed arising out of a disposition described in section 1250(c).

"SEC. 4452. LIABILITY FOR TAX.

"(a) IN GENERAL.—The tax imposed by section 4252 shall be paid by any person who makes, signs, or issues the real estate deed or for whose benefit the real estate deed is made, signed, or issued.

"(b) EXCEPTION FOR GOVERNMENTAL ENTITIES.—The United States, any State (or political subdivision thereof), and any agency or instrumentality of any of the foregoing shall not be liable for the tax imposed by sections 4252 on any real estate deed to which it is a party, and affixing of stamps thereby shall not be deemed payment for the tax which may be collected by assessment from any other party liable therefor.

"SEC. 4453. DEFINITIONS AND OTHER SPECIAL RULES.

"(a) REAL ESTATE DEED.—For purposes of this subchapter, the term 'real estate deed' means any deed, instrument, or other writing by which any real property is granted, assigned, transferred, or otherwise conveyed to, or vested in, another person. Such term shall not include any instrument or other writing given to secure a debt.

"(b) CONSIDERATION.—For purposes of this subchapter, the term 'consideration' means the sum of—

"(1) the principal amount of—

"(A) any debt instrument given in consideration for the conveyance, and

"(B) any indebtedness to which the property conveyed is subject or which is assumed in connection with the conveyance, and

"(2) the amount of cash and the fair market value of other property (other than any debt instrument) given in consideration for the conveyance.

"(c) SPECIAL RULE FOR PARTNERSHIPS.—

"(1) CONTINUING PARTNERSHIPS.—In the case of any real property held by a partnership, no tax shall be imposed by section 4451 by reason of any transfer of an interest in such partnership if—

"(A) such partnership (or another partnership) is considered as a continuing partnership (within the meaning of section 708), and

"(B) such continuing partnership continues to hold the real property.

"(2) TERMINATED PARTNERSHIPS.—If there is a termination of any partnership (within the meaning of section 708)—

"(A) for purposes of this subchapter, such partnership shall be treated—

"(i) as having transferred all real property held by such partnership at the time of such termination for consideration equal to the fair market value of such property, and

"(ii) as having executed a real estate deed for all real property held by such partnership at the time of such termination, but

"(B) not more than 1 tax shall be imposed by section 4451 by reason of such termination (and any transfer pursuant thereto) with respect to any real property held by such partnership at the time of such termination."

(b) METHOD OF COLLECTING TAX.—Subsection (b) of section 6302 of such Code (relating to mode or time of collection) is amended by striking out "section 4481 of chapter 36" and inserting in lieu thereof "section 4451 or 4481 of chapter 36".

(c) CLERICAL AMENDMENT.—The table of subchapters for chapter 36 of such Code is amended by inserting before the item relating to subchapter D the following new item:

"SUBCHAPTER A. CONVEYANCES OF REAL PROPERTY."

SEC. 3. EFFECTIVE DATE.

The amendment made by sections 1 and 2 shall apply to transfers of real property after the date of the enactment of this Act.●

TAX REFORM AND PUERTO RICO

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. GARCIA. Mr. Speaker, I would like to submit for the RECORD an article from yesterday's Washington Post. It speaks of the Treasury Department's proposal to eliminate section 936 of the Internal Revenue Code.

As we all know, section 936 allows companies establishing in Puerto Rico substantial tax credit for doing so.

These companies in turn create jobs and add a much needed stimulus to the island's economy. Once their incentive, in the form of tax credits is gone, many of these companies may seek to relocate. The result of this is obvious; increased unemployment, increased government spending. The impetus that section 936 provides to private sector investment initiative, once removed, will be difficult and expensive to replace.

The benefits of this program are obvious, as is the necessity to keep it in place.

[From the Washington Post, May 1, 1985]

PUERTO RICO SUPPORTS TAX CREDIT

(By Anne Swardson)

For more than three decades, the tax credit granted to U.S. companies operating in Puerto Rico has induced firms to locate on the island territory and has created jobs in a depressed region, proponents say. Both Puerto Rico and the companies have benefited, by their account.

Now they want to make sure that the Treasury Department—which calls the credit expensive, inefficient, and complicated—doesn't take all that away.

One of the many provisions of the department's tax-simplification plan now up for White House review would repeal the possessions tax credit, the mechanism by which American firms legally can avoid paying almost all taxes on income from Puerto Rican operations.

The possibility of repeal has the governor of Puerto Rico pleading his case in Washington this week for at least the second time this year, saying his entire economy hangs on the provision. Numerous companies with operations in Puerto Rico, as well as such notable business people as David Rockefeller, are lobbying the administration and members of Congress.

"Section 936 is absolutely essential to the economic well-being of Puerto Rico," Gov. Rafael Hernandez Colon told reporters yesterday. "More than 200,000 jobs depend on it."

Hernandez Colon is to make his arguments before Vice President George Bush today, after meeting yesterday with Sen. Bill Bradley (D-N.J.), cosponsor of a simplification bill that also would trash the tax credit, and making a pitch to administration officials.

The third major tax-revision measure, sponsored by Rep. Jack Kemp (R-N.Y.) and Sen. Robert W. Kasten Jr. (R-Wis.), would preserve the credit on the grounds that private-sector stimulus is the best way to aid the economically ailing island. The unemployment rate in Puerto Rico is 22 percent, and supporters of Section 936 say it would rise to 30 percent if the credit were repealed.

In a paper submitted to Treasury Secretary James A. Baker III when he met with Hernandez Colon last month, the government predicts such dire consequences as withdrawal of the 41 percent of Puerto Rican commercial bank deposits that belong to U.S. corporations, migration of more residents to the United States and increased federal welfare payments in Puerto Rico.

Many U.S. companies would pack up and leave, relocating principally to cheap-labor regions such as the Pacific Basin, according to representatives of the firms themselves.

David J. Aho, Washington representative of American Hospital Supply Corp., said that, if the credit were repealed, his firm probably would phase out operations that now employ 3,100 Puerto Ricans. "The move would be elsewhere," he said.

The Treasury Department disagrees that the economic effect of repealing Section 936 would be widespread. The first plan proposes easing the transition with a tax credit equal to part of the wages paid. That might send high-technology and capital-intensive firms off the island, but it would attract labor-intensive industries that provide more jobs, officials believe.

Treasury officials ask how the tax break can be such a stimulus to employment if the unemployment rate is still so high. And they ask the point of forgoing corporate income taxes equal to $22,000 per worker for employes who are earning only $14,210.

"The current system is complex, expensive and ineffective," says the written explanation of the original Treasury plan. "The rules for determining possessions source income are among the most complex in the tax law. The average revenue cost per job was more than 150 percent of the average total compensation of employes of Section 936 corporations. Despite this, total employment has been flat."

At a lunch yesterday, Hernandez Colon and Rockefeller told representatives of the United States Information Agency, Commerce Department, Defense Department, State Department and White House that those conclusions were wrong. Doing away with Section 936 would hurt not only Puerto Rico but also run counter to the intent of President Reagan's Caribbean Basin Initiative, which relies on tax incentives and the private sector, Hernandez Colon said.

He added that repeal of the credit would end a project under which four U.S. companies are committed to producing nurses' hats in a joint operation in Puerto Rico and Grenada.●

CINCO DE MAYO CELEBRATION

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. TORRES. Mr. Speaker, one of the most important days in Mexican history is known as Cinco de Mayo.

The fifth of May, or Cinco de Mayo, commemorates the 1862 Battle of Puebla. During that battle Mexican forces defeated an overwhelming French force of Emperor Napoleon III.

Mexicans and people of Mexican-American heritage celebrate Cinco de Mayo, not because of its military significance, but rather, because it is a triumph of human spirit and courage in the face of almost certain disaster.

Along with the celebrations that commemorate this day, it is important to reflect on the contributions Hispanics have made to this country.

American life has been enhanced by the culture of Mexico. The language, art, music, and food have added richness to this Nation.

Long before the Pilgrims landed at Plymouth Rock, Mexicans were in this country.

Indeed, many areas in the Southwest United States can point to over 200 hundred years of Hispanic culture and history.

The greatest resource that Mexico has given the United States are the people who have stayed to become citizens of this country and raise their families here.

Mexican-Americans are proud of the prominent role we have played in the history of the United States.

We have displayed our patriotism in every war the United States has fought. The many heroic acts of bravery by Hispanic men are a matter of record.

As an ethnic group Hispanics are the largest recipients of Congressional Medals of Honor.

Beginning with the War of 1812, Spanish-American War, Mexican, World Wars I and II and of course the Korean and Vietnam wars Hispanic and Mexican-American men have been honored with 35.

Olympic athletes, Congressional Medal of Honor recipients and Nobel laureates, are but a few examples of how Hispanics have contributed to American society.

As the Mexican army had to overcome tremendous odds to beat the French at the Battle of Puebla, Hispanics of the Southwest have had to struggle to overcome barriers in education, housing, and employment.

The story is not complete as young Hispanic men and women, who exemplify, the spirit of Cinco de Mayo move ahead as leaders in business, science and government.

We have much to celebrate on Cinco de Mayo, and along with the victory at the Battle of Puebla we salute the proud spirit of the Mexican people.●

JUDGE SCHATZ EARNED RESPECT

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. DAUB. Mr. Speaker, this past Tuesday, U.S. District Judge Albert Schatz, a Federal jurist for nearly 12 years, passed away. His death is a great loss not only to the Omaha community that loved and respected him but also to the judiciary and the legal profession to which he dedicated himself.

A graduate of the University of Nebraska and the Creighton University School of Law, Judge Schatz served in the Marines during World War II and attained the rank of captain. He practiced law in Nebraska for 23 years before his appointment to the U.S. district court bench.

The judge's record of public service is an exemplary one, and his remarka-

ble career stands as a lasting tribute to this respected gentleman. Among the many difficult cases he handled, his most outstanding achievement was his thoughtful and effective implementation of the Omaha School District implementation plan.

Judge Schatz will be sorely missed by his devoted family and the community he served, but he will be long remembered with the fondness and dignity that his distinguished service merits.

At this point I would like to share with my colleagues an editorial in memorial to the judge that appeared in today's Omaha World Herald:

JUDGE SCHATZ EARNED RESPECT

Albert G. Schatz was what a U.S. district judge ought to be. He was firm, logical, objective and thoroughly professional. He was respected by other judges and is remembered for his abilities, his friendliness and his sense of humor.

Judge Schatz, who died Tuesday of cancer, had a career consising of 29 years of law practice and 12 years as a federal judge. He handled some of the toughest cases to come before the court during the past dozen years.

One was the Beatrice State Home case, in which Schatz supervised a settlement that led to a balance between institutional care and community-based care for mentally retarded Nebraskans.

Schatz particularly deserves to be remembered for his sensible handling of the case involving the racial integration of the Omaha Public Schools.

He ruled that the school district wasn't guilty of intentional racial discrimination. But after his decision was overturned by the 8th U.S. Circuit Court of Appeals, it became his responsibility to supervise the preparation and implementation of an integration plan beginning in 1976.

Schatz did so with wisdom and flexibility. The plan included busing, and Schatz also let the school district use such things as high school recruiting programs and magnet schools to encourage voluntary integration when that appeared to be a practical way of achieving racial balance in some schools.

By 1983, the goals of the plan had been met, and without the violence that occurred in some other cities in a simialr situation. A number of people share the credit for that Schatz was one.

Fellow judges elected Schatz to the U.S. Judicial Council. U.S. Circuit Court Judge Donald Ross said Schatz was regarded as "one of our best judges." Chief District Judge Donald Lay said Schatz was well respected by federal judges around the country.

Judge Schatz earned such respect. His death at age 63—an age at which many judges can look forward to additional years of public service—is a loss to the judiciary and the community as well as to his family and friends.●

HANDI-CAPABLE, NOT HANDICAPPED

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. MAZZOLI. Mr. Speaker, I wish to commend to the attention of my colleagues an anonymous poem which appeared in a recent issue of the Louisville Times.

The poem was forwarded to me by my good friend and pen pal, Louisvillian Jim Burrice. Jim has cerebral palsy but that has not kept him from earning a degree at Bellarmine and from taking the lead in our hometown on civic programs to benefit the handicapped.

Jim is a talented writer and essayist in his own right, and he felt the poem underscores, in a powerful and personal way, the problems faced by handicapped people in adapting to society's mainstream—and of being accepted for the loving, giving, caring, and capable human beings they are.

I had an opportunity to see and hear more about these problems firsthand recently when I visited a jobs fair held in Louisville sponsored by the Action League for Physically Handicapped Adults [ALPHA]. The theme of the fair was clear and to the point: "Hire the Handi-capable."

In effect, people whom we might all too quickly catalog as handicapped are in their own eyes—and gratefully, more and more in everyone's eyes—Handi-capable.

That, Mr. Speaker, certainly describes Jim Burrice. He has been a model and an inspiration to me and to many of his townspeople.

In this connection, I was pleased when two recent controversial appointees to high posts in the U.S. Department of Education were forced to resign—following publication of their narrow and rather medieval views on the handicapped. Attitudes such as these represent an abysmal lack of sensitivity to the issue of the innate and the market worth of persons with physical or mental limitations. But more to the point, they represent a remarkable lack of commonsense understanding of the talents and abilities of these self-same persons.

Following, is the poem Jim Burrice sent me which all of us will benefit from reading—and mulling over.

FOR FRIENDS OF THE HANDICAPPED

Blessed are you who take the time
To listen to difficult speech,
For you help me to know that
If I persevere,
I can be understood.

Blessed are you who never bid me to "hurry up"
Or take my tasks from me
And do them for me,
For I often need time rather than help.

Blessed are you who stand beside me
As I enter new and untried ventures,
For my failures will be outweighted
By the times I surprise myself and you.

Blessed are you who asked for my help,
For my greatest need is to be needed.

Blessed are you who understand that
It is difficult for me
To put my thoughts into words.

Blessed are you who with a smile,
Encourage me to try once more.

Blessed are you who never remind me
That today I asked the same question twice.

Blessed are you who respect me
And love me just as I am.●

ALTERNATIVE METHOD OF DRAWBACK INTRODUCED

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. FRENZEL. Mr. Speaker, I have introduced H.R. 2334, which provides exporters the opportunity to use an alternative method of obtaining customs duty drawback.

Currently exporters can receive duty drawback on imported components used in the manufacturing process then exported, or they can receive it on items imported but exported in the same condition. Those who file a claim for drawback must list document each imported part of an item with the amount of duty paid on each item. 99 percent of the total duty paid can be recovered as drawback.

Some exporters, including many small companies, manufacture products which contain hundreds of parts. Dozens of these parts may be imported from various parts of the world. Different models of the same piece of equipment can contain an entirely different mix of domestic and imported parts. Filling out a drawback claim for each model each time a drawback claim is made can be so burdensome as to cost more in manpower alone than could possibly be obtained in drawback. For that reason, many companies have elected not to file drawback claims. Especially, many small companies just do not have the resources to devote to that kind of paperwork, for no or little benefit. Many companies are losing a valuable export incentive by failing to file claims. Drawback was meant to rebate duties paid on imported items which do not remain in U.S. domestic commerce. It encourages companies to manufacture in this country when it may be more profitable to move offshore. It could give them the competitive edge they need to compete in the international marketplace.

The bill I have introduced gives companies an alternative method of claiming drawback. This system will probably not give them a larger drawback claim than they would receive under

the current system. In fact, it will probably be smaller. It will save them manpower hours as compensation, however. It will also be an easier system for Customs to enforce, including much shorter audit times than under the current system. The alternative method is used in Canada under its current drawback system very successfully.

My bill sets up a simple formula for determining duty drawback. You would determine the percentage of your total export sales of a class of merchandise to the total sales of your business or subdivision. You would then multiply that percentage by the total duty paid—less the 1 percent service fee for all drawback payments—within the same accounting period. If exports were 10 percent of your total sales, and duty paid was $1,000, you would receive a drawback check of $100. That figure would be the amount of drawback you would obtain for that period.

Care has been taken in this bill to avoid duplication of drawback claims. It is also assumed that Customs will regularly audit these claims for possible violations. The business data used is that followed in the normal course of business and easily obtainable and documented. The duty payment information would be equally easy to verify, since documentation would have been retained to determine total payment of duty.

This legislation, then, would benefit not only those exporters who use many parts in their manufacturing process and who currently do not file, but it would also provide a cost saving for Customs, both in its drawback liquidation process and its audit process. It will update our drawback law by adding an alternative that reflects the more complicated nature of manufacturing processes we have now.●

THE HOUR IS LATE AND THE EVIDENCE IS CLEAR

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. DENNY SMITH. Mr. Speaker, I would like to take this opportunity to explain why I voted to support the President's original request for $14 million in military aid to the freedom fighters in Nicaragua, as well as the subsequent Michel amendment to provide them with direct humanitarian aid.

The struggle in Nicaragua is not simply an internal conflict between two factions. It is an attempt by the ruling junta—armed, advised, and financed by the Soviet Union—to impose Communist totalitarianism on Nicaraguans who desire democracy and personal freedom. The United States and the OAS supported the Nicaraguan people in 1979 in their opposition to the repressive Somoza regime, and we must continue to stand by them in their struggle to be truly free.

The Sandinistas are overtly Marxist in both their rhetoric and their affiliations. To date, they have received over $500 million in war materiel, far beyond the amount needed to defend themselves from poorly armed neighbors. Soviet-bloc ship deliveries of military equipment have risen steadily over the past 3 years, from 6 in 1982, to 25 in 1983, to 37 in 1984.

In 1979, Cuban advisers began arriving in Nicaragua on the very day of the revolution, while U.S. offers of qualified Peace Corps volunteers were rejected. There are currently 7,500 to 8,500 Cubans in Nicaragua, including an estimated 1,500 military advisers. There are also 30 to 40 Soviet, and over 60 East German military advisers. The Soviets are helping to complete a 10,000-foot runway at Punta Huete airfield, which will be the longest military runway in Central America. It will be able to accommodate any military aircraft in the Soviet-bloc arsenal.

These and other facts discredit the argument that U.S. policy has pushed the Sandinistas into the Soviet camp. On the contrary, the United States initially supported the Sandinista government, granting it diplomatic recognition only 7 days after the takeover. In the first 2 years of Sandinista rule, U.S. aid actually increased. The United States hasn't pushed reluctant Sandinistas into waiting Soviet arms, they leapt eagerly of their own accord.

I am indignant that there is not a greater moral outrage in this Nation over the treatment of Nicaraguans by the Sandinista regime. Today in Nicaragua, there is no freedom of the press, and no freedom of religion or assembly. The rationing of basic goods is done by political cadres, and is used to achieve political objectives. Around 1,400 political prisoners languish in Sandinista prisons which are off limits to outside observers. More than 20,000 Miskito Indians have fled the country to avoid forced relocation and persecution. The former Jewish community of Nicaragua is now in exile; the synagogue was firebombed during a service. As Adolfo Calero—former Somoza opponent and now a resistance leader—stated: "The very conditions that justified hemispheric intervention against the Somoza regime exist again, but in greater measure."

The ranks of the freedom fighters continue to grow, even without U.S. aid. They now number 15,000—an impressive number when you realize that the armed opposition to Somoza never exceeded 5,000. As Arturo Cruz—former Sandinista junta member and now a democratic opposition leader—noted last March:

> The sheer fact that the ranks of the so-called contras now include 12,000 to 15,000 men is a telling sign that something is genuinely wrong in Nicaragua.

Communist regimes are by their very nature totalitarian. Repression, not popular mandate, is the means by which Communists maintain power. Repression will not end in Nicaragua if the fighting ceases, it will only be easier to enforce.

In a 1961 speech on Cuba, President Kennedy astutely remarked on the nature of Communist takeovers and regimes when he said:

> The legitimate discontent of yearning people is exploited. The legitimate trappings of self-determination are employed. But once in power, all talk of discontent is repressed, all self-determination disappears, and the promise of a revolution of hope is betrayed, as in Cuba, into a reign of terror.

Kennedy understood the threat of communism to Central America, and he had the resolve to confront it. In this same speech, he stated:

> The evidence is clear—and the hour is late. We and our Latin friends will have to face the fact that we cannot postpone any longer the real issue of survival of freedom in this hemisphere itself. On that issue, unlike perhaps some others, there can be no middle ground. Together we must build a hemisphere where freedom can flourish. * * *

Mr. Speaker, I have not given my unconditional support to all U.S. activities in Central America. I voted to condemn the mining of the Nicaraguan harbors, and disagree with certain other CIA activities. In this instance, however, I voted to support the President on aid to the freedom fighters because I know that to abandon the Nicaraguans is to sentence them to live under—as John Kennedy put it—"a reign of terror."●

A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954

HON. SID MORRISON

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. MORRISON of Washington. Mr. Speaker, today I am introducing legislation which clarifies the circumstances under which construction workers may deduct necessary travel expenses from taxable income. I am happy that the entire Washington State congressional delegation has joined me as cosponsors of this bill.

The bill I am introducing today would allow construction workers living more than 30 miles from their job sites to deduct travel expenses for the first 2 years the worker is employed at that job. Additionally, construction workers can get travel deduc-

tions if the job site is a temporary or a remote job site.

I view this bill as an equitable resolution of the current IRS interpretation of the law, which is both inconsistent and arbitrary. Many construction workers all across the country work on a temporary basis at various construction sites and projects. Many of these construction workers are forced to travel scores of miles a day round trip to reach their construction jobs because the sites are remotely located away from reasonable residential accommodations.

In my congressional district, for instance, many construction workers have jobs on the Hanford nuclear reservation, a 570-square-mile complex which is remotely located for national security reasons. Many of the construction workers at that site have little choice but to live more than 30 miles from their jobs. In these situations, I believe an exception should exist in the Tax Code to insure that construction workers have the opportunity to deduct legitimate travel expenses.

Accordingly, the bill I am introducing would make a permanent exception to the overnight standard in the Tax Code which would allow travel deductions for construction workers in those instances when the job site is remotely located and not near residential or reasonable support facilities.

A copy of the bill follows:

H.R. 2346

A BILL To amend the Internal Revenue Code of 1954 to clarify the treatment of travel expenses in the case of construction workers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 162 of the Internal Revenue Code of 1954 (relating to trade or business expenses) is amended by redesignating subsection (k) as subsection (l) and by inserting after subsection (j) the following new subsection:

"(k) TREATMENT OF TRAVEL EXPENSES IN THE CASE OF CONSTRUCTION WORKERS.—

"(1) IN GENERAL.—For purposes of subsection (a), travel expenses of a construction worker shall be treated as expenses incurred while away from home in pursuit of a trade or business (whether or not the taxpayer is away from his residence overnight) if—

"(A) the job site is at least 30 miles from the residence of the construction worker, and

"(B) the job site is a temporary job site or a remote job site.

"(2) TRAVEL EXPENSES.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'travel expenses' means the costs incurred by the taxpayer for transportation of the taxpayer between his residence and the job site.

"(B) RESIDENCE.—The term 'residence' means the principal residence of the taxpayer (within the meaning of section 1034 without regard to any ownership requirement).

"(3) TEMPORARY.—

"(A) IN GENERAL.—For purposes of this subsection, a job site is temporary if the taxpayer's employment at such site is not indefinite or in any event is for a period of less than 2 years.

"(B) PRIOR DETERMINATIONS NOT TAKEN INTO ACCOUNT.—The determination of whether a job site is temporary shall be made as of the time the travel expenses are incurred without regard to any prior determination under this subsection.

"(4) REMOTE.—For purposes of this subsection, a job site is remote if such site is at least 30 miles from the nearest location offering residential living accommodations and support facilities sufficient to provide for the workers at the job site and their families taking into consideration workers from other job sites and their families who would ordinarily live at such location.

"(5) JOB SITE.—For purposes of this subsection, the term 'job site' means the physical location of the construction, plant, or other work site at which the actual employment activity occurs (determined without regard to the identity of the employer, the ownership of such location, or the existence of other sites in the area).

"(6) CONSTRUCTION WORKER.—For purposes of this subsection, the term 'construction worker' means any individual employed (whether as a skilled, semiskilled, or unskilled laborer) in the building or construction industry; except that such term shall not include clerical or management employees."

(b)(1) The amendment made by subsection (a) shall apply—

(A) to taxable years ending after January 6, 1983, and

(B) to taxable years ending on or before January 6, 1983, which were open as of such date.

(2) If, on the date of the enactment of this Act or at any time before the date 1 year after such date of enactment, credit or refund of any overpayment of tax attributable to the amendment made by subsection (a) is barred by any law or rule of law, credit or refund of such overpayment may, nevertheless, be allowed or made if claim therefor is filed with the Secretary of the Treasury or his delegate before the day 1 year after the date of the enactment of this Act.

(3) For purposes of paragraph (1)(B), a taxable year is open if (without regard to paragraph (2)) the making of a refund, or the assessment of a deficiency, with respect to such taxable year was not barred as of January 6, 1983, by any law or rule of law.●

VETERANS HEALTH CARE BUDGET CANNOT BE REDUCED FURTHER

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. MONTGOMERY. Mr. Speaker, within the next few weeks, the House and Senate will be making major decisions on the budget for fiscal year 1986. Many Federal programs will be affected. The decisions we must make will not be easy. We all have different priorities.

A very high priority of mine is veterans health care. I want my colleagues to fully understand the impact of any budget reductions in funds to operate the VA's health care system. Who is better able to relate the problems in the field than the people in the field? According to the chiefs of staff at VA hospitals nationwide who responded to a recent survey, inadequate budgets are already taking their toll. More cuts in the budget will mean longer waiting lists, the turning away of certain non-service-connected veterans, and delays in many surgical procedures.

There follows a report from the Chief of Staff at the VA Medical Center in San Antonio, TX:

AUDIE L. MURPHY
MEMORIAL VETERANS' HOSPITAL,
San Antonio, TX, February 7, 1985.

HOWARD H. GREEN, M.D.,
Chief of Staff, VA Medical Center, White River Junction, VT.

DEAR DR. GREEN: The following information is provided in response to your letter of January 2, 1985.

a. Size of hospital (FY 1985 budgeted workload): 674 operating beds; 19,000 patients treated; 560 average daily census; and 174,549 outpatient visits (includes 3 satellite clinics).

b. Affiliated with University of Texas Health Science Center, San Antonio.

c. Projected dollar deficit as of January 1, 1985: Personal Services, $1,015,000; and All Other, $900,000.

d. Impact of dollar deficit:

(1) Personnel.—Our presently approved organizational plan includes positions for 103 physicians. It has been necessary to implement a recruitment lag resulting in a reduction in on-board physicians strength of 98. Similar recruitment lags imposed on certain categories of both clinical and administrative support personnel have not jeopardized the quality of service but do impact response times and can result in longer waits for diagnostic and treatment services.

The mandated reduction in numbers of GS 11/15 positions, if pursued, will have a major effect on our ability to recruit and retain mid-level professionals in pharmacy, clinical laboratory, clinical dietetics, social work and psychology. Situated, as we are, in a medical center consisting of more than 20 competing public, private, and for-profit hospitals and other health care institutions, we are and will increasingly be at a distinct disadvantage in maintaining adequate numbers of experienced supervisory personnel in these fields.

Persistent rumors of an across-the-board pay reduction applied to all Federal employees further compounds the problems and erodes morale and confidence in VA careers.

(2) Supplies.—The costs of drugs, pharmaceuticals and special medical supply items represent a serious funding problem. As a highly specialized tertiary care referral center serving a large and growing number of veterans, this hospital's efficiency and effectiveness has been demonstrated by the DRG case mix methodology. The cost of the drugs, pharmaceuticals and special medical supply items used in supporting this level of activity and complexity has necessitated careful control over the past several years. Certain escalation in these costs will outstrip the potential for further economies without compromising quality, or reducing the level of activity in such programs as medical oncology and cardiac surgery. In spite of its impact on our teaching and research programs, the latter will represent the only acceptable option.

(3) Equipment.—The system-wide limitation on funds for replacing and upgrading

medical equipment is particularly deeply felt in this hospital now in its eleventh year. Demands for replacement parts and expendable components of instruments and machines which are being pushed to their maximum capacity have practically eliminated our ability to replace, add, and upgrade equipment to the current state-of-the-art.

(4) Surgical Backlog.—As of the first of this month (February 1985) there is a backlog of approximately 60, ranging from major thoracic cases (5) and total joint replacements (10) to operative cystoscopy (20). This results from a combination of restraints imposed on the Surgical Service, the principal ones being the availability of senior staff and, particularly in the case of orthopaedics, house staff support of the highly specialized operating teams.

e. Solutions.—Over and above our efforts to regularly and diligently monitor both budgeting and outlays, accompanied by an active program of quality control, the only remaining option is a more stringent "door keeping" on admission to care of nonservice-connected candidates.

f. Other—Unlike many other tertiary "flagship" hospitals, this institution is responsible, via its three satellite clinics, for primary health care in a PSA that includes 41 rural counties the total veteran population of which is projected to continue to increase through 1990, with a doubling in the number over 65 years of age. One of these clinics is 250 miles distant in McAllen, Texas, and another 150 miles, in Corpus Christi. The economy in most of the area is depressed, with current unemployment rates ranging as high as 21 percent. The area is short on publicly funded alternatives for health care, and therefore patients, once admitted for VA care, tend to depend almost entirely on the VA clinics for continuous ambulatory services; and when hospitalization is required, must travel to this hospital. The basic costs of maintaining these modestly staffed satellites are perhaps not greater than similar ones in other settings. The added costs of travel, particularly of seriously ill patients who require ambulance or helicopter transportation, and of fee-for-service emergency care in local hospitals and by local consultants, are considerably greater and becoming an almost untolerable burden on ambulatory care fee-basis and travel allocations, which do not recognize this difference.

In addition to the direct dollar drain represented by this situation, the concerns for providing highly specialized tertiary "flagship" services and those of assuring quality primary ambulatory services are difficult to coalesce in a single professional staff. This sunbelt phenomenon, particularly in less affluent areas, will not be significantly changed by the eligibility "reforms" presently being considered by the Administration and therefore we believe must be considered in future resource distribution methodologies.

THOMAS R. NEWCOMB, M.D.,
Chief of Staff.●

FEDERAL MEAT INSPECTION ACT

HON. BERKLEY BEDELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. BEDELL. Mr. Speaker, today I am introducing legislation to amend the Federal Meat Inspection Act. This bill would prohibit the importation of live animals and meat from countries that have standards for antibiotic use in food producing animals which are less stringent than the standards for antibiotic use in the United States. It would also require the Secretary of Agriculture to seek negotiations for an international agreement regarding the standardized use of antibiotics and other drugs in livestock production.

Understandably concerns have recently arisen among both consumers and pork producers over the differences between the regulations governing the use of the antibiotics cloramphenicol and dimethridazole in Canada and the United States. These differences not only pose a potential health hazard to American consumers, but also have resulted in a highly unfair competitive disadvantage for American producers.

The Department of Agriculture has taken the position that if our trading partners control the use of a drug and if drug residues are not found in imported products, then these nations are in compliance with U.S. regulations. However, because the testing procedures currently used by the Department of Agriculture are not wholly effective in determining compliance with U.S. standards, my legislation attempts to encourage the standardization of regulations regarding the use of antibiotics and other drugs in lifestock production.

The text of my bill follows:

H.R. 2379

A Bill To amend the Federal Meat Inspection Act to prohibit the importation of live animals and meat products from countries having standards for the use of certain antibiotics in food-producing animals that are not as stringent as those of the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 20 of the Federal Meat Inspection Act (21 U.S.C. 620) is amended by adding at the end thereof a new subsection as follows:

"(g) Notwithstanding any other provision of law, no live animal or meat or meat product may be entered, or withdrawn from warehouses for consumption, in the customs territory of the United States unless the use of the antibiotics cloramphenicol and dimethridazole in food producing animals in the country of origin of that animal or product is subject to prohibitions and limitations that are at least as stringent as those that are applicable at the time, under United States law, to the use of those antibiotics in food producing animals.".

SEC. 2. The Secretary of Agriculture, in consulation with other appropriate departments and officials, shall actively seek and participate in negotiations for the purpose of developing an international agreement regarding the use of antibiotics and other drugs in livestock production.●

TO AMEND TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. MOAKLEY. Mr. Speaker, I have recently reintroduced legislation that will bring equal protection in employment to the handicapped under the Civil Rights Act of 1964.

Under existing law, there is no generally applicable prohibition against employment discrimination on the basis of handicap. Title VII of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of race, color, religion, sex or national origin: but it provides no protection for disabled workers. The widespread exclusion of handicapped workers from employment exacts an enormous toll in terms of human dignity and the quality of life for countless Americans. Over 16 million people age 18 to 64 years reported some level of work disability in the 1976 census. Of this handicapped population, there were only 7.1 million persons working. It is vital to realize that most of these people desire employment but do not work because of unjust and discriminatory hiring policies.

The handicapped face the dilemma of being discriminated against in employment opportunities because they are evaluated on the basis of false generalizations, misconceptions and misinformation about their handicap; not on the basis of their job skills, productivity or performance. Qualified individuals, time and again, are denied employment because of their disability when the disability would in no way interfere with their job performance. Our handicapped deserve the opportunity to be evaluated and hired on the basis of their ability and not their handicap.

The need for this legislation is obvious. There are too many employers who still will not hire an otherwise qualified individual for the sole reason of his or her disability. Some employers cling to the myths related to hiring the handicapped. Fears of increased insurance rates, lower job performance, job stability, poor attendance and the required physical adjustment turn employers away from hiring the handicapped. This unnecessary situation weighs a heavy cost on society. In 1980, it was estimated that the Federal Government spent approximately $1 out of every $13 in the Federal budget—40 billion—to support our disabled population. State, local and private support for disabled citizens amounts to approximately an additional $60 billion. Surely by eliminating employment discrimination of the handicapped we can help reduce this

economic burden on taxpayers. Additionally, and more importantly, by enacting this legislation we can help reduce the loss in human terms that is caused by discrimination against handicapped individuals. Too many deserving people are excluded from society's mainstream and left to lose their dignity and self-worth.

The time has come to include handicapped individuals as a protected element in our population under title VII of the Civil Rights Act of 1964; protecting handicapped persons against all forms of employment discrimination under that title. We must demonstrate our Nation's firm commitment to ending discrimination against the handicapped by enacting this legislation. I hope my colleagues will support me in my effort to give the handicapped an equal opportunity in employment.

Text of the bill follows:

H.R. 370

A bill to amend title VII of the Civil Rights Act of 1964 to make discrimination against handicapped individuals an unlawful employment practice

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a reference in section 2, 3, 4, 5, or 6 of this Act to a section or other provision is a reference to a section or other provision of the Civil Rights Act of 1964.

SEC. 2. Section 701 is amended by adding at the end thereof the following:

"(l)(1) The term 'handicap' means the status of any individual—

"(A) who has a physical or mental impairment which substantially limits any of such individual's major life activities;

"(B) who has a record of such an impairment; or

"(C) who is regarded as having such an impairment.

"(2) Such term does not include the status of an individual who is an alcoholic or a drug abuser—

"(A) whose current use of alcohol or drugs prevents such individual from performing the job involved; or

"(B) whose employment, because of such current use of alcohol or drugs, would constitute a direct threat to property or safety of other individuals.".

SEC. 3. (a) Sections 703(a)(1), 703(a)(2), 703(b) 703(c)(1), 703(c)(2), 703(d), and 703(e)(1) are each amended by striking out "or national origin" each place it appears and inserting in lieu thereof "national origin, or handicap".

(b) The sentence beginning "Notwithstanding any" in section 703(h) is amended—

(1) by striking out "or national origin" the first place it appears and inserting in lieu thereof "national origin, or handicap"; and

(2) by striking out "sex or national origin" and inserting in lieu thereof "sex, national origin, or handicap".

(c) Section 703(j) is amended—

(1) by striking out "or national origin" the first place it appears and inserting in lieu thereof "national origin, or handicap";

(2) by inserting after "national origin" the second place it appears the following: ", or persons with any handicap,"; and

(3) by inserting after "national origin" the third place it appears the following: ", or persons with such handicap,".

(d) The center heading of section 703 is amended by striking out "OR NATIONAL ORIGIN" and inserting in lieu thereof "NATIONAL ORIGIN, OR HANDICAP".

SEC. 4. Section 704(b) is amended by striking out "or national origin" each place it appears and inserting in lieu thereof "national origin, or handicap".

SEC. 5. The sentence beginning "No order of the court" in section 706(g) is amended by striking out "or national origin" and inserting in lieu thereof "national origin, or handicap".

SEC. 6. (a) Section 717(a) is amended by striking out "or national origin" and inserting in lieu thereof "national origin, or handicap".

(b) Section 717(c) is amended by striking out "sex or national origin" and inserting in lieu thereof "sex, national origin, or handicap".

SEC. 7. The amendments made by this Act do not affect any right, remedy, obligation, or responsiblity under the Rehabilitation Act of 1973.

SEC. 8. This Act and the amendments made by this Act shall take effect at the beginning of the sixth month after the month is which this Act is enacted.●

MEDICARE VISION REFORM ACT

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Ms. MIKULSKI. Mr. Speaker, today I am introducing, along with many of my colleagues on both sides of the aisle, legislation to correct a glaring inequity in the Medicare law. This bill, the Medicare Vision Reform Act, would inject a dose of competition into the delivery of eye/vision services under Medicare, and provide substantial savings to many Medicare beneficiaries.

The Medicare Program currently covers eye/vision services provided by doctors of medicine or osteopathy, except for routine eye examinations and refractive services. With the exception of services provided to post-cataract patients, these same services are not covered when provided by a doctor of optometry, even if the services are within the scope of State licensing laws under which the optometrist practices. The result of this inconsistency is that Medicare beneficiaries who choose a doctor of optometry for their eye/vision care, either because they have always gone to that provided or there are no doctors of medicine or osteopathy readily accessible, are forced to pay out-of-pocket expenses for services that are in essence covered benefits. Such a denial of benefits on the arbitrary basis of accessibility to a covered provider is patently unfair to Medicare beneficiaries and clearly inconsistent with the intent of the Medicare Program, or even its opening section, which states:

Any individual entitled to insurance benefits under this title may obtain health services from any institution, agency, or person qualified to participate under this title if such institution, agency, or person undertakes to provide him such services.

My bill will correct this situation by covering eye/vision services under Medicare when provided by any practitioner licensed under State law to provide the services.

My bill also addresses a growing concern of mine—the substantial and growing difference between what Medicare recognizes as the reasonable charge for eye/vision services and the charge actually billed to the patient. For currently included practitioners it is estimated that Medicare reasonable charges are only 77.5 percent of actual charges: Thus Medicare patients are paying nearly one-fourth of the actual charge in addition to their 20-percent coinsurance charge. This amounts to millions of dollars out of pocket to pay more than what Medicare has recognized as the reasonable charge. My bill would correct this problem by requiring that all practitioners who provide ambulatory eye/vision services, as a condition for receiving Medicare reimbursement for such services, accept the Medicare-determined reasonable charge as the full charge, and not bill the patient for any amount in excess of the reasonable charge except for the 20-percent coinsurance.

This legislation is not an expansion of Medicare covered services, Mr. Speaker. The services are already covered; we are merely seeking here to make sure all beneficiaries are treated fairly in obtaining these services. Further, as currently drafted, the bill would be budget neutral.

Mr. Speaker, last Congress, I introduced similar legislation which would have gone one-step further and provided Medicare coverage for routine eye examinations. That bill, H.R. 3010, was the focus of hearings by the Energy and Commerce Health Subcommittee and attracted the support of an impressive list of organizations, including the American Public Health Association and the American Association of Retired Persons. I remain a firm believer in the long-term value and cost effectiveness of providing this care, but I am also sensitive to the up-front costs involved in these times of budgetary constraint. It is my sincere hope this Congress will address the inequity in the current program, and future Congresses will focus on the real value of preventive care in the coming years.●

FAMILY FARMER REFORM ACT OF 1985

HON. JOHN CONYERS, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. CONYERS. Mr. Speaker, I rise to call my colleagues' attention to the Family Farmer Reform Act of 1985, H.R. 2318; which I am introducing today to address the plight of the small farmers, who like the small urban businesses, are the major producers of goods and services in this Nation. We all need each other for mutual survival and growth.

As a Representative from an urban district, I became especially interested in the plight of the family farmer when Michigan farmers came to Detroit 2 years ago and contributed over 50 tons of food to hungry and unemployed workers who had exhausted their public benefits.

That was the beginning of an important urban-rural coalition which, like others similar to it, continues to grow and expand throughout the Nation at a time when we increasingly face hardships imposed by this administration's deficit-ridden economy; 3 weeks ago, a group of about 50 community leaders from Detroit, MI, toured hog and dairy farms and discussed agricultural problems with family farmers. The Detroit delegation then invited farmers to visit the urban community in May, and collectively, they are seeking solutions for the revitalization of our State and National economies.

The urban and labor population must express concerns about the well-being of the farm and rural worker because some 22 million jobs in industry are dependent upon agriculture. Agriculture is the largest single portion of the Nation's export portfolio which accounts for jobs in its own right. Most industrial States, as well as farm States, have major agriculture sectors. Moreover, when farmers go broke, they do not buy equipment and products made by workers, and workers cannot purchase sufficient agriculture products.

A chilling economic wind is sweeping across rural America, uprooting farm and ranch families at rate unseen since the depths of the Great Depression. More than a quarter of a million producers have already been swept from the land by the turbulence of the past 4 years. And the wind grows more harsh with each passing day. At the rate we are going, less than 1 million farms will survive to the turn of the century, and half of our food production will be controlled by only 1 percent of the farm population. The statistics of recent failures within the agricultural sector are grim evidence that our national economic policy is seriously misguided. Here are some startling examples:

Nearly 200,000 farmers have gone out of business since 1981;

Net farm income fell to $16.1 billion in 1983, the lowest level since the depression;

For the first time since the 1930's, farmers' interest payments last year exceeded their income.

Between 1980 to 1983, the value of farmland fell, the first time since the depression that land values declined for 3 straight years; and

The aggregate farm debt is expected to reach a record $215 billion this year.

One of the greatest problems of immediate concern facing America's family farmers is the debt crisis many of them find themselves in today. More than 30 percent of America's farmers are in desperate financial shape, with another 30 to 40 percent facing accelerating financial problems in the next few months.

In Michigan, farmers are calling for the passage of an emergency Federal appropriation to prevent some 12 percent of the State's farmers from going out of business. Although in 1980, Michigan farm income was $820 million, it had dropped to $690 million in 1984. Only in the last 90 days, the caseload of farm loan requests have doubled. Michigan farmers reported recently that four different small banks have refused them loans, and this problem is affecting all categories of farmers in the State. One Michigan farmer stated that he is in more than $450,000 debt, and that even the veterinarian in his county is going out of business because of the depressed agricultural prices.

Now, increasing numbers of American family farmers are in need to support. The critical debt situation in rural America has come about because of continuing low commodity prices, unacceptably high interest rates, overproduction coupled with a lack of effective demand for their products. The small- and medium-size farmers call for several immediate actions which I fully support and which is reflected in the Family Farmer Reform Act of 1985 which I am proposing.

First, existing loans must be reamortized or rescheduled for the longest period of time possible. Second, interest rates must be lowered to a level which will achieve repayability. Third, deferral of some of the debt may be needed until such time as farm income will permit reinstatement.

Among the numerous advantages of this bill are the following: It is a zero subsidy program which satisfies both farmers and taxpayers, neither of whom like subsidies. This program places the price floors at the real cost of production, controls the volume of production, eliminates subsidy payments and allows farmers to recover their costs in the marketplace, not from the Treasury.

It is a market-oriented bill designed to limit production of the designated storable commodities to actual domestic and foreign market demand, plus whatever volume is required to maintain an adequate reserve.

It is targeted to true family farms. The most innovative component of the program is the progressive set-aside mechanism which gives small- and medium-size farmers first crack at producing for actual demand. In essence, the larger a producer is, based upon gross income level, the higher the percentage of his base acreage he would be required to remove from production in times of surplus.

H.R. 2318 would restructure farm debt to allow realistic repayment, and in fact requires that debt-ridden farmers be given extended payout periods and lower effective interest rates in order to allow them to service their debts rather than face bankruptcy or foreclosure. It also calls for a temporary moratorium on foreclosures by Government lenders to give these producers breathing room until the new supply management and price structure are implemented.

It provides a simple, no-subsidy farmer disaster reserve program. This self-help crop insurance program would require all producers of designated storable commodities to contribute a small percentage of their annual production into a farmer disaster reserve [FDR] which they could draw on in times of natural disaster. This program would serve to stabilize the volume of each of the commodities hitting the market each year, thus cushioning consumers and livestock producers from shortage-induced price increases.

This proposal is predictable, uncomplicated, and flexible. Each year, past production and projected needs would be calculated and the production goals for the upcoming crop year would be determined and adjusted through a simple formula. Thereby, producers, bankers, and farm suppliers would know far ahead of time precisely how much of each crop a farmer can grow and what the price floors will be. The whole farm sector can plan with confidence.

The Family Farmer Reform Act of 1985 requires sound soil conservation practices. All producers would set aside a percentage of their base acreage from production and implement approved conservation practices on the set-aside land. It includes provisions for encouraging stronger protection of scarce ground water resources.

In this era of severe international drought and starvation, this proposal addresses world hunger responsibilities. The current crisis in Africa reflects the continuing need for both

disaster relief and for long-term agricultural development in many poorer nations. Until the 1980's more than half of all food aid distributed in the world was supplied by the United States. In determining annual production quotas, this program should again anticipate that our responsibility would be to provide on the order of 51 percent of the needed food aid projected annually by the Food and Agriculture Organization of the United Nations. This aid should be coordinated with other exporting nations through multilateral agreements. In addition, the United States should increase the level of technical assistance provided to nations which are committed to increasing their indigenous agricultural production capability.

Finally, this legislation calls for 90-percent parity, not charity, coupled with strict conservation measures so we can preserve our soil and water for future generations. In short, we must save our family farmers now, or all America will lose.●

HIGHER EDUCATION: THE REMARKABLE HISTORY OF BLACK COLLEGES AND UNIVERSITIES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. RANGEL. Mr. Speaker, I am concerned about the impact this administration's education cuts will have on historically black colleges and universities. This administration has proposed cuts of over $700 million. It is estimated that over 190,000 New Yorkers will be removed from the Pell Grant and Guaranteed Student Loan Programs. Higher education seems destined to be the domain of the wealthy. Under these cuts Medgar Evers College, in New York, will not be able to continue to make quality education available to the college-bound poor and middle-income student who seeks a better way of life. The viable financial future of this country's black institutions is uncertain. Executive Order 12320, signed in 1981, ensures black participation in federally sponsored programs, but financial assistance will be needed from the private sector as well.

Solid fundraising progress has given the United Negro College Fund a national and international reputation. Empowered with the dynamics needed to promote the educational welfare of our black colleges, they have become the life insurance these colleges and their students need. At a time when education associations question the quality and standards of higher education, it is a little known fact that our black colleges and universities have been consistent in their support for strong liberal arts curriculums. Our black colleges are valuable resources.

I have a deep respect for the role black colleges and universities have played in our society; many graduates of black institutions are at the top echelons of their professions. From Supreme Court Justice Mr. Thurgood Marshall, to novelist Ms. Toni Morrison and soprano Ms. Leonthyne Price, to Olympic medalist Mr. Edwin Moses, the outstanding accomplishments of these black Americans have been immense and their contributions invaluable. One of the greatest Americans to ever live was the product of one of our black colleges—Dr. Martin Luther King, Jr.; his intellect and his leadership made Americans proud.

Private and public support is paramount toward better historically black colleges and universities. I submit the following article, by Washington Post columnist Mr. William Raspberry, for inclusion in the CONGRESSIONAL RECORD:

[From the Washington Post, Apr. 17, 1985]

A LITTLE LIFE INSURANCE FOR BLACK COLLEGES

(By William Raspberry)

Black colleges, typically small and underfunded, are seldom in a position to refuse financial assistance—even when it it clear that the help will create nearly intractable problems down the road.

Frederick Douglass Patterson understands the dilemma well, having experienced it as a president of Tuskegee Institute and founder of the United Negro College Fund. Now the 83-year-old "retired" educator, with a generous assist from the insurance industry, is embarked on a program to do something about it.

"The chronic problem which our colleges face," he was saying the other day during a visit here from New York, "is that if you go to the foundations—the most likely source of financial assistance—you find they won't give to endowments. They give you restricted gifts, restricted both as to purpose and as to the time frame of expenditure.

"Still the gifts are received with gratitude, since there are very few things you can do for an undernourished undergraduate college that do not improve the quality of what they are trying to do. You're glad to have the quality, but then you're out of money to sustain the improvements.

"You may find that you've built into your operation better salaries for teachers, more books for the library, more science equipment, more of this, more of that—whatever the rating agencies say you need. Then you find yourself out of funds . . . so you end up financially worse off than you were before you got the money."

That was the dilemma. The solution: The College Endowment Funding Plan, a piece of financial wizardry that allows a college to turn an initial fundraising effort of $300,000 into an endowment of more than $2 million in the space of 25 years, while drawing out $30,000 every year for current expenditures.

The key to the magic is the participation of the life and health insurance industry, whose members Patterson persuaded to make long-term, below-market-rate loans in multiples of $400,000.

It works this way: a participating college is eligible for a $50,000 bonus from the United Negro College Fund and a loan of $400,000 from an insurance company for each $300,000 unit the college is able to raise on its own. The $750,000 package is invested in long-term, high-quality, fixed-interest securities, with the interest (minus the $30,000-a-year in operating costs) plowed back.

For the first 15 years, the college pays only the interest (at two percentage points below market) on the loan. By the time the loan is fully repaid, the insurance company has made a decent return on its $400,000 investment and the college, which already has used $750,000 in operating money has an endowment fund of nearly $2 million for each initial $300,000 unit.

"The first company to join the plan—Aetna—wanted to give us the money," Patterson said. "I told them we didn't want it as a gift because we needed the leverage of a loan to wake up the trustees of these colleges and get people out scrapping for the money. Besides, there wouldn't be enough companies willing to give us that kind of money. A safe loan with a good return is a different proposition.

"The reason for the $30,000 annual drawdown is that no college as hard up as these are is going to be very enthusiastic about the plan if they can't get something every year."

So far, enthusiasm has not been a problem, for either the colleges or the insurance companies. Thirty-one companies have made loans to 29 colleges, some of which have taken as many as five or six units. The $37.5 million invested to date is expected to produce endowments totaling well over $100 million in 25 years.

"It's been a phenomenally successful experience, especially for those small colleges that could never even dream of building an endowment," Patterson said. "Now if we could only get the rest of the private sector to get involved to the same extent . . ."●

PLYWOOD TARIFFS

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. BONKER. Mr. Speaker, I am today introducing legislation to close a loophole in the U.S. Tariff Schedule that is needlessly and unfairly costing jobs in the Pacific Northwest wood processing industry. Left uncorrected, the job toll stemming from this problem will steadily increase.

This legislation is identical to H.R. 5182, a bill which I introduced in the 98th Congress to address this problem. In the last session, H.R. 5182 was incorporated into the Omnibus Tariff and Trade Act prepared by the Ways and Means Committee. As part of that measure, this legislation passed the Ways and Means Committee and the full House of Representatives. Unfortunately, this provision was dropped at the 11th hour in the House-Senate conference.

Let me briefly describe the problem my bill would correct: Currently, cer-

tain plywood sheets are being exported by Canada to the United States as building boards rather than as plywood under the U.S. tariff schedule. This subjects such Canadian exports to a much lower tariff schedule, making the products cheaper than comparable plywood produced in the United States. The tariff category called building boards was apparently intended to be a residual one for special-use construction panels that might not fall into either plywood or wood veneer panel categories.

Instead, it has become a loophole category. In the course of last year's hearings, Congress found that by simply altering the edge of a plywood sheet, foreign producers are able to get their products categorized as building boards, qualifying for the dramatically lower tariff treatment. In theory, the edgework dedicates the sheet to some unspecified special construction use. In fact, the use of such sheets is no different than plywood sheets with plain edges.

My legislation would revise the building board category to insure that it is used only for special-use panels and not for plywood. This revision makes the U.S. tariff schedule for these products conform more closely to the international code, which contains no building board category at all. Maintenance of a building board category in the United States Code would only frustrate efforts to insure internationally recognized tariff categories, and continue to damage our own wood products industry.

While the tariff on plywood is a flat 20 percent, the so-called building boards, used as plywood, are exported subject to a tariff of 1.9 cents per pound plus 3.4 percent. The plywood industry estimates that this schedule equals a flat 10-percent tariff. Under the U.S. tariff schedule, even that reduced level will continue to decrease dramatically.

While the volumes imported from Canada under this category represents only a small portion of plywood products marketed in the United States, the volume jumped an alarming 74 percent in 1982. My greatest concern is, as the tariff schedule decreases, the practice of exporting plywood under the building board category may spread to all forms of plywood exported by Canada to the United States. Such a practice would be devastating to our industry.

As many of the Members know, rapidly rising and heavily subsidized, Canadian wood products has aroused a great deal of concern within the U.S. industry, Congress, and the administration.

I have introduced in this Congress H.R. 1648, a bill to accelerate ongoing negotiations between the United States and Canadian Governments, and eliminate the deep subsidy provided to Canadian manufacturers.

The legislation I am introducing today does not deal with the overreaching problem of unfair Canadian subsidies; instead, it attempts to eliminate a loophole in our own tariff schedule that manufacturers in Canada and other nations can export, unfairly, to the severe detriment of our manufacturers and our wood products work force. I would point out, however, that the two problems are related. When you add this tariff loophole to the subsidy advantages already enjoyed by Canadian manufacturers, it creates a tremendously unfair situation.

As many of the Members know, rapidly rising and heavily subsidized Canadian wood products exports has aroused a great deal of concern within the U.S. industry, Congress, and the administration. The legislation I am introducing should not be regarded as protectionist or a reversal of the industry's free trade position. Rather, this bill is a loophole closer. It brings the U.S. Tariff Schedule into closer conformity with international standards, restoring equal treatment of plywood products in the U.S. market for both foreign and domestic producers. For this reason, the legislation has the specific support and endorsement of the American Plywood Association, which represents both small and large U.S. plywood producers.

I am hopeful, Mr. Speaker, that the Committee on Ways and Means will include this proposal in the group of miscellaneous tariff bills that it recommends favorable to the House for passage before the end of this Congress.

A copy of the proposed legislation follows:

H.R. 2324

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TARIFF TREATMENT OF CERTAIN TYPES OF PLYWOOD.

Headnote 1 of part 3 of schedule 2 of the Tariff Schedules of the United States is amended—

(1) in paragraph (b) by inserting immediately before the semicolon at the end thereof the following: "or any edge of which has been tongued, grooved, lapped, or otherwise worked";

(2) in paragraph (c) by inserting immediately before the semicolon at the end thereof the following: "or any edge of which has been tongued, grooved, lapped, or otherwise worked"; and

(3) in paragraph (3) by striking out "chiefly used in the construction of walls, ceilings, or other parts of buildings" and inserting in lieu thereof "other than plywood, wood-veneer panels, or cellular panels".

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 of this Act shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date of the enactment of this Act.●

POSTAL REVIEW BILL INTRODUCED

HON. JOHN E. GROTBERG

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. GROTBERG. Mr. Speaker, yesterday I introduced legislation increasing congressional authority to review changes in postal service proposed by the U.S. Postal Service. My bill would require the Postal Service to submit to Congress any substantial nationwide service changes that are being proposed, such as elimination of 6-day delivery or the closing of small post offices. If either House of Congress vetoed the proposal, the Postal Service would be prohibited from implementing it.

Regardless of where we as individuals may stand on the issue of 6-day delivery, the clusterbox concept, or the closing of small post offices, recent proposals by the Postal Service have made clear the need for a procedure that explicitly provides for congressional review of major Postal Service policy changes. Congress has had an extremely difficult time obtaining enough information on which to base a decision as to the value of these various proposals. This inability to adequately evaluate Postal Service proposals plagues Congress. One thing is clear—Congress does not have, but does need, and established procedure for reviewing service change proposals put forth by the Postal Service.

Mr. Speaker, I urge my colleagues to consider this legislation. Let's develop a system of checks and balances to thwart any ill-advised USPS initiatives. I am including the text of the bill at this point:

H.R. 2302

A BILL To amend title 39 of the United States Code to provide for congressional review of proposed changes in postal services

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3661 of title 39, United States Code, is amended by striking out subsections (b) and (c) and inserting in lieu thereof the following new subsections:

"(b) When the Postal Service determines that there should be a change in the nature of postal services, and such a change would have nationwide or substantially nationwide impact, the Postal Service shall transmit to the Congress a detailed statement of the proposed change, including an estimate of the impact of such change upon the public, business mail users, service levels, and postal finances. The statement shall be delivered to both Houses on the same day and to each House while it is in session except that no more than two proposed changes in the nature of postal services may be pending before the Congress at one time. A change in the nature of postal services proposed by the Postal Service is effective at the end of the first period of 60 calendar

days of continuous session of the Congress after the date on which the change is transmitted to the Congress, or at such later time as may be determined by the Postal Service, unless either House passes between the date of transmittal and the end of the 60-day period a resolution stating its disapproval of the proposed change, the matter after the resolving clause of which is as follows: "That ———— disapproves the proposal dealing with the matter of ———— which proposal was transmitted by the Postal Services to the Congress on ————.', the first blank being filled with the appropriate House of the Congress, the second blank being filled with the title of the proposal and such further description as may be necessary to identify it, and the third blank being filled with the date of transmittal to the Congress.

"(c) For the purpose of subsection (b) of this section—

"(1) the continuity of a session is broken only by an adjournment of the Congress sine die; and

"(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of the 60-day period referred to in subsection (b) of this section.

"(d) Resolutions of disapproval described in subsection (b) of this section shall, upon introduction, be immediately referred by the presiding officer of each House of the Congress to the standing committee having oversight and legislative responsiblity with respect to the Postal Service in accordance with the rules of the respective House.

"(e)(1) For the purpose of this section, a change in the nature of postal services includes—

"(A) a reduction in the number of days each week mail is delivered to postal customers over city, rural, or star routes;

"(B) a reduction in the number of days each week and hours each day post offices are open to the public to transact business;

"(C) an increase in the periods of time used as the standard for the timely delivery of mail matter;

"(D) a change in the standards of eligibility to receive mail by city, rural, or star route delivery;

"(E) a change in the standards used to determine post office closings; and

"(F) changes in other levels and types of postal services which have been provided to the public generally.

"(2) For the purpose of this section, a nationwide or substantially nationwide change in the nature of postal services includes any change which has effect in more than one administrative region established by the Postal Service.

"(f) Subsections (b) through (e) of this section are enacted by Congress—

"(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described in subsection (b) of this section; and they supersede other rules only to the extent that they are inconsistent therewith; and

"(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.".

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to any change in the nature of postal services which is proposed after the date of the enactment of this Act or which has not become effective as of that date.●

OUTSTANDING YOUTH

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. SUNDQUIST. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues an outstanding youth from Henderson County, TN. Tony Johnson, son of Jerry and Nadell Johnson, will be representing our country later this month on a European excursion as part of the Future Farmers of America Program.

As Doris Jarrett, columnist for the Lexington Progress, said, "Those who criticize our young people of today should take a look at Tony Johnson."

Of the 22,000 contestants who attended the FFA convention last year in Kansas City, only 22 won awards—and Tony was among those honored. He received the 1984 National Fish and Wildlife Management Proficiency Award.

The 21-day overseas trip he won as a result will include visits to six countries: West Germany, Belgium, The Netherlands, Luxembourg, France and Switzerland. In addition to sightseeing, the students will meet with agricultural officials of the countries—and will stay in farm homes chosen for their suitability.

The Lexington Progress article I mentioned above also highlighted these facts about this fine young man:

Winning honors and trophies is nothing new to Tony. He began his 4-H Club work in elementary school. During his freshman year at Lexington High School, he was chosen president of 4-H Wildlife Project Group and treasurer of the local 4-H Club. Later he become a member of FFA.

He was president of his sophomore, junior and senior classes of the large Lexington High School. He won countless honors and awards through his affiliation with 4-H Clubs and FFA. In the senior class, he was chosen as Most Likely to Succeed, Most Intellectual and Most Dependable.

He is president of his church youth group . . . He is the recipient of a Leadership Scholarship to the University of Tennessee at Martin . . . He was elected state Commissioner of Agriculture at Boys' State . . . He was named to Who's Who Among American High School Students . . . and the list goes on.

Mr. Speaker, I'm extremely proud of the accomplishments of this bright young man. His awards and honors are a source of pride to his family and community—and these deeds should serve as inspiration for other youngsters to emulate.

Thank you, Mr. Speaker.●

HEALTH MAINTENANCE ORGANIZATIONS AND MEDICARE: SPEEDING UP THE PROCESS FOR THOSE WHO CHOOSE TO DISENROLL

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. PEPPER. Mr. Speaker, I am introducing legislation today which I believe will strengthen the promising partnership between health maintenance organizations (HMO's) and the Medicare Program. This legislation, which will cut to 2 weeks the maximum delay in returning an HMO member to their standard Medicare coverage, addresses a serious shortcoming of current Federal law.

A recent report by the General Accounting Office and a subsequent investigation and hearing by the Subcommittee on Health and Long-Term Care of the House Select Committee on Aging, which I have the privilege to chair, revealed serious inadequacies in the Federal Government's oversight of Medicare-participating HMO's. Among the problems identified were substantial delays in the time required to effectively disenroll Medicare HMO members. At a hearing held by the subcommittee last week, we heard the stories of seniors who had experienced delays ranging from 2 months to 2 years between their formal request to disenroll and their final disenrollment and return to standard Medicare coverage.

As identified in the GAO report, a good deal of these delays can be attributed to mismanagement of the recording of enrollment and disenrollment information by the Health Care Financing Administration. However, a significant portion of these delays is required by current law. Under provisions of title 18 of the Social Security Act, a Medicare beneficiary must wait between 1 to 2 months for their request for disenrollment to become effective.

This is simply too restrictive. If an individual is dissatisfied with the health care they are receiving, for whatever reason, he or she should be able to promptly change health care providers. Therefore, I believe that current law must be amended to allow for a more reasonable waiting period.

A 2-week waiting period, while longer than I would like, appears to be the most reasonable alternative. A number of States have been very successful in keeping to a maximum delay of 2 weeks during similar HMO experiments under the Medicaid Program, and I see no reason why the Health Care Financing Administration should not be able to match the States in efficiency.

HMO's offer the promise of a wider range of services to Medicare beneficiaries while at the same time helping to control rising health care costs for seniors and the Federal Government. We must, therefore, strengthen this promising partnership while still in its infancy.

I strongly urge my colleagues' support for this most important and timely reform legislation.●

THE SOCIAL SECURITY PROTECTION ACT

HON. RONNIE G. FLIPPO

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. FLIPPO. Mr. Speaker, I am pleased to introduce legislation today that would establish an independent agency for Social Security effective October 1, 1985.

The Social Security Program is presently slated for removal from the unified Federal budget in 1993 under a provision of the Social Security Amendments Act of 1983. There is no reason to wait until 1993 to make Social Security an independent agency. The time has come to remove this immensely valuable and successful program from the unified budget.

The Social Security Program is not part of the deficit problem and should not be part of the solution. This program is different from most other programs in the unified budget. The Social Security Program pays its own way.

In 1977 and again in 1983, the Congress enacted substantial increases in the payroll tax, reduced benefits and made other changes necessary to insure the financial viability of the Social Security Programs.

The huge increase in the highly regressive payroll tax was accepted by the American people as necessary to protect the benefits of the 36 million senior citizens who depend on this program for financial security and independence.

The American people accepted this tax increase on the basis that the revenues would be used only to protect the Social Security Program. No one, and Mr. Speaker, I emphasize no one, suggested or even considered for 1 minute that the revenues from this huge tax increase would be used for proposes other than restoring and maintaining the financial health of the Social Security Programs.

Some are now suggesting that cuts in the Social Security COLA are necessary to help reduce the deficit. This line of reasoning does not make sense. It would amount to a diversion of revenues raised for specific purposes to fulfill specific promises to subsidize other Federal spending programs. This would be unfair.

The working men and women of the United States are being asked to overpay for Social Security to meet other Government needs. This would amount to fraud.

Mr. Speaker, a separate trust fund for Social Security was established by amendments to the Social Security Act passed in 1939. Other distinct trust funds were established for the disability insurance and Medicare programs when they were enacted.

These trust funds were established to protect the programs and to guarantee that the revenues collected through a special tax would be used for the purposes specified in the Social Security Act and would not be commingled with other revenues and diverted for other purposes.

We have honored this trust for almost 50 years. We should not violate this trust now for short-term political gains.

For 30 years, between 1939 and 1969, the Social Security trust funds were maintained separate from the Federal budget. This was no accident. It simply recognized the fact that the trust funds do not belong to the Government. The Federal Government acts only as trustee for the funds. The trust fund is simply the depository of revenues raised by a specified tax for a specific purpose. The trust fund couples the benefits and costs of programs more closely. Most importantly it assures the beneficiaries that trust fund benefits once established will be protected.

Even President Hoover recognized the importance of separating trust funds from the budget. Prior to 1932 there was only one concept of the Federal budget which included general, special, emergency, and trust accounts. President Hoover in 1932, created the so-called "Administrative" budget separating trust funds from other expenditures.

The trust funds, including Social Security, were maintained separate from other expenditures for the next 36 years. The trust funds, including Social Security, were consolidated into a unified Federal budget in 1969.

The development and implementation of the unified budget followed the recommendations of the President's Commission on Budget Concepts. This Commission created by President Johnson in 1967 recommended changes in the Federal budget designed to "enhance public and congressional understanding of the budget, and will increase its usefulness for purposes of decisionmaking, public policy determination, and financial understanding."

The Commission on Budget Concepts recommended that the trust funds be included in the unified budget but in doing so recognized that:

Individual trust funds must be accounted for separately, and that their activities must be reported on in a way which allows the identity and integrity of trust fund transactions and balances be preserved.

Mr. Speaker, recent actions suggest that the integrity of the Social Security trust funds are under attack. The intentions of the Commission are not being fulfilled.

Many recognized early on that including the Social Security Program in a unified budget was a mistake. Incorporating Social Security in a unified budget did not enhance "decision making public policy determination, and financial understanding" as envisioned by the President's Commission on Budget Concepts. It simply compromised the integrity of the Social Security trust funds and confused the public.

Many suspect that the Social Security Programs were included in the unified budget in 1969 simply to produce a budget surplus in that fiscal year. Efforts have been underway since that time to remove the Social Security system from the unified budget. Bills were introduced to accomplish this goal in the early 1970's.

The National Commission on Social Security created by the Social Security Amendments Act of 1977, recommended in 1981 that an independent agency be created in the belief that "significant improvements in the operating of Social Security Programs and the public's understanding of those programs would result."

This theme was reiterated in 1983 in the report of the National Commission on Social Security Reform. The so-called Greenspan Commission concluded that "* * * the operations of the OASI, DI, HI, and SMI Trust Funds should be removed from the unified budget." The Greenspan Commission reasoned that changes in Social Security should be made only for programmatic reasons, not to balance the budget. By separating Social Security out of the budget, the policy of making changes in Social Security only for programmatic reasons would be protected.

Congress followed this recommendation of the Greenspan Commission and included a provision in the Social Security Amendments Act of 1983 creating an independent Social Security agency. This act also created a congressional panel on Social Security organization to undertake a "thorough study with respect to the implementation of removing the Social Security Administration from the Department of Health and Human Services and establishing it as an independent agency * * *". The report of this panel issued last year has provided a transition plan to establish an independent agency for Social Security.

Mr. Speaker, there is no reason to further delay separating Social Security from the unified budget. In fact, we

cannot afford further delay. The danger to the Social Security Programs is clear. We must act now to maintain the integrity of the trust funds.

I urge my colleagues to support this bill. It would protect these people depending on Social Security benefits as well as those paying Social Security taxes. It is necessary to act now to guarantee once and for all the integrity of the Social Security trust funds.●

SLAMMING THE TRADE DOOR SHUT ON NICARAGUA

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. BROOMFIELD. Mr. Speaker, on April 19, 1985, I wrote a letter to President Reagan recommending that our Government immediately cut off all trade with Nicaragua. His response to my suggestions was swift and to the point. I commend him for his action. As a supporter of democracy, peace, and stability in that neighboring region, I was deeply disturbed to learn that the United States is importing millions of dollars of products from that Marxist-Leninist country, and exporting badly needed equipment and spare parts to Nicaragua.

I believe that trade can be effectively used by our Government as a form of pressure to encourage the Sandinistas to moderate their behavior and really seek a peaceful solution to the difficulties in that nearby region.

I learned today that the President moved ahead on this question and issued an Executive order prohibiting trade and other transactions with Nicaragua.

I commend the President for his swift action in terminating trade with that country, and commend him for his responsiveness to our congressional urgings. This is a step in the right direction.

Should Mr. Ortega fail to respond to the cessation of commerce with our country, other forms of pressure could be brought to bear on his regime to isolate, both economically and diplomatically, that Communist country.

With these comments in mind, I urge my colleagues to read the following Executive order from the President:

EXECUTIVE ORDER PROHIBITING TRADE AND CERTAIN OTHER TRANSACTIONS INVOLVING NICARAGUA

By the authority vested in me as President by the Constitution and laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), chapter 12 of Title 50 of the United States Code (50 U.S.C. 191 et seq.), and section 301 of Title 3 of the United States Code,

I, Ronald Reagan, President of the United States of America, find that the policies and actions of the Government of Nicaragua constitute an unusual and extraordinary threat to the national security and foreign policy of the United States and hereby declare a national emergency to deal with that threat.

I hereby prohibit all imports into the United States of goods and services of Nicaraguan origin; all exports from the United States of goods to or destined for Nicaragua, except those destined for the organized democratic resistance, and transactions relating thereto.

I hereby prohibit Nicaraguan air carriers from engaging in air transportation to or from points in the United States, and transactions relating thereto.

In addition, I hereby prohibit vessels of Nicaraguan registry from entering into United States ports, and transactions relating thereto.

The Secretary of the Treasury is delegated and authorized to employ all powers granted to me by the International Emergency Economic Powers Act to carry out the purposes of this Order.

The prohibitions set forth in this Order shall be effective as of 12:01 a.m., Eastern Daylight Time, May 7, 1985, and shall be transmitted to the Congress and published in the Federal Register.

RONALD REAGAN.

THE WHITE HOUSE, *May 1, 1985.*●

SPEECH BEFORE THE ANTI-DEFAMATION LEAGUE

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. LENT. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

REMARKS BY HON. NORMAN F. LENT, BEFORE THE ANTI-DEFAMATION LEAGUE, APRIL 28, 1985

Chairman Abe Krasnoff, President-elect Sig Spiegel, President Myron Conovitz, Jack Goldberg, County Executive Purcell, reverend clergy, Monsignor Hartman, my good friends and colleagues, distinguished guests, members, and friends of the Anti-Defamation League, fellow Democrats and fellow Republicans.

I'm truly honored and privileged to once again join you for tonight's memorable occasion, and I'm especially happy to be a part of a program to pay well-deserved tribute to my good friend, Lionel Goldberg, this year's recipient of the ADL's Distinguished Community Service Award.

No one is more deserving of this great honor than Lionel. He successfully balances a busy career as senior vice president of Alexander and Alexander of New York with an active role in our local community. He devotes endless time and energy to numerous charities, educational, health and public service organizations. I've known Lionel for many years and, believe me, I speak from personal experience in saying that Lionel Goldberg epitomizes the essence of the ADL and all it stands for.

Since its beginnings almost 72 years ago, the ADL has been in the forefront of the cause for human rights. No organization has done more to overcome the evils of hate, bigotry, and prejudice in the world than the ADL. And, no organization has made a greater contribution to America's precious heritage of freedom, equality and justice for all. Here, on Long Island, we are especially proud of our Long Island Regional Board which, under the able leadership of Myron Conovitz and Rabbi Arthur Seltzer, has acted with dispatch and vigor and sensitivity in case after case whenever bigotry and racism rear their ugly heads.

In a few days, we celebrate VE Day—the end of World War II—the end of the nightmare. Last week, in ceremonies at the Capitol and throughout the country, Americans observed the 40th anniversary of the end of the Holocaust and the liberation of Nazi death camps at the end of World War II. We all share a deep and profound concern about the need to remember the cruel and inhuman tragedies of the Holocaust and the Nazi annihilation of 6 million innocent Jews.

Unfortunately, this time of remembrance has been marred by the controversy generated by the President's stated intention to visit a German military cemetery at Bitburg. Bitburg—a place no one had heard of until a few days ago—has, to the sorrow of everyone, opened old wounds and driven a wedge between the Nation and the President.

Some—including the White House—would portray the Bitburg controversy as an issue of primary concern to the Jewish community. But that is inaccurate. Others portray it as an issue of primary concern to the major veteran's organizations. But that also is inaccurate and incomplete.

What has come out of the White House in the face of the outcry disappoints me greatly. What disappoints me—and I believe disappoints the overwhelming majority of the American people—far beyond the initial insensitive stumble into Bitburg—is the apparent determination by the White House staff to treat injured Jews—and outraged veterans—as two separate and distinct special interest groups—sort of like separate groups seeking a special permit for a parade. They are both viewed as groups looking for some special advantage—and not for what is right and just.

It is the obligation of every President—even a President without the incredible gifts of this President—to communicate and to unify. It is the obligation of the President to explain to the Nation why the concerns of Jews and veterans are the concerns of all Americans. His obligation is to instruct; to take what seems like the stuff of special interest politics and, with it, construct a monument to American morality—a statement of who we are as a people; what we cherish; why American soldiers died during World War II; and why the Holocaust was not just something Germans did to Jews, but something people did to people. It diminished us all!

If this opportunity is squandered—if the President simply attends to Bitburg as presently scheduled—he goes to Germany a President representing something less than all his people. I say this with great sadness—because I admire the President, I've campaigned with him, and I've supported most of his economic and foreign policies.

It is still not too late to change matters; to respond to the pleas which deluge him, including my own, to cancel the trip to Bitburg and substitute something else.

The President could honor the anti-Nazi movement. He could honor the Germans who have worked 40 years to bury the Nazi past and place West Germany firmly in the

ranks of the Western democracies. He could toast the Germany of Hegel and Beethoven, of Einstein and Weill—the towering cultures of the past and the promise of the future.

But to salute such a nation, the President must first unify his own! In life, we all have our assignments. This is now Ronald Reagan's obligation.

I have talked about this unpleasant subject at some length because I know that it weighs heavily on your mind and because you want—and are entitled—to know what your elected officials think about the issue. I am very much disturbed about the situation and my concern goes beyond this moment, beyond the public relations Dunkirk we see unfolding. What I mean is, we can ill afford a rift between the President and the Jewish community at this point with 3½ years remaining in the second Reagan administration. It's absolutely essential, in my view, that we try to make some progress toward a Middle East peace settlement in this second term. An effective U.S. policy in the region requires the support of the Jewish community and the Bitburg affair has unfortunately undermined the trust in the Jewish community for a President who has proven himself to be a staunch friend of Israel.

At a time when more and more Arab nations are showing an interest in direct negotiations with Israel, it is important that we quickly form a consensus around an effective U.S. policy.

Moments of opportunity in Middle Eastern politics come much too infrequently to be lost. I can only hope that Bitburg has not opened so wide a rift that it would hinder a renewed effort in the region. It is certainly a factor that we should take into consideration and I would urge you to give it some thought.

And, in so doing, it is important to realize that incidents like the President's visit to Bitburg, the visit of Louis Farrakan to our universities, the lectures of Ernest Dube—equating Zionism with racism—are the obstacles we must overcome, the challenges we must face together, Jew and non-Jew, in the struggle for world peace and understanding.

The ADL has been essential in educating America's leaders and our fellow citizens to our Nation's vital stake in Israel as a democratic ally in the Middle East. The ADL has been at the forefront of efforts to maintain close ties between the United States and Israel; to encourage continued U.S. military and economic support. To borrow from the recent words of Elie Wiesel: "We needed a strong Israel in 1948, and we need it now."

We can and we must continue to work together to achieve a just and secure peace in this world. As your Representative to Congress, I pledge my help. And I know we can count on the ADL, and people like Lionel Goldberg, to continue in this valiant struggle for freedom and human rights for all. Thank you.●

THE 50TH ANNIVERSARY OF THE CZECHOSLOVAK MORAVAN CLUB

HON. MATTHEW F. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. McHUGH. Mr. Speaker, this year marks the 50th anniversary of the founding of one of the most unique organizations in our country, the Czechoslovak Moravan Club of Endicott, NY, in which members of three nationalities unite to celebrate together their Czech, Moravian, and Slovak heritage.

Through cultural, family, and civic programs the club preserves and promotes the rich cultural traditions of these nationalities. No less than four dance groups are part of the club's activities, providing opportunities for all age groups to learn and perform traditional dances. In addition to presenting dance programs in the upstate New York region near Binghamton, the club's dance groups have performed in neighboring States, Canada, and here in the Nation's Capital. The club's dance groups will also perform this August at the Statue of Liberty, for the restoration of which the club has made a substantial donation as part of its program of fund drives to support local charities and other worthwhile causes. The club also sponsors a singing group, embroidery groups, egg scratching classes, language classes, and numerous committees to promote preservation of family and holiday traditions.

On May 4, the club will sponsor an ecumenical service, procession, and dinner-dance in celebration of the club's 50th year, and I know my colleagues are pleased to join me today in saluting the Czechoslovak Moravan Club for being one of the most vital and public-spirited organizations in the country, and an excellent example of how ancient cultural and social traditions have flourished in America and enriched all our citizens.●

A TRIBUTE TO ST. PAUL'S CHURCH

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. LEVINE of California. Mr. Speaker, I rise today to commemorate the 50th anniversary of St. Paul's United Methodist Church in Redondo Beach, CA.

St. Paul's sprang to life in the home of Mr. and Mrs. Wade during the winter of 1934-35. While originally the group met as a Sunday school class, later under the direction of a selected neighborhood committee, a formal meeting with Dr. B.F.H. Stevens, the district superintendent of the Methodist Church was held. In April 1935, the Methodist Conference sent Rev. E.J. Bradner to organize the Shore Acres Community Church. The church became a reality on May 5, 1935, when 16 to 18 Methodists met in the "Old Bottle Cap" factory in the neighborhood.

In 1938, land was purchased on the corner of Nelson Avenue and Felton Lane under the leadership of a new pastor, Dr. Alexander C. Stevens. Through the spirited labors of church members and friends of the neighborhood, the church sanctuary was ready for use by Christmas Day 1938. The neighborhood knew it as the little-hill top church. In 1939, the name was changed to North Redondo Methodist Church.

Though times were tough, the spirit of the little church remained strong. The membership gradually increased in size to 620 members in the 1960's. A new sanctuary and education buildings were constructed, additional lots were purchased, and another name change, to St. Paul's Methodist Church, occurred.

Through the late 1960's and into the 1980's, radical changes occurred in the neighborhood, and membership diminished to 150 members in 1979. Since that time, the church has shown slow, but steady, growth.

A variety of community groups have found a home at St. Paul's. The Head Start Program, the South Bay Unitarian Fellowship, four AA Groups, and South Bay Center for Counseling. This served as the original home of Mothers Anonymous, later to be known as Parents Anonymous, Scout groups, parents groups, and many other of the community-oriented programs.

St. Paul's Church serves as an important part in many peoples' lives, and has contributed a great deal in many aspects to Redondo Beach and the South Bay area.

It is a pleasure to share St. Paul's accomplishments with my colleagues and I hope it enjoys many more years of continued success.●

IN SUPPORT OF HOUSE CONCURRENT RESOLUTION 67

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. ACKERMAN. Mr. Speaker, I am sure everyone in this Chamber is aware of the importance of families, and would eagerly support legislation to strengthen them. With House Concurrent Resolution 67, my colleagues and I have just such an opportunity.

This resolution expresses the sense of Congress that grandparents' visitation rights ought to be preserved. Although 49 States now recognize these rights, they are nonetheless endangered. Courts have been lax in enforcement, which leaves the grandparents at the mercy of their in-laws. Separation or divorce is rarely pleasant, and often can be quite hostile. A spouse that wants to cut all ties with his or her ex-partner can effectively

prevent the grandparents from seeing their grandchildren.

Even if the courts are diligent, they have no jurisdiction beyond State boundaries. Once the grandchildren are moved from the State where the divorce or separation occurred, the pleas of the grandparents can legally be ignored. House Concurrent Resolution 67 asks that a model act be adopted, with interstate recognition and enforcement of State court orders.

The act would also set standards to determine whether it would be in the best interest of the child to grant visitation privileges. Interpretation of what consititutes this best interest now varies widely; with clear, uniform guidelines, all parties concerned will know their rights and obligations.

Mr. Speaker, I applaud this resolution, and look forward to the day when this model legislation is in force. The grandparents of this Nation deserve no less.●

DEPARTMENT OF JUSTICE AUTHORIZATION FOR APPROPRIATIONS FISCAL YEAR 1986

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. RODINO. Mr. Speaker, I have today introduced a bill to authorize appropriations for the Department of Justice. The bill is in concert with the overall thrust of the administration's budget request, with several notable exceptions.

I do not believe that Federal employees should be required to take the 5-percent pay cut that the administration has recommended. The bill contains no pay cuts for Federal employees.

The bill reflects my belief that the administration has not requested sufficient funds for certain functions of the Immigration and Naturalization Service and, therefore, we have added funding to strengthen these important services.

The administration has requested additional funding for the U.S. attorneys. This request is based on the assumption that the Comprehensive Crime Control Act of 1984 would require additional U.S. attorney positions. The Congressional Budget Office, in the Senate report on the Senate version of the Comprehensive Crime Control Act, stated that new crimes would not significantly increase Federal expenditures. Therefore, the bill reflects a freeze for the U.S. attorneys at the 1985 service level.

Once again, the administration is seeking to eliminate the U.S. trustees in bankruptcy. The Congress has stated quite clearly and repeatedly that we believe the elimination of this program would have a deleterious effect on both the administration of justice and the bankruptcy system. In fact, just last July the Congress extended this important program in Public Law 98-353. Funding for the trustees is included in this bill.

The administration's request for the Drug Enforcement Administration does not provide sufficient resources for the Foreign Cooperation Investigation Program, for State and local assistance programs, and for other crucially needed funding in order to maintain its position in leading the Nation's fight against illegal drug trafficking.

This bill, I believe, takes into account the urgent need to have our Federal law enforcement agency properly equipped to handle the important mission which we have given them.●

COMMISSION ON WAGE DISCRIMINATION IN THE LEGISLATIVE BRANCH

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Ms. SNOWE. Mr. Speaker, today I am introducing legislation to establish a Commission on Employment Discrimination in the legislative branch charged with the responsibility of identifying and making recommendations for the elimination of wage discrimination in the legislative branch.

The problem of sex-based wage discrimination is not new. One hundred and thirty years ago, in 1855, noted feminist and suffragist Lucy Stone, observed:

> The floor merchant, the house builder, and the postman charge us no less on account of our sex; but when we endeavor to earn money to pay all of these, then indeed we find the difference.

Unfortunately, the wage gap between men and women has remained virtually constant in recent years despite the passage of the Equal Pay Act of 1963, making it illegal to pay women less than men for doing the same work, and title VII of the Civil Rights Act of 1964, which outlawed discrimination in employment and wages on the basis of sex, race, and national origin.

It is important to understand the relationship between these two laws, and sex-based wage discrimination. The Equal Pay Act guarantees women equal pay for equal work. However, the Equal Pay Act cannot begin to reach the wage discrimination that most women experience for a very simple reason. By and large, women do not work in the same jobs as men. As they did a century ago, most women remain segregated into a small number of low-paying, deadend jobs.

The fact is that 80 percent of all working women work in just 25 job classifications—jobs that are among the lowest paid in our society. And the pay they receive appears to have far less to do with the work they do than with the fact that they are women. Only title VII's broader prohibition of discrimination in employment and wages can reach these women.

In 1981, the Supreme Court made clear that the legal guarantees in title VII are broader than those in the Equal Pay Act, and indeed, extend to cases where the work being done by men and women is not substantially equal. The Court stated that limiting wage discrimination claims to equal pay for identical jobs would mean:

> That a woman who is discriminatorily underpaid could obtain no relief—no matter how egregious the discrimination might be—unless her employer also employed a man in an equal job in the same establishment, at a higher rate of pay.

The concept of pay equity recognizes simply that discrimination exists not only when people are paid differently for doing the same work but when they are paid differently by their employer for work that requires similar skill, effort, and responsibility. This form of wage discrimination is illegal under title VII of the Civil Rights Act, and it is this type of discrimination I am attempting to address in the legislation I am introducing today.

The U.S. Congress has shown great skill over the past 20 years in passing laws barring discrimination. Unfortunately, the Congress has shown even greater skill in avoiding these same laws. The purpose of my legislation is twofold: One, to identify the existence of discriminatory wage-setting and personnel policies and practices within the legislative branch as a whole, and the Library of Congress specifically, and two, to develop a comprehensive plan for eliminating these inequities.

My legislation would establish a 13-member, bipartisan, Commission comprised of Members of Congress, and labor and management representatives from the Library of Congress. The Commission will one hire an independent consultant to conduct a pilot study of compensation paid within and between job classifications within the Library of Congress, and analyze relevant personnel policies and practices; two, make specific recommendations for ensuring compliance with title VII and the policy objectives of the resolution; and three, establish a comprehensive plan for implementing pay equity throughout the legislative branch.

I want to clarify several points about the scope of my legislation. The intention of my legislation is to address discriminatory wage setting practices and related personnel policies and practices within the legislative branch as a whole. I believe it is important, however, to begin this effort with a well-con-

structed pilot study in one of our agencies—in this case, the Library of Congress—that can later be extended to other parts of the legislative branch.

Following completion of the Library of Congress study, the Commission is charged with the responsibility of developing a comprehensive plan for ensuring pay equity within the legislative branch. I would expect that this plan would include a consideration of the feasibility of extending the model created by the pilot study to other legislative branch agencies. I would also expect the Commission to consider the question of congressional staff. The Commission would have 18 months to complete its work.

The concept of my legislation is scarcely an original one. During hearings on this bill last year, Nina Rothchild, commissioner of the Minnesota Department of Employee Relations, testified that 17 States had changed their fair employment practices laws to include the standard that men and women should be paid equally for work requiring comparable skill, effort, and responsibility. Twenty-five States had either completed or are in the process of completing, studies of the type proposed in my legislation. And, five States had actually appropriated funds to eliminate the pay inequities that had been identified. At the present time, over 100 State and local governments have undertaken pay equity initiatives, and the successful outcomes have been our best lobbying tool.

For example, in 1979, a State government job evaluation study performed in Minnesota found that jobs held predominantly by woman were underpaid. In March 1982, a 4-year plan was enacted to rectify this problem at an estimated cost of 1 percent of the yearly payroll. In 1980, a job evaluation study performed in Colorado Springs revealed a wage disparity between female-dominated clerical jobs and male-dominated maintenance jobs which both received the same numerical rating. The city council adopted a 4-year plan to correct the wage differential at a project cost of $1.7 million which is 2.6 percent of the yearly payroll. The conservative Republican mayor of Colorado Springs, Robert Issac, summarized their new pay equity policy by saying:

> We did something fair and just, and in return we got ourselves great employee morale, lower turnover and higher productivity. Isn't that what the private sector's always looking for?

We have made freedom from discrimination in employment the law of the land, and I believe it is the responsibility of this Congress to ensure that its own employees receive the compensation that is rightfully theirs. I encourage my colleagues to join me in this effort by cosponsoring my legislation to create a Commission on Employment Discrimination in the legislative branch.●

PERSONAL EXPLANATION

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. MOAKLEY. Mr. Speaker, I was necessarily absent Tuesday, during a procedural vote taken that morning. On rollcall No. 80, the House approved the Journal of the prior day's proceedings, by a yea-and-nay vote of 231 to 172, with one Member voting "present." Had I been present and voting, I would have voted "yea."●

TARIFF CLASSIFICATION OF CITRUS PRODUCTS

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. IRELAND. Mr. Speaker, today, Congressman MACKAY and I, along with other members of the Florida delegation, are introducing legislation to close an existing tariff classification loophole for reconstituted grapefruit juice.

During the 98th Congress we adopted our proposal to close the classification loophole for orange juice, but made no provision for the same situation confronting U.S. growers and processors of grapefruit and grapefruit juice. Under the existing Tariff Schedules, concentrated grapefruit juice is dutiable at 35 cents per gallon. If not concentrated, the product is dutiable at 20 cents per gallon.

Reconstituted grapefruit juice is made from the concentrate by adding sufficient water to reduce it to the equivalent of natural juice obtained from domestic grapefruit. The 15-cents-per-gallon difference in the rate of duty for concentrated grapefruit juice and ready-to-drink-juice reconstituted from the concentrate represents a 43 percent duty savings.

This potential gain provides foreign suppliers a strong incentive to reconstitute foreign concentrated grapefruit juice before it is cleared through U.S. Customs to avoid the duty originally intended for concentrated grapefruit juice and the reconstituted juice from which it is made.

Obviously, this tariff loophole places any U.S. processor making reconstituted juice from domestic concentrate, as well as U.S. growers supplying domestic grapefruit for either fresh use or for the production of fresh or concentrated juice, at a serious disadvantage.

Currently, the United States is the largest producer of grapefruit in the world. Brazil, Japan, Spain, Italy, and Mexico rank behind the United States, but we know production is increasing, particularly in Mexico. Citrus processing plants can produce either orange juice or grapefruit juice. Therefore, passage of the legislation to close the loophole for orange juice, without an accommodating change in the Customs treatment for grapefruit juice, could cause a shift to the importation of the latter product.

Another factor is that for tariff purposes, grapefruit juice is not specifically delineated in our tariff schedule, so we have no information on the actual imports of grapefruit juice. Our bill would provide for his vital information.

Mr. Speaker, I believe the merits of this bill are clear and ask that my colleagues give it their full support.●

TRIBUTE TO THE MERIT FASTENERS CORP.

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. DOWNEY of New York. Mr. Speaker, I rise today to pay tribute to a company in my district, the Merit Fasteners Corp. of Bay Shore, NY. Last month, the General Electric Co. selected Merit as the "Vendor of the Month."

The provision of fast, high quality service is a valuable commodity. Throughout the history of this Nation, these characteristics have helped our country grow and have held it together during difficult times. In producing fasteners for General Electric, Merit embodies these qualities that have bonded our Nation together literally and figuratively. At a time when the military procurement industry has come under strong fire, I find it particularly heartening to learn of the distinguished commitment to quality represented by Merit.

I commend the employees of Merit for their outstanding contribution and hope that others in the industry will take note of their dedication to high quality service.●

MS. HALL SHOULD RESIGN HER POSITION OF PUBLIC TRUST

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. OWENS. Mr. Speaker, a new racist insult under the guise of scholarship now assaults all Americans. Another Reagan appointee has attempted to recreate our world according to the popular ideology of the intellectually inane and inept. I am speaking, of

course, about Marianne Mele Hall, the new chairperson of the Copyright Royalty Tribunal who also served on the team which authored the new book, "Foundation of Sand." The authors are right about at least one thing, the book is built on the foundations of sand, that is, on unsound scholarship and intellectually repugnant ideas. It is part of a new "blame the victim movement" now sweeping the country.

Regretfully for 1985, this book is filled with the filth of stereotypes and racist fantasies about black Americans. Among other things, the book claims that the education of black youth can be advanced solely using black males as teachers and retired super athletes as principals. Obviously, the authors never heard of Anna Cooper or Mary McCleod Bethune or Marva Collins, black women educators of the first rank.

It is ironic that at a time when the President of the United States is paying homage to Nazi war dead that his appointee is being exposed for her involvement in circulating new assertions of black inferiority. Both events, the former perhaps inadvertent but the latter surely of malicious intent, reflect the unfortunate fact that public leaders are understood not only based on their words but are also judged on the basis of their actions.

I suspect that Ms. Hall did not understand that this work's ideas are racist at worst and insensitive at best. Her participation in a study of this poor quality raises serious issues regarding Ms. Hall's competence and judgment. Her involvement in this mean-spirited exception casts a pall over her capabilities. Now, given her conflicting statements regarding her participation in this awful book, either as an editor or as a coauthor, an issue of honesty also emerges. Ms. Hall informed the Senate that she was a coauthor but now asserts that she was an editor. Her associates say that she shaped the contents while she maintains that she only placed commas. I'm convinced that someone is misrepresenting the facts. It is possible that Ms. Hall perjured herself before the Senate.

The President did not heed our advice about Bitburg. Nonetheless we urge him to act swiftly on this domestic issue for the Nation's moral benefit. Public officials must represent the public's interest, not racist ideology. No public leaders, neither the President nor the Senators who confirmed Ms. Hall, can afford to be associated with a person who represents such vile and demeaning views.

For the sake of her country, Ms. Hall should resign her position of public trust. For the sake of her superior, the President, she should spare him much confusion and conflict by quietly returning to the private sector.

Our Government does not tell people what to say or what to think. That's the advantage of a free, open democratic society. But the kind of thinking which Ms. Hall represents is what creates an ideological climate for concentration camps and genocide. We cannot sanction racism by permitting its adherents to remain on the public payroll. The public does not deserve them nor should it be forced to pay for them.

It is my hope that the President will see fit to release Ms. Hall and keep our country moving closer toward "one nation, with liberty and justice for all."●

EQUALIZING UNITED STATES-CANADIAN TRADE

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. McKERNAN. Mr. Speaker, today I am introducing a resolution designed to heighten Congress' awareness of a critical issue: Our trade relationship with Canada. My resolution urges the President to step up his efforts to equalize that relationship, now an egregiously lopsided one that is detrimental to many American industries.

On March 17 and 18, President Reagan met with Canadian Prime Minister Brian Mulroney. Trade between our two nations was one of the primary topics of the Quebec summit, and the discussions between these two leaders resulted in a joint declaration of their commitment to resolve our trade differences.

I commend this demonstration of concern by President Reagan and Prime Minister Mulroney. Nevertheless, I continue to be concerned over the need for further progress in resolving our trade disputes with Canada.

Many areas of the United States are currently suffering from trade policies enacted by Canadian Federal and Provincial governments that give Canadian products an unfair competitive advantage. In my home State of Maine, Canadian potatoes grown by subsidized farmers are being dumped on our side of the border; imports of subsidized Canadian fish are the biggest obstacles to the growth and competitiveness of the Maine fishing industry; and Canadian lumber, also heavily subsidized, threatens the future of many of our lumber firms.

Problems such as these are not confined to New England. New York's vegetable growers are being undercut by imports of fresh vegetables from Canada. Lumber manufacturers in the Northwest and other regions share the problems of their colleagues in Maine. Midwest pork producers have watched their access to domestic markets deteriorate because of significant increases in imports from subsidized Canadian pork producers.

Concern over our trade relationship with Canada is nationwide. The resolution I am introducing is the instrument by which this concern can be focused.

This resolution reaches across State boundaries and industry lines to bring those affected by Canadian trade issues together to express a single concern: We must resolve our trade differences with Canada, particularly those differences that involve Canada giving its industries an edge through unfair trade practices.

I urge my colleagues to join in supporting this resolution.●

PERSONAL EXPLANATION

HON. JOHN E. GROTBERG

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. GROTBERG. Mr. Speaker, I was not present and voting when the House considered procedural matters on Monday, April 29 and Tuesday, April 30. Had I been present, I would have voted in the following way:

Monday, April 29: Rollcall No. 76, "nay"; rollcall No. 77, "yea"; rollcall No. 78, "yea"; and rollcall No. 79, "yea".

Tuesday, April 30: Rollcall No. 80, "nay."●

THE VALUE OF THE VOICE OF AMERICA

HON. RAYMOND J. McGRATH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. McGRATH. Mr. Speaker, today we are voting on authorizations for the Department of State, USIA, and the Voice of America. I rise today to express my personal interest in the vital modernization program currently underway at the Voice of America.

The need to strengthen VOA's radio signal overseas is unquestionable. VOA is the primary medium through which the United States communicates its policies, values, and national aspirations to the people of the world while seeking their understanding and support. While this House has spent considerable time in the past few weeks debating our role in the defense of freedom abroad, the Voice of America has served as a beacon of truth and reliability for those outside the Free World who recognize America's leadership role in the defense of democracy and freedom.

I would like to emphasize to my colleagues that there are nonmilitary aspects to our defense strategy and the greatest tool in that area is the truth. Far too many people learn about America from loudspeakers of hostile propaganda. Myths, misinformation, and disinformation are spread around the world by those who do not rule with consent of the governed and whose legitimacy is constantly threatened by the existence of a system governed with people's consent.

Mr. Speaker, this body has consistently joined together in opposition to the atrocities, the genocide, the repression, and the aggression of communism. We deplore the lesser violations of human rights. We profess to be advocates of the American Idea. Let us not forget that this advocacy must be carried out every minute of every day. I am comforted to know that for over 1,000 hours per week, the Voice of America is broadcasting the truth to over 120 million listeners in 42 languages.

The task of the VOA is a great one. I therefore find it difficult to believe how we have let broadcast facilities of the Voice fall into such poor condition. The VOA signal is inaudible in large areas of the world. It is too weak to overcome Soviet jamming. Many VOA transmitters are over 30 years old and obsolete. VOA even operates one transmitter built in the 1930's for Hitler's propaganda apparatus which was confiscated after the war. VOA has six 500 kW superpower transmitters—actually aged combinations of aged 250 kWs—compared to 37 modern units used by the U.S.S.R.

The support of the President and the Congress has made way for the implementation of a modernization program at the VOA. However, this program requires the continued support of this body. As we work to curtail the Federal deficit let us not forget that this capital investment in the strengthening of one of our most important tools of defense is long overdue. The longer we postpone the granting of funds to the VOA modernization program, the longer it will be before a clear signal from the Voice can be heard by those struggling in closed societies for freedom and democracy and the American Idea.●

A TRIBUTE TO DEBBIE AMARO

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. ACKERMAN. Mr. Speaker, yesterday the U.S. Congress heard an important message. It did not come from a Cabinet secretary, a big-city mayor, or a military officer. The source of this wisdom was one we often overlook on Capitol Hill—a child in elementary school.

Debbie Amaro is a student at Public School 15, in the Lower East Side of Manhattan. This area is one of the poorest in New York City; in fact, it is one of the poorest of the country. Debbie lives with her mother in an abandoned tenement. You would think that she has enough problems of her own. Yet this 9-year old has spent the past few months raising money to help feed the starving children of Africa.

Her efforts were part of a larger fundraising drive in the New York City school system. Many of these students knew what it was like to go hungry. When they saw others in even greater need, they responded. They gave their nickels and quarters for the cause—but they didn't stop there. The children did everything from holding benefit concerts to selling Valentine cards. So far over $250,000 has been raised, and, with the assistance of Save the Children, seed and grain has already been shipped directly to feeding centers in Ethiopia.

Mr. Speaker, this story is familiar to anyone who watched ABC's "20/20" show on April 24. Since the program was aired, thousands of letters and phone calls have come in praising the schoolchildren, and their efforts. Many people sent checks, and asked how similar drives could be made in their home towns. It is quite fitting that we celebrate "Save the Children Week" at this time, when so many Americans are demonstrating their care and concern.

Save the Children, which has been a pioneer in creating self-help projects, has held annual hearings in Congress to focus attention on the special needs of youngsters throughout the world. I am delighted that Debbie, along with four of her classmates at P.S. 15, were able to participate this year. I salute the work they did, and hope that schoolchildren across the Nation will follow their example.

Mr. Speaker, I ask that Debbie Amaro's speech be reprinted, so that we can all see that one person can make a difference. Thank you.

My name is Debbie Amaro. I am 9 years old. I live in New York City. I want to tell you what the children of New York City did. We raise $250,000 for the people in Ethiopia. We at P.S. 15 started in November by collecting snack money. We made hearts in February for Valentines day. We haven't stopped raising money. We are going to make Mother's Day cards and we are going to sell them. The reason we did this is because we care. Children my age are starving to death and I can help. But I am just a kid. I can do just so much. But I can't do everything. We can use some help. I think you should help us kids.●

THE SKIES ARE NOT SAFE YET

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. STARK. Mr. Speaker, in January I introduced House Joint Resolution 66 calling upon the Department of Transportation to investigate and identify the possible causes of the all too frequent midair collisions, near misses, and crashes. Three weeks later, on January 21, a flight went down after takeoff from Reno, NV killing 69 people aboard.

Last week the following was called to my attention. In 1984, 1,015 people died in airplane crashes. And already this year, 308 people have died in airplane accidents. This is 77 more deaths in the same time period in 1984. In addition to the accidents there has been an increase in the near misses or as they have been more accurately called, near hits. The number of these "near" disasters has increased by nine over the same time period of 1984. With summer vacations near and the increase of air travel that goes hand in hand, these statistics are cause for alarm.

Air traffic is regulated by the Federal Government. We in Congress have a responsibility to see that it is carried out in the safest possible manner. We are all too familiar with the outrageous number of accidents and deaths it takes to have a stop sign put up at a dangerous intersection. It seems to me we've already reached such a statistic in air travel. What more are we waiting for?

A person on the way to a business meeting, a student on the way back to school, a family on vacation—these people should not have to fly in unsafe skies. The resolution I have introduced calls for an investigation into this problem. It's time some questions are asked and answered—known facts are frightening.●

ON THE PRESIDENT'S VISIT TO BITBURG CEMETERY

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. JEFFORDS. Mr. Speaker, I strongly disagree with the President's decision to visit the German war cemetery at Bitburg. While I support his original intention to reaffirm the friendship between the German and American people, the choice of this cemetery, where 47 German SS soldiers are buried, was a mistake.

I made my position on this issue clear when I joined 252 of my col-

leagues in signing a letter to Chancellor Kohl, asking that he withdraw his invitation to President Reagan to visit Bitburg Cemetery. An appropriate site for the President to pay his respect to the German people could easily have been selected.

President Reagan's statements on this matter certainly did not calm the controversy and concern over the symbolic nature of this visit. However, when the President made his final decision on April 29 to visit the cemetery, I felt it totally inappropriate for the House to subsequently condemn the visit.

My vote against the resolution does not condone the President's decision or the mistakes which preceded it. Rather, I feel that now we must work to reverse the damage that has been done by this incident and not exacerbate this bad situation any further. The deep wounds of the horror inflicted upon the Jewish people have been reopened and damage has been done to our alliance with our German friends. We must now work to rectify these mistakes and deal appropriately both with history and our present-day allies. The time has come to get on with this task.●

PERSONAL EXPLANATION

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. GUNDERSON. Mr. Speaker, due to a death in my family, I was absent from the House Chamber on Wednesday, May 1, 1985, and was unable to record my vote on a resolution and several procedural issues considered that day. Had I been present, my vote would have been cast as follows:

On rollcall No. 87 to approve the Journal, I would have voted "no".

On rollcall No. 88 to adjourn, I would have voted "yes".

On rollcall No. 89 to consider House Resolution 146, I would have voted "no".

On rollcall No. 90 to recommit House Resolution 146 to the House Committee on Administration, I would have voted "yes".

On rollcall No. 91 to agree to House Resolution 146, I would have voted "no".

On rollcall No. 92 to adjourn, I would have voted "yes".

I thank the Speaker for this opportunity to clarify my position on these matters.●

A TRIBUTE TO MICHAEL J. MULIDOR, JR.

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. COELHO. Mr. Speaker, at this time I would like to take this opportunity to recognize an outstanding constituent. In recognition of his 33 years of service to this Riverbank School District, Michael J. Mulidor, Jr., deserves our heartiest congratulations for a job well done.

Mr. Mulidor started in 1952 as a teacher of music, English, communications, and mathematics at Cardozo School in the Riverbank School District. After 8 years as a teacher, he moved up to special supervisor for the school district. He then became vice principal and later principal of Cardozo High School. He held other positions with the Riverbank School District until 1984, when he was given the position of assistant superintendent of the school district. Through hard work and dedication, Mr. Mulidor achieved success.

Mr. Mulidor has also devoted a considerable amount of time to a variety of civic activities. He is a member of Lions International. He also formed the Little League of Riverbank, Band Parents of Riverbank, was a Boy Scout director, adviser to the Honor Society, integrated and implemented California Junior Scholastic Federation, and coached baseball, basketball, and football.

I hope that you will join with me in congratulating Mr. Mulidor on his retirement from the Riverbank School District. His special relationship and dedication to the furthering of young minds is an inspiration to us all. Thank you, Mr. Mulidor, for all of your efforts on behalf of the Riverbank School District.●

KILDEE HONORS EXCHANGE OF STUDENTS BETWEEN STE. MAUR, FRANCE AND GRAND BLANC, MI

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. KILDEE. Mr. Speaker, today I would like to take a moment to recognize and honor the children of Ste. Maur, France, who are visiting the United States as part of an exchange program with students from Grand Blanc, MI, a city in my congressional district.

In March 1985, 20 4th and 5th graders from Grand Blanc visited Ste. Maur, France for 3 weeks. While there they were able to get a deeper understanding of French culture, people, and customs. They stayed with host families visiting different areas of the city of Ste. Maur.

On May 1, 1985, French students from Ste. Maur began a 3-week visit to Grand Blanc. They will stay with host families, fromn Grand Blanc, allowing them a glimpse of our American culture, and share in many other educational and social experiences.

This exchange of our two cultures is sure to bring a better understanding between our people. I am most pleased to have the students from Ste. Maur with us. I know the students of Grand Blanc and the students of Ste. Maur are leaders of our future. The exchange which culminates with their visit to the United States is an important first step in their learning to live together with all the peoples of the world. I know the people of our two communities and of our two great nations will continue to grow in friendship and understanding.●

THE 300TH ANNIVERSARY OF DANBURY, CT

HON. JOHN G. ROWLAND

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. ROWLAND of Connecticut. Mr. Speaker, Danbury, CT, is celebrating the 300th anniversary of its founding this year. On such an important occasion, I wanted to talk about the rich and long history of this city, as well as the quality of life there today.

In 1684, the first settlements in Danbury were made by pioneers looking for trapping opportunities. Soon, the area became prosperous in trapping and developed a strong trading center. After American independence was achieved, however, manufacturing became the dominant economic entity. By the early years of the 19th century, mechanized hatmaking was begun in the city and eventually emerged as the strongest industry in the city. Danbury is still well known for its hat production.

On a historical note, it should be emphasized that Danbury was known for its strategic location during the Revolutionary War. On April 24, 1777, Gen. William Tryon, the English commander in New York, attacked Danbury because war materials were stored there. Shortly thereafter, during the winter of 1778–79, Gen. Israel Putnam of the Continental Army stationed his troops in Danbury.

Today, the city is experiencing tremendous growth. A nearly 25-percent population gain was registered between 1970 and 1980, which represents more than 40 percent of Connecticut's total growth during the period. What

accounts for Danbury's fabulous growth?

One factor that contributes to the growth is the way the city handles expansion. While welcoming growth, the city strives to plan it in a controlled fashion. For instance, the new shopping mall near the Danbury Airport was cleared for construction only after road improvements were approved.

A second asset to the community is the educational and cultural presence. Western Connecticut State University offers extensive undergraduate, graduate, and adult programs, in addition to many cultural activities.

Recreation in Danbury is also varied and within easy reach for all city residents. An abundance of hills, woods, lakes, streams, and ponds account for the great scenic beauty of the area. The many recreation facilities include beaches, tennis courts, ballfields, ice-skating ponds, hiking trails, golf courses, and State parks.

Finally, today's economy is particularly strong. Unlike many New England mill towns, Danbury was able to avoid the disastrous time of the late 1940's and the 1950's. It accomplished this feat by diversifying its economy. Today, manufacturing represents just 37 percent of the city's economy. To the city's credit, the economy continues to grow at a much faster rate than Connecticut's growth.

As Danbury celebrates its tricentennial, its residents can be very proud of the city's long and rich history and the various facets of contemporary Danbury which contribute to the high quality of life there.●

AMEND THE LEGAL SERVICES ACT

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. COMBEST. Mr. Speaker, I come before this distinguished body today to introduce legislation amending the Legal Services Act.

It is my belief that some of the legal services' federally funded offices have greatly overstepped original congressional intent in establishing this legal service for the poor. A particular situation in a city in my district has prompted me to examine closely the Legal Services Act, and I find it to be severely deficient in providing for corrective measures.

Under current law, the Legal Services Corporation cannot in any way alter the terms of any grant issued unless the recipient goes through a hearing before an independent hearing examiner. Due to loopholes in the Legal Services Act, these hearings sometimes last 2 to 4 years. Meanwhile, the entity in violation continues to receive Federal funding for its improper activities.

Mr. Speaker, I urge my colleagues to support my amendment of the Legal Services Act that would place specific time constraints on the hearing process. We must make every effort to ensure that our constituents' tax money is being used efficiently, fairly, and legally.●

SENATE—*Friday, May 3, 1985*

(Legislative day of Monday, April 15, 1985)

The Senate met at 8:30 a.m., on the expiration of the recess, and was called to order by the Honorable PAUL S. TRIBLE, JR., a Senator from the State of Virginia.

Mr. TRIBLE. The prayer this morning will be offered by the Reverend William Scully, a Franciscan priest, who is special assistant to Senator WILLIAM ROTH.

PRAYER

The Reverend William Scully, O.F.M., special assistant to Senator WILLIAM ROTH, offered the following prayer:

Let us pray.

Heavenly Father, we beseech Your guidance today upon the Members of the Senate as they exercise their awesome responsibilities as guardians of the public trust and trustees of the American dream.

As the Members of this august body continue their deliberations on the budget, we ask You to grant them wisdom to distinguish between the substantive and the superficial, between the Nation's good and their own individual concerns. Strengthen and protect them this day against the relentless and seductive pressures from without. Infuse them with energy to fulfill their appointed tasks. Help them to resolve their differences this day without rancor and bitterness. Teach them to respect, appreciate and honor diversity of thought and opinions.

May they always treasure virtue and integrity. And, in their deliberations and actions, may they never sacrifice principles for expediency.

We ask this through Christ our Lord. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 3, 1985.

To the Senate:

Under the provision of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PAUL S. TRIBLE, JR., a Senator from the State of Virginia, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. TRIBLE thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

COMMENDING THE VISITING CHAPLAIN

Mr. SIMPSON. Mr. President, I appreciate the remarks of our visiting Chaplain relating to continuing our efforts here not on the basis of win or lose. Eventually we will reach a result because, indeed, there is a great majority on both sides of the aisle who have a deep desire to see a $50 to $60 billion reduction in deficits in the first year with larger reductions in the second and third years.

There has been a common effort. There is no question about that. How we get there we will see unfold.

SCHEDULE

Mr. SIMPSON. Mr. President, the two leaders will have 10 minutes each under the standing order. We have a special order in favor of the Senator from Wisconsin [Mr. PROXMIRE]. Then there will be routine morning business not to extend beyond the hour of 9 a.m., with statements limited therein to 5 minutes each.

Following routine morning business, the Senate will resume consideration of Senate Concurrent Resolution 32, the budget resolution. Pending is amendment No. 50, relating to Medicare and Medicaid.

Mr. President, rollcall votes could occur as early as 10:30 a.m. and can be expected throughout the session this day.

Mr. President, I see a smile on the face of the Senator from Wisconsin, who is a delightful friend and whom I met early in my time here. He served with my father. I have always admired his tenacity and his abilities.

Mr. President, I reserve the remainder of my time and yield to the Senator from Wisconsin for his special order.

RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The acting Democratic leader is recognized.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the time of the minority leader be reserved for his use later today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I would like to thank my good friend, the assistant majority leader. He adds so much to this body. If you say comity or comedy, either way, he is one of the most delightful and humorous people.

You know, this could be a very deadly, dull place, if we did not have the kind of humor and stimulation that my good friend provides. I cannot thank him enough for his kind remarks.

RECOGNITION OF SENATOR PROXMIRE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Wisconsin [Mr. PROXMIRE] is recognized for not to exceed 15 minutes.

STAR WARS: THE TRILLION DOLLAR BOONDOGGLE

Mr. PROXMIRE. Mr. President, one of the great ironies is that we face a huge deficit. We live in a time in which we probably have the most irresponsible fiscal policy in the history of our country and at the same time the President has proposed a program which will put all other spending programs to shame because of its enormous extravagance. It will not be coming down for 5 or 6 years reaching its big cost, but eventually the cost is going to be enormous.

Let me approach that this way:

Mr. President, what is wrong with the administration's proposed strategic defense initiative or star wars program? Secretary Weinberger and President Reagan argue that it would simply reduce the threat of Russia's massive intercontinental ballistic missile arsenal. That Russian arsenal is far larger than our land-based deterrent. It is deadly accurate. It could destroy most of our land-based, nuclear weapon retaliatory capability. With it the Soviets could knock out our nuclear carrying bombers that are on the ground. They could completely eliminate American submarine bases and all submarines in port. They could totally devastate our cities. They could destroy more than half of our popula-

tion. Therefore—says the President—what is wrong with our building a defense against what is without question the greatest threat to our Nation and the American people in our history?

Is not such an obvious danger to our Nation the clearest and most urgent reason for spending whatever money the President says we require on national defense? Whether such a defense will cost hundreds of billions or even a trillion dollars or more, is not this the kind of challenge to our existence as a nation that we must pay any price to meet? After all, such a defensive system is not aimed at killing Russians or even attacking Russian military bases. It is aimed at saving American lives by destroying the nuclear warheads that would take millions of American lives. Indeed has not the President even offered to give the defensive technology once we have developed it to the Soviets so they can use it to save the lives of Russians? What is wrong with advancing a defense program that will make the terrible threat of intercontinental ballistic missiles obsolete? So what is the answer?

Mr. President, there is only one fundamental trouble with the administration's strategic defense initiative or star wars. It will not work. That is right, it will not work. There is not a shadow of a hint of a possibility that it could work. None. If the Congress should somehow become mesmerized into building this trillion dollar system, it will cause a great deal more damage than its immense cost. In a letter carried by the Wall Street Journal on January 2, 1985, six of the most respected and distinguished scientific experts in the country specify unanswerable reasons why this is so.

First they point out that SDI or star wars does not defend against or even try to defend against low altitude delivery systems. In other words bombers, cruise missiles or suitcase nuclear weapons would not be touched. The Soviet Union certainly would have to spend money to build new nuclear delivery systems. But they could and would shift to bomber and submarine carrying cruise missiles that hug the ground and fly under any intercepting net.

Now, Mr. President, I have raised this point over and over again with defenders of the star wars defense, and I have yet to receive any answer. Why can't the administration and other apologists of star wars like the Wall Street Journal respond? The answer is obvious. In fact star wars wouldn't work and couldn't work against this kind of underflying.

Second, the Soviets could simply exhaust the star wars defense by building more offensive missiles, and they could do it on the cheap. It is cheaper to build new offensive missiles than to shoot down old ones.

This is especially true because the Soviet Union, of course, has missiles which have great throw-weight and which now have only three or four or five warheads, in some cases even less, per missile. Of course, they could be further MIRV'd. That is one of the cheapest kinds of ways of adding to a warhead capability.

By spending less money, the Soviets could overwhelm any defensive system we built. Is there an answer to this? No. The next time you encounter a star wars advocate point out that the Russians could simply overwhelm it with more offensive missiles and watch him sputter.

Third, the Soviets can build countermeasures with hundreds of thousands of decoys and other penetration aids that could frustrate and use up any defensive system. They can harden the skin of the missiles so they can penetrate any net.

Fourth, to the extent the SDI or star wars was perceived by the Russians to be working—the prospect of a Soviet attack sharply increases. Here is why: If they did believe that, once in place, SDI would permit us to launch a preemptive strike and then to destroy the surviving Russians missiles, Soviet paranoia might persuade them to strike first, where and when and to the degree they wished.

Fifth, these expert scientific critics of star wars recognize an element with which each Member of the Senate as a practicing politician is very familiar. They call it "institutional momentum." As they put it:

> When a trillion dollars is waved at the U.S. aerospace industry, the project in question will rapidly acquire a life of its own—independent of the validity or its public justifications. With jobs, corporate profits, and civilian and military promotions at stake, a project of this magnitude, once started, becomes a juggernaut, the more difficult to stop the longer it rolls on.

Mr. President, the 99th Congress faces the most serious budget crisis in many years. Democrats as well as Republicans in this Congress recognize that we must cut spending. American taxpayers call for it. A decent sense of responsibility insists on it. We have to make some painful reductions in programs that obviously benefit small business, working men and women, farmers, and millions of Americans who need education, nutrition, and housing. Should this Congress at this time, facing a financial stringency likely to last for the rest of this century, begin to fund a star wars program that will probably cost over a trillion dollars before we finish it? Should we engage in this trillion-dollar boondoggle at a time when the Nation's outstanding scientists so convincingly argue that it will not work? Frankly, this Senator cannot conceive of a more irresponsible waste of the taxpayer's money.

I ask unanimous consent that the letter to which I referred, from the Wall Street Journal of January 2, 1985, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

'STAR WARS' SEEN AS UNWORKABLE AND DANGEROUS

Your editorial of Dec. 10 used a barrage of errors and distortions to attack our Star Wars analysis ("The Fallacy of Star Wars," New York: Vintage, 1984), carried out under the auspices of the Union of Concerned Scientists.

First, some corrections: Fast-burn boosters, which would be invulnerable to X-rays and particle beam weapons, were not first proposed by us, but by an aerospace contractor; that such boosters would require only a small penalty in payload has been confirmed in writing by the deputy chairman of the presidential panel on strategic defense.

Robert Jastrow's allegation that we made two dozen errors that "all tend to make . . . defense appear more costly and difficult" is undocumented as well as false. We granted Star Wars every benefit of the doubt allowed by the laws of physics: beam weapons that would move instantly from one missile to the next and never miss; no safety factors for malfunctions; lasers of a lethality for which not even a design concept exists; etc. No military system in history has ever attained the immaculate perfection we were willing to posit for Star Wars.

The very first version of our report did have two errors, which we corrected in testimony before the Senate Armed Services Committee within a month. They appeared neither in our Scientific American article nor in our book. Our errors were neither intentional nor infantile, as your editorial suggests.

Nor are they critical. The calculation of the number of satellite "battle stations" required is not simple. In particular, the one by "defense experts at Los Alamos" to which you allude is incorrect. But, as we emphasized from the first, the number of satellites is beside the point; as Edward Teller has noted "lasers in space won't fill the bill—they must be deployed in great numbers at terrible cost and could be destroyed in advance of an attack."

The other error, concerning particle beams, appeared only in the technical appendix of the preliminary version of our book; we consider it minor because in any case fast-burn boosters make particle beam weapons "impotent and obsolete."

Enough of trees; let us examine the forest: A nearly impermeable strategic defense system would indeed have the capability to "save lives" rather than to "avenge them," to replace strategic deterrence by defense. But such a system is not in the cards, as even the program's director, General James Abrahamson, readily admits. Anything short of an impermeable system tends to undermine, not improve, U.S. national security. Here are some of the reasons that we consider the Star Wars scheme unworkable and a grave danger to the United States:

Underflying: Star Wars does not defend against, or even address, low-altitude delivery systems—bombers and cruise missiles, and "suitcase" nuclear weapons. By themselves, they are able to destroy both nations;

Star Wars would accelerate their development.

Overwhelming: The number of strategic warheads in the Soviet arsenal (as in our own) is about 10,000. If even a few percent of these warheads exploded on U.S. territory it would represent an unparalleled human disaster and effective collapse of the United States as a functioning political entity. The Soviets could keep ahead of any American Star Wars system because it is cheaper to build new warheads than to shoot down old ones (and easier to shoot down orbiting defensive systems than incoming missiles).

Outfoxing: It is cheaper to build countermeasures than to build Star Wars. Some decades in the future when a (still highly premeable) U.S. Star Wars system might be deployed, the Soviets would have added tens or hundreds of thousands of decoys and other penetration aids to their arsenal. Their objective would be to fatally confuse the American Star Wars system, which can never be adequately tested except in a real nuclear war.

Cost: Former Secretaries of Defense Harold Brown and James Schlesinger, and senior Pentagon spokesmen of this Administration, have all estimated the full Star Wars cost as hundreds of billions to one trillion dollars.

Soviet preemption: Despite U.S. assurances, the Soviets perceive Star Wars as part of a U.S. first strike strategy, allowing us to launch a preemptive attack and then to destroy the remnant of any surviving Soviet retaliatory forces. In a time of severe crisis, this may tempt the Soviet Union to make a preemptive first strike against the United States.

Institutional momentum: When a trillion dollars is waived at the U.S. aerospace industry, the project in question will rapidly acquire a life of his own—independent of the validity of its public justifications. With jobs, corporate profits, and civilian and military promotions, at stake, a project of this magnitude, once started, becomes a juggernaut, the more difficult to stop the longer it rolls on.

We do not oppose defense in principle. We are in favor of carefully bounded research in this area, as in many others; we are also concerned that the line between research and early deployment of key Star Wars components not be blurred. Several of us have devoted considerable effort to research on missile defense. Some of us have advocated missile defense for individual missile silos. But we agree with Department of Defense experts who make it clear that cities cannot be so protected. Mr. Schlesinger has said "in our lifetime and that of our children, cities will be protected by forebearance of those on the other side, or through effective deterrence."

Hans A. Bethe
Richard L. Garwin
Kurt Gottfried
Henry W. Kendall
Carl Sagan
Victor Weisskopf
Cornell University, Ithaca, N.Y.

DR. MURIEL GARDINER

Mr. PROXMIRE. Mr. President, as a student, Dr. Muriel Gardiner, helped to save hundreds of people from the Nazis in occupied Austria.

Dr. Gardiner began her work in the underground when Nazis raided the medical school she was attending. Between 1934 and 1938 she helped supply passports and funds to Jews and other dissidents fleeing Austria.

After the Anschluss, foreign currency was required for travel outside Austria. Dr. Gardiner served as an important source of American dollars. She smuggled passports into Austria and even lent her passport to a friend who needed to escape.

As a medical student, she helped several Jewish medical students who went on to become physicians in the United States.

While Dr. Gardiner helped save numerous people from Nazi horrors, her adventures did not all have happy endings. Witness the case of Hans and Steffi Kunke. The Kunkes were young teachers who refused to leave without their friend, Ferdinand Tshuertsch. Before they could obtain a passport for Ferdinand, they were arrested. All three later died in a concentration camp.

Dr. Gardiner traveled the length and breadth of Europe in her efforts to obtain passports and money. She performed her dangerous underground work under the pressures of raising a young child and completing medical school examinations.

Dr. Gardiner is one of the real heros whose example should inspire us in the Senate to ratify the Genocide Convention. Ratification would serve as a fitting testament to this brave freedom fighter.

Mr. President, I yield the floor.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to extend beyond the hour of 9 a.m., with statements therein limited to 5 minutes each.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. DOLE. Mr. President, I indicate to my colleagues who may be in or on the way in that there is an amendment pending, the Packwood-Durenberger-Chafee-Heinz amendment on Medicare-Medicaid which represents a modification of that provision in the so-called White House-leadership package. It is my hope that we would have a vote on that, hopefully, by 10:30 or 11 o'clock. Then we hope to call up at least two or three additional amendments, unless the distinguished minority leader has amendments, and have votes on those yet today.

It would seem to me, in looking at the total picture that—though it may be hard to perceive—in my view we are making progress. It may not appear that way to the people who read the papers and watch television, but as I look at it, we are approaching what I believe could be a good conclusion. I am not certain when that conclusion will come, but I am confident that when it is all over, we will have, based on the first vote, a package that would reduce spending, without taxes, in the neighborhood of $300 billion over a 3-year period. It will not be easy, but as I have been looking at votes and visiting with Members on both sides, it is at least encouraging.

So I indicate to my colleagues that we hope to complete action today, at least from the standpoint of votes, by 2 or 3 o'clock.

DR. MILTON S. EISENHOWER: NATIVE KANSAN, 1899-1985

Mr. DOLE. Mr. President, it is no surprise to say that the name Eisenhower is a very special one in my home State. The name is synonymous with the high ideals of this Nation and tells us much about a family from Abilene, KS, that contributed so much to America. It is therefore with sadness that we mark the passing yesterday afternoon of Dr. Milton S. Eisenhower. Although he spent most of his adult life in the Baltimore-Washington area, his roots were firmly planted in the rich commonsense soil of Kansas.

During his distinguished career as an educator, Dr. Eisenhower was a wellspring of wisdom for eight Presidents, including his brother, Ike. President Eisenhower, in fact, often referred to his youngest brother as "the bright one in our family," no small tribute from one of the giant figures in our history. Indeed, he was never intimidated by the long shadow of his famous brother and dedicated his life to an active pursuit of helping his fellow man.

Mr. President, Dr. Eisenhower was born in Abilene on September 15, 1899. He excelled in local schools and later enrolled as a journalism major in Kansas State University, where he would return in 1943 as its president. During his college years, he worked as a cub reporter for the Abilene Daily Reflector, where he earned funds to put himself through school. It was his experiences at our great institution of higher learning in Manhattan that launched him on a brilliant career in education, taking him to the top leadership positions at Pennsylvania State

University and Johns Hopkins University.

Although his duties as a diplomat, administration official, educator, adviser, and presidential troubleshooter took him far from the heartlands, he never forgot his hometown. Dr. Eisenhower returned frequently to Kansas—almost always accompanying the President when Ike came home—and enjoyed visiting with the good people of Abilene.

Mr. President, we mourn the passing of this selfless, dedicated Kansan and extend our sympathies to his family and friends.

Mr. President, the Senator from Kansas requests that an obituary from today's Wichita Eagle-Beacon be reprinted in full following these remarks.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

[From the Wichita Eagle-Beacon, May 3, 1985]

MILTON EISENHOWER DIES OF CANCER AT 85

BALTIMORE.—Milton S. Eisenhower, 85, last surviving brother of President Dwight D. Eisenhower and a durable public figure himself who served eight presidents and headed three universities, died Thursday at Johns Hopkins Hospital. He had cancer.

Eisenhower was a native of Abilene and had lived for the past 28 years in Baltimore, where he served twice as president of The Johns Hopkins University.

He also was president of Kansas State College—now Kansas State University at Manhattan—and of Pennsylvania State University during periods of rapid growth at both institutions in the 1940s and 1950s.

In government he worked as a high-level official for Presidents Calvin Coolidge, Herbert Hoover and Franklin D. Roosevelt and was a close unpaid adviser to every president, including his brother, from Truman to Nixon.

He served on 12 presidential commissions, was the chairman of five, including the controversial Commission on the Causes and Prevention of Crime after the urban riots of the 1960s, and received the highest civilian decoration from the presidents of seven foreign countries for his work in international cooperation.

He wrote two books, "The Wine Is Bitter" in 1963, a best seller on U.S.-Latin American relations, and "The President Is Calling" in 1974, a hard look at the job of being president of the United States.

During a life that took him from the plains of his native Kansas to the seats of world power, Eisenhower received 37 honorary degrees from 32 American universities and five foreign universities and sat on the boards of 13 corporations, including insurance companies and financial institutions from California to England.

James McCain, who followed Eisenhower as Kansas State president in 1950, recalled the former Kansan as "that rare combination of a man equally at home in public affairs and in higher education."

On his 85th birthday Sept. 15, his friends at Kansas State sent him a card signed by 2,000 people and Gov. John Carlin proclaimed the day "Milton Eisenhower Day" in Kansas.

Former WSU President Emory Lindquist was president of Bethany College in the 1940s when he served with Eisenhower on the Kansas Committee on the Selection of Rhodes Scholars.

"A man of great personal resources, I was impressed with his wide range of knowledge," Lindquist said.

Wichitan Marge Setter, a journalism school student during Eisenhower's tenure at K-State, visited him last year with Harry Marsh, the head of the journalism school. They convinced Eisenhower to tape record a greeting for the department's 75th anniversary.

"He was absolutely marvelous to visit," she said. "We had a wonderful afternoon with him. I enjoyed it partly because we reminisced about when he was at K-State.

"The thing he did (at the university) was to emphasize arts and sciences and what you call comprehensive courses so that when you were studying Euclid inventing geometry you heard what's going on in the world at the same time."

Asked what she remembered best about him, Setter said, "He was a brilliant man, really. It was his intellect. At any given moment to serve a point, he would quote the most apropos thing that related to the subject. He could pull a quote out of the air like that."

Born in Abilene on Sept. 15, 1899, Milton Eisenhower was the last of seven children, all sons, of David and Ida Eisenhower. Milton's older and more famous brother, Dwight, was born in 1890.

At the age of 4, Milton was struck with scarlet fever, which left him with permanently weak eyes. Scrawny compared with his athletic brothers, he pursued books and became a scholar.

He worked his way through what was then called Kansas State College in Manhattan, playing a dance-band piano and writing free-lance articles for Kansas newspapers.

Plagued by illness and financial problems, he eventually graduated in 1924. Shortly thereafter, he achieved exceptionally high scores on a federal civil-service examination and was posted to Scotland as vice consul in Edinburgh.

Two years later he was back in the United States, serving as chief assistant to President Coolidge's Secretary of Agriculture, William Jardine, who had been president of Kansas State College when Milton Eisenhower studied there. It was the first of many high positions he would hold in the next four decades.

Later he served, among other posts, as Roosevelt's personal representative in planning the first wartime Quebec Conference with British Prime Minister Winston Churchill.

Midway through the war, Eisenhower left government to serve successively as president of Kansas State, Pennsylvania State University and Johns Hopkins, spanning almost three decades from 1943 to 1972.

In the academic phase of his life, Eisenhower (all of his doctorates were honorary) presided over both expansion and liberalization of the three schools he headed.

While president of Kansas State from 1943 to 1950, the physical plant was increased 50 percent, and faculty salaries were increased 75 percent.

Eisenhower served as president of Johns Hopkins from 1956 to 1967, and again from 1971 to 1972, the only person to hold the position twice.

He retired from Hopkins in 1967 but was called back in 1971 to help trim deficits run up during the administration of his successor, Lincoln Gordon.

Eisenhower's wife, Helen Eakin, died in 1954. They had two children, Ruth Eisenhower Snider, who died in 1954, and Milton S. Jr.

He is survived by his son, who lives in Scarsdale, N.Y., and four grandchildren.

MILTON S. EISENHOWER

Mr. MATHIAS. Mr. President, Milton Eisenhower was endowed with the qualities of the ideal American: integrity, independence, industry, and intelligence. In a career of public service that began in the administration of Calvin Coolidge, he was generous in giving all his talent for the good of his country.

I feel both privileged and fortunate to have been able to draw on his experience and knowledge at various critical times during the last two decades. Not only his specific advice, but also his disciplined method of attacking problems has made a profound impression on me. I shall always be grateful to him.

The children and siblings of those who become global figures sometimes have difficulty in establishing their own identity despite considerable talent of their own. This was never true of Milton Eisenhower even when Dwight Eisenhower was President of the United States. Milton Eisenhower was always a figure in his own right, working hard to sustain his opinions and judgments and to advocate the causes he supported. The fact that those causes were usually right gave him an unusual dimension as a citizen and as a human being.

I count it among the blessings of my life that fate has allowed me the honor and pleasure of having Milton Eisenhower as a friend. This remarkable man has set a standard of public service that is matchless. He was an example to, and an influence on, generations of Americans who know him only for the breadth of his interests and achievements.

For his friends, he has been a constant source of wisdom, wit, and warmth. He possessed in abundance that greatest of all God's gifts, "an understanding heart."

It is difficult to capture a man of Milton Eisenhower's stature and spirit in words.

Mrs. Mathias, who also enjoyed Milton Eisenhower's friendship, shares my sorrow at his death. We join in expressing our sympathy to Milton Eisenhower, Jr., and to the Eisenhower family.

Mr. President, I ask unanimous consent that an editorial and an obituary from today's Baltimore Sun be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, May 3, 1985]

MILTON S. EISENHOWER

In 1951, a group of influential Republicans approached Gen. Dwight D. Eisenhower and asked him to seek the Republican nomination for president. "You don't want me," the general answered. "You want my brother Milton."

That story gained currency four years later, when Ike's supporters expected him to retire after one term in favor of his youngest brother—"the bright one in the family," the president called him. But in 1956, Dwight D. Eisenhower won a second term and his brother, Milton, accepted the presidency of the Johns Hopkins University.

So awe-inspiring was Milton S. Eisenhower's leadership of the Hopkins for 11 years (and a second term of ten months) and so substantial were his contributions to Baltimore ending in his death yesterday at 85, that it tended to overshadow his equally important role on the national scene.

He served eight presidents. He was the close confidant, adviser and sounding board for his brother, both before and during his years at the Johns Hopkins. He was an expert on farming, land use, opinion-making, Latin America, domestic violence, the organization of government and the office of the presidency.

Milton Eisenhower presided over Johns Hopkins University at a time of expansion that coincided with rising quality and fiscal prudence. He was a builder, fund-raiser, grantsman and pipeline to government. Above all, though, he was an educator and never for one second forgot it.

He was a Baltimore patriot and staunch Orioles fan. In politics, he remained a moderate Republican, defining himself as "a conservative on financial matters and a liberal on matters pertaining to human rights."

His strength at the university was more than just his connections in Washington, though those brought the likes of his brother and Prime Minister Harold Macmillan to the Homewood campus simultaneously, and lesser eminences by the score. His very special strength was his trusting communications with students, faculty, administration, trustees, alumni and community, rather than with some one or two of those groups. That was how he doubled the Hopkins endowment, tripled income, eliminated deficits, enlarged the campus, increased the production of doctorates and raised the quality of undergraduate education.

For three decades, Milton Eisenhower was a consummate Baltimorean. He was one of the great university presidents anywhere. As such he will be remembered here, though that is but one facet of his contributions to his country.

[From the Baltimore Sun, May 3, 1985]

MILTON EISENHOWER, ADVISER TO EIGHT PRESIDENTS, DIES

(By Mike Bowler)

Milton Stover Eisenhower, educator, author and adviser to eight presidents, among them his brother, Dwight, died yesterday afternoon at Johns Hopkins Hospital.

Funeral services for the 85-year-old former president of the Johns Hopkins University are scheduled tomorrow at 10 a.m. at the Church of the Redeemer, 5603 North Charles street.

Dr. Eisenhower, who lived in the 3900 block of North Charles street, had battled illness for several years and had been hospitalized several times in recent months with cancer.

Born in Abilene, Kan., the last of six brothers, Dr. Eisenhower left an indelible mark as public servant and educator. He was an adviser to presidents from Calvin Coolidge to Richard M. Nixon and a troubleshooter in labor disputes, foreign crises and other matters, foreign and domestic.

He was instrumental in shaping U.S. policy in Latin America in the 1950s and later helped lay the foundation for the Alliance for Progress, the vast Latin American economic and social development program of the Kennedy administration.

As the only man to lead the Johns Hopkins University twice, he tripled income and doubled endowment, raising faculty salaries to fourth-highest in the nation. He was known as a thoughtful, reasoned administrator who did not interfere in faculty affairs, and he became an expert of the U.S. presidency and the nomination process for presidential candidates.

In an active retirement, Dr. Eisenhower raised money to fight violence in America, led a drive for a six-year U.S. presidential term and continued a love affair with the Baltimore Orioles. At a Memorial Stadium party on his 75th birthday, the Orioles presented Dr. Eisenhower with a $1-a-year "contract" as a right-handed reliever and asked him to throw out the first ball.

He wrote two books, including "The President Is Calling" in 1974. The book was a close-range assessment of the eight presidents he had come to know intimately and an evaluation of the Constitution and laws and traditions affecting the presidency.

A man of medium height, clear blue eyes, trim build, erect carriage and crisp, direct but amiable manner, he kept up an enormous range of activities in his professional and private life.

Close friends and admirers mourned the loss of Dr. Eisenhower. "He was a man of great good sense and great good humor who did great good in the world," said Stephen E. Ambrose, historian at the University of New Orleans and biographer of both Milton and Dwight D. Eisenhower. "He was one of the most intelligent men I ever met, and the kindest."

George S. Wills, a Baltimore public relations man who had known Dr. Eisenhower for 30 years, said, "One of his greatest contributions was providing a wonderful example of how to grow old. He displayed courage and grace under very difficult circumstances, particularly the last three years."

Steven Muller, president of Johns Hopkins, had served as provost under Dr. Eisenhower and then had succeeded him as head of the university. "Working with him and for him was one of the really great experiences in my life," Dr. Muller said. "He was a totally admirable person. He had a lively, very practical mind. He possessed a wealth of information. . . . There wasn't a mean bone in his body.

"Whenever I felt I needed to talk, he was always ready to tell me what he thought, what he knew," said Dr. Muller. "Long before I came to this university, he had restored it to solvency, and he knew everything about it. But he never interfered, never tried to impose his will."

Maryland Senator Charles McC. Mathias, Jr., one of a close group of friends who met regularly with Dr. Eisenhower to discuss world affairs, said, "He represented the epitome of citizenship. He knew a citizen's duty: be informed, be involved. As a result, his advice was always current and important."

Senator Paul S. Sarbanes of Maryland said Dr. Eisenhower's counsel "was especially sought by those of us who valued his wisdom."

Born in Abilene September 15, 1899, Milton Eisenhower was the youngest of six brothers: Arthur, banker in Kansas City, Mo.; Edgar, corporation lawyer in Tacoma, Wash.; Dwight, commander of Allied Forces in World War II and President from 1952 to 1960; Roy, pharmacist in Junction City, Kan., and Earl, electrical engineer and newspaper owner.

Majoring in journalism at Kansas State Agricultural College (now Kansas State University of Agriculture and Applied Science), he interrupted his studies for two years to earn expenses as city editor of the Abilene Daily Reflector. After having received his bachelor of science degree from the college, he joined its faculty as assistant professor of journalism, leaving in 1924 when appointed to the diplomatic service.

The next two years were spent as vice consul in Edinburgh, Scotland, and as a part-time graduate student at the University of Edinburgh.

Then Dr. Eisenhower moved from diplomacy to the Department of Agriculture, where he held a number of posts during the next 16 years, starting as assistant to the secretary and becoming director of information and coordinator of the land-use program.

The outbreak of World War II brought new responsibilities.

Appointed director of the War Relocation Authority by President Franklin D. Roosevelt, Dr. Eisenhower supervised the Japanese evacuation camps in California but later criticized the authority for its work. "He ran [the camps] with as much fairness as was humanly possible," said Dr. Ambrose, his biographer.

Dr. Eisenhower's specialty on the international scene was Latin America, but he had missions in other nations during World War II, and he played a prominent role in the beginnings of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

In June, 1942, President Roosevelt named him associate director of war information, and in December, after the Allied invasion of North Africa led by his brother, he was sent to Algeria and Morocco. His mission was to resolve problems of refugee relief and relocation and to establish an organization for psychological warfare in Europe.

Next he began a new career, and for a quarter-century he was to serve three universities as president, beginning with Kansas State, in 1943. Seven years later he assumed the top position at Pennsylvania State University, and in 1956 he arrived in Baltimore to head Johns Hopkins.

In 1953—he was then the president of Penn State—he made the first of several fact-finding tours to South America as President Eisenhower's special ambassador. During the period from 1953 to 1961, Dr. Eisenhower helped reshape U.S. policy in Latin America. In 1963, he wrote a book about U.S-Latin American relations, "The Wine Is Bitter."

In the book, Dr. Eisenhower wrote in italics that "revolution in Latin America is inevitable. Only the form it takes is uncertain."

Dr. Ambrose said Dr. Eisenhower was "the real father of the Alliance for Progress, although Kennedy got the credit."

President Eisenhower used to say that Milton "was always the bright one in the family."

When a congressman expressed regret that Milton did not have an official post in the administration, the president replied, "If it weren't for his name, he would have a very high governmental position."

In fact, as noted by Neil A. Grauer, a Baltimore author and a friend of Dr. Eisenhower who interviewed him last fall, Dwight's brother "was a savvy veteran of the capital's bureaucracy long before his brother came to Washington."

"He had deep affection for his brother," said Mr. Wills. "He probably had more quiet influence on Dwight than any of the more publicly known figures we know through the history books. Milton wasn't on the government payroll, but during the Eisenhower years he was usually at the White House on weekends."

Dr. Ambrose said Dr. Eisenhower strongly influenced his brother's presidency, "Ike trusted him completely and leaned on him heavily," he said. "Indeed, Ike could not have carried the terrible burden of eight years in the White House without Milton's support."

In 1967, believing that he was bringing his formal academic responsibilities to a close, Dr. Eisenhower retired from the Hopkins presidency—in his final commencement, the trustees announced they had named the new library on the Homewood campus in his honor—and promptly began another career, becoming a director of 13 corporations.

These included the Chessie System, insurance companies, financial institutions in California and others in this country and in England. He also became a governor of the New York Stock Exchange and a director of the Chicago Board of Trade.

Dr. Eisenhower served President Lyndon B. Johnson almost as extensively as he had his brother. He advised the president on the Dominican crisis and, after the assassinations of Martin Luther King, Jr., and Robert F. Kennedy, chaired the Presidential Commission on the Causes and Prevention of Violence.

"The commission may not have brought about sweeping changes," said Dr. Ambrose, "but all of its practical recommendations got done—things like updating police departments."

Dr. Eisenhower returned to Hopkins a second time as president in 1971 following the forced resignation of Lincoln Gordon. The resumption of his university duties did not leave him time to keep up with his directorships, and he resigned many of them.

As for his way of life in retirement the second time in 1972, Dr. Eisenhower described many interests.

"I like to swim. I paint watercolors, mostly landscapes. I read everything, all the way from novels to the most serious books. I keep up constantly with the monthly reports by economists like Walter Heller and Milton Friedman."

Dr. Eisenhower became cochairman of the National Committee for a Six-Year Presidential Term, a group of about 250 business and civic leaders and former government officials.

Thirty-three American and six foreign universities conferred honorary degrees on Dr. Eisenhower.

Dr. Eisenhower was married in 1927 to Helen Eakin, of Washington. Mrs. Eisenhower died at Penn State in 1954, and Dr. Eisenhower never remarried.

The Eisenhowers had a son, Milton, Jr., now director of a division of International Business Machines, and a daughter, Ruth Eisenhower Snider, a voluntary worker in numerous community activities and the wife of a Baltimore radiologist. She died last year. There are three grandsons and one granddaughter.

The family will receive visitors at the Church of the Redeemer tonight from 5:30 to 6:30.

The university requested that memorial contributions be sent to the Eisenhower Scholarship Fund, Johns Hopkins University, Baltimore, Md. 21218.

50TH ANNIVERSARY OF THE LEO BURNETT CO.

Mr. DIXON. Mr. President, I would like to call to the attention of my colleagues the approaching 50th anniversary of the founding of one of my State's best known and most successful businesses—the Leo Burnett Co., the world's eighth largest advertising agency.

The company's trademark, Mr. President, is a hand reaching for a cluster of stars. The symbol sums up the philosophy of Leo Burnett himself, who said: "When you reach for the stars, you may not quite get one, but you won't come up with a handful of mud either."

Well, the Burnett agency has not come up with much mud since August 5, 1935, when it opened its doors for business in Chicago.

Its billings have increased in those 50 years from well under $1 million a year to nearly $2 billion a year, worldwide, in 1984.

The agency has virtually invented a Chicago school of advertising and helped make the city a vital center of the industry. The company has always played a major role, as well, in the service and community organizations which help to make Chicago a great place to live, and the help it has provided to nonprofit agencies is well-known.

Its influence is felt far from the city of Chicago, too, in the 37 offices it maintains in 32 countries around the world.

Mr. President, on the night of May 17 in Chicago, friends and admirers of the Leo Burnett Co., will gather to celebrate the company's birthday at the 1985 Facets Award benefit.

To the officers of the company and to its 3,000 employees, I offer my best wishes, and I commend to my colleagues the splendid accomplishments of the Leo Burnett Co.

NATIONAL DISTRICT ATTORNEYS ASSOCIATION SYMPOSIUM ON CHILD SEXUAL ABUSE

Mrs. HAWKINS. Mr. President, the lack of justice for the child victims of sexual assault has not gone unnoticed by the legal community. In fact, often it is the attorney, prosecutor, or judge who is frustrated in their lack of ability to protect these children who are fighting the hardest for improvements in the legal intervention in sexual child abuse cases. The national organizations that represent these legal disciplines have been very active in efforts to improve legal intervention in these cases.

The National Council on Juvenile and Family Court Judges held a symposium on this issue in Vermont and has another forum scheduled for this August. The American Bar Association's National Policy Conference on Legal Reforms in Child Sexual Abuse Cases held a 2-day symposium on this issue on March 8–9, 1985, and is in the process of developing their final report. The National District Attorneys' Association is also actively involved in this issue. They will be holding an emergency symposium on Child Sexual Abuse on May 4–5, 1985, in Arlington, VA.

Mr. President, I think that this symposium will be very worthwhile in developing systems to both protect the child victims and punish the offenders. Mr. President, I ask unanimous consent that an article describing the National District Attorneys' Association symposium on child sexual abuse be printed in the RECORD as if read.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROSECUTORS TO MEET ON CHILD SEXUAL ABUSE

WASHINGTON.—An emergency Symposium on Child Sexual Abuse has been called by the National District Attorneys Association (NDAA), May 4–5, 1985, in response to the growing concern of prosecutors nationwide at the alarming increase in reported child sexual abuse cases.

More than 100 prosecutors from throughout the United States will attend the Symposium at the Crystal City Marriott Hotel (Arlington, Virginia), held in conjunction with the NDAA Legislative Conference, May 3–8, 1985.

"As elected public officials it is imperative for prosecutors to work with federal, State and local agencies to devise systems to both protect the child-victims and punish the offenders," said NDAA President Robert J. Miller, District Attorney from Clark County, Las Vegas, Nevada.

The Symposium will examine model prosecutorial programs and will feature panel discussions on a wide range of issues including, in part: confidentiality of the victim, the effect of press coverage on cases, plea bargaining and videotaping.

Following the two-day Symposium, the prosecutors will hear from a number of government officials, including Attorney General Edwin Meese, Senator Majority Leader Robert Dole, Assistant Attorney General Lois Haight Herrington, Assistant Attorney General Stephen Trott, Associate Attorney General D. Lowell Jensen and Congressman William J. Hughes (D-N.J.), Chairman of the House Judiciary Subcommittee on Crime.

The National District Attorneys Association is a 35-year old non-profit organization representing more than 6,500 prosecutors and law enforcement professionals

THE TIP OF THE ICEBERG

Mrs. HAWKINS. Mr. President, in the New York Times recently, a very informative article appeared entitled "Mexico Drug Arrests: 'Tip of Iceberg.'"

Mr. President, since the brutal kidnaping and murder of DEA Agent Enrique Camarena Salazar by narcotics dealers, world attention has been focused on Mexican problems of drug trafficking. It seems now that things are even worse than we thought.

In this article, it is indicated that high-level corruption exists within the Mexican Government. Though encouraged by recent progress of Mexican efforts to curb its illicit narcotics trade, U.S. officials are concerned over increasing signs of high-level Mexican Government involvement in drug trafficking activities.

Thus far, for example, there have been two men captured who are reputed to be major figures in the Mexican drug trade, along with several dozen accomplices, some of whom were past, and present, members of Mexican police forces. One police commander is charged with having taken a large bribe to permit the flight of one of the country's leading drug dealers.

There has been a discernable "lack of vigor" on the part of Mexican authorities in pursuing drug traffickers. John Gavin, U.S. Ambassador to Mexico, was quoted in this article as saying: "What has been turned up is just the tip of the iceberg." The article states also that Ambassador Gavin has modified the stated confidence he had indicated for the drug control efforts of Mexico's President de la Madrid. People close to the investigation have hinted in recent days that information gathered over the last month has raised concern that at least one Cabinet member, and possibly the son of another Cabinet member, may have links to drug traffickers or have been compromised by them. There are increasing indications, as well, the article continues, that some State Governors, State prosecutors, and local politicians may have had a role in allowing Mexico's drug trade to reach its current levels. Though this opinion is shared by numerous Mexican drug control officials, as yet no public charges have been made against anyone in such a prominent position.

The de la Madrid government is obviously experiencing great difficulty in rooting out corruption within its ranks. The main problem seems to be a reluctance to accomplish this without causing a major disruption of the country's political system, especially because pivotal elections are scheduled for July. I would like to take this opportunity to express my wholehearted support of these efforts by the Mexican Government, and to express my hope that they will continue until they are successful.

Mr. President, for the sake of the very survival of Mexico, that nation must do what is necessary to rid itself of illicit narcotics. The drug production and drug trafficking that currently go on in that troubled nation is like a cancer that is eating away at Mexican society. My motives in wanting this situation changed are not entirely unselfish, however; for the sake of the children of my Nation, who are being destroyed by Mexican drug trafficking and production, I urge Mexican officials to take whatever steps they must to eradicate drugs in their nation.

Mr. President, I ask unanimous consent that the New York Times article entitled "Mexico Drug Arrests: 'Tip of Iceberg,'" be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEXICO DRUG ARRESTS: "TIP OF ICEBERG"

(By Richard J. Meislin)

MEXICO CITY, April 27.—While encouraged by recent progress in rooting out drug-related corruption here, Mexican and United States officials are concerned over indications that it may reach to higher levels of the Mexican Government than first thought.

Investigations, which began after a United States narcotics agent and his pilot were kidnapped and killed in February, have succeeded in capturing two men reputed to be major heads of the Mexican drug trade and several dozen accomplices, including past and present members of Mexican police forces. One police commander is charged with having taken a large bribe to permit the flight of one of the country's leading drug dealers.

United States officials here and in Washington, who only recently were harshly critical of their Mexican counterparts for what they viewed as a "lack of vigor" in pursuing drug traffickers, have been lavish in their praise of the recent Mexican actions.

But the United States Ambassador here, John Gavin, told visiting businessmen from Dallas recently that it was too early to "fall into the trap of self-congratulations" because "what has been turned up is just the tip of the iceberg."

A POINTED OMISSION

While reaffirming his praise for what he called "the seriousness of President de la Madrid's commitment to fight drug trafficking," the Ambassador pointedly failed to repeat a statement he had often made before: that he had full confidence in the honesty and integrity of President Miguel de la Madrid's Cabinet. Aides to Mr. Gavin said the omission was not accidental.

Officials of the embassy here would not discuss what information led Mr. Gavin to modify his previous statement. But people close to the investigation have hinted in recent days that information gathered over the last month has raised concern that at least one Cabinet member and the son of a Cabinet member may have links to drug traffickers or have been compromised by them.

There are increasing indications as well, these sources say, that some state governors, state prosecutors and local politicians may have had a role in allowing Mexico's drug trade to reach its current levels. No public charges have been made against anyone in such a prominent position.

Some of the information is believed to have come from Rafael Caro Quintero and Ernesto Fonseca Carillo, the two men captured and charged in connection with the killing of Enrique Camarena Salazar, an agent of the United States Drug Enforcement Agency, and Alfredo Zavata Avelar, a Mexican pilot who sometimes flew surveillance missions for him.

A third person, Miguel Félix Gallardo, is still being sought. He is reputed to be a key figure in Mexico's cocaine operations, and is also believed by Mexican and United States investigators to have had a role in the killing of the agent and the pilot.

LINKS WITH POLICE REPORTED

Mexican officials have said the two men in custody, who have also been charged with a variety of drug-related offenses, have given extensive information on ties between drug traffickers and police forces in the country. While some of this has been made public in the Mexican courts, mention of political figures has been viewed by the Mexican public as suspiciously lacking.

The problem for the de la Madrid Government, according to officials knowledgeable about the thinking of its upper echelons, is to root out corrupt elements without causing a major disruption of the country's political system. This concern has been sharpened by the approach of elections in July for Congress, seven governors and dozens of municipal officials.

The analogy often heard in Mexican political circles is that of trying to pull bricks from a wall without causing the whole thing to collapse. "Except this isn't just a few bricks." a Mexican journalist said. "It's a whole chunk."

The Government has taken actions in recent days that have not been publicly linked to the drug trade, but appear to be linked to revelations of corruption.

ORDERS POLICE REORGANIZED

On Wednesday President de la Madrid announced a major reorganization of the police forces, which would strengthen federal control and remove police powers from several smaller forces run by Government ministries and industries. The announcement described the reorganization as a "clarification of the police functions that by constitutional mandate, remain reserved only for the preventive and judicial corps."

In a more drastic action, the Governor of the State of Morelos, Lauro Ortego, dismissed the state's entire judicial system, including the state attorney general, police and administrative personnel, in what he said was an effort to stamp out growing signs of corruption. He said a new force would be recruited from among law students.

Although there has been no public announcement, investigators said nearly 100 agents of the Federal Security Directorate, a political police force in a counterintelligence unit run by the powerful Interior Ministry have also resigned in recent weeks. Some parts of the directorate have been cited by United States investigators as a major problem in fighting the drug traffic.

Ambassador Gavin said those who were waiting for "the last shoe to fall" would have to wait for some time. "This," he said, "is a centipede."

VIEWS ON THE BUDGET RESOLUTION

Mr. DODD. Mr. President, as the Senate has considered the budget over the last several days, we cast votes on subjects of great importance to all of us. Given the nature of our procedures here, these votes potentially can be subject to varying interpretations. I would like briefly to state my views on what has transpired in connection with this resolution and what factors will guide my decisions on the issues which will be debated over the next week.

At the outset, I share with all my colleagues the feeling that significant deficit reduction is our highest priority. That commitment should not be called into question on this floor. The fact that we may have as many different ways of addressing this problem as we do Members, is not based on any lack of sincerity for addressing this problem.

For the past several years, on my trips home to Connecticut I have been concerned about the lack of public outcry about the seriousness of the deficit problem. It was only during the most recent Senate recess that I found a broad public recognition in my State for immediate, substantial action to reduce hemorrhaging Federal expenditures.

I visited more than 40 towns in 1 week and found a growing recognition of the serious future consequences of unchecked Federal spending. Most importantly, I found a genuine willingness to contribute to the resolution of this problem from all segments of the population.

From senior citizens to the corporate executives in my State the message was the same: "Reduce the deficit, and if you will do it equitably, we will contribute to the effort."

Therefore, Mr. President, my votes have been and will be guided by the dual principles of accomplishing serious deficit reduction and doing it in a manner that is fair and equitable.

I believe further that such an effort can be accomplished without either increasing the tax burden on individuals or compromising our national security.

Quite frankly, Mr. President, I considered voting for the so-called "White House package" as a signal of my commitment to deficit reduction. I believe that we must, when we conclude our deliberations on this issue, produce a package that provides overall deficit reduction of $50 billion in the upcoming fiscal year and $300 billion over the next 3 years.

Upon reflection, however, it was, and continues to be, my belief that the leadership package fails on the essential question of balance and equity. I do not believe that we cast purely procedural votes in this Chamber, particularly in instances where that vote encompasses the funding of every function of Government.

My concerns about that package were so extensive that they could not be rectified with only a few quick fixes. I cannot support, under the guise of deficit reduction, the wholesale termination of longstanding, essential, and economically efficient Government responsibilities.

For several weeks, I have struggled with many notions with this budget proposal. I am, however, at a loss to understand how we are doing anything except creating more costly problems for the future by eliminating today such programs as Amtrak, urban development action grants, and student assistance.

Reduce them? Yes, given the enormity of the Federal budget crisis.

Reform them? Emphatically yes. We should always be looking to spend the taxpayers' money in the most efficient manner. But terminate them? In most instances the case simply cannot be made.

Earlier this week, I voted for the amendment offered on behalf of Senators HAWKINS and D'AMATO to restore full cost-of-living increases to Social Security recipients. I commend them for insisting that that amendment be offered immediately following the leadership package. I feel that the Social Security proposition in the leadership package would seriously erode the income of our senior citizens over time, given the 3-year nature of the proposal. In all candor, I have, and may again, vote to support a 1-year freeze on all COLA's with appropriate protections for those who are completely dependent on the payments involved. Again, I will do so not in isolation, but only in conjuction with an overall package that is balanced.

The senior citizens in my State have told me they are prepared to make this sacrifice so long as all segments of our society are making their contributions. Our senior citizens are well aware of the fact that they suffer equally, or more so, from the high interest rates brought about by the deficit.

Yesterday, I voted against tabling an amendment by Senators GRASSLEY and HATFIELD to reduce the defense level in fiscal year 1986 to a level commensurate with the increase in inflation. This is not my preferred outcome with respect to defense spending. As the majority leader has said in connection with another issue, I am fairly confident this will not be our last vote with respect to defense spending on this resolution. Ultimately, I am inclined to support what I understand will be included in Senator BYRD's substitute, which will provide for a 1 percent real growth increase for defense in each of the next 3 years.

It seems to me that this will signal our priority for national security by providing an increase when every other element of the budget is being reduced, but will do so in a way that provides for a constant level of spending rather than the ups and downs reflected in the Grassley-Hatfield amendment.

In conclusion, Mr. President, we are going to be asked to cast a lot more votes on this budget over the next week. Members will all be seeking their preferred solution to the deficit problem. Eventually, every one of us will have to surrender some of our priorities. It is my hope, however, that during the course of this debate the American people never lose sight of the fact that there are legitimate and sincere differences of opinion as to how to accomplish the goal of deficit reduction. This problem was bipartisan in the making and the solution that puts us on the path to a balanced budget will require not accusations, but political will; and not an abuse of procedures, but, most importantly, true bipartisan cooperation.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1986

The ACTING PRESIDENT pro tempore. The clerk will report the pending business before the Senate.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the United States Government for the fiscal years 1986, 1987, and 1988 and revising the congressional budget for the United States Government for the fiscal year 1985.

The Senate resumed consideration of the concurrent resolution.

Pending:

Packwood Amendment No. 50 (to Amendment No. 43, as amended), relating to medicaid and medicare.

The ACTING PRESIDENT pro tempore. Who yields time? If neither side yields time, the time will run equally.

Mr. BYRD. Mr. President, I yield myself 30 seconds on the amendment.

Mr. President, who is in control of time on this side?

The ACTING PRESIDENT pro tempore. The minority leader.

Mr. BYRD. I thank the Chair.

Mr. President, I yield that time to Mr. CHILES.

I yield the floor.

Mr. PACKWOOD. Mr. President, this is a relatively simple amendment and a relatively modest limitation on Medicare and Medicaid expenditures.

I have had placed on the desk of each Senator a chart prepared by the Library of Congress which indicates budget outlays of larger clusters of na-

tional expenditures in constant 1984 dollars, such as national defense, human resources, net interest, and others. Not to argue the merits of whether we spend too much or too little on defense or human resources, but simply to show in constant dollars, where we spend our money.

It will be noted that on national defense we spend as much today, 1986, as we did in 1953. Actually, if you mean military hardware, it is slightly less, because the second page of the chart indicates how much of that goes for military retirement. It has gone from about $1 billion to $16 billion over that period, while military expenditures have stayed roughly the same.

The third page shows the outlays for Social Security. It indicates that in 1957 we added disability and in 1966 we added Medicare. It will be noted that the outlays for Social Security, in constant dollars, have gone from $10 billion to $250 billion.

I add that to indicate where the large increase in national expenditures has happened over the past almost 30 years.

In terms of Medicare and Medicaid for 1986, 1987, and 1988, under the baseline, if we make no change in the law, those expenditures will go up $330 billion.

The amendment I have offered on behalf of Senator DURENBERGER, Senator HEINZ, Senator CHAFEE, and myself would produce saving out of that $330 billion for Medicare and Medicaid of about $17.5 billion—about a 5-percent saving.

Mr. President, I am confident that the Finance Committee, out of $330 billion in expenditures for Medicare and Medicaid over the next 3 years, can easily meet a combined mark of $17.5 billion. It is actually suggested to be broken down $16.3 billion Medicare, $1.2 billion Medicaid. But we should have no difficulty meeting it.

I, therefore, encourage approval of this amendment.

Mr. HEINZ. Mr. President, I am pleased to join my distinguished colleagues in introducing an amendment to modify the Medicare and Medicaid provisions of the Senate budget resolution to protect senior citizens against unfair and unnecessary cost. It seeks to eliminate the most onerous of the proposals in the resolution and reduces the burden of out-of-pocket expenses for essential health care services. This amendment acknowledges that there are better ways to come up with dollars to pay for the Medicare and Medicaid Programs than shifting the burden onto the backs of this Nation's sick, poor, and elderly.

While this leadership amendment will substantially help to protect Medicare beneficiaries, it is also fiscally responsible.

None of us can afford to underestimate this grave economic crisis—a $200 billion deficit. Health care costs, in particular, are escalating far faster than inflation. This puts tremendous pressure on the Medicare Program. Congress has an inescapable responsibility to Medicare beneficiaries to do whatever it can within its power to contain those costs and still provide quality care.

Mr. President, this amendment both reduces the burden on the poor, sick, and elderly and preserves the emphasis on deficit reduction. Most important, this amendment retains the full participation of physicians and hospitals in the effort to control Medicare costs. It is only fair that if we are to slow the rapid increases in the costs of health care, that we start by limiting the amount we pay to the providers participating in the Medicare Program.

Second, this amendment allows us to eliminate the beneficiary cost-sharing provision that would have placed the greatest burden on those who are the sickest. For example, this amendment would eliminate the copayment on Medicare home health visits. This copayment, Mr. President, would be especially cruel and unjust: It would impose what is, in effect, a tax on the sickest and most frail citizens. At a time when patients are being discharged from hospitals sicker and quicker under the new payment system, we cannot be making it more difficult for them to receive urgently needed medical care at home.

Our amendment would also eliminate the increase in the part B deductible and slow the rise in the part B premium to a reasonable level. It would also reduce the cut in direct costs of graduate medical education—funds which are used by those hospitals which provide the bulk of care to the indigent and uninsured.

Moreover, Mr. President, this provides substantial protection to the Medicaid eligible population by eliminating the proposed cap and by reducing proposed savings by more than $1 billion. A cap would have changed the very nature of the Medicaid Program and would have jeopardized our fundamental commitment to low-income persons. I am speaking of older Americans in nursing homes, SSI recipients and AFDC families. We cannot turn our backs on persons who most need and deserve some protection. This amendment allows the members of this body to repair the safety net by continuing to protect the truly needy.

I urge my colleagues on both sides of the aisle to support this amendment because it will enable us to protect the poorest an sickest elderly and still hold the line on rising costs in the Medicare and Medicaid Programs. In particular, we must protect older Americans from excessive increases in out-of-pocket costs. Let's be clear why. Today the elderly are paying in excess of $1,500 each year for health care. This means they are paying the same percentage of their income as they did before Medicare was enacted.

Maybe to many Americans $1,500 may be affordable. But it's not affordable to an elderly widow trying to get by on the average Social Security benefit of $400 a month.

Some will argue that the lowest income elderly receive additional support through in-kind benefits, such as food stamps, Medicaid, and housing subsidies. It is true that these essential programs allow some of the elderly to keep their heads above water.

Unfortunatly, many elderly poor are not eligible for participation or are not enrolled in these programs. These are the most vulnerable citizens who fall through the cracks.

There is a common misconception, for example, that the elderly poor are all protected by Medicaid and any changes in Medicare will not affect them. But today, there are over 2 million older Americans who are below the poverty line—roughly $5,000—who are not covered by Medicaid. On top of that, there are an additional 6.2 million elderly without Medicaid coverage who have incomes below $10,000 per year. Together, this represents 40 percent of all noninstitutionalized Medicare beneficiaries.

It is this group, Mr. President, that we must protect. If we do not enact this amendment many older Americans, including the poor and near-poor, will be forced to pay an additional $200 out of pocket each year by 1990. This will surely force many of them to forego other necessities such as food, clothing or heating, in order to pay for essential health care services. For those teetering on the edge of poverty there is no margin for absorbing such an additional cost burden.

Our amendment will offer a substantial reduction in the savings target for Medicare and Medicaid. It is true that some cost sharing for beneficiaries will remain in the budget resolution, even if this amendment is adopted. I oppose some of these provisions. I can and do urge our colleagues to support this amendment, however, because I am confident that when the Finance Committee meets to reconcile the budget resolution, it will be able to replace those remaining provisions which have an onerous impact on beneficiaries with more innovative approaches to Medicare savings.

For example, the Finance Committee can replace some of these provisions with such measures as mandatory second surgical opinions, which will reduce unnecessary surgery, save lives, and save the Medicare Program as much as $500 million or more.

In addition, by remaining vigilant of waste and abuse in the health care in-

dustry, we can save the Federal Government millions of dollars every year.

In the case of pacemakers alone, we could save $96 million a year if we just required the pacemaker industry to make good on its warranties.

These and other cost-saving initiatives could be used to further reduce any excessive burden on Medicare beneficiaries.

I urge my colleagues in the interest of fairness, equity, reason, and fiscal responsibility, to support this leadership amendment.

Mr. PACKWOOD. Mr. President, I yield back the remainder of the time on the amendment on our side.

Mr. CHILES addressed the Chair.

The PRESIDING OFFICER (Mr. DURENBERGER). All time on the amendment has expired.

Mr. CHILES. Mr. President, I yield time on the bill and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MATTINGLY). Without objection, it is so ordered.

Mr. CHILES. Mr. President, we have the Packwood amendment before us this morning, and the amendment adds back about $1.8 billion in Medicare over the next 3 years, but it would leave total cuts of about $16.3 billion, and it would add back only $800 million over the next 3 years in Medicaid, leaving total Medicaid cuts of about $1.2 billion.

The original Medicare-Medicaid cuts in the administration-Republican Senate package would have been $20.1 billion over 3 years, with $18.1 billion in Medicare and approximately $2 billion in Medicaid.

The issue really needs to be in Medicare whether we are going to increase beneficiary out-of-pocket cost. Are we going to say increase premiums, increase the deductibles, or add a new copayment here and there? Are we going to delay eligibility?

I have looked over the numbers, and even if you accept every one of the President's proposals for freezes on all of the providers, on hospitals, doctors, and everyone else, as well as his proposal for an extra $3 billion in cuts for hospitals beyond the freeze, you are still going to have to come up with something to save another $3 billion over 3 years to reach the Packwood Medicare savings.

It seems to me that there will not be anything left but the beneficiaries.

So I point out to the body that we will have an opportunity to vote on a better Medicare-Medicaid package later, a package that I proposed in the Budget Committee, and it was adopted unanimously in the Budget Committee on the first round, and under that proposal, it did reject increases in Medicare beneficiary out-of-pocket costs. It did not penalize Medicare beneficiaries for increases in health care costs. Instead, it directed efforts to contain costs at the source.

I think that proposal and one that we will have an opportunity later in this process to vote on continues the efforts in health care cost reduction. It strengthens the Medicare trust fund by freezing providers for 1 year, and under that plan, we will still save $12 billion, and I point out that we have already saved $30 billion to $40 billion for Medicare over the last 4 years.

The Republicans on the Budget Committee applauded the amendment I proposed as fiscally responsible before it was passed by a vote of 20 to nothing.

The Republican leadership plan, the one that the Packwood amendment proposes to amend today, would freeze those payments to hospitals for 1 year, but then it goes beyond that and it cuts another $600 million in 1986, and the additional cuts are $3 billion over the next 3 years.

Those cuts are not cutting into profit margins of prosperous hospitals. They are cuts that could force public hospitals to close their doors.

Most of this additional cut would come from a 50-percent reduction in the indirect teaching adjustment. This is now used to compensate hospitals that take care of more than their fair share of Medicare beneficiaries and poor people who have no insurance and cannot pay for care at all.

Public hospitals, county hospitals, and large teaching hospitals have to absorb the cost of poor people refused by other hospitals.

The administration claims that the indirect teaching adjustment is without justification and that it was doubled over what it previously was when the new Medicare reimbursement system was enacted 2 years ago. It pays for some of the cost of hospital interns and residents, but the change was then made specifically to adjust for large indigent caseloads until a better formula could be found.

The prospective reimbursement legislation ordered the administration to find a way to make a better adjustment, but the administration has so far refused.

Using this indirect adjustment is not the best proxy for indigent care in keeping public hospitals from closing their doors, but we cannot cut it out completely until we find another way.

The Republicans in the Budget Committee, expressed great concern about this issue, but they voted to cut out the payments.

There is a detailed report language in the budget resolution reported out of the committee on this problem put in by Senators DOMENICI, GORTON, and QUAYLE, as well as Democrats. Senator DOMENICI and other Republican Senators expressed great concern about public hospitals because of the cutbacks by Medicare and private insurance, and Senator DOMENICI said that we would include language to express the committee's concern, and, "Hopefully, someone can find a way to do that."

But the report has no teeth, and with this cut in the resolution, there is no way that could be done.

Now, the proposal that we will have before us later I think goes much further than the Packwood amendment and would assume that there would be a 1-year freeze on hospital reimbursements even though the congressionally appointed prospective payment assessment commission has recommended that there be an increase of 2.5 percent in reimbursement rates for the next year. Under the plan, the hospital payments under Medicare would still be reduced by $2 billion in 1986 and $9.3 billion over the 3 years.

That, Mr. President, is a big enough cut. It would have the same effect on the Medicare hospital insurance trust fund as the Republican leadership plan, and savings would still be sufficient to insure that the trust fund would be able to make payments long into the mid to late 1990's.

Mr. President, I was glad to hear Senator PACKWOOD say last night that he wanted to add back money to Medicaid so that he could get rid of the Medicaid cap, the Medicaid cap that the President insisted upon. The cap that was going to cost each and every State millions of dollars and that was going to unfairly penalize those States wanting to improve their programs and maybe provide medical care to children who might be 5 years old or a little older.

I am glad Senator PACKWOOD is squarely on the record as the chairman of the Finance Committee. But again looking at the proposal that he has before us, where are the cuts that he would leave in Medicaid going to come from? This amendment would still cut Medicaid by $1.2 billion over 3 years compared to the leadership and the President's proposal to cut it $2 billion over the next 3 years.

One proposal that has been circulating, and one that might be a workable idea, is to set out new Medicaid rules which would force all States to collect all payments they can from private health insurance coverage held by Medicaid recipients. The GAO has issued a report recommending that that be done. But we also know that CBO says that you could get no more than $450 million over the next 3 years from some action like this. That leaves another $750 million over 3 years that the amendment sponsors

say are unspecified savings. Where are they going to come from?

There are a number of ways you can get those additional Medicaid savings, all of which involve reductions in State payments. Maybe it will not be permanent, but it will be reductions in State payments and that will translate into a cut in services.

We have tightened up Medicaid, tremendously cutting payments and setting up fraud and abuse units. What we have found is if you try to squeeze any more blood out of the turnip, the States just cut back on services to kids and on services to old folks.

Mr. President, I yield 5 minutes to the distinguished Senator from Massachusetts [Mr. KENNEDY] to speak on the amendment.

Mr. KENNEDY. Mr. President, I support the Republican add-back amendment on Medicare and Medicaid. For the third time in 3 days, the Senate is repudiating the Republican White House leadership package on the budget. On Wednesday, we saved the Social Security COLA; on Thursday, we reduced the excessive amount for military spending to a level commensurate with our real priorities; and today we are taking a step toward restoring the integrity of Medicare and Medicaid.

But unlike our action on Social Security and defense, the Medicare-Medicaid add-back amendment is inadequate, because it restores only 40 percent of the unfair beneficiary cuts urged by the Republican leadership in these two health care programs that are lifelines for the elderly and the poor.

This amendment restores only $1.9 billion of the $4.7 billion in beneficiary cuts proposed by the Republican leadership in Medicare for the period 1986-88, and only $800 million of the $2 billion cuts proposed in Medicaid.

The $4.7 billion in Medicare cuts in the Republican package are too harsh, standing alone. But coming on the top of the $6.2 billion in cuts for the same period already enacted during the past 4 years, the deep new slashes proposed in the present package are cruel and unacceptable.

It is true that we need spending restraint in Medicare and Medicaid. But the right way to achieve restraint is to reduce the soaring cost of health care through incentives to encourage doctors and hospitals to charge less—and not by enacting harsh additional cuts in the already dwindling benefits now available in these programs.

All of the proposed Republican beneficiary cuts are objectionable and all of them should be restored—just as we restored the full COLA in Social Security. But adopting this amendment, we will be making a downpayment on our commitment to decent health care for the elderly and the poor—and we shall be back with a Democratic amendment to do the job correctly. This is one issue where we must insist that 40 percent of the loaf is not enough.

Mr. President, I rise in support of America's aged and disabled Medicare beneficiaries. This amendment will restore some of the egregious Medicare cuts in the Republican package, but it does not go far enough. It eliminates less than half of the cuts in this package that harm beneficiaries. I am serving notice, right now, that I will support this amendment, but I will also be offering a further amendment to strike all the unfair beneficiary cuts in this package.

I might say in passing, Mr. President, that the chairman of the Senate Finance Committee and the chairman of the Health Subcommittee are sponsors of this amendment, but they are apparently ashamed enough of what it holds for beneficiaries that they will not tell us what's in it. While provider cuts are identified with great detail, beneficiaries' cuts are called "unidentified cuts."

Members of this body have to assume that a modified version of most of the beneficiary cuts in the original package are still left in by this amendment.

I have always had a special feeling for the Medicare Program. My brother, John Kennedy, made the enactment of Medicare one of the central issues in his campaign for the Presidency in 1960, and it became one of his highest legislative priorities.

Medicare has done more to bring dignity and security to the lives of America's senior citizens than any social innovation since Social Security. In the dark days before Medicare, the elderly lived with the knowledge that any serious illness would mean the loss of a lifetime of savings. In the dark days before Medicare, the elderly were frequently denied the benefits of modern medical science because they could not afford to pay for them.

But, the enactment of Medicare changed the lives of America's senior citizens. Medicare brought our senior citizens greater financial security and assured them access to the best medical care America has to offer. As a result of Medicare, the senior citizens of America enjoy the blessing of longer and healthier lives.

This year is the 20th anniversary of the passage of Medicare. It is ironic that, at the end of Medicare's second decade, this budget package proposes to break the promise of Medicare—a promise that has already been eroded by excessive health care cost inflation.

The enactment of this budget package would make every elderly American the scapegoat for this administration's horrendous budget deficit. This so-called budget compromise simply rubberstamps every objectionable Medicare benefit cut and premium increase in the Reagan budget.

The authors of these unfair proposals either do not know or do not care that Medicare covers less than half the elderly's health care costs.

They either do not know or do not care that America's senior citizens will have to pay an average of $1,800 this year out of their own pockets to purchase the health care they need.

They either do not know or do not care that excessive health care cost inflation has meant that this $1,800 represents 15 percent of the elderly's income—the same percentage they had to pay in the dark days before Medicare; and

They either do not know or do not care that this will skyrocket to 19 percent of income by the year 2000 even without any changes in Medicare benefits.

Let me review with you the Medicare proposals in this budget package that my amendment would eliminate.

The proposals in this package would injure every Medicare beneficiary, sick or healthy, aged or disabled. They would: raise the part B premium; impose a copayment for home health care; raise the part B deductible; and delay Medicare eligibility for 1 month.

These cuts are even more outrageous when we look at the cumulative effect of the Medicare benefit cuts contained in this budget package over the next 5 years and the impact of Medicare cuts already enacted.

The proposals in this budget package would take a staggering $15.3 billion away from the 30 million elderly and disabled Medicare beneficiaries over the next 5 years.

As if these proposals are not bad enough, they would be on top of cuts already enacted since this administration has been in office that will take $11.5 billion from Medicare beneficiaries during the same period.

The cumulative total of this budget package, plus Reagan budget cuts already enacted is $26.8 billion—about $900 per beneficiary, and remember, the per capita income of these elderly and disabled Americans is only about $11,000 per year.

AVERAGE ELDERLY PAYMENT FOR HEALTH CARE

Even under current law, the amount the elderly will have to pay for medical care will increase substantially. In 1977, the average elderly person had to pay $698 for the medical care they needed; by 1985, that had risen to $1,800; and by the year 2000—even if none of the benefit cuts in this package are enacted—the medical bill of the average senior citizen will be over $4,600. The elderly already pay too much for medical care.

REPUBLICAN PREMIUM INCREASE

Under current law, the premium will rise from $186 today to $253 by 1990. On top of that already substantial increase, this proposal would almost

double the current law premium to $424.80.

The part B premium was originally set at 50 percent of program costs. In 1976, the Congress recognized that, because of excessive health care cost inflation, the premium was going up much faster than beneficiary income. Accordingly, the premium increase was capped by the percentage increase in the Social Security benefit.

In 1982, and again in 1984, this cap was temporarily lifted and the premium was fixed at 25 percent of program costs. In 1988, under current law, the premium will, once again, be capped by the Social Security benefit increase.

The budget proposal would permanently reverse Congress' wise policy. It would tie beneficiary premiums to an excessively high rate of inflation in program costs and would raise the share of program costs financed by the premium from the current 25 to 35 percent.

This proposal would permanently victimize Medicare beneficiaries for an excessive health care cost inflation Congress has failed to control. Last year, program costs went up three times as fast as the Social Security COLA. Over the next 5 years, Medicare beneficiaries would have to pay an additional $12.5 billion just to maintain their part B coverage.

1990 COLA COMPARED TO PREMIUM INCREASE

Another perspective on the premium increase is provided by comparing it to the 1990 Social Security COLA.

By 1990, the difference between the current law premium and the premium under the budget proposal will eat up about two-thirds of the entire Social Security COLA.

The COLA adjustment was supposed to pay for the increases in the cost of food, shelter, fuel, and all the other essentials the elderly need. If this proposal is adopted, most of the COLA will go to pay for the part B premium increase, leaving only a fraction for the elderly's other needs.

For the 15 million beneficiaries below the median Social Security benefit, the difference between the current law premium and this budget proposal's premium will eat up a full 90 percent of the COLA.

When Senator DURENBERGER brought the Medicare reconciliation bill to the floor last year, he said that the Finance Committee had dropped an identical proposal to raise the part B premium to 35 percent of program costs from the reconciliation package because the President had told them not to harm Medicare beneficiaries. I ask: Was it wrong to harm Medicare beneficiaries in 1984, but right to harm Medicare beneficiaries in 1985? Are our senior citizens safe only in election years?

I would point out that the Republican amendment on the floor right now will still almost certainly raise the premium to at least an unacceptable 30 percent by 1990. The increase even in this amendment will take 40 percent of the average COLA and 60 percent of the COLA for a senior citizen with less than the median benefit.

HOME HEALTH COPAYMENT

This budget proposal will impose a home health copayment on beneficiaries using more than 20 days of home health care a year. Congress abolished all home health copayments in 1972; it does not make sense to reimpose them now.

Approximately 1½ million beneficiaries currently use home health services each year, and approximately 500,000 need more than 20 visits. This proposal will cost the average person needing more than 20 visits $130 extra in 1986 and $300 extra by 1990.

This chart shows the cost of home health care to the 66,000 very sick beneficiaries who need more than 100 visits a year. This group averages about 120 visits, and each one would have to pay about $500 extra for home health services next year.

This proposal is particularly unfair because the incentives in Medicare's new prospective payment system will lead hospitals to release sicker patients earlier. Average length of stay for Medicare beneficiaries declined 10 percent in just the last year. Beneficiaries not needing a hospital level of care should not stay in the hospital, but they should have skilled care available in the community. If this proposal is adopted, the Government will get all the savings from prospective payment, but our elderly beneficiaries will be stuck with the costs.

According to the CBO estimates, none of these so-called savings from this proposal arise from reduced utilization. They represent a simple cost-shift from the Federal Government to the sick and aged.

This proposal is unfair to sick beneficiaries and will encourage longer hospital stays. It will cost the sick, elderly, and disabled a total of $600 million over the next 5 years, a cost that is even more unsupportable because approximately 70 percent of all the beneficiaries using home health services will already have undergone the costs of a prior hospitalization.

PART B DEDUCTIBLE INCREASE

This proposal is yet another burden for sick beneficiaries. It would increase the deductible from $75 to $92 by 1990 and cost beneficiaries a total of $700 million over the next 5 years.

DELAY IN ELIGIBILITY

This proposal would delay Medicare eligibility 1 month—from the first day of the month in which the beneficiary turns 65 to the first day of the month after the 65th birthday.

Over the next 5 years, this proposal will cost the elderly $1.5 billion. When the Finance Committee brought this proposal to the floor last year, their own figures indicated that 160,000 elderly beneficiaries would be exposed to the costs of uninsured illness during that month.

The Congress recognized 2 years ago that it is wrong to raise the age of eligibility for Social Security. We should recognize today that it is wrong to raise the age of eligibility for Medicare.

As we review the Medicare proposals affecting beneficiaries that are included in this package, one fact is clear above all others. They callously ignore the needs of America's senior citizens.

I believe it is wrong to tax the elderly and disabled to pay for a tax reduction program from which they did not benefit. I believe it is wrong to add to the medical costs of those who already pay too much for the medical care they desperately need. And I believe it is wrong to come back here, year after year, in these budget debates and break the promise of Medicare in order to pay for this administration's failed fiscal policies.

In his televised address to the Nation on the budget, the President said, "We will never renege on our pledge to our elderly and disabled citizens." I hope that my colleagues will take him at his word and support this amendment to help protect our senior citizens. And I hope they will vote with me when I offer my amendment to complete the job this amendment only begins.

Let me now turn to Medicaid.

This budget proposal contains many shocking and inhumane proposals, but proposals to cut health services to the poor must rank near the top of the list of the many destructive proposals in this budget.

Under the budget compromise, Medicaid would be capped at the rate of increase of the medical care component of the Consumer Price Index. Under this amendment, that objectionable cap would be abolished, but 60 percent of the cuts in the original proposal—$1.2 billion—would be kept.

There could not be a worse time to cut health programs for the poor than today.

The number of people with any health insurance at all during a particular point in the year has increased 10 million since 1977, from 25 million to 35 million.

The proportion of the poor and new poor covered by Medicaid has declined from 63 percent to 50 percent since 1975.

Public hospitals all over the country are reporting dramatic increases—on the order of 300 to 400 percent—in so-called "economic transfers." We are seeing newspaper reports again, for the first time since the 1960's, of people showing up at emergency

rooms with life-threatening conditions being turned away because they have no health insurance.

More and more hospitals are adopting explicit limits on the amount of charity care they will provide, and the Medicare reimbursement proposals contained in this budget are likely to make the problem worse.

What is the impact of all these trends? A recent Robert Woods Johnson study reported that 1 million Americans annually are denied care that they request because they lack the ability to pay for it, and another 5 million do not even seek care they feel they need because they know they cannot afford to pay for it.

MEDICAID CAP

What does this proposal offer the millions of Americans who are sick and poor? It offers them a Medicaid cap that will take away $3.7 billion in Federal support for care for the poor over the next 5 years. Even this amendment would keep 60 percent of those cuts.

Who would be the victims of a Medicaid cap? Of the 22 million people who depend on Medicaid, 3 million are poor, aged Americans, 3 million are poor, blind and disabled Americans, 5 million are poor parents, and 11 million are poor children. Are these really the people this body thinks should pay for deficit reduction?

As bad as any Medicaid cuts are, a Medicaid cap is the cruelest form of Medicaid cut. It will take more from the poor and sick every year it is in operation, because the projected increase in Medicaid costs—even without significant expansions in caseload—is about 30 percent faster than the growth in the MCPI.

A Medicaid cap will hurt the poor in every State in the country, but it will hurt people residing in the poorest States the worst, because their programs are so pathetic already. In the 10 States with the lowest Medicaid eligibility levels, eligibility is only one-third of the poverty level—that's $3,468 for a family of four. A Medicaid cap means these States will never catch up. And any Medicaid cuts will keep these States from improving their programs.

The Members of the Senate have received a letter signed by a bipartisan group of 37 Governors from both political parties and all sections of the country stating, "Reductions in Federal Medicaid funding will force us to reduce basic medical care. That is unacceptable to us, and we believe it should be unacceptable to the Congress."

Medicaid cuts would reduce basic medical care to the poor, the sick, the aged, and the disabled. I hope the Senate will demonstrate by its votes today, and on the more comprehensive and meaningful amendment that I will offer later in this debate, that such cuts in health care for the poor are indeed unacceptable.

PACKWOOD MEDICARE AND MEDICAID AMENDMENT

Mr. BRADLEY. Mr. President, I support the amendment offered by my colleague from Oregon [Mr. PACKWOOD] to reduce the Medicare and Medicaid cuts included in the budget package now before us.

Mr. President, this amendment restores roughly $1.8 billion for Medicare, only 10 percent of the savings assumed for this program. It is my understanding that the restoration would be used to reduce the increases in out-of-pocket costs to the elderly. The budget now before us assumes that the Medicare premium paid by the elderly will be increased from 25 percent to 35 percent of total program costs. This would more than double the premium—from the current figure of $15.50 a month to about $35 a month by 1990. This is on top of the doubling of the premium that has already occurred since 1980. Funding for this amendment could be used to reduce the increase from 35 percent to 30 percent of costs—a step in the right direction.

It must be kept in mind, Mr. President, that health care now takes as much of older Americans' median income as at the inception of the Medicare Program. On average, Medicare beneficiaries pay an estimated $1,500 per year in out-of-pocket medical costs—almost 30 percent of their total health bill. This trend, combined with increasing health costs, is forcing many elderly Americans on fixed incomes to make hard choices between health care and necessities like food and shelter.

Mr. President, the budget package now before us also calls for a cap to be placed on the Medicaid Program. The effect of this cap would be to turn this program into a block grant, thereby significantly reducing over time the health care protections in current law. In New Jersey, this proposal would result in a $64 million loss of reimbursement for care provided under the Medicaid Program. This will present a severe strain on the State's budget. But even more important, the Medicaid cap jeopardizes implementation of the New Jersey "Medically Needy" Program, which has the potential of serving 100,000 low-income children and 100,000 low-income elderly. We must not cap the Medicaid Program. This amendment takes off the Medicaid cap and cuts the level of savings to be achieved in Medicaid almost in half.

But, Mr. President, it must be kept in mind that this amendment does not go far enough. We need to restore more funding even if this amendment is adopted, since the package will still assume nearly a doubling of the Medicare premium and $1 billion in Medicaid cuts. In addition, the budget before us would impose cost-sharing on Medicare home health services after the 20th day of care, as well as severe cuts for medical education. The copayment proposed would seriously hurt the capacity of home care providors to provide quality of care, since 500,000 beneficiaries need more than 20 visits.

Mr. President, I am firmly committed to reducing this intolerable deficit. But we cannot ask the elderly and poor families to shoulder such an unfair burden of the savings to the Federal Government. This amendment very modestly reduces that burden. I therefore urge my colleagues to support this amendment.

Mr. BAUCUS. Mr. President, I will vote for this amendment but I am not satisfied with it.

The amendment is a small Band-Aid on a package that opens a gaping wound in the pocketbooks of America's senior citizens.

At best, this amendment is a first step toward a fair deficit reduction package. I will support this first step but I will be back with my colleagues to offer an amendment that achieves budget savings without reneging on the commitment we have made to provide America's seniors with access to affordable, quality health care.

This amendment does slightly ease the burden the Republican budget package would impose. But it leaves in place proposals that this body has wisely rejected time and time again. We have rejected delays in Medicare eligibility. We have rejected increases in the Medicare part B deductible. We have rejected increases in copayments for vital services. And we agreed to stabilize the part B premium at 25 percent of program costs. The Republican package and even this amendment ignore these past decisions.

Mr. President, I will support this small step, but we have a long way to go before this package is fair and equitable.

Mr. D'AMATO. Mr. President, I rise in support of the amendment offered by my distinguished colleague from Oregon. The cost of health care for the elderly continues to represent an overwhelming portion of the income of senior citizens. It is estimated that the elderly pay an average of 15 percent or $1,700 of their income a year for health care. We cannot ignore the economic plight of the elderly.

The cost of the White House-Senate Medicare proposals to the elderly for fiscal years 1986 through 1988 will be close to $5 billion. This does not include additional costs passed on to beneficiaries by physicians who decide not to participate in the Medicare part B because of the proposed freeze on reimbursement rates.

The cost of the Medicaid proposal would hurt the poor of our Nation,

some of the people who need adequate health care the most. A Medicaid cap would be acceptable if Medicaid roles were static. They are not. In my State especially, the Medicaid cap would cost $261 million in fiscal year 1986 alone. Medicaid has been the target of reductions since 1981. To continue this trend for an additional 3 years would be disasterous to the health care needs of the needy.

Under part B, the beneficiary is responsible for 20 percent of the cost of physician services, as well as monthly premiums, $15.50 a month, and a yearly deductible, currently $75. The proposed increase of the premium would cost beneficiaries $2.073 billion by 1988, for a 3-year total cost to beneficiaries of $3.386 billion. To increase the $75 deductible would cost $180 million over 3 years.

I am also concerned about the proposed copayment for home-care visits after 20 is shortsighted and burdensome as well. Medicare should not be discouraging home care, rather it should provide incentives for home care. Home care is significantly less costly than hospital care while also being more humane. I am afraid that the affect of this copayment will not only be a $315 million added burden on beneficiaries, but also discourage home care and actually be more costly to Medicare in the long run.

I support this amendment which will dramatically reduce the proposed increases to Medicare beneficiaries and I ask my colleagues to join me in support of this amendment.

THE MEDICAID AND MEDICARE AMENDMENT

● Mr. DURENBERGER. Mr. President, I join with my colleagues Senators PACKWOOD, CHAFEE, and HEINZ to introduce an amendment to refine the leadership budget package. I voted for the package because it is a serious attempt to reduce the Nation's Federal budget deficit. In speeches throughout this country I have said time and time again that the deficit is the major issue facing this Congress.

Good budget policy, however, is not always consistent with good health policy. The amendment I introduced with my colleagues from the Finance Committee will provide the committee the added flexibility it needs when its sets policy for savings from the Medicare and Medicaid Programs.

The amendment would set savings goals for 1986 through 1988 of $16.3 billion from Medicare and $1.2 billion from Medicaid. These numbers can be reached. It is important to point out though, that these numbers come on top of major contributions Medicare and Medicaid have contributed to deficit reduction over the last 4 years. Since 1981, Medicare has contributed $28.2 billion to deficit reduction and $3.5 billion came from Medicaid. Twenty-four percent of the Medicare savings came from increases in beneficiary out-of-pocket costs and the remainder from lower payments to hospitals, doctors, and other health providers.

Part of these savings came from our health care reforms, such as the establishment of the new prospective payment system for hospitals under Medicare. Other savings came from arbitrary cut backs and freezes.

More can be done. But, it should be understood, unlike other parts of our budget, those involved in health care for this Nation's elderly, disabled and poor have taken it upon themselves to bring down costs. If the Defense Department had the equivalent of Medicare prospective payment reform, we would not have had the $7,500 coffee pot.

The Finance Committee will likely reach its Medicare savings goal from an array of measures. The centerpiece of the Medicare savings are likely to be freezes on hospital DRG rates and physician fees.

I will support both, but do not think either is good health policy. In 1983, when Congress adopted the prospective payment system we promised the hospitals fair increases to help in their transition to this tough new payment system. The first year they got an increase of inflation plus one percent for technology and volume. The next year they got inflation plus one quarter. This year we are going to freeze the DRG rate which in an inflationary time means we are going to actually give them a 4 to 5 point cut.

Last year, we froze the physicians. It makes no sense to freeze the physicians again—but we have a deficit and everybody needs to contribute. At a minimum, however, it is essential, as the leadership package proposes, to carve out the physicians who accept 100 percent Medicare assignment. We promised physicians last year when the freeze went into effect, that those who participated in this program to accept 100 percent assignment would be rewarded. The 30 percent of physicians who have participated deserve our support.

Other provisions likely to affect hospitals are the reduction assumptions concerning direct and indirect payments for clinical training. These subsidies should be trimmed and reshaped. I plan to propose refinements in the direct payment for intern and resident salaries in the next few days.

As for the indirect adjustment for medical education. This adjustment is unfortunately misnamed. It is actually an adjustment for the fact that teaching hospitals tend to treat sicker and frequently poorer patients which require greater intensity of services. Until we come up with a severity index for the DRG system and make other refinements we must be very careful how we treat this adjustment.

The adjustment presently allows teaching hospitals an additional 11.59 percent per DRG for each ratio of 0.1 residents to beds. So, for example, a hospital with 50 residents and 100 beds would get an additional 58 percent for every DRG (5×11.59 percent). This ratio provides the best proxy we now have. The adjustment was arbitrarily set when we wrote the Social Security Amendment of 1983. The current adjustment may be overrich and could be cut. The 50-percent reduction assumption in the leadership agreement would cause irreparable harm, particularly for hospitals which treat a disproportionate share of poor patients. It is important we take these factors into account in the Finance Committee deliberations and develop a more appropriate means to reduce the indirect adjustment. We do not want to throw the baby out with the bath water.

Our amendment will also ease the burden on the elderly. It will allow the Finance Committee to reduce the amount of out-of-pocket payments made by beneficiaries to contribute to Medicare savings.

The leadership package askes a lot of beneficiaries. Under its provision the Congress would likely move to raise part B premium to 35 percent of the program costs, increase the deductible for part B by indexing it, and require $4.80 beneficiary home health copayment per visit after 20 free visits.

Some combination of these cost increases for Medicare eligible individuals will likely be dropped. This amendment assumes we would reduce the part B premium increase to 30 percent of program costs and, eliminate the home health copayment.

The increase in part B premium is warranted. The program was designed for the Federal Government to contribute 50 percent of the costs and the beneficiaries to pay the other half. Over the last 10 years, the Government portion, from general revenues, has increased 594 percent, while the out-of-pocket premium costs to the beneficiaries went up 132 percent.

The problem with raising premiums and deductibles for Medicare is that it affects the rich and poor alike. 14.1 percent of the elderly live below the poverty line. Another 30 to 40 percent live on minimal fixed incomes and may be totally dependent on Social Security. For the low income elderly the higher cost sharing is unfair.

I proposed in the part B Premium Redistribution Act last session that Congress design a graduated premium which asks for greater contribution from the elderly who can afford additional out-of-pocket expenses while reducing premiums for the poor beneficiaries. My bill would have reduced the monthly premium and raised the

contribution toward Medicare from the better off on their tax forms.

It may not be the time politically to move to this concept of graduated contributions for Medicare beneficiaries. Although it is not coincidential that Paul Kirk, Chairman of the Democratic National Committee, suggested we examine this approach only a few weeks ago. The powers that be in his party compelled him to change his tone. But, the fact that he even suggested it politically indicates that even Senator KENNEDY's former colleagues are beginning to realize how unfair to the poor, the taxpayers and all of us it is to give the rich and poor alike the same shake under part B and the other social insurance programs regardless of their means.

Our amendment also reduces the savings achieved from Medicaid from the leadership budget package. The leadership budget package assumes that $2,010 billion would come from a cap on Federal contribution to Medicaid. Instead the amendment sets a goal of $1.2 billion which can be achieved through administrative reform. This is as far as we should go.

Medicaid is becoming less and less adequate as a health care program for the poor. The proportion of the Nation's poor and near poor covered by Medicaid declined from 63 percent in 1975 to under 50 percent today. Medicaid programs in 14 States covered fewer than ⅓ of the poor in 1980 and coverage has continued to decline since that time. In 1984, Medicaid eligibility began at incomes 22 percent below the poverty level in five States.

The cap would preempt States such as South Carolina and Mississippi from expanding their base. Mississippi has a particularly worrisome infant mortality problem—capping Medicaid would limit the State's ability to reduce its infant mortality.

Also, it has been argued that States have not done enough to keep Medicaid costs down. This is untrue and unfair. A cap will not provide the incentives needed for States to cut costs. They have sufficient constraints already. A cap would only cut into current benefits.

In virtually every State Medicaid already pays physicians far less than the Federal Medicare levels. It has been estimated that to increase State Medicaid physician fees to Federal levels, Medicaid expenditures on physician services would need to be increased by 55.7 percent. Yet, in Ohio, for example, payment by Medicaid to doctors and hospitals has not increased since 1970.

In fact, Medicaid rates are so low that physician participation in Medicaid is often inadequate. This has frequently forced Medicaid recipients to seek ambulatory care in costly hospital emergency rooms and outpatient departments.

Access can, however, be improved without necessarily increasing costs.

More than a dozen States have received waivers to implement primary care case management systems. While a number of States are aggressively pursuing expanded Medicaid participation in HMO's. Medicaid recipient HMO enrollment has increased 83 percent since 1980.

States have been implementing reforms on the hospital side as well. Data indicates that Medicaid hospital expenditures would have to be increased by about 10 percent to bring them to Federal Medicare levels. The majority of States have adopted hospital payment systems which are either totally prospective or establish prospective limits on costs that will be allowed. Only nine States still use traditional Medicare cost-based reimbursement methodologies and hospital expenditures in these nine States constitute only 4.7 percent of Medicaid outlays on inpatient hospital care nationally.

Medicaid is more than a health care program for the poor. It is also a long term care program for the elderly.

The cap would particularly hit long term care for the poor elderly. Medicaid is the program of last resort for the poor elderly and disabled.

I do not believe it is good policy to force people on the dole to afford long term care. Many spend down to qualify for Medicaid. This is not what the program was designed for. Nevertheless, the cap would only exacerbate the long term care problems of Medicaid. Reform is needed. But, it must be more comprehensive and well thought out.

The States have made important reforms to hold down the cost of long term care for Medicaid.

A wide range of State Medicaid policies are in place to contain long term care costs. The Federal Medicare program still uses inflationary cost-based reimbursement systems for nursing homes. In contrast, 30 States use prospective payment systems for skilled nursing facilities and 6 more include prospective elements in their systems. Nine States have adopted systems to link reimbursement to the level of patient needs.

In addition, patients remaining in nursing homes are more frail because States are developing community-based alternatives for individuals in need of long term care who can be more appropriately and cost-effectively cared for in noninstitutional settings. In fact, 46 States have received approval to develop such alternative care systems under the waiver authority Congress enacted in 1981.

The proposed cap would make no adjustment for increases in our frail elderly population in need of long term care. The cap would make it particularly difficult to meet growing needs in States with disproportionately large elderly populations such as Florida, which has an influx of the elderly, or South Dakota, which has an out-migration of younger people.

In general, State Medicaid programs have been very aggressive in containing Medicaid cost increases through a broad range of measures. Since 1980, State Medicaid programs have adopted over three times as many cost-saving program decreases as program increases.

The entire area of health care for the indigent and long term care for the disabled and elderly needs reform. But, the budget process, this year, is not the place to screw down on those who are least able to fend for themselves.

My colleagues and I have proposed this amendment for Medicare and Medicaid because it is fair. It gives the Finance Committee a mark we can work with. I appreciate the work the leadership and my colleagues have done to develop an alternative to the leadership budget package for Medicare and Medicaid.●

Mr. CHAFEE. Mr. President, the amendment before us is the result of a great deal of discussion by those of us who were concerned about the original cuts in Medicare and Medicaid proposed in the White House-Senate agreement.

This amendment eliminates all references to a cap on the Medicaid Program and reduces the savings mark for the Finance Committee in this program to $1.2 billion over 3 years. I believe we can reach this mark with changes which will not adversely affect those who need the program the most.

The amendment also reduces the increase in the premium for part B from 35 percent to 30 percent over 5 years and eliminates the home health copayment requirement.

Overall, the amendment reduces the savings mark for the Finance Committee to meet through savings in the Medicare and Medicaid Programs from approximately $20 billion to $17.5 billion, a mark I believe the committee can meet without great difficulty.

Throughout this process, I have been very concerned about the impact of the spending reduction marks. Initially, they were simply too large to achieve without having an extremely adverse affect on the elderly, disabled and poor. I was especially concerned about the proposed cap on the Medicaid Program.

Under the cap each State would have received only what it is currently getting from the Federal side of the equation adjusted for medical services inflation. The Federal match for all practical purposes would be eliminated and the program would be changed from an entitlement to a block grant.

A cap means that States would not be able to increase eligibility or services.

One of the populations which would have been severely affected by the cap proposal is the elderly. Long-term care services for the elderly alone account for almost one-half of the cost of the Medicaid Program. Medicaid assumed this role by default—many elderly individuals who are in nursing homes entered as private pay payors. Once their savings become depleted—they had gone through all of their savings and assets—they ended up on Medicaid. Half of all nursing home residents are the newly impoverished.

As my hearings on longevity clearly indicated, the projected increases in the elderly population, especially those over 85, are astounding. This means that the number of elderly individuals who require long-term care will be rapidly growing. If a Medicaid cap were a part of this package, it would mean that States would have difficulty in providing care to this growing population.

Another affected population is the developmentally disabled. More of these individuals would end up in institutions under a cap because the States would not be able to pay for expanded community based services.

A Medicaid cap would place enormous pressures on the States to limit their benefits package to emergency services and basic hospital, nursing home and physician care. The development of community based alternatives and preventive health care services would be harmed.

In short, a cap would not take into account changing demographic patterns and needs among the various States, such as increases in the elderly population at risk of nursing home placement or increases in the number of unemployed or working poor families.

Overall, I am pleased with this amendment. It is a workable and satisfactory compromise—one which I hope all of my colleagues will support.

Mr. LEVIN. Mr. President, I support the amendment offered by my colleagues Senator PACKWOOD and Senator CHAFEE. It is a step in the right direction. It is clearly better than the White House-Republican leadership proposal which would make cuts of $3.8 billion in 1986 and $18.1 billion over a 3-year period. Of the $18.1 billion, almost $5 billion, or 28 percent of the total Medicare cuts, would come directly from increased charges to Medicare beneficiaries. The leadership proposal also caps the Medicaid Program, a move vehemently opposed by many State officials.

The amendment before us eliminates the Medicaid cap and somewhat reduces the amount of out-of-pocket costs to beneficiaries under the leadership proposal.

Medicare beneficiaries already pay far too much out-of-pocket costs for medical care—an average of $1,500 per person or one dollar in every seven of already limited income.

Medicare only covers 40 percent of the elderly's Medical costs. It is not fair to add to this burden by further reducing Medicare's limited benefits. We should not further victimize our elderly for an excessive medical cost inflation they did not create and cannot cure.

I am also supporting this amendment because of my concern for the severe underpayment to hospitals that serve a significantly disproportionate number of low income and Medicare patients. Because such hospitals are already, in effect, heavily dependent on the Medicare Program, continued underpayment threatens their very survival. I am not willing to add on to an already inadequate reimbursement level.

We have already made significant progress in Medicare savings under the new prospective payment system, thanks to the support and cooperation of hospitals across the country. We ought not penalize them or put an additional burden on them because of that cooperation and support.

So for these reasons I will support the amendment before us. However, when there is a subsequent amendment which would remove all of the out-of-pocket costs increases to Medicare recipients, then I would support it because it is preferable to the amendment before us now. However, since the Packwood Amendment we are now voting on is an improvement over the White House-Republican leadership plan, I will support it in the interim.

Mr. GRASSLEY. Mr. President, I rise in support of Senator PACKWOOD's amendment to restore reductions in the Medicaid and Medicare Programs which are assumed in the Senate-White-House compromise budget resolution. One major provision of this amendment eliminates the proposed cap on the Medicaid budget. Capping the Medicaid Program to the rise in the medical Consumer Price Index would not accommodate increasing caseloads and maintain services for the aged, blind, disabled and AFDC recipients that depend on the Medicaid Program for medical services.

Adjustment of Medicaid funding by the MCPI, which is estimated to be 5.9 percent, would create a shortfall of $17 million in fiscal year 1986 in the State of Iowa alone, according to our Department of Human Services. Because Iowa uses approximately one-half of its Federal Medicaid dollars for the elderly, such a cap would fail to provide for our growing elderly population. This cost-saving measure would create an adverse and inequitable impact on our disadvantaged and aged individuals, and is contrary to our goal of treating all programs and beneficiaries fairly.

In addition, this amendment offered by Senator PACKWOOD eliminates assumed savings in the Medicare Program that would result from increasing out-of-pocket expenses for Medicare beneficiaries. The compromise budget resolution proposes a phased-in increase in part B premiums, requires home health care copayments and indexes the part B deductible by the medical economic index beginning in 1987. I feel that the restoration of Medicare funding resulting from this amendment is consistent with my budget freeze proposal which assumes no policy changes or increased costs to beneficiaries. Although we should not categorically rule out any change to these programs during the budget process, we must continue to formulate a budget plan which embodies equitable function numbers and program fairness.

Mr. GLENN. Mr. President, I will be pleased to join other Senate Democrats in cosponsoring and supporting amendments to the budget resolution to eliminate the proposed increases in Medicare beneficiary out-of-pocket costs and the proposed cuts in Federal Medicaid spending. I look forward to the hour when Senator CHILES, myself, and others will have a chance to offer our own health budget proposals.

As ranking Democratic member of the Senate Special Committee on Aging, I am deeply concerned about the heavy financial burden already being borne by elderly citizens for their health care. Today, the Medicare Program pays for less than half of older Americans' total medical care expenditures. Under current law, significant increases in out-of-pocket costs are already scheduled to be paid by Medicare beneficiaries. The hospital deductible, as well as the hospital and nursing home copayments, are indexed to rise with increases in the daily costs of stays.

With the enactment of the Medicare prospective payments system for hospitals, lengths of stay for hospitalization have been going down while the daily cost of a stay has been rising more than anticipated. Therefore, the Medicare hospital insurance deductible—paid by the sickest of beneficiaries—is rising dramatically, from $400 this year to a projected $476 in 1986, to $524 in 1987.

Congress has enacted a number of Medicare savings over the past few years as part of an effort to reduce the Federal deficit. Some of these budget plans have directly increased the cost sharing borne by elderly citizens under the program. We simply cannot allow larger and larger out-of-pocket payments from Medicare beneficiaries to become a regular fixture in our annual

budget process. Similarly, further cutbacks in the Medicaid Program can only mean additional rationing of desperately needed health care for our most vulnerable populations.

Just as we must protect the 30 million elderly and disabled Americans served by the Medicare Program, we must care for those populations assisted by Medicaid. Medicaid beneficiaries include 11 million children living in poverty, 5 million poor adults with dependent children, and 6 million low-income aged, blind, and disabled individuals.

President Reagan's earlier budgets slashed Federal Medicaid spending and we cannot afford any deeper cuts in this program. State Medicaid budgets have been cut; reimbursement and benefit restrictions have been implemented throughout the country. With the previous cutbacks in Medicaid, the new Medicare hospital reimbursement limits, and tight fiscal times, we are hearing more and more about the problems of uncompensated care for the medically indigent without health insurance. There are news stories about hospitals experiencing difficulties in absorbing the growing cost of this care. There are other stories in the press about the troubling phenomenon of patient-shifting between hospitals, where institutions attempt to pass on the most expensive, revenue-losing patients.

Further cuts in the Medicaid Program can only exacerbate the growing national problem of uncompensated care. In my home State of Ohio, the costs of indigent care for hospitals have been and continue to rapidly rise. Additional cuts in Medicaid will only shift these costs to States and local hospitals, and this approach is entirely unacceptable to me.

Finally, I would like to point out that the amendment to the budget resolution which I am cosponsoring with Senator CHILES would reduce the level of proposed cuts in reimbursement for the indirect costs of care incurred by teaching hospitals. This reimbursement serves a purpose beyond providing our young people with a medical education—it helps pay for the costs of providing health care to indigent and uninsured individuals. I know that Ohio would suffer from the budget plan to cut this assistance in half, and I will continue to oppose the 50-percent reduction.

Mr. KERRY. Mr. President, yesterday evening the Senate had the opportunity to consider an amendment on the subject of corporate and individual minimum income taxes, and comprehensive tax reform. I voted for that amendment, Mr. President, but in light of the time limits which constrained the debate, I would like to take this opportunity to expand upon the points I raised in my colloquy at that time.

The amendment is simple, and advances a principle which I have long supported: substantial tax reform which makes the Tax Code fairer. It does this by insuring that those who use loopholes to escape taxation are made to pay their fair share, and by lowering the burden on poor and working Americans who are currently overtaxed.

I must respectfully disagree with those who argue that this Republican amendment represents a new tax. The Congress had never intended that some of the richest individuals and most profitable corporations in the country would be exempt from any taxes at all. It is simply the case that by employing small armies of accountants and tax lawyers and engaging in wasteful paper entrepreneurialism, a select few have managed to exploit loopholes in unintended ways to avoid the burden that most Americans dutifully share. What the Congress is doing is not imposing new taxes, but simply catching up with those crafty few aren't paying the old ones.

The second objective of the amendment, that revenues raised from the minimum tax be used to lower rates and increase the zero-bracket amount of income for tax purposes, is also a goal that I support. It is important to note, however, that the extent to which such changes are implemented must be considered within the overall process of deficit reduction and comprehensive tax reform. In this connection, I feel it is important to remember that the administration, most Members of Congress, and virtually all of the Nation's most respected economists continue to argue that genuine deficit reduction must take priority over tax reform.

It is in this context that I cast my vote in support of the Dole-Packwood amendment yesterday.

The PRESIDING OFFICER. All time on the amendment has expired.

The question is on agreeing to the amendment of the Senator from Oregon. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

The PRESIDING OFFICER (Mr. D'AMATO). Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 93, nays 6, as follows:

[Rollcall Vote No. 39 Leg.]

YEAS—93

Abdnor	Boren	Chiles
Andrews	Boschwitz	Cochran
Armstrong	Bradley	Cohen
Baucus	Bumpers	Cranston
Bentsen	Burdick	D'Amato
Biden	Byrd	Danforth
Bingaman	Chafee	DeConcini
Denton	Heinz	Nunn
Dixon	Hollings	Packwood
Dodd	Inouye	Pell
Dole	Johnston	Pressler
Domenici	Kassebaum	Pryor
Durenberger	Kasten	Quayle
Eagleton	Kennedy	Riegle
Evans	Kerry	Rockefeller
Exon	Lautenberg	Roth
Ford	Laxalt	Rudman
Garn	Leahy	Sarbanes
Glenn	Levin	Sasser
Goldwater	Long	Simon
Gore	Lugar	Simpson
Gorton	Mathias	Specter
Gramm	Matsunaga	Stafford
Grassley	Mattingly	Stennis
Harkin	McConnell	Stevens
Hart	Melcher	Thurmond
Hatch	Metzenbaum	Trible
Hatfield	Mitchell	Warner
Hawkins	Moynihan	Weicker
Hecht	Murkowski	Wilson
Heflin	Nickles	Zorinsky

NAYS—6

Helms	McClure	Symms
Humphrey	Proxmire	Wallop

NOT VOTING—1

East

So the amendment (No. 50) was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BYRD. Mr. President, will the distinguished majority leader yield?

Mr. DOLE. Yes, I yield.

Mr. BYRD. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order. The majority leader has the floor. He has yielded for a question to the minority leader.

Mr. BYRD. Mr. President, I thank the Chair. I am only taking the floor and asking the majority leader to yield to inquire of the distinguished majority leader as to what the program will be for the rest of the day, how many votes we will have, and what he foresees for Monday and beyond.

Mr. DOLE. Mr. President, let me indicate that I would like to have a couple more votes. I think we can do that rather quickly. I know there are a number of commitments starting about 1 o'clock.

We will try to accommodate everyone we can.

On Monday, we will come in at a fairly early hour, but I have indicated to the distinguished minority leader that votes will not occur before 4 p.m. on Monday, and we may have to stack a vote or two.

Mr. BYRD. Mr. President, I know that the distinguished majority leader hopes to finish this measure by——

Mr. DOLE. I would like to finish this by——

Mr. BYRD. Midweek?

Mr. DOLE. Well, Tuesday and Wednesday are sort of shot full of holes, but maybe by Thursday—at the latest 1 week from today. We really do want to finish it next week and I know that it may cause some problems, say, next Friday, but if we are near the end, we may complete it on that day.

Mr. BYRD. Mr. President, will the distinguished majority leader yield further?

Mr. DOLE. Yes.

Mr. BYRD. I want to express the hope likewise that we finish acting on this measure by Wednesday or Thursday. And it should not take us longer than that.

How much time do we have on each side on the resolution?

The PRESIDING OFFICER. The majority leader has 8 hours and 49 minutes; the minority leader has 12 hours and 32 minutes.

Mr. BYRD. I thank the Chair.

I thank the distinguished majority leader.

AMENDMENT NO. 51

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I have an amendment at the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM], for himself, Mr. MATTINGLY, Mr. NICKLES, Mr. HELMS, Mr. MCCLURE, Mr. THURMOND, and Mr. DENTON, proposes an amendment numbered 51 to Amendment No. 43.

Mr. GRAMM. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the pending amendment, do the following:

On page 13, increase the amount on line 20 by $300,000,000.

On page 13, increase the amount on line 21 by $300,000,000.

On page 14, increase the amount on line 4 by $300,000,000.

On page 14, increase the amount on line 5 by $300,000,000.

On page 14, increase the amount on line 13 by $300,000,000.

On page 14, increase the amount on line 14 by $300,000,000.

On page 28, decrease the amount on line 15 by $300,000,000.

On page 28, decrease the amount on line 16 by $300,000,000.

On page 28, decrease the amount on line 23 by $300,000,000.

On page 28, decrease the amount on line 24 by $300,000,000.

On page 29, decrease the amount on line 6 by $300,000,000.

On page 29, decrease the amount on line 7 by $300,000,000.

On page 37, decrease the first amount on line 11 by $319,000,000.

On page 37, decrease the second amount on line 11 by $287,000,000.

On page 37, decrease the amount on line 12 by $336,000,000.

On page 37, decrease the amount on line 13 by $335,000,000.

On page 37, decrease the first amount on line 14 by $356,000,000.

On page 37, decrease the second amount on line 14 by $354,000,000.

On page 42, increase the first amount on line 6 by $319,000,000.

On page 42, increase the second amount on line 6 by $287,000,000.

On page 42, increase the amount on line 7 by $336,000,000.

On page 42, increase the amount on line 8 by $335,000,000.

On page 42, increase the first amount on line 9 by $356,000,000.

On page 42, increase the second amount on line 9 by $354,000,000.

On page 44, decrease the amount on line 10 by $319,000,000.

On page 44, decrease the amount on line 11 by $287,000,000.

On page 44, decrease the first amount on line 12 by $336,000,000.

On page 44, decrease the second amount on line 12 by $335,000,000.

On page 44, decrease the amount on line 13 by $356,000,000.

On page 44, decrease the amount on line 14 by $354,000,000.

On page 45, increase the amount on line 21 by $319,000,000.

On page 45, increase the amount on line 22 by $287,000,000.

On page 45, increase the first amount on line 23 by $336,000,000.

On page 45, increase the second amount on line 23 by $335,000,000.

On page 45, increase the amount on line 24 by $356,000,000.

On page 45, increase the amount on line 25 by $354,000,000.

On page 52, decrease the amount on line 1 by $300,000,000.

On page 52, decrease the amount on line 3 by $300,000,000.

On page 52, decrease the amount on line 4 by $300,000,000.

Mr. BYRD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. GRAMM. Mr. President, I offer this amendment for myself, Mr. MATTINGLY, Mr. NICKLES, Mr. HELMS, Mr. MCCLURE, Mr. THURMOND, and Mr. DENTON.

The essence of the budget is making hard decisions, setting priorities, and in that spirit, this amendment aims to transfer funds from function 750, administration of justice, to function 350, the agricultural function. It transfers $300 million, the amount funded for legal services under function 750, to the agriculture function, function 350.

Mr. President, these funds transferred from Legal Services to agriculture would be sufficient, for example, to provide crop insurance and soil and water conservation. I think it is important in times of tight budgets that we set priorities, that we look at the importance of programs. We face great difficulties in rural America. We know that there have to be changes in farm policy, that we have to move toward a market oriented agriculture. But I do not think anyone who represents rural America, as I do in rural Texas, believes that that transition is going to be easy. It is going to be extremely difficult. What I am attempting to do in this amendment is give us greater flexibility in that transition by terminating an important program, an important program with a big constituency but yet in my opinion not a program as important as agriculture, not a program as important as crop insurance, not a program as important as soil and water conservation, by removing funding equivalent to the amount in the budget for Legal Services and transferring that money to function 350.

Now, Mr. President, it does not take a long litany of explanation to outline problems with legal services, and rather than engaging in a protracted debate, I would simply like to read my colleagues a few examples of the abuses of the legal services that are contained in a new book that is coming out from two distinguished economists who happen to be students of students of mine, Dr. John T. Bennett and Dr. Thomas DeLorenzo, both at George Mason University. This book is entitled "Taxpayer Funded Politics."

Let me outline to you some examples of what I believe the public conceives to be a misuse of funds under Legal Services.

No. 1, the California Legal Service assistants sued the University of California to stop research that would have improved agricultural productivity. According to the complaint, the development of labor saving and cost reducing farm machinery would "benefit narrow groups of agribusiness interests with no valid public purpose and contribute to agricultural unemployment or the displacement of farm workers."

A second example; In New York, the Legal Services sued to have welfare benefits paid to an illegal alien. In Tampa, FL, the bay area Legal Services Administration persuaded the Federal district court to prevent the implementation of a statewide functional literacy test as a prerequisite for high school graduation.

In Youngstown, OH, the East Ohio Valley Services Corp., sued the United States Steel Corp., to require the company to sell its mill to a community organization that received taxpayer subsidies.

Legal services grantees in Maine, Colorado, Massachusetts, and South Carolina have sued to reclaim hundreds of thousands of acres for Indian tribes. According to the Legal Services Corporation grantee, two-thirds of the State of Maine should revert to Indian tribes.

Legal Services Corporation grantees have argued that alcoholics should receive supplemental security benefits.

I could go on and on. One interesting suit in an era where we talk about hammers and toilet seats as they relate to defense, local legal service organizations in Montana, Iowa, and

Connecticut have sued to force State governments to use taxpayer funds for sex-change operations. One suit sought $7,000 to $10,000 to relieve "frustration, depression, and anxiety" caused by "gender identity conditions."

Now, Mr. President, we are down to making choices in trying to bring spending under control. I submit that my colleagues should get a copy of this book and read hundreds of other abuses of Legal Services and other funded public entities, but my point is not that Legal Services does no good. My point is that in an era of tight budgets we have to set priorities. I hear a lot of people say "Cut across the board," but when I run out of money at the end of the month, I do not say to my two sons, "We are going to go to the movie house a little less and we are going to drink a little less milk." I say, "We are just not going to the movie house."

My point is that if we look at the difficult choices in agriculture, if we look at crop insurance and soil and water conservation, the relative needs and benefits, if we weigh that against Legal Services, they are so overwhelming that I am hopeful the Senate will decide to transfer this $300 million from function 750 to function 350 to allow us to proceed to fund crop insurance and soil and water conservation at the expense of Legal Services.

Mr. MELCHER. Mr. President, will the Senator yield for a quesiton?

Mr. GRAMM. I will be happy to yield.

Mr. MELCHER. I thank my friend for yielding. Can I conclude the Senator has made a determination that he would like to eliminate Legal Services?

Mr. GRAMM. I am providing a budgetary transfer that would eliminate the amount of money currently expended on Legal Services from function 750 and transfer those funds to function 350. My clear intent, and the chairman of the Agriculture Committee as a cosponsor of this amendment, is to take those funds and use them to ease our transition into a new era of market-oriented agriculture.

I have also made the point that the amount of funds transferred is roughly equivalent to the funds on which we currently face a shortfall under this budget in crop insurance and soil and water conservation.

Mr. MELCHER. Mr. President, will the Senator answer this: If the amendment were to fail, would he care to submit an amendment to eliminate legal services?

Mr. GRAMM. I am not going to speculate on the amendment failing. I hope it is going to be adopted.

I think that if we went out and submitted to the American people whether they wanted their money used to fund sex changes or to fund crop insurance and water conservation, whether they thought the problems of this country were going to be solved in the courtroom or in the fields on our farms, the answer would be overwhelming; and I hope the Senate will reflect the public will.

Mr. MELCHER addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MELCHER. Mr. President, who can yield time to me?

The PRESIDING OFFICER. The minority leader, from the time in opposition.

Mr. CHILES. I yield 5 minutes to the Senator.

Mr. MELCHER. I thank the Senator from Florida.

Mr. President, the needs for additional funds in soil and water conservation and crop insurance are patently clear, and they must be provided. However, if we are going to attempt to make this particular transfer, it probably will not work. I think every Member of the Senate knows that I am not a lawyer. That is not my profession. So I must make my individual judgment on the need for legal services on the basis of advice from members of the bar in my State and pay some attention to it.

The members of the bar of Montana are in favor of continuing legal services. The last I heard, the American Bar Association made a very staunch defense of the need for legal services.

One of our sons is a practicing attorney in Montana, and he tells me about the pro bono work that the law firm he works for does for the community, the area they serve in Montana. That is pro bono work; and he, as the youngest member of this law firm, gets to do a lot of pro bono work that firm does for the community. That is well and good, and I am pleased that the profession of law takes that upon themselves, those in private practice, to do pro bono work.

However, in addition, I am impressed when they tell me that they feel that Legal Services is necessary in Montana to do the basic work that is not provided for those who cannot afford to hire attorneys.

I will, of course, follow the advice of those who are in that profession in the State of Montana, and I will follow the advice, as I understand it, the very staunch advice and recommendation, of the American Bar Association, and I will vote to retain Legal Services.

This is like drawing a red herring across your track, and you are expected to smell it and sniff it and follow it and say this could be more money for agriculture. Knowing how urgently those funds are need for soil conservation work and for crop insurance, perhaps the authors of this amendment would expect me to vote with them on this particular transfer. However, that is not the case at all. I shall not vote with them on this amendment. I oppose the amendment, for the reasons I have stated, in considering the need for Legal Services.

The PRESIDING OFFICER. Will the Senator suspend?

Mr. MELCHER. I ask for 2 additional minutes.

The PRESIDING OFFICER. That is not the question. The question is that this is like a noisy den of kindergarten people. The staff should stop talking or leave. Let us give our colleague the dignity and respect of hearing him, without this commotion.

Mr. MELCHER. I thank the Chair.

Mr. President, when it comes time to determine how much we are going to have for soil conservation, we must have more. Since it is an investment in the future and one that will help this country's economy, I suspect that the majority votes in the Senate will be to make the addition of funds that are essential for soil conservation. I think the same can be said for crop insurance.

So I suggest that we be very careful. I vigorously oppose the amendment. I shall not vote for it. I ask other Members of the Senate to vote their own consciences, on the basis of whether or not we should retain Legal Services, and then face the matter of soil conservation and Federal crop insurance at a later time.

Mr. CHILES. Mr. President, I yield 3 minutes to the distinguished Senator from Illinois [Mr. SIMON].

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. I thank the Senator from Florida.

Mr. President, I join my colleagues from Montana in saying that we have needs in the field of agriculture.

I also agree with my friend from Texas when he said that we have to set priorities. The difficulty with this amendment is that it sets the wrong priorities.

What they have done is to look over this whole field of where we have money in the Federal budget. They looked at the defense field and said, "No, we can't touch anything there." They looked at the revenue field and said, "No, we better not hit General Electric," whose net income is $6.5 billion and is not paying a penny.

They looked over the whole landscape, and they finally found this little agency that provides legal services for the poorest in our society; and they said, "Let's give this money from the poorest of the poor and put it in the field of agriculture."

I come from an agricultural State and I want to see agriculture prosper, but I do not want to do it out of the hides of the poor people of this Nation.

My friend from Texas cites abuses. He could get two of his students to write a book about abuses in the field

of agriculture. He could get two of his students to write a book about abuses in any field. Obviously, you can get a book about abuses in the field of religion.

The gauge of something is not whether there are occasional abuses but whether the program as a whole is a good program and a needed program.

Let me just give you a practical example I know of just recently. A family of very, very limited means finally got together enough money to buy a little refrigerator, and the refrigerator did not work, and they could not get any satisfaction from the local store. So they went to Legal Services, the only kind of an out they have.

This may not be the intent of my friend from Texas, but what he is doing is saying to those poor families, "Sorry, you are not going to get any help."

I think there are ways of solving our budget problems without reaching down to the poorest of the poor, as this amendment does, and I sincerely hope that this amendment is rejected and rejected resoundingly.

Mr. GRAMM. Mr. President, our colleagues from Montana and Illinois have outlined in the most classic terms why we are jeopardizing the greatest recovery in the postwar period. The truth is they are for everything. They want crop insurance. They want soil and water conservation. They want Legal Services. They cut defense yesterday by $17 billion. The problem is they do not want to make choices except the choice to raise taxes on the working people of this country.

Mr. MELCHER. Mr. President, will the Senator yield?

Mr. GRAMM. I will yield when I am finished.

Except the choice of jeopardizing the recovery that brought jobs, hope, and opportunity to our people; except the choice of jeopardizing the 7.5 million jobs we have created in the last 3 years; except the choice of jeopardizing the progress we have made in bringing inflation under control.

I say to my friends the budget is about priorities, not a priority that says I am for A and I am for B and we are going to take the money from the guy behind the tree—not those kinds of choices. It is choices among priorities within the budget.

We cut defense yesterday by $17 billion. My colleague talks about passing over defense. Defense has not been passed over .

What I have done here is taken two sets of programs, a program that has been greatly abused, and a program that needs funding as a transition to difficult times.

I do not accept the logic that the solution is simply to fund both. My logic is it is time to make a choice, and what this amendment does is it makes the choice. It lets the people of this country know in terms of relative priorities are we going to solve the problems of America in the courthouse, do we want the Federal taxpayers' money used in Montana for sex changes, do we want the taxpayers' money to be used to stop agricultural research in California, do we want it to go in suits involving welfare for illegal aliens, do we want it to go to stop elections in Texas, or do we want the money to go to make a smooth transition in agriculture?

When you have to make a choice, not a choice that says, "I want everything" everyone has a constituency, any group that has a letterhead I am for them, it is a choice——

Mr. MELCHER. Mr. President, will the Senator yield?

Mr. GRAMM. I do not yield.

It is a choice that has to be made among priorities, and what this amendment is is tough choices, the kind of choices people have to make in their own budgets, the kind of choices that every business and every family faces. It is a choice of having to say no on some things you want. I do not accept the logic that we can have everything. I do not accept the logic that, no, turn this amendment down, do not set priorities, or you do not have to set priorities.

We will fund Legal Services, we will fund soil and water conservation, and how will we do it? We will do it by raising taxes on the working people of America.

I do not know where you were on November 6, but the American people went to the polls and they said in the clearest possible terms in 49 of the 50 States and in the States of both Senators who have spoken against this amendment, "Don't raise our taxes; control spending."

That is what I am attempting to do here to set priorities, to control spending.

I am happy to yield to my colleague from Montana.

Mr. MELCHER. I thank my friend for yielding.

Mr. President, I know that his intent is that the transfer be made to soil conservation because he said so repeatedly, but the amendment is a transfer to function 350, which does not, of course, include soil conservation.

Mr. GRAMM. Mr. President, if I may reclaim my time, both functions 300 and 350 are reconciled under the instructions to the Agriculture Committee. The Agriculture Committee chairman is a cosponsor of this bill, and the entire jurisdiction of the reconciliation for that portion of 300 and 350 will fall within the jurisdiction of that reconciliation and the change will be effected there.

So what I am doing is simply providing funds, taking the $300 million which funds Legal Services out of function 750 and transferring it to function 350.

Mr. MELCHER. Mr. President, if the Senator will yield further, soil conservation is covered by function 300, and if he means it to be available for soil conservation, his amendment should so state. But we cannot find that in his amendment.

Mr. GRAMM. Mr. President, reclaiming my time, if the Senator will look at the reconciliation portion of the amendment, he will find that functions 300 and 350 are reconciled in the Agriculture Committee where the transfer is made in terms of reconciliation. So the Agriculture Committee Chairman HELMS, who is a cosponsor of this amendment, will have the ability under reconciliation to bring up and consider that transfer.

Mr. MELCHER. Mr. President, I think I understand the intent of the Senator's amendment. It, however, does not fit in with the priority of the budget, which breaks down into function and despite the reconciliation that he speaks of what that reconciliation does, it is by priorities and is by function, and I hope the amendment is defeated at any rate despite his noble intention.

Mr. GRAMM. Mr. President, reclaiming my time, I return to my point concerning the budget. The language in the Budget Act is very clear that the budget is binding on committees of jurisdiction. It is not binding in individual functions, but the reconciliation is binding and the reconciliation for 300 and 350 both fall within the jurisdiction of the Agriculture Committee. The chairman of that committee is a cosponsor of this amendment.

Mr. EXON. Mr. President, on behalf of the managers of the resolution, I yield 3 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I thank my colleague for yielding me this time to respond to this amendment.

The distinguished Senator from Texas talks about setting priorities, and I agree with him that priorities should be set, but not in this manner.

I think we have to set priorities within the agricultural scheme itself. For example, I have an amendment that I probably will be offering to the budget which will raise some revenues by closing a tax loophole that works against our family farmers and that is the use of schedule F losses, farm losses to deduct from other income that a person might make.

My colleague from Iowa in the other body has introduced a bill to do just that, to limit the amount of losses that you can deduct in agriculture against other income to the national

median income of about $25,000 a year.

Now, by doing that we could raise a couple billion dollars a year which could go into soil conservation and to helping farmers during this difficult period.

That is how we should be setting priorities within the agricultural scheme itself.

The last thing that we should be doing is trying to take from the poorest of the poor of our society to meet this need in agriculture, which I will admit to my colleague from Texas is very great. I do not know about the farmers that he represents. I know the farmers I represent in Iowa would to a person be against taking from the poorest of the poor to help them through this period of transition that they are undergoing right now.

There are other places of waste and inefficiency, other places in the budget that we can transfer to get some money into agriculture.

I also respond to my distinguished colleague from Texas that right now, because of the hardship that so many small family farmers are undergoing, they are now using Legal Services, using it more than they ever have in the past. Many of the farmers I represent in Iowa who have gone broke farming have big debts and cannot pay those debts because they did not have any money. Even in bankruptcy they are not discharged from paying their taxes to the Federal Government.

I have farm families right now that are absolutely busted, have gone through bankruptcy, have nothing, and owe the Federal Government $20,000 in taxes which cannot be discharged in bankruptcy. And where do they go to get the legal help that they need? They go to Legal Services.

So this amendment really is counterproductive for the very people that the Senator from Texas says he wants to help through this transition period. I agree that we are undergoing a transition in agriculture. I may disagree with my colleague from Texas as to the direction this transition is going. But it is a transition. Many small farmers are being hurt and being driven out of agriculture. Now more than ever they need recourse to the courthouse to help them. The only recourse many of them have is through Legal Services. So this amendment is hurting the farmer.

The PRESIDING OFFICER. The Senator's 3 minutes have elapsed. Who yields time?

Mr. HARKIN. Mr. President, may I have a couple more minutes?

Mr. EXON. Mr. President, I yield 2 additional minutes to the Senator from Iowa.

Mr. HARKIN. Thank you.

Second, on the waste, as my colleague from Illinois said, there is waste in every program. One of the biggest wastes was in agriculture. A couple of years ago in the PIK Program 50 percent of all the PIK money went to 5.4 percent of the largest farmers. There is the waste.

Last, as a former Legal Services attorney myself, I can personally attest to the need for making the Constitution and the laws of our land accessible to the poor. The Constitution and the scales of justice in this country mean nothing if you cannot get into the courthouse door. What this amendment effectively does is close the courthouse door to the poorest in our society. Again, I say that farmers I represent in my State of Iowa would never say that they want to have money taken that closes the courthouse door to the poorest of the poor to help them in agriculture.

There are many, many other areas in which we can reduce waste and inefficiency and fraud and abuse. But this is one area that we cannot take money from and close the courthouse doors, as I said, to the poorest of the poor. I yield back my time.

I thank my colleague.

Mr. EXON. Mr. President, as the majority leader indicated, we would like to move along. As far as we are concerned, we have two additional requests for time: Senator CRANSTON and Senator RUDMAN. We hope then that we can yield back the balance of our time pending any further request. But at this time I yield to Senator CRANSTON for 3 minutes.

The PRESIDING OFFICER. The Senator from California.

Mr. CRANSTON. Mr. President, once more we have an amendment before the Senate which seeks to eliminate funding for the Legal Services Program. Once more, I rise in opposition to efforts to terminate this vital program.

Mr. President, the Congress of the United States has repeatedly refused to go along with the desire of the Reagan administration to terminate the Legal Services Program.

The reason is simple: A bipartisan majority of this body and the other body hold fast to the belief that this program is necessary to bring equal justice to low-income Americans.

There is no pervasive constitutional requirement that poor people be provided with legal counsel in civil proceedings.

But there is a moral obligation to do so.

Government cannot demand—or expect—respect for the law if it provides protection only to those who can afford to pay.

Legal Services is based upon the fundamental idea that the poor, no less than the wealthy, are entitled to legal representation to redress grievances and defend their interests.

The Legal Services Program breathes life into the principle that every person, regardless of wealth, is entitled to access to the halls of justice and to the protection of the laws of the land. Contrary to what the opponents of Legal Services claim, the work of Legal Services attorneys is focused on the everyday problems of low-income Americans. In 1981, 30 percent of the cases handled by Legal Services attorneys related to family issues, 18 percent were housing problems, 17 percent involved income maintenance, including Social Security cases, and 14 percent involved consumer law.

If there are those—and there are those in this body—who wish to do away with Legal Services, I suggest that the better procedure would be to bring in a straightforward amendment that would simply abolish all funding for Legal Services. To mix this in with a tradeoff of money away from Legal Services, money for crop insurance and for soil conservation, is to muddy the waters. We should evaluate crop insurance and soil conservation on the merits of those programs. If we need more for those programs, then put such an amendment before the Senate. I would like to point out that the sponsors of this amendment may feel it necessary to use this roundabout way to get money for those purposes because they are now on record as having voted for the White House-Republican leadership resolution now pending, which cuts back money for soil conservation and for crop insurance.

Perhaps that is an embarrassment. The way to deal with that, if money is needed for that, is to bring forward an amendment to increase spending for that purpose, rather than get into a situation where we are evaluating not soil conservation and crop insurance on their merits, but considering them in the light of Legal Services and considering Legal Services in the light of those other programs. That kind of a divisive approach is not the way to build support for farm programs in this body. It is not the way to build support for other programs that have merit.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. EXON. Mr. President, I yield 1 further minute.

Mr. CRANSTON. I would like, therefore, to suggest that this amendment be defeated, that we focus on the fundamental issue which is posed by this amendment, whether or not the Legal Services Program should continue. It should. The amendment should therefore be defeated.

I would like to add that I am not for spending on every program that anybody can ever devise. I favor a deeper cut in the deficit than the Republican leadership-White House resolution has presented to this body, and I will do

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my best to see that is the bottom line when we are done.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. How much time is remaining on the amendment?

The PRESIDING OFFICER. The Senator from Texas has 16 minutes; the minority has 14 minutes.

Mr. EXON. Mr. President, I yield 5 minutes to the Senator from New Hampshire, the chairman of the committee of jurisdiction on the matter at hand.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. RUDMAN. I thank the Senator from Nebraska. The issues of equal access to justice have been well discussed here. I must say that the Senator from Texas is a very skilled debater. The Senator has obviously picked the most outrageous of abuses that we can all agree should never occur. But the fact of the matter is that many of those abuses occurred prior to 1981, and a bipartisan group of conservative, moderate, and liberal Members of this body have been working since that time to cure those abuses.

It seemed to me that this debate would not be complete without at least some facts concerning the Legal Services Corporation as it now functions. Let me indicate those facts for the RECORD.

Last year, of all of the cases handled, 28 percent were family law cases, child custody cases and other family disputes; about 13 or 14 percent were in the area that the Senator from Iowa referred to a few moments ago. These had to do with consumer finance, tax liability, bankruptcy, unfair sales, and other unfair consumer practices. Twenty percent were in the area of housing. About 20 percent were in the area of income maintenance; 3 percent in employment, mainly job discrimination; 2 percent in health; and a little bit more than 1 percent in juvenile law.

Of all of the cases closed in 1983, only 8.5 percent resulted in court decisions; 5.5 percent in decisions of administrative agencies; and an overwhelming among, 53 percent involved counsel and advice concerning other ways to resolve disputes. There were 1.3 million cases handled at a cost of $305 million.

In the last 3 years, there has been a great deal of reform in the Legal Services Corporation. As a matter of fact, there is now a board appointed by this President which hopefully will be confirmed by this Senate in the near future which will further institute reforms we all believe are necessary. But the fact of the matter is that in language agreed to in a compromise involving Senators HATCH, DENTON, GRASSLEY, LAXALT, WEICKER, EAGLETON, KENNEDY, and myself a year and a half ago, we have imposed very substantial limitations on the Legal Services Corporation which virtually prohibit lobbying, prohibit representation of illegal aliens, limit the bringing of class action suits against Federal, State, or local governments except under very unusual circumstances, and, most importantly, place the conduct of Legal Services Corporation at the local level under the supervision of generally conservative local bar associations.

I would say to my friend from Texas, who told me yesterday of the lawsuits involved in the election there last year, that I think that the conduct he spoke of was outrageous and I think the Texas Bar Association certainly ought to be able to bring the kind of supervision against the Texas Legal Services Corporation to make sure that kind of abuse does not recur.

Mr. President, let me simply say that in every program this Government is involved with there is abuse. I can say fairly as one who, as attorney general for New Hampshire, was probably sued by the Legal Services Corporation more than anyone else in this body, that I came here with a view of helping to reform that system. I believe it has been reformed. I believe it has broad bipartisan support. Quite frankly, Mr. President, I do not believe this is the time to throw out the baby with the bathwater. I think this particular amendment ought to be overwhelmingly rejected.

I thank the Chair and I thank the Senator for yielding.

Mr. CHILES. Mr. President, I yield 5 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I, too, want to join those who have spoken to this body this morning urging that the Senate reject the proposal of the Senator from Texas. There is no question about what the purpose of that amendment is. That is to basically end the Legal Services Program in our country.

The Senator from Texas points out some of the alleged abuses, abuses as he perceives them.

The fact of the matter is that this administration now has a responsibility, having made the recommendations to this body for the administration of that program, bears a very heavy responsibility, to insure that that program is adequately administered.

In the Human Resources Committee, at the time of the reauthorization, we are reviewing the performance of that board.

The cases which the Senator from Texas mentioned here today, and the failure of effective administration, is really something that ought to be directed toward the administration rather than to the merits of the particular program.

Basically, Mr. President, we are going to decide today whether we are going to put the dollar sign on the courthouses of this country. We know that the most powerful corporations have resources to be able to defend their interest. The wealthiest individuals have the resources to be able to defend themselves and to bring cases when they feel aggrieved.

The real question is whether we are going to say that the Constitution of the United States is only going to apply to those individuals and those institutions which have resources, or whether we are going to say that we believe the Constitution of the United States is going to be made available to all Americans, and that those Americans from a variety of different circumstances, who are deprived of resources, will at least be able to bring their petitions to a legal service group in their local communities where they are served and to have those issues adjudicated in a court of law.

The fact of the matter is, Mr. President, more than 75 percent of the cases that are brought by the Legal Service lawyers are brought successfully. If the amendment of the Senator from Texas carries, we are basically saying to millions of Americans that their legitimate and rightful complaints are going to be denied to them in our country at this time.

In the time that is available, I will not mention both the types of individuals who are most affected and who are utilizing these services, Mr. President, because they have been referred to during the course of this brief debate. But I think, Mr. President, if we are going to say that the rule of law should apply equally across our society that we do not want to say the rule of law will apply equally to all those Americans except the neediest in our society and they basically will be denied access to a judicial system.

There are those countries which deny that opportunity to millions of their citizens. They are the ones that exist under the kinds of regimes of the extreme left and right.

I would hope, Mr. President, that we would not, in this vote this afternoon, say to those people of limited financial means that the courthouse doors are closed to them. They have legitimate interests, causes, and rights, but we are not going to see that those rights are protected.

I think that is basically a flawed argument. I think it is disingenuous, and I think it is fundamentally and basically wrong. I would hope the amendment would be defeated.

Mr. CHILES. How much time remains on the amendment?

The PRESIDING OFFICER. Sixteen minutes for the Senator from Texas and 6 minutes to the Senator from Florida.

Mr. GRAMM. Mr. President, I ask unanimous consent that a litany of abuses that I have referred to be printed in full in the RECORD.

There being no objection, the litany was ordered to be printed in the RECORD, as follows:

POLITICS AND JURISPRUDENCE: ILLEGALITIES AT THE LEGAL SERVICES CORPORATION

In 1965, for the first time the federal government allocated taxpayer funds to provide civil legal services to the poor. In that year, the Office of Economic Opportunity (OEO) began awarding these funds to local nonprofit corporations—primarily legal aid societies that had formerly been supported by charitable contributions, some local and state governmental grants, and the United Way. By 1970, federal funding for legal services through OEO amounted to about $71.5 million per year. In response to President Nixon's decision to reorganize the executive branch, based on recommendations made by the Ash Commission, Congress enacted legislation in 1974 to established the Federal Legal Services Corporation (LSC), an "independent, private corporation" funded by taxpayers. The Legal Services Corporation Act of 1974 contained the justification for forming the LSC, as a corporation: "The legal services program must be kept free from the influence of or use by it of political pressure."

The goals established by Congress in the act were reasonable and well intentioned: ". . . there is a need to provide equal access to the system of justice in our Nation for individuals who seek redress of grievances; there is a need to provide high quality legal assistance to those who would be otherwise unable to afford adequate legal counsel. . ." The Constitution guarantees the poor legal representation in criminal proceedings, and the LSC appeared to extend the availability of this legal representation to civil cases, including income maintenance problems, health matters, and landlord-tenant disputes. Limitations were placed on client eligibility: only households with incomes less than 125 percent of the poverty threshold were to be represented. Thus, the establishment of LSC did not appear to be a radical departure from past practices, but merely a natural extension of services that had long been provided by government.[1]

From relatively modest beginnings, LSC grew rapidly. In 1976, the last year of the Ford administration, the budget was $92.3 million; four years later, at the end of the Carter administration, the annual budget had more than tripled to $300 million. Much of the budget growth was stimulated by the "minimum access plan," which provided civil legal services to the needy in every county in the United States. LSC itself is principally a grantmaking agency, a conduit for taxpayers' money to the local organizations that actually provide legal aid. The corporation makes grants to more than 300 legal aid groups throughout the nation and in Puerto Rico, Guam, and the Virgin Islands (see Appendix Table XII-1). These groups are private, non-profit corporations that theoretically provide legal services to the poor.

From a financial perspective, making the LSC an independent corporation caused a major change in its operations. Under OEO, any funds not spent by the end of each fiscal year must revert to the Treasury; however, LSC as a private corporation, could now accumulate unspent funds. When efforts were being made to increase LSC's appropriations to meet the "critical" legal needs of the poor, LSC had accumulated millions of dollars that were earning interest. According to a GAO study conducted in 1980,

"The Corporation's grantees are not required to return funds not expended by the end of the fiscal year. As a result, millions of dollars of unused grant funds have been accumulated by grantees and deposited in checking and interest-bearing savings accounts and, in some cases, invested in interest-bearing Treasury bills.

"According to the Corporation, yearend fund carryovers by grantees have been small. However, in three of the four regional offices we visited, some grantees had relatively large carryovers when compared to their total grants. For example, one grantee had a carryover of $562,000, or 27 percent of its 1978 grant. For 37 grantees, reports by independent auditing firms showed that each had yearend fund carryovers which exceeded $100,000 and averaged 20 percent of grant funding. These 37 grantees accounted for about $8.7 million of 1978 carryovers." [2]

In 1980, LSC's total accumulated surpluses exceeded $45.9 million (more than 15 percent of LSC's federal appropriation) and were more than $60 million in fiscal year 1981 (see Appendix Table XII-2). In fiscal year 1982, the fund balances held by grantees had declined to $34.0 million, but interest received during that year on these invested funds was $9.4 billion. During the three-year period 1980-1982, grantees collected interest in excess of $23.8 million accumulated surpluses.[3] Some of the grantees had spent large percentages of their grants to purchase real estate; ". . . for example, the Birmingham Area Legal Services Corporation purchased a building for $500,000, a figure that represents half of its annual grant." [4] The executive director of the New Orleans Legal Assistance Corporation, an LSC grantee, wrote:

"Through various methods, with the (tacit) agreement and sometimes encouragement of regional and national staff, field programs have been able to accumulate sizable sums of carryover monies. Over the years, NOLA (that is New Orleans) has accumulated a significant fund balance of approximately $469,000. The program has been planning to purchase real property since 1981. In order to do so, many projects were postponed until enough money was accumulated to make a substantial downpayment or outright purchase of property. . . .

"While it is true that our clients need our services more than ever, it does not necessarily follow that devoting carryover funds to direct client services is in the clients' best interest in the long term." [5]

It is difficult to discern how the legal problems of the poor are resolved by investments in real estate and interest-earning accounts. There are also questions about the need for large increases in taxpayer funding that LSC officials were seeking. Moreover, it is evident that those in legal services believed that they knew what was "best" for the poor—the dictates of Congress notwithstanding.

COURTING THE POOR?

The LSC has always been surrounded by controversy, partly because of the legal activities that it has purportedly pursued on behalf of the poor. By any standard, some of the cases taken by LSC grantees seem, at best, dubious in serving the poor or in insuring that the federal taxpayers' funds are well spent. Consider the following examples.

1. Local legal service organizations in Montana (1979), Iowa (1980), and Connecticut (1981) sued to force state governments to use tax funds for sex change operations. In the Connecticut case, the attorney for Hartford's Neighborhood Legal Services said that the city has a "legal responsibility to provide medical care." The suit sought between $7,000 and $10,000 to relieve the "frustration, depression, and anxiety" caused by a "gender identity condition." [6]

2. California Rural Legal Assistance sued the University of California to stop research that would have improved agricultural productivity. According to the complaint, the development of labor-saving (and cost-reducing) farm machinery would benefit, "a narrow group of agribusiness interests with no valid public purpose, contributes to agricultural unemployment or the displacement of farm workers, or the demise of the small family farm, or the deterioration of the rural home and rural life."[7] Taken to the extreme, this logic dictates that all agricultural machinery should be banned. It is well known that capital-intensive agriculture has greatly enhanced productivity and output and reduced prices, all to the benefit of consumers, not "a narrow group of interests."

3. A Texas lawsuit established the constitutional right to free public education for illegal aliens, and New York state was required to pay welfare benefits to a parent who was an illegal alien.

4. In Tampa, Florida, The Bay Area Legal Services persuaded the federal district court to prevent the implementation of state-wide functional literacy tests as a prerequisite for high school graduation because the high failure rate among black students was partly attributable to past discrimination.

5. The LSC grantee in Ann Arbor, Michigan, required the school board to adopt a plan to make teachers responsive to problems of students who speak "Black English" and to require teachers to use knowledge of dialect in teaching students to read.[8]

6. In Youngstown, Ohio, the East Ohio Legal Services sued U.S. Steel Corporation to require the company to sell its mill to a community organization that received tax subsidies.

7. Legal service grantees in Maine, Colorado, Massachusetts, and South Carolina have entered litigation to reclaim hundreds of thousands of acres for Indian tribes. According to LSC's grantees, fully two-thirds of the state of Maine should revert to the Passamaquoddy and Penobscot Indians. Approximately 350,000 people would have been displaced had the suit been successful. Another suit on behalf of the Wampanoag Tribe claims ownership of the town of Mashpee, Massachusetts, about 17,000 acres.[9]

8. LSC grantees argued that alcoholics should receive Supplemental Social Security benefits.[10]

Other examples include suits seeking disability payments for homosexuals; [11] requiring a new school board election in Hereford, Texas; challenging the way federal agents search for illegal aliens; making expulsions from a junior high school in Newburg, New York, subject to racial quotas; supporting anti-nuclear groups in their attempts to stop power plant construction; blocking increases in transit fares; representing a Ku Klux Klan member in a $1.5 million civil suit in Chattanooga; overturning regulations that suspend welfare payments to participants who refused jobs offered in a Connecticut workfare program; mandating the payment of compensation to inmates in a

Louisiana prison that had no income-producing programs; and seeking the release of prisoners in an Indiana facility because of overcrowding.

One case deserves careful scrutiny: *Simer* v. *Olivarez,* a class action suit brought by LSC grantees against the Community Services Administration (CSA) in federal district court in Chicago in September 1979.[12] The continuing resolution that Congress passed to keep the CSA operating in fiscal year 1979 contained a $200 million appropriation for emergency energy assistance to help the poor cope with rising energy costs. To ensure that the funds were used to pay heating bills, the Office of Management and Budget had stipulated that funds for this purpose could not be spent after June 30, 1980, after which all unspent funds would be returned to the Treasury. Even though the CSA had claimed that the poor were in a crisis situation and could not pay their heating bills, $18 billion was not spent by the deadline. Several LSC grantees—each having received between $285,000 and $850,000 annually from LSC plus other support from the Department of Health and Human Services—"discovered" these unspent funds and rounded up eight plaintiffs to bring a class action suit could be brought contending that returning the unspent funds to the Treasury would violate the Administrative Procedures Act and due process laws. Three of the plaintiffs later said that they had no knowledge of the suit and others claimed that they had been "steered" into the action by the "public interest" law firms.[13]

After preliminary hearings, the suit was settled before trial by "arms length bargaining" between CSA and the LSC grantees. Under terms of the settlement, each poor family in whose name the suit was brought would receive $250, the maximum benefit allowed by the energy assistance program. This left $17.998 million to be distributed. Congress had allocated the money to aid the poor; and in their agreement order, the litigants appeared to follow both the letter and the spirit of the law:

"So, what we did, your Honor, with the money left over, was to try to provide a program whereby people who would meet all the requirements of the 1979 program would gain the benefits of this money . . . this is . . . a fair and just way of resolving the matter.[14]

There was no intention of giving any money to poor families or individuals, however, and no effort was made to identify "people who would meet all the requirements of the 1979 program." Instead,

. . . CSA sought a settlement which would allow it to use the funds to finance pet projects which otherwise might have been terminated because of opposition or lack of interest in Congress.

How will the $18 million (less $2,000) be spent? As outlined in the legal settlement, $4 million will go to a hypothermia program run by former CSA grantees to alert people to the dangers of freezing to death; over $2 million will be spent to subsidize solar power programs; and roughly $3 million will go to public advocacy and legal services. The remaining $4 million, originally intended for emergency energy conservation kits, will probably end up in the advocacy kits as well.[15]

CSA was also to receive $350,000 to fund four positions in its own offices, positions that Congress had not approved.

"Thus, CSA and the public advocacy and legal services groups may have hit upon a marvelous recipe to render Congress' intentions moot and feather their own nests: Leave money unspent, be sued and settle as thou and they can best profit." [16] The Washington Post's story on the Simer case was headlined "How to Beat Congress by Losing a Lawsuit." [17] Interestingly, the tactics used in the Simer case had been successfully applied the previous year in the same court and with some of the same individuals appearing as litigants in *Grieg* v. *Olivarez.*[18]

It seems, then, that LSC and its affiliated grantees do not see the civil legal problems of the poor as their principal concern; rather, their emphasis is on achieving social and political change through the judicial process and on redistributing income and wealth by expanding the welfare system in the courts. They are also attempting to undermine the rights of private property owners and to expand the role of government in the private sector. Earned rewards, such as high school diplomas based on performance, are to be replaced by "rights" to which everyone is entitled. These organizations encourage "alternative lifestyles" and try to obtain judicial approval for social programs, such as taxpayer-financed abortions. Under the ruse of providing access for the poor to the justice system, taxpayers are being forced to finance social and economic policy changes that many of them would oppose.

Those who are connected with the LSC are pursuing their own interests with taxpayers' money. Marshall Breger has argued that " . . . many Legal Services lawyers perceived themselves as strategists in the War on Poverty and . . . focus[ed] their energies on cases of social significance." [19]

Cases with "social significance" are identified solely by the attorneys employed by LSC; they have enormous discretion in selecting the cases that are pursued and can even initiate suits for which no client has asked for assistance. There is ample evidence that LSC attorneys are politically liberal: "The radicalization of Legal Services has proceeded apace since the late sixties and early seventies . . . . The National Lawyers Guild, the major organization of radical lawyers in the United States, according to its own report had 1,000 members in 1979 working in Legal Services programs."[20] Legal Services is a radical political movement, and tax-financed politics have permeated the agency since its inception.

POLITICS AT THE LEGAL SERVICES CORPORATION

The LSC was established as an independent corporation so that political pressures could not influence its activities. The act established as an independent corporation so that political pressures could not influence its activities. The act establishing the corporation also banned political activities by the corporation and by its grant-receiving affiliates, but loopholes were added to the law that have permitted the LSC to broadly interpret its mandate in the political arena. Section 1007(a)(5) of the Legal Services Corporation Act of 1974 [42 U.S.C. Section 2996f(a)(5)] reads:

"[The Corporation shall] insure that no funds made available to recipients by the Corporation shall be used at any time, directly or indirectly, to influence the issuance, amendment, or revocation of any executive order or similar promulgation by any Federal, State, or local agency, or to undertake to influence the passage or defeat of any legislation by the Congress of the United States, or by any State or local legislative bodies, or State proposals by initiative petition, except where—

"(A) representation by an employee of a recipient for any eligible client is necessary to the provision of legal advice and representation with respect to such client's legal rights and responsibilities (which shall not be construed to permit an attorney or a recipient employee to solicit a client, in violation of professional responsibilities, for the purpose of making such representation possible); or

"(B) a governmental agency, legislative body, a committee, or a member thereof—

"(i) requests personnel of the recipient to testify, draft, or review measures or to make representations to such agency, body, committee, or member, or

"(ii) is considering a measure directly affecting the activities under this title of the recipient or the Corporation."

Congress also wished to ensure that LSC used no funds for "politically-motivated" training by including in Section 1007(b)(6) of the act the proviso that

"[No Corporation funds may be used] to support or conduct training programs for the purpose of advocating particular public policies or encouraging political activities, labor or antilabor activities, boycotts, picketing, strikes, and demonstrations, as distinguished from the dissemination of information about such policies or activities, except that this provision shall not be construed to prohibit the training of attorneys or paralegal personnel necessary to prepare them to provide adequate legal assistance to eligible clients."

Congress further banned organizing by the LSC and its affiliates in Section 1007(b)(7) of the act, mandating that "[no Corporation funds may be used] to initiate the formation, or act as an organizer, of any association, federation, or similar entity, except that this paragraph shall not be construed to prohibit the provision of legal assistance to eligible clients." In short, Congress took extraordinary measures to prevent LSC from being influenced by or engaging in political activities. Nevertheless, LSC and its affiliates were determined to use blatant political activism to achieve goals that could not be accomplished through judicial activism.

Ferreting out political activity by LSC grantees is difficult because the Freedom of Information Act does not apply to organizations that receive LSC funding. Nevertheless, there is abundant evidence.

LINC'S GRANTS

Among the grants made by LSC were those for the "law in neighborhood and community services grants" (LINCs). A survey was sent to recipients by Reagan appointees at LSC to determine how the funds from this program had been used. One of the categories on the survey was "legislative advocacy," and responses indicated that political activity was common. For example:

The Office of Kentucky Legal Services reported that its client advocacy included "legislative advocacy with clients and client groups around a broad range of issues including Medicaid cuts, child care, etc." The organization also produced a "monthly newsletter on legislative issues (weekly during legislative session)." [21]

The New Mexico Legal Support Project in Albuquerque responded that it had engaged in "Legislative and Administrative Advocacy Training" and the "Development of [a] State Advocacy Network." [22]

Texas Legal Services Center in Austin reported that it had conducted a "Texas People's Leadership Development Conference";

"[begun] Multi-Forum Advocacy Training . . . [and] Set up [a] statewide Advocacy Task Force." The organization was also engaged in "(1) Assisting with a conference to 'Build a Network in Defense of the Undocumented' (2) Block grant/leg. Advocacy Client Training (3) Setting up a (Client)—organizational newsletter which will network all active groups and organizations in Texas." [23]

The Friends Committee on National Legislation in Washington, D.C., indicated that it had engaged in "legislative advocacy against budget cuts in human services program . . . " and had begun a newsletter. [24]

Raleigh Tenants Association of North Carolina had "lobbied to pass state laws improving tenant rights." [25]

The Client's Council of Legal Services of Southeast Nebraska had developed a "welfare-rights oriented client group" and had instigated "legislative advocacy by clients." [26]

Women Aware, Inc. of Sioux City, Iowa, had sponsored "workshops on legislative advocacy," was an "intervenor in [a] . . . utility rate increase," and co-sponsored a Welfare Rights handbook." [27] The respondent added: " . . . the hand of God [was needed] to place the Moral Majority back into their cages." [28]

One of the most explicit incidents of using taxpayers' funds for political action was submitted on a LINCs grant report by the Wadley-Bartow Citizens League of Wadley, Georgia. A "brief overview of the program" indicated:

"We have conducted bi-weekly seminars/workshops, and disseminated information on voter education, citizenship, and the legislative process. Films have also been shown and poster/leaflets distributed throughout the community.

"Door-to-door canvassing [was done] in order to stimulate interest and participation. This was done in addition to newspaper articles, leaflets, and radio announcements, plus free transportation." [29]

The objectives of the program were measured "by response and participation in seminars/workshops, increased voter interest in the community, [and] increased voter registration, according to city records." The league also produced "leaflets handed out at seminars/workshops, films on voter education and the political process, posters throughout the community on voter education and citizenship." [30]

When B.A. Johnson filed the report for the Wadley-Bartow Citizens League, he was a candidate for mayor of the city of Wadley. One of the "leaflets" prepared and distributed depicted a voting machine with careful instruction to "Push Lever 1" for mayor; Johnson's name appeared next to lever 1. Willie R. Strowbridge's candidacy for councilman was aided by similar instructions. At the bottom of the leaflet was the statement "Vote yourself a Xmas present in B.A. Johnson and Willie R. Strowbridge." [31] In effect, taxpayers' money was being used to further Johnson's and Strowbridge's campaign. Both Johnson and Strowbridge were elected.

The Wadley-Bartow Citizens League received $2,500 from an LSC grant, and the interim report was filed in order to obtain the 15 percent of the grant that had not been funded earlier. When Johnson's report reached LSC headquarters in Washington, D.C., the political nature of the expenditures was so excessively out of line that J. Kenneth Smith, director of Regional Operations and Support Services in the Office of Program Support, wrote:

"We have reviewed the Phase II documentation you provided us on your LINCs . . . grant. It would be extremely helpful to us if you would rework your grantee reporting form and delete the references to voter-education, legislative and political process. Perhaps you could rephrase the language to say something to the effect that the project focused on citizenship and advocacy.

"I have enclosed the original form that you completed, along with a new form. If you have any questions or need any additional information, please contact . . . me.

"Thank you in advance for your cooperation in this matter. I wish you continued success on your project." [32]

Evidently, LSC officials did not want their files to contain evidence that the congressional strictures on political activity had been so wantonly violated.

This was by no means the only LINCs grant that had been used for such purposes. On June 8, 1981, Bea Moulton, director of the Office of Program Services at LSC, wrote a memorandum revealing concern about the program:

"These grants are in a very sensitive area. They will be subject at some point, I believe, to considerable scrutiny. We need to discuss the other grants you propose to make. They all call for worthwhile, very important, activity. But as described in your forms, it may be the very kind of activity Congress has specifically prohibited from funding. Maybe they can be turned into training proposals. . . . Funding even arguably illegal activity at this time could greatly jeopardize Federal funding for legal services this year and in succeeding years. We just can't risk it." [33]

LSC officials were fully aware of how LINCs grants were being used and that they were supporting illegal activities.

The LINCs program was directed to political advocacy at the local level of government, but LSC funding also influenced initiatives at the state level.

THE LSC-FUNDED TASK FORCE ON CALIFORNIA'S PROPOSITION 9

In 1980, the LSC attempted to defeat California's Proposition 9, which sought to reduce the state's personal income tax rate. LSC affiliates in California had long been politically active at the state level of government. A staff investigation for the Committee on Appropriations of the U.S. House of Representatives, for example, reported that the San Francisco-based California Rural Legal Assistance maintained a permanent office in Sacramento with five attorneys who were all registered lobbyists. Two were active in the legislature, two deal with administrative advocacy, and one worked exclusively on migrant worker issues. The Western Center on Law and Poverty, Inc., based in Los Angeles, shared office space with the lobbyists for California Rural Assistance and had four registered lobbyists engaged in legislative and administrative advocacy in Sacramento.[34]

Alan Rader, an attorney at the Western Center on Law and Poverty, and a coordinator for the Proposition 9 Task Force, requested and received $61,655 from LSC to finance the activities of the task force.[35] Thirty local legal service programs throughout California also participated by supplying staff to work with the media and to register voters in welfare offices. In these ways, federal taxpayers were forced to contribute to the cause, directly through a LSC grant and indirectly through the LSC-funded salaries of the attorneys who participated in the campaign. This grant and the activities of the participants were both illegal."

LSC'S SURVIVAL CAMPAIGN

President Reagan's election and the prospect of major changes in the Legal Services Corporation resulted in a near panic at the organization's headquarters. LSC President Dan J. Bradley appointed Alan Houseman, then director of the Research Institute on Legal Assistance of LSC, to head a "survival task force," to respond to this new threat. LSC's political nature and activities were revealed in a series of memoranda that Houseman wrote in an effort to develop a campaign that would nullify the effects of any changes in LSC operations that the Reagan administration might attempt to implement. Even though the voters had elected a president who had campaigned on a platform of a different direction for government, LSC was determined that its political directions were not going to change. Among the changes that Houseman and others at LSC feared the most were "controls on social activism of legal services staff who are engaged in aggressive advocacy including restrictions on case types and restrictions and limitations on the scope of representation." [36]

On December 1, 1980, Houseman wrote a memorandum entitled "Coalition Building and Strengthening Presence in Community," urging that

". . . It is essential to broaden the political base of local programs for short term and long term survival. In the short term, a strong local political base will be critical if we are to successfully obtain support from Congress for the continuation of an aggressive legal services program. Lobbying in Washington will only be successful if local programs have established credibility and a base in their communities and developed allies who can and will assist them in persuading their Congressman and Senators to support legal services.

"A critical means of strengthening the local political base is to develop coalitions and working relationships with local organizations and individuals who would see it in their interest to assure the continuation of an aggressive legal services program." [37]

In Houseman's view, an "aggressive" legal services program meant the "survival of committed, . . . political staff" and the "survival of aggressive advocacy, (i.e., advocacy which utilizes the full scope of representation including legislative and administrative representation, litigation and community education; advocacy which seeks all possible remedies; and advocacy which is not restricted in what defendants can be sued, e.g., government entities). . . ." [38]

Houseman conceived a survival strategy consisting of three elements: (1) an outside entity to lobby on behalf of LSC; (2) a grass roots lobbying campaign directed primarily at members of Congress; and (3) a "corporation in exile" to wage the ideological battle against the Reagan presidency.

THE COALITION FOR LEGAL SERVICES

Even though Congress had prohibited the LSC from forming associations and organizations, LSC officials actively participated in establishing the Coalition for Legal Services. As Houseman described in a memorandum:

". . . We are attempting to unite and join together in this struggle. We have formed a coalition with PAG [the Project Advisory Group], the National Clients Counsel [sic] (NCC), NLADA [National Legal Aid and Defenders Association], the National Organiza-

tion of Legal Services Workers (NOLSW) and the Minority Caucus. It will be expanding to include others from within the legal services community, such as National Association of Indian Legal Services (NAILS), migrant farm workers group, women's caucus, Organization Legal Services Backup Centers (OLSBUC), state support and others. It will also expand to include organizations who are allies and supporters of legal services.

"The coalition members will be forming an outside entity to lobby and coordinate survival activities on behalf of the legal services community. This entity will be established soon and will begin to function in early 1981." [39]

The coalition's first formal activity was to mail a fundraising letter on February 20, 1981, outlining its purpose: ". . . to provide accurate information about LSC, to develop a network of support for legal services, to advocate in Congress and the media for legal services to the poor, and generally to coordinate the activities designed to preserve the Corporation and legal services." [40]

Several individuals associated with the coalition had close financial ties to LSC. Melville D. Miller and Bernard A. Veney, for example, were both members of the Coalition's first board of directors. Miller was also the chair on the Project Advisory Group (PAG) which had received about $180,000 per year of taxpayers' funds via voluntary contributions from LSC's program affiliates. Veney was the secretary of the coalitian and was also the executive director of the National Clients Council, which had received almost three-quarters of a million dollars from LSC in 1981. NLADA was also receiving large amounts of tax dollars and in 1981 received $2.195 million from LSC.[41] Some of these funds were used to hire a "full-time experienced lobbyist to work on legal services. . . ." [42] Thus, this coalition, which was specifically designed to lobby Congress on behalf of LSC, was being supported by tax dollars. The Coalition for Legal Services was the brainchild of officials at LSC headquarters in Washington; apparently, affiliates believed that additional coalitions were needed to oppose the Reagan administration, especially if the effort could be funded with tax dollars.

THE COALITION FOR SENSIBLE AND HUMANE SOLUTIONS (CSHS)

On April 29, 1981, Joseph Lipofsky of Legal Services of Eastern Missouri wrote to Rhonda Roberson at LSC requesting a LINCs grant:

"On behalf of the Coalition for Sensible and Humane Solutions, I would like to make application for funding under the Law in Neighborhoods and Communities Study (LINC's) The enclosed packet gives you some information on this Coalition.

"It is our intention to use our LINC's funding for four activities:

"1. To publish a handbook for the Peoples Lobbyists.

"2. To conduct. . . a People College of Law to continue training of community activists in both substantive issue and the process of community education and action, legislative and administrative advocacy as well as their relations to litigation.

"3. To research and to publish a Peoples Alternative to budget cuts and tax issues on a state and local level.

"4. To develop an ongoing bimonthly communication on a Statewide basis to focus on budget and tax questions and ways to impact them." [43]

The materials Lipofsky enclosed left little doubt about the organization's aims. According to one enclosure, CSHS was ". . . formed in February 1981 in direct response to President Reagan's budget message to the country." [44] CSHS adopted two basic positions:

"(1) We will oppose all federal, state and local budget cuts in programs that meet human needs.

"(2) We will oppose the transfer of funds to the states; the so-called "block grants" which endanger the rights and resources of women, minorities, and the poor." [45]

CSHS had wasted no time. Lipofsky's material included a list of activities it had engaged in during its short life, including the attendance of 500 coalition members at Congressman Richard Gephardt's hearings on the budget held in St. Louis; the attendance of 150 low income people at a "People's Forum" to give testimony to representatives of Senator John Danforth and Senator Thomas Ealgleton; the sponsorship of "massive" letter-writing campaigns to congressmen and senators; and the attendance of a meeting with Senator Danforth on budget cuts.[46]

Despite the blatantly political nature of these activities and of CSHS's objectives, LSC approved Lipofsky's request for funding. On July 17, 1981, LSC paid Legal Services of Eastern Missouri $17,475 for "community based training" programs that it had "co-sponsored" with CSHS.[47] Two one-day programs were held: one on June 19 in Caruthersville, Missouri, and the other on July 2 in St. Louis. At these training progams, sessions were held on "basic community education," legislative lobbying, referendums and initiatives, "community action," and community/media "outreach." [48] The Narrative Summary that Lipofsky had submitted to support his grant request indicated that the training program in St. Louis would:

"Educate and inform community activists about current federal, state and local budget cutting activities.

"Share and develop strategies for fighting back.

"Plan for a follow-up statewide conference in August." [49]

Legal Services of Eastern Missouri would remain a favored recipient of federal funds, receiving more than $1.2 million in fiscal year 1983 (see Appendix Table XII-1).

GRASS ROOTS LOBBYING

The survival campaign's second stratagrem was a carefully orchestrated organizing effort at the grass roots. Each LSC regional offices designated an individual to coordinate survival activities within their regions; each local affiliate was to have its own survival coordinator; and state coordinators were set up.[50] The network had four objectives: (1) to generate a flood of letters to members of Congress urging reauthorization of LSC; (2) to generate newspaper editorials praising the legal services program; (3) to urge local bar associations to pass resolutions in support of the LSC; and (4) to arrange meetings with legislators to lobby for the reauthorizing legislation.[51]

The Chicago Region meeting was held in St. Louis on December 11-12, 1981. During the opening session, Dan Bradley, then president of LSC, gave the "Call to Battle" citing the Proposition 9 Task Force in California as an excellent example of what a concerted political effort could achieve. The long-term goal of the task force was to "insure the continuation of effective, locally controlled legal assistance effort which are [sic] free from political interference." Strategies were to be developed for the media and for the political community, covering local officials, congresspersons, state officials and other individuals who make or influence decisions.[52]

Representative James Sensenbrenner asked the General Accounting Office to investigate LSC's had

". . . Sent out a packet of materials addressed to: Persons Coordinating Congressional Relations that included instructions on effective lobbying of members of Congress at the local level for LSC legislation. The materials provided were as follows:

"1. A statement of 'what needs to be done' and 'what to send us.'

"2. a Legislative update on April 3, 1980. . . .

"3. Fact sheets and background information on the LSC reauthorization and appropriation, including membership lists of the appropriate House and Senate Committees.

"4. One page fact sheet/handouts on possible restrictive amendments.

"5. Examples of supportive Bar letters and resolutions.

"6. Examples of favorable editorials.

"7. Examples of supportive letters from public officials.

"8. A list of state coordinators for the legislative effort. (State coordinators will also receive materials excerpted from the Congressional Staff Directory, indicating the Washington and local office addresses and phone numbers and the key staff of each member of their state's Congressional delegation.) [53]

The brochure, entitled "What Needs to Be Done," gave instructions for visiting members of Congress; for securing support from local and state bar associations; for obtaining editorial support in newspapers; for alerting constitutents and other concerned groups, including local and state labor organizations, church groups, the League of Women Voters, Common Cause, civil rights organizations, social service organizations, and anti-hunger coaliations; and, finally, for informing LSC headquarters about "problems." [54] Lobbyists in the LSC cause were directed to report every contact they made with members of Congress and their staffs and to asses their attitude toward legal services and toward any provisions of the legislation or amendments.[55] Detailed information was provided on all aspects of the authorization of LSC funding, and lobbyists were urged to oppose any amendment that would restrict legislative representation, the ability of LSC affiliates to represent aliens, the right of a legal services program to receive court-awarded fees, the right of employees to join labor unions, and representation in abortion cases and that would require attorneys to negotiate prior to the initiation of litigation.[56]

The Comptroller General concluded: "There is little question that [these activities] . . . constitute 'lobbying', as the term is used in the applicable restrictive legislation. . . ." [57] In a report issued a year earlier, the GAO had changed LSC affiliates with lobbying and recommended that the corporation take steps to ". . . more specifically define the legislative restrictions on grantees' lobbying activities and the types of lobbying activities that are not permissible." [58] Although tax funds were being used illegally for political activity, the GAO did not believe that there was any way to recover those funds:

"Because LSC's regulations and current policies appear to authorize recipients to expend appropriated funds for prohibited lobbying activities in derogation of the . . .

restrictions, we do not think, as a practical matter, that the Government would be successful in attempting to recover the illegally expended sums from the recipients." [59]

The taxpayer, it seems, is out of luck.

Congress has often attempted to limit LSC's activities, but LSC officials are experts at dodging such restrictions. The Legal Services Act of 1974 placed restrictions lobbying activities and placed additional limitations on LSC political activities in 1976, 1979, and 1980 to restrict the use of appropriated funds for publicity or propaganda relating to legislation.[60] Congress also tried, without much success, to limit the types of cases that LSC can undertake, forbidding criminal representation, representation for juveniles (until 1977 when the limitation was dropped), school desegregation, selective service, nontherapeutic abortion, homosexual and gay rights cases, and representation of illegal aliens.[61]

In each instance, LSC officials publicly stated that the corporation and its affiliates would abide by these congressional limitations, and then they continued to flaunt the law. After the GAO issued its report in May 1981, Dan Bradley, president of LSC, sent a letter to the comptroller General:

"Your opinion indicates that the Legal Services Corporation and its [grant] recipients have engaged in prohibited grass roots and lobbying activities. You concluded that these activities were carried out pursuant to Corporation regulations and legal opinions that erroneously interpreted the Legal Services Corporation Act and its relationship to riders that have been attached to various appropriations bills. You have further requested that I take immediate action to halt such grass roots legislative activities.

". . . while we disagreed with GAO's view of the interpretation of the various related provisions of existing law, and thus draw different conclusions about possible violations, we are making certain changes in our present activities. Prior to recipient of your opinion, I directed all personnel of the Legal Services Corporation to stop any and all activities coming within the GAO definition of grass roots lobbying activities." [62]

The "changes" were being made, but they were not the sort that might have been expected. Rather than ceasing political activity, LSC officials decided that alternative organizational structures had to be developed to carry out both the activities that Congress had expressly prohibited and those that it was likely to prohibit.

MIRROR CORPORATIONS

Prior to President Reagan's election, LSC had been able to maneuver around various congressional mandates by using a variety of subterfuges. If a new board of directors was appointed that was hostile to LSC's political machinations, then the old stratagems would no longer work. LSC officials thus conceived the third element of the survival campaign; "mirror corporations."

The Boston Regional Office of LSC was actively involved in the search for alternative organizations through which they could direct political advocacy operations. This is evident in a memorandum from Friends of Advocacy, Inc., a non-profit corporation formed to provide legal assistance to the poor, written to the board of directors of Connecticut Legal Services.

"As early as January of 1981, persons within LSC began to discuss the notion of programs creating alternative entities calculated to circumvent the anticipated limitations. Within LSC's New England Region, project directors held meetings for the purpose of discussing potential responses to anticipated federal restrictions, including the creation of alternative corporations. In fact, these regional meetings have continued since then, the next one to take place October 22nd and 23rd.

"On June 18, 1981, our fears unfortunately became reality when the U.S. House of Representatives passed H.R. 3480, a reauthorization of the Legal Services Corporation which included numerous amendments severely restricting the activities of legal services programs and their employees. The CLS Board of Directors was informed of the House's action at a meeting held that very same evening." [63]

LSC headquarters, which was deeply involved in the search for "alternative mechanisms," contracted with the Institute for Non-Profit Management Training, Inc., to study various options. The proposal was written as a "management training curriculum, " so that funding could be provided under the "LINCs" program. The training program "will address two specific areas . . . (1) locating and obtaining funding for community based organizations; and (2) training programs for client/community advocates. The goal of the proposed management training program is to improve the capacity of clients (and thus their communities) to productively advocate for themselves and use sound management [sic] principles and practices to structure and solidify that advocacy and the informed involvement that it gives rise to."[64]

The core of the program was a session on "establishing feeder organizations" to examine "specific strategies for stabilizing the NPO's [Non-Profit Organization's] funding base through the development of a for-profit arm or 'feeder' organization." The NPO's objective was "to maintain compliance with federal regulations while engaging in certain types of advocacy activities such as lobbying."[65]

LSC also hired a consultant, Gregg Krech, to do a study entitled "Alternatives to Retrenchment." Among other things, Krech recommended the "establishment of an independent 'sister' corporation which provides services on a fee-for-service basis to ineligible clients [for tax-funded legal services] and donates all the profits back to the legal services program; or the establishment of public interest law firms and social welfare organizations which can provide a wider range of services to poor people with less restrictions."[66] In effect, the fees generated from providing legal services to clients who were not poor would not be subject to Congressional restrictions on federal funds and could be used for lobbying and for financing those cases and representing those clients that Congress had disallowed.

Krech proposed five alternative organizational structures all of which could "launder" funds so that congressional restrictions on political advocacy and representation could be subverted.[67] Section 1010(c) of the LSC Act had made alternative structures necessary, as Krech noted in his report.

"Interpreted strictly, this provision [1010(c)] attaches all LSC restrictions and prohibitions to any non-public monies of a legal services grantee. Given redirections in LSC funding and expected efforts of programs to develop private sources through fund raising and/or fee for service, it might not be unusual to find a legal services program receiving only 10 percent of their funding from LSC but having *all* funding subject to the LSC restrictions. . . . As stated earlier, private funds will almost certainly be subject to the same restrictions as LSC funds according to section 1010(c) of the Act. If you contemplate the potential use of new funds for activities which are not a permissible use of LSC funds, these new funds still have to be raised and used outside of the LSC corporate entity. Raising money through the LSC entity will provide additional money, but that money will become subject to the same restrictions as the LSC money. Raising money through a separate entity allows the money to be raised while discretion is maintained as to its use.

". . . There are inherent limitations on 501(c)(3) corporations with respect to the conduct of unrelated business activities and legislative influence. Other corporate forms provide greater flexibility to charge fees and lobby." [68]

There are indications that the "mirror corporation" strategy was implemented. In 1982, the New Haven Legal Assistance Association (LAA) transferred its annual grant of $543,000 to the South Central Connecticut Legal Services Corporation. New Haven LAA continues to operate as a separate structure, funded through "alternative funding sources" and free of any restrictions Congress might impose on recipients of federal funds. But South Central handles no cases; it simply acts as a screening and referral entity, primarily for New Haven LAA. South Central pays New Haven a set rate for every case it handles. Although the two programs are legally separate, they are "operationally integrated," sharing the same office, the same phones, the same attorneys, and are managed by the same executive director. The legal separation, however, has made it possible for the New Haven LAA to ignore Congressional restrictions on taxpayers' funds.[69]

Using similar tactics, on January 4, 1982, Texas Rural Legal Aid transferred $760,000 to a separate entity, Texas Rural Legal Foundation, Inc., to provide legal services to eligible clients.[70] Texas Rural Legal Aid was very active politically and had brought suit to prevent the special election in Texas won by conservative Congressman Phil Gramm.[71] It is anyone's guess how stopping a congressional election would have served the legal needs of the poor.

LSC affiliates were also concerned about the fund balances that had been accumulated. At a meeting on August 27, 1981, there was a panel discussion on "creative ways of using fund balances," including "hiding fund balances." [72] Evidently, there was some fear that Congress might use the balances to justify cutting the LSC's appropriation or that members of a new LSC board of directors would recall the balances to headquarters.

TRAINING AND ORGANIZING FOR POLITICAL ADVOCACY

LSC headquarters was also concerned about the allocation of the corporation's funds under the Reagan administration and in 1981 decided to spend considerable sums on "training manuals." LSC's Office of Program Support awarded contracts to produce "between 35 and 50" training manuals to be made available to grantees, regional training centers, and client groups "in connection with education and training programs." [73]

Given the mandate of the Legal Services Corporation, one would expect LSC training manuals to focus on helping attorneys represent the poor in the courts. But most of the manuals emphasize organizing for polit-

ical activism, and references to the judicial process are typically made only in the context of how the courts may be used to further such organization. For example, consider "The Law and Direct Citizen Action," a training manual developed by the Institute for Social Justice (see Chapter VIII) using taxpayer funds provided by the LSC's Advocacy Training and Development Unit. The preface to the manual states:

"This handbook is written for community organizations and the legal workers who advise them. It is a guide to the areas of the law that affect direct citizen action. The law both creates rights and restricts them. Some laws—for example, the First Amendment, the Freedom of Information Acts—can be very useful to organizations seeking to bring about social change. But often the law can stymie action—whether by permit requirements or by mass arrests. This handbook is a guide to how to use the law and not let the law be used against you." [74]

"Social change" is a recurring theme throughout these manuals and is a code word for the left-wing political activity that characterizes LSC, its affiliated groups, and the network of organizations that LSC helps to fund. According to this particular manual, social change can be achieved only by power, and power is obtained by organizing.

"It takes power to achieve significant social change. People get power by organizing. Social change organizations provide a power base from which people can take systematic collective action on their own behalf. The strategies and tactics of such organizations may vary, but whether they engage in electoral politics or direct action, community education or militant disruption, consumer boycotts or picket lines, their ultimate strength lies in their ability to mobilize and empower large numbers of people." [75]

Organizing is viewed as the only way that problems may be effectively addressed. In fact, the role of the individual attorney in helping an individual client is derogated: "A victory won through direct action by fifty members is more meaningful in the long run than a triumph achieved by a single leader (or lawyer) . . . ." [76] Moreover:

Organizers—good organizers—are trained to empower people to take collective action on their own behalf. Lawyers, on the other hand, are trained to be advocates who act on behalf of their clients. As a result, many lawyers are oriented toward solving specific problems by using the legal system to win individual cases—instead of helping people solve their own problems by direct action.

"But there are other lawyers who believe in the basic principles of organizing to achieve social change. They want to know what kinds of assistance they can provide and how best to provide it. This handbook is intended to help them and to help community organization leaders and members as well, by helping them understand the limitations the law imposes, the opportunities it provides, and the reasons behind the advice their lawyer is giving them." [77]

A lawyer's role then is to "protect the members of the organization" and to "fight back," not to represent individuals. An attorney can force opponents of the organization to "cave in" by "imposing liability and money costs on others." [78] Evidently, the ends justify the means, for the manual indicates that "exposure" is a useful tool and "the threat of scandal and ridicule is a powerful one . . . ." [79] If lawyers follow the appropriate prescriptions, they ". . . have a unique opportunity to help give real 'power to the people.'" [80]

In addition to a philosophical discourse about the importance of organizing for advocacy and an attorney's role in that process, the manual offers practical suggestions, such as how to file a series of small suits so that ". . . the opposition's costs may be significantly higher if it has to defend itself against a lot of small suits which are factually distinct that [*sic*] if it has one massive class action to defend, and this can enlarge the organization's bargaining power." [81] Of course, it is expensive for the plaintiff to file a large number of small suits, but as long as the costs are paid by the taxpayer, the organization seeking "social change" does not bear the burden.

Moreover, organizations and their attorneys should not let the law stand in the way of their objectives; the manual argues that it may be more effective to flaunt the legal system than to abide by it. In answering "Should a group apply for a permit [for a demonstration]?" the manual advises:

"This is a question that cannot be answered in the abstract. This is a decision that should be made by the group, not the attorney. The attorney should not get too involved in tactical discussions. One experienced organizer argues that the organization should select the best tactic for the situation, then look at the law. If the group starts its selection of tactics by looking at the law, the result can be narrow, unimaginative, or restrictive tactics. Lawyers often tell groups what they can't do instead of what they can. Choose the tactic, then decide how much to modify it (if at all) to comply with applicable regulations or ordinances. For example, a tenants' group may wish to picket a landlord at his house or confront a public official at her office. The group may feel that surprise or catching the target off-guard is a major part of its strategy, so it does not want to apply for the necessary permits." [82]

In essence, the LSC, chartered by Congress and charged with using the law to help the poor, has spent tax dollars to finance a study that advocates illegal activities. The sentiments expressed in "The Law and Direct Citizen Action" are characteristic of those found in other "training manuals" funded by LSC, including "Communication Skills, Community Advocacy and Leadership/Community Development," which was produced for the LSC's Office of Program Support. The familiar themes of advocacy and organizing for "social change" appear throughout this document:

"There is a tremendous amount of discussion in this country today about the difficulty in addressing many issues confronting poor people. There are probably just as many complaining about a lack of knowledge about where and how to get involved in social change. Although many people are very interested in social change, they do not understand where and how to begin work on issues that affect it.

". . . Many helping professionals are concerned with their clients and are interested in social change.

"For many years, . . . lawyers, . . . and other helping professionals have tried with limited success to bring about change. Their approach has been to work hard on individual cases and take on as many clients as possible. However, this effort to meet the needs of the community/client has not had the impact that is needed or desired to create real social change. As resources continue to diminish, it is encumbant [*sic*] upon all concerned to find new ways to complement the programs of present social/legal services." [83]

The manual also stresses the need for "organizing" for social change, since dealing with individual clients has not produced what the activists consider to be desirable results. The material in the manual illustrates the concept that legal services advocates should not respond to individual requests for legal assistance but that they should proselytize for change. Consider the cases suggested for "advocate role play situations." One case poses the problem of a "Black lawyer who is attempting to convince residents of a poor white apartment building to organize a rent strike." In another, "A white paralegal is attempting to convince [*sic*] a number of mainly Black and Hispanic prisoners to file a class action suite because [*sic*] of overcrowding in the county jail. In yet another, "A lawyer, living in a very economically depressed area of a city, is trying to get the poorest people to organize a food co-op." [84]

When congressional oversight hearings were held on LSC, there were numerous protests about the involvement of legal service activists in organizing activities, including union organizing.[85] Apparently, the training and education program had been effective, for LSC affiliates instigated or were involved in many cases that had little or no connection with the corporation's basic mission. Furthermore, this advocacy and organizing activity had been undertaken in spite of the federal law prohibiting organizing activity.

THE VERDICT ON THE LEGAL SERVICES CORPORATION

The Legal Services Corporation was clearly riddled with illegal political activity. Hundreds of millions of taxpayers' dollars were used to fund the political goals of a determined group that used the needs of the poor as an excuse to obtain vast sums of money from the government. Tax monies were diverted to elect candidates to office, to defeat or support legislation at all levels of government, to finance administrative and congressional lobbying, to organize at the grassroots for political purposes, and to fund a host of allied organizations. Many of the cases pursued by LSC and its affiliates were bizarre and had nothing to do with alleviating the legal problems of the poor. Attorneys associated with legal services sought to impose on the nation their version of political utopia, even though socialism has not produced economic prosperity in the nations throughout the world where it has been firmly established for years. There is an abundance of poverty in the socialist world, but the leaders of these nations prosper as others suffer. The LSC proselytizers may be convinced that their expertise would place them in leadershp positions if the political changes being advocated with tax funds were put in place.

For years, LSC has been criticized for its blatant and illegal political activity. While LSC officials were publicly denying any wrongdoing or any untoward political actions,[86] internal memoranda and other documents show that they were fully aware of and concerned about the propriety and legality of their activities. The corporation's president was seeking increased funding from Congress, but the organization was diverting, for its own uses, tens of millions of dollars originally intended to help the poor. When testifying about LSC's fiscal year 1982 budget, Dan Bradley stated that "the painful reality is, however, that legal serv-

ices programs already operate at the margin. There is little that can be done to meet rising costs, short of reducing available service." [87] LSC affiliates, however, had amassed tens of millions of tax dollars in unspent balances between fiscal years 1980 and 1982 and had purchased $15.5 million in real property and $17.8 million in equipment during the same period. LSC headquarters openly encouraged diverting of program resources away from services for the poor by hiring consultants to develop "alternative corporate forms" and to find "creative ways" to use fund balances. LSC even drafted sample documents to be used in acquiring real estate.[88] During the same period, $2.257 million were spent for dues to various organizations, including labor unions, and payments were made to the Committee on Political Education (C.O.P.E.), the AFL-CIO political action group, and similar organizations.[89] Bradley also failed to mention the interest income from unspent fund balances that had been invested or the millions of dollars in legal fee awards that LSC grantees were collecting from their lawsuits (see Appendix Table XII-2)—awards that taxpayers also paid when the suit was brought against local, state, or federal governmental agencies.

There might not have been much money to provide legal services, but this did not stop officials associated with LSC affiliates, such as Bernard Veney, executive director of the National Clients Council, from living well at taxpayer expense. During the first nine months of 1983, Veney's expense account tabs included: $177.90 for a stay with his wife at an inn a few blocks from his Washington office; $180-a-day suite at the Burbank Airport Hilton during a California training seminar; $171.60 for lodging at a Jackson, Wyoming, resort; a $419.47 tab at the posh Georgetown Hotel in Washington during another training seminar; $10,069.51 in car and limousine rentals when Veney commuted between Washington and his home in Columbia, Md. [a suburb of Washington]; a $6,456 salary advance which was still outstanding from August, 1982; and, a $738 plane ticket for his son who was not employed by the Clients Council.[90]

So much money was diverted to political activity, frivolous lawsuits, organizing campaigns and "training," slush funds, real estate, and other purposes that it is reasonable to question whether LSC and its affiliates were concerned at all about the legal problems of the poor. Apparently, their greatest concern was to use the poor to obtain resources that would support their own socialist agenda and spread their propaganda. At the same time that LSC was furthering its political causes in the courts and legislatures at taxpayer expense, the organization's "survival campaign" was undertaken to keep the corporation free from "political interference," as if such an assertion could justify the subterfuges and stratagems devised under that scheme. Their real problem was that a board of directors appointed by the Reagan administration might have a different view of LSC's purpose and might try to alter the corporation's policies toward legal services for the poor.

In 1982, the worst fears of LSC officials were realized when President Reagan appointed new board members and officers. The response was a campaign of smear and innuendo whose purpose was to divert attention from the LSC and its activities and focus on the new appointees. Many files from the period 1980-1982 in the LSC's Washington office were destroyed, and appointees had to scour regional offices to obtain copies of important correspondence and memoranda.[91] The denial of information to Reagan appointees was only a small skirmish in the major battle over the integrity of the appointees, which focused on the consulting fees and travel expenses the Reagan board members had charged to LSC. LSC bureaucrats and their allies orchestrated a major media campaign to discredit the board members and to preserve the corporation. The media rose to the bait and produced a barrage of articles questioning the propriety of the board members' behavior.[92] A GAO investigation concluded that there was no impropriety committed by the President's appointees:

"Payments to Board members complied with the law and LSC's regulations and policies,

"LSC's practices for compensating Board members were comparable to those followed by other Government corporations,

"The new LSC president's contract was properly negotiated and consistent with the contracts of past LSC presidents and presidents of other Government corporations, and

"LSC Board members, appointed by the President while the Senate was in recess, were entitled to compensation." [93]

Although the charges were without substance, the damage had been done. The smear campaign had produced a smoke screen behind which LSC's congressional allies could maneuver. LSC continued to receive funding under continuing resolutions that kept the corporation's activities from being closely examined.[94]

Some intimidation was also brought to bear on the Reagan appointees when death threats were made against the board chairman and the corporation's president.[95] Evidently, the pressure tactics worked, for LSC still exists, which is no small accomplishment after three attempts by Reagan to end its financing. The corporation is also prospering; in January 1984, the board of directors voted to request a budget of $325 million for fiscal year 1985, an increase of 18 percent over 1983 and the largest budget the LSC had ever sought.[96] The process was an interesting one: "Board members had planned to seek a 4.4 percent increase, but agreed to increase it after protests last month that the amount was not enough and after accusations that board members were trying to destroy legal aid programs." [97] One would think that the board's first objective should be to dismantle some of LSC's programs, particularly its illegal political, organizing, and training activities. No budget increase would be necessary if the resources devoted to illegal activities were used instead for their intended purpose: providing legal services to the poor.

Despite abundant evidence of blatant wrongdoing, virtually nothing has been done to correct LSC's abuses of its mandate. Congress has placed various restrictions on the corporation's operations from time to time, but it has never effectively brought the organization under control, and no attempts have ever been made to enforce the restrictions. Senator Orrin Hatch has offered an explanation:

"To question the activities of the Corporation and its 326 grantees is, of course, politically disadvantageous. One is led to believe that the nobility of the Corporation's purpose make any question as to the propriety of some of its activities nothing less than a vicious attack on the poor themselves. This misinformed, oversimplified presumption has scared away much needed review and has provided the Corporation with a congressional carte blanche to operate without oversight, without review, and without criticism." [98]

The "apostles of the poor" have carefully cultivated the nation that questioning a program that is intended to help the poor is an attack on the poor. This attitude serves their interests and the interests of those in Congress who benefit from the political activities and the organizing that LSC has so generously funded with taxpayers' money.

LSC and its affiliates do not deal only with political issues, but also with candidates. Those in Congress who support LSC appropriations and do not question how the funds are spend are supported at election time by the grass roots organizations nurtured by LSC. Thus, a cozy relationship has developed between those in Congress who appropriated funds and those who spend them. The taxpayers are the losers, for they finance the grass roots political activity that sends to Congress those individuals who benefit from the illegal use of tax money and who have every incentive to continue this practice. The poor also lose, for funds originally allocated to benefit them are shamelessly diverted for political purposes that primary benefit the "apostles of the poor."

LSC has built a powerful constituency in support of its program and appropriations. One of the most important groups in the coalition is the American Bar Association (ABA), the professional association and lobbying arm of the nation's lawyers. LSC and its affiliates provide direct employment for nearly 5,000 attorneys,[99] and thousands of other attorneys obtain income by participating in LSC lawsuits. If LSC funding were terminated, a depression would hit the legal profession, as thousands of lawyers would be out of work and in competition with other practicing attorneys. There is already a surfeit of lawyers in the U.S., and a steady stream of graduates from the nation's law schools continues to swell the ranks of the profession. Thus, there is a powerful economic rationale for the ABA's interest in LSC's funding; and, according to the Washington Post, the ABA "engaged in a massive lobbying campaign" to protect its stake in the program.[100] In addition to lobbying for LSC, the ABA also responded to the 1980 election of Ronald Reagan by establishing special trust accounts in more than thirty states called "interest on lawyers' trust accounts." [101] In six states the bar associations have made this program mandatory for all lawyers. How it works is that participating lawyers deposit their clients' cash for such things as filing fees and real estate escrows in a statewide account. The interest accrued goes not to the clients but to the Legal Services Corporation. The total contribution was $16 million in 1984 and is expected to be as much as $50 million in 1985.

In thirty of the states this program was set up by the bar associations without legislative approval and in no state does a client have a legal right to say whether he wants the interest to go to the LSC or not. This has enfuriated some clients such as Evelyn Glaeser, an elderly widow who filed suit in Florida federal court claiming her due-process rights were violated when the interest proceeds of a small trust account her husband left her went to the LSC.[102] Mrs. Glaeser's suit was the first in federal courts as of early 1984, although four state courts

had, by then ruled the system unconstitutional.

The ABA may also hold this positive view of federal funding for attorneys because the ABA itself has been highly successful in getting tax funds for its own use. Millions of dollars in grants and contracts from numerous federal sources have been given to the ABA for a variety of "studies" (see Appendix Table XII-3). Once a group has its hand in the taxpayers' pocket, it is difficult to be objective about the way in which other organizations dispose of their tax dollars.

Every group that receives funding from government is implicitly threatened whenever efforts are made to eliminate or reduce the funding of even one recipient. For this reason, enormous pressures are brought to bear on politicians whenever spending cuts are contemplated. These pressures are all but irresistible, for individual taxpayers rarely mount a determined resistance to the special interest groups that surround every legislative body. At the very least, however, politicians have an obligation to ensure that public funds are spent only for the purpose for which they were appropriated and to determine if alternative methods of delivering public services exist or can be developed to avoid the abuses that are so common when bureaucracies pursue their own interest at public expense.

FOOTNOTES TO CHAPTER XII

[1] For an extensive discussion of the theory and practice behind civil legal services for the poor, see Marshall Breger, "Legal Aid for the Poor: A Conceptual Analysis," North Carolina Law Review 60 (9182): 282-363.

[2] U.S. General Accounting Office, "Report to the President of the Legal Services Corporation: Review of Legal Services Corporation's Activities Concerning Program Evaluation and Expansion" (Washington, DC: GAO, 1980), p. 12.

[3] U.S., Congress, Senate, Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983 Hearing before the Committee on Labor and Human Resources," 98th Cong., 1st sess., 1983, p. 506.

[4] U.S., Congress, Senate, Committee on Labor and Human Resources, "Legal Services Corporation Act Amendments of 1983 Hearing before the Committee on Labor and Human Resources," 98th Cong., 1st sess., 1983, p. 3.

[5] Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 140.

[6] "City Asked to Pay Bill for Man's Sex Change," The Washington Post, January 15, 1981, p. B-3.

[7] "Two Complaints," The New Republic, February 3, 1979, p. 5.

[8] See Reginald Stewart, "Court to Decide if Black English Is a Learning Barrier," New York Times, June 12, 1979, p. A-12.

[9] "Indians on the Warpath," The New Republic, April 30, 1977, pp. 16-21.

[10] Shirley Scheibla, "Bar Sinister: The Legal Services Corporation Stretches its Mandate," Barron's, January 24, 1977, pp. 5, 12.

[11] Clearinghouse Review, March 1980, p. 878.

[12] The discussion of *Simer* v. *Olivarez* is based on Heather Stuart Richardson, "A Sweetheart of a Lawsuit?" The Wall Street Journal, August 20, 1980, p. 18.

[13] Ibid.

[14] "Memorandum Opinion," *Elsie Simer, et al.* v. *Graceila Olivarez, et al.*, in the United States District Court for the Northern District of Illinois, Eastern Division, by Judge John F. Grady, Civil Action No. 79 C 3960, October 29, 1980.

[15] Richardson, "A Sweetheart of A Lawsuit?"

[16] Ibid.

[17] Heather Stuart Richardson, "How to Beat Congress by Losing a Lawsuit," The Washington Post, August 31, 1980, pp. D-1, D-2. Reprint from The Wall Street Journal, August 20, 1980.

[18] H. Peter Metzger and Richard A. Westfall, "Government Activists: How They Rip Off the Poor" (Denver, CO: Public Service Company of Colorado, 1981), p. 15. Fortunately for the taxpayer, the judge in the *Simer* case saw through the ploy being used by CSA and LSC and refused to accept the settlement arranged out of court. The funds were returned to the Treasury.

[19] Marshall J. Breger, "Legal Aid for the Poor: A Conceptual Analysis," North Carolina Law Review 60 (1982), p. 302.

[20] Rael Jean Issac and Erich Issac, "The Coercive Utopians: Social Deception by America's Power Players" (Chicago, IL: Regnery Gateway, 1983), p. 238. Even the New York Times has described legal aid attorneys as "liberal" and "activist." See Stuart Taylor, "Conservatives Press Fight to Curb Legal Aid," The New York Times, July 31, 1983, p. E-5.

[21] Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation", pp. 87-88.

[22] Ibid., p. 90.

[23] Ibid., p. 93.

[24] Ibid., p. 109.

[25] Ibid., p. 112.

[26] Ibid., p. 115.

[27] Ibid., p. 118.

[28] Ibid., p. 120.

[29] Ibid., p. 101.

[30] Ibid., p. 102.

[31] Ibid., p. 103.

[32] Ibid., p. 100.

[33] Ibid., pp. 105-106.

[34] U.S., Congress, House, Committee on Appropriations, "Departments of State, Justice, and Commerce, The Judiciary, and Related Agencies Appropriations for 1980, Hearings before a Subcommittee on the Departments of State, Justice, and Commerce, The Judiciary, and Related Agencies (Part 6)", 96th Cong., 1st sess., 1979, pp. 477-8.

[35] Mary Thornton, "Former Employes of Legal Services Faulted," The Washington Post, September 21, 1983, p. A-6. For further information on LSC involvement in Proposition 9, see Tom Diaz, "Probe Sought of Legal Services Campaign Activity in California," The Washington Times, October 21, 1983, p. 5-A; idem, "Jarvis Plans to Sue California Legal Services," The Washington Times, December 20, 1983, p. 3-A; and "Illegal Services," Wall Street Journal, September 29, 1983, p. 30.

[36] Alan Houseman, ISC Memorandum, December 9, 1980, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 50. For further detail on the LSC Survival Campaign, see Tom Diaz, "Video Reveals Legal Services Corp. Drew "Survival Plans," The Washington Times, August 29, 1983, p. 5-A; George Lardner, "Legal Services Agency Lobbied Hard to Save It," The Washington Post, July 13, 1983, p. A-17; "Survivalists at Legal Services," The Washington Times, July 21, 1983, p. 11-A; and Tom Diaz, "Misuse of Legal Aid Fund Revealed," The Washington Times, July 12, 1983, pp. 1-A, 12-^.

[37] Alan Houseman, LSC Memorandum, December 1, 1980, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 39.

[38] Alan Houseman, LSC Memorandum dated December 29, 1980, reprinted in U.S., Congress, Senate, Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 67.

[39] Ibid., p. 73.

[40] Letter from Coalition for Legal Services, February 20, 1981, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 84.

[41] Ibid., p. 551. Also, see Tom Diaz, "Legal Aid Unit Said Barring U.S. from Monitoring Grant," The Washington Times, April 12, 1984, p. 5-A. NLADA officials refused to permit Reagan appointees to audit its expenditures of fund, claiming that the LSC has "no right" to information from its grantees.

[42] Alan Houseman, LSC memorandum, December 29, 1980, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 75.

[43] Letter from Joseph Lipofsky of Legal Services of Eastern Missouri to Rhonda Roberson of Legal Services Corporation, April 29, 1981, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 121. Also, see "Legal Services Corporation: Limits Sought on Lobbying Funds," The Washington Post, July 16, 1983, p. A-4.

[44] Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 123.

[45] Ibid.

[46] Ibid.

[47] LSC, Payment Approval Form, Account No. 14-1160-000004, July 17, 1981, reprinted in Committee on Labor and Human Resources, ""Oversight of the Legal Services Corporation, 1983," p. 633.

[48] Coalition for Sensible and Humane Solutions, "Community Based Training Agenda, July 2, 1981, St. Louis, Missouri," reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 631.

[49] Attachment to letter from Joseph Lipofsky to Lillian Johnson, LSC, July 8, 1981, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 630.

[50] For information on activities in Arizona, Colorado, New Mexico, and Texas, see U.S. General Accounting Office, Statement of Franklin A. Curtis, Associate Director of the Human Services Division, before the Senate Committee on Labor and Human Resources, April 11, 1984, mimeographed.

[51] Alan Houseman, LSC memoranda, December 8, 1980, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," pp. 46-47.

[52] Hulett H. Askew, LSC memorandum, December 4, 1980, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," pp. 60-61.

[53] Letter B-202116 from Milton J. Socolar, Acting Comptroller General of the United States, to Representative F. James Sensenbrenner, Jr., May 1, 1981, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," pp. 24-25.

[54] Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," pp. 25-26.

[55] Ibid., p. 27.

[56] Ibid.

[57] Ibid., p. 28.

[58] U.S. General Accounting Office, Review of Legal Service Corporation's Activities Concerning Program Evaluation and Expansion (Washington, DC: GAO, 1980), p. 17.

[59] Letter B-202116 from Milton J. Socolar, Acting Comptroller General of the United States, to Representative F. James Sensenbrenner, Jr., May 1, 1981, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 33.

[60] Breger, "Legal Aid for the Poor," pp. 308-310.

[61] Ibid., pp. 304-307.

[62] Dan J. Bradley, Legal Services Corporation letter to Milton J. Socolar, May 11, 1981, reprinted in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," pp. 18, 21.

[63] Memorandum from Friends of Advocacy, Inc., to the Executive Committee of the Board of Directors of Connecticut Legal Services in the files of the U.S. Senate Committee on Labor and Human Resources.

[64] Calvin C. McCants, Jr., "A Proposal for a Management Training Curriculum and Manual" (Washington, DC: The Institute for Non-Profit Management Training, 1981), p. 1, reprinted in U.S., Congress, Senate, Committee on Labor and Human Resources," "Oversight of the Legal Services Corporation, 1983," p. 385.

[65] Ibid., pp. 390-391.

[66] Gregg Krech, "Alternatives to Retrenchment" (Washington, DC: LSC, 1982), p. 2.

[67] These are described in Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," pp. 400-410.

[68] Krech, "Alternatives to Retrenchment," pp. 4, 23.

[69] Paul Newman, "LSC Program Report for South Central Connecticut Legal Services Corporation, October 13, 1982" (Washington, DC: LSC, 1982), p. 8.

[70] Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 413.

[71] Ibid., p. 436. Texas Rural Legal Aid aggressively pursued its advocacy projects. The organization placed the following classified advertisement in the Austin American-Statesman on November 5, 1980: "Wanted: Project coordinator for Legislative Advocacy Project for farm workers, job includes proposal writing, reports, staff supervision; coordination with advocacy groups. Must have experience with governmental agencies and knowledge of problems of farm workers; bilingual preferred. Salary $18,000-$28,000; commensurate with experience and skills. Submit resume to Texas Rural Legal Aid. . . ."

[72] Ibid., p. 301.

[73] Ibid., p. 401.

[74] Iris Rothman, ed., "The Law and Direct Citizen Action" (Washington, DC: LSC, 1981), p. i. Also, see Tom Diaz, "Legal Services Manuals Press Political Advocacy," The Washington Times, July 26, 1983, p. 3-A.

[75] Rothman, "The Law and Direct Citizen Action," p. 1.

[76] Ibid.

[77] Ibid., p. 2.

[78] Ibid., pp. 2-3.

[79] Ibid., p. 3.

[80] Ibid., p. 4.

[81] Ibid., p. 11.

[82] Ibid., p. 95.

[83] Emma Jones, "Communication Skills, Community Advocacy and Leadership/Community Development, Vol. I, Trainer Guide" (Washington, DC: LSC, 1981), p. 73.

[84] Ibid., p. 87.

[85] Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," pp. 582-619 passim, and Committee on Labor and Human Resources, "Legal Services Corporation Act Amendments of 1983," pp. 282-542 passim.

[86] See William Rusher, "A Legal Fiefdom Fighting the Law," The Washington Times, August 31, 1983, p. 2-C; Tom Diaz, "Funds Held Misused for Lobbying," The Washington Times, July 15, 1983, p. 3-A; idem, "Conservatives Press Fight on Legal Services Abuses," The Washington Times, July 14, 1983, p. 3-A; and idem, "Official Denies Legal Aid Fund Used for 'Survival'," The Washington Times, July 13, 1983, pp. 1-A, 12-A.

[87] Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983," p. 169.

[88] Committee on Labor and Human Resources, "Legal Services Corporation Act Amendments of 1983," pp. 392-397.

[89] Ibid., pp. 256-258.

[90] Jack Anderson, "Legal Services Mismanagement Is Uncovered," The Wasington Post, April 11, 1984, p. F-16.

[91] William Kucewicz, "A Little Larceny in Legal Services?" The Wall Street Journal, August 19, 1983, p. 18.; also, see Tom Diaz, "Shredding of Files in LSC Probe Disclosed," The Washington Times, September 23, 1983, p. 2-A.

[92] For example, The Washington Post published a number of articles on the board members' travel and consulting fees: "Legal Services Appointees Get Fat Fees," December 15, 1982, pp. A-1, A-11; "Legal Services Head's Contract Sweet," December 16, 1982, pp. A-1, A-8; "Sabotaging Legal Services," December 16, 1982, p. A-22; "Reagan Outlines Inquiry on Legal Services," December 17, 1982, p. A-2; "Recovery of Legal Fees Paid Legal Officials Demanded," December 18, 1982, A-1, A-5; "Legal Disservice," December 19, 1982, p. C-6; "Hill Group Asks GAO Inquiry Into Legal Services Board Fees," December 21, 1982, p. A-3; "Legal Board Members Avoid Joining 'Em by Representing 'Em," December 21, 1982, p. A-2; "Reagan Aid Meese Defends Members of Legal Services Panel on Fee Charge," December 24, 1982, p. A-2; "July Memo Warned Legal Services Officials on Fees," December 31, 1982, p. A-5; and "The Dubious Deals of Reagan's Crowd," January 2, 1982, p. A-1.

[93] U.S. General Accounting Office, Letter Number B-210338 from the Comptroller General to Representative Robert Kastenmeier, dated August 31, 1982, p. 1. It is interesting to note that after the flood of articles that the Washington Post published on the payment "scandal" it took eight days for this newspaper to report on the GAO investigative report: Howard Kurtz, "No Violations Found in Legal Services Fees," The Washington Post, September 8, 1983, p. A-6; also, see Tom Diaz, "LSC to Stop Funds for Clients Council," The Washington Times, January 4, 1984, p. 4-A.

[94] See Tom Diaz, "Press Held 'Used' in Legal Services Ploy," The Washington Times, August 4, 1983, p. 2-A, and Tom Diaz, "Story Behind the Story on 'Smokescreen' Attack in Legal Service Hassle," The Washington Times, September 12, 1983, p. 4-A.

[95] Tom Diaz, "Legal Services Flap Produces Charges of Death Threats," The Washington Times, July 20, 1983, p. A-2.

[96] Pete Early, "Legal Aid Board Votes to Request Budget Increase," The Washington Post, January 7, 1984, p. A-5.

[97] Ibid.

[98] Senator Orrin Hatch, "Opening Statement," Committee on Labor and Human Resources, "Legal Services Corporation Act Amendment of 1983," p. 1.

[99] Michael S. Serrill, "An Organization at War with Itself," Time, October 3, 1983, p. 83.

[100] "Gifts Support Bar's Social Budget," The Washington Post, November 16, 1981, Washington Business Section, p. 15; also, see "Washington Talk: A.B.A. Grants Rejected," The New York Times, September 27, 1982, p. A-12.

[101] "Whom Can you Trust?" Wall Street Journal, January 29, 1985, p. 32.

[102] Ibid.

APPENDIX TABLE XII-1.—LEGAL SERVICES CORPORATION FISCAL YEAR 1983 PROGRAM FUNDING LEVELS

Program name and location	Funding level
Connecticut Legal Services, Inc., Cromwell, CT	$1,333,624
Community Renewal Team of Greater Hartford, Hartford, CT	313,604
South Central Connecticut Legal Services, New Haven, CT	543,892
Pine Tree Legal Assistance Association, Portland, ME	1,099,574
Boston Bar Association-Volunteer Lawyers Project, Boston, MA	127,141
Greater Boston Legal Services, Inc., Boston, MA	1,842,952
Voluntary Defenders Committee, Inc., Boston, MA	370,091
National Consumer Law Center, Boston, MA	539,961
Cambridge and Somerville Legal Services, Cambridge, MA	342,371
Center for Law and Education, Cambridge, MA	480,693
South Middlesex Legal Services, Inc., Framingham, MA	161,625
Legal Services for Cape Code and Islands, Hyannis, MA	209,005
Merrimack Valley Legal Services, Inc., Lowell, MA	332,951
Neighborhood Legal Services, Inc., Lynn, MA	241,266
Southeastern Massachusetts Legal Assistance Corp., New Bedford, MA	395,763
Western Massachusetts Legal Services, Northampton, MA	499,839
Legal Assistance Corp. of Central Massachusetts, Worcester, MA	404,040
New Hampshire Legal Assistance, Inc., Manchester, NH	543,496
New Hampshire Pro Bono Referral System, Concord, NH	70,367
Rhode Island Legal Services, Inc., Providence, RI	723,420
Vermont Legal Aid, Inc., Burlington, VT	594,465
Legal Aid Society of Northeastern New York, Albany, NY	704,251
Oak Orchard Legal Services, Inc., Albion, NY	127,903
Broome Legal Assistance Corp., Birmingham, NY	153,518
Neighborhood Legal Services, Inc., Buffalo, NY	624,440
Chautauqua County Legal Services, Inc., Dunkirk, NY	105,100
Mid Mohawk Legal Services, Inc., Amsterdam, NY	92,610
Chemung County Neighborhood Legal Services, Inc., Elmira, NY	193,788
Nassau/Sufflok County Law Services, Hempstead, NY	852,844
Legal Aid Society of Rockland County, New City, NY	122,811
Center on Social Welfare Policy & Law, New York, NY	522,449
Community Action for Legal Services, New York, NY	8,652,988
National Employment Law Project, New York, NY	416,189
Niagara County Legal Aid Society, Inc., Niagara Falls, NY	119,896
National Center on Women & Family Law, New York, NY	202,174
Mid-Hudson Legal Services, Inc., Poughkeepsie, NY	472,004
Farmworker Legal Services of New York Inc., Riverhead, NY	223,951
Monroe County Legal Assistance Corp., Rochester, NY	798,054
Legal Services of Central New York, Inc., Syracuse, NY	583,450
Legal Aid Society of Oneida County, Inc., Utica, NY	375,289
Westchester Legal Services, Inc., White Plains, NY	568,458
North Country Legal Services, Plattsburg, NY	244,835
Legal Aid Society Volunteer Division, New York, NY	39,957
Southern Tier Legal Services, Bath, NY	256,502
Puerto Rico Legal Services, Inc., Santurce, PR	10,908,786
Inter-American University of Puerto Rico-San Juan CLO, Santurce, PR	256,921
Legal Services of the Virgin Islands, Christiansted, VI	401,903
Delaware Legal Services Corp., Wilimington, DE	382,007
Antioch School of Law/Urban Law Institute, Washington, DC	353,025
National Social Science Law Center, Washington, DC	253,416
Migrant Legal Action Program, Inc., Washington, DC	452,206
National Clients Council, Washington, DC	524,700
Neighborhood Legal Service Program, Washington, DC	1,399,254
Mental Health Law Project, Washington, DC	75,396
NRTA/AARP Legal Counsel for Elderly, Washington, DC	85,517
Food Research and Action Center, Washington, DC	50,000
National Veteran's Legal Services Project, Washington, DC	75,396
Legal Aid Bureau, Inc., Baltimore, MD	2,559,961
Cape-Atlantic Legal Services, Inc., Atlantic City, NJ	191,878
Warren County Legal Services Corp., Belvidere, NJ	37,773
Camden Regional Legal Services, Inc., Camden, NJ	856,960
Union County Legal Services Corp., Elizabeth, NJ	227,569
Hunterdon County Legal Service Corp., Flemington, NJ	34,967
Bergen County Legal Services Association, Hackensack, NJ	225,683
Hudson County Legal Services Corp., Jersey City, NJ	466,330
Essex-Newark Legal Services Project, Inc., Newark, NJ	919,224
Middlesex County Legal Services Corp., New Brunswick, NJ	251,196
Legal Services of New Jersey, Inc., New Brunswick, NJ	161,439
Passaic County Legal Aid Society, Paterson, NJ	306,191
Somerset-Sussez Legal Services, Somerset, NJ	144,200
Ocean-Monmouth Legal Services, Toms River, NJ	335,127
Legal Aid Society of Mercer County, Trenton NJ	277,880
Legal Aid Society of Morris County, Morristown, NJ	88,936
Legal Services, Inc., Carlisle, PA	169,646
Delaware County Legal Assist Association, Chester, PA	409,356
Bucks County Legal Aid Society, Bristol, PA	160,450
Laurel Legal Services, Inc., Greensburg, PA	402,529
Southern Alleghenys Legal Aid, Inc., Johnstown, PA	239,182
Central Pennsylvania Legal Services, Lancaster, PA	739,752
Community Legal Services, Inc., Philadelphia, PA	1,831,864
Neighborhood Legal Services Association, Pittsburgh, PA	1,210,700
Northern Pennsylvania Legal Services, Scranton, PA	277,600
Keystone Legal Services, Inc., State College, PA	263,765
Soutwestern PA Legal Aid Society, Washington, PA	395,703
Legal Aid of Chester County, Inc., West Chester, PA	117,006
Legal Services of Northeastern Pennsylvania, Inc, Wilkes-Barre, PA	310,449
Susquehanna Legal Services, Williamsport, PA	312,947

APPENDIX TABLE XII-1.—LEGAL SERVICES CORPORATION FISCAL YEAR 1983 PROGRAM FUNDING LEVELS—Continued

Program name and location	Funding level
Northwestern Legal Services, Eire, PA	448,798
Blair County Legal Services, Altoona, PA	99,142
Lehigh Valley Legal Services, Bethlehem, PA	216,535
Montgomery County Legal Aid Services, Norristown, PA	182,970
Schuykill County Legal Services, Pottsville, PA	137,878
Legal Services of Southeastern Michigan, Ann Arbor, MI	335,086
Legal Services Organization of South Central Michigan, Battle Creek, MI	164,685
Michigan Migrant Legal Assistance Program, Berrien Springs, MI	353,820
Michigan Legal Services, Detroit MI	337,422
Wayne County Neighborhood Legal Services, Detroit MI	1,732,293
Legal Services of Eastern Michigan, Flint, MI	590,586
Legal Services of Central Michigan, Lansing, MI	248,902
Lakeshore Legal Services, Mt Clemens, MI	337,945
Oakland Livingston Legal Aid, Pontiac, MI	311,658
Berrien County Legal Services Bureau, St Joseph, MI	120,203
Upper Peninsula Legal Services Inc., Sault Ste. Marie, MI	680,660
Legal Aid of Western Michigan, Grand Rapids, MI	644,280
Legal Aid Bureau of Southwestern Michigan, Kalamazoo, MI	212,916
Summit County Legal Aid Society, Akron, OH	389,778
Stark County Legal Aid Society, Canton, OH	180,812
Legal Aid Society of Cincinnati, Cincinnati, OH	705,141
Council for Economic Opportunities, Cleveland, OH	1,364,955
The Legal Aid Society of Columbus, Columbus, OH	632,347
Ohio State Legal Services Association of Southeast Ohio, Columbus, OH	1,210,090
Legal Aid Society of Dayton, Dayton OH	301,961
Legal Aid Society of Lorain County, Inc. Elyria, OH	115,673
Butler Warren Legal Assistance, Hamilton, OH	161,766
Allen County Legal Services Association, Lima, OH	211,004
Central Ohio Legal Aid Society, Newark, OH	199,022
Advocates for Basic Legal Equality Inc.,Toledo, OH	659,764
Toledo Legal Aid Society, Toledo, OH	168,604
Wooster-Wayne Legal Aid Society, Wooster, OH	45,036
Northeast Ohio Legal Services, Youngstown, OH	396,651
Rural Legal Aid Society of West Central Ohio, Springfield, OH	335,857
Legal Services of Northern Virginia, Arlington, VA	310,361
Charlottesville-Albemarle Legal Aid Society, Charlottesville, VA	147,540
Rappahannock Legal Services, Inc., Fredericksburg, VA	274,104
Southwest Virginia Legal Aid Society, Marion, VA	203,050
Peninsula Legal Aid Center, Inc., Hampton, VA	420,050
Neighborhood Legal Aid Society, Inc., Richmond, VA	412,596
Legal Aid Society of New River Valley, Christiansburg, VA	101,134
Legal Aid Society of Roanoke Valley, Roanoke, VA	294,498
Tidewater Legal Aid Society, Norfolk, VA	637,064
Virginia Legal Aid Society, Lynchburg, VA	824,374
Virginia Poverty Law Center, Inc., Richmond, VA	181,243
Petersburg Legal Aid Society, Inc., Petersburg, VA	131,940
Blue Ridge Legal Services, Inc., Harrisonburg, VA	218,755
Client Centred Legal Services of Southwest Virginia, Castlewood, VA	379,580
Appalachnian Research & Defense Fund, Inc., Charleston, WV	722,424
Legal Aid Society of Charleston, Charleston, WV	347,116
West Virginia Legal Services Plan, Charleston, WV	1,170,127
North Central West Virginia Legal Aid Society, Morgantown, WV	255,963
Cook County Legal Assistance Foundation, Chicago, IL	556,931
Legal Assistance Foundation of Chicago, Chicago, IL	3,255,061
Land of Lincoln Legal Assistance Foundation, Alton, IL	2,118,773
Prairie State Legal Services, Inc., Rockford, IL	1,349,286
West Central Illinois Legal Assistance, Galesburg, IL	128,210
Legal Services of Maumee Valley, Inc., Fort Wayne, IN	226,402
Legal Aid Society of Gary, Inc., Gary, IN	341,194
Legal Services Organization of Indiana, Indianapolis, IN	2,211,546
Legal Services Program of Northern Indiana, South Bend, IN	645,513
Legal Services Corporation of Iowa, Des Moines, IA	1,992,448
Legal Aid Society of Polk County, Des Moines, IA	345,220
Kansas Legal Services, Topeka, KS	1,809,957
Legal Aid Services of Northeast Minnesota, Duluth, MN	325,419
Judicare of Anoka County, Anoka, MN	37,803
Central Minnesota Legal Services, Minneapolis, MN	927,896
Northwest Minnesota Legal Services, Inc., Moorhead, MN	386,036
Southern Minnesota Regional Legal Services, St. Paul, MN	1,285,003
Southeast Missouri Legal Services, Caruthersville, MO	507,628
Meramec Area Legal Aid Corporation, Farmington, MO	234,817
Legal Aid of Western Missouri, Kansas City, MO	1,387,756
Legal Services of Northeast Missouri, Inc., Hannibal, MO	193,790
Legal Services of Eastern Missouri, St. Louis, MO	1,234,893
Mid-Missouri Legal Services Corp., Columbia, MO	270,603
Legal Aid Association of Southwest Missouri, Springfield, MO	530,912
Legal Services of Southeast Nebraska, Lincoln, NE	315,638
Legal Aid Society of Omaha, Omaha, NE	541,712
Western Nebraska Legal Services, Inc., Scottsbluff, NE	487,934
Legal Assistance of North Dakota, Bismarck, ND	735,629
Black Hills Legal Services, Inc., Rapid City, SD	160,613
East River Legal Services Corp., Sioux Falls, SD	422,238
Legal Action of Wisconsin, Inc., Milwaukee, WI	1,472,940
Wisconsin Judicare, Inc., Wausau, WI	834,524
Legal Services of Northeast Wisconsin, Green Bay, WI	444,353
Western Wisconsin Legal Services, Inc., La Crosse, WI	314,552
Legal Services Corporation of Alabama, Montgomery, AL	4,290,521
Legal Services of North Central Alabama, Huntsville, AL	449,492
Birmingham Area Legal Services Corp., Birmingham, AL	794,460
Central Arkansas Legal Services, Inc., Little Rock, AR	752,757
Ozark Legal Services, Fayetteville, AR	393,096
Legal Services of Northeast Arkansas, Newport, AR	396,867
Western Arkansas Legal Services, Fort Smith, AR	275,069
East Arkansas Legal Services, West Memphis, AR	605,274
Legal Services of Arkansas, Little Rock, AR	824,654
Central Florida Legal Services, Daytona Beach, FL	561,579
Legal Aid Service of Broward Co., Inc., Ft. Lauderdale, FL	453,686
Florida Rural Legal Services, Inc., Lakeland, FL	1,739,411
Jacksonville Area Legal Aid, Jacksonville, FL	790,122
Legal Services of Greater Miami, Miami, FL	1,232,028

APPENDIX TABLE XII–1.—LEGAL SERVICES CORPORATION FISCAL YEAR 1983 PROGRAM FUNDING LEVELS—Continued

Program name and location	Funding level
Legal Services of North Florida Inc., Tallahassee, FL	642,076
Greater Orlando Area Legal Services, Orlando, FL	421,851
Bay Area Legal Services, Inc., Tampa, FL	585,528
Withlacoochee Area Legal Services, Brookville, FL	185,729
Three Rivers Legal Services, Gainesville, FL	377,348
Northwest Florida Legal Services, Pensacola, FL	270,023
Gulfcoast Legal Services, Inc., St. Petersburg, FL	626,346
Atlanta Legal Aid Society, Atlanta, GA	1,142,407
Georgia Legal Services Program, Atlanta, GA	5,263,733
Northern Kentucky Legal Services, Covington, KY	241,506
Legal Aid Society of Louisville, Louisville, KY	848,303
Central Kentucky Legal Services, Inc., Lexington, KY	411,760
Northeast Kentucky Legal Services, Inc., Morehead, KY	382,360
Appalachian Research & Defense Fund, Kentucky, Prestonsburg, KY	1,796,005
Cumberland Trace Legal Services, Bowling Green, KY	340,388
Western Kentucky Legal Services, Madisonville, KY	691,526
Capital Area Legal Services Corp., Baton Rouge, LA	846,341
Southwest Louisiana Legal Services Society, Lake Charles, LA	323,958
North Louisiana Legal Assistance Corp., Monore, LA	709,417
New Orleans Legal Assistance Corp., New Orleans, LA	1,276,206
Northwest Louisiana Legal Services Inc., Shreveport, LA	564,156
Acadiana Legal Services, Lafayette, LA	977,815
Kisatchie Legal Services Corp., Natchitoches, LA	290,756
Central Louisiana Legal Services, Inc., Alexandria, LA	327,585
Southeast Louisiana Legal Services, Hammond LA	518,810
Judicare of Mississippi, Columbus, MS	105,219
Central Mississippi Legal Services, Jackson, MS	789,347
North Mississippi Rural Legal Services, Oxford, MS	2,323,417
South Mississippi Legal Services Corp., Biloxi, MS	495,056
East Mississippi Legal Services, Forest, MS	494,605
Southeast Mississippi Legal Services, Hattiesburg, MS	428,945
Southwest Mississippi Legal Services, McComb, MS	439,013
Legal Services of North Carolina, Inc., Raleigh, NC	5,028,037
Legal Services of Southern Piedmont, Charlotte, NC	540,254
North Central Legal Assistance Program, Durham, NC	456,254
Legal Aid Society of Northwest North Carolina, Winston Salem, NC	418,146
Neighborhood Legal Assistance Program, Charleston, SC	1,164,699
Palmetto Legal Services, Columbia, SC	1,065,457
Carolina Regional Legal Services Corp., Florence, SC	226,695
Legal Services of Western Carolina, Greenville, SC	535,112
Piedmont Legal Services, Inc., Spartanburg, SC	542,838
Legal Services of the Fourth Judicial Circuit, Hartsville, SC	388,901
Southeast Tennessee Legal Services Inc., Chattanooga, TN	517,747
Legal Services of Upper East Tennessee, Johnson City, TN	626,053
University of Tennessee Legal Aid Clinic/Knoxville, Knoxville, TN	467,526
Memphis Area Legal Services, Memphis, TN	1,089,649
Legal Services of Nashville & Middle Tennessee, Nashville, TN	1,062,958
Rural Legal Services of Tennessee, Oak Ridge, TN	626,547
West Tennessee Legal Services, Jackson, TN	677,936
Legal Services of South Central Tennessee, Columbia, TN	447,288
Pinal & Gila County Legal Aid Society, Coolidge, AZ	181,219
Coconino County Legal Aid, Flagstaff, AZ	85,341
Community Legal Services, Phoenix, AZ	1,083,049
Papago Legal Services, Sells, AZ	139,398
Southern Arizona Legal Aid, Inc., Tucson, AZ	808,966
DNA-People's Legal Services, Inc, Window Rock, AZ	1,767,407
California Indian Legal Services, Oakland, CA	569,888
Native Rights Fund Indian Law Center, Boulder, CO	205,694
Pikes Peak Legal Services, Colorado Springs, CO	208,857
Colorado Rural Legal Services, Inc., Denver, CO	1,135,741
Legal Aid Society of Metropolitan Denver, Denver, CO	821,292
Pueblo County Legal Services, Inc., Pueblo, CO	146,201
Native Hawaiian Legal Corporation, Honolulu, HI	80,547
Anishinabe Legal Services, Cass Lake, MN	150,657
Legal Aid Society of Albuquerque, Inc., Albuquerque, NM	413,381
Southern New Mexico Legal Services, Inc., Las Cruces, NM	623,923
Northern New Mexico Legal Services, Taos, NM	607,616
Indian Pueblo Legal Services, Laguna, NM	274,294
North Dakota Legal Services, New Town, ND	98,036
Oklahoma Indian Legal Services, Inc., Oklahoma City, OK	228,744
Western Oklahoma Legal Services, Oklahoma City, OK	1,670,888
Legal Services of Eastern Oklahoma, Tulsa, OK	1,319,715
Dakota Plains Legal Services, Mission, SD	729,775
Legal Aid Society of Central Texas, Austin, TX	1,129,407
Coastal Bend Legal Services, Corpus Christi, TX	706,309
North Central Texas Legal Service Foundation, Dallas, TX	1,094,422
El Paso Legal Assistance Society, El Paso, TX	477,251
West Texas Legal Services, Fort Worth, TX	2,353,272
Gulf Coast Legal Foundation, Houston, TX	2,045,957
Laredo Legal Aid Society, Inc., Laredo, TX	198,750
Bexar County Legal Aid Association, San Antonio, TX	981,770
Heart of Texas Legal Services Corp., Waco, TX	344,455
Texas Rural Legal Aid, Inc., Weslaco, TX	3,348,209
East Texas Legal Services, Inc., Nacogdoches, TX	1,877,648
Utah Legal Services, Inc., Salt Lake City, UT	841,866
Wind River Legal Services, Forth Washakie, WY	133,856
Greater Bakersfield Legal Assistance, Inc., Bakersfield, CA	321,805
National Economic Development Law Project, Berkeley, CA	338,594
National Housing & Law Project, Berkeley, CA	591,591
Southeast Legal Aid Center, Compton, CA	487,606
Fresno-Merced Counties Legal Services, Inc., Fresno, CA	604,993
Legal Aid Foundation of Long Beach, Long Beach, CA	549,799
Legal Aid Foundation of Los Angeles, Los Angeles, CA	2,425,824
National Center for Immigrants Rights, Los Angeles, CA	135,757
National Health Law Program, Santa Monica, CA	503,542
National Senior Citizens Center, Los Angeles, CA	486,773
Western Center on Law & Poverty, Inc., Los Angeles, CA	860,026
Napa County Legal Assistance Agency, Napa, CA	99,496
Legal Aid Society of Alameda County, Oakland, CA	1,287,515
Charles Houston Bar Association, Oakland, CA	113,578
Channel Counties Legal Services Association, Oxnard, CA	320,148
San Fernando Valley Neighborhood Legal Society, Pacoima, CA	737,105
Legal Aid Society of Pasadena, Pasadena, CA	650,031
Legal Aid Society of San Mateo County, Redwood City, CA	428,874
Contra Costa Legal Services Foundation, Richmond, CA	376,518
Inland Counties Legal Services, Riverside, CA	878,957
Legal Services of Northern California, Sacramento, CA	938,048
Legal Aid Society of San Diego, Inc., San Diego, CA	844,672
California Rural Legal Assistance, San Francisco, CA	3,978,641
San Francisco Neighborhood Legal Assistance, San Francisco, CA	1,294,429
Legal Aid Society of Santa Clara County, San Jose, CA	506,928
Legal Aid Society of Marin County, San Rafael, CA	82,459
Legal Aid Society of Orange County, Santa Ana, CA	586,642
Legal Aid Society of Monterey County, Monterey, CA	171,769
Tulare County Legal Service Association, Visalia, CA	321,597
Solano County Legal Assistance Agency, Vallejo, CA	163,558
Legal Aid Society of Santa Cruz County, Watsonville, CA	135,511
Redwood Legal Services, Eureka, CA	302,609
Bet Tzedek Legal Services, Los Angeles, CA	79,472
Bar Association of San Francisco Volunteer Legal Services Program, San Francisco, CA	15,744
National Center for Youth Law, San Francisco, CA	499,622
Washoe Legal Services, Reno, NV	111,027
Nevada Legal Services, Carson City, NV	359,663
Alaska Legal Services Corp., Anchorage, AK	1,325,118
Legal Aid Society of Hawaii, Honolulu, Oahu, HI	580,863
Idaho Legal Aid Services, Inc., Boise, ID	868,778
Montana Legal Services Association, Helena, MT	852,932
Oregon Legal Services Corporation, Portland, OR	1,497,311
Lake County Legal Aid Service, Inc., Eugene, OR	163,360
Legal Aid Service Multnomah Bar Association, Portland, OR	408,278
Marion-Polk Legal Aid Service, Inc., Salem, OR	144,751
Evergreen Legal Services, Seattle, WA	2,690,643
Spokane Legal Services Center, Spokane, WA	265,456
Puget Sound Legal Assistance Foundation, Tacoma, WA	302,680
Legal Aid Services, Casper, WY	201,783
Legal Services for Southeastern Wyoming, Cheyenne, WY	159,602
Micronesian Legal Services Corp., Saipan Marina Island, GU	712,300
Guam Legal Services Corporation, Agana, GU	150,220

Source: Freedom of information request to the Legal Services Corporation.

APPENDIX TABLE XII–2.—LEGAL FEE AWARDS AND FUND BALANCES FOR LEGAL SERVICES CORPORATION GRANTEES

	Legal fee awards for Legal Services Corporation grantees			Fund balances for Legal Services Corporation grantees		
	1980	1981	1982	1980	1981	1982
State:						
Alabama	$13,294	$73,562	$53,865	$2,833,947	$3,537,815	$1,160,769
Alaska	38,638	22,254	439,704	0	138,435	0
Arizona	41,315	61,905	30,201	524,660	829,091	163,633
Arkansas	1,544	4,218	12,085	1,941,443	2,321,158	1,305,530
California	242,846	566,355	580,981	3,641,155	3,574,156	2,314,621
Colorado	96,393	101,657	119,769	358,258	556,586	687,157
Connecticut	4,850	1,115	336	111,829	131,373	36,645
Delaware	0	0	0	43,014	51,137	84,638
Florida	18,278	68,119	53,612	1,271,494	2,148,885	1,067,842
Georgia	19,031	56,820	169,129	1,119,102	1,423,315	629,245
Hawaii	0	0	0	8,861	72,571	61,375
Idaho	0	0	0	30,103	86,841	59,411
Illinois	298,064	425,065	440,779	1,114,088	1,737,483	770,298
Indiana	26,980	14,575	40,652	253,411	538,911	550,127
Iowa	0	0	1,500	296,459	558,637	149,054
Kansas	0	0	0	351,236	265,989	193,015
Kentucky	30,593	125,660	108,984	586,321	1,008,825	772,712
Louisiana	4,713	6,040	22,266	2,061,168	2,427,605	1,508,548
Maine	0	0	0	53,647	67,643	91,281
Maryland	0	0	0	309,108	40,354	8,435
Massachusetts	566,175	196,964	398,291	730,943	770,056	536,406
Michigan	71,223	52,907	96,751	799,886	1,099,068	506,542
Minnesota	1,477	2,232	64,850	531,323	417,646	304,815
Mississippi	12,829	14,384	13,665	886,299	1,303,910	676,915
Missouri	40,018	62,017	73,188	829,299	1,688,263	1,120,057
Montana	200	239	100	51,835	125,849	122,729
Nebraska	28,391	18,560	16,800	298,114	346,615	136,674
Nevada	0	9,544	78,564	117,804	298,948	44,986
New Hampshire	7,562	35,186	10,818	73,580	83,473	13,156
New Jersey	7,610	13,118	9,309	388,402	742,777	595,149
New Mexico	354	4,352	5,861	176,756	319,986	276,954
New York	76,149	327,967	599,752	2,880,041	3,763,096	1,575,543
North Carolina	11,746	0	0	1,853,473	2,802,223	1,589,851
North Dakota	1,337	115	5,838	280,785	357,280	360,809
Ohio	30,969	39,711	93,128	1,697,749	2,186,697	745,353
Oklahoma	6,614	5,501	3,055	960,099	1,506,237	1,008,579
Oregon	19,351	26,276	32,501	155,978	0	13,924
Pennsylvania	15,068	5,325	149,373	1,521,834	1,467,948	1,802,585
Rhode Island	1,857	5,362	5,205	8,620	39,676	91,038
South Carolina	7,058	6,413	1,979	1,706,386	2,204,876	1,161,036
South Dakota	283	6,784	2,205	171,946	338,718	280,657
Tennessee	12,848	27,501	103,108	1,970,360	1,582,865	1,261,291
Texas	70,995	128,957	95,382	3,046,341	4,092,387	1,996,207
Utah	21,350	21,672	60,996	63,377	68,756	16,249

APPENDIX TABLE XII–2.—LEGAL FEE AWARDS AND FUND BALANCES FOR LEGAL SERVICES CORPORATION GRANTEES—Continued

	Legal fee awards for Legal Services Corporation grantees			Fund balances for Legal Services Corporation grantees		
	1980	1981	1982	1980	1981	1982
Vermont	0	200	333	23,714	24,401	39,258
Virginia	12,814	12,857	19,046	1,845,631	1,907,826	767,538
Washington	28,458	94,543	41,433	425,265	455,968	146,167
West Virginia	12,481	7,017	152,837	120,046	184,156	336,306
Wisconsin	38,160	168,998	62,196	253,338	550,344	448,633
Wyoming	0	0	350	107,098	193,113	80,429
District of Columbia	0	22,564	19,399	1,072,706	1,215,676	1,949,105
Guam	0	0	0	0	33,039	7,449
Micronesia	0	0	0	2,205	91,754	38,575
Puerto Rico	11,385	12,542	12,542	3,830,951	6,150,643	2,272,699
Virgin Islands	0	0	0	106,607	129,291	85,343
Total	1,951,301	2,857,153	4,302,718	44,898,095	60,060,371	34,023.323

Source: U.S. Congress, Senate, Committee on Labor and Human Resources, "Oversight of the Legal Services Corporation, 1983 Hearing before the Committee on Labor and Human Resouces," 98th Cong., 1st sess., 1983, pp. 476–505.

APPENDIX TABLE XII–3.—SELECTED FEDERAL GRANTS AND CONTRACTS TO THE AMERICAN BAR ASSOCIATION

Contract No. and awarding agency	Grant	Stated purpose	Date of grant
EMWG0872—Federal Emergency Management Agency.	$4,655	Arson Task Force Assistance Program.	5/82–5/83.
EMWK0577—Federal Emergency Management Agency.	10,000	Arson for Profit: The Insurer's Defense.	4/81–9/81.
EMWK0605—Federal Emergency Management Agency.	143,917	Alternatives for Effective Code Enforcement and Compliance Programs.	6/81–9/81.
EMWG0033—Federal Emergency Management Agency.	14,643	ABA Young Lawyers Division Arson Project.	7/81–7/82.
90CW631—Department of Health and Human Services.	100,000	Public education to encourage enactment of uniform Child Custody Jurisdiction Act.	9/81–9/82.
21–11–79–13—Department of Labor.	99,930	Study of Offender Programs under CETA.	FY1981.
13.637—Department of HHS.	85,003	Special Program For Aging—Training.	FY1981.
90C1690—Department of HHS.	150,600	National Legal Resource Center for Child Advocacy and Protection.	9/81–9/82.
N/A—National Endowment for the Humanities.	28,477	To support the planning of a program aimed at increasing the public understanding of fundamental principles of our legal and judicial system.	FY1981.
T901291010—Environmental Protection Agency.	3,000	Fund for public education.	2/81–9/81.
G008100688—Department of Education.	1,000,000	Law school fellowships for the disadvantaged.	6/81.
FG01–81EV10524—Department of Energy.	9,998	Joint conference between Canadian B.A. and A.B.A. on common boundary, common problems: energy production and environmental consequences.	5/81–10/81.
N/A (renewal)—National Endowment for the Humanities.	76,000	To support continuing preparation of volume 2 of a 3-volume study of the war powers of the President and the Congress in a debate about and use of these powers in American history.	FY1981.
81IJCX0011—Department of Justice.	79,978	To implement and study the effects of telephone conferencing to conduct court business in criminal cases.	2/81–1/83.

APPENDIX TABLE XII–3.—SELECTED FEDERAL GRANTS AND CONTRACTS TO THE AMERICAN BAR ASSOCIATION—Continued

Contract No. and awarding agency	Grant	Stated purpose	Date of grant
80C1AX0099—Department of Justice.	44,971	Continuation of a fiscal year 1979 discretionary grant concerning victim/witness problems from the perspective of their organization.	10/80–10/81.
80DFAX0029—Department of Justice.	75,000	Continuing education for appellate judiciary, and staff. This project supports eight seminars.	10/80–9/81.
N/A—National Endowment for the Humanities.	70,000	For program in undergraduate education in law and humanity.	FY1980.
N/A—National Endowment for the Humanities.	119,701	For law and the humanities, a design for elementary education.	FY1980.
N/A—National Endowment for the Humanities.	24,986	To support research, papers, and a symposium in which lawyers, scientists, and ethical analysts will explore the dilemmas and options involved in maintaining the traditional values of individual privacy and autonomy in a society of rapidly expanding information technology.	FY1980.
90–06–1690—Administration for Children, Youth and Families (HHS).	259,806	A national legal resource center for child advocacy and protection.	4/80–9/81.
90–CW–631—Administration for Children, Youth and Families (HHS).	75,067	The first year of a two-year grant for a public education project to encourage the enactment of the Uniform Child Custody Jurisdiction Act.	9/80–9/81
13.608—Department of HHS.	75,067	Child Welfare Research and Demonstration Grants.	FY1980
13.634—Department of HHS.	80,083	Special Program for Aging—Title IV C.	FY1980.
13.628—Department of HHS.	259,806	Child Abuse and Neglect-Prevention and Treatment.	FY1980.
13.631—Department of HHS.	123,806	Developmental Disabilities—Special Projects.	FY1980.

APPENDIX TABLE XII–3.—SELECTED FEDERAL GRANTS AND CONTRACTS TO THE AMERICAN BAR ASSOCIATION—Continued

Contract No. and awarding agency	Grant	Stated purpose	Date of grant
79DFAX0198—Department of Justice.	51,125	Drafting of the Bar Leadership Manual on victim/witness assistance, which will provide specific information on start-up, operations, network coordination, and activities sponsored by and operating both within and without the criminal justice system.	10/79–10/80.
79DFAX0224—Department of Justice.	100,000	To keep the appellate judiciary abreast of new developments in the law and to make them better decision makers. The project consists of a series of six seminars.	10/79–10/80.
21–11–79–13—Department of Labor.	80,000		5/79–11/81.
21–11–79–13—Department of Labor.	24,308		5/79–11/81.
21–11–79–13—Department of Labor.	190,928		10/79–11/81.
79DFAX0032—Department of Justice.	297,977	To find solutions, through research and exemplary projects, to the problems of court delay and excessive costs in litigation.	2/79–11/80.
N/A—Department of State.	46,260	To enable the association to arrange and conduct a seminar in the U.S. entitled "A Study of Citizen Access to Justice in U.S. and Selected Countries of Latin America and the Caribbean" for members of the legal profession from other countries.	FY1979.
N/A—Department of State.	6,547	To assist the association in sending American lawyers to the U.S.S.R. to participate in a series of seminars sponsored by the Association of Soviet Lawyers.	FY1979.

APPENDIX TABLE XII–3.—SELECTED FEDERAL GRANTS AND CONTRACTS TO THE AMERICAN BAR ASSOCIATION—Continued

Contract No. and awarding agency	Grant	Stated purpose	Date of grant
78TAAX0049—Department of Justice.	92,516	To provide seminars for a large percentage of the nation's appellate judges held in regional locations including lectures and workshops concerning topics in judicial philosophy, court decision having state and Federal impact, etc..	9/78–9/79.
G008200550—Department of Education.	960,000	Council on Legal Education Opportunity.	2/82.
78NIAX0023—Department of Justice.	35.055	To analyze the process by which the State and local pilot jurisdictions consider the model procurement code.	3/78–2/79.
79NAX0006—Department of Justice.	1,038,364	One of six projects which constitutes a current program on law-related education, objective: to prepare a long range blueprint for law and juvenile education and to ensure coordinated activities among programs.	11/78–11/81.
78DFAX0054—Department of Justice.	174,938	To provide funding for a second and final 12-month phase of a project to update the American Bar Association standards relating to the Administration of Criminal Justice.	3/78–6/79.
78DFAX0077—Department of Justice.	210,000	For the National Judicial College, project of the American Bar Association summary: the grant is for core support, which combined with project income will allow NJC to conduct 38 resident sessions, which represents 55 weeks of judicial training for 1,325 participants.	2/78–12/78.
78JNAX0002—Department of Justice.	124,897	To develop legal and administrative standards to improve the effectiveness, efficiency, and fairness of the juvenile justice system.	11/77–3/79.
99–7–581–42–12—Department of Labor.	199,961	.....	12/76–2/79.

Source: Freedom of Information requests to various agencies.

Mr. GRAMM. Mr. President, it is time to make a choice. It is a choice between the lawyers and the farmers. It is a choice between litigation and agriculture. It is a choice of whether we are going to set priorities or whether we are going to say we are going to fund every good cause.

I think I have outlined a long list of abuses by Legal Services.

Listening to my colleague and friend from Massachusetts, you would think that he had never heard of the long and honorable history of pro bono legal work by the bar associations around this country.

I wonder why Thomas Jefferson forgot legal services in defining the basic rights of our people.

My point, Mr. President, is that budgets are about choices. Sometimes those choices are hard choices. This is a hard choice. But we are going to vote here in terms of priorities.

I ask those who believe that in this difficult time in agriculture, with a hard transition upon us, money that could fund crop insurance and soil and water conservation is more or less important than funds that have been used and are being used today to stop elections, to fund suits for sex changes, to use universities to stop agricultural research because it might increase productivity, it might be capital intensive, it might put somebody out of a job.

Those are the choices we face. I think that choice is clear. I am going to vote for this amendment as I hope will those who share my concerns about agriculture and those who do not believe the future of America is going to be determined in the courtroom, but think like Jefferson did that it is going to be determined on the farms and ranches of this Nation.

Mr. HELMS. Will the Senator yield?

Mr. GRAMM. I am happy to yield.

Mr. HELMS. I thank the able Senator from Texas.

Mr. President what the Senator from Texas is doing is smoking the fox out of the hen house. He is saying, in his typically gentle way, put up or shut up.

It has been no more than 3 or 4 weeks since this Chamber rang with declarations that "we must do something for the farmers;" "we all love the farmers;" "we must protect the farmers."

All right, this is their chance, is it not, I ask the Senator?

Mr. GRAMM. It certainly is.

Mr. HELMS. I commend the Senator from Texas and am privileged to be a cosponsor of his amendment.

Mr. GRAMM. I yield to the Senator from Colorado.

Mr. ARMSTRONG. I thank the Senator for yielding.

Mr. President, in the last few years the abuses and disclosures regarding the Legal Services Corporation have shocked the Congress and the people. I am advised, however, that in the recent past, in the last 3 or 4 years, there has been a real attempt by those committees of the Congress which had jurisdiction over the operation of the Legal Services Corporation, to sort of clean up the act, to sort of alleviate some of the wrongdoing, and at least the worst abuses have been curtailed.

Mr. President, in view of that, it might seem more or less reasonable to continue the Legal Services Corporation. But when you get right down to it, when you look beyond the representations to the facts, it remains obvious to me that the abuses are still very, very substantial. There are very reasonable nonbudgetary reasons to think that we ought to do away with the Legal Services Corporation. I want to address some of those briefly because I think my friend from Texas has made the case that just purely on budgetary grounds as a matter of priority that, in fact, we could do without this and apply the funds to reducing the deficit or programs of agriculture, or indeed to some other kind of programs.

I do not want the record to be incomplete, win, lose or draw. I do not want the Senate to fail to recognize that there remain significant abuses of the Legal Services Corporation.

In the first place, this notion that what the Legal Services Corporation is doing is funding programs that help people with their day-to-day legal problems—somebody is getting sued on a promissory note or on an obligation or their rights are in question if they are arrested in a criminal action or something—that the Legal Services Corporation rises to the rescue.

I think we all support that kind of help for people who are in trouble. However, according to a report written by the Legal Services Corporation, the Corporation has been involved in redistricting of State legislatures in the following way: In Texas, New Mexico, and Mississippi, Legal Services programs clearly changed the face of Congress and State legislatures through successful lawsuits which overturned their reapportionment plan according to the representation of the Legal Services Corporation.

In other States, such as Colorado and California, redistricting activities have been reported as lobbying the reapportionment committees—lobbying. Now, that is an activity which most of us have presumed to be forbidden under the Legal Services Corporation statute. Yet the report of the Legal Services Corporation represents that that is what they have been doing, at least in part. Thirty-four programs reported handling 94 legislative redistricting cases and expending 2,182 hours and $609,112 in the process.

Mr. President, in addition, many Legal Services Corporation programs either do not maintain or failed to provide detailed information for the report on their activities in redistricting. The following groups used Legal Services funds in nonspecified legislative redistricting activities. The time and money involved in these activities was not reported:

Legal Services Corp. of Alabama; East Arkansas Legal Services; Arkansas Legal Services Support Center; Legal Aid Society of Metropolitan Denver; Legal Services of North Florida; Florida Legal Services; Gulf-

coast Legal Services; Land of Lincoln Legal Assistance Foundation; Legal Services Corp. of Northern Indiana; Southwest Louisiana Legal Services Corp.; East Carolina Legal Services; Dakota Plains Legal Services; Virginia Legal Aid Society and Wisconsin Judicare. 13 other programs failed to respond to the survey for this report on their activities.

These recent activities, which I believe are not within the proper scope or charter of a federally funded legal program, are simply the latest in a long history of such activities—not to say that those activities are per se wrong, but that they are improper for a legal foundation or corporation funded by Federal taxpayers.

This goes back a long, long way. Mr. President, the record of that is, I think, on its face, a good reason to be concerned about the existence of the Legal Services Corporation even if we had no budget problem. I am not going to address the budget issues, but I do want to close with this point: The choice is not between giving poor people legal representation and having this Corporation or abolishing the Corporation and letting them do without. There are in this country today over 600,000 private attorneys, approximately twice the number who were in practice at the time the Legal Services Corporation came into existence. They have a long and honorable tradition of pro bono activity, which, in my opinion, could be encouraged and enhanced. At the present time, only 8 percent of the Nation's practicing attorneys are actively engaged in that kind of activity. Even a modest increase in this percentage would more than fulfill any work which would be left undone by abolishing the Legal Services Corporation.

Moreover, Mr. President, I think it is obvious to all of us that when attorneys come forward to do this kind of work because of their professional ethics, because of their commitment to their profession and because of their concern for their fellow human beings, you get a higher standard of performance than when you are just paying them to do it out of somebody's Legal Services Corporation fund.

I do not know about others, but I have learned from my observation of feeding programs, for example, that the Federal programs drive out other programs. When you pay people to do it, you dry up the wellsprings, the sources of private pro bono activity. That is what is happening in legal services as well, apparently.

Mr. President, I rise to endorse the amendment, to congratulate my friend from Texas on taking the lead in this matter. I think it is improbable he will succeed. I think I am skeptical that his amendment is going to pass. Someday it ought to pass; this is the kind of amendment that ought to be raised over and over again and brought to a vote repeatedly until the message sinks in that this program is extravagant, even after the reforms of recent years, and which we can do without. So I thank the Senator for offering it today and I think it ought to be offered again.

Mr. GRAMM. I thank the Senator from Colorado and I yield to the Senator from South Carolina.

(Mr. COHEN assumed the chair.)

Mr. THURMOND. Mr. President, I believe the matter of legal services is a State and local responsibility. I do not know of anything under the Constitution that would put that responsibility at the Federal level.

I would say next that the lawyers in the different States and communities will do this work if the Federal Government does not do it.

Mr. President, I spent a large portion of my time when I practiced law helping indigent and poor people. I believe that lawyers today are patriotic enough to help their fellow man if they are in need of services and unable to pay for it. To me, it is as it has just been expressed: if the Federal Government is going to do it, then the lawyers stand aside and will not feel compelled to do it. But I am convinced that they will do it. They have done it in the past; they will do it again if the Federal Government gets out of this field.

The next point I wish to make is this: The question here is a choice between helping the farmers and shifting this money to the farmers or allowing to continue Legal Services. Of the two, should there be any question? There is no segment of our population in this Nation today that is more in need of help than the farmers. In my State today, many have been sold out, gone bankrupt. In other States, the same situation exists. Anything we can do to help them I think we ought to do.

The choice here is very clear: Are you for the farmers when they need help or not? That is the question. I hope the Senate votes in favor of this amendment.

Mr. EXON and Mr. SPECTER addressed the Chair.

Mr. SPECTER. Mr. President, I ask the distinguished Senator controlling the time to yield 5 minutes to me.

Mr. CHILES. Mr. President, how much time do we have?

The PRESIDING OFFICER. There are 6 minutes left.

Mr. CHILES. I yield 3 minutes to the distinguished Senator from Pennsylvania and 3 minutes to the distinguished Senator from Nebraska [Mr. EXON].

Mr. SPECTER. I thank the Senator.

Mr. President, I urge my colleagues to support legal services as a program of vital need in this country. When the distinguished Senator from South Carolina says that there is no constitutional requirement for legal services, that may or may not be true, but it is unwise for this body to await a declaration by the Supreme Court of the United States that legal services are constitutionally required. It was not until the decision in Gideon against Wainwright in 1963 that the Supreme Court of the United States said it was mandatory that a lawyer be provided for someone who was hailed into court.

The Congress of the United States could have taken that important step long before it was left to the Supreme Court of the United States to make that ruling as a matter of constitutional mandate. We should not neglect our duty to provide for the public welfare until compelled to do so by the courts. Across this country, Legal Services has performed a very vital function.

I am very much concerned about the problems of the farmer. My State, Pennsylvania, has more people living in the rural part of Pennsylvania, some 2.5 million, than live in the rural part of any other State in this country. I believe that a nation with the wealth of the United States can provide appropriate help for farmers without turning our backs on those who are in need of legal services. Many times, the farmers themselves are in need of legal assistance. When foreclosures have gripped the farming community in this country, it has been necessary on many occasions that they turn to community legal services.

This program has worked very well. It has been substantially reformed. The funding has already been materially reduced. I urge that this body put its stamp of approval on the program of community legal services as it exists today.

I thank the distinguished Senator from Florida. I yield the floor.

Mr. BAUCUS. Mr. President, I will vote against this amendment because it is an insult to our Nation's farmers.

This amendment is, plain and simple, an effort to destroy the Legal Services Program, which provides vitally needed legal advice to many of our most disadvantaged citizens. Access to legal advice and representation affords these Americans the opportunity to protect their legal rights in the American justice system.

This amendment proposes to transfer money saved by eliminating legal services to agriculture programs. This is a classic smoke-and-mirrors proposal; $300 million does nothing to solve the problems facing our Nation's farmers; $300 million will do nothing to alleviate the desperate plight of Montana ranchers who face foreclosure on the land their grandfathers homesteaded.

This amendment tries to woo support by pretending to benefit agriculture. But I am not fooled, and I oppose the amendment.

Mr. LEVIN. Mr. President, I will vote against the Graham amendment to transfer funding for the Legal Services Corporation to the Crop Insurance Program and the Soil Conservation Program. While I support increased funding for these two farming programs, I cannot support this effort to abolish the Legal Services Corporation. There are other ways we can and should provide additional funding for farming programs, and I will be voting for amendments to the budget resolution which do just that.

Mr. President, during the past 4 years the Congress has repeatedly rejected the administration's attempts to abolish the Legal Services Corporation and has reaffirmed its commitment to providing the Nation's poor with legal assistance. Senator GRAHAM, like many others who have advocated abolishing the Corporation, has cited isolated abuses in the legal services program. The Congress has already taken significant steps to curtail the Corporation's activities. If further restrictions are necessary, the Congress should consider responsible legislation which addresses these problems—rather than supporting this effort to do away with the program altogether.

Employees of the Corporation spend most of their time providing legal advice to poor people about such things as housing, divorce, health and domestic violence. As my colleague from Iowa, Senator HARKIN, has so aptly stated, if we vote to abolish the Legal Services Corporation we will be denying the Nation's poor access to the American judicial system and a peaceful way to resolve their disputes.

Mr. GRASSLEY. Mr. President, I rise in support of this amendment that would rearrange some of our spending priorities. There is little question that America's farmers, particularly those in Iowa, are facing some of the toughest economic times in decades. These troubles spread throughout the fabric of rural communities and affect nonfarm families as well.

As I understand this amendment, the aim is to shift moneys from the budget function that includes legal services to the function that covers agriculture programs. It is important that we remember that the committees of jurisdiction will have the opportunity to shift funds around. Consequently, it is possible that the committees may still be able to retain legal service if they find other sources of savings.

It is my hope that if this is done, that some of the problems with legal services is corrected. In the past, Legal Services Corporation funds have been diverted away from its proper mandate of serving the poor, and instead have been misused for political training, media advocacy, political campaigns and shell corporations.

There are alternative ways of providing legal assistance for the poor. With over 600,000 attorneys in the United States, double the number when Legal Services Corporation was founded, certainly the talent and resources exist that have been untapped to help our Nation's poor.

This amendment boils down to the question of whether more money is needed to cover the needs of America's struggling farmers, or should the other committees with jurisdiction over other programs be required to squeeze more savings out of their programs. I suggest that America's farmers have been squeezed enough and its time that other committees and program administrators be required to be a little more frugal to help out.

Mr. DECONCINI. Mr. President, this amendment is a not so thinly veiled attempt to abolish the Legal Services Administration. Because it is cloaked in terms of increased funding for needed agriculture programs, proponents of abolishing legal services for the poor argue that this is an either/or proposition. It is not.

The Reagan administration has attempted to abolish the Legal Services Administration every year it has been in office. Now they are trying to tell the Congress that we have to choose between these two important programs.

Mr. President, this budget process does involve making choices and setting priorities, but not between two specific programs. It involves setting priorities for all Federal spending across the board. My vote for restoring the full Social Security and other cost-of-living adjustments was not a vote against farmers and neither will be my vote to continue funding for Legal Services.

Those who would abolish Legal Services buttress their position by reading us lists of so-called abuses of the program. I have been disturbed by some activities of local legal services offices and have eagerly participated in efforts in Congress to control these excessive activities. I find it interesting, however, that the very people who are hammering away at these isolated abuses of legal services are the ones who are telling us that it is unfair to use examples of waste and abuse in the Pentagon to argue for modifications in the defense budget. I do not think that the isolated abuses in the Pentagon should lead us to abolish the military, nor do I think that isolated abuses in the Legal Services Administration should result in us abandoning our commitment to the provision of legal services for the poor and indigent.

I want it clear that my vote against this amendment bears no relationship to my strong support for both crop insurance and soil and water conservation.

It is not necessary for me to repeat the praises of soil and water conservation. Suffice it to say that our agricultural lands are a limited resource; if we allow them to erode in fiscal year 1986 there will be no land to conserve in fiscal year 1988 or fiscal year 1989. The lesson of Ethiopia is not that far from America. The land is fragile and must be conserved.

However, this is not the place to argue about the importance of these agricultural programs. That is not the real issue being raised by the Senator from Texas.

These are good and necessary programs, and I expect that before this budget process is completed that there will be another opportunity to increase funding for them. And I trust at that time that the cosponsors of this amendment will vote for this augmentation.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, I am going to support the amendment offered by the Senator from Texas, but not for the reasons that have been stated. I am not convinced that if we eliminate Legal Services, which I have some concerns about, the lawyers are automatically going to take up the slack. Had they taken up the slack, there would not have been any need for Legal Services in the first instance, so I do not think one should be asked to support or vote against the amendment on that ground.

Also, I have noticed, Mr. President, that many people who are defending agriculture today and providing $300 million, which is a pittance, to help the disastrous farm situation in America today, are the same people, by and large, who bought onto the GOP-White House compromise; that after the Budget Committee finished its work, they went right down to the White House and the numbers are almost identical. The people who are now speaking for agriculture do not speak for it, do not vote for it when it really counts. The $18 billion which that compromise took out of the agricultural budget that came out of the Budget Committee shifted to defense. So let us not be fooled, let us not be voting pro or con on this issue on the basis that the lawyers are going to pick up the slack or that it is going to amend the onslaught on agricultural programs by the GOP-White House compromise.

I reserve the remainder of the time and yield it back to the manager of the bill.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, we yield back any time that we have remaining.

Mr. GRAMM. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question now occurs on agreeing to the amendment of the Senator from Texas. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Louisiana [Mr. LONG] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 27, nays 71, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—27

Abdnor	Gramm	Nickles
Armstrong	Grassley	Pressler
Bentsen	Helms	Proxmire
Boren	Humphrey	Quayle
Denton	Kasten	Simpson
Dole	Mattingly	Symms
Exon	McClure	Thurmond
Garn	McConnell	Wallop
Goldwater	Murkowski	Zorinsky

NAYS—71

Andrews	Glenn	Melcher
Baucus	Gore	Metzenbaum
Biden	Gorton	Mitchell
Bingaman	Harkin	Moynihan
Boschwitz	Hart	Nunn
Bradley	Hatch	Packwood
Bumpers	Hatfield	Pell
Burdick	Hawkins	Pryor
Byrd	Hecht	Riegle
Chafee	Heflin	Rockefeller
Chiles	Heinz	Roth
Cochran	Hollings	Rudman
Cohen	Inouye	Sarbanes
Cranston	Johnston	Sasser
D'Amato	Kassebaum	Simon
Danforth	Kennedy	Specter
DeConcini	Kerry	Stafford
Dixon	Lautenberg	Stennis
Dodd	Laxalt	Stevens
Domenici	Leahy	Trible
Durenberger	Levin	Warner
Eagleton	Lugar	Weicker
Evans	Mathias	Wilson
Ford	Matsunaga	

NOT VOTING—2

East	Long

So Mr. GRAMM's amendment (No. 51) was rejected.

Mr. DOLE. Mr. President, let me indicate to my colleagues that, as I understand, there is one additional amendment. There are a number of additional amendments, but I have indicated, if there is another amendment that can be offered now, we will have a vote on this and that will be the last vote of the day.

But I hope that we could do that very quickly. I think it is fairly clear-cut, if it is the one I am thinking of. We will all be happy about it.

Mr. CHILES. Mr. President, I say to the distinguished majority leader I think we will not use much time on our side. We wish to have the vote between 1 p.m. to 1:10 p.m. just to accommodate some Members.

Mr. DOLE. Or even earlier.

Mr. CHILES. Or even earlier.

AMENDMENT NO. 52

Mr. HELMS. Mr. President, I have an amendment at the desk which I call up and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS], for himself, Mr. GRASSLEY, and Mr. THURMOND, proposes an amendment numbered 52.

At the end of the pending question add the following:

Notwithstanding any other provision of this resolution, the functional totals for the General Government function are reduced by an amount sufficient to allow the reduction of the salaries of Members of Congress by ten per centum.

Mr. PRYOR. Mr. President, have the yeas and nays been ordered on this amendment?

The PRESIDING OFFICER. No, they have not.

Mr. PRYOR. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I thank the Chair.

Let me at the outset ask unanimous consent that in addition to Senator GRASSLEY the names of the distinguished Senator from Kansas [Mrs. KASSEBAUM] and the distinguished Senator from Oklahoma [Mr. NICKLES] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. Mr. President, if ever an amendment needed no lengthy discussion, this is it.

I hear constantly in this Chamber and across the country that the burden of reducing the Federal deficit must be shared by all. This amendment simply provides that the Members of Congress share in that burden to the extent of voting for this amendment, which proposes a 10-percent reduction in the compensation of the Members of Congress.

There is a Latin expression, res ipsa loquitur, meaning the thing speaks for itself, and this amendment speaks for itself.

I feel, Mr. President, that I need say nothing further.

Mr. President, I ask unanimous consent that the distinguished Senator from Arizona [Mr. GOLDWATER] be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. I yield the floor.

Mr. GRASSLEY. Mr. President, I am pleased to join my friend and colleague from North Carolina, Senator HELMS, in offering an amendment to reduce the salaries of Members of Congress by 10 percent.

When I first came to Washington as a Member of the House of Representative, I introduced a bill to accomplish this same objective. No action was taken. Again, this year, I introduced a measure to reduce congressional salaries by 10 percent.

The Members of Congress have been very eloquent in the past months urging the reduction of the Federal deficit. One place to begin this reduction process is right here in the Congress itself.

Federal budget deficits have soared in the last 10 years, adding more than $1.5 trillion to the national debt. Since 1974, Congressmen and Senators have received a total of nine pay increases, totaling an additional $30,000 for each legislator in 1984. If our amendment is passed today, a strong message wil be passed to the people of this Nation. We are serious about reducing the Federal deficit, and we are willing to begin here in Washington.

Mr. LEVIN. Mr. President, I agree with the sponsors of this amendment that Members of Congress should share in the burden of deficit reduction. However, this amendment is unnecessary in order to achieve that goal because Members of Congress as Federal employees will have their salaries frozen for the coming year. The goal of shared sacrifice is to be fair, not punitive, and should not be exploited for political or partisan gain.

Mr. PRYOR. Mr. President, as far as I know there is no time requested on this side of the aisle on the Helms amendment.

Mr. HELMS. Mr. President, I yield back the remainder of my time.

Mr. PRYOR. We yield back the remainder of our time, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Oklahoma [Mr. BOREN] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 49, nays 49, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—49

Abdnor	D'Amato	Garn
Andrews	Danforth	Goldwater
Armstrong	DeConcini	Gramm
Bentsen	Denton	Grassley
Bumpers	Dodd	Harkin
Burdick	Dole	Hatch
Chiles	Domenici	Hawkins
Cohen	Exon	Hecht
Cranston	Ford	Heflin

Heinz	Nickles	Thurmond
Helms	Pressler	Trible
Humphrey	Proxmire	Wallop
Kassebaum	Quayle	Warner
Kasten	Simpson	Wilson
Leahy	Specter	Zorinsky
Mattingly	Stennis	
Mitchell	Symms	

NAYS—49

Baucus	Hollings	Murkowski
Biden	Inouye	Nunn
Bingaman	Johnston	Packwood
Boschwitz	Kennedy	Pell
Bradley	Kerry	Pryor
Byrd	Lautenberg	Riegle
Chafee	Laxalt	Rockefeller
Cochran	Levin	Roth
Dixon	Long	Rudman
Durenberger	Lugar	Sarbanes
Eagleton	Mathias	Sasser
Evans	Matsunaga	Simon
Glenn	McClure	Stafford
Gore	McConnell	Stevens
Gorton	Melcher	Weicker
Hart	Metzenbaum	
Hatfield	Moynihan	

NOT VOTING—2

Boren	East

So Mr. HELMS' amendment (No. 52) was rejected.

Mr. DOLE. I move to reconsider the vote.

Mr. HEINZ. I move to lay that motion on the table.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I understand the Senator from North Carolina reserved the right to object.

The PRESIDING OFFICER. The question occurs on the motion to table.

Mr. HELMS. Mr. President, maybe it is not in order, but I ask unanimous consent that I may proceed for no more than 2 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HELMS. Mr. President, I thank the Chair and I thank the Senator.

I think the Senate ought to think about this vote over the weekend—a 49–49 tie. Here we are, asking everybody to accept cuts. At least this Senator is voting for everything in the package. And we come to the question of our own compensation and end up with a 49–49 tie. I wonder if I might ask the majority leader if it would be possible to have a vote Monday afternoon on the motion to reconsider; if not, a vote Monday afternoon on the vote to table the motion to reconsider. Just carry that over until Monday afternoon. Let Senators think about the implication of what they have done. I may lose by 2 to 1.

Mr. DOLE. Mr. President, I do not see the distinguished minority leader. I have no objection to that.

Mr. DIXON. Reserving the right to object, Mr. President, the minority leader is off the floor at a caucus on our side, and I reserve the right for him to object.

Mr. HELMS. Mr. President, let me say I am going to ask for the yeas and nays on the motion to table if we do not delay the consideration of this.

Mr. DIXON. The motion to lay on the table was made by the distinguished majority leader.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HECHT). Without objection, it is so ordered.

Mr. HELMS. Mr. President, I ask for the yeas and nays on the motion to table.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I thank the Chair.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MURKOWSKI). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. BYRD. I made a point of order that the motion to reconsider was made by a Senator who does not qualify.

The PRESIDING OFFICER. The point of order is sustained and the motion falls.

Mr. DOLE. Mr. President, let me indicate to my colleagues there will be no more votes today.

EXECUTIVE SESSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now go into executive session to consider the following calendar items: Calendar Nos. 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133 under the Air Force, 134, 135, and 136 under the Army, 137 under the Marine Corps, 138 through 143 under the Navy, and all nominations placed on the Secretary's desk.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object, I have listened carefully to the calendar numbers that have been read by the distinguished majority leader. We on our side of the aisle have cleared all nominations beginning on page 2 of the calendar beginning with Calendar No. 122 and extending through page 2, through page 3, with the exception of Calendar Order No. 129, through page 4, through page 5, through page 6, through page 7, and through page 8. I am not sure the distinguished majority leader could follow me.

Mr. DOLE. As I understand it, it has been cleared with the exception of Calendar Order 118, 119, 120, 121, and 129.

Mr. BYRD. Yes. We cannot clear at this point any of the nominees on page 1, and we could not clear at this point Calendar Order No. 129 on page 3.

Mr. DOLE. So I would exclude Calendar No. 118, 119, 120, 121, and 129 from my unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. I ask unanimous consent that the nominations with those exceptions identified earlier be considered en bloc and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

The nominations confirmed en bloc as follows:

MISSISSIPPI RIVER COMMISSION

Brig. Gen. Thomas Allen Sands, [redacted], U.S. Army, to be a member and president of the Mississippi River Commission, and Brig. Gen. Robert Joseph Dacey, [redacted], U.S. Army, to be a member of the Mississippi River Commission.

ENVIRONMENTAL PROTECTION AGENCY

A. James Barnes, of the District of Columbia, to be Deputy Administrator of the Environmental Protection Agency.

[New Reports]

THE JUDICIARY

Kenneth F. Ripple, of Indiana, be U.S. circuit judge for the seventh circuit.

John P. Moore, of Colorado, to be U.S. circuit judge for the tenth circuit.

Joseph H. Rodriguez, of New Jersey, to be U.S. district judge for the District of New Jersey.

George F. Gunn, Jr., of Missouri, to be U.S. district judge for the eastern district of Missouri.

IN THE AIR FORCE

The following-named officer for appointment to the grade of lieutenant general on the retired list pursuant to the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Richard K. Saxer, [redacted] FR, U.S. Air Force.

The following-named officer for appointment to the grade of lieutenant general on the retired list pursuant to the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Herman O. Thomson, [redacted] FR, U.S. Air Force.

The following-name officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. Jack I. Gregory, [redacted] FR, U.S. Air Force.

The following-named officer under the provision of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. John L. Pickitt, [redacted] FR, U.S. Air Force.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Bernard W. Rogers, [redacted], (Age 63), United States Amry.

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. William E. Odom, [redacted], U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Dale A. Vesser, [redacted], U.S. Army.

IN THE MARINE CORPS

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. D'Wayne Gray, [redacted] U.S. Marine Corps.

IN THE NAVY

The following-named officer, under the provisions of title 10, United States Code, section 5064 to be Director of Budget and Reports in the Department of the Navy.

To be director of budget and reports

Rear Adm. William D. Smith, [redacted]/1120, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. Crawford A. Easterling [redacted]/1310, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. William J. Cowhill, [redacted]/1120, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. Powell F. Carter, Jr., [redacted]/1120, U.S. Navy.

The following-named commodores of the Reserve of the U.S. Navy for permanent promotion to the grade of rear admiral in the line and staff corps, as indicated, pursuant to the provisions of title 10, United States Code, section 5912:

UNRESTRICTED LINE OFFICERS

Richard Edward Young, Tammy Haggard Etheridge, LeRoy Collins, Jr., and Frederick Peter Bierschenk, Jr.

UNRESTRICTED LINE OFFICER (TAR)

Tommie Fred Rinard.

MEDICAL CORPS OFFICER

James Albert Austin.

DENTAL CORPS OFFICER

Haruto Wilfred Yamanouchi.

SUPPLY CORPS OFFICER

Donald Gene St Angelo.

CIVIL ENGINEER CORPS OFFICER

Charles Richard Smith.

The following-named officer, under the provisions of title 10, United States Code, section 5142, to be Chief of Chaplains, U.S. Navy:

To be Chief of Chaplains, U.S. Navy

Commodore John R. McNamara, Chaplain Corps, [redacted]/4100, U.S. Navy.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE AIR FORCE, ARMY, MARINE CORPS, NAVY

Air Force nominations beginning Maj. Richard G. Broberg, and ending Maj. John T. Aumiller, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 1985.

Air Force nominations beginning James S. Majors, and ending John E. Troyer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Air Force nominations beginning David M. Abbate, and ending Edward W. Zwanziger, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Air Force nominations beginning David M. Abbate, and ending Roger D. Wetherington, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Air Force nominations beginning Alan A. Abangan, and ending Thomas M. Zuccaro, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Army nominations beginning Floyd Z. Light, Jr., and ending William M. Wight, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Army nominations beginning Derric L. Abrecht, and ending David L. Zylka, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Marine Corps nominations beginning Granville R. Amos, and ending Anthony C. Zinni, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Marine Corps nominations beginning James R. Abelee, and ending Richard H. Zegar, which nominations were received by the Senate on April 19, 1985, and appeared in the CONGRESSIONAL RECORD of April 22, 1985.

Marine Corps nominations beginning Michael J. Piirto, and ending Christopher D. Heid, 9086, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 22, 1985.

Navy nominations beginning Mark S. Ammons, and ending Harry P. Clause, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Navy nominations beginning Christopher A. Aiello, and ending Donald E. Burbach, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Navy nominations beginning William M. Bartleman II, and ending Craig B. Dever, which nominations were received by the Senate on April 19, 1985, and appeared in the CONGRESSIONAL RECORD of April 22, 1985.

Navy nomination of Cmdr. Donald E. Williams, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 22, 1985.

NOMINATION OF JOSEPH H. RODRIGUEZ

Mr. BRADLEY. Mr. President, I am pleased that we have finally reached the day when the Senate will confirm a highly respected memeber of the New Jersey bar, Joseph Rodriguez, as a member of the Federal judiciary.

Joseph Rodriguez has earned a reputation as an independent, fair, and relentless defender of the law. He has served three separate Governors of New Jersey. In the Republican administration of William Cahill, Mr. Rodriguez was tapped to chair the State Commission of Investigation. And in the current Republican administration of Thomas Kean, he serves as the State's public advocate. The fact that his talents have been so broadly recognized is a tribute to his professionalism.

I have had a deep concern about the quality of our Federal judiciary. These are lifetime appointments. The people we choose will, in large part, determine whether the people have faith in the most basic part of our democracy—the sanctity of our Constitution, the freedoms it grants and the laws that give it strength.

Joseph Rodriguez is highly qualified to fullfill that obligation. As chairman of our State Commission of Investigation he was charged with the responsibility of ensuring the highest ethical standards from our State's public servants. He performed that job with great conviction. Currently Mr. Rodriguez is the people's defender—the person who ensures that the public's rights are not trampled upon. And he has performed that role with equal conviction. These two assignments have called for strict standards and compassion. Both qualities are also essential for a member of the Federal judiciary. In fact the American Bar Association recognized that excellence when, in a very rare action, the unanimously found him "exceptionally well qualified" to be a Federal court judge.

Finally, I would be remiss if I did not note that the appointment of Mr. Rodriguez also broadens the ability of our Federal judiciary to be truly representative of the entire community. I do not know how many other members of the Federal judiciary are of Hispanic descent. In the district which in-

cludes New Jersey, the latest census records nearly 7 percent of the population to be of Hispanic origin, and there are no members of the Federal judiciary who are of Hispanic descent. Mr. Rodriguez' appointment will certainly be welcomed by all who would like to see the judiciary more inclusive of the entire community.

I am certain that Joseph Rodriguez will be an outstanding member of the Federal district court in New Jersey and I am very pleased that he will be confirmed today.

NOMINATION OF JOSEPH RODRIGUEZ

Mr. LAUTENBERG. Mr. President, I rise to support the confirmation of Joseph Rodriguez to be a judge on the Federal District Court of the District of New Jersey.

Mr. Rodriguez is a skilled lawyer, an experienced law teacher, and a dedicated public servant. He was deemed exceptionally well qualified by the ABA. He has served as president of the New Jersey State Bar Assciation, chairman of the New Jersey Board of Higher Education, and chairman of the State Commission of Investigation. He teaches trial practice at Rutgers University law school at Camden.

Mr. President, Mr. Rodriguez is more than a skilled lawyer. He is more than an experienced public official. He is a very decent human being. Decency. That should be an essential qualification for a judge. But it is something that is difficult to measure.

One can measure a man by what he does and what people say about him. I had met Joe Rodriguez but I did not know him well until he was proposed by Governor Kean and nominated by President Reagan.

I inquired of many people and groups around the State about Mr. Rodriguez. I heard people tell me he was a decent person. He is universally respected by people who know him across the whole spectrum of New Jersey life. He has been honored by groups as diverse as the ACLU and the American Legion. Just last month, Joe Rodriguez received an award in Sussex County, NJ. It is called the Friend of Hospice Award. It is an award given by a local group to individuals who advance the quality of care and concern for the terminally ill.

Mr. President, people respect Joe Rodriguez' sense of duty. They respect the job he did as chairman of the State Commission on Investigation—charged with rooting out organized crime in our State. And they respect the job he does as public defender—charged with defending indigents accused of crime. And they respect the job he does as public advocate—fulfilling a very broad legislated mandate to pursue the public interest.

Mr. Rodriguez would be the first Hispanic member of the Federal judiciary in New Jersey. I think we must do more, Mr. President, to increase the diversity of the Federal judiciary. By increasing the diversity of the bench with such eminently qualified persons as Mr. Rodriguez, we enhance the respect that the bench commands of the diverse public it must judge.

It should also be noted, Mr. President, that this nomination was sent up last Congress. It failed to reach the floor because of opposition from members of President Reagan's own party. With broad, bipartisan support in New Jersey for Mr. Rodriguez' renomination, the President sent up his name again. Then Mr. Rodriguez was singled out for unusual and, I think, inappropriate scrutiny. He was asked to answer a detailed questionnaire, inquiring of his personal views about abortion, capital punishment, the equal rights amendments and other social issues. Justified questions were raised as to whether the questionnaire reflected an effort to impose an ideological litmus test on judicial nominees.

I think Mr. Rodriguez responded quite appropriately to that questionnaire, and to questions posed to him at a second hearing held by the Judiciary Committee. Mr. Rodriguez attested to his intent to apply the law, the Constitution, and the precedents before him. His personal views, in general, should have no bearing on his fitness to serve. Few judicial candidates are as qualified to sit on the Federal district court as this nominee.

Last, Mr. President, I express my appreciation to the chairman of the Judiciary Committee for moving this nomination forward. While some Senators had delayed action on the nomination, the courts in New Jersey have remained overburdened, hampering the effective administration of justice in my State.

Joseph Rodriguez will bring to the Federal judiciary the same sense of duty, fairness, and decency that he has brought to his previous endeavors. He would be an asset to the bench. I commend him and urge his confirmation by the Senate.

NOMINATION OF SAM B. HALL, JR.

Mr. BENTSEN. Mr. President, I am pleased to speak today on behalf of my long time friend, SAM HALL. I am pleased to support Congressman SAM HALL's nomination to the Federal bench. I have known SAM for many years and throughout that time I have had the opportunity to observe his sound thinking, balanced judgment, and wise decisionmaking. Congressman SAM HALL is no stranger to many of the Members of this Chamber. He has served as a member of the House Judiciary Committee, since his first term 9 years ago. As such, many of you have also come to know and respect both the intellectual and academic influence exercised by SAM HALL on the House side.

SAM, like his dad and uncle, will carry on the proud Hall legacy of serving on the bench. Sam Hall, Sr. served as one of Texas's finest judges for more than 20 years. State district judge Hall was respected throughout the State of Texas as an even-handed judge. If SAM's dad were here today, he would be proud of his son's nomination by the President of the United States to the Federal bench.

SAM's dad did get to see many of his son's accomplishments, including SAM's graduation from Baylor Law School. For 27 years, before SAM was elected to his first term in the United States House of Representatives, he practiced law in Marshall, TX. During his tenure in the House of Representatives, he has served on the House Judiciary Committee and has been the chairman of the House Judiciary Committee and has been the chairman of the House Judiciary Subcommittee on Administrative Law and Governmental Relations for the last 2 years.

Congressman SAM HALL, will make the transition to Federal Judge Sam Hall smoothly and I am sure that he will continue to address issues before the bench with the same clarity, ethics, and temperament that has made him my respected friend and colleague. Mr. President, I join with Senate colleagues today in sounding a firm voice of confirmation for SAM HALL, the judicial nominee for the Eastern district of Texas. I would also like to extend my congratulations to SAM's wife, Madeleine, and their three daughters.

NOMINATION OF JOSEPH RODRIGUEZ

Mr. BIDEN. Mr. President, the Senate is today doing the people of my neighboring State of New Jersey a great service by approving the nomination of Joseph Rodriguez to be a Federal district judge.

My distinguished colleagues, Senators BRADLEY and LAUTENBERG, have worked steadily for months to move this nomination along, and I have joined them in that effort.

Mr. Rodriguez is, without question, among the most highly qualified judicial nominees the Senate Judiciary Committee has considered, as indicated by his American Bar Association rating of "unanimously exceptionally well qualified," the highest rating given by the ABA, and given only rarely.

Mr. Rodriguez has held an extraordinary array of positions in the service of the public under Democratic and Republican Governors alike. In the Republican administration of William Cahill he was chairman of the State Board of Higher Education; under Democrat Brendon Byrne he was chairman of the State Commission of Investigation; and in the current Republican administration of Thomas

Kean, Mr. Rodriguez is the States public advocate and public defender.

Mr. Rodriguez also spent over 20 years in private law practice, which, along with his service as public defender, gives him an unusually comprehensive record of experience in both criminal and civil law.

An additional reason that this nomination is important to the State of New Jersey is that nearly 7 percent of that State is of Hispanic origin. Mr. Rodriguez will be the first Hispanic on the Federal bench in New Jersey. His confirmation is an important step toward making the Federal judiciary more representative of the community.

Mr. Rodriguez demonstrated his good judgment by the manner in which he answered questions proffered to him by some members of the Judiciary Committee concerning his views on various Supreme Court decisions. Mr. Rodriguez declined to pass judgment upon those Supreme Court decisions, stating that to do so would mean that he "would be unable to impartially determine a similar issue that might be presented at a future time," and noting that to answer such questions would also create an "appearance of impropriety."

In conclusion, I believe that Joseph Rodriguez possesses the legal experience, competence, integrity, and judicial temperament to serve with distinction on the Federal bench. I commend Mr. Rodriguez to my colleagues.

TRIBUTE TO GENERAL ROGERS

Mr. NUNN. Mr. President, as the Senate acts today on General Rogers' nomination, I want to pay special tribute to the exemplary service he has rendered as the Supreme Allied Commander in Europe [SACEUR]. To enumerate General Rogers' many accomplishments as SACEUR would take quite some time, so I will just mention a few:

He provided firm leadership in helping to steer the alliance through the difficult challenges of implementing the dual-track INF decision;

He has time and time again drawn public and governmental attention to the relationship between the height of the nuclear threshold and the state of NATO's conventional defenses;

He took the initiative in defining and formalizing the "Follow-On Forces Attack" doctrine;

He gained the respect and confidence of our allies in dealing with a number of sensitive policy issues, including facilitating Spain's entry into the alliance and trying to resolve the disagreements between our allies on the southern flank;

He has worked tirelessly for a number of years to try to improve NATO's conventional defense capabilities and, in recent months, has helped ensure that my concerns in this area are being met by a much more receptive audience in Europe.

Mr. President, I would also mention that in marked contrast to other military and civilian defense officials who have testified before the Senate Armed Services Committee over the years, General Rogers has always been forthright and candid in his assessments. He has never hesitated to call things as he sees them, pointing out what is wrong and what needs to be fixed.

General Rogers' reappointment as SACEUR, together with the impressive skills which Ambassador Abshire and Lord Carrington have brought to Brussels, will ensure that a leadership team will remain in place in NATO that can continue to advance the alliance toward our common goals. I commend President Reagan for his decision to reappoint General Rogers to this critical position.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the nominations were confirmed.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I ask unanimous consent that the President be immedately notified that the Senate has given its consent to these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, not to extend beyond 2 p.m., with statements therein limited to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE HOUSE

At 12:09 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 125. Joint resolution designating October 1985 as "National Community College Month"; and

H.J. Res. 258. Joint resolution to designate May 6, 1985, as "Dr. Jonas E. Salk Day."

MEASURE REFERRED

The following joint resolution was read the first and second times by unanimous consent and referred as indicated:

H.J. Res. 125. Joint resolution designating October 1985, as "National Community College Month"; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs:

Richard M. Hughes, of Oklahoma, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 1987.

(The above nomination was reported from the Committee on Banking, Housing, and Urban Affairs with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. EAGLETON:

S. 1067. A bill to amend title 10, United States Code, to establish an improved system for providing military advice to the President, the National Security Council, and the Secretary of Defense, to establish a National Military Advisory Council, and for other purposes; to the Committee on Armed Services.

By Mr. JOHNSTON (for himself and Mr. MCCLURE):

S. 1068. A bill to eliminate unnecessary paperwork and reporting requirements contained in section 15(l) of the Outer Continental Shelf Lands Act, and sections 601 and 606 of the Outer Continental Shelf Lands Act Amendment of 1978; to the Committee on Energy and Natural Resources.

By Mr. LEAHY:

S. 1069. A bill to amend the Agricultural Act of 1949 to modify the dairy price support program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PRYOR (for himself and Mr. BUMPERS):

S. 1070. A bill to provide a Congressional Medal of Honor to John Yancey; to the Committee on Armed Services.

By Mr. MATHIAS:

S. 1071. A bill to amend the Foreign Sovereign Immunities Act; to the Committee on the Judiciary.

By Mr. QUAYLE:

S.J. Res. 130. Joint resolution designating the week beginning on November 10, 1985, as "National Blood Pressure Awareness Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself, Mr. ABDNOR, Mr. ARMSTRONG, Mr. BAUCUS, Mr. BIDEN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. BYRD, Mr. CHAFEE, Mr. CHILES, Mr. COCHRAN, Mr. CRANSTON, Mr. DECONCINI, Mr. DIXON, Mr. DODD, Mr. DOLE, Mr. DOMENICI, Mr. DURENBERGER, Mr. EVANS, Mr. EXON, Mr. FORD, Mr. GARN, Mr. GLENN, Mr. GORE, Mr. GORTON, Mr. GRASSLEY, Mr. HARKIN, Mr. HART, Mr. HATFIELD, Mrs. HAWKINS, Mr. HECHT, Mr. HEFLIN, Mr. HEINZ, Mr. HELMS, Mr. HOLLINGS, Mr. INOUYE, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Mr. LEVIN, Mr. LONG, Mr. LUGAR, Mr. MATHIAS, Mr. MATSUNAGA, Mr. MATTINGLY, Mr. MCCLURE, Mr. MCCONNELL, Mr. MELCHER, Mr. METZENBAUM, Mr. MOYNIHAN, Mr. MURKOWSKI, Mr. NICKLES, Mr. NUNN, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. QUAYLE, Mr. RIEGLE, Mr. ROCKEFELLER, Mr. ROTH, Mr. RUDMAN, Mr. SARBANES, Mr. SASSER, Mr. SIMON, Mr. SIMPSON, Mr. SPECTER, Mr. STAFFORD, Mr. STENNIS, Mr. SYMMS, Mr. THURMOND, Mr. TRIBLE, Mr. WARNER, Mr. WILSON, and Mr. ZORINSKY):

S. Res. 154. Resolution to pay tribute to the American veterans of World War II on the 40th anniversary of V-E Day; placed on the calendar.

By Mr. CHILES (for himself, Mr. JOHNSTON, Mr. BUMPERS, Mr. BIDEN, Mr. PELL, and Mr. SASSER):

S. Res. 155. Resolution to condemn the actions of the Ethiopian Government; ordered held at the desk until close of business on May 6, 1985.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. EAGLETON:

S. 1067. A bill to amend title 10, United States Code, to establish an improved system for providing military advice to the President, the National Security Council, and the Secretary of Defense, to establish a National Military Advisory Council, and for other purposes; to the Committee on Armed Services.

REFORMING THE JOINT CHIEFS OF STAFF

Mr. EAGLETON. Mr. President, today I am introducing legislation to address and remedy one of the most serious problems plaguing our national defense: the performance of the Joint Chiefs of Staff [JCS]. The bill is identical to the amendment I offered last June to the Defense Authorization Act.

Following the productive debate on my amendment last summer, I agreed to withdraw it with the understanding that a staff report on reform would be soon completed and that the issue would receive expeditious treatment in the Armed Services Committee during the remaining months of the 98th Congress.

I was disappointed that at the end of the 98th Congress no report had been issued and no action had been taken by the committee. By introducing my legislation again today I hope to refocus the attention of the Senate on the issue.

JCS reform is far too important to our Nation's security to be ignored during the time remaining in this session of Congress. Dissatisfaction with Defense Department management and the widespread concern about the budget deficit make the issue ripe for action. Congress must act with forethought but also with a sense of urgency to redress this serious flaw in the U.S. defense structure.

I do not pretend to have discovered this problem, nor do I claim to be alone today in calling for reorganization; quite the contrary. As R. James Woolsey, former Under Secretary of the Navy has written, "The weakness and lack of influence of the Joint Chiefs is one of the Pentagon's less well-kept secrets."

Problems and criticisms date back to the original compromise creating the Joint Chiefs of Staff in 1947. The organization has been the subject of an almost endless series of critical studies conducted by blue-ribbon panels inside and outside DOD—21 in the last 36 years. The latest study, which was released 2 months ago by the Defense Organization Project at Georgetown University's Center for Strategic and International Studies [CSIS], has given JCS reform efforts tremendous momentum.

The CSIS study, entitled "Toward a More Effective Defense," was developed by 70 individuals with experience at the highest levels of the Defense Establishment, including retired senior military and civilian officials, industry executives, and Members of Congress—Senators COHEN, EXON, KASSEBAUM, and NUNN and a number of House Members from both parties. The study was endorsed by six former Secretaries of Defense—Brown, Clifford, Laird, McNamara, Richardson, and Schlesinger—who wrote:

> There are serious deficiencies in the organization and managerial procedures of the defense establishment * * * we are able to testify about the degree to which they weaken efforts to ensure U.S. security.

In its "Joint Military Structures" chapter, the CSIS study quickly put its finger on the most fundamental, inescapable flaw in the current JCS structure:

> Each member of the JCS, except the chairman, faces an inherent conflict between his joint role on the one hand and his responsibility to represent the interests of his service on the other. As the senior military planning and advisory body, the JCS are charged with providing military advice that transcends individual service concerns. At the same time, each chief is the military leader of his service and its primary spokesman to the civilian leadership. Although the 1947 National Security Act mandates that a service chief's joint role should take precedence over his duties as leader of a service, this does not occur in practice—and for good reason. If a chief did not defend service positions in the joint forum, he would lose the support and loyalty of his service, thus destroying his effectiveness.

The CSIS study agrees with its predecessors: The Chiefs' understandable and admirable commitment to the respective services which they lead make it impossible for the Chiefs to set aside their service perspectives to effectively discharge their joint responsibilities. In other words, the present system creates an unavoidable conflict of interest for each service Chief.

The tradition that JCS advice be unanimous—with each service able to exercise veto power—reduces that advice to negotiated pabulum, rather than the crisp, well-reasoned assessment of the problems and options which the Secretary of Defense and the President are entitled to expect from their principal military advisers.

John Kester, Secretary Brown's Special Assistant and Deputy Assistant Secretary of the Army during the Nixon administration, made this firsthand observation on the subject:

> When I worked in the Secretary of Defense's Office, I was suprised that memoranda from the JCS were not the crisp assessments of situations and options one might expect. They more closely resembled the contract for sale of your house, with numbered lines and carefully drafted circumlocutions designed to protect bureaucratic interests and conceal compromises.

Gen. David Jones, former Chairman of the JCS and a participant in the CSIS study, whose willingness to criticize the Joint Chiefs sparked new interest in the issue, had the same experience:

> When the Chairman or the other members of the Joint Chiefs gave their own personal advice, it was given high marks. But when it became corporate advice, of five people together, it was of very little use, not very influential, and given very poor marks by the customers, the civilian leadership, as well as the senior military officials.

The organizational failing of the JCS leave our defense effort with a profound vacuum at the top where joint strategy, contingency planning, and budgeting and allocation of resources are involved. In this regard, the distinguished retired Gen. Andrew J. Goodpaster has testified:

> Although the JCS bear only part of the responsibility (for the lack of) a coherent, effective defense policy, military strategy and military posture * * * they bear an important part * * *
>
> The contributions to increased military efficiency and effectiveness that could be made through improved top-level military planning and advice are not being realized. In particular, the mechanisms for developing and advancing individual service interests and promoting individuals weapons sys-

tems are stronger by far than those for providing coherent overall strategic plans and responding to overall national security interests and needs * * *

Perhaps one of the most visible adverse consequences of the current organization is with respect to the bloated defense budget. We know all too well that the military is not making the hard choices between weapons which effective joint leadership could help to produce. Former Defense Secretary James Schlesinger commented on this subject during a recent call to reorganize the JCS:

The general rule is that no service ox may be gored * * * The unavoidable outcome is a structure in which logrolling, backscratching, marriage agreements and the like flourish * * *

What comes up from the Joint Chiefs is a mutual endorsement of the individual desire of the several services. There is no crosscutting—nor, given the nature of the structure, can there be any crosscutting. As I generally have been a supporter of the top dollar for the military services, I believe I can say that the dollar requests are invariably so high that they cannot conceivably be sustained by the national consensus.

The ineffectiveness of the present JCS system has also left its dirty fingerprints on U.S. military operations. According to Dr. Schlesinger, "The existing structure does impede planning, for each of the services quite naturally wishes a piece of the action in any crisis—and the existing structure assures that all somehow will be fitted in, even if a service provides less than optimal forces for dealing with that particular crisis."

Robert Komer, Ambassador and former Under Secretary of Defense, has provided a specific example:

I was unable to get a corporate view from the JCS on the optimum strategy for deterrence and defense in the Persian Gulf.

That doesn't mean that each of the Chiefs didn't have some clear ideas on what to do. Some of them emphasized a maritime strategy. Some of them emphasized victory through air power. Others emphasized sending a lot of divisions. But there was no way which would permit them to give meaningful military advice to the Secretary of Defense institutionally as to how best to defend Persian Gulf Oil.

Experience teaches what logic would suggest: The weaknesses resulting form the lack of an effective joint mechanism—and the dangers inherent in the "something for every service" approach—do not disappear when actual combat situations occur. Instead, they are exacerbated. Consider the following:

The Vietnam War: According to former JCS Chairman Jones, "The organizational arrangements were a nightmare; for example, each service fought its own air war."

The Iranian hostage rescue attempt: Air Force helicopter pilots, who had flown in Vietnam and were specially trained for hazardous overland missions, were passed over in favor of Marine pilots who were clearly less qualified. The overriding consideration was, apparently, ensuring that the marines would have some role to play in the important mission.

The tragedy at the Marine compound in Beirut. Marines found themselves at the bottom of an unwieldy chain of command headed by an Army general, then an Air Force general, and then four levels of Navy officers. The Defense Department's own Long Commission reported apparent and understandable confusion about who actually was the senior commander of the U.S. multinational force in Lebanon. The Navy commander of the amphibious task force was the "Commander, U.S. Forces Lebanon." The Marine commander of the Amphibous task force was the "Commander, U.S. Forces Ashore Lebanon." The Commission sharply criticized the entire chain of command for not "initiating actions to effectively insure the security" of the Marine compound.

Even beyond the fundamental problem of conflict of interest which arises from "dual hatting," the time demands placed on the Chiefs are unreasonable. Leading one of the armed services is a more than full-time responsibility by itself, without the distraction of joint responsibilities. Inevitably, the need to play two roles can undermine the performance of one or the other—or both. General Jones has observed:

Omar Bradley once said he didn't have time to do both jobs well * * * Things are much more complex now than they were in his time * * * It is very difficult to have enough time to immerse oneself deeply into joint issues and to do the job as the Chief of a service.

The recent CSIS report concludes that many of the problems I have outlined could be alleviated by designating "the Chairman as the principal military adviser to the President, the Secretary of Defense, and the National Security Council, replacing the corporate JCS in that role." My legislation incorporates this recommendation by designating a Chief of Military Staff to take the place of the corporate JCS and to serve as the principal adviser to the civilian leadership.

The legislation I will offer would incorporate another CSIS recommendation by creating a Deputy Chief of Military Staff to assist the Chief with day-to-day activities and the management of crisis situations. At present, the Chairman of the Joint Chiefs is the only senior executive—civilian or military—in the Defense Department without a deputy.

The conflict of interest problem that afflicts the JCS is reflected in the workings of the Joint Staff, which provides support for the Joint Chiefs. The CSIS study notes:

The officers who serve on the Joint Staff have strong incentives to protect the interests of their services in the joint arena. Joint Staff officers usually serve only a single tour there, and must look to their parent service for promotions and future assignments. Their performance is judged in large part by how effectively they have represented service interests.

Because the interests of each service take precedent over the joint interests generally, and because duty with the JCS is not a respected assignment, the quality of the Joint Staff suffers. Indeed, many experts have observed that the services are unwilling to assign their best officers to joint service, and as John Kester has noted, "talented officers approach service on the Joint Staff with the same enthusiasm of sailors ordered to chip paint."

CSIS recommends a number of changes in the Joint Staff system "so that officers are attracted to, trained for, and rewarded for service in joint positions." Again, I believe that my legislation offers a solution that incorporates the CSIS recommendation.

There is no single "magic bullet" that will solve all our defense problems overnight, but I am convinced that fundamental change of the JCS is as important as any single step we could take. I am hopeful that the results of the CSIS report and the increased awareness in Congress and in the public of the need for military reform will prod Congress to make necessary reforms in the near future.

The legislation I will introduce would do the following:

It would abolish the JCS, replacing the corporate entity with a single Chief of Military Staff who would serve as the principal military adviser to the President, Congress, the Secretary of Defense, and the National Security Council.

It would create a Deputy Chief of Military Staff, also to be appointed by the President and confirmed by the Senate. If the Chief came from the Army or the Air Force, the Deputy would come from the Navy or the Marines, or vice versa.

It would establish a National Military Advisory Council [NMAC], comprised of four officers drawn from the respective services, to advise the Chief of Military Staff. Unlike the present situation, however, the members of the NMAC would be the last tour of duty for particularly distinguished, senior military officers who would not be returning to their services (except in cases of necessity during a declared war). In this way, hopefully, the Chief of Military Staff could get the advice of senior officers of unquestioned stature who would be in a position to consider our overall defense picture, rather than the interests of a particular service.

Service on the Joint Staff would be upgraded in several ways. The legislation specifies that the Secretaries of the services should recommend only outstanding officers for joint service. To underscore the importance of the assignment, the legislation would give the the Chief of Military Staff the authority to select up to 100 others who were not recommended by the services. Special provisions are made to ensure that service of the joint military staff will be accorded substantial weight in considering promotions. If the Chief of Military Staff requested, a selection board to consider promotions for officers of the Joint Staff, at the same

time that the selection boards were considering promotions for those officers in individual services, and a percentage of the vacancies would be set aside for officers being considered by the special board.

Those who favor serious reform of the JCS have fallen into one of two camps. My amendment represents one school of thought which argues that because the conflict of interest arising from "dual hatting" is the essence of the problem, we should remove the service Chiefs from their joint responsibilities. Many noted defense experts—civilian and military—have endorsed this view, including Harold Brown, Gen. "Shy" Meyer, Gen. Maxwell Taylor, and David Packer. Others, seeing the same problem, argue that reform would be more realistic—and encounter less resistance—if the Chiefs retained their position on the JCS, while the Chairman's role was significantly strengthened.

Although the two groups favoring reform diverge on the proper role for the service Chiefs, a clear consensus exists about major elements of a reform package: making one officer the principal military adviser to the President, the Secretary of Defense, and the NSC; allowing that office to direct the activities of a strengthened Joint Staff, with incentives to make joint service more attractive; and creating a 4-star Deputy Chief to assist the chief military officer.

HOUSE LEGISLATION

During the 98th Congress, the House approved legislation making certain changes in the JCS structure and last summer added the bill's language to the fiscal year 1985 Defense Authorization Act. The controversial House language was dropped in conference.

The House may well act on similar JCS reform legislation during the current Congress and I am hopeful that the Senate will offer a different version. This expected activity presents the Congress with an opportunity, but also a danger. Not since 1958 has Congress focussed seriously on the issue of JCS.

Realistically, once we legislate, any changes made are likely to stay in effect for years. For that reason, reform must be accomplished soon, but it must be done right, through legislation which will stand the test of time. Accordingly, I would like to take a few moments to critique last year's House-passed reform bill.

While I admire the leadership of the House committee on this issue, I believe that the House legislation did too little and too much at the same time.

It did too little in just those areas where a consensus on the need for reform seems to have emerged: The legislation did not create a Deputy Chairman; it did not give the Chairman the sole authority for directing the activities of the Joint Staff; it did not explicitly make the Chairman the principal military adviser to the President, the Secretary of Defense, and the NSC.

At the same time, the House legislation went too far by straying into two sensitive and dangerous areas. The House would have made the Chairman of the JCS a member of the NSC. It also would have placed the Chairman, by statute, in the chain of command, specifying that orders to combat commands shall be issued by the President or the Secretary through the Chairman.

These are far-reaching changes. Under current law, the Joint Chiefs have staff, not command, duties. "Their function," President Eisenhower reminded Congress, "is to advise and assist the Secretary of Defense."

By placing the Chairman on the NSC, the House bill made him a coequal with the Secretary of Defense—not his foremost military adviser. John Kester, who has given these issues as much thought as anyone, has predicted these regulations.

> It gives the Chairman another hat, as they say in the military. It gives him a statutory office which is not derivative from the Secretary of Defense. It takes little foresight to predict that some day, if only because of the relentless pressure of his subordinates (who are not malevolent, but simply behave like any other official's subordinates), the Chairman will have a staff to assist him in preparing for his participation in the National Security Council, and for developing his NSC position.
>
> * * * such a separate role would encourage barriers (there are already enough of them at the staff level) between the Chairman and the Secretary of Defense. When queried by the Secretary of Defense, or more likely by one of the Secretary of Defense's staff such as the Undersecretary for Policy, the Chairman's staff will politely reply what the Chairman does in his role as an NSC member is independent, and is none of the Secretary's business. It is already difficult enough to get the rest of the government to understand that the JCS is part of the Defense Department and that the Chairman by law does work for the Secretary of Defense. No legislation is needed to enhance the problem.
>
> This totally unnecessary addition of role (unnecessary because the Chairman is in attendance and available at all NSC meetings anyway), can do nothing but work mischief. No coherent argument in support of such a change has been advanced; the best thing that proponents say for it is that it may be harmless. That is no basis on which to alter one of the most important and delicate organizational balances in our government.

Placing the Chairman in the chain of command represents an even more fundamental change. The House would have amended the long-standing law that prohibits the Chairman from commanding the Armed Forces. The legislation inserts the Chairman into the chain of command between the Secretary of Defense and the nine worldwide commanders. Every order from the President and the Secretary of Defense would have to go through the Chairman. The Defense Department's counsel to the Congress stated that the legislation would "vest him with supreme military command in his own right" as a single military leader of all American combat units.

Harold Brown has testified to the Senate Armed Services Committee about his misgivings about putting the Chairman in the chain of command: that it is unnecessary and simply invites others to circumvent the Secretary of Defense.

In my view, the House legislation was the wrong way to go. The dangerous departures outweigh the worthwhile reforms by a considerable margin. But the flaws in the House legislation do not change the fact that JCS reform is desperately needed. Both my bill and the reform proposals of the highly respected CSIS study demonstrate that meaningful reform can be accomplished—and should be accomplished—without shifting the country's chief military officer from an advisory position to a command position.

That the House is likely to act on similar legislation this year should be ample incentive for the Senate to push ahead with a more reasonable approach to JCS reorganization.

OPPOSITION TO REFORM

One last point. There is a stubborn group of individuals who oppose any JCS reform. Their fear of change too often seems to result from parochial "turf" interests rather than national defense interests. Nonetheless, opponents have raised legitimate questions about reform proposals such as that which was passed in the House last year.

One of the leading opponents has been the Secretary of the Navy, John Lehman, who has aptly criticized the House JCS legislation but has inaccurately equated JCS reorganization with the specter of a German-style general staff, which would threaten the very foundations of civilian control of the military.

This is an old argument and in my judgment a red herring. Obviously, in any reform we undertake we must be vigilant about maintaining the tradition of civilian control of the military, which is essential to the way our democracy—and any democracy—functions. I opposed the House legislation because I believe it tampers excessively with the civilian-military balance.

But I think that the issue—like so many that we face in Congress—is one of trying to strike a realistic balance—and not being afraid to make needed changes because of a worst-case, doomsday scenario. We have a serious problem, amply documented over the decades; the service interests have prevailed over the joint interests and prevented coherent budgeting, planning, and operations for the overall defense

needs of this country. The quality of military advice to the Secretary of Defense, the NSC, and the President is not what it should be. That is the reality with which we must deal.

General Jones has pointed out that the British, after whom we modeled our JCS, have recently moved to strengthen their Chief of Defense Staff to enhance effective integration of their defense capabilities—"secure in the knowledge that their democratic traditions will not be threatened." Other experts have noted that since 1947, many power centers in our Government have developed to hold any military staff in check: The Assistant Secretaries of Defense, the State Department, the Arms Control Agency, the staff of the National Security Adviser, and the CIA. With these realities in mind, Harold Brown has described the fear that JCS reorganization would produce "something analogous to a German general staff * * * as completely baseless." Or as James Woolsey, former Undersecretary of the Navy, has written more graphically:

> We can afford to move several light years toward military staff centralization before we come within any distance of Prussianism. The United States is about as close to having a Prussian style general staff today as it is to having a dictatorship of the proletariat.

Secretary Lehman is entitled to his view that JCS reform "is usually pushed by a coalition of civilian arm chair strategists, who don't really understand the Pentagon bureaucracy, and by uniformed military staff officers, who understand it too well." Into the first category, Secretary Lehman would apparently put: Harold Brown, James Schlesinger, David Packard, Elliot Richardson, Mel Laird, Robert Komer, Clark Clifford, Robert McNamara, Stuart Symington, Roswell Gilpatric, James Woolsey, John Kester, and Brent Scowcroft. Into Secretary Lehman's second category would fall the following generals: David Jones, "Shy" Meyer, Andrew Goodpaster, Maxwell Taylor, James Gavin, Omar Bradley, and Dwight D. Eisenhower. All these men have identified themselves with the cause of JCS reform. I have been persuaded by their collective wisdom and thoroughly unconvinced by the weak arguments of those opposed to reform.

I urge detractors of reform to focus their arguments on the weak points of bills such as the one passed by the House of Representatives last year and not on the concept of reorganization itself.

As our recently retired colleague Senator Tower said during the JCS debate last summer, "There are a number of us who have recognized for some time the need for reform. The great difficulty is trying to agree on what form reform should take." The challenge before us is enormous, but it is not insurmountable.

Mr. President, the bill I introduce today may not be the perfect solution. But it is long past time that we commit ourselves to a serious debate about the weaknesses that are almost universally diagnosed and perceived to be extremely detrimental to the defense of this Nation. This legislation is a start—hopefully a catalyst—for forceful efforts to find the right answer.

I ask that the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1067

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CONGRESSIONAL FINDINGS

SECTION 1. The Congress finds that—

(1) under the current law, the Joint Chiefs of Staff are the principal military advisers to the President, the National Security Council, and the Secretary of Defense;

(2) since the creation of the Joint Chiefs of Staff a number of studies by so-called blue-ribbon commissions have found serious defects in the organizational structure of the Joint Chiefs of Staff; and

(3) in order to ensure that the President, the National Security Council, and the Secretary of Defense receive the best possible military advice, it is imperative that major organizational changes be made in the present system of providing such advice.

"CHIEF OF MILITARY STAFF; JOINT MILITARY STAFF

SEC. 2. (a) Chapter 5 of title 10, United States Code, is amended to read as follows:

"CHAPTER 5—CHIEF OF MILITARY STAFF

"Sec.
"141. Chief of Military Staff.
"142. Deputy Chief of Military Staff.
"143. Joint Military Staff.

"§ 141. Chief of Military Staff

"(a) There is a Chief of Military Staff who shall be appointed by the President, by and with the advice and consent of the Senate, from the officers of the regular components of the armed forces. The Chief of Military Staff serves at the pleasure of the President for a term of two years and may be reappointed in the same manner as originally appointed for not more than three additional terms, except that in time of war declared by the Congress there is no limit on the number of reappointments.

"(b) (1) The Chief of Military Staff is the principal uniformed military advisor to the President, the National Security Council, and the Secretary of Defense. While holding office, the Chief of Military Staff outranks all other officers in the armed forces. However, he may not exercise command over any of the armed forces or any component thereof.

"(2) Subject to the authority and direction of the President and the Secretary of Defense, the Chief of Military Staff shall—

"(A) prepare strategic plans and provide for the strategic direction of the armed forces;

"(B) prepare joint logistic plans and assign logistic responsibilities to the armed forces in accordance with those plans;

"(C) establish unified commands in strategic areas;

"(D) review the major material and personnel requirements of the armed forces in accordance with strategic and logistic plans;

"(E) formulate policies for the joint training of the armed forces;

"(F) formulate policies for coordinating the military education of members of the armed forces;

"(G) provide for representation of the United States of the Military Staff Committee of the United Nations in accordance with the Charter of the United Nations; and

"(H) perform such other duties as the President or the Secretary of Defense may prescribe.

"(3) The Chief of Military Staff shall also direct the operations of the Joint Military Staff.

"§ 142. Deputy Chief of Military Staff

"(a)(1) There is a Deputy Chief of Military Staff. The Deputy Chief shall be appointed by the President, by and with the advice and consent of the Senate, from the officers of the regular components of the armed forces. The Deputy Chief serves at the pleasure of the President for a term of two years and may be reappointed in the same manner as originally appointed for not more than three additional terms, except that in time of war declared by the Congress there is no limit on the number of reappointments.

"(2) If the Chief of Military Staff is a member of the Army or Air Force, the Deputy Chief shall be a member of the Navy or Marine Corps. If the Chief of Military Staff is as member of the Navy or Marine Corps, the Deputy Chief shall be a member of the Army or Air Force.

"(b) The Deputy Chief acts as Chief of Military Staff in the absence or disability of the Chief of Military Staff and exercises such duties as may be delegated by the Chief of Military Staff with the approval of the Secretary of Defense. When there is a vacancy in the office of Chief of Military Staff, the Deputy Chief, unless otherwise directed by the President or the Secretary of Defense, shall perform the duties of the Chief of Military Staff until a successor is appointed.

"§ 143. Joint Military Staff

"(a)(1) There is under the Chief of Military Staff a Joint Military Staff consisting of not more than 400 officers.

"(2) Members of the Joint Military Staff shall be selected by the Chief of Military Staff from among officers recommended by the Secretaries of the military departments. The Chief of Military Staff shall select officers for service on the Joint Military Staff in approximately equal numbers from (A) the Army, (B) the Navy and Marine Corps, and (C) the Air Force. The Secretary of a military department shall recommend for selection for service on the Joint Military Staff only those officers under this jurisdiction who are most qualified by training, experience, and knowledge to serve on such staff.

"(3) The Chief of Military Staff may specify the number of names on any list of officers recommended by the Secretaries of the military departments for selection to serve on the Joint Military Staff, but may select for service on the Joint Military Staff not more than one hundred officers who are not recommended for selection by the Secretaries of the military departments.

"(4) Members of the Joint Military Staff serve at the pleasure of the Chief of Mili-

tary Staff for a period of three years. The Chief of Military Staff may select an officer for service on the Joint Military Staff for a second consecutive three-year period after consultation with the Secretary of the military department of which such officer is a member.

"(b)(1) The Chief of Military Staff in consultation with the Secretary of Defense shall select the Director of the Joint Military Staff. Except in time of war, the tour of duty of the Director may not exceed three years. Upon the completion of a tour of duty as Director of the Joint Military Staff, the Director, except in time of war, may not be reassigned to the Joint Military Staff. The Director must be an officer junior in grade to each member of the National Military Advisory Council established under section 178 of this title.

"(2) The Joint Military Staff shall perform such duties as the Chief of Military Staff prescribes. The Chief of Military Staff manages the Joint Military Staff and its Director.

"(C)(1) Under regulations approved by the Secretary of Defense, the Secretaries of the military departments shall take such actions as may be necessary to ensure that the services of officers on the Joint Military Staff is accorded substantial weight in determining the qualifications of officers for recommendation for promotion to grades specified by such Secretaries.

"(2)(A) At the same time that selection boards are convened by the Secretary of the military department concerned under chapter 36 of this title to consider officers in a particular competitive category for promotion to the grade of lieutenant colonel, colonel, brigadier general, or major general in the Army, Air Force, or Marine Corps or to commander, captain, commodore admiral, or rear admiral in the Navy, the Secretary of such military department shall also convene a special selection board under this paragraph if the Chief of Military Staff so requests.

"(B) When a special selection board is convened under this paragraph, the board shall consider for promotion to the next higher grade only officers serving on the Joint Military Staff in the same grade and in the same competitive category as officers being considered for promotion to such grade and in such competitive category by a board convened under chapter 36 of this title and who are otherwise eligible for consideration for promotion to the next higher grade.

"(C)(i) Of the total number of officers in each particular competitive category in the grade of lieutenant colonel and colonel in the Army, Air Force, and Marine Corps and in the grade of commander and captain in the Navy to be promoted to the next higher grade, as determined by the Secretary of the military department convened under section 615 of this title, a number of officers considered for promotion to such grade in such competitive category equal to 3 percent shall be promoted to such next higher grade from among officers in such competitive category recommended for promotion to such grade by a special board convened under this paragraph.

"(ii) Of the total number of officers in each particular competitive category in the grade of brigadier general in the Army, Air Force, or Marine Corps and commodore admiral in the Navy to be promoted to the next higher grade, as determined by the Secretary of the military department concerned under section 615 of this title, a number of officers considered for promotion to such grade in such competitive category equal to 10 percent shall be promoted to such next higher grade from among officers in such competitive category recommended for promotion to such grade by a special selection board convened under this paragraph.

"(iii) The number of officers that may be selected for promotion to any grade in any competitive category by a selection board convened under chapter 36 shall be reduced by a number of officers equal to the number that is to be selected for promotion to such grade in such competitive category by a special selection board convened under this paragraph.

"(D) Special selection board convened under this section shall be subject to the provisions of chapter 36 of this title to the extent practicable, as determined by the Secretary of Defense. The provisions of this paragraph shall be carried out in accordance with regulations prescribed by the Secretary of Defense.".

(b) The table of chapters at the beginning of title 10, United States Code, and at the beginning of subtitle A of such title are each amended by striking out the item relating to chapter 5 and inserting in lieu thereof the following:

"5. Chief of Military Staff ..... 141".

NATIONAL MILITARY ADVISORY COUNCIL

SEC. 3. Chapter 7 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 178. National Military Advisory Council

"(a) There is established in the Department of Defense a National Military Advisory Council. The Council shall consult with and advise the Chief of Military Staff on all matters with respect to which the Chief of Military Staff is responsibile.

"(b)(1) The Council shall consist of four senior military officers, one each from the Army, Navy, Marine Corps, and Air Force, to be appointed by the President, by and with the advance and consent of the Senate. Before making an appointment under this subsection, the President shall consult with the Secretary of Defense and the Chief of Military Staff regarding the appointment. Only officers having outstanding qualifications, including substantial joint or unified command experience, shall be eligible for appointment to the Council.

"(2) Officers shall be appointed to the Council for a term of two years and may be reappointed in the same manner as originally appointed for not more than three additional terms, except that in time of war declared by the Congress there is no limit on the number of reappointments.

"(3) Officers appointed to the Council may not be assigned any duties other than those referred to in subsection (a) and may not exercise any command authority in any armed force.

"(c) Only the most experienced and outstanding members of the armed forces may be appointed to the National Military Advisory Council. Notwithstanding any other provision of law, a member of the armed forces may not serve on active duty after completion of his term or terms on the council, except that such restriction may be waived by the Secretary of Defense in the case of any member in time of war declared by the Congress.".

TECHNICAL AND CONFORMING AMENDMENTS

SEC. 4. (a)(1) Section 171(a) of title 10, United States Code, is amended by striking out clause (7) and inserting in lieu thereof the following:

"(7) the Chief of Military Staff;".

(2) Section 264(b) of such title is amended by striking out "Joint Chiefs of Staff" and inserting in lieu thereof "National Advisory Council".

(3) Section 268(c)(2) of such title is amended by striking out "Joint Chiefs of Staff" and inserting in lieu thereof "National Advisory Council".

(4) Section 525(b)(3) of such title is amended by striking out "Chairman of the Joint Chiefs of Staff" and inserting in lieu thereof "Chief of Military Staff".

(5) Section 743 of such title is amended by striking out "Chairman of the Joint Chiefs of Staff" and inserting in lieu thereof "Chief of Military Staff".

(6) Section 5081(b) of such title is amended by striking out "Chairman of the Joint Chiefs of Staff" and inserting in lieu thereof "Chief of Military Staff".

(b)(1) Section 413 of title 37, United States Code, is amended by striking out "Chairman of the Joint Chiefs of Staff" and inserting in lieu thereof "Chief of Military Staff".

(2) The heading for section 413 of such title is amended to read as follows:

"§ 413. Chief of Military Staff".

(3) The table of sections at the beginning of chapter 7 of such title is amended by striking out the item relating to section 413 and inserting in lieu thereof the following:

"413. Chief of Military Staff.".

(c) Section 411(a) of title 38, United States Code, is amended by inserting "or Chief of Military Staff" after "Chairman of the Joint Chiefs of Staff" in footnote 2 of the table contained in such section.

By Mr. JOHNSTON (for himself and Mr. MCCLURE):

S. 1068. A bill to eliminate unnecessary paperwork and reporting requirements contained in section 15(1) of the Outer Continental Shelf Lands Act, and sections 601 and 606 of the Outer Continental Shelf Lands Act Amendment of 1978; to the Committee on Energy and Natural Resources.

REPEAL OF CERTAIN OCS REPORTING REQUIREMENTS

● Mr. JOHNSTON. Mr. President, much has been said in recent years about curbing waste in the Federal Government. While lots of examples have been put forth, frequently what is waste to one Member is a vital program for another. It is unusual to find an undisputed case of waste that can be easily curbed. Therefore, I am pleased to introduce today, with Senator MCCLURE, a bill today that repeals an anachronistic reporting requirement that is wasting valuable resources of the Department of the Interior, the General Accounting Office, and the oil industry. The savings here are not earthshaking, but on the other hand they are real savings.

This bill accomplishes two objectives. First, it repeals provisions in the OCS Lands Act and in the OCS Lands Act Amendments of 1978 that require reports by the Secretary of the Interior and the Comptroller General on OCS oil and gas wells that are shut in; that is, not being produced and natural gas wells that are being flared; that

is, the gas is being vented to the atmosphere insead of being collected for pipelines.

Second, this bill repeals a provision that requires the Secretary of Interior to maintain a "continuing investigation" on the availability of oil and gas on the OCS, a matter that the Department of Interior will study and investigate in any event. The reason for deleting this requirement stems, as I will explain, from the manner in which this study is required to be carried out.

As to the first objective, the bill repeals section 15(1)(D) of the OCS Lands Act that requires the Department of Interior to include in its annual report on leasing and production on the OCS "a list of all shut-in and flaring wells." In addition the bill repeals section 601 and section 606 of the OCS Lands Act Amendments of 1978. Section 601 requires the Secretary of the Interior to provide an annual report to the Comptroller General on shut-in and flaring of oil and gas wells on the OCS. It also requires the Secretary to indicate in his report why each such well is shut in or flared and whether with respect to each such well the Secretary will order its production or the cessation of flaring, as the case may be. Finally, section 601 requires the Comptroller General to review and evaluate the methodology which the Secretary used in deciding whether or not to require production of the well or the cessation of flaring.

These particular reporting requirements on shut-in wells and flaring of wells on the OCS are unnecessary for two reasons. First, the General Accounting Office, who has studied this matter for 6 consecutive years, believes that they are unnecessary. Their sixth and latest report—October 30, 1984—stated:

> Our last four reports questioned the usefulness of Interior's annual report on shut-in and flaring wells. In each of the reports, we recommended that the Congress repeal section 15(1)(D) of the Outer Continental Shelf (OCS) Lands Act, as amended, and sections 601(a) and (b) of the OCS Lands Act Amendments of 1978 . . . We continue to support this recommendation. Staff of oversight committees in both the Senate and the House told us that congressional interest in Interior's annual report does not warrant further reporting. Eliminating Interior's reporting requirement would not diminish Interior's responsibility to oversee OCS lease activities to assure efficient development of oil and gas resources and compliance with applicable laws, regulations, and lease agreements. We believe that Interior is effectively monitoring OCS shut-in and flaring well activity and Interior has stated that it will continue to do so even if the annual reporting requirement is repealed.

Second, these reporting requirements are unnecessary because the rationale for shutting in OCS wells or flaring valuable gas from such wells has disappeared, if a rationale ever existed at all. We have neither an oil or gas shortage, nor price and allocation controls on oil. Gas controls are limited. Who would incur the enormous capital cost to develop a productive, economically viable well on the OCS and then deliberately shut it in?

The second overall objective of this legislation is to repeal the provision—section 606—that required the Department of Interior to conduct a continuing investigation of the availability of oil and gas on the OCS. This investigation must include a determination of the maximum rate of production [MAR] of significant oil and gas fields on the OCS and whether actual production has been less than the MAR and why.

In a report to the Congress dated September 10, 1982, the General Accounting Office noted that the Department of Interior monitors and collects three types of OCS production rates, including the MAR. The GAO said, "The third rate, the MAR, is not providing any useful data." In addition they found that no one is using the MAR report and moreover that the shortcomings of the MAR data are such that "* * * the MAR's are not a valid basis for the Congress to use in determining OCS production available to meet supply emergencies." The GAO report to Congress concluded, "We recommend that the Congress repeal section 606 of the OCS Land Act Amendments of 1978 (43 U.S.C. 1865) to eliminate the data gathering and reporting requirements related to the MAR rates."

Section 606 also requires that this "continuing investigation" include an estimate of discovered and undiscovered crude oil and gas reserves on the OCS, the "relationship" of all this information collected under section 606 to requirements of conservation, industry, commerce, and national defense, and an independent evaluation of trade association procedures for estimating OCS reserves. Certainly, the Department of Interior will continue to assemble estimates of OCS oil and gas reserves to any event. The relationship of such information to requirements of "conservation, industry, commerce, and national defense" is well established by now. Finally, the requirement that the Comptroller General continue making an independent evaluation of trade association procedures for estimating OCS reserves is at this point simply unnecessary.

The costs to the Department of the Interior, the General Accounting Office, and the industry which would be eliminated by this bill are in fact small, relative to the numbers we are accustomed to using here on the Senate floor. But the fact is that these costs need not be incurred. The GAO asked seven oil companies what their costs of compliance are with respect to reporting on OCS production rates. In their report to Congress of September 10, 1982, GAO indicated that these seven firms alone spent $426,500 yearly in assembling data for the necessary reports, although the figures are too precise and they combine the costs of all three OCS production rates collected by Interior, not just the costs associated with the MAR.

The GAO has most recently estimated that preparation of the shut-in and flaring well report costs the Department of the Interior and the GAO a total of about $45,000 per year with the GAO spending $29,000 of that figure. Moreover, the GAO reported in 1982, that the Department of Interior spent $84,400 per year in collecting and reporting just the MAR data for the report required by section 606 of the Outer Continental Shelf Lands Act Amendments.

So the annual savings from this bill, if enacted, are measured in the hundreds of thousands, not millions, of dollars. But given the absence of any rationale for continuing these mandated reports, these savings would appear to be reason enough to enact this legislation.

On April 4, 1985, Representative JONES and 10 cosponsors introduced a House companion bill, H.R. 1983.●

By Mr. LEAHY:

S. 1069. A bill to amend the Agricultural Act of 1949 to modify the Dairy Price Support Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

DAIRY PROGRAM IMPROVEMENT ACT

Mr. LEAHY. Mr. President, today I am introducing dairy legislation which will provide a long-term, enduring program which will not invite or require year to year adjustments by Congress.

The dairy farmers of this country deserve a program which will allow realistic planning.

I believe that my legislation protects the family farmers of this country by ensuring that they do not have to operate under unpredictable and unrealistic programs.

From my meetings at home with Vermont dairy farmers, I know that they are sensitive to large Government purchases and rising Government costs. They are aware of the dangers of an overly generous price support program which encourages Government purchases.

At the same time, they want stability in the dairy industry and recognize the contribution of the purchase program to that stability over the years. They will not support a price cut which will drive many of the family farmers of this Nation out of business. They will accept a program which will provide an orderly transition to a market clearing system.

The legislation I am introducing today maintains dairy price supports

at a reasonable level. For that period, October 1, 1985, through September 30, 1987, dairy price supports would be maintained at the level set by the Secretary on July 1, 1985. On October 1, 1987, dairy price supports would be set according to a supply-demand adjuster and a cost of production index. The supply-demand adjuster would provide specific discretionary authority to the Secretary to raise or lower price supports based on the level of Government purchases. The cost of production index would replace the present parity index which is recognized as an outdated standard.

I realize that my legislation will not satisfy the many diverse interests in this country. However, it does treat those many interests equitably. It is a program which will allow the dairy industry in this country to move forward with some certainty.

Mr. President, I urge my colleagues to take a close look at the bill and I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1069

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Dairy Program Improvement Act of 1985".

MILK PRICE SUPPORT

SEC. 2. Subsection (d) of section 201 of the Agricultural Act of 1949 (7 U.S.C. 1446(d)) is amended to read as follows:

"(d) Notwithstanding any other provision of law—

"(1) Effective for the fiscal years beginning October 1, 1985, and October 1, 1986, the price of milk shall be supported at the same level that was in effect on July 1, 1985.

"(2) Effective for the fiscal years beginning October 1, 1987, and October 1, 1988, the price of milk shall be supported at a level determined in accordance with this paragraph.

"(A) The Secretary shall compute annually an index of items for each fiscal year as provided in this paragraph that affected the cost of producing milk or the products of milk during the period from calendar year 1976 through calendar year 1978. The Secretary shall compute the index taking into account the following schedule of items and the proportional contribution of each item:

Item	*Contribution to the Index*
Consumer Price Index	10 per centum
Prices received by farmers for meat animals	10 per centum
Feed costs	33 per centum
Interest paid by farmers	8 per centum
Taxes	2.5 per centum
Fuel and energy expenses	4 per centum
Milk hauling costs	3 per centum
Machinery and building repair expenses	4 per centum
Hired labor expenses	7 per centum
Farm services and general overhead costs	8.5 per centum

The Secretary shall use the value of the index so computed to measure changes in the cost of producing milk or the products of milk during the most recent six-month period.

"(B) The index computed under this paragraph shall be further adjusted to reflect increases in productivity, taking into account such factors as changes in milk produced per cow, and other related factors the Secretary determines to be relevant.

"(C) The adjusted value of the index shall be multiplied by $8.33 to determine the support price per hundredweight for milk containing 3.67 per centum of milkfat on October 1, 1987.

"(D) The Secretary shall estimate Government price support purchases (not of sales for unrestricted use) for each such fiscal year using the amount of such purchases made during the most recent six-month period adjusted to an annual level. If the Secretary estimates that the Government price support purchases of milk or the products of milk will be less than 5 billion pounds or in excess of 5.990 billion pounds milk equivalent, the Secretary shall adjust the price support as determined in this paragraph according to the following table:

"If the estimated amount (in billions of pounds) of net Government price support purchases of milk during the relevant period is (in milk equivalent):	The percentage of price support level per hundredweight for milk shall be:
Less than 3	104
3.0 to 3.99	103
4.0 to 4.99	102
5.0 to 5.99	100
6.0 to 6.99	98
7.0 to 7.99	96

"(3) The price of milk shall be supported through the purchase of milk and the products of milk."

FEDERAL MILK MARKETING ORDERS

SEC. 3. Section 101(b) of the Agriculture and Food Act of 1981 (7 U.S.C. 608c) is amended by striking out "1985" and inserting in lieu thereof "1989".

TRANSFER OF DAIRY PRODUCTS TO VETERANS HOSPITALS AND THE MILITARY

SEC. 4. Section 202 of the Agricultural Act of 1949 (7 U.S.C. 1446a) is amended by striking out "1985" in subsections (a) and (b) and inserting in lieu thereof "1989".

DAIRY INDEMNITY PROGRAM

SEC. 5. Section 3 of the Act of August 13, 1968 (7 U.S.C. 4501), is amended by striking out "1985" and inserting in lieu thereof "1989".

By Mr. PRYOR (for himself and Mr. BUMPERS):

S. 1070. A bill to provide a Congressional Medal of Honor to John Yancey; to the Committee on Armed Services.

CONGRESSIONAL MEDAL OF HONOR TO JOHN YANCEY

Mr. PRYOR. Mr. President, I am pleased today to join my fellow Arkansans and others in the country who have long recognized the heroic efforts of John Yancey, familiarly known as "Cap'n John" and a citizen of Little Rock. His name, and his story, are both worth the attention of my colleagues in the Senate.

John Yancey has been described as "the iron marine" because of repeated acts of heroism in both World War II and the Korean conflict. As a first lieutenant in the Marines he earned a Navy Cross when he and a handful of his men took a strategic jungle on Guadalcanal in November 1942. He had enlisted in the Marines on December 8, 1941, the day after the attack on Pearl Harbor.

In November 1950 John Yancey displayed again the heroism that distinguishes his character while commanding a platoon of Company E, 2d Battalion, 7th Marines, 1st Marine Division. With all his superior officers killed, he led the remnants of several platoons against an enemy onslaught. At the time he was 32 years old and had suffered three serious head wounds in previous fighting.

This incident occurred, Mr. President, during the battle of the Chosin Reservoir in North Korea, a siege that has become known as one of the bloodiest and costliest in the entire war. It pitted some 15,000 allied troops against an estimated 120,000 Chinese Communist troops in subzero weather.

Nearly 7,000 allied troops were killed during the battle of Chosin, and an estimated 30,000 Chinese died. At the end of the fighting, John Yancey was the only officer left on Hill 1282. And he had taken three serious wounds within the space of 2 days.

Since that time, Mr. President, numerous marines have come forward to attest to the heroism and courage of John Yancey. All of them are only right and proper in their claims, since he is in every way a hero in the tradition of America's fighting men.

Had John Yancey's superior officers survived the battle at the Chosin Reservoir, there is no doubt they would have testified to his unquestioned deserving of the Congressional Medal of Honor. There are numerous men throughout the country who are now willing and anxious to step forward and make that testimony in their absence.

And in that spirit my colleague Senator BUMPERS and I are today introducing legislation to ask the President—in the name of the Congress—to award the Medal of Honor to John Yancey. And I wish to quote from this proposed bill in closing, Mr. President: "In recognition of acts of gallantry and intrepidity at the risk of life above and beyond the call of duty."

Mr. BUMPERS. Mr. President, I rise today to introduce with my distinguished colleague, Senator PRYOR, a bill to award a man of valor, dignity, and unlimited selflessness the Congressional Medal of Honor; that man, Mr. President, is Capt. John Yancey.

Capt. John Yancey, affectionately known as "Cap'n John," displayed on a subzero day in December 1950 extraordinary bravery and courage in the face of immense odds and inhuman circumstances. On that day he led the 2d platoon of Easy Company, 7th Regiment, 1st Marine Division

FMF on a heroic assault of Hill 1282, which lies north of Yudam-Ni near the mammoth Chosin Reservoir just south of the Yalu River on the Sino-Korean frontier. Against a tide of 120,000 Chinese Communist troops, the 15,000 allied soldiers waged a battle against virtually unprecedented odds. Capt. John Yancey's leadership and sacrifice during this fight prevented Hill 1282 from being lost and in turn prevented the remainder of the Fifth and Seventh Marine regiments from being overrun by the seemingly endless waves of enemy troops.

It was not simply the leadership and encouragement of Captain Yancey throughout that battle that won him the undying respect and admiration of those he led through this trial, but his perseverance during that night was in spite of three wounds he had suffered to the head. It was this fierce determination that gave his men the tenacity to continue the fight and retain control of the strategically vital Hill 1282 till reinforcements arrived.

The firefight on Hill 1282 earned Captain Yancey the Navy Cross, but this was not his first decoration for outstanding performance of his duties. His story began the day following the tragic bombing of Pearl Harbor in 1941, when he left the sanctity of a small farm in southern Arkansas to be a marine—"one of the first to fight." His first Navy Cross was awarded following an ambush on him and a handful of his men in the grueling jungle of Guadalcanal. From that day forward his loyalty to his country and the men under his command is a story of extraordinary patriotism.

The men he fought with and risked his life for have documented his bravery, and I conclude with a quotation from an affidavit of Charles Griffin, a soldier under "Cap'n John's" command: "John Yancey's personal courage, disregard for painful wounds, and leadership were in the highest tradition of the Naval service and above and beyond the call of duty.

By Mr. MATHIAS:

S. 1071. A bill to amend the Foreign Sovereign Immunities Act; to the Committee on the Judiciary.

FOREIGN SOVEREIGN IMMUNITIES ACT AMENDMENTS

Mr. MATHIAS. Mr. President, the Foreign Sovereign Immunities Act [FSIA], in force now for 9 years, restricts the immunity given to foreign governments by our courts. Today, I introduce a bill that will clarify and strengthen it.

We live in a world that daily grows more interdependent. In 1970, international trade accounted for only 6 percent of our GNP. Today, it is over 12 percent. One of the best ways to facilitate trade is to provide a legitimate way to adjudicate disputes. This is especially true when one of the parties is a government or a government agency, and we run into the hoary doctrine of sovereign immunity.

Like most legal concepts, the doctrine of sovereign immunity is an ancient one, reaching all the way back to the 14th century B.C., when Egyptian Pharaohs acknowledged the mutual sovereignty and equality of neighboring kings. Briefly stated, this principle assets that one sovereign should not submit to the will of another sovereign. If rulers were subjected to the jurisdiction of other states, their interests would be compromised. A sovereign's immunity from the jurisdiction of foreign courts was a natural corollary of the recognition of the equal status of rulers.

The doctrine of sovereign immunity was early recognized by our courts. Chief Justice John Marshall in Schooner Exchange versus M'Faddon noted that the "perfect equality and absolute independence of sovereigns" was recognized by the law and practice of other nations. Beyond international comity, sovereign immunity rests on the separation of powers in our Constitution. In the past, to avoid embarrassment to those responsible for the conduct of the Nation's foreign relations, the courts generally deferred to the executive branch in cases involving foreign states. They did so even when the executive branch might have found it more political for the courts to resolve a dispute and spare it that prickly duty.

As foreign governments engaged more and more in normal commerical enterprises, they became increasingly involved in routine legal and business disputes. Due to the absolute immunity from jurisdiction accorded foreign governments, private litigants had difficulty getting these disputes resolved. This led to an absurd situation, where government-controlled foreign enterprises or businesses received preferential treatment in U.S. courts over their privately run competitors.

These government-owned firms could ignore their obligations under contracts, evade responsibility for their own negligence and otherwise violate the requirements of law by invoking a legal fiction—that their activity served some governmental purpose and should therefore be entitled to sovereign immunity.

In response to this unsatisfactory state of affairs, the State Department in the early 1950's began advocating immunity only for public or official acts of a government and not private or commercial activities. "This restrictive theory of sovereign immunity" was recognized by the courts. In Victory Transport, sovereign immunity was seen as "a derogation from the normal exercise of the jurisdiction by the courts and should be accorded only in clear cases."

In 1976, Congress codified the restrictive theory in the Foreign Sovereign Immunities Act. This codification has extricated the State Department from the sticky business of deciding which government is entitled to immunity, and for what activities. It gives the courts that power, and they have exercised it expertly. Further, the FSIA ended the immunity that foreign states enjoyed from the execution of judgments won by private parties in court. The FSIA gives litigants not only a right to due process, but in most cases a remedy as well. Unfortunately, there are still some gaps.

The amendments I introduced today fill the gaps in the FSIA. Simply stated, they perfect the jurisdiction of the court and provide for better enforcement and execution of judgments once they are rendered by the court.

Experience has demonstrated that the FSIA's current provisions for adjudication of expropriation claims fail to provide an adequate remedy for many Americans who are the victims of foreign expropriations. This is true because the courts continue to apply a legal anachronism, the act of State doctrine, as a bar to adjudication of expropriation claims. In deference to this doctrine, our courts now often dismiss cases properly within their jurisdiction when the dispute requires them to judge the validity of an act of a foreign government. The most notorious examples date from Fidel Castro's expropriation of the assets of U.S. citizens after his takeover in 1959. Even though the takeovers were generally acknowledged to be both confiscatory and discriminatory and thus in violation of international law, U.S. courts dismissed the claims of the expropriated Americans trying to attach Cuban assets in this country.

Congress thought it cured this ill when it adopted the Sabintino amendment to the Foreign Assistance Act in 1964 but the courts have interpreted that statute very narrowly. We must free our courts from this self-imposed restraint and end these dismissals by reflex. The courts should be encouraged to adjudicate expropriation cases that are in violation of international law. In cases where the FSIA confers jurisdiction, this bill excludes the use of the act of state doctrine to bar adjudication.

These amendments also clarify the jurisdiction of the courts by expressly defining a commercial activity to include debt securities and guarantees issued by foreign states. Although the FSIA already has that effect, a clarifying amendment would reassure the cour[illegible].

The amendments enhance the power of parties to have arbitration awards recognized and enforced in American courts, most importantly in the area of arbitration. The procedure of sub-

mitting disputes to an impartial arbitrator extends back to the earliest days of international law. Thucydides writes that a treaty of alliance between Sparta and Argos in 418 B.C. stipulated that they would take their differences to arbitration on fair and equal terms. Once again international arbitration has gained prominence as a mechanism for resolving international disputes, this time, commercial disputes between governments and private individuals or corporations. Under this procedure, an arbitration clause is written into the agreement negotiated between the corporation and the government of the country with which it wishes to do business. In this way any dispute that arises can be resolved by the arbitrator.

Obviously, unless the arbitration agreement is enforceable, the arbitration is meaningless. Recent decisions in the U.S. courts suggest that serious uncertainties surround the enforcement of international arbitration awards. In one case, the court, using the act of state doctrine, failed to recognize an arbitration award against a foreign government.

This amendment will reassure businesses that the international arbitration process will work. It does so by amending the FSIA to say that an agreement to arbitrate constitutes a waiver of immunity in an action to enforce that agreement or the resultant award.

Prior to passage of the FSIA, there was no effective means of serving a process upon a foreign state. So litigants resorted to prejudgment attachment of a foreign government's property. That would at least get them into court. But then the FSIA prohibited jurisdictional prejudgment attachment. In its place, it provided a mechanism for service of process upon a foreign state.

However, the Iran claims litigation has demonstrated the need for reconsideration of prejudgment attachment of assets, when there is evidence of imminent removal of assets by a foreign government in order to avoid execution.

To ensure that right to a meaningful judgment, this bill would amend the FSIA to authorize prejudgment attachment to secure satisfaction against an agency or instrumentality of a foreign state under carefully defined conditions. These conditions will provide a better balance between the due process of litigants and the foreign policy concerns of the U.S. Government.

Providing a right without a remedy is neither good policy nor good law. My bill corrects that situation by allowing execution of a judgment against a broader range of commercial property owned by a foreign state; making it easier to execute a judgment against the commercial assets of a foreign government.

In admiralty cases, this bill would restrict penalties for improper arrest of a vessel to the damages incurred during the detention—at present, such penalties are excessive. Litigants would retain a right to go to court. Finally, this bill allows an aggrieved party to bring an action against the ship itself. This eliminates the serious uncertainties that exist under the current law due to the difficulty in ascertaining the true ownership of a vessel and the obvious mobility of such property. Litigants in U.S. courts should not have to watch helplessly as their only remedy sails away.

Some of my colleagues may be familiar with measures I introduced in the 97th Congress on the enforcement of arbitral awards and the restrictions on the use of the act of state doctrine. The reform I am proposing today applies only to modifying the Foreign Sovereign Immunities Act. However, those earlier measures and this bill have a common purpose—the advancement of the rule of law worldwide through the codification of recognized legal standards. For a law-abiding nation like the United States, a movement in this direction can only work to our benefit.

We don't want litigants in our courts to be the "hit and run" victims of an outmoded concept of sovereign immunity. These amendments to the Foreign Sovereign Immunities Act are consonant with the way we do business today and will encourage our export effort. With a U.S. trade deficit of over $123 billion, nothing should have a higher priority. These amendments are strongly endorsed by the American Bar Association and are the first priority on its international law agenda.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1603 of title 28, United States Code, is amended by adding at the end thereof the following:

"(f) A 'commercial activity' includes any promise to pay made by a foreign state, any debt security issued by a foreign state, and any guarantee by a foreign state of a promise to pay made by another party.".

SEC. 2. (a) Section 1605(a) of title 28, United States Code, is amended by—

(1) striking out "or" at the end of paragraph (4);

(2) striking out the period at the end of paragraph (5) and inserting in lieu thereof "; or"; and

(3) adding at the end thereof the following:

"(6) which is brought to enforce an agreement made by the foreign state with or for the benefit of a private party to submit to arbitration all or any differences which have arisen or which may arise between the parties with respect to a defined legal relationship, whether contractual or not, concerning a subject matter capable of settlement by arbitration under the laws of the United States, or which is brought to confirm, recognize or enforce an award made pursuant to such an agreement to arbitrate, if (A) the arbitration takes place in the United States, (B) the agreement or award is or may be governed by a treaty or other international agreement in force for the United States calling for the recognition and enforcement of arbitral awards, or (C) the underlying claim, save for the agreement to arbitrate, could have been brought in a United States court under this section or section 1607.".

(b) Section 1605(b) of title 28, United States Code, is amended by—

(1) striking out the material after the first semicolon in paragraph (1) and inserting in lieu thereof the following: "and if the vessel or cargo is arrested pursuant to process obtained on behalf of the party bringing the suit, the service of process of arrest shall be deemed to constitute valid delivery of such notice, but the party bringing the suit shall be liable for any damages sustained by the foreign state as a result of the arrest if the party bringing the suit had actual or constructive knowledge that the vessel or cargo of a foreign state was involved; and"; and

(2) striking out the matter after paragraph (2) and inserting in lieu thereof the following:

"(c) Whenever notice is delivered under subsection (b)(1) the suit to enforce a maritime lien shall thereafter proceed and shall be heard and determined according to the principles of law and rules of practice of suits in rem whenever it appears that, had the vessel been privately owned and possessed, a suit in rem might have been maintained. A decree against the foreign state may include costs of suit and, where the decree is for money judgment, interest as ordered by the court, provided that the court may not award judgment against the foreign state in an amount greater than the value of the vessel or cargo upon which the maritime lien arose. Such value shall be determined as of the time notice is served under subsection (b)(1). Decrees shall be subject to appeal and revision as provided in other cases of admiralty and maritime jurisdiction. Nothing shall preclude the plaintiff in any proper case from seeking relief in personam in the same action brought to enforce a maritime lien as provided by this section.

"(d) A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case brought to foreclose a preferred mortgage, as defined by the Ship Mortgage Act (46 U.S.C. 911). Such action shall be brought and shall be heard and determined in accordance with the provisions of such Act, and the principles of law and rules of practice of suits in rem, whenever it appears that had the vessel been privately owned and possessed a suit in rem might have been maintained.".

SEC. 3. Section 1606 of title 28, United States Code, is amended by—

(1) inserting "(a)" before "As"; and

(2) adding at the end thereof the following:

"(b) The Federal act of state doctrine shall not be applied on behalf of a foreign state with respect to any claim or counterclaim asserted pursuant to the provisions of

this chapter which is based upon an expropriation or other taking of property, including contract rights, without the payment of prompt, adequate, and effective compensation or otherwise in violation of international law or which is based upon a breach of contract, nor shall such doctrine bar enforcement of an agreement to arbitrate or an arbitral award rendered against a foreign state.".

Sec. 4. Section 1610 of title 28, United States Code, is amended—

(1) in subsection (a) by striking out ", used for a commercial activity in the United States," and by inserting ", or upon an arbitral award," after "a State";

(2) by amending paragraph (2) of subsection (a) to read as follows:

"(2) the property is used or intended to be used for a commercial activity in the United States, or";

(3) by amending paragraph (3) of subsection (a) to read as follows:

(3) the property belongs to an agency or instrumentality of a foreign states engaged in commercial activity in the United States and the judgment relates to a claim for which the agency or instrumentality is not immune by virture of section 1605 or 1607 of this chapter, or";

(4) by amending paragraph (4)(B) to read as follows:

"(B) which is immovable and situated in the United States.";

(5) by striking out paragraph (5) of subsection (a);

(6) by inserting between paragraph (4) and subsection (b) the following: "This subsection shall not apply to property that is used for purposes of maintaining a diplomatic or consular mission or the residence of the chief of such mission, including a bank account unless that bank account is also used for commercial purposes unrelated to diplomatic or consular functions.";

(7) by striking out subsection (b);

(8) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(9) by striking out "subsection (c)" in subsection (c) as redesignated in paragraph (7) of this section and inserting in lieu thereof "subsection (b)";

(10) in subsection (c)(2), as redesignated herein, by inserting "or an arbitral award" after "judgment"; and

(11) by adding at the end thereof the following:

"(d)(1) In addition to subsection (c), any property in the United States of an agency or instrumentality of a foreign state engaged in commercial activity in the United States shall not be immune from attachment or injunctive relief prior to the entry of judgment in any action brought in a court of the United States or of a State, or prior to the expiration of the period of time provided in subsection (b) of this section, if—

"(A) the property attached or enjoined would be subject to execution under this chapter with respect to that judgment,

"(B) the purpose of the attachment or injunction is to secure satisfaction of a judgment or an arbitral award that has been or may ultimately be entered against the agency or instrumentality and not to obtain jurisdiction,

"(C) the property of a private party would be subject to such attachment or injunctive relief in like circumstances,

"(D) the moving party has shown—

"(i) a probability of success on the merits, or has obtained a judgment in favor of such party, and

"(ii) a probability that the assets will be removed from the United States or disposed of by the agency or instrumentality before a judgment is entered or satisfied and that such action would frustrate execution of such judgment, and

"(E) the moving party posts a bond in an amount equal to the greater of 50 percent of the value of the property attached or any higher amount required under applicable law.

"(2) If the agency or instrumentality has not appeared to oppose an attachment or injunctive relief granted under this subsection, or if such agency has appeared but has not had an adequate opportunity to present an opposition, the court shall grant an immediate hearing to seek dissolution of the attachment or order, and the court shall dissolve the attachment or order if the agency or instrumentality—

"(A) demonstrates that one or more of the applicable criteria in this subsection has not been satisfied, or

"(B) posts a bond in the amount of the claim or the affected property, whichever is less.

"(e) The vessels of a foreign state shall not be immune from arrest in rem, interlocutory sale, and execution in actions brought to foreclose a preferred mortgage as provided in section 1605(c).".

By Mr. QUAYLE:

S.J. Res. 130. Joint resolution designating the week beginning on November 10, 1985, as "National Blood Pressure Awareness Week"; to the Committee on the Judiciary.

NATIONAL BLOOD PRESSURE AWARENESS WEEK

● Mr. QUAYLE. Mr. President, it is my pleasure today to introduce a joint resolution to designate the week of November 10–16, 1985, as "National Blood Pressure Awareness Week."

Elevated blood pressure, or hypertension, has been a health problem for many, many years; a discussion of it appeared in the oldest medical textbook in written history, which was written approximately 3,000 to 5,000 years ago. Today elevated blood pressure, or hypertension, occurs in over 60 million Americans. While we do not fully understand the causes of 95 percent of hypertension, we certainly do know the consequences of a failure to bring it under control; it is a major factor in the incidence of stroke, heart attack, and other cardiovascular system diseases. In addition, the prevalence of hypertension in the black population of the United States has been found to be considerably higher than the rate in the white population, and hypertension-related deaths are disproportionately higher among black individuals. In short, the statistics show that blacks get hypertension earlier in life, at higher levels, and with greater frequency.

Particularly distressing is the fact that while a simple, painless test can detect this condition, a large number of hypertensive individuals remain unaware that they are affected by this "silent killer." Although more than 700,000 Americans died from strokes and heart attacks during 1982, a reduction of 30 percent in cardiovascular disease-related mortality occurred between 1970 and 1980. Moreover, the death rate for hypertension has fallen by 53 percent since 1968. This decline can be partially attributed to increased awareness and better control of blood pressure.

In addition to reductions in needless mortality and morbidity which can accrue through blood pressure control, increases in productivity and decreases in health care expenditures can also be effected. In 1983, $2 billion in employee earnings, representing more than 29 million work days, were lost because of cardiovascular diseases which affect more than 30 percent of the work force. In total, this year, these diseases are expected to cost the United States economy $72 billion in direct medical expenses and lost output due to disabilities. Worksite demonstration projects sponsored by the National Heart, Lung, and Blood Institute have revealed that absenteeism and health care expenditures are greater for individuals with hypertension. More importantly, both absenteeism and health care expenditures were reduced as blood pressure was returned to the normal range.

The importance of blood pressure control was emphasized in the National Heart, Blood Vessel, Lung, and Blood Act of 1972, and again in the 1980 report of the U.S. Surgeon General, entitled "Promoting Health/Preventing Disease: Objectives for the Nation." The latter report serves as the framework for Public Health Service programs to improve the health of the American people. The worksite projects noted above are one example of many programs which have demonstrated that the detrimental effects of cardiovascular disease can be diminished by blood pressure control.

On any grounds—quality of life, productivity, or economics—increased attention to the identification of individuals with hypertension and greater awareness of the consequences of elevated blood pressure is extremely important to all Americans.

I am, therefore, pleased to introduce this joint resolution in order to focus additional attention on this subject during the same week that 10–12,000 health professionals and concerned citizens will meet here in Washington, DC, for the annual meeting of the American Heart Association. I urge all my colleagues in the Senate to take this opportunity to promote enhanced awareness of the problems associated with hypertension and, at the same time, to work toward reducing the terrible human losses associated with it. I also would like to invite my colleagues to join with me and cosponsor this important effort.

Mr. President, I ask unanimous consent that the text of this joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 130

Whereas diseases resulting from hypertension cause needless mortality and morbidity which can be reduced if hypertension is discovered through blood pressure screening;

Whereas sixty million Americans are hypertensive;

Whereas hypertension is a major factor in five hundred thousand strokes and one hundred and seventy-five thousand stroke-related deaths annually as well as more than one million five hundred thousand heart attacks and five hundred and sixty-seven thousand heart attack-related deaths annually;

Whereas the prevalence of hypertension in black males is 33 percent higher than in white males, and the prevalence of hypertension in black females is twice that of their counterparts;

Whereas twenty-nine million workdays, representing $2,000,000,000 in earnings, are lost each year because of cardiovascular diseases;

Whereas the risk of the major cardiovascular diseases is directly related to hypertension and even mild elevation in blood pressure may result in substantial risk of illness;

Whereas much of the 30 per centum reduction in mortality between 1970 and 1980 for stroke, hypertension heart disease and other cardiovascular system disease can be partially attributed to increased awareness and better control of blood pressure; and

Whereas increased blood pressure screening will identify greater numbers of Americans at risk for hypertension-related cardiovascular disease and encourage these Americans to seek treatment to control their blood pressure: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning on November 10, 1985, is hereby designated as "National Blood Pressure Awareness Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.●

ADDITIONAL COSPONSORS

S. 49

At the request of Mr. MCCLURE, the name of the Senator from New Hampshire [Mr. HUMPHREY] was added as a cosponsor of S. 49, a bill to protect firearm owners' constitutional rights, civil liberties, and rights to privacy.

S. 244

At the request of Mr. ABDNOR, the name of the Senator from Nebraska [Mr. ZORINSKY] was added as a cosponsor of S. 244, a bill to limit to the national median family income the amount of farm loss which may be deducted against nonfarm income by high income taxpayers in competition with full-time, family-sized farm operators.

S. 361

At the request of Mr. MOYNIHAN, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 361, a bill to amend the Internal Revenue Code of 1954 to make permanent the deduction for charitable contributions by non-itemizers.

S. 491

At the request of Mr. QUAYLE, the names of the Senator from Pennsylvania [Mr. HEINZ], the Senator from Delaware [Mr. ROTH], the Senator from Mississippi [Mr. COCHRAN], the Senator from South Dakota [Mr. PRESSLER], the Senator from New York [Mr. MOYNIHAN], and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 491, a bill to improve debt-collection activities and default recoveries and to reduce collection costs and program abuse under student loan programs administered by the Department of Education, and for other purposes.

S. 725

At the request of Mr. CHAFEE, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of S. 725, a bill to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1986, 1987, 1988, 1989, and 1990.

S. 800

At the request of Mr. MCCLURE, the name of the Senator from Utah [Mr. GARN] was added as a cosponsor of S. 800, a bill to increase the maximum annual dollar amount limitation on deductions allowed under the Internal Revenue Code of 1954 for contributions to an individual retirement account of a spouse and to provide that the limitation relating to the amount of compensation received shall be computed on the basis of the combined compensation of a husband and wife.

S. 849

At the request of Mr. HART, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 849, a bill to establish a National Infrastructure Fund to provide funds for interest-free loans to State and local governments for construction and improvement of highways, bridges, water supply and distribution systems, mass transportation facilities and equipment, and wastewater treatment facilities, and for other purposes.

S. 855

At the request of Mr. PRYOR, the names of the Senator from Oklahoma [Mr. BOREN] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 855, a bill for the relief of rural mail carriers.

S. 873

At the request of Mr. CHAFEE, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 873, a bill to amend title XIX of the Social Security Act to assist severely disabled individuals to attain or maintain their maximum potential for independence and capacity to participate in community and family life.

S. 1048

At the request of Mr. DENTON, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 1048, a bill to amend title 18 of the United States Code and the Adoption Reform Act.

SENATE JOINT RESOLUTION 32

At the request of Mr. PRESSLER, the names of the Senator from Michigan [Mr. RIEGLE], the Senator from Utah [Mr. HATCH], the Senator from New Mexico [Mr. DOMENICI], the Senator from Oklahoma [Mr. NICKLES], and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of Senate Joint Resolution 32, joint resolution to authorize and request the President to designate September 15, 1985, as "Ethnic American Day."

SENATE JOINT RESOLUTION 43

At the request of Mr. THURMOND, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of Senate Joint Resolution 43, a joint resolution to authorize the Armored Force Monument Committee, the United States Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th Armored Division Associations, and the Council of Armored Division Associations, jointly to erect a memorial to the "American Armored Force" on U.S. Government property in Arlington, VA, and for other purposes.

SENATE JOINT RESOLUTION 76

At the request of Mr. NICKLES, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of Senate Joint Resolution 76, a joint resolution to proclaim March 22, 1985, as "National Energy Education Day."

SENATE CONCURRENT RESOLUTION 43

At the request of Mr. MCCLURE, the name of the Senator from Alabama [Mr. DENTON] was added as a cosponsor of Senate Concurrent Resolution 43, a concurrent resolution expressing the sense of the Congress that the English language is the official language of the United States.

SENATE RESOLUTION 53

At the request of Mr. DODD, the names of the Senator from Michigan [Mr. LEVIN], and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of Senate Resolution 53, a resolution concerning the Internal Revenue Code.

SENATE RESOLUTION 154—PAYING TRIBUTE TO AMERICAN VETERANS OF WORLD WAR II ON THE 40TH ANNIVERSARY OF V-E DAY

Mr. LAUTENBERG (for himself, Mr. BYRD, Mr. DOLE, Mr. CRANSTON, Mr. MURKOWSKI, Mr. ABDNOR, Mr. ARMSTRONG, Mr. BAUCUS, Mr. BIDEN, Mr. BOREN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. CHAFEE, Mr. CHILES, Mr. COCHRAN, Mr. DECONCINI, Mr. DIXON, Mr. DODD, Mr. DOMENICI, Mr. DURENBERGER, Mr. EVANS, Mr. EXON, Mr. FORD, Mr. GARN, Mr. GLENN, Mr. GORE, Mr. GORTON, Mr. GRASSLEY, Mr. HARKIN, Mr. HART, Mr. HATFIELD, Mrs. HAWKINS, Mr. HECHT, Mr. HEFLIN, Mr. HEINZ, Mr. HELMS, Mr. HOLLINGS, Mr. INOUYE, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Mr. LEVIN, Mr. LONG, Mr. LUGAR, Mr. MATSUNAGA, Mr. MATTINGLY, Mr. MCCONNELL, Mr. MCCLURE, Mr. MELCHER, Mr. METZENBAUM, Mr. MOYNIHAN, Mr. NICKLES, Mr. NUNN, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. QUAYLE, Mr. RIEGLE, Mr. ROCKEFELLER, Mr. ROTH, Mr. RUDMAN, Mr. SARBANES, Mr. SASSER, Mr. SIMON, Mr. SIMPSON, Mr. SPECTER, Mr. STAFFORD, Mr. STENNIS, Mr. SYMMS, Mr. THURMOND, Mr. TRIBLE, Mr. WARNER, Mr. WILSON, and Mr. ZORINSKY) submitted the following resolution; which was placed on the calendar:

S. RES. 154

Whereas on the morning of May 7, 1945 in Reims, France, Colonel General Alfred Jodl of the German High Command signed the terms of unconditional surrender on behalf of his government, and Lt. General Walter B. Smith, Supreme Allied Commander Eisenhower's Chief of Staff, signed for the Allies; and those terms were ratified in Berlin on May 9, 1945;

Whereas the free world has traditionally celebrated May 8th as the day of Allied "Victory in Europe" over Germany, or V-E Day;

Whereas May 8, 1985 marks the fortieth anniversary of V-E Day;

Whereas that victory represented, as the world later came to realize, the triumph of good over unspeakable evil, and the promise of a peaceful future for a Europe ravaged by the bloodiest war in its history;

Whereas V-E Day was a day for which millions had worked and fought and prayed and died during that terrible war;

Whereas the victory was made possible by the selfless heroism of the 15,000,000 Americans and the millions of other Allied servicemen who fought valiantly to prevent Hitler's onslaught;

Whereas many American servicemen willingly risked their lives in service to the Nation to defend the democratic ideals and respect for human rights upon which the Nation was founded; and

Whereas 407,000 American servicemen were called upon to make the ultimate sacrifice for their country during the war:

Now, therefore, be it *Resolved*, That it is the sense of the Senate of the United States that—

1. On the fortieth anniversary of V-E Day, the deep gratitude of the Nation is expressed to the American servicemen who bravely fought against the advance of Nazi tyranny in World War II, and the Nation honors those who gave their lives in the cause;

2. V-E Day belongs to the veterans who made victory possible, and to the families who gave our servicemen courage and sent loved ones into battle for the Nation; and

3. The Nation recognizes the enormous debt owed to the veterans for patriotism and bravery on the battlefields of World War II.

Mr. LAUTENBERG. Mr. President, I rise today to submit a resolution to pay tribute to the American veterans of World War II on the 40th anniversary of V-E Day. Mr. President, 77 of my colleagues have joined me in sponsoring this resolution. In addition, I am grateful to have the support and endorsements of the Veterans of Foreign Wars of the United States of America, the Catholic War Veterans of the United States of America, and the Jewish War Veterans of the United States of America.

Every year on May 8, the world celebrates the Allied "Victory in Europe," known as V-E Day. That victory represented, as the world later came to realize, the triumph of good over unspeakable evil, and the promise of a peaceful future for a Europe ravaged by the bloodiest war in its history. May 8 is particularly special this year since it marks the 40th anniversary of the end of the European chapter of World War II.

It is fitting that we take the time to acknowledge that V-E Day, and our Allied victory, was made possible by the selfless heroism of the 15,000,000 Americans and the millions of other Allied servicemen who fought valiantly in World War II. We owe a great debt to the many American servicemen who willingly risked their lives in service to our country to defend the democratic ideals and respect for human rights upon which it was founded.

Through this resolution, we seek to express our Nation's deep gratitude to the American servicemen who bravely fought against the advance of Nazi tyranny, and to their families, who gave them courage and sent them into battle for our country. We also honor the 407,000 American servicemen who were called upon to make the ultimate sacrifice for their country.

Forty years after V-E Day, the light of history has shone on the events of World War II. It has illuminated just how much we owe our veterans for their patriotism and bravery on the battlefields of World War II. The world can never repay that debt. But we can take the opportunity, on this historic anniversary of V-E Day, to express our appreciation to our veterans for their outstanding contribution to our country and our world.

Mr. President, I ask unanimous consent that the letters from the Veterans of Foreign Wars of the United States of America, the Catholic War Veterans of the United States of America, and the Jewish War Veterans of the United States of America be printed in the RECORD at the conclusion of my remarks for the information of my colleagues.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
May 2, 1985.

Hon. FRANK R. LAUTENBERG,
U.S. Senate,
Washington, DC.

DEAR SENATOR LAUTENBERG: On behalf of the more than 2.7 million men and women of the Veterans of Foreign Wars of the United States, and its Ladies Auxiliary, I wish to commend you for introducing a resolution in the United States Senate paying tribute to American Veterans of World War II on the fortieth anniversary of V-E Day.

With the signing of the terms of unconditional surrender by the German High Command, the bloodiest era in European history came to the end. Your resolution is most fitting in acknowledging the sacrifices of the hundreds of thousands of Americans who fought to end that terrible war.

The VFW strongly supports and encourages the timely passage of this much deserved resolution.

Sincerely,

BILLY RAY CAMERON,
National Commander-in-Chief.

CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA,
Washington, DC, May 2, 1985.

Hon. FRANK R. LAUTENBERG,
U.S. Senate,
Washington, DC.

DEAR SENATOR LAUTENBERG: We support the Senate Resolution to pay tribute to the American veterans of World War II on the 40th Anniversary of V-E Day.

We believe it is very important to recognize the bravery of those veterans on this 40th Anniversary.

We wholeheartedly support this legislation and urge its quick passage.

Sincerely,

DAVID J. ZIELINSKI,
National Commander.

MAY 2, 1985.

Senator FRANK R. LAUTENBERG,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR LAUTENBERG: The Jewish War Veterans of the USA is pleased to support your Resolution honoring America's Veterans on the occasion of the 40th anniversary of the end of the war in Europe. We are confident that this resolution will find wide and bi-partisan support and that it will be swiftly adopted.

Thank you for your efforts on behalf of America's Veterans.

Sincerely,

SAMUEL GREENBERG,
National Commander.

SENATE RESOLUTION 155—CONDEMNING THE ACTIONS OF THE ETHIOPIAN GOVERNMENT

Mr. CHILES (for himself, Mr. JOHNSTON, Mr. BUMPERS, Mr. BIDEN, Mr. PELL, and Mr. SASSER) submitted the

following resolution, which was ordered held at the desk until the close of business on May 6, 1985, by unanimous consent:

S. RES. 155

Whereas, the current extended drought in more than twenty African countries has placed 10 million or more people at risk of starvation; and

Whereas, the United States and other donors around the world are engaging in an unprecedented campaign to curb further deaths in Ethiopia and other African countries; and

Whereas, the success of these emergency assistance efforts depends largely on the cooperation and support of the authorities within each country receiving assistance; and

Whereas, there remains continuing evidence of widespread brutality, diversion of food assistance and disruption of relief efforts by the government of Ethiopia, including destroying numerous villages and farms; and

Whereas, the government of Ethiopia has brutally removed people from the famine relief camp at Ibnet, forcing more than 50,000 famine victims, including thousands of young children, into what can be described as a "death march." Now, therefore, be it

Resolved, That the Senate,

(1) Condemns the actions of the Ethiopian government in the forced evacuation of the Ibnet refugee camp; and

(2) Condemns the continuing actions of the Ethiopian government to disrupt and divert international relief efforts to help the needy in Ethiopia.

Mr. CHILES. Mr. President, in recent months the world has responded with an outpouring of concern and generosity to efforts to end the famine in Ethiopia. The almost unimaginable suffering that has taken place in that nation has moved us all. Our common goal has been to bring food and supplies to thousands of the starving, and to bring an end to the horror of fellow human beings dying from malnutrition.

Against this background of one of the worst human tragedies of the modern era, there is mounting evidence of an unspeakable campaign or policy by the Marxist military Government of Ethiopia to pursue its own political goals with brutal and deadly force and no regard for the welfare of suffering Ethiopian citizens.

Recent news reports in the Washington Post and other media have disclosed actions by the Ethiopian regime that should shock and outrage any person or government with a concern with the basic rights of human beings. Reports are coming out that the Ethiopian Army forceably evacuated and burned the Ibnet famine relief camp. Troops herded more than 50,000 famine victims, including several thousand children under 5, out of Ibnet. What was a general feeding, child nutrition and medical center is now a blackened plain.

Obviously, these people, still weak, undernourished and suffering from disease, are not in a condition to be relocated. And yet the leaders of the Worker's Party of Ethiopia have initiated what can accurately be called a death march. To clear the camp, residents were killed. Pregnant women, chased by soldiers, miscarried. Grass huts were set afire while still occupied. Private relief nurses report that hundreds of very sick children have disappeared.

Now tens of thousands of weak and often sick people are wandering in the rugged highlands of Ethiopia. Some will have to walk for 2 weeks to reach their former homes. Many, perhaps even half, will die of exposure, hunger, or illness. Seventeen bodies have already been counted along the road leading east from Ibnet. Officials of the Ethiopian Worker's Party have ordered that no one from the regions of Welo and Gondar is to be given food, water or medical assistance.

And to what fate are these people being consigned. The Wollo region, the eventual destination of many of the evacuees, remains an inhospitable area with little seed, very limited supplies of farm tools and almost no food. In essence those that survive the march are condemned to the same fate that drove them to be refugees in the first place.

Mr. President, in a time that has witnessed much cruelty and inhumane treatment by ruthless regimes; in a time that has seen human rights trampled for the goals of some twisted ideology, this action by the Ethiopian Government is still almost impossible to comprehend. I cannot believe that this outrage has not galvanized world opinion to condemn this outlaw government. I cannot believe that the United Nations has not moved to condemn. I cannot believe that the civilized world has not protested this affront to civilization.

Mr. President, I am submitting a resolution to provide an opportunity for the U.S. Senate to express its outrage and condemnation. We must not let this despicable action by a so-called government escape the censure it so warrants.

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET

GRAMM (AND OTHERS) AMENDMENT NO. 51

Mr. GRAMM (for himself, Mr. THURMOND, Mr. HELMS, Mr. NICKLES, Mr. MATTINGLY, Mr. MCCLURE, and Mr. DENTON) proposed an amendment to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI), and subsequently amended, to the concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the U.S. Government for fiscal years 1986, 1987, and 1988 and revising the congressional budget for the U.S. Government for the fiscal year 1985; as follows:

In the pending amendment, do the following:

On page 13, increase the amount on line 20 by $300,000,000.

On page 13, increase the amount on line 21 by $300,000,000.

On page 14, increase the amount on line 4 by $300,000,000.

On page 14, increase the amount on line 5 by $300,000,000.

On page 14, increase the amount on line 13 by $300,000,000.

On page 14, increase the amount on line 14 by $300,000,000.

On page 28, decrease the amount on line 15 by $300,000,000.

On page 28, decrease the amount on line 16 by $300,000,000.

On page 28, decrease the amount on line 23 by $300,000,000.

On page 28, decrease the amount on line 24 by $300,000,000.

On page 29, decrease the amount on line 6 by $300,000,000.

On page 29, decrease the amount on line 7 by $300,000,000.

On page 37, decrease the first amount on line 11 by $319,000,000.

On page 37, decrease the second amount on line 11 by $287,000,000.

On page 37, decrease the amount on line 12 by $336,000,000.

On page 37, decrease the amount on line 13 by $335,000,000.

On page 37, decrease the first amount on line 14 by $356,000,000.

On page 37, decrease the second amount on line 14 by $354,000,000.

On page 42, increase the first amount on line 6 by $319,000,000.

On page 42, increase the second amount on line 6 by $287,000,000.

On page 42, increase the amount on line 7 by $336,000,000.

On page 42, increase the amount on line 8 by $335,000,000.

On page 42, increase the first amount on line 9 by $356,000,000.

On page 42, increase the second amount on line 9 by $354,000,000.

On page 44, decrease the amount on line 10 by $319,000,000.

On page 44, decrease the amount on line 11 by $287,000,000.

On page 44, decrease the first amount on line 12 by $336,000,000.

On page 44, decrease the second amount on line 12 by $335,000,000.

On page 44, decrease the amount on line 13 by $356,000,000.

On page 44, decrease the amount on line 14 by $354,000,000.

On page 45, increase the amount on line 21 by $319,000,000.

On page 45, increase the amount on line 22 by $287,000,000.

On page 45, increase the first amount on line 23 by $336,000,000.

On page 45, increase the second amount on line 23 by $335,000,000.

On page 45, increase the amount on line 24 by $356,000,000.

On page 45, increase the amount on line 25 by $354,000,000.

On page 52, decrease the amount on line 1 by $300,000,000.

On page 52, decrease the amount on line 3 by $300,000,000.

On page 52, decrease the amount on line 4 by $300,000,000.

HELMS (AND OTHERS) AMENDMENT NO. 52

Mr. HELMS (for himself, Mr. GRASSLEY, Mrs. KASSEBAUM, Mr. THURMOND, Mr. GOLDWATER, and Mr. NICKLES) proposed an amendment to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI), and subsequently amended, to the concurrent resolution Senate Concurrent Resolution 32, supra; and follows:

At the end of the pending question add the following:

Notwithstanding any other provision of this resolution, the functional totals for the General Government function are reduced by an amount sufficient to allow the reduction of the salaries of Members of Congress by ten per centum.

AUTHORIZING EXPENDITURES FOR THE COMMITTEES OF THE SENATE

BYRD AMENDMENT NO. 53

Mr. BYRD proposed an amendment to the resolution (S. Res. 145) to authorize expenditures for the committees of the Senate through February 28, 1986; as follows:

At the end of the resolution, add the following new section:

AMENDMENT TO S. RES. 354, 98TH CONGRESS

SEC. . Senate Resolution 354, 98th Congress, agreed to March 2, 1984, is amended by adding at the end thereof the following new section:

"AUTHORITY FOR EMPLOYMENT OF CERTAIN PREVIOUSLY DISPLACED PERSONNEL

"SEC. 22. Notwithstanding any provision of the preceding sections of this resolution, the authority contained in such sections insofar as it pertains to the funding of, and payment for, employment of personnel, shall be extended from February 28, 1985, through July 15, 1985, in the case of an individual who is certified, by the Chairman of the Committee on Rules and Administration, to the Secretary of the Senate as being an employee who was displaced, as a committee employee, by reason of the committee reorganizations which took place at the beginning of the first session of the 99th Congress, and who otherwise meets such criteria for employment under this section as is prescribed by the Committee on Rules and Administration; except that no individual shall be paid under authority of this section for any period exceeding 60 days.

NOTICES OF HEARINGS

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ROTH. Mr. President, the Senate Committee on Governmental Affairs will hold a hearing on U.S. political and financial involvement in the United Nations on Tuesday, May 7, at 9:30 a.m., in SD-342. For further information, please contact Mr. Ian Butterfield at 224-4751.

Mr. President, the Senate Committee on Governmental Affairs will hold an oversight hearing on the Implementation of the Grace Commission report on Thursday, May 9, at 9:30 a.m. in SD-342. For further information, please contact Link Hoewing at 224-4751.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOLE. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Friday, May 3, 1985, to consider certain nominations for the Synthetic Fuels Corporation.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

NATIONAL BIPARTISAN COMMISSION ON CENTRAL AMERICA

● Mr. DOMENICI. Mr. President, it is 16 months since the report of the National Bipartisan Commission on Central America was presented to the Nation. Twelve distinguished Americans of both parties, under the leadership of Henry Kissinger, offered an analysis of the situation on Central America that has survived well the passage of time. I am proud to have served as a Senate advisor to the Commission.

On April 23, the Senate voted to support the democratic resistance to the nine Sandinista leaders in Nicaragua. The House subsequently failed to support the democratic resistance and its call for national reconciliation. There are encouraging signs that the other body now recognizes its mistake and will shortly move to help Nicaragua reclaim its revolutionary promises of peace and freedom.

An excellent article in today's Christian Science Monitor provides some interesting comments on the relationship between the report of the bipartisan Commission and the decisions Congress must make regarding Nicaragua.

I ask that the article be printed in the RECORD.

The article follows:

NICARAGUA'S REWARD

(By John Hughes)

Daniel Ortega, Nicaragua's leader, has been in Moscow, and although the photographs show no smile flickering across his ever-grace face, it must have been a satisfactory visit.

Before he left Managua, there were reports that Mr. Ortega was seeking $200 million in aid from the Soviets. Nobody knows whether he got it. The Soviets are usually coy about announcing the size and content of their aid packages.

But the Soviet reception for Ortega was fulsome. He was warmly received by the top brass, including Mikhail Gorbachev and Foreign Minister Andrei Gromyko. The nuanced mumbo jumbo of the communique issued afterward is being interpreted by the experts as meaning that Ortega got a bundle.

And why not? The Soviets have reason to be pleased with their Nicaraguan protégé and the direction he is moving their Central American aspirations.

For the Soviets, the Nicaraguan revolution of 1979 was as significant as the Cuban revolution 20 years earlier. Viktor Volski, president of the Soviet Association of Friendship with Latin American Countries, called it a "model" to be followed. Boris Ponomarev, a national party secretary in charge of relations with noncommunist countries, included Central America for the first time among third-world states undergoing revolutionary changes of "a socialist orientation." Mr. Ponomarev was one of the officials Ortega huddled with in Moscow. Marshal Nikolai Ogarkov, then the top Soviet military man, put Nicaragua on a level with Cuba in terms of its potential opportunity for the Soviet Union.

The cornerstone of Moscow's Central American policy is, of course, Cuba. With its Air Force of more than 200 combat jets, its assault helicopters and other military paraphernalia, Cuba is the No. 2 military power in Latin America, after Brazil. It has dispatched combat troops to Africa, and "advisers" by the hundreds of Grenada, in the past, and Nicaragua.

But according to one group of experts, "Cuba's island geography complicates its sponsorship of subversion. Nicaragua suffers no such limitation . . . as a mainland platform; therefore, Nicaragua is a crucial steppingstone for Cuban and Soviet efforts to promote armed insurgency in Central America." These are not the ravings of some right-wing group of ideological zealots. This is the dispassionate and clinical assessment of the National Bipartisan Commission on Central America, the Kissinger Commission. The commission included diverse members who, while they may have had differing points of view about President Reagan's policy on Nicaragua, seemed united in their feeling that Nicaragua's present Marxist regime is bad news for the United States.

The report was completed in January of 1985. But even then there were no illusions about the unsavory ideological character of the Sandinista regime.

The commission said the Nicaraguan government volunteered an intelligence briefing that "left no reasonable doubt that Nicaragua is tied into the Cuban, and thereby the Soviet, intelligence network."

The commisssion said it encountered no leader in Central America who did not express "deep foreboding" about the impact of a militarized, totalitarian Nicaragua on the peace and security of the region.

Even though it finished deliberations more than a year ago, it had some prescient thoughts about the polarization of viewpoints in the US on Nicaragua.

"What is being tested," the commission concluded, "is not so much the ability of the US to provide large resources but rather the realism of our political attitudes, the harmony of Congressional and Administration priorities, and the adaptability of the military and civil departments of the Executive."

They are words worth pondering as Congress denies aid to the anti-Sandinistas, as a

frustrated administration looks to sanctions against Nicaragua, and as Moscow gives Daniel Ortega his reward.●

PRESS COVERAGE OF THE WAR IN AFGHANISTAN

● Mr. HUMPHREY. Mr. President, what is the most pressing need of the courageous Mujahideen, the freedom fighters of Afghanistan who have held 115,000 Soviet troops at bay for 5 years? Aside from the obvious need for greater material assistance from sympathetic nations, these warriors for the cause of liberty ask that their struggle—and the struggle of their nation for independence—be publicized. They believe that just a small measure of awareness of their struggle would galvanize public attention behind their cause, providing them with the material and psychological assistance they so desperately need in taking on the world's most powerful, most destructive military machine.

Well, if the Mujahideen hoped for a wave of coverage of the war in Afghanistan, if they expected a river of information flowing through the media to the public at large, they have instead received a trickle. A light smattering of occasional bits, buried deep within the newspaper or missed with the blink of an eye on the television.

To be sure, one should not minimize the difficulties involved in reporting stories from Afghanistan in a timely and reliable fashion. The Soviets have made coverage of the war from within Afghanistan a deadly gambit; journalists apprehended there, they say, will be summarily executed.

Additionally, lack of coverage of Afghanistan is not the case for every representative of the collective media, and it would be unfair to lump all of this Nation's newspapers, magazines, radio, and television in this same shameful category. The New York Times has posted a correspondent in Pakistan to cover major events in the war within Afghanistan. More significantly still, the Washington Times has on a regular basis printed reports of the war, as well as its ramifications throughout the region. One such article appeared Wednesday, which described the success of the Mujahideen in disrupting the seventh anniversary celebration of the Marxist revolution in Afghanistan. I ask that the article appear in the RECORD following the conclusion of my remarks. Finally, many smaller papers have covered this struggle in some measure.

Nevertheless, I cannot help but feel that we are doing a grave disservice to the Afghan freedom fighters by not covering their struggle in greater depth and with greater frequency. This sentiment, I have learned, is one shared by many, including representatives of the media themselves. Not long ago, Cliff Taylor, editor of WHEB radio station in Portsmouth, NH, broadcast an editorial castigating the media at large for their coverage of Afghanistan. The occasion was the conclusion of a visit by two Mujahideen commanders to the United States in April. The visit of these courageous warriors for freedom and the independence of their homeland received, to put it mildly, sparse attention. Mr. President, it is my hope that in the future the media will join with us in presenting the war in Afghanistan to the public for what it is: the most compelling fight of our time against the onslaught of totalitarian oppression. I ask the aforementioned editorial be printed in the RECORD following the conclusion of my remarks.

The material follows:

EDITORIAL

Two distinguished commanders of freedom fighters in Afghanistan were recently visitors to the United States. Did you know that? When visited Communists turn up, so do the liberal news media. We see almost nightly coverage of Communists from El Salvador and the Nicaraguan Sandinistas or roving "good will" ambassadors from the Soviet Union at Washington cocktail receptions.

But, when two freedom fighters from Afghanistan tour the country? Media black out! You probably don't know this, but two commanders of Afghanistan fighters battling to throw the Soviet Union troops out of their country visited the United States recently. Their purpose was to try to inform Americans of the desperate situation against the Soviet invaders.

To coin a phrase, "better they should have stayed in bed." Their news coverage by all the important, but liberal, media network was zilch! For your information they toured major cities on both coasts of the United States. They received pledges of support during news conferences from various cities, but strangely our national liberal media found more important things to report . . . like "talking heads" at Geneva . . . or the gorilla with a new pet kitten.

Brigadier Safi was Chief of Special Forces of the Royal Afghan Army. He trained with our U.S. Special Forces and with the British Special Air Service. He has personally led his men against Soviet forces.

General Commander Khan has helped inflict heavy losses on the Soviet invaders. In one night last September he helped carry out "Operation Blackout", by blowing up 170 electric towers that plunged the Afghan capital city of Kabul . . . a Soviet stronghold . . . into total darkness. . . left the city without power.

These gentlemen are prime news prospects, but they were given their own "news blackout." They were prepared to give eyewitness accounts of Soviet chemical warfare. They had photos of children maimed, blinded, disfigured by "booby trapped toys" scattered by the Soviets.

Oh, they had the stories all right . . . news we Americans should know about, but our so-called "free press" . . . the liberal press at least . . . chose to ignore them.

In a competitive business, how come at least one didn't try for a "scoop?" Do you suppose . . .? Naw. . . there couldn't be a conspiracy! Could there?

BLAST KILLS 1 AT KABUL PARADE

NEW DELHI, INDIA.—At least one person was killed and 48 wounded when a bomb exploded at a parade held last week in Kabul to mark the seventh anniversary of the Marxist revolution in Afghanistan, Western diplomatic sources said here yesterday.

The blast, suspected to be the work of Mujahideen guerrillas, occurred on April 27 as the Babrak Karmal government tried to put on a show of strength in the capital.

On April 18–19, the Mujahideen reportedly staged one of its biggest ambushes, blowing up more than 150 military vehicles on a 15-mile stretch of road between Kabul and Gardez; in southern Paktia province, the diplomatic sources said. According to Kabul radio monitored here, the Mujahideen also launched a rocket attack on an air base at Bagram.

The raids prompted reprisal attacks by Soviet forces that resulted in nearly 300 civilian deaths and the capture of large quantities of arms and ammunition in the Koh Safi region, the radio said.●

CANADIAN CONSERVATION CORP PROGRAMS: KATIMAVIK AND ONET/85

● Mr. MOYNIHAN. Mr. President, I wish to draw my colleagues' attention to two noteworthy conservation corp programs our neighbor to the north—Canada—has initiated.

The first is Katimavik. Funded at $50 million, this program enrolls 17 to 24 year-olds to perform conservation and community service work at 240 sites across the country. Tasks include improving spawning beds, restoring historic sites, evaluating human impact on the tundra, and promoting recycling in government buildings. Enrollees are essentially volunteers, receiving $1 daily, and a $1,000 bonus for completing 9 months of service. Last year, in conjunction with the UN Tree Program, Katimavik volunteers planted 2 million trees.

Another, and most exciting, program is ONET/85, which will commence in mid-July. Under this project, 100,000 Canadian youths and 2,000 delegates from other countries will gather along the banks of the mighty St. Lawrence River for an unprecedented ecological operation: the removal of some 9,000 tons of solid waste, trash, and other debris polluting 3,000 kilometers of riverbank. ONET/85 is a most ambitious and laudable undertaking during this, the International Year of the Youth.

Mr. President, I would note that the funding for Katimavik is roughly the per capita equivalent of a $500 million Federal expenditure here in the United States. Yet the administration saw fit to veto a bill last year (H.R. 999) authorizing an American Conservation Corps at $50 million. Would that we act as farsightedly about our natural and human resources as the Canadians.●

HEALTH CARE FOR THE ELDERLY

● Mr. QUAYLE. Mr. President, I would like to call my colleagues attention to a program sponsored in my home State of Indiana that is making a much needed effort to help health professionals meet the health care needs of our Nation's elderly. Specifically, this program was designed to assist pharmacists to better address the needs of our elderly population. Such efforts in the private sector are becoming more and more important when we look at the changing demographics in our country. By the year 2000, there will be 36 million elderly Americans, comprising 13 percent of the total population.

Dr. Charles Brown and Eugene Step are to be congratulated for their pioneering work in this area. I am pleased to say that the White House Office of Private Initiatives saw fit to recently commend them for their work.

I ask to have printed in the RECORD an article from the Indianapolis News describing this program in more detail.

The article follows:

[From the Indianapolis News, Mar. 14, 1985]

NEW PROGRAM TARGETS HEALTH CARE FOR AGED

(By Lou Hiner)

WASHINGTON.—Purdue University and Eli Lilly & Co. are among the participants in a new educational program to help "practicing health professionals" meet the needs of the nation's 28 million aged persons.

The program, sponsored by the American Association of Colleges of Pharmacy (AACP), was discussed at a National Press Club conference. College deans, congressional and government representatives and persons associated with 20 different health fields attended.

Among the long-range hopes of the undertaking is better cooperation and coordination between pharmacists and doctors in treating older persons.

The curriculum proposed for pharmacy schools includes a 1,100-page textbook for students and a 350-page guide for the instructors. Both publications cover such topics as drug use, nutrition, common disorders, physiology, death and dying and patient communication.

Charles Brown, assistant professor of clinical pharmacy at Purdue, is among the authors of the 30-chapter textbook. Also attending the conference from Purdue were Pharmacy Dean Varrow Tyler and Assistant Dean George Spratto.

Lilly was represented by Eugene Step, pharmaceutical division president, and William Pillow, manager of professional relations.

COMMENDATIONS

Brown and Step received commendations at the luncheon session from the White House Office of Private Initiatives for their roles in developing the curriculum. The scrolls were signed by President Reagan.

The training program is designed for use at pharmacy colleges and also in an ongoing educational plan for practicing pharmacists. The later will be given college credits for studies completed in their home communities.

Dr. Carl Trinca, AACP executive director, explained to the conference:

"The comprehensive curriculum brings special attention to pharmacy as the first health profession to respond in this manner to the growing demand for training health professionals about the special needs of the elderly, the fastest-growing segment of our population."

Dr. Monroe Gilmour, a director of the American Association of Retired Persons, praised the significance of the program, saying:

"It is spendid that in this day of changing pharmacy, physicians and pharmacists are going to be assuming a more cooperative role. This program will aid the flow of information as pharmacists and others in the health professions increase their understanding of the needs of our aged citizens."

PHARMACY PRACTICE AND GERIATRIC PATIENT

The American Association of Colleges of Pharmacy (AACP) is proud to present a new pharmacy education curriculum, "Pharmacy Practice and the Geriatric Patient". The curriculum was developed in response to needs identified by the White House Commission on Aging, the Congress and the Department of Health and Human Services for a comprehensive curriculum for geriatrics and gerontology.

The extensive 30-chapter curriculum, to be distributed to the nation's 72 colleges of pharmacy, is a result of a four-year effort by 70 authors and peer reviewers from 18 states. Elements of the curriculum include chapters on: characteristics of the elderly and theories of aging, physical and emotional changes in the elderly, drug therapy, special communications needs and death and dying.

The curriculum is designed for use in pharmacy settings. Yet it provides unique opportunities for individuals in all health disciplines to better utilize their professional skills in serving the elderly. It fosters positive approaches to geriatric care by increasing understanding of the physical, social and emotional needs of the elderly.

The AACP Geriatric Curriculum Project, jointly sponsored by Eli Lilly and Company, is an example of the benefits—in this case for the elderly and for health professionals—to be derived from private sector initiatives.

AACP invites you and your colleagues to become acquainted with the curriculum and consider its use in your work with the Aging community.●

THE RULES OF PROCEDURE OF THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. GARN. Mr. President, in accordance with paragraph 2 of rule XXVI of the Standing Rules of the Senate, I submit the "Rules of Procedure of the Committee on Banking, Housing and Urban Affairs," to be printed in the RECORD.

There have been no changes to the rules since they were last adopted by the committee on February 4, 1981, nor have there been any requests for rule changes.

The rules follow:

RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

[Adopted in executive session, Feb. 4, 1981]

RULE 1.—REGULAR MEETING DATE FOR COMMITTEE

The regular meeting day for the Committee to transact its business shall be the last Tuesday in each month, except that if the Committee has met at any time during the month prior to the last Tuesday of the month, the regular meeting of the Committee may be canceled at the discretion of the Chairman.

RULE 2.—COMMITTEE

(a) Investigations.—No investigation shall be initiated by the Committee unless the Senate for the full Committee has specifically authorized such investigation.

(b) Hearings.—No hearing of the Committee shall be scheduled outside the District of Columbia except by agreement between the Chairman of the Committee and the ranking minority member of the Committee or by a majority vote of the Committee.

(c) Confidential testimony.—No confidential testimony taken or confidential material presented at an executive session of the Committee or any report of the proceedings of such executive session shall be made public either in whole or in part by way of summary, unless specifically authorized by the Chairman of the Committee and the ranking minority member of the Committee or by a majority vote of the Committee.

(d) Interrogation of witnesses.—Committee interrogation of a witness shall be conducted only by members of the Committee or such professional staff as is authorized by the Chairman or the ranking minority member of the Committee.

(e) Prior notice of mark-up sessions.—No session of the Committee or a Subcommittee for marking up any measure shall be held unless (1) each member of the Committee or the Subcommittee, as the case may be, has been notified in writing of the date, time, and place of such session at least 48 hours prior to the commencement of such session, or (2) the Chairman of the Committee or Subcommittee determines that exigent circumstances exist requiring that the session be held sooner.

(f) Prior notice of first degree amendments.—It shall not be in order for the Committee or Subcommittee to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless twenty written copies of such amendment have been delivered to the office of the Committee at or before 2:00 p.m. on the business day prior to the meeting. This subsection may be waived by a majority of the Members of the Committee or Subcommittee voting. This subsection shall apply only when at least 48 hours written notice of a session to mark up a measure is required to be given under subsection (e) of this rule.

(g) Cordon rule.—Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee or Subcommittee, from initial consideration in hearings through final consideration, the Clerk shall place before each member of the Committee or Subcommittee a print of the statute or the part or section thereof to be amended or repealed showing by stricken-through type, the part or parts to be omitted, and in italics, the matter proposed to be added. In addition, whenever a member of the Committee or Subcommittee offers an amendment to a bill or joint reso-

lution under consideration, those amendments shall be presented to the Committee or Subcommittee in a like form, showing by typographical devices the effect of the proposed amendment on existing law. The requirements of this subsection may be waived when, in the opinion of the Committee or Subcommittee chairman, it is necessary to expedite the business of the Committee or Subcommittee.

RULE 3.—SUBCOMMITTEES

(a) Authorization for.—A Subcommittee of the Committee may be authorized only by the action of a majority of the Committee.

(b) Membership.—No member may be a member of more than three Subcommittees and no member may chair more than one Subcommittee. No member will receive assignment to a second Subcommittee until, in order of seniority, all members of the Committee have chosen assignments to one Subcommittee, and no member shall receive assignment to a third Subcommittee until, in order of seniority, all members have chosen assignments to two Subcommittees.

(c) Investigations.—No investigation shall be initiated by a Subcommittee unless the Senate or the full Committee has specifically authorized such investigation.

(d) Hearings.—No hearing of a Subcommittee shall be scheduled outside the District of Columbia without prior consultation with the Chairman and then only by agreement between the Chairman of the Subcommittee and the ranking minority member of the Subcommittee or by a majority vote of the Committee.

(e) Confidential testimony.—No confidential testimony taken or confidential material presented at an executive session of the Subcommittee or any report of the proceedings of such executive session shall be made public, either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Subcommittee and the ranking minority member of the Subcommittee, or by a majority vote of the Subcommittee.

(f) Interrogation of witnesses.—Subcommittee interrogation of a witness shall be conducted only by members of the Subcommittee or such professional staff as is authorized by the Chairman or the ranking minority member of the Subcommittee.

(g) Special meetings.—If at least three members of a Subcommittee desire that a special meeting of the Subcommittee be called by the Chairman of the Subcommittee, those members may file in the offices of the Committee their written request to the Chairman of the Subcommittee for that special meeting. Immediately upon the filing of the request, the Clerk of the Committee shall notify the Chairman of the Subcommittee of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman of the Subcommittee does not call the requested special meeting, to be held within 7 calendar days after the filing of the request, a majority of the members of the Subcommittee may file in the offices of the Committee their written notice that a special meeting of the Subcommittee will be held, specifying the date and hour of that special meeting. The Subcommittee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk of the Committee shall notify all members of the Subcommittee that such special meeting will be held and inform them of its date and hour. If the Chairman of the Subcommittee is not present at any regular, additional, or special meeting of the Subcommittee, the ranking member of the majority party on the Subcommittee who is present shall preside at that meeting.

(h) Voting.—No measure or matter shall be recommended from a Subcommittee to the Committee unless a majority of the Subcommittee are actually present. The vote of the Subcommittee to recommend a measure or matter to the Committee shall require the concurrence of a majority of the members of the Subcommittee voting. On Subcommittee matters other than a vote to recommend a measure or matter to the Committee no record vote shall be taken unless a majority of the Subcommittee are actually present. Any absent member of a Subcommittee may affirmatively request that his vote to recommend a measure or matter to the Committee or his vote on any such other matter on which a record vote is taken, be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter and to inform the Subcommittee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman of the Subcommittee any time before the record vote on the measure or matter concerned is taken, the member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee.

RULE 4.—WITNESSES

(a) Filing of statements.—Any witness appearing before the Committee or Subcommittee (including any witness representing a Government agency) must file with the Committee or Subcommittee (before noon, 24 hours preceding his appearance) 75 copies of his statement to the Committee or Subcommittee. In the event that the witness fails to file a written statement in accordance with this rule, the Chairman of the Committee or Subcommittee has the discretion to deny the witness the privilege of testifying before the Committee or Subcommittee until the witness has properly complied with the rule.

(b) Length of statements.—Written statements properly filed with the Committee or Subcommittee may be as lengthy as the witness desires and may contain such documents or other addenda as the witness feels is necessary to present properly his views to the Committee or Subcommittee. It shall be left to the discretion of the Chairman of the Committee or Subcommittee as to what portion of the documents presented to the Committee or Subcommittee shall be published in the printed transcript of the hearings.

(c) Fifteen-minute duration.—Oral statements of witnesses shall be based upon their filed statements but shall be limited to 15 minutes duration. This period may be extended at the discretion of the Chairman presiding at the hearings.

(d) Subpeona of witnesses.—Witnesses may be subpoenaed by the Chairman of the Committee or a Subcommittee with the agreement of the ranking minority member of the Committee or Subcommittee or by a majority vote of the Committee or Subcommittee.

(e) Counsel permitted.—Any witness subpoenaed by the Committee or Subcommittee to a public or executive hearing may be accompanied by counsel of his own choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(f) Expenses of witnesses.—No witness shall be reimbursed for his appearance at a public or executive hearing before the Committee or Subcommittee unless such reimbursement is agreed to by the Chairman and ranking minority member of the Committee or by a majority vote of the Committee.

(g) Limits of questions.—Questioning of a witness by members shall be limited to 10 minutes duration, except that if a member is unable to finish his questioning in the 10-minute period, he may be permitted further questions of the witness after all members have been given an opportunity to question the witness.

Additional opportunity to question a witness shall be limited to a duration of 10 minutes until all members have been given the opportunity of questioning the witness for a second time. This 10-minute time period per member will be continued until all members have exhaused their questions of the witness.

RULE 5.—VOTING

(a) Vote to report a measure or matter.—No measure or matter shall be reported from the Committee unless a majority of the Committee are actually present. The vote of the Committee to report a measure or matter shall require the concurrence of a majority of the members of the Committee who are present.

Any absent member may affirmatively request that his vote to report a matter be cast by proxy. The proxy shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman any time before the record vote on the measure or matter concerned is taken, any member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee, along with the record of the rollcall vote of the members present and voting, as an official record of the vote on the measure or matter.

(b) Vote on matters other than a report on a measure or matter.—On Committee matters other than a vote to report a measure or matter, no record vote shall be taken unless a majority of the Committee are actually present. On any such other matter, a member of the Committee may request that his vote may be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman any time before the vote on such other matter is taken, the member may withdraw a proxy previously given. All proxies relating to such other matters shall be kept in the files of the Committee.

RULE 6.—QUORUM

No executive session of a Committee or a Subcommittee shall be called to order unless a majority of the Committee or Subcommittee, as the case may be, are actually present. Unless the Committee otherwise provides or is required by the Rules of the Senate, one member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony.

RULE 7.—STAFF PRESENT ON DAIS

Only members and the Clerk of the Committee shall be permitted on the dais during public or executive hearings, except that a member may have one staff person accompany him during such public or executive hearing on the dais. If a member desires a second staff person to accompany him on the dais he must make a request to the Chairman for that purpose.●

CALENDAR

Mr. DOLE. Mr. President, as I understand it, the following calendar items have been cleared: No. 95, No. 96, No. 97, No. 98, No. 99, No. 100, No. 101, No. 102, No. 103, No. 104, and No. 106.

Mr. BYRD. Mr. President, I have checked carefully, and on this side there is no objection to proceeding with the calendar orders that the distinguished majority leader has enumerated.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the calendar items I have enumerated.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SCIENCE WEEK

The joint resolution (S.J. Res. 59) to designate "National Science Week," was considered.

Mr. HATCH. Mr. President, on February 21, 1985, I, along with Senator KENNEDY, introduced Senate Joint Resolution 59, a resolution establishing the week of May 12-18, 1985, as "National Science Week." This week will consist of science-related activities sponsored by local, State, and national organizations. These activities will include such things as radio and television programs, museum exhibits, science programs in schools of all levels, and open houses in research facilities. The National Science Foundation will assist these various organizations and serve as a coordinator for the week's events.

By promoting public recognition of the achievements of science and technology, "National Science Week" will help to facilitate an increased level of interest among our Nation's youth. While "National Science Week" activities are for all Americans, the fresh enthusiasm of young people for discovery is vital in tomorrow's increasingly technological world.

I take a few minutes of our time today to recognize the University of Utah for its efforts to promote the public understanding of science and technology in Utah. National Science Week is being commemorated by the faculty, staff, and students at the University of Utah in a week-long series of events relating to science, technology, and mathematics.

The scheduled events cover a wide spectrum of activities benefitting and equally wide range of people. There will be science demonstration shows for children held at the Children's Museum of Utah, a nature walk featuring Utah's remarkable trees and flora in conjunction with the State Arboretum of Utah, and lectures, informal talks, and demonstrations by Utah's science and engineering scholars in their particular specialties. These professors will familiarize Utahns with everything from the Utah/MIT Dextrous Hand, the world's most sophisticated robotic limb, to mathematical models of the chemical, biological, and physical worlds. Utahns will even be able to experience the world of flight simulators used for pilot and tactical training and the realm of computer graphics with the well-known computer-aided design and computer-aided manufacturing system.

With the participation of business, academia, and various State and local organizations, and with the guidance of the National Science Foundation, National Science Week observances will further the awareness of scientific and technological progress taking place in Utah. We are, I believe, justifiably proud of our achievements.

I am sure other Senators' States are also planning appropriate activities to celebrate National Science Week. I urge my colleagues to join me in recognizing their efforts not only to recognize America's accomplishments during this special week, but also to support our scientists and engineers in their continuing search for knowledge. America's future depends on their abilities and on their devotion to the pursuit of American excellence in all of these fields of endeavor.

The joint resolution was ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 59

Whereas science and technology are currently major elements in the expansion of the economy and in the improvement of the quality of life in the United States;

Whereas the rate of scientific discovery and technological innovation continues to increase more rapidly than at any time in our history;

Whereas it is vital to build and maintain a highly dedicated and motivated work force with scientific and technological skills;

Whereas it is important that scientific research be made more interesting and accessible to youth as a potential career option;

Whereas it is in the national interest to increase the public's awareness and understanding of science and technology; and

Whereas schools, universities, museums, and professional, educational, and voluntary organizations, along with industry, labor, government, and private individuals, should be encouraged to work cooperatively to develop programs, events, and materials that will contribute to the public's education in science and technology: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of May 12 through May 18, 1985, is designated as "National Science Week". The President is requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities, including programs aimed at furthering the awareness of all Americans, and particularly the Nation's youth, of the importance of science and technology.

NATIONAL CORRECTIONAL OFFICERS WEEK

The joint resolution (S.J. Res. 64) to designate the week beginning May 5, 1985, as "National Correctional Officers Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 64

Whereas American correctional officers who work in our jails and prisons are currently responsible for the containment and control of over six hundred thousand prisoners;

Whereas correctional officers must protect inmates from violence while encouraging them to develop skills and attitudes that can help them become productive members of society following their release;

Whereas the morale of correctional officers is affected by many factors, and the public perception of the role of correctional officers is more often based upon dramatization rather than factual review;

Whereas good job performance requires correctional officers to absorb the adverse attitudes present in confinement while maintaining themselves as professionals in order to have their actions appreciated and accepted by the public at large;

Whereas correctional officers had been similarly honored by many States and localities in 1984;

Whereas correctional officers had been similarly honored by a similar joint resolution of the Senate and House of Representatives of the United States in Congress assembled in 1984; and

Whereas the attitude and morale of correctional officers is a matter worthy of serious congressional attention: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning May 5, 1985, hereby is designated "National Correctional Officers Week" and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

BALTIC FREEDOM DAY

The Senate proceeded to consider the joint resolution (S.J. Res. 66) designating June 14, 1985, as "Baltic Freedom Day."

Mr. SIMON. Mr. President, I am pleased and proud to offer my support to proclaim June 14, 1985, as Baltic Freedom Day.

As Americans, we are fortunate to live in a society where our freedoms are protected by the Constitution. We are guaranteed the freedom to speak out opinions, to practice our religions, to gather in meetings.

There is a nation which does not recognize these basic human rights. It is a country which persecutes those who

wish to practice religion. It is a country which suppresses speech. That nation is the Soviet Union. We hope and pray they will modify their positions.

In 1941, President Franklin Roosevelt and Prime Minister Winston Churchill signed a historic declaration known as the Atlantic Charter. The charter embodied fundamental principles of human rights, including freedom from fear and want, freedom of speech, and freedom of religion. More importantly, the second provision in the Atlantic Charter stresses the importance of the "principle of self-determination." The Soviet Unions forcible incorporation of Lithuania, Latvia, and Estonia clearly violates the spirit and word of the charter.

United States' policy has consistently supported freedom for the Baltic States. That policy must remain unchanged. As the deputy chairman of the U.S. delegation to the 1980 Review Conference of the Helsinki Act stated, "No occupation or acquisition of territory in contravention of international law will be recognized as legal." This provision applies directly to the Baltic States.

We must not rest until the brave people of Lithuania, Latvia, and Estonia are allowed to pursue their dreams of liberty.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 66

Whereas the people of the Baltic Republics of Lithuania, Latvia, and Estonia have cherished the principles of religious and political freedom and independence;

Whereas the Baltic Republics have existed as independent, sovereign nations belonging to and fully recognized by the League of Nations; and

Whereas the people of the Baltic Republics have individual and separate cultures, national traditions, and languages distinctively foreign to those of Russia;

Whereas the Union of the Soviet Socialist Republics (U.S.S.R.) in 1940 did illegally seize and occupy the Baltic Republics and by force incorporate them against their national will and contrary to their desire for independence and sovereignty into the U.S.S.R.;

Whereas the U.S.S.R. since 1940 has systematically removed native Baltic peoples from their homelands by deporting them to Siberia and caused great masses of Russians to relocate in the Baltic Republics, thus threatening the Baltic cultures with extinction;

Whereas the U.S.S.R. has imposed upon the captive people of the Baltic Republics an oppressive political system which has destroyed every vestige of democracy, civil liberties, and religious freedom;

Whereas the people of Estonia, Latvia, and Lithuania find themselves today subjugated by the U.S.S.R., locked into a union they deplore, denied basic human rights, and persecuted for daring to protest;

Whereas the U.S.S.R. refuses to abide by the Helsinki accords which the U.S.S.R. voluntarily signed;

Whereas the United States stands as a champion of liberty, dedicated to the principles of national self-determination, human rights, and religious freedom, and opposed to oppression and imperialism;

Whereas the United States, as a member of the United Nations, has repeatedly voted with a majority of that international body to uphold the right of other countries of the world, including those in Africa and Asia, to determine their fates and be free of foreign domination;

Whereas the U.S.S.R. has steadfastly refused to return to the people of the Baltic States of Latvia, Lithuania, and Estonia, the right to exist as independent republics separate and apart from the U.S.S.R. or pemit a return of personal, political, and religious freedoms, and

Whereas the U.S.S.R. conscripts Estonians, Latvians, and Lithuanians into the Soviet Armed Force, compelling them to serve in Afghanistan, Vietnam, and Cuba: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States recognizes the continuing desire and the right of the people of Lithuania, Latvia, and Estonia for freedom and independence from the domination of the U.S.S.R. and deplores the refusal of the U.S.S.R. to recognize the sovereignty of the Baltic Republics and to yield to their rightful demands for independence from foreign domination and oppression and that the fourteenth day of June 1985, the anniversay of the mass deportation of Baltic peoples from their homelands in 1941, be designated "Baltic Freedom Day" as a symbol of the solidarity of the American people with the aspirations of the enslaved Baltic people and that the President of the United States be authorized and requested to issue a proclamation for the observance of Baltic Freedom Day with appropriate ceremonies and activities.

NATIONAL ASTHMA AND ALLERGY AWARENESS WEEK

The joint resolution (S.J. Res. 83) designating the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 83

Whereas asthma and allergic diseases result in physical, emotional, and economic hardship for more than thirty-five million Americans and their families;

Whereas thousands of Americans, many of them young, die each year from asthma even though sufficient medical knowledge and resources exist to prevent many asthma-related deaths;

Whereas student absenteeism is due in significant part to asthma and allergic diseases;

Whereas environmental conditions in the workplace often cause or exacerbate asthma and allergic diseases among employees;

Whereas many hospital patients suffer allergic reactions to prescribed medications;

Whereas it is estimated that the American public pays $4,000,000,000 per year in medical bills directly attributable to the treatment and diagnosis of asthma and allergic diseases and pays another $2,000,000,000 per year as a result of the indirect social cost of such illnesses;

Whereas, because of recent developments in the study of immunology, health care providers are better equipped to diagnose and treat asthma and allergic diseases; and

Whereas increased public awareness of recent scientific advancements in the study of immunology will help many of the common misconceptions concerning asthma, allergic diseases, and the victims of those illnesses: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning on May 5, 1985, is hereby designated as "National Asthma and Allergy Awareness Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

NATIONAL POW/MIA RECOGNITION DAY

The joint resolution (S.J. Res. 87) to provide for the designation of July 19, 1985, as "National POW/MIA Recognition Day," was considered.

Mr. MURKOWSKI. Mr. President, I rise today to urge the support of my colleagues for Senate Joint Resolution 87 which I introduced on March 19. This resolution would designate July 19, 1985, as "National POW/MIA Recognition Day," and would conform with 6 previous such days that have served as an important symbol of the gratitude all Americans feel toward those who were interned while serving bravely in defense of our Nation as well as those servicepersons who have yet to be accounted for and who remain missing in action. Senate Joint Resolution 87 was reported unanimously from the Judiciary Committee on May 2.

The intent of this special day is to provide proper recognition to those brave Americans who rendered honorable and faithful service to their country, often under very brutal and inhuman conditions.

This resolution honors those missing heroes and those who endured terrible pain and deprivation before they were returned to their families and to the country for which they fought so courageously. For the prisoners of war, comfort was believing that America was still working for their release. Their endurance through such arduous times reflected their faith in our country's efforts to obtain their freedom. The missing-in-action and their families need to know that the search will not end until all who are missing are accounted for. Those who have suffered such hardship keep their faith by remembering the ideals and people which have guided them and

which have provided the justification for their endurance of such hardships. In turn, we must never forget them.

A POW/MIA Recognition Day accords to the POW's, MIA's, and their families, our very special thanks for their many sacrifices and special contributions. By this gesture, we enhance ourselves as a nation and keep in mind that there have been and will always be those to serve so that our country can remain strong and free.

In addition to its symbolic value, "National POW/MIA Recognition Day," would serve to increase public awareness in the United States and throughout the world that there remain almost 2,500 servicemen and civilians still unaccounted for in Indochina. During the last 3 years, the Governments of Laos and Vietnam have taken the first steps toward cooperation, compelled, in part, by a sensitivity to the increased public awareness of this significant humanitarian concern.

The designation of July 19 will coincide with the activities planned by the National League of Families of American Prisoners and Missing in Southeast Asia.

The league is holding its 16th annual meeting in Washington, DC, during the week of July 14-20, 1985. The league is the only organization comprised solely of family members—membership approximately 2,000—of American POW/MIA's. The league's efforts to increase public awareness have played an important role in the progress made to date with the Indochinese governments.

I believe that it is important that we continue the vigil for our missing Americans and that we reaffirm our support for the effort to resolve their fate. To underline this commitment, I urge my colleagues to join with me in a mutually bipartisan spirit to honor these most patriotic citizens, the former prisoners-of-war and the missing-in-action, on July 19, 1985.

The joint resolution was ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 87

Whereas the United States has fought in many wars;

Whereas thousands of American prisoners of war were subjected to brutal and inhuman treatment by their enemy captors in violation of international codes and customs for the treatment of prisoners of war and many such prisoners of war died from such treatment;

Whereas many Americans missing in action remain unaccounted for and the uncertainty surrounding their fate has caused their families to suffer acute hardship; and

Whereas the sacrifices of American prisoners of war and Americans missing in action and their families are deserving of national recognition: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the nineteenth day of July 1985 shall be designated as "National P.O.W./M.I.A. Recognition Day" and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to commemorate such day with appropriate activities.

NATIONAL FOSTER GRANDPARENTS MONTH

The Senate proceeded to consider the joint resolution (S.J. Res. 92) to designate October 1985 as "National Foster Grandparents Month."

Mr. DENTON. Mr. President, on March 26, 1985, I introduced Senate Joint Resolution 92, a resolution designating the month of October 1985 as "National Foster Grandparents Month." On May 2, the resolution was unanimously reported to the full Senate by the Judiciary Committee.

The Foster Grandparent Program, which is part of ACTION, the national volunteer agency, celebrates its 20th anniversary this year. When it was first established in 1965, there were 33 projects in 27 States, involving 782 foster grandparent volunteers; today, approximately 19,000 foster grandparents are serving 65,000 children in 245 projects jointly funded by Federal and private sectors and in eight totally non-federally funded projects. The projects are located in all 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

The program recruits foster grandparent volunteers, usually low-income people who are age 60 or over. The volunteers are given 40 hours of preservice training and orientation, and thereafter are supervised by child-care teams in the agencies, in which they serve 20 hours each week.

The volunteers provide unique, personal guidance and care to tens of thousands of physically, emotionally, and mentally handicapped children, and to children who are abused, neglected, in the juvenile justice system, or in need of other special help.

The program brings benefits to all who participate, and to the Nation. The volunteers benefit from improved health, increased independence, decreased isolation, and lessened financial burdens; the children served make great gains in their physical, social, and psychological development. For many children, the love of a foster grandparent is the first personal warmth and concern they have ever known.

The Foster Grandparent Program is one of the most meaningful social service programs ever developed, providing volunteers with opportunities to participate creatively in community service. Their activities continue to improve our society's attitude about the ability of retired persons to help solve social problems. The foster grandparent volunteers represent a tremendous return on tax dollars, and are of a great value to the American people.

By designating October 1985 as "National Foster Grandparents Month" we will give the volunteers the recognition they so rightly deserve.

I urge my colleagues to support the joint resolution.

The joint resolution ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 92

Whereas the Foster Grandparent Program celebrates its twentieth anniversary in 1985;

Whereas the Foster Grandparent Program, administered by the national volunteer agency known as the ACTION Agency, was the first Federal program to provide older individuals with opportunities for retirement to service as an alternative to retirement from activity;

Whereas older individuals participating in the Foster Grandparent Program have provided unique, personal guidance and care to tens of thousands of physically, emotionally, and mentally handicapped chidren and children who are abused, neglected, in the juvenile justice system, or in need of special help;

Whereas in its first year of operation the Foster Grandparent Program established 33 projects in 27 States and involved 782 Foster grandparent volunteers;

Whereas today approximately 19,000 Foster Grandparents are serving some 65,000 children in 245 projects in the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia;

Whereas the growth of the Foster Grandparent Program reflects increasing public and institutional awareness of the enormous benefit that such Program brings to all who participate in it and to the Nation: the volunteers benefit from improved health, increased independence, decreased isolation, and lessened finanical burdens; and the children who are served make great gains in their physical, social, and psychological development, and the love of a Foster Grandparent is for many children the first personal warmth and concern they have known;

Whereas the service of Foster Grandparent volunteers represents a tremendous return on tax dollars and a great value to the American people;

Whereas the Foster Grandparent Program is one of the most meaningful social service programs ever developed, providing older individuals with opportunities to participate crucially and creatively in community service; and

Whereas the activities of Foster Grandparent volunteers continue to improve the public attitude concerning older individuals and to demonstrate the importance of using the expertise of retired persons to help solve social problems: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 1985 is designated as "National Foster Grandparent Month", and the President is authorized and requested to issue a proclamation call-

ing upon all government agenies, interested organizations, community groups, and the people of the Unted States to celebrate the twentieth anniversary of the Foster Grandparent Program by observing such month with appropriate ceremonies and activities.

BETTER HEARING AND SPEECH MONTH

The joint resolution (S.J. Res. 93) to designate the month of May 1985 as "Better Hearing and Speech Month," was considered.

Mr. GLENN. Mr. President, I am pleased to be a cosponsor of legislation designating May 1985 as Better Hearing and Speech Month. This resolution will promote awareness of the needs and the abilities of the communicatively disabled. Such awareness, along with understanding and compassion on the part of the nondisabled, has helped, and must continue to help, the hearing and speech handicapped to achieve their full potential.

My wife Annie is just one of millions of communicatively impaired people who has mastered her disability and has capitalized on her other, considerable skills and talents. It is from personal experience, then, that I have seen the extraordinary gains which can be made as long as the able-bodied recognize that, along with their special needs, the handicapped possess special abilities.

It is essential that we all realize what handicapped persons have long known—a disability is not an adversity to which one surrenders but an obstacle to overcome.

The PRESIDING OFFICER. The question is on a third reading.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 93

Whereas more than fifteen million Americans of all ages experience some form of hearing impairment, ranging from mild hearing loss to profound deafness;

Whereas more than ten million Americans of all ages experience some form of speech or language impairment;

Whereas the deaf, hard of hearing, and speech or language impaired have made significant contributions to society in virtually every occupational category and profession;

Whereas those with communication disorders continue to encounter impediments and obstacles which limit their education and employment opportunities; and

Whereas the remaining barriers which prevent the communicatively handicapped from fulfilling their potential must be recognized and eliminated: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May 1985 is designated "Better Hearing and Speech Month" and the President is requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

VERY SPECIAL ARTS U.S.A. MONTH

The joint resolution (S.J. Res. 103) to designate the month of May 1985, as "Very Special Arts U.S.A. Month," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 103

Whereas programs involving the arts enhance the learning and enrich the lives of disabled individuals;

Whereas arts with the handicapped is a means of integrating disabled individuals into the mainstream of education and cultural society;

Whereas programs bringing arts to the handicapped inform the general public, parents, volunteers, and the business community of the value of arts to the disabled;

Whereas the emphasis is needed to expand support for arts programs with the handicapped and to increase participation and commitment of the community and educators to these activities;

Whereas the National Committee, Arts with the Handicapped, an educational affiliate of the John F. Kennedy Center for the Performing Arts has successfully entered into its eleventh year as the coordinating agency for arts programs for disabled children, youth, and adults; and

Whereas the National Committee conducts education programs in all fifty States, the District of Columbia, and the Commonwealth of Puerto Rico to assure that all disabled individuals have access to programs which bring the arts into their lives: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May, 1985, is designated as "Very Special Arts U.S.A. Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate programs, ceremonies, and activities.

TIME OF REMEMBRANCE FOR VICTIMS OF TERRORISM

The Senate proceeded to consider the joint resolution (S.J. Res. 104) to proclaim October 23, 1985, as "A Time of Remembrance" for all victims of terrorism throughout the world.

Mr. DENTON. Mr. President, on April 3, 1985, Senator LEAHY and I, along with 35 other cosponsors, introduced Senate Joint Resolution 104, a joint resolution proclaiming October 23, 1985, as a "Time of Remembrance" for all victims of terrorism throughout the world. On May 2, the resolution was unanimously reported to the full Senate by the Judiciary Committee. I believe it is especially appropriate that we take up consideration of Senate Joint Resolution 104 during this period in which we honor the memory of the victims of the Holocaust.

Mr. President, on September 28, 1984, the President signed into law Senate Joint Resolution 336, a joint resolution proclaiming October 23, 1984, as "A Time of Remembrance" for all victims of terrorism throughout the world and marking the first anniversary of the terrorist attack on the multinational peacekeeping mission in Beirut, Lebanon. I was proud to be the sponsor of that joint resolution which 59 of my colleagues cosponsored.

On October 19, the President issued a proclamation, called for by the joint resolution, urging "all Americans to take time to reflect on the sacrifices that have been made in the pursuit of peace and freedom * * *" and calling upon "the departments and agencies of the United States and interested organizations, groups, and individuals to fly U.S. flags at half staff throughout the world in the hope that the desire for peace and freedom take firm root in every person and every nation."

The originating and driving organization behind this effort was No Greater Love, a national nonprofit, nonpolitical humanitarian organization dedicated to providing programs of care and friendship to children whose parents have been killed while serving our country. On October 23, No Greater Love sponsored a commemorative ceremony marking a time of remembrance at Arlington National Cemetery. This ceremony proved to be one of international significance and success. Letters of support and appreciation for this effort were received from diplomatic officials, Governors, organizations, and individuals from across the Nation and around the world.

In light of the tremendous response to the declaration of October 23, 1984, as "A Time of Remembrance," and because of the continuing tragedy of world-wide terrorism families of the victims of terrorism have requested that "A Time of Remembrance" be made an annual occurrence. This would not only make us all more aware of the need to confront the problem of terrorism but would also assure the families that their loved ones who lost their lives in the service of our country would continue to be honored and that their service and sacrifice would never be forgotten by those whom they served.

Mr. President, I urge my colleagues to support Senate Joint Resolution 104.

The joint resolution was ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 104

Whereas the problem of terrorism has become an international concern that knows

no boundaries—religious, racial, political, or national;

Whereas thousands of men, women, and children have died at the hands of terrorists in nations around the world, and today terrorism continues to claim the lives of many peace-loving individuals;

Whereas October 23, 1983, is the date on which the largest number of Americans were killed in a single act of terrorism—the bombing of the United States compound in Beirut, Lebanon, in which two hundred and forty-one United States servicemen lost their lives;

Whereas many of these victims died defending ideals of peace and freedom; and

Whereas it is appropriate to honor all victims of terrorism, and in America to console the families of victims, and to cherish the freedom that their sacrifices make possible for all Americans: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 23, 1985, be proclaimed as "A Time of Remembrance", to urge all Americans to take time to reflect on the sacrifices that have been made in the pursuit of peace and freedom, and to promote active participation by the American people through the wearing of a purple ribbon, a symbol of patriotism, dignity, loyalty, and martyrdom. The President is authorized and requested to issue a proclamation calling upon the departments and agencies of the United States and interest organizations, groups, and individuals to fly the United States flags at half staff throughout the world in the hope that the desire for peace and freedom take firm root in every person and every nation.

MISSING CHILDREN DAY

The joint resolution (S.J. Res. 118) to designate May 25, 1985, as "Missing Children Day," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 118

Whereas on May 25, 1979, six-year-old Etan Patz disappeared from his home in New York City and is still missing;

Whereas over one million eight hundred thousand children disappear from home annually;

Whereas children who are missing from home and are not living in a family environment are frequently the victims of sexual and physical exploitation;

Whereas an estimated 60 per centum of missing children are sexually abused while away from home;

Whereas the search for missing children is frequently a low-priority investigation in many law enforcement agencies;

Whereas efforts between Federal and local law enforcement agencies in child abduction cases are usualy uncoordinated, haphazard, and ineffective; and

Whereas the problem of the missing child has been plagued by misinformation and there is a need to increase public understanding and awareness of this problem: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 25, 1985, is designated as "Missing Children Day", and the President is authorized and requested to issue a proclamation calling upon all Government agencies and the people of the United States to observe the day with appropriate ceremonies, programs, and activities.

OLDER AMERICANS MONTH

The joint resolution (H.J. Res. 195) designating May 1985 as "Older Americans Month," was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

DR. JONAS E. SALK DAY

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 258, a joint resolution to designate "Dr. Jonas E. Salk Day."

The PRESIDING OFFICER. The joint resolution will be stated by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 258) to designate May 6, 1985, as "Dr. Jonas E. Salk Day."

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (H.J. Res. 258) was ordered to a third reading, and was read the third time, and passed.

The preamble was agreed to.

Mr. DOLE. Mr. President, I move to indefinitely postpone the Senate companion bill, Calendar No. 105 (S.J. Res. 123).

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT ADMINISTRATION AMENDMENTS ACT OF 1985

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 883.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 883) entitled "An Act to extend the Export Administration Act of 1979", do pass with the following amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

Titles I and II of this Act may be cited as the "Export Administration Amendments Act of 1985".

TITLE I—AMENDMENTS TO EXPORT ADMINISTRATION ACT OF 1979

SEC. 101. REFERENCE TO THE ACT.

Except as a otherwise expressly provided, whenever in this title an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Export Administration Act of 1979.

SEC. 102. FINDINGS.

Section 2 (50 U.S.C. App. 2401) is amended as follows:

(1) Paragraph (2) is amended by striking out "by strengthening the trade balance and the value of the United States dollar, thereby reducing inflation" and inserting in lieu thereof "by earning foreign exchange, thereby contributing favorably to the trade balance".

(2) Paragraph (3) is amended by striking out "which would strengthen the Nation's economy" and inserting in lieu thereof "consistent with the economic, security, and foreign policy objectives of the United States".

(3) Paragraph (6) is amended to read as follows:

"(6) Uncertainty of export control policy can inhibit the efforts of United States business and work to the detriment of the overall attempt to improve the trade balance of the United States.".

(4) Paragraph (9) is amended by striking out "achievement of a positive balance of payments" and inserting in lieu thereof "a positive contribution to the balance of payments".

(5) Section 2 is amended by adding at the end the following:

"(10) It is important that the administration of export controls imposed for foreign policy purposes give special emphasis to the need to control exports of goods and substances hazardous to the public health and the environment which are banned or severely restricted for use in the United States, and which, if exported, could affect the international reputation of the United States as a responsible trading partner.

"(11) The acquisition of national security sensitive goods and technology by the Soviet Union and other countries, the actions or policies of which run counter to the national security interests of the United States, has led to the significant enhancement of Soviet bloc military-industrial capabilities. This enhancement poses a threat to the security of the United States, its allies, and other friendly nations, and places additional demands on the defense budget of the United States.

"(12) Availability to controlled countries of goods and technology from foreign sources is a fundamental concern of the United States and should be eliminated through negotiations and other appropriate means whenever possible.

"(13) Excessive dependence of the United States, its allies, or countries sharing common strategic objectives with the United States, on energy and other critical resources from potential adversaries can be harmful to the mutual and individual security of all those countries.".

SEC. 103. DECLARATION OF POLICY.

Section 3 (50 U.S.C. App. 2402) is amended as follows:

(1) Paragraph (3) is amended by inserting before the period at the end "or common strategic objectives".

(2) Paragraph (7) is amended—

(A) by striking out "every reasonable effort" in the second sentence and inserting in lieu thereof "reasonable and prompt efforts"; and

(B) by striking out "resorting to the imposition of controls on exports from the United States" in the second sentence and inserting in lieu thereof "imposing export controls".

(3) Paragraph (8) is amended—

(A) by striking out "every reasonable effort" in the second sentence and inserting in lieu thereof "reasonable and prompt efforts"; and

(B) by striking out "resorting to the imposition of export controls" in the second sen-

tence and inserting in lieu thereof "imposing export controls".

(4) Paragraph (9) is amended—

(A) by inserting "or common strategic objectives" after "commitments" each place it appears; and

(B) by inserting before the period at the end the following: ", and to encourage other friendly countries to cooperate in restricting the sale of goods and technology that can harm the security of the United States".

(5) Section 3 is amended by adding at the end the following:

"(12) It is the policy of the United States to sustain vigorous scientific enterprise. To do so involves sustaining the ability of scientists and other scholars freely to communicate research findings, in accordance with applicable provisions of law, by means of publication, teaching, conferences, and other forms of scholarly exchange.

"(13) It is the policy of the United States to control the export of goods and substances banned or severely restricted for use in the United States in order to foster public health and safety and to prevent injury to the foreign policy of the United States as well as to the credibility of the United States as a responsible trading partner.

"(14) It is the policy of the United States to cooperate with countries which are allies of the United States and countries which share common strategic objectives with the United States in minimizing dependence on imports of energy and other critical resources from potential adversaries and in developing alternative supplies of such resources in order to minimize strategic threats posed by excessive hard currency earnings derived from such resource exports by countries with policies adverse to the security interests of the United States.

"(15) It is the policy of the United States, particularly in light of the Soviet massacre of innocent men, women, and children aboard Korean Air Lines flight 7, to continue to object to exceptions to the International Control List for the Union of Soviet Socialist Republics, subject to periodic review by the President.".

SEC. 104. GENERAL PROVISIONS.

(a) VALIDATED LICENSES AUTHORIZING MULTIPLE EXPORTS.—Section 4(a)(2) (50 U.S.C. App. 2403(a)(2)) is amended to read as follows:

"(2) Validated licenses authorizing multiple exports, issued pursuant to an application by the exporter, in lieu of an individual validated license for each such export, including, but not limited to, the following:

"(A) A distribution license, authorizing exports of goods to approved distributors or users of the goods in countries other than controlled countries. The Secretary shall grant the distribution license primarily on the basis of the reliability of the applicant and foreign consignees with respect to the prevention of diversion of goods to controlled countries. The Secretary shall have the responsibility of determining, with the assistance of all appropriate agencies, the reliability of applicants and their immediate consignees. The Secretary's determination shall be based on appropriate investigations of each applicant and periodic reviews of licensees and their compliance with the terms of licenses issued under this Act. Factors such as the applicant's products or volume of business, or the consignees' geographic location, sales distribution area, or degree of foreign ownership, which may be relevant with respect to individual cases, shall not be determinative in creating categories or general criteria for the denial of applications or withdrawal of a distribution license.

"(B) A comprehensive operations license, authorizing exports and reexports of technology and related goods, including items from the list of militarily critical technologies developed pursuant to section 5(d) of this Act which are included on the control list in accordance with that section, from a domestic concern to and among its foreign subsidiaries, affiliates, joint venturers, and licensees that have long-term, contractually defined relations with the exporter, are located in countries other than controlled countries, and are approved by the Secretary. The Secretary shall grant the license to manufacturing, laboratory, or related operations on the basis of approval of the exporter's systems of control, including internal proprietary controls, applicable to the technology and related goods to be exported rather than approval of individual export transactions. The Secretary and the Commissioner of Customs, consistent with their authorities under section 12(a) of this Act, and with the assistance of all appropriate agencies, shall periodically, but not less frequently than annually, perform audits of licensing procedures under this subparagraph in order to assure the integrity and effectiveness of those procedures.

"(C) A project license, authorizing exports of goods or technology for a specified activity.

"(D) A service supply license, authorizing exports of spare or replacement parts for goods previously exported.".

(b) CONTROL LIST.—Section 4(b) is amended—

(1) by striking out "Commodity" and "commodity"; and

(2) by striking out "consisting of any goods or technology subject to export controls under this Act" and inserting in lieu thereof "stating license requirements (other than for general licenses) for exports of goods and technology under this Act".

(c) FOREIGN AVAILABILITY.—Section 4(c) is amended—

(1) by striking out "significant" and inserting in lieu thereof "sufficient";

(2) by inserting after "those produced in the United States" the following: "so as to render the controls ineffective in achieving their purposes"; and

(3) by adding at the end the following: "In complying with the provisions of this subsection, the President shall give strong emphasis to bilateral or multilateral negotiations to eliminate foreign availability. The Secretary and the Secretary of Defense shall cooperate in gathering information relating to foreign availability, including the establishment and maintenance of a jointly operated computer system.".

(d) NOTIFICATION OF PUBLIC AND CONSULTATION WITH BUSINESS.—Section 4(f) is amended to read as follows:

"(f) NOTIFICATION OF THE PUBLIC; CONSULTATION WITH BUSINESS.—The Secretary shall keep the public fully apprised of changes in export control policy and procedures instituted in conformity with this Act with a view to encouraging trade. The Secretary shall meet regularly with representatives of a broad spectrum of enterprises, labor organizations, and citizens interested in or affected by export controls, in order to obtain their views on United States export control policy and the foreign availability of goods and technology.".

SEC. 105. NATIONAL SECURITY CONTROLS.

(a) AUTHORITY.—

(1) TRANSFERS TO EMBASSIES OF CONTROLLED COUNTRIES.—Section 5(a)(1) (50 U.S.C. App. 2404(a)(1)) is amended by inserting after the first sentence the following new sentence: "The authority contained in this subsection includes the authority to prohibit or curtail the transfer of goods or technology within the United States to embassies and affiliates of controlled countries.".

(2) CLERICAL AMENDMENT.—Section 5(a)(2) is amended—

(A) by striking out "(A)"; and

(B) by striking out subparagraph (B).

(3) SAFEGUARDS TO PREVENT DIVERSIONS.—Section 5(a)(3) is amended by striking out the last sentence.

(b) POLICY TOWARD INDIVIDUAL COUNTRIES.—

(1) CONTROLLED COUNTRIES.—Section 5(b) is amended by striking out the first sentence and inserting in lieu thereof the following: "(1) In administering export controls for national security purposes under this section, the President shall establish as a list of controlled countries those countries set forth in section 620(f) of the Foreign Assistance Act of 1961, except that the President may add any country to or remove any country from such list of controlled countries if he determines that the export of goods or technology to such country would or would not (as the case may be) make a significant contribution to the military potential of such country or a combination of countries which would prove detrimental to the national security of the United States. In determining whether a country is added to or removed from the list of controlled countries, the President shall take into account—

"(A) the extent to which the country's policies are adverse to the national security interests of the United States;

"(B) the country's Communist or non-Communist status;

"(C) the present and potential relationship of the country with the United States;

"(D) the present and potential relationships of the country with countries friendly or hostile to the United States;

"(E) the country's nuclear weapons capability and the country's compliance record with respect to multilateral nuclear weapons agreements to which the United States is a party; and

"(F) such other factors as the President considers appropriate.

Nothing in the preceding sentence shall be interpreted to limit the authority of the President provided in this Act to prohibit or curtail the export of any goods or technology to any country to which exports are controlled for national security purposes other than countries on the list of controlled countries specified in this paragraph.".

(2) EXPORTS TO COCOM COUNTRIES.—Section 5(b) is amended by adding at the end the following:

"(2) No authority or permission to export may be required under this section before goods or technology are exported in the case of exports to a country which maintains export controls on such goods or technology cooperatively with the United States pursuant to the agreement of the group known as the Coordinating Committee, if the goods or technology is at such a level of performance characteristics that the export of the goods or technology to controlled countries requires only notification of the participating governments of the Coordinating Committee.".

(3) TECHNICAL AMENDMENT.—Section 5(b)(1), as amended by paragraph (1) of this subsection, is amended in the last sentence by striking out "specified in the preceding sen-

tence" and inserting in lieu thereof "set forth in this paragraph".

(c) CONTROL LIST.—

(1) ANNUAL REVIEW.—Section 5(c) is amended—

(A) in paragraph (1) by striking out "commodity"; and

(B) by amending paragraph (3) to read as follows:

"(3) The Secretary shall review the list established pursuant to this subsection at least once each year in order to carry out the policy set forth in section 3(2)(A) of this Act and the provisions of this section, and shall promptly make such revisions of the list as may be necessary after each such review. Before beginning each annual review, the Secretary shall publish notice of that annual review in the Federal Register. The Secretary shall provide an opportunity during such review for comment and the submission of data, with or without oral presentation, by interested Government agencies and other affected or potentially affected parties. The Secretary shall publish in the Federal Register any revisions in the list, with an explanation of the reasons for the revisions. The Secretary shall further assess, as part of such review, the availability from sources outside the United States of goods and technology comparable to those subject to export controls imposed under this section.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1)(B) of this subsection shall take effect on October 1, 1985.

(d) EXPORT LICENSES.—Section 5(e) is amended—

(1) in paragraph (1) by striking out "a qualified general license in lieu of a validated license" and inserting in lieu thereof "the multiple validated export licenses described in section 4(a)(2) of this Act in lieu of individual validated licenses"; and

(2) by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) The Secretary, subject to the provisions of subsection (1) of this section, shall not require an individual validated export license for replacement parts which are exported to replace on a one-for-one basis parts that were in a good that has been lawfully exported from the United States.

"(4) The Secretary shall periodically review the procedures with respect to the multiple validated export licenses, taking appropriate action to increase their utilization by reducing qualification requirements or lowering minimum thresholds, to combine procedures which overlap, and to eliminate those procedures which appear to be of marginal utility.

"(5) The export of goods subject to export controls under this section shall be eligible, at the discretion of the Secretary, for a distribution license and other licenses authorizing multiple exports of goods, in accordance with section 4(a)(2) of this Act. The export of technology and related goods subject to export controls under this section shall be eligible for a comprehensive operations license in accordance with section 4(a)(2)(B) of this Act.".

(e) INDEXING.—Section 5(g) is amended to read as follows:

"(g) INDEXING.—In order to ensure that requirements for validated licenses and other licenses authorizing multiple exports are periodically removed as goods or technology subject to such requirements becomes obsolete with respect to the national security of the United States, regulations issued by the Secretary may, where appropriate, provide for annual increases in the performance levels of goods or technology subject to any such licensing requirement. The regulations issued by the Secretary shall establish as one criterion for the removal of goods or technology from such license requirements the anticipated needs of the military of controlled countries. Any such goods or technology which no longer meets the performance levels established by the regulations shall be removed from the list established pursuant to subsection (c) of this section unless, under such exceptions and under such procedures as the Secretary shall prescribe, any other department or agency of the United States objects to such removal and the Secretary determines, on the basis of such objection, that the goods or technology shall not be removed from the list. The Secretary shall also consider, where appropriate, removing site visitation requirements for goods and technology which are removed from the list unless objections described in this subsection are raised.".

(f) MULTILATERAL EXPORT CONTROLS.—Section 5(i) is amended—

(1) by striking out paragraph (3);

(2) in paragraph (4)—

(A) by striking out "(4)" and inserting in lieu thereof "(3)"; and

(B) by striking out "pursuant to paragraph (3)" and inserting in lieu thereof "by the members of the Committee"; and

(3) by adding at the end the following:

"(4) Agreement to enhance full compliance by all parties with the export controls imposed by agreement of the Committee through the establishment of appropriate mechanisms.

"(5) Agreement to improve the International Control List and minimize the approval of exceptions to that list, strengthen enforcement and cooperation in enforcement efforts, provide sufficient funding for the Committee, and improve the structure and function of the Secretariat of the Committee by upgrading professional staff, translation services, data base maintenance, communications, and facilities.

"(6) Agreement to coordinate the systems of export control documents used by the participating governments in order to verify effectively the movement of goods or technology subject to controls by the Committee from the country of any such government to any other place.

"(7) Agreement to establish uniform, adequate criminal and civil penalties to deter more effectively diversions of items controlled for export by agreement of the Committee.

"(8) Agreement to increase on-site inspections by national enforcement authorities of the participating governments to ensure that end users who have imported items controlled for export by agreement of the Committee are using such items for the stated end uses, and that such items are, in fact, under the control of those end users.

"(9) Agreement to strengthen the Committee so that it functions effectively in controlling export trade in a manner that better protects the national security of each participant to the mutual benefit of all participants.".

(g) COMMERCIAL AGREEMENTS WITH CERTAIN COUNTRIES.—Section 5(j) is amended to read as follows:

"(j) COMMERCIAL AGREEMENTS WITH CERTAIN COUNTRIES.—(1) Any United States firm, enterprise, or other nongovernmental entity which enters into an agreement with any agency of the government of a controlled country, that calls for the encouragement of technical cooperation and that is intended to result in the export from the United States to the other party of unpublished technical data of United States origin, shall report to the Secretary the agreement with such agency in sufficient detail.

"(2) The provisions of paragraph (1) shall not apply to colleges, universities, or other educational institutions.".

(h) NEGOTIATIONS WITH OTHER COUNTRIES.—Section 5(k) is amended—

(1) by inserting after "conducting negotiations with other countries" the following: ", including those countries not participating in the group known as the Coordinating Committee,"; and

(2) by adding at the end the following: "In cases where such negotiations produce agreements on export restrictions comparable in practice to those maintained by the Coordinating Committee, the Secretary shall treat exports, whether by individual or multiple licenses, to countries party to such agreements in the same manner as exports to members of the Coordinating Committee are treated, including the same manner as exports are treated under subsection (b)(2) of this section and section 10(o) of this Act.".

(i) DIVERSION OF CONTROLLED GOODS OR TECHNOLOGY.—Section 5(l) is amended to read as follows:

"(l) DIVERSION OF CONTROLLED GOODS OR TECHNOLOGY.—(1) Whenever there is reliable evidence, as determined by the Secretary, that goods or technology which were exported subject to national security controls under this section to a controlled country have been diverted to an unauthorized use or consignee in violation of the conditions of an export license, the Secretary for as long as that diversion continues—

"(A) shall deny all further exports, to or by the party or parties responsible for that diversion or who conspired in that diversion, of any goods or technology subject to national security controls under this section, regardless of whether such goods or technology are available from sources outside the United States; and

"(B) may take such additional actions under this Act with respect to the party or parties referred to in subparagraph (A) as the Secretary determines are appropriate in the circumstances to deter the further unauthorized use of the previously exported goods or technology.

"(2) As used in this subsection, the term 'unauthorized use' means the use of United States goods or technology in the design, production, or maintenance of any item on the United States Munitions List, or the military use of any item on the International Control List of the Coordinating Committee.".

(j) ADDITIONAL NATIONAL SECURITY PROVISIONS.—Section 5 is amended by adding at the end the following new subsections:

"(m) GOODS CONTAINING MICROPROCESSORS.—Export controls may not be imposed under this section on a good solely on the basis that the good contains an embedded microprocessor, if such microprocessor cannot be used or altered to perform functions other than those it performs in the good in which it is embedded. An export control may be imposed under this section on a good containing an embedded microprocessor referred to in the preceding sentence only on the basis that the functions of the good itself are such that the good, if exported, would make a significant contribution to the military potential of any other country or combination of countries which

would prove detrimental to the national security of the United States.

"(n) SECURITY MEASURES.—The Secretary and the Commissioner of Customs, consistent with their authorities under section 12(a) of this Act, and in consultation with the Director of the Federal Bureau of Investigation, shall provide advice and technical assistance to persons engaged in the manufacture or handling of goods or technology subject to export controls under this section to develop security systems to prevent violations or evasions of those export controls.

"(o) RECORDKEEPING.—The Secretary, the Secretary of Defense, and any other department or agency consulted in connection with a license application under this Act or a revision of a list of goods or technology subject to export controls under this Act, shall make and keep records of their respective advice, recommendations, or decisions in connection with any such license application or revision, including the factual and analytical basis of the advice, recommendations, or decisions.

"(p) NATIONAL SECURITY CONTROL OFFICE.—To assist in carrying out the policy and other authorities and responsibilities of the Secretary of Defense under this section, there is established in the Department of Defense a National Security Control Office under the direction of the Under Secretary of Defense for Policy. The Secretary of Defense may delegate to that office such of those authorities and responsibilities, together with such ancillary functions, as the Secretary of Defense considers appropriate.

"(q) EXCLUSION FOR AGRICULTURAL COMMODITIES.—This section does not authorize export controls on agricultural commodities, including fats, oils, and animal hides and skins.".

SEC. 106. MILITARILY CRITICAL TECHNOLOGIES.

(a) Section 5(d) (50 U.S.C. App. 2404(d)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B) by striking out "and" after "test equipment,";

(B) by adding "and" at the end of subparagraph (C);

(C) by inserting after subparagraph (C) the following:

"(D) keystone equipment which would reveal or give insight into the design and manufacture of a United States military system,"; and

(D) by striking out "countries to which exports are controlled under this section" and inserting in lieu thereof the following: ", or available in fact from sources outside the United States to, controlled countries"; and

(2) by striking out paragraphs (4) through (6) and inserting in lieu thereof the following:

"(4) The Secretary and the Secretary of Defense shall integrate items on the list of militarily critical technologies into the control list in accordance with the requirements of subsection (c) of this section. The integration of items on the list of militarily critical technologies into the control list shall proceed with all deliberate speed. Any disagreement between the Secretary and the Secretary of Defense regarding the integration of an item on the list of militarily critical technologies into the control list shall be resolved by the President. Except in the case of a good or technology for which a validated license may be required under subsection (f)(4) or (h)(6) of this section, a good or technology shall be included on the control list only if the Secretary finds that controlled countries do not possess that good or technology, or a functionally equivalent good or technology, and the good or technology or functionally equivalent good or technology is not available in fact to a controlled country from sources outside the United States in sufficient quantity and of comparable quality so that the requirement of a validated license for the export of such good or technology is or would be ineffective in achieving the purpose set forth in subsection (a) of this section. The Secretary and the Secretary of Defense shall jointly submit a report to the Congress, not later than 1 year after the date of the enactment of the Export Administration Amendments Act of 1985, on actions taken to carry out this paragraph. For the purposes of this paragraph, assessment of whether a good or technology is functionally equivalent shall include consideration of the factors described in subsection (f)(3) of this section.

"(5) The Secretary of Defense shall establish a procedure for reviewing the goods and technology on the list of militarily critical technologies at least annually for the purpose of removing from the list of militarily critical technologies any goods or technology that are no longer militarily critical. The Secretary of Defense may add to the list of militarily critical technologies any good or technology that the Secretary of Defense determines is militarily critical, consistent with the provisions of paragraph (2) of this subsection. If the Secretary and the Secretary of Defense disagree as to whether any change in the list of militarily critical technologies by the addition or removal of a good or technology should also be made in the control list, consistent with the provisions of the fourth sentence of paragraph (4) of this subsection, the President shall resolve the disagreement.

"(6) The establishment of adequate export controls for militarily critical technology and keystone equipment shall be accompanied by suitable reductions in the controls on the products of that technology and equipment.

"(7) The Secretary of Defense shall, not later than 1 year after the date of the enactment of the Export Administration Amendments Act of 1985, report to the Congress on efforts by the Department of Defense to assess the impact that the transfer of goods or technology on the list of militarily critical technologies to controlled countries has had or will have on the military capabilities of those countries.".

SEC. 107. FOREIGN AVAILABILITY.

(a) CONSULTATIONS ON FOREIGN AVAILABILITY.—Section 5(f)(1) (50 U.S.C. App. 2404(f)(1)) is amended by inserting after "The Secretary, in consultation with" the following: "the Secretary of Defense and other".

(b) DETERMINATIONS OF FOREIGN AVAILABILITY.—Section 5(f)(3) is amended to read as follows:

"(3) The Secretary shall make a foreign availability determination under paragraph (1) or (2) on the Secretary's own initiative or upon receipt of an allegation from an export license applicant that such availability exists. In making any such determination, the Secretary shall accept the representations of applicants made in writing and supported by reasonable evidence, unless such representations are contradicted by reliable evidence, including scientific or physical examination, expert opinion based upon adequate factual information, or intelligence information. In making determinations of foreign availability, the Secretary may consider such factors as cost, reliability, the availability and reliability of spare parts and the cost and quality thereof, maintenance programs, durability, quality of end products produced by the item proposed for export, and scale of production. For purposes of this paragraph, 'evidence' may include such items as foreign manufacturers' catalogues, brochures, or operation or maintenance manuals, articles from reputable trade publications, photographs, and depositions based upon eyewitness accounts.".

(c) NEGOTIATIONS ON FOREIGN AVAILABILITY.—Section 5(f)(4) is amended by striking out the first sentence and inserting in lieu thereof the following: "In any case in which export controls are maintained under this section notwithstanding foreign availability, on account of a determination by the President that the absence of the controls would prove detrimental to the national security of the United States, the President shall actively pursue negotiations with the governments of the appropriate foreign countries for the purpose of eliminating such availability. If, within 6 months after the President's determination, the foreign availability has not been eliminated, the Secretary may not, after the end of that 6-month period, require a validated license for the export of the goods or technology involved. The President may extend the 6-month period described in the preceding sentence for an additional period of 12 months if the President certifies to the Congress that the negotiations involved are progressing and that the absence of the export control involved would prove detrimental to the national security of the United States.".

(d) OFFICE OF FOREIGN AVAILABILITY.—

(1) ESTABLISHMENT.—Section 5(f)(5) is amended to read as follows:

"(5) The Secretary shall establish in the Department of Commerce an Office of Foreign Availability which, in the fiscal year 1985, shall be under the direction of the Assistant Secretary of Commerce for Trade Administration, and, in the fiscal year 1986 and thereafter, shall be under the direction of the Under Secretary of Commerce for Export Administration. The Office shall be responsible for gathering and analyzing all the necessary information in order for the Secretary to make determinations of foreign availability under this Act. The Secretary shall make available to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate at the end of each 6-month period during a fiscal year information on the operations of the Office, and on improvements in the Government's ability to assess foreign availability, during that 6-month period, including information on the training of personnel, the use of computers, and the use of Foreign Commercial Service officers. Such information shall also include a description of representative determinations made under this Act during that 6-month period that foreign availability did or did not exist (as the case may be), together with an explanation of such determinations.".

(2) CLERICAL AMENDMENT.—Section 5(f)(6) is amended by striking out "Office of Export Administration" and inserting in lieu thereof "Office of Foreign Availability".

(e) REGULATIONS ON FOREIGN AVAILABILITY.—Section 5(f) is amended by adding at the end the following new paragraph:

"(7) The Secretary shall issue regulations with respect to determinations of foreign availability under this Act not later than 6 months after the date of the enactment of

the Export Administration Amendments Act of 1985.".

(f) TECHNICAL ADVISORY COMMITTEES.—

(1) MEMBERSHIP.—Section 5(h)(1) is amended by inserting ", the intelligence community," after "Departments of Commerce, Defense, and State".

(2) MATTERS ON WHICH COMMITTEES CONSULTED.—Section 5(h)(2) is amended in the second sentence—

(A) by striking out "and" at the end of clause (C); and

(B) by inserting before the period at the end of the second sentence the following: ", and (E) any other questions relating to actions designed to carry out the policy set forth in section 3(2)(A) of this Act.".

(3) FOREIGN AVAILABILITY CERTIFICATIONS.—Section 5(h)(6) is amended by striking out "and provides adequate documentation" and all that follows through the end of the paragraph and inserting in lieu thereof the following: "the technical advisory committee shall submit that certification to the Congress at the same time the certification is made to the Secretary, together with the documentation for the certification. The Secretary shall investigate the foreign availability so certified and, not later than 90 days after the certification is made, shall submit a report to the technical advisory committee and the Congress stating that—

"(A) the Secretary has removed the requirement of a validated license for the export of the goods or technology, on account of the foreign availability,

"(B) the Secretary has recommended to the President that negotiations be conducted to eliminate the foreign availability, or

"(C) the Secretary has determined on the basis of the investigation that the foreign availability does not exist.

To the extent necessary, the report may be submitted on a classified basis. In any case in which the Secretary has recommended to the President that negotiations be conducted to eliminate the foreign availability, the President shall actively pursue such negotiations with the governments of the appropriate foreign countries. If, within 6 months after the Secretary submits such report to the Congress, the foreign availability has not been eliminated, the Secretary may not, after the end of that 6-month period, require a validated license for the export of the goods or technology involved. The President may extend the 6-month period described in the preceding sentence for an additional period of 12 months if the President certifies to the Congress that the negotiations involved are progressing and that the absence of the export control involved would prove detrimental to the national security of the United States.".

(i) STANDARD FOR FOREIGN AVAILABILITY.—Subsections (f)(1), (f)(2), and (h)(6) of section 5 are each amended by striking out "sufficient quality" and inserting in lieu thereof "comparable quality".

(j) TECHNICAL AMENDMENTS.—Subsections (f)(1), (f)(4), and (h)(6) of section 5 are each amended by striking out "countries to which exports are controlled under this section" and inserting in lieu thereof "controlled countries".

SEC. 108. FOREIGN POLICY CONTROLS.

(a) AUTHORITY.—Section 6(a) (50 U.S.C. App. 2405(a)) is amended—

(1) in paragraph (1)—

(A) by striking out "or (8)" and inserting in lieu thereof "(8), or (13)"; and

(B) by inserting in the second sentence after "Secretary of State" the following: ", the Secretary of Defense, the Secretary of Agriculture, the Secretary of the Treasury, the United States Trade Representative,";

(2) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(3) by inserting after paragraph (1) the following new paragraph:

"(2) Any export control imposed under this section shall apply to any transaction or activity undertaken with the intent to evade that export control, even if that export control would not otherwise apply to that transaction or activity."; and

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by striking out "(e)" and inserting in lieu thereof "(f)".

(b) CRITERIA.—Section 6(b) is amended to read as follows:

"(b) CRITERIA.—(1) Subject to paragraph (2) of this subsection, the President may impose, extend, or expand export controls under this section only if the President determines that—

"(A) such controls are likely to achieve the intended foreign policy purpose, in light of other factors, including the availability from other countries of the goods or technology proposed for such controls, and that foreign policy purpose cannot be achieved through negotiations or other alternative means;

"(B) the proposed controls are compatible with the foreign policy objectives of the United States and with overall United States policy toward the country to which exports are to be subject to the proposed controls;

"(C) the reaction of other countries to the imposition, extension, or expansion of such export controls by the United States is not likely to render the controls ineffective in achieving the intended foreign policy purpose or to be counterproductive to United States foreign policy interests;

"(D) the effect of the proposed controls on the export performance of the United States, the competitive position of the United States in the international economy, the international reputation of the United States as a supplier of goods and technology, or on the economic well-being of individual United States companies and their employees and communities does not exceed the benefit to United States foreign policy objectives; and

"(E) the United States has the ability to enforce the proposed controls effectively.

"(2) With respect to those export controls in effect under this section on the date of the enactment of the Export Administration Amendments Act of 1985, the President, in determining whether to extend those controls, as required by subsection (a)(3) of this section, shall consider the criteria set forth in paragraph (1) of this subsection and shall consider the foreign policy consequences of modifying the export controls.".

(c) CONSULTATION WITH INDUSTRY.—Section 6(c) is amended to read as follows:

"(c) CONSULTATION WITH INDUSTRY.—The Secretary in every possible instance shall consult with and seek advice from affected United States industries and appropriate advisory committees established under section 135 of the Trade Act of 1974 before imposing any export control under this section. Such consultation and advice shall be with respect to the criteria set forth in subsection (b)(1) and such other matters as the Secretary considers appropriate.".

(d) CONSULTATION WITH OTHER COUNTRIES.—Section 6 is amended—

(1) by redesignating subsections (d) through (k) as subsections (e) through (l), respectively; and

(2) by inserting after subsection (c) the following new subsection:

"(d) CONSULTATION WITH OTHER COUNTRIES.—When imposing export controls under this section, the President shall, at the earliest appropriate opportunity, consult with the countries with which the United States maintains export controls cooperatively, and with such other countries as the President considers appropriate, with respect to the criteria set forth in subsection (b)(1) and such other matters as the President considers appropriate.".

(e) CONSULTATION WITH THE CONGRESS.—Section 6(f), as redesignated by subsection (d) of this section, is amended to read as follows:

"(f) CONSULTATION WITH THE CONGRESS.—(1) The President may impose or expand export controls under this section, or extend such controls as required by subsection (a)(3) of this section, only after consultation with the Congress, including the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

"(2) The President may not impose, expand, or extend export controls under this section until the President has submitted to the Congress a report—

"(A) specifying the purpose of the controls;

"(B) specifying the determinations of the President (or, in the case of those export controls described in subsection (b)(2), the considerations of the President) with respect to each of the criteria set forth in subsection (b)(1), the bases for such determinations (or considerations), and any possible adverse foreign policy consequences of the controls;

"(C) describing the nature, the subjects, and the results of, or the plans for, the consultation with industry pursuant to subsection (c) and with other countries pursuant to subsection (d);

"(D) specifying the nature and results of any alternative means attempted under subsection (e), or the reasons for imposing, expanding, or extending the controls without attempting any such alternative means; and

"(E) describing the availability from other countries of goods or technology comparable to the goods or technology subject to the proposed export controls, and describing the nature and results of the efforts made pursuant to subsection (h) to secure the cooperation of foreign governments in controlling the foreign availability of such comparable goods or technology.

Such report shall also indicate how such controls will further significantly the foreign policy of the United States or will further its declared international obligations.

"(3) To the extent necessary to further the effectiveness of the export controls, portions of a report required by paragraph (2) may be submitted to the Congress on a classified basis, and shall be subject to the provisions of section 12(c) of this Act. Each such report shall, at the same time it is submitted to the Congress, also be submitted to the General Accounting Office for the purpose of assessing the report's full compliance with the intent of this subsection.

"(4) In the case of export controls under this section which prohibit or curtail the export of any agricultural commodity, a report submitted pursuant to paragraph (2) shall be deemed to be the report required by section 7(g)(3)(A) of this Act.

"(5) In addition to any written report required under this section, the Secretary, not less frequently than annually, shall present in oral testimony before the Committee on

Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on policies and actions taken by the Government to carry out the provisions of this section.".

(f) EXCLUSION OF CERTAIN ITEMS FROM FOREIGN POLICY CONTROLS.—Section 6(g), as redesignated by subsection (d) of this section, is amended—

(1) by inserting after the first sentence the following: "This section also does not authorize export controls on donations of goods (including, but not limited to, food, educational materials, seeds and hand tools, medicines and medical supplies, water resources equipment, clothing and shelter materials, and basic household supplies) that are intended to meet basic human needs."; and

(2) by striking out the last sentence and inserting in lieu thereof the following: "This subsection shall not apply to any export control on medicine, medical supplies, or food, except for donations, which is in effect on the date of the enactment of the Export Administration Amendments Act of 1985. Notwithstanding the preceding provisions of this subsection, the President may impose export controls under this section on medicine, medical supplies, food, and donations of goods in order to carry out the policy set forth in paragraph (13) of section 3 of this Act.".

(g) FOREIGN AVAILABILITY.—

(1) IN GENERAL.—Section 6(h), as redesignated by subsection (d) of this section, is amended—

(A) by inserting "(1)" immediately before the first sentence; and

(B) by adding at the end the following:

"(2) Before extending any export control pursuant to subsection (a)(3) of this section, the President shall evaluate the results of his actions under paragraph (1) of this subsection and shall include the results of that evaluation in his report to the Congress pursuant to subsection (f) of this section.

"(3) If, within 6 months after the date on which export controls under this section are imposed or expanded, or within 6 months after the date of the enactment of the Export Administration Amendments Act of 1985 in the case of export controls in effect on such date of enactment, the President's efforts under paragraph (1) are not successful in securing the cooperation of foreign governments described in paragraph (1) with respect to those export controls, the Secretary shall thereafter take into account the foreign availability of the goods or technology subject to the export controls. If the Secretary affirmatively determines that a good or technology subject to the export controls is available in sufficient quantity and comparable quality from sources outside the United States to countries subject to the export controls so that denial of an export license would be ineffective in achieving the purposes of the controls, then the Secretary shall, during the period of such foreign availability, approve any license application which is required for the export of the good or technology and which meets all requirements for such a license. The Secretary shall remove the good or technology from the list established pursuant to subsection (l) of this section if the Secretary determines that such action is appropriate.

"(4) In making a determination of foreign availability under paragraph (3) of this subsection, the Secretary shall follow the procedures set forth in section 5(f)(3) of this Act.".

(2) AMENDMENTS NOT APPLICABLE TO CERTAIN EXISTING CONTROLS.—The amendments made by paragraph (1) of this subsection shall not apply to export controls in effect under subsection (i), (j), or (k) of section 6 of the Export Administration Act of 1979 (as redesignated by subsection (d) of this section) immediately before the date of the enactment of this Act, or to export controls made effective by subsection (i)(2) of this section or by section 6(n) of the Export Administration Act of 1979 (as added by subsection (l)(1) of this section).

(h) INTERNATIONAL OBLIGATIONS.—Section 6(i), as redesignated by subsection (d) of this section, is amended by striking out "(f), and (g)" and inserting in lieu thereof "(e), (g), and (h)".

(i) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—

(1) IN GENERAL.—Section 6(j), as redesignated by subsection (d) of this section, is amended to read as follows:

"(j) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—(1) The Secretary and the Secretary of State shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate at least 30 days before any license is approved for the export of goods or technology valued at more than $7,000,000 to any country concerning which the Secretary of State has made the following determinations:

"(A) Such country has repeatedly provided support for acts of international terrorism.

"(B) Such exports would make a significant contribution to the military potential of such country, including its military logistics capability, or would enhance the ability of such country to support acts of international terrorism.

"(2) Any determination which has been made with respect to a country under paragraph (1) of this subsection may not be rescinded unless the President, at least 30 days before the proposed rescission would take effect, submits to the Congress a report justifying the rescission and certifying that—

"(A) the country concerned has not provided support for international terrorism, including support or sanctuary for any major terrorist or terrorist group in its territory, during the preceding 6-month period; and

"(B) the country concerned has provided assurances that it will not support acts of international terrorism in the future.".

(2) APPLICABILITY TO PRIOR DETERMINATIONS.—Any determination with respect to any country which was made before January 1, 1982, under section 6(i) of the Export Administration Act of 1979, as in effect before the date of the enactment of this Act, and which was no longer in effect on the date of the enactment of this Act, shall be reinstated upon the expiration of 90 days after such date of enactment unless, within that 90-day period, the President submits a report under section 6(j)(2) of the Export Administration Act of 1979, as amended by subsection (d) of this section and paragraph (1) of this subsection, containing the certification described in such section 6(j)(2) with respect to that country.

(j) CRIME CONTROL INSTRUMENTS.—

(1) CONCURRENCE OF SECRETARY OF STATE.—Section 6(k)(1), as redesignated by subsection (d) of this section, is amended by adding at the end the following new sentence: "Notwithstanding any other provision of this Act—

"(A) any determination of the Secretary of what goods or technology shall be included on the list established pursuant to subsection (l) of this section as a result of the export restrictions imposed by this subsection shall be made with the concurrence of the Secretary of State, and

"(B) any determination of the Secretary to approve or deny an export license application to export crime control or detection instruments or equipment shall be made in concurrence with the recommendations of the Secretary of State submitted to the Secretary with respect to the application pursuant to section 10(e) of this Act,

except that, if the Secretary does not agree with the Secretary of State with respect to any determination under subparagraph (A) or (B), the matter shall be referred to the President for resolution.".

(2) APPLICABILITY OF AMENDMENT.—The amendment made by paragraph (1) of this subsection shall apply to determinations of the Secretary of Commerce which are made on or after the date of the enactment of this Act.

(k) CONTROL LIST.—Section 6(l), as redesignated by subsection (d) of this section, is amended—

(1) in the first sentence by striking out "commodity"; and

(2) by amending the second sentence to read as follows: "The Secretary shall clearly identify on the control list which goods or technology, and which countries or destinations, are subject to which types of controls under this section.".

(l) ADDITIONAL PROVISIONS ON FOREIGN POLICY CONTROLS.—

(1) CONTRACT SANCTITY, EXTENSION OF CERTAIN CONTROLS, AND EXPANDED AUTHORITY.—Section 6 is amended by adding at the end the following:

"(m) EFFECT ON EXISTING CONTRACTS AND LICENSES.—The President may not, under this section, prohibit or curtail the export or reexport of goods, technology, or other information—

"(1) in performance of a contract or agreement entered into before the date on which the President reports to the Congress, pursuant to subsection (f) of this section, his intention to impose controls on the export or reexport of such goods, technology, or other information, or

"(2) under a validated license or other authorization issued under this Act,

unless and until the President determines and certifies to the Congress that—

"(A) a breach of the peace poses a serious and direct threat to the strategic interest of the United States,

"(B) the prohibition or curtailment of such contracts, agreements, licenses, or authorizations will be instrumental in remedying the situation posing the direct threat, and

"(C) the export controls will continue only so long as the direct threat persists.

"(n) EXTENSION OF CERTAIN CONTROLS.—Those export controls imposed under this section with respect to South Africa which were in effect on February 28, 1982, and ceased to be effective on March 1, 1982, September 15, 1982, or January 20, 1983, shall become effective on the date of the enactment of this subsection, and shall remain in effect until 1 year after such date of enactment. At the end of that 1-year period, any of those controls made effective by this subsection may be extended by the President in accordance with subsections (b) and (f) of this section.

"(o) EXPANDED AUTHORITY TO IMPOSE CONTROLS.—(1) In any case in which the President determines that it is necessary to

impose controls under this section without any limitation contained in subsection (c), (d), (e), (g), (h), or (m) of this section, the President may impose those controls only if the President submits that determination to the Congress, together with a report pursuant to subsection (f) of this section with respect to the proposed controls, and only if a law is enacted authorizing the imposition of those controls. If a joint resolution authorizing the imposition of those controls is introduced in either House of Congress within 30 days after the Congress receives the determination and report of the President, that joint resolution shall be referred to the Committee on Banking, Housing, and Urban Affairs of the Senate and to the appropriate committee of the House of Representatives. If either such committee has not reported the joint resolution at the end of 30 days after its referral, the committee shall be discharged from further consideration of the joint resolution.

"(2) For purposes of this subsection, the term 'joint resolution' means a joint resolution the matter after the resolving clause of which is as follows: 'That the Congress, having received on a determination of the President under section 6(o)(1) of the Export Administration Act of 1979 with respect to the export controls which are set forth in the report submitted to the Congress with that determination, authorizes the President to impose those export controls.', with the date of the receipt of the determination and report inserted in the blank.

"(3) In the computation of the periods of 30 days referred to in paragraph (1), there shall be excluded the days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain or because of an adjournment of the Congress sine die.".

(2) APPLICABILITY OF AMENDMENTS.—Subsections (m) and (o) of section 6 of the Export Administration Act of 1979, as added by paragraph (1) of this subsection, shall not apply to export controls in effect immediately before the date of the enactment of this Act, or to export controls made effective by subsection (i)(2) of this section or by section 6(n) of the Export Administration Act of 1979 (as added by paragraph (1) of this subsection).

SEC. 109. PETITIONS FOR MONITORING OR SHORT SUPPLY CONTROLS.

Section 7(c) (50 U.S.C. App. 2406(c)) is amended to read as follows:

"(c) PETITIONS FOR MONITORING OR CONTROLS.—(1)(A) Any entity, including a trade association, firm, or certified or recognized union or group of workers, that is representative of an industry or a substantial segment of an industry that processes metallic materials capable of being recycled may transmit a written petition to the Secretary requesting the monitoring of exports or the imposition of export controls, or both, with respect to any such material, in order to carry out the policy set forth in section 3(2)(C) of this Act.

"(B) Each petition shall be in such form as the Secretary shall prescribe and shall contain information in support of the action requested. The petition shall include any information reasonably available to the petitioner indicating that each of the criteria set forth in paragraph (3)(A) of this subsection is satisfied.

"(2) Within 15 days after receipt of any petition described in paragraph (1), the Secretary shall publish a notice in the Federal Register. The notice shall—

"(A) include the name of the material that is the subject of the petition,

"(B) include the Schedule B number of the material as set forth in the Statistical Classification of Domestic and Foreign Commodities Exported from the United States,

"(C) indicate whether the petitioner is requesting that controls or monitoring, or both, be imposed with respect to the exportation of such material, and

"(D) provide that interested persons shall have a period of 30 days beginning on the date of publication of such notice to submit to the Secretary written data, views or arguments, with or without opportunity for oral presentation, with respect to the matter involved.

At the request of the petitioner or any other entity described in paragraph (1)(A) with respect to the material that is the subject of the petition, or at the request of any entity representative of producers or exporters of such material, the Secretary shall conduct public hearings with respect to the subject of the petition, in which case the 30-day period may be extended to 45 days.

"(3)(A) Within 45 days after the end of the 30- or 45-day period described in paragraph (2), as the case may be, the Secretary shall determine whether to impose monitoring or controls, or both, on the export of the material that is the subject of the petition, in order to carry out the policy set forth in section 3(2)(C) of this Act. In making such determination, the Secretary shall determine whether—

"(i) there has been a significant increase, in relation to a specific period of time, in exports of such material in relation to domestic supply and demand;

"(ii) there has been a significant increase in the domestic price of such material or a domestic shortage of such material relative to demand;

"(iii) exports of such material are as important as any other cause of a domestic price increase or shortage relative to demand found under clause (ii);

"(iv) a domestic price increase or shortage relative to demand found under clause (ii) has significantly adversely affected or may significantly adversely affect the national economy or any sector thereof, including a domestic industry; and

"(v) monitoring or controls, or both, are necessary in order to carry out the policy set forth in section 3(2)(C) of this Act.

"(B) The Secretary shall publish in the Federal Register a detailed statement of the reasons for the Secretary's determination pursuant to subparagraph (A) of whether to impose monitoring or controls, or both, including the findings of fact in support of that determination.

"(4) Within 15 days after making a determination under paragraph (3) to impose monitoring or controls on the export of a material; the Secretary shall publish in the Federal Register proposed regulations with respect to such monitoring or controls. Within 30 days after the publication of such proposed regulations, and after considering any public comments on the proposed regulations, the Secretary shall publish and implement final regulations with respect to such monitoring or controls.

"(5) For purposes of publishing notices in the Federal Register and scheduling public hearings pursuant to this subsection, the Secretary may consolidate petitions, and responses to such petitions, which involve the same or related materials.

"(6) If a petition with respect to a particular material or group of materials has been considered in accordance with all the procedures prescribed in this subsection, the Secretary may determine, in the absence of significantly changed circumstances, that any other petition with respect to the same material or group of materials which is filed within 6 months after the consideration of the prior petition has been completed does not merit complete consideration under this subsection.

"(7) The procedures and time limits set forth in this subsection with respect to a petition filed under this subsection shall take precedence over any review undertaken at the initiative of the Secretary with respect to the same subject as that of the petition.

"(8) The Secretary may impose monitoring or controls, on a temporary basis, on the export of a metallic material after a petition is filed under paragraph (1)(A) with respect to that material but before the Secretary makes a determination under paragraph (3) with respect to that material only if—

"(A) the failure to take such temporary action would result in irreparable harm to the entity filing the petition, or to the national economy or segment thereof, including a domestic industry, and

"(B) the Secretary considers such action to be necessary to carry out the policy set forth in section 3(2)(C) of this Act.

"(9) The authority under this subsection shall not be construed to affect the authority of the Secretary under any other provision of this Act, except that if the Secretary determines, on the Secretary's own initiative, to impose monitoring or controls, or both, on the export of metallic materials capable of being recycled, under the authority of this section, the Secretary shall publish the reasons for such action in accordance with paragraph (3) (A) and (B) of this subsection.

"(10) Nothing contained in this subsection shall be construed to preclude submission on a confidential basis to the Secretary of information relevant to a decision to impose or remove monitoring or controls under the authority of this Act, or to preclude consideration of such information by the Secretary in reaching decisions required under this subsection. The provisions of this paragraph shall not be construed to affect the applicability of section 552(b) of title 5, United States Code.".

SEC. 110. SHORT SUPPLY CONTROLS.

(a) DOMESTICALLY PRODUCED CRUDE OIL.—Section 7(d) (50 U.S.C. App. 2406(d)) is amended—

(1) in paragraph (1) by striking out "unless" and all that follows through "met" and inserting in lieu thereof "subject to paragraph (2) of this subsection";

(2) in paragraph (2)(A) by striking out "makes and publishes" and inserting in lieu thereof "so recommends to the Congress after making and publishing";

(3) in paragraph (2)(B)—

(A) by striking out "reports such findings" and inserting in lieu thereof "includes such findings in his recommendation"; and

(B) by striking out "thereafter" and all that follows through the end of the sentence and inserting in lieu thereof "after receiving that recommendation, agrees to a joint resolution which approves such exports on the basis of those findings, and which is thereafter enacted into law."; and

(4) by adding at the end the following:

"(4) Notwithstanding the provisions of section 20 of this Act, the provisions of this subsection shall expire on September 30, 1990.".

(b) REFINED PETROLEUM PRODUCTS.—Section 7(e)(1) is amended in the first sentence by striking out "No" and inserting in lieu

thereof the following: "In any case in which the President determines that it is necessary to impose export controls on refined petroleum products in order to carry out the policy set forth in section 3(2)(C) of this Act, the President shall notify the Congress of that determination. The President shall also notify the Congress if and when he determines that such export controls are no longer necessary. During any period in which a determination that such export controls are necessary is in effect, no".

(c) UNPROCESSED RED CEDAR.—Section 7(i) is amended—

(1) in the last sentence of paragraph (1) by inserting "harvested from State or Federal lands" after "red cedar logs";

(2) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(3) by inserting after paragraph (1) the following new paragraph:

"(2) To the maximum extent practicable, the Secretary shall utilize the multiple validated export licenses described in section 4(a)(2) of this Act in lieu of validated licenses for exports under this subsection."; and

(4) by amending paragraph (5)(A), as redesignated by paragraph (2) of this subsection, to read as follows:

"(A) lumber of American Lumber Standards Grades of Number 3 dimension or better, or Pacific Lumber Inspection Bureau Export R-List Grades of Number 3 common or better;".

(d) AGRICULTURAL COMMODITIES.—Section 7(g)(3) is amended to read as follows:

"(3)(A) If the President imposes export controls on any agricultural commodity in order to carry out the policy set forth in paragraph (2)(B), (2)(C), (7), or (8) of section 3 of this Act, the President shall immediately transmit a report on such action to the Congress, setting forth the reasons for the controls in detail and specifying the period of time, which may not exceed 1 year, that the controls are proposed to be in effect. If the Congress, within 60 days after the date of its receipt of the report, adopts a joint resolution pursuant to paragraph (4) approving the imposition of the export controls, then such controls shall remain in effect for the period specified in the report, or until terminated by the President, whichever occurs first. If the Congress, within 60 days after the date of its receipt of such report, fails to adopt a joint resolution approving such controls, then such controls shall cease to be effective upon the expiration of that 60-day period.

"(B) The provisions of subparagraph (A) and paragraph (4) shall not apply to export controls—

"(i) which are extended under this Act if the controls, when imposed, were approved by the Congress under subparagraph (A) and paragraph (4); or

"(ii) which are imposed with respect to a country as part of the prohibition or curtailment of all exports to that country.

"(4)(A) For purposes of this paragraph, the term 'joint resolution' means only a joint resolution the matter after the resolving clause of which is as follows: 'That, pursuant to section 7(g)(3) of the Export Administration Act of 1979, the President may impose export controls as specified in the report submitted to the Congress on .', with the blank space being filled with the appropriate date.

"(B) On the day on which a report is submitted to the House of Representatives and the Senate under paragraph (3), a joint resolution with respect to the export controls specified in such report shall be introduced (by request) in the House by the chairman of the Committee on Foreign Affairs, for himself and the ranking minority member of the Committee, or by Members of the House designated by the chairman and ranking minority member; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such a report is submitted, the joint resolution shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in session.

"(C) All joint resolutions introduced in the House of Representatives shall be referred to the appropriate committee and all joint resolutions introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs.

"(D) If the committee of either House to which a joint resolution has been referred has not reported the joint resolution at the end of 30 days after its referral, the committee shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter.

"(E) A joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976. For the purpose of expediting the consideration and passage of joint resolutions reported or discharged pursuant to the provisions of this paragraph, it shall be in order for the Committee on Rules of the House of Representatives to present for consideration a resolution of the House of Representatives providing procedures for the immediate consideration of a joint resolution under this paragraph which may be similar, if applicable, to the procedures set forth in section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976.

"(F) In the case of a joint resolution described in subparagraph (A), if, before the passage by one House of a joint resolution of that House, that House receives a resolution with respect to the same matter from the other House, then—

"(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

"(ii) the vote on final passage shall be on the joint resolution of the other House.

"(5) In the computation of the period of 60 days referred to in paragraph (3) and the period of 30 days referred to in subparagraph (D) of paragraph (4), there shall be excluded the days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain or because of an adjournment of the Congress sine die.".

(e) CONTRACT SANCTITY.—Section 7 is amended by striking out subsection (j) and inserting in lieu thereof the following:

"(j) EFFECT OF CONTROLS ON EXISTING CONTRACTS.—The export restrictions contained in subsection (i) of this section and any export controls imposed under this section shall not affect any contract to harvest unprocessed western red cedar from State lands which was entered into before October 1, 1979, and the performance of which would make the red cedar available for export. Any export controls imposed under this section on any agricultural commodity (including fats, oils, and animal hides and skins) or on any forest product or fishery product, shall not affect any contract to export entered into before the date on which such controls are imposed. For purposes of this subsection, the term 'contract to export' includes, but is not limited to, an export sales agreement and an agreement to invest in an enterprise which involves the export of goods or technology.".

SEC. 111. LICENSING PROCEDURES.

(a) REDUCTION OF PROCESSING TIME.—Section 10 (50 U.S.C. App. 2409) is amended—

(1) by striking out "60" each place it appears and inserting in lieu thereof "40";

(2) by striking out "90" each place it appears and inserting in lieu thereof "60"; and

(3) by striking out "30" each place it appears and inserting in lieu thereof "20".

(b) AMENDMENTS WITH REGARD TO EXPORTS TO COCOM COUNTRIES.—

(1) ACTION ON APPLICATIONS NOT REFERRED TO OTHER DEPARTMENTS OR AGENCIES.—Section 10(c) is amended by striking out "In each case" and inserting in lieu thereof "Except as provided in subsection (o), in each case".

(2) REFERRALS TO OTHER DEPARTMENTS AND AGENCIES.—Section 10(d) is amended—

(A) by striking out "In each case" and inserting in lieu thereof "Except in the case of exports described in subsection (o), in each case"; and

(B) by adding at the end the following: "Notwithstanding the 10-day period set forth in subsection (b), in the case of exports described in subsection (o), in each case in which the Secretary determines that it is necessary to refer an application to any other department or agency for its information and recommendations, the Secretary shall, immediately upon receipt of the properly completed application, refer the application to such department or agency for its review. Such review shall be concurrent with that of the Department of Commerce.".

(3) ACTION BY OTHER DEPARTMENTS AND AGENCIES.—Section 10(e) is amended—

(A) in paragraph (1) by striking out the first sentence and inserting in lieu thereof the following: "Any department or agency to which an application is referred pursuant to subsection (d) shall submit to the Secretary the information or recommendations requested with respect to the application. The information or recommendations shall be submitted within 20 days after the department or agency receives the application or, in the case of exports described in subsection (o), before the expiration of the time periods permitted by that subsection."; and

(B) in paragraph (2)—

(i) by striking out "If the head" and inserting in lieu thereof "(A) Except in the case of exports described in subsection (o), if the head", and

(ii) by adding at the end the following:

"(B) In the case of exports described in subsection (o), if the head of any such department or agency notifies the Secretary, before the expiration of the 15-day period provided in subsection (o)(1), that more time is required for review by such department or agency, the Secretary shall notify the applicant, pursuant to subsection (o)(1)(C), that additional time is required to consider the application, and such department or agency shall have additional time to consider the application within the limits permitted by subsection (o)(2). If such department or agency does not submit its recommendations within the time periods per-

mitted under subsection (o), it shall be deemed by the Secretary to have no objection to the approval of such application.".

(4) ACTION BY THE SECRETARY.—Section 10(f) is amended in paragraphs (1) and (4) by adding at the end of each such paragraph the following: "The provisions of this paragraph shall not apply in the case of exports described in subsection (o).".

(c) RIGHT OF APPLICANT TO RESPOND TO NEGATIVE RECOMMENDATIONS.—Section 10(f)(2) is amended—

(1) by inserting "in writing" after "inform the applicant"; and

(2) by striking out ", and shall accord" and all that follows through the end of the paragraph and inserting in lieu thereof the following: ". Before a final determination with respect to the application is made, the applicant shall be entitled—

"(A) to respond in writing to such questions, considerations, or recommendations within 30 days after receipt of such information from the Secretary; and

"(B) upon the filing of a written request with the Secretary within 15 days after the receipt of such information, to respond in person to the department or agency raising such questions, considerations, or recommendations.

The provisions of this paragraph shall not apply in the case of exports described in subsection (o).".

(d) RIGHTS OF APPLICANT WITH RESPECT TO PROPOSED DENIAL.—Section 10(f)(3) is amended by striking out the first sentence and inserting in lieu thereof the following: "In cases where the Secretary has determined that an application should be denied, the applicant shall be informed in writing, within 5 days after such determination is made, of—

"(A) the determination,

"(B) the statutory basis for the proposed denial,

"(C) the policies set forth in section 3 of this Act which would be furthered by the proposed denial,

"(D) what if any modifications in or restrictions on the goods or technology for which the license was sought would allow such export to be compatible with export controls imposed under this Act,

"(E) which officers and employees of the Department of Commerce who are familiar with the application will be made reasonably available to the applicant for considerations with regard to such modifications or restrictions, if appropriate,

"(F) to the extent consistent with the national security and foreign policy of the United States, the specific considerations which led to the determination to deny the application, and

"(G) the availability of appeal procedures. The Secretary shall allow the applicant at least 30 days to respond to the Secretary's determination before the license application is denied.".

(e) ADDITIONAL PROVISIONS.—Section 10 is amended—

(1) in the section heading by adding "; OTHER INQUIRIES" after "APPLICATIONS"; and

(2) by adding at the end the following new subsections:

"(k) CHANGES IN REQUIREMENTS FOR APPLICATIONS.—Except as provided in subsection (b)(3) of this section, in any case in which, after a license application is submitted, the Secretary changes the requirements for such a license application, the Secretary may request appropriate additional information of the applicant, but the Secretary may not return the application to the applicant without action because it fails to meet the changed requirements.

"(l) OTHER INQUIRIES.—(1) In any case in which the Secretary receives a written request asking for the proper classification of a good or technology on the control list, the Secretary shall, within 10 working days after receipt of the request, inform the person making the request of the proper classification.

"(2) In any case in which the Secretary receives a written request for information about the applicability of export license requirements under this Act to a proposed export transaction or series of transactions, the Secretary shall, within 30 days after receipt of the request, reply with that information to the person making the request.

"(m) SMALL BUSINESS ASSISTANCE.—Not later than 120 days after the date of the enactment of this subsection, the Secretary shall develop and transmit to the Congress a plan to assist small businesses in the export licensing application process under this Act. The plan shall include, among other things, arrangements for counseling small businesses on filing applications and identifying goods or technology on the control list, proposals for seminars and conferences to educate small businesses on export controls and licensing procedures, and the preparation of informational brochures.

"(n) REPORTS ON LICENSE APPLICATIONS.—(1) Not later than 180 days after the date of the enactment of this subsection, and not later than the end of each 3-month period thereafter, the Secretary shall submit to the Committee on Foreign Affairs of the House of Representatives and to the Committee on Banking, Housing, and Urban Affairs of the Senate a report listing—

"(A) all applications on which action was completed during the preceding 3-month period and which required a period longer than the period permitted under subsection (c), (f)(1), or (h) of this section, as the case may be, before notification of a decision to approve or deny the application was sent to the applicant; and

"(B) in a separate section, all applications which have been in process for a period longer than the period permitted under subsection (c), (f)(1), or (h) of this section, as the case may be, and upon which final action has not been taken.

"(2) With regard to each application, each listing shall identify—

"(A) the application case number;

"(B) the value of the goods or technology to which the application relates;

"(C) the country of destination of the goods or technology;

"(D) the date on which the application was received by the Secretary;

"(E) the date on which the Secretary approved or denied the application;

"(F) the date on which the notification of approval or denial of the application was sent to the applicant; and

"(G) the total number of days which elapsed between receipt of the application, in its properly completed form, and the earlier of the last day of the 3-month period to which the report relates, or the date on which notification of approval or denial of the application was sent to the applicant.

"(3) With respect to an application which was referred to other departments or agencies, the listing shall also include—

"(A) the departments or agencies to which the application was referred;

"(B) the date or dates of such referral; and

"(C) the date or dates on which recommendations were received from those departments or agencies.

"(4) With respect to an application referred to any other department or agency which did not submit or has not submitted its recommendations on the application within the period permitted under subsection (e) of this section to submit such recommendations, the listing shall also include—

"(A) the office responsible for processing the application and the position of the officer responsible for the office; and

"(B) the period of time that elapsed before the recommendations were submitted or that has elapsed since referral of the application, as the case may be.

"(5) Each report shall also provide an introduction which contains—

"(A) a summary of the number of applications described in paragraph (1)(A) and (B) of this subsection, and the value of the goods or technology involved in the applications, grouped according to—

"(i) the number of days which elapsed before action on the applications was completed, or which has elapsed without action on the applications being completed, as follows: 61 to 75 days, 76 to 90 days, 91 to 105 days, 106 to 120 days, and more than 120 days; and

"(ii) the number of days which elapsed before action on the applications was completed, or which has elapsed without action on the applications being completed, beyond the period permitted under subsection (c), (f)(1), or (h) of this section for the processing of applications, as follows: not more than 15 days, 16 to 30 days, 31 to 45 days, 46 to 60 days, and more than 60 days; and

"(B) a summary by country of destination of the number of applications described in paragraph (1)(A) and (B) of this subsection, and the value of the goods or technology involved in the applications, on which action was not completed within 60 days.

"(o) EXPORTS TO MEMBERS OF COORDINATING COMMITTEE.—(1) Fifteen working days after the date of formal filing with the Secretary of an individual validated license application for the export of goods or technology to a country that maintains export controls on such goods or technology pursuant to the agreement of the governments participating in the group known as the Coordinating Committee, a license for the transaction specified in the application shall become valid and effective and the goods or technology are authorized for export pursuant to such license unless—

"(A) the application has been otherwise approved by the Secretary, in which case it shall be valid and effective according to the terms of the approval;

"(B) the application has been denied by the Secretary pursuant to this section and the applicant has been so informed, or the applicant has been informed, pursuant to subsection (f)(3) of this section, that the application should be denied; or

"(C) the Secretary requires additional time to consider the application and the applicant has been so informed.

"(2) In the event that the Secretary notifies an applicant pursuant to paragraph (1)(C) that more time is required to consider an individual validated license application, a license for the transaction specified in the application shall become valid and effective and the goods or technology are authorized for export pursuant to such license 30 working days after the date that such license application was formally filed with the Secretary unless—

"(A) the application has been otherwise approved by the Secretary, in which case it

shall be valid and effective according to the terms of the approval; or

"(B) the application has been denied by the Secretary pursuant to this section and the applicant has been so informed, or the applicant has been informed, pursuant to subsection (f)(3) of this section, that the application should be denied.

"(3) In reviewing an individual license application subject to this subsection, the Secretary shall evaluate the information set forth in the application and the reliability of the end-user.

"(4) Nothing in this subsection shall affect the scope or availability of licenses authorizing multiple exports set forth in section 4(a)(2) of this Act.

"(5) The provisions of this subsection shall take effect 4 months after the date of the enactment of the Export Administration Amendments Act of 1985.".

SEC. 112. VIOLATIONS.

(a) IN GENERAL.—Section 11(a) (50 U.S.C. App. 2410(a)) is amended by inserting after "violates" the following: "or conspires to or attempts to violate".

(b) WILLFUL VIOLATIONS.—Section 11(b) is amended—

(1) in paragraph (1)—

(A) by striking out "exports anything contrary to" and inserting in lieu thereof "violates or conspires to or attempts to violate";

(B) by striking out "such exports" and inserting in lieu thereof "the exports involved";

(C) by inserting after "benefit of" the following: ", or that the destination or intended destination of the goods or technology involved is,"; and

(D) by striking out "country to which exports are restricted for national security or" and inserting in lieu thereof "controlled country or any country to which exports are controlled for";

(2) in paragraph (2) by striking out the last sentence; and

(3) by adding after paragraph (2) the following new paragraphs:

"(3) Any person who possesses any goods or technology—

"(A) with the intent to export such goods or technology in violation of an export control imposed under section 5 or 6 of this Act or any regulation, order, or license issued with respect to such control, or

"(B) knowing or having reason to believe that the goods or technology would be so exported,

shall, in the case of a violation of an export control imposed under section 5 (or any regulation, order, or license issued with respect to such control), be subject to the penalties set forth in paragraph (1) of this subsection and shall, in the case of a violation of an export control imposed under section 6 (or any regulation, order, or license issued with respect to such control), be subject to the penalties set forth in subsection (a).

"(4) Any person who takes any action with the intent to evade the provisions of this Act or any regulation, order, or license issued under this Act shall be subject to the penalties set forth in subsection (a), except that in the case of an evasion of an export control imposed under section 5 or 6 of this Act (or any regulation, order, or license issued with respect to such control), such person shall be subject to the penalties set forth in paragraph (1) of this subsection.

"(5) Nothing in this subsection or subsection (a) shall limit the power of the Secretary to define by regulations violations under this Act.".

(c) CIVIL PENALTIES; ADMINISTRATIVE SANCTIONS.—Section 11(c) is amended—

(1) by striking out "head" and all that follows in paragraph (1) through "thereof," and inserting in lieu thereof "Secretary (and officers and employees of the Department of Commerce specifically designated by the Secretary)"; and

(2) by adding at the end the following new paragraphs:

"(3) An exception may not be made to any order issued under this Act which revokes the authority of a United States person to export goods or technology unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate are first consulted concerning the exception.

"(4) The President may by regulation provide standards for establishing levels of civil penalty provided in this subsection based upon the seriousness of the violation, the culpability of the violator, and the violator's record of cooperation with the Government in disclosing the violation.".

(d) REFUNDS OF PENALTIES.—Section 11(e) is amended—

(1) by inserting after "subsection (c)" the following: ", or any amounts realized from the forfeiture of any property interest or proceeds pursuant to subsection (g),"; and

(2) by inserting after "refund any such penalty" the following: "imposed pursuant to subsection (c)".

(e) FORFEITURES; PRIOR CONVICTIONS.—Section 11 is amended—

(1) by redesignating subsection (g) as subsection (i); and

(2) by inserting after subsection (f) the following new subsections:

"(g) FORFEITURE OF PROPERTY INTEREST AND PROCEEDS.—(1) Any person who is convicted under subsection (a) or (b) of a violation of an export control imposed under section 5 of this Act (or any regulation, order, or license issued with respect to such control) shall, in addition to any other penalty, forfeit to the United States—

"(A) any of that person's interest in, security of, claim against, or property or contractual rights of any kind in the goods or tangible items that were the subject of the violation;

"(B) any of that person's interest in, security of, claim against, or property or contractual rights of any kind in tangible property that was used in the export or attempt to export that was the subject of the violation; and

"(C) any of that person's property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violation.

"(2) The procedures in any forfeiture under this subsection, and the duties and authority of the courts of the United States and the Attorney General with respect to any forfeiture action under this subsection or with respect to any property that may be subject to forfeiture under this subsection, shall be governed by the provisions of section 1963 of title 18, United States Code.

"(h) PRIOR CONVICTIONS.—No person convicted of a violation of section 793, 794, or 798 of title 18, United States Code, section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. 2778) shall be eligible, at the discretion of the Secretary, to apply for or use any export license under this Act for a period of up to 10 years from the date of the conviction. The Secretary may revoke any export license under this Act in which such person has an interest at the time of the conviction.".

(f) TECHNICAL AMENDMENT.—Section 11(i), as redesignated by subsection (e) of this section, is amended by striking out "or (f)" and inserting in lieu thereof "(f), (g), or (h)".

SEC. 113. ENFORCEMENT.

(a) GENERAL AUTHORITY.—Section 12(a) (50 U.S.C. App. 2411(a)) is amended—

(1) by inserting "(1)" immediately before the first sentence;

(2) by striking out "such investigations and" and inserting in lieu thereof "such investigations within the United States, and the Commissioner of Customs (and officers or employees of the United States Customs Service specifically designated by the Commissioner) may make such investigations outside of the United States, and the head of such department or agency (and such officers or employees) may";

(3) by striking out "the district court of the United States for any district in which such person is found or resides or transacts business, upon application, and" and inserting in lieu thereof "a district court of the United States,";

(4) by adding at the end the following new sentence: "In addition to the authority conferred by this paragraph, the Secretary (and officers or employees of the Department of Commerce designated by the Secretary) may conduct, outside the United States, pre-license investigations and post-shipment verifications of items licensed for export, and investigations in the enforcement of section 8 of this Act."; and

(5) by adding at the end the following new paragraphs:

"(2)(A) Subject to subparagraph (B) of this paragraph, the United States Customs Service is authorized, in the enforcement of this Act, to search, detain (after search), and seize goods or technology at those ports of entry or exit from the United States where officers of the Customs Service are authorized by law to conduct such searches, detentions, and seizures, and at those places outside the United States where the Customs Service, pursuant to agreements or other arrangements with other countries, is authorized to perform enforcement activities.

"(B) An officer of the United States Customs Service may do the following in carrying out enforcement authority under this Act:

"(i) Stop, search, and examine a vehicle, vessel, aircraft, or person on which or whom such officer has reasonable cause to suspect there are any goods or technology that has been, is being, or is about to be exported from the United States in violation of this Act.

"(ii) Search any package or container in which such officer has reasonable cause to suspect there are any goods or technology that has been, is being, or is about to be exported from the United States in violation of this Act.

"(iii) Detain (after search) or seize and secure for trial any goods or technology on or about such vehicle, vessel, aircraft, or person, or in such package or container, if such officer has probable cause to believe the goods or technology has been, is being, or is about to be exported from the United States in violation of this Act.

"(iv) Make arrests without warrant for any violation of this Act committed in his or her presence or view or if the officer has probable cause to believe that the person to be arrested has committed or is committing such a violation.

The arrest authority conferred by clause (iv) of this subparagraph is in addition to any arrest authority under other laws.

"(3)(A) Subject to subparagraph (B) of this paragraph, the Secretary shall have the responsibility for the enforcement of section 8 of this Act and, in the enforcement of the other provisions of this Act, the Secretary is authorized to search, detain (after search), and seize goods or technology at those places within the United States other than those ports specified in paragraph (2)(A) of this subsection. The search, detention (after search), or seizure of goods or technology at those ports and places specified in paragraph (2)(A) may be conducted by officers or employees of the Department of Commerce designated by the Secretary with the concurrence of the Commissioner of Customs or a person designated by the Commissioner.

"(B) The Secretary may designate any employee of the Office of Export Enforcement of the Department of Commerce to do the following in carrying out enforcement authority under this Act:

"(i) Execute any warrant or other process issued by a court or officer of competent jurisdiction with respect to the enforcement of the provisions of this Act.

"(ii) Make arrests without warrant for any violation of this Act committed in his or her presence or view, or if the officer or employee has probable cause to believe that the person to be arrested has committed or is committing such a violation.

"(iii) Carry firearms in carrying out any activity described in clause (i) or (ii).

"(4) The authorities conferred by paragraphs (2) and (3) shall be exercised pursuant to regulations promulgated by the Attorney General concerning searches, detentions, stops, examinations, seizures, arrests, execution of warrants, or use of firearms.

"(5) All cases involving violations of this Act shall be referred to the Secretary for purposes of determining civil penalties and administrative sanctions under section 11(c) of this Act, or to the Attorney General for criminal action in accordance with this Act.

"(6) Notwithstanding any other provision of law, the United States Customs Service may expend in the enforcement of export controls under this Act not more than $12,000,000 in the fiscal year 1985 and not more than $14,000,000 in the fiscal year 1986.

"(7) Not later than 90 days after the date of the enactment of the Export Administration Amendments Act of 1985, the Secretary, with the concurrence of the Secretary of the Treasury, shall publish in the Federal Register procedures setting forth, in accordance with this subsection, the responsibilities of the Department of Commerce and the United States Customs Service in the enforcement of this Act. In addition, the Secretary, with the concurrence of the Secretary of the Treasury, may publish procedures for the sharing of information in accordance with subsection (c)(3) of this section, and procedures for the submission to the appropriate departments and agencies by private persons of information relating to the enforcement of this Act.

"(8) For purposes of this section, a reference to the enforcement of this Act or to a violation of this Act includes a reference to the enforcement or a violation of any regulation, order, or license issued under this Act.".

(b) CONFIDENTIALITY.—Section 12(c)(3) is amended—

(1) by striking out "Departments or agencies which obtain" and inserting in lieu thereof "Any department or agency which obtains";

(2) by inserting ", including information pertaining to any investigation," after "enforcement of this Act";

(3) by striking out "the department" and inserting in lieu thereof "each department"; and

(4) by adding at the end the following: "The Secretary and the Commissioner of Customs, upon request, shall exchange any licensing and enforcement information with each other which is necessary to facilitate enforcement efforts and effective license decisions. The Secretary, the Attorney General, and the Commissioner of Customs shall consult on a continuing basis with one another and with the heads of other departments and agencies which obtain information subject to this paragraph, in order to facilitate the exchange of such information.".

SEC. 114. ADMINISTRATIVE PROCEDURE.

Section 13 (50 U.S.C. App. 2412) is amended—

(1) in the section heading by striking out "EXEMPTION FROM CERTAIN PROVISIONS RELATING TO";

(2) in subsection (a) by inserting "and subsection (c) of this section" after "11(c)(2)"; and

(3) by adding at the end the following:

"(c) PROCEDURES RELATING TO CIVIL PENALTIES AND SANCTIONS.—(1) In any case in which a civil penalty or other civil sanction (other than a temporary denial order or a penalty or sanction for a violation of section 8) is sought under section 11 of this Act, the charged party is entitled to receive a formal complaint specifying the charges and, at his or her request, to contest the charges in a hearing before an administrative law judge. Subject to the provisions of this subsection, any such hearing shall be conducted in accordance with sections 556 and 557 of title 5, United States Code. With the approval of the administrative law judge, the Government may present evidence in camera in the presence of the charged party or his or her representative. After the hearing, the administrative law judge shall make findings of fact and conclusions of law in a written decision, which shall be referred to the Secretary. The Secretary shall, in a written order, affirm, modify, or vacate the decision of the administrative law judge within 30 days after receiving the decision. The order of the Secretary shall be final and is not subject to judicial review.

"(2) The proceedings described in paragraph (1) shall be concluded within a period of 1 year after the complaint is submitted, unless the administrative law judge extends such period for good cause shown.

"(d) IMPOSITION OF TEMPORARY DENIAL ORDERS.—(1) In any case in which it is necessary, in the public interest, to prevent an imminent violation of this Act or any regulation, order, or license issued under this Act, the Secretary may, without a hearing, issue an order temporarily denying United States export privileges (hereinafter in this subsection referred to as a 'temporary denial order') to a person. A temporary denial order may be effective no longer than 60 days unless renewed in writing by the Secretary for additional 60-day periods in order to prevent such an imminent violation, except that a temporary denial order may be renewed only after notice and an opportunity for a hearing is provided.

"(2) A temporary denial order shall define the imminent violation and state why the temporary denial order was granted without a hearing. The person or persons subject to the issuance or renewal of a temporary denial order may file an appeal of the issuance or renewal of the temporary denial order with an administrative law judge who shall, within 10 working days after the appeal is filed, recommend that the temporary denial order be affirmed, modified, or vacated. Parties may submit briefs and other material to the judge. The recommendation of the administrative law judge shall be submitted to the Secretary who shall either accept, reject, or modify the recommendation by written order within 5 working days after receiving the recommendation. The written order of the Secretary under the preceding sentence shall be final and is not subject to judicial review. The temporary denial order shall be affirmed only if it is reasonable to believe that the order is required in the public interest to prevent an imminent violation of this Act or any regulation, order, or license issued under this Act.

"(e) APPEALS FROM LICENSE DENIALS.—A determination of the Secretary, under section 10(f) of this Act, to deny a license may be appealed by the applicant to an administrative law judge who shall have the authority to conduct proceedings to determine only whether the item sought to be exported is in fact on the control list. Such proceedings shall be conducted within 90 days after the appeal is filed. Any determination by an administrative law judge under this subsection and all materials filed before such judge in the proceedings shall be reviewed by the Secretary, who shall either affirm or vacate the determination in a written decision within 30 days after receiving the determination. The Secretary's written decision shall be final and is not subject to judicial review. Subject to the limitations provided in section 12(c) of this Act, the Secretary's decision shall be published in the Federal Register.".

SEC. 115. ANNUAL REPORT.

(a) CONTENTS OF REPORT.—Section 14(a)(15) (50 U.S.C. App. 2413(a)(15)) is amended by striking out "an analysis" and all that follows through "process, and".

(b) ADDITIONAL REPORTING REQUIREMENTS.—Section 14 is amended by adding at the end the following:

"(d) REPORT ON EXPORTS TO CONTROLLED COUNTRIES.—The Secretary shall include in each annual report a detailed report which lists every license for exports to controlled countries which was approved under this Act during the preceding fiscal year. Such report shall specify to whom the license was granted, the type of goods or technology exported, and the country receiving the goods or technology. The information required by this subsection shall be subject to the provisions of section 12(c) of this Act.

"(e) REPORT ON DOMESTIC ECONOMIC IMPACT OF EXPORTS TO CONTROLLED COUNTRIES.—The Secretary shall include in each annual report a detailed description of the extent of injury to United States industry and the extent of job displacement caused by United States exports of goods and technology to controlled countries. The annual report shall also include a full analysis of the consequences of exports of turnkey plants and manufacturing facilities to controlled countries which are used by such countries to produce goods for export to the United States or to compete with United States products in export markets.".

SEC. 116. UNDER SECRETARY OF COMMERCE FOR EXPORT ADMINISTRATION; REGULATIONS.

(a) IN GENERAL.—Section 15 (50 U.S.C. App. 2414) is amended to read as follows:

"ADMINISTRATIVE AND REGULATORY AUTHORITY

"SEC. 15. (a) UNDER SECRETARY OF COMMERCE.—The President shall appoint, by and with the advice and consent of the Senate, an Under Secretary of Commerce for Export Administration who shall carry out all functions of the Secretary under this Act which were delegated to the office of the Assistant Secretary of Commerce for Trade Administration before the date of the enactment of the Export Administration Amendments Act of 1985, and such other functions under this Act which were delegated to such office before such date of enactment, as the Secretary may delegate. The Secretary shall designate three Assistant Secretaries of Commerce to assist the Under Secretary in carrying out such functions.

"(b) ISSUANCE OF REGULATIONS.—The President and the Secretary may issue such regulations as are necessary to carry out the provisions of this Act. Any such regulations issued to carry out the provisions of section 5(a), 6(a), 7(a), or 8(b) may apply to the financing, transporting, or other servicing of exports and the participation therein by any person. Any such regulations the purpose of which is to carry out the provisions of section 5, or of section 4(a) for the purpose of administering the provisions of section 5, may be issued only after the regulations are submitted for review to the Secretary of Defense, the Secretary of State, and such other departments and agencies as the Secretary considers appropriate. The preceding sentence does not require the concurrence or approval of any official, department, or agency to which such regulations are submitted.

"(c) AMENDMENTS TO REGULATIONS.—If the Secretary proposes to amend regulations issued under this Act, the Secretary shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives on the intent and rationale of such amendments. Such report shall evaluate the cost and burden to United States exporters of the proposed amendments in relation to any enhancement of licensing objectives. The Secretary shall consult with the technical advisory committees authorized under section 5(h) of this Act in formulating or amending regulations issued under this Act. The procedures defined by regulations in effect on January 1, 1984, with respect to sections 4 and 5 of this Act, shall remain in effect unless the Secretary determines, on the basis of substantial and reliable evidence, that specific change is necessary to enhance the prevention of diversions of exports which would prove detrimental to the national security of the United States or to reduce the licensing and paperwork burden on exporters and their distributors.".

(b) PAY FOR THE UNDER SECRETARY.—Section 5314 of title 5, United States Code, is amended by inserting "Under Secretary of Commerce for Export Administration," after "Under Secretary of Commerce for Economic Affairs,".

(c) PAY FOR THE ASSISTANT SECRETARIES.—Section 5315 of such title is amended by striking out

"Assistant Secretaries of Commerce (8)."

and inserting in lieu thereof

"Assistant Secretaries of Commerce (12).".

(d) EFFECTIVE DATE.—The provisions of section 15(a) of the Export Administration Act of 1979, as amended by subsection (a) of this section, and the amendments made by subsections (b) and (c) of this section shall take effect on October 1, 1985.

(e) BUDGET ACT.—Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974) which is provided under this section shall be effective for any fiscal year only to the extent or in such amounts as are provided in appropriation Acts.

SEC. 117. DEFINITIONS.

Section 16 (50 U.S.C. App. 2415) is amended—

(1) in paragraph (3), by inserting "natural or manmade substance," after "article,";

(2) by amending paragraph (4) to read as follows:

"(4) the term 'technology' means the information and know-how (whether in tangible form, such as models, prototypes, drawings, sketches, diagrams, blueprints, or manuals, or in intangible form, such as training or technical services) that can be used to design, produce, manufacture, utilize, or reconstruct goods, including computer software and technical data, but not the goods themselves;";

(3) by redesignating paragraph (5) as paragraph (8); and

(4) by inserting after paragraph (4) the following new paragraphs:

"(5) the term 'export' means—

"(A) an actual shipment, transfer, or transmission of goods or technology out of the United States;

"(B) a transfer of goods or technology in the United States to an embassy or affiliate of a controlled country; or

"(C) a transfer to any person of goods or technology either within the United States or outside of the United States with the knowledge or intent that the goods or technology will be shipped, transferred, or transmitted to an unauthorized recipient;

"(6) the term 'controlled country' means a controlled country under section 5(b)(1) of this Act;

"(7) the term 'United States' means the States of the United States, the District of Columbia, and any commonwealth, territory, dependency, or possession of the United States, and includes the outer Continental Shelf, as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)); and".

SEC. 118. EFFECT ON OTHER ACTS.

(a) CLARIFYING AMENDMENT.—Section 17(a) (50 U.S.C. App. 2416(a)) is amended by striking out "Nothing" and inserting in lieu thereof "Except as otherwise provided in this Act, nothing".

(b) ACT NOT TO AFFECT CERTAIN PROVISIONS OF AGRICULTURAL ACT OF 1970.—Section 17 is amended by adding at the end the following:

"(f) AGRICULTURAL ACT OF 1970.—Nothing in this Act shall affect the provisions of the last sentence of section 812 of the Agricultural Act of 1970 (7 U.S.C. 612c-3).".

SEC. 119. AUTHORIZATION OF APPROPRIATIONS.

Section 18 (50 U.S.C. App. 2417) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 18. (a) REQUIREMENT OF AUTHORIZING LEGISLATION.—(1) Notwithstanding any other provision of law, money appropriated to the Department of Commerce for expenses to carry out the purposes of this Act may be obligated or expended only if—

"(A) the appropriation thereof has been previously authorized by law enacted on or after the date of the enactment of the Export Administration Amendments Act of 1985; or

"(B) the amount of all such obligations and expenditures does not exceed an amount previously prescribed by law enacted on or after such date.

"(2) To the extent that legislation enacted after the making of an appropriation to carry out the purposes of this Act authorizes the obligation or expenditure thereof, the limitation contained in paragraph (1) shall have no effect.

"(3) The provisions of this subsection shall not be superseded except by a provision of law enacted after the date of the enactment of the Export Administration Amendments Act of 1985 which specifically repeals, modifies, or supersedes the provisions of this subsection.

"(b) AUTHORIZATION.—There are authorized to be appropriated to the Department of Commerce to carry out the purposes of this Act—

"(1) $24,600,000 for the fiscal year 1985, of which $8,712,000 shall be available only for enforcement, $1,851,000 shall be available only for foreign availability assessments under subsections (f) and (h)(6) of section 5 of this Act, and $14,037,000 shall be available for all other activities under this Act;

"(2) $29,500,000 for the fiscal year 1986, of which $10,000,000 shall be available only for enforcement, $2,000,000 shall be available only for foreign availability assessments under subsections (f) and (h)(6) of section 5 of this Act, and $17,500,000 shall be available for all other activities under this Act; and

"(3) such additional amounts for each of the fiscal years 1985 and 1986 as may be necessary for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs.".

SEC. 120. TERMINATION OF AUTHORITY.

Section 20 (50 U.S.C. App. 2419) is amended to read as follows:

"TERMINATION DATE

"SEC. 20. The authority granted by this Act terminates on September 30, 1989.".

SEC. 121. IMPORT SANCTIONS.

Chapter 4 of title II of the Trade Expansion Act of 1962 (19 U.S.C. 1861 et seq.) is amended by adding at the end the following new section:

"SEC. 233. IMPORT SANCTIONS FOR EXPORT VIOLATIONS.

"(a) Any person who violates any national security export control imposed under section 5 of the Export Administration Act of 1979 (50 U.S.C. App. 2404), or any regulation, order, or license issued under that section, may be subject to such controls on the importing of goods or technology into the United States as the President may prescribe.

"(b) Except as provided in subsection (a) of this section, any person who violates any regulation issued under a multilateral agreement, formal or informal, to control exports for national security purposes, to which the United States is a party, may be subject to such controls on the importing of goods or technology into the United States as the President may prescribe, but only if—

"(1) negotiations with the government or governments, party to the multilateral agreement, with jurisdiction over the violation have been conducted and been unsuccessful in restoring compliance with the regulation involved;

"(2) the President, after the failure of such negotiations, has notified the government or governments described in paragraph (1) and the other parties to the multilateral agree-

ment that the United States proposes to subject the person committing the violation to specific controls on the importing of goods or technology into the United States upon the expiration of 60 days from the date of such notification; and

"(3) a majority of the parties to the multilateral agreement (other than the United States), before the end of that 60-day period, have expressed to the President concurrence in the proposed import controls or have abstained from stating a position with respect to the proposed controls.".

SEC. 122. HOURS OF OFFICE OF EXPORT ADMINISTRATION.

The Secretary of Commerce shall modify the office hours of the Office of Export Administration of the Department of Commerce on at least four days of each workweek so as to accommodate communications to the Office by exporters throughout the continental United States during the normal business hours of those exporters.

SEC. 123. TECHNICAL AMENDMENTS.

(a) ARMS EXPORT CONTROL ACT.—Section 38(e) of the Arms Export Control Act (22 U.S.C. 2778(e)) is amended by striking out "(f)" and inserting in lieu thereof "(g)".

(b) MINERAL LEASING ACT OF 1920.—Subsection (u) of section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185) is amended—

(1) by striking out "1969 (Act of December 30, 1969; 83 Stat. 841)" and inserting in lieu thereof "1979 (50 U.S.C. App. 2401 and following)"; and

(2) by striking out "1969" each subsequent place it appears and inserting in lieu thereof "1979".

SEC. 124. AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.

Section 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(a)(2)) is amended by inserting after "Senate" the first place it appears the following: "and the chairman of the Committee on Banking, Housing, and Urban Affairs of the Senate (when licenses are to be issued pursuant to the Export Administration Act of 1979).".

SEC. 125. EXPORT OF HORSES.

The Act of March 3, 1891 (46 U.S.C. 466a and 466b), is amended by adding at the end the following:

"SEC. 3. EXPORT OF HORSES.

"(a) RESTRICTION ON EXPORT OF HORSES.—Notwithstanding any other provision of law, no horse may be exported by sea from the United States, or any of its territories or possessions, unless such horse is part of a consignment of horses with respect to which a waiver has been granted under subsection (b).

"(b) GRANTING OF WAIVERS.—The Secretary of Commerce, in consultation with the Secretary of Agriculture, may issue regulations providing for the granting of waivers permitting the export by sea of a specified consignment of horses, if the Secretary of Commerce, in consultation with the Secretary of Agriculture, determines that no horse in that consignment is being exported for purposes of slaughter.

"(c) PENALTIES.—

(1) CRIMINAL PENALTY.—Any person who knowingly violates this section or any regulation, order, or license issued under this section shall be fined not more than 5 times the value of the consignment of horses involved or $50,000, whichever is greater, or imprisoned not more than 5 years, or both.

"(2) CIVIL PENALTY.—The Secretary of Commerce, after providing notice and an opportunity for an agency hearing on the record, may impose a civil penalty of not to exceed $10,000 for each violation of this section or any regulation, order, or license issued under this section, either in addition to or in lieu of any other liability or penalty which may be imposed.".

SEC. 126. ALASKAN OIL STUDY.

(a) REVIEW OF ALASKAN OIL POLICY.—

(1) IN GENERAL.—The President shall undertake a comprehensive review of the issues and related data concerning possible changes in the existing incentives to produce crude oil from the North Slope of Alaska (including changes in Federal and State taxation, pipeline tariffs, and Federal leasing policies) and possible changes in the existing distribution of crude oil from the North Slope of Alaska (including changes in export restrictions which would permit exports at free market levels and at levels of 50,000 barrels per day, 100,000 barrels per day, 200,000 barrels per day, and 500,000 barrels per day), as well as the appropriateness of continuing existing controls. Such review shall include, but not be limited to, a study of—

(A) the effect of such changes on the energy and national security of the United States and its allies;

(B) the role of such changes in United States foreign policymaking, including international energy policymaking;

(C) the impact of such changes on employment levels in the maritime industry, the oil industry, and other industries;

(D) the impact of such changes on the refiners and on consumers;

(E) the impact of such changes on the revenues and expenditures of the Federal Government and the government of Alaska;

(F) the effect of such changes on incentives for oil and gas exploration and development in the United States; and

(G) the effect of such changes on the overall trade deficit of the United States, and the trade deficit of the United States with respect to particular countries, including the effect of such changes on trade barriers of other countries.

(2) FINDINGS, OPTIONS, AND RECOMMENDATIONS.—The President shall develop, after consulting with appropriate State and Federal officials and other persons, findings, options, and recommendations regarding the production and distribution of crude oil from the North Slope of Alaska.

(b) CONSULTATION AND REPORT.—In carrying out subsection (a), the President shall consult with the Committees on Foreign Affairs and Energy and Commerce of the House of Representatives and the appropriate committees of the Senate. Not later than 9 months after the date of the enactment of this Act, the President shall transmit to each of those committees a report which contains the results of the review under subsection (a)(1), and the findings, options, and recommendations developed under subsection (a)(2).

TITLE II—EXPORT PROMOTION PROGRAMS

SEC. 201. REQUIREMENT OF PRIOR AUTHORIZATION.

(a) GENERAL RULE.—Notwithstanding any other provision of law, money appropriated to the Department of Commerce for expenses to carry out any export promotion program may be obligated or expended only if—

(1) the appropriation thereof has been previously authorized by law enacted on or after the date of the enactment of this Act; or

(2) the amount of all such obligations and expenditures does not exceed an amount previously prescribed by law enacted on or after such date.

(b) EXCEPTION FOR LATER LEGISLATION AUTHORIZING OBLIGATIONS OR EXPENDITURES.—To the extent that legislation enacted after the making of an appropriation to carry out any export promotion program authorizes the obligation or expenditure thereof, the limitation contained in subsection (a) shall have no effect.

(c) PROVISIONS MUST BE SPECIFICALLY SUPERSEDED.—The provisions of this section shall not be superseded except by a provision of law enacted after the date of the enactment of this Act which specifically repeals, modifies, or supersedes the provisions of this section.

(d) EXPORT PROMOTION PROGRAM DEFINED.—For purposes of this title, the term "export promotion program" means any activity of the Department of Commerce designed to stimulate or assist United States businesses in marketing their goods and services abroad competitively with businesses from other countries, including, but not limited to—

(1) trade development (except for the trade adjustment assistance program) and dissemination of foreign marketing opportunities and other marketing information to United States producers of goods and services, including the expansion of foreign markets for United States textiles and apparel and any other United States products;

(2) the development of regional and multilateral economic policies which enhance United States trade and investment interests, and the provision of marketing services with respect to foreign countries and regions;

(3) the exhibition of United States goods in other countries; and

(4) the operations of the United States and Foreign Commercial Service, or any successor agency.

SEC. 202. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated $113,273,000 for each of the fiscal years 1985 and 1986 to the Department of Commerce to carry out export promotion programs.

SEC. 203. BARTER ARRANGEMENTS.

(a) REPORT ON STATUS OF FEDERAL BARTER PROGRAMS.—The Secretary of Agriculture and the Secretary of Energy shall, not later than 90 days after the date of the enactment of this Act, submit to the Congress a report on the status of Federal programs relating to the barter or exchange of commodities owned by the Commodity Credit Corporation for materials and products produced in foreign countries. Such report shall include details of any changes necessary in existing law to allow the Department of Agriculture and, in the case of petroleum resources, the Department of Energy, to implement fully any barter program.

(b) AUTHORITIES OF THE PRESIDENT.—The President is authorized—

(1) to barter stocks of agricultural commodities acquired by the Government for petroleum and petroleum products, and for other materials vital to the national interest, which are produced abroad, in situations in which sales would otherwise not occur; and

(2) to purchase petroleum and petroleum products, and other materials vital to the national interest, which are produced abroad and acquired by persons in the United States through barter for agricultural commodities produced in and exported from the United States through normal commercial trade channels.

(c) OTHER PROVISIONS OF LAW NOT AFFECTED.—In the case of any petroleum, petroleum

products, or other materials vital to the national interest, which are acquired under subsection (b), nothing in this section shall be construed to render inapplicable the provisions of any law then in effect which apply to the storage, distribution, or use of such petroleum, petroleum products, or other materials vital to the national interest.

(d) CONVENTIONAL MARKETS NOT TO BE DISPLACED BY BARTERS.—The President shall take steps to ensure that, in making any barter described in subsection (a) or (b)(1) or any purchase authorized by subsection (b)(2), existing export markets for agricultural commodities operating on conventional business terms are safeguarded from displacement by the barter described in subsection (a), (b)(1), or (b)(2), as the case may be. In addition, the President shall ensure that any such barter is consistent with the international obligations of the United States, including the General Agreement on Tariffs and Trade.

(e) REPORT TO THE CONGRESS.—The Secretary of Energy shall report to the Congress on the effect on energy security and on domestic energy supplies of any action taken under this section which results in the acquisition by the Government of petroleum or petroleum products. Such report shall be submitted to the Congress not later than 90 days after such acquisition.

TITLE III—NUCLEAR AGREEMENTS FOR COOPERATION

SEC. 301. AGREEMENTS FOR COOPERATION.

(a) NOTIFICATION OF AND CONSULTATION WITH THE CONGRESS; HEARINGS.—Section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) is amended—

(1) in subsection a. by inserting after "Assessment Statement" the following: "(A) which shall analyze the consistency of the text of the proposed agreement for cooperation with all the requirements of this Act, with specific attention to whether the proposed agreement is consistent with each of the criteria set forth in this subsection, and (B)";

(2) in subsection b. by inserting before "the President" the following: "the President has submitted text of the proposed agreement for cooperation, together with the accompanying unclassified Nuclear Proliferation Assessment Statement, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, the President has consulted with such Committees for a period of not less than thirty days of continuous session (as defined in section 130 g. of this Act) concerning the consistency of the terms of the proposed agreement with all the requirements of this Act, and"; and

(3) in subsection d. by inserting before the sentence which begins "Any such proposed agreement" the following: "During the sixty-day period the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate shall each hold hearings on the proposed agreement for cooperation and submit a report to their respective bodies recommending whether it should be approved or disapproved.".

(b) CONGRESSIONAL REVIEW OF AGREEMENTS.—Subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153(d)) is amended—

(1) by striking out "adopts a concurrent resolution" and inserting in lieu thereof "adopts, and there is enacted, a joint resolution";

(2) by striking out the period at the end of the first proviso and inserting in lieu thereof ": Provided further, That an agreement for cooperation exempted by the President pursuant to subsection a. from any requirement contained in that subsection shall not become effective unless the Congress adopts, and there is enacted, a joint resolution stating that the Congress does favor such agreement."; and

(3) by striking out "130 of this Act for the consideration of Presidential submissions" and inserting in lieu thereof "130 i. of this Act".

(c) PROCEDURES FOR CONSIDERATION OF AGREEMENTS.—

(1) TECHNICAL CHANGES.—Section 130 a. of the Atomic Energy Act of 1954 (42 U.S.C. 2159(a)) is amended—

(A) in the first sentence—

(i) by striking out "123 d.,"; and

(ii) by striking out ", and in addition, in the case of a proposed agreement for cooperation arranged pursuant to subsection 91 c., 144 b., or 144 c., the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate,"; and

(B) in the proviso, by striking out "and if, in the case of a proposed agreement for cooperation arranged pursuant to subsection 91 c., 144 b., or 144 c. of this Act, the other relevant committee of that House has reported such a resolution, such committee shall be deemed discharged from further consideration of that resolution".

(2) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS.—Section 130 of the Atomic Energy Act of 1954 is amended by adding at the end the following:

"i. (1) For the purposes of this subsection, the term 'joint resolution' means a joint resolution, the matter after the resolving clause of which is as follows: 'That the Congress (does or does not) favor the proposed agreement for cooperation transmitted to the Congress by the President on .', with the date of the transmission of the proposed agreement for cooperation inserted in the blank, and the affirmative or negative phrase within the parenthetical appropriately selected.

"(2) On the day on which a proposed agreement for cooperation is submitted to the House of Representatives and the Senate under section 123 d., a joint resolution with respect to such agreement for cooperation shall be introduced (by request) in the House by the chairman of the Committee on Foreign Affairs, for himself and the ranking minority member of the Committee, or by Members of the House designated by the chairman and ranking minority member; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such an agreement for cooperation is submitted, the joint resolution shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in session.

"(3) All joint resolutions introduced in the House of Representatives shall be referred to the appropriate committee or committees, and all joint resolutions introduced in the Senate shall be referred to the Committee on Foreign Relations and in addition, in the case of a proposed agreement for cooperation arranged pursuant to section 91 c., 144 b., or 144 c., the Committee on Armed Services.

"(4) If the committee of either House to which a joint resolution has been referred has not reported it at the end of 45 days after its introduction, the committee shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter; except that, in the case of a joint resolution which has been referred to more than one committee, if before the end of that 45-day period one such committee has reported the joint resolution, any other committee to which the joint resolution was referred shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter.

"(5) A joint resolution under this subsection shall be considered in the Senate in accordance with the provisions of section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976. For the purpose of expediting the consideration and passage of joint resolutions reported or discharged pursuant to the provisions of this subsection, it shall be in order for the Committee on Rules of the House of Representatives to present for consideration a resolution of the House of Representatives providing procedures for the immediate consideration of a joint resolution under this subsection which may be similar, if applicable, to the procedures set forth in section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976.

"(6) In the case of a joint resolution described in paragraph (1), if prior to the passage by one House of a joint resolution of that House, that House receives a joint resolution with respect to the same matter from the other House, then—

"(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

"(B) the vote on final passage shall be on the joint resolution of the other House.".

(d) APPLICABILITY OF AMENDMENTS.—The amendments made by this section shall apply to any agreement for cooperation which is entered into after the date of the enactment of this Act.

Amend the title so as to read: "An Act to reauthorize the Export Administration Act of 1979, and for other purposes.".

Mr. DOLE. Mr. President, I move that the Senate disagree with the amendments of the House of Representaives and request a conference with the House of Representatives on the disagreeing votes thereon and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer [Mr. MURKOWSKI] appointed Mr. GARN, Mr. HEINZ, and Mr. PROXMIRE conferees on the part of the Senate.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OMNIBUS COMMITTEE FUNDING RESOLUTION AMENDMENTS

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to consideration of Calendar No. 90, Senate Resolution 145, a resolution to authorize expenditures for the committees of the Senate through February 28, 1986.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 145) to authorize expenditures for the committee of the Senate through February 28, 1986.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

AMENDMENT NO. 53

(Purpose: To provide transition funding for committee staff members)

Mr. BYRD. Mr. President, I send an amendment to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], proposes an amendment numbered 53.

Mr. BYRD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the resolution, add the following new section:

AMENDMENT TO S. RES. 354, 98TH CONGRESS

SEC. . Senate Resolution 354, 98th Congress, agreed to March 2, 1984, is amended by adding at the end thereof the following new section:

"AUTHORITY FOR EMPLOYMENT OF CERTAIN PREVIOUSLY DISPLACED PERSONNEL

"SEC. 22. Notwithstanding any provision of the preceding sections of this resolution, the authority contained in such sections insofar as it pertains to the funding of, and payment for, employment of personnel, shall be extended from February 28, 1985, through July 15, 1985 in the case of an individual who is certified, by the Chairman of the Committee on Rules and Administration, to the Secretary of the Senate as being an employee who was displaced, as a committee employee, by reason of the committee reorganizations which took place at the beginning of the first session of the 99th Congress, and who otherwise meets such criteria for employment under this section as is prescribed by the Committee on Rules and Administration; except that no individual shall be paid under authority of this section for any period exceeding 60 days.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from West Virginia [Mr. BYRD].

The amendment (No. 53) was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 145), as amended, was agreed to, as follows:

S. RES. 145

Resolved, That this resolution may be cited as the "Omnibus Committee Funding Resolution Amendments".

SEC. 2. (a) Section 2(a) of Senate Resolution 85, agreed to February 28, 1985 (hereafter in this resolution referred to as the "Resolution") is amended by striking out "$8,102,000 and inserting in lieu thereof "$44,828,358".

(b) Section 2(b) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

SEC. 3. (a) Section 3(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 3(b) of the Resolution is amended—

(1) by striking out "$231,800" and inserting in lieu thereof "$1,300,500";

(2) by striking out "$700" the first time it appears and inserting in lieu thereof "$4,000"; and

(3) by striking out "$700" the second time it appears and inserting in lieu thereof "$4,000".

SEC. 4. (a) Section 4(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 4(b) of the Resolution is amended—

(1) by striking out "$719,600" and inserting in lieu thereof "$4,117,385";

(2) by striking out "$15,800" and inserting in lieu thereof "$115,000"; and

(3) by striking out "$1,300" and inserting in lieu thereof "$8,000".

SEC. 5. (a) Section 5(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 5(b) of the Resolution is amended—

(1) by striking out "$373,300" and inserting in lieu thereof "$2,158,810";

(2) by striking out "$2,500" and inserting in lieu thereof "$15,000"; and

(3) by striking out "$1,000" and inserting in lieu thereof "$6,000".

SEC. 6. (a) Section 6(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 6(b) of the Resolution is amended—

(1) by striking out "$301,000" and inserting in lieu thereof "$1,660,768";

(2) by striking out "$200" the first time it appears and inserting in lieu thereof "$1,000"; and

(3) by striking out "$200" the second time it appears and inserting in lieu thereof "$1,000".

SEC. 7. (a) Section 7(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 7(b) of the Resolution is amended—

(1) by striking out "$533,000" and inserting in lieu thereof "$2,958,298"; and

(2) by striking out "$7,500" and inserting in lieu thereof "$45,000".

SEC. 8. (a) Section 8(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 8(b) of the Resolution is amended—

(1) by striking out "$608,000" and inserting in lieu thereof "$3,312,233";

(2) by striking out "$3,300" and inserting in lieu thereof "$20,000"; and

(3) by striking out "$2,800" and inserting in lieu thereof "$16,960".

SEC. 9. (a) Section 9(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 9(b) of the Resolution is amended—

(1) by striking out "$420,800" and inserting in lieu thereof "$2,397,763";

(2) by striking out "$5,800" and inserting in lieu thereof "$35,000"; and

(3) by striking out "$1,100" and inserting in lieu thereof "$7,000".

SEC. 10. (a) Section 10(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 10(b) of the Resolution is amended—

(1) by striking out "$425,000" and inserting in lieu thereof "$2,333,631";

(2) by striking out "$1,300" and inserting in lieu thereof "$8,000"; and

(3) by striking out "$300" and inserting in lieu thereof "$2,000".

SEC. 11. (a) Section 11(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 11(b) of the Resolution is amended—

(1) by striking out "$396,500" and inserting in lieu thereof "$2,217,073";

(2) by inserting "(1)" after the word "amount";

(3) by striking out "$5,000" and inserting in lieu thereof "$30,000"; and

(4) by inserting before the period at the end thereof a comma and the following: "and (2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act)".

SEC. 12. (a) Section 12(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

"(b) Section 12(b) of the Resolution is amended—

(1) by striking out "$455,400" and inserting in lieu thereof "$2,434,509";

(2) by striking out "(1) not to exceed $3,000" and inserting in lieu thereof "not to exceed $18,000"; and

(3) by striking out "and (2) not to exceed $100 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act)".

SEC. 13. (a) Section 13(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 13(b) of the Resolution is amended—

(1) by striking out "$827,400" and inserting in lieu thereof "$4,440,229";

(2) by striking out "$31,500" and inserting in lieu thereof "$189,000"; and

(3) by striking out "$1,800" and inserting in lieu thereof "$10,750".

(c) Section 13(c)(3) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

SEC. 14. (a) Section 14(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 14(b) of the Resolution is amended—

(1) by striking out "$778,500" and inserting in lieu thereof "$4,246,242";

(2) by striking out "$6,000" and inserting in lieu thereof "$36,000"; and

(3) by striking out "$200" and inserting in lieu thereof "$1,000".

SEC. 15. (a) Section 15(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 15(b) of the Resolution is amended—

(1) by striking out "$808,700" and inserting in lieu thereof "$4,453,130"; and

(2) by striking out "$13,300" and inserting in lieu thereof "$56,600'.

SEC. 16. (a) Section 16(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 16(b) of the Resolution is amended—

(1) by striking out "$223,400" and inserting in lieu thereof "$1,229,446";

(2) by striking out "$2,500" and inserting in lieu thereof "$4,000"; and

(3) by striking out "$400" and inserting in lieu thereof "$3,500".

SEC. 17. (a) Section 17(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 17(b) of the Resolution is amended by striking out "$167,000" and inserting in lieu thereof "$926,220".

SEC. 18. (a) Section 18(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 18(b) of the Resolution is amended by striking out "$155,900" and inserting in lieu thereof "$887,069".

SEC. 19. (a) Section 19(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 19(b) of the Resolution is amended—

(1) by striking out "$193,300" and inserting in lieu thereof "$1,072,116";

(2) by striking out "$5,800" and inserting in lieu thereof "$35,000"; and

(3) by striking out "$200" and inserting in lieu thereof "$1,000".

SEC. 20. (a) Section 20(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 20(b) of the Resolution is amended—

(1) by striking out "$344,000" and inserting in lieu thereof "$1,918,904"; and

(2) by striking out "$3,300" and inserting in lieu thereof "$20,000".

SEC. 21. (a) Section 21(a) of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

(b) Section 21(b) of the Resolution is amended—

(1) by striking out "$139,400" and inserting in lieu thereof "$764,032"; and

(2) by striking out "$300" and inserting in lieu thereof "$1,000".

SEC. 22. Section 22 of the Resolution is amended by striking out "April 30, 1985" and inserting in lieu thereof "February 28, 1986".

SEC. 23. Senate Resolution 354, Ninety-eighth Congress, agreed to March 2, 1984, is amended by adding at the end thereof the following new section:

AUTHORITY FOR EMPLOYMENT OF CERTAIN PREVIOUSLY DISPLACED PERSONNEL

"SEC. 22. Notwithstanding any provision of the preceding sections of this resolution, the authority contained in such section insofar as it pertains to the funding of, and payment for, employment of personnel. Shall be extended from February 28, 1985, through July 15, 1985, in the case of an individual who is certified, by the chairman of the Committee on Rules and Administration, to the Secretary of the Senate as being an employee who was displaced, as a committee employee, by reason of the committee reorganizations which took place at the beginning of the first session of the Ninety-ninth Congress, and who otherwise meets such criteria for employment under this section as is prescribed by the Committee on Rules and Administration; except that no individual shall be paid under authority of this section for any period exceeding sixty days.".

Mr. DOLE. Mr. President, I move to reconsider the vote by which the resolution, as amended, was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MATHIAS). Is there objection? Without objection, it is so ordered.

SOUTHEAST ASIA 10 YEARS LATER

Mr. SIMPSON. Mr. President, this week, we have passed one of those milestones that is intended to illuminate the pathway ahead by causing us to cast a long look backward. Ten years after the end of the Vietnam war, we are doing some stocktaking.

And what do we find? We find this country united in a way seldom seen in those difficult days of the war. We see a rebirth of patriotism and pride in this country. Our economy remains a most dynamic and powerful force in the world. We also see a younger generation better educated than ever before and seemingly confident, competitive, and ready to lead this Nation on into the next century.

In Vietnam, we also see a country that is celebrating—in a parade of images so avidly covered by camera crews from the major networks. One almost thinks back to the days of the Iranian hostages, when one could never be certain if the demonstrations would have really been there if the cameras had not.

In Vietnam, 10 years have given us the chance to learn a good bit more of what we were fighting against, and about. After the war, the government in the north was so fearful of its own people that they summarily killed off tens of thousands who had been active in the South Vietnamese Government. "Purges," they were called. You will recall that is not quite the way we did it after our U.S. Civil Wars. Defeated soldiers in that war could go home, to family and friends, and brothers and sisters, or they were free to move west—to Wyoming and the Great Plains—where many indeed settled and opened up the American West.

In Vietnam, the defeated—more than a million of them—were placed in concentration camps. Perhaps 10,000, maybe more, are still there: They cannot be trusted, we are told, cannot even be released as refugees. Yet 1½ million did come out as refugees. They came by boat, they walked across Cambodia, they paid enormous bribes to be allowed to "exit"—any way they could find, because they knew just what to expect from their government. Appalling, is it not? They are still fleeing, at every single chance they get. Some government!

The people of Cambodia could not be trusted either. First, under the Khmer Rouge, who we supported and supplied by the Vietnamese, between 1 and 3 million Cambodians were eliminated—out of a population of some 7 million. That is called genocide. Then the Vietnamese decided to take over that country in 1979. The Cambodians knew just what to expect, too: They took off. They fled to Thailand in the hundreds of thousands, and they are still coming. Some come largely for the food that is available from the U.N. border relief operation, because, sadly enough Cambodia can no longer feed itself.

We began in Vietnam trying to save some human beings from something that, in the long run, we could not save them from—in part because we lost the courage of our convictions. But the Vietnamese people, North and South, knew—or they soon learned—just what we were trying to save them from. For as soon as the war was over, they tried to save themselves as well—by boat, by foot, by any means available to them. We helped them greatly in that effort, by leading all of the governments and citizens of the world in resettling them and finding new homes and new lives for those who, while certainly being victims of the war, would have been even greater victims of "the peace."

It is so important to remember that—while visions of Vietnamese celebrations parade and flicker across our television screens—we have much less to be "ashamed of" than some might have us believe. The hundreds of thousands of Southeast Asian refugees have taught us that the way a compas-

sionate and noble nation earns the allegiance of its citizens is not by "re-education," but through trust and hope and opportunity and participation in government.

Might that not be why so many have chosen to leave the land of "the victors" in the earnest hope of finding a fresh start and a new life of freedom in the land of "the losers?"

SENATOR BYRD'S AWARD

Mr. SIMPSON. Mr. President, as we have taken a great introspective look at that conflict in Vietnam in some of the great celebrations of this week, one particularly appropriate and quite moving was the one in which the minority leader was honored by the Paralyzed Veterans of America and the Vietnam Veterans Institute and was presented with a most extraordinary oil portrait which was beautifully done. It is my pleasure to have been invited to participate in that ceremony honoring the Democratic leader. It was a very great treat and a very great privilege to do that. It was indeed one of the nicest ceremonies I have attended in my time here.

Mr. BYRD. Mr. President, will the distinguished majority whip yield?

Mr. SIMPSON. Yes, I will.

Mr. BYRD. I thank him for yielding.

I thank him very much for his exceedingly kind words with respect to the award by the Paralyzed Veterans of America and the Vietnam Veterans Institute. I also am grateful for his presence on that day. I know the representatives of those two organizations were very grateful for the presence of the distinguished majority whip and the distinguished majority leader, the distinguished President pro tempore, and other distinguished Senators, including the distinguished minority whip and my own colleague, Senator ROCKEFELLER.

Also, I would like to include in that list SONNY MONTGOMERY, a Representative in the other body, who, I believe, won the immediately previous award a year ago.

In any event, many thanks to the distinguished majority whip.

TIME REMAINING ON BUDGET RESOLUTION

Mr. BYRD. Mr. President, I wonder if the majority whip would inquire of the Chair as to how much time remains on the budget resolution before we go out?

Mr. SIMPSON. Mr. President, in accordance with that request, we would be pleased to have the time yet remaining on the resolution.

The PRESIDING OFFICER. The majority controls 8 hours and 18 minutes. The minority controls 12 hours exactly.

Mr. BYRD. Mr. President, I thank the distinguished majority whip. I also thank the Chair.

ORDERS FOR MONDAY, MAY 6, 1985

ORDER FOR RECESS UNTIL 12 NOON ON MONDAY, MAY 6, 1985

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 12 noon on Monday, May 6, 1985.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF CERTAIN SENATORS

Mr. DOLE. Mr. President, I further ask unanimous consent that after the recognition of the two leaders under the standing order, there be a special order in favor of the Senator from Wisconsin [Mr. PROXMIRE] for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ROUTINE MORNING BUSINESS

Mr. DOLE. Following the special order, I ask unanimous consent that there be a period for the transaction of routine morning business not to extend beyond the hour of 1 p.m. with statements therein limited to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DOLE. Mr. President, I also indicate to my colleagues that following the routine morning business, the Senate will resume consideration of Senate Concurrent Resolution 32, the budget resolution. It would be my intention that no rollcall votes on amendments would occur prior to the hour of 4 p.m. on Monday. There is always the possibility that there may be some procedural vote but no vote on substantive amendments. If we agree or conclude debate on amendments, we might be able to sequence the votes starting on those amendments at about 4 o'clock if the yeas and nays are ordered on those amendments.

I also indicate that it is a good likelihood, in view of limited schedules on Tuesday and Wednesday evenings, that we would be in late in the evening on Monday.

Is that satisfactory with the distinguished minority leader?

Mr. BYRD. Yes. It is. I thank the distinguished majority leader.

RECESS UNTIL MONDAY, MAY 6, 1985

Mr. SIMPSON. Mr. President, after concurring with the minority leader and in accordance with the previous order, I ask unanimous consent that the Senate stand in recess until Monday, May 6, 1985 at 12 o'clock.

There being no objection, the Senate, at 2:04 p.m. recessed until Monday, May 6, 1985, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 3, 1985:

MISSISSIPPI RIVER COMMISSION

Brig. Gen. Thomas Allen Sands, [redacted], U.S. Army, to be a member and president of the Mississippi River Commission, and Brig. Gen. Robert Joseph Dacey, [redacted], U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress, approved June 28, 1879 (21 Stat. 37) (33 U.S.C. 642).

ENVIRONMENTAL PROTECTION AGENCY

A. James Barnes, of the District of Columbia, to be Deputy Administrator of the Environmental Protection Agency.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

THE JUDICIARY

Kenneth F. Ripple, of Indiana, to be U.S. circuit judge for the seventh circuit.

John P. Moore, of Colorado, to be U.S. circuit judge for the 10th circuit.

Joseph H. Rodriguez, of New Jersey, to be U.S. district judge for the district of New Jersey.

George F. Gunn, Jr., of Missouri, to be U.S. district judge for the eastern district of Missouri.

Sam B. Hall, Jr., of Texas, to be U.S. district judge for the eastern district of Texas.

IN THE AIR FORCE

The following-named officer for appointment to the grade of lieutenant general on the retired list pursuant to the provisions of title 10, United States Code, section 1370:

Lt. Gen. Richard K. Saxer, [redacted] FR, U.S. Air Force.

The following-named officer for appointment to the grade of lieutenant general on the retired list pursuant to the provisions of title 10, United States Code, section 1370:

Lt. Gen. Herman O. Thomson, [redacted] FR, U.S. Air Force.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. Jack I. Gregory, [redacted] FR, U.S. Air Force.

The following-named officer, under the provision of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. John L. Pickitt, [redacted] FR, U.S. Air Force.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962.

To be general

Gen. Bernard W. Rogers, [redacted] (age 63), U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. William E. Odom, [redacted] U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Dale A. Vesser, [redacted] U.S. Army.

IN THE MARINE CORPS

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by The President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. D'Wayne Gray, [redacted] U.S. Marine Corps.

IN THE NAVY

The following-named officer, under the provisions of title 10, United States Code, section 5064 to be Director of Budget and Reports in the Department of the Navy.

Rear Adm. William D. Smith, [redacted]/1120, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. Crawford A. Easterling, [redacted]/1310, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. William J. Cowhill, [redacted]/1120, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by The President under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. Powell F. Carter, Jr., [redacted]/1120, U.S. Navy.

The following-named commodores of the Reserve of the U.S. Navy for permanent promotion to the grade of rear admiral in the line and staff corps, as indicated, pursuant to the provisions of title 10, United States Code, section 5912:

UNRESTRICTED LINE OFFICERS

Richard Edward Young.
Tammy Haggard Etheridge.
LeRoy Collins, Jr.
Frederick Peter Biserschenk, Jr.

UNRESTRICTED LINE OFFICERS (TAR)

Tommie Fred Rinard.

MEDICAL CORPS OFFICER

James Albert Austin.

DENTAL CORPS OFFICER

Haruto Wilfred Yamanouchi.

SUPPLY CORPS OFFICER

Donald Gene St. Angelo.

CIVIL ENGINEER CORPS OFFICER

Charles Richard Smith.

The following-named officer, under the provision of title 10, United States Code, section 5142, to be Chief of Chaplains, U.S. Navy:

Commodore John R. McNamara, Chaplain Corps, [redacted]/4100, U.S. Navy.

IN THE AIR FORCE

Air Force nominations beginning Maj. Richard G. Broberg, and ending Maj. John T. Aumiller, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 1985.

Air Force nominations beginning James S. Majors, and ending John E. Troyer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Air Force nominations beginning David M. Abbate, and ending Edward W. Zwanziger, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Air Force nominations beginning David M. Abbate, and ending Roger D. Wetherington, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Air Force nominations beginning Alan A. Abangan, and ending Thomas M. Zuccaro, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

IN THE ARMY

Army nominations beginning Floyd Z. Light, Jr., and ending William M. Wight, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Army nominations beginning Derric L. Abrecht, and ending David L. Zylka, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

IN THE MARINE CORPS

Marine Corps nominations beginning Granville R. Amos, and ending Anthony C. Zinni, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Marine Corps nominations beginning James R. Abelee, and ending Richard H. Zegar, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 22, 1985.

Marine Corps nominations beginning Michael J. Piirto, and ending Christopher D. Heid, 9086, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 22, 1985.

IN THE NAVY

Navy nominations beginning Mark S. Ammons, and ending Harry P. Clause, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Navy nominations beginning Christopher A. Aiello, and ending Donald E. Burbach, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 17, 1985.

Navy nominations beginning William M. Bartleman II, and ending Craig B. Dever, which nominations were received by the Senate on April 19, 1985, and appeared in the CONGRESSIONAL RECORD of April 22, 1985.

Navy nominations beginning Cmdr. Donald E. Williams, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 22, 1985.

HOUSE OF REPRESENTATIVES—*Monday, May 6, 1985*

The House met at 12 o'clock noon.

Rev. Charles Mallon, permanent deacon, Holy Family Church, Mitchellville, MD, offered the following prayer:

Let the coming generation be told of the Lord. That they may proclaim to a people yet to be born, the justice He has shown.—Psalm 22:30-31.

Father we are creating a legacy of law that will impact on other peoples, other places and other times. Raise our consciousness to a level that is cognizant of future legislative issues that lie beyond our present grasp.

Accept our need for a present sense of legislative mission and continue to challenge us with the opportunity to both confront and defend the rights of others.

Empower this legislative body, both Members and staff, with the help of Your grace to grant spiritual continuity to this legacy which we bequeath to future generations of lawmakers.

We ask this through Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 195. Joint resolution designating May 1985 as "Older Americans Month"; and

H.J. Res. 258. Joint resolution to designate May 6, 1985, as "Dr. Jonas E. Salk Day."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 883) entitled "An act to extend the Export Administration Act of 1979," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GARN, Mr. HEINZ, and Mr. PROXMIRE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House is requested:

S.J. Res. 59. Joint resolution to designate "National Science Week";

S.J. Res. 64. Joint resolution to designate the week beginning May 5, 1985, as "National Correctional Officers Week";

S.J. Res. 66. Joint resolution designating June 14, 1985, as "Baltic Freedom Day";

S.J. Res. 83. Joint resolution designating the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week";

S.J. Res. 87. Joint resolution to provide for the designation of July 19, 1985, as "National P.O.W./M.I.A. Recognition Day";

S.J. Res. 92. Joint resolution to designate October 1985 as "National Foster Grandparents Month";

S.J. Res. 93. Joint resolution to designate the month of May 1985 as "Better Hearing and Speech Month";

S.J. Res. 103. Joint resolution to designate the month of May 1985, as "Very Special Arts U.S.A. Month";

S.J. Res. 104. Joint resolution to proclaim October 23, 1985, as "A Time of Remembrance" for all victims of terrorism throughout the world;

S.J. Res. 118. Joint resolution to designate May 25, 1985, as "Missing Children Day"; and

S.J. Res. 128. Joint resolution to designate May 7, 1985, as "Vietnam Veterans Recognition Day."

RACIST ADMINISTRATION APPOINTEE

(Mr. SYNAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYNAR. Mr. Speaker, in an obscure Federal agency, is an obscure administration appointee who is quietly earning $70,000 a year as chairperson of the Copyright Royalty Tribunal. Never mind that the appointee has no professional expertise in copyright. Never mind that this appointee heads an agency that distributes tens of millions of dollars. Never mind that this agency is in such sad shape that no segment of the industry which it regulates is willing to appear before it. There is a greater issue: Marianne Hall, the person I describe, is the coauthor (as she once claimed) or the editor (as she now claims) of a book which contains the most racist, putrid, repugnant, vicious, brutal, and undisguised statements I have ever read.

Mr. Speaker, you will hear much about this book. I know of no better way of responding to it than to repeat Thomas Jefferson's original draft of the Declaration of Independence.

We hold these truths to be sacred and undeniable; that all men are created equal and independent, that from that equal creation they derive rights inherent and inalienable * * *.

It's very, very sad we've come to this.

THE REAL WINNER IN INDIANA'S EIGHTH CONGRESSIONAL DISTRICT

(Mr. CHENEY asked and was given permission to address the House for 1 minute.)

Mr. CHENEY. Mr. Speaker, last week this House, in the case of the Indiana Eighth Congressional District race, decided to seat Mr. MCCLOSKEY, the Democrat, over the objections of we Republicans. At the time our claim on the Republican side of the aisle was that the Democratically dominated task force counted until Mr. MCCLOSKEY was ahead by 4 votes, and then stopped counting, and left 32 votes uncounted.

I would like to report to the House, Mr. Speaker, that the Evansville Courier, a newspaper in the district affected, counted the remaining 32 ballots. They checked with the individuals who cast those absentee ballots and were able to contact 26 of those people who had, in fact, voted but whose ballots were not counted by the Democrats. The results show that of the 26, 20 voted for Mr. McIntyre, 5 voted for Mr. MCCLOSKEY, and 1 did not vote in the congressional race.

The result, Mr. Speaker, if we had counted all of the ballots, is that, in fact, Rick McIntyre, the Republican, won the race in the Eighth District in Indiana by a total of 11 votes.

"FOUNDATIONS OF SAND"

(Mrs. COLLINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COLLINS. Mr. Speaker, last week, it was revealed that an official of the Reagan administration participated in the publication of a book entitled "Foundations of Sand," which I and members of the black community, and indeed people throughout this Nation, find abhorrent and repulsive. Although the Chairwoman of the Copyright Royalty Tribunal—Ms. Marianne Hall—has disavowed her involvement with the book, I find it totally unconscionable that a public official—and a highly salaried one at that, who appears to harbor these kinds of attitudes and feelings, can be appointed to such a position.

I believe that the evidence which has been presented clearly shows that Ms. Hall, despite her attempts to put herself at arm's length from the racially disparaging quotes in the book, is at least in part responsible and cul-

pable of advancing these offensive and slanderous views.

These revelations are particularly disconcerting and worrisome, since they come at a time when the people of this country and around the world are remembering the atrocities that occurred in Germany over four decades ago, atrocities that were the by-products of ignorance, hatred, and bigotry. And with the constant refusal of the South African Government to alter its policy on apartheid, there is continuing proof that racial bias and prejudice is deeply rooted and still exists.

I join with the members of the Congressional Black Caucus, those of my colleagues who have spoken out on this issue, and others in the private sector who have called for the immediate resignation of Ms. Hall. This is not a partisan issue—it is one on which we all should and can agree. Failure by administration officials to ask Ms. Hall to resign from her post would send a very damaging signal to the citizens of this country—black, white, and otherwise—about this administration's commitment to fairness and equality for all Americans, regardless of race, religious heritage, or national descent.

MOVIE STARS AS FARM EXPERTS

(Mr. KASICH asked and was given permission to address the House for 1 minute.)

Mr. KASICH. Mr. Speaker, I understand that today, noted agricultural experts Jane Fonda, Cissy Spacek, and Jessica Lange have graciously consented to lend their expertise to the majority party's grasp of the farm problem. The Democrat caucus task force on agriculture has besought these care-worn maidens of the prairie for advice on agricultural policy. We realize how much our friends in the majority party want to be recognized as the party of new ideas, and calling on movie stars for testimony about farming certainly demonstrates how hard-pressed the Democrats are in coming up with fresh ideas.

Mr. Speaker, our farmers are facing serious problems. These problems need both an immediate and a long-term solution. But when I need to be informed about questions of farm policy, I at least know where to turn: To the hard-working men and women in my district whose efforts have made us the most productive agricultural economy in the world. To call on the likes of Jane Fonda to sort out our agricultural problem is simply a PR stunt, and a demeaning stunt at that. I hope my friends in the majority will not compound their mistake by seeking her advice on foreign policy issues as well.

ADMINISTRATION'S CONCEPT AS "COMMUNITY"

(Mr. SIKORSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIKORSKI. Mr. Speaker, some in the current administration, from the President on down, are fond of quoting John Kennedy. Here is a quote they missed.

Speaking to the National Conference of Christians and Jews in 1957, Kennedy said:

> Brotherhood, tolerance, enlightened relations between members of different ethnic groups—these are, after all, simply an extension of the concept upon which all free organized society is based.

For the Kennedy-philes in the administration who don't know, this concept is called community.

But some Reaganites have a definition of their own.

Clarence Pendleton doesn't like affirmative action—unless it means he's head of the Civil Rights Commission. The Assistant Secretary of Education says the handicapped have brought their plight on themselves. Ed Meese says people frequent soup lines for the food. The President says the homeless sleep on grates by choice. And now, Marianne Hall says black Americans are bound by the jungle.

Racist, disparaging comments have no place in John Kennedy's American community of 1957 or of 1985.

THE TIME IS RIPE FOR A NEW GATT ROUND

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, over the weekend, we were all disappointed to learn that France has posted a stumbling block to the efforts of the major trading countries to begin a new global trade round. On this day, the 21st anniversary of the inauguration of the Kennedy round of the General Agreement on Tariffs and Trade—The GATT—it is appropriate to reflect for a minute on the benefits of multilateral trade negotiations.

The Kennedy round, and later the Tokyo round, resulted in the substantial lowering of tariff and nontariff barriers to trade. All countries have benefited from the stabilizing and liberalizing influence of global rules on trade.

We have witnessed an eightfold increase in trade since the GATT system began. The beneficiaries of trade are consumers, labors, industries, and nations.

It has been 6 years since the last round of multilateral trade negotiations. New technologies have developed. Services have become an active sector in world trade. Shortcomings in the old rules have become evident. It is time to embark on a new round. We need to extend trade rules to new areas such as services, intellectual property, and investment.

President Mitterrand, it is time to do the responsible thing and endorse a new trade round. Both your countrymen and mine will benefit from the fruits of such an effort.

UNIFORMED SERVICES FORMER SPOUSE EQUITY ACT

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, today I am introducing the Uniformed Services Former Spouses Retirement Equity Act. Marriage is an economic partnership in which both individuals contribute to the livelihood of the family. Both partners share the personal and economic expenses required during family life. For the military spouse, however, the demands of family and frequent moves make it difficult, if not impossible, to establish a pension based on years worked with a single employer.

Those military spouses whose marriages end in divorce often find themselves without retirement benefits. Although current law allows courts to consider the military retirement pay in divorce settlements, many courts fail to recognize the contribution and sacrifices of the spouse to a military career. In addition, the Department of Defense has difficulty in interpreting some of the formulas created by the courts to divide military pay. This bill would establish a pro rata presumption to the military retirement pay for the former spouse. The division would be based on the years contributed to the military career and subject to court review. In 1980 and 1982 Congress passed laws to provide a pro rata presumption for CIA and Foreign Service spouses. This policy should be extended to military spouses.

In addition, the Uniformed Services Former Spouse Retirement Equity Act expands options available to those members and spouses who want to participate in the survivor benefit plan. I am inserting in the RECORD in the Extensions of Remarks my fact sheet that fully explains what this bill will do.

□ 1210

THE TWO-PARTY SYSTEM VERSUS INDIANA

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, what would Thomas Jefferson say if he were witness to the recent unpleasantness visited upon the citizens of the Eighth District of Indiana? I surmise that it may echo what he wrote to fellow patriot Henry Lee in 1823:

Men by their constitutions are naturally divided into two parties: (1) Those who fear and distrust the people, and wish to draw all powers from them into the hands of the higher classes. (2) Those who identify with the people, have confidence in them, cherish and consider them as the most honest and safe, although not the most wise depository of the public interests. In every country these two parties exist; and in every one where they are free to think, speak, and write, they will declare themselves.

Mr. Speaker, I think both parties in the House have declared themselves quite clearly on this matter.

LIMITING CONFLICT OF INTEREST IN DEFENSE PROCUREMENT

(Mr. BENNETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENNETT. Mr. Speaker, today I am introducing on behalf of myself, Mr. NICHOLS and Mrs. BOXER, a bill to limit conflicts of interest in the defense procurement process. Our bill combines the best features of my original bill and that of Mrs. BOXER and Mr. NICHOLS on this issue. It is the result of extensive testimony received at hearings chaired by myself and Mr. NICHOLS.

Our hearings revealed that when defense procurement officials "switch sides" and go to work for defense contractors, the result is often higher prices, lower quality, and decreased public confidence in our national Defense Establishment.

Our bill attacks this problem directly. It prohibits anyone with significant responsibility for a defense contract from shortly thereafter working for a firm involved in that contract.

I should stress that the official would not be barred from working with all defense contractors but only with the few companies with which he or she directly dealt, and then only for 2 years.

We are working with our colleagues in the Senate to ensure that this is the year that we finally pass a meaningful reform. We will have more extensive comments later when Senator PROXMIRE and Senator PRYOR introduce legislation similar to our bill.

Mr. Speaker, we are also working on other reforms in the fields of claims against the Government by contractors which will be the subject of different legislation.

THE FINAL COUNT ON THE EIGHTH DISTRICT OF INDIANA

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, I understand that the gentleman from Wyoming [Mr. CHENEY] has already brought to the attention of the House a fact so startling that I wanted to report it again for those who may have missed it.

According to the Evansville Courier in a copyright story they contacted the voters who were not counted by the recent task force.

Mr. Speaker, the Associated Press reports, and I quote:

The 32 absentee ballots that were never counted in Indiana's 8th District Congressional race would have given Republican Rick McIntyre the winning edge according to a newspaper survey of the voters.

At least 20 of the 32 ballots not counted because the voters' signatures were not notarized or cast for McIntyre, The Evansville Courier reported in a copyright story in today's edition. The ballots would have overcome Democratic Representative Frank McCloskey's four vote margin of victory if they had been counted as demanded by Republican Members of Congress.

Of 26 people contacted by the newspaper, 20 said they voted for McIntyre, five for McCloskey, and one said she did not vote in the Congressional race. One voter died last February and five could not be reached.

Even if all six people who were not contacted voted for McCloskey the ballots still would have given McIntyre the edge.

In other words, thanks to the Evansville Courier, which finished the job the task force refused to finish, in fact had all the ballots been counted it is clear McIntyre would have won the race.

Mr. Speaker, I yield back the balance of my time.

ALL MEN ARE CREATED EQUAL

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, our Declaration of Independence declares that "all men are created equal." Our Constitution calls for equality of opportunity for all in our society. This is the beauty of the American Government and the American spirit. Unfortunately, certain members of this administration don't seem to think so. Over the past several weeks and months, various Reagan administration officials have denigrated American blacks, American Jews, native Americans, Hispanic Americans, and the handicapped. The latest dose of repugnance comes in the form of a book, "Foundations of Sand," edited by Marianne Mele Hall, a Reagan administration appointee, now Chair of the Copyright Royalty Tribunal, an agency of the Federal Government. Mr. Speaker, the taxpayers of this Nation should not have to pay the salaries of the those who espouse bigotry or racism. Those who have the honor and privilege of representing this great country should at least respect the principles which govern it.

It is an insult to all Americans for this administration to allow such people to continue in office. I call on the President to stand up for decency, for fairness, and for the Constitution.

ELEVATION OF NICARAGUAN BISHOP A POLITICAL ACT AS WELL AS A RELIGIOUS ACT

(Mr. LAGOMARSINO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, the elevation of Nicaraguan Archbishop Miguel Obando Y Bravo can be viewed as much a political act as a religious one.

In Nicaragua, the Sandinista leadership includes several Catholic priests, and the Pope has ordered them out of politics. Their refusal to relinquish their state duties has led to the suspension by the Vatican of their religious functions. Now that the Pope has named Obando Y Bravo cardinal, the tension between the church and the Sandinista regime is expected to increase. Those Catholics who oppose the Sandinista regime reportedly regard Obando Y Bravo as sympathetic to their cause.

Obando Y Bravo has continued to press for direct talks with Nicaraguan resistance leaders. He has said that "we seek peace by civilized means and with dialog—a mediation among Nicaraguans, if both sides will accept this."

Following the announcement of Reagan's peace proposal in early April, which included a call for dialog between the Sandinistas and the Nicaraguan resistance, Obando Y Bravo was asked whether the church's blueprint for peace followed the same lines as the Reagan proposal. Obando Y Bravo stressed that the Nicaraguan bishops conference "exactly a year ago made such a proposal on Easter Sunday."

CALLING FOR THE RESIGNATION OF MS. MARIANNE HALL

(Mr. HAYES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYES. Mr. Speaker, we are all aware by now of the controversy surrounding Ms. Marianne Hall, the newly appointed Chairperson of the Copyright Royalty Tribunal. Everyday she redefines her role in the production of the book, "Foundations of Sand," a book filled with some of the most racist and offensive ideas ever

admitted to by a person holding public office. She has moved from coauthor to editor to one who merely edited "verbs, nouns, and pronouns." Was "jungle freedoms" one of the nouns that she added? Or was "subsidized procreation" one of her ideas?

It is my understanding that last Thursday, Ms. Hall delivered a brief statement to some of my Republican colleagues in the House in an attempt to clear up this controversy. This is only another example of how this administration has turned the whole idea of fairness and morality into a mere political game. Instead of sending her response to those who were calling for her resignation—or better yet—to the entire House of Representatives, it was only given to Republican Members. Mr. Speaker, whether Ms. Hall knows it or not, morality is not a partisan issue. It doesn't belong to Democrats or Republicans, but to people of conscience everywhere. The same thing applies whether we are speaking of visiting the graves of stormtroopers in Bitburg, or practicing "constructive engagement" with the racist regime in Johannesburg. It's the same thing whether it is the Department of Education and aid to the disabled, or a public official like Ms. Hall, who, if she isn't a racist, doesn't mind taking the credit as coauthor of racist books.

It is clear to me, Mr. Speaker, that this administration has lost its sense of morality. It is up to this Congress to help to set it right. The first step in that direction should be the termination of Ms. Marianne Hall. In that regard, I urge my colleagues on both sides of the aisle to cosponsor and support House Resolution 155.

THE FINAL TALLY ON THE RACE IN THE EIGHTH DISTRICT IN INDIANA

(Mr. WEBER asked and was given permission to address the House for 1 minute.)

Mr. WEBER. I thank the Speaker.

As a couple of my colleagues indicated earlier, the cloud that hangs over the gentleman's seat in the Eighth District of Indiana has become a thunderstorm by the revelation of an Associated Press survey of the 32 ballots never counted in the recount.

Mr. Speaker, I again would like to read into the RECORD the Associated Press story datelined Evansville, IN.

The 32 absentee ballots that were never counted in Indiana's 8th District congressional race would have given Republican Rick McIntyre the winning edge, according to a newspaper survey of the voters.

At least 20 of the 32 ballots not counted because the voter's signatures were not notorized—were cast for McIntyre,The Evansville Courier reported in a copyright story in today's editions. The ballots would have overcome Democratic Rep. Frank McCloskey's four-vote margin of victory if they had been counted as demanded by Republican members of Congress.

Of 26 people contacted by the newspaper, 20 said they voted for McIntyre, five for McCloskey and one said she did not vote in the congressional race. One voter died last February and five could not be reached.

Even if all six people who weren't contacted voted for McCloskey, the ballots still would have given McIntyre the edge.

McCloskey was seated Wednesday after the Democrat-controlled House voted nearly along party lines. Republicans had called for a special election.

□ 1220

So the verdict is in, Mr. Speaker, just as we feared: McIntyre won the election, the Democrats seated the loser.

WE CANNOT CONTINUE TO RAISE THE DEBT CEILING

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, last October, at the request of the President, this Congress raised the debt ceiling to $1,824 billion, an increase of $248 billion.

The Treasury has recently notified us that this will not be enough money to get through the fiscal year, as they had expected when they asked us to raise it last year, and they will ask us in July to raise this debt ceiling again by some unknown amount.

Mr. Speaker, I may accede to this request by the President this time, but Mr. Speaker, this is the last time. Unless there is a proposal put forward by the President and adopted by the Congress to get this borrowing, borrowing, borrowing under control. It is wrecking our domestic economy. It is decapitalizing our farms and factories, it is unemploying our people, and it is going to be a disaster for us unless it is controlled.

Mr. Speaker, tomorrow I hope to put forward a plan that would allow the President, if he disagrees with an appropriation to delete that appropriation, in whole or in part, by item or however he wishes to, from appropriations bills.

We are in a time of emergency and this, what is now happening, cannot continue to go forward.

THE ADMINISTRATION'S INSENSITIVITY TO MINORITIES

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, the appointment of Marianne Hall to the Copyright Royalty Tribunal is an outrage not only to blacks, but to all minorities and all Americans who treasure this country's protection of the integrity of all people. It appears that there is a place in a public service for more that espouse racist and bigot, if not in the private sector, in public service. What is so attractive about this person's resume, that the Reagan administration had little problem with her only published work, "Foundations of Sand?" It would have been more appropriately entitled "Foundations of a Sociology of Racism: A Handbook on Racist Ideology, a Primer for Segregationists."

Mr. Speaker, this is not an isolated show of recent insensitivity by the administration. The President's Bitburg trip was most regrettable. In the Department of Labor, thousands of farmworkers are denied sanitation standards as they work and sweat in this Nation's fields. In our Department of Education, an official had dared to slight the disabled. The administration would cut free mailing privileges to the blind. The list goes on, but the patience of the American people does not. Today, Ms. Hall continues in public office without the public trust.

What is the main thesis of Ms. Hall on the problems of blacks in our society? Listen to these ringing words of wisdom:

The problems rise when you displace the jungle-freedoms-types into the Scotland-type environment which is America * * *"

And why do some blacks get welfare? Ms. Hall again is edifying:

They put blacks on welfare so that they can continue their jungle freedoms of leisure time and subsidized procreation.

Why should we have a separate education system for blacks? Ms. Hall reaches the height of wisdom:

Blacks resent attending American schools . . . (because) they consider the curriculum irrelevant, which indeed it is for them.

Finally, Ms. Hall's crystal clear racism becomes eloquent:

Their race has skipped the centuries of training which has produced in other races discipline, foresight, and tolerance of drudgery, necessary for success in the agricultural and industrial ages in the temperate zones * * *.

Ms. Hall is entitled to write and express her opinions. But she ought to be dismissed from a post in which the public expects our Constitution to be defended and our ideals upheld.

WIDE-ANGLE TELEVISION COVERAGE OF HOUSE PROCEEDINGS

(Mr. BONER of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONER of Tennessee. Mr. Speaker, today I have introduced a resolution to amend the House rules to provide for the wide-angle television coverage of this Chamber's legislative proceedings.

This resolution is the natural and logical complement to recent House actions to provide wide-angle television coverage of this Chamber. As recently as last week, the House adopted a resolution to provide television coverage of the floor proceedings while Members are voting. Last year, as my colleagues recall, the Speaker initiated wide-angle television coverage of special orders.

Mr. Speaker, providing wide-angle television coverage during House debate on legislation continues the steps already taken to provide the American people with a complete, unedited and uninterrupted broadcast account of House floor proceedings. Such wide-angle coverage further insures that the American people receive an accurate portrayal of the debate during our consideration of legislation here on the House floor.

Mr. Speaker, the House has taken great strides to open the legislative process to the view and scrutiny of the American people. I urge my colleagues to join me in opening our floor debate to the fullest possible television coverage. Such an act will ensure an even more informed public.

A PATTERN OF CONSERVATIVE PARTISANSHIP IS EMERGING

(Mr. FAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FAZIO. Mr. Speaker, each week there seems to be another story about a Reagan appointee who is not fit for office. A pattern of conservative partisanship is emerging.

Over at the important Office of Personnel Management, Dr. Devine abused his office in such a highly political way that even members of his own party question whether he should remain in office.

At the Department of Education, another Reagan appointee stepped down because she put forward the view that the disabled among us were selfish and deserved their fate because of some unknown sin. She is gone now, but not without causing pain to those who should be helped rather than hurt by Federal appointees.

At the Department of Labor, we now have a Secretary who has the faith of the Congress. Yet it should not go unnoticed that it has taken several years for us to get a Secretary of Labor who has merited our trust, and those are years lost forever to the workers of this country.

And now the Reagan pattern has seeped down to the tiny Copyright Royalty Tribunal. Another Reagan appointment is found to be unfit for office.

We do not want to persecute anyone. However, it should be remembered that the racist views which Ms. Hall is associated with have hurt millions of people across this country for decades.

She should go, too.

The administration should treat its second term appointments with care even though there will be no election in 4 years to which it must answer. The administration must still answer each day to all of the American people—not just the hard right partisans that clamor for influence.

THE CONTINUING PROBLEM OF COMPUTER CRIME

(Mr. HUGHES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUGHES. Mr. Speaker, today I would like to bring to the attention of this body the continuing problem of computer crime which we dealt with in part during the last Congress but which needs further attention in this Congress.

The continuing need for extra protection in this area was clearly demonstrated earlier this year when a group of hackers harassed a Newsweek reporter, Richard Sandza, who had uncovered and publicized some of their shady activities. The hackers, incensed by the bad publicity, began to harass Mr. Sandza and his wife with anonymous phone calls and auto dial calls and finally started a mock trial on what is called "pirate bulletin boards" around the country. In this process they broke into the TRW computer records where they pulled out Sandza's credit card numbers, thus enabling them to make numerous false credit purchases and charge them to Mr. Sandza.

The incident merely dramatizes the need for expanded Federal computer crime protection, and I intend to pursue this matter in hearings on H.R. 1001 later this month.

H.R. 1001 would complement last year's efforts to make computer crime a Federal offense. It is aimed at white-collar criminals and hackers who would violate our privacy and carry out high technology schemes to defraud.

Computer technology has brought us a long way in the past decade. However, that technology—with all its gains—has left us with a new breed of criminals. I believe that Government and industry have a dual responsibility in this area. Industry has to develop locks to protect the intangible property in computer systems, and the Federal Government has to provide the laws to prosecute this primarily interstate process of breaking these locks and entering the systems.

THE SELECTION OF MARIANNE MELE HALL

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, the selection of Marianne Mele Hall to be a member of the Copyright Royalty Tribunal is yet another indication of the Reagan administration's insensitivity and its lack of moral leadership.

Ms. Hall is barely qualified for the position that she now holds. She does not have an expertise in copyright law.

If that were the only argument against her continuing in her position, we would not be talking about this matter today. It is an unfortunate fact that the administration all too often makes appointments which are based on philosophical litmus tests rather than on expertise.

However, Ms. Hall apparently played a significant role in the writing and editing of a book entitled, "Foundations of Sand." That book includes a totally offensive chapter regarding black Americans. It is racist rot.

Among other things, the book advocates a separate school system for black students. It also contains this insulting passage regarding black American men.

"They insist on preserving their jungle freedoms, their women, their avoidance of personal responsibility and their abhorrence of the work ethic."

In the midst of this growing controversy, Ms. Hall now claims that she merely edited "Foundations of Sand." No longer does she claim that she is a coauthor, as she originally stated in a Senate questionnaire and on the copyright application. The role that Ms. Hall played in the production of the book is not the issue. Instead, we must judge whether someone who had a part in the writing or editing of this patently prejudiced piece is suited to hold an appointive office in the U.S. Government.

I believe that in associating herself with the publication of this book, in allowing her name to be listed on the cover as a coauthor, Ms. Hall sacrificed whatever fitness she may have had to hold high office in our Government.

More than 200 years ago, Thomas Jefferson in our founding document, set forth the principle from which all of our other national tenets stem: "We hold these truths to be self-evident, that all men are created equal."

It is a travesty that someone who has helped to advance a contrary philosophy now holds high office in the Government of our country.

From Bitburg to the nomination of Marianne Hall, the administration fails to recognize the sensitivities of others.

In this case, it is essential that Marianne Hall resign.

51-059 O-86-17 (Pt. 8)

□ 1230

Mr. Speaker, it is contrary to the principles of this Nation and ought to be contrary to the principles of this administration.

CHILDREN'S TELEVISION PROGRAMMING

(Mr. NIELSON of Utah asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NIELSON of Utah. Mr. Speaker, did you know that by the time a child finishes high school he or she will have spent 10,000 to 15,000 hours in front of a television set? This is more time than in the classroom. This amazing fact makes it very clear that today, television plays a major part in the lives, attitudes, and education of our children. What is more clear is that as a society we must make sure that this valuable educational tool be used as a positive force in the lives of America's children.

Today, I am introducing legislation that, I believe, will ensure that broadcasters serve the needs and interests of children in their audiences. Under the bill, stations which fail to meet the needs and interests of children will have their licenses taken away by the FCC and given to someone who will fulfill this important obligation. Past legislative proposals have mandated a specific number of hours per week for children's programming. This has proven confusing and difficult for broadcasters. My bill makes it clear that the needs of children must be served by broadcasters and then requires the FCC to determine this on a case-by-case basis at the time of license renewal.

While I favor substantial deregulation of the broadcasting industry in order to eliminate unnecessary Government controls that have handicapped the industry's ability to serve the public, I take very seriously the industry's obligation to serve the children of this Nation. In short, I will not support any deregulatory policy that relieves TV and radio stations from their important role in our children's lives.

Children need our help. I ask my colleagues to support me in my endeavor to improve the quality of children's programming thereby giving our children a better future.

CENTRAL AMERICA: A DOSE OF REALITY

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute.)

Mr. GONZALEZ. Mr. Speaker, in the Reagan White House, it is the major—premise that image counts for more than reality. Translated into practice, this means that Ronald Reagan prefers to buildup and play on images, rather than to do the hard work of laying out the hard facts and doing the hard work of real leadership. Thus it is that in Central America, everything has been done to project images and perceptions, but nothing has been done to discuss actual reality.

One reality in Central America is the Organization of American States, to which we belong, which was founded upon our leadership, and which is pledged to maintain mutual peace and mutual respect among the countries of this hemisphere.

Previous administrations have found cause to intervene in other countries of this hemisphere—but in those cases the Organization of American States was consulted, and agreed with the action taken. The Reagan administration has not taken its Central American policy to the OAS; nor has it sought OAS support. Indeed, while other countries in the hemisphere seek some means of negotiation, the President rejects every opportunity and turns away from every possiblity.

Yet we are pledged in the Rio Treaty to use peaceful means and to respect sovereign states, regardless of whether we like or dislike those states. With regard to Nicaragua, we maintain an Embassy there, and have throughout the Sandinista regime. This fact constitutes diplomatic recognition. The Rio Treaty, which we signed and pledged to live by, says this, in its article 13: "Recognition implies that the State granting it accepts the personality of the new State."

President Reagan has never withdrawn recognition of the Nicaraguan Government, which must mean that he thinks it is a legitimate Government. That is reality, and since that is the case, international law clearly proscribes the clandestine war he has been undertaking against Nicaragua. It is not only against international law, but it is against our own laws.

PRESIDENT SHOULD FIRE MARIANNE HALL

(Mr. LEVIN of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN of Michigan. Mr. Speaker, last week we read the comments of Marianne Hall. We have been waiting for action from the White House about her. So far there has been nothing but silence.

The President's appointee as chair of the Copyright Royalty Tribunal listed herself as the coauthor of the book "Foundations of Sand," in a biographical form used during consideration of her Senate confirmation, and she now says she was responsible only for editing the book.

Mr. Speaker, she is clearly not a very good editor. But, more importantly, she lacks any understanding of the plight of the American people, black or white, and as such cannot be expected to represent their interests on matters coming before the Tribunal.

I call on the President, as he comes back to the United States, to take the lead on this issue to demonstrate at last some sensitivity in this situation and fire the Chair of the Tribunal if she is unwilling to resign voluntarily.

MARIANNE M. HALL SHOULD RESIGN

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute.)

Mr. GEPHARDT. Mr. Speaker, today, I ask for the resignation of Marianne Mele Hall. Her association with the book, the "Foundations of Sand," disqualifies her as a representative of the U.S. Government. The book is so terrible, that I cannot bear to quote from it. It's vicious racism and once again points out the insensitivity of the Reagan administration.

Reagan went to Bitburg yesterday. He didn't realize the pain that many Americans suffered during World War II.

Reagan appointed James Watt who made the famous remark that a certain board was representative because it includes a "black, Jew, woman and a cripple."

This administration attempts to grant tax exemptions to openly segregated schools.

These actions violate my beliefs. All Americans are equal, and they deserve respect. Marianne Hall is not someone who should represent the U.S. Government.

MS. HALL AND PRESIDENTIAL RESPONSIBILITY

(Mr. DYMALLY asked and was given permission to address the House for 1 minute.)

Mr. DYMALLY. Mr. Speaker, in his second inaugural address, President Ronald Reagan implied that America now enjoyed an unprecedented opportunity to end lingering racist attitudes. Considering Mr. Reagan's unfortunate approach to civil rights and civil liberties issues, this hopeful statement has been proven worthless. The current controversy surrounding Marianne Hall, a Presidential appointee, and her book "Foundations of Sand," has been symbolic of the contradictions between the President's rhetoric and the President's position on civil rights. Ms. Hall's editorial role in "Foundations of Sand" reflects a 19th century racist's attitude toward blacks. This is hardly representative of the hopeful, new era that President Reagan insists is here.

With commitment, I join the Congressional Black Caucus in its condemnation of Hall's efforts in "Foundations of Sand." With sadness, I must decry Mr. Reagan's poor judgment in furthering racist attitudes through his appointment of Ms. Hall. The President must stand for high moral principles, and he owes an obligation to the electorate to make good his inaugural promises. Since Mr. Reagan wishes to avoid this difficulty, let us, the Congressional Black Caucus, assure the American people that their Government does not tolerate racist public officials in its ranks. Let us continue to stand together against racism, and prove to the world that the American Government must never further the cause of intolerance and bigotry. We request an apology from the President to the American people, and we ask the President to request Ms. Hall's resignation.

PRESIDENT SHOULD ASK MARIANNE HALL TO RESIGN

(Mr. WHEAT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHEAT. Mr. Speaker, I am disappointed that Marianne Hall, President Reagan's appointee as Chair of the Copyright Royalty Tribunal, has surely saddened and surprised our President by her coauthorship of a racially repugnant and scientifically distorted book. She completely disregarded the President's often espoused belief for equality and opportunity for all our people. We all join the President in being saddened but, unfortunately, not surprised. For this is the administration that gave us Ann Burford, who spent her time cleaning up not waste sites but reputations. They also gave us Paul Thayer, convicted former Under Secretary of Defense; Ed Meese, investigated for filing résumés in his checkbook; and other notable appointees like Clarence Pendleton, Jim Watt and the indicted Ray Donovan.

Mr. Speaker, the President is fond of quoting a sign on Harry Truman's desk. There was another sign on that desk that said, "Always do right. You will surprise some people and astonish the rest."

Mr. President, astonish us, ask Marianne Hall to resign.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TORRES). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4, rule XV.

Such rollcall votes, if postponed, will be taken on Tuesday, May 7, 1985.

TECHNICAL AMENDMENTS TO TITLE 46, UNITED STATES CODE, REGARDING CODIFICATION

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 597) to amend subtitle II of title 46, United States Code, "Shipping," making technical and conforming changes, and for other purposes.

The Clerk read as follows:

S. 597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subtitle II of title 46, United States Code, is amended as follows:

(1) In section 3305(b), strike "life-saving" and "life preserver or firehose" and insert in lieu thereof "lifesaving" and "life preserver, lifesaving device, or firehose", respectively.

(2) In section 3501—

(A) in subsection (a), strike the comma; and

(B) in subsection (c), strike "violates subsection (b) of this section" and insert in lieu thereof "carries more passengers than the number of passengers permitted by the certificate of inspection".

(3) In section 7702(a), strike "mariners' " and insert in lieu thereof "mariner's".

(4) In section 8302(b), strike "clerks" and insert in lieu thereof "clerks,".

(5) In section 10504, amend subsection (d) to read as follows:

"(d) Subsections (b) and (c) of this section do not apply.

"(1) a vessel engaged in coastwise commerce.

"(2) a yacht.

"(3) a fishing vessel (except a vessel taking oysters).

"(4) a whaling vessel.".

(6) In section 11101(d), strike "light" and insert in lieu thereof "lighted".

(7)(A) In the analysis of chapter 121, amend the item relating to section 12109 to read as follows:

"12109. Recreational vessel licenses.".

(B) In sections 1210(5) and 12104(2), strike "pleasure" and insert in lieu thereof "recreational".

(C) In section 12109 and the catchline for such section, strike "Pleasure" and "pleasure vessel" wherever they appear and insert in lieu thereof "Recreational" and "recreational vessel", respectively.

(D) In section 12110 (a) and (c), strike "documented pleasure" wherever it appears and insert in lieu thereof "documented recreational".

(8) In section 12114(a), strike "of documentation".

(9)(A) In the caption for part E in the analysis of such subtitle II which appears before the text of Part A of such subtitle, strike "Licenses, Certificates, and Merchant Mariners' " and insert in lieu thereof "Merchant Seamen Licenses, Certificates, and".

(B) In the caption for part E immediately before the analysis of chapter 71 of such subtitle II, strike "Licenses, Certificates, and Merchant Mariners' " and insert in lieu thereof "Merchant Seamen Licenses, Certificates, and".

(C) In section 7501(a), strike "certificate, or document" and insert in lieu thereof "certificate of registry, or merchant mariner's document".

(D) In section 7503(b), strike "certificate, or document" the first time it appears and insert in lieu thereof "certificate of registry, or merchant mariner's document".

(E) In section 7703, strike "certificate," the first time it appears and insert in lieu thereof "certificate of registry,".

(F) In section 7704(b), strike "document" the first time it appears and insert in lieu thereof "merchant mariner's document".

(G) In section 7704(c), strike "certificate, or document" and insert in lieu thereof "certificate of registry, or merchant mariners' document".

(H) In section 7705(a), strike "certificates, and documents" and insert in lieu thereof "certificates of registry, and merchant mariners' documents".

(b) The effective date of subsection (a)(5) of this section is August 26, 1983.

SEC. 2. Section 22 of the Coast Guard Authorization Act of 1984 (Public Law 98-557; 98 Stat. 2871), and the amendments made by such section, are repealed as of November 8, 1984. Regulations prescribed and actions taken under, and references to, such section and amendments made by such section are deemed to be regulations prescribed and actions taken under, and references to, section 701 of the Act of November 8, 1984 (Public Law 98-623; 98 Stat. 3413), and the amendments made by such section 701.

SEC. 3. Section 403(a) of the Commercial Fishing Industry Vessel Act (Public Law 98-364; 98 Stat. 450) is amended by striking "Before" and inserting in lieu thereof "Except as provided in chapter 37 of title 46, United States Code, and before".

□ 1240

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from North Carolina [Mr. JONES] will be recognized for 20 minutes and the gentleman from Texas [Mr. FIELDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 2 years ago Congress passed legislation re-writing the Coast Guard laws concerning vessel inspection, manning, and seaman protection. This legislation simply makes technical corrections to that act to clarify some of its provisions and to bring it closer into conformance with the prior law.

The amendment to section 3305(b) simply standardizes the language and spelling used in the section.

The amendment to section 3501 clarifies the application of the criminal penalty for carrying more passengers than the number allowed in the vessel's certificate of inspection.

The amendment to section 7702(a) corrects a spelling error.

The amendment to section 8302(b) corrects a punctuation error.

The amendment to section 10504(d) corrects an inadvertent application of a penalty to masters on vessels for not

paying seamen within 2 days after they are discharged from a vessel in the coastwise trade. Under the previous law vessels engaged in voyages between two places in the United States, including the Great Lakes, were exempt from this penalty. This amendment brings the law back to where it was previously, effective on August 26, 1983, the date of enactment of the codification.

The amendment to section 11101(d) corrects a spelling error.

The amendments to chapter 121 simply change the use of the word "pleasure vessel" to "recreational vessel" in order to standardize the useage of the term throughout the subtitle when we mean the same type of vessel.

The amendments to Part E of the subtitle standardize the use of the terms related to certificates of registry, merchant mariner's documents, and merchant seamen's licenses throughout the part. It makes no substantive change to law.

Section 2 of this legislation corrects an error when Congress passed the same law twice last year by repealing the earlier provision but continuing the regulations under the later provision.

Section 3 of this legislation corrects the Commercial Fishing Industry Vessels Act by clarifying that the vessels under this act must comply with chapter 37 of title 46, United States Code, which regulates the transportation of liquid bulk dangerous cargoes.

Mr. Speaker, I urge my colleagues to support this very noncontroversial bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FIELDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 597, a bill to make technical and nonsubstantive changes to our shipping laws. The bill makes three changes in subtitle II of title 46 of the United States Code. First, the bill clarifies the wage penalty provisions for coastwise commerce encompassing all voyages of vessels from one place in the United States to another including voyages on the Great Lakes. Second, the bill eliminates a duplicate provision in law regarding the requirement for exposure suits on U.S. vessels. Finally, S. 597 clarifies the limited application of dangerous cargo provisions to certain fishing industry vessels.

These amendments are necessary in order to correct errors in the 1983 codification of U.S. shipping laws. The bill provides for consistency in the application and use of terms as well as proper punctuation and grammatical construction. These changes are noncontroversial, and I urge my colleagues to support and approve this legislation.

● Mr. LENT. Mr. Speaker, I also rise in support of S. 597, a bill to amend subtitle II of title 46, United States Code, making technical and conforming changes to various provisions of our shipping laws.

In particular, this bill makes three primary changes. First, it clarifies the wage penalties provisions for coastwise commerce which includes the Great Lakes. Second, it repeals a duplicate provision regarding the requirement for exposure suits on U.S. vessels. Third, it clarifies the limited application of dangerous cargo provisions to certain fishing industry vessels. In addition, minor amendments are included that correct errors in the 1983 codification of the shipping laws and provides for consistency in the application and use of terms as well as proper punctuation and grammatical construction.

Mr. Speaker, by making these amendments, this bill refines the shipping laws so they more closely reflect original congressional intent and in that sense are truly technical and conforming changes. Therefore, I urge my colleagues to support and approve this legislation.●

● Mr. SNYDER. Mr. Speaker, I rise in strong support of S. 597, a bill which makes technical and conforming changes in subtitle II of title 46 of the United States Code.

Early in the 98th Congress, Public Law 98-89, codifying certain of the shipping statutes, was enacted into law. As is inevitably the case in any undertaking of that magnitude, a few internal inconsistencies and technical imperfections found their way into the legislation. This bill is designed to correct those flaws.

Mr. Speaker, I know of no opposition to the legislation, and urge the Members' adoption so that we can speedily send it to the President for his signature.●

● Mr. DAVIS. Mr. Speaker, I join my colleagues in support of S. 597, a noncontroversial bill which amends subtitle II of title 46 of the United States Code. I am submitting a section-by-section analysis of S. 597 which addresses its three main provisions: First, a clarification of wage penalty provisions for coastwise commerce; second, repealing a duplicate provision regarding requirements for exposure suits on U.S. vessels; and third, clarifying the limited application of dangerous cargo provisions to certain fishing industry vessels.

SECTION-BY-SECTION ANALYSIS OF S. 597

Section 1 make certain technical amendments to the shipping laws in subtitle II of title 46, United States Code. The amendments correct errors in the 1983 codification of these laws and provide for consistency in the application and use of terms as well as proper punctuation and grammatical construction.

In particular, subsection (a)(5) clarifies the wage penalty provisions in the U.S. shipping laws that apply to vessels engaged in the coastwise commerce. Coastwise commerce encompasses all voyages of vessels from one place in the United States to another, including voyages on the Great Lakes. As the law currently appears, section 10504 of title 46, United States Code, requires a vessel owner or master to pay a seaman 2 days' wages for each day payment of wages is delayed without sufficient cause after the termination of a voyage. Under prior law, former 46 U.S.C. 544, vessels engaged in coastwise commerce were exempt from this requirement. However, in the codification of the shipping laws in title 46 of the United States Code (Public Law 98-89), this exemption was inadvertently omitted.

The reason the wage penalty was enacted originally was to cure abuses occurring in the merchant marine where seamen were abandoned in foreign ports without their pay. Under this provision, if a seaman was not paid, the seaman would be able to receive relief under U.S. law. However, in the original law, the policy was set that this protection was not necessary for vessels engaged in commerce close by along the coast of the United States. In addition, certain fishing vessels, whaling vessels, yachts, and vessels engaged in voyages between the United States and Canada, or between adjacent States, were also exempted from this penalty provision. This provision preserves these exemptions.

This section would simply restore this exemption so that vessels that should properly be exempt from this penalty would not have to disrupt the pay and accounting systems already in place just because of an oversight in the codification of title 46, United States Code. Currently, vessels that enjoy this exemption are paying their seamen in a timely fashion and are legitimate businesses which are not seeking to fraudulently deprive U.S. merchant seamen of their rightful benefits. In fact, many of the seamen employed on vessels engaged in coastwise commerce are subject to union agreements which contemplated a slight delay because they provide for the periodic payment of their wages. Thus, although a seaman may not be paid upon the termination of a voyage, as this penalty provision envisions, the seaman would be paid on a biweekly or monthly basis in accordance with a contract with the shipping company and would not have sufficient cause for the penalty to apply. In fact, even without this exemption, because of the established practice of paying seamen in the coastwise commerce, the negotiated union agreements, and the modern accounting systems that shipping companies employ in the United States, it is certain that a seaman paid under these circumstances would not have sufficient cause to make a claim for additional compensation because of a gap in time between when a voyage terminated and when the seaman's paycheck arrived in a timely fashion.

Thus, from a historical and legal perspective, this provision in no way diminished the protection afforded our American seamen in the past and serves to eliminate this oversight in our shipping laws.

Section 2 simply eliminates a duplicate provision in the shipping laws requiring the use of exposure suits on vessels operating in cold waters. Both section 22 of the Coast Guard Authorization Act of 1984 (Public Law 98-557, 98 Stat. 2871), enacted October 30, 1984, and section 701 of the act of November 8, 1984 (Public Law 98-623, 98 Stat. 3413), enacted substantively identical sections 3102 of title 46, United States Code, related to exposure suits. The purpose of this

section of the bill is technical and nonsubstantive in nature. It repeals the earlier section, section 22, and its amendments as of the date of enactment of the later section, section 701, and includes a savings provision so that regulations prescribed and actions taken under, and references to, section 701 and its amendments. Thus, no disruption occurs in the requirement for exposure suits by law or regulation, or is the requirement changed in any way.

Section 3 clarifies a provision in the shipping laws in section 403(a) of the Commercial Fishing Industry Vessel Act (Public Law 98-364, 98 Stat. 450) permitting the transportation of cargo to remote communities in Alaska by fishing industry vessels. It makes clear that fish processing vessels that carry flammable or combustible liquid bulk cargo are subject to the safety requirements in chapter 37 of title 46, United States Code. Section 3702(d) of that chapter subjects all fish-processing vessels carrying this type of cargo to regulation by the Coast Guard. Thus, proper storage and transfer procedures would be required for safe operation of the vessel. Section 403(a) permits the carriage of these cargoes but was not intended to circumvent the requirements of chapter 37 of title 46, United States Code. In effect, this clarification merely ensures uniform application of the law to all fish-processing vessels. This change does not alter the application of the law to the transfer of fuel or bunkers which is not regulated under chapter 37.

Again, Mr. Speaker, this bill makes strictly technical changes to the law, and I urge my colleagues to support it.●

Mr. FIELDS. Mr. Speaker, there are not other speakers on our side, and I yield back the balance of my time.

Mr. JONES of North Carolina. Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. JONES] that the House suspend the rules and pass the Senate bill, S. 597.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise an extend their remarks on the Senate bill, S. 597.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AMENDING THE PANAMA CANAL ACT OF 1979 REGARDING INTEREST PAYMENTS

Mr. LOWRY of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 664) to amend the Panama Canal Act of 1979 with respect to the payment of interest on the investment of the United States.

The Clerk read as follows:

H.R. 664

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1302(b) of the Panama Canal Act of 1979 (22 U.S.C. 3712)(b)) is amended by inserting immediately before the period at the end thereof the following: "; except that the part of the tolls and other receipts that covers interest on the investment of the United States in the Panama Canal pursuant to section 1602 and 1603 of this Act shall be deposited into the Treasury as miscellaneous receipts".

(b) Section 1603(b)(2)(A) of the Panama Canal Act of 1979 (22 U.S.C 3793(b)(2)(A)) is amended by striking out "Treasury" and inserting in lieu thereof "Panama Canal Commission Fund".

SEC. 2. The amendments made by this Act shall apply only to tolls and other receipts of the Commission deposited in the Treasury on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Washington [Mr. LOWRY] will be recognized for 20 minutes and the gentleman from Texas [Mr. FIELDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Washington [Mr. LOWRY].

Mr. LOWRY of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wish to speak today in support of H.R. 664, a bill to amend the Panama Canal Act of 1979 with respect to the payment of interest on the investment of the United States in the Panama Canal. H.R. 664 requires that the portion of tolls and other revenues collected by the Panama Canal Commission and attributable to interest on the U.S. investment be deposited into the General Treasury of the United States. Under current law, these interest payments are deposited into the Panama Canal Commission Fund. The sponsor of the bill, the ranking minority member of the Subcommittee on Panama Canal/Outer Continental Shelf, Mr. JACK FIELDS, introduced a similar bill in the 98th Congress which passed the House under suspension of the rules on June 25, 1984. H.R. 664 is cosponsored by the distinguished chairman of the Committee on Merchant Marine and Fisheries, the Honorable WALTER JONES, and by Mr. HUBBARD, Mr. YOUNG of Alaska, and Mr. TAUZIN.

Mr. Speaker, this bill is a very important measure, in that it enabled the subcommittee to reduce the authorization for the Panama Canal Commission for fiscal year 1986 by $10 million—from $446,784,000 to $436,784,000.

Section 1302(b) of the Panama Canal Act of 1979 requires that all tolls and other receipts of the Panama Canal Commission be deposited in the Panama Canal Commission Fund in the U.S. Treasury. Section 1(a) of this bill amends section 1302(b) of the act to direct that the portion of tolls and revenues that represents the interest on the U.S. investment in the Panama Canal be deposited into the General Treasury as miscellaneous receipts. This section would allow the Panama Canal Commission to account for the interest deposits at the same time that it accounts for deposits into the Panama Canal Fund.

Section 1603(b)(2)(A) of the act states that moneys deposited into the Treasury will decrease the U.S. investment in the Panama Canal. When that money is withdrawn from the Panama Canal Commission Fund and deposited into the General Treasury, the U.S. investment would be increased by that amount, thereby offsetting the decrease required in the act. Section 1(b) of Mr. FIELD's bill strikes the word "Treasury" and inserts in lieu thereof "the Panama Canal Commission Fund." This ensures that the deposit will have no impact on the level of the U.S. investment.

Section 2 of the bill simply states that its provisions will become effective when the bill is signed into law.

I would like to compliment my colleague from Texas, JACK FIELDS, for his leadership on behalf of this legislation, and I strongly urge my colleagues to join me in this bipartisan effort by passing H.R. 664.

Mr. Speaker, I reserve the balance of my time.

□ 1250

Mr. FIELDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would first of all like to express my sincere and heartfelt appreciation to the new chairman of the Panama Canal/OCS Subcommittee, Mr. LOWRY, for his willingness and leadership in moving H.R. 664 in such an expeditious manner.

I would also like to thank our distinguished full committee chairman, WALTER B. JONES, and our colleagues CARROLL HUBBARD, DON YOUNG, and BILLY TAUZIN for joining with me as sponsors of this important legislation.

Mr. Speaker, H.R. 664 is identical to a bill I introduced last year, which was adopted without dissent by the House of Representatives on June 25, 1984.

The bill's purpose is to correct a serious flaw in the Panama Canal Act of 1979.

Mr. Speaker, the authors of the Panama Canal Act of 1979 intended that the interest payment on our investment in the canal be paid directly into the general fund of the U.S. Treasury. Unfortunately, because of language contained in sections 1302(b)

and 1603(b)(2) of Public Law 96-70, that interest payment is now being paid into the Panama Canal Commission Fund instead of the general fund of the U.S. Treasury.

As a result, the Federal Government has been unable to utilize these funds to reduce the deficit, and the level of our investment in the canal has been reduced by some $53.6 million.

H.R. 664 will correct this serious problem by requiring that the interest on our investment in the canal be automatically deposited, on a monthly basis, into the general fund of the Treasury as miscellaneous receipts. By so doing, H.R. 664 not only solves the interest problem but it ensures that there will be no further erosion in our investment base.

At a time of serious budget concerns, my colleagues will be pleased to learn that the interest payments to be deposited in the general fund will amount to some $10 million a year.

While my bill eliminates the interest problem in a prospective manner, it does not deal with the interest payments currently deposited into the Panama Canal Commission Fund. I have decided not to address this issue because of the unique cash-flow problems of the Panama Canal Commission.

These funds are needed because Public Law 96-70 prohibits the PCC from either borrowing money or making a profit, which would have to be paid to the Republic of Panama, as stipulated by the Panama Canal treaties.

Nevertheless, if an acceptable method can be devised to transfer the $53.6 million, or some portion of those funds, into the general fund of the Treasury, I would support such an effort.

Finally, Mr. Speaker, just a few words on why I feel H.R. 664 is the proper approach and solution to the Panama Canal interest problem.

While the administration would prefer that Congress solve this problem through the appropriations process, I believe H.R. 664 is the best way to accomplish that goal for several reasons. First, the procedure established in H.R. 664 is both a simple and a permanent solution to this problem. Frankly, I cannot imagine why anyone would want to come back year after year and amend the authorization and appropriation bills to ensure that the interest payment is properly deposited. With my bill, you would eliminate that needless and unnecessary requirement.

Second, by eliminating the interest payment from the annual authorization and appropriation process, we ensure that the entire amount of interest that is due will be paid to the benefit of the taxpayers and not subject to the potential whims of the legislative process.

And, finally, by enacting this legislation during the current fiscal year, we will ensure that we will not lose the benefit of up to $3 million in interest payments, which are lost under the administration's proposal.

Mr. Speaker, I strongly believe this simple, straightforward proposal is long overdue, and I am extremely pleased that H.R. 664 has been scheduled for floor action today. I am confident that all of our colleagues can strongly support this legislation.

● Mr. LENT. Mr. Speaker, H.R. 664, introduced by my colleague from Texas [Mr. FIELDS] solves a major part of a problem the Merchant Marine and Fisheries Committee has been dealing with in connection with the Panama Canal for the past 3 years.

This bill directs the Panama Canal Commission to deposit the interest on the U.S. investment in the Panama Canal into the general fund of the Treasury. Currently this interest payment is deposited into the Panama Canal Commission Fund and may not be used by the General Treasury to offset the deficit. This interest payment will amount to approximately $10.2 million in revenues in fiscal year 1986, and approximately $850,000 for each month it is in effect in fiscal year 1985. In addition, the bill ends the annual decrease in the level of the principal that the interest payment is calculated on.

I would like to point out that this legislation passed the House on June 25, 1984, under suspension of the rules without a dissenting voice.

I urge my colleagues to join me in support of this measure.●

Mr. FIELDS. Mr. Speaker, I have no other requests for time, and I yield back the balance of my time.

Mr. LOWRY of Washington. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington [Mr. LOWRY] that the House suspend the rules and pass the bill, H.R. 664.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LOWRY of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 664, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

GENERAL LEAVE

Mr. LOWRY of Washington. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks and to include therein extraneous material on the subject of the special order speech today by the gentleman from California [Mr. STARK].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

JOAN ESPOSITO RECEIVES THE 1985 DANTE AWARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, I rise to call to the attention of my colleagues the achievements of Joan Esposito, coanchor for the 5 p.m. "Eyewitness News" on WLS-TV in Chicago, who will receive the 14th Annual Dante Award of the Joint Civic Committee of Italian Americans on May 17, at a luncheon given in her honor at the Como Inn in Chicago.

Joan Esposito joined WLS-TV in December 1981 as a general assignment reporter and substitute anchor, and during 1982 and 1983 served as coanchor of the "Weekend Eyewitness News." She has maintained the highest standard of integrity in her broadcasting career, and in 1982, she received a Chicago Emmy Award for Individual Achievement for performers who appear on camera. For her contributions to broadcasting in Chicago, she richly deserves the Dante Award, because it was Dante Alighieri, in his "Divine Comedy," who said, "Men should never be timid about the truth."

The Dante Award was established by the Joint Civic Committee of Italian Americans, an umbrella organization comprised of more than 40 civic organizations in the Chicago area, to extend recognition annually to an individual in the mass media communications field who has made positive contributions to the profession of journalism. This year's JCCIA president is Charles C. Porcelli.

Joan Esposito graduated from Ohio State University with a bachelor of science degree in allied medicine and a master's degree in community health education. While pursuing her graduate degree, she worked for 3 years as a respiratory therapist, and later coordinated medical seminars for health professionals throughout the country.

In 1979, Joan Esposito began her broadcasting career at WCMH-TV, the NBC affiliate in Columbus, OH, where she hosted and produced segments for "PM Magazine." At the same time, she also worked as a news reporter and

anchor for WRFD radio in Columbus. From October 1980 to July 1981, she served as anchor and general assignment reporter for KCRA-TV, the NBC affiliate in Sacramento, CA, where she anchored the "Sunrise Edition" program as well as anchored and produced the "Today Show" local network cutins.

Immediately before coming to WLS-TV, Joan Esposito served as reporter and Sunday night coanchor at WGN-TV in Chicago from July to December 1981. She is a member of the Chicago TV Academy and the Society of Professional Journalists, Sigma Delta Chi.

The 14th Annual Dante Award Luncheon will be held at the Como Inn, and many political dignitaries, civic leaders, and leaders of the communications industry will be in attendance. John Drury, coanchor with Joan Esposito on the 5 p.m. WLS-TV "Eyewitness News" will serve at the master of ceremonies of the luncheon, and the invocation will be offered by the Reverend Lawrence Cozzi, C.S., administrator of Villa Scalabrini, the Italian Old Peoples Home in Melrose Park. Jerome N. Zurla, chairman of the luncheon, and Carl De Moon, chairman of the JCCIA Anti-Defamation Committee, will present the Dante Award to Ms. Esposito.

For the 10th straight year, the John Fischetti Scholarship will also be awarded at the luncheon. The scholarship was established by the Joint Civic Committee of Italian Americans to further the study of Italian American students in communications and is named after the Pulitzer Prize-winning political cartoonist.

Mr. Speaker, I extend my warmest congratulations to Joan Esposito on receiving the Dante Award, and for the strong and constructive impact she has made on our community. Her career, her character, and her splendid record of achievement prove that she is, indeed, a "friend of truth."●

EXTENSION OF FIFRA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. BEDELL] is recognized for 5 minutes.

● Mr. BEDELL. Mr. Speaker, today my colleague, Mr. ROBERTS, and I are introducing legislation to provide for a simple 1-year reauthorization of the Federal Insecticide, Fungicide and Rodenticide Act [FIFRA].

We introduce this legislation today for two reasons. First, the Committee on Agriculture must report authorization measures for fiscal year 1986 by May 15 of this year as required by the Budget Act. Introduction of this bill today will allow time to move the measure through the subcommittee and full committee by that deadline.

Second, reporting a simple reauthorization bill by May 15 will provide the Subcommittee on Department Operations, Research, and Foreign Agriculture an opportunity to consider in a responsible yet timely manner more comprehensive measures making substantive changes in FIFRA. In fact, the subcommittee has scheduled 2 full days of public hearings on such legislation for May 20 and 21.

Mr. Speaker, it is clear that the Committee on Agriculture must act this year to address the persistent concerns which plague FIFRA. Although many of the problems with the act's implementation are complex and longstanding, I am encouraged by what I perceive as a genuine interest by parties on all sides to reach a consensus on the most troubling issues associated with the manufacture and use of pesticides.

I am hopeful that the need to resolve the major areas of differences surrounding FIFRA will result in progress on this issue within the coming weeks.

Text of the bill follows:

H.R. 2355

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

Section 31 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136y), is amended by adding at the end thereof the following new sentence:

"There are hereby authorized to be appropriated to carry out the provisions of this subchapter for the period beginning October 1, 1985 and ending September 30, 1986, $57,067,300."●

PREVENTIVE HEALTH SERVICES REIMBURSEMENT UNDER MEDICARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. STARK] is recognized for 5 minutes.

● Mr. STARK. Mr. Speaker, today Mr. FLIPPO and I are introducing a bill to instruct the Secretary of Health and Human Services to support five national demonstration projects to test the feasibility of Medicare reimbursement for preventive health services.

Mr. Speaker, by the year 2000, over 13 percent of the U.S. population, or about 36 million people, will be 65 years of age or older. Persons 85 years of age and older are currently the fastest growing group in the U.S. population. The existence of a large elderly population is unprecedented in human history. As late as 1900, the life expectancy in the United States was only 47 years. Because the phenomenon is so recent, our knowledge has not kept pace with the rapid growth of the elderly population. Only within the past 20 years has there been any real interest in health problems affecting the elderly. It is a new concern for us, and one of great importance.

As usual, the focus on health research and services to the elderly has centered on treatment. Very little emphasis has been given to prevention. Yet increasing evidence shows that many health problems of the elderly can be prevented. While human immortality is only a dream, the possibility of "death without disease" is real. The new human biology of aging suggests that our life span will eventually increase to an average of 85 years. Mr. Speaker, it is within our power to make all of those 85 years—or more—healthy and productive. Our citizens need not be burdened during their later years with illnesses and health problems that are largely preventable.

Unfortunately, the elderly suffer from a dual prejudice. Not only are they faced with the traditional bias toward treatment over prevention, they are also burdened with negative stereotypes that suggest that health problems are inevitable in old age. We have often heard that to grow old is to lose our health, vitality, memory, strength, learning ability, and a host of other qualities. Unfortunately, many people—including many elderly—continue to accept as true these erroneous stereotypes of aging. In terms of health, this frequently leads to a fatalistic acceptance of impairment. It has been estimated that 90 percent of the elderly do not regularly visit a doctor. A major reason cited is a sense of futility.

These negative attitudes are not supported by the evidence. In fact, there is more and more evidence that shows that preventive health programs can very effectively control or reduce health problems and costs among the elderly. Screening programs for hypertension, exercise programs, nutrition education programs and others have been successful. The projects proposed under this bill would not only demonstrate the benefits of preventive programs, but would also show the special benefits of preventive services for the elderly.

As you know, Mr. Speaker, most public health services aimed at promoting health and preventing diseases are rarely reimbursed by health insurance. Yet the cost benefits of preventive health services are well documented:

Measles immunization is estimated to be worth 10 times its cost. Immunization programs for the elderly, such as those for pneumonia and tetanus, are likewise highly cost effective.

Screening programs for hypertension, breast cancer, vision disorders and other health problems of the elderly have strong favorable cost-benefit ratios.

Despite its cost-effectiveness, prevention is the stepchild of national health policies. Only 3 percent of Federal health dollars are spent on it. Yet

there is tremendous potential to make further inroads on the high costs of ill health among the elderly.

Mr. Speaker, is the cost of intervention to prevent disease and disability more acceptable to us than the cost of not intervening in preventing diseases? I think not.

Therefore, we have introduced this bill to establish a demonstration program designed to reduce disability and dependency through the provision of preventive health service to Medicare beneficiaries. The demonstration program would make a number of preventive services available to Medicare beneficiaries including health screenings, health risk appraisals, mental health intervention and stress reduction.

Services would be provided by various public health personnel such as physicians, allied health personnel and clinical psychologists.

The demonstration program would be conducted under the direction of schools of public health.

The Secretary of Health and Human Services would be required to submit a report to Congress not later than 3 years after enactment which would evaluate these costs and benefits of preventive health services, including any reduction in admissions to hospitals and long-term care facilities and reduced lengths of stay. In addition, the Secretary would be required to include recommendations in her report with respect to providing preventive health services as a Medicare benefit.

Dealing with health problems of the elderly will require a reimbursement scheme that encourages public health practitioners to provide and beneficiaries to receive services that will prevent disease and promote health and vitality. This bill can provide us information on the usefulness and effectiveness of providing preventive health service to the Medicare population.

Mr. Speaker, I ask unanimous consent that the text of our bill be printed in the RECORD, as follows:

H.R. 2368

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEMONSTRATION OF PREVENTIVE HEALTH SERVICES UNDER MEDICARE.

(a) DEMONSTRATION PROGRAM.—The Secretary of Health and Human Services (hereinafter in this section referred to as the "Secretary") shall establish a demonstration program designed to reduce disability and dependency through the provision of preventive health services to individuals entitled to benefits under title XVIII of the Social Security Act (hereinafter in this section referred to as "medicare beneficiaries").

(b) PREVENTIVE HEALTH SERVICES UNDER DEMONSTRATION PROGRAM.—The preventive health services to be made available under the demonstration program shall include—

(1) health screenings,

(2) health risk appraisals,

(3) immunizations, and

(4) counseling on and instruction in—

(A) diet and nutrition,

(B) reduction of stress,

(C) exercise and exercise programs,

(D) sleep regulation,

(E) injury prevention,

(F) prevention of alcohol and drug abuse,

(G) prevention of mental health disorders,

(H) self-care, including use of medication, and

(I) reduction of smoking.

(c) CONDUCT OF PROGRAM.—The demonstration program shall—

(1) be conducted under the direction of accredited public or private nonprofit schools of public health;

(2) be conducted in no fewer than five sites, which sites shall be chosen so as to be geographically diverse and shall be readily accessible to a significant number of medicare beneficiaries;

(3) involve community outreach efforts at each site to enroll the maximum number of medicare beneficiaries in the program; and

(4) be designed—

(A) to test alternative methods of payment for preventive health services, including payment on a prepayment basis as well as payment on a fee-for-service basis,

(B) to permit a variety of appropriate health care providers to furnish preventive health services, including physicians, health educators, nurses, allied health personnel, dieticians, and clinical psychologists, and

(C) to facilitate evaluation under subsection (d).

(d) EVALUATION.—The Secretary shall evaluate the demonstration project in order to determine—

(1) the short-term and long-term costs and benefits of providing preventive health services for medicare beneficiaries, including any reduction in inpatient services resulting from providing the services, and

(2) what practical financing mechanisms exist to provide payment for preventive health services under title XVIII of the Social Security Act.

(e) REPORT TO CONGRESS.—(1) Not later than three years after the date of the enactment of this Act, the Secretary shall submit a preliminary report to the Committee on Ways and Means of the House of Representatives and to the Committee on Finance of the Senate on the progress made in the demonstration program, including a description of the sites at which the program is being conducted and the preventive health services being provided at the different sites.

(2) Not later than five years after the date of the enactment of this Act, the Secretary shall submit a final report to those Committees on the demonstration program and shall include in the report—

(A) the evaluation described in subsection (d), and

(B) recommendations for appropriate legislative changes to incorporate payment for cost-effective preventive health service into the medicare program.

(f) FUNDING.—Expenditures made for the demonstration program shall be made from the Federal Supplementary Medical Insurance Trust Fund (established by section 1841 of the Social Security Act). Grants and payments under contracts may be made either in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purpose of this section.

(g) WAIVER OF MEDICARE REQUIREMENTS.—The Secretary shall waive compliance with the such requirements of title XVIII of the Social Security Act to the extent and for the period the Secretary finds necessary for the conduct of the demonstration program.●

● Mr. FLIPPO. Mr. Speaker, I rise in support of the bill introduced by my colleague, Mr. STARK, to instruct the Secretary of Health and Human Services to support five national demonstration projects to test the feasibility of Medicare reimbursement for prevention services. As Mr. STARK pointed out, there are numerous examples where early intervention has saved millions of health care dollars not to mention lives. Benjamin Franklin was right, Mr. Speaker, an ounce of prevention is worth a pound of cure. We all know that health promotion and disease prevention program are cost effective. The logic behind prevention of disease is incontestable, yet, as a nation, we continue to ignore the full potential of a well conceived and funded prevention services system. Modest investments in prevention programs will not only help prevent illness, premature death, and disability, they will help slow down the rapidly escalating costs of medical care.

Why is it that we fail to see the cost-savings potential of prevention? I believe that this dilemma is best summarized by Dr. William F. Bridgers in a 1984 speech before a gathering of preventive medicine physicians when he stated:

> If you claim you can prevent something from happening at some point in the future, and then the future arrives and sure enough, people don't get whatever it was you claimed you could prevent, how do they or even you know for sure they would have gotten it even if you hadn't prevented it? Policy makers believe they're buying something tangible when they purchase therapies—a surgical procedure, a lab test or x-ray, an episode of hospital care—but they're buying nonevents when they purchase prevention, or so they might think. You and I know they're buying life—a positive purchase if ever there was one, yet we're trying to sell a negative: postponement of death; avoidance of disease.

We maintain this bill will provide the opportunity to demonstrate our national commitment to prevention of disease, death, and disability. Prevention's record is impressive but more needs to be done in this area. In order to fully explore the potential of prevention, further studies must be conducted. This is why we have introduced this legislation to begin laying the groundwork for the establishment of a preventive services reimbursement system. Thank you, Mr. Speaker.●

RESIGNATION REQUEST FOR MARIANNE HALL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. BUSTAMANTE] is recognized for 5 minutes.

● Mr. BUSTAMANTE. Mr. Speaker, last week I joined by colleagues from the black and Hispanic caucuses in sponsoring House Resolution 155 demanding that the President immediately remove Marianne Hall whom he appointed recently to chair the Copyright and Royalty Tribunal. It is disturbing when officials in positions of public trust advocate racist ideologies which would undermine the concept of a color-blind society—the highest ideal of our democracy. The greatest progress we have made as a democracy has been the recognition of the equality of all before the law and the equality of opportunity for all citizens in pursuing their share of the benefits offered by our bountiful Nation. How, then, can Government officials entrusted in discharging their duties with the responsibility to promote these ideals at the same time identify with the inimical ideology of racism? The appointment of Ms. Hall can only demonstrate a lack of sensitivity from this administration.

Mr. Speaker, I call on the President to restore the trust of the American people in their Government. To restore the trust in their officials; officials who uphold the highest ideals for which America stands. I, therefore, call for the removal of Marianne Hall from a position of public trust for she has betrayed that trust through her association with racist ideas.●

SENATOR SAM ERVIN, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. BROYHILL] is recognized for 60 minutes.

Mr. BROYHILL. Mr. Speaker, as the senior member of North Carolina's congressional delegation, it is an honor for me to take a few moments to pay tribute to the late Senator Sam Ervin. With your permission, I would also like to include in the RECORD the comments of a number of Senator Ervin's former delegation colleagues.

Senator Ervin served in this body for 1 year, filling out the unexpired term of his brother, who died in office in 1945. Then, in 1954, he was appointed to fill the Senate vacancy caused by the death of Senator Clyde Hoey, and served in the Senate until his retirement in 1974.

Sam Ervin was known as one of the foremost experts of his time on the subject of the U.S. Constitution, and he received international recognition for his pivotal role in the Watergate hearings. Yet, to those of us who knew him well, he will always remain plain "Senator Sam," a man who portrayed himself as a simple country lawyer, but was so much more than that.

Sam Ervin never set out to be politician. He only agreed to serve in the House when he was promised he would not be expected to run for reelection. He wanted to return to North Carolina and practice law, and that is what he did. He was similarly hesitant about accepting appointment to the Senate in 1954, and, in fact, informed Gov. William B. Umstead that he would rather not be asked to give up his seat on the North Carolina State Supreme Court. The Governor did make that request, however, and Sam Ervin accepted that duty to serve his Governor and his State.

Sam Ervin's love was for the law, not politics. He regarded his service in the Senate not just as service to his constituents, but as service to the law.

The U.S. Constitution served as Senator Sam's compass—the tool that guided him in his daily deliberations. Since he relied on that document to chart his course, his voting record defied pigeonholing. He seemed to be a devout liberal on some matters, yet a staunch conservative on others. His positions on the issues of the day were not determined by the prevailing ideological fashion, but, rather, by the principles set forth by our Founding Fathers some 200 years ago.

To the State of North Carolina, Sam Ervin would have gone down in history as one of our most distinguished sons even without Watergate, but the episode brought him to the attention of the American public at large, as well. His appointment as chairman of the Select Committee on Presidential Activities—the Watergate Committee—was a testament to his stature within the U.S. Senate. The Senate majority leader at that time, Mike Mansfield, has said that Senator Ervin was the only Member of the Senate so respected by members of both political parties that he would automatically command the respect of all the participants.

Although those Watergate hearings were marked by Senator Ervin's humor and good will, I know they were not easy for him. Sam Ervin had great respect for the office of the Presidency—he did not wish to see that office diminished in any way. But he also believed very strongly that in this country, no man is above the law, even if that man is the President of the United States.

I had the good fortune to serve in the North Carolina congressional delegation with Senator Sam for 12 years. After his return to Morganton, NC, following his retirement, it was also my privilege to serve as his Congressman. Although we belonged to different political parties, Sam Ervin and I were friends, and, over the years, I looked to him for guidance and assistance on a number of occasions.

I feel that I am both a better public servant and a better person because of Senator Sam's example. He was a man of true compassion, he never lost his genuine affection for his home and its people, he never lost sight of the fact that our actions must be guided by the tenets of the law, and, even in times of adversity, he retained his sense of humor. As a legislator myself, I can think of no finer example to which to aspire.

□ 1300

Mr. Speaker, I have in my hand correspondence from former Representative Horace R. Kornegay, and under my unanimous-consent request, I am making that a part of the RECORD at this point, along with several other pieces of correspondence. Mr. Kornegay served in the congressional delegation with the Senator from 1961 to 1969.

I also have correspondence from former Congressman Roy Taylor and from the former dean of the delegation, L.H. Fountain.

In addition, I have statements from former Congressman Wilmer D. "Vinegar Bend" Mizell, former Congressman David Henderson, former Congressman and former Senator Alton Lennon from our delegation, and former Congressman L. Richardson Preyer. All of these men have served with the Senator during his career here and have asked me to have these remarks placed in the RECORD.

WASHINGTON, DC,
May 2, 1985.

Hon. JAMES T. BROYHILL,
House of Representatives,
Washington, DC.

DEAR JIM: You are to be commended for obtaining a special order for the purpose of memorializing our late and good friend, Sam J. Ervin, Jr., and I am very grateful to you for extending to me as a former congressional colleague of Senator Ervin an opportunity to express my admiration for him in the Congressional Record.

Millions of words and thousands of pages have been written about Sam Ervin, the great constitutional lawyer, the courageous senator and the humane and erudite judge. To be sure, this is the great and grand view that the public throughout the country had of the Senator, but far more meaningful to me and the way that I will always remember his is as a good personal friend and noble human being. To paraphrase a famous poet, he talked with the crowds and kept his virtue—he walked with kings and lost not the common touch. Those admirable qualities of leadership and humility have been indelibly etched in my memory from the time that I was a law student at Wake Forest University and he was a justice on the North Carolina Supreme Court. As the program chairman for the annual banquet of the Student Bar Association, I invited Justice Ervin to make the address which he readily agreed to do, and then I had the most memorable experience of introducing him as our speaker at the banquet. From that time on, down through the years, our friendship and fondness for each other flourished. We met and visited frequently through the ensuring years at Bar meetings, political meetings and during our congressional days here in Washington.

His humanism and humility were among his many great attributes that always came

through to those who knew him well. A good example was his typical reaction to personal accolades. After he gained worldwide fame from the Watergate investigation, public tributes came thick and fast and in my view, they were at times a source of some embarrassment to him. One evening after one such occasion, he said to me, "Horace, I am more comfortable with the emotions in a courtroom than in a ballroom. If a defendant is conviced, he feels sad. If he is acquitted, he feels glad. But at a testimonial dinner when I see all of those familiar faces and hear all of those kind and beautiful words, I feel like a man who has suddenly come down with a severe case of mistaken identity." The sentiment which he expressed on that occasion was a true measure of his personal modesty. He was always more at home and more comfortable with his family, with his friends and with those who knew him best.

He was truly a living legend in his own time and that legend will grow as part of American history. But most precious to the legion of those who knew him best was the immutability of his friendship.

To dear Miss Margaret, his devoted wife of more than 60 years, his wonderful children and grandchildren, I extend my deepest and heartfelt sympathies at this time of great sorrow in their lives.

Most sincerely,

HORACE R. KORNEGAY.

REMARKS BY ROY A. TAYLOR

Senator Sam Ervin occupied a place in history that no one can replace. He was a powerful thinker, a humorist, a teller of stories, a rich personality. To me he represented political courage and integrity in every thought and action. He was willing to follow his convictions to the point of taking the unpopular side of issues especially if the Constitution was concerned. The Constitution has lost its best friend.

No group of House Representatives could have had a more cooperative straight forward and solid Senator to work with than those of us from North Carolina had in Senator Sam.

An editorial in the Asheville Citizen stated: "Few senators leave a lasting mark on government and the nation's law. Sam J. Ervin, Jr. was one who did.

"He stands apart from others of his time because he did not merely live in history; he shaped it. That is what people call 'greatness.' Like other figures who have achieved that select place in American life, Ervin will be remembered as much for what he believed as for what he did."

He was devoted to his family and often referred to his wife to whom he was married in 1924 as "Miss Margaret." My wife and I were happy to have been present for their 50th wedding anniversary given by close friends.

I agree with James Kilpatrick in his syndicated column titled "Remembrances of Senator Sam" where he stated, "Those of us who loved him are left poorer by his death but richer by his life. He was the last of the Founding Fathers."

My wife, Evelyn, and I wish the best for "Miss Margaret" and the other members of Senator Sam's family.

STATEMENT BY L.H. FOUNTAIN

Before Senator Sam Ervin, Jr., became a member of the U.S. Senate in June 1954 he had already made much history in his home state of North Carolina.

As a private citizen, community and church leader and public official in many areas of community, state and national life, Sen. Ervin had demonstrated a superior capacity and love for full citizenship responsibilities from the local to an international level.

He was a twice wounded World War I hero, often cited for gallantry in action on the field of battle, a recipient of many awards as a fighter in the American First Division in France—awards including the French Fourragere, the Purple Heart with Oak Leaf Cluster, the Silver Star and the Distinguished Service Cross.

Following that dreadful "war to end all wars" he returned to his hometown of Morganton, was admitted to the North Carolina Bar in 1919 and began the practice of law. He became a brilliant lawyer, later on an experienced, highly qualified and respected judge serving on a number of courts including his own Burke County Criminal Court, the North Carolina Superior Court and later as an associate justice on the Supreme Court of North Carolina.

During and between his services as a judge on various courts, he managed to find time to serve on the North Carolina State Board of Law Examiners, as Congressman from the 10th Congressional District in the 79th Congress, on various commissions, on local boards and College Boards of Trustees including the Board of Trustees of the University of North Carolina. What I like to think of as his first period of his private, professional and public service, in his home area and throughout North Carolina, earned his doctoral degrees from many colleges and universities and the love, admiration and respect of the people of North Carolina.

I think of Sen. Sam's second period of service as that period between June 1954 and January 3, 1975—his more than 20 years of fruitful and distinguished history-making service in the United States Senate. I think his record in the Senate is well-known, almost self-explanatory, probably climaxed by his sterling leadership as Chairman of the Senate Watergate Investigating Committee which impacted and changed the lives of countless hundreds in one way or another and brought out much of Sen. Ervin's true greatness.

His next full period of achievements has been since his retirement from the United States Senate to his beautiful home area in Burke County North Carolina where he practiced a little law, wrote a few books, daily mingled with the people he loved and actively participated in the modern day life of his home community and North Carolina—always remaining accessible to those who wanted to see him and get a few more words of wisdom from his remarkable mind.

Since others have spoken or will speak or write of Sen. Ervin's life in full detail, I'd like to repeat in substance what my wife and I said in a sympathy message to Mrs. Ervin, Senator Sam's lovely widow—"Miss Margaret"—as he used to call her.

"Notwithstanding the quality of his life and accomplishments in North Carolina before he went to the United States Senate in 1954, during my stay in the House of Representatives while Senator Ervin was in the Senate, I proudly saw him continue to grow in wisdom, knowledge and understanding reflecting great credit upon North Carolina and the Nation and establishing an image for integrity, courage, common sense and good humor that will never be forgotten."

Until the Senate Watergate Hearings and the subsequent events, including the resignation of a President of the United States, most of the people in America, even many in his home state of North Carolina, were not fully aware of the greatness of Senator Sam. And yet, when he left the Senate he departed as one of the most illustrious members ever to serve in that great body and will be remembered long after others have been forgotten.

Paraphrasing what the former Speaker of the House, John McCormack, once said about another great statesman, former President Harry Truman: "Sam Ervin lived as he believed and died as he lived a scholarly and down to earth thinker and courageous fighter to the end."

STATEMENT OF FORMER CONGRESSMAN WILMER D. "VINEGAR BEND" MIZELL

It is a privilege for me to join my former colleagues in honoring the memory of Senator Sam J. Ervin, Jr. This Harvard educated "country lawyer" had a boundless love of the law. He was second to none in his knowledge of the Constitution and his diligence in upholding its principles. His legal acumen was complemented by his unwavering faith in the people. He never lost touch with his fellow North Carolinians and returned home to Morgantown frequently when he served in the Senate. Senator Sam once said that our problems in Washington were due to air conditioning. He explained that in the days before this luxury, Members of Congress escaped the heat and humidity of the capital city by going home for the summer and listening to the citizens who elected them. Those of us who served with Sam Ervin have no doubt that his integrity and service to the State of North Carolina will stand as an example for generations to come.

REMARKS OF HON. DAVID HENDERSON

I recall that when the former members of Congress honored Senator Ervin, I was one of the former members who wrote an expression of high admiration and fondness for the Senator. I know he must have appreciated those expressions, inasmuch as he referred to them in his autobiography.

It was my personal privilege and honor to attend Senator Ervin's funeral in Morganton, and that occasion was also a high tribute to the love and admiration that the people of his home community and all over the state had for Senator Sam.

As a young member of Congress I learned that Senator Sam was most interested in helping me begin my service to the people of the Third District of North Carolina, and I found that he was unfailingly helpful throughout the years we served together. Lastly, I think I most admired Senator Ervin for his unfailing and untiring efforts to understand, preserve, protect, and defend the Constitution of our nation.

Senator Ervin was a personal friend, but more than that, an outstanding public servant, the likes of whom North Carolina has never before produced, and probably never will again.

REMARKS OF HON. ALTON LENNON

I consider it a high honor to have been the "senior Senator" from the State of North Carolina when Sam Ervin first came to the United States Senate, and I worked closely with him during my later tenure in the House of Representatives.

Sam Ervin never forgot where he came from, and he never lost sight of the fact that in this country, we are guided by the principles found in the Constitution. His

love for the law, and his search for a truer understanding of the law, knew no limits.

He was my colleague and my friend, and America is a better place because of Senator Ervin's service to this country.

L. RICHARDSON PREYER,
Greensboro, NC, May 1, 1985.

DEAR JIM: I appreciate your thoughtfulness in giving Senator Ervin's friends the opportunity to reflect on his memory.

We all are familiar with Senator Sam's distinguished political career, but what I shall remember most about him is the sense of joy in living that he and his beloved "Miss Margaret" radiated. It was always a pleasure to be in their presence and hear his laughter.

He was not, of course, just a jolly backslapper. He camouflaged a keen mind and steel will behind the humor and the "country lawyer" exterior. He was a totally secure person, whose basic values were so solid he did not have to pretend to be tough or smart and could be a complete human being enjoying life to the fullest.

He was an authentic American hero. Only America—and perhaps only Burke County, North Carolina—could have produced him.

We shall all miss him very much.

Sincerely,

RICH.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I am glad to yield to the gentleman from Texas.

Mr. GONZALEZ. First, Mr. Speaker, let me thank the gentleman for yielding and also for his generous thoughtfulness in invoking and evoking the memory of this great American.

North Carolina has indeed produced great congressional leaders. I agree with the gentleman that when history is written, Sam Ervin will be one of the great, great leaders who served truly in the line of command since the first Congress. And we must remember that the House has been the scene of former Presidents after they had served as Presidents seeking membership in the House of Representatives. John Quincy Adams was one.

I think that history will show that Sam Ervin ranks right up as a coequal to these great minds because Sam Ervin had, as the gentleman very properly brought out, a keen sense of constitutional presence and responsibility.

The way I personally became acquainted with Sam Ervin, I think, should be worthy of note and stated for the RECORD. That was in connection with one of the first developments in constitutional delineation of authority between the Congress and the Presidency that first agitated, and to this day is still an imponderable question, the first administration that I served with when I was elected to the Congress, and that was the question of the Congress having mandated and ordered not once but three times the expenditure of $3 billion for the development of the RS-70 bomber. The Secretary of Defense then defied the congressional mandate and believed that that was a waste of money because, in his words, the day of the manned bomber was over and he was not about to make the expenditure. So the Congress on three successive occasions tried to force the administration to expend the funds, which it never did. That raised a sort of a constitutional imponderable. How far can the Congress go in mandating an executive to faithfully execute the laws as passed by the Congress?

But the real opportunity I had to know Senator Ervin was later when he headed the Committee on the Judiciary and the subcommittee that had jurisdiction of this very important matter, and the question of impoundment came up and, if the gentleman will recall because I think he was a Member of this body by that time, there were hearings on both sides in the Judiciary Committees of the House and the Senate. But in the Senate, Senator Ervin really performed a tremendous magisterial job, and I in the House picked up his hearings and his pronouncements on the matter and had occasion to bring them forth on the House side with respect to some of the impoundments of funds that the Congress had mandated be expended in various departments, the Presidents refusing and trying to arrogate to themselves—and I say, to themselves, because there was more than one President—line-item vetoes through the indirect means of impoundment.

So as a result of my speaking out, I was invited to address the prestigious summer lecture sessions of the University of Colorado in Boulder in 1973, on August 8. In good faith, I accepted it because that was going to be the subject matter. So I had occasion to go over and have discussions with the Senator, who was helping me to prepare what I thought was going to be a serious presentation to this august body. But when I got to Boulder, I became the target of a local group that was out to make a case on another matter then agitating the minds of the minority, which I happened to come from, and I was almost killed in the process and I never got to speak on impoundment.

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I was lucky to get out, anyway, and I settled for that; but when I came back, I acquainted the Senator with that and he laughed. He said, "Well, I never thought that anybody would be killed or almost killed or wanted to be killed because he was going to prepare a presentation on impoundment."

The basis of that was the work we did in that subcommittee. Anyway, he had a tremendous sense of humor.

His biggest job and the biggest accomplishment, as the gentleman has well said, was his exemplifying that basic constitutional thing that I think has become sort of vague and almost indistinguishable, and that is the separation, the coequality and the independence of the three branches of the Government.

It was not easy and it has not been easy, but I think that we who continue to serve have this as a constant challenge, but always will have this magnificent example of a truly great mind.

Senator Ervin was a truly great judicial mind. He was, as the gentleman has said, not really looking upon himself as a politically seeking office holder.

I always respected him and I want to thank the gentleman for taking time and also allowing me to say these few words in his honor.

Mr. BROYHILL. Mr. Speaker, I thank the gentleman from Texas for those comments.

I am sure wherever he is, Senator Sam is saying, "Thank you," too.

● Mr. JONES of North Carolina. Mr. Speaker, the State of North Carolina has produced many outstanding citizens both in the economic and political world. But few if any can approach the status of the late Senator Sam Ervin. Not only can North Carolina be justly proud of his record, but for that matter, the entire Nation. Certainly in the realm of political life, he was held in the highest possible regard. In fact, he is one of the few people who truly became a "legend" during his own lifetime. This was due to his total dedication and determination to uphold and protect our constitutional Government.

His leadership to the Nation will be sorely missed and extremely hard to replace. His family can take a great amount of solace and comfort in the image which he created during his lifetime of service in his many offices.

In closing, I doubt if Senator Sam will ever be replaced. In generations yet unborn, through the study of history, they will learn to appreciate his efforts, just as those of us who had the privilege of knowing him.●

● Mr. FUQUA. Mr. Speaker, I deeply appreciate this opportunity arranged by the gentleman from North Carolina [Mr. BROYHILL], to pay my respects to the memory of Sam Ervin. As a judge, as a Member of this House and as a U.S. Senator, Sam Ervin was a highly respected individual.

Mr. Sam delighted in referring to himself as just an ol' country lawyer. That he was, but he was also so much more. He was a distinguished jurist who served on the North Carolina Supreme Court. He served one term in this House and was appointed to the Senate in 1954. There he made a lasting mark on the American scene.

He was perhaps the best constitutional scholar who ever served in the Congress of the United States and his knowledge of the Constitution was re-

spected and his opinions always carried the greatest of weights.

Senator Ervin is, of course, most remembered for his unrelenting search for the truth during the Senate Watergate hearings, but even before he came to national prominence he had built a reputation for honesty and integrity in service to his Nation. As a freshman Senator he had the courage to stand up to Senator Joseph McCarthy and exhort his fellow Senators to stand up to the smear tactics of McCarthyism.

His warm humor will be missed as will his folk wisdom based on the Bible and people he had known in his native North Carolina. Sam Ervin was a giant and a hero to millions of Americans. His like will not be seen again.●

● Mr. ROSE. Mr. Speaker, Sam Ervin was one of those grand old men of the Senate that don't seem to be around as much anymore. By that I mean he was conservative on some issues, liberal on some issues, but Constitutional, with a capital C, always. I guess, of all the things he was proudest of, in the political and legislative domain, was his reputation—earned and deserved—as a scholar and expert on the Constitution.

Mr. Speaker, my first term in the House was in the 93d Congress, and that coincided with the last 2 years of Senator Ervin's tenure. I'll never forget one final battle he fought back then, and won for the people of America and for the sanctity of the political process.

Many Members probably have forgotten about it, Mr. Speaker, but when President Nixon resigned, he negotiated a deal with General Services Administrator Arthur Sampson that would have given President Nixon possession and control of the famous tapes that were instrumental in bringing about his resignation. The deal would have allowed President Nixon to destroy the tapes after 5 years, and it also provided that when Nixon died, or after 10 years of possession, all of the tapes would be destroyed.

Senator Ervin didn't like it, and he introduced legislation to give the public possession of the tapes. But a move got underway to block any change in the deal. Senator Ervin wouldn't go along. He said that the tapes ought to be available to the public, because a full study of them would document the crimes committed by high officials and the President himself in the Nixon administration, and the people had a right to know what was in them.

Mr. Speaker, Senator Ervin prevailed, and our country is better for it today, and in the future, no public official in high office should forget the lessons of Watergate, and Senator Ervin has helped ensure that the lessons won't be forgotten.

He earned his place in history in many honorable ways, but to my way of thinking, the lessons in political behavior that he ensured will continue to grow out of Watergate are his hallmark.●

● Mr. VALENTINE. Mr. Speaker, today we mourn the death of a great North Carolinian and statesman, Senator Sam B. Ervin, Jr.

Sam Ervin was a World War I hero, Harvard Law School graduate, judge, and U.S. Senator. He served the 10th District of North Carolina in the U.S. House of Representatives, 1946–47, before he was appointed to the North Carolina Supreme Court. Yet he chose to refer to himself, Mr. Speaker, as "just a country lawyer from North Carolina." He considered the Constitution a sacred scripture and spent his whole life defending it.

His passion for truth, for civil liberties, the many freedoms that we at times take for granted yet he so dearly believed in, transcended all races, religions, creeds or economic status as he fought for the protection of all human beings under the law.

He was a national symbol of dignity and integrity in politics. He embodied a wisdom and wealth of knowledge, from his down home country stories to his quotations from Shakespeare, that has been unsurpassed in American politics.

He was truly a national hero who bridged both the 19th and 20th centuries as he carried our Nation through the dark hours of the Watergate affair. Through his unyielding search for truth, he helped to diffuse one of the most devasting events in American politics.

As Senator Ervin said at the Watergate hearings some 12 years ago, in words which still bear repeating:

> And I think that those who participated in this effort to nullify the laws of man and the laws of God overlooked one of the laws of God, which is set forth in the 7th verse of the 6th chapter of Galatians:
>
> "Be not deceived. God is not mocked; for whatsoever a man soweth, that shall he also reap."

Our Nation has been enriched and made stronger by all that Senator Sam was and believed in. He will be sorely missed.●

● Mr. RAY. Mr. Speaker, in an age that needs heroes, I am saddened by the death of one of the wisest and most courageous Americans I have ever known, former Senator Sam J. Ervin, Jr., of North Carolina, whose death on April 23 marked the end of an era.

I was privileged to know Senator Ervin when I served as administrative assistant to Senator SAM NUNN during the historic days when Senator Ervin chaired the Senate select committee to investigate the Watergate scandal that rocked this Nation to its very foundations.

By any measure, Senator Ervin was a remarkable man possessed with attributes that this Nation shall not soon forget. When he was a young man, he fought as an infantryman in World War I in France. He was twice wounded in battle and twice cited for gallantry while serving as a private in the 1st Division, American Expeditionary Force. He was awarded the Distinguished Service Cross among other high honors for his service on the field of battle.

When he came home from the war, he went to Harvard and obtained his law degree. Thereafter, he soon established a reputation as an excellent trial lawyer. He entered politics and was elected several times to the North Carolina General Assembly, became a country judge, then a Superior Court judge, and in 1946–47 served in the Congress by appointment to fill the vacancy caused by his brother's death. He did not seek election and resumed the practice of law in his home town of Morganton. Soon, however, he was appointed to serve as justice of his State's supreme court, where he served with great distinction. I am told that when Justice Ervin wrote an opinion it usually became a textbook decision that law professors would cite as the model of judicial wisdom.

Upon the death of U.S. Senator Clyde R. Hoey in May 1954, the Governor appointed Justice Ervin to the Senate where he served until his retirement in 1974.

Although in the 1970's Senator Ervin became a household name due to his Watergate interrogations, his longtime achievements went far beyond his Watergate role. Almost from the day he came to the Senate, he gained respect and distinction as the Senate's "constitutional lawyer." Many of his greatest contributions dealt with laws that he introduced to protect individual rights under the Constitution. He believed deeply that the Constitution and the Bill of Rights were the greatest protections individuals have against governmental tyranny.

All of Senator Ervin's legislative achievements, and they are documented in the Senate records, do not tell us what made this man have such an impact upon our generation. What made Senator Ervin unique and caused even school boys and girls to revere his every word and deed?

I called this week on a friend of mine who served with the Senator as his counsel and legislative assistant for 14 years, John Giles, now Vice President with the Motion Picture Association of America here in Washington.

John answered my question with this opinion:

> Senator Ervin possessed six great qualities in a rare combination: First, absolute integrity, Second, the courage to voice and vote

his honest convictions about all matters, Third, a steadfast devotion to his country and to constitutional government, Fourth, an orderly mind and a practical philosophy of government, Fifth, the character to engender trust and confidence in others to follow his leadership to achieve worthwhile goals and purposes; and Sixth, a sense of humor that made even his opponents like him.

It seems to me that the Senator was always destined to render great service to his country. One could already see a pattern in his life when he risked death and suffered severe wounds as an infantryman in France. He had answered his country's call to duty and he exhibited then the courage that we saw in him in his finest hours during the agonizing interrogations of Watergate.

The Senator had rare vote-getting ability. In his final radio broadcast to his constituents in 1974, he told why he thought this was so. He said that it was easy for him to serve the people of North Carolina, because he was born and educated for the most part in North Carolina, and on most issues he thought like most of the people of his State. In that broadcast, he said that he never solicited a single contribution for himself for office, because his friends always looked after his interests and he never had any political organization other than the people themselves. He won large majorities three times for reelection to the Senate in 1956, 1962, and 1968. Because he never had any serious political opposition, he said he could always vote his honest convictions and he was free to work for causes and purposes he felt would strengthen constitutional government and our democratic system.

One of his unfulfilled goals was to achieve a balanced budget. On many occasions, he cosponsored Senate resolutions to require a balanced Federal budget. In 1974, as chairman of the Senate Government Operations Committee he was a coauthor of the Budget Act which he believed would be the mechanism that would lead to a balanced budget. He lamented until the end that this goal had not been realized.

Senator Ervin loved poetry, and on the Senate floor he would often quote Kipling without notes at great length. One of the Senator's favorite poems by Kipling was entitled "If." This excerpt from that poem seems to sum up the Senator's character and his life:

If you can talk with crowds and keep your virtue,
Or walk with Kings—nor lose the common touch . . .
Yours is the Earth and everything that's in it,
And—which is more—you'll be a Man, my son!●

● Mr. RODINO. Mr. Speaker, it is with deep sorrow that I join in this special order to pay tribute to the late Senator Sam Ervin.

Sam Ervin was devoted to preserving the integrity of our institutions and defending the Constitution. During our great Constitutional crisis, Sam Ervin gave the American people his wisdom and his leadership, and proved to us his fundamental belief that no man is above the law. As his sense of moral outrage increased during the hearings of the Senate Select Committee to Investigate Campaign Practices—the "Watergate" Committee—the entire Nation watched and found a symbol of the kind of political leader in whom they could rightly put their trust.

Sam Ervin's warm and direct style, combined with his tremendously keen mind and knowledge of the law, earned him the respect of the American people and a rightful place in history.

His passing is a loss to us all, and I offer my deepest sympathies to his wife and children.●

GENERAL LEAVE

Mr. BROYHILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to add any additional comments on this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

THE JOB CORPS PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. MARTINEZ] is recognized for 5 minutes.

Mr. MARTINEZ. Mr. Speaker, the Subcommittee on Employment Opportunities, which I chair, recently held a hearing and received testimony on the Job Corps Program. At a time when youth unemployment is so high in our Nation, and at a time when the administration has called for the abolition of the Job Corps Program, it is a vindication to hear testimony which verifies the value of the Job Corps Program.

It is clear from the testimonies presented by esteemed public officials that Job Corps is indeed viable and cost-effective. Far beyond financial cost-effectiveness, Job Corps offers hope for thousands of individuals born into economic dispair and social stress. Job Corps also provides enrollees with a sense of purpose and an opportunity to be productive citizens.

One of the witnesses who testified before the Subcommittee on Employment Opportunities was the Honorable Terrel H. Bell. As you know, Dr. Bell was appointed Secretary of Education by President Reagan in 1980 and is now a professor at the University of Utah. Dr. Bell is one of America's foremost educators and remains very active in issues of primary importance to our Nation.

Mr. Speaker, I ask that Terrel Bell's enlightening testimony on the Job Corps be inserted into the CONGRESSIONAL RECORD along with the results of a new Job Corps cost-effectiveness study conducted by Dr. Bruce F. Baird, a senior professor of management science at the University of Utah.

Let me again remind my colleagues that Job Corps deserves to be protected from budgetary politics because it is a uniquely cost-beneficial program. Job Corps enrollees do not have the benefit of high-priced Washington lobbyists working to secure votes on their behalf. In the face of adversity, the only hope these youth have is the demonstrated success of their own efforts. The Job Corps offers these youth their only chance to become contributing citizens in our society.

Mr. Speaker, for those who need such evidence, program statistics and cost-effectiveness studies verify the value of the Job Corps Program.

Mr. Speaker, I include the testimony above referred to, as follows:

Hon. MATTHEW MARTINEZ,
Chairman, Subcommittee on Employment Opportunities, House of Representatives.

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE: I am honored to appear before you to express my views about the proposal to phase out the Job Corps program. At the outset, I should tell you that I am a member of the Board of Directors of the Management and Training Corporation. As you know, MTC is one of several companies that operate Job Corps programs under contract with the U.S. Department of Labor.

The Jobs Corps, the Head Start Program, and the Chapter I program of the Elementary and Secondary Education Act all focus resources on populations that have traditionally had difficulty in the regular school situation. But the Job Corps has the responsibility of meeting the education and training needs of those students in our society that are absolutely the most difficult to educate. No educational endeavor in our society (outside our penal institutions) has a more difficult assignment. Many of the Jobs Corps students have had failure, frustration, abuse, and violence all working over their growing years which comprise most of their lives. To reach out to these students, motivate them, and lead them to experience the joy of success is the noblest educational endeavor.

The Job Corps centers are unique educational institutions. They are residential, high intensity, 24 hours per day schools. Through the years, these centers have learned from experience. They have learned from many trial and error endeavors. The center staffs have learned how to touch the inner souls of troubled youth and lead them into new hope and renewed attitudes.

I have watched Job Corps down through the years. During this time I have learned to respect and admire these remarkable schools. They have reached a point of proficiency that has not been equalled by any other type school. One key is the new environment away from the scenes of frustation and despair. Another is the expertise of staff that learn each year a few more technical details that can only be learned by

long months of observation and day to day operation.

I am convinced that the Job Corps program is not fully understood by those who made the decision to stop funding and shut it down. This view was reinforced in my mind when it was indicated by OMB officials that the JTPA program could meet the needs of these youth. This comment is way off the mark as anyone who has even a passing acquaintance with Job Corps would know. The programs are entirely different and one will not substitute for the other.

Dr. Bruce Baird, Professor of Management Science in the College of Business of the University of Utah appraised the financial implications of shutting down the Job Corps. His report of the return to the American taxpayer for fiscal year 1984 tells a remarkable story.

Dr. Baird calculated welfare expenditure savings, tax revenues from data available on those who complete the program, and incarceration savings through applied use of data on this segment of our youth society. He used U.S. Government reports, information from the American Corrections Association, and data from Job Corps documents made available to him.

Financial benefits from Job Corps for 1984, according to the Baird study, total $839,879,543. The Job Corps budget for fiscal year 1984 was $607,300,000. This gives the American taxpayer a return on investment of 138.30 per cent. In short, the Job Corps program, according to Dr. Baird's analysis, yielded $214,539,000 in excess of the taxpayers investment. (Skeptics of the Baird study should be reminded that an earlier analysis by Mathemetica Policy Research reported a return of 145% of program costs.)

I do not have the expertise to interpret all the data used by Dr. Baird, but the Job Corps center operators will be pleased to respond with more detail should this be desired.

The financial return on the investment in Job Corps is solid argument for continuation of this remarkable program. It makes sense from a dispassionate analysis of return for money spent. But the heart warming story is of lives restored with hope, renewed confidence, and productive citizenship. It is hard to measure or assess the non-monetary benefits of Job Corps. Students who learn that they can learn—students who gain new self respect from this program touch the lives of others for the years of their lifetime. By turning from crime, violence, drugs, and welfare dependency these youth no longer drag others down but lift them up by being examples and symbols of hope. This is the real value of Job Corps. It is hard to quantify, but the moral, spiritual, and ethical reasons for Job Corps are all there for those thoughtful enough and compassionate enough to appreciate what it all means.

As I conclude my remarks, Mr. Chairman, I want to express my concern for the horrendous fiscal problem faced by the Congress. Surely, every dollar in expenditure cuts that can be made is urgently needed. I know that critics of federal financial assistance to education and training programs will perceive my testimony as more special interest lobbying. My reply is that education is not an expenditure but an investment. Ignorance is expensive. Any investment that fights ignorance and develops the prime resource—human intelligence—is money allocated in the proper priority. Learning is critical to our future as a nation. We have recognized this at long last, and we are witnessing a great renaissance of American education that hopefully will endure for a number of years. Learning to our discouraged, tired, and psychologically distressed is particularly critical. Job Corps has been remarkably successful, and it merits the continued support of Congress despite the terrible fiscal pressures we face. It took years to build the knowledge, staff expertise, and practical wisdom now extant in our Job Corps centers. It would only take a couple months to scatter all of this talent and special potential if we shut down, dismiss the staff, and tell these youth to go back to the environment from whence they came.

We cannot do this at this critical time in our history, and I trust you will not let it happen.

Thank you for this opportunity to express my views about Job Corps.

T.H. BELL.

JOB CORPS PROGRAM COSTS

This analyis is an attempt to assess a reasonable but conservative estimate of the return to the American taxpayers for their investment in the Job Corps Program for Fiscal Year 1984. The investment was the Program budget for that year. Returns estimated in this study are comprised of: (1) Welfare Savings During and After the Program, (2) Tax Payments After Completion of the Program, and (3) Incarceration Savings During and After the Program. Other benefits to society are ignored.

The future stream of benefits is discounted at 10%, the approximate cost of money for the U.S. Treasury at this time. This recognizes the fact that the budget dollars are spent in 1984 in order to generate a future stream of returns in years after 1984. The reduction of the future stream by 10% each year thus allows us to compare these returns on an equal time basis with the dollars actually spent in 1984.

Sources of estimates include U.S. Government reports, the American Corrections Association, and in-house Job Corps documents.

I. WELFARE SAVINGS

A. Welfare savings during the time corps members are in the program

98,809 CM's were served during FY 1984.

The average length of stay in JC was 8.2 months.

40% of these were on welfare prior to entering the program.

During their stay in the program they were not on welfare.

The average annual welfare payment in 1984 was $1,286.

The dependents of CM's will still be on welfare during this stay in the program.

Estimated savings equals 98,809 times 8.2 divided by 12 times 0.4 times $1,286 equals $34,732,021.

B. Welfare savings for those who complete the program and find employment

58,834 CM's were "Total Terminee's" of the program in FY 1984.

60.6% of these found employment or entered the military.

15.1% entered higher education and thus may still be receiving public assistance.

40% of the CM's were on welfare prior to entering the program.

13% had an average of 1.5 dependents also on welfare.

Assume only 50% of savings are realized during the first year of employment.

Assume welfare payments will increase by an average of 5% per year.

Assume a discount rate 10% per year for savings occurring after Year 1:

CM's (58,834) x 0.606 x 0.4)	14,261
Dependents (14,261 x 0.13 x 1.5)	2,781
Total people involved	17,042

Year	People involved	Welfare payment (times 0.5)	Discount factor	Annual savings
1	17,042	$1,286	1.000	$10,958,006
2	17,042	1,350	.909	20,917,737
3	17,042	1,418	.826	19,960,749
4	17,042	1,489	.751	19,057,029
5	17,042	1,563	.683	18,192,829
6	17,042	1,641	.621	17,366,837
7	17,042	1,723	.564	16,560,938
8	17,042	1,810	.513	15,824,008
9	17,042	1,900	.467	15,121,366
10	17,042	1,995	.424	14,393,809
Total present value of welfare savings for 1st 10 yr				168,353,308

II. TAX PAYMENTS

Assume those employed will pay 20% of income for taxes (Federal, State, Local, FICA, etc.).

Number of people involved equals 58,834 times 0.606 equals 35,653.

Assume average wage in first year equals $4 per hour or $8,320 per year.

Assume only 50% of wages are earned in first year.

Assume wages will increase by 5% each year.

Assume a discount rate of 10% per year for taxes paid after Year 1:

Year	People involved	Annual income (times 0.5)	Tax rate	Discount factor	Tax payments
1	35,653	$8,320	.02	1.000	$29,663,296
2	35,653	8,736	.2	.909	56,624,265
3	35,653	9,173	.2	.826	54,027,828
4	35,653	9,631	.2	.751	51,574,780
5	35,653	10,113	.2	.683	49,252,330
6	35,653	10,619	.2	.621	47,022,021
7	35,653	11,150	.2	.564	44,841,491
8	35,653	11,707	.2	.513	42,824,180
9	35,653	12,293	.2	.467	40,935,569
10	35,653	12,907	.2	.424	39,022,693
Total represent value of taxes paid for 1st yr					455,788,453

III. INCARCERATION SAVINGS

A. Incarceration savings during the time corps members are in the program

5% of those in the program would otherwise be in prison.

The average length of stay is 8.2 months for those who did not drop out.

Number of people in JC program who would be incarcerated equals 98,809 times 0.757 times 0.05 equals 3,740.

Assume average incremental incarceration per person is $14,500 per year.

Estimated Savings equals 3,740 times $14,500 times 8.2 divided by 12 equals $37,057,166.

B. Incarceration savings after successful completion of JC Program

5% of those who successfully complete the program would end up in prison.

75.7% of CM's are employed or in military or in higher education.

58,834 CM's were "Total Terminee's" of the program in FY 1984.

Assume only 50% of savings are realized during the first year.

Assume incarceration costs are $14,500 per year and increase by 5% each year.

Assume a discount rate of 10% per year for savings after Year 1.

Those imprisoned would spend an average of 5 years in incarceration.

Number of people involved equals 58,834 times 0.757 times 0.05 equals 2,227.

Year	People involved (times 0.5)	Annual cost	Discount factor	Annual savings
1	2,227	$14,500	1.000	$16,145,750
2	2,227	15,225	.909	30,820,622
3	2,227	15,986	.826	29,406,278
4	2,227	16,785	.751	28,072,526
5	2,227	17,624	.683	26,806,826
6	2,227	13,506	.621	12,796,593
Total present value of incarceration savings				144,048,595

IV. RETURN ON TAXPAYERS' INVESTMENT IN THE JOB CORPS PROGRAM FOR FY 1984

Benefits

Welfare savings during the time corps members are in the program	$34,732,021
Welfare savings for those who complete the program and find employment	168,353,308
Total present value of taxes paid for 1st 10 yr	455,788,453
Incarceration savings during the time corps members are in program.	37,057,166
Total present value of incarceration savings after successful completion of JC Program	144,048,595
Total present value of benefits	839,979,543

Investment

Job Corps Budget FY 1984, $607,300,000.

Time adjusted return on investment equals $839,979,543 divided by $607,300,000 times 100 equals 138.3%.

SUMMARY

The direct financial benefits of the Job Corps Program exceed its cost even if very conservative estimates are utilized. The assumptions of this study are conservative because verifiable JC completion and placement numbers are used, a low incarceration cost is employed, very low wages and wage increases are assumed, the benefits of those in higher education are not included, benefits are terminated after 10 years, etc. Other benefits to society involving family planning, drug abuse, losses of victims of crime, medical care costs, etc., are not included. These would increase the return on investment. Furthermore, the benefits are reduced by discounting at 10% per year.

Thus, the computed return of 138% should be viewed as reasonable and conservative. It is also a verification of earlier study by Mathematica Policy Research which yielded an estimated 45% more than program costs.

BRUCE F. BAIRD, Ph.D.,
Professor of Management Science,
University of Utah.

A DISAPPOINTING ECONOMIC SUMMIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. VENTO] is recognized for five minutes.

Mr. VENTO. Mr. Speaker, I rise today to state my deep disappointment with the conclusion of the recent economic summit that occurred in Europe. It has indeed been a failure when judged on the basis of the product or, more accurately, the lack of product.

Mr. Speaker, I share the frustration and the concern, obviously, for the visit to the Bitburg Cemetery and the entire sorry affair with respect to that episode in the President's itinerary; but beyond that, the basic reason for the economic summit is our concern with trade and with the economic vitality of the Western World. Really these concerns were not addressed. It is indeed inexcusable that this major forum, the economic summit, was so poorly utilized, considering the serious trade and economic problems we face.

Frankly, those issues with respect to trade which acutely affect the U.S. economy today were not addressed. If it is said that the U.S. economy is the strong locomotive that is pulling the engine of progress in the Western World and the total economies of the Western World, then, Mr. Speaker, I would submit that that engine is running on explosive fuel and is likely going to pull this entire train and that of our entire Western economy off that track.

Certainly the consumer led economic recovery that we have been experiencing in recent years is on a bad stretch of track. We hope that it inevitably will not be pulled off that track, but the actions that occurred this past week do not give much encouragement.

The most important problem, the overvalued dollar, was only given cosmetic lipservice rather than a real substantive push toward a gradual realignment of dollars valued more in balance with our trading partners.

Second, Mr. Speaker, the General Agreement on Trade and Tariffs, the formal basis on which we must solve many of the trade imbalances and barriers that exist, was left in disarray. Not even a date or timeframe was set for the resumption of the GATT meetings. With all the important disparities that exist between the United States and our trading partners, the resolution of existing trade issues is not even set for a definite timetable. Thus the American people cannot even look forward to some forum for solving our serious trade problems.

This really leaves Congress and our national trade policy in an economic quagmire without direction and purpose. It means that we are going to have a piecemeal, patchwork type of effort and a drifting to higher and higher balance of trade deficits. Inevitably, this lack of direction will result in increased protectionism initiatives and many cumbersome polices which will attempt to force the administration to do a job which it is apparently reluctant or unwilling to do. The U.S. economy cannot continue with the $124 billion, 1984 balance-of-trade deficit. Yet in 1985 this deficit only grows at a faster pace.

Ultimately, as moves the U.S. trade imbalances, as go the U.S. dollar balances, and other sectors of our economy, so moves the world economy. We are becoming a Nation with fewer and fewer industries, fewer and fewer manufacturing concerns, and yet these issues are not receiving the priority they deserve on the agenda of the economic summit. This was a golden opportunity wasted by the Reagan administration and our trading partners.

So I must rise today to voice deep concern with the continued deindustrialization of our Nation. Our Nation must address these problems. Obviously, they were not addressed in the past week. It looks to this Member as though Congress will be forced to act on a piecemeal basis to forge a policy and in an awkward manner try to deal with these very serious trade and economic problems that our Nation and our allies must face.

MY ADVICE TO THE PRIVILEGED ORDERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, once again I rise in the vein that I have at least on six different occasions thus far this session to address what I call a petition or "my advice to the privileged orders," mostly the privileged orders in our own country, which as I have said on prior occasions include my colleagues in this body and across the rotunda over in the Senate, because indeed as Members of the Congress we are privileged in more than one way.

Even though the center of gravity and power and the real decisionmaking levels and exercise of that power are not any longer inside the dome of this great Capitol, but rather in those great plush corporate offices of banks and other magnets and panjandrums and barons of wealth, the money barons, if not robber barons, who have flagelated this country through their control, now almost obliterative, like never in the history of our country.

□ 1320

The fears of all of the great national leaders beginning with Thomas Jefferson in the initial stages of our nationalism in which the issue is clearly drawn then, as incidentally it has been in all countries, in all climes and times and periods; and that is where the power to determine the fiscal, the monetary, the economic level of the great mass of the people in those societies is going to be made. Where will this decision be made? Will it be in the

hands of those oligarchical few all through history, the bankers, the great magnates of power, the panjandrums, as I call them?

Franklin Roosevelt called them the great malefactors of wealth, and I call them that today, too, for America has literally been sold down the river. And the Congresses, several of them now reaching over at least two and a half decades, if not three, have very blithly sauntered along and abdicated the great trust and responsibility that the Constitution has placed all along in this great body.

So often it is forgotten today. I get letters, messages, personal oral statements from colleagues, from citizens, from throughout not only my constituency but various States that clearly reveal to me that the concept of the three coequal and independent and separate branches of Government is really not one that entertains their minds. The Presidency has reached such an exalted position that there are very few Americans that do not believe that the President is omnicient, all powerful, and so we revert back to the old days in which salvation was sought and salvation was attempted to be obtained from some great leader.

In our country all of this was foreseen during the course of the debates during the Constitutional convention that finally led to the adoption of the Constitution. And the people then, at least the literate element, as the delegates emerged from the Convention Hall in Philadelphia it is reported that one shouted to Benjamin Franklin, "Ben, what do we have? Do we have a monarchy or do we have a republic?" And Ben Franklin is reported to have said, "A republic, if we can keep it."

So that is still the question: if we can keep it. With the events tumbling one over the other in quick successive fashion, it is no wonder that today in the people's minds, as well as in my colleagues' minds what happened just barely 6 months ago, 1 year ago, is ancient history. And we tend to forget the implications of these successive events.

Also, coincidental with this phenomena is the fact that there is no way that either the Members or the people in general, after all, if we are not informed, we who purport to be the Representatives of the people, how else then can the people be informed, and if they are not informed, then, as James Madison aptly said, "An uniformed people cannot be acceptable in a democracy."

In a system of government in which the basic faith is that the people in the long run are the best judges as to what is best for them, and that the people do have the wisdom, the prudence, and the self-discipline to know how to govern themselves. That we do not need.

As John Adams accused in referring to George Washington, we tend to forget because of our superficial reading of history that these were real blood and bone periods of time. There were men struggling. We had Benedict Arnolds. We had those loyal to the Crown, to old King George III. And at one point those outnumbered the Revolutionary Americans.

And as old John Adams referred to George Washington, there was great rivalry, there were epithets and remarks made by each other that I think the average American reading them today would not believe that they were true. And the big question was with that tremendous popularity and the fact that George Washington could have asked and grasped for power, he could have been elected and reelected not two times, three, four and five, he was the one that established the unwritten custom to go not beyond two. And he did have great self-discipline because he understood what the fight was all about.

But the big question, as John Adams said, was well, there is George Washington, he thinks he is selected like the ancient Hebrews used to select their kings, that is the tallest one among them. And he thinks he comes heaven-send, booted, spurred, and ready to ride on the hapless backs of mankind.

Well, this is exactly the way so many human beings, including Americans, believe to this day and have believed all through written human history. Ours is the first real experiement because, given the nature of the world today, in which it is hostile to democracy, and in which in our country we are challenged now to reaffirm our basic belief in these essential pedestals and bases of liberty, this President, Ronald Reagan, has gone a long way, a long way, and continues to do so, in challenging those basic liberties. They are not perceptible, not like in the case, say, of Richard Nixon, because President Ronald Reagan again, who believes like those who surround him, that today America can and must be ruled by image, image, not substance, not reality. But we forget, like ancient Rome, that we may think the world spins around our axis, and that we are the center of the world, and we are self contained, and we are not informed. Therefore, with a shocking reality, a dash of cold, cold water, we are going to find that the world is not revolving to our tune, much less dancing to it, that while we may here be brainwashed in this country and we may successfully consider a political group, or king, or oligarchy successful in that it can hold and retain through the images of democratic power, power that nevertheless is the essence of that participatory democracy, are lacking.

So what happens? Exactly what is happening today. The United States perceives outside of our self-perception is cast in a role that has clearly been held in violation of all of the basic precepts of international law. The fact that President Ronald Reagan and his administration refuse to accept the sovereignty or jurisdiction of the World Court, and walked out because Nicaragua filed a grievance alleging that we were violating some solemn international law, all of the basic international law that until the taking of the hostages by Iran had been almost sacrosanct. We ourselves are participating in an equal type of violation, and so Nicaragua, certainly we cannot say that Nicaragua is of comparable size to the United States where we could consider it anything but a developing country.

□ 1330

And the little country goes to the World Court and says, "The United States has plotted and attempted to assassinate our leaders. It has mined and bombed our harbors. It has cause to sink our shipping. We are grieved. We appeal to law to determine the fact that this is an egregious violation of international law."

So we did not like that, so we walked out of the Court, because the Court intimated, of course, that there could be no other decision but that the United States is in gross violation of law.

But all during the time, the President maintains a U.S. ambassador who is accepted by the Nicaraguan Government in Managua as a duly elected envoy to a recognized government. We in turn accept their ambassador who is here in Washington.

To the world we proclaim that we recognize that Nicaraguan regime. But also, the President has not hesitated even as late as 1 month ago to say, despite the fact that the Congress has prohibited any direct use of funds for involvement to try to destroy the Nicaraguan Government, "I will even appeal to private groups, I will appeal to private paramilitary groups to raise funds and raise mercenaries and enlist mercenaries and go see what you can do to knock over the Nicaraguan Government."

Not once has he said, "We think this is an illegitimate government, therefore we are recalling our ambassador and we are sending their ambassador home." Not once.

Now that is reality. What is the image? The image is that the President first said that the Nicaraguan, at that time Sandinista group, this was a coterie, or a handful, a junta, they call themselves south of the border, including three Catholic priests, one of them a great scholar, a great scholar, internationally established as a great scholastic mind. A couple of them so-

called Marxist-Leninists. They have preached what they call their jargon of Marxism-Leninism all along. But they were not in control and are not now in control and have not been in control even though now it is 6 years that that type of regime in actual control, physical, political, social, economic, to the extent it can, because unlike Cuba, Nicaragua still has a mixed economy. It has not, as some would say, and as the President has stated, quite mistakenly, that it is just like Cuba. It is very different at this point. But I predict that we will compel another aggrandizement of Fidel Castro, another aggrandizement of the Communists by giving them credit that they themselves are so overwhelmed for being given credit for something they know they never had the influence or the power until we gave it to them, forced them into it, that it is almost laughable, except so tragic, because the President is pursuing inexorably and with his "Custer" mentality; George Armstrong Custer. "A Custer decision shall never be impeached." So we had 241 marines murdered because of Ronald Reagan's "Custer" decision mind, in spite of the Joint Chiefs of Staff. Who are they? Why they are elite, they are selected, professional military leaders. Every one of them unanimously, for 14 months were saying, "Mr. President, now it is Comander in Chief because you have ordered the Marines into Beirut in double strength after the first venture. Mr. President, we think that is a mistake. Militarily you forget these men are warriors, they are not diplomats, they are not politicians. You are saying they are peacekeepers, but you are involving them in trying to shore up one faction of four in Lebanon. How can that make them peacekeepers? They could hardly be called neutral. But militarily they are indefensible."

So some of us took this same tribunal here, this same forum, and for 12 of those 14 months pled with the President, asked the President from here, of course there was no chance that we would hope individually that our voice would be listened to any more than it is now, but there was some glimmer of hope that we could talk to some—and we did—of the Members. My colleagues, distinguished members, of the Committee on Armed Services and others, who in turn did have communication with the Secretary of Defense. Why did I keep speaking out after 1 year? Because invariably, everyone would say, "Henry, you are right; the Secretary of Defense says you are right but they can't do anything." Why? Because of Gen. George Armstrong Custer's mind that Ronald Reagan obviously thinks he is playing the role of. Sometimes I don't know if the President figures he is going to play the role of John Wayne, that great John Wayne or whether it is George Armstrong Custer. He acts more like Custer. And you know what happened to him.

I say that with this the same thing is happening after this sojourn to Europe.

From this podium this voice has been the only one in this entire Congress, not now, not last year; for 15 years it has been mentioning the fact that the world has changed, that the real world had changed, that the United States was headed for some hard-nosed economic, international financial decisions; that I saw no evidence anybody was even dimly aware of in the Oval Office. And I am talking now about six different Presidents because I have been privileged to serve in this body for 24 years. So that I felt that the only thing I could do would be to speak out and on the record, not in private, not where I could come later on and say, "Well, no, I didn't say that, I said this." Even today I do not revise what I say here. It goes as the great reporters of debate put it down and it goes in that way and it stays that way, because I feel that is the way it was meant to be from the beginning; and that this forum here is the great, great privilege as I have said, ad nauseam. The only thing a Member of the House has is a voice and a vote. I consider it so important that it is, in my opinion, the prime constitutional duty of a duly elected and sworn Member of the House, faithfully perform his duties or oath faithfully and well, to faithfully and well perform our duties.

□ 1230

So that in 24 years, the record will show I have been present 99.9 percent of the time. That one-tenth of 1 percent was when my mother was dying, and was in a coma, and there was no power on Earth was going to keep me from being at her side, and that was the only time I missed; but God be thanked, I have been able to say that I have been here when it counted and registered my vote and spoke out.

I have not hesitated to speak out, even if it offends some, but never because of fear or favor. Not only because—not that I am good-goody, but because the people have given me independence. I have not been elected because of any special particular individual or collection of individuals, or a particular sector of the electorate; I am proud of what the people in Bexar County, because for the first 8 years, the district, the 20th District of Texas consisted of the entire county; and the 5 years I was honored to serve in the Texas State Senate, the greatest body I could ever hope to belong to and reluctantly left—for 5 years that senatorial district consisted of the entire county.

Before that, on the city council, the local legislative body, for 3 years, in which I got involved in what were considered kamikaze, political suicide.

I was just like old Judge Sam Ervin a while ago, when my colleague was eulogizing him. He said he never intended to really get into politics; and I did not either. Unlike the overwhelming majority, that was the last thing I thought I would be in as I was growing up.

What I am saying is that in this day and time, we are being tested as to whether or not we really mean it when we say we are a democratic nation. When we say that we stand for democratic participatory government, and that this is what we want other countries to have.

When we say that we are not like other nations that wish to impose their way, because the truth is not the myth, not the self-perception, but the truth is that at this point in time we are the Nazis of the Caribbean. We are the terrorists.

When we have fragments of explosive bits attempted to be used to kill off some of the Nicaraguan leaders, and fragments are stamped "For U.S. Army Use Only."

When I raised my voice and said this 2 years ago, I was criticized, ridiculed; but then last September the 18th, lo and behold, the Defense Department publicly states that yes, indeed, it transferred an unnumbered, or unnamed number of war planes and war material to the CIA.

Now I ask every one of my colleagues if he or she can tell me exactly how much money you have voted for the CIA. Up to now, nobody has been able to tell me.

How does the CIA account for it? And to whom? There have been experiences in the past where CIA or minions thereof, or perhaps rogue elephant members of the CIA certainly have acted without Presidential direction.

So with this kind of lack of accountability and with the history of the use of what they call executive action, for the elimination of certain national leaders, whether it was Diem in October of 1963 in Vietnam, or Lumumba in Africa, or the expulsion of Arbenz in Guatemala in 1954, which tragically the CIA still thinks it can use those tactics in which the United Fruit Co. of that day—now called Standard Brands—did not have to obligate the CIA to go and get them from the Defense Department, and at that time they would not have done it, because you had administrations that knew the law and obeyed it and respected it.

They got United Fruit to pay the American mercenary pilots and obtain them and pay for the planes, and they strafed the Guatemala City Capitol

one time and old Colonel Arbenz quit and left, tucktailed.

We accused him of being a Communist. Now the truth of the matter is that at this point, if we think we have problems in Nicaragua and El Salvador, how many of you, my colleagues, see headlines with respect to El Salvador right now? They are in the making.

We have spent over $2 billion in the smallest country in Central America, the smallest, tiniest country, where over 55,000 have died, most of them assassinated by murder squads that a American interests have helped finance, and that the CIA has worked cheek by jowl with.

In the assassinaton of the Archbishop Romero in El Salvador, one reason they are not going to get to the bottom of it is because if we ever get to that point, the sorry truth is going to come out that the assassins were cheek by jowl with our CIA agents.

Now I know this horrifies some Americans, but that is the truth. That is the sordid truth. The reason I rise to speak is because if we think that is a present problem, wait until the real shooting starts. Wait until Guatemala really blows up. It is beginning to. It is headed that way, irreversibly.

For we have failed to recognize the reality of the real world to the south of us. Do we think that we, single-handedly, must be right; and every other nation in the Western World—Canada and every nation south of us is wrong? Not a one of them share our politics.

We are acting—this President has evoked the old gun boat diplomacy that could succeed in 1929 only because the world had not shrunk at that time.

This is another world. Even in Vietnam, people like to say that we are going like Vietnam. Yes we are, only because we have learned nothing, and because we have failed to distinguish between the reality of civil war, of a native, indigenous civil war. Not one either initiated or conducted solely through the help of external forces.

I had occasion to speak to one young, very cultured—had several degrees—and he was a revolutionary in El Salvador; very young, less than 30 years of age. His family was split up because it is a civil war there.

The thing he could not understand, when he spoke with me was, "Why do you Americans think that only the Cubans know how to conduct a revolution, or that we have to go to Cuba to get any kind of inspiration? We know what a revolution is about, and we are going to fight and die to a man, because we no longer are going to tolerate what has been tolerated."

Now anybody that will just bother to read a little bit of history, which obviously our leaders do not reflect, whether it is Secretary Shultz—and much less, President Ronald Reagan.

When he went down to South America—it will be 3 years next October—he was in one country and said he was in another.

□ 1350

When he got back to California, the first words he uttered were, "Gee, I didn't know they were that different."

Now, you know, we could have afforded in 1929 that kind of crass ignorance. Not in 1985. Not any longer. The President is obviously of a Custer decision mind. He is not going to change. So what he is doing is involving our country in an inexorable, irreversible, unilateral military venture. But unlike Granada, and even unlike South Vietnam, where I think our colleagues should reflect we never were challenged in the air, we always had complete domination of the air and we did not win, I say to you it will be different in Central America. And that will be the next headline. I can just see everyone jumping over themselves to vote virtually to declare war, if not so to do, because we are headed that way. How long do we expect and why should we be surprised if we are attempting to assassinate the leaders of a movement, if we are conducting war, as President Ronald Reagan has now for 2 years, the greatest military, massive buildup in that part of the world in history, we now continue to have at least 30,000 of our military in the air, on the land and on the sea surrounding Nicaragua alone. And that has been true for 2 years. How long as we continue to kill men women and children, grandfathers trying to harvest a coffee crop, through the direct aid of what the President calls, ironically and shamefully, through a perversion of words, freedom fighters. Freedom fighters? Assassins of women and children, peasants, along that frontier there?

Now, it has not always been that way. And I think that should have set an example. In 1957, President Eisenhower did not think it was below the dignity of the United States to accept and enjoin and then lead the equivalent of the so-called Contadora group of nations today. In what? In the disputation of many years between Nicaragua and Honduras.

What we have followed as a matter of diplomatic basic procedure has been to try to divide and conquer. In fact, I might point out that 4 years ago General Haig seized upon that in order to borrow some Argentinean soldiers to come to Honduras. The reason we have to use our own now is that we lost all of those mercenaries we were able to get. For instance, Haig persuaded the Argentinean generals of that day to lend them some soldiers, because that was going to be what would be used to help destabilize—that was the word they used—the Nicaraguans.

At that time it was a Sandinista group. Today, after the elections last year in November, it is the Nicaraguan Government. And let me point out that in that election, which was open, there are some Nicaraguans here now saying they were not allowed to participate. The truth is that when they attempted, if it had not been for the Nicaraguan soldiers, they would have been mobbed by the people, but they never were taken off the ballot.

Now, you had the Marxist-Leninists or the Communist Party on the ballot, then you had the various other designations, Christian Democrats, Social Democrats, and all that kind of stuff. The party that got the least votes, not even 6 percent, was the Marxist-Leninists or the Communists. This was also true in one of the elections they held in El Salvador. In El Salvador, unlike Nicaragua, the revolutionary movement consists of five different, separate groups who have coalesced in a common rebellion against the government, but actually the weakest at this point and for years the smallest has been the so-called Marxist-Leninist or Communist contingent. They are the smallest and the least effectual. However, we have introduced a Huey attack helicopter, and we have now begun to go down and gun peasant women, children, old men, old mothers indistinguishably there. They are not in the headline right now because Napoleon Duarte is playing a little cat and mouse game with the Rio forces still in El Salvador, D'Aubuisson and the 12 families that are hiding out in Miami, some of them, but they are sending the money and the mercenaries, and they hope to come back and retrieve power, like some of the ex-Somocistas in Nicaragua, like thousands of Cubans who have come seeking a haven. In fact, a little known thing, I think my colleagues would throw me out of the place if I were to advocate spending $1.2 billion to help some of the illegal aliens from Mexico. Yet this is what was done for the Cubans in Miami and in Florida. And who has ever breathed a word? The reason is that these were upper-class Republican, once they got here they turned Republican, and so everybody fell heads over heels to help them, and they were saying the right thing, they were against communism, they were against Castro and that sounded good, but nobody has ever stopped to figure out why they did not stay in Cuba and fight to death communism. No. They will let every single one of our marines die if necessary, if that is what it takes to restore them to power. I am going to ask my collleagues here and now, will you allow your sons to get eventually drafted to go die in the jungles of Nicaragua and in Central America for good old Chiquita Banana, United Fruit, Standard Brands, and the like,

they are the ones that determine the so-called Latin American tactics, because I would not deem it worthy of the name policy of this administration of Ronald Reagan. The J. Peter Graces, the billionaires several times over, who now, through their conglomerates, own United Fruit, which in turn owns and runs, and has for years, Honduras. We are occupying Honduras. And even there we are beginning to have trouble, very much like we used to read about South Vietnam. I remember hundreds of my colleagues putting on khaki and going to see Vietnam. I see now weekly entourages of touring Congressmen going to El Salvador, Guatemala, Nicaragua and, depending on who sees what or what they say or are told for 2 or 3 days that they are there, they come back.

I say that it would more profit us if we were to stay right here in the District of Columbia and demand of our President to obey the law that we have passed, to remind him that the Constitution says that only the Congress can declare war and that he ought to stop making war until the Congress sees fit to declare it, if it ever does.

And all of the harum-scarum about how the next stop will be Laredo, TX, well, let me tell my colleagues I cannot see those folks being that dumb. If they ever got that far, they would come through Matamoros, not Laredo. But that is ridiculous. Certainly Mexico is not shaking in its boots. In fact, in Mexico the biggest fear is the CIA, where it has been busily trying to "destabilize" the present Mexican President's regime, because he, like the other so-called Latin American leaders, does not goose-step to our policies. Why should they? We have violated every one of the three solemn agreements we entered into, some of them on which we took the leadership, the Rio Pact, the Punta del Este Understanding, the OAS Treaty, every one of them this President has thumbed his nose, as he has the War Powers Limitation Act of this Congress.

But it is my advice to the privileged orders that we must not only look to but we ought to welcome and we ought to join some of the revolutionary changes south of us, because we are either going to be on the side of the people, those huddling millions of masses that for the last 15 years for the first time have more than 65 million more than we have, we are either going to be for them or we are going to be for the tyrants and the oppressors and the exploiters that for 300 years have done that and in the last century we ourselves have imposed them, like Somoza and his malodorous, tyrannical, abominable group that finally was so corrupt it collapsed out of its own rottenness, even though we did everything we could to still keep it bolstered up.

□ 1400

We installed them in with the Marines' help and their position the last time of 9 years of the country, and even then because there is an inevitability to history. This is what I address to the privileged orders that we, inured to privilege, must recall that outside of the shores of this great and glorious Republic, and those areas governed by our laws and institutions, we are a single beacon light. More than anything else, where it is the south of us or north or east or west, the world would seek American moral leadership.

They do not want star wars; in fact, we have been completely derogatory. South of us, under the leadership of Mexico, a solemn treaty was entered into to forever ban nuclear weapons in that area. We have not respected that; we have invaded their waters with nuclear devices on our ships. We have not paid any mind to our respect, much less to the sovereignty and the independence of these countries if the government is not the kind that we think ought to be there, or that our special interests, who as I say and repeat, rule the roost in this administration think they are a threat to their vested interests.

I say that it is time that the Congress reassert its proper role and remind the President that he has grievously violated the law.

Let me go back to what I started out with on the trip to Europe. This voice has been the only one for 15 years almost, and especially since 1979, to mention the ECU or the European Currency Unit, and the EMS, the European Monetary System. Now, this was the real issue this last week, but you do not see it reported anywhere here. Was there any American paper that reported that the Finance Ministers, who were the ones there in the background to all these leaders standing there in front, looking as if they had just cracked a joke, I do not know at whose expense, but it looked as if that is what they were doing, but nobody saw those figures behind that really were flexing out what it was they were telling the United States.

Now, nowhere did the American press report that on April the 13th and 14th, last month, the Finance Ministers of these six basic nations, or West European nations, as they call them, met in Palermo, Italy, in order to flex out the European Currency Unit as a substitute or competitor to the dollars as the exchange, as the medium, world recognized.

Why? Because as I have been saying since 1976, when the administration then of President Nixon and then Gerald Ford, with the same Secretary of the Treasury, Bill Simon, there blithefully talked about private ownership of gold. I was trying to stem the tide and say, "All right, if you want to do that, you still have got to build some protective clauses in this repealer to protect America from the same thing that happened after World War I."

Nope; I was brushed aside by the then chairman of the Banking Committee, who certainly was not Republican, and above all, by the then Secretary of the Treasury.

Since then I have been speaking out, but it was not until later that that reality became a reality, and that is that those countries, particularly West Germany, now have more gold reserve than the United States. They have more gold.

Bill Simon thought it was great to even sell it in January and February and March 1976. That is fine. If the world had been as he thought or had been told it was. The real world, yesterday's headline was a little bit more realistic. Now, oh, the trip to the cemetery, and the fact that the President realized he was again on thin ice, therefore, he had to announce the embargo.

The same headline was overshadowed by another in one paper's front page story in which it said: "The United States and the Soviets were once again meeting to try to see if they could resume international air flights."

Everybody has forgotten that the President declared sort of an embargo after the deal there in Poland with the Solidarity cause in which he suspended air flights to Soviet Russia. My colleagues, if you want to know the disaster of the so-called K 007, there is where it started, because since then, with that suspension, all of these delicate air routes have become raw nerves. If we think that has been a source of trouble, and I hope and pray that our leaders will be wise enough to say, well, let us have an understanding so that we can soften some of this tension which was created when the President unilaterally stopped air flights to Russia and the reciprocal flights to the United States from Russia, of commercial airliners.

Let me tell you where we are every day on a razor-thin edge, and that is over the Berlin corridor. There again, through lack of understanding and because of our confrontational attitude, this President has cultivated a war psychosis toward Russia and it is dangerous. The shooting of a soldier in East Germany is one more symptom. But we have got to look at it from the standpoint of the awesomeness of our actions outside of our boundaries, looked at from that perspective, not ours.

Just like south of the border there is no way I can tell you, my colleagues,

what an awesome power America symbolizes. There is no way I can convey to you; I cannot convey to you. When these corporate interests become indistinguishable with America, I just cannot convey to you what is means, and the fact that there has been so much forbearance on that side.

The corridors into Berlin are so narrow that it should not be difficult for anybody to realize that a catastrophe is in the making. Ten miles. In the air, that is not much, given the right combination of events. I say that the tension is further incremented when there is disarray in what we call our allies, brought about by the very policies that have brought about the tension to begin with, vis-a-vis Russia.

I do not know why in the world we think that we can isolate ourselves from public opinion in the world. We cannot; we have got to realize that whether it is to our liking or not. When I used to say this in the 60's, I was almost looked upon as a traitor, except for the fact that I was not going around shouting: "Hey, hey, LJB, how many babies have you killed today?" The President was a friend and a neighbor, but still I was looked upon with suspicion for two or three reasons: One, I was the author of what I call the "Ernest Gruening Resolution" in the House. We got 72 cosponsors that said, like I am saying now: "Mr. President, pull out the troops south of the border, and let us go through the OAS or some other group that the United States can take the leadership of." We still have a little residual leverage, but not if we continue the way we are in which we say to the Devil with that; we do not even try it.

I did in the sixties; not in 1967 or 1968, but in 1965, in the beginning of 1965. I said, "Mr. President, pull the troops out of Southeast Asia, and let us go through the U.N. like we did in Korea at least.

□ 1410

I was looked upon almost like, "Hey, who are you for, Ho Chi Minh?" Just like today, "Who are you for; you want these Communists' next stop to be Laredo, TX?"

That, I say to you, my colleagues, is sheer insanity. It is the custom mentality, and you know what happened there. I say that I want my brothers who served and have served, and I, I want my children and grandchildren who will inexorably, and some of them are relatives that are serving presently, if they are going to be in a fight to win it, because of its righteousness, because of its leaders knowing full well that they could elicit freely and voluntarily the will to support, the will to fight from the people without divisiveness and with a clearly stated purpose, as I have said.

If the trumpet sounds uncertain, who then shall hear the call to the struggle? It must be clear. It must be coherent, and I say to you it is not. Just look at the successive actions you have participated in in less than 1 year's time. A year ago you were about to begin a so-called discussion on the War Powers Act which never became that. It turned out to be a question of whether you were loyal to the President or not. That is ridiculous. That is not worthy of the first branch of Government, co-equal, independent, and separate, and it is not now.

I heard some comments last week when the Nicaraguan president or leader or whatever he is went to Central Europe; he went to Romania, and he went to Bulgaria and he went to the Communist side, and he went to Russia, and cheek by jowl, just like Nixon did, just like this President will, just like the other American Presidents did. In fact, President Nixon not only toasted and drank vodka cheek by jowl, but he also gave the leader Brezhnev a big Cadillac, bulletproof and all, and I never saw any congressional authority for that, but the President did. If any normal American had done that, he would have been brought up by the FBI and the CIA and everybody else.

This is how crazy the whole thing has been. This is what makes it unclear, incoherent, and I say, my colleagues, that in that case the Congress cannot escape its responsibility any more than it did in the 1960's. I am pleading that in that case, maybe the European case, it is too late because after the meeting of the finance officers the decision was made, Delors, the French leader of the European Community, clearly stated a month ago that now they were going to flesh out, they were going to put some muscle and bone and sinew in the economic or European currency unit. This they would place in what they call a basket, technically the international people call it as the basis of the European Community's accounting unit. The currencies will be placed in a reserve currency in what they call a European Community financial or international currency basket, a common unit. For what purpose? To replace the dollar.

In both cases, I am reminded of Barbara Tuchman's recently published book, "The March of Folly." She undertook to answer the question why, since the war in Troy in ancient Greek times to Vietnam, has it been the case, and she went through all the series of national leaders, in full knowledge of the facts and in total disregard went in what she called a phenomenon noticeable throughout history, regardless of place or period, is the pursuit by government of policies contrary to their own interests.

"Mankind, it seems, makes a poor performance of government than of almost any other human activity." Could a Commander in Chief, headstrong, willful, ignore his own Joint Chiefs of Staff, solidly united, not one deviating voice among them for 14 months, leading to the tragedy of 241 great Marine fighters dying, murdered in their sleep? How can that be condoned and forgotten? But it was, because in less than 36 hours the President ordered the invasion of Grenada. That took the attention away, just like last week the trip to the cemetery in Germany. It was beginning to reach that hot point in which, "Oh, look, Mr. President, change your mind." And he said, "I will not be made to appear to be caving in."

I remember Lyndon Johnson, "I will not tuck tail and run away." Well, I used to say it is fine if that was their tail, but it happened to be the lives, as it ended up 50,000 Americans, and a great drainage of the Treasury. When I would say, you know, I think we will end up in doing more good if we get those $35 billion, get them in $1 or $5 bills, load up our transports, from the C-130's to the C5A's, and just bomb Vietnam, pull out all our troops and bomb them with dollar bills. We will be far better off in the long run than what is going on. But you could not, any more than you can today, bring about reality, just a little dose, a modicum of reality of what that real world was. You could not tell anybody in or out of this Chamber, in or out of the Oval Office, that that was not a solid Communist monolith.

I think if our leaders and all of the coterie of advisers, the best and the brightest, as somebody said, and the youngest, had had a real perception of the real world that we would have lost 50,000 American lives, young, the flower of our youth. Who gave a hoot when I brought out in August 1965 that at that point the men that were likely to be seeing action and dying or being maimed or wounded, over 45 percent, about 47 percent, were draftees and about 80 percent or so of those were the poorest of the poor, white, brown, black, blue.

Why? I pointed out on this floor in 1967, I said, "My colleagues, never in history, even the Roman Legions would never impress a slave into their army. Why do you think the French fighting in what they called Indochina never could use a conscript or a draftee? The British at the height of their empire never sent a little Englishman and impressed him to go serve in India.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. VENTO, for 5 minutes, today.

(The following Members (at the request of Mr. SCHUETTE) to revise and extend their remarks and include extraneous material:)

Mr. MOLINARI, for 5 minutes, May 8.

(The following Members (at the request of Mr. LOWRY of Washington) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.
Mr. MARTINEZ, for 5 minutes, today.
Mr. BEDELL, for 5 minutes, today.
Mr. NELSON of Florida, for 5 minutes, today.
Mr. STARK, for 5 minutes, today.
Mr. BUSTAMANTE, for 5 minutes, today.
Mr. GONZALEZ, for 60 minutes, today.
Mr. GAYDOS, for 30 minutes, May 7.
Mr. GAYDOS, for 30 minutes, May 8.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SCHUETTE) and to include extraneous matter:)

Mr. CHENEY.
Mr. GUNDERSON.
Mr. COURTER in two instances.
Mr. HUNTER.
Mr. PARRIS in two instances.
Mr. RITTER.
Mr. BROOMFIELD.
Mr. KEMP in two instances.
Mr. SENSENBRENNER.
Mr. CARNEY.
Mr. LIVINGSTON.
Mr. DANNEMEYER.
Mr. BARTLETT.

(The following Members (at the request of Mr. LOWRY of Washington) and to include extraneous matter:)

Mr. ANDERSON in 10 instances.
Mr. GONZALEZ in 10 instances.
Mrs. LLOYD.
Mr. HAMILTON in 10 instances.
Mr. BROWN of California in 10 instances.
Mr. ANNUNZIO in six instances.
Mr. JONES of Tennessee in 10 instances.
Mr. BONER of Tennessee in five instances.
Mr. ACKERMAN.
Mr. SKELTON in two instances.
Mr. STARK.
Mr. FLIPPO.
Mr. MORRISON of Connecticut.
Mr. LEVINE of California.
Mr. GARCIA.
Mr. ANTHONY in three instances.
Mrs. SCHROEDER.
Mr. RAHALL.
Mr. FORD of Michigan in two instances.
Mr. MONTGOMERY.
Mr. DONNELLY.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 59. Joint resolution to designate "National Science Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 64. Joint resolution to designate the week beginning May 5, 1985, as "National Correctional Officers Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 66. Joint resolution designating June 14, 1985, as "Baltic Freedom Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 83. Joint resolution designating the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 87. Joint resolution to provide for the designation of July 19, 1985, as "National P.O.W./M.I.A. Recognition Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 92. Joint resolution to designate October 1985 as "National Foster Grandparents Month"; to the Committee on Post Office and Civil Service.

S.J. Res. 93. Joint resolution to designate the month of May 1985 as "Better Hearing and Speech Month"; to the Committee on Post Office and Civil Service.

S.J. Res. 103. Joint resolution to designate the month of May 1985, as "Very Special Arts U.S.C. Month"; to the Committee on Post Office and Civil Service.

S.J. Res. 104. Joint resolution to proclaim October 23, 1985, as "A Time of Remembrance" for all victims of terrorism throughout the world; to the Committee on Post Office and Civil Service.

S.J. Res. 118. Joint resolution to designate May 25, 1985, as "Missing Children Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 128. Joint resolution to designate May 7, 1985, as "Vietnam Veterans Recognition Day"; to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 195. Joint resolution designating May 1985 as "Older Americans Month," and

H.J. Res. 258. Joint resolution to designate May 6, 1985, as "Dr. Jonas E. Salk Day."

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 20 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 7, 1985, at 12 o'clock noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the fourth quarter of calendar year 1984 and first quarter of calendar year 1985 in connection with foreign travel pursuant to Public Law 95-384 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1984

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Wise, Samuel	12/6	12/11	Yugoslavia				[3] 19.47				19.47
Committee totals							19.47				19.47

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Miscellaneous local transportation.

DANTE B. FASCELL, Chairman, Apr. 12, 1985.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1984

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Patricia F. Rissler	11/26	12/2	Great Britain								
Commercial transportation							2,081.00				2,081.00
Committee totals							2,081.00				2,081.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM D. FORD, Chairman, Apr. 22, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Portugal, Belgium, Israel, Denmark, Soviet Union, and Austria, Jan. 4–19, 1985:											
Badham, Cong. Robert E.	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		106.47						106.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Transportation: Department of the Air Force.							5,556.94				5,556.94
Visit to Bahamas and Panama, Jan. 15–17, 1985:											
Daniel, Cong. Dan	1/14	1/15	Bahamas		156.00						156.00
	1/15	1/17	Panama		160.00						160.00
Transportation: Department of the Army							763.08				763.08
Cofer, Mr. Williston B., Jr.	1/14	1/15	Bahamas		156.00						156.00
	1/15	1/17	Panama		160.00						160.00
Transportation: Department of the Army							763.08				763.08
Lunger, Mr. Richard T., Jr.	1/14	1/15	Bahamas		156.00						156.00
	1/15	1/17	Panama		160.00						160.00
Transportation: Department of the Army							1,086.48				1,086.48
Visit to Bermuda, Jan. 25–27, 1985:											
Skelton, Cong. Ike	1/25	1/27	Bermuda		91.10						91.10
Visit to Federal Republic of Germany, Feb. 7–10, 1985: [3]											
Stratton, Cong. Samuel S.	2/7	2/10	Germany								
Transportation: Department of the Navy							5,919.33				5,919.33
Dickinson, Cong. William L.	2/7	2/10	Germany								
Transportation: Department of the Navy							5,919.33				5,919.33
Martin, Cong. David O'B.	2/7	2/10	Germany								
Transportation: Department of the Navy							5,919.33				5,919.33
Staff visit to Korea and Japan, Feb. 7–18, 1985:											
Waters, Mr. Jim	2/10	2/11	Japan		111.00						111.00
	2/11	2/16	South Korea		500.00						
	2/16	2/18	Japan		333.00						
Transportation: Department of the Army							3,004.75				3,004.75
Visit to United Kingdom, Egypt, and Kenya, Feb. 7–18, 1985: [3]											
Aspin, Cong. Les	2/8	2/10	United Kingdom								
	2/10	2/12	Egypt								
	2/12	2/18	Kenya								
Commercial transportation							2,393.00				2,393.00
Staff visit to Greece, Turkey, and United Kingdom, Mar. 2–12, 1985:											
Fleshman, Mr. William T., Jr.	3/3	3/7	Greece		614.86						614.86
	3/7	3/8	Turkey		43.72						43.72
	3/8	3/10	United Kingdom		446.79						446.79
	3/10	3/12	Greece		336.77						336.77
Commercial transportation							2,735.00				2,735.00
Committee total					5,230.71		34,356.44		324.01		39,911.16

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Additional expenses will be reported when available.

LES ASPIN, Chairman, Apr. 30, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITEE ON BANKING, FINANCE, AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Parren J. Mitchell	1/5	1/7	France		238.00		[3] 3,804.00				4,042.00
Hon. Chalmers Wylie	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Hon Doug Bereuter	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Hon. Stan Lundine	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Hon. Marge Roukema	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Hon. George Wortley	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Hon. Al McCandless	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Hon. Jamie Fuster	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Paul Nelson	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Jan Shinpoch	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITEE ON BANKING, FINANCE, AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mary Ann Richardson	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Mark Constantine	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Greg Wilson	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Frank Record	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Peter Schecter	3/22	3/25	Austria		368.00		[4] 3,978.39				4,346.39
Hon. George Wortley	1/30	2/2	France		154.00		[3] 2,643.00				2,797.00
Hon. Stan Lundine	1/30	2/2	France		154.00		[3] 2,643.00				2,797.00
Hon. Barney Frank	1/30	2/2	France		154.00		[3] 2,643.00				2,797.00
Committee totals					5,852.00		67,430.46				73,282.46

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Commercial.
[4] Military.

FERNAND J. ST GERMAIN, Chairman, Apr. 29, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Rep. Butler Derrick	1/30	2/1	France		161.00		2,643.00				2,804.00
Committee total					161.00		2,643.00				2,804.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM H. GRAY III, Chairman, Apr. 24, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Huberman, Richard	1/17	1/22	England		445.00		4,159.00				4,604.00
Starke, Jane S	1/17	1/22	England		445.00		4,159.00				4,604.00
Washington, Consuela	1/17	1/22	England		445.00		4,159.00				4,604.00
Woo, Michael T	1/17	1/22	England		445.00		4,159.00				4,604.00
Committee total					1,780.00		16,636.00				18,416.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN D. DINGELL, Chairman, Apr. 30, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Ackerman, G	2/10	2/11	Italy		232.00		285.87		24.12		541.99
	2/12	2/17	Ethiopia		786.00						786.00
	2/17	2/18	Italy		116.00						116.00
Commercial transportation							4,081.00				4,081.00
Agris, N.A	1/8	1/10	Paraguay		[3] 206.51						206.51
	1/11	1/14	Argentina		[3] 292.82		6.50		471.37		770.69
	1/15	1/18	Chile		384.00		67.00		174.97		625.97
Commercial transportation							3,541.00				3,541.00
Bereuter, D	1/7	1/10	Belgium		324.00						324.00
Commercial transportation							1,661.00				1,661.00
Berman, H	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.00		39.93		24.91		496.84
	1/12	1/16	Argentina		432.00		14.73		140.73		587.46
	1/16	1/18	Barbados		382.00		194.64		84.35		660.99
Military transportation							5,408.12				5,408.12
Bonker, D	3/18	3/20	Switzerland		261.00						261.00
Commercial transportation							3,261.00				3,261.00
Bruce, T	2/11	2/13	Germany		198.00						198.00
Commercial transportation							3,425.00				3,425.00
Burton, D	2/8	2/10	United Kingdom		348.00						348.00
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy		464.00						464.00
Military transportation							2,836.75				2,836.75
Bush, R	1/13	1/14	Panama		113.00						113.00
	1/14	1/15	Costa Rica		108.00						108.00
	1/15	1/17	Guatemala		[3] 106.41		9.57		68.50		184.48
	1/17	1/20	El Salvador		[3] 37.50						37.50
	1/20	1/22	Nicaragua		[3] 262.00						262.00
	1/22	1/24	Honduras		[3] 60.00						60.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Commercial transportation							1,686.00				1,686.00
Chambers, F.M.	1/2	1/8	Jamaica		1,204.00						1,204.00
	1/9	1/13	Panama		452.00						452.00
	1/13	1/22	Mexico		1,080.00						1,080.00
Commercial Transportation							2,453.00				2,453.00
Crockett, G.	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.00		39.93		24.91		496.84
	1/12	1/16	Argentina		432.00		14.73		140.81		587.54
	1/16	1/18	Barbados		382.00		194.64		84.35		660.99
Military Transportation							5,408.12				5,408.12
Daoust, E.M.	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military Transportation							5,556.94				5,556.94
Dewine, M.	1/11	3/14	Nicaragua	[3] 147.00							147.00
	1/14	3/16	El Salvador		216.00						216.00
Commercial Transportation							1,237.30				1,237.30
Dunman, T.	3/11	3/14	Nicaragua	[3] 147.00							147.00
	3/14	3/16	El Salvador		216.00						216.00
Commercial Transportation							1,156.74				1,156.74
Dymally, M.M.	1/6	1/10	Israel		532.00		1,310.00		47.03		1,889.03
	1/10	1/12	United Kingdom		244.00						244.00
Commercial Transportation							5,027.00				5,027.00
Eckert, S.E.	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.00		39.93		24.91		496.84
	1/12	1/16	Argentina		432.00		14.73		140.81		587.54
	1/16	1/18	Barbados	[3] 239.00			194.64		84.35		517.99
Military transportation							5,408.12				5,408.12
Feighan, E.	2/11	2/15	Hong Kong		608.00						608.00
No transportation cost											
Garon, R.J.	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Gilman, B.A.	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Grunberg, C.A.	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.00		39.93		24.91		496.84
	1/12	1/16	Argentina		432.00		14.73		140.81		587.54
	1/16	1/18	Barbados	[3] 322.00			194.64		84.35		600.99
Military transportation							5,408.12				5,408.12
Harmon, R.M.	1/5	1/7	France		238.00						238.00
	1/7	1/10	Gabon		345.00						345.00
	1/10	1/11	Cameroon		119.00				13.91		132.91
	1/11	1/13	Mozambique		216.00						216.00
	1/14	1/18	Kenya		540.00		47.00		146.43		733.43
Military transportation (in-theater)									5,849.25		5,849.25
Commercial transportation							4,072.00				4,072.00
Holloway, A.	1/5	1/7	France		238.00						238.00
	1/7	1/10	Gabon		345.00						345.00
	1/10	1/11	Cameroon		119.00				13.91		132.91
	1/11	1/13	Mozambique		216.00						216.00
	1/14	1/18	Kenya		540.00		47.00		146.43		733.43
Military transportation (in-theater)							5,849.25				5,849.25
Commercial transportation							4,072.00				4,072.00
Huber, R.O.	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Jackson, D.	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Johnson, V.C.	1/8	1/10	Paraguay	[3] 224.75							224.75
	1/11	1/14	Argentina	[3] 355.00			6.50		471.37		835.87
	1/15	1/18	Chile		384.00		67.00		174.97		625.97
Commercial transportation							3,541.00				3,541.00
Kostmayer, P.H.	1/8	1/10	Paraguay	[3] 213.57							213.57
	1/11	1/14	Argentina	[3] 354.00			6.50		471.37		831.87
	1/15	1/18	Chile	[3] 300.00			67.00		174.97		541.97
Commercial transportation							3,541.00				3,541.00
Lagomarsino, R.J.	3/11	3/14	Nicaragua	[3] 147.00							147.00
	3/14	1/16	El Salvador		216.00						216.00
Commercial transportation							1,237.30				1,237.30
Lantos, T.	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		106.47						106.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Levin, H.	2/10	2/16	Philippines		678.00						678.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Commercial transportation							3,603.00				3,603.00
	3/7	3/10	France		345.00						345.00
Commercial transportation							4,001.00				4,001.00
Majak, R.R	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.00		39.93		24.91		496.84
	1/12	1/16	Argentina		432.00		14.73		140.81		587.54
	1/16	1/18	Barbados		382.00		194.64		84.35		660.99
Commercial transportation							5,408.12				5,408.12
	3/18	3/20	Switzerland		216.00						216.00
Commercial transportation							3,261.00				3,261.00
McBride, R	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.00		39.93		24.91		496.84
	1/12	1/16	Argentina		432.00		14.73		140.81		587.54
	1/12	1/16	Barbados		382.00		194.64		84.35		660.99
Military transportation							5,408.12				5,408.12
	2/11	2/13	Federal Republic of Germany		198						198.00
Commercial transportation							3,425.00				3,425.00
Moss, K.B	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Peckham, G.G	2/11	2/13	Federal Republic of Germany		198.00						198.00
Commercial transportation							3,425.00				3,425.00
Pena, R	1/2	1/8	Jamaica		1,052.00						1,052.00
	1/9	1/12	Panama		452.00						452.00
	1/13	1/22	Mexico		1,080.00						1,080.00
Commercial transportation							2,097.00				2,097.00
Perugino, R	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Pitchford, G	2/10	2/11	Italy		232.00		285.87		24.12		541.99
	2/12	2/17	Ethiopia		786.00						786.00
	2/17	2/18	Italy		116.00						116.00
Commercial transportation							4,382.00				4,382.00
Pubillones, L	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.00		39.93		24.91		496.84
	1/12	1/16	Agrentina		[3] 332.00		14.73		140.81		487.54
	1/16	1/18	Barbados		[3] 259.50		194.64		84.35		538.49
Military transportation							5,408.12				5,408.12
Abdul-Rahim, S	1/5	1/7	France		238.00						238.00
	1/7	1/10	Gabon		345.00						345.00
	1/10	1/11	Cameroon		119.00		13.91				132.91
	1/11	1/15	Mozambique		216.00						216.00
Military transportation (in-theater)							5,849.25				5,849.25
Commerical transportation							3,027.00				3,027.00
Reid, H	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.84
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation	/	/					5,556.94				5,556.94
Roth, T	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.00		39.93		24.91		496.84
	1/12	1/16	Argentina		432.00		14.73		140.81		587.54
Commercial transportation one-way							1,735.00				1,735.00
Military transportation one-way							2,704.06				2,704.06
Siljander, M	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Smeeton, T.R	1/2	1/8	Jamaica		1,204.00						1,204.94
	1/9	1/12	Panama		452.00						452.00
	1/13	1/19	Mexico		756.00						756.00
Commercial transportation							2,097.00				2,097.00
Smith, Larry	2/11	2/13	Germany		198.00						198.00
Commercial transportation							3,408.00				3,408.00
Solarz, S.J	1/13	1/14	Panama		113.00						113.00
	1/14	1/15	Costa Rica		108.00						108.00
	1/15	1/17	Guatemala		[3] 106.41		9.57		68.50		184.48
	1/17	1/22	El Salvador		[3] 37.50						37.50
	1/20	1/22	Nicaragua		[3] 262.00						262.00
	1/22	1/24	Honduras		[3] 105.50						105.50
Commercial transportation							1,686.00				1,686.00
Sprunger, C. D	2/10	2/16	Philippines		326.25						326.25
Commercial transportation							3,603.00				3,603.00
Strand, G	1/5	1/7	France		238.00						238.00
	1/7	1/10	Gabon		345.00						345.00
	1/10	1/11	Cameroon		119.00				13.91		132.91
	1/11	1/13	Mozambique		216.00						216.00
	1/14	1/18	Kenya		540.00		47.00		146.43		733.43
Military transportation (in-theater)							5,849.25				5,849.25
Commercial transportation (includes replacement of lost airline ticket).							8,144.00				8,144.00
Tavlarides, M	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Torricelli, R.G	1/8	1/10	Paraguay		324.00						324.00
	1/11	1/14	Argentina		432.00		6.50		471.37		909.87
	1/15	1/18	Chile		384.00		67.00		174.97		625.97
Commercial transportation							3,541.00				3,541.00
Weiss, T	1/5	1/7	France		238.00						238.00
	1/7	1/10	Gabon		345.00						345.00
	1/10	1/11	Cameroon		119.00				13.91		132.91
	1/11	1/15	Mozambique		216.00						216.00
Military transportation (in-theater)							5,849.25				5,849.25
Commercial transportation							3,678.00				3,678.00
White, J.J	1/5	1/8	Brazil		434.25						434.25
	1/8	1/12	Peru		432.0		39.93		24.91		496.84
	1/12	1/16	Argentina		432.00		14.73		140.81		587.54
	1/16	1/18	Barbados		382.00		194.64		84.35		660.99
Military transportation							5,408.12				5,408.12
Wolpe, H	1/5	1/7	France		238.00						238.00
	1/7	1/10	Gabon		345.00						345.00
	1/10	1/11	Cameroon		119.00				13.91		132.91
	1/11	1/13	Mozambique		216.00						216.00
	1/14	1/18	Kenya		540.00				146.43		686.43
Military transportation (in-theater)							5,849.25				5,849.25
Commercial transportation							4,072.00				4,072.00
Yatron, G	1/4	1/7	Portugal		324.00		72.92		263.88		660.80
	1/7	1/9	Belgium		216.00				106.47		322.47
	1/9	1/12	Israel		399.00		207.72		38.13		644.85
	1/12	1/13	Denmark		111.00		15.48		22.00		148.48
	1/13	1/17	Soviet Union		635.00						635.00
	1/17	1/19	Austria		230.00						230.00
Military transportation							5,556.94				5,556.94
Committee total, 1st quarter											339,432.01

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Represents refund of unused per diem.

DANTE B. FASCELL, Chairman, Apr. 30, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
James Weaver, MC	1/9	1/17	Panama		597.50		2,005.64				2,603.14
Kevin Kirchner, staff	1/9	1/18	Panama		597.50		1,086.96				1,684.46
John McCain, MC	2/8	2/10	West Germany		225.00		([3])				225.00
Committee total					1,420.00		3,092.60				4,512.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military.

MORRIS K. UDALL, Chairman, Apr. 16, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Lambert, Gregory L	2/10	2/16	Switzerland	1,230.10	450.00		883.00				1,333.00
Seifert, Gerald	1/29	2/11	Switzerland	2,795.40	1,050.00		1,513.00				2,563.00
Smith, G. Wayne	2/11	2/11	France		[3] 86.00		957.00				1,043.00
Committee total					1,586.00		3,353.00				4,939.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Reimbursed by the State Department on Apr. 16, 1985, due to the U.S. Embassy being closed on arrival.

WALTER B. JONES, Chairman, Apr. 19, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Moody, Jim, Cong.	1/6	1/7	France	1,115.30	119.00					1,115.30	119.00
	1/7	1/10	Gabon	119,064	246.00					119,064	246.00
	1/10	1/11	Cameroon	57,500	119.00					57,500	119.00
	1/11	1/13	Mozambique		216.00				13.91		229.91
	1/14	1/18	Kenya	8,535.80	540.00				146.43	8,535	686.43
Commercial air transportation							2,005.60				2,005.60
Military air transportation							5,849.25				5,849.25
Committee total					1,240.00		7,854.85		160.34		9,255.19

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES J. HOWARD, Chairman, Apr. 30, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Scheuer		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	[3] 967.70	390.27	1,315.70
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Lujan		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Roe		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Kopp		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Palmer		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Pfirman		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Moses		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Hanson		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939.600	464.00
	2/18		United States								
Ketcham		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Thompson		2/7	United States				2,836.75				2,836.75
	2/8	2/10	England	311.40	348.00			78.87	83.90	390.27	431.90
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Committee total					14,770.00		28,367.50		1,722.80		44,860.30

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Partial sum reflects dinners hosted by Congressman Scheuer.

DON FUQUA, Chairman, Apr. 22, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Congressman Parren J. Mitchell	1/5	1/7	France	2,308.60	238.00					2,308.60	238.00
	1/7	1/10	Gabon	158,752	246.00					158,752	246.00
Commercial transportation							3,804.00				3,804.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
George M. Grant	1/7	1/16	England	622.37	712.00			52.62	46.00	674.99	758.00
Commercial transportation							2,143.00				2,143.00
Committee total					1,196.00		5,947.00		46.00		7,189.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PARREN J. MITCHELL, Chairman, Mar. 29, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bill Frenzel	1/5	1/8	Brazil	1,375,704	434.25						434.25
	1/8	1/12	Peru	2,596,320	432.00						432.00
	1/12	1/16	Argentina	98,064	432.00						432.00
	1/16	1/18	Barbados	769.50	382.00						382.00
Transportation by Department of Defense							5,40.8.12				5,408.12
Hon. Richard A. Gephardt	2/7	2/8	Mexico	37,917	162.56						162.56
	2/87	2/10	Nicaragua		271.00						271.00
	2/10	2/12	Costa Rica		150.00		124.74				274.74
	2/12	2/14	San Salvador	303.75	75.00				14.13		89.13
							1,004.00				1,004.00
Hon. J.J. Pickle	1/4	1/7	Portugal	55,080	324.00						324.00
	1/7	1/9	Belgium	13,714	216.00						216.00
	1/9	1/12	Israel		399.00						399.00
	1/12	1/13	Denmark	1,225	111.00						111.00
	1/13	1/17	Soviet Union [3]		321.00						321.00
							373.33				373.33
Transportation by Department of Defense							2,778.47				2,778.47
Committee total					3,709.81		9,688.66		14.13		13,412.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Because of family emergency, Representative Pickle did not participate in Soviet portion of the mission. However, due to requirement that hotel bills be prepaid in Soviet Union, it was necessary to use part of Representative Pickle's per diem to cover prepaid room.

DAN ROSTENKOWSKI, Chairman, Apr. 30, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Sletzinger, Martin	1/26	2/24	Sweden		2,520.00		1,861.00				4,381.00
Oliver, R. Spencer	2/09	2/17	Sweden		1,152.00		2,017.00				3,169.00
Wise, Samuel	2/12	2/13	Switzerland		150.00		2,090.00				2,240.00
							[3] 30.35				30.35
	2/14	2/15	United Kingdom		166.00						166.00
	2/16	2/18	France		252.00						252.00
Finerty, John	2/13	3/21	Sweden		4,610.00		1,964.40				6,574.40
Cosman, Catherine	3/13	3/15	United Kingdom		249.00		862.00				1,111.00
Wise, Samuel	3/17	3/18	Belgium		150.00		2,017.00				2,167.00
	3/19	3/23	Sweden		488.00						488.00
Committee total					9,737.00		10,841.75				20,578.75

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Roundtrip train ticket Geneva-Bern-Genevea.

DANTE B. FASCELL, Chairman, Apr. 12, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Wyche Fowler, Jr.	12/27	1/2	Africa		462.00		107.01				569.01
	1/3	1/11	Europe		192.00						192.00
Airline							5,761.69				5,761.60
Committee total					654.00		5,868.70				6,522.70

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LEE H. HAMILTON, Chairman, Apr. 29, 1985.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1197. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the regulated industry to bear the cost, at least in part, of administering the Packers and Stockyards Act; to the Committee on Agriculture.

1198. A letter from the Acting Secretary of State, transmitting a report on the developments in El Salvador during the period February 1 to March 31, 1985, pursuant to Public Law 98-332 (98 Stat. 285); to the Committee on Appropriations.

1199. A letter from the Executive Associate Director for Budget, Office of Management and Budget, transmitting a report that the appropriation to the Department of Justice for the U.S. attorneys and marshals for the fiscal year 1985 has been reapportioned on a basis that indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

1200. A letter from the Executive Associate Director for Budget and Legislation, Office of Management and Budget, transmitting a report listing several appropriations that have been apportioned on a basis that indicates a necessity for supplemental appropriations for the fiscal year 1985, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

1201. A letter from the Secretary of Housing and Urban Development, transmitting the quarterly report on the use of funds for community development grants, pursuant to 42 U.S.C. 5306 (Public Law 98-8, title I); to the Committee on Appropriations.

1202. A letter from the Acting Secretary of the Air Force, transmitting notification that the current procurement unit cost for the Peacekeeper ICBM has increased by 50 percent over unit cost shown in baseline SAR, pursuant to 10 U.S.C. 139b(d)(3)(A); to the Committee on Armed Services.

1203. A letter from the Assistant Secretary (Installations and Logistics), Department of the Army, transmitting notice of the Army's decision to convert the commissary shelf stocking function, Dugway Proving Ground, UT, to private contractor performance, pursuant to 10 U.S.C. 2304 nt. (Public Law 96-342, section 502(b) (96 Stat. 747)); to the Committee on Armed Services.

1204. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to revise and standardize the provisions of law relating to the distribution, appointment and assignment of flag and general officers of the Army, Navy, Air Force, and Marine Corps; to the Committee on Armed Services.

1205. A letter from the Acting General Counsel, Department of Energy, transmitting a notice of a meeting related to the International Energy Program on May 7 and 8, 1985, New York, NY; to the Committee on Energy and Commerce.

1206. A letter from the Secretary, Interstate Commerce Commission, transmitting a report of the Commission's determination to extend the time period for acting upon the application in Finance Docket No. 30214, Railroad Car Service and Car Hire Pooling Agreement, pursuant to 49 U.S.C. 10327(k)(2); to the Committee on Energy and Commerce.

1207. A letter from the Secretary, Interstate Commerce Commission, transmitting a report of the Commission's determination to extend the time period for acting upon the appeal in No. 39647, *Newell Recycling Co., Inc.* v. *Norfolk Southern Corporation, et al,* pursuant to 49 U.S.C. 10327(k)(2); to the Committee on Energy and Commerce.

1208. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notice of the Department of the Army's letter of offer to Egypt for defense articles and services (Transmittal No. 85-28), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1209. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notice of the Department of the Navy's letter of offer to sell certain defense articles and services to Canada (Transmittal No. 85-27), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1210. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a) (92 Stat. 993); to the Committe on Foreign Affairs.

1211. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report of political contributions by Robert L. Pugh, Ambassador Extraordinary and Plenipotentiary-to be to the Islamic Republic of Mauritania, and members of his family, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

1212. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's 1984 annual report of its activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1213. A letter from the Executive Secretary, National Mediation Board, transmitting a report on compliance with the laws relating to open meetings of agencies of the Government (Government in the Sunshine Act), pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1214. A letter from the Inspector General, Department of Health and Human Services, transmitting notice of a proposed matching program, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1215. A letter from the Solicitor, U.S. Commission on Civil Rights, transmitting a report on compliance with the laws relating to open meetings of agencies of the Government (Government in the Sunshine Act), pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1216. A letter from the Secretary, Department of the Interior, transmitting the 1984 annual report on the implementation of projects in alternative coal mining technologies, pursuant to Public Law 95-87, sections 201(f), 517 (g), and 706; to the Committee on Interior and Insular Affairs.

1217. A letter from the Secretary of the Interior and Chairman, National Park Foundation, Department of the Interior, transmitting the 1984 annual report of the National Park Foundation, pursuant to Public Law 90-209, section 10; to the Committee on Interior and Insular Affairs.

1218. A letter from the Acting General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to raise the maximum annual uniform allowance for uniformed employees of the Federal Law Enforcement Training Center, Department of the Treasury; to the Committee on the Judiciary.

1219. A letter from the Executive Director, Naval Sea Cadet Corps, transmitting the annual audit report for the year ending December 31, 1984, pursuant to Public Law 88-504, section 3 (36 U.S.C. 1103); to the Committee on the Judiciary.

1220. A letter from the Secretary of Transportation, transmitting a report on the administration of the Deepwater Port Act, pursuant to Public Law 93-627, section 20; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

1221. A letter from the Comptroller General of the United States, transmitting a report entitled, "Cleaning Up Hazardous Wastes: An Overview of Superfund Reauthorization Issues" (GAO/RCED-85-69; March 29, 1985); jointly, to the Committees on Energy and Commerce, Public Works and Transportation, Merchant Marine and Fisheries, and Ways and Means.

1222. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the annual trust fund reports, first quarter, for the following: airport and airway trust fund, black lung disability, hazardous substance response, highway, inland waterways, nuclear waste, and reforestation, pursuant to IRC section 9602(a) (95 Stat. 1638); jointly, to the Committees on Energy and Commerce, Ways and Means, Public Works and Transportation, Education and Labor, Interior and Insular Affairs, and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SAM B. HALL, JR.: Committee on the Judiciary. H.R. 897. A bill to recognize the Army and Navy Union of the United States of America (Rept. No. 99-63). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 2268. A bill to approve and implement the Free Trade Area Agreement between the United States and Israel (Rept. No. 99-64). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SAM B. HALL, JR.: Committee on the Judiciary. H.R. 484. A bill for the relief of certain former flight engineers of Western Airlines; with an amendment (Rept. No. 99-61). Referred to the Committee of the Whole House.

Mr. SAM B. HALL, JR.: Committee on the Judiciary. H.R. 1095. A bill for the relief of Meals on Wheels of the Monterey Peninsula, Inc. (Rept. No. 99-62). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY:

H.R. 2354. A bill to amend the Tariff Schedules of the United States with respect to motor fuel, motor fuel blending stock and naphthas, and for other purposes; to the Committee on Ways and Means.

By Mr. BEDELL (for himself and Mr. ROBERTS):

H.R. 2355. A bill to extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for 1 year; to the Committee on Agriculture.

By Mr. BENNETT (for himself, Mr. NICHOLS, and Mrs. BOXER):

H.R. 2356. A bill to limit conflicts of interest in defense procurement; to the Committee on Armed Services.

By Mr. BROWN of Colorado:

H.R. 2357. A bill exempting agricultural commodity exports from the effect of certain cargo preference laws; to the Committee on Merchant Marine and Fisheries.

By Mr. DANNEMEYER (for himself and Mr. BLILEY):

H.R. 2358. A bill to extend various health services authorities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. EVANS of Iowa (for himself, Mr. ROBERTS, and Mr. EMERSON):

H.R. 2359. A bill to establish the agricultural export reserve, and to define its functions; jointly, to the Committees on Agriculture and Foreign Affairs.

By Mr. FLIPPO:

H.R. 2360. A bill to suspend temporarily the duty on tungsten ore; to the Committee on Ways and Means.

By Mr. FRANK (for himself, Mr. DOWNEY of New York, Mr. DIXON, Mr. BEILENSON, Mr. FAUNTROY, Mr. DYMALLY, Mr. EDWARDS of California, Mr. STARK, Mr. FAZIO, Mr. KASTENMEIER, Mr. DELLUMS, Mr. MOAKLEY, Mrs. BURTON of California, Mr. HOYER, and Mr. GARCIA):

H.R. 2361. A bill to amend the Immigration and Nationality Act with respect to the grounds for exclusion and deportation of aliens; to the Committee on the Judiciary.

By Mr. MACKAY (for himself, Mr. IRELAND, Mr. BENNETT, Mr. FASCELL, Mr. PEPPER, Mr. FUQUA, Mr. CHAPPELL, Mr. YOUNG of Florida, Mr. LEHMAN of Florida, Mr. HUTTO, Mr. NELSON of Florida, Mr. MICA, Mr. MCCOLLUM, Mr. SHAW, Mr. LEWIS of Florida, Mr. MACK, Mr. BILIRAKIS, and Mr. SMITH of Florida):

H.R. 2362. A bill to establish equal and equitable classification and duty rates for certain imported citrus products; to the Committee on Ways and Means.

By Mr. NIELSON of Utah:

H.R. 2363. A bill to amend the Communications Act of 1934 to provide that the extent to which the needs and interests of children are addressed by the programming of a television or radio broadcast station shall be taken into account in license renewal involving the station; to the Committee on Energy and Commerce.

By Mr. RAHALL (for himself, Mr. CLAY, Mr. DYMALLY, Mr. MURPHY, Mr. OWENS, Mr. PERKINS, Mr. ACKERMAN, Mrs. BENTLEY, Mr. FAUNTROY, Mr. MOLLOHAN, Mr. SCHEUER, Mr. STAGGERS, Mr. SUNIA, Mr. YOUNG of Alaska, Mr. YOUNG of Missouri, Mr. WISE, and Mr. HAYES):

H.R. 2364. A bill to provide for a program for the education of gifted and talented children; to the Committee on Education and Labor.

By Mrs. SCHROEDER:

H.R. 2365. A bill to amend chapter 73 of title 10, United States Code, to provide that a former spouse of a member of the uniformed services who is married to the member for 10 years or more shall be entitled to a pro rata share of the retired or retainer pay of such member, to modify the application of the survivor benefit plan to such former spouse, and for other purposes; to the Committee on Armed Services.

By Mr. STARK:

H.R. 2366. A bill to amend the Internal Revenue Code of 1954 to exempt all gain from the sale of real property from income tax and to impose a transfer tax on transfers of real property; to the Committee on Ways and Means.

H.R. 2367. A bill to amend the Internal Revenue Code of 1954 to provide that percentage depletion shall not be allowable for lease bonuses, advance royalties, or similar payments with respect to oil and gas properties; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. FLIPPO, Mr. DONNELLY, and Mr. RANGEL):

H.R. 2368. A bill to provide for a demonstration of the provision of preventive health services under the Medicare Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. WAXMAN (for himself and Mr. MADIGAN):

H.R. 2369. A bill to revise and extend the programs of assistance under title X of the Public Health Service Act; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. SCHEUER, Mr. WALGREN, Mr. WYDEN, Mr. SIKORSKI, Mr. WIRTH, Mr. FLORIO, Mr. LUKEN, Ms. MIKULSKI, Mr. LELAND, Mrs. COLLINS, and Mr. RICHARDSON):

H.R. 2370. A bill to amend the Public Health Service Act to extend the programs of assistance for nurse education; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. WALGREN, Ms. MIKULSKI, Mr. WYDEN, Mr. SIKORSKI, Mr. WIRTH, Mr. LELAND, Mr. PEPPER, Ms. OAKAR, Mr. RINALDO, Mr. LEHMAN of Florida, Mr. BIAGGI, Mr. OWENS, Mr. LUJAN, Mr. RODINO, Mr. WHITEHURST, Mr. DORGAN of North Dakota, Mr. SUNIA, Mr. EDGAR, Mr. YATES, Ms. KAPTUR, Mr. SCHEUER, Mr. PERKINS, Mr. HAMMERSCHMIDT, Mr. MORRISON of Connecticut, Mr. LEVIN of Michigan, Mr. SMITH of Florida, Mrs. BOXER, Mr. CONYERS, Mr. HUGHES, Mr. FRANK, Mrs. KENNELLY, and Mr. FORD of Tennessee):

H.R. 2371. A bill to amend title XVIII of the Social Security Act to allow Medicare coverage for home health services on a daily basis; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mrs. ROUKEMA:

H. Con. Res. 140. Concurrent resolution expressing the sense of Congress with respect to the forced evacuation of the Ibnet feeding camp in Ethiopia; to the Committee on Foreign Affairs.

By Mr. BONER of Tennessee:

H. Res. 156. Resolution to amend the rules of the House of Representatives to provide for the wide-angle broadcast coverage of the entire House Chamber on a uniform and regular basis throughout each day's proceedings; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

109. By the SPEAKER: Memorial of the Legislature of the State of California, relative to water pollution control; to the Committee on Public Works and Transportation.

110. Also, memorial of the Senate of the State of Kansas, relative to the funding of the Small Business Administration; to the Committee on Small Business.

111. Also, memorial of the House of Representatives of the State of Kansas, relative to the funding of the Small Business Administration; to the Committee on Small Business.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. BOUCHER.

H.R. 73: Mr. SUNDQUIST.

H.R. 83: Mr. SWINDALL.

H.R. 84: Mr. DEWINE and Mr. LIPINSKI.

H.R. 189: Mr. LENT.

H.R. 508: Mr. FORD of Michigan.

H.R. 580: Mr. WALGREN, Mr. LELAND, Mr. BENNETT, Mr. ROE, Mr. PRICE, Mr. COELHO, Mr. RALPH M. HALL, Mr. NICHOLS, Mr. YOUNG of Alaska, Mr. HUCKABY, Mr. HERTEL of Michigan, Mr. HEFTEL of Hawaii, Mr. ANTHONY, Mr. SAVAGE, Mr. FOLEY, Mr. FROST, Mr. SUNIA, Mr. ACKERMAN, Mr. MINETA, Mr. SMITH of Florida, Mr. SUNDQUIST, Mr. OWENS, Mr. FEIGHAN, Mr. HYDE, Mrs. SCHROEDER, and Mr. BONKER.

H.R. 604: Mr. MCEWEN and Mr. ECKART of Ohio.

H.R. 667: Mr. GEJDENSON.

H.R. 770: Mr. TOWNS, Mrs. BENTLEY, and Mr. BIAGGI.

H.R. 771: Mr. BIAGGI, Mr. TOWNS, and Mr. DYSON.

H.R. 772: Mr. DWYER of New Jersey.

H.R. 891: Mr. MARTINEZ, Mr. STUDDS, and Mrs. BENTLEY.

H.R. 893: Mr. MCCOLLUM and Mr. TRAFICANT.

H.R. 1123: Mr. MORRISON of Washington, Mr. KINDNESS, and Mr. AUCOIN.

H.R. 1132: Mr. BUSTAMANTE, Mr. JEFFORDS, and Mr. KANJORSKI.

H.R. 1458: Mr. MORRISON of Washington and Mr. TRAFICANT.

H.R. 1605: Mr. SCHUMER.

H.R. 1668: Mrs. COLLINS, Mr. BONER of Tennessee, Mr. MORRISON of Connecticut, Mr. GARCIA, Mr. MATSUI, Mr. FAZIO, Mrs. BOXER, Mr. BROWN of California, Mr. BERMAN, Mr. RICHARDSON, Mr. CONYERS, Mr. JONES of North Carolina, Mr. BARNES, Mr. FRANK, Mr. RANGEL, Mr. BIAGGI, Mr. ASPIN, Ms. KAPTUR, Mr. ALEXANDER, Mr. JEFFORDS, Mr. DASCHLE, Mr. FORD of Tennessee, Mr. CROCKETT, Mr. STOKES, Mr. COELHO, and Mr. EDWARDS of California.

H.R. 1715: Mr. HAYES, Mr. LANTOS, Mr. MACK, Mr. OWENS, Mr. GIBBONS, Ms. SNOWE, Mr. ROE, Mr. MINETA, Mr. CROCKETT, and Ms. KAPTUR.

H.R. 1719: Mr. BADHAM, Mr. SWINDALL, and Mr. YOUNG of Alaska.

H.R. 1760: Mrs. SMITH of Nebraska, Mr. LIGHTFOOT, Mr. BEVILL, Mr. LAGOMARSINO, Mr. EMERSON, Mr. O'BRIEN, Mr. MARLENEE, Mr. FAUNTROY, Mr. STENHOLM, Mr. ROBERTS, Mr. LEACH of Iowa, and Mrs. MEYERS of Kansas.

H.R. 1776: Mrs. LLOYD and Ms. KAPTUR.

H.R. 1779: Mr. KASICH and Mr. NOWAK.

H.R. 1994: Mr. LEACH of Iowa, Mr. KINDNESS, Mr. CLAY, and Mr. CROCKETT.

H.R. 2024: Mr. GUARINI and Mr. FEIGHAN.

H.R. 2032: Mr. SHAW, Mr. SIKORSKI, Mr. HALL of Ohio, Mr. FRANK, Mr. SMITH of Florida, and Mr. ROSE.

H.R. 2034: Mr. PARRIS, Mr. BROWN of California, Mr. FLORIO, Mr. MORRISON of Connecticut, and Mr. TORRES.

H.R. 2042: Mr. FAUNTROY, Mr. FLORIO, Ms. KAPTUR, Mr. MINETA, Mr. MITCHELL, Mr. MURPHY, and Mr. VENTO.

H.R. 2062: Mr. CRANE.

H.R. 2337: Mr. WOLF and Mr. PARRIS.

H.J. Res. 133: Mrs. HOLT, Mr. TRAXLER, and Mr. KILDEE.

H.J. Res. 135: Mr. KASTENMEIER, Mr. KEMP, Mr. ORTIZ, Mr. LEACH of Iowa, Mr. HUTTO, Mr. LATTA, Mr. BIAGGI, Mr. MORRISON of Connecticut, Mr. STANGELAND, Mrs. KENNELLY, Mr. HOYER, Mr. PARRIS, Mr. FRANK, Mr. RODINO, Mr. SCHEUER, Mr. LUKEN, and Ms. MIKULSKI.

H.J. Res. 145: Mr. DORGAN of North Dakota, Mrs. HOLT, Mr. OWENS, Mr. FAUNTROY, and Mr. DYMALLY.

H.J. Res. 146: Mr. CLAY, Mr. GRAY of Pennsylvania, Mr. TAUZIN, Mr. COATS, Mr. HUBBARD, and Mr. MONSON.

H.J. Res. 159: Mr. ACKERMAN, Mr. ADDABBO, Mr. AKAKA, Mr. ALEXANDER, Mr. APPLEGATE, Mr. ARCHER, Mr. BARNES, Mr. BARTON of Texas, Mr. BEDELL, Mr. BENNETT, Mrs. BENTLEY, Mr. BERMAN, Mr. BEVILL, Mr. BIAGGI, Mr. BLILEY, Mr. BOEHLERT, Mr. BOLAND, Mr. BONER of Tennessee, Mr. BOSCO, Mrs. BOXER, Mr. BROOKS, Mr. BROOMFIELD, Mr. BROWN of California, Mr. BRUCE, Mr. BRYANT, Mr. BURTON of Indiana, Mrs. BURTON of California, Mr. BUSTAMANTE, Mr. CAMPBELL, Mr. CARNEY, Mr. CARPER, Mr. CARR, Mr. CHANDLER, Mr. CHAPPELL, Mr. CHAPPIE, Mr. COELHO, Mrs. COLLINS, Mr. CONTE, Mr. COOPER, Mr. COYNE, Mr. CRAIG, Mr. CROCKETT, Mr. DANIEL, Mr. DANNEMEYER, Mr. DARDEN, Mr. DASCHLE, Mr. DAUB, Mr. DELAY, Mr. DERRICK, Mr. DEWINE, Mr. DICKS, Mr. DIOGUARDI, Mr. DIXON, Mr. DONNELLY, Mr. DORNAN of California, Mr. DOWDY of Mississippi, Mr. DUNCAN, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. DYSON, Mr. ECKERT of New York, Mr. EDWARDS of Oklahoma, Mr. EMERSON, Mr. ENGLISH, Mr. EVANS of Iowa, Mr. FAUNTROY, Mr. FAZIO, Mr. FEIGHAN, Mr. FISH, Mr. FLIPPO, Mr. FOLEY, Mr. FOWLER, Mr. FRENZEL, Mr. FROST, Mr. FUQUA, Mr. FUSTER, Mr. GALLO, Mr. GARCIA, Mr. GEKAS, Mr. GEPHARDT, Mr. GINGRICH, Mr. GORDON, Mr. GRAY of Illinois, Mr. GRAY of Pennsylvania, Mr. GROTBERG, Mr. RALPH M. HALL, Mr. SAM B. HALL JR., Mr. HAMMERSCHMIDT, Mr. HANSEN, Mr. HARTNETT, Mr. HATCHER, Mr. HAYES, Mr. HEFNER, Mr. HEFTEL of Hawaii, Mr. HERTEL of Michigan, Mr. HILLIS, Mrs. HOLT, Mr. HORTON, Mr. HOWARD, Mr. HOYER, Mr. HUGHES, Mr. HUTTO, Mr. HYDE, Mr. JACOBS, Mr. JEFFORDS, Mr. JENKINS, Mr. JONES of Tennessee, Mr. JONES of North Carolina, Mr. KANJORSKI, Ms. KAPTUR, Mr. KASICH, Mr. KEMP, Mr. KILDEE, Mr. KLECZKA, Mr. KOLTER, Mr. KOSTMAYER, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LANTOS, Mr. LATTA, Mr. LEACH of Iowa, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LEVINE of California, Mr. LEWIS of Florida, Mrs. LLOYD, Mr. LOTT, Mr. LOWERY of California, Mr. LOWRY of Washington, Mr. LUNDINE, Mr. LUNGREN, Mr. MCCAIN, Mr. MCGRATH, Mr. MCKINNEY, Mr. MCMILLAN, Mr. MACK, Mr. MACKAY, Mr. MANTON, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mrs. MEYERS of Kansas, Ms. MIKULSKI, Mr. MOLLOHAN, Mr. MONSON, Mr. MONTGOMERY, Mr. MOODY, Mr. MORRISON of Connecticut, Mr. MORRISON of Washington, Mr. MRAZEK, Mr. MURPHY, Mr. MURTHA, Mr. NEAL, Mr. NELSON of Florida, Mr. NICHOLS, Mr. NIELSON of Utah, Ms. OAKAR, Mr. OBERSTAR, Mr. O'BRIEN, Mr. OLIN, Mr. ORTIZ, Mr. OWENS, Mr. PACKARD, Mr. PANETTA, Mr. PASHAYAN, Mr. PEPPER, Mr. PERKINS, Mr. PICKLE, Mr. RAHALL, Mr. RANGEL, Mr. RAY, Mr. REGULA, Mr. REID, Mr. RICHARDSON, Mr. RITTER, Mr. ROE, Mr. ROEMER, Mr. ROSE, Mr. ROWLAND of Georgia, Mr. SABO, Mr. SCHULZE, Mr. SHUMWAY, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. SMITH of Florida, Mr. SNYDER, Mr. SOLARZ, Mr. SPRATT, Mr. STAGGERS, Mr. STANGELAND, Mr. STENHOLM, Mr. STOKES, Mr. STRATTON, Mr. STUMP, Mr. SUNDQUIST, Mr. SUNIA, Mr. SWIFT, Mr. TALLON, Mr. TAUKE, Mr. TAUZIN, Mr. THOMAS of Georgia, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mr. UDALL, Mr. VALENTINE, Mr. VANDER JAGT, Mr. VENTO, Mr. VOLKMER, Mr. WALGREN, Mr. WATKINS, Mr. WAXMAN, Mr. WEBER, Mr. WEISS, Mr. WHITLEY, Mr. WHITTAKER, Mr. WILLIAMS, Mr. WOLF, Mr. WORTLEY, Mr. WRIGHT, Mr. WYDEN, Mr. YATES, Mr. YOUNG of Alaska, Mr. YOUNG of Missouri, Mr. KINDNESS, Mr. EVANS of Illinois, Mr. ANDREWS, Mr. KILDEE, and Mr. FRENZEL.

H.J. Res. 169: Mr. FOGLIETTA, Mr. DAUB, Mr. SIKORSKI, Mr. HERTEL of Michigan, Mr. FLORIO, Mr. LIVINGSTON, Mr. SAVAGE, Ms. OAKAR, Mr. SCHEUER, Mr. ROGERS, Mrs. KENNELLY, Mr. MOLLOHAN, Mr. COLEMAN of Missouri, Mr. VENTO, Mr. LANTOS, and Mr. JEFFORDS.

H.J. Res. 179: Mr. BERMAN, Mr. BRUCE, Mr. CHAPPELL, Mr. DAUB, Mr. FOGLIETTA, Mr. GEKAS, Mr. HERTEL of Michigan, Mr. JEFFORDS, Mr. KOLBE, Mr. LANTOS, Mr. LEACH of Iowa, Mr. MINETA, Mr. MOORE, and Mrs. ROUKEMA.

H.J. Res. 192: Mr. ROBERT F. SMITH, Mr. SOLOMON, and Mr. CROCKETT.

H.J. Res. 193: Mr. AKAKA, Mr. LUKEN, Mr. LEHMAN of Florida, Ms. OAKAR, Mr. SCHEUER, Mrs. BENTLEY, Mr. MARKEY, Mr. DOWDY of Mississippi, Mr. YATES, Mr. DONNELLY, Mr. WISE, Mr. ECKART of Ohio, Mr. MADIGAN, Mr. LUJAN, Mr. NIELSON of Utah, Mr. RUSSO, Mrs. SMITH of Nebraska, Mr. JACOBS, Mr. ROWLAND of Georgia, Mr. YOUNG of Florida, Mr. TAUZIN, Mr. LOEFFLER, Mr. GUNDERSON, Mr. LOWERY of California, Mr. GRADISON, Mr. BREAUX, Mr. KASTENMEIER, Mr. ROBERTS, Mr. JEFFORDS, Mr. JENKINS, Mr. STRANG, Mr. LEVINE of California, Mr. BOLAND, Mr. COOPER, Mr. DANIEL, Mr. EVANS of Iowa, Mr. STUDDS, Mr. HUNTER, Mr. DEWINE, Mr. LIPINSKI, Mr. WEBER, Mr. DENNY SMITH, Mr. TRAFICANT, Ms. MIKULSKI, Mr. RINALDO, Mr. LELAND, Mr. BROWN of California, Mr. GORDON, Mr. SWINDALL, Mr. ANNUNZIO, Mr. WALGREN, Mrs. ROUKEMA, Mr. LIGHTFOOT, Mr. MOLINARI, Mr. FASCELL, Mr. HOYER, Mr. BLAZ, Mr. FAWELL, Mr. GARCIA, Mr. SLAUGHTER, Mr. MAVROULES, Mr. FRENZEL, Mr. THOMAS of California, Mr. CHANDLER, Mr. MICHEL, Mr. DELAY, Mr. GROTBERG, Mr. LENT, Mr. SOLOMON, Mr. DANNEMEYER, Mr. MCCAIN, Mr. SILJANDER, Mr. HILER, Mr. WALKER, Mr. CONTE, Mr. CLINGER, Mr. CAMPBELL, Mr. RODINO, Mr. SWEENEY, and Mr. TALLON.

H.J. Res. 222: Mr. BLILEY, Mr. BONIOR of Michigan, Mr. BRYANT, Mr. DANIEL, Mr. DAUB, Mr. DE LA GARZA, Mr. DYMALLY, Mr. FAUNTROY, Mr. GEKAS, Mr. GINGRICH, Mrs. HOLT, Mr. HORTON, Mr. HUGHES, Mr. HYDE, Mr. KOLTER, Mr. MONTGOMERY, Mr. OWENS, Mr. REID, Mr. ROE, Mr. SABO, Mr. SIKORSKI, Mr. SPRATT, Mr. STALLINGS, Mr. STOKES, Mr. TOWNS, Mr. VALENTINE, Mr. VENTO, Mr. WEISS, and Mr. WOLF.

H. Con. Res. 69: Mr. RINALDO, Mr. STARK, Mr. BATEMAN, Mr. BONIOR of Michigan, Mr. HUNTER, Mr. COELHO, Mr. WEISS, Mr. KOLBE, and Mr. VOLKMER.

H. Con. Res. 90: Mr. STUMP.

H. Con. Res. 116: Mr. BORSKI, Mr. FORD of Tennessee, Mr. HOWARD, and Mr. YOUNG of Florida.

H. Con. Res. 119: Mr. CONYERS.

H. Res. 23: Mr. FOGLIETTA.

H. Res. 36: Mr. BATES, Mr. DELLUMS, and Mr. DASCHLE.

H. Res. 155: Mr. EDWARDS of California.

PETITIONS, ETC.

Under clause 1 of rule XXII,

96. The SPEAKER presented a petition of the city council, New York, NY, relative to Nazi war criminals; which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2068

By Mr. VENTO:

—Strike Section 126 and insert the following:

SEC. 126. ESTABLISHMENT OF A TRAVEL ADVISORY ON GUADALAJARA, MEXICO

(a) VIOLENCE AGAINST AMERICANS.—The Congress—

(1) deplores the brutal murder of Drug Enforcement Administration agent Enrique Camarena Salazar, and the abduction and disappearance of numerous other Americans, including John Clay Walker, Alberto Radelat, Dennis Carlson, Rose Carlson, Benjamin Mascrenas, and Patricia Mascrenas; and

(2) finds that the violence perpetrated by drug traffickers in Mexico constitute a danger to the safety of United States citizens living and traveling in the vicinity of Guadalajara, Mexico.

(b) TRAVEL ADVISORY.—The Congress, therefore, directs the Secretary of State to issue a travel advisory warning United States citizens of the current dangers of traveling in the vicinity of Guadalajara, Mexico. Such travel advisory shall remain in effect until the commencement of a criminal prosecution for the abduction or murder of any of the aforementioned United States citizens.

SENATE—*Monday, May 6, 1985*

(Legislative day of Monday, April 15, 1985)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

*Praise the Lord: for it is good to sing praises unto our God; for it is pleasant; and praise is comely * * *. He healeth the broken in heart, and bindeth up their wounds * * *. Great is our Lord, and of great power: His understanding is infinite.*—Psalm 147:1,3,5.

Loving Father, on this beautiful day we thank You for the profusion of green, the fresh warm air, the songs of the birds, and the privilege of being alive. Help us never to take for granted these common benefits. We thank You for the respite of the weekend and the opportunity for serving You and the people this week. As we struggle with the budget deficit may our struggle be for justice rather than power, for Nation rather than party, for the needy rather than the privileged, for Your will rather than our agendas. In the name of Him whose love is unconditional and just. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished majority leader is recognized.

SCHEDULE

Mr. DOLE. Mr. President, under the standing order the leaders each have 10 minutes, followed by a special order in favor of the distinguished Senator from Wisconsin [Mr. PROXMIRE], and then routine morning business not to extend beyond 1 o'clock, with statements therein limited to 5 minutes each.

Following morning business, the Senate will resume consideration of Senate Concurrent Resolution 32, the budget resolution. There will be no rollcall votes on any matter of substance prior to 4 p.m. There could be some procedural or attendence rollcalls. It is the intention of the majority leader to try to sequence any votes prior to 4 p.m. to commence at 4 p.m., if in fact we have reached that stage, and I hope we will conduct business until 8 or 9 o'clock this evening.

Mr. President, a parliamentary inquiry at this time: How much time remains on the resolution?

The PRESIDENT pro tempore. The majority leader has 8 hours; the minority leader has 12 hours.

Mr. DOLE. Twenty hours is a great deal of time on the resolution. It occurs to me that there are many Members on each side who really do not want to come forth with their amendments; they do not think the timing is right or whatever. I do not know the plans of the distinguished minority leader, but we have had a vote on a Republican plan. We would like to vote on a Democratic plan. I know there are a number that are being worked on, the Hollings plan, the Chiles plan, and maybe the minority leader himself will have a plan, so there are a number of amendments, a number of plans but there does not seem to be anyone rushing to the floor to offer any of those major plans or major amendments. So it is my hope that we could find some amendments today, spend some time on them and eat away at the time on the resolution. I do think there will be some rollcall votes today, so I alert Members to that possibility.

On Tuesday, we would hope to convene and start on the budget resolution fairly early because we have caucuses tomorrow and we do not expect to be in late. It is my hope that sometime after 4 o'clock, we could work out a time agreement.

As I understand, there is a matter of some emergency dealing with saccharin which needs to be dealt with, and there is an agreeement in process between the distinguished Senator from Ohio [Mr. METZENBAUM], and the chairman of the committee, Senator HATCH. Maybe we could dispose of that. We will check on it later.

Wednesday, we again hope to convene early, and I understand Wednesday will not be a late evening. On Tuesday we have a problem on this side, on Wednesday there is a problem on the Democratic side so we want to accommodate both sides.

We hope Thursday could be "D Day," decision day, on the budget. There has been some indication that perhaps it may be better to wait for the President to return on Friday before we complete action on the budget resolution. There has been no judgment made on that. That might affect whether or not we were in session on Friday. But we certainly can use all the time by Thursday. If we get 5 or 6 hours today, 4 or 5 tomorrow, and 4 or 5 the next day, we are down to 4 hours on Thursday. So hopefully we can chop away at the time until Senators feel they should offer their amendments.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. HATFIELD). Under the previous order, the Democratic leader is recognized, the Senator from West Virginia.

Mr. BYRD. I thank the Chair.

THE BUDGET RESOLUTION

Mr. BYRD. Mr. President, I have listened with interest to the outlining of the program by the distinguished majority leader. It seems to me we ought to be able to wrap up action on this resolution by no later than Thursday. I share with him the feeling that we should make every effort to do that. It would seem to me, with 20 hours remaining, that could be done without too much difficulty, although time does not count against rollcalls and quorums placed immediately before votes. But certainly on this side there will be no effort to delay and I will be talking with the majority leader from time to time.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I ask unanimous consent to reserve the remainder of my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, may I yield briefly to the distinguished Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, I thank the distinguished majority leader and I thank the Chair.

SENATOR SAM J. ERVIN, JR.—A GIANT HAS FALLEN

Mr. HELMS. Mr. President, though almost 2 weeks have passed since the first report came that Sam Ervin had passed away, I yet find myself unable to accept it. "Senator Sam," as he was so affectionately and respectfully known by millions, was remarkable in every way. It is impossible to imagine that he is really gone.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

There was never anything pompous about Senator Sam. I knew him long before Gov. William B. Umstead appointed him to the Senate in 1954 to succeed the distinguished and colorful Senator Clyde R. Hoey. It was a case of a giant succeeding a giant, and I suppose I assumed that Senator Ervin would always be around to counsel and advise me, to help me sort out the significant constitutional issues that arise from time to time.

But on April 23, the sad news came: Sam Ervin had died. I came immediately to this Senate floor to announce the sad news to my colleagues. The media reported that my voice was "occasionally quavering" as I observed that this remarkable American had died, and that a courageous giant had fallen. The truth is, Mr. President, nothing I have ever said on this floor was more difficult for me.

On Friday, April 26, I was in the throng attending the funeral services at Senator Ervin's beloved church in his beloved hometown. The First Presbyterian Church in Morganton, NC, overflowed with mourners. Billy Graham was there. I sat between Howard Baker and STROM THURMOND. Senator HOLLINGS was there. North Carolina's Gov. Jim Martin and his wife, Dottie, were there. Countless hundreds of others came silently and sorrowfully.

Mr. President, there was no partisanship that afternoon. People of all political and philosophical persuasions were there. The physical departure of Senator Sam had created a unity not merely of grief but of love and respect and admiration for a remarkable patriot.

For my part, memories of a hundred different episodes raced through my mind as the services proceeded, as the hymns were sung, as the Scripture was read, and as we prayed together. I could see Senator Sam in my imagination—not in that casket, but as a Senator and as a member of the North Carolina Supreme Court. And as a friend. I replayed in my mind the countless telephone conversations since he went home to Morganton in 1974. He was always patient, always interested, always helpful, always cheerful.

Mr. President, I can hear his chuckle now.

There is so much more that I could say, but I have the feeling that Senator Sam is sitting up there, saying: "Now, Jesse, don't go on too long." So I will not. But, Mr. President, I am sure that everyone in this Senate joins in sending our deepest sympathy to Mrs. Ervin, whom we know as "Miss Margaret," and to his three children and his grandchildren.

Mr. President, I believe it appropriate to place in the RECORD a sampling of the news stories and editorials appearing at the time of Senator Ervin's death. What I will offer will be only samples of the thousands of articles, editorials and broadcast commentaries.

I shall begin with a tribute written by the distinguished Albert Coates of Chapel Hill, who was among Senator Ervin's closest friends. Dr. Coates founded the North Carolina Institute of Government.

Dr. Coates' tribute was published in the Dunn, NC, Daily Record and a number of other newspapers. I ask unanimous consent that this tribute be printed in the RECORD, followed by other editorials and articles which I now submit.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Dunn [N.C.] Daily Record, Apr. 26, 1985]

SENATOR SAM ERVIN: A TRIBUTE

(The following is a personal tribute by Albert Coates, founder of the North Carolina Institute of Government.)

Sam Ervin was in the class of 1917 of the University of North Carolina at Chapel Hill and I was in the class of 1918, in a student body of 800 that grew to 1,000, where everybody knew everybody else.

Under Sam Ervin's picture in the UNC *Yackety-Yack* his senior year, the editors wrote this description of him as he appeared to his fellow students: "Everything he meets responds, and at once a sympathetic friendship ensues. Like Midas, he has that magic touch which makes everyone he meets his friend; and consequently he is liked by all." This judgment, passed on him by his fellow students in 1917, was approved by his fellow citizens in steadily widening areas in later years, by calling him time after time away from his private practice of the law to represent them in public positions of trust and confidence: as member of the General Assembly of North Carolina from his county, as judge of his county recorder's court, as judge of the superior court of his judicial district, as Congressman in 1946, as justice of the Supreme Court of North Carolina, and as United States Senator.

If I had to pick what, to my way of thinking, is the finest hour of his life, I would pick the hour on the 18th day of July in 1917 in the battle of Soissons in World War I when the 28th Infantry was halted by machine gun fire from an emplacement one hundred yards ahead. Most of the officers of the company had been killed. At this point twenty-two-year-old Sam Ervin called for volunteers to charge the blazing machine gun. Four men responded. Here is an affidavit of one of those men: "One man was mortally wounded. Another was killed. Ervin was knocked down by a shell fragment in front of the gun. The two remaining reached the machine gun, killed its crew, seized the gun . . . . We went back to Ervin and bandaged his wounds to stop the flow of blood and wanted to carry him back to safety, but he refused to be assisted and told us to go back and join the other soldiers . . . . Though wounded so severely he was unable to walk, he refused to go to the rear, but crawled back and organized an advance automatic rifle post where he remained on duty until all danger of a hostile counter attack was over." This performance won the Distinguished Service Cross for "extraordinary heroism in action" and for "exceptional initiative, courage, and leadership which were an inspiration to his comrades."

If I had to pick out what, to my way of thinking, is the finest pattern of activities in his life it would be in standing up to be counted for the way of life outlined in the Constitution and the Bill of Rights.

He stood up to be counted on the floor of the North Carolina General Assembly in protest against a bill to curb freedom to teach the theory of evolution in the public schools, saying that the only thing good to be said about it was that it went as far as a legislature could go to absolve the monkey from responsibility for the action for the human race.

He stood up to be counted on the floor of the United States Senate in support of a Senate resolution to censure Joseph McCarthy of Wisconsin for hiding behind a senator's immunity from prosecution while he smeared the reputations and characters of American citizens with unsubstantiated charges and intimidating tactics—a history-making speech which was the beginning of the end of "the McCarthy era" in American life.

He stood up to be counted on the floor of the United States Senate for twenty years thereafter in protest against such measures as:

A bill permitting police to break into a person's house by day or night "without knocking."

A bill denying the right to bail to persons whom the policy "suspected" would commit crimes while out on bail.

Post office regulations permitting the opening of sealed letters "suspected" of containing narcotics, lottery tickets, or pornographic pictures.

Bureaucratic regulations permitting sophisticated surveillance techniques and the use of the computer and data banks in ways violating a person's right to privacy.

Government employment agency regulations permitting probing questions about religion, family, and sexual matters, or calling for the disclosure of personal finances and creditors of employees and their relatives, and other matters having nothing to do with their jobs.

Activities of military agencies in "collecting files on private citizens" and spying on American citizens in public and private assemblies.

If I had to pick out what, to my way of thinking, is the finest accolade of a lifetime it would be the tribute of the Majority Leader of the United States Senate on the 8th day of February 1973 in picking him to head the most important Senate committee of this generation—the Senate Select Committee on the Watergate Affair—giving as his reason: "We are looking for a good, fair, impartial investigation, and Sam Ervin is the only man we could have picked on either side of the aisle who would have the respect of the Senate as a whole."

The statement was rooted in a twenty-year record of day-to-day work by Sam Ervin with his fellow senators who knew him well in committee and on the floor. They had found that he knew his business, loved it, and tended to it. That he moved in his own orbit—full of common sense and mother wit. That he was all of a piece—not a lot of planks nailed together, but a growing tree with the sap rising through it. That he would vote and act from forces welling up in the man himself and not from any outside influence or external pressure. In short, the United States Senate was recog-

nizing the career of a man who was "born of the sun," has kept on walking toward the sun, and at every step along the way has "left the vivid air signed with his honor."

If I had to pick out one sentence from all his sayings characteristic of Sam Ervin throughout the comings and goings of his life, it would be a sentence which he didn't have to think up—it came to him from the certitude of his own being while he was talking to his homefolks in Morganton on returning from World War I. He had been reported as "missing in action" on the western front, and his neighbors were telling him they were so glad he had been found. "I was never lost," he told them. "I knew where I was all the time." And so it has been from that day to this.

Now that I have called your attention to the underpinning of Sam Ervin's career, let me call your attention to the underpinning of Sam Ervin. This underpinning appeared on his horizon in the person of Margaret Bell in the summer of 1916, and shortly thereafter Sam began going crazy. Margaret started going crazy too—crazy enough to wait for him while he was fighting World War I and while he was going through law school, and keep on waiting until he was making a living for two. She married him on the 18th day of June, 1924, and moved off the horizon and into the heart and center of his life—where she has stayed for 56 years and two days, yesterday and today.

You may recall the mythical story of Ariadne who fell in love with Theseus as he was starting into the labyrinth of the Minotaur and gave him a ball of thread to fasten to the inside of the door to the Minotaur's Cave and unwind as he walked into the twisting paths of the mysterious labyrinth. Margaret Bell gave Ariadne's thread to Sam Ervin when they met and fell in love. It has been unwinding ever since as he has found his way through the ins and outs, and ups and downs, and run-arounds of daily living, but it still remains unbroken and has strengthened through the years. That is why Sam Ervin can say at the celebration of his 56th wedding anniversary: "I was never lost. I knew where I was all the time."

Those of you who know of his devotion to the Bill of Rights "don't know nothing" until you know of his devotion to "Miss Margaret." If she should ever come into conflict with the Bill of Rights in Sam Ervin's mind, God help the Bill of Rights!

[From the Charlotte Observer, Apr. 24, 1985]

HELMS CALLS ERVIN COURAGEOUS GIANT

Sam Ervin was a "giant" whose humor and country charm will be missed, friends and colleagues said after learning of the former U.S. senator's death Tuesday.

Sen. Jesse Helms, R-N.C., interrupted Senate debate on aid to Nicaragua on Tuesday to announce Ervin's death.

In a voice occasionally quavering, Helms praised Ervin as "a remarkable American . . . a courageous giant."

"I've never known a more remarkable American than Sam Ervin," Helms said. "The two years that I was privileged to serve in the Senate as his junior colleague will always rank as a major blessing of my life. . . . A courageous giant has fallen, but America is far better because of his life, his dedication and his unfailing fidelity to principles that deserve to survive."

Helms said later in the Senate recorders' office, where he went to check the transcript of his remarks, that he had been "kind of choked up" on the floor.

Other reactions:

Former Sen. Howard Baker, R-Tenn., and cochairman with Ervin of the Watergate Committee: "Sen. Sam Ervin was a unique and special member of the Senate of the United States and his service to his country was unique and special as well. I had a great respect for Sam Ervin and a special understanding of his abiding respect for the U.S. Constitution. . . . His stewardship of the Senate Watergate Committee had established his place in history."

U.S. District Judge John Sirica, who presided over trials involving the Watergate cover-up: "I was very fond of him and admired his patriotism, his dedication to his work and above all, his courage. He was a great American who made a tremendous contribution to all of us. He will be sorely missed."

Gov. Jim Martin: "We must . . . remember the great contribution this man made. . . . He was . . . a protector of citizens' rights and an outstanding native son of North Carolina."

Lt. Gov. Bob Jordan: "Sen. Sam Ervin cared about North Carolina and its people. . . . As a country lawyer, a trial judge, a N.C. Supreme Court justice and United States senator, he grew to become a giant among those in public service. No one cared more about our constitutional rights than Sam Ervin. He made all of us proud with his perceptive questioning and his strong leadership during the Watergate hearings."

George Autry, chief counsel to Ervin's Senate subcommittee on constitutional rights from 1961-67: "I think he was truly the last of the founding fathers in a sense, our best and constant reminder of America's theoretical underpinning.

Rufus Edmisten, former N.C. attorney general and deputy chief counsel of Ervin's Watergate committee: "In Watergate, what he did . . . was bring it close to the average American. He made the Constitution understandable and he brought to the American public that no person is above the law, even the president. . . . The man should be compared to the Washingtons and Jeffersons because his time in the U.S. Senate was one where he stood up for personal freedoms just like they did."

[From the Charlotte Observer, Apr. 24, 1985]

EX-SENATOR SAM ERVIN DIES AT 88

(By Ken Eudy)

Former U.S. Sen. Sam Ervin Jr., whose devotion to the Constitution helped drive an American president from office, died Tuesday of respiratory failure at Bowman Gray Medical Center in Winston-Salem.

Ervin, who was 88, sprang to the American consciousness in 1973 when he was appointed chairman of the Senate Committee on Presidential Campaign Activities, known as the Watergate Committee.

During committee hearings televised live nationwide, Ervin became known as "Senator Sam." Eyebrows aflutter, Jowls quivering and tongue stammering in a syrupy Southern drawl, Ervin liked to call himself "just a good ol' country lawyer." But Ervin was a North Carolina-borne, Harvard-educated lawyer who quoted Shakespeare, the Bible and the Constitution with ease. He was recognized as the Senate's greatest constitutional authority of his generation.

The same understanding of the Constitution that led Democrat Ervin to oppose Republican President Richard Nixon during Watergate compelled him to oppose civil rights legislation, the Equal Rights Amendment and school busing to achieve integration.

Ervin's Watergate hearings set the stage for Nixon's resignation in August 1974, four months before Ervin ended a 20-year Senate career and retired to his home in Morganton.

Ervin died about 4:15 p.m., said Roger Rollman, a hospital spokesman. "The cause of death was attributed by his doctors to respiratory failure which developed during the day," Rollman said. "The kidney failure for which Mr. Ervin was admitted to the center was a significant contributing factor in the death."

Ervin was moved to Bowman Gray on Monday after suffering acute renal failure and doctors determined he needed more specialized treatment than was available at Grace Hospital in Morganton, said Mary McBryde, his secretary.

Ervin had been a patient at Grace Hospital for more than three weeks prior to his move to Winston-Salem. He suffered from a variety of aliments during that time, and at one point was plagued by a high fever.

Evrin's fame came late in his political career. Most of his Senate tenure was spent in the shadow of other Southern Democrats such as Richard Russell of Georgia, Harry Bryd Sr. of Virginia and John Stennis of Mississippi. Later, other younger southern senators such as Russell Long of Louisiana and Herman Talmadge of Georgia eclipsed Ervin in senatorial influence.

In fact, Ervin never chaired a major committee until 1972, when he was named chairman of the Select Governmental Operations Committee.

Little major legislation bears his name. And one year, Ervin was on the losing side of Senate votes more often than any other Democratic senator.

Like other Southern senators, Ervin opposed almost every civil rights bill. Civil rights legislation, Ervin wrote in his 1984 autobiography, "is in essence thought-control legislation."

"I opposed civil rights bills presented to the Senate during my service because I entertained the abiding convictions that some of them were unnecessary, some of them tyrannical and some of them were unconstitutional," he wrote.

When the Senate passed the Equal Rights Amendment in 1972, Ervin told his colleagues on the Senate floor, "It is almost impossible to conceive the state of legal chaos which will ensue if this amendment is ratified by the states. It will invalidate thousands of laws which make legal distinctions between men and women, many of which are based upon . . . a recognition of the fact that God did create two sexes."

Ervin's primary national identify—as a obstructionist of civil rights legislation—changed in early 1973, when he was appointed chairman of the committee to investigate the Watergate break-in.

Ervin's respect for the Constitution, which led to his Watergate assignment, came from his lawyer father, Sam Ervin, Sr., and his mother, Laura Theresa Powe.

His parents, said Ervin, imbued him with what he once called a "Scotch-Irish Presbyterian conscience."

"A Scotch-Irish Presbyterian conscience will not keep one from sinning, but it will keep him from enjoying his sin. Moreover, it commands him to do what it tells him is right, and smites him unmercifully if he does not obey.

"Consequently, the victim of a Scotch-Irish Presbyterian conscience has the trait that his supporters praise as firmness and his adversaries condemn as obstinacy."

One of 10 brothers and sisters, Ervin graduated in 1917 from UNC, where he was senior class president.

After graduation, Ervin enlisted in the Army and was twice wounded in World War I. Ervin won the Silver Star and the Distinguished Service Cross, and twice was commended for bravery.

When he returned to North Carolina in 1919, he passed the state bar examination before enrolling in Harvard Law School.

A year after graduating from Harvard, Ervin was elected to the first of three terms in the N.C. House.

While in the House, that Scotch-Irish Presbyterian conscience led Ervin to fight the anti-Darwinism that was sweeping the South in 1925.

The N.C. House was debating a bill that would forbid the teaching of evolution in public schools. Ervin, ia 29-year-old House member, argued against the bill, saying, "I don't see but one good feature in this thing, and that is that it will gratify the monkeys to know they are absolved from all responsibility for the conduct of the human race."

The N.C. House killed the anti-Darwinism bill.

From 1935 until 1937, Ervin served as a Burke County criminal court judge, and from 1937 until 1943, Ervin was a superior court judge.

Ervin served one year in the U.S. House in 1946 upon the suicide of his younger brother, Joe Ervin, who suffered from a bone disease.

In 1948, Ervin was appointed an associate justice of the N.C. Supreme Court. He might have ended his public career as its chief justice but for the 1954 death of U.S. Sen. Clyde Hoey.

Gov. William Umstead, a college friend of Ervin, appointed him to fill the seat, and Ervin was sworn in by then-Vice President Richard Nixon. He was elected on his own later that year, and often was returned to the Senate without opposition.

Early in Ervin's Senate career, he again opposed a popular political cause: McCarthyism.

Vice President Nixon appointed Ervin in 1954 to a committee to determine whether Sen. Joe McCarthy had engaged in conduct unbecoming a senator in his attempt to uncover communists in the federal government.

During the hearings, McCarthy attacked Ervin and two other committee Democrats as "unwitting handmaidens" of the communists.

Ervin took to the Senate floor to respond. "The issue before the American people is simply this: Does the Senate of the United States have enough manhood to stand up to Sen. McCarthy? . . . The honor of the Senate is in our keeping. I pray that senators will not soil it by permitting Sen. McCarthy to go unwhipped of senatorial justice."

Two weeks later, the Senate censured McCarthy.

In the intervening years, Ervin became known as the Senate's expert on the Constitution, but he rarely made the national spotlight.

That changed in 1973, when Senate Majority Leader Mike Mansfield, D-Mont., picked Ervin to head a committee to investigate the Watergate break-in because, as a former judge, Ervin had more judicial experience than any senator. Also, Mansfield said, Ervin was the least partisan Senate Democrat and at 76 harbored no presidential ambitions.

"Sen. Ervin was the only man we could have picked on either side of the aisle who'd have had the respect of the Senate as a whole," Mansfield said then.

During those hearings, which opened May 17, 1973, former White House counsel John Dean revealed that Nixon had been told of the Watergate burglary days after it occurred and that Nixon had participated in the cover-up. White House aide Alexander Butterfield disclosed the existence of a White House taping system with which Nixon taped private conversations.

The Watergate Committee heard a parade of witnesses describe what came to be known as "dirty tricks"—tactics designed to help Nixon win reelection in 1972 and punish his political enemies.

While Ervin's committee hearings didn't establish that Nixon had prior knowledge of the Watergate break-in, the daily televised hearings focused public attention on alleged misdeeds of the Nixon administration. Eventually the Supreme Court ordered Nixon to surrender tapes that implicated him in the Watergate cover-up.

Ervin defended the committee from charges by Republicans that he had created the constitutional crisis forcing Nixon from office. "As a general rule, people are the authors of their own misfortunes. And President Nixon is the sole author of his own misfortune in this case," Ervin said. "He had too much thirst for political power and not enough scruples about how political power's obtained."

Ervin chose to retire in 1974 rather than seek reelection. He had been active in the years since his retirement, however, practicing law in Morganton and writing three books: "The Whole Truth: The Watergate Conspiracy," "Humor of a Country Lawyer" and "Preserving the Constitution: The Autobiography of Senator Sam Ervin."

Ervin had become such a national celebrity," American Express used him in a television commerical promoting its credit card.

Ervin is survived by wife, Margaret; a son, U.S. Appeal Court Judge Sam Ervin III of Morganton; and two daughters, Margaret Hansler of Pennington, N.J., and Laura Smith of Morganton.

SENATOR SAM SAYS . . .

Sam Ervin was blunt, opinionated and often witty. A sample of his observations:

On women's rights: Oh, how these militants who advocate equal rights for women must hate sex, to judge from their efforts in seeking to abolish it.

On opposing the ERA: I'm trying to save women from their fool friends and from themselves.

On the Nixon administration: An organization which wants a place in history has no need of a shredder.

On Watergate: I think that the Watergate tragedy is the greatest tragedy this country has ever suffered. I used to think that the Civil War was our country's greatest tragedy, but I do remember that there were some redeeming features in the Civil War in that there was some spirit of sacrifice and heroism displayed on both sides. I see no redeeming features in Watergate.

On his conscience: I am possessor of a great affliction, a Scotch-Irish conscience, which will not permit me to follow after a great multitude to do what I conceive to be evil.

On Nixon's memoirs: I'd have to say that insofar as the president discusses the things I know the best that he certainly did obey Mark Twain's injunction, "The truth is very precious, use it sparingly."

On the Constitution: The Constitution is the wisest instrument of government the Earth has ever known.

On aging, at age 79: I think this effort which society has made in the last generation to wrap those people like myself that they consider to be aged in cellophane and put them into useless things is rather disastrous.

On retirement: I never really planned retirement. I figured I'd rust out before I wore out.

On his favorite TV shows: I like 'Gunsmoke' because the good guys always win. They don't always win in the Senate.

On his appearance in an American Express commercial: You know, the government takes 53½ percent of every dollar I make. I knew the government needed the money. So I figured I'd make some more from the commercial so I could pay my income tax.

In 1954, after a Supreme Court struck down segregation: It is a tragedy that the highest court of the land should be composed of men apparently desirous of recreating our system of government in their own image.

[From the Winston-Salem Journal, May 3, 1985]

MEMORIAL TO A COURTLY TRIBUNE

(By Keith C. Burris)

I did not know him, either personally or as a fellow North Carolinian. I met him in the way that several million other Americans did, through the strange and often false medium of television. There was little false about him, and he was an unlikely figure for the tube. Watergate, the national drama of more than a decade ago, was his moment. I was a college freshman in Ohio. Sam Ervin was the voice of the democratic emotion; of decency, of wit, of liberty and law, in the summer of our disillusion.

Cynicism was not only "in" then, but also real to America's young. Nothing worked; it was all a charade. Didn't Chicago prove that? Hadn't Nixon as much as said it? Vietnam. Kent State. And now a bunch of campaign junkies and thugs were going to trash the Constitution. Out of that muck came a virtuous man—not a presidential candidate, a "great" man, a man on a white horse or even a populistic poser out to flatter us about our innate goodness. Out of this came a man who would speak plain truth and uphold the law. It made a difference.

I watched a couple of Ervin's ex-colleagues meeting the press at the church the day they buried him. Howard Baker and Ernest Hollings, two men I admire—and the more for their being there—were asked about Sen. Ervin's memorable and special qualities. "Was there any one trait or instance", ran the camera question, "that you would like to share with us?" "No," said Baker looking perplexed and sad, "No one thing. I thought about it . . . He was just a man of complete inegrity and great kindness." "Nothing like that." said Hollings, ducking into his car. "He was the Constitution's best friend, and we shall miss him."

Where did he come from? we all asked in 1973. How come we never saw him on "Meet the Press," or "Face the Nation"? He'd been quietly doing his job as he saw it for 20 years. Watergate and time transformed him from Senator Claghorn to beloved statesman. The thing about a statesman isn't that

he makes no mistakes. This sort of man is usually wrong, as dramatically as he is right. Churchill for example. The thing about a statesman is that he is his own man; he's not indebted, or packaged. This is one of the ways in which Ervin was the last of the American fathers.

The other is that Ervin kept the American faith. Defending the integrity of the Senate against Joseph R. McCarthy, standing when liberals would not against invasions of privacy like the "No Knock," and violations of due process like preventive detention. He was a devout student of the St. James, scolding the president for trying to violate the separation doctrine of church and state, the hawk, who stood up to the Army when he found it was spying on private citizens. Ervin would not sacrifice the holy writ of liberty for any other real or imaginary good. He wrote that if a man lacks the freedom to act foolishly he has no real freedom at all. How many contemporary conservatives, I wonder, would defend a bootlegger?

Ervin was a conservative. Which egomaniacal figure who today graces the public stage would entitle his autobiography "Preserving the Constitution"? And though Sam Ervin's career can be seen as a measure of the changing style of politics (a man who drives around the countryside in an old car stopping to swap stories, quote the Bible and Shakespeare, and lecture a bit on the Founders, would not generally be said to be headed for the Senate today; a man with PACs and television crews in tow would), that career can also be seen as a mark of the changing nature of American conservatism.

Consider the old and true preserving conservative, as against the new reactionary ones. The old defended liberty under law; the new, hard-heartedness. The old defended the individual against intrusions by the state; the new says the individual must go it alone. The old said, "Get government off the backs of the citizens." The new asks for greater power for the FBI and IRS. The old affirmed "forbear and persevere," the new, "condemn and charge ahead."

I went to Morganton from Winston-Salem to pay respects and follow the story to its end. Morganton is a lovely town, and that day the streets were lined with American flags and many of the shops were closed. The sidewalks were full of local people walking up the hill to the First Presbyterian Church, and there must have been 2,000 cars parked around the place, many of which were large Buicks and Lincolns with official state tags. Interstate 40 had been wide open and it was a beautiful day, but the politicans were traveling in packs at speeds of 80 miles per hour or more. The windows were up; the cold air blasting.

There was an atmosphere of Watergate and that old extravagant unreality, for the TV cameras were running into one another and we who were overflow worshippers participated in a church hall via three TV monitors. The service was a good and pure one. No political speeches or eulogies, just the Creed, the Biblical readings and the hymns: "A Might Fortress," "Now Thank We All Our God," "O God Our Help In Ages Past," "For All The Saints."

After the service, I became aware that many people were lingering on the front lawn in hopes of spying a celebrity or two. And maybe some of the celebrities were waiting to be recognized. It didn't seem irreverent, just political. A lady next to me said, "Gawd that fella looks like Billy Graham." And Billy walked by us looking tall, and righteous and exceedingly well tanned. Later on in Morganton, I toured a Biblical book store in which Graham's most, recent book was on sale, marked down from $11.95 to $5.50.

Mary McCarthy, in her book about Watergate, "The Mask Of State," tells of a conversation with Ervin early on in the hearings. What if you get to the truth, she wanted to know, and nothing happens? Suppose the Constitution can be subverted; what if the system doesn't work? "I refuse to entertain the notion," was Ervin's response. McCarthy said that, to Sam Ervin, America was an old house that, with paint, soap, water and elbow grease, could be put back into shape. The foundations were still good; she just hadn't had the care she should've.

When they say that a man was the "conscience of the Senate," or his party, they usually mean "We didn't listen to him, because we couldn't live up to his standards." But as I read the books by and about him and listen to the encomiums by those who knew him, I am convinced that Sam Ervin really was different, less a politician than a tribune, which my dictionary defines as a "protector or champion of the people."

To which we can only add the words of W.H. Auden:

"For every day they die
Among us, those who were doing us some good
And knew it was never enough but
Hoped to improve a little by living."

[From the News and Observer (Raleigh), Apr. 24, 1985]

ERVIN'S HOMESPUN WIT, BUSHY EYEBROWS CAPTIVATED AMERICA DURING WATERGATE

(By Michael Putzel)

WASHINGTON.—He liked to refer to himself as a simple "old country lawyer," but that was just his cover. Sam J. Ervin Jr. was a devout student of the Constitution and a wily politician who rose to meet the extraordinary pressures of an extraordinary moment in American history.

By avoiding partisan squabbles and fighting his battles in private, Ervin managed to steer his benignly named Senate Select Committee on Presidential Campaign Activities—better known, of course, as the Watergate Committee—to the heart of the cover-up conspiracy that cost Richard M. Nixon his presidency.

Ervin's seniority, scholarship and his background as a homespun Southern politican captivated a national television audience for months and gave him a stature the Nixon White House could not tear down.

Under the heat of the klieg lights in the packed Senate Caucus Room during the long summer of 1973, Ervin snared his witnesses and charmed his audiences with his dancing, bushy eyebrows and ready wit. He could scold like a judge, which he once had been, and disarm his adversaries by quoting from the Bible or Shakespeare for from his beloved Constitution.

With his great jowls, a shock of white hair and an impish grin, "Senator Sam" presided from the center of the long committee table, his committee members and staff spread out to his left and right, the witnesses and their lawyers seated at a small table in front of him, beneath his steady gaze.

When the president's men tried to pretend they had been preoccupied with other, presumably more important matters of state during the Watergate cover-up, or when the lower-level participants sought to portray themselves only as loyal soliders, Ervin's simple observations cut through the smoke.

Early on, when a scheduler at the Committee to Re-elect the President testified he had covered up his role as a messenger who passed on $60,000 in tainted campaign funds, Ervin explained why the witness should have been loyal to the truth instead of his superiors.

"You give the appearance of a man who was brought up in a good home," the chairman said.

"Thank you, sir," the witness replied.

"And you were undoubtedly taught that it is an obligation of a citizen to testify truthfully when he is called on to testify under oath before a grand jury or a petit jury," the former judge led him on.

As the witness sat helpless before him, the old country lawyer finished him off.

"It was a wise man named William Shakespeare who wrote a play called Henry IV," Ervin recalled. "And in that he has one of his characters, Cardinal Woolsey, say—after Cardinal Woolsey instead of serving his church had served his king and was cast out in his old age by the king—and he said, 'Had I but served my God with half the zeal I served my king, he would not in mine age left me naked to mine enemies.'"

But mindful that his stature depended at least in part on his self-effacing image, Ervin never took a bow.

"Please cut the applause," he told his audience when it appreciated him too much or too long.

What the public didn't see—ever—was Ervin's handling of his own fractious, sometimes frightened committee, which at his insistence and in the tradition of the old Senate held all its procedural meetings in closed-door executive session.

The Republicans, including the ambitious Tennessean, Howard H. Baker Jr., were torn between their loyalty to the party's president and their public roles as inquisitors. Ervin heard them fight for Nixon in private, but with a Democratic majority and the allegiance of the junior GOP member, renegade Sen. Lowell P. Weicker Jr., the chairman controlled the public fight to bring witnesses before the committee and break Nixon's claim that the White House was beyond the Senate's reach.

For Ervin, whose chairmanship of a Judiciary subcommittee on the separation of powers made him an expert, it was not just a power struggle between two branches of government. Nor was it simply a criminal case in which one political band had burglarized another.

As he opened the hearings, Ervin explained why they were so important to him and to the nation.

"If the many allegations made to this date are true, then the burglars who broke into the headquarters of the Democratic National Committee at the Watergate were in effect breaking into the home of every citizen of the United States," the chairman said.

"And if these allegations prove to be true, what they were seeking to steal was not the jewels, money or other precious property of American citizens, but something much more valuable—their most precious heritage: the right to vote in a free election."

In the rough-and-tumble months that followed, Ervin never let the nation forget those stakes. In the end, he lost his fight for the critical Watergate tapes whose existence his committee uncovered. And Nixon fell not to Ervin's committee but in the face of impeachment after an investigation by the

House Judiciary Committee and the Watergate special prosecutor.

But it was Ervin's committee that exposed the depth of the scandal that finally brought down the president and sent so many of his men to prison.

U.S. SENATOR SAM ERVIN—VIRTUE, BRILLIANCE MADE HIM A POLITICAL GIANT

Tar Heels will remember former U.S. Sen. Sam Ervin, who died Tuesday at age 88, as more than a folk hero. He was real—a political giant who kept his seat in the Senate with sheer honesty, a brilliant mind, a fine wit, common sense and unflaggling commitment to the Constitution.

He may have been North Carolina's last senator to spurn the madness of a television campaign. His style was to spend little money, to ignore the opponent, to hammer away at attacks on principle and to curry no favors among the power-brokers.

He was a public servant who set high standards for himself and for others in government. He believed all were cut from the same cloth—including the president—and that the law and the Constitution stood in judgment of man's political avarice.

His career was highlighted by Watergate but not bounded by it. The Sam Ervin who presided over the Senate committee that forced President Nixon's resignation was not a creature of his times. Rather, it was a time for a Sen. Sam to raise his brows in furor at arrogance in government, to defend majestically the Constitution, to reassert the principles that had been so crassly abused.

He caused the liberals to convolute. Was this, they asked the same Sam Ervin who had opposed school busing and the Voting Rights Act? Was this they asked, the same Sam Ervin who spoke so obstinately for individual rights with an indisputably Southern political accent? Yet they would forgive his past to honor his role in resurrecting from the trash heap the constitutional dream that had faded in the memory of Americans and had been trampled in the practices of the Nixon administration.

Likewise, his own kin, the people of North Carolina, could cherish their Sen. Sam even when they disagreed with him. They knew him to be deeply religious, committed to the tenets of his Presbyterian tradition, yet he could stand so firmly—and argue so persuasively—against the practice of prayer in school. Sen. Sam proved one didn't have to be a heathen to tolerate the religion or nonreligion of others.

Sen. Sam was persuasive to the voters and to the nation because he was sure in his logic, true to his and this nation's history, coherent in his arguments and full of love for his state, his family, his Burke County roots, this nation, his church and his duty.

He retired in 1974, an undefeated champion of good government through his service in the Legislature, as a Superior Court judge, as a N.C. Supreme Court justice and as a U.S. senator for 20 years.

When Sen. Sam retired, columnist George Will said, "So now, as he takes leave of us, let us praise this rare man whose fame, though great, does not match his great virtues, a man every bit as fine as his nation affectionately thinks he is."

Those words are even truer today.

[From the Winston-Salem Journal, Apr. 25, 1985]

SAM J. ERVIN, JR.

"A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty."

The foundation for the public service of Sam J. Ervin Jr. is summed up in that phrase from the North Carolina Constitution. He based his career, as lawyer, judge and legislator, on the conviction that citizens must know, and jealously guard, political rights asserted by the nation's Founding Fathers. His own devotion to, and defense of, those rights helped save the nation.

From the Burke County courthouse to the halls of Congress, Ervin in his lifetime spoke clearly and firmly for individual liberty and the rule of law. Death at 88 stills his voice, but leaves undimmed the bright legacy of his words to inspire and challenge coming generations.

The hallmarks of Ervin's half century as an elected official were unshakable integrity, undaunted courage, and unfailing good humor. He never feared a fight, or showed rancor in victory or defeat. Homespun plain, hickory tough, he reflected the Scotch-Irish heritage his ancestors brought to North Carolina.

To those qualities was added an absolute commitment to, and unmatched knowledge of, the U.S. Constitution and the values embedded in it. He held it in equal esteem as a political document with the King James Bible in the religious realm and Shakespeare in literature. He could quote as readily, and with relish, from all three sources.

It was as though history prepared him for the nation's need. The dark time of Watergate, with its abuse of presidential power and flouting of individual rights, proved his finest hour. Ervin was well into his 70s, a veteran of 20 years in the Senate, when the scandal broke. Up to that point, while a figure of state and regional leadership. Ervin was little known nationally. That soon changed.

Televised hearings of the committee chaired by Ervin made him a celebrity. Viewers were fascinated by his acrobatic eyebrows shooting up in righteous indignation, down in relentless interrogation, and by his engaging mix of country wit and constitutional wisdom. If Ervin seemed to enjoy media stardom, it at no time distracted him from the serious business at hand. His firm hand and cool temper guided the committee through the investigation to the inevitable conclusion of President Nixon's resignation. It is perhaps no exaggeration to say that Ervin, as much as any one individual, steered the nation safely through the crisis.

Watergate was by no means the only instance of Ervin's defense of constitutional guarantees. As a young state legislator, he argued successfully against restraints on teaching evolution in the public schools. He stood up to Sen. Joseph McCarthy in the witch-hunt days of the early 1950s. In many other ways, he sought to protect individual rights against encroaching government power.

Many who lauded him for those efforts decried his adamant oppostion to civil rights legislation and the Equal Rights Amendment. He saw nothing reprehensible about it. The Constitution, he reminded, gives equal rights to all and special rights to none.

It is not necessary, of course, to praise all phases of Ervin's political career in order to appreciate the great contribution of his public service. In many ways, he was a man of his times, shaped by customs and politics of the 19th century. Some of his ideas may have seemed regional and narrow. Yet, steeped in the 18th century political philosophy of equal rights under law, he turned out to be the essential man for the nation's 20th century crisis.

"Preserving the Constitution" was the title Ervin gave to the autobiography published last year. He wrote the book, he said in the preface, "in the hope that something I may have done or said may prompt others to fight as I have fought for the preservation of the Constitution and the freedoms it enshrines."

Appreciation for Sam Ervin's life of public service will be best expressed in the fulfillment of that hope.

[From the Charlotte News, Apr. 25, 1985]

JUST "AN OL' COUNTRY LAWYER"

Journalist Bob Woodward wrote about finding Sam Ervin "behind a heavy wooden desk in the center of his office, a rumpled, hulking figure with a huge ham of a face. He looked as if he would be more comfortable in a front-porch rocker. . . . Great heaps of paper were strewn chaotically across the desk. He leaned back and began speaking, head jerking, jowls jiggling, bushy eyebrows twittering. . . ."

For a time during a very real crisis in American history, this man with the jiggling jowls and bushy eyebrows was America's conscience. His wisdom and his gentle country humor were an antidote to the immorality, corruption and utter cynicism revealed daily by a parade of White House witnesses. Granted unusually broad subpoena powers rarely given by the U.S. Senate, Sam Ervin passionately pursued the truth and helped America see it.

Born a Morganton lawyer's son and himself a judge in North Carolina for some years before appointment to the Senate, Sam Ervin knew the truth was sometimes hard to find—and to accept. In 1973, Americans were unaccustomed to the thought that their president would forsake honesty, reject the law. It was Sam Ervin who helped them see the importance of a serious inquiry ". . . if we are to determine whether the president is above the law and whether the president is immune from all the duties and responsibilities in matters of this kind which devolve upon all the other mortals who dwell in this land."

Sam Ervin will forever be linked to that Watergate era. His related efforts to protect America's democratic government against the onslaught of Richard Nixon's "imperial presidency" will instruct constitutional experts for a generation. And his outspokenness on behalf of individual rights will be quoted in textbooks for generations. But Sam Ervin is not so easily defined.

Arthur Schlesinger was to note that "the great constitutional champion of civil liberties had also been the great constitutional opponent of civil rights." Sen. Ervin considered the Equal Rights Amendment superfluous and its backers as needing to be "save(d) from their fool friends and themselves." In an era of support for "affirmative action" on behalf of women, minorities and other groups, Sam Ervin stubbornly replied, "We will not fool ourselves when we steal freedom from one man to confer it on another."

Many citizens found his support of civil liberties but his opposition to civil-rights legislation contradictory. Sen. Ervin did not: "One condition of freedom is as much ab-

sence of regimentation of the individual as possible. The stronger the government is, the less freedom the individual has." History will judge.

Sen. Ervin took an interest in other subjects during his 20-year Senate career. He worked on speedy-trial legislation and the rights of American Indians; he helped revise the uniform code of military justice; he was instrumental in challenging draconian information-gathering practices initiated in the early 1970s. One can see in all these subjects Sen. Ervin's interest in maintaining America's promise to its people that their individual rights were paramount, and would be respected.

His Senate service in Washington, as important as it was, only capped a long career of public service to North Carolina. He served in the legislature and on the criminal court bench in Burke County. He spent five years as a state superior court judge, a year in the U.S. House and six years on the N.C. Supreme Court. Throughout, Sen. Ervin remained close to his Burke County neighbors. After his retirement in 1974 when he again took up full-time residence in Morganton, he was said to know "everybody in town by their first name. He was like a good, kindly uncle who lived down the street."

Long before illness claimed him Tuesday at the age of 88, Americans had come to respect Sam Ervin's robust vigor, his unimpeachable character, his stalwart loyalty to the truth as he saw it. Those who worked with him understood that behind the folksy persona was a true scholar steeped in history, the Bible and the ever-relevant writings of William Shakespeare.

He was, as he was fond of saying, just a country lawyer. But at a critical time in America's history, Sam Ervin was reassurance of the basic goodness of the American people and of the soundness of the American system of government. His presence on center stage during the Watergate drama gave Americans confidence that their government would indeed continue to be a system of law and not of one man's whims, that it would be responsive; and that it would demand of all citizens the respect for law that Sen. Ervin's life epitomized.

[From the Asheville Citizen, Apr. 25, 1985]

ERVIN SYMBOLIZES THE LAW AT ITS BEST

Few senators leave a lasting mark on government and the nation's law. Sam J. Ervin Jr. was one who did.

He stands apart from others of his time because he did not merely live history; he shaped it. That is what people call "greatness." Like other figures who have achieved that select place in American life, Ervin will be remembered as much for what he believed as for what he did.

Many people in government see the Constitution as a delegation of power, as a license to govern. When it does not allow them to govern in the way they wish, they try to evade it, amend it or even subvert it. But the Constitution is more than a delegation of power. It also is a restraint upon power.

This is how Ervin saw the Constitution and the law. Throughout his career, he fought to preserve the restraints that protect individuals from government power. He was a true conservative.

As a freshman senator, Ervin joined those who stood against Sen. Joseph McCarthy and his insidious brand of patriotism that abused liberties and destroyed lives.

When the turmoil of the 1960s brought a loud demand for so-called "law-and-order" legislation, Ervin was one of the few conservatives who recognized the danger to constitutional principles. He refused to be swept up in calls for authoritarian measures to restore order.

Instead, he used his credibility as a conservative and as the Senate's "foremost constitutionalist" to rally opposition to warrantless searches, government surveillance of dissident groups, detention without bail, limits on the right of assembly, wiretapping and other excesses that were proposed.

Ervin distinguished himself on the constitutional issues. When the Supreme Court outlawed organized prayer in public schools, he was one of the few conservatives who fought legislation to overturn the rulings. He took the same position here as he took on tuition tax credits and other forms of government support for church schools. Ervin saw the separation of government power and private religion as a wall that must not be breached.

Ervin did have his blind spots. Civil rights legislation was one of them. He opposed most such laws, again on constitutional grounds. To Ervin, laws prohibiting discrimination in housing, employment and private accommodations were an encroachment by government on personal liberty. He said civil rights laws were a bogus concept, because they reduced freedom for some while enlarging freedom for others. Nearly every law does that of course.

Evrin's occasional failings could be overlooked—and they were, during the Watergate hearings. His chairmanship of the Select Committee on Presidential Campaign Activities was not Ervin's most important contribution as a senator, but certainly it was one of his finest moments.

In the Watergate conspiracy, abuse of power on an uprecedented scale was pitted against the safeguards of our governmental system. The system prevailed.

Throughout long months of televised hearings, a shocked nation watched as Ervin and his committee, step by step, exposed the extent and depth of the coverup. The committee became a symbol of the law and constitutional system at work. By his manner and his thoroughness, Ervin was a rock of assurance. Through him, Americans gained a new appreciation of the Constitution and its fundamental protections. We saw, as we had never seen before, that the United States is indeed "a nation of laws, not of men."

Ervin loved the law of the Constitution, but he also recognized that law alone cannot guarantee good government. "Americans have come to feel too much-confidence in the constitutional protections they inherited," he said. "They tend to forget that governments are run by mortals and that no system, no matter how carefully devised, can protect fully against abuse."

Ervin returned to that theme in his final statement as chairman of the Watergate committee. The committee had made more than 50 recommendations for legislation to prevent a similar scandal. Many of the recommendations were enacted into law the following year. But Ervin warned that law alone is not the answer. In addition, we must elect to office persons of resolute character and moral integrity.

Throughout his life of service, Ervin embodied those very traits.

[From the Charlotte Observer, Apr. 25, 1985]

SAM ERVIN—A LIFE DEVOTED TO PRINCIPLE

By the time of his death Tuesday at age 88, Sam J. Ervin Jr. was no longer simply a political figure. He had become a mythic figure, a man cherished by his fellow citizens not just for what he had done but for what he had come to represent.

In an age of chaos, Sam Ervin was not confused. His thinking was firmly rooted in the lessons of the Bible, the Constitution and the history of Western civilization. From those sources he had derived principles that guided his actions. He had the courage to follow those principles, unaffected by personal ambition and oblivious to the prodding of political factions.

A FUNDAMENTALIST

Sen. Ervin was a constitutional fundamentalist, in the way many Christians are biblical fundamentalists. He believed the Constitution was the one true guide for American government, and as an elected official he judged every proposed action by his interpretation of that document.

He was rarely in doubt, but by no means infallible. To govern is to choose between competing values; often the choice is difficult. During one of the momentous struggles of his time, the struggle of black Americans for the full rights of citizenship, Sen. Ervin argued passionately that Congress would be violating the Constitution's limits on federal power if it enacted civil rights legislation designed to strike directly at white supremacy in the South. Had it not been for Watergate, Sen. Ervin might have been remembered as simply one more Southern politician who had employed his impressive talents in an ultimately futile defense of an immoral system.

That judgment of him would have been wrong. Sen. Ervin was not devoted to segregation, he was devoted to the Constitution as he read it. In the case of civil rights legislation, that distinction may have made little difference. Over the long span of his life and public career, however, it made all the difference in the world.

PRINCIPLES PERSONIFIED

The attention focused on him during his conduct of the Watergate hearings enabled his fundamental values to come through. It became clear that Sam Ervin was a man who loved his country and cherished its historic devotion to the rule of law. In a wondrous fusing of man and moment, he came to personify the nation's enduring principles, in contrast to the morally hollow men of the Nixon White House.

Sam Ervin was serious about his purpose, but he took himself lightly, His style of speaking was at best meandering. On his journey to a rhetorical point, he often led listeners through historical analogy, courthouse humor and several detours into Bartlett's Familiar Quotations. But, the point was always there, for a powerful intellect and a wealth of experience lay behind his sometimes bumbling manner.

A PLACE IN HISTORY

It is fitting that Sam Ervin has earned an enduring place in his nation's history, for the study of history was his passion.

From that study, he understood that throughout the centuries of perpetual change some things remained the same, and that among those things were the need for principles to live by and for men and women of courage and intelligence to defend those principles against the passions of the day. Sam Ervin was such a man.

ORDER OF BUSINESS

Mr. DOLE. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. BYRD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 9 minutes remaining.

Mr. BYRD. Mr. President, I yield to the distinguished majority leader as much time as he requires.

Mr. DOLE. Mr. President, I thank the minority leader for yielding part of his time.

RESPONSE TO MITTERRAND—EXPAND U.S. FARM EXPORTS

Mr. DOLE. Mr. President, based on preliminary reports, the administration's efforts to obtain agreement from our major Western trading partners on initiation of a new round of negotiations under the general agreement on tariffs and trade [GATT] early in 1986 have foundered on French President Mitterrand's unwillingness—and I do not quarrel with his reasoning—to enter into trade talks in early 1986. This development will only increase difficulties in resisting pressures for trade protection in the Congress, across the United States, and around the world.

President Mitterrand focused his refusal to accept a starting date for a new GATT round on insistence that the agenda exclude the operations of the European Community's [EC] common agricultural policy [CAP]. This blanket exemption would include the EC's use of export restitutions, or subsidy payments, to dump its surplus farm production on the world market as well as protection of the internal EC market through variable tariffs on imports.

It is evident from President Mitterrand's remarks in Bonn that a negotiated resolution of the export subsidy issue will not be possible either this year or in the near future. The United States must face the fact that world trade in agricultural products will continue to reflect a large and possibly expanded role of Government intervention and subsidized trade practices. Further delay will only worsen our export outlook and compound the extreme difficulties facing our farmers, ranchers, food processors, and merchandisers.

The urgent need to become competitive will require Congress to act swiftly in writing the 1985 farm bill to allow U.S. farm prices to reach international levels. I intend to support adjustments in price support loan levels that will restore our competitive position, while protecting basic farm income.

At the same time, we cannot expect U.S. producers to accept a sustained period of lower farm prices without the clear assurance that the Federal Government will do its part in offsetting the anticompetitive effects of foreign subsidies and other trade practices. For this reason, I am recommending that President Reagan and Agriculture Secretary John Block initiate a Bonus Incentive Commodity Export Program [BICEP] to demonstrate U.S. resolve to compete under prevailing conditions in world agricultural trade. They have been spending about $30 to $40 billion in agricultural subsidies in the European Community, and it is a severe problem for the various member countries.

Under the BICEP Program, surplus Government-owned commodities would be offered as bonuses to companies which contract to sell specified quantities of U.S. agricultural products overseas. The Commodity Credit Corporation [CCC] currently holds about $6 billion in inventories, and the total is expected to reach $8.3 billion in fiscal year 1986. These commodities have been bought and paid for under the farm price support programs of the last few years, and will cost $360 million in storage in fiscal year 1986 alone. Their use under the BICEP Program would reduce future budget outlays as well as leveraging increased exports. I ask unanimous consent that a table detailing current and projected CCC inventories and their storage and handling costs be reprinted at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ESTIMATES OF COMMODITY CREDIT CORPORATION INVENTORY HOLDINGS AT END OF FISCAL YEARS 1985 AND 1986 AND INVENTORY STORAGE AND HANDLING COSTS FOR FISCAL YEARS 1985 and 1986

Commodity	CCC inventory-end of year				Inventory storage and handling costs (millions of dollars)	
	Fiscal year 1985		Fiscal yer 1986			
	Quantity	Value (millions of dollars)	Quantity	Value (millions of dollars)	Fiscal year 1985	Fiscal year 1986
Corn (million bushel)	213	703.0	355	1,119.7	83.7	97.8
Soirghum (million bushel)	80	297.6	103	348.6	29.5	32.8
Barley (million bushel)	12	22.8	18	34.4	4.3	5.7
Oats (million bushel)	1.3	1.7	1.5	1.9	0.5	0.5
Total feed grain (million metric ton)	7.7	1,025.2	12.0	1,504.5	118.0	136.8
Wheat (millionbushel)	463	1,797.7	999	3,778.5	135.6	261.6
Soybeans (million bushel)						
Rye (million bushel)	13.2	29.4	15	33.1	2.0	3.7
Rice (million hundredweight)	34.3	292.7	56.1	480.3	28.3	43.4
Honey (million pound	95.4	78.7	123.6	97.7	1.1	1.3
Upland and cotton (thousand bale)	200	76.8	300	110.7	5.4	7.1
ELS cotton (thousand bale)	16	7.2	16	7.2	0.5	0.2
Butter (million pound)	366.9	539.2	181.4	252.3	17.1	10.1
Cheese (million pound)	794.6	1,159.9	687.5	978.6	34.9	26.7
Nonfat dry milk (millionpound)	1,342.3	1,242.2	1,123.8	1,015.5	18.1	14.8
Total		6,249.0		8,258.4	361.0	505.7

Source: CCC Fiscal year 1986 President's Budget.

Mr. DOLE. Mr. President, I think this BICEP Program might be something we could discuss on a bipartisan basis, to help us put together a farm program and perhaps even resolve some of the questions we are facing now, as we try to put together a budget package.

In my view, the President could establish an independent committee, including agricultural representatives, to administer the BICEP Program. I will be discussing possible provisions with administration officials and other Members of Congress this week. Hopefully we can get agreement on the BICEP approach and on complementary action in the 1985 farm bill in the course of the current budget and deficit reduction discussions.

Action by the United States to restore its competitive position in agricultural trade should not be interpreted as retaliatory in nature. We are simply acknowledging what President Mitterrand so clearly identified in

Bonn as an economic fact of life—that farm trade is not, and will not for the foreseeable future, be subject to reasonable restraints under GATT. Until these basic conditions can be changed, the United States must—and will—play by the same rules and do whatever is required to protect the economic interests of our farmers and the agriculture industry.

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin [Mr. PROXMIRE] is recognized for not to exceed 15 minutes.

WHAT'S GOING ON HERE ON CIVIL RIGHTS?

Mr. PROXMIRE. Mr. President, what is going on here? Has the administration flipped its wig? Is it rowing with one oar? All the 28 years this Senator has served in this body, Democratic and Republican administrations have not only favored civil rights, they have pushed its implementation. In fact, as far back as Franklin D. Roosevelt, Presidents have consistently fought for greater opportunity for blacks as well as whites. Go down the list—Truman, Eisenhower, Kennedy, Johnson, Nixon, Ford, and Carter. Under each of those Presidents our Government recognized there was an ugly racist prejudice that too many Americans felt. But no administration ever played to it, until now. Here we have an administration that not only fails to push civil rights. But it is pushing its big nose into the business of municipalities that are trying to correct one of the few truly shameful blots on this great country of ours: The failure to provide true equality of opportunity for our black citizens and for women. Frankly, this Senator can hardly believe what the administration is trying to do in Indianapolis. The Department of Justice, under a prior administration, sued the city for its failure to afford minorities equal opportunity in competition for public jobs. The city and the Justice Department agreed to resolve the suit by establishing an affirmative action program that has resulted, to the city's great credit in hiring some black firefighters and black policemen and some female police officers. The Attorney General and the President of the United States should be taking their hats off to Indianapolis. But what are they doing? The Attorney General is going to court to stop this affirmative action that is overcoming generations of obvious and blatant prejudice that had kept women and blacks from the opportunity to work for city agencies which their taxes support, and that, ironically, was initiated at the request of the Justice Department.

Mr. President, this is not Madison, WI, or Berkeley, CA, or New York City. This is Indianapolis, the home of the Pulliam papers, among the most conservative in America, the city gave this body that fine conservative Republican, U.S. Senator DICK LUGAR who was their mayor. If there is a more conservative big city in the country than Indianapolis, what is it? The President has spoken in ringing terms about the desirability of equal opportunity for all citizens, regardless of race or sex or any other distinction. That is good rhetoric, welcome rehetoric. But who can believe it, when we see what the administration is doing in Indianapolis.

And that is not all, Mr. President, the State of Ohio has established a voting registration program to make registration and voting as convenient to as many Ohio citizens as possible. The program has paid off. In the last election, Ohio enjoyed record voter participation. Incidentally, President Reagan carried the State decisively. But administration is now acting through the Department of Justice to stop the vigorous Ohio voter registration program. Now, Mr. President, for years observers have criticized American democracy for the pitiful feebleness of our voter participation. It has been the shame of our country. In Ohio, the State has put its officials to work to overcome this. They have succeeded spectacularly. Now the administration is going to court to spend your tax dollars and mine to stop it. Why? Why? Is there fear that, if all American citizens vote, in the long run the votes of those who have been less likely to vote in past elections: the poor, the less privileged, the minorities, will begin to have more influence? Mr. President, this Senator has thought about this ridiculous contradiction of a Federal Government going to court to stop a State from increasing voter participation, and I cannot come to any other conclusion except that this administration does not want the citizens who have been nonvoters in the past to vote. They do not want a fuller, truer democracy. If there is another answer, what is it?

Mr. President, I ask unanimous consent that an editorial from the Sunday, May 5, 1985, New York Times, entitled "Affirmative Retreat," be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AFFIRMATIVE RETREAT

Not content with agitating against affirmative action, the Reagan Administration has sued Indianapolis for honoring commitments to desegregate its police and fire departments. The action fits a design to dismantle Federal civil rights enforcement long before the nation has overcome past discrimination.

The Assistant Attorney General for Civil Rights, William Bradford Reynolds, contends that the Constitution and Federal law prohibit using numerical goals in employment. He says there can be no such remedy, no matter how blatent the past bias and no matter how mild the impact on white male job seekers favored in the past.

Mr. Reynolds is once again misreading the law. He is diverting precious resources from unfinished civil rights business and threatening to burden the courts with retrial of settled cases.

Fortunately, every court that has heard his theories has ruled against them. Indianapolis and other cities that have long since made their peace with fair hiring requirements want no more interference with orderly desegregation. Congress should call off this new assault of the law.

When the Justice Department, under different management, sued Indianapolis in 1978, only 11 percent of its police officers and 8 percent of its firefighters were black. Under a consent decree the city agreed to enroll blacks in a quarter of its training classes and to appoint one woman police officer for every four new hires. Blacks now hold 14 and 13 percent of the police and fire positions—gains that city officials hope to enlarge if left alone.

Mr. Reynolds has now sent intimidating letters to 56 governmental employers, warning that the Supreme Court's decision in a Memphis case last year outlaws numerical targets, whether voluntary, court-ordered or negotiated in consent decrees. He refers to a ruling that Memphis, in making budget-induced layoffs, could not ignore the seniority rights of white firefighters in order to retain more recently hired blacks.

But in the case of layoffs, not hiring and promotions, and it ran afoul of an explicit protection of seniority systems that organized labor demanded for supporting the 1964 Civil Rights Act. Mr. Reynolds may want the affirmative action ruled unlawful, but the Court has not done so.

For these and similar attacks on civil rights, Mr. Reynolds is slated for promotion to Associate Attorney General. The Senate need not acquiesce. Congress can also withhold appropriations for Mr. Reynolds's brand of litigation. The path to a color-blind society is forward through accommodation, not back through the turmoil of the past.

Mr. PROXMIRE. Mr. President, I also ask unanimous consent that a letter to the New York Times written on April 23 of this year and printed in the Times on May 5, by Sherrod Brown, the Ohio Secretary of State, also be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OHIO GETS BIG RETURN ON REGISTRATION DRIVE

TO THE EDITOR: As Ohio's chief election officer, I applaud "Get Out the Vote, Now," (editorial, April 5) and its condemnation of the Reagan Administration's harassment of voter-registration programs in Ohio, New York and Texas.

While it can be a delicate matter to use public employees to register voters in states like New York, where registrants state a party preference, under Ohio law, prospective voters cannot select a political party when registering. And no one—including the Administration—has produced any evidence

that our program in state offices has ever been used in a partisan manner. The same is true for New York and Texas. The Administration seems most concerned that so many new voters are being registered.

Ohio's program brought record registration in 1983 and 1984, and voter turnout hit record levels both years. I intend to continue these efforts in 1985 and beyond because I believe that good government comes from participation in the electoral process by as many people as possible. Someday we may even have a President who agrees.

SHERROD BROWN,
Ohio Secretary of State,
Columbus, OH, April 23, 1985.

HOW THE DEFENSE DEPARTMENT STOLE NUCLEAR WINTER

Mr. PROXMIRE. Mr. President, what has happened to the international concern about nuclear winter? The silence about nuclear winter is thundering. We treat this subject the way we would treat a bad case of halitosis by our mother-in-law. We know it. We shudder when we think about it. But no one discusses what we should do about it. It is shocking that we do not. But we do not. Why not? What could be more serious than a finding by the preeminent scientific body in the United States that if this country goes to war with the weapons we are building at a cost of many billions of dollars a year that war would create the clear possibility of a nuclear winter. We have discussed nuclear winter so little. Let me repeat what it would mean. Such a nuclear winter could plunge the Earth into many weeks of darkness and lower normal temperatures by as much as 45 degrees. A drop in temperatures that was even a small fraction of this would wipe out the Earth's wheat crop, result in the death of most plants and animals and create a level of international starvation that could conceivably end life on this planet. Do you ask who says so?

Well, Mr. President, this was not the finding of a group of fanatic peaceniks. It was the product of a study by this country's most prestigious scientific body: the National Academy of Science. Who funded the study and who supports the findings? Answer: the Defense Department of our Government. I repeat. In a study commissioned and supported by the Defense Department the National Academy of Science has found that a nuclear war that used up just half the nuclear weapons capacity of the United States and the Soviet Union would result in the clear possibility that the world would suffer a nuclear winter.

That finding was made available to Congress and the country many months ago. What has been the reaction? Have executive agencies in our Government gone to work to determine what we could do about such a very possible catastrophe? There has been a small amount of activity on the executive side coordinated by the Defense Department. But the nuclear winter studies are weak. And, Mr. President, they are going nowhere. Why do I say that? I say that, Mr. President, because the administration's party line on nuclear winter has been laid down by Richard Perle, the eminence gris of Defense Department policy.

That party line is that nuclear winter has no policy significance. What does that mean? That means that the agencies can go ahead and play with the idea of nuclear winter. They can talk about it. But since the administration has made it clear that nuclear winter is to have no policy significance, the agencies can do nothing about it. This is outrageous. Here is the most significant threat to the survival of mankind in this nuclear age. We know that there is a clear possibility that a nuclear war could kick off a total environmental disaster that could ravish the entire human population of the Earth, and our Government has decided that that grim fact shall be deemed to have no policy significance. In other words, we will do nothing about it.

Mr. President, the administration has made a disastrous mistake in this cavalier handling of nuclear winter. This is a mistake that could have devastating worldwide consequences. But in all honesty, this Senator marvels at the success the Defense Department has achieved in banishing this terrible threat from public consciousness.

A few years ago a number of leading scientists who had studied the effects of dust storms on other planets hypothesized the possibility that a nuclear war would kick up into the atmosphere such an immense amount of soot and smoke from hundreds of burning cities that the rays of the Sun would be obscured with a consequent devastating darkness and drop in temperature. The scientists were from a number of countries. They were highly respected experts. The Defense Department has several options. They could argue with the scientists. They could vigorously dispute and try to discredit their findings. If they had chosen that option the nuclear winter threat would have been kept alive. The dispute could have eventually crystallized a public opinion that would accept nuclear winter for the threat it is. The public might have insisted that elected officials act on it. The Defense Department could have followed another option. They could have ignored the nuclear winter findings. But that strategy ran the risk of provoking more and more scientific inquiry and a gradual widespread acceptance of a scientific theory that had strong and prestigious expert support. So what did the Defense Department do? Well, they selected another strategy. It has worked like a charm for them. They accepted the nuclear winter argument. They commissioned the Nation's top scientific organization to study it.

When the National Academy study commissioned by the Defense Department found nuclear winter was a clear possibility, they authorized further study. Then the Defense Department passed the word: "Nuclear winter shall have no policy significance." Did it work? Did it? It was the coup of the year. Think of it. Here we have the most devastating threat to human existence. We have a threatening environmental disaster that could be the product of a nuclear war. For months there has been virtually nothing said about it on the floor of the House of Representatives or Senate. There have been practically no congressional hearings or investigations since the Joint Economic Committee held a hearing in July 1984. Studies in the administration are creeping along, and I mean creeping as you might expect when the word is passed that nuclear winter will have no policy significance.

Most surprising of all somehow foreign countries throughout the world that would not be involved in nuclear war except as observers and bystanders have issued no audible complaints although they would be devastated by a nuclear winter and suffer intense starvation as a consequence. Just consider the appalling injustice to innocent countries in Europe, Asia, North and South America, and Africa. Here they are going along, minding their own business. They behave as good international citizens. They have no designs on other countries. They cooperate in trying to build a better world through trade and perhaps with foreign assistance. Then a war erupts between the United States and the Soviet Union.

These other countries don't have the slightest part in the difference between the two great superpowers. They attack no one. No one attacks them. No warhead falls in their country. But suddenly a darkness descends on Norway, and Canada, on Mexico and Japan, on Australia and Nigeria and on every other nation on Earth. The darkness persists for many weeks. It is accompanied and followed by a disastrous drop in temperatures. Crops fail. At first animals die. Within a short time there is no food. Entire populations in countries thousands of miles away from the hostilities starve to death.

Does anyone say that scenario cannot happen? Some do. But the American Academy of Science—our most competent scientists tell us that is precisely what could happen in a nuclear winter. So why isn't there a resounding international protest? To read the papers these days, to watch television, to listen to the radio, to

listen to the speeches in our Congress or in world parliaments one would get the impression that no such terrible fate awaits the world if we stumble into a nuclear war. Well, Mr. President, it does.

JOHN NORTON MOORE ON THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, recently each Member of the Senate received a letter from John Norton Moore who is the president of the Conflict Analysis Center. In his letter, Professor Moore outlines several of the most compelling arguments for the immediate ratification of the Genocide Convention.

Professor Moore points out that the United States has severely damaged its credibility as a leading spokesman for human rights by not ratifying the treaty. Totalitarian regimes use our continuing refusal to ratify the treaty as a propaganda device to distract public attention from their own human rights violations. The Soviet Union, in particular, has found the U.S. failure to sign the treaty to be an extremely useful weapon in their anti-American propaganda campaigns. In his letter, Dr. Moore urges this body to ratify the Genocide Convention in order to remove such a powerful weapon from the hands of our enemies.

Professor Moore also offers hope for stopping contemporary attempts at genocide. He correctly states that U.S. ratification of the treaty would focus international attention on contemporary perpetrators of the crime. In addition, should our country become a party to the treaty, the United States would be able to take perpetrator nations to the World Court for their attempts at genocide. For example, if the United States ratifies the treaty, our Government could sue the Iranian Government in the World Court for its attempt to eliminate the Bahais. Until we can take that step, our attempts to stop this wholesale destruction of an innocent people will, most likely, be futile.

Finally, Professor Moore makes an important point about the jurisdiction of the World Court. Some people who oppose the Genocide Convention do so because they fear that the United States will be taken to the World Court on trumped up charges of genocide. However, Dr. Moore explains that other nations can already sue the United States in the World Court for genocide under article 56 of the United Nations charter. Professor Moore further states:

Ratification (of the Genocide Convention) will clarify for the United States the definition of genocide, and it will enable us more easily to rebut false charges with respect to actions of the democracies and their allies and to counter grotesque disinformation by those who would mask their own human rights abuses and debase the real meaning of genocide.

I urge all of my colleagues to read John Moore's letter and the pamphlet which accompanies it before deciding how to vote on this important treaty.

Mr. President, I ask unanimous consent that Dr. Moore's letter to me be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONFLICT ANALYSIS CENTER,
Washington, DC, April 15, 1985.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, DC

DEAR SENATOR PROXMIRE: Enclosed is a copy of the Conflict Analysis Center's pamphlet on United States accession to the Genocide Convention, updated through the close of the 98th Congress. I hope you will find this material helpful as you reach your decision about Senate advice and consent to this fundamental human rights document.

Following a sketch of the treaty's purpose and a table of contents, the pamphlet opens with President Reagan's strong statement of support for United States ratification. Next is an introduction, presenting the treaty's background and importance. The remainder of the pamphlet consists of basic questions and answers; the text of the Convention; the one declaration and three understandings first recommended in 1971 by the Senate Foreign Relations Committee and endorsed by President Reagan in September 1984; Senate Resolution 478 on expeditious action in the 99th Congress; the list of ratifying nations; and statements from a variety of public leaders on the nature and significance of the Convention. Finally, we include information on the Conflict Analysis Center and our development of this pamphlet as an educational contribution to informed discussion of the Convention on the Prevention and Punishment of the Crime of Genocide.

Let me close on a personal note. It is in the clearest moral foreign policy, and national security interest of the United States to ratify this treat without delay. Specifically:

Ratification will restore United States leadership in the continuing effort to end the horror of genocide. United States accession is "a statement of conscience" for a free democratic peoples whose government is founded on the conviction that all men are created equal. To quote William F. Buckley: "We should identify ourselves as approving the proposition that genocide is a violation of international law." The Convention is, at minimum, an important symbolic statement against genocide.

Ratification will remove a propaganda theme available to totalitarian regimes in response to United States pressure to improve human rights. The Soviet Union has sought during the Helsinki talks and elsewhere to deflect attention from its own human rights abuses by asking why the United States has never ratified the Genocide Convention. As Ambassador Jeane J. Kirkpatrick has said: "I believe that the Senate's ratification of the Convention will enhance the standing of the United States in the United Nations and other international organizations. The Soviets and others hostile to the United States have long focused on the United States' failure to ratify the Convention as a part of their anti-American propaganda. It is contrary to our national interest to provide fuel to this campaign."

Ratification will help the United States to direct international attention even more clearly on to contemporary totalitarian genocide, as in the Khmer Rouge attack on the Cham in Cambodia. In the view of Ambassador Max Kampelman: "It would be extremely helpful to the United States internationally were we to ratify the Genocide Convention. It is ludicrous to provide the Soviet Union with a club with which to attack us, particularly since we abide by the Convention's provisions even without ratification, while the Soviets, who have ratified it, come close to violating its provisions."

Finally, we should clearly understand—as the Restatement of the Foreign Relations Law of the United States explains—that genocide already is a crime under customary international law and under Article 56 of the United Nations Charter. Both, of course, are binding on the United States. Indeed, under United States acceptance of the compulsory jurisdiction of the International Court of Justice, a propaganda case of "genocide" now could be filed against the United States in the World Court much as Nicaragua has filed an upside down case against us on Central America. Ratification, which under the proposed declaration will not occur until the Congress and the President have enacted the implementing legislation required by Article V of the Convention, will clarify for the United States the definition of genocide, and it will enable us more easily to rebut false charges with respect to actions of the democracies and their allies and to counter grotesque disinformation by those who would mask their own human rights abuses and debase the real meaning of genocide.

Sincerely,

JOHN NORTON MOORE.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business for not to extend beyond the hour of 1 p.m. with statements therein limited to 5 minutes each.

DR. JOSEF MENGELE—DRUG TRAFFICKER

Mrs. HAWKINS. Mr. President, there is a very large debt we still owe, and it is one that we must continue to work our most diligently to repay.

I refer to the impossible task of compensating the victims of the Holocaust. Revelations of the unspeakable horror of that event continue to manifest themselves. The most recent of these is that Dr. Josef Mengele, the Nazi physician who tortured and murdered thousands at Auschwitz, has been trafficking in illicit narcotics for over a decade and a half.

During a recent Senate inquiry initiated by my colleagues, Senators D'AMATO and SPECTER, it was revealed in declassified CIA documents that Dr. Mengele had been suspected since 1971 of being heavily involved in illegal narcotics trafficking in Paraguay.

According to these reports, while enjoying the protection of that nation's government, Dr. Mengele had been supporting himself by international drug trafficking. Then, in 1979, the CIA's special assistant for coordination of foreign narcotics information asked Federal drug control officials for information on drug trafficking by Dr. Mengele. The CIA indicated in this request that the business owned by Dr. Mengele's family, a German farm machinery manufacturing company with offices in South America, "could serve as a mechanism to move or launder large sums of money, as well as to cover the movement of illicit narcotics."

Mr. President, the documents revealed, as well, that no record of this inquiry, on the part of any Federal drug control agency, exists.

Mr. President, I join my colleagues in asking relevant Federal agencies to commence immediately an active investigation of these charges. As chairman of the Senate Subcommittee on Children, Family, Drugs and Alcoholism, and the Senate drug enforcement caucus, I am all too familiar with the results of successful drug trafficking operations. Individuals who traffic in drugs think nothing of murdering children, assassinating law enforcement officials, and destabilizating entire societies. I think we need no further proof of the inhumanity of this man, a proven trafficker of death and destruction in ways too numerous to mention. I think it is necessary that whatever effort is needed be made to bring this unspeakable criminal to justice. We must ensure that this is done not only for the victims of the Holocaust and their survivors all over the world, but also for the sake of the innocent potential victims of the drugs that are brought to our shores, our children.

I would like to take this opportunity to commend my colleagues, Senators SPECTER and D'AMATO, for their efforts in this regard, and to offer them my assistance in this worthy attempt to see justice done.

ROBERT FUJIMOTO: HAWAII'S SMALL BUSINESSMAN OF THE YEAR

Mr. MATSUNAGA. Mr. President, the vitality of small business is perhaps the best gauge of our Nation's economic health, accounting as it does for 60 percent of all private sector employment and 90 percent of all newly created jobs in recent years. I bring this cogent fact to the attention of my colleagues because this week has been proclaimed "Small Business Week," and we may better know why we pause to salute those bold and able entrepreneurs responsible for the creation of jobs, income, and innovation so essential to a robust national, State, and local economy. It is significant, Mr. President, that this observance should come at a time when the Congress is prepared to act on whether or not the institutional advocate for small business within the executive branch of the Federal Government, the Small Business Administration [SBA], should be shut down.

However, this issue is not the reason for my rising to address this body. Rather, I rise to recognize the 50 Small Business Persons of the Year, representing all 50 States of the Union, who will be honored at a reception this evening in the Russell Senate Office Building Caucus Room. Representing the Aloha State will be the small businessman of the year, Mr. Robert M. Fujimoto, president of HPM Building Supply of Hilo on the big island of Hawaii. His is a family enterprise which has thrived for four generations, surviving two natural disasters which would have destroyed a less resolute clan.

In 1921, Kametaro Fujimoto, Robert's grandfather, opened the business in Hilo, where he sawed and planed rough timbers, imported from the mainland, into finished dimensions for sale to building contractors. His son, Barney, took over in 1929, and added construction supplies, such as paint, plumbing, and hardware. The company dropped its lumber operations when a tsunami—a huge tidal wave—wiped out the lumber mill in 1946. Robert Fujimoto assumed management leadership from his father, Barney, in 1954, when he was appointed executive vice president and general manager.

The company had just relocated to larger quarters when a second tsunami struck in 1960, destroying the new facility and carrying the entire inventory out to sea. With community support, and Federal assistance, the Fujimoto family and their employees rebuilt their business from scratch once more. A key factor in their ability to recover from this devastating blow was a $650,000 disaster assistance loan from the SBA. In 1968 Bobby, as he is popularly known, was able to refinance this loan, under the SBA's guaranteed loan program, and to generate the resources with which to expand. He established a corrugated metal roll-forming facility, reintroduced lumber, and added a truss manufacturing plant, plus a facility to pressure-treat lumber against the ravages of tropical termites, and a prehung door assembly operation as well as a computerized accounting system.

Without a helping hand from the Federal Government to pick himself up after mother nature's knock-out blow, however, Bobby Fujimoto would not be in business today. We maximized the assistance he received, because last year his total sales exceeded $18 million and he shared his success with 112 employees, all of whom participate in the company's stock ownership plan which he instituted in 1977. His reputation for business resourcefulness caught the attention of executives at C. Brewer & Co., oldest of Hawaii's so-called big five corporate giants in Honolulu; they sought out Bobby's counsel and elected him to their board of directors.

Despite the demands of his business, Bobby Fujimoto has given freely and generously of his time to his community, and, indeed, to his State, by way of community service. He has won awards for his dedication to scouting and has been a leader in United Way campaigns. He has served as a member of the Hawaii State Board of Lands and Natural Resources and has chaired the University of Hawaii's Board of Regents.

Today his son, Michael, has relieved him of day-to-day responsibilities for this fourth-generation family enterprise, which has withstood two tsunamis and many turns of the business and construction cycle down through the years.

Mr. President, I began these remarks by saying that my reason in rising to address my colleagues was not to speak to the issue of the SBA's continuance but to salute a constituent small businessman who has gained national recognition, because he has survived and prospered against great odds. In telling his story, however, I submit that I have made a compelling case for SBA's own survival. And with the vitality of people like Robert Fujimoto who makes the most of a little timely help from Uncle Sam, the Nation's economy will continue to persevere.

EULOGY TO MILTON EISENHOWER: WISE COUNSELOR

Mr. MATSUNAGA. Mr. President, with the death of Dr. Milton Eisenhower at the age of 85, one of the wisest voices in American public life has been stilled. He was a man of vast administrative experience in the fields of agriculture and education, a scholar of Latin-American relations and the American Presidency, and one whose counsel was sought by every occupant of the White House from Calvin Coolidge to Richard Nixon. While his older brother's prominence as a military leader, college president, and our Nation's Commander in Chief was compressed within two decades, Milton Eisenhower's own illustrious career spanned over six decades.

His obituaries recount his many and varied missions for Presidents Franklin D. Roosevelt, Harry S. Truman, his brother Ike, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon. Earlier he had been a ranking agricultural official to Presidents Calvin Coo-

lidge and Herbert Hoover. Yet this astute counselor to Presidents remained very much his own man and became one of the most discerning commentators on the Oval Office and critic of its occupants.

By strange coincidence, Milton Eisenhower died last Thursday, the same day on which I introduced legislation to implement the recommendations of the Commission on Wartime Relocation and Internment of Civilians and spoke of the necessity to right this unprecedented injustice and blot on our Nation's past. Milton Eisenhower was President Roosevelt's choice to head the War Relocation Authority set up to carry out the dictates of the infamous Executive Order 9066, a position he held for only 90 days before resigning. In his memoirs he faulted President Roosevelt for succumbing to wartime hysteria in issuing that order which, he said, subjected to evacuees to "indignities of historic proportions" and "need not have happened."

He was not alone in this opinion at the time. Attorney General Francis Biddle counseled against it, FBI Chief Hoover believed it was unwarranted, War Secretary Henry Stimson and his assistant, John J. McCloy, had their reservations, but Dr. Eisenhower alone acted on his principles and convictions.

This is part of the Milton Eisenhower story my colleagues may not all be familiar with, Mr. President, and it is well that they should.

When the civil turmoil of the sixties was at its height and lawlessness seemed out of control it was to Milton Eisenhower that Lyndon Johnson turned to head a study of the causes of violence in our country, an assignment he carried out with great wisdom and conviction. In part, I would submit, that conviction sprang from his wartime experience with the Japanese-American relocation effort when he witnessed how our most cherished ideals which bind Americans into a great society can be abandoned in the heat of public passions and prejudices.

Dr. Eisenhower made a life-long study of United States-Latin American relations and his 1963 book on the subject was a best seller. From this vantage point, this lifelong Republican was an outspoken critic of the current administration's Central American policies, pointing out that its military initiatives were only serving to drive our neighbors closer to Cuba and the Soviet Union. He was also outspoken in his opposition to the administration's earlier Draconian cures for inflation.

In paying tribute to the memory of Milton Eisenhower, Mr. President, it may be well for us to recall his longtime opposition to Federal deficits and the pernicious effects of incurring them. He likened the practice of engaging in deficit financing to the practice of taking sleeping pills in order to gain slumber. One or two tablets can be tolerated, perhaps more, but take enough of them and you are dead. I would remind my friends on the other side of the party aisle that the last President to take Dr. Eisenhower's advice on this score was his brother.

To honor posthumously a great American and citizen of the world, I suggest we strive to do better.

Mr. CRANSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mr. CRANSTON. Mr. President, I want to express my thanks to our colleague from Hawaii for calling to the attention of Senators the record of Milton Eisenhower's resignation as Director of the War Relocation Board after only 90 days following his appointment by President Roosevelt.

The relocation of Americans on account of race and nationality is a stain on our honor and it is one we must not forget.

I knew Milton Eisenhower in those days. Along with him, I opposed the relocation of Japanese Americans in the first place. It was a matter of honor with Milton Eisenhower who resigned his post after he learned what it was all about. I had the greatest respect for him and I thank my colleague for drawing attention to that little bit of very significant American history.

THEODORE H. WHITE

Mr. MOYNIHAN. Mr. President, on my way to the floor just now I mentioned to a colleague that today is Theodore H. White's 70th birthday, and that I proposed to call this to the attention of the Senate. My friend was seized by the idea. Could Teddy White be 70? But of course. He had read "Fire in the Ashes" when he himself was barely out of high school. He had read everything since. One majestic chronicle after another. His father had done so as well. It was a bond they had together. The son who went into American politics; the father who, in a sense, followed him there, sharing his experiences through those volumes. "You know," he said, "most of us around here have been in those meetings, some of them, those rooms, those people. But millions of Americans have never been, never could be, until Teddy White asked them to come along. Told how Lyndon Johnson looked at the end of the strategy session; what Sam Rayburn said under his voice, what Clark Clifford had meant to say; what Wal Rostow had decided was best left unsaid. When Bobby Kennedy heard."

In the long life of the American Republic there has been no such oeuvre. He has not only written our history, he has become part of it. Much as Macaulay looms larger in our minds today than all those Whigs he wrote about, I cannot doubt that Americans of the next century will have a greater sense of Theodore H. White than of the Presidencies, even perhaps the Presidents whose brief authority he has captured with a rigor of mind and love of country that is without equal, and happily with a still questing restlessness that promises not merely more, but more and better, for the best of Teddy White is yet to be.

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTIONS SIGNED

At 12:43 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolutions:

H.J. Res. 195. Joint resolution designating May 1985 as "Older Americans Month"; and

H.J. Res. 258. Joint resolution to designate May 6, 1985, as "Dr. Jonas E. Salk Day".

The enrolled joint resolutions were subsequently signed by the President pro tempore [Mr. THURMOND].

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1042. A communication from the Secretary of Energy transmitting, pursuant to law, the Annual Report on Use of Alcohol in Fuels; to the Committee on Energy and Natural Resources.

EC-1043. A communication from the Secretary of the Interior transmitting, pursuant to law, the Annual Report on Research and Demonstration Projects in Alternative Coal Mining Technologies; to the Committee on Energy and Natural Resources.

EC-1044. A communication from the Secretary of Energy transmitting, pursuant to law, a report on biomass energy and alcohol fuels programs; to the Committee on Energy and Natural Resources.

EC-1045. A communication from the Chairman of the Nuclear Regulatory Commission transmitting, pursuant to law, a report on abnormal occurrences at licensed nuclear facilities in the third quarter of 1984; to the Committee on Environment and Public Works.

EC-1046. A communication from the Under Secretary of Labor transmitting, pursuant to law, a proposed plan for assisting workers adversely affected by imports of steel products; to the Committee on Finance.

EC-1047. A communication from the President of the United States transmitting, pursuant to law, a report on his intention to designate 32 countries as least-developed beneficiary developing countries for purposes of the Generalized System of Preference Program; to the Committee on Finance.

EC-1048. A communication from the Executive Secretary of the Foreign-Trade Zones Board transmitting, pursuant to law, the 44th Annual Report of the Board; to the Committee on Finance.

EC-1049. A communication from the Acting Archivist of the U.S. transmitting a draft of proposed legislation to permit the Archivist to use funds generated by the recovery of silver from the destruction or processing of film to support the processing of archival records; to the Committee on Governmental Affairs.

EC-1050. A communication from the Administrator of the Veterans Administration transmitting, pursuant to law, a report on a computer matching program between State Licensing Records and certain VA Records; to the Committee on Governmental Affairs.

EC-1051. A communication from the Solicitor of the Commission on Civil Rights transmitting, pursuant to law, the Commission's Government in the Sunshine Act report; to the Committee on Governmental Affairs.

EC-1052. A communication from the Under Secretary of Labor transmitting, pursuant to law, the Department's Freedom of Information Act report; to the Committee on the Judiciary.

EC-1053. A communication from the Executive Director of the U.S. Naval Sea Cadet Corps transmitting, pursuant to law, the Corps 1984 annual audit report; to the Committee on the Judiciary.

EC-1054. A communication from the Chief Justice of the United States transmitting, pursuant to law, amendments to the Federal Rules of Civil Procedure; to the Committee on the Judiciary.

EC-1055. A communication from the Chief Justice of the United States transmitting, pursuant to law, amendments to the Federal Rules of Criminal Procedure; to the Committee on the Judiciary.

EC-1056. A communication from the Chief Justice of the United States transmitting, pursuant to law, amendments to the Federal Rules of Bankruptcy Procedure; to the Committee on the Judiciary.

EC-1057. A communication from the Deputy Director of the Administrative Office of the U.S. Courts transmitting, pursuant to law, a report advising that no uniform percentage adjustment needs to be made at this time in the dollar amounts relating to bankruptcy proceedings; to the Committee on the Judiciary.

EC-1058. A communication from the Acting Attorney General of the U.S. transmitting a draft of proposed legislation to authorize appropriations for the Department of Justice for fiscal year 1986; to the Committee on the Judiciary.

EC-1059. A communication from the Controller of the Boys Clubs of America transmitting, pursuant to law, the Boys Clubs audited financial report for 1984; to the Committee on the Judiciary.

EC-1060. A communication from the Acting Assistant Attorney General of the U.S. transmitting, pursuant to law, the Department's annual Ethics in Government report; to the Committee on the Judiciary.

EC-1061. A communication from the Chief Immigration Judge, Department of Justice, transmitting, pursuant to law, a report on grants of suspension of deportation pursuant to section 244(a) (1) and (2) of the Immigration and Nationality Act; to the Committee on the Judiciary..

EC-1062. A communication from the Under Secretary of Labor transmitting, pursuant to law, the Department's 1983 Fair Labor Standards Act report; to the Committee on Labor and Human Resources.

EC-1063. A communication from the Chairman of the National Commission on Libraries and Information Science transmitting, pursuant to law, the Commission's 1984 Annual Report; to the Committee on Labor and Human Resources.

EC-1064. A communication from the Chairman of the Railroad Retirement Board transmitting, pursuant to law, the Board's Annual Report for 1983; to the Committee on Labor and Human Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-190. A joint resolution adopted by the General Assembly of the State of Virginia; to the Committee on Agriculture, Nutrition, and Forestry:

"HOUSE JOINT RESOLUTION No. 294

"Whereas, the food stamp program is completely funded by the Federal government, but it is administered by the various states which have no control over the regulations; and

"Whereas, eligibility for food stamps is based on income and financial assets, and a family of four with income of less than $12,870 might qualify for some assistance, but the rules are complex; and

"Whereas, 412,000 Virginians receive an average grant of $41 per month which averages out to approximately 45¢ to 47¢ per person per meal; and

"Whereas, the stamps cannot be used for alcohol, tobacco, ready-to-eat hot food, pet food, or medicines, and this list of exemptions also includes basic necessities such as soap and detergent; and

"Whereas, hunger alone is a devastating problem to many who have little to eat, but a larger blow to the human spirit can occur due to deprivation of basic hygiene; now, therefore, be it

"Resolved by the House of Delegates, the Senate concurring, That the General Assembly of Virginia does hereby memorialize the Congress of the United States to consider the allowance of items of hygiene such as soap and detergent to be purchased with food stamps by recipients; and, be it

"Resolved further, That the Clerk of the House of Delegates, prepare a copy of this resolution to be sent to the Congressional Delegation from Virginia, the Speaker of the House of Representatives, the President of the United States Senate, and the Secretary of the Department of Health and Human Services to apprise them of the sense of the General Assembly of Virginia."

POM-191. A concurrent resolution adopted by the General Assembly of the State of Pennsylvania; to the Committee on Appropriations.

"RESOLUTION

"Whereas, the National Railroad Passenger Corporation, known as Amtrak, serves the citizens of this Commonwealth; and

"Whereas, our citizens' use of Amtrak has increased continuously since 1971 to the point where 4,500,000 persons used Amtrak in 1984 to arrive in and depart from points in our Commonwealth, involving the use of 51 trains; and

"Whereas, Amtrak directly employes 3,242 citizens of this Commonwealth, with annualized earnings of approximately $85,800,000 per year; and

"Whereas, through the purchase of supplies, equipment and other services in this Commonwealth during 1984, Amtrak expended $76,500,000; and

"Whereas, Amtrak has continually improved the quality of its service and its financial position by recovering 60% of its revenue from the fare-box, which is a 12% increase over the past four years; and

"Whereas, the number of passengers carried has increased to the point where Amtrak transported 22,000,000 people in 1984 and is expected to increase that amount by 2% to 3% in 1985; and

"Whereas, the budget presented to the Congress of the United States by the President would, if enacted, deprive Amtrak of the Federal funding required for its continued existence; and

"Whereas, the effective elimination of Amtrak would result in serious adverse economic consequences to this Commonwealth and its citizens in terms of loss and investment, loss of income to equipment and supplies contractors with Amtrak, loss of rail passenger service, loss of jobs and a concomitant strain on the Railroad Retirement System by the loss of many contributors to that system; therefore be it

"Resolved, (the House of Representatives concurring), That the General Assembly memorialize the Congress of the United States to permit the continuation of Amtrak to serve this Commonwealth as it has in the past; and

"Be it further resolved, That the Congress of the United States is memorialize to provide sufficient funding through appropriation of those amounts of money necessary to keep Amtrak, in fiscal year 1986, in at least as sound a position operationally and financially as it has been in fiscal year 1985; and

"Be it further resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress, to each member of Congress from Pennsylvania and to the Honorable Elizabeth Dole, Secretary of Transportation, United States Department of Transportation, 400 Seventh Street, SW, Washington, DC, 20590."

POM-192. A resolution adopted by the Senate of the State of Arizona; to Committee on Foreign Relations.

"SENATE RESOLUTION 1001

"Whereas, the Arizona State Senate is justly proud of its long and unyielding commitment to the civil liberties of freedom loving and oppressed people everywhere; and

"Whereas, it has been brought to the attention of the Arizona State Senate that the civil liberties of Greek Orthodox Christians living in Turkey have been repeatedly threatened and denied; and

"Whereas, the military junta headed by General Evren in Ankara has decreed that Turkish citizens of Greek descent cannot buy or sell real estate, thus creating the expectation that their homes and businesses will be confiscated; and

"Whereas, Turkish officials recently visited the worldwide center of Orthodox Christianity known as Ecumenical Patriarchate and registered and declared all sacred items within the Center as the national property of Turkey; and

"Whereas, Turkish officials have reduced the famous Greek Orthodox School of The-

ology on the island of Halki to the status of a modest high school with a Turkish principal; and

"Whereas, Turkish law requires a permit for any repair work to Christian churches, schools, businesses or homes if the cost of such repair exceeds an equivalent of two American dollars and such permits are systemically denied to Greek Orthodox residents of the country; and

"Whereas, there are continuous efforts to seize the income-producing properties willed by Greek Orthodox people to the famous hospital in Balukli, Istanbul, which treats all members of the community regardless of religion or nationality; and

"Whereas, at least three hundred Greek Orthodox families were forced to flee Turkey last year because of these and other oppressive conditions; and

"Whereas, the ethnically Greek population of Turkey has declined from one-half million at the turn of the century to fewer than five thousand of whom nearly ninety-two per cent are age sixty-five or older; and

"Whereas, these facts strongly suggest a Turkish policy of active persecution of those of Greek descent. Therefore

"Be it resolved by the Senate of the State of Arizona:

"1. That the Members of the Arizona State Senate respectively request that the United States Government investigate these charges and, if substantiated, petition the Government of Turkey to institute policies to protect the civil liberties of Orthodox Christians.

"2. That the Secretary of State of the State of Arizona transmit copies of this Resolution to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States and to each Member of the Arizona Congressional Delegation."

POM-193. A concurrent resolution adopted by the Legislature of the State of Arizona; to the Committee on Banking, Housing, and Urban Affairs.

"HOUSE CONCURRENT MEMORIAL 2002

"Whereas, a sound, stable money system is vital to a free nation to protect the economic and political liberty of the people; and

"Whereas, the present money system, the Federal Reserve, was established to end the "boom and bust" cycles, to stabilize the currency, to end farm foreclosures and to provide for expansion of the money supply when needed; and

"Whereas, since the introduction of the present money system, the Federal Reserve, our states and our people have suffered recurring recession cycles, a loss of ninety per cent of the purchasing power of the dollar and farm foreclosures of thousands per week during the Great Depression of the 1930's and the 1981-1983 depression; and

"Whereas, the Federal Reserve has provided for the expansion of our money supply, but under their system they charge us interest on every Federal Reserve dollar in circulation; and

"Whereas, no other issue affects our states and our people as directly because labor, farmers and businesses are absolutely dependent on the nation's money system and may be in grave danger in the near future without major reforms; and

"Whereas, serious charges have been made that the Federal Reserve has failed to achieve the objectives laid down when it was established, that the present debt-money system works to the disadvantage of the people and results in ever-higher interest rates for people, business and government, that violations of prudent bank management practice by large United States banks in making loans all over the world have placed this nation, our banking system and our taxpayers in dire jeopardy and that the Congress of

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POM-194. A resolution adopted by the Senate of the State of Hawaii; to the Committee on Finance.

"SENATE RESOLUTION No. 189

"Whereas, the State of Hawaii presently depends on imported oil for more than 90 per cent of its energy requirements, at a cost of over $1 billion a year, representing nearly 10 per cent of the gross state product; and

"Whereas, Hawaii's consumers who own energy conservation devices saved $27 million on their utility bills in 1983 alone, displacing 365,000 barrels of oil; and

"Whereas, the majority of those claiming tax credits in the State report adjusted gross incomes of between $20,000 and $40,000, and from 1983 to 1985, the proportion of low-income claimants, or those with adjusted gross incomes under $20,000, grew from 12 per cent to 22 per cent; and

"Whereas, 329,500 dwelling units in Hawaii do not yet benefit from the installation of a solar water heating system or energy conservation device, representing approximately 84 per cent of the residential housing market; and

"Whereas, federal energy tax incentives stimulate Hawaii's emerging solar industry and create jobs, achieve positive environmental impacts by utilizing the energy available at the site, accelerate new technological development, increase the security and reliability of our energy supply, counterbalance long-standing subsidies to conventional fuel sources and energy costs, and provide our citizens with the opportunity to increase their own energy independence; and

"Whereas, the energy tax credits have been an effective economic incentive to encourage individuals and businesses to invest in energy efficiency and renewable energy technologies; and

"SENATE RESOLUTION 89

"Whereas, Hawaii's overwhelming complement of renewable energy resources makes possible the widespread utilization of solar energy for water heating, electricity production, and heat processing; and

"Whereas, the best interests of the people and the State of Hawaii are served by preserving the energy tax credits, which, studies have shown, directly contribute to the growth of the solar industry in those states which also have enacted energy tax incentives; and

"Whereas, the State of Hawaii supports a balanced United States energy policy; now, therefore, be it

"Resolved by the Senate of the Thirteenth Legislature of the State of Hawaii, Regular Sesssion of 1985, that this body vigorously supports extension of the federal energy tax credits, now due to expire on December 31, 1985, until December 31, 1990, and urges the United States Congress to take timely action this year to ensure their continuation; and

"Be it further resolved, that certified copies of this Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of Energy, and Hawaii's congressional delegation."

POM-195. A resolution adopted by the Northeast Region of the Republican National Hispanic Assembly supporting the President's policies in Central America; to the Committee on Foreign Relations.

POM-196. Joint resolution adopted by the Commonwealth of Virginia; to the Committee on the Judiciary.

"HOUSE JOINT RESOLUTION No. 268

"Whereas, on January 6, 1982, the Arlington-Fairfax Medical Center in Virginia was bombed, nearly causing injury to one person; and

"Whereas, on May 26, 1983, the Hillcrest Clinic in Norfolk, Virginia, was destroyed by arson; and

"Whereas, on February 17, 1984, the Hillcrest Clinic was damaged by six pipe bombs; and

"Whereas, there have been thirty bombings or fires set at abortion clinics and family planning centers in the United States since 1982; and

"Whereas, such incidents of terrorism are dramatically increasing with twenty-four clinic bombings occurring in 1984 alone; and

"Whereas, it becomes inevitable that injuries and deaths will follow as results of continued violence; and

"Whereas, the Constitutions of the United States and the Commonwealth of Virginia provide a peaceful, politically legitimate means for redressing grievances; and

"Whereas, the laws of the United States and the Commonwealth of Virginia specifically proscribe acts of violence as instruments for political change; and

"Whereas, on January 3, 1985, Ronald Reagan, President of the United States, condemned abortion clinic bombings "in the strongest terms," has vowed to do all in his power "to assure that the guilty are brought to justice" and has ordered an all-out federal effort to find those responsible for the "violent anarchist activities"; now, therefore, be it

"Resolved by the House of Delegates, the Senate concurring, That all such acts of violent terrorism heretofore referred to will not be countenanced by the General Assembly of Virginia and are hereby condemned; and, be it

"Resolved further, That the General Assembly of Virginia expresses its stalwart support for the efforts of the President of the United States to end the bombings and to punish under the law those responsible; and, be it

"Resolved finally, That the Clerk of the House of Delegates transmit copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Delegation to the Congress of the United States in order that they may be apprised of the sense of the General Assembly of Virginia.

POM-197. Joint resolution adopted by the Legislature of the State of Nevada; to the Committee on the Judiciary.

"SENATE JOINT RESOLUTION No. 4

"Whereas, Many languages are spoken in the United States by people of diverse cultural backgrounds and heritages; and

"Whereas, This multiplicity of languages has helped to foster an enormous diversity

of customs and practices among the American people; and

"Whereas, Despite this diversity, the inability to communicate in the English language imposes severe limitations on a person's ability to understand and participate in the vital issues affecting American society; and

"Whereas, The English language is essential in maintaining our national and cultural unity as Americans; now, therefore, be it

"Resolved by the Senate and Assembly of the State of Nevada, jointly, That the Nevada legislature hereby urges the Congress of the United States to:

"1. Repeal the federal statutes which require ballots for elections in languages other than English; and

"2. Propose an amendment to the Constitution of the United States making English the official language of the United States; and be it further

"Resolved, That the legislative counsel forthwith transmit copies of this resolution to the Vice President of the United States as President of the Senate, the Speaker of the House of Representatives and each member of the Nevada congressional delegation; and be it further

"Resolved, That this resolution becomes effective upon passage and approval."

POM-198. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Commerce, Science, and Transportation.

"LEGISLATIVE RESOLVE NO. 8

"Be it resolved by the Legislature of the State of Alaska:

"Whereas Alaskan air carriers are recipients of federal funding under the U.S. Department of Transportation Essential Air Service program; and

"Whereas the President of the United States has proposed a budget for fiscal year 1986 that would eliminate the Essential Air Service program; and

"Whereas under the Airline Deregulation Act of 1978 (P.L. 95-504) Congress provided that the program would continue until 1988; and

"Whereas more than 38 Alaska communities would be directly and adversely impacted, and dozens of others would be indirectly impacted by elimination of the funding; and

"Whereas the Essential Air Service program provides communities with necessary passenger and cargo service; and

"Whereas a lack of a state highway system forces people in Alaska to be dependent on air travel; and

"Whereas Alaskan air operartors have been developing free market alternatives consistent with the deregulation of air transportation and the scheduled termination of the subsidy in 1988; and

"Whereas a reduction or elimination of funds for the Essential Air Service program at this time will almost certainly cause a reduction or elimination of air service to those communities where it is not economically feasible to maintain present service without this program; be it

"Resolved by the Alaska State Legislature that Congress fully fund the Essential Air Service program and that the U.S. Department of Transportation adhere to the scheduled 1988 timetable for elimination of the program."

POM-199. Joint resolution adopted by the Legislature of the State of California; to the Committee on Environment and Public Works.

"ASSEMBLY JOINT RESOLUTION NO. 11

"Whereas, The Louisiana-Pacific and Simpson Paper Company pulp mills have been operating in Humboldt County for 20 years with no detrimental impact on water quality; and

"Whereas, The two mills have been continually monitored by the State of California water quality agencies and have always met the state's strict standards; and

"Whereas, The companies, the state agencies, local governmental officials, area residents, and representatives of major environmental groups agree that further treatment of the effluent from the pulp mills would have no beneficial effect, but instead would create environmental burdens, including offensive odors, increased air pollution, and increased energy consumption; and

"Whereas, The United States Congress recognized that construction of secondary treatment plants at the two mills would produce harmful environmental effects with no environmental benefits and therefore passed an amendment permitting these two uniquely situated mills to apply for a waiver from the Environmental Protection Agency rule requiring secondary treatment; and

"Whereas, The Environmental Protection Agency chose to tentatively deny those applications for waiver; now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Environmental Protection Agency to reverse its tentative decision, and grant a waiver to the Louisiana-Pacific and Simpson Paper Company mills in Humboldt County so that unnecessary environmental and economic costs can be avoided; and be it further

"Resolved, That, if the variance is granted, the mills are requested to continue to adhere to the strict environmental standards of the State of California and to fund research in water pollution control that can be shared with similar mills throughout the state and nation; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Administrator of the Environmental Protection Agency."

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. DANFORTH, from the Committee on Commerce, Science, and Transportation:

Douglas A. Riggs, of Alaska, to be General Counsel of the Department of Commerce.

(The above nomination was reported from the Committee on Commerce, Science, and Transportation with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GORTON:

S. 1072. A bill to amend the Federal Election Campaign Act of 1971 to increase individual and party participation, to provide for the adjustment of contribution limits, and to allow candidates to control expenditures made on their behalf; to the Committee on Rules and Administration.

By Mr. BAUCUS (for himself and Mr. ROCKEFELLER):

S. 1073. A bill to amend the Stevenson-Wydler Technology Innovation Act of 1980 for the purpose of improving the availability of Japanese science and engineering literature in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MATSUNAGA:

S. 1074. A bill to direct the Attorney General to study the problems of indigent, elderly immigrants who wish to return to their home countries but cannot afford to pay the transportation costs to do so; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 1075. A bill to authorize and direct the General Accounting Office to audit the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and Federal Reserve banks and their branches; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEVIN:

S. 1076. A bill for the relief of Denise Glenn; to the Committee on the Judiciary.

By Mr. KASTEN:

S. 1077. A bill to amend the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) to provide authorization of appropriations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KASTEN (for himself, Mr. DANFORTH, Mr. PACKWOOD, and Mr. GORTON):

S. 1078. A bill to amend the Federal Trade Commission Act to provide authorizations of appropriations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GOLDWATER (for himself and Mr. HOLLINGS):

S. 1079. A bill to provide authorization of appropriations for activities of the National Telecommunications and Information Administration; to the Committee on Commerce, Science, and Transportation.

By Mr. PACKWOOD:

S. 1080. A bill to amend the Federal Railroad Safety Act of 1970 to authorize additional appropriations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself, Mr. ABDNOR, Mr. BAUCUS, Mr. DODD, Mr. EAST, Mr. EXON, Mr. HARKIN, Mr. HATCH, Mrs. HAWKINS, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Mr. MATTINGLY, Mr. MCCLURE, Mr. MELCHER, Mr. NUNN, Mr. PRESSLER, Mr. RIEGLE, Mr. SPECTER, Mr. STEVENS, Mr. SYMMS, Mr. THURMOND and Mr. ZORINSKY):

S.J. Res. 131. Joint resolution to designate the week of June 2, 1985, through June 8, 1985, as "Future Problem Solving Program Week"; to the Committee on the Judiciary.

By Mr. DANFORTH:

S.J. Res. 132. Joint resolution designating October 1985, as "National Head Injury

Awareness Month"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GORTON:

S. 1072. A bill to amend the Federal Election Campaign Act of 1971 to increase individual and party participation, to provide for the adjustment of contribution limits, and to allow candidates to control expenditures made on their behalf; to the Committee on Rules and Administration.

FEDERAL ELECTION REFORM ACT

Mr. GORTON. Mr. President, the major problem with a republican form of government, as James Madison suggested in Federalist Paper No. 10, is in controlling the tendency to faction without restricting the liberty of interest groups. By proposing certain structural political restraints, Madison sought to avoid the problem of interest groups coalescing to implement bad laws and influence Government in a manner which was not in the general interest. Although Madison argued that greater citizen participation would increase the number of competing viewpoints and therefore would best represent the public's interest, he could not have foreseen the monumental growth in the number of interest groups and their political influence, nor the resulting increase in their importance as a source of funding for Federal election campaigns.

The legislation I am introducing today attempts to help reestablish the balance in the political process, in the manner that Madison initially envisioned, by amending the Federal Election Campaign Act of 1971. These proposals are similar to a measure I introduced 2 years ago, S. 732.

A lingering and widespread public perception exists that the proliferation of political action committees has skewed the political process so that special interests unduly influence Federal elections. The result of this perception is that PACs are vilified, the electoral process is demeaned, and unfounded accusations are cast upon the relationship between PACs and candidates whose campaigns are supported by PACs.

To the extent that a political action committee raises the political awareness of its members, and encourages them to contribute to candidates in a direct manner—as opposed to indirect or independent expenditures—the political action committee system is a good and vital development in our political process. Through PACs, more people than ever before are participating in political activities.

The PAC system becomes troublesome, however, when it overshadows the participation of individuals and political party organizations. An editorial in last week's Washington Post alluded to this imbalance by pointing out that although overall campaign expenditures decreased in 1984 elections, the percentage of PAC contributions in Federal campaigns continued to rise rapidly. Under the current system, individuals generally give money to a PAC's general fund, whose contributions are often controlled by the organization's Federal lobbyists. The level of participation is too frequently nominal and amounts only to the writing of a check or to allowing a payroll deduction. The members have little control over which candidates ultimately receive their contributions.

When encouraging and coordinating member participation in the political process, PACs are at their finest. But by building central warchests to allow lobbyists to assert direct political influence through large campaign contributions, PACs raise questions about the responsiveness of our political system. We must focus on developing the positive role of PACs, and attempt to minimize the negative.

The legislation I propose today assumes not that the political finance system is corrupt or out of control, but that it needs some overdue adjustments. My intent is to encourage a balance among the three sources of campaign funds—individuals, political parties, and PACs—while respecting the first amendment's constitutional guarantee of free speech.

First, my proposal seeks to strengthen the relative ability of individuals to participate in the electoral process. Second, the legislation is designed to increase significantly the role of political parties in financing elections. Third, I am proposing a method for certain candidates to gain control over independent expenditures that are actually indirect campaign contributions. These expenditures often initiate negative campaigns that effectively remove the control of a campaign's agenda from a candidate. Finally, my legislation contains a proposal which would reduce the existing advantage the law provides to wealthy candidates for Congress.

My first proposal for increasing individual participation in campaigns is to encourage PACs to act more frequently as a conduit for contributions to candidates specified by the PACs members.

The law currently allows PACs to act as conduits for contributions that their members have earmarked for specific candidates. Most PACs, however, do not inform their members of this option, preferring to allow the PAC directors to decide where the contributors' funds will best be used. This legislation would simply require PACs, in each written and verbal solicitation, to inform their members of their earmarking option. Rather than dilute the ability of PACs to form a cohesive and influential group, this proposal would allow PACs to increase their capacity to serve as the focal point of members' political activities.

A few PACs already allow for directed contributions. My provision would ensure that PACs fully encourage active citizen participation in the electoral process. Because political action committee members may elect to forego the right of directing their contributions, a large proportion of a PACs funds could probably still be controlled by the directors of each PAC.

The second major change proposed by this legislation would increase significantly—by tripling the current contribution limits—the authority of political parties to contribute to the campaign efforts of their candidates. This would strengthen the party system, a cornerstone of campaign contributions, in order for the system to regain its appropriate influence in the electoral process.

There has been a great deal of discussion about the perceived decline of American political parties. Although many advocates of reform insist that PACs have caused the party system to go awry, the imbalance is rooted in other causes and PACs have filled the void created by the decline of party organizations. These factors include the development of new campaign technologies that allow candidates to bypass the party organization in gaining access to a more diverse electorate. The perception is also caused, in part, by election laws that have emphasized the fundraising role of candidates at the expense of political parties.

Political party contributions are, perhaps, the least biased source of funds available in political fundraising. Nearly every candidate becomes identified with a political party by entering a race for elected office and each party represents a broad spectrum of interests on every issue. Therefore, a party contribution is sure to be the best source of campaign financing—with the least likelihood that the contribution will have an undue effect on a legislator's approach to a particular issue.

The last two concerns I have addressed in my legislation relate to the problems arising from the Supreme Court's decision in Buckley against Valeo and more recently, from the FEC against NCPAC ruling. The Supreme Court struck down certain portions of the original law while leaving other parts intact. The result of this approach by the Court is a regulatory scheme for campaign finance that is riddled with loopholes and inequities. For example, although independent expenditures and the spending by wealthy candidates on their own behalf have burgeoned under the law, other more palatable methods of political participation—such as individual

contributions to candidates—have remained subject to strict limits.

I am concerned with the profound and disturbing effect of independent expenditures on the electoral process. Although Federal campaign laws were designed to equalize the political system by ensuring that all candidates operated under the same set of rules, so-called independent expenditures have undermined this concept to destroy the basic concept of fairness in our political campaign system. Unfortunately, independent expenditures have been used predominantly for negative, rather than for positive campaign purposes.

Attempts to address the problem of independent expenditures have collided with the Supreme Court's doctrine outlined in the Buckley and the FFC cases. While I understand that the Justices were protecting fundamental first amendment rights, I do not believe that they intended to encourage the distorted form of political activity that has resulted. The right to free speech and the regulation of unauthorized campaign activities are not mutually exclusive.

My proposal would allow the potential beneficiary of that independent campaign to incorporate the independent PAC into his or her campaign. By unilaterally declaring to the FEC that all expenditures after the primary on his or her behalf or against his or her opponent by an identified independent source are part of the campaign, the independent committee or individual would be subject to the limitations of the present law.

The burden of demonstrating independence from the campaign would then be switched to the independent contributor. If the individual/committee was able to demonstrate adequately to the FEC its independence from the candidate's campaign, it could continue its unrestricted expenditures.

This provision would not rely on specific penalties to enforce the law. Rather, it is based upon the premise that if a candidate refuses to bring those contributions within the ambit of this own campaign, he would be expressing tacit approval for the committee's activities and would be accountable to the news media and the voting public. The proposal also includes a method for implementing the law when there are more than two major candidates in the race.

By acknowledging that many of these independent expenditures and indeed not independent, this proposal would make general elections campaigns more fair, more directed and more positive.

My final proposal for reform targets the current unfair advantage of personal wealth in elections. Although personal wealth has always been an asset in political campaigns, it has become more of an advantage since the establishment of strict limitations on other sources of campaign contributions. The existing law has thus served to enhance the prospects of candidates who use their own resources to augment their campaigns, while opponents must spend valuable campaign time fundraising in order to stay competitive.

The Supreme Court has ruled that the first amendment protects the right of an individual to spend as much of his own money on his own campaign as he desires. My bill does not attempt to limit that right in any respect. Instead, I have attempted to make personal spending less effective and therefore less likely to occur. My proposal states that when a candidate spends more than a certain amount of his own money on his or her own campaign, the limitations on contributions to the opposing candidate would be tripled.

In most House elections, this proviso would allow a candidate to spend up to $50,000 from his or her personal fortune without any impact. After passing that amount, however, an opponent could accept three times the current limit in contributions from individuals, PACs and his or her party. In Senate races, and in House races in a State with one congressional district, the candidate would be able to spend up to $100,000 before the tripling mechanism would be triggered.

Because the existing imbalance in the sources of campaign finance detracts from the political process, the current law is in dire need of reform.

By restoring the symmetry of the campaign finance system, I am convinced my legislation will result in an improved environment for the conduct of elections.

Mr. President, I ask unanimous consent that the text of the bill and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1072

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Election Reform Act of 1985"

INDEXING INDIVIDUAL AND MULTICANDIDATE COMMITTEE CONTRIBUTION LIMITS

SEC. 2. Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended in paragraph (1) by striking out all following "established by" through "and subsection (d)" and inserting in lieu thereof "subsections (a), (b) and (d)".

INCREASING PARTY CONTRIBUTION LIMITS

SEC. 3. (a) Section 315(d)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)(3)) is amended—

(1) in subparagraph (A)(i) by striking out "2" and inserting in lieu thereof "6";

(2) in subparagraph (A)(ii) by striking out "$20,000" and inserting in lieu thereof "$60,000"; and

(3) in subparagraph (B) by striking out "$10,000" and inserting in lieu thereof "$30,000".

(b) Section 315(h) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(h)) is amended by striking out "$17,500" and inserting in lieu thereof "$52,500".

CONDITIONS FOR ADJUSTING CONTRIBUTION LIMITS

SEC. 4. Section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is amended by adding at the end thereof the following new paragraph:

"(9)(A) The limitations provided in paragraphs (1)(A) and (2)(A) of this subsection shall be trebled in amount with respect to persons or multicandidate committees making contributions to any candidate and his authorized committees in an election—

"(i) for the office of Senator in which a candidate for such office makes contributions to his campaign from his personal funds in excess of:

"(I) $50,000 in a State with one or two congressional district; or

"(II) $100,000 in a State with three or more congressional districts; or

"(ii) for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, the candidate makes contributions to his own campaign from his personal funds in excess of $50,000;

"(B) the increase in contribution limitations described in subparagraph (A) shall not apply to persons or multicandidate committees making contributions to any candidate and his authorized committees where such candidate has made contributions to his campaign from his personal funds in excess of the amounts described in clause (i) or (ii) of subparagraph (A);

"(C) each candidate for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, shall notify the Commission and each other candidate for the same office within five days after he makes a contribution to his own campaign which makes his total contribution to his own campaign from his personal funds in excess of the amounts described in clause (i) or (ii) of subparagraph (A);

"(D) the reporting requirement described in subparagraph (C) shall also be in effect when debts are incurred, by the candidate or his authorized committees, the repayment of which the candidate has reason to believe will require the candidate to make contributions to his campaign in excess of the amounts described in clause (i) or (ii) of subparagraph (A);

"(E) the increases in contribution limitations described in subparagraph (A) shall be in effect immediately when any candidate in such election first notifies the Commission, either as part of the reports of his authorized committees as required by sections 304(b)(2)(B) and 304(b)(2)(G) or pursuant to subparagraph (C) of this paragraph, that he had made or has incurred a debt which may require him to make a contribution to his campaign which makes his total contribution to his campaign from his personal funds in excess of the amounts described in clause (i) or (ii) of subparagraph (A); and

"(F) if a candidate fails to file a timely declaration pursuant to this paragraph, the increase in contribution limitations described in subparagraph (A) shall take effect immediately upon the determination by the Commission that such candidate has so failed to file a timely declaration.".

DIRECTED CONTRIBUTIONS

SEC. 5. (a) Section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is further amended by adding at the end thereof the following new paragraphs:

"(10) A multicandidate political committee in receipt of a contribution which includes a written request by the contributor that some portion of that contribution be continued to a specified candidate, or candidates, for Federal office must either—

"(A) act as a conduit for the directed portion of the contribution; or

"(B) return the entire contribution.

"(11) Individuals contributing to a multicandidate political committee on an installment basis, either directly or through such individuals' employer under a payroll deduction plan, may require that up to 75 per centum of the total such individual has contributed since the last general election to that multicandidate political committee be contributed to a specified candidate, or candidates, for Federal office of such individuals' choosing, except that—

"(A) at least forty-five days prior to the election in which the directed contribution is to be made the individual must notify in writing the multicandidate political committee of the following:

"(i) to what candidate, or candidates, for Federal office the contribution is to be made; and

"(ii) in what amount the contribution is to be made;

"(B) the directed contribution for which the multicandidate political committee is a conduit shall be considered a contribution by the individual to the candidate for the purposes of paragraph (1)(A).".

(b) Section 316(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by adding the following new paragraph:

"(8) Any solicitation for voluntary contributions allowed under this section must be accompanied by a written disclosure of the prospective contributor's right to direct some portion of such contribution to a specified candidate, or candidates, as provided for in paragraphs (10) and (11) of section 315(a).".

ALLOWING GENERAL ELECTION CANDIDATES TO CONTROL THEIR CAMPAIGN

SEC. 6. Section 315(a)(7)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(7)(B)) is amended—

(1) by redesignating clause (ii) as clause (iii); and

(2) by inserting the following new clause after clause (i):

"(ii) independent expenditures made in a general or special election for Congress in support of a clearly identified candidate or in opposition to a clearly identified opponent of that candidate will—

"(I) in an election in which there are no more than two campaigns of candidates and at least one of such candidates has expended more than $40,000 at the time any one such candidate has filed with the Commission, in a manner and form to be determined by the Commission, a declaration that all expenditures in support of such candidate or in opposition to a clearly identified opponent of such candidate have the appearance and effect of being in coordination with his campaign, be considered a contribution made to his campaign; or

"(II) in an election in which there are more than two campaigns of candidates and at least one of such candidates has expended more than $40,000, when at least all but one of such candidates have filed with the Commission, in a manner and form to be determined by the Commission, a declaration that all expenditures in that election in support of or in opposition to a clearly identified candidate would have the appearance of being coordinated with at least one of the campaigns involved, be contributions subject to the limitations expressed in subparagraph (1)(A) or (2)(A) multiplied by the number of such candidates;".

EFFECTIVE DATE

SEC. 7. The amendments made by this Act shall be effective with respect to elections for Federal office held more than ninety days after the date of enactment of this Act.

SECTION-BY-SECTION ANALYSIS

SECTION 2—INDEXING INDIVIDUAL AND MULTICANDIDATE COMMITTEE CONTRIBUTION LIMITS

Provides for periodic adjustments in contribution limits to offset the effects of inflation.

SECTION 3—INCREASING PARTY CONTRIBUTION LIMITS

The current 2 cents per voter or $10,000, whichever is greater, is increased to the greater of 6 cents per voter or $30,000 for House races in states with more than one district.

The current 2 cents per voter or $20,000, whichever is greater, is increased to the greater of 6 cents per voter or $60,000 for Senate races and for statewide House races.

For Senate races the current $17,500 limit for additional contributions from the national party is increased to $52,500.

The intent of this section is to increase the impact of the national parties in congressional elections and to reduce campaign reliance on PAC funding.

SECTION 4—CONDITIONS FOR ADJUSTING CONTRIBUTION LIMITS

When a candidate makes contributions to his own campaign exceeding $50,000 in a House race (in a state with more than 2 districts) $100,000 in a Senate race (or House race in a state with 1 or 2 districts) that candidate must notify the FEC, within 5 days, that he has exceeded the limit. His opponent will then immediately have his individual and multicandidate committee contribution limits trebeled. Individuals could now contribute $6,000 per election and PACs could contribute $15,000 per election.

The intent of this section is to discourage wealthy candidates from financing their own campaigns, and to provide the opponent of a wealthy candidate with a means to allow equal access to the electorate. It also inhibits personal financing of campaigns while staying within the limits of *Buckley* v. *Valeo.*

SECTION 5—DIRECTED CONTRIBUTIONS

Would require PAC's to provide a written notification of "Earmarking Rights" with any solicitation for voluntary contributions.

Would allow individuals who have contributed to PAC's through a payroll deduction plan to decide, up to 45 days before an election, to retroactively earmark their contributions to a certain candidate.

In the case of payroll deductions, the PAC could keep 25 percent of the amount contributed to cover administrative costs and direct 75 percent to the designated candidate or return the entire amount to the contributor.

Currently, the FECA includes a provision allowing individuals to earmark all or part of a PAC contribution to be directed to a designated candidate. Very few PAC's instruct their contributors of the right to direct contributions.

This section would serve to educate PAC contributors of their right, and allow contributors to retroactivily earmark payroll deduction contributions—this is not allowable under the Act currently.

Note: Directed (earmarked) contributions count only as a contribution from the individual to the designated candidate, not against the PAC's contribution limits.

This reform would result in PACs serving more frequently as conduits for their members contributions. It would increase the role of PACs as organizers, while decreasing their role as block contributors.

SECTION 6—ALLOWING GENERAL ELECTION CANDIDATES TO CONTROL THEIR CAMPAIGNS

Would allow a candidate to unilaterally declare that all expenditures on his behalf, or in opposition to his opponent would be considered contributions to his campaign.

This would have the effect of requiring that any independent expenditure committee would now have the burden of proof to show that they were not in communication with the campaign benefiting from their expenditures.

Presently, candidates may publicly state that they disapprove of negative independent expenditure campaigns against an opponent, but that they can not prevent such expenditures as long as the independent expendors did not communicate with their campaign.

This section would provide a vehicle for a candidate to bring an independent expenditure committee under usual contribution limits, and to prevent disruptive independent campaigns.

Candidates could no longer claim that they are unable to stop smear campaigns against their opponents. By refusing to declare all independent expenditures to be contributions, they would be implying their approval of such expenditures, and be leaving themselves open to what would likely be harsh criticism from the press.

This qualification of independent expenditures should also fall within the constitutional guidelines laid down in *Buckley* v. *Valeo.*

By Mr. BAUCUS (for himself and Mr. ROCKEFELLER):

S. 1073. A bill to amend the Stevenson-Wydler Technology Innovation Act of 1980 for the purpose of improving the availability of Japanese science and engineering literature in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

JAPANESE TECHNICAL LITERATURE ACT

● Mr. BAUCUS. Mr. President, today Senator ROCKEFELLER and I are introducing the Japanese Technical Literature Act of 1985, which would authorize the Secretary of Commerce to increase our Government's efforts to make Japanese technical literature available to U.S. companies and researchers.

In a small but significant way, this legislation will help us adapt to the new, hypercompetitive international economy.

THE TRADE CRISIS

Last year, America had a $37 billion trade deficit with Japan. There were many causes of this deficit. One of the main ones, which has appropriately received a lot of attention lately, was Japan's refusal to open its markets wider to competitive American products.

But some of the other causes are right here at home.

One is our Federal deficit and resulting high interest rates contributing to the high value of the dollar compared to the yen. Another is our collective failure to adapt aggressively to intensifying international competition. It is this second cause that our bill addresses.

After World War II, America dominated the world's economy. We didn't have to worry much about competition from the Japanese or anybody else. But that's changed. Today, the United States must, as the President's Commission on Industrial Competitiveness recently said, "compete in an increasingly interdependent and competitive world environment." Indeed, about 70 percent of all American products now face international competition.

To succeed in this new environment U.S. business and Government both must adapt.

TRANSLATING TECHNICAL INFORMATION

Our bill addresses one aspect of adaptation: learning from others, or, more specifically, increasing the availability of Japanese technical literature.

One commonly accepted reason for Japan's post-war economic miracle is Japan's ability to acquire and incorporate American technological developments. This has not happened accidentally. All Japanese high school students study English, and many Japanese scientists and engineers can review American journals directly.

In addition, the Japanese Government and Japanese companies have been working diligently to learn from American technology. In fact, since 1957, the Japanese Information Center of Science and Technology has been gathering, abstracting, and translating information from around the world and making it available to Japanese researchers. Many Japanese companies have been doing the same, exchanging the results through informal networks. And the Japanese send thousands of students to American universities each year.

Americans, in contrast, have not paid much attention to much Japanese technical literature. At one time, this may have been justified by the belief that Japanese technicians were primarily imitators, not innovators.

But even if that belief once was justified, it isn't now. Today Japan ranks third in scientific research, just behind the United States and the Soviet Union. Japanese semiconductors, telecommunications equipment, fiberoptics, biotechnology, and robotics technology competes directly with ours. And Japan's "Fifth Generation" project is designed to achieve a profound breakthrough in computer technology.

Clearly, Japan is producing many technological innovations that Americans can learn from. As Japan expert Anthony Polsky said last year:

> This country can no longer afford the arrogance of indifference to scientific and technical developments in other nations, now serious competitors to our products in the area of domestic and international trade.

There's plenty of published material describing Japanese technical developments. As anyone who has visited Japan knows, the Japanese people are prolific writers and voracious readers. In fact, about 10,000 technical journals are published in Japan.

Some American companies and trade associations monitor some of this material. And some Federal agencies, such as the defense agencies and the National Technical Information Service, do the same.

But these efforts are not coordinated and cover only about 20 percent of the available material. We must do more.

THE GOVERNMENT'S ROLE

In many cases, this means simply that U.S. businesses must do more. The U.S. Government should encourage them and perhaps should make it easier for different U.S. businesses to coordinate their information-gathering efforts.

But in some cases, Government must do the work directly. Japanese technical translation is expensive. And a large part of the benefit frequently is an externality that accrues to more companies than the one that performs the technical translation. As Assistant Secretary of Commerce Bruce Merrifield told a House subcommittee last year:

> Foreign technical information is costly to gather and even more costly to screen and interpret in the context of specific needs. Systematic and timely access to relevant information of foreign technical developments is effectively beyond the reach of most U.S. firms.

The Office of Technology Assessment reached the same conclusion, recommending the establishment of a system for collecting, analyzing, and disseminating technical information from other countries, particularly Japan and the Soviet Union. The need begins with translations of technical literature. Information on Japan's technology and science is particularly critical.

THE JAPANESE TECHNICAL LITERATURE ACT

The legislation we are introducing today, Mr. President, is designed to improve our modest efforts to make Japanese technical literature more widely available to American businesses.

The legislation amends the Stevenson-Wydler Technology Innovation Act of 1980 to direct the Commerce Department's Director of Industrial Technology to increase the availability of Japanese science and engineering literature to U.S. businesses, scientists, and engineers through increased accessibility, monitoring, screening, traslation, abstracting, indexing, dissemination, and marketing. The Director has substantial flexibility about how to achieve these goals, and we intend that he use this flexibility to build upon the best parts of existing programs at NTIS, the National Bureau of Standards, the Foreign Broadcast Information Service, and other agencies.

CONCLUSION

Mr. President, enactment of this legislation will be just a small step. But it is an important one. To improve our international trade position, we must, among other things, adapt more quickly to a constantly changing environment. The more we know about developments elsewhere, the more quickly we can adapt.

I ask unanimous consent that a copy of the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1073

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Japanese Technical Literature Act of 1985".

SEC. 2. Section 5 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3704) is amended by—

(1) redesignating subsection (d) as subsection (e); and

(2) inserting immediately after subsection (c) the following new subsection:

"(d) FOREIGN TECHNICAL LITERATURE.—In addition to the duties specified in subsection (c), the Secretary, through the Director and on a continuing basis, shall increase the availability of Japanese science and engineering literature to United States businesses, scientists, and engineers through increased accessibility, monitoring, screening, translation, abstracting, indexing, dissemination, and marketing. In the conduct of this activity, the Secretary may make grants and, to the extent provided in advance by appropriations Acts, enter into contracts with private for profit, nonprofit, and educational organizations. In addition, the Secretary may provide funds to other government organizations, coordinate with other government organizations, and utilize (for all or part of this effort) the Directors, staffs, and facilities of the National Bureau of Standards and the National Technical Information Service.".

SEC. 3. (a) Section 14 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3713) is amended by—

(1) redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) inserting immediately after subsection (b) the following new subsection:

"(c) In addition to authorization of appropriations under subsections (a) and (b), there is authorized to be appropriated to the Secretary for the purposes of carrying out the provisions of section 5(d) not to exceed $500,000 for each of the fiscal years ending September 30, 1986, September 30, 1987, and September 30, 1988.".

(b) Section 14(d) of the Stevenson-Wydler Technology Innovation Act, as so redesignated by subsection (a) of this section, is amended to read as follows:

"(d) Such sums as may be appropriated under subsections (a), (b), and (c) shall remain available until expended.".●

● Mr. ROCKEFELLER. Mr. President, I am pleased to join my colleague from Montana [Mr. BAUCUS] in introducing this measure, which will remedy a key gap in this country's technological development and competitive position.

The bill earmarks $500,000 for the Office of Productivity, Technology, and Innovation in the Department of Commerce to arrange for the translation and dissemination of Japanese scientific and engineering literature. Access to our professional and technical journals is one reason Japan and other competitors have been able to push ahead with the development of new products and processes. For years, the Japanese have combed our scientific literature, to keep apprised of our discoveries.

But the language barrier hampers equivalent efforts by American researchers to learn from their Japanese counterparts. It is rare to find Americans who are fluent in Japanese. Having majored in Far Eastern studies, I would like to see Americans become more proficient with both the language and culture of countries like Japan. But at present, given the difficulty of learning this language, the translation services we're proposing are really a necessity.

A few months ago, the President's Commission on Industrial Competitiveness confirmed what analysts have long understood: That the United States excels in inventing—in developing new technology—but somehow, after that, the process breaks down. As a task force of Senate Democrats observed 18 months ago, "we remain in the forefront of most new and emerging technologies, but * * * have seen others leading the way in commercialization." Pioneering research is done in our laboratories; advanced processes like robotics are developing in the United States. But other countries are doing a better job of applying these findings and developing competitive new products. Unless our industries can match these efforts—and utilize research results more effectively, the process of technology transfer will remain essentially a one-way street.

The Japanese no longer simply copy and tinker with American technology; they are first-class researchers and innovators in their own right. With the modest funding proposed in this bill, the Commerce Department could add greatly to our knowledge in a wide range of fields. The potential returns—in new products and jobs—could be substantial.

I urge my colleagues to joint us in sponsoring this legislation, to provide a valuable function that most American laboratories and companies cannot undertake on their own. We will also show that we understand these problems and are beginning to mount a serious effort to strengthen the competitive position of our industries.●

By Mr. MATSUNAGA:

S. 1074. A bill to direct the Attorney General to study the problems of indigent, elderly immigrants who wish to return to their home countries but cannot afford to pay the transportation costs to do so; to the Committee on the Judiciary.

IMMIGRANT REPATRIATION STUDY ACT

Mr. MATSUNAGA. Mr. President, we Americans whether we be native born or naturalized citizens, take great pride in the fact that while none of us seek to escape from our shores to foreign lands, millions are constantly seeking entry into our country to share the personal liberty and opportunity for a better life guaranteed by our Federal Constitution and our system of Government. There are, however, many immigrants who came to the United States to work, in high hopes of amassing a fortune, then returning to their native country, but who are now elderly, impoverished, and living alone. Many of these immigrants would like to return to their country of origin, to be reunited with their families and culture but are unable to do so, due to lack of funds to defray transportation costs. It is not known just how many resident aliens fall within this category.

Mr. President, I am therefore introducing legislation today which would direct the Attorney General to determine the number and study the problems of these indigent, elderly immigrants who wish to return to their home countries.

In my State of Hawaii more than 126,000 laborers migrated from the Philippines to Hawaii between 1907 and 1946. Many have already returned to their homeland. Many others have died; nearly all of the survivors are now retired. The youngest of them have reached 55 years of age. Most of these immigrants have spent their working years in Hawaii without the support of family ties.

Many of these lonely, aging Filipinos look forward to returning to their homeland. Their extended families in the Philippines welcome back their aged members and provide them with love and care that are so essential to their mental, physical, and emotional well-being in their late years. The retiree is able to be reunited not only with his extended family, but also with his church and associations in the Philippines, where there is not the language and cultural barriers that exist for immigrant Filipinos in Hawaii.

In 1975, Father Jaime S. Neri, a Catholic priest, almost singlehandedly, boldly undertook to address the needs of such Filipino retirees. With the support of his parishioners and the Hawaii State government, Father Neri was able to arrange for the return to the Philippines of a group of 41 men, ranging in age from 65 to 85, most of them lonely bachelors or widowers. This successful repatriation program is known as "Balik-Bahay," meaning "homecoming" in the Filipino language.

An important aspect of the Balik-Bahay Program is that it not only provides for a better quality of life for the retiree, it also effects considerable savings in American taxpayers' dollars.

As Father Neri has repeatedly stated to the Social Security Administration in his effort to federalize his Balik-Bahay Program, repatriation of many of the retired beneficiaries at Government expense would result in savings to the American taxpayer. Most of the men seeking repatriation are receiving supplemental security income [SSI] benefits while they remain in Hawaii. In 2 years, from 1975 to 1977, the Balik-Bahay Program saved the State and Federal Government a total of $74,000. The savings resulted from the cessation of SSI, food stamp, Medicare, and Medicaid payments and housing subsidies, which would have been provided to these individuals had they remained in Hawaii. In 1979, it was estimated that more than $10,000 a month of public taxpayer costs were being saved by the departure of the 41 men who had already been sent home to the Philippines.

For example, a 74-year-old bachelor was at his request sent back to his home in the Philippines in January 1979. It was costing the Hawaii Department of Social Services $1,084 a month to provide for his care in a nursing home. Now, back with his relatives in the Philippines, and with his U.S. Social Security check of $236 a month—earned legally through long years of labor—he lives comfortably. His monthly Social Security check translates into about 1,650 pesos, which is more than what the local physician earns.

This humanitarian and tax-saving program to help migrants who desire to return home to rejoin their families has been successful in repatriating over 70 elderly immigrants to the Philippines from Hawaii. Over the years the Balik-Bahay Program, now known as "Repatria" has been in operation,

its main stumbling block has been the cost of transportation. Many immigrants have been assisted in reestablishing contact with their families in the Philippines and are eager to return home but are unable to pay their plane fare.

Mr. President, my bill would direct the Attorney General, through the Commissioner of the Immigration and Naturalization Service, to conduct a study to determine how many elderly, indigent immigrants in the United States wish to return to their native countries. The study would examine the costs and benefits of a Federal program to finance the transportation costs of returning such immigrants to their native countries and the options for financing such a program. In addition, the advantages and disadvantages would be weighed of requiring the Federal Government to ensure, through certification by an appropriate agency of the home country, that a repatriated immigrant's health and welfare will be protected. Finally, the use of the Balik-Bahay Program as a model for a similar Federal program or the expansion of the program with Federal funding would be explored.

This measure was introduced as S. 2402 in the 98th Congress as a companion bill to H.R. 4394. I urge the members of the Senate Judiciary Committee to give this legislation early and favorable consideration.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1074

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Immigrant Repatriation Study Act".

SEC. 2. The Congress finds that—

(1) many immigrants who came to work in the United States years ago are now impoverished and alone; and

(2) many of these immigrants wish to return to their native countries to be reunited with their families and homeland culture but cannot afford to pay the transportation costs to do so.

SEC. 3. (a) The Attorney General, through the Commissioner of the Immigration and Naturalization Service, shall conduct a study of and recommend solutions for the problems of elderly, indigent immigrants in the United States who wish to return to their native countries but cannot afford to do so. In such study the Attorney General shall determine—

(1) the number of immigrants in the United States who are elderly and indigent and who wish to return to their native countries;

(2) the costs and benefits of a Federal program to finance the transportation costs of returning such immigrants to their native countries, including an estimate of the financial consequences to the Federal Government from (A) the termination of benefits to which the repatriated immigrants would no longer be entitled, such as supplemental security income, food stamps, medicaid, medicare, and housing subsidies, and (B) the continuation of benefits to which such immigrants would continue to be entitled, such as social security retirement pay and disability pay;

(3) the options for financing such a program;

(4) the advantages and disadvantages of requiring the Federal Government to ensure, through certification by an appropriate agency of the home country, that a repatriated immigrant's health and welfare will be protected upon return to his or her home country; and

(5) whether and to what extent the Balik-Bahay repatriation program in the State of Hawaii should be used as a model for a similar Federal program or should be expanded in Hawaii with Federal funding.

(b) Within twelve months after the date of enactment of this Act, the Attorney General shall report to Congress the results of the study under this section, including the Attorney General's findings and recommendations.

By Mr. GRASSLEY:

S. 1075. A bill to authorize and direct the General Accounting Office to audit the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and Federal Reserve banks and their branches; to the Committee on Banking, Housing, and Urban Affairs.

REQUIRING THE GAO TO AUDIT THE FEDERAL RESERVE SYSTEM

● Mr. GRASSLEY. Mr. President, I am pleased to introduce today legislation to require the General Accounting Office to perform a complete audit of the Federal Reserve System and Federal Reserve banks.

This legislation would require the General Accounting Office to make an audit each fiscal year of the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and all Federal Reserve banks and their branches. Such an audit would include the transactions of the system's open market account conducted through recognized dealers. This measure also provides that the General Accounting Office will have access to all books and records of the Federal Reserve.

Currently, an independent CPA audits the books of the Federal Reserve System annually. This audit is conducted by firms such as Arthur Anderson and Peat Marwick. Such audits, however, do not examine the transactions made by the FOMC or the other branches of the Fed. While audits of expenses are important, a more thorough analysis of the activities of the Federal Reserve System is needed.

Title 31, Section 714, United States Code Annotated contains the laws governing audits of Government agencies by the GAO. In 1978, audits of the Federal Reserve, the FDIC, and the Office of the Comptroller of the Currency were exempted from the purview of GAO audits. Section 714(b) states that "Audits of the Federal Reserve Board and Federal reserve banks may not include:

"First, transactions for or with a foreign central bank, government or a foreign country, or nonprivate international financial organization;

"Second, deliberations, decisions, or actions on monetary policy matters, including discount window operations, reserves of member banks, securities credit, interest on deposits, and open market operations;

"Third, transactions made under the direction of the Federal Open Market Committee; or

"Fourth, a part of a discussion or communication among or between members of the Board of Governors and officers and employees of the Federal Reserve System related to clauses (1)–(3) of this subsection."

One of the chief reasons for prohibiting an audit of the actitivies of the Fed is that its independence must be maintained.

The number and importance of the decisions made by the members of the Federal Reserve System and its committees, however, are too important to the economy of the United States to be unaccountable to the people and the Congress.

Decisions made by the Federal Reserve can increase or lower inflation and cause interest rates to rise or fall; such decisions affect farmers, the employment opportunities of thousands of Americans, and the production plans of businesses across the country. Decisions made by the Fed increase prices. Such decisions cannot be audited by the GAO.

Other decisions which must be looked at closely in light of our international economy are the relationships between the Federal Reserve, foreign countries, and international banks. For example, the Monetary Control Act, enacted in 1980, allows the Federal Reserve to purchase paper obligations of foreign governments and use them as collateral for Federal Reserve notes. We must be able to keep tabs on the activities of our central bank as the decisions it makes effects millions upon millions of people.

The American people and the Congress should know what decisions are being made by the Federal Reserve, and the effect of these decisions on their lives and livelihoods. We must carefully look at the powers we have granted to the Fed over the years, and see if Congress should be more knowledgeable of the Fed's actions.

Currently the General Accounting Office has the authority to look at the Fed's financial records and accounting made to the Treasury Department. They are not allowed to examine the decisions and actions of the Federal Open Market Committee, the Federal Advisory Council, the Federal Reserve banks and their branches or the Fed-

eral Reserve Board. It is time for the activities of these bodies to be made known to the Congress. I urge my colleagues to closely look at these issues, and support this bill to audit the Federal Reserve System.

Mr. President, I ask that a copy of this legislation be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1075

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

(a) The Comptroller General of the United States shall make, under such rules and regulations as he shall prescribe, an audit for each fiscal year of the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and all Federal Reserve banks and their branches, including transactions of the system open market account conducted through recognized dealers.

(b) In making the audit required by subsection (a), representatives of the General Accounting Office shall have access to books, accounts, records, files, and all other papers, things, and property belonging to or in use by the entities being audited, including reports of examinations of member banks, from whatever source. They shall be afforded full facilities for verifying transactions with balances or securities held by depositories, fiscal agents, and custodians of such entities.

(c) The Comptoller General shall, within six months after the end of each fiscal year, or as soon thereafter as may be practicable, make a report to the Congress on the results of the audit required by subsection (a), and he shall make any special or preliminary reports he deems desirable for the information of the Congress. A copy of each report made under this subsection shall be sent to the President of the United States, the Federal Reserve Board, and the Federal Reserve banks. In addition to other matters, the report shall include such comments and recommendations as the Comptroller General may deem advisable, including recommendations for attaining a more economical and efficient administration of the entities audited, and the report shall specifically show any program, financial transaction, or undertaking observed in the course of the audit which in the opinion of the Comptroller General has been carried on without authority of law.

(d) The Comptroller General is authorized to employ such personnel and to obtain such temporary and intermittent services as may be necessary to carry out the audits required by subsection (a), without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such individuals may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.●

By Mr. KASTEN:

S. 1077. A bill to amend the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) to provide authorization of appropriations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

CONSUMER PRODUCT SAFETY COMMISSION AUTHORIZATION ACT

● Mr. KASTEN. Mr. President, today I am introducing the Consumer Product Safety Commission Authorization Act of 1985. This bill reauthorizes the Consumer Product Safety Commission for 2 years and makes other minor changes to the Consumer Product Safety Act.

The last Consumer Product Safety Commission authorization expired at the end of the 1983 fiscal year. During the last session, the Senate passed a new reauthorization bill, S. 861, but it was later stalled as a result of controversy over the legislative veto. The bill I am introducing today is identical to S. 861, as passed by the Senate, except that this new bill does not contain a legislative veto provision.

In keeping with efforts to reduce the budget deficit, my bill authorizes the Consumer Product Safety Commission at $35 million for each of the next 2 years—$1 million less than current authorization for the Commission. In addition to the authorization, the bill includes two provisions which will improve Commission procedures. The first change will allow the Commission to disclose product hazard information to Commission contractors without first requiring Commission verification of the accuracy of that information. The second change relaxes the conflict-of-interest criteria for members of the Commission's chronic hazard advisory panels. Neither of these changes was controversial when the Senate approved the last Consumer Product Safety Commission authorization bill in 1983.

Mr. President, I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD, at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1077

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Consumer Product Safety Commission Authorization Act of 1985".

DISCLOSURE TO CONTRACTORS

SEC. 2. Section 6(a)(8) of the Consumer Product Safety Act (15 U.S.C. 2055(a)(8) is amended by striking "or employees" and inserting in lieu thereof ", employees or representatives of the Commission (including contractors)".

CHRONIC HAZARD ADVISORY PANEL

SEC. 3. Section 28(b)(1) of the Consumer Product Safety Act (15 U.S.C. 2077(b)(1)) is amended by inserting "that may be the subject of the Panel's investigation" immediately after "product".

AUTHORIZATION OF APPROPRIATIONS

SEC. 4. Section 32(a) of the Consumer Product Safety Act (15 U.S.C. 2081(a)) is amended—

(1) by striking "and" at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following: "(10) $35,000,000 for the fiscal year ending September 30, 1986; and

(11) $35,000,000 for the fiscal year ending September 30, 1987.".

CONSUMER PRODUCT SAFETY COMMISSION AUTHORIZATION ACT OF 1985—SECTION-BY-SECTION

SECTION 1—SHORT TITLE

This section contains the short title of the legislation, the "Consumer Product Safety Commission Authorization Act of 1985."

SECTION 2—DISCLOSURE TO CONTRACTORS

Section 2 makes clear that the Consumer Product Safety Commission (CPSC) has the authority to disclose trade secret and confidential information to contractors of the Commission. The Commission may provide full information to contractors as needed in the contractors' work for the Commission. The contractors would be bound by the same restrictions regarding the public disclosure of information which currently govern the Commission itself.

SECTION 3—CHRONIC HAZARD ADVISORY PANEL

Section 3 relaxes the conflict-of-interest restrictions regarding members of the CPSC's chronic hazard advisory panels. As currently written, section 28 of the Consumer Product Safety Act limits membership on chronic hazard advisory panels to persons who receive no compensation from or have no substantial interest in any manufacturer, distributor, or retailer of any consumer product. Section 3 of the bill would limit this restriction to firms dealing in any product that may be the subject of the panel's investigation.

SECTION 4—AUTHORIZATION OF APPROPRIATIONS

Section 4 authorizes appropriations of up to $35 million for the CPSC for FY 1986 and FY 1987. This authorization level is $1 million less than the FY 1985 CPSC appropriation.●

By Mr. KASTEN (for himself, Mr. DANFORTH, Mr. PACKWOOD, and Mr. GORTON):

S. 1078. A bill to amend the Federal Trade Commission Act to provide authorization of appropriations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

FEDERAL TRADE COMMISSION ACT AMENDMENTS

● Mr. KASTEN. Mr. President, today I am pleased to introduce the Federal Trade Commission Act amendments of 1985. Senators DANFORTH, PACKWOOD, and GORTON join me in this effort to reauthorize the Federal Trade Commission and to make important changes in the Agency's authority and procedures.

The FTC has an important mission—to protect consumers from unfair methods of competition and unfair or deceptive acts or practices. Unfortunately, the last FTC authorization enacted into law was the FTC Improvements Act of 1980, which expired at the end of fiscal 1982. Since then, the FTC has been without a formal au-

thorization, although the Commerce Committee has held numerous hearings and reported two authorization bills to the full Senate.

The last FTC authorization bill reported by the Commerce Committee was S. 1714. This bill was adopted unanimously by the committee in the 98th Congress. However, floor action on this important measure was blocked because of impasses on two issues: The question of the legislative veto and the definition of FTC authority over the professions.

S. 1714 contained no legislative veto provision, but it did contain compromise language limiting the authority of the FTC to preempt State law in order to regulate the activities of professionals. S. 1714 also contained important compromises in two other areas—the FTC's authority over agricultural cooperatives and its regulation of "unfair" advertising.

In addition, this bill contained a number of other important reforms in FTC authority and procedures. These reforms in S. 1714 included a statutory definition of "unfair acts or practices," the requirement of a showing that challenged conduct is prevalent in an industry as a prerequisite for FTC rulemaking, repeal of the Commission's authority to compensate public participants in rulemaking, and codification of the so-called Braswell standard of review for knowing violation of FTC orders.

The bill we are introducing today provides new funding authority for the Agency for 3 years, and embodies the substantive provisions and reforms that were adopted by the Commerce Committee in S. 1714. In addition, this bill contains an authorization for a special appropriation of $3,811,000 for a one-time building consolidation of the headquarters offices of the FTC in Washington, DC.

This bill contains all the substantive provisions of S. 1714—except for the compromise language on the professions. S. 1714 contained compromise language which was supported by the administration and a number of professional groups. This language prohibited the FTC from using its consumer protection authority to invalidate State laws prescribing training, education, or experience requirements for licensure, or the permissible tasks or duties that professionals may perform based on specialized training or education.

Objections to this compromise language were an obstacle to floor action on S. 1714. However, at the recent consumer subcommittee hearing on the FTC authorization, the continued need for this provision was questioned. While there were different views presented as to the meaning of the compromise language and its impact on FTC authority, the view was expressed that this provision is no longer necessary in light of recent Supreme Court decisions clarifying the scope of the "State Action" doctrine, and in light of the sensitivity of the FTC to the requirements of professional self-regulation and State concerns in this area.

As a consequence, the compromise language has been removed from the bill. It is our hope that we now can move ahead expeditiously to enact this reauthorization of the FTC.

Mr. President, this authorization is essential to reaffirm congressional support for the Agency and to restore order to the legislative process. I urge my colleagues to support this legislation, and I request that the bill be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1078

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Trade Commission Act Amendments of 1985".

UNFAIR METHODS OF COMPETITION

SEC. 2. Section 5 of the Federal Trade Commission Act (15 U.S.C. 45) is amended by adding at the end thereof the following:

"(n) The Commission shall not have any authority to find a method of competition to be an unfair method of competition under subsection (a)(1) if, in any action under the Sherman Act, such method of competition would be held to constitute state action.".

AGRICULTURAL COOPERATIVES

SEC. 3. The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by redesignating section 24 and section 25 as section 26 and section 27, respectively, and by inserting after section 23 the following new section:

"SEC. 24. (a) For purposes of this section, the term 'Capper-Volstead Act' means the Act entitled 'An Act to authorize association of producers of agricutural products', approved February 18, 1922 (7 U.S.C. 291 et seq.).

"(b) The Commission shall not have any authority to conduct any study, investigation, or prosecution of any agricultural cooperative for any conduct which, because of the provisions of the Capper-Volstead Act, is not a violation of any of the antitrust Acts or this Act.

"(c)(1) Before issuing a complaint under section 5 against any agricultural cooperative on the basis that such cooperative has violated any of the antitrust Acts or has used an unfair method of competition in or affecting commerce, the Commission shall—

"(A) provide the Secretary of Agriculture with a copy of the proposed complaint not less than 15 days before the complaint is issued; and

"(B) consult with the Secretary of Agriculture regarding the possible applicability of the Capper-Volstead Act to the conduct of the cooperative.

"(2) The Commission shall not issue any such complaint unless—

"(A) it has considered any comments regarding such complaint which have been submitted by the Secretary of Agriculture under this subsection; and

"(B) it has reason to believe that the Capper-Volstead Act does not provide an exemption for the conduct which is the basis of such complaint.

"(3) If the Commission makes a modification to any such complaint after it has provided the Secretary of Agriculture with a copy of the complaint pursuant to (1)(A) of this subsection, the Commission shall not, with respect to such modification, be required to comply with the provisions of paragraphs (1) and (2) of this subsection unless such modification substantially expands the original basis for the issuance of the complaint.

"(4) The Secretary of Agriculture shall designate those officials and employees of the Department of Agriculture who may have access to documents or information received from the Commission under this subsection. Officials and employees of the Department of Agriculture shall be subject to the same requirements and penalties regarding confidentiality of such documents and information and disclosure of the existence of an investigation or consideration of issuance of a complaint as apply to officials and employees of the Commission.

"(5) Unless specifically authorized in writing by the Commission (or by an official or employee of the Commission designated by the Commission), no official or employee of the Department of Agriculture may request information relating to such complaint from any proposed respondent or any third party before the issuance of such complaint.

"(6) After any such complaint is issued, the Secretary of Agriculture may file with the Commission a written statement regarding the applicability of the Capper-Volstead Act to the action or method which is the basis of such complaint. The Commission shall include such statement in record of the proceeding regarding such complaint.

"(7) No decision of the Commission to consult with the Secretary of Agriculture in accordance with the provisions of this subsection shall be construed to imply that the Commission has made a determination that it has reason to believe that any agricultural cooperative has violated or is violating any of the antitrust Acts as has used an unfair method of competition in or affecting commerce.

"(8) The provisions of this subsection shall not create any new basis for direct or collateral challenge to any complaint issued by the Commission.

"(d) The Commission shall not have any authority to conduct any study or investigation of any agricultural marketing orders.".

COMPENSATION IN PROCEEDINGS

SEC. 4. (a) Section 18(h) of the Federal Trade Commission Act (15 U.S.C. 57a(h)) is repealed, and subsections (i), (j) and (k) of section 18 are redesignated as subsections (h), (i), and (j), respectively.

(b) Section 18(a)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)) is amended by striking "subsection (i)" and inserting in lieu thereof "subsection (h)".

KNOWING VIOLATIONS OF ORDERS

SEC. 5. (a) Section 5(m)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 45(m)(1)(B)) is amended by inserting ", other than a consent order," immediately after "order" the first time it appears therein.

(b) Section 5(m)(2) of the Federal Trade Commission Act (15 U.S.C. 45(m)(2)) is amended by adding at the end thereof the following: "Upon request of any party to such an action against such defendant, the

court shall also review the determination of law made by the Commission in the proceeding under subsection (b) that the act or practice which was the subject of such proceeding constituted an unfair or deceptive act or practice in violation of subsection (a).".

PREVALENCE OF UNLAWFUL ACTS OR PRACTICES

SEC. 6. Section 18(b) of the Federal Trade Commission Act (15 U.S.C. 57a(b)) is amended by adding at the end thereof the following:

"(3) The Commission shall issue a notice of proposed rulemaking pursuant to paragraph (1)(A) only where it has reason to believe that the unfair or deceptive acts of practices which are the subject of the proposed rulemaking are prevalent. The Commission shall make a determination that unfair or deceptive acts or practices are prevalent under this paragraph only if it has issued cease and desist orders regarding such acts or practices, or any other information available to the Commission indicates a pattern of unfair or deceptive acts or practices.".

EFFECTIVE DATE OF ORDERS

SEC. 7. (a) Section 5(g)(2) of the Federal Trade Commission Act (15 U.S.C. 45(g)(2)) is amended to read as follows:

"(2) Upon the 60th day after such order is served, if a petition for review has been duly filed, except that any such order may be stayed, in whole or in part and subject to such conditions as may be appropriate, by—

"(A) the Commission;

"(B) an appropriate court of appeals of the United States, if (i) a petition for review of such order is pending in such court, and (ii) an application for such a stay was previously submitted to the Commission and the Commission, within the 30-day period beginning on the date the application was received by the Commission, either denied the application or did not grant or deny the application; or

"(C) the Supreme Court, if an applicable petition for certiorari is pending; or".

(b) Section 5(g)(3) of the Federal Trade Commission Act (15 U.S.C. 45(g)(3)) is amended to read as follows;

"(3) For purposes of section 19(a)(2) and section 5(m)(1)(B), if a petition for review of the order of the Commission has been filed—

"(A) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Commission has been affirmed or the petition for review has been dismissed by the court of appeals and no petition for certiorari has been duly filed;

"(B) upon the denial of a petition for certiorari, if the order of the Commission has been affirmed or the petition for review has been dismissed by the court of appeals; or

"(C) upon the expiration of 30 days from the date of issuance of a mandate of the Supreme Court directing that the order of the Commission be affirmed or the petition for review be dismissed; or".

(c) Section 5(g)(4) of the Federal Trade Commission Act (15 U.S.C. 45(g)(4)) is amended to read as follows:

"(4) In the case of an order requiring a person, partnership, or corporation to divest itself of stock, other share capital, or assets, if a petition for review of such order of the Commission has been filed—

"(A) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Commission has been affirmed or the petition for review has been dismissed by the court of appeals and no petition for certiorari has been duly filed;

"(B) upon the denial of a petition for certiorari, if the order of the Commission has been affirmed or the petition for review has been dismissed by the court of appeals; or

"(C) upon the expiration of 30 days from the date of issuance of a mandate of the Supreme Court directing that the order of the Commission be affirmed or the petition for review be dismissed.".

CIVIL INVESTIGATIVE DEMANDS

SEC. 8. (a) Section 20(a) of the Federal Trade Commission Act (15 U.S.C. 57-1(a)) is amended—

(1) in paragraph (2), by striking "unfair or deceptive acts or practices in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "act or practice or method of competition declared unlawful by a law administered by the Commission";

(2) in paragraph (3), by striking "unfair or deceptive acts or practices in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "acts or practices or methods of competition declared unlawful by a law administered by the Commission"; and

(3) in paragraph (7), by striking "unfair or deceptive act or practice in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "act or practice or method of competition declared unlawful by a law administered by the Commission".

(b) Section 20(b) of the Federal Trade Commission Act (15 U.S.C. 57b-1(b)) is amended by striking "unfair or deceptive acts or practices in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "any act or practice or method of competition declared unlawful by a law administered by the Commission".

(c) Section 20(c)(1) of the Federal Trade Commission Act (15 U.S.C. 57b-1(c)) is amended by striking "unfair or deceptive acts or practices in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "any act or practice or method of competition declared unlawful by a law administered by the Commission".

DEFINITION OF UNFAIR ACTS OR PRACTICES

SEC. 9. Section 5 of the Federal Trade Commission Act (15 U.S.C. 45), as amended by section 2 of this Act, is further amended by adding at the end thereof the following:

"(o) The Commission shall have no authority under this section or section 18 to declare unlawful an act or practice on the grounds that such act or practice is unfair unless the act or practice causes or is likely to cause substantial injury to consumers which is not reasonably avoidable by consumers themselves and not outweighed by countervailing benefits to consumers or to competition.".

TRADEMARKS

SEC. 10. The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by inserting after section 24, as added by section 3 of this Act, the following new section:

"Sec. 25. The Commission shall not have any authority to take any action under section 14 of the Act entitled 'An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes' (15 U.S.C. 1064), commonly referred to as the Lanham Act, with respect to the cancellation of the registration of any mark on the ground that such mark has become the common descriptive name of an article or substance.".

CREDIT UNIONS

SEC. 11. (a) Sections 5(a)(2), 6(a) and 6(b) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2), 46(a) and 46(b)) are amended by inserting immediately after "section 18(f)(3)," the following: "Federal credit unions described in section 18(f)(4),".

(b) The second proviso in section 6 of the Federal Trade Commission Act (15 U.S.C. 46) is amended—

(1) by inserting immediately after "section 18(f)(3)," the following: "Federal credit unions described in section 18(f)(4),"; and

(2) by inserting immediately after "in business as a savings and loan institution" the following: ", in business as a Federal credit union,".

(c)(1) The second sentence of section 18(f)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(1)) is amended by inserting immediately after "paragraph (3))" the following: "and the National Credit Union Administration Board (with respect to Federal credit unions described in paragraph (4))".

(2) The last sentence of section 18(f)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(1)) is amended—

(A) by striking "either such" and inserting in lieu thereof "any such";

(B) by inserting "or Federal credit unions described in paragraph (4)," immediately after "paragraph (3)," each place it appears therein; and

(C) by inserting immediately after "with respect to banks" the following: ", savings and loan institutions or Federal credit unions".

(3) Section 18(f) of the Federal Trade Commission Act (15 U.S.C. 57a(f)) is amended by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively, and by inserting immediately after paragraph (3) the following:

"(4) Compliance with regulations prescribed under this subsection shall be enforced with respect to Federal credit unions under sections 120 and 206 of the Federal Credit Union Act (12 U.S.C. 1766 and 1786).".

COMMERCIAL ADVERTISING

SEC. 12. Section 18(h) of the Federal Trade Commission Act (15 U.S.C. 57a(h)), as so redesignated in section 4(a) of this Act, is amended by adding at the end thereof the following: "The Commission shall have no authority under this section to initiate any new rulemaking proceeding which is intended to or may result in the promulgation of any rule by the Commission which prohibits or otherwise regulates any commercial advertising on the basis of a determination by the Commission that such commercial advertising constitutes an unfair act or practice in or affecting commerce.".

REPORT

SEC. 13. (a) The Federal Trade Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Energy and Commerce of the House of Representatives the information specified in subsection (b) of this section every 6 months during each of the fiscal years 1986, 1987, and 1988. A report containing such information shall be submitted when the Commission submits its annual report to the Congress during each of such fiscal years, and such report may be included in the annual report. A separate report containing such information shall be submitted 6 months after the date of submission of any such annual report.

Each such report shall contain such information for the period since the last submission under this section.

(b) Each such report shall list and describe, with respect to instances in which resale price maintenance has been suspected or alleged—

(1) each complaint made, orally or in writing, to the offices of the Commission;

(2) each preliminary investigation opened or closed at the Commission;

(3) each formal investigation opened or closed at the Commission;

(4) each recommendation for the issuance of a complaint forwarded by the staff to the Commission;

(5) each complaint issued by the Commission pursuant to section 5 of the Federal Trade Commission Act (15 U.S.C. 45);

(6) each opinion and order entered by the Commission;

(7) each consent agreement accepted provisionally or finally by the Commission;

(8) each request for modification of an outstanding Commission order filed with the Commission;

(9) each recommendation by staff pertaining to a request for modification of an outstanding Commission order; and

(10) each disposition by the Commission of a request for modification of an outstanding Commission order.

Such report shall include the sum total of matters in each category specified in paragraphs (1) through (10) of this subsection, and copies of all such consent agreements and complaints executed by the Commission. Where a matter has been closed or terminated, the report shall include a statement of the reasons for that disposition. The description required under this subsection shall be as complete as possible but shall not reveal the identity of persons or companies complained about or those subject to investigation that have not otherwise been made public.

AUTHORIZATION OF APPROPRIATIONS

SEC. 14. Section 26 of the Federal Trade Commission Act, as so redesignated by section 3 of this Act, is amended—

(1) by striking "and" after "1981,"; and

(2) by inserting immediately before the period at the end thereof the following: "; not to exceed $65,800,000 for the fiscal year ending September 30, 1986; not to exceed $66,800,000 for the fiscal year ending September 30, 1987; and not to exceed $67,800,000 for the fiscal year ending September 30, 1988, and such additional sums for the fiscal years ending September 30, 1987 and September 30, 1988, as may be necessary for increases in salary, pay, and other employee benefits as authorized by law".

BUILDING CONSOLIDATION

SEC. 15. Section 26 of the Federal Trade Commission Act, as so redesignated by section 3 of this Act and as amended by section 14 of this Act, is further amended by adding at the end thereof the following: "In addition, there is authorized to be appropriated during the fiscal years ending September 30, 1986, September 30, 1987, and September 30, 1988, a total amount not to exceed $3,811,000, to carry out the consolidation into not more than three buildings of the Headquarters Offices of the Commission in Washington, DC.".

EFFECTIVE DATE

SEC. 16. (a) Except as provided in subsections (b), (c) and (d) of this section, the provisions of this Act shall take effect on the date of enactment of this Act.

(b) The amendments made by sections 2, 7 and 9 of this Act shall apply only with respect to cease and desist orders issued under section 5 of the Federal Trade Commission Act (15 U.S.C. 45), or to rules promulgated under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a), after the date of enactment of this Act. These amendments shall not be construed to affect in any manner a cease and desist order which was issued, or a rule which was promulgated, before the date of enactment of this Act. These amendments shall not be construed to affect in any manner a cease and desist order issued after the date of enactment of this Act, if such other was issued pursuant to remand from a court of appeals or the Supreme Court of an order issued by the Commission before the date of enactment of this Act.

(c) The provisions of section 24(c) of the Federal Trade Commission Act, as added by section 3 of this Act, shall apply only to complaints issued by the Federal Trade Commission under section 5 of the Federal Trade Commission Act (15 U.S.C 45) on or after the date of enactment of this Act.

(d) The amendments made by sections 6 and 12 of this Act shall apply only to rulemaking proceedings initiated after the date of enactment of this Act. These amendments shall not be construed to affect in any manner a rulemaking proceeding which was initiated before the date of enactment of this Act.●

By Mr. PACKWOOD:

S. 1080. A bill to amend the Federal Railroad Safety Act of 1970 to authorize additional appropriations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

RAILROAD AUTHORIZATION

● Mr. PACKWOOD. Mr. President, today I am pleased to introduce a bill that would authorize appropriations for fiscal 1986 and 1987 for railroad safety and the Railroad Accounting Principles Board.

For railroad safety, the bill authorizes appropriations to support the railroad safety efforts of both the Federal Railroad Administration [FRA] and those 32 States that participate in what is known as the State Participation Program. This is a program pursuant to which the States help enforce the Federal safety laws, and, in turn, the FRA pays 50 percent of the States' costs.

For the Railroad Accounting Principles Board, the bill authorizes appropriations to support the Board's efforts to develop accounting principles to govern how railroads cost out rail movements. These principles will help shippers and others better understand railroads' costs and, in turn, whether particular rates are reasonable. Such information is necessary for proceedings before the Interstate Commerce Commission.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1080

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

TITLE I—RAILROAD SAFETY

Enforcement of Subpenas and Orders

SEC. 101. Section 208(a) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 437(a)) is amended by inserting the following immediately after the first sentence: "In case of contumacy or refusal to obey a subpena, order (other than an order directing compliance with this Act), or directive of the Secretary issued under the first sentence of this subsection by any individual, partnership, or corporation that resides, is found, or conducts business within the jurisdiction of any district court of the United States, such district court shall have jurisdiction, upon petition by the Attorney General, to issue to such individual, partnership, or corporation an order requiring immediate compliance with any such subpena, order, or directive. Failure to obey such court order may be punished by the court as a contempt of court.".

AUTHORIZATION OF APPROPRIATIONS

SEC. 102. Section 214 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 444) is amended—

(1) in subsection (c)(2), by striking "and", and by inserting immediately before the period the following: ", not to exceed $3,200,000 for the fiscal year ending September 30, 1986, and not to exceed $3,328,000 for the fiscal year ending September 30, 1987'"

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting immediately after subsection (c) the following:

"(d) There are authorized to be appropriated to carry out the provisions of this Act, except section 206(d) of this title and except for conducting safety research and development activities under this Act, not to exceed $27,975,000 for the fiscal year ending September 30, 1986, and not to exceed $29,094,000 for the fiscal year ending September 30, 1987.".

TITLE II—RAILROAD ACCOUNTING PRINCIPLES BOARD

AUTHORIZATION OF APPROPRIATIONS

SEC. 201. Section 11168 of title 49, United States Code, is amended—

(1) by striking "and"; and

(2) by inserting immediately before the period the following: ", not to exceed $1,000,000 for the fiscal year ending September 30, 1986, and not to exceed $750,000 for the fiscal year ending September 30, 1987".●

By Mr. GRASSLEY (for himself, Mr. ABDNOR, Mr. BAUCUS, Mr. DODD, Mr. EAST, Mr. EXON, Mr. HARKIN, Mr. HATCH, Mrs. HAWKINS, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Mr. MATTINGLY, Mr. MCCLURE, Mr. MELCHER, Mr. NUNN, Mr. PRESSLER, Mr. RIEGLE, Mr. SPECTER, Mr. STEVENS, Mr. SYMMS, Mr. THURMOND, and Mr. ZORINSKY):

S.J. Res. 131. Joint resolution to designate the week of June 2, 1985, through June 8, 1985, as "Future

Problem Solving Program Week;" to the Committee on the Judiciary.

FUTURE PROBLEM SOLVING PROGRAM WEEK

● Mr. GRASSLEY. Mr. President, today I am pleased to introduce a Senate joint resolution designating the week of June 2, 1985, through June 8, 1985, as "Future Problem Solving Program Week." Future Problem Solvers is an educational program which has created and organized chapters in elementary and secondary schools in every State of the Union. There are currently over 100,000 students and 8,000 school districts involved in Future Problem Solvers across the country, and even a few foreign countries.

The Future Problem Solving Program seeks to educate students in the area of solving futuristic problems which they may encounter. The program is based on a six-step problem solving process which challenges the students in mind development and reasoning. It helps its participants improve their communication skills, their teamwork skills, and their research techniques. By using their problem solving skills, students are able to improve their ability to think critically, analytically, and creatively.

This joint resolution would commemorate the week of June 2 through June 8, during which students from all across America will gather in Cedar Rapids, IA, for the National Future Problem Solvers Bowl. We in Congress should take this important opportunity to recognize the impressive work of this program and its participants. Future Problem Solvers is helping our young people shape and build the foundation of our future, and this resolution merits the support of my colleagues.

Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 131

Whereas we are concerned about our nation's youth and their interest in the future problems of our country and finding creative approaches to solve those problems; and

Whereas the Future Problem Solving Program, an educational program which combines problems of the future with a multiple step creative problem solving process, has been created and organized in all 50 states of the Union; and

Whereas the program which began as a local program in a Georgia high school, now involves over 100,000 elementary and secondary school students nationwide, over 8,000 school districts, and several foreign countries; and

Whereas the Future Problem Solving Program, in addition to teaching problem solving skills, assists students in developing skills in the areas of creative thinking, critical and analytical thinking, communication, research, future studies, and group interrelations; and

Whereas students representing all regions of the United States of America, selected on the basis of the outstanding performance in earlier problem solving competitions, will be assembling to participate in the Future Problem Solving Bowl on June 2, 1985 through June 5, 1985: Now therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of June 2, 1985, through June 8, 1985, is designated as "the Future Problem Solving Program Week," and the President is authorized and requested to issue a proclamation calling upon all Government agencies and the people of the United States to observe the week with appropriate programs, ceremonies, and activities.●

By Mr. DANFORTH:

S.J. Res. 132. Joint resolution designating October 1985, as "National Head Injury Awareness Month;" to the Committee on the Judiciary.

NATIONAL HEAD INJURY AWARENESS MONTH

● Mr. DANFORTH. Mr. President, today I am introducing a joint resolution to designate October 1985 as "National Head Injury Awareness Month."

Head injury is a very serious health problem in our Nation. Over 100,000 Americans die from head injuries each year, mostly in motor vehicle or sports accidents. In addition, 450,000 to 700,000 people sustain head injuries each year serious enough to require hospitalization. Fifty thousand of these individuals suffer permanent brain damage that prevents them from returning to schools, jobs, and normal lifestyles.

Two-thirds of these seriously disabled individuals are young people, under the age of 30. They are left with mental and physical impairments, speech problems, and behavioral disorders. Often these disabilities are not apparent to the casual observer, but their effects are still debilitating. In many cases, the victims of serious head injury experience frequent fatigue, forgetfulness, irritability, and depression, making it extremely difficult or impossible for them to maintain a job or attend school.

The families of head injury victims also suffer. They must bear devastating emotional and financial burdens. Many head injury victims are comatose for extended periods of time and therefore require professional services and treatment, but because of a lack of suitable treatment facilities, family members themselves often must assume the burden of caring for victims.

A great many of these families have experienced great frustration and a sense of helplessness in their search for appropriate facilities and treatment for head injury victims. As a result, they have joined together with a number of health care professionals to form the National Head Injury Foundation. This organization, together with its numerous State chapters, has been working tirelessly to educate the public about the problems of head injury and the needs of disabled head injury victims. The National Head Injury Foundation has committed itself to bring the problems of head injury to national attention and to provide the families of head injury victims with the necessary facilities and resources.

I am glad to assist the Foundation in its efforts, and I urge my colleagues to join me by designating October 1985 as "National Head Injury Awareness Month."

Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 132

Whereas an estimated four hundred and fifty thousand to seven hundred thousand people require hospitalization each year for head injuries;

Whereas an estimated one hundred thousand of these victims die as a result of head injuries;

Whereas approximately fifty thousand head injury victims, more than two-thirds of whom are under the age of thirty, suffer permanent brain damage that prevents them from returning to schools, jobs, or normal lifestyles;

Whereas the effects of head injuries are emotionally and financially devastating to families;

Whereas there is a serious lack of facilities designed to care for the special needs of the head injured; and

Whereas long-term medical research on brain-injured patients is incomplete: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That October 1985 is designated "National Head Injury Awareness Month" and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe that month with appropriate programs and activities.●

ADDITIONAL COSPONSORS

S. 32

At the request of Mrs. KASSEBAUM, the name of the Senator from Nebraska [Mr. ZORINSKY] was added as a cosponsor of S. 32, a bill to provide for a 1-year, across-the-board freeze on Federal spending.

S. 104

At the request of Mr. THURMOND, the name of the Senator from Minnesota [Mr. BOSCHWITZ] was added as a cosponsor of S. 104, a bill to amend chapter 44, title 18, United States Code, to regulate the manufacture and importation of armor piercing bullets.

S. 232

At the request of Mr. PRYOR, the name of the Senator from Nebraska [Mr. ZORINSKY] was added as a cosponsor of S. 232, a bill to amend the Internal Revenue Code of 1954 to add

a new subsection dealing with exchanges and rentals of names from donor lists and membership lists.

S. 274

At the request of Mr. DENTON, the names of the Senator from Utah [Mr. HATCH], and the Senator from Minnesota [Mr. BOSCHWITZ] were added as cosponsors of S. 274, a bill to provide for the national security by allowing access to certain Federal criminal history records.

S. 361

At the request of Mr. MOYNIHAN, the name of the Senator from South Dakota [Mr. ABDNOR] was added as a cosponsor of S. 361, a bill to amend the Internal Revenue Code of 1954 to make permanent the deduction for charitable contributions by nonitemizers.

S. 425

At the request of Mr. GOLDWATER, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 425 a bill to amend the Public Health Service Act to establish a National Institute of Arthritis and Musculoskeletal and Skin Diseases.

S. 755

At the request of Mr. INOUYE, the name of the Senator from Georgia [Mr. MATTINGLY] was added as a cosponsor of S. 755 a bill to provide that transportation provided by an airline to parents of its employees shall be tax free.

S. 768

At the request of Mr. PRESSLER, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 768, a bill to authorize the President of the United States to award a Congressional Gold Medal to Jan C. Scruggs in recognition of his work on behalf of Vietnam veterans, and to authorize the Secretary of the Treasury to sell bronze duplicates of such medal.

S. 925

At the request of Mr. HUMPHREY, the names of the Senator from Ohio [Mr. GLENN], and the Senator from Tennessee [Mr. GORE] were added as cosponsors of S. 925, a bill to deny most-favored-nation trading status to Afghanistan.

S. 973

At the request of Mr. BENTSEN, the name of the Senator from North Dakota [Mr. ANDREWS] was added as a cosponsor of S. 973, a bill to amend the Internal Revenue Code of 1954 to provide for an alternative corporate minimum tax in lieu of the present additional corporate minimum tax, to provide a method of reducing corporate tax rates by the amount of such tax, and for other purposes.

S. 982

At the request of Mr. BAUCUS, the names of the Senator from Georgia [Mr. NUNN], and the Senator from Mississippi [Mr. STENNIS] were added as cosponsors of S. 982, a bill to amend the Trade Act of 1974 regarding international trade in softwood lumber, and for other purposes.

S. 983

At the request of Mr. MCCLURE, the names of the Senator from Virginia [Mr. WARNER], the Senator from Illinois [Mr. DIXON], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 983, a bill to provide for limited extension of alternative means of providing assistance under the School Lunch Program and to provide for national commodity processing programs.

S. 1018

At the request of Mr. GORTON, the names of the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Oregon [Mr. PACKWOOD], and the Senator from Washington [Mr. EVANS] were added as cosponsors of S. 1018, a bill to amend the National Labor Relations Act to clarify the meaning of the term "guard" for the purpose of permitting certain labor organizations to be certified by the National Labor Relations Board as representatives of employees other than plant guards.

S. 1047

At the request of Mr. CHILES, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Oklahoma [Mr. BOREN], and the Senator from Wisconsin [Mr. PROXMIRE], were added as cosponsors of S. 1047, a bill to reform the laws relating to former Presidents.

SENATE JOINT RESOLUTION 33

At the request of Mr. MATTINGLY, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of Senate Joint Resolution 33, a joint resolution to authorize and request the President to designate May 12, 1985 to June 16, 1985, as "Family Reunion Month."

SENATE JOINT RESOLUTION 43

At the request of Mr. THURMOND, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of Senate Joint Resolution 43, a joint resolution to authorize the Armored Force Monument Committee, the U.S. Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Calvary Regiment Association, the Tank Destroyer Association, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th Armored Division Associations, and the Council of Armored Division Associations, jointly to erect a memorial to the "American Armored Force" on U.S. Government property in Arlington, VA, and for other purposes.

SENATE JOINT RESOLUTION 57

At the request of Mr. CHILES, the names of the Senator from South Dakota [Mr. ABDNOR], and the Senator from Rhode Island [Mr. PELL], were added as cosponsors of Senate Joint Resolution 57, a joint resolution to designate the week of October 20, 1985, through October 26, 1985, as "Lupus Awareness Week."

SENATE JOINT RESOLUTION 59

At the request of Mr. HATCH, the name of the Senator from Indiana [Mr. QUAYLE] was added as a cosponsor of Senate Joint Resolution 59, a joint resolution to designate "National Science Week."

SENATE JOINT RESOLUTION 64

At the request of Mr. RIEGLE, the names of the Senator from Georgia [Mr. MATTINGLY], and the Senator from Texas [Mr. GRAMM] were added as cosponsors of Senate Joint Resolution 64, a joint resolution to designate the week beginning May 5, 1985, as "National Correctional Officers Week."

SENATE JOINT RESOLUTION 88

At the request of Mr. LEVIN, the names of the Senator from Vermont [Mr. STAFFORD], and the Senator from Minnesota [Mr. DURENBERGER] were added as cosponsors of Senate Joint Resolution 88, a joint resolution to designate the week beginning September 8, 1985, as "National Osteopathic Medicine Week."

SENATE JOINT RESOLUTION 98

At the request of Mr. D'AMATO, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of Senate Joint Resolution 98, a joint resolution condemning the passage of Resolution 3379, in the United Nations General Assembly on November 10, 1975, and urging the U.S. Ambassador and U.S. delegation to take appropriate actions necessary to erase this shameful resolution from the record of the United Nations.

SENATE JOINT RESOLUTION 102

At the request of Mr. ZORINSKY, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of Senate Joint Resolution 102, a joint resolution to establish a National Commission on Illiteracy.

SENATE JOINT RESOLUTION 104

At the request of Mr. DENTON, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of Senate Joint Resolution 104, a joint resolution to proclaim October 23, 1985, as "A time of remembrance" for all victims of terrorism throughout the world.

SENATE JOINT RESOLUTION 117

At the request of Mr. LEVIN, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of Senate Joint Resolution 117, a joint resolution designating the week beginning September 22, 1985, as "National Adult Day Care Center Week."

SENATE JOINT RESOLUTION 118

At the request of Mrs. HAWKINS, the name of the Senator from Louisiana

[Mr. JOHNSTON] was added as a cosponsor of Senate Joint Resolution 118, a joint resolution to designate May 25, 1985 as "Missing Children Day."

SENATE JOINT RESOLUTION 128

At the request of Mr. BYRD, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of Senate Joint Resolution 128, a joint resolution to designate May 7, 1985 as "Vietnam Veterans Recognition Day."

SENATE CONCURRENT RESOLUTION 4

At the request of Mr. MOYNIHAN, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of Senate Concurrent Resolution 4, a concurrent resolution calling on the President to appoint a special envoy for northern Ireland.

SENATE CONCURRENT RESOLUTION 36

At the request of Mr. PROXMIRE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of Senate Concurrent Resolution 36, a concurrent resolution expressing the sense of the Congress regarding the establishment of a joint commission between the United States and the Soviet Union to study the concept of "nuclear winter" and its impact for the national security of both nations.

SENATE CONCURRENT RESOLUTION 41

At the request of Mr. BAUCUS, the name of the Senator from Hawaii [Mr. MATSUNAGA] was added as a cosponsor of Senate Concurrent Resolution 41, a concurrent resolution expressing the sense of the Congress that corporate income tax rates should remain graduated.

SENATE RESOLUTION 130

At the request of Mr. WALLOP, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of Senate Resolution 130, a resolution relative to the Sport Fish Restoration Trust Fund.

SENATE RESOLUTION 144

At the request of Mr. KASTEN, the names of the Senator from Kentucky [Mr. MCCONNELL], the Senator from South Carolina [Mr. THURMOND], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of Senate Resolution 144, a resolution to give special recognition to the achievements of John James Audubon.

SENATE RESOLUTION 148

At the request of Mr. ZORINSKY, the names of the Senator from Kentucky [Mr. FORD], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of Senate Resolution 148, a resolution commemorating the 50th anniversary of the Rural Electrification Administration.

SENATE RESOLUTION 154

At the request of Mr. LAUTENBERG, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of Senate Resolution 154, a resolution to pay tribute to the American veterans of World War II on the 40th anniversary of V-E Day.

SENATE RESOLUTION 155

At the request of Mr. CHILES, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Kansas [Mr. DOLE], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Missouri [Mr. DANFORTH], and the Senator from Wyoming [Mr. SIMPSON] were added as cosponsors of Senate Resolution 155, a resolution to condemn the actions of the Ethiopian Government.

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET

NICKLES (AND OTHERS) AMENDMENT NO. 54

Mr. NICKLES (for himself, Mr. ARMSTRONG, and Mr. ABDNOR) proposed an amendment to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) to the motion to recommit with instructions the concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the U.S. Government for fiscal years 1986, 1987, and 1988 and revising the congressional budget for the U.S. Government for the fiscal year 1985; as follows:

At the appropriate place in the amendment, insert the following:

It is the sense of the Congress that overall Federal outlays should be reduced and it is assumed that legislation should be enacted to conform the overtime requirements under the Walsh-Healey Act and the Contract Work Hours and Safety Standards Act with the Fair Labor Standards Act and it is further assured that the resulting outlay reductions shall be utilized to achieve the previously agreed-upon program outlay savings.

LEVIN (AND DIXON) AMENDMENT NO. 55

(Ordered to lie on the table.)

Mr. LEVIN (for himself and Mr. DIXON) submitted an amendment intended to be proposed by them to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) to amendment No. 43 to the motion to recommit, with instructions to the concurrent resolution (S. Con. Res. 32), supra; as follows:

On page 2, increase the amount on line 9 by $1,500,000,000.

On page 2, increase the amount on line 10 by $1,700,000,000.

On page 2, increase the amount on line 11 by $1,700,000,000.

On page 2, increase the amount on line 15 by $1,500,000,000.

On page 2, increase the amount on line 16 by $1,700,000,000.

On page 2, increase the amount on line 17 by $1,700,000,000.

On page 3, decrease the amount on line 25 by $1,500,000,000.

On page 4, decrease the amount on line 1 by $1,700,000,000.

On page 4, decrease the amount on line 2 by $1,700,000,000.

On page 4, decrease the amount on line 6 by $1,500,000,000.

On page 4, decrease the amount on line 7 by $3,200,000,000.

On page 4, decrease the amount on line 8 by $4,900,000,000.

On page 4, decrease the amount on line 12 by $1,500,000,000.

On page 4, decrease the amount on line 13 by $1,700,000,000.

On page 4, decrease the amount on line 14 by $1,700,000,000.

ABDNOR (AND OTHERS) AMENDMENT NO. 56

Mr. ABDNOR (for himself, Mr. GRASSLEY, and Mr. NICKLES) proposed an amendment to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) to the motion to recommit, with instructions, the concurrent resolution (S. Con. Res. 32), supra; as follows:

At the end of the pending amendment add the following:

It is the sense of the Senate that revenues should be increased and it is assumed that tax legislation will be enacted to limit to the national median family income the amount of farm loss which may be deducted against nonfarm income, and it is further assumed that revenues derived from enactment of such legislation be used to reduce individual income tax rates and to assure that full-time, family-size farm operators will not be disadvantaged by unfair competition from high-income taxpayers with substantial nonfarm income.

NOTICES OF HEARINGS

SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the Subcommittee on Energy Research and Development of the Committee on Energy and Natural Resources has moved its hearing previously scheduled for Thursday, May 9, at 2 p.m., on the Department of Energy's Fusion Energy Programs. This hearing has been rescheduled for Thursday, May 9, at 9:30 a.m. in room SD-336.

For further information regarding this hearing, please contact Mr. Paul Gilman of the subcommittee staff at 202-224-4431.

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. ANDREWS. Mr. President, I should like to announce for the information of the public that the Select Committee on Indian Affairs will hold a public hearing on Saturday, June 1, 1985, on S. 400, a bill to establish a national health promotion policy within the Indian Health Service of the De-

partment of Health and Human Services, and to develop a comprehensive and long-term plan to tribal and national health promotion and disease prevention objectives.

The bill defines health promotion and disease prevention as the cessation of smoking, reduction in alcohol and drug use, improvement of nutrition and physical fitness, control of stress, immunization, control of high blood pressure, control of sexually transmittable diseases, family planning, pregnancy and infant care, control of toxic agents, occupational safety and health, control of accidental injuries, fluoridation of water, and control of infectious agents.

The hearing will begin at 10 a.m., until 2 p.m., in the Kennedy Middle School Auditorium, 600 Boardman, in Gallup, NM. Persons wishing to testify or who have questions regarding the hearing should contact June Tracy, professional staff member on the Select Committee on Indian Affairs at (202) 224-4521, or Faith Roessel, legislative aide to Senator JEFF BINGAMAN at (202) 224-5521.

ADDITIONAL STATEMENTS

PRISONS

● Mr. HATFIELD. Mr. President, for several years I have been concerned about the state of America's prison system. In the last decade alone our Nation's prison population has more than doubled and is now increasing 15 times faster than the general population.

Many factors are cited as the cause for this country's unprecedented increases in the numbers of men and women in State and Federal penitentiaries. One is the trend toward mandatory sentencing laws. During the past several years over 37 States have passed mandatory sentencing laws. Some States no longer allow for prisoner parole. These changes in the law have resulted in longer "average time-served" figures than those of prior years. Another reason for the increase is simply that there continues to be a steady rise in the number of people arrested and sentenced each year. Further, studies have shown that judges are assessing stiffer penalties when it is within their discretion to do so.

As a result, the prison populations of 40 States exceed prison capacity. In virtually every State the department of corrections is asking for more money to construct additional prisons to deal with overcrowding. Thirty States, because of overcrowded conditions, are unable to meet minimal requirements set by the courts, and are under State or Federal court order to remedy the situation. Eighteen States have people sleeping on the floors because they have no other place to put them.

Mr. President, there are some who say that the best answer to meeting the problem of prison overcrowding is just to build more prisons. Others, however, recognize the skyrocketing costs of prison construction as well as the dramatic rise in annual costs of housing prisoners, and advocate a major overhaul of the existing philosophy of corrections. This new approach embodies the concept that imprisonment should be the punishment of last resort, not first resort.

Efforts to come up with an alternative model for corrections to provide relief of prison overcrowding have been underway in several States. One of the States, I am proud to say, is the State of Oregon. For the past 3 years a group of individuals from all elements of Oregon's criminal justice system have been working together on a project entitled the Oregon Prison Overcrowding Project [OPOP]. The projects purpose was to develop long range strategies for relieving prison overcrowding.

Mr. President, the Oregon Prison Overcrowding Project's report was recently completed. It represents many hours of work on the part of the members of the "policy group." It also is a product of many other individuals and organizations, both public and private, which provided support both financially and technically. I applaud their work and ask that a summary of the OPOP report be printed in the RECORD following my remarks.

Thank you, Mr. President.

The summary follows:

OPOP: ITS MISSION AND METHOD

The goal of the Oregon Prison Overcrowding Project (OPOP) is to develop long-range strategies for relieving the prison crowding problem. OPOP was formed in May, 1982 as part of a nationally sponsored demonstration project in four states. The Oregon Jail Overcrowding Project (OJOP) of the Association of Oregon Counties is a second generation project in the same national program sponsored by the Edna McConnell Clark Foundation and the National Institute of Corrections of the United States Department of Justice. OPOP is currently funded by several/Northwest foundations.

Because the design of effective long-range solutions requires participation from all elements of the criminal justice system, OPOP's "Policy Group" consists of officials from law enforcement, local government, the judiciary, the Legislature, the Parole Board, the Oregon Corrections Division, the law schools and prosecuting and defense attorneys. It is this unique opportunity for communication and study that has led to a strong consensus on OPOP's recommendations.

Another source of consensus is OPOP's extensive data collection effort. OPOP surveyed thousands of state prisoners, jail inmates and probationers regarding personal characteristics, criminal histories and offense behaviors. OPOP's recommendations, therefore, are based upon substantial knowledge about Oregon's offender population and a strong background in Oregon criminal justice among the Policy Group.

OREGON'S CROWDING PROBLEM

Oregon's prison crowding situation is not new or unique, but it is a serious situation which adversely affects the entire criminal justice system. Crowding within the institutions can promote stress and resentment, presenting an immediate, continual danger to staff and inmates. In crowded settings the cost of housing and guarding the inmates consumes funds that were once spent on programs aimed at returning inmates to productive lives upon release. Lack of jobs, recreation or activities can result in idleness and increased tension. Crowding also may have a negative impact upon public safety in at least two ways. First, crowding causes early release of inmates who continue to be a risk. Second, inmates who are incarcerated in crowded conditions may be more likely to reoffend upon release. Another result of crowding is a loss of credibility throughout the system. Imposed sentences cannot be carried out and decisions on what to do with offenders are driven by what is available rather than what is appropriate.

Currently, the Oregon State Correctional Institution (OSCI) is populated at 206% of single cell capacity and the Oregon State Penitentiary is at 153% of single cell capacity. Prisons are not the only component of our criminal justice system which are crowded. Most of Oregon's county jails are crowded and many have been or are being sued for the claimed unconstitutionality of their conditions. Field services—probation and parole—is also badly overtaxed, with a statewide caseload which has grown by nearly 2,000 in the last 1½ years. Overloading field services staff can result in lower quality supervision and less likelihood that the offender will receive needed services.

At this time about one in every 40 adult male Oregon residents is under the supervision—prison, parole or probation—of the Oregon Corrections Division.

Although Oregon's prisons are overcrowded, the inmate population is relatively stable at this time (3,562 as of February 1, 1985). However, Oregon's risk group population (crime prone males aged 15-29) is expected to remain stable only during the next few years. After that, the size of the risk group is expected to begin to climb again. If long range policy choices are not enacted during 1985, prison population size is likely to increase in the 1990's as the effects of the larger risk group begin to affect prison population. The time to gain control over the problem is now. The data is the best ever, and consensus among policymakers has been honed by nearly three years of analysis, discussion and debate. If action is taken now, the future of Oregon corrections can still be shaped by deliberate policy choices rather than forces beyond our control.

DYNAMICS OF THE CROWDING PROBLEM

Prison population is determined by a simple formula—how many offenders enter prison and how long they stay. The determination of these basic elements, however, is very complex.

This is because decisions at every level of government affect who goes in to prison and how long they stay. The Legislature decides what is a crime and what is punishable by prison, the police decide whether to arrest; the prosecutor decides whether to charge and at what level; the judge decides whether the convicted offender goes to prison, jail, an alternative facility, is placed on probation, or given some other sanction. If the offender is placed on probation, the judge

may later revoke and incarcerate the offender if the probation officer decides to report violations of conditions. If the offender is imprisoned, the Parole Board, with the aid of the "matrix," determines length of stay. After prison, offenders serve an average of 11 months on parole, during which they can be reincarcerated for violating conditions which apply to every paroled inmate.

The criminal justice "system" consists of a series of discrete decisions which, taken together, have a huge impact on the number of offenders in the system and in the prison. A change of behavior of any one component often impacts the entire system; policy choices made in one component are often offset or exaggerated by choices made in other components.

A major principle of OPOP's findings is that prison and jail population sizes are functions of policy choices, as well as demographics (such as the size of the risk group). Therefore, control of prison and jail populations can be improved by implementing appropriate policies, it is necessary, however, that coordination and consistency throughout the "system" be achieved, and that extensive information, not currently existing, be gathered.

FINDINGS

OPOP's recommendations for action are based on several conclusions about the nature of Oregon's criminal justice system and needs for change. This section will describe some philosophical conclusions and the policy recommendations which result.

OPOP in this study has not determined the extent to which serious state prison overcrowding is due to lack of effective risk discrimination, lack of space in state prisons and local jails, and lack of alternative sentencing sanctions. We believe that all three factors are involved. But until we can develop a more accurate risk assessment method and a coordinated punishment/risk management sentencing policy, we cannot make reliable statewide decisions on what needs to be done. This includes when, what kind, and how much additional custodial space is required. Nevertheless, these decisions must be made. We look to the Criminal Justice Council, proposed in this report, to make the necessary studies, develop the data and follow through with recommendations to all three branches of government.

The appropriate mix of state and local custodial space is an important part of the question. Many local jails are antiquated and need replacement. Additional space is clearly needed in some counties. The extent of the need statewide can only be determined with development of a consistent policy on how such jail space should be used. Local jails, like state prison facilities, should be utilized under a punishment/risk management sentencing policy.

A. Redefining capacity

Criminal justice policy is often driven by notions of sanctioning "capacity," which is commonly defined as incarcerative "bedspace." While the availability of bedspace is important, this definition is seriously inadequate, because it assumes that only prisons or jails can meet the goals of the criminal justice sanctioning system. A more accurate and useful definition of "capacity" includes all of the sanctions available to the system, including bedspace but not limited to it. Under this concept, criminal justice "capacity" becomes a fully integrated, flexible sanctioning system which includes a wide variety of services and sanctions. A critical part of our recommendations is the development of the entire range of sanctions, which must be available in order to match sanctions to the crime and the criminal.

Within this broader concept of capacity, sanctioning options can be thought of as lying on a continuum, with the least restrictive sanctions on one end and the most restrictive on the other end. The following table illustrates a continuum of possible sanctions, with the average cost of each, and the number of offenders in each. It clearly (but only roughly) shows why "capacity" viewed only as bedspace distorts the overall nature of the sanctioning system's "true" capacity.

TABLE 1

Sanctions (in descending order or restriction of freedom)	Cost per offender per day	Approximate number of offenders currently in each sanction
1. State prison	Avg. $39	3,600
2. Local jails	$25 to $60	2,650
3. Work camps, probation centers, temporary leave.	$20 to $35	1,300
4. Home supervision [1]	[1]$5 to $20	[1]2,000
5. Parole/probation supervision.	$.60 to $5 (avg. $2)	23,000
6. Community corrections (additional options and services).	$.54	23,000
7. Community service	$.34	14,000
8. Fines, fees and restrictions.	([2])	([2])

[1] Potential option not yet fully developed.
[2] Not determined. Some offenders are subject to more than one sanction, therefore the column on the right will total to more than the number of offenders in the sanctioning system.

The cost column represents costs to the state. It does not include the possible social costs of either incarceration or community-based sanctions. It is apparent from this table that the least restrictive options, such as low supervision probation, are the least costly and prison incarceration is the most costly option in terms of cash outlays by the state.

Since it is so costly, bedspace must be regarded as a relatively "scarce" resource, one which OPOP believes ought to be reserved to those most deserving of punishment and who represent significant risks to public safety. The notion of bedspace as a scarce resource leads to the questions—who are the most deserving of punishment and how is risk assessed?

Currently, the "system" has no consistent way of answering these questions because there are no clear goals and standards. OPOP believes it is essential to establish statewide sanctioning goals to help establish which offenders receive what levels of sanctions and services. The system needs coordination and consistency in its decision making if the problems of jail and prison overcrowding are to be adequately addressed and correctional resources efficiently and effectively managed.

B. A punishment risk management sanctioning model for Oregon

The philosophy which OPOP recommends incorporates the principle of punishment which already characterizes Oregon sanctioning philosophy, and combines it with risk management. Offenders would be placed in appropriate sanctions based on the need to respond to their crime (punishment) and their likelihood of committing future crimes (risk). The goals of the sanctioning system would be to punish offenders equitably and in proportion to the crime, and to restrict offenders' freedom to the degree necessary to achieve a reasonable level of public safety.

In order to do this, decision making throughout the system—arrest, prosecution, sentencing, supervision and release—would be based on using scarce resources on offenders who most deserve punishment and those most likely to commit another crime. The question of an appropriate level of punishment for specific crimes is a matter of policy choice made by responsible and accountable public officials. The criminal code enacted by the Legislature sets the possible penalties for each crime. Offenders would be placed in the least restrictive (least costly) appropriate setting in order to reserve bedspace for those who most need it based upon punishment and risk.

In order for a punishment/risk management sanctioning system to be successfully implemented in Oregon, several interim steps must be taken.

Primary among these steps is the systematic development of risk assessment technology. Risk assessment scales which reliably screen for risk have been produced in other states, notably Iowa. These scales are based upon the actuarial principles used in the insurance industry to screen for and thus manage risk. The development of vastly improved risk screening tools is one of the most significant advances in criminal justice management in recent years, but it has had no impact so far in Oregon. It is critical that Oregon do a high quality job of developing and applying the risk management tool. The tool must be tested and statistically validated on Oregon's offender population.

In order to accomplish this task, OPOP supports the establishment of a "Criminal Justice Council" charged with guiding the technical work required to develop the risk screening scales (HB 2093). The risk assessment development should be geared to all decision points where risk is a relevant factor, including pretrial custody, charging, sentencing, supervision and releasing decisions. This fits well with the Council's overall objective of improving communication and coordination among criminal justice agencies, which is essential for long-term improvements and planning in criminal justice policy.

Another important step is to recognize the need for a full range of sanctioning options, especially those between the most and least restrictive. Judges, probation officers, etc., cannot use alternatives which are overloaded or do not exist. The range of existing options varies from county to county. OPOP recommends that a priority for Oregon be the further development of sanctioning options and the provision of services necessary to help prevent future crime. It is important to "fill the gaps" in the local sanctions and services.

The provision of services is an essential ingredient in risk management because it addresses the importance of rehabilitation of the offenders. The "reduction of risk" should be a goal of the criminal justice system. HB 2093 requires the Criminal Justice Council to "study and make recommendations" regarding community corrections programs.

Finally, another key to the successful development and implementation of the risk punishment/risk management model is the availability of relevant information. Risk assessment technology requires collection of additional reliable, timely information which is not currently being collected in Oregon. Oregon's Corrections Division has a great deal of daily management information

about how many offenders there are, where they are located, etc. These data allow the Division to plan for housing, staffing, etc. But they do not generally describe the offenders in terms of personal characteristics, the nature of their crimes (e.g., levels of violence) or their criminal history. This matching of offenders, offenses and sanctions is the essence of risk management. The Criminal Justice Council should guide the development of an information base which will serve both the initial development needs for risk assessment, and the continual testing and validation necessary to maintain their effectiveness. With the right information, risk management can be effective at each level of the criminal justice system.

SUMMARY: ADVANTAGES OF A PUNISHMENT/RISK MANAGEMENT MODEL

A criminal justice sanctioning system based upon both punishment and risk management would have several advantages:

It recognizes the need to respond to crime, commensurate with the seriousness of the offense (punishment). It will reserve prison and jail space for the most serious and dangerous offenders, help to restore or maintain the credibility of the system and maximize the chance for a deterrent effect for the criminal sanction.

It recognizes the importance of equity in sanctioning offenders; that like crimes should receive similar sanctions. This should also help credibility and may relate to offender willingness to cooperate in rehabilitation efforts.

It is realistic in that it recognizes:

1. That the Oregon criminal justice system already operates on the basis of punishment and risk, but the latter largely occurs on an intuitive level without coordination. Examples of current risk assessment would be judicial assessment of risk at the time of sentencing; the parole matrix' history/risk score; and the Corrections Division security classification procedures for new institutional admissions. Oregon needs to systematize, expand, and coordinate all of these while raising the level of decision quality through careful development of statistically validated risk assessment tools.

2. That a level of risk is inevitable in dealing with offenders. It simply cannot be avoided; and given that, we should do the best possible job in managing it. Even if it were possible to eliminate all risk, the fiscal costs would be enormous.

It retains a level of discretion within the sanctioning model that will allow the system to operate with some flexibility. Today, some states are moving toward "deterministic" sanctioning systems based exclusively on punishment which allow little or no discretion. These systems essentially lock the sanctions in at the earliest decision stages when information is the least reliable and often unavailable. When this happens, it is often impossible to adjust for errors or to respond appropriately to the offender's progress.

It incorporates effective resource management as both a goal of the model (that is, that punishment and risk should be keyed to available resources) and as a logical outcome of the model. Risk management allows resources to be used based upon systematically determined need for security as well as the need to punish. Resources are not being "wasted" on offenders who do not need them, whether those resources are sanctions or services.

It uses limited jail and prison space on those most "deserving" of punishment. This model, properly developed and implemented, would answer the policy question of "What are prisons and jails for?" leading to their designated use on those whose crimes and risk justify that allocation of resources.

The punishment/risk management model involves the entire criminal justice system, from decisions to release pending trial to decisions to release from prison. Risk assessment tools can be developed for each of these decision points. Thus, the approach has utility and relevance to all officials because it will help them do their jobs better.

Finally, commitment to a common set of goals for sanctioning policy will increase the likelihood of improved communication and coordination among all criminal justice agencies at all levels of government, by virtue of the need for continual discussion. This should address the too-common attitude that "capacity" is solely the problem of the Corrections Division and the sheriffs, and help to establish the idea that everyone must assume responsibility for it.

POTENTIAL IMPACT ON RESOURCE MANAGEMENT

To get an idea of how much risk management could potentially benefit the system, OPOP data on prison inmates and probationers were analyzed to gauge whether any offenders currently incarcerated in state prisons might be considered low risk. The procedures are described in detail in the full report. By successively eliminating prison inmates on the basis of violent behavior, criminal history and the Iowa risk assessment scale, our data indicate that 12.5% of the prison population closely resembles the least risky 52% of the probation population. This 12.5% is equivalent to about 441 inmates.

This analysis would have to be validated using a tested Oregon-based risk assessment tool to be considered conclusive. But it is strongly suggestive that well-developed risk management could result in better use of prison space. Currently, the average annual cost of incarcerating an offender in the Oregon State Correctional Institute is about $14,000. The cost of community supervision is much less. (See Table 1) The potential fiscal impact is thus very large, and this does not include the impact which might be realized by applying the same sanctioning tools to local jail populations.

OPOP's focus through the past 2½ years has been on recommending long-term strategies for relieving the crowding problem. The recommendations contained in this report achieve that goal, but do so without fundamental structural revision of Oregon's criminal justice system, which we believe is sound.

Instead, our recommendations recognize that criminal justice policy must be based, like other areas of public policy, on the notion of scarcity of resources. We cannot expect the criminal justice system to catch all criminals and prevent all of them from ever committing another crime. We can, however, create a system which uses resources wisely, applying the most expensive, most restrictive resource in the interest of public safety.●

CIVILIAN MANAGERS LOST WAR IN VIETNAM

● Mr. GOLDWATER. Mr. President, until this year, the story had not been told of how civilian officials of the executive branch hobbled, chained, and bound American military forces with restrictions saying what the military could and could not do in Indochina. These restrictions were known as rules of engagement. The recent declassification of these documents, formerly classified top secret, proves the military took a bum rap in Vietnam.

U.S. military forces did not lose the Vietnam war, civilian policymakers did.

The rules of engagement caused a piecemealing of air operations which allowed North Vietnam to adjust to the U.S. air bombing campaign by importing war materials through routes immune from attack and then to disburse and store the materials in guaranteed sanctuaries. From these safe areas North Vietnam infiltrated the material to South Vietnam and Laos. The rules allowed the enemy to protect its forces and material, provided it with military training and staging areas free from attack and permitted it to erect massed air defense weapons. One of the most tragic consequences of the rules was the impact on American aircraft and pilot losses by giving North Vietnam time to build up its sophisticated air defense system.

The lesson of Vietnam is that once civilian policymakers decide on war, the result of placing military operations under day-to-day management of unskilled amateurs and rejecting the advice of the best military professionals may be loss of the original objective for going to war. Such rules must never again be applied to our Armed Forces.

Mr. President, my legal counsel, Mr. J. Terry Emerson, was invited to speak on the subject of the rules of engagement at a symposium held on Capitol Hill last week sponsored by the American Security Council, Veterans of Foreign Wars, and the American Conservative Union. His statement presents a tight history of the effect and evolution of these rules. One could not claim to understand the Vietnam war without being aware of the rules of engagement and for that reason I submit his remarks for the RECORD.

The remarks follow:

VIETNAM RULES OF ENGAGEMENT

(J. Terry Emerson)

United States military forces did not lose the war in Vietnam.

Congress did not block the Vietnam War. In fact, Congress was up to its ears in the Vietnam conflict, from as early as 1949 when it first pushed funds on President Truman to support anticommunist forces in Indochina.

Although Congress can be blamed for denying Presidents authority to enforce the peace agreement with Hanoi after January 1973, it was civilian managers of the Executive Branch who first denied our military forces victory by imposing a complex and lengthy set of restrictions on what the military could and could not do in South Vietnam, Cambodia, Laos and North Vietnam. These restrictions were known as Rules of Engagement.

They ran on page after page and were constantly changing. The rules were almost

impossible to memorize or interpret, although our pilots had to do so. When some changes were made after repeated appeals of the Joint Chiefs, the reductions were gradual and not strong enough to serve strategic ends. Numerous partial and total bombing halts interrupted the effectiveness of preceding bombing campaigns. Often, when limited extensions of target areas were granted, they were withdrawn shortly afterward.

For years the contents of these rules were kept top secret. It is only this year, thanks to the initiative of Senator Goldwater and the agreement of Secretary Weinberger, that the actual text of the rules were declassified. In addition, a contemporary historical examination of the air war in Southeast Asia compiled by the Air Force was among the top secret documents newly released at Senator Goldwater's request.

The rules covering North Vietnam, Laos and Cambodia were issued in the form of daily message traffic and these papers were not retained. They are described, however, in the three volume Air Force report entitled Project Checo. The detailed rules for South Vietnam were issued as official directives and the complete set of these rules for 1966 and 1971 were placed in the Congressional Record by Senator Goldwater. The Air Force reports and the rules appear in the Record of March 6, 14, 18 and 26.

These newly public documents reveal just how comprehensive the restrictions were that bound our military units in Vietnam. For example, one rule told American pilots they were not permitted to attack a North Vietnam MIG sitting on the runway. The only time it could be attacked was after it was in flight, was clearly identified and showed hostile intentions. Even then, its base could not be bombed. The same "hostile intention" rule applied to truck convoys driving on highways in Laos and North Vietnam, if you can imagine how a truck is to show hostile intent. In some regions, enemy trucks could evade attack under the rules by simply driving off the road. Even military truck parks located 200 yards from a road could not be destroyed. Another rule provided that SAM missile sites could not be struck while they were under construction but only after they became operational and dangerous, unless a bombing halt was in effect and not even an active missile site could be attacked.

In 1967, the Preparedness Investigating Subcommittee of the Senate Armed Services Committee conducted extensive hearings relative to the conduct of the air war against North Vietnam. After gathering the facts, the Subcommittee issued a report on August 31, which was strongly critical of the Rules of Engagement.

The Subcommittee concluded:

"That the air campaign has not achieved its objectives to a greater extent cannot be attributed to inability or impotence of air power. It attests, rather, to the fragmentation of our air might by overly restrictive controls, limitations, and the doctrine of 'gradualism' placed on our aviation forces which prevented them from waging the air campaign in the manner and according to the timetable which was best calculated to achieve maximum results."

The Subcommittee found that Secretary of Defense McNamara and the Johnson Administration had "discounted the professional judgment of our best military leaders and substituted civilian judgment in the details of target selection and the timing of strikes." The Subcommittee charged these civilian managers with having "shackled the true potential of air power and permitted the build up of what has become the world's most formidable anti aircraft defense. . . ." The Subcommittee found the Rules of Engagement to be directly attributable for the fact that "during the entire year of 1966 less than 1% of the total sorties flown against North Vietnam were against fixed targets on the JCS target list." I should point out the targets on the Joint Chief's list could not be hit without specific approval of the Secretary of Defense.

The concentration of the air war to areas well south of the vital Hanoi-Haiphong regions, which left the important targets untouched—the existence of large assured sanctuaries—the failure to close the Port of Haiphong—the prohibition against a coordinated aerial mining of coastal water lanes of communication with a bombing attack continuously cutting off rail and road lines to China, all these results of the rules combined to cause a piecemealing of air operations which allowed North Vietnam to adjust to the air campaign by importing war materials from communist countries through routes immune from attack and then to disburse and store this material in guaranteed sanctuaries. From these safe areas North Vietnam infiltrated the material to South Vietnam and Laos. By granting North Vietnam sanctuaries with our blessing, the Rules of Engagement allowed the enemy to protect its forces and material, provided it with military training and staging areas free from attack and permitted it to erect massed air defense weapons.

One of the most tragic consequences of the Rules of Engagement was the impact on American aircraft and pilot losses by giving North Vietnam time to build up its sophisticated air defense and to disburse its stocks of war supplies. The point on which military experts disagreed most vehemently with civilian managers was the certainty among professional military men that these self imposed restrictions greatly increased U.S. casualties.

Revisionist historians argue military leaders did not convey to civilian officials the depth of their concern with the rules. Bunk!

The Pentagon Papers and the newly declassified documents reveal that the Joint Chiefs repeatedly argued against the artificial limitations impeding the objectives of our nation in the Vietnam War. A handful of civilian advisors, such as Walt Rostow, agreed with military professionals that systematic and sustained bombing of war making resources in North Vietnam would have decisive results, but Secretaries of Defense McNamara and Clifford stubbornly insisted on continued strict limitations over military operations.

The Joint Chiefs and commanders in the field pressed time after time for changes in the rules to put more pressure on North Vietnam. For example, in 1968, Secretary of Defense Clark Clifford convened a senior group of advisors from the State and Defense Departments, the CIA and the White House to review United States involvement in Vietnam. General Wheeler submitted a paper to this group on behalf of the Joint Chiefs. The cover memo for his paper noted that "General Wheeler would favor action to close the Port of Haiphong through mining or otherwise." But a specific paper was not included since President Johnson had already indicated closing the ports was not an action he was going to consider, even as part of a comprehensive review. This illustrates what our military leadership was up against.

Specifically, the paper written by the Joint Chiefs proposed:

"An integrated interdiction campaign should be undertaken against the road, rail and waterway lines of communication with the objective of isolating the logistics base of Hanoi and Haiphong from each other and the rest of North Vietnam."

To achieve this objective, the Chiefs wrote it was necessary to reduce the restricted and prohibited areas around Hanoi and Haiphong and to delete the Special Northeast Coastal Armed Reconnaissance area which limited attacks on North Vietnamese craft to those within three nautical miles of the coast.

The Joint Chiefs explained how North Vietnam had taken advantage of the sanctuaries gratuitously given them in the cities. The JCS paper stated:

"There have been repeated and reliable intelligence reports that indicate civilians not engaged in essential war supporting activities have been evacuated from the cities of Hanoi and Haiphong. Photographic intelligence, particularly of Haiphong, clearly shows that materials of war are stock piled in all open storage areas and along the streets throughout almost one half of the city. Rather than an area for urban living, the city has become an armed camp and a large logistics storage base."

But the Joint Chiefs' paper fell on deaf ears. On March 31, 1968, President Johnson announced he would not seek reelection and at the same time he restricted air strikes on North Vietnam to a line south of the 19th parallel. Then, on December 1, President Johnson ordered the complete cessation of bombing in North Vietman, Only defensive air operations were permitted until the resumption of strategic bombing in May of 1972 by President Nixon.

During this bombing halt, U.S. aircraft could not make even protective reaction strikes into North Vietnam unless the strike was below the 19th parallel and it was an immediate response against enemy aircraft which had taken aggressive action against our aircraft. Military requests for one time preemptive strikes against the maturing North Vietnamese air defense system south of the 20th parallel were turned down. This permitted the system to reach a high level of sophistication in which the North Vietnamese linked their GCI radars with the lock on radar capability of SAM sites to guide MIG attacks on U.S. aircraft and to aim SAMs undetected until the instant of firing against our aircraft.

The Rules of Engagement were so tight that during the last week of March 1972, General Lavelle, Commander of the Seventh Air Force, was relieved of duty for allegedly ordering unauthorized raids against North Vietnamese air fields and radar sites. During the same week General Lavelle was recalled, Noth Vietnam launched a major offensive against South Vietnam. Within a week the rules he was accused of violating were obsolete. Authority was granted in April 1972 to use tactical air strikes against SAMs, artillery and other military targets to the 18th parallel and protective reaction strikes were authorized as far as the 20th parallel.

A month later, President Nixon ordered the mining of Haiphong harbor and offensive air operations were reopened throughout North Vietnam except for a buffer zone at the communist Chinese border. There was a brief suspension of bombing north of the 20th parallel in late October, but President Nixon initiated the famous Christmas

bombings, 12 consecutive days of strikes starting on December 18, 1972, using B-52's on a sustained basis for the first time over the northern part of North Vietnam. Hanoi returned to the negotiating table immediately and signed a peace agreement within six weeks.

A major objection to increased war operations that prevailed among civilian policy makers had been concerned about armed intervention by Red China. Yet Henry Kissinger tells us in his memoirs, "Years of Upheaval," that during his visit to Peking in February 1973 he discovered a unified communist Vietnam dominant in Indochina would be a strategic nightmare for Mainland China. Peking approved the goals of the Paris peace agreement because it would benefit China by denying Hanoi primacy in the region and buffer North Vietnam with three independent states, Laos, Cambodia, and South Vietnam. Dr. Kissinger also writes that he discovered the answer to a mystery which had long confounded him. The road Chinese troops had been building through northern Laos for nearly a decade was not intended or used to supply the Pathet Lao; instead it sat on the flank of the advancing North Vietnamese and could be used to contain and threaten Hanoi's possible domination over all Indochina. No wonder that Red China had stood by passively when virtually unlimited bombing of North Vietnam had been permitted in December 1972.

Unfortunately, Congress made it impossible for Presidents Nixon or Ford to uphold the peace terms. Again quoting Dr. Kissinger, the resulting collapse of South Vietnam in 1975 "not only led to genocidal horrors in Indochina; from Angola to Ethiopia to Iran to Afghanistan, it ushered in a period of American humilitation (and) an unprecedented Soviet geopolitical offensive all over the globe. . . ."

But the Congressional abandoment of friendly peoples who relied on us came at the end of the war. The real architects of the lost opportunity that doomed our undertaking in Vietnam were the civilian officials who had made a commitment large enough to risk our global position but executed it with so much hesitation as to defeat their purpose. Without derogating the principle of civilian control of the military, it should be recognized that once civilian policymakers decide on war, the result of placing military strategy and tactical operations under the day to day direction of unskilled amateurs may be greater sacrifice in blood and the denial of a military victory. Once American forces were committed, there is no logical goal except to prevail.●

WASTEWAY? NO WAY!

● Mr. HUMPHREY. Mr. President, over the past few years, John B. Oakes of the New York Times has written a series of columns on the Westway real estate development and highway project in New York City. Today I am inserting in the RECORD a column from June 6, 1983.

In this particular piece, Mr. Oakes stresses the availability of the trade-in option to the city and the State. Under the trade-in option, New York would be able to trade-in $1.71 billion in Federal funds which could be used to construct a nonlandfill highway and to rehabilitate New York's crippled mass transit system.

Some 37 cities in 21 States have traded in interstate highways for substitute mass transit and/or highway projects since 1974. For instance, Boston has received $1.4 billion, Chicago has received $1.1 billion, and Washington, DC, has used over $2 billion in trade-in funds for the Metro system.

Few question the serious transportation needs that the city of New York faces. These trade-in funds could be used for urgently needed repairs to the collapsing subway, bus and commuter rail system. Consider this—if $85 million were deducted from the $1.71 billion trade-in total to cover the 85-percent Federal share of a nonlandfill alternative highway costing $100 million—then the city would have $1.625 billion to spend on mass transit.

The trade-in still stands as a viable and attractive alternative for the State and city of New York, but time is running out. The deadline for New York to take advantage of the trade-in alternative is September 30, 1985.

Mr. President, the Westway plan as it now stands is an unacceptable assault on the environment and the Nation's Treasury. New York does have options to address its legitimate transportation needs, perhaps foremost among these is the trade-in option. I ask that John B. Oakes' column, "Wasteway, Governor? No Way!" be printed in the RECORD.

The article follows:

WASTEWAY, GOVERNOR? NO WAY!

(By John B. Oakes)

Governor Cuomo is a pragmatic politician as well as a respected one. He is risking his reputation on both counts by his curious reluctance to face reality in the Westway fiasco, which is rapidly turning into the Westway scandal.

Inexplicably, Governor Cuomo is ignoring recent actions both in Congress and in the Federal courts that make trade-in of Federal interstate highway funds a more realistic alternative to Westway than ever.

Inexplicably, he airily dismisses as "nothing new" the devastating report on Westway prepared at his request by Thomas P. Puccio, a former Federal prosecutor.

Inexplicably, Governor Cuomo refuses to recognize that Westway, far from being a "free" gift from a benign Federal Government, will impose an additional heavy financial burden on the people of New York State.

The Governor concedes that there might be better ways of spending "free" Federal dollars for the state than by pouring them into a $2 billion to $5 billion, 4.2-mile superhighway, landfill and real estate development on Manhattan's lower West Side.

Of course there are. One of the ways is to trade in Westway money now, as the law allows, for a riverside boulevard, other road and bridge repairs, and major capital improvements for the city's bus and subway system. Such a project is far more responsive to New York's transportation and financial needs than Westway. It provides equal if not greater employment opportunities. It is much more quickly realized. It will do none of Westway's major, long-term damage to the economy and the environment of city and state. It will not force New York to divert massive funds from real transportation needs to this unwanted and unneeded extravaganza.

But, said the Governor to this reporter a few days ago, this is "not the choice." His rejection of trade-in seems to be based on the mistaken theory that while Federal dollars for Westway are certain and sufficient, trade-in funds are neither. He seems entranced by the idea that if we are going to get that Federal money at all, we had better opt for Westway. Nothing could be further from the truth.

Late last year, Congress adopted a highway law that for all its many faults sets up a new formula for distribution of trade-in funds that is particularly beneficial to New York. The net effect of this and other changes is to solidify the assurance that New York will get its fair share of trade-in grants for both highways and mass transit—if it only asks for them.

The trade-in timetable means that New York could receive at least $100 million in its first installment, beginning a few months from now. The entire $1.5 billion that New York would be in line to receive under trade-in would be paid, at the present and planned rate of Congressional appropriations, within seven years.

The Governor seems to shrug aside the virtual certainty that New York's share of Federal interstate highway funds will not nearly meet the 90 percent of Westway's true costs that it is supposed to cover. Unless New York's annual allotment is astronomically increased, Westway's cost overruns, inflation and federally unreimbursable expenses will eventually create a gap estimated at anywhere from several hundred millions to $2 billion. This shortfall can be filled only by diverting Federal and state money from other, more worthwhile road projects, by funneling state funds into the Westway sinkhole at the expense of genuine state needs elsewhere or by raising taxes.

For example, under bills recently introduced in Albany, some Port Authority funds could be channeled off to Westway, and much if not all of the proposed new $1.25 billion transportation bond issue to meet statewide demands could be sneaked over to Westway, directly or indirectly, while nobody was looking.

Such Westway features as the parkland atop the landfill, and roads, sewers and other utilities necessary to support the privately financed apartment houses, will not be eligible for full Federal funding. Given perennial shortages of both state and city funds, the Westway landfill could well become the Westway wasteland.

Fortunately, Westway construction is now tied up in the Federal courts. Questions stemming from an alleged conspiracy by two of the most notoriously arrogant agencies of Government—the Army Corps of Engineers and the New York State Department of Transportation—is to come up in a contempt trial before Federal District Judge Thomas P. Griesa next week; but it may be years before the substantive issues at the root of the problem are resolved.

Meanwhile, trade-in stands as the practical, immediately effective alternative to the stalled and discredited Westway. All Mr. Cuomo has to do is say the word. Mayor Koch will doubtless follow along. After all these years, it's about time that long-term commonsense prevail over short-term common politics.●

AGRICULTURE AND TRADE

● Mr. BAUCUS. Mr. President, a great deal has been written and spoken about the plight of the American farmer—and about the connection between his problems and our trade problems in general.

The American farmer is a victim of the overvalued dollar.

He is not alone. Workers all over this country in all kinds of industries see their jobs disappear under a flood of imports.

Protection is not the answer—but nor is ignoring the problem. We cannot pretend the problem will go away, will right itself.

I would like to share with my colleagues remarks on this topic made by Roger J. Baccigaluppi, president of the California Almond Growers Association. Mr. Baccigaluppi is eloquent in his description of the problem and of our need to act. We may or may not agree with every line in this speech—but we can all benefit from reading it.

I ask that the text of Mr. Baccigaluppi's speech be printed in the RECORD.

The text follows:

"AGRICULTURAL EXPORT: PROBLEMS AND A SOLUTION"

(By Roger J. Baccigaluppi)

A few weeks ago in Sacramento, I had the privilege of addressing the National Agri-Marketing Association on the occasion of National Agriculture Day—the first day of spring—March 20. I indicated to that group that it was a nice thought, National Ag Day, but that there was little to celebrate. Let me tell you why.

We have on our hands today the greatest agricultural depression of this century. All of those who still remain in agriculture should be congratulated. They have survived despite a government policy to encourage cheap food for the consumer. That means low prices to the farmer.

More recently, our federal fiscal and monetary policies have been devastating to agriculture, whether it be in California, Kansas, or Illinois. We continue to hear how robust our economy is—the leader in the world. But how long will it last?

You probably expect me to talk about the 1985 Farm Bill tonight. If you do, you are going to be disappointed. All I will say on that subject is that no matter what is enacted—the Administration's program, a much less costly program from the standpoint of the taxpayers, or a program that costs many times the Administration's proposal—no '85 Farm Bill is going to solve the underlying problems in agriculture that have developed in this country in recent years. Whatever Farm Bill finally evolves is going to be little more than superficial first-aid by untrained paramedics who do not seem to understand that our injuries are not superficial, but potentially fatal to agriculture as we know it today. Our injuries need to be diagnosed carefully. Only then can we take the necessary surgical action to help agriculture truly recuperate. A box of band-aids patched all over a mortally wounded industry will not make agriculture any better or more able to survive.

We have a crisis in this country that must be addressed promptly if we are to save the economic future of this nation and the rest of the world. Very strong words, but I believe them and so do many others, Republicans and Democrats alike.

The problem begins with the public perception that the economy is doing well. Perhaps a few farmers and export industries are being hurt, but the economy in general is doing very well. Given this public perception, why should Congress take action?

They must take that action, ladies and gentlemen, because our economy—the greatest economy in the world—is in its decline. The decline began slowly, but has now accelerated. Just four years ago, in 1981, our merchandise trade deficit amounted to only $28 billion. That means we imported $28 billion more products than we exported. Three years later, in 1984, we were importing $130 billion more than we exported, and this year it is expected to reach about $150 billion.

Why does it matter that we are importing more than five times as many Toyotas, Sonys, agricultural products, and Airbuses, to name just a few products, than we did four years ago? It matters primarily because of the *trend* it represents. If five times as many products have been imported in the last four years, will there be ten times as many in the next four years, and 20 times as many in the next eight or ten years?

Let me take a moment to discuss some specifics.

First, the United States has fewer trade barriers, tariff and non-tariff, than anywhere in the world. Our trading partners, on the other hand, have any number of barriers to U.S. products. We in agriculture must continue working with our government to improve this problem.

Second, the economies of most of the countries of the world have suffered badly during recent years, tending to hurt our export sales. This situation has begun to improve, but remains a problem.

The two problems I have just mentioned, however, pale by comparison to those created by the grossly overvalued dollar. It is the dollar, more than any other factor, that is choking off our exports and stimulating imports.

Some have suggested that exporters in the United States are using the overvalued dollar as a crutch to explain why they are unable to export. I would urge them to consider the facts.

In August 1980, it took 2.37 U.S. dollars to purchase one British pound. By the end of February, it took 1.06 U.S. dollars to buy one British pound.

Apply this to the case of almonds. Assume for the moment that we were selling almonds for $1 per pound in 1980 and that our prices have not changed since then. If you disregard what inflation has done to our purchasing power, the dollars we are receiving from the British are the same as we received in 1980. The British consumer, though, because of the increase in the value of the dollar and the decrease in the value of the pound, is paying the equivalent in his currency of $2.23 per pound for those $1 per pound almonds. His price, in this case, has more than doubled. What we receive stays the same.

Similarly, the French buyer is paying the equivalent of $2.57 per pound, more than 2½ times as much as he paid in 1980. The German buyer is paying the equivalent of $1.95 per pound, or nearly twice as much for those $1 per pound almonds.

What has actually happened in almonds is that we have reduced our price by one-third from $1.88 per pound in 1980 to $1.30 per pound this year. That means our growers are getting one-third less money for their product, a disaster from their standpoint. But the British buyer, because of the grossly overvalued dollar/undervalued pound, is paying 56 percent more for our $1.30 product than he did for our $1.88 product in 1980. The French buyer is paying 78 percent more, and the German buyer is paying 35 percent more. Think about that. Our growers are getting one-third less, but our buyers are paying about 50 percent more. All of this is a result of the dollar relationship with other currencies, and nothing more.

Almond growers have adjusted to the grossly overvalued dollar by taking one-third less for their product. Many others in agriculture have done the same thing. But neither almond growers nor the growers of other crops, whether it be grapes, cotton, wheat, or soybeans, can continue to operate year after year receiving less than the cost of production. The dollar must be brought down to a more reasonable level, or agriculture, as we know it today, will not survive.

This prospect should not be taken lightly. Approximately one-third of all the agricultural land in this country is planted for export. This is true on a national basis, as well as here in California. For many crops, such as wheat, soybeans, almonds, rice and cotton, more than half of the crop must be exported. A recent USDA study shows that more than one out of every five jobs in the United States has its roots on the farm. More than 22.7 million Americans—22 percent of the work force—earn their living in agriculture.

I have told you how agriculture is trying to adjust to the grossly overvalued dollar. Perhaps we should take a monent and talk about how others are adjusting.

By mid-year, 1984, two million of the best jobs in this country had been lost. Some industries, and this includes farmers, have made adjustments by simply closing down—going out of business. They are bankrupt.

Others are adjusting by moving their production out of this country and into areas where there is a weak currency. The great Caterpillar Tractor Company and John Deere are two examples. The distortions created by the grossly overvalued dollars have forced them to produce their products overseas, rather than in the heartland of America. Caterpillar has cut its work force from 90,000 in 1979 to 60,000 today This year, Caterpillar is consolidating its production of truck-type loaders—which have been made in both Davenport, Iowa and Glasgow, Scotland—in Glasgow, not in Davenport. Next year, Caterpillar is going to start production of its D-6 tractor in Grenoble, France, laying off still more workers in Davenport, Iowa.

Chrysler and General Motors are not only importing finished cars at cheap prices, but are also importing more and more of the components they put in their so-called "American car". Chrysler has cancelled their plan to build a new U.S. plant, which would have been worth billions and tens of thousands of jobs. They will do it overseas instead. Boeing is having difficulty competing with the Airbus. Recently, our largest international carrier, Pan Am, purchased the Airbus rather than a domestic product. Boeing is trying to adjust by buying more and more of the components they put in each finished Boeing aircraft from overseas suppliers.

At our own Blue Diamond facility in Sacramento, we have learned that a piece of packaging equipment that we formerly purchased from the manufacturer in Sheboy-

gan, Wisconsin, for about $100,000 can be purchased from the Wisconsin manufacturer's Italian subsidiary for about $50,000. With the plight our farmers are in, where do you think we are purchasing that equipment?

We have also found that we can buy packaging material, like cellophane and foil, at about half the U.S. price from manufacturers in the United Kingdom or Brazil. We, too, are beginning to do some packing overseas.

Sun-Diamond, a major California cooperative, is moving a great deal of their processing from Stockton, California, to Tijuana, Mexico. Tri-Valley, California's largest canner, is considering doing some of its fruit processing in Japan.

And the list goes on and on. Two million jobs have already been lost in this country and the number is climbing rapidly.

This country has been known around the world as the most efficient world grain producer. Yet a few months ago, Cargill, this country's number one grain trader, found that they could land grain from Argentina in the United States cheaper than they could get it here in this country. A spokesman from USDA, commenting on this situation, said, "When the river starts to flow backwards, there is something wrong with the plumbing." The "plumbing" problem, if you will, is the grossly overvalued dollar.

The same is true in my favorite food—almonds. California is the world's most efficient producer, we are highly mechanized, we have harnessed the water in the mountains to our advantage and we use all the most modern cultural practices. We outproduce our next largest competitor, Spain, at the rate of 10 times as many almonds per acre, producing 1,500 shelled pounds per acre versus an average of about 150 pounds per acre in Spain. But, because of the horrible distortions in the dollar/peseta relationship, growers are removing almonds from production in California, while growers are planting in Spain.

If these alarming trends continue, and I see every indication that they will, the day will soon come when this country will be unable to export anything. Our prices will simply be too high.

Some might argue that our industries can still depend on the domestic market. That would be a good idea except that our prices will be too high here as well. As a result of the dollar relationship with other currencies, imported products can come in much more cheaply than we can produce them at home. That is why there has been a fivefold increase in imports in just the last four years.

What sort of an economy will we have if we can neither export what we produce, nor sell it here at home? I submit, we will not have any economy. We will be bankrupt as a nation.

Some people say we will be a service economy. If we do not have an agricultural industry, a tourism industry (foreigners cannot afford to come here, and Americans are finding it cheaper to vacation abroad), an automobile industry, a steel industry, a machine tool industry, an aircraft industry, an appliance industry, a TV industry, and a photographic industry, who are we going to be servicing? Our computer hardware and software cannot be expected to service the rest of the world. Some people say we will become a McDonald's economy. But, I ask, where are people going to get the income to buy those Big Mac's?

It should be clear that something must be done to correct the grossly overvalued dollar. What, then, should be done?

Before answering that question, I would like to take a moment to explain why the dollar today has such an extremely high value in the world. There are two basic reasons. Number one, the United States is considered a "safe-harbor" for overseas investors—the safest harbor in the world. No other country in the world, in the view of the world, is less likely to suffer from a civil war, insurrection, overthrow by a foreign power, or any other major destabilizing event. The United States is the very best place you can invest your funds and not have any fear of losing them due to some unpredictable event. We are fortunate to live in such a great country. The world perception of this country as a safe harbor is not something any one of us would suggest should be changed.

The second reason for the strength of the dollar is the very high real interest rates currently being paid in this country. While nominal interest rates, the amount a big borrower pays for money, have come down from about 21 percent to the 11 percent range, the *real* interest rates, the difference between the rate of inflation and the nominal interest rates, or prime rates, are at an all-time high. This means that a foreign investor not only receives security and safety, he also enjoys the highest real interest rates in the world.

If we were in fact in the business of packaging investment opportunities for foreigners, we would either offer them high rates with little safety or low rates with a great deal of safety. We offer both. This has produced the influx into this country of foreign money, bolstering the dollar to new records relative to other major currencies.

It is our government that is responsible for the dollar's high value. In this environment, where too many people are trying to borrow too few dollars, the United States has been the biggest borrower of all. Real interest rates—in accordance with basic principles of supply and demand—are thus held at an all-time high.

In just three years, the United States has changed from the world's largest creditor nation to the world's largest debtor nation. A few years ago, Americans owned about $150 billion more abroad than foreigners owned in the United States. Now, we borrow $100 billion and more abroad to finance our national debt. During this year, the U.S. foreign debt will exceed that of Brazil and Mexico, places we formerly complained about as the world's largest debtors.

In 1974, just 11 years ago, people were alarmed that our annual federal budget had a deficit of just over $6 billion. Today, that number has grown by a factor of 33 times to more than $200 billion annually.

In 1974, again just 11 years ago, people were also alarmed by the debt that our federal government had accumulated in the first 198 years of our history—$486 billion. In the six years that followed, we managed to double that debt again to $914 billion. And by the end of this year, five years later, we will have doubled the $914 billion debt to $1 trillion, 807 million. This projection is probably understated, since it assumes a deficit this year of $190 billion when it is likely to be closer to $222 billion.

One of the problems we have with all these numbers is that none of us can visualize what a $222 billion deficit really is. Perhaps I can put it in perspective by asking you to think of this year's $222 billion federal deficit in some other terms. For example, the total number of seconds from the time Christ walked the earth until today is only 63 billion. The entire area of the earth's surface is a miniscule 197 million square miles—1/11th of a billion, compared to 222 billion.

This year, $131 billion, or 14 percent, of the total outlays by our federal government, will be interest on the national debt. Put another way, 69 percent of our deficit will be interest on the national debt. Last year it was 59 percent, and the year before that it was 45 percent. Again, a very alarming trend.

Our problem, ladies and gentlemen, is that the budget proposed by the President for fiscal 1986 reduces the budget deficit by only about $40 billion—chicken feed when one talks about federal budgets.

The Senate talks in terms of a $60 billion reduction in the annual deficit. At the rate they are going in approving the continuation of various programs, there will be no reduction at all.

The President says we cannot touch defense and social security. Add those two together and then add in the interest on the national debt, something we cannot avoid until we have massive reductions on that debt, and it adds up to about $580 billion out of a $977 billion annual budget.

Given that these untouchable programs plus the interest on the national debt amount to 60 percent of our total federal outlays, can we realistically expect to get the necessary cuts from the 40 percent that is left? The cuts could be made from the farm programs, but that would only run about $10 billion to $12 billion a year. Similarly, they could come from Medicare or the Federal Highway Program, but when you get through cuts in all these programs, they are not enough to reduce the deficit by $50 to $60 billion this year, and more in the next few years.

The answer, then, is more revenue. The President, however, has rejected this approach and was able to use this view successfully as part of his platform for reelection last year.

The Democrats, too, are unwilling to propose a tax increase, since they lost the election in part because of Mr. Mondale's tax increase proposal.

All this adds up to a grim and perhaps hopeless situation, unless the American people speak out and demand action. A call should be made for across-the-board cuts in every single category of federal spending. Farm programs, social security, Medicare, defense, student loans, Small Business Administration programs, and every other program must be affected. The only way to bring about massive reductions in federal spending is to spread the cuts in a fair and equitable way over each person, interest group, and sector of the economy. No one should be spared except the absolutely destitute and those absolutely unable to help themselves.

Unfortunately, even if these cuts are made, we will still find ourselves short of our goal of a $50 to $60 billion reduction in the deficit in the next fiscal year, with greater reductions in the years following. We need, as a realistic goal, a balanced federal budget in four to six years. They simply cannot be attained with cuts in expenditures alone. More revenue is needed. This means a broadening of the tax base, a change in income tax rates, or perhaps a new form of tax for this country, such as a consumption tax or a value added tax.

Time is running out. Next year is an election year. I know we just finished an election, but next year is another one. If action is not taken to obtain massive reductions in the deficit by mid-year, I am afraid our Congressmen are going to be too busy with their reelection to deal with the very tough decisions that massive deficit reductions will entail.

Drastic action by our federal government is needed now. The huge federal deficit has forced our dollar to an all-time high, making it impossible for us to sell our goods both abroad and at home. Two million American jobs have been lost since 1980. In steel, we have gone from 13.8 percent imported product in 1970 to 25 percent last year. In autos, we have gone from 15.2 percent imported product in 1970 to 23 percent in 1984, and that was with a voluntary auto import quota in place. In machine tools, we have gone from 9½ percent imported product in 1970 to a staggering 41½ percent in 1984. In wine, we imported 11 percent in 1970 (principally premium wines), doubled that in 1980, and by 1984 had increased our imports (now primarily bulk wine) to a whopping 26 percent. California wine producers can hardly buy the bottles and labels, let alone buy the grapes, produce the wine, and ship it for the price that many foreign producers are delivering their wine for in this country. As a result, consumption of U.S. produced wines has increased only 8 percent in the last four years, while consumption of foreign wines has increase 39 percent, nearly five times the growth of our own product.

What I have been talking about today is not a problem specific to agriculture, but rather a problem for this entire nation, for its industry and for its agriculture. It is a problem that must be solved if this nation is to remain economically viable. America, agriculture, the other industries I have mentioned, and many others I have not mentioned are in grave danger of extinction unless the dollar is brought down to more reasonable values. This is the major problem facing our nation.

If we do not bring about massive reductions in the federal deficit beginning with fiscal year 1986 and continuing for a number of years after that, I fear it may be too late. Four more years will have passed, a new Presidential election will have taken place, there will be many new faces in Congress, and industry and agriculture, as we have known it in the United States, will be a memory for all but a very, very few.●

SECURITIES SAFETY AND SOUNDNESS ACT OF 1985

● Mr. DOMENICI. Mr. President, in light of the controversy over the risks of junk bonds, I thought my colleagues would be interested in seeing some language from the prospectus of a typical junk bond offering. The November 29, 1984, prospectus is from the Metromedia Corp. and foreshadows the very problems the corporation is having today in servicing its debt.

Under the heading "Significant Considerations" the prospectus reads as follows:

Based on current levels of operations and anticipated growth, the Company does not expect to be able to generate sufficient cash flow to make all of the principal payments due on the Notes, which commence on (date), without taking action to refinance a portion of its indebtedness. No assurance can be given that such refinancing can be successfully accomplished. Based on current levels of operations, the Company's cash flow would be insufficient to make interest payments on the Debt Securities and it would have to use other funds, to the extent available, to make such interest payments.

I will include an article from the Washington Post that describes how Metromedia has been forced to sell its assets in order to meet future interest payments on junk bonds. If you were a depositor, would you want your savings account invested in such questionable securities? Is this the kind of speculative investment that the Federal Government should guarantee under FSLIC and FDIC? Should Federal deposit insurance be shouldering the entire responsibility for protecting the funds of insured account holders at institutions that invest in such risky bonds? How does this type of investment make affordable housing available to Americans? Such considerations are indeed significant.

I ask that the material be printed in the RECORD.

The material follows:

METROMEDIA TO SELL LOCAL TV STATION

(By David A. Vise)

Metromedia Inc., the giant communications company, plans to sell WTTG-TV (Channel 5) and five of its other six television stations to an entity controlled by Twentieth Century Fox Film Corp., investment industry sources said yesterday.

Twentieth Century Fox is owned by Australian press baron Rupert Murdoch and Denver oilman Marvin Davis.

Sources said Metromedia is under pressure to sell assets because the company otherwise might have difficulty making future interest payments. Metromedia added about $1.3 billion in debt to its books when the company was purchased in a leveraged buyout last year by an investor group led by its Chairman John W. Kludge. Sources said Murdoch and Davis were minority investors in the buyout.

Metromedia's heavy debt includes high-yielding, risky securities known as "junk bonds," a target of recent congressional hearings. Some members of Congress are worried that the growing use of these risky bonds to finance takeovers poses a threat to the nation's financial system by saddling corporation with heavy debt.

Federal Communications Commission sources said they expected to meet with representatives of the Murdoch-Davis group today. The group will have to persuade the FCC that the proposed purchase does not violate restrictions on the ownership of media properties.

As a foreign citizen, Murdoch is prohibited from owning more than 25 percent of a company that controls a TV station. Sources said he could get around that restriction by becoming a naturalized United States citizen or by structuring the transaction so he owns less than 25 percent.

Also, a single owner is prohibited from having both a newspaper and a television station in the same city, which would appear to cause problems for Murdoch in Chicago and New York, where he already owns newspapers and plans to buy Metromedia TV stations. The FCC also would have to approve the transfer of broadcast licenses, a process that could take months.

According to sources, Metromedia plans to sell independent television stations in New York, Los Angeles, Chicago, Houston, Dallas, and Washington to the Murdoch-Davis group and is negotiating with American Broadcasting Companies Inc. regarding the sale of its Boston TV station, which is an ABC affiliate. Broadcasting analyst Paul Kagan said yesterday that Metromedia is seeking to sell the stations in part because of the high prices being paid now for television stations.

Murdoch owns The New York Post and The Chicago-Sun Times and other media properties on three continents. Murdoch and Davis became partners in March when Murdoch agreed to purchase 50 percent of the company that controls Twentieth Century Fox Film Corp. from Davis, who still owns the other half. Sources said Metromedia stations could be used as outlets for Twentieth Century Fox productions.

The suggestion of financial pressure on Metromedia raises questions about Ted Turner's hostile takeover bid for CBS Inc. Turner's proposal, which includes no cash and consists entirely of risky "junk bonds," was patterned after Metromedia's leverged buyout plan, investment banking sources said. Most Wall Street estimates of the value of Turner's proposal have relied on the Metromedia junk bonds as a guide.

Sources said Metromedia, heavily laden with debt from the buyout, encountered financial pressure after the cost of obtaining programming for its independent TV stations increased while the growth of revenue slowed. Metromedia, which also plans to sell a production company to Murdoch and Davis as part of the deal, according to sources, would retain ownership of properties, including a telecommunications company that is involved in radio paging and cellular telephones. It would also retain a group of radio stations that includes WASH-FM in Washington, an outdoor advertising business, and an entertainment subsidiary, sources said.

Last December, Metromedia raised $1.3 billion by selling junk bonds. Leonard Pack, Metromedia's associate general counsel, said in December that one of the advantages of the junk bonds was that they included zero coupon notes, which require no interest payments until 1988. Sources said yesterday Metromedia made the decision to sell its stations after coming under financial pressure now and realizing it would have difficulty meeting those payments in 1988.

In a leveraged buyout, investers borrow the money to purchase a company, pledging the company's assets as collateral.●

PROPOSED ARMS SALES

● Mr. LUGAR. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to

the chairman of the Foreign Relations Committee.

In keeping with the committee's intention to see that such information is immediately available to the full Senate, I ask to have printed in the RECORD at this point the notification which has been received. The classified annex referred to in the covering letter is available to Senators in the office of the Foreign Relations Committee, room SD-423.

The information follows:

DEFENSE SECURITY ASSISTANCE AGENCY
Washington, DC, May 1, 1985.

[In reply refer to: I-00558/85ct]

Hon. RICHARD C. LUGAR,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding under separate cover Transmittal No. 85-26, concerning the Department of the Navy's proposed Letter of Offer to Pakistan for defense articles and services estimated to cost $14 million or more. Since most of the essential elements of this proposed sale are to remain classified, we will not notify the news media.

Sincerely,

GLENN A. RUDD,
Acting Director.

[Transmittal No. 85-26]

NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(b) OF THE ARMS EXPORT CONTROL ACT

(i)(U) Prospective purchaser: Pakistan.

(ii) Total estimated value:
Major defense equipment: [1] Deleted.
Other: Deleted.
Total: Deleted.

(iii) Description of articles or services offered: Deleted.

(iv)(U) Military department: Navy (ABO).

(v)(U) Sales commission, fee, etc., paid, offered, or agreed to be paid: None.

(vi)(U) Sensitivity of technology contained in the defense articles or defense services proposed to be sold: See attached annex.

(vii)(U) Section 28 report: Included in report for quarter ending December 31, 1984.

(viii)(U) Date report delivered to Congress: May 1, 1985.

POLICY JUSTIFICATION

Deleted.

Deleted.

(U) This sale will contribute to the foreign policy objectives of the United States by enabling Pakistan to increase its capability to provide for its own security and defense. Pakistan plays an increasingly greater role as a stabilizing force in the Southwest Asia/Indian Ocean region. It is strategically important in terms of defense of sea lines of communication in the Arabian Sea and approaches to the Persian Gulf.

Deleted.

(U) These systems supplement a prior Harpoon sale to Pakistan made in 1983. This is part of the Pakistan Navy's selective modernization program. The sale of this equipment and support will not alter the basic military balance in the region, but will enhance Pakistan's ability to protect its maritime commerce and Pakistan's one major port, Karachi.

(U) The prime contractor for Harpoon is McDonnell Douglas of St. Louis, Missouri.

(U) Implementation of this sale will require the assignment of contractor representatives to Pakistan. The number and length of time in-country is unknown at this time.

(U) There will be no adverse impact on U.S. defense readiness as a result of this sale.●

[1] As defined in Section 47(6) of the Arms Export Control Act.

PROPOSED ARMS SALES

● Mr. LUGAR. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

In keeping with the committee's intention to see that such information is available to the full Senate, I ask to have printed in the RECORD at this point the notifications which have been received. The classified annexes referred to in two of the covering letters are available to Senators in the Office of the Foreign Relations Committee, SD-423.

The material follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC, May 3, 1985.

Hon. RICHARD C. LUGAR,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 85-27 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Navy's proposed Letter of Offer to Canada for defense articles and services estimated to cost $42 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

GLENN A. RUDD,
Acting Director.

[Transmittal No. 85-27]

NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(b) OF THE ARMS EXPORT CONTROL ACT

(i) Prospective Purchaser: Canada.

(ii) Total Estimated Value:

	Million
Major defense equipment [1]	$37
Other	5
Total	42

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of Articles or Services Offered: A quantity of 184 AIM-7M SPARROW missiles and related support.

(iv) Military Department: Navy (AJS).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See Annex under separate cover.

(vii) Section 38 Report: Case not included in Section 28 report.

(viii) Date Report Delivered to Congress: May 3, 1985.

POLICY JUSTIFICATION

CANADA—AIM-7M SPARROW MISSILES

The Government of Canada has requested the purchase of a quantity of 184 AIM-7M SPARROW missiles and related support at an estimated cost of $42 million.

This sale will contribute to the foreign policy and national security objectives of the United States by improving the military capabilities of Canada; furthering NATO rationalization, standardization, and interoperability; and enhancing the defense of the Western Alliance.

The Government of Canada intends to use these AIM-7M SPARROW missiles on its CF-18 fighter aircraft.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractors will be the Raytheon Company of Lowell, Massachusetts, General Dynamics of Camden, Arkansas, and Hercules ABL of Cumberland, Maryland.

Implementation of this sale will not require the assignment of any additional U.S. Government or contractor representatives to Canada.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC, May 3, 1985.

Hon. RICHARD C. LUGAR,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 85-28 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Army's proposed Letter of Offer to Egypt for defense articles and services estimated to cost $165 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

GLENN A. RUDD,
Acting Director.

[Transmittal No. 85-28]

NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(B) OF THE ARMS EXPORT CONTROL ACT

(i) Prospective Purchaser: Egypt.

(ii) Total Estimated Value:

	Millions
Major Defense Equipment [1]	$138
Other	27
Total	165

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of Articles or Services Offered: A quantity of 94 M60A3 tanks with Tank Thermal Sights, 7.62mm machine guns, .50 caliber machine guns, searchlights, and smoke grenade launchers. This purchase will also include spare parts, tools, test sets and a basic load of smoke grenades.

(iv) Military Department: Army (UGC).
(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.
(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See Annex under separate cover.
(vii) Section 28 Report: Included in report for quarter ending 30 September 1983.
(viii) Date Report Delivered to Congress: May 3, 1985.

POLICY JUSTIFICATION

EGYPT—TANKS

The Government of Egypt (GOE) has requested the purchase of a quantity of 94 M60A3 tanks with Tank Thermal Sights, 7.62mm machine guns, .50 caliber machine guns, searchlights, and smoke grenade launchers. This purchase will also include spare parts, tools, test sets and a basic load of smoke grenades. The total estimated cost of this sale is $165 million.

The proposed sale supports the American foreign policy and national security objectives of assisting Egypt in its program of modernizing its armed forces so that it may provide for its own security and self-defense and contribute to regional security and stability. A strong and independent Egypt will be able to participate in the Middle East peace process and resist incursions of Soviet client states in the region. This sale is being notified as an exception to the general U.S. policy not to undertake new arms sales to the Middle East pending completion of the Middle East Arms Transfer Study. This action is required because the M60A3 tank production line is at its end, and delay in placing orders would cause price increases which are avoidable if orders are placed in the immediate future. Early notification, prior to completion of the directed study, is needed to meet these deadlines.

The Government of Egypt plans to use these tanks for force modernization. This sale would continue the ongoing program of replacing aging Soviet equipment with modern U.S. equipment.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be the General Dynamics Corporation of Warren, Michigan.

Implementation of this sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to Egypt.

There will be no adverse impact on U.S. defense readiness as a result of this sale.●

SUDAN'S TRIALS OF ASSISTANTS IN ETHIOPIAN JEWS AIRLIFT

● Mr. D'AMATO. Mr. President, I recently became aware of a shocking report regarding the nation of Sudan's new leadership. Abdel Rahman Diwar el-Dahab, the military leader of Sudan who ousted Gen. Gaafar Al-Nimeiry in an April 6 coup, has declared that his government will put on trial any officials involved in the recent airlift of Ethiopian Jews to Israel.

Earlier this year, Senator CRANSTON and myself achieved an accomplishment rarely seen in our body; all 100 Senators signed a letter to President Reagan urging him to provide necessary assistance to Ethiopian Jews without mentioning our efforts to the press. Due in part to this letter, the United States was able to help airlift over 800 Ethiopian Jews from Sudan. This humanitarian effort by the United States and Israeli governments, and through the benign neglect of the Nimeiry government in Sudan, enabled this rescue effort, named Project Moses, to succeed.

Until this airlift, the future for the Ethiopian Jews in Sudan had been imperiled. They were not only fleeing famine in Ethiopia, but also persecution. Although Ethiopian Jews have been subjected to harsh discriminatory policies in the past, measures instituted by the 10-year-old Marxist regime in Addis Ababa have jeopardized the Ethiopian Jews' very existence. These harsh policies, coupled with the severe famine, made rescue of the Ethiopian Jews necessary.

Earlier rescue attempts were discontinued because of premature disclosures. This directly endangered the Ethiopian Jews who remained in Sudan. In addition, because they were afraid of being identified as Jews in a Moslem country, Ethiopian Jews refrained from soliciting medical and food assistance. This resulted in alarming death rates among Ethiopian Jews that cried for immediate action.

Sudan, which is estimated now to shelter over a half million famine refugees, allowed our rescue effort to take place this past March. This humanitarian effort was applauded all over the world. Shortly thereafter, however, General Nimeiry was overthrown and the pro-Western view of the Sudan Government has since been in doubt.

The disclosure of the new military leader's intent to prosecute those involved in the airlift is reprehensible. The United States and Sudan have had friendly relations for many years. It is important that our relations with Sudan, which is bordered not only by Communist Ethiopia, but also by Qadhafi's Libya, remain strong. I am dismayed that Sudan would not openly assist in the airlift of Ethiopian Jews. I am appalled, however, that this nation would go as far as to prosecute any Sudanese who assistance in such a humanitarian cause as the rescue and liberation of fellow Africans from hunger and persecution.

For fiscal year 1985, the United States will provide over $250 million in food, economic, and military assistance to Sudan. I now realize, however, that we must seriously review our aid to a nation which looks upon the rescue of hundreds of starving Africans as a crime. I view such a policy with the strongest condemnation. It is my hope that it is never carried out.●

THE NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

● Mr. D'AMATO. Mr. President, I rise today to cosponsor S. 425, which would amend the Public Health Service Act to establish a National Institute of Arthritis and Musculoskeletal and Skin Diseases within the National Institute of Health. I commend my distinguished colleagues, the senior Senator from Arizona, for offering this legislation.

More than 40 million people suffer from arthritis and other musculoskeletal diseases that cripple the body's joints and tissues. Each year, these painful and debilitating diseases afflict an additional 1 million victims. Of all Americans over age 65, more than 40 percent are afflicted by an arthritic condition. Yet it is not a disease of the elderly alone. More than 250,000 children contract a devastating form of arthritis. Juvenile arthritis can stunt growth, blind, cripple, deform, and even kill, 50 percent of diseased children are crippled for the rest of their lives.

We can not measure the damaging effects of arthritis in terms of human suffering alone. The economic impact related to lost wages, medical care, and insurance amount to more than $30 billion each year. It represents 5 percent of our national health bill. An additional $1 billion thrown away each year on unapproved remedies. As more Americans reach their senior years and the frequency of musculoskeletal diseases increases, health costs will escalate and burden an already troubled health care system.

There is an urgent need for this new institute. Well over 16 percent of our population—or more than one out of every six Americans—is now suffering from arthritis or a musculoskeletal disease. That is an increase of 6 percent in just 4 years.

Mr. President, it is time that we focus our attention on winning the war against these crippling diseases. Presently, Government sponsored research programs pertaining to arthritis are grouped with programs in the National Institute of Arthritis, Diabetes and Digestive and Kidney Diseases. Under provisions of S. 425, the new institute would be given primary responsibility for all arthritis research conducted within the NIH.

S. 425 will enable the new Institute to promote national research efforts with increased interest. The new Institute will become a national sponsor of research and training. It will also serve as a clearinghouse for much needed information. Our goal must be to improve treatment of disorders related to musculoskeletal and skin diseases, by intensifying efforts to diagnose root causes of these diseases and make progress in therapy.

As we have learned in our battles against cancer and heart disease, when Americans dedicate themselves to an intensified research effort, tremendous progress can be the result. Mr. President, the time has come for such a national dedication to the battle against arthritis, musculoskeletal, and skin diseases to occur. I urge my colleagues to support this important legislation.●

CHUMS (CANCER HOPEFULS UNITED FOR MUTUAL SUPPORT)

● Mr. D'AMATO. Mr. President, I would like to call to the attention of my colleagues the outstanding progress that has been made by CHUMS—Cancer Hopefuls United for Mutual Support—a young health organization whose efforts are directed toward improving the quality of life of cancer patients and survivors. CHUMS is a national organization of cancer patients and survivors and their families and friends. CHUMS was started in September 1981—and incorporated in November 1981—as a national self-help organization that emphasizes a higher quality of life for all who have a history of cancer.

The purposes of CHUMS are:

First, to offer therapeutic aid via self-help and crisis intervention.

Second, to afford cancer patients and survivors the opportunity to share experiences and offer each other mutual peer support.

Third, to help cancer patients and survivors and their families and friends to better cope with and reduce the resulting traumas and problems of cancer.

Fourth, to disseminate information about the latest developments on the subject of cancer, including the use of lecture-discussions by prominent cancer specialists.

Fifth, to stress that cancer is a disease, not a disaster, and that it often is curable, especially if detected early and treated early.

Sixth, to counter misconceptions that cancer is always terminal by highlighting cancer survivors who are 5 or more years beyond diagnosis.

Seventh, to encourage cancer patients to become cancer "hopefuls" and opt for life, and

Eighth, to improve the quality of life of cancer patients and survivors by helping them to strengthen their psychological "weapons": positive outlook, cheerful attitude, hope, optimism, the determination to live, and the will to get well, be well, and stay well.

The CHUMS agenda includes:

First, crisis intervention and information service on a nationwide basis.

Second, self-help rap sessions at which cancer patients and survivors share experiences with each other.

Third, educational meetings at which prominent cancer specialists speak and answer questions.

Fourth, phone-a-patient and visit-a-patient programs to let cancer patients know someone cares.

Fifth, parties and get-togethers for everyone's enjoyment.

Sixth, campaigns against discrimination against cancer patients and survivors in employment, financial, insurance, and other areas.

Seventh, research in the fields of virology and immunology where a cure for cancer may be found, and

Eighth, CHUMS Exchange, a newsletter with good news for and about cancer patients and survivors.

On Sunday, May 19, 1985, CHUMS will hold its third annual luncheon at which Kelly Drenke, a 12-year-old Ewing's sarcoma survivor, from Oshkosh, WI, will be honored as the CHUMS Child of the Year.

Arthur C. Upton, M.D., former Director, National Cancer Institute, and presently director, Institute of Environmental Medicine, New York University Medical Center, will be honored as CHUMS Physician of the Year.

Sarah Splaver, Ph.D., president and founder of CHUMS and a cancer survivor, will be honored as CHUMS Woman of the Year, in recognition of a decade of her extraordinary dedication to cancer patients.

Arlene Dahl and Juliette Koka will be among the show business celebrities who will entertain at the luncheon. The renowned Fontayne will present a mini fashion show.

In the organizational structure of CHUMS, most are cancer survivors. They include:

President: Sarah Splaver, Ph.D., counseling psychologist and author of many books in the fields of guidance and psychology: cancer survivor 10 years past diagnosis

Vice President: William C. Zeek, Ph.D., chemist: cancer survivor 8 years past diagnosis.

Secretary: Miranda Craig, B.A., advertising copywriter: cancer survivor.

Treasurer: Juan F. Camara, B.A., graduate student: cancer survivor.

On the board of directors are the following individuals:

Fay Allen, cancer survivor.

John V. Conti, M.A., Assistance Commissioner, Rehabilitation Service Administration., U.S. Department of Education: cancer survivor.

Diane DuBroff, J.D., attorney.

John J. Fischer, Jr., M.B.A., manager, Systems Development, Smith Barney, Inc.: cancer survivor.

Richard Halpern, M.B.A., associate editor, Standard & Poor's Corp.: cancer survivor.

Robert Harris, C.P.A., accountant.

Helen Kleinberg, M.A., M.S., director, career counseling and placement, Lehman College, City University of New York: cancer survivor.

Janet Levins, C.S.W., social worker, New York City Human Resources Administration: cancer survivor.

Howard S. Mase, Ph.D., vice president/director of human resources development, Citicorp: cancer survivor.

Vivienne Niemann, B.A., advertising executive: cancer survivor.

If any of my colleagues or their constituents want further information about CHUMS, they may write to CHUMS, 3310 Rochambeau Avenue, Bronx, New York 10467 or phone 1-212-655-7566.

Thank you, Mr. President, for giving me the opportunity to share this information with my colleagues. I hope it will be of assistance.●

SECRETARY OF VETERANS' AFFAIRS

● Mr. D'AMATO. Mr. President, I rise today in support of S. 657, introduced by my distinguished colleague, Senator THURMOND. I am pleased to cosponsor this bill to elevate the Veterans' Administration to a Cabinet level department.

For more than three decades, the Veterans' Administration has faithfully carried out the reponsibility of administering programs and services to benefit the men and women who have risked their lives in defense of freedom. There are 28 million veterans in this country today and approximately 54 million dependents and survivors of veterans—totaling some 82 million actual or potential beneficiaries of veterans' benefits and services. VA actions directly affect better than one-third of the population of the United States. Their programs touch in some way virtually every family in America.

The VA's commitment to our veterans is reflected in the size and dimensions of its programs, which were created and are maintained to heal both the physical and the psychological wounds of war. With 172 major medical facilities and 185 outreach centers, the VA operates the largest health care system in the world. The VA also administers the largest direct insurance program in the United States, one of the Nation's largest income maintenance programs, and an education program that interacts with almost every postsecondary and vocational institution in the Nation.

Let us now provide the VA with a more secure future. Given the enormity of the VA's responsibility as the largest independent Federal agency, it is most appropriate that we provide for a Secretary of Veterans' Affairs within the President's Cabinet.●

REVOLUTION COMING TO SOUTH AFRICA

● Mr. GRASSLEY. Mr. President, I think that most Members of this body have at one time or another felt frustration at the current state of affairs in South Africa. As our frustrations and the frustrations of the people we represent grow, the pressure to somehow hasten the process of change in South Africa continues to increase. It is almost certain that this body will at some point seriously consider legislation to bring greater pressure to bear upon the Government of South Africa.

Mr. President, there is little doubt in my mind that revolutionary change is coming to South Africa. That point was driven home again to me by an article that appeared in the May 1 edition of the New York Times. That article told of two incidents. In the first incident, South African riot policemen detained at least 30 black labor activists in central Johannesburg during peaceful demonstrations called to protest layoffs. According to the article, the protest was peaceful; the demonstrators were singing and carrying placards that said, among other things, "We Demand a Living Wage."

In the second incident described by the article, bombs exploded just after midnight outside the offices of two gold mining companies. One of those companies was the Anglo American Corp., which had dismissed 17,000 black workers after what it said were a series of disruptions and unlawful work stoppages. The explosions were caused by Soviet-made limpet mines of the type that have frequently been used by the African National Congress in its compaign of sabotage and urban guerrilla warfare against white minority rule.

History has demonstrated repeatedly that no government can forever deny fundamental political and economic rights to those it governs. Revolution is inevitable when people demand those rights that have been denied to them. The choice before the people of South Africa, and particularly the white minority, is not between revolution and the status quo. The choice is whether or not revolution will take place peacefully, and whether or not the forces that are striving for constructive change will prevail over the forces of destruction.

It has always been the goal of this country's policy to encourage peaceful and constructive revolution in South Africa. Different administrations have chosen different means to try to encourage change in that direction. As this body considers U.S. policy toward South Africa in the weeks ahead, I hope that Members will keep uppermost in their minds that our goal should be to encourage those elements within South Africa that are striving for a nonviolent, democratic revolution.

To that end, Mr. President, I would like to share with my colleagues an article that appeared in the February edition of The Industrial Pioneer. The article was written by William G. Jaeger, who was kind enough to share his thoughts with me during a recent visit to my office. Mr. Jaeger has devoted his life to building sound ideological leadership in British and world labor. He has done this for over 40 years in Europe, Africa, the Middle East, Asia, North America, and Latin America. The article is entitled "South Africa: Union Strength a New Factor." The article was written after a 6-week visit to South Africa during which Mr. Jaeger met with black, colored, Indian, and white leadership of the trade unions. I ask that it be printed in the RECORD.

The article follows.

SOUTH AFRICA-UNION STRENGTH A NEW FACTOR

(By William Jaeger)

Whatever political standpoint one views from, it is very difficult today to be a political leader of any country. So much that has gone before has been wrong; so many want to justify what has gone before; so much is wrong today. It takes great courage to decide to put right what is morally wrong, whatever anybody says, and it is uncertain how quickly things can be put right—almost certainly not overnight. The situation is deeper and more diverse than many people think.

This is especially true in South Africa where I have just had four weeks meeting black, coloured and white trade unionists in FOSATU (Federation of South Africa Trade Unions), 110,000 members, CUSA (Council of Unions of South Africa), 150,000 members, and TUCSA (Trade Union Council of South Africa), 400,000 members, also Indian, coloured and black allied workers in unions registered and unregistered; also people of every shade of opinion from the Government, Church, education and employers.

There was acute violence last October and November, 400,000 schoolchildren were absent from school. A two-day strike of between 300,000 and 800,000 workers was the biggest in South Africa history. The leadership of FOSATU and CUSA were arrested. Over 3,000 people were arrested last year, including 49 trade unionists and over 1,000 people were injured.

The strike was organized by the umbrella group, the "Transvaal Regional Stayaway Committee", comprising Church and political groups and the United Democratic Front. The UDF is a loose coalition of organizations led by Reverend Allan Boesak and has been a rallying point for opposition to the Government. The strikers demanded withdrawal of the army and police from the townships; release of political prisoners; reinstating dismissed workers and a halt to rent increases.

It was not the violence which shocked the country's leadership, it was the painful realization of exactly how deep the feelings of discontent are. Trade unions are clearly involved in the township unrest; unionized factories gave overwhelming support. Unions and students worked together for the first time.

The strike and stayaway reflects the absence of political rights for blacks—the right to vote and to freedom of association. As long as the blacks are refused some form of political power, the strike will re-emerge as a weapon. The recommendations of the Wiehahn Commission which aimed to develop black trade unionism have not been sufficiently carried out. It recommended a part for black shop stewards, more apprenticeships and the removal of legislation restricting black union activity.

Also the De Lange Educational Report, recommending an end to the inferior educational system for blacks has not been carried out. The amount spent on white education is eight times that spent on black, per head. This is of course why the black schoolchilren were absent and refused to complete their examinations. Another contributor to the unrest is the high unemployment.

DESTRUCTION OR DIALOGUE

It seems not yet to be the revolution that people were afraid of. The Council of Unions of South Africa General Secretary, whom I met and who was arrested during the strike, stated, "We don't have the financial resources for a long strike. Another would just weaken our position and employers' attitudes would be much tougher. We cannot pursue all our demands. But unemployment, bad pay, rent increases, are all cumulative. The Government will now have to take into consideration the views of the black trade union leaders rather than the homeland leaders and community councillors".

The issue today is whether South African Africans will sit down and talk now to each other, or will blindly follow the usual route of destruction and bloodshed before they sit down among the ruins and talk. So far the Government has reacted to strikes not by dialogue, but by arresting leading black union organisers. There are black townships which most whites never see; whose few access roads are controlled by army and police. Any attempt to take protest into white areas would be met by an overwhelming display of armed force.

Renewed efforts are being made by TUCSA, the original pioneers of a multiracial union to create dialog. They have been accused in the past of being too onesided, but TUCSA leaders have made contact with the leaders of the black federations and discussions between the 24 unions have taken place about creating unity and a common effort in the country.

It was encouraging to speak to the Executive Board of the 17,000 strong Cape Teachers' Professional Association. In an open letter to members, one of the Executive writes, "In a real sense, the struggle has only just begun. We must destroy apartheid, but we must put in its place a system built on people who do not show signs of the very elements they resent most. We must find unity based on what is right and not who is right, which deeply respects others and is therefore truly non-racial."

"Authoritarianism is wrong whether practices by white or black. It is the offence we are against and not the person. If any one of us claims the right to decide for another what he or she may or may not do, then he cannot escape being called an oppressor'.

In an unprecedented show of solidarity with black trade unionists South Africa's three main industrial and business organizations publicly condemned the arrest of trade unionists referring specially to leaders of CUSA and FOSATU. They are unquestion-

ably aware that increased white prejudice will limit radical changes.

It is said that if President Botha had brought some of these changes into his recent election platform it is most likely that he would have been replaced by a more entrenched white leadership. But something must be done for the 21 million blacks to make life economically, socially and politically worthwhile, with an adequate educational opportunity.

A Cabinet Committee headed by President Botha and Mr. Heuns, the Minister of Cultural Development, are drawing up plans for some black political representation, stopping short of a black fourth chamber. But in the present mood of the black community it could easily be dismissed as too little and too late.

IMMENSE POTENTIAL

Without any question, there are faceless men and women exploiting the situation and making the most of the issues. But sending in troops to search homes can only serve an immediate purpose. It has not solved the fundamental problems and has actually made people more bitter.

Zulu Chief Buthulezi, one of the most influential black leaders, is opposed to the strikes and is a fierce critic of the UDF. He blamed them for setting black against black rather than channelling their energies into forcing the Government to negotiate black participation in the democratic process.

Many black union leaders state that they felt that disinvestmant in South Africa by other countries was not very effective. Church and political leaders proclaim disinvestment without it costing them anything, but the black union leaders have to face the unemployment due to lack of contracts.

The most disturbing issue is the human rights issue. Many abuses need to be abolished. If not, there could be terrible bloodshed and destruction. Dictatorship of the left or right will not solve the immense problems of relationships between the races. But if these abuses were dealt with, the potential of South Africa is immense; and if genuine trust can be built between black, coloured and white, South Africa could be in the eyes of the whole world a very progressive nation, giving much to Africa and the rest of the world.●

FORMER PRESIDENTS AND FACILITIES REFORM ACT OF 1985

● Mr. D'AMATO. Mr. President, I rise today in support of S. 1047, the Former Presidents and Facilities Reform Act of 1985, and I commend my colleagues, Senator ROTH, Senator CHILES, and Senator PRYOR for their leadership on this issue. I am pleased to be a cosponsor of this legislation.

I knew that in our debates over the budget we have become accustomed to dealing in such large numbers that to talk about a program which costs $27 million per year may not seem significant. But I think passage of this bill will go a long way toward letting the American people know that we are looking for every possible way to show fiscal restraint, and that no program is exempt from this scrutiny.

There is no question that our former Presidents should be given the means to carry out duties which relate to their former office, and that they should be provided with a reasonable, necessary amount of protection, but there is no reason that these services should be provided without regard to common-sense fiscal restraints.

The Former Presidential and Facilities Reform Act of 1985 will provide reasonable limits on the amount spent on former Presidents' libraries, staff, officers, and Secret Service protection. First, it will require that private foundations establising libraries for former Presidents will provide an endowment equal to 20 percent of the facility's value to operate and maintain the library. In the past, these growing costs have been borne by the General Services Administration.

Second, this bill limits staff allowance and office size, as well as restricting the use of these funds from use for partisan political activities or income-generating activities.

Finally, it limits Secret Service protection to 5 years after a President leaves office, unless the Secetary of the Treasury extends that protection. A spouse and children are entitled to protection only if their safety is related to the former President's, or if the current President determines it to be warranted.

Mr. President, I am pleased to support this reasonable approach to what has been a largely uncontrolled program. It is one more example of how I believe we can limit Government spending without sacrificing worthwhile programs. I urge my colleagues to join in cosponsoring this bill.●

SENATOR LUGAR'S ADDRESS TO AIPAC

● Mr. BOSCHWITZ. Mr. President, I would like to take this opportunity to commend the distinguished Senator from Indiana, DICK LUGAR, for his determined and well-accomplished efforts to date in forging bipartisan support and leading the way to what I hope soon becomes a national consensus for our foreign policy. Under his leadership, which can only be called dynamic, the new chairman of the Senate Foreign Relations Committee has in short order produced significant results in the Foreign Relations Committee.

A sterling example of Senator LUGAR's leadership and insightful perspective on U.S. foreign policy issues is found in his recent address to the 36th Annual Policy Conference of the American Israel Public Affairs Committee, given on April 22, 1985. I ask that his speech be placed in the RECORD so that it may have the broadest possible circulation.

The material follows:

ADDRESS BY SENATOR LUGAR

Thank you for those warm words of welcome.

It is true that I am the chairman of the Senate Committee on Foreign Relations. Those of you who follow these matters closely will recall that this was not a job which I solicited. Indeed, it was only through a complicated series of events that I came to the position at all.

Had Senator Helms made a different choice, I might tonight be addressing a major farm bureau meeting.

Had Senator Dole fared less well in his campaign for the majority leadership of the Senate, I might well be trying this evening to figure out how to get 51 votes for a budget.

Had Senator Percy succeeded in his re-election campaign, and Senator Dole in his campaign, and had Senator Helms remained at agriculture, I might be a plain Senator from Indiana, without benefit of portfolio at all.

I am sure you would have invited me anyway—sooner or later.

But I am delighted that things have worked out the way they have, and I have entered into this chairmanship with all of the energy and enthusiasm I can bring to it.

One of the special joys of this position is that it brings me together frequently with friends such as you who are present this evening. This is a remarkable occasion in which to explore together some of the aspects of a relationship which is as deep as that between any two nations on Earth: That is the relationship between the United States and the nation of Israel.

I will suggest this evening that the years of the Reagan administration have been good ones for the relationship. I will suggest that no administration has offered stronger support for Israel than this one.

On the military side, we have seen a deepening of our relationship. We now see systematic and thorough cooperation in many areas. We see an integration of our thinking and our planning so that we are not going to surprise one another, as has happened from time to time in the past.

Economic relations are expanding as well. Today—and this is highly significant—the United States and Israel have signed agreement creating a free trade area. This is a strong step toward increasing our economic relationship. This agreement has not been without its critics on both sides. Businesses or individuals who calculated potential losses of markets from increased competition raised serious questions about this agreement along the way. We cannot and should not treat these questions relating to peoples' livelihood cavalierly. But it is fair to say that this new agreement will help both Israel and the United States. It represents a deepening or our relationship in an important way. There is an enormous potential for Israeli exports to many nations, and this agreement is a strong first step.

Israel and the United States have also increased cooperation in many technical fields. Israeli technical capabilities in many areas, ranging from agriculture to medicine to economic development to military matters, have produce beneficial improvements for both sides.

Another very significant development is now underway. Soon, American pilots will be flying Israeli fighter planes to help in their training. I am referring, of course, to the KFIR. The United States Navy is purchasing these aircraft for use in training as aggressor squadrons.

Forty years ago, when the concentration camps were liberated, or in 1948 when the infant Israeli state was scrambling to find used aircraft to defend its existence, who would have thought that one day American

military pilots would be flying Israeli-built fighter aircraft?

Finally, this administration has provided the most generous economic and military assistance ever to Israel. This year the administration requested from the Congress $1.8 billion in military assistance, up $400 million from last year. As you know, this request has found favor in both the Senate Foreign Relations Committee and the House Foreign Affairs Committee. We look forward to timely action on both the Senate and House bills.

On the economic side, the Foreign Relations Committee has adopted a total $1.2 billion, the same amount as last year. During the course of further deliberations on Israeli economic reforms, we thought it best to include this amount as an assurance that these funds—which are required as an offset to debt servicing requirements—would be forthcoming.

But it is not enough to provide funds to nations like Israel with large external debts if these funds help to compound long-term economic problems. For this reason, the Reagan administration has moved strongly in the direction of grants rather than loans. This year, as was the case last year, every dollar of assistance to Israel will be in the form of grants rather than loans.

Indeed, if I might digress for a moment, this movement in the direction of grants has not been for Israel alone. Egypt has also experienced the benefit of this approach. The Reagan administration has given careful thought to the large debt problems which confront many nations around the world. There are many good reasons, including national security, economic solvency, and long-term development, which call for current funds. But if we help to increase the long-term debt of nations to the point that they simply cannot repay it, we have done neither ourselves nor the recipient nation any favor.

Israel is a good case in point. Each year, Israel pays back the United States roughly the same amount which we provide under the economic support fund program. And there are many other nations which are heading into this same position. The reason Israel has these huge debts is that previous administrations burdened Israel with loans rather than providing grants.

The fact is that U.S. funds are not provided out of altruism, but out of a firm conclusion that it is in the national interest of the United States to do so.

A secure, economically sound Israel is in the national interest of the United States.

And a secure, economically sound United States is in the national interest of Israel.

Let me address this latter question for a moment. Each of us knows that the credibility of the United States—both economically and militarily—is vital to the defense of freedom around the world. That is why we have undertaken many efforts in the past several years to ensure that credibility.

Militarily, we have regained a measure of the strength which was lost through years of deferring modernization programs. A strong boost in the morale of our troops has occurred. Enlistments are up. Equally important, reenlistments are up. New strategic programs are coming on stream. And we are exploring fully the next generation of offensive and defensive technology. We do these things not out of a desire to be aggressive; we do them because they are vital to preserving the peace and to defending ourselves and our friends and allies.

Economically, we have experienced substantial growth and new job creation. Economic growth and the creation of new jobs are absolutely vital to our future. Without them, we will not be able to meet either our defense needs or the many legitimate social needs of our people.

That is why we have looked to tax cuts and to other means to provide incentives for Americans to grow and to produce. At the same time, we must realize that we are now spending nearly $200 billion each year which we do not have. We are borrowing those funds. We are borrowing them from our children. That is why it is crucial to make certain that we try to reduce the growth of Federal spending.

Our relationship with Israel is healthy and fundamentally sound. This is important, for there are difficult issues of considerable scope which we must address or which we might be called upon to address in the coming months. Let me mention three or four of these issues.

The first is the condition of Israel's economy. As each of you know, the Government of Israel has united behind a number of critical economic reforms. These reforms have not been easy to achieve. Such reforms never are. But they are necessary. The United States has offered advice from time to time, but understands that it is the Government of Israel which will necessarily have to make these decisions and the Israeli people who will have to make the necessary sacrifices.

I believe that there is strong sentiment in the Congress—as well as on the part of the President and the Secretary of State—to assist Israel in this process. We stand ready to consider and to adopt a supplemental authorization and appropriation to aid Israel in weathering the difficult months during which this process will take hold.

I am confident that in the very near future this process of reform will be complete, and that a supplemental funding bill will be sent to the President for his signature.

A second issue concerns the peace process in the Middle East. There have been hopeful signs of willingness on the part of several parties to sit down with one another. Let me state the principles which ought to guide this effort.

First—and paramount—the United States cannot substitute its own judgment for that of Israel or, for that matter, of any of the other parties. Israel is and must always be the judge of what will advance its own security.

Second, President Reagan has said to Arab leaders that they should sit down and negotiate directly with the Israelis. There can be, and there should be, no need for the United States to act as a surrogate in this process. If Arab nations cannot sit down and talk directly with Israel, then what promise do any future agreements really hold?

Third, there must be a continuing realization on the part of all parties that the United States remains vitally interested in the process of peace in the region. We cannot control it, and we cannot compel the parties to accept it: but neither can we leave any doubt about the depth of our interest in achieving genuine and lasting peace in the region.

We look to each of the nations of the Middle East to shoulder its responsibilities in bringing peace to the region. With some nations, to be sure, the prospects for responsible action are greater than with others. But we cannot exempt any nation from the obligations of civil discourse and adherence to time-honored norms of international behavior.

For this reason, I would call upon all nations who have not done so to end the formal state of war with the nation of Israel.

Many nations in the region have legitimate security interests which the United States can and must help to address. Doing so in a mannner which does not unsettle our friends and complicate their security planning is of course difficult to do in a region of the world which is small in size and which already contains enormous amounts of sophisticated weaponry.

We should introduce new weapons into the region only if we are certain that they are necessary and that they will genuinely further American interests. That is the standard which I have asked the administration to adopt in any future arms sales proposals which might be sent to the Congress.

Finally, let me mention one more matter. The war between Iran and Iraq continues. Although there is something of a stalemate at the moment, it is vital that we monitor this situation carefully. The consequences for the region of a substantial victory for either side are enormous and not altogether predictable. This is a matter which commands our continuing attention.

To this point, I have mentioned a number of issues in the Middle East which are of common interest to the United States and to Israel. But our relationship is not merely a regional one; it is a global relationship. There are many issues of common concern to men and women everywhere that are spoken to in our relationship.

We confront at this time a new phenomenon, a phenomenon which is both ugly and alarming: International terrorism. The systematic use of terror to achieve political ends by attacking innocent civilians is a deeply disturbing threat; it runs counter to the very premises of organized nations living in peace with one another and settling their differences as nations rather than as anarchic individuals. No nation has been threatened more—or responded more bravely and wisely—to terrorism than Israel. We all have much to learn from Israel's model.

In the coming months and years, it will be more and more critical for all nations opposed to international terrorism to band together to find ways of combating it. We must work together to share information, to share strategies which have been successful in combating terrorism, and in speaking out against it as an unacceptable way of furthering political ends. Surely, the wanton use of innocent people as a means, rather than an end, is the most thorough going violation of their human rights.

Terrorism would not thrive if it were not supported directly and indirectly by governments. That is why we must work to achieve agreement from all governments about this minimum standard of international behavior.

I regret to say that terrorism has found supporters within this hemisphere. Let me read to you from the recent statement of the National Jewish Coalition on Nicaragua:

"Members of European terrorist groups such as the Irish Republican Army, the Basque Separatists, ETA, the Italian Red Brigades and the West German Baader-Meinhof group are welcomed by Nicaragua and sheltered in the name of international solidarity."

The statement also says:

". . . The ties between the Sandinista government and the PLO are strong. The PLO works alongside East Germans, Bulgarians

and Cubans in training the Nicaraguan security forces. In exchange, the Sandinistas have allowed the PLO to maintain a fully-accredited embassy in Managua. The only other country in the Western Hemisphere to allow the PLO such a privilege is Cuba. 'We say to our Brother Arafat,' Tomas Borge, the Sandinista commandante, told the PLO Leader, 'That Nicaragua is his land and the PLO cause is the cause of the Sandinistas,' "

Such are the problems we confront.

The nation of Israel has also expressed its global role with regard to issues of refugees and freedom of emigration. Whether it be with regard to Ethiopia or the Soviet Union or any other land that prevents free emigration, Israel has stood steadfastly with the United States as an example of a nation concerned with the rights of men and women everywhere. Freedom to emigrate is a fundamental right, a right which has been acknowledged by many nations in the Helsinki accords. Let us work together to ensure that it is a right in reality as well as a right on paper.

I have participated each year for the past several years in a moving ceremony in my own city of indianapolis to uphold and to demonstrate our common interest in Soviet Jews. It is imperative—especially at a time when the results have been discouragingly slim—to keep this issue before the conscience of the world. I am hopeful that the new Soviet leadership will relax restrictions on emigration so that we can return to the levels of previous years. No gesture would be more significant in our search for a better relationship with the Soviet Union. And no lasting progress with the Soviet Union is possible unless the issue of emigration is addressed by the Soviet Government.

Finally, let me conclude on a deeper note. Both the United States and Israel share a heritage which differentiates them from other nations of the World. Both were founded anew upon a principle or an idea. Many great nations exist in the world; most have come into existence through long historical processes, including historical accidents of geography and force.

The United States and the nation of Israel were—and are—products of conscious design. They represent the concrete expression of human striving to embody in government our principles and our ideals. This is at once a great advantage and a special burden. For we have ideals against which to measure our actions, and special demands of morality against which to measure our accomplishments.

We must remain true to these ideals. Our task will be all the easier if we do so together. We Americans who are gathered here this evening will, I am confident, continue to extend the hand of friendship, alliance, and humanity to Israel in the coming years. I look forward to doing so, and I thank you very much for this chance to speak to you this evening.●

JOHN P. PRICE, ARKANSAS' SMALL BUSINESS PERSON OF THE YEAR

● Mr. PRYOR. Mr. President, May 5 through May 11, 1985 has been designated by President Reagan as Small Business Week. During this time our attention will be focused on the continuing contributions of the small business community, which remains the backbone of our Nation's economy. Small Business Week also affords the opportunity to honor a very special group of small business owners from across the country—those who have been selected as "State Small Business Persons of the Year."

My fellow Arkansans and I are extremely proud of this year's State honoree—John Porter Price of Monticello, AR. In 1965, at the age of 24, Mr. President, this lifelong resident of Drew County organized the J.P. Price Lumber Co., with just $5,000 in capital. That first year saw gross sales of $300,000. Today, the corporation boasts sales of more than $14 million.

The 20 years since John Price started his company have not always been smooth sailing, however. As with so many other small businesses, the J.P. Price Lumber Co., faced a series of problems in its early years, including the threat of bankruptcy. The company not only weathered this storm, but has gone on to gain a respected place among the lumber and timber related manufacturing industry.

John Price has proven to be a skillful innovator, designing and manufacturing a drum type debarker system of producing a uniform sized, clean—bark-free—wood chip, which has provided a solution to the problem of increased costs among the paper industry. The company has also developed a process whereby its products will be sold kiln dried and surfaced, rather than rough green and in need of further processing.

Mr. President, the J.P. Price Lumber Co., has emerged as a dynamic, creative force in the timber related manufacturing industry, due to the vision and ingenuity of its founder and president, John Porter Price. I am proud to honor him as Arkansas' Small Business Person of the Year.●

ABE STOLAR

● Mr. LEVIN. Mr. President, I would like to speak today on behalf of an American citizen in the Soviet Union who has repeatedly been blocked from emigrating with his family.

Abe Stolar is a familiar name to many of us in this Chamber who have worked on his behalf for several years.

Abe Stolar, his wife Gita and son Michael have been trying to emigrate for over a decade. In 1975, they thought they had succeeded. That year, after working their way through the maze of regulations involved in the emigration process, the three members of the Stolar family were granted exit visas.

Filled with anticipation, the Stolars sent all their belongings to Israel and relinquished their Soviet citizenship. They were actually on the plane to Israel when they were suddenly called back and told they could not leave on the pretext that Gita had access to classified materials in her job. With all their belongings in Israel, the Stolars had to return to a lifestyle that was very limited, as they were no longer Soviet citizens and had very few resources.

Since then, Abe and Michael have been granted American passports. Gita has an Israeli passport.

Since 1974, many Members of both Houses of Congress have tried through different avenues to secure the Stolars' release. We have repeatedly written to the President of the United States, and the Secretary General of the Soviet Union. I introduced a resolution, which was approved by the full Senate in 1982, expressing the sense of the Senate that the U.S.S.R. allow the Stolar family to leave. As with too many refusenik cases, our efforts have been to no avail.

In the interim, Michael married a young woman, Julia, who is a Soviet citizen. They were wed in a religious ceremony. They tried to officially register their marriage but were not permitted to do so by Soviet officials. This fact played an important role in a recent development which raised many of our hopes.

The Stolars were asked to resubmit their applications. All four members of the family were hoping that this would be the first step in being permitted to leave the Soviet Union.

Instead, they were faced with a cruel and impossible choice. The Soviet Government reserved only three exit visas—for Abe, Gita, and Michael Stolar. They did not grant one for Julia. Since Soviet officials maintain Michael and Julia are not officially married, having blocked them from doing so, they see no reason to grant her permission to emigrate.

To make their burden even heavier, the Stolars were given a deadline to make the difficult choice of whether to split up the family or pass up perhaps their last chance at freedom.

Upon learning of the decision facing the Stolars, many of us promptly contacted Soviet authorities. A telegram initiated by Senator SIMON, who represents Abe Stolar's original home State of Illinois, and signed by 20 other Members, expressed disappointment that Julia had not been granted permission to emigrate, and urged General Secretary Gorbachev to intervene in this matter.

In a letter I sent by messenger to Ambassador Dobrynin on April 18, I said:

> The Stolar family should not be broken up. All four members should be granted permission to leave. If the lack of a marriage registration for Michael and Julia is creating a problem, then I urge Soviet authorities to permit them to register it.

It is my understanding that other Members of Congress also contacted the appropriate Soviet officials, and the recent House delegation headed by Speaker O'NEILL brought up the

matter during their trip to the Soviet Union.

The deadline passed, and Julia was not granted an exit visa. The three Stolars did not use theirs. Abe and Gita did not want Michael to leave his wife, and they did not want to leave Michael behind.

The future of the Stolar family is uncertain. Abe and Gita are quite elderly, and one can only imagine the tremendous stress this situation has placed on them and the hopelessness they must now be feeling.

I wish the Stolar case were a singular event—a rare and tragic case. Unfortunately, this little drama has been replayed over and over again. So many people have applied to emigrate, only to be denied permission and then have to face the harsh life of a refusenik.

It is easy to be discouraged when dealing with the issue of human rights in the Soviet Union. However, even when concrete results are few and far between, I believe our continuing efforts on behalf of refuseniks are achieving something. We are letting the Soviets know that human rights is an issue of paramount importance to us and plays an essential role in all aspects of our relationship with that country.

We must continue to work on the Stolars' behalf. And, in every means open to us, we must continue to press the Soviet Government to improve their record on human rights and restrictive emigration policy.●

FIFTIETH ANNIVERSARY OF REA

● Mr. PRYOR. Mr. President, I am proud today to remind my colleagues of the 50th anniversary of the Rural Electrification Administration. Over the past half century, possibly no other program has done more to improve the quality of life in rural America than the REA.

The REA was created by Executive order on May 11, 1935, when only 10.9 percent of the farms in America had electricity. Today that figure stands at 99 percent. The authority to make loans for telephones was granted to REA in 1949 when less than 4 of every 10 of our farms had this service. Currently, over 95 percent of rural residents have telephones. The success in providing these necessary facilities is testimony to the success of the REA.

There is no better example, Mr. President, of cooperation between Government and private individuals than in the REA success story. This story epitomizes what the creation of the proper environment can do when Government and private enterprise work hand in hand to provide citizens with a standard of living they wish to attain.

Almost anyone in his or her middle years, and who grew up in rural America, remembers the excitement when electricity came to the farm. For many, this still remains their No. 1 thrill when one day the line was connected to the house and they went from kerosene to consistent light delivered by a flick of a switch.

This new miracle overnight transformed America's rural land into the most efficient and productive sector in our world's economy. It changed living standards, united rural communities, and started America toward prosperity.

Mr. President, this REA 50th anniversary is one of America's great success stories. And Arkansas has a hand in its development. All of us from my home State remember the contributions of Clyde Ellis, known to us in Arkansas as "Mr. REA," who was involved in those early days not only in Arkansas but on a level nationwide.

My colleagues should take notice today of what made this program so successful and unique, and we should apply this to some of today's projects. It was a unique relationship that fostered cooperation between Government and the private sector. The REA can truly define what a proper environment should be between our Government and its citizens.

I am proud, Mr. Chairman, to be a part of this celebration and to praise those who played a part in these wonderful accomplishments.●

DR. WALTER J. MOLO, JR.—RECOGNITION ON HIS RETIREMENT

● Mr. SIMON. Mr. President, on Friday, May 10, 1985, friends and admirers of Dr. Walter J. Molo, Jr., superintendent of the Pleasantdale School District No. 107 in Lyons Township, IL, will hold a testimonial dinner observing his retirement and thanking him for his splendid service to the cause of public education.

My senior colleague, Senator DIXON, and I know that you and our colleagues here in the Senate would want to join us in paying tribute to Dr. Molo on this occasion.

In the last 35 years, Dr. Molo has made an outstanding contribution to the field of education as a teacher, principal, and superintendent. His expertise encompasses subjects such as mathematics, biology, physical education, and health—areas of prime importance to students across the Nation.

Senator DIXON and I would like to take this opportunity to commend Dr. Molo for his 35 years of dedicated service to students and staff members of our public schools, and extend our best wishes for a pleasurable retirement.●

BOYS CLUB OF AMERICA

● Mrs. HAWKINS. Mr. President, I shall share with you some of the child protection activities of a major youth organization, the Boys Club of America. On January 7, and 8, 1983, my office was invited to participate in a 2-day seminar on child sexual abuse prevention whose goal was to identify the ways in which Boys Clubs of America might assist with this community problem. The Task Group on Sexual Child Abuse Prevention identified the following priorities:

To develop a position statement on the role of Boys Club of America in preventing and responding to child abuse with special attention to child sexual abuse. This position statement then would be shared with clubs and their local boards for support and endorsement.

To develop sample guidelines for clubs to review, modify, and adapt regarding the screening and selection of staff and volunteers and the handling and reporting of suspected or known incidents of child abuse inside or outside the club.

To expand existing Boys Club programs such as the Body Works and Help-a-Kid, and identify already existing resources which clubs can use to create an awareness of the problem among parents and club members and teach club members skills to protect themselves from sexual child abuse.

To provide training to Boys Club professionals to help them identify children who have been abused, report known or suspected cases of abuse, and respond in a supportive way to these children.

Since that time, many of these activities have been set in motion and others completed. For example, a proposal for the development of a safety and survival supplement to the Body Works program was introduced. This supplement will teach children how to protect themselves against accidents, crimes, violence, and particularly, child abuse. The Boys Club regional administrative conferences in the Midwest and Southeast will include sessions for the Boys Club members on child sexual abuse prevention. The upcoming national conference will include a presentation by the executive director of the National Conference of Missing and Exploited Children.

Mr. President, I ask that two articles by Boys Club of America be printed in full in the RECORD at the conclusion of my remarks. They both seek to make children more aware of potential sexual child abuse through preventive programs.

The articles follow:

CHILD SEXUAL ABUSE PREVENTION

In the small community of Frankfurt, Indiana, five children were the victims of sexual abuse. Bill Wheeler, Boys Club Executive Director, decided to do something about it. After training from the local child protection services, Bill and his staff are conducting educational programs for Club

members and for elementary school children throughout Clinton County.

The South Omaha Unit Boys Club of Omaha, Nebraska, is teaching boys ages eight to ten how to protect themselves from sexual abuse. The program, called "When Is A Hug Okay?" is made up of four classes taught by Boys Club staff and outside experts. According to Marc Dosogne, the program was developed in response to a community concern resulting from the murder of two young boys.

In Ventura, California, the Club's A.S.A.P. Program is aimed at reducing a child's vulnerability to sexual assault by training members to recognize and intervene in potentially dangerous situations. According to Executive Director Barbara Stricker, A.S.A.P. includes staff training, a parent workshop and programming for members. (See Connections, Fall, 1984 for a complete description of this program.)

The sad truth is that thousands of children are sexually abused. In the United States, there are more than 200,000 reported cases of child sexual abuse each year. Yet, many of these incidents could have been prevented had these children been taught some basic skills and understandings. Recognizing the extent of this problem and the fact that something can be done to prevent child abuse, more and more Boys Clubs are asking how they can get involved.

Guided by a task force of outside experts and Boys Clubs professionals, Boys Clubs of America is developing a comprehensive plan to help local Clubs address this problem from a professional as well as a program perspective. Clubs can expect more information and assistance on this important subject in 1985. In the meantime, however, there are steps that every Club can take right now to contribute to the solution to this problem.

FOR PARENTS

Helping parents to educate their children is an important link to preventing the problem of child sexual abuse. The fact is that many parents have great difficulty talking to their children about sexual abuse. Other parents simply do not see sexual abuse as a serious risk to their child. Still others are concerned about creating unnecessary anxiety for their child.

There are several avenues for reaching parents with vitally important information:

Copy, fold and distribute the enclosed brochure "Child Sexual Abuse Prevention: Tips to Parents."

Reprint the enclosed "Ten Tips for Parents on Child Sexual Abuse" developed by Boys Clubs of America. Print your own message and service mark on the back and insert in your mailings to parents and others.

Reprint these ten tips in the Club newsletter or place articles in you local paper.

Hold a seminar for parents. Boys Clubs staff can either join with a community agency to provide the training or arrange to have staff trained to conduct this seminar.

Although the Club is a likely place to hold a seminar, more parents might be reached by making presentations to organized parent groups such as Mothers' Clubs, Tenants Associations, service clubs, P.T.A. groups, church groups, etc. Arrangements also might be made with local corporations to enable employees time out of their workday to attend a seminar held at their worksite.

Invite parents to attend a screening of a film or other program on child sexual abuse which you plan to show to Club members. This technique allows the same message to be reinforced at home and in the Boys Club. The resource section at the end of this article includes recommended films and programs for use in the Club.

Whether your Club chooses to simply distribute the brochure, arrange a parent seminar or screen a film with parents, Club staff must be prepared to deal with inquiries from parents or situations where parents reveal information. In anticipation of this, Club staff should be trained to respond to parent needs. Staff should have a resource number handy to give to parents and to use themselves. This resource number, however, is no substitute for the training which is needed to prepare staff to respond to adults and children, too.

FOR STAFF

The trusting relationship between Club members and Club staff and parents and Club staff makes the Boys Club professional an ideal person to discuss this sensitive issue. However, before this happens, staff members themselves must be comfortable with the subject and knowledgeable about the best strategy for teaching about prevention and possibly dealing with a suspected case of child sexual abuse. This requires in-service training which often can be provided by community resources, including your local child protection services, mental health departments, rape crisis centers, Parents Anonymous, your local chapter of the National Committee for the Prevention of Child Abuse and/or other child welfare agencies. Also, there are numerous resources listed in the resource section of the article which can help staff to learn more about this problem.

As staff begin to program in this area, they may encounter members who have been sexually abused. Training, therefore, should include information on reporting procedures, laws and referral resources. It should be clear to staff that sexual assault is a crime no matter how young the victim or who the offender is. There is an agency in every state that is mandated by state law to receive and to investigate reports of suspected sexual child abuse. To report suspected sexual abuse, staff should notify the mandated agency in the state where the child lives. The agency is listed in the telephone directory, usually under the state's Department of Social Services, Protective Services, Social and Rehabilitative Services, or Children and Family Services. If you have difficulty finding the agency, call the police department or dial the Child Help USA National Child Abuse Hotline (800) 422-4453.

FOR MEMBERS

There are a variety of curricula, film and resource materials already produced which you can use in your Boys Club. See the resource section for an annotated listing of films and curriculum guides. Also, many local groups have developed their own curricula and in doing so have involved parents, schools and other community groups. Local curricula which have been accepted in your community may be a good starting point. It is strongly recommended that Clubs draw on their community resources and experts to help select or design a program and deliver it, too. Regardless of the curriculum, any Boys Club sexual abuse prevention program should be conducted by trained Boys Club staff and/or community experts. Whatever program conducted or resources selected, the following concepts should be incorporated in your approach:

Talk to members about child sexual abuse before it happens. Children who know about child sexual abuse are more able to recognize dangerous situations, avoid them if they do occur, and tell a trusted adult when and if they suspect danger or encounter it.

Develop a mutual vocabulary so that you can begin to talk openly. Children need a basic working vocabulary for all body parts including names for the genital, anal and breast areas. Dolls and books can be used to teach children body parts. The Body Works contains many activities for teaching children about their bodies and is an ideal way to develop this mutual vocabulary. It is not easy to talk about child sexual abuse. Having a mutual vocabulary will make the job easier and is a good beginning point.

Warning members about strangers is not enough. In the majority of cases (85%), the child sexual molester is known to the child and the child's family. It could be a relative, parent, close family friend, babysitter. When you talk to members about sexual abuse it is important to explain that a child molester can be someone they know, like and trust.

Teach members about child sexual abuse along with other personal health and safety subjects. Just as you teach members rules to protect themselves from crime or accidents, as part of the Body Works program you could teach them the three basic rules to protect themselves against child sexual abuse:

Say no—Your body belongs to you. You can decide who touches it and should say no when someone—a stranger or someone you know—asks to see or touch the private parts of your body (those covered by a bathing suit including breasts, vagina/vulva, buttocks and penis) or shows you or asks you to touch private parts of their body.

Get away—When you suspect a problem, get away, run if you have to. Scream or yell while running toward people.

Tell someone—Immediately tell an adult what happened. Talk to a teacher, neighbor, parent or relative. If they do not believe you, tell someone else.

Let members know that it is not their fault if someone touches them in a way that confuses them. Remind members that even grown-ups are not always right. Explain that it is possible that even people who are nice to them might try and do the wrong thing.

Do more than just talk. "What If" games are good ways to help members work out solutions to dangerous situations. Some examples:

What would you do if:

A grown-up asked you to help find a missing dog;

You see a grown-up hanging around the playground for no special reason;

You are unexpectedly invited into a neighbor's home on you way home from school;

Your babysitter asks you to undress to play a special touch game;

Someone touches you in a way that makes you feel uncomfortable, asks you to take your clothes off, wants to take pictures of you without your clothes, or promises a special present if you let them touch you?

Storytelling is another good technique. Telling children stories in which a child is faced with a situation and avoids it provides a positive example—one they will remember.

If a member tells you about being touched, take it seriously. Always begin by believing what is said to you. Your response is important. Stay calm. Reassure your

member that he or she is not to blame, they have the right to tell you what happened and that you will do your best to help them. Do not make angry threats about the offender. Remember that the offender can be someone the child knows, trusts and loves and threats can make him/her feel guilty about telling. You may be the first person the child approaches. Your response can have a tremendous impact on their healing.

Be sure you know the reporting laws and referral sources in your community. In each situation, be sure to follow your state reporting laws immediately. If the offender is a parent or step-parent, do not contact them before reporting the situation to the authorities. Follow the advice of authorities. Remember the assailant is likely to repeat this behavior as long as nothing is done.

PREVENTING CHILD SEXUAL ABUSE: OFFERING HELP A.S.A.P.

(By Barbara Stricker)

Sexual abuse of children is a serious problem that recently has received much national attention. Here is what one Boys Club is doing to prevent it.

Developed by Program Director Melinda Brown and initiated in mid-1984, the child abuse prevention program—called A.S.A.P.—at the Boys and Girls Club of Ventura, CA, is already well established. The Program designed is based on the Child Assault Prevention (CAP) project developed by an organization called Women Against Rape. The CAP program offers a practical, step-by-step formula with three main components:

Inservice training of staff,

A parents workshop, and

Workshops for children.

The Boys and Girls Club of Ventura also has developed an ongoing schedule of follow-up programs. The follow-up programs were developed after nearly a year of research and testing.

The purpose of the program is to reduce children's vulnerability to sexual assault by training them to recognize and confront potentially dangerous situations quickly and effectively. The ultimate purpose is to avoid an assault.

TRAINING THE STAFF

The first phase of the program at the Boys and Girls Club of Ventura involved the inservice training of staff. A staff workshop, held in September, covered all aspects of the child sexual abuse problem, including the history, myths, and common factors of adult rape and child sexual assault; details about how to identify abused children and how to talk to a child if he or she comes to a staff member for help; the legal and moral obligations in reporting assault; and outside resources/intervention programs available to the Club. A hand-out sheet of local resources and telephone numbers was distributed to every staff member.

Staff were also given an in-depth explanation and demonstration of the upcoming child/youth workshops that were to be conducted as part of the program, as well as information on how to identify children who may be in crisis and/or may undergo stressful or emotional reactions to the workshops.

The purpose of the session was to inform and sensitize all staff about the child abuse problem, because the atmosphere of the Club offers so many possibilities for communication and interaction between kids and staff.

INVOLVING PARENTS

Once the staff felt comfortable with, and knowledgeable about this sensitive issue, a parents workshop was conducted. This workshop was held on an evening at the Club, and the format and topics covered were similar to those provided during the staff training. Reactions from parents about the program were very positive.

Two weeks prior to the workshop, the parents received a packet containing information about child sexual abuse, an invitation to attend the adult workshop and a permission slip for their children to participate in the upcoming children's workshop on sexual assault. Although participation by parents and children was less than 100 percent, attendance at both workshops was substantial.

Several parents who attended the workshop have children who have been assaulted, and they unexpectedly shared this information with the group. They provided some important clues to an abused child's behavior, and helped the staff to assess what additional program components and referral resources might be needed.

REACHING THE KIDS

The Club next began conducting workshops for its day-care members who are in grades kindergarten through fifth. Because of their age differences, children in kindergarten, and first grade were combined into one workshop group, and children in second through fifth grades were combined into a second group.

Both workshops consisted of a one-hour discussion about a number of aspects of child abuse, including: children's rights and feelings. Peer support, self-defense, saying "No!," telling a trusted adult, the Mighty Mouse Yell, "listen to your tummy," stranger-danger rules, tattling vs. telling, good touch vs. bad touch, good vs. bad secret, and bribe vs. gift.

Also included were seven potentially dangerous situations and positive reinforcement role-playing of possible solutions. One of the solutions kids were encouraged to role-play involved discussing an encounter with a trusted Boys Club staff member.

Reactions of the children to these workshops were mixed. Some kids needed to talk about the experience; others were basically nonplussed. But all responded to some degree and participated within their group. The kids were given opportunities to share what information they already knew about prevention and safety, and it was observed that there was wide variation in knowledge among them.

FOLLOW-UP PROGRAMS

Because it is strongly felt at the Club that the A.S.A.P. program will not be nearly as effective if there is no followup, a series of additional workshops were scheduled to be conducted throughout the upcoming year. Plans for these future workshop programs include:

Film and video presentations, including "Better Safe Than Sorry (Parts I and II)" and "Child Sexual Abuse: What Your Children Should Know" (see "Cues & Reviews," this issue).

Guest lecturers, including a police officer, telephone operator, social worker, and other individuals who have some responsibility for the safety of people in the community.

A workshop for children ages 12 and under.

A workshop for children over age 12.

Future workshops will include puppet shows, coloring contests and home safety guidelines appropriate to the age of the child. Older adolescents will be able to participate in discussion groups centered on safety topics and issues such as a date rape. All workshops are based on the safety theme.

Several additional A.S.A.P. program aspects will be incorporated into regular Club programming structures where a controlled group situation exists—such as the Keystone Club, sports teams, etc.

Overall, the program already has been so well received by staff, parents and kids that it contributed to a strong sense of accomplishment and satisfaction at the Club—and of doing something really useful for our members. And that is what makes the Boys Club experience so worthwhile.

PREVENTING CHILD SEXUAL ABUSE: TIPS FOR CONCERNED PARENTS

Recent public concern nationwide about the problem of child sexual abuse has prompted many Boys Clubs to review their programs and evaluate how and where child assault prevention programs might be added or expanded. There are some excellent resources available to Clubs (see "Cues & Reviews," this issue), as well as some established programs that can be adapted to the Boys Club situation.

Boys Clubs of America convened a task group of Club professionals and outside experts to study various aspects of this most sensitive and unfortunate problem. More information about the issue will be forthcoming.

In the meantime, here are some basic guidelines for working with children, both to help them become alert to potential danger and to help them talk with a trusted adult about an assault if one has already occurred. While these guidelines were prepared for distribution to parents, they can easily be adapted for use by Boys Club volunteers and staff.

1. Talk to your children about child sexual abuse before it happens. Children who know about child abuse are more able to recognize dangerous situations, avoid them if they do occur, and tell you when and if they suspect danger or encounter it.

2. Develop a mutual vocabulary so that you can begin to talk openly. Children need a basic working vocabulary for all body parts, including names for the genital, anal, and breast areas. Dolls and books can be used to teach children body parts. It is not easy to talk about child sexual abuse. Having a mutual vocabulary will make the job easier and is a good beginning point.

3. Warning your children about strangers is not enough. In the majority of cases (85%), the child sexual molester is known to the child and the child's family. It could be a relative, parent, close family friend, babysitter. When you talk to your child about sexual abuse, it is important to explain that a child molester can be someone they know, like and trust.

4. Teach your children about child sexual abuse along with other personal safety subjects. Just as you teach other rules to children, you should teach them the three basic rules to protect themselves against child sexual abuse.

Say no. Your body belongs to you. You can decide who touches it and should say no when someone—a stranger or someone you know—asks to see or touch the private parts of your body or show you or ask you to touch private parts of their body.

Get away. When you suspect a problem, get away, run if you have to.

Tell someone. Immediately tell an adult what happened. Talk to a teacher, neighbor, parent, or relative.

5. Let your children know it's not their fault if someone touches them in a way that confuses them. Remind your child that even adults can make mistakes. Explain that even people who are nice to them might try to do the wrong thing.

6. Do more than just talk. "What If" games are good ways to help your child work out solutions to dangerous situations. Some examples:

What would you do if:

A grown up asked you to help find a missing dog;

You see a grown up hanging around the playground for no special reason;

You are unexpectedly invited into a neighbor's home on your way home from school;

Your babysitter asks you to undress to play a special game;

Someone touches you in a way that makes you feel uncomfortable, asks you to take your clothes off for no good reason, wants to take pictures of you without your clothes, or promises a special present if you let them touch you? Storytelling is another good technique: Telling children stories in which a child is faced with a situation and avoids it provides a positive example—one they will remember.

7. Be aware of signs or symptoms of trouble. Most children don't tell anybody because they don't know how to talk about it, they think no one will believe them, or they are afraid to tell. Be alert for symptoms:

Is your child more withdrawn than usual, afraid to be alone, having trouble sleeping, waking up with nightmares, complaining of irritation of the genital area?

Does your child show marked behavior change toward a relative, neighbor, babysitter?

Does your child demonstrate "sophisticated" sexual behavior or exhibit seductive behavior?

Is your child expressing new fears? If so, be sure to listen to them and encourage your child to tell you why he or she is afraid.

8. If a child tells you about being touched, take it seriously. Your response is important. Stay calm. In a reassuring tone, find out as much as you can about the incident. Reassure your child that he or she is not to blame, is right to tell you what happened, and that you will do your best to offer protection. Do not make angry threats about the offender. Remember that the offender can be someone your child knows, trusts, and loves, and threats can make your child feel guilty about telling. What Uncle Joe did to you was unfair. We are going to get him help so he doesn't hurt you or anyone else again," is the right type of response.

If your child was physically molested, a medical examination may be a good idea. This is a good time to reassure your child that everything is OK. Law enforcement, special hotlines, or a child welfare agency should be contacted right away. Remember the assailant is likely to repeat this behavior as long as nothing is done.

9. Know where your children are at all times and know who they are with.

Check references of babysitters and others you employ to care for your children. Encourage your school to call the parents of absent students to make sure they are someplace safe.

10. There are many local sources of assistance and counseling. The local mental health center, department of child and family services (terminology will vary), police, your usual source of pediatric care, rape crisis centers and parent groups are all sources of help. Choose sources with which you and your child will feel most comfortable.●

INTERNATIONAL FAMILY PLANNING

● Mr. PACKWOOD. Mr. President, I read with concern the remarks made by my colleague from Alabama, Mr. DENTON, about the family planning community in his statement, "Concerning Abortions: Werner Fornos, the IPPF, the UNFPA, China and AID," which appeared in the CONGRESSIONAL RECORD on April 4, 1985. In all fairness, I believe Mr. Fornos should be given an opportunity to offer his own positions on these important issues for the RECORD. For this reason, I ask to have printed in the RECORD the testimony Mr. Fornos presented at the Senate Appropriations Foreign Operations Subcommittee on April 3, 1985.

The testimony follows:

TESTIMONY FOR THE RECORD

(By Werner Fornos, President, The Population Institute)

Mr. Chairman, I am Werner Fornos, President of the Population Institute, the largest citizens network concerned with bringing global population and resources into a more equitable balance.

During the first four years of the current Administration, there was general support for the 20-year bipartisan United States international population policy objectives spanning five administrations.

The President voiced his concern in statements emanating from economic summit meetings expressing, along with leaders of other industrialized nations, his efforts to curb rapid population growth.

Secretary of State Shultz and U.S. Ambassador to the United Nations Kirkpatrick emphasized the necessity for Third World countries to contain their population growth in order to achieve their development goals and objectives.

Meanwhile, the U.S. population budget has been increased by some 53 percent, primarily due to Congressional actions.

But in the year that has passed since I last appeared before this committee, the Administration has reversed itself on this important issue involving the future of humanity.

A new population policy paper, drafted by the White House, concluded that U.S. population assistance for developing countries has been a failure and resurrected the old myth that development is the best contraceptive. This ignores the progress of countries such as Indonesia, Thailand, Mexico, Colombia, and several others that have brought their population growth rates down by 15-to-45 percent.

The President, ignoring the fact that world population is now growing at an unprecedented rate of 85 million a year, told a national television audience that the global population explosion has been "vastly exaggerated."

Through Administration policy, the United States has cut off funds to the International Planned Parenthood Federation, the largest and most experienced non-government organization involved in family planning programs for developing countries.

And the Administration has made the decision to withhold $10 million of the $46 million Congress mandated last year for the United Nations Fund for Population Activities, the most significant multilateral agency involved in family planning programs for the developing world.

A clause that the U.S. Agency for International Development has proposed for inclusion in cooperative agreements has drawn sharp criticism from a number of sources, including two of the country's most distinguished institutions of higher learning: The Johns Hopkins University and Columbia University.

Commenting on the clause, Estelle Fishbein, General Counsel for Hopkins, said:

"The University is particularly concerned that the clause in essence makes the recipient an insurer that AID funds will not be distributed to organizations advocating the use of 'abortion as a method of family planning.' At some point, however, in the chain of distribution of funds, goods, and services, it becomes unreasonable to hold the recipient responsible for the views espoused by a group which may have come into the possession of material orginally purchased with AID funds."

Dr. Allan Rosenfield, director of the Center for Population and Family Health under the Faculty of Medicine of Columbia University, commenting on the same clause, said:

"We are to require NGO sub-grantees and sub-sub grantees to sign a document which we at Columbia University would not sign ourselves if so requested, since it puts restrictions on how funds obtained from sources other than USAID are to be spent. While the U.S. government may put restrictions on ways federal funds are expected, we would object to limitations being placed on the legal use of other funds. Therefore this application of a double standard seems to me to be an untenable situation that puts in question the sovereignty of private foreign organizations.

"As a physician I would find it unacceptable, even unethical medical practice, to require family planning providers in a country in which the provision of abortion is legal, as it is for example in the United States, India, and Bangladesh, not to be able to counsel or refer for abortion services, when indicated.

". . . under the proposed clause, abortion as a method of family planning is, in effect, defined as any abortion unless it is necessary to save the life of the mother. To characterize an abortion performed for reasons of rape, incest, or to preserve the physical or mental health of the mother as a method of family planning is a definition to which I object strongly."

Meanwhile, the United Nations Fund for Population Activities is being punished because it provides some population assistance to the People's Republic of China. There have been press allegations of forced abortion and infanticide in China. By distorting the facts, opponents of the Chinese program have concluded—despite vigorous denials of high officials in the People's Republic of China (see attached letter from Zhang Wenjin, Chinese Ambassador to the United States, to U.S. Secretary of State George Shultz)—that forced abortion and infanticide are part and parcel of China's family planning program.

Moreover, UNFPA denies that any U.S. funds, or, for that matter, any UNFPA funds have been used to support abortion or infanticide in China. No responsible source,

not even the reporters who wrote the articles from which recent allegations about China's family planning program stem, have suggested that a penny of U.S. or UNFPA funds has ever been used for either abortion or infanticide.

Yet AID withholds $10 million appropriated by the Congress, approximately the sum UNFPA allocates to China, from UNFPA.

In response to U.S. sensitivity about the Chinese population program, the UNFPA, in August of 1984, established sub-accounts, enabling every nation to trace where its contribution goes. On the basis of this arrangement and "concrete assurances" that none of the U.S. funds would be used in China, the United States released $19 million, which it had impounded, to UNFPA.

When more recent allegations surfaced, via newspaper articles, the Administrator of the U.S. Agency for International Development dispatched a team, composed of a member of the U.S. permanent mission to the United Nations, as well as representatives of the State Department and AID, to investigate the accusations. That team concluded that meticulous bookkeeping left clear audit trails as to where U.S. funds were used and that none were expended in China or for that matter, on abortion or infanticide.

The fact of the matter is that UNFPA has well established population and family planning programs in 120 countries, far exceeding the number of countries with which the United States has bilateral programs.

Turning to the International Planned Parenthood Federation we find that IPPF spends less than one percent of its funds—but not a dime of U.S. monies—on abortion related activities in developing countries requesting such assistance. In fact a 1973 amendment to the U.S. Foreign Assistance Act prohibits use of U.S. funds for abortion in foreign countries.

Curiously enough, there has been no evidence that IPPF has used U.S. assistance to fund abortions. AID has not made such an accusation, nor has any newspaper or any member of Congress. On the contrary, audits by the General Accounting Office and the AID Inspector General have not turned up a scintilla of evidence that population assistance is being misused.

Yet AID has cancelled $17 million scheduled for IPPF and says it will redirect these funds to family planning programs in Africa and Latin America where abortion is prohibited. Presumably these funds will be used for such projects as CP84.07A, which is "A Comparative Study of Polygamy and Fertility in Africa"—research currently underway with U.S. population funding. If that study concludes that polygamy is having a positive effect on slowing down fertility rates, will the U.S. government recommend polygamy as a method of family planning in Africa?

Mr. Chairman, IPPF is the largest and most widely respected non-government organization involved in family planning in the developing world. There are serious questions as to whether AID will be able to find programs that can use these funds as expeditiously or as effectively as IPPF has been using them over the years. The Administrator of AID has repeatedly stressed that non-government organizations are the most cost-effective means of providing development services. However, without a shred of evidence that U.S. taxpayer dollars are being used, or were ever used, for abortion by IPPF anywhere in the world, this organization has had one of its primary funding sources severed.

Mr. Chairman, the Senate Foreign Relations Committee recently approved an amendment to the 1986-87 foreign assistance bill that would cut off U.S. funds for UNFPA if that agency does not rescind its funding of China's population program. As you well know, Mr. Chairman, from your experience in working with the United Nations system, it is not within the power of UNFPA to make such a decision.

The 27th Session of the General Assembly of the United Nations in December of 1972 passed Resolution 3011, which places oversight for UNFPA with a 48-nation Governing Council, which includes the United States. Indeed that Council, with the concurrence of the United States, approved the current UNFPA assistance for China only last June for a five-year program.

In light of this action, the appropriate vehicle for getting UNFPA out of China is not legislative blackmail. Instead it is a relatively simple procedure once the Administration has made the decision that it wants to do this: Instruct the U.S. representative to the upcoming Governing Council meeting in June to call for the recision of that assistance. By demanding the impossible of UNFPA, the Foreign Relations Committee amendment reveals its sponsor's true motive—to cut off all funds for UNFPA.

Mr. Chairman, I respectfully submit that the recent actions directed at UNFPA AND IPPF are nothing more than subterfuge—a smoke-screen to conceal an insidious hidden agenda.

Under the guise of discouraging abortion, these actions will have exactly the opposite effect. The denial of funds to the most significant non-governmental organization and the most important multilateral agency that provide family planning services to developing countries will deprive countless poor women in developing countries access to modern contraception. Many of these women will resort to the only alternative available to them: life-threatening, illegal abortions. According to Columbia University, there were an estimated 40 million illegal abortions performed throughout the world last year. Yet an avowed anti-abortion U.S. Administration seems prepared to become the architect of an ironclad guarantee that many more illegal abortions will be forthcoming in the years ahead. Mr. Chairman, the Administration's new policy is not the crusade against abortion it purports to be. Rather, it is a crusade against family planning.

As the world grows by 85 million people a year, the United States should be pulling out all stops to accelerate its assistance for international population and family planning programs. Instead we are taking definite and deliberate steps backward. Steps to circumvent the will and intent of Congress. Steps to thwart the efforts of organizations that have established distinguished records in extending the human right to couples to determine the size and the spacing of their families.

The World Bank in its 1984 World Development Report categorically stated that "the significance of population growth in shaping the world is at least as great as financial crisis or political upheaval." Urging an immediate intensification of efforts to slow down rapid population growth in developing countries, the Bank warned that:

"Inaction today forecloses options tomorrow in general development strategy and in future population policy. Worst of all, inaction today could mean that more drastic steps, less compatible with individual choice and freedom, will seem necessary tomorrow to slow population growth."

The report goes on to say that the "main cost of such growth, borne principally by the poor in developing countries has been and will be faltering progress against what is still high mortality, and lost opportunities for improving people's lives."

Today, the majority of couples in developing countries still do not have access to family planning services enabling them to control their own fertility. The consequences are serious for individuals, countries and the global community:

Women bearing large numbers of children spaced closely together are themselves high mortality risks, and their children are twice as likely to die as children spaced at least two years apart.

Countries undergoing rapid population growth are susceptible to famine, uncontrolled migration and environmental deterioration, which in turn can result in widespread death, disease, civil disorder and degradation of human life.

Within the next two or three decades, the projected addition of over two billion people to the earth's population can result in a negative impact on the world's land, climate and food supply.

This grim situation is a problem as far reaching as any confronting humanity.

But there is hope. we can and are having an impact on the population growth problem.

As evidenced at the International Conference on Population in Mexico City last year, the overwhelmingly majority of the leadership in the developing countries recognizes that countries with uncontrolled population growth will find it difficult or impossible to attain their social and economic objectives.

All large developing countries are attempting to implement population programs that include family planning services. Every developing country has invited the United Nations Fund for Population Activities to assist in addressing its population problems.

Currently, for every $1 contributed by the international community, developing countries are committing $4 of their own scarce resources for family planning activities.

Advances have been made in the quality and variety of contraceptive options available to those desiring such services.

Major declines in birth and population growth rates have been achieved in some developing countries, even while death rates continue to fall.

The difficulties, however, are still of enormous proportions.

The current crisis in Africa dramatizes the potential for demographic catastrophe. At present growth rates, that continent's population will increase twenty-fold in the next century. Unless the population problem is addressed, efforts at short term relief and long term development will be overwhelmed, with tragic human consequences.

In large parts of the developing world, in addition to Africa, we see the ravages of deforestation, desertification and the extinction of plant and animal species. It will be difficult to halt, let along reverse, these trends.

International resources provided for family planning activities, including funds from the United States, are not keeping pace with increased requests for such assistance.

Family planning services are currently unavailable to 400 million couples who desire to plan the size of their families and the spacing of their children. Within the next 15 years, 355 million more women already born in the developing world will have reached childbearing age and be starting their own families.

Even seemingly small delays in making family planning service available can have staggering consequences. For example, Middle America's population, currently 104 million, would stabilize at an ultimate population of 200 million if a two-child family norm can be reached over the next 20 years. A delay of 10 years in providing the family planning services needed to reach that goal would instead imply a population stabilizing at over 245 million, a difference nearly equal to twice today's population on Central America.

Within the United States, individuals and organizations opposed to family planning have mounted political attacks against such assistance. These attacks often distort reality. For example, although not a single country in the world promotes abortion as a method of family planning, and although legislation has for years prohibited any use of U.S. government funds for overseas abortion activities, this issue is continually brought up in the family planning context. Ironically, it is the lack of family planning services that leads to increased infant mortality and to a high incidence of abortion.

The Population Institute firmly believes that all the world's couples must be given the ability to protect their own lives and those of their children.

We cannot, as a compassionate nation, tolerate a position of careless neglect. The world expects more of us. Each time a couple is denied the opportunity to plan its own family size and spacing, the life of the mother and unplanned child is put at risk. Cumulatively, the inability of couples to obtain family planning services threatens the lives of many people in the developing countries, and the quality of life of all the world's citizens.

The Population Institute urges this committee and the United States Congress to take the following actions:

1. A total of $320 million should be made available for international population assistance. This is the same amount authorized by the House of Representatives last year. In view of the unprecedented 85 million people now being added annually to the world's numbers, under no circumstances should program levels drop below the current $290 million. The amount we recommend will only modestly increase the availability of family planning services to the 400 million couples in the developing world desiring to plan the size of their families and the spacing of their children, but who lack the education and the means to do so. The absence of such services greatly increases the incidences of abortion and maternal and infant mortality.

2. The U.S. government should continue to support the efforts of nongovernmental organizations that provide cost effective, expeditious and flexible family planning services. Our government should not discriminate against NGOs for activities they conduct overseas with funds not provided by the U.S. government, so long as such activities are consistent with U.S. domestic laws. In particular, the Congress should mandate the restoration of funding for the International Planned Parenthood Federation.

3. Congress should maintain the earmark for the United Nations Fund for Population Activities of 16 percent of the funds made available for international population assistance. The rationale for the earmark is UNFPA's unique ability to provide assistance for population related activities to all developing countries. The UNFPA has voluntarily opened its books to U.S. government agencies, provided repeated written assurances that none of its funds support abortion activities, and strictly adheres to all applicable provisions contained in U.S. law. Capricious impoundment of U.S. contributions to UNFPA should cease.

4. The Institute supports the Agency for International Development's current policy on population assistance requiring that private agencies receiving AID funds must "include a description of the effectiveness and risks of all major methods of family planning and an agreement either to provide other family planning methods if requested or to refer couples to programs offering other methods as appropriate." This policy is important so that individuals can be assured the ability to choose a means of preventing unwanted pregnancies best suited to their own personal needs and beliefs.

5. The U.S. government, in funding its own and other family planning programs, should support and encourage increased involvement of women in the design and administration of family planning programs.

6. The U.S. government should increase its financing, both through domestic health programs and international family planning funds, of basic and applied biomedical research into new and improved methods of contraception, to help assure that a full range of simple, safe and effective contraceptive methods can be made available to all those desiring such services.

7. In designing and administering its population programs, the U.S. government should be guided by the principle, agreed to by all governments that participated in the 1984 International Conference on Population, that all couples and individuals should be able to "exercise their basic human right to decide freely, responsibly and without coercion, the number and spacing of their children and to have the information, education and means to do so."

In the six years I have been appearing before you, I have described the agonizing consequences of continuing rapid population growth in the poorest nations of the world. Today we are witnessing one of the most frightening portents of overpopulation become a reality—a living nightmare of hunger, starvation and death in Africa. Although Ethiopia has been the country hardest hit by the Sahel famine, the lives of more than 140 million Africans in 22 countries are still threatened by this devastating drought.

The current Sahel famine was predicted in a classified National Security Council report of December 10, 1974. Had we heeded this report's recommendations, there is little doubt that the cost in human lives would not have been nearly as severe as it is today. To say nothing to the monetary cost of emergency relief: the United States and other donor countries provided $1 billion in food aid to Africa in 1984; at least another $500 million will be required this year to alleviate the current crisis. If half or even a third of that amount had been spent on population assistance in Africa over the past decade, I am certain you would have seen a vastly different situation in the Sahel today.

In conclusion, I am compelled to remind the committee that this is not the first time drought and famine have taken their tragic toll in Sahel. Africa is threatened and other regions of the developing world—every region where population growth is vastly outpacing food production—are threatened as well. Unless we take immediate and positive steps to accelerate family planning service delivery in the Third World, where 92 percent of world population growth is occurring, the Sahel famine will not be the last. I am reminded of the words of the philosopher, George Santayana, that strike at the very heart of this matter: "Those who cannot remember the past are condemned to repeat it."

THE EMBASSY OF THE PEOPLE'S
REPUBLIC OF CHINA,
Washington, DC, March 9, 1985.

Hon. GEORGE SHULTZ,
Secretary of State, Department of State, Washington, DC.

DEAR SECRETARY SHULTZ: It is my great pleasure to write to you with a view of promoting our mutual understanding. Here I wish to bring to your attention an issue of our common concern: the U.S. Agency for International Development has decided to withhold its contribution to the United Nations Fund for Population Activities on the ground that it wants to ensure "not a single U.S. dollar going toward abortion in China." I would like to point out that this reasoning is mainly based on the lopsided, distorted and exaggerated reports on China's cases of "abortion" and "infanticide" by certain American newspapers and these reports by no means tally with facts. I wish to make clear the following points:

1. The policy of the Chinese Government is that it is opposed to force and coercion of any form in the family planning program and it puts emphasis on publicity and education, and that the program should be carried out on a voluntary basis. Contraception is the first and foremost means of family planning, whereas abortions are only performed in instances of contraceptive failure and at the woman's request as a remedial measure. What is more, it is stipulated in our country that no abortions should be performed at the third month of pregnancy of thereafter. The afore-said policy of the Chinese Government has long been made public and was elaborated on by Minister Wang Wei and Vice Minister Zhou Boping of China's State Family Planning Council during their separate trips to the United States.

2. Though infanticide did occur occasionally, the Chinese Government has taken such cases very seriously which were promptly investigated and dealt with—according to law as soon as discovered. Moreover, Chinese press publicly expose and criticize these repulsive actions. Such cases are diminishing. After their China trips, many Americans confirmed that the policy of the Chinese Government is not to encourage, but rather to put an end to such cases. The few cases blown out of proportion by some American reporters do not present a true picture of China's family planning. As you know, Article 49 of China's Constitution stipulates in explicit terms that "children are protected by the state and that maltreatment of old people, women and children is prohibited." Furthermore, Article 15 of the Martial Law states that "infanticide by drowning and any other actions causing serious harm to infants are prohibited. On behalf of the Chinese Government, Premier Zhao Ziyang vigorously denounced such acts at the 5th Session of the Fifth National People's Congress in No-

vember, 1982. He said "the whole society should resolutely condemn the criminal activities of female infanticide and maltreatment of the mothers, the judicial departments should resolutely punish the offenders according to law."

3. The departments concerned of the Chinese Government have declared on a number of occasions that not a single dollar contributed by the UNFPA has been used by China in support of abortions. The UNFPA has also pledged not to use any of its fund to support abortions. Under such circumstances, it is obviously unjustifiable for the U.S. to withhold its contributions to the UNFPA on the ground of allegations of abortions. The "Mexico City Declaration of Population and Development" adopted at the U.N. Conference on World's Population last August requires that the international community actively support the world's population activities. The American delegates to the Conference expressed their approval of the Declaration and repeatedly pledged their support to the world's population activities. It is hoped that this positive statement will be put into practice by the U.S. authorities concerned.

I appreciate your concern for the Chinese people. If you have any questions regarding the above points, I will be only too glad to provide further explanations.

With very best regards,

Yours sincerely,

ZHANG WENJIN,
Ambassador of the PRC.●

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ANDREWS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1986

The PRESIDING OFFICER. The clerk will report the pending business before the Senate.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the United States Government for the fiscal years 1986, 1987, and 1988 and revising the congressional budget for the United States Government for the fiscal year 1985.

The Senate resumed consideration of the concurrent resolution.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I yield 1 minute to the Senator from North Dakota.

Mr. ANDREWS. Mr. President, I am pleased that our negotiations concerning the continuation of the REA Program have been fruitful. Much work has been done to achieve this result. I congratulate Senator ABDNOR on the role he has played and I am glad that I have also had the opportunity to make known my concerns and I thank the distinguished majority leader and the chairman of the Budget Committee for their attentiveness and responsiveness regarding this vital program and to the concerns all of us have expressed. Each of these Senators have a well known and well established record of support for the REA Program.

I do have a question of the distinguished chairman of the Budget Committee about one or two areas of the agreement affecting the telephone program which I believe may need some further clarification. Mr. Chairman, the exchange of letters between WRECA, Majority Leader DOLE, and the Director of the Office of Management and Budget make no reference to the telephone portion of the REA Program. However, I assume that the agreements reached concerning the removal of the phaseout assumption and removal of the assumption of an increase in program interest rates applies equally to the telephone segment of the program. Is that correct?

Mr. DOMENICI. Yes. Under the agreement worked out by the leadership on REA, the Dole amendment has been modified to assume reductions in loan levels. It no longer assumes the terms in the Senate-White House agreement that would phase out REA programs and increase interest rates on direct loans to Treasury's cost of borrowing plus 1⅛ percent. These modifications apply to both the telephone and electric loan programs.

Mr. ANDREWS. I thank the Senator for that assurance. Additionally, it is my understanding that the fiscal year 1985 rescission of lending authority and the reduction in lending authority from the current baseline in fiscal year 1986 in the insured and guaranteed loan programs apply just to the electric side of the program and that telephone loan levels for fiscal year 1985 will remain unchanged and for fiscal year 1986 loan levels in the insured, guaranteed and rural telephone bank programs will be frozen at the fiscal year 1985 authorized levels. Is that correct?

Mr. DOMENICI. As the Senator knows, the budget resolution does not set individual loan levels. However, the reductions in loan levels contained in this modification were worked out in the context of electric loan levels, not telephone loan levels. The assumed loan levels for the telephone program for fiscal year 1985 will remain unchanged and for fiscal year 1986 will be frozen at 1985 authorized levels.

Mr. ANDREWS. One of the key considerations in reaching this accommodation relates to an agreement between the administration and the majority leader that the administration withhold final approval of any proposed rules or making administrative changes which would restrict the ability of systems to obtain loan funds until the appropriate congressional committees of jurisdiction have had a full opportunity for review, oversight, and comment in the process. I want to be certain that the terms of this understanding would apply to rules affecting both the electric and telephone programs or either of them. Is that correct?

Mr. DOMENICI. Certainly, the understanding also applies to telephone programs. It was our intention to exclude the telephone portion of the program from the operation of the agreement.

Mr. ANDREWS. I thank the chairman for these assurances regarding the REA Telephone Program. I understand also that the REA administrator presently has under consideration a number of other proposals adversely affecting both electric and telephone programs. I hope that the administrator would not implement any of these either until the appropriate congressional oversight committees have been fully informed as to the effects of these proposals on the program and have an opportunity to comment or hold hearings. Mr. President, we are all aware of the fine record of the REA and the continuing job it is doing in providing quality electric and telephone service to rural areas. Everyone in the country benefits from this program. Good telecommunications and quality electric service are essential national resources to the well-being of our country as a whole. Again, I want to thank all of those concerned for their cooperation and understanding in reaching this accommodation which will by its terms effect significant budget savings without adversely impacting the operation of either program.

RECESS UNTIL 3:15 P.M.

Mr. DOLE. Mr. President, I understand that a number of Senators on each side are contemplating amendments but are not prepared to offer those amendments. It seems to me, rather than having a quorum call equally divided, it would be in our best interests, because most of us on each side have meetings going on right now, we stand in recess until 3:15 p.m. with the time to be equally charged to each side.

Thereupon, at 1:13 p.m., the Senate recessed until 3:15 p.m., whereupon the Senate reassembled when called to order by the Presiding Officer [Mr. GOLDWATER].

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the United States Government for the fiscal years 1986, 1987, and 1988 and revising the congressional budget for the United States Government for the fiscal year 1985.

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, when we recessed at 1:15 p.m., it was my hope, and it is still my hope, that Members would be flocking to the floor to offer amendments. We think there may be one struggling to get here now, and there may be amendments from the other side of the aisle.

In the meantime, while this particular Member is making his way to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I yield 10 minutes to the distinguished junior Senator from Oklahoma [Mr. NICKLES].

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

AMENDMENT NO. 54

Mr. NICKLES. I thank the Senator from New Mexico.

Mr. President, I will shortly send to the desk a resolution which would urge the Senate, and basically show the support of the Senate, to modify the Walsh-Healey Act.

The Walsh-Healey Act basically mandates that in work performed for the Government, time and a half be paid above 8 hours.

The purpose of our resolution is to say that Government work being done would conform basically to the Fair Labor Standards Act, which mandates that time and a half be paid for work over 40 hours a week instead of 8 hours a day. The effect of this is to say that you can do work for the Federal Government under the same rules that you can do work in the private sector; and, as a result, you can save a lot of money.

Right now, if you want to have some flexibility in your work force—incidentally, there is a lot of management and a lot of labor that would like to have this opportunity. They would like to work, say, four 10-hour days. Right now, you cannot do that without paying a premium, because you have to pay time and a half above 8 hours a day.

If you are going to work four 10-hour days, you will have to pay time and a half for 2 hours each of those 4 days. If you figure that up, it will be an additional premium of an hour a day. So the cost of complying with Walsh-Healey, if you are going to work four 10-hour days, is a 10-percent increase. That is ridiculous.

Many contractors and many individuals working for contractors have said, "Give us the flexibility, because we want to have the opportunity to work other than a 5-day, 8-hour-a-day week. Give us that opportunity so that we can have 3 days off. We want to go fishing or camping or want to travel around, and would like to have that flexibility."

Management likes it because they do not have to open their plant on the last day and can save on energy and management costs.

All we are saying is that they would have the flexibility in order to take advantage of that saving.

Our amendment is basically a sense of the Senate. We are not changing the outlay figures. We have had substantial reduction in budget authority for defense of other functions. If we adopt this resolution, we will be directing the various committees, primarily the defense authorization committee, to say, "Here is a place where you can save money."

The Presiding Officer [Mr. GOLDWATER] knows that you can save this money and would not lose one missile or one thing in defense.

You would be giving them the opportunity to build more and save the taxpayers' money. This would not cut anything but would give an opportunity to save money. It would direct the various committees, including the Armed Services Committee, to say, "You can save a substantial amount of money."

It was estimated by CBO that, by changing the Walsh-Healey overtime requirement, we could save $1.9 billion in budget authority over 3 years—$600 million in 1986, $600 million in 1987, and $600 million in 1988. They said that in outlays we could save $100 million in 1986, $300 million in 1987, and $600 million in 1988, for total outlay saving of $1 billion.

So we can save in budget authority $1.9 billion; we can save outlays of $1 billion, and not reduce the quality of services in the military, DOD, or any other major function where we are doing Government contract work.

So I hope the Senate will agree to the resolution. It would be giving some guidance to the Armed Services Committee and other committees that this is a place where you can save some money without jeopardizing jobs or contracts.

Mr. President, I have a list of construction collective bargaining agreements that contain provisions for four 10-hour work weeks. All of these contracts are with union shops where they have four 10-hour work weeks right now. These union contractors and union workers right now are prohibited from doing Government work unless they are willing to incur the 10-percent wage penalty. I think we should give them the opportunity to do Government work and not prohibit it, as is presently the case with Walsh-Healey.

I hope the Senate will concur with this resolution. I think we can save some money. People all the time are saying, "Hey, cut some waste out of the Defense Department." This is one area where we can do it.

I have talked to Secretary Cap Weinberger about it. He said, yes; he does not like this requirement.

This way we would be freeing up something like a half billion dollars a year in budget authority just for Defense alone.

This is one area where we can save some money. I think it makes sense, and I hope that the Senate will concur with the amendment.

Mr. President, I ask unanimous consent that a list of construction collective bargaining agreements containing provisions for four 10-hour-day work weeks be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

CONSTRUCTION COLLECTIVE BARGAINING AGREEMENTS CONTAINING PROVISIONS FOR FOUR 10-HOUR-DAY WORKWEEKS [1]

Birmingham, Alabama: Iron Workers, Millwrights.

Mobile, Alabama: Bricklayers, Carpenters, Cement Masons, Crane Operators, Iron Workers, Laborers, Millwrights, Pipefitters, Sheetmetal Workers, Teamsters.

Phoenix, Arizona: Millwrights.

San Francisco, California: Boilermakers, Laborers.

Colorado Springs, Colorado: Carpenters.

Denver, Colorado: Glaziers, Iron Workers, Millwrights.

Washington, DC: Carpenters, Millwrights, Pipefitters.

Jacksonville, Florida: Pipefitters.

Miami, Florida: Pipefitters.

Pensacola, Florida: Carpenters, Cement Masons.

Tampa, Florida: Pipefitters.

Atlanta, Georgia: Iron Workers.

Savannah, Georgia: Crane Operators, Iron Workers, Pipefitters.

Boise, Idaho: Glaziers.

Ft. Wayne, Indiana: Painters.

Hammond, Indiana: Boilermakers.

Louisville, Kentucky: Boilermakers.

Paducah, Kentucky: Cement Masons, Laborers, Teamsters.

Alexandria, Louisiana: Laborers.

Baton Rouge, Louisiana: Carpenters, Cement Masons, Crane Operators, Iron Workers, Laborers, Lathers, Painters, Pipefitters, Plumbers, Teamsters.

Lake Charles, Louisiana: Laborers.

New Orleans, Louisiana: Asbestos Workers, Bricklayers, Carpenters, Cement Masons, Crane Operators, Glaziers, Iron Workers, Laborers, Teamsters.

Shreveport, Louisiana: Bricklayers, Carpenters, Cement Masons, Crane Operators, Iron Workers, Laborers, Teamsters.
Boston, Massachusetts: Boilermakers.
Baltimore, Maryland: Carpenters, Iron Workers, Laborers.
Lansing, Michigan: Cement Masons, Crane Operators, Laborers, Teamsters.
St. Louis, Missouri: Boilermakers.
Billings, Montana: Iron Workers.
Kalispell, Montana: Ironworkers.
Albuquerque, New Mexico: Bricklayers, Cement Masons, Plasterers, Teamsters.
Buffalo, New York: Boilermakers.
Niagara Falls, New York: Crane Operators.
Akron, Ohio: Pipefitters.
Norwalk, Ohio: Pipefitters.
Muskogee, Oklahoma: Cement Masons.
Oklahoma City, Oklahoma: Carpenters, Iron Workers.
Ponca City, Oklahoma: Carpenters.
Tulsa, Oklahoma: Bricklayers, Carpenters, Cement Masons, Crane Operators, Laborers, Millwrights.
Portland, Oregon: Carpenters, Cement Masons, Crane Operators, Iron Workers, Laborers, Teamsters.
Pittsburgh, Pennsylvania: Boilermakers.
Nashville, Tennessee: Pipefitters.
Abilene, Texas: Bricklayers.
Austin, Texas: Carpenters, Crane Operators, Iron Workers, Laborers, Pipefitters.
Beaumont, Texas: Iron Workers.
Galveston, Texas: Bricklayers, Cement Masons, Painters.
Houston, Texas: Asbestos Workers, Boilermakers, Bricklayers, Carpenters, Cement Masons, Crane Operators, Floor Coverers, Iron Workers, Laborers, Millwrights, Painters, Pipefitters, Plumbers, Sheet Metal, Teamsters, Tile Layers.
San Antonio, Texas: Pipefitters, Sheet Metal Workers.
Wichita Falls, Texas: Iron Workers (Structural).
Salt Lake City, Utah: Carpenters, Cement Masons, Crane Operators, Glaziers, Iron Workers, Laborers, Teamsters.
Newport News, Virginia: Cement Masons, Painters, Plasterers, Pipefitters.
Norfolk, Virginia: Asbestos Workers, Bricklayers, Carpenters, Iron Workers, Laborers, Painters, Pipefitters.
Richmond, Virginia: Asbestos Workers, Painters, Plasterers, Pipefitters.
Roanoke, Virginia: Asbestos Workers, Painters, Pipefitters.
Seattle, Washington: Crane Operators, Iron Workers, Teamsters.
Spokane, Washington: Carpenters, Iron Workers, Laborers, Pipefitters, Teamsters.
Appleton, Wisconsin: Laborers.
Janesville, Wisconsin: Carpenters.
Madison, Wisconsin: Carpenters, Crane Operators, Iron Workers, Laborers.
Oshkosh, Wisconsin: Bricklayers.

[1] This list does not include the many project agreements which have been negotiated which provide for 4-10 hour workweeks.

Mr. NICKLES. Mr. President, I will state the resolution so those who might be listening in their offices might know what it is.

At the appropriate place in the amendment add the following:

"It is the sense of the Congress that overall Federal outlays should be reduced and it is assumed that legislation should be enacted to conform the overtime requirements under the Walsh-Healey Act and the Contract Work Hours and Safety Standards Act with the Fair Labor Standards Act and it is further assumed that the resulting outlay reductions shall be utilized to achieve the previously agreed-upon program and outlay savings."

Again, I repeat that we are talking about $1.9 billion in budget authority and $1 billion in budget outlays.

AMENDMENT NO. 54

Mr. NICKLES. Mr. President, I send an amendment to the desk for myself and Mr. ABDNOR and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES] proposes an amendment numbered 54 to amendment No. 43.

At the appropriate place in the amendment add the following:

"It is the sense of the Congress that overall Federal outlays should be reduced and it is assumed that legislation should be enacted to conform the overtime requirements under the Walsh-Healey Act and the Contract Work Hours and Safety Standards Act with the Fair Labor Standards Act and it is further assumed that the resulting outlay reductions shall be utilized to achieve the previously agreed-upon program and outlay savings."

Mr. DOMENICI. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMENICI. Mr. President, I favor the amendment. But is it correct, then, that the time in opposition goes to the minority leader?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. Therefore, the half hour that we have is in the control of the proponent Senator, the junior Senator from Oklahoma; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I thank the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. NICKLES. Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time? If neither side yields time, time shall run equally.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER (Mr. ABDNOR). The Senator from Oklahoma.

Mr. NICKLES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NICKLES. How much time remains?

The PRESIDING OFFICER. Twenty-one minutes to the proponents.

Mr. NICKLES. I thank the Chair.

Mr. President, I believe the only other speaker on this side who wants to be heard is Senator ARMSTRONG, a cosponsor of the resolution, and who has also been a leader in trying to make some reforms on Government contracting. I will ask that the time be equally charged on the amendment and wait until the Senator from Colorado appears.

The PRESIDING OFFICER. If neither side yields time, time will be equally charged.

Mr. NICKLES. I yield the floor.

Mr. ARMSTRONG. Mr. President, will the Senator from Oklahoma, who I understand has control of the time on this resolution, yield to me?

Mr. NICKLES. I shall be happy to yield to the Senator from Colorado, who is a cosponsor of this resolution, whatever time he may need.

Mr. ARMSTRONG. I thank my colleague for doing so.

Mr. President, I rise first to congratulate the Senator from Oklahoma for bringing this amendment to the attention of the Senate. It is not very often that we have a chance to go on record in favor of something which will not only save money, but which will make life more interesting and better for employees, make it possible for employees throughout the country to be more productive. It is not one of those no-win situations and, having been a part of a number of no-win situations in the past few days where, no matter what you did, you were bound to make somebody mad, I think this is really commendable. It is an important idea, and I think the Senator from Oklahoma has done us a great favor by bringing it to our attention.

Mr. President, I do not think I need to belabor the issue, but I want to be sure our colleagues understand fully what we are trying to do. The Walsh-Healey Act applies to Federal contractors supplying goods to the Government in excess of $10,000. This includes manufacturers supplying army blankets, repair shops servicing Government vehicles, or industrial companies supplying various products to the armed services, and so on. The proposed change would require statutory enactment, which is not included in this amendment, but the statutory enactment would amend existing law to eliminate the present requirement for overtime compensation for hours of employment in excess of 8 hours a day. I believe it was 5 years ago that Congress moved to permit this kind of flexible schedule for Federal workers but, at the time, we neglected to do so for workers in the private sector who are employees of Federal contracting companies. So this would, in essence, conform, if enacted, the requirements on these companies and their employees to that of the Federal Government itself.

What is the payoff for adopting such an amendment? According to the Grace Commission, we might be talking about saving as much as $1 billion between now and the next decade. The CBO estimates that such reform could save $550 million a year. So, we have

something that really does have substantial cost implications and which, I am very pleased to report, is extremely popular not only among companies but among working men and women with whom I have talked about this matter. A lot of companies, those who are not Federal contractors within the meaning of the law, have already bargained with their employees to establish different kinds of work schedules—4-day workweeks, or in some instances, even 3-day workweeks. It has proven to be very economical and, in some cases, very popular.

We understand it will not require employees to do this or require certain work schedules, it simply makes it available as an option for those who are most affected in the private sector.

I am told the administration is in favor of this resolution and it has been warmly endorsed by a number of individual companies, trade associations, and labor organizations throughout the country. So, I see no reason not to go forward with it.

In fact, Senators may recall that on at least one occasion, the Senate has actually passed legislation to this effect, only to see it lost in conference. So, I think the Senator's suggestion that we express as a part of this budget resolution our support for this commonsense, cost-saving idea is a very good one and I am very proud to join him in cosponsoring this proposal.

Mr. NICKLES. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. CRANSTON. Mr. President, how much time remains?

The PRESIDING OFFICER. The time expires at 5:06 p.m.

All time on the amendment has expired. The yeas and nays have been ordered.

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HECHT). Without objection, it is so ordered.

Mr. BYRD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally. Even though no time is supposed to be charged at all in a situation like this, there is some impression around that there might not be a rollcall vote for a little while, at least.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOSCHWITZ). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, may we have order? I think we are going to move forward.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, how much time remains on our side on the amendment?

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. CHILES. Mr. President, I yield 5 minutes to the Senator from Massachusetts off the resolution.

The PRESIDING OFFICER. The Senator from Massachusetts may proceed.

Mr. KENNEDY. Mr. President, the amendment that is offered by the Senator from Oklahoma relates to a sense-of-the-Senate resolution directing that it is the sense that the Congress——

Mr. BUMPERS. Mr. President, could we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. KENNEDY addressed the Chair.

Mr. BUMPERS. Mr. President, the Senate is still not in order.

The PRESIDING OFFICER. The Senate is still not in order.

The Senator may proceed.

Mr. KENNEDY. Mr. President, just a brief comment on the specific resolution. The resolution of the Senator from Oklahoma states:

> It is the sense of the Congress that overall Federal outlays should be reduced and it is assumed that legislation should be enacted to conform the overtime requirements under the Walsh-Healey Act and the Contract Work Hours and Safety Standards Act with the Fair Labor Standards Act and it is further assumed that the resulting outlay reductions shall be utilized to achieve the previously agreed-upon program and outlay savings.

With regard to Walsh-Healey resolution, I would make several points. First, the Walsh-Healey issue has been before our committee for several years. We held hearings in 1981. We've never held a markup on a bill, however. And the minority has never obstructed or objected to committee consideration of a Walsh-Healey amendment.

Second, I seriously question the outlay savings assumed in the CBO analysis prepared for Senator NICKLES. That analysis admits that Walsh-Healey savings is, in part, "guesswork." I will want to explore this issue in committee.

It is my understanding that the Senator from Oklahoma intends to schedule a markup in the Labor Subcommittee in the near future. At that time I will want to explore a number of issues before voting on final passage, including the extent to which employees truly favor so-called flexible work arrangements, as proponents of this measure claim and that they are not being coerced to participate in these programs.

I also want to provide for an effective date that protects existing collective-bargaining agreements and ensures that employers who honor such agreements are not placed at a competitive disadvantage.

With the understanding that there will be an opportunity to address these issues in committee I have no objection to, and intend to support the resolution.

Mr. President, we have had legislation to do exactly what is expressed in the sense-of-the-Senate resolution before the Human Resources Committee for a number of years. I am not familiar with the time that it has actually been considered by that committee. I do believe that the studies that I have seen, Mr. President, particularly the most recent GAO study, would indicate—and the GAO study actually stated—that any savings was really a matter of guesswork as to what actually could be saved if we implement this legislation.

But, nonetheless, I think that that committee ought to have an opportunity to consider the legislation. I would certainly work with the Senator from Oklahoma in ensuring that the committee does review that legislation.

I would certainly think that in any kind of consideration we would want to provide at least some way and means, if it is the will of the Senate, to adopt this approach so that those contracts which are in existence at the present time that have been signed in good faith would not put employers at a competitive disadvantage.

Mr. President, there are other issues, as well, which I would think that the committee would want to consider. But I certainly feel that we would urge our colleagues to support this amendment, and then I will look forward to working with the Senator from Oklahoma and the chairman of that committee, the Senator from Utah, in addressing this issue, and hopefully we will be able to bring it back to the membership in a way which could have the broadest degree of support.

So I would hope we could move toward a vote and accept the amendment.

The PRESIDING OFFICER. All time has expired on the amendment. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. NICKLES]. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. Mr. President, on this vote I have a pair with the Senator from Idaho [Mr. SYMMS]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. SIMPSON. I announce that the Senator from Vermont [Mr. STAFFORD] and the Senator from Idaho [Mr. SYMMS] are necessarily absent.

I also announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Illinois [Mr. DIXON], the Senator from Ohio [Mr. GLENN], and the Senator from Mississippi [Mr. STENNIS] are necessarily absent.

I also announce that the Senator from Nebraska [Mr. EXON] is absent because of illness.

THE PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 86, nays 5, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—86

Abdnor	Goldwater	Mattingly
Andrews	Gore	McClure
Armstrong	Gorton	McConnell
Baucus	Gramm	Melcher
Bentsen	Grassley	Metzenbaum
Bingaman	Harkin	Mitchell
Boren	Hart	Moynihan
Boschwitz	Hatch	Murkowski
Bradley	Hatfield	Nickles
Bumpers	Hawkins	Nunn
Burdick	Hecht	Pell
Byrd	Heflin	Pressler
Chafee	Heinz	Pryor
Chiles	Helms	Quayle
Cochran	Hollings	Riegle
Cohen	Humphrey	Rockefeller
Cranston	Inouye	Roth
D'Amato	Johnston	Rudman
Danforth	Kassebaum	Sasser
DeConcini	Kasten	Simon
Denton	Kennedy	Simpson
Dodd	Kerry	Thurmond
Dole	Lautenberg	Trible
Domenici	Laxalt	Wallop
Durenberger	Leahy	Warner
Eagleton	Levin	Weicker
Evans	Long	Wilson
Ford	Lugar	Zorinsky
Garn	Matsunaga	

NAYS—5

Mathias	Proxmire	Specter
Packwood	Sarbanes	

NOT VOTING—8

Biden	Exon	Stennis
Dixon	Glenn	Symms
East	Stafford	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1 STEVENS, AGAINST

So the amendment (No. 54) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMENICI. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, if I could have the attention of my colleagues, one of the objectives today has been to chip away at the clock. We have now used 4 hours 41 minutes. I hope that we could get at least 7 hours. I have discussed with the distinguished minority leader that we each take 1 hour off the resolution. That would be 6 hours 41 minutes. That is close enough to 7 for me.

Mr. President, there will be no more votes today.

Shall I make that request?

Mr. BYRD. Mr. President, that request is excellent. That would leave this side with 8 hours 45 minutes and leave the other side with 4 hours 52 minutes. Is that correct, may I ask the Chair?

The PRESIDING OFFICER. The minority leader is correct.

Mr. BYRD. The distinguished ranking member on this side is agreeable.

Mr. DOLE. Mr. President, I ask unanimous consent that the time on each side on the resolution be reduced by 1 hour.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. Mr. President, if there are any amendments on the other side, I would be happy to at least lay one down. If not, the distinguished Senator from South Dakota [Mr. ABDNOR] has an amendment he would lay down and then we can go off the resolution and finish up with morning business.

Mr. BYRD. There will be no more rollcall votes?

Mr. DOLE. There will be no more rollcall votes this evening.

Are there amendments on that side of the aisle?

Mr. BYRD. There will be some amendments. I do not know if anyone is prepared to lay one down now.

Mr. DOLE. If there is no objection, if the distinguished Senator from South Dakota can lay one down, I do not believe it will be very controversial.

AMENDMENT NO. 56

(Purpose: Sense of the Senate that the amount of nonfarm income that can be offset by tax losses from farming should be limited and revenues derived should be used to reduce individual tax rates)

Mr. ABDNOR. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. ABDNOR], for himself, Mr. GRASSLEY, and Mr. NICKLES, proposes an amendment numbered 56.

At the end of the pending amendment add the following:

It is the sense of the Senate that revenues should be increased and it is assumed that tax legislation will be enacted to limit to the national median family income the amount of farm loss which may be deducted against nonfarm income, and it is further assumed that revenues derived from enactment of such legislation be used to reduce individual income tax rates and to assure that full-time, family-size farm operators will not be disadvantaged by unfair competition from high-income taxpayers with substantial nonfarm income.

Mr. ABDNOR. Mr. President, in view of the fact that this is an amendment that is just being laid down tonight and will be discussed tomorrow, I ask unanimous consent that we dispense with discussing the amendment at this time and I will discuss it tomorrow at the proper time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

CONFEREES ON AUTHORIZATION OF NATIONAL BUREAU OF STANDARDS APPROPRIATIONS

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate turn to H.R. 1617, the National Bureau of Standards authorization, passed by the Senate on April 23.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1617) to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1986, and for other purposes.

Mr. DOLE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives on the disagreeing votes thereon and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. DANFORTH, Mr. GORTON, Mr. GOLDWATER, Mr. HOLLINGS, and Mr. RIEGLE conferees on the part of the Senate.

GALLUP POLL: BUDGET CUTS

Mr. DOLE. Mr. President, while we are waiting for the distinguished Senator from Florida to bring up a matter, I ask unanimous consent to have printed in the RECORD at this point the recent Gallup poll results on how the deficit is viewed by the American people. Fifty-eight percent characterize the current deficit as very serious; an additional 23 percent see it as fairly serious, while only 5 percent perceive the deficit as not a serious problem, and 14 percent say they have not given the matter much thought.

It suggests that 81 percent of the American people polled see the deficit as very serious or fairly serious. That is a rather sharp change in the past 12 months. I think it is an indication

that, in the final analysis, there will be a deficit reduction package passed by the Senate, hopefully a bipartisan package.

I ask unanimous consent to have that clipping printed in the RECORD at this point. It has more details on the poll.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GALLUP POLL: BUDGET CUTS

PRINCETON, NJ.—Congressional debate on the 1986 federal budget begins at a time of growing public perception that the current deficit poses a very serious threat to the nation. The public increasingly is giving highest priority to cuts in defense spending to reduce the deficit.

In the latest (mid-April) Gallup Poll, 58 percent characterize the current deficit as a "very serious" national problem and an additional 23 percent see it as a "fairly serious problem:" Only 5 percent perceive the deficit as "not a serious problem," while 14 percent say they haven't given the matter much thought or don't express an opinion.

The new survey also finds two-thirds of Americans (66 percent) favoring cuts in defense spending, up from 61 percent last December and 57 percent in January, 1983. On the other hand, public support for each of three other deficit-reduction measures has fallen or remained static since the earlier surveys.

Currently, 39 percent favor cuts in government spending for social programs, not significantly changed from the 41 percent recorded in both 1984 and 1983. Raising income taxes is now favored by 18 percent, a significant reduction from 23 percent in December, but unchanged from 1983.

By far the least popular means of reducing the deficit, cutting entitlement programs, has steadily declined in public favor, from 12 percent in 1983 to 11 percent last year to 9 percent at present.

The latest results are based on in-person interviews with 1,525 adults, 18 and older, conducted in more than 300 scientifically selected localities across the nation during the period April 12-15. For results based on samples of this size, one can say with 95 percent confidence that the error attributable to sampling and other random effects could be 3 percentage points in either direction.

CONDEMNATION OF ACTIONS OF ETHIOPIAN GOVERNMENT

Mr. CHILES. Mr. President, Senate Resolution 155 has been held at the desk. It was introduced by me on Friday.

I ask unanimous consent that the following Senators be added as cosponsors: Mr. LUGAR, Mr. DOLE, and Mrs. KASSEBAUM.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHILES. Mr. President, my understanding is that this resolution has been cleared.

Mr. DOLE. If the Senator will yield, I have been advised that it has been cleared by the distinguished chairman of the Foreign Relations Committee [Mr. LUGAR] and the subcommittee chairperson [Mrs. KASSEBAUM].

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 155) to condemn the actions of the Ethiopian Government.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. CHILES. Mr. President, this is a resolution that condemns the Ethiopian Government for the burning of the Ibnet refugee camp and the deaths that resulted therefrom. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 155) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 155

Whereas the current extended drought in more than twenty African countries has placed ten million or more people at risk of starvation; and

Whereas the United States and other donors around the world are engaging in an unprecedented campaign to curb further deaths in Ethiopia and other African countries; and

Whereas the success of these emergency assistance efforts depends largely on the cooperation and support of the authorities within each country receiving assistance; and

Whereas there remains continuing evidence of widespread brutality, diversion of food assistance, and disruption of relief efforts by the Government of Ethiopia, including destroying numerous villages and farms; and

Whereas the Government of Ethiopia has brutally removed people from the famine relief camp at Ibnet, forcing more than fifty thousand famine victims, including thousands of young children, into what can be described as a "death march": Now, therefore, be it

Resolved, That the Senate—

(1) condemns the actions of the Ethiopian Government in the forced evacuation of the Ibnet refugee camp; and

(2) condemns the continuing actions of the Ethiopian Government to disrupt and divert international relief efforts to help the needy in Ethiopia.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDERS FOR TUESDAY, MAY 7, 1985

ORDER FOR RECESS UNTIL 9:30 A.M.

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m., Tuesday, May 7, 1985.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE RECOGNITION OF SENATOR PROXMIRE AND SENATOR MOYNIHAN

Mr. DOLE. Mr. President, following the recognition of the two leaders under the standing order, I ask unanimous consent that there be a special order in favor of the distinguished Senator from Wisconsin [Mr. PROXMIRE] for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senator from New York [Mr. MOYNIHAN] be afforded a special order on tomorrow for not to exceed 15 minutes following the special order by the Senator from Wisconsin [Mr. PROXMIRE].

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, following that, I ask unanimous consent that there be a period for the transaction of routine morning business, not to exceed the hour of 10 a.m., with statements limited therein to 5 minutes each.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, I indicate with the amendment (No. 56) just laid down, that will be the pending business when we go back to Senate Concurrent Resolution 32 at 10 a.m. We hope to have 2 hours running off the clock between 10 o'clock and noon.

ORDER FOR RECESS FROM 12 NOON UNTIL 2 P.M.

Mr. DOLE. Mr. President, I ask unanimous consent that at the hour of 12 noon on tomorrow, the Senate stand in recess until the hour of 2 p.m.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER FOR RESUMPTION OF BUDGET RESOLUTION; CONSIDERATION OF S. 484

Mr. DOLE. Following the recess, the Senate will resume the budget resolution. As I have indicated previously, at approximately 4 p.m., it will be the intention of the majority leader to turn to S. 484, the Saccharin Labeling Act, hopefully under a time agreement. That involves the distinguished Senator from Ohio [Mr. METZENBAUM] and the distinguished Senator from Utah [Mr. HATCH]. I understand they have worked out some kind of time agreement where there will be a couple of votes. I hope we will have those two votes, but no votes on the resolution after 4 p.m. tomorrow.

I have just stated my intention.

ORDER FOR RECOGNITION OF CERTAIN SENATORS

If we cannot get a unanimous-consent agreement on S. 484, then following disposition of S. 484, whatever it

may be, I ask unanimous consent that the following Senators be recognized for not to exceed 15 minutes each: Senators DURENBERGER, PRESSLER, COCHRAN, and ANDREWS.

The PRESIDING OFFICER. Is there objection?

Mr. METZENBAUM. Mr. President, will the majority leader yield for a question?

Mr. DOLE. I asked unanimous consent that four Senators be recognized.

Mr. METZENBAUM. I have no objection. I just wondered if the Senator would be good enough to yield for a question.

Mr. DOLE. Yes, Mr. President.

Mr. METZENBAUM. As I understood it, he said he wanted to take up S. 484 at 4 o'clock.

Mr. DOLE. That is correct.

Mr. METZENBAUM. It is my understanding that there will be at least one vote, maybe two votes, in connection with that.

At the same time, the majority leader indicated there would not be any votes after 4 o'clock. Is it his intention to debate S. 484 at 4 o'clock and have the vote the following day? I do not really care, Mr. President, but I would like to be informed.

Mr. DOLE. I indicated previously that there would be no votes after 4 p.m. I meant to limit that to the budget resolution. I understand there will be one vote; I hope we would have it before 4 p.m.

Mr. METZENBAUM. So the other votes on S. 484 would be after 4 o'clock.

Mr. DOLE. That is correct.

Mr. METZENBAUM. I thank the distinguished majority leader.

The PRESIDING OFFICER. Without objection, the unanimous-consent request for recognition of four Senators is agreed to.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. DOLE. Mr. President, there being no further business to come before the Senate, I move the Senate recess until 9:30 a.m. on Tuesday.

The motion was agreed to; and, at 6:46 p.m., the Senate recessed until Tuesday, May 7, 1985, at 9:30 a.m.

EXTENSIONS OF REMARKS

SIS WENGER, A PIONEER IN UNDERSTANDING OF ALCOHOL AND DRUG PROBLEMS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. BROOMFIELD. Mr. Speaker, alcoholism and other forms of drug dependence are being identified increasingly as the fundamental causes of a growing list of national social and individual health problems.

Some of the most exciting and sensitive work in understanding and preventing the growth of these problems is being done in the Detroit metropolitan area.

I had the privilege of meeting this week with one of the pioneers in this work, Sis Wenger, an alcohol/drug education consultant from Birmingham, MI, in my congressional district prior to her testimony before the House Select Committee on Children, Youth and Families.

Ms. Wenger is convinced that alcoholism and drug abuse are the keys to solving the problems of juvenile delinquency, child abuse, neglect, sexual abuse, and other forms of family violence.

As many as one of five or six students in every classroom lives in a home with an alcoholic or drug addicted parent, she says. Further, two-thirds of all incidents of family violence occur in those homes.

As manager of a community education program run in conjunction with the Junior League of Birmingham and Henry Ford Hospital in Detroit, Ms. Wenger has helped reach over 70,000 people in the Detroit area since 1981.

Mr. Speaker, Government can provide help and encouragement. But the real solution to the epidemic growth of these tragic personal and family crises lies in the dedicated and caring work of people like Sis Wenger. I commend her testimony which follow for your consideration.

PREVENTION OF ALCOHOL ABUSE IN AMERICAN FAMILIES

Thank you for the invitation to address you this morning. I am grateful for this opportunity to share with you some of the insights I have gained in the past eight years as I have worked with school professionals in developing progrms related to alcohol and other drug abuse, its impact on families and appropriate school system responses to it.

I work in the area of alcohol/drug abuse prevention on three fronts: (1) as a consultant to school systems in the development of prevention programs; (2) as a professional educator running workshops and seminars for administrators, counselors and other school professionals; and (3) as the manager of a community education program jointly sponsored by Henry Ford Hospital, its residential chemical dependency treatment center Maplegrove, and by the Junior League of Birmingham, Michigan.

Since 1981, this latter program has reached over 70,000 people through community education presentations given by trained volunteers on a wide variety of alcohol/drug related topics. Volunteers receive an extensive education over a six-month period and then present between 25 and 60 individual programs per week throughout the greater Detroit area as a public service. They reach teachers, students beginning in Grade one, parents and community groups. Their work has resulted in an increasing demand for more information and in hundreds of families getting assistance for their pain. Last week, the Junior League of Detroit voted to add its volunteer and financial backing to this program, and we expect that the number of programs per week and people reached will escalate accordingly.

Why am I committed to teaching about alcoholism and about children who are growing up in families affected by it? In the mid-seventies, I was involved with the Junior League of Birmingham, Michigan, in several community projects which had been designed, in cooperation with area courts and agencies, as juvenile delinquency prevention programs and child abuse and neglect prevention progi ams. What became increasingly apparent was that alcoholism was clearly in the background of most of the clients being served through all of these "prevention" programs. Equally clear was the fact that alcoholism was not seen as a primary cause or precipitating factor in these serious family, judicial and societal problems, but rather as a related issue at best or, more commonly, as an additional result of the stresses which appeared to cause the abuse, neglect and/or delinquency.

Intelligent, well-educated and caring professionals in all of these programs were often making inappropriate decisions and designing ineffective policies and procedures because they did not understand the nature of addiction and its impact on children. I believed then—and am more convinced now—that, until there is widespread understanding of this disease and its devastating effect on families, schools and communities, uninformed and inappropriate decisions will continue to be made in our criminal justice system, our family relations courts, our medical facilities and our educational systems.

I believe that we must dispel the myths and defuse the stigma that continue to attach so doggedly to this perfectly blameless disease. Only then will we be able to effect attitudinal and behaviorial changes in the adults who have power and influence over our children so that those at highest risk—both genetically and environmentally—of becoming abusers of alcohol and other drugs are helped to understand their reality and given permission to ask for help. Every week, I am reinforced in that conviction; let me cite a few recent examples:

Greg, age 16, is in a Detroit-area training school for assault and battery. Greg broke his alcoholic step-father's leg in a rage over the step-father's sexual abuse of Greg's younger sister. The step-father left the state and was followed by Greg's mother who is co-dependent as a result of her husband's alcoholism. Greg's sister was placed in a foster home. No one in the family is being treated for the family's primary problem—alcoholism. Greg's life, however, has been consistent: he has been beaten, punished, prosecuted and incarcerated for what he has done to fight back against his alcoholic stepfather's cruel drinking-related behavior. The adults in the systems which have touched Greg's life have followed procedures; but, because those adults did not understand the nature of addiction, the many opportunities to intervene in Greg's life throughout his earlier years were missed, and he has never received the help he needed. (Over sixty percent of the boys in Greg's hall at the training school have at least one alcoholic parent.) We are building more prisons in Michigan to accommodate our Gregs.

Teddy is five years old; he has visible scars from the beatings he has received from his marijuana-addicted father. Last week, Protective Services investigated Teddy's lot. The mother is not present as a result of her addiction to other drugs and an impeding divorce. She also found that Teddy is groggy until late morning in Kindergarten because he is inhaling the marijuana smoke from his father and his friends well into the night. Teddy was relieved when he was removed from his home and placed with a grandmother whom he loves and trusts. The next day, Teddy's father promised the worker that he would stop smoking pot and beating his son, so she returned Teddy to his father and asked the teacher to call if Teddy comes to school bearing evidence of any further abuse. All of the systems worked according to established procedures. Yet, Teddy is afraid to go home, and one of my colleagues is teaching him how to dial the police. The Protective Services worker cares about Teddy and wants to believe his father, but she doesn't understand the nature of addiction. Teddy has learned at age five that he can't trust the adults in his life to keep him safe.

Jenny, age 12, lives in a beautiful neighborhood; a few years ago, the courts awarded custody of Jenny to her alcoholic mother, whose drinking was not an official issue in the divorce proceedings. Jenny's mother works and drinks; often, she does not come home until the middle of the night. When she's sober, she's a lovely lady. Jenny confided in a neighbor, who contacted the school in an effort to bring additional support to Jenny. The concerned but uneducated principal confronted Jenny and her mother about the report. Jenny is now forbidden to contact the neighbor, who is the only person who has tried to give her some validation and support. She sits alone many nights, waiting and praying that her mother arrives unharmed, because a principal doesn't understand the disease of addiction and, therefore, couldn't understand

that Jenny's first allegiance was to her mother whom she loves despite her disease.

I believe that there will be no genuine prevention of juvenile delinquency, child abuse, neglect, sexual abuse and other forms of family violence until the powerful alcohol/drug abuse connection—especially the parental alcoholism connection—to these major family and societal problems is acknowledged and addressed in prevention programs. Further, I believe that prevention of alcohol abuse (and its shadow, the disease of addiction) will remain an illusion until we deal with it in the context of the family system and understand that primary prevention means intervention as early as possible, with education and support, for children who live in homes with a chemically dependent parent, other adult, or older sibling.

Estimates vary, but at least one of every five or six students in every classroom in America lives in a home with an alcoholic (or other drug-addicted) parent. These children usually "look good" to the outside world and, consequently, seldom get their confusing—often nightmarish—reality validated and almost never get help for their deep emotional pain. Only about 15 to 20 percent of them will surface in the school setting as an "acting-out" child; in their cases, the usual result will be that the behavior will be addressed, the real problem—alcoholism—will go unacknowledged, the pain will continue, and they will begin to show up in our juvenile justice system and traffic courts.

The majority of children from families affected by chemical dependency will do what these children have done for generations—keep their fear, pain and emotional isolation to themselves. They will not even share it with their nonalcoholic parent or other siblings. Often, they do not know that alcoholism/chemical dependency is the name of what is happening in their homes because they have not been given accurate, age-appropriate information about this disease. They don't know that there are millions of children just like them and that they have a right to talk about what is happening to them and to ask for help. Let me give you one last recent illustration:

Last month, a middle school counselor in one of my workshops told me about Susan. Susan is 11 years old and is showing signs of emotional and social immaturity. Her academic work has been slipping for the past two years, and her mother had come in to discuss the possibility of holding her back. Susan is generally a quiet, cooperative student, seldom drawing attention to herself. Because of what the counselor was learning about family alcoholism in the workshop and the increased risks for abuse and incest faced by these families, she asked different questions than had been asked in the past. When Susan blurted out "I hate my father!", the counselor was able to help her to talk. Today, Susan and her parents are receiving therapy for the alcoholism in their family, and Susan is getting help for the devastating trauma she has suffered as the victim of incest at the hands of her alcoholic father. We know that—when incest victims first reach out tentatively for help—if the cry for help is not heard, they will generally not ask again for at least five to seven years. Because the school counselor did understand about the nature of addiction, she has saved Susan at least five to seven years of humiliation, shame and powerlessness; she may also have saved her from being driven into alcohol or other drug abuse to escape her pain and from depression and/or suicide later in life.

Dr. Claudia Black, this nation's most widely respected expert on children of alcoholics, has found in her research that mothers in alcoholic homes are four times more likely to be violent and fathers ten times more likely than other parents. Sibling abuse is twice as likely in children of alcoholics as in the general population. When the teenager is the chemically dependent person in the family, teen-to-parent abuse and sibling abuse rises dramatically.

L.J. West, MD, reporting in the Annals of Internal Medicine, 1984, stated that two-thirds of all incidents of domestic violence are found to be related to alcohol. Dr. Black and Dr. West's findings correlate with similar statistics when the right questions are asked. Yet, the final report of the Attorney General's Task Force on Family Violence, published in September 1984, mentions alcohol only twice in its 155 pages. The report's preface states that "the problem of family violence is a very human one, and it is amenable to human solution." The problem of family alcoholism is also a very human one. Family violence is too often related to family alcoholism, and the relatonship is tragically ignored in some of our most important research. The results are predictable: policies and procedures are established which ignore a prinicipal precipitant in many domestic violence cases, the disease of alcoholism. The disease goes unaddressed, and the families continue to suffer.

Dr. Ian MacDonald, ADAMHA Administrator, testified before this committee in March that "the rate of separation and divorce among alcoholics is seven times that of the general populations; and two out of five domestic relations court cases involve alcohol." It is also important to note that adults who once grew up in an alcoholic home and do not become alcoholic are still over-represented in our divorce courts because they have often been emotionally deprived by not receiving love in their childhood and, consequently, did not learn how to give it. Additionally, they learned not to trust as children and not to express their feelings. Carried into adulthood and marriage, these deficits in establishing healthy relationships are devastating.

We know instinctively that all children deserve to have a secure and nurturing home, free from the stresses that can inhibit their growth and development. We also know that the children who grow up in alcoholic homes are deprived of the emotional security and nurturing they need, at the very least. Many are also not physically secure. These children are at highest risk of becoming chemical abusers and chemically dependent themselves—for heriditary and environmental reasons—and are over-represented in pediatrician offices with stress-related disorders and in run-away shelters across the country. They develop a very high tolerance for inappropriate, often bizarre, behavior, which makes them most likely to marry another person who grew up in a similar home and, therefore, most likely to marry a person who becomes chemically dependent. They live in a world filled with broken promises, dishonesty, unpredictability, blaming and shame. Most of them develop sophisticated survival skills in order to endure.

Until decision and policy makers in the systems with affect the lives of children clearly understand the nature of addiction and its impact on families, we will not be doing genuine prevention work—in the area of alcohol and other drug abuse, or in delinquency, child and spouse abuse, incest and divorce.

What have we learned in the Detroit area about prevention, and what have other school systems and communities around the country learned? We have learned that:

Education about alcohol and other drugs must begin with the adults who have power and influence over children, and that such education must include (1) a thorough understanding of the disease of addiction, how to teach about it so that children living with it feel they are being given permission to label their reality for what it is and to ask for help; and (2) how to recognize young people who are abusers of alcohol and other drugs and assist them and their parents to get the help they need;

School systems must have student assistance programs to which the child from an alcoholic family can be referred for guidance and support, and where students in trouble because of their own use can get help. We know that these programs should include support groups beginning in early elementary school;

Accurate, age-appropriate information on the disease of addiction, its family dynamics and its early warning signs should be given to children beginning in the early grades so that, when applicable, they can name what they live with and learn that they are not to blame and have resources available to them to help them cope. We have spent millions of dollars in determining the early warning signs of cancer and other fatal diseases and in educational programs to interrupt and prevent these diseases. I believe we should do no less for this fatal disease;

Excellent educational materials have been developed and made available to schools—many with the assistance of NIAAA—and that results are still questionable when one reviews the evaluation literature, even when these materials have been accompanied by quality technical training for teachers in the use of the materials; and

Adults who have not been prepared emotionally to respond to children who surface during alcohol education classes with information about their home life will often become emotionally paralyzed and unable to give these children the direction or support they need.

We are increasingly convinced that, in order to have genuine prevention programs, we must change the way in which systems relate to children by providing them with loving responses to their pain and education and support at the youngest possible age.

What I am espousing is long-term attitudinal and systems changes with outcome measurements that will be different from the commonly stated short-term goal of reducing alcohol/drug use by teenagers in a specified number of years. I believe that real prevention does not entail "quick fixes" and will not be effected by piece-meal educational programs which exist separate from the context of family life and family chemical dependency. Real prevention will involve ongoing education and intervention, from the top down, in any system which hopes to make a difference.

I once heard Abigail J. Healy, who has worked in recent years as the Alcohol Issues Liaison in the White House Drug Abuse Policy Office, say that "children of alcoholics feel like a chalk mark on a black board and that all the adults around them have erasers." In the greater Detroit area, we are working on changing the educational systems so that some of those erasers will dis-

appear, and thousands of children will learn that they can hold the chalk that will write their own script for their life by talking about their pain and asking for help.

We hope to begin having the same impact soon on the judicial system and in the social welfare system. Community Interventions of Minneapolis has worked in many other communities to start the same process of intervention to prevention. I have a dream that the process will roll across this country—and that you will help.

Thank you.●

THE 1985 FARM BILL, PART THREE: LIMITATIONS ON U.S. AGRICULTURAL TRADE ABROAD

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. GUNDERSON. Mr. Speaker, the export demand for U.S. agriculture abroad grew so rapidly during the seventies it is difficult for policymakers and farmers to imagine anything less than a consistently stimulated international market. After all, this demand for U.S. agriculture grew from $7.8 billion in 1970 to $44 billion in 1981. Furthermore, this unprecedented growth necessitated the cultivation of an additional 70 million acres of American farmland.

Most significantly, this surge inspired thousands of economically aware and cost efficient "could be" farmers. I emphasize "could be" only because many of our farmers who are experiencing financial trouble today were yesterday's "could be" farmers who, in spite of the staggering costs of capital investment, were urged by the Government and local lending institutions to "cash in" on this opportunity.

Unfortunately, this opportunity has evolved into something short of sustaining for the farmer. In fact, over the past 4 years, the volume of U.S. exports fell by more than 20 million tons while the value of those exports decreased from $43.78 billion in 1980 to $38 billion in 1984. The market over which we once held the upper hand has introduced capable competitors. Our competitive edge for many commodities has been diminished.

In designing the 1985 farm bill, we, the architects, must realize this trade shift and, if it is to be at all effective, we must identify the problems which continue to plague our marketability abroad. Thus, at this formative point in the development of a new farm bill, the focus of our attention ought not to be so much on whether or not it's possible to regain the short term prosperity that ag trade brought us in the seventies but, rather, on trying to understand the complicated changes in the agricultural world market which have permanently altered our agricultural export potential. A brief examination of the political and economic shifts worldwide will make this point painfully obvious.

In the seventies, for example, the deflated dollar ensured an edge for our farmers. Today, in fact, the opposite is true. Of all our handicaps abroad, the inflated dollar is presently the most crippling. In simple terms, the cost of American agricultural products has risen in the world market beyond competitive limits. Countries importing American corn were paying 40 percent more in 1983 than in 1980. The cost of soybean and wheat rose 60 percent in the same period. This economic impact has had far-reaching implications.

For countries capable of developing their own produce, high import costs have justified internal production. Since 1980, for example, the Chinese have increased their grain and cotton production by 25 and 75 percent respectively. Furthermore, for many countries, this increased production has resulted in commodity surpluses which are being introduced into an already flooded international market. For other countries in search of cheaper commodities, the flooded world market provides almost limitless alternatives.

Domestically, cheap import prices have compounded the problem. Many businesses, in order to compete at home, are buying parts abroad in the hopes of manufacturing a less expensive product. However, this import increase has further funded our $70 billion trade deficit which has ballooned to $130 billion last year.

Additionally, domestic support factors in many respects further our disadvantage abroad. Price support systems, although necessary to maintain the American farmer in the costs of an American economy, are still in excess of international market levels. One of the best examples of our present lack of international price competitiveness lies in my State's indigenous dairy industry. Last year, the U.S. price per pound for butter was $1.57 compared to a world price of no more than 92 cents. Cheese sold domestically for $1.40 per pound, yet abroad it brought less than half that amount. Finally, nonfat dry milk sold for 92 cents per pound at home. It brough 42 cents per pound abroad.

This differential has led the administration to believe that a reduction in support prices for dairy and target prices for other commodities will enhance our marketability abroad. Despite the immediate international trade benefits from this strategy, the implicit hardships are borne completely by the farmer who simply cannot forego income for increased sales.

Aside from the ill impact of an inflated dollar, other domestic factors prevail which continue to undermine our export potential. Production costs are accelerating more rapidly for the American farmer than ever before. According to USDA, in 1950 about 55 cents of each farmer's dollar went to factors of production. By 1982, that amount had risen to nearly 80 cents on the dollar. Relative to the cost of production in competing countries, the American farm product typically "loses out."

Argentina and Brazil are significant grain competitors not because of product superiority, but rather because they are able to pass considerable savings to the importer. This increased production of less expensive commodities has reinforced the world surplus into which expanded American exports are not well received.

Strong trade barriers have all but crippled U.S. potential for successful world trade. Presently 90 percent of all countries buying grain have either tariffs, import subsidies for their farm products, or import restrictions. Our current concern regarding Japanese trade practices are a prime example for, despite our imports of Japanese products being at an all-time high, the administration estimates that at least $10 billion of U.S. commodities are being kept out of Japan. "Fair trade" in our present world economy is, at best, a questionable concept.

American foreign policy has done little to assist our efforts abroad. Trade embargoes against the Soviet Union in 1980 and repeated embargoes against China have not only limited our market and indirectly subsidized competitive economies vying for the export opportunity but have also ultimately undermined the American farmer's credibility. Obviously, an unreliable supplier is a less variable one.

Finally, we should realize that incomes in the lesser developed countries are growing half as rapidly as they grew during the seventies. During this period these countries continued, at unprecedented rates, to import American commodities. This recent decline in growth has led to a corresponding decline in demand.

Much of this is the result of the international liquidity crisis provoked in August 1982 when Mexico announced it could not meet interest payment due on nearly $85 billion in foreign credit. The Mexican crisis compelled banks in developed countries to cut back on new lending to heavily indebted countries. In response, many lesser developed countries have not only reduced imports in order to conserve funds, but have also increased exports in order to gain hard currencies. Since 1981, for example, wheat production in developing countries has increased 7.1 percent. At the same time, lesser developed countries have decreased their imports from the United States by over 14 percent. In Latin America alone, U.S. agricultural

exports have declined by nearly $2 billion from 1981 to 1982.

This diminishing rate of consumption shows little sign of changing. Although export demand for American farm goods will no doubt continue, the American farmer can no longer rely on increased exports for exclusive relief of his agriculture surplus.

The inflated dollar, high production cost, and recent Government intervention are but a few of our internal handicaps. Trade restrictions, waning import demands, and increased commodity surpluses are factors abroad over which we exert little control. Whether domestically induced or internationally imposed, these handicaps are unique to the eighties and, unfortunately, they represent the world in which we must live and conditions to which we must adapt if we are to survive economically.

And, we must adjust quickly. Real farm income has already fallen to near-1930 levels and gross farm income is 16 percent below 1974 levels. Even if American farmers had plotted such an ill-fated course, it is doubtful that they, alone, could have produced such a collective catastrophic end.

Thus, even though the future success of the American farmer will continue to be inextricably linked with international trade, we must come to appreciate not only the immediate opportunities this relationship affords but also the inherent limitations it imposes.

Clearly, merely accommodating a temporarily inflated export demand in the future—as we did in the seventies—could again be the American farmer's undoing. There are international markets for American agricultural commodities. We simply must be realistic about their use and limitations.●

AIRBAGS

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. LEVINE of California. Mr. Speaker, one of my constituents on Tuesday provided eloquent, moving, and convincing testimony—borne of the most tragic firsthand experience—on the compelling need for airbags in American automobiles.

This testimony moved me so much that I include it in the RECORD at this point so that I can share it with my colleagues:

STATEMENT OF ANNETTE PALUSKA, CRASH VICTIM

I almost died from brain damage received in a head-on collision in 1980. Paramedics thought I was dead when they found me.

Only three out of a hundred live through what happened to me. Out of those three who live, only one comes back to reality.

By becoming a crash statistic, I unwillingly cost my insurance companies over $60,000 and my family over $50,000. Taxpayers had to foot some minor expenses as well.

In America, economic costs for motor vehicle trauma victims totals over $22 billion annually in medical care, lost wages, and lost productivity.

In the early 1970s, air bags had been proven nearly 100 percent effective in head-on and front-angle collisions. These collisions account for the majority of all deaths and serious injuries resulting from car accidents. To condemn air bags because they are not effective in side or rear collisions is like saying we should eliminate the polio vaccine because it doesn't prevent cancer.

Learning of the high effectiveness of air bags warranted use of an air bag in my car. So, in 1974, I desperately tried to get an air bag installed in my little General Motors Vega. The government and the automobile industry, however, would not let me buy one. At that time, only big cars like Cadillacs and Toronados could carry air bag safety.

This infuriated me. Small cars could get in wrecks, too.

According to a 1983 New York Times magazine report, Americans had a one in ten chance of being in a car wreck within any one year. This year car crashes will kill 27,000 people—about half the number of Americans killed in Vietnam, the fourth bloodiest war in American history. We are erecting monuments to those who died in Vietnam, but where's the monument to all those killed on the highways?

How could the government allow the automobile industry not to produce lifesaving air bags—the technological vaccine against deaths and serious injuries from automobile accidents?

I believe that intentionally withholding air bags from the American public is premeditated murder. I refuse to be an accomplice to this horrendous crime. That's why I'm speaking out for air bags.

People always ask me, "Why weren't you wearing your seat belt the day of your wreck?" I was wearing my seat belt. But it didn't save me. It was ripped from the floor.

I believe in seat belts. Ever since getting my private pilot's license, I've been programmed to buckle up. It just makes sense to do that every time I get in a car.

The day of my wreck, when the hospital called my parents, they were told, "You better come quickly if you ever want to see your daughter alive again. She's probably going to die." Mom and Dad rushed to that emergency room and watched me lying there attached to all the life support systems. They only knew I was their daughter by the birthmark on my right foot. They talked to me constantly because they wanted me to know they were there, cheering me on. I never responded. Except once. My sister, Kay, was holding my hand. She noticed my heartbeat speed up on the monitor by my bed. "Look," Kay exclaimed, "she knows we're here! She's gonna make it!" That kind of scene kept the fire and hope alive in my family's hearts that I would survive.

I was attached to life support systems because my brain wasn't working. My lungs didn't want to breathe for me. When I came out of the coma, doctors removed my respirator. I had graduated. I was now a vegetable.

People could not recognize me. One day a friend came to see me. He walked right past me sitting hunched over in a wheelchair in the hallway outside my room. He didn't realize it was I who was slobbering, drooling, and spitting out daisy petals from a bouquet I was eating.

Some people thought I'd stay that way for life. But I didn't. My condition improved again. I became a baby. Then I grew into a hyperactive child—with total amnesia.

Lucky for me, Mom and Dad slept in the chairs of my hospital room so they could give me their full attention, 24 hours a day. If they hadn't, my mental confusion and total disorientation would have brought straitjacketing far more often than it did.

No one could communicate with me. I was way out in the ozone. My perception of reality was distorted. I went through all sorts of crazy phases. After my intense pig-out stage, I went on a starvation binge. I refused to take any food or drink—especially medicine. You see, I felt I was being held captive as a guinea pig for the poison research my prison guards were performing on me. At times, I tried escaping in hospital laundry baskets.

Fortunately, my petite, five-foot-tall mother stepped in. She literally forced lithium down my throat. She almost lost a finger in the process. Although I was terribly hurt and a 100-pound weakling, I could still fight. I had managed to break out of three strait jackets at that hospital.

It was that "sanity medicine" Mom gave me that helped me finally come back down to earth.

After I was released from the hospital and had recuperated enough to drive again in 1981, my parents bought a 1978 Cadillac to ease my deathly fear of driving. They thought an air bag could be retrofitted in it. By 1981, however, not even Cadillacs could carry air bags. It was an instant replay of 1974. I couldn't get that protection.

How could General Motors Safety Research and Development Lab report "highly acceptable" air bag effectiveness yet at the same time deny me the opportunity to pay for the lifesaving air bag option? This was particularly frustrating since a 1979 GM survey found that GM customers preferred air bags though consumer cost would be four times that of the most popular style of automatic belt.

I did not understand how in 1981, our elected officials could support the automobile industry's fight against lifesaving air bags.

I don't understand how some legislators can feel the same way in 1985. It appalls me that elected leaders think lives are cheap and do not merit air bag safety. How could anyone put such a low value on human life?

In a recent Los Angeles Times article, I learned the automobile industry will be splitting $415 million of their profit among 13,000 of their executives. It depresses me that they'd rather spend money giving huge bonuses than saving lives—lives of the consumers who make them those profits.

Although reporting record profits, car manufacturers still vehemently oppose the air bag option because of cost. I don't buy the "cost" argument against air bags. Mass-produced air bags are estimated by Breed Corporation of New Jersey to cost $68 at a volume of 1,000,000 units. That consumer cost will be offset by reduced insurance premiums.

Pretty much everything has changed in my life since that wreck. Superficially I know I appear undamaged. I'm thankful for that. But you can't tell a book by its cover. Every move I make reminds me how that air bag I wanted so badly back in 1974 could

have prevented the pain and suffering I feel today.

I now have double vision—permanent double vision. There's no cure for the third cranial nerve damage I have. I thought about showing you how weird I could look if I weren't so vain about my eye. I concentrate on making my eyes look normal.

I know it would be highly advantageous to the air bag issue if I didn't look so good and normal. But things that are going on with me are happening internally.

I've become afflicted with a bone disease doctors relate to medications required to keep me alive after the accident. This disease has meant operations and long recuperation which have only added to my financial destruction that started when I had the accident.

I'll never experience the wonderful things I used to do—being a Miami Dolphins cheerleader and working with TV choreographer June Taylor.

I've written off ever winning another tennis tournament. And those glorious five-mile runs on the beach at sunrise and sunset are out of my life forever.

The one thing that hasn't changed for me is this:

I still want an air bag,

but, as you know,

I still cannot get one.

How can Secretary of Transportation Elizabeth Dole be driving around right now in a Lincoln with an air bag while preventing other Americans like me from carrying that same lifesaving protection in our cars? This upsets me. Americans are paying her salary.

There's only one way we Americans can get safer cars. We must demand our rights to air bags. We chose you legislators to represent us and to protect our freedom.

And believe me, when you suffer brain damage like I have, you lose every bit of your freedom.

After what I've been through, I wouldn't wish head injuries like brain damage on my worst enemy. Not even Lee Iacocca. It's people like Iacocca who wished head injuries on me by denying me the air-bag I wanted in 1974.

Head injuries are exactly what the American government and the automobile industry have on the drawing boards for 180,000 Americans each year.

I certainly don't want that happening to my family and loved ones or to you and yours. That's why I'm testifying today. I'm representing all the brain damaged victims who weren't so lucky as I. They can't speak their minds because they're either still out in the ozone where I was, or they're dead.

I am proof that seat belts are not adequate protection. Here's a video that illustrates how seat belt wearers often suffer head, face, and torso injuries—even death—in car accidents.

Picture a loved one—a child—in the victim's seat in these crashes you're going to see. One out of a hundred babies born will die in a wreck. [VIDEO] Pretty ugly, huh? Now maybe you understand why I refuse to remain a victim of the automobile industry.

I demand the air bag option be made available. I didn't have it and that almost cost me my life. I'll be paying for not having that air bag for the rest of my life.

That's a helluva price. That was totally unnecessary.●

POLISH CONSTITUTION DAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. ANNUNZIO. Mr. Speaker, May 3 was the 194th anniversary of the first democratic Constitution of Poland, and the Polish National Alliance sponsored 3 days of ceremonies to commemorate this event, including the 94th Annual Polish Constitution Day Parade.

Along with many other public officials, civic and community leaders, and officers of the Polish National Alliance, it was my pleasure and honor to be on the reviewing stand for this year's parade.

The Constitution Day Parade stepped off from Wacker Drive and Dearborn at 12 o'clock noon, and consisted of 135 units with 8,000 marchers, including flag bearers, orchestras, bands, drum and bugle corps, and many colorful floats. This year's floats emphasized the 175th anniversary of the birth of one of the greatest composers of music for the piano, Frederic Chopin; the 125th anniversary of the birth of the great Polish pianist and statesman, Ignacy Jan Paderewski; and the 45th anniversary of the brutal massacre of 10,000 Polish officers and intellectuals in the forests of Katyn. The grand marshal of this year's parade was Lt. Gen. John L. Piotrowski, commander of the 9th Air Force Base in South Carolina.

I would like to take this opportunity to congratulate my good friend of many years, Aloysius Mazewski, president of the Polish American Congress and the Polish National Alliance, along with all the officers and members of these organizations on their many fine contributions to the Polish-American community, helping to make our country strong. I would like also to extend my congratulations to Helen M. Szymanowicz, vice-president of the Polish National Alliance, and chairman of these May 3 observances, for her hard work and diligent efforts which helped to ensure the great success of this anniversary celebration.

Mr. Speaker, thousands of Chicagoans viewed the parade in person in commemoration of the heroic struggle of the Polish people to uphold the principles of freedom in the 1791 Polish Constitution, and at this point in the RECORD, I would like to insert the 3-day program which took place in Chicago to celebrate Polish Constitution Day. This program follows:

THE NINETY-FOURTH ANNUAL PARADE COMMEMORATING POLAND'S CONSTITUTION OF MAY 3, 1791

FRIDAY, MAY 3

10:30 a.m.—Wreath laying ceremony at Gen. Thaddeus Kosciuszko monument in proximity of Adler Planetarium, 13th Brief program.

SATURDAY, MAY 4

12:10 p.m.—Parade steps off from Wacker and Dearborn, marches South on Dearborn to Adams and disbands. Reviewing stand located on West side of Dearborn at Washington, (Daley Center Plaza area).

135 units 8,000 marchers—bands, drum and bugle corps—floats.

SUNDAY, MAY 5

10:00 a.m.—Offering of Mass at Holy Trinity church, 1118 N. Noble street.

Principal Celebrant: Rev. Casimar Tadla.

Con-Celebrants: Rev. M. Pawelko, Rev. Kazimierz Wronka.

Deacon: Rev. Dr. Edward Rozanski.

Homilist: Rev. Kazimierz Wronka.

Choir under direction of: Joseph Labuda.

IMMEDIATELY AFTER MASS, IN CHURCH, PATRIOTIC PROGRAM

Welcome.—Casimir Jasinski, Commissioner District 12, Polish National Alliance.

Poem—Alfred Karwowski and Waclaw Jasiak, Rycerze Niepokolanej.

Remarks.—Aloysius A. Mazewski, President, Polish National Alliance and Polish American Congress.

Remarks.—Edward Derwinski, Counselor of State Department and former U.S. Representative.

The Polish Constitution of 1791, adopted only a few short years after our own Constitution stands out not only as one of the greatest achievements in Polish history, but also as a milestone in the history of mankind. It peacefully transformed, without bloodshed, revolution, or disorder, a repressive government of a select few into a representative Government of all the people. This extraordinary document enunciated and echoed many of our own country's most cherised freedoms, such as majority rule through elections by secret ballot, religious tolerations, and equal justice under the law. More importantly, this Polish proclamation marked the beginning of democratic advances into Central and Eastern Europe.

For weeks after the Constitution was approved, celebrations were held in the cities and towns through Poland, and expressions of enthusiasm flowed in from all freedom-loving people in all corners of the world. It is therefore, fitting that parades, like the Chicago Constitution Day Parade, still be held in honor of this momentous triumph in the struggle to achieve representative government and self-determination.

Sadly, before the Poles had any chance to enjoy the benefits of this Constitution their homeland was divided among the autocrats of Austria, Prussia, and Russia. Having thus lost their sovereign existence and national independence, Poles became subjects of the alien governments in their homeland, and for almost 200 years continue to live under oppressive foreign regimes, except for a brief period at the end of World War I, when the birth of the Republic of Poland in 1918, signified the resurgence of the

spirit embodied in the Polish Constitution of 1791.

Mr. Speaker, since the beginning of our country's existence, millions of men, women, and children of Polish ancestry have come to our shores, bringing with them the same spirit of human dignity and freedom embodied in the Polish Constitution of 1791, as well as the rich heritage of their own culture. Their presence and constributions to America have helped shape our country into the great democracy it is today.

I am honored to join with Americans of Polish ancestry in my own city of Chicago, and all over the country who pause to pay tribute to those who have bravely struggled and sacrificed so much to achieve liberty, and to those who continue today to carry on this same effort against overwhelming odds with the desire to decide the course of their own destiny. Let us never forget the timeless guiding principle in the 1791 Constitution which states, "All power in civil society should be derived from the will of the people," and let us always be prepared to defend ourselves against those who would deprive us of this most cherished right.●

HEALTH SERVICES AMENDMENTS OF 1985

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. DANNEMEYER. Mr. Speaker, I am today joined by my distinguished colleague from the Energy and Commerce Subcommittee on Health and the Environment, Mr. BLILEY, in the introduction of the Health Services Amendments of 1985. This legislation embodies the recommendations of the Reagan administration for the health programs covered in the bill.

So that the House might be better informed of the substance of the proposal, I am inserting at the end of these remarks a copy of the letter of transmittal to the Speaker from the Secretary of Health and Human Services, together with a section-by-section summary of the proposed legislation.

The views of the administration on these health programs deserve serious consideration and our support if we are serious about making Federal programs more efficient and more effective.

THE SECRETARY OF HEALTH AND HUMAN SERVICES,
Washington, DC, May 3, 1985.

Hon. THOMAS P. O'NEILL,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Enclosed for consideration by the Congress is a draft bill "To extend various health services authorities, and for other purposes."

The draft bill would extend through fiscal year 1988 appropriation authorizations for the National Health Service Corps and adolescent family life demonstration projects. In addition, the draft bill would combine current authorities for community health centers, migrant health, family planning, and health services to coal miners into a unified primary care block grant with minimal conditions imposed upon the States. Rather than having several different and unrelated federally supported grantees providing primary care services within each State, States would be able to provide individuals in need of health care a comprehensive system designed to meet the highest priority health needs in each State. This would further the Administration's efforts to provide greater State flexibility and control over health services programs. The draft bill would also repeal our health planning authorities. These authorities have not proved effective and are unnecessarily regulatory. A competitive approach is preferable. Finally, the draft bill would enact a number of proposals designed to assist the Department of Health and Human Services in carrying out its health responsibilities as effectively and efficiently as possible.

We urge the Congress to give the draft bill its prompt and favorable consideration.

We are advised by the Office of Management and Budget that enactment of this draft bill would be in accord with the program of the President.

Sincerely,

MARGARET M. HECKLER,
Secretary.

SUMMARY OF PROPOSED HEALTH SERVICES AMENDMENTS OF 1985

Section 1 would assign the draft bill the short title "Health Services Amendments of 1985."

Section 2 would make clear that receipt of Federal treatment for Hansen's disease is voluntary, would permit treatment outside of Public Health Service facilities, and would revise the archaic language of the current provisions concerned with this disease.

Section 3 would repeal the authority of the Secretary of Health and Human Services to provide medical examinations to seamen and longshoremen. These provisions are obsolete, as the Department of Health and Human Services is no longer responsible for providing health care to seamen and no longer operates Public Health Service facilities.

Section 4 would authorize appropriations of $50,000,000 for fiscal year 1986, $50,400,000 for fiscal year 1987, and $50,800,000 for fiscal year 1988 for the National Health Service Corps (NHSC).

Section 5 would eliminate the maximum annual limit of $125 for licensing fees for clinical laboratories. This change would permit the fees collected to include the costs of proficiency testing, which is required by law as part of the licensing process. The section would also assign the amounts collected, to the extent specified in appropriation acts, to the Department's clinical laboratory activities, rather than have the amounts placed in the Treasury's miscellaneous funds.

Section 6 would repeal the health planning authorities in the Public Health Service Act. These authorities have not proved effective and are unnecessarily regulatory. A competitive approach is preferable.

Section 7 would expand the scope of the primary care block grant to include (in addition to the current program for community health centers) the current programs for migrant health, family planning, and health services for respiratory and pulmonary impairments in coal miners. The section would authorize appropriations of $550,100,000 for fiscal year 1986, $573,204,000 for fiscal year 1987, and $596,132,000 for fiscal year 1988 for the entire block grant. Distribution of funds among the States would be based on the distribution that occurred in fiscal year 1985 under all the programs included in the expanded block grant. States could make grants to for-profit entities. A State could transfer up to 10 percent of its funds to other block grants administered by the Secretary. Various specific requirements in current legislation relating to community health centers, including a requirement for the provision of State matching funds, would be eliminated. Up to 10 percent of the Federal funds provided under the block grant could be used for administration or for the planning of health services, adjusted to take into account fund transfers among block grants and funds held over from a preceding fiscal year. A State would be required to expend for family planning and for migrant health in fiscal year 1986 a percentage proportion equal to at least 80 percent, and in fiscal year 1987 a percentage proportion equal to at least 50 percent, of the percentage proportion received by the State (or by entities in the State) for family planning and for migrant health from fiscal year 1985 appropriations for all the programs subsumed by the block grant. A State would be permitted to satisfy various requirements through officials other than the governor, and the form and content of applications and reports would be determined by the State rather than by the Secretary. A State would be required, in its annual description of the intended use of funds, to include a statement of goals and objectives, information on the types of activities to be supported, geographic areas to be served, and categories or characteristics of individuals to be served, and the criteria and method to be used for distributing the funds. The annual activities report would have to explain how the previously stated goals and objectives had been met. The requirement for State legislative hearings on the use of funds would be eliminated; instead, an opportunity for public comment would be required. State audits would be required only every two years, not annually (if the Single Audit Act of 1984 did not apply). The requirement for annual investigations by the Secretary of the use of funds in various States would be repealed, as would the requirement for evaluations by the Comptroller General of State expenditures (the Comptroller General has authority under other provisions of law to conduct evaluations as needed). The Secretary would no longer be required to promulgate separate regulations for this specific block grant. A State could begin to participate in the block grant during any calendar quarter in fiscal year 1986; the Secretary would continue to provide funds under the categorical programs subsumed by the block in those quarters in fiscal year 1986 during which the State chose not to participate. The Secretary could not provide categorical funding after fiscal year 1986. The statutory requirements that there be an Office of Population Affairs and a Deputy Assistant Secretary for Population Affairs would be repealed. This section would provide States greater flexibility and control over health services programs and would provide for more efficient and integrated management of the programs.

Section 8 would authorize appropriations of $14,706,000 for fiscal year 1986, $15,206,000 for fiscal year 1987, and $15,784,000 for fiscal year 1988 for adolescent family life demonstration projects.

Section 9 would permit the Secretary to contract with public and private entities to process bills, make payments, and perform related functions with respect to health services furnished by outside health professionals and others to Public Health Service beneficiaries.

Section 10 would eliminate the requirement, under the Maternal and Child Health Services Block Grant, that a State expend funds by the end of the fiscal year following the fiscal year for which an allotment was made. This change would give States additional flexibility as already provided in other health block grant programs.

Section 11 would give the Secretary the discretion to determine how much (if any) additional special pay (up to $9,000 annually, or up to $10,000 annually for physicians with ten or more years of service) to grant to Public Health Service Commissioned Corps physicians. Under current law, all physicians in the uniformed services not in training are entitled to this additional special pay. The Secretary would be required to take into consideration the recruitment and retention problems of the Public Health Service, the level of performance of the physician concerned, and provisions of law providing for additional pay for Government physicians not in the uniformed services. Commissioned Corps physicians fulfilling a service obligation under the National Health Service Corps Scholarship Program could not receive this additional special pay. Finally, the additional special pay for any uniformed services officer could be paid either annually or monthly; under current law, the amount must be paid annually in advance.

Section 12 would permit commissioned officers of the Public Health Service to receive cash awards for specific suggestions, inventions, or scientific achievements which are of benefit to the Government. Members of other uniformed services are currently eligible for such awards, and civilian employees are eligible for similar awards, but Public Health Service commissioned officers are not.

Section 13 would permit the Secretary to provide for health care for an involuntarily separated commissioned officer (or dependent) for up to one year after separation if the officer (or dependent) was receiving health care at the expense of the Public Health Service at the time of separation and if the Secretary found that the officer (or dependent) could not obtain appropriate insurance for the condition for which he was receiving health care. Federal civilian employees have insurance conversion rights, and separated military personnel may be provided health care for a short period of time. No such authority currently exists for separated Public Health Service commissioned officers, who may suddenly find themselves (and their dependents) unable to obtain coverage for an existing condition.

Section 14 would repeal provisions providing for the civil commitment to the Secretary by United States district courts of narcotics addicts and provisions authorizing the Secretary to provide services to narcotic addicts. These provisions are no longer used and deal with functions best performed on the State level.

Section 15 would repeal the authorities for the Federal Hospital Council and the National Advisory Council on Regional Medical Programs, bodies that no longer serve a useful purpose, and would repeal obsolete provisions concerned with construction of medical facilities and with regional medical programs.

Section 16 would make for-profit entities eligible for grants for sexually transmitted disease prevention and control, and for grants for adolescent family life demonstrations; and would permit States to make grants to for-profit entities from preventive health and health services and alcohol and drug abuse and mental health services block grant funds, and from maternal and child health services block grant funds, and from maternal and child health services block grant funds for research and training. This section would promote competition and the most effective use of the private sector.

Section 17 would eliminate a number of unnecessary reports, as follows:

Subsection (a) would eliminate the requirement that the Secretary submit an annual report on disease control activities.

Subsection (b) would eliminate the requirement that the Secretary submit an annual report on the NHSC.

Subsection (c) would eliminate the requirement that the Secretary report annually on the administration of the functions of the Public Health Service.

Subsection (d) would eliminate the requirement that the Secretary and the Secretary of Defense each submit an annual report on the continuation pay program for dentists in the uniformed services.

Subsection (e) would eliminate the requirement that the Secretary and the Administrator of the Environmental Protection Agency report annually on conflicts of interest involving employees of the Department of Health and Human Services or of the Environmental Protection Agency who perform functions under the Toxic Substances Control Act.

These reports cost an estimated $37,000 annually.

Section 18 would enact technical amendments.●

FREEDOM FIGHTER HONORED

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. DORNAN of California. Mr. Speaker, last Friday, April 29, 1985, almost 200 leaders of the Hungarian-American community in the United States and Canada met to honor the 250th anniversary of the death of a great Hungarian patriot and freedom fighter, Prince Francis Rakoczi. One of the high points of that evening was an address by Dr. Elemer Bako, a specialist in Finno-Ugaric Area Studies, at the Library of Congress. Since most Americans have never heard of Prince Rakoczi and his experiences, I would like to share this excellent discussion with my colleagues. Like Louis Kossuth, another freedom fighter who visited this country in the 19th century, Rakoczi was not immediately successful, but he left a legacy of inspiration to his countrymen which has never been forgotten. I am pleased to place Dr. Bako's statement in the RECORD.

RÁKÓCZI AND AMERICA

The first 14 years of 18th century European history are occupied by the War of Spanish Succession. For England, her colonies and allies, the most essential task was to prevent the unification of the French and Spanish fleets under the same command. In order to counterbalance the eventual emergence of such an overwhelming seapower, England had to employ the enormous territorial forces of the German Roman (i.e. Habsburg) Empire for an attack against France. The Habsburg Emperor (simultaneously the king of Hungary) whose House appeared to lose the throne of Spain after the death of Spain's king Charles II, of Habsburg, was ready to join Britain supposing that he would receive enough in material and financial aid to improve the combat readiness of his armies after the long wars against the Turkish Empire.

The two warring camps, the British and the French, were nearly of equal strength both in territory and the number of soldiery. Consequently, any sudden change in the political or military situation of either one of the adversaries could bring about an eventually fatal disadvantage. Such a danger threatened in the Hungarian lands (Hungary and Transylvania) when a popular movement under the leadership of young, talented Francis Rákóczi II (March 27, 1676-April 8, 1735) who came from an ancestry greatly admired at home and highly respected in all of Europe, and who was also heir to Hungary's largest family estates totaling more than 3 million acres, turned against the Emperor who let his Hungarian subjects be oppressed, exploited and persecuted. Suddenly, the anti-French alliance found itself facing the most serious possibility of losing not only the numerous Hungarian regiments serving with the Imperial army but also a number of others, from the German lands, which, in the case of an imminent siege of Vienna, the Imperial capital city, had to be ordered to its defense, away from the battlefields in Western Europe.

For England, there was another complicating matter: the fact that the anti-Habsburg movement of Rákóczi (who was a Catholic) was greatly supported by a number of prominent Hungarian Protestants. No wonder: they had been persecuted by the Emperor's civilian and military authorities as well as by the Roman Catholic clergy (mostly non-Hungarians) which moved Queen Anne, a defender of Protestantism, as it did several of her predecessors on the British throne, to issue repeatedly most serious protestations at the Court of Vienna.

This situation demanded that the overwhelmingly Protestant population both in England and her colonies should be served with a flow of information about the true intents and actions of the British government and its representatives, particularly with the foremost Catholic power in Europe. Since the Hungarian situation represented one of the key problems to be solved in time (excelled in importance only by securing Austria's military assistance for England), the press in England was served with a variety of news about Rákóczi, his armies, their initial successes, the demands of the Hungarian Protestants and the like. The American colonies still being without a newspaper, a new weekly was launched in April, 1704, under the title The Boston

News-Letter, the material of which was dated, however (at least the items originating in Europe), from the previous year.

London's attitude which was basically sympathetic to the Hungarian cause, came to expression in the Boston paper. Its reports reflected the instructions under which the British envoys, particularly Sir George Stepney, one of contemporary England's eminent Latin scholars and poets, operated. As mentioned already, he was supposed to work out a settlement between the Emperor and his enraged Hungarian subjects. Such a settlement has to include the Imperial guarantees of the rights of freedom of worship, learning, teaching, and publishing, the right of assembly, autonomous legislation and local administration, with special emphasis on the rights of the protestants in Hungary and Transylvania. Ambassador Stepney, himself a great supporter of Queen Anne's policies, did his utmost to bring about such a settlement, despite the unending difficulties caused by the ministers of the Emperor. Also, the publication of such reports and other new items favoring the Hungarian cause offered a rather welcome involvement for the publishers and printers in England and America alike. The Boston News-Letter carried a wealth of such information, at least in the first years of its publication while the concentrated British diplomatic effort was able to produce some results in the form of ceasefires, tentative agreements, modified positions in reformulated proposals and the like. Also, the reader in America received reports from battlefields referring to locations the names of which have never been heard of before, both from Hungary and Transylvania, as well as some interesting "personalia," with dozens of names of prominent Hungarians of all walks of life, even outright rumors, and other interesting reading matter about the cultural, religious, economic, etc. conditions of the Hungarians. Such items were frequently enhanced by comments originating with some British or other European authority.

The contemporary reader could also be informed about Rákóczi and his movement by publications coming from the French side, like Rákóczi's biographies, the first of which was written by Eustache Le Noble in 1707. Also, his posthumously printed memoirs, entitled Histoire des révolutions de Hongrie (La Hague, 1739) in which he discussed, among other important aspects of the long history of the Hungarian struggle against Habsburg oppression, that the constitutional right of the Hungarian nation which originated with the recognition (by king Andrew II in 1222, in the "Hungarian Magna Carta" called "Bulla Aurea") of the "ius resistendi", in English, "right of resistance" against unlawful acts on the part of the ruler, is still in effect. It is known that Thomas Jefferson who phrased the American Declaration of Independence had a copy of this work by Rákóczi.

Long after the conclusion of the War of Spanish Succession and the formal dissolution of Rákóczi's decimated army, and even after his death in exile in Turkey on April 8, 1735 (the 250th anniversary of which is the subject of our present commemoration), The Boston News-Letter, and a number of other American newspapers, which were founded following that first American paper in Boston, were still reporting the exploits of the exiled Hungarian cavalry leaders who were employed mainly as Hussar commanders in the various European armies. Their number included the first Hussar Marechal of France, Count László Bercsényi, son of Rákóczi's commander-in-chief, whose name is still carried on by a regiment of the French army, now, however, a regiment of paratroopers.

The documentation containing innumerable reports, letters, notes, maps, and other important materials related to the British diplomatic effort at Vienna, including the ones tied with the Rákóczi movement, was collected carefully by the Hungarian scholar Ernö Simonyi from various English and other European archives, and published by the Hungarian Academy of Sciences, Budapest, in the 1870s. Although not referred to very often, these sources were known to be available to those interested.

What was not known, however, was that most of the same events and other matters of interest had also been reported by the first newspaper in America, The Boston News-Letter, to the colonialists who later fought for their own freedom and independence in the same spirit.

Beyond the probable influence exercised by the contemporary reports on the thinking of the populations in England's colonies, infused in American life were the actions of military representatives of second and third generation descendants of the Rákóczi era; they included the famous defender of Charleston, South Carolina, in 1779, the Hussar Colonel Michael Kováts de Fabricy, Commandant of the Pulaski Legion, and the Hussar Major John Polereczki, of the Lauzun Legion, a unit in Count Rochambeau's army, who became the first American citizen of Hungarian extraction. Both Kováts and Polereczki were grandsons of officers who served under Rákóczi's flags.

The image of Prince Rákóczi was kept in the memory of America by the great Louis Kossuth who recalled Rákóczi merits and his political heritage to his American audiences when he was touring the United States in 1851 and 1852.

In 1906, when Rákóczi's earthly remains were returned to Hungary from his grave in Turkey, and he was reburied at the beautiful Gothic cathedral at Kassa (now Košice, Czechoslovakia), American Hungarians joined the grateful nation in their "old country" in the commemoration. Soon after the "Rákóczi Fraternal Aid Society" was founded by a group of Hungarian immigrants at Bridgeport, Connecticut. It is now merged with the Hungarian-founded William Penn Fraternal Society of Pittsburgh, Pennsylvania.

In our times, a group of Hungarian emigres in Canada (who were joined recently by a number of Hungarians in this country) organized The Rákóczi Foundation to perpetuate the Rákóczi tradition by promoting the political ideas of freedom and independence and the cultural heritage left us by that era of great Hungarians.●

THE REAGAN ADMINISTRATION'S HARVEST OF SHAME

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. FORD of Michigan. Mr. Speaker, for 13 years, OSHA has studied whether agricultural employers should be required to provide toilets and clean drinking water to the hundreds of thousands of farm workers who labor in the fields. Recently, under court order, OSHA published a proposed health standard which would have required certain agricultural employers to provide 1 toilet for every 20 employees, and access to clean drinking water and handwashing facilities. Employers which might be burdened by this requirement, such as livestock or logging operations, and small farms with 10 employees or fewer, were exempted from the standard. Nevertheless, the American Farm Bureau Federation and the National Council of Agricultural Employers opposed the standard. The Farm Bureau testified that the cost of providing toilets, which they estimated at $60 per month, including maintenance, was too high and that most farm workers would not use toilets even if they were provided.

The expert medical testimony OSHA received was, however, unanimous in its support of the standard. OSHA retained Dr. Eugene Gangarosa, the director of the Master of Public Health Program at the Emory School of Medicine, to analyze the medical and scientific evidence in the rulemaking record. Dr. Gangarosa found the evidence to be:

> So compelling as to leave no doubt whatsoever that (1) there is an urgent need for the proposed standards . . . and (2) substantial benefit will accrue when these standards are adopted.

Dr. Gangarosa's analysis of the evidence before OSHA should be read by every Member of Congress. It shows that farm workers are subjected to inhuman working conditions, conditions we would not tolerate in any other part of our society, conditions which cause Third World disease rates among farm workers. The following excerpt from Dr. Gangarosa's report is instructive:

> Excess risks have been documented in the testimony by a parade of expert witnesses. One expert after another underscored the same points leaving no doubt that FW have unacceptably high incidence of infectious diseases of the intestine, respiratory system, and skin; heat-related illnesses; urinary tract infections; and acute and chronic exposures to toxic chemicals, especially the organophosphorus insecticides.
>
> I searched the record carefully and could not find expert testimony against the proposed standards. The absence of expert testimony against the proposed standards was indeed conspicuous and itself significant.
>
> Evidence in the record makes it clear that the proposed standards for readily accessible potable water should substantially reduce the risk of diseases caused by heat stress and will lessen the risk of urinary tract infections. The provision of hand washing facilities will break the chain of transmission of the infectious diseases of the intestine and will reduce transmission of other infectious agents especially those of the respiratory system, eyes, and skin. Hand washing facilities will enable field workers to minimize their risk to acute and chronic chemical poisonings. The availability of toilets that are maintained and used will substantially reduce the risk of urinary tract in-

fections and their sequelae including including hypertension and chronic kidney diseases. Toilets equipped with toilet tissue will reduce the risk of chronic chemical poisonings by providing field workers an alternative to the use of chemically-tainted leaves for personal hygiene after defecation.

Besides reducing these acute and chronic health risks, the proposed standards are important for healthy physical and mental growth and development of the children of farmworkers—those that are unborn, their infants who suffer most from the communicable diseases, and the older children who work in the fields. Adoption of the standards will substantially reduce lost time, will reduce medical costs, and will increase life expectancy. Those tragic and totally unnecessary deaths from heat stress and acute poisonings, examples of which are part of the record, will be prevented. Other benefits will accrue that are difficult to quantitate—the avoidance of needless suffering and pain, dignity in having toilets to use instead of open fields, and freedom from the exploitation that requires purchase of overpriced alcoholic or sugared drinks when, in fact, water is wanted and needed to satisfy thirst. The proposed standards mean an improvement in quality of life, the kind of improvement workers in other industries already have because of workplace standards similar to those proposed. Farmers, themselves should benefit from increased worker productivity and improved morale. The public will benefit by the elimination of the risk to community health resulting from contamination of water supplies from uncontained feces deposited in the field. Adoption of the proposed standards means everyone benefits and at a modest cost.

The chart which follows as Table 4 summarizes the quantitative data in the record. My analysis in this summary table is an attempt to provide a quantitative risk assessment, insofar as possible. Where gaps exist, I relied on professional judgment to give the best possible estimates of risk and of expected reductions of risk that would be made possible by adoption of the proposed standards. In some instances, it was not feasible to specify a specific number to indicate a risk or expected reduction of risk. The text qualifies these instances and wherever possible provides qualitative estimates.

The summary table quantifies the excess risk to farmworkers for the parastic diseases (7-26 times), diarrhea (9-85 times), heat stress (1½ to nearly 2 times that seen in other high-risk industries), chemical exposures (about 3 times), and skin rashes (5 times). The expected risk reductions from the availability of water for either drinking or hand washing are 30-45 percent for the infectious diseases as a group, 80-90 percent for illness due to heat stress, 20-30 percent for urinary tract infections, 30-50 percent for acute exposures to toxic chemicals, and 25-40 percent for skin rashes. The use of toilets that are maintained, used, and provided with toilet tissue should reduce parasitic infections from 5-10 percent, diarrhea from 10-20 percent, urinary tract infections from 20-30 percent, and acute chemical exposures from 10-20 percent.

The combination of work place facilities provided by the proposed standards and facilities that would be available in farmworker homes, if existing regulations were enforced, would reduce these risks even more. Risks associated with the communicable diseases could be reduced to levels comparable to those prevailing in the general population. The point is that to achieve risk levels prevailing in other industries and in the general population, healthy work conditions and healthy home conditions must be available to the farmworker to the extent that these are available to workers in other industries.

Despite the incontestable medical evidence in the rulemaking record and the negligible cost to employers of the standard—53 to 77 cents per worker per day—Assistant Secretary Robert A. Rowland, whom Mr. Reagan appointed last year, refused to issue the proposed standard.

The Washington Times published a column about Mr. Rowland's decision not to issue the field sanitation standard which is accurate, thoughtful, and succinct. I ask that the column, which was written by Robert Walters, be printed in the RECORD.

[From the Washington Times, Apr. 30, 1985]

DIRTY DECISION BY OSHA ON AGRICULTURAL WORKERS

(By Robert Walters)

Already, the Occupational Safety and Health Administration has firmly established itself as the leader in the competition for the most meanspirited government action of 1985.

OSHA has achieved that dubious distinction by refusing to issue federal regulations requiring that basic sanitation measures—toilets, clean drinking water, and handwashing facilities—be made available to agricultural fieldworkers.

In reaching that decision, the political appointees who head OSHA rejected the advice of both their own professional staff members and the country's most prestigious medical societies.

The Occupational Safety and Health Act of 1970 requires that all employees be provided with rudimentary sanitation facilities at or near their workplaces, but in the early 1970s OSHA excluded agricultural workers from that standard by regulatory fiat.

Efforts to extend the protection of the law to fieldworkers date back to 1972, but that 13-year-long campaign on behalf of powerless seasonal and migrant farm workers has been ceaselessly opposed by influential agribusiness interests.

A lack of drinking water for those in the fields can cause severe dehydration, heat cramps, and heat stroke. A lack of washing facilities prevents farm workers from removing toxic pesticides from their skin, eyes, and clothing.

A lack of toilet facilities can lead to bladder diseases, gastrointestinal problems, and urinary tract infections. Poor field sanitation generally can result in cholera, hepatitis, typhoid, dysentery, hookworm, and other parasitic diseases.

Recognizing those problems, the U.S. surgeon general, the American Medical Association, the American Public Health Association, and the American Nurses Association all have called for federally mandated field-sanitation facilities.

Although almost 5 million persons work as agricultural field laborers, advocates of sanitary protection have recognized that it would be unreasonable to require an employer to provide a full range of services for only a few workers.

Thus, the proposed—but now abandoned—OSHA standard would have been applicable only to employers of more than 10 workers. Under that formula, coverage would have been extended to an estimated 530,000 to 765,000 employees.

OSHA has consistently emphasized the potential costs to be borne by employers rather than the benefits likely to accrue to them and their workers as a result of reduced illness and increased productivity.

But one elaborate OSHA-financed study estimated that the proposed rules would cost 53 cents to 77 cents per worker per day. That's hardly an outrageous price for access to facilities routinely provided in every other industry.

When OSHA officials recently decided not to issue the proposed regulations, five agency employees who had been assigned the task of assessing the thousands of pages of medical and legal evidence publicly protested that the action "can only bring discredit to the agency and ourselves."

Finally, for those middle-class persons who view OSHA's recent action as unfortunate for the hapless, distant farm workers but irrelevant to their own lives, here's some disquieting information:

A continued lack of sanitation facilities will mean the millions of field laborers will perpetuate the practice of relieving themselves wherever they can, turning fruit and vegetable farms into open toilets.

The untreated urine and feces can either directly contaminate the crops or attract flies and other insects which, in turn, spread parasitic and contagious diseases resistant to conventional industry washing procedures.

That's worth considering the next time you approach a restaurant salad bar or visit the fresh produce section of the neighborhood super market.●

NO DEPLETION TAX BREAK BEFORE DEPLETION

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. STARK. Mr. Speaker, on March 5, 1984, I introduced H.R. 5022 which would amend the Internal Revenue Code of 1954 to provide that percentage depletion shall not be allowable for lease bonuses, advance royalties, or similar payments with respect to oil and gas properties. Introduction of this bill was a direct result of a January 10, 1984, Supreme Court decision which held that independent oil producers may claim percentage depletion allowances on Federal tax returns for years during which no production takes place (*Commissioner of Internal Revenue, Petitioner* v. *Fred L. Engle et ux*). I disagree with the logic behind that ruling and am therefore today reintroducing H.R. 5022.

Percentage depletion allowances let producers deduct a set proportion of income from Federal income tax. The logic here is that this untaxed revenue is necessary to encourage investment and expansion in energy production. But in effect, the tax break provided by the Supreme Court decision is a subsidy to owners which offers no in-

centive to produce let alone expand. Justice Blackmun pointed out in dissent,

With due respect, this analysis simply ignores the terms and structure of the statute that it purports to construe. Section 613A(c) [of the Internal Revenue Service Code] cannot have been meant to increase production by independent producers over pre-existing levels; it did not create a new tax subsidy but merely preserved an old one. More importantly, that subsidy was not preserved intact but rather was deliberately scaled back * * * When read as a whole, section 613A not only does not increase incentives for independent producers but actually reduces them.

In dissenting from the 1984 Court decision, Justice Blackmun asserted that the Court misinterpreted the congressional mandate of the Tax Reduction Act of 1975. The misunderstanding arose over whether the act tied depletion allowances to annual production. As policy, the Internal Revenue Service insisted that depletion allowances could be claimed only when production had taken place—that is, when some depletion had occured. The Court ruling, however, allows producers to claim a set percentage deduction regardless of any depletion occuring.

In its decision, the Court majority insisted that the Tax Reduction Act of 1975 indicated clear intent by Congress to retain depletion rules for small producers. The act repealed the depletion allowance for major oil companies. In dissent, Justice Blackmun said the legislative history was more ambiguous than the majority suggested. Lacking clarity, he argued the Court ought to leave the interpretation of tax law to the Internal Revenue Service. In dissent, Justice Blackmun wrote,

The Court purports to accept the principle that the "choice among reasonable interpretations [of federal tax laws] is for the Commissioner, not the courts." *National Muffler Dealerships Assn., Inc.* v. *United States*, 440 U.S. 472, 488 (1979). Ante, at 17. However, given the compatability of the language of section 613A with the Commissioner's views, the record of legislative compromise that lies behind the statute, the extent to which section 613A restricts percentage depletion for independent producers and royalty owners as well as for major integrated oil and gas companies, and the conceded practical complications caused by attempts to graft Herring's depletions rule onto the new provision, the Court's rejection of the Commissioner's interpretation of section 613A is impossible to square with that principle. The Court's decision therefore concerns me not simply as an interpretation of a discrete section of the Internal Revenue Service Code but as a sign of the Court's willingness to displace the Commissioner's interpretation of the tax laws with its own views of tax policy.

I feel Justice Blackmun is right on the mark. The Court misinterpreted the intent of the use of percentage depletion from the Tax Reduction Act of 1975. Percentage depletion offers no incentive for increased production or expansion, it is simply a gratuitous tax break. For the court to rule otherwise defies all logic.

My bill would help restore the integrity of the Commissioner's job and bring an end to the absurdity of percentage depletion allowances for oil fields where no drilling is underway.●

MRS. JANET M. MAKRAUER HONORED

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. LUKEN. Mr. Speaker, at this time I would like to take this opportunity to recognize an outstanding constituent. Being honored here, as the Ohio Small Business Person of the Year is Mrs Janet M. Makrauer of Cincinnati, OH. This week, May 6 to 11 is National Small Business Week. She will be honored at activities sponsored by the Small Business Administration.

Janet Makrauer, cofounded Amko Plastics, a manufacturer of polyethylene drawstring and handle specialty bags and display banners, in 1966 with her late husband. As in many small businesses, the family represented one-half of the six original employees when Amko opened for business without a single order lined up. Today, they employ 360 people and have projected sales of over $19 million for 1984.

Mrs. Makrauer is the embodiment of all the positive characteristics an entrepreneur should have: a deep concern for the development and health of her employees and their families, a dedicated commitment to the betterment of her community, and the foresight, knowledge, innovation and perservance to direct a prosperous, growing business in an extremely competitive market.

The steady growth of Amko is a result of the innovative nature of its leaders. From its beginnings Amko has pursued a fundamental corporate policy of developing and testing new raw materials and new machinery and techniques. Mrs. Makrauer showed her determination several years ago when the Environmental Protection Agency issued "technology forcing" regulations requiring the industry to reduce printing emissions by reducing the use of solvent-based inks and replace these with water-based inks. At that time the inks and printing technology did not even exist. Amko performed the research necessary to develop the new inks, thus meeting the new EPA requirement.

Employee well-being is a major concern of Amko Plastics management. During recent recessions when numerous layoffs were necessary at other companies, Amko employees were retained and kept busy performing other work at the plant. Employees cleaned, painted, and did general maintenance at the plant. When all other plant work had been completed, Amko employees were encouraged to plant and attend vegetable gardens on the plant property with the harvest distributed among all the employees.

Mrs. Makrauer finds time from her role as president and treasurer of Amko Plastics to contribute her skills as a volunteer in the community. Her work with the blind is admirable. As you can see, Janet Makrauer is truly an example of the finest type of business leader, exhibiting dedication and concern for community and employees. I welcome the chance to congratulate her on her well-deserved award as Ohio Small Business Person of the Year.●

VETERANS HEALTH CARE BUDGET CANNOT BE REDUCED FURTHER

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. MONTGOMERY. Mr. Speaker, within the next few weeks, the House and Senate will be making major decisions on the budget for fiscal year 1986. Many Federal programs will be affected. The decisions we must make will not be easy. We all have different priorities.

A very high priority of mine is veterans health care. I want my colleagues to fully understand the impact of any budget reductions in funds to operate the VA's health care system. Who is better able to relate the problems in the field than the people in the field?

According to the chiefs of staff at VA hospitals nationwide who responded to a recent survey, inadequate budgets are already taking their toll. More cuts in the budget will mean longer waiting lists, the turning away of certain nonservice-connected veterans, and delays in many surgical procedures.

There follows a report from the chief of staff at the VA Medical Center in Cincinnati, OH:

VETERAN'S ADMINISTRATION,
Cincinnati OH, February 26, 1985.

In Reply Refer to: 539/11.

Mr. HOWARD GREEN, M.D.,
Chief of Staff (11), VA Medical Center, White River Junction, VT.

DEAR DR. GREEN: I would like to provide you with some information from the Cincinnati VAMC. This is in response to the information or letter from Dr. Mark Wolcott.

The Cincinnati VAMC is a 354 bed general hospital with a 206 bed nursing home located at Fort Thomas, Kentucky. The hospital is strongly affiliated with the University of Cincinnati Medical School. Both are close together so there is easy access to staff and residents.

Our projected deficit as of January 1, 1985, was $670,000; Personnel Services $300,000 and All Other $370,000. The impact of this deficit has resulted in a lag of hiring of six to seven weeks. For some critical positions we shorten this time frame. We have had to be careful in ordering supplies depending on the money available.

In the past two years we have had a significant clinical addition, i.e., Laboratory, Radiology and Surgery, so the system has provided large amounts of equipment but at times without resources to operate it and without funds to service it.

Enclosed is the information you requesterd concerning activity in Surgery.

In terms of solutions, we have just "had to go with what we got" and we react by "crisis intervention.

As funds become smaller, we feel we will have to cut back on the services we offer.

I hope this will be of help, but I imagine you will get the same information from each facility.

Sincerely,

SCOVELL M. HOPKINS, M.D.,
Chief of Staff.

Enclosure.

[Memorandum]

VETERANS' ADMINISTRATION.

Date: February 15, 1985.
To: Mark Doskocil.
From: Surgical Service/112.
Subject: Questionnaire—Surgical Scheduling.

The following information reflects the backlog of scheduling for operative procedures (elective) and the outpatient clinics for the Surgical Specialties.

Specialty, surgery, and outpatient clinic:

General surgery (T-1), major cases—2 weeks, minor cases—6 weeks, 3 weeks.

General surgery (T-2), 3 weeks.

Plastic surgery, 1 to 2 weeks, 2 weeks.

Urology, 6 to 7 weeks, 5 weeks, specialty clinics, 8 weeks.

Orthopedics, 6 to 7 weeks, 10 weeks.

Ophthalmology, 25 weeks, 16 weeks.

Neurosurgery, 3 weeks, 5 weeks.

Otolaryngology (ENT) 2 to 3 weeks, 5 weeks, specialty clinics, 5 to 6 weeks.

If additional information is required, please contact me.

DIANE M. SCOTT,
Technical Assistant.●

BRONX GETS PIECE OF SILICON VALLEY

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. GARCIA. Mr. Speaker, a clear example of the revival of the Bronx is illustrated by the opening and relocation of businesses in the area. The Bronx has untapped resources that can be used by the businesses which choose to locate to the area.

Mr. Morales and Mr. Collado of Protocom Devices, Inc., outline the advantages when they state, "for this technology, the Bronx is better. Not only is it near a number of universities, but it is a subway ride from major users, such as Wall Street and publishing." The Bronx also has major accessibility to the New Jersey area and major highways. The Bronx also complements itself by having, "plenty, of parking space, an advantage somehow overlooked by most companies." Mr. Morales and Mr. Collado are businessmen who have clearly realized the potential of the Bronx and have used it to their advantage. They have helped revive the area by providing jobs as well as a glimmer of hope for our residents. It is quite apparent that with increased numbers of businesses moving to the Bronx, that the restoration of the area is finally a sustained phenomenon.

With these thoughts in mind, I would like to present the following article to my colleagues.

[From the New York Times, Apr. 29, 1985]

BRONX GETS PIECE OF SILICON VALLEY

(By Sandra Salmans)

Few people would confuse the South Bronx with Silicon Valley, and Rafael Collado and Ramon Morales agree that the differences are clear: for high technology, they say, the Bronx is better. Not only is it near a number of universities, but it is a subway ride from major users, such as Wall Street and publishing. "It amazes me that this didn't become the high-tech center," Mr. Collado said.

That is an oversight that Mr. Collado, a 31-year-old engineer who has worked for the likes of the GTE Corporation and the ITT Corporation, and Mr. Morales, a 32-year-old with a degree in sociology and economics from Harvard University, are trying to correct. They are the top executives and two of the six partners of Protocom Devices, a small company that has refined a device allowing otherwise incompatible mainframe computers to communicate with each other. Customers include Boeing Computer Systems, the Paradyne Corporation and Citibank.

Since October, Protocom has been turning out its leading-edge hardware from headquarters near Bruckner Boulevard and 137th Street, just a couple of blocks from Mr. Collado's first home. Mr. Morales was born in Puerto Rico, but his family stopped off in the Bronx before settling in East Harlem. The two met in sixth grade at Monsignor Kelly Junior High School, then a school for bright but disadvantaged boys on the Upper West Side.

VARIED BACKGROUNDS

After Harvard, Mr. Morales worked as a consultant to various city and state agencies, and returned to East Harlem to do community organizing. By 1983, he was in operations at the Prudential Insurance Company of America.

Mr. Collado went to Brooklyn Polytechnic Institute, then to a series of jobs in Silicon Valley and Arizona. It should have been a software engineer's dream. "I had my company car and my stock options," he said. At ITT in Scottsdale, "They told me, 'You're in God's country.' "

But like many New Yorkers, Mr. Collado felt there was something fundamentally wrong with a town where "you couldn't get lunch delivered," he said. "You couldn't get a good bagel or a good Chinese meal."

ADVANTAGES OF SOUTH BRONX

To listen to Mr. Collado and Mr. Morales is to hear the kind of boosterism that, like high technology, is most often found in California. They like to point out that the South Bronx is an easy commute from middle-class enclaves in New Jersey and elsewhere. They note that the neighborhood has plenty of parking spaces, an advantage somehow overlooked by most companies. Even the climate is better. "When we get off a plane from California, we breathe the air," Mr. Collado said. Their wives think they are crazy, the men said.

By early 1983, Mr. Collado had moved to New Jersey and Timeplex Inc., a manufacturer of telecommunications equipment. He and two other engineers, who are also now partners in Protocom, began work on a "pad"—a packet assembler/disassembler that packages information in a form that can be transmitted through a computer network between computers made by different manufacturers.

According to a venture capitalist who is familiar with the company, the potential market for pads could be in the billions of dollars. If Protocom does well, the company could achieve sales of $100 million or more, according to this source.

At the moment, that seems light-years away. In the fiscal year ended last January, Protocom had a payroll of 13 employees in the Bronx, sales of about $1.3 million and a profit of $80,000. This looks like a $7 million year, and the company will need 55 employees, management said.

TOLERANT VENDORS

Protocom's first offices, improbably, were in borrowed quarters on Putnam Avenue in Greenwich, Conn., just down the street from the Ann Taylor, a fashionable women's clothing store. ("Very hotsy-totsy," said Mr. Collado.) Initially, Protocom depended for its cash flow on tolerant vendors, who forgave late payments because they had confidence in the product—not because the company's minority ownership appealed to their conscience, Mr. Collado said.

The partners wanted to move to the Bronx, but Protocom needed Government assistance and someone expert at untangling the red tape. So Mr. Collado called Mr. Morales, his old friend from Monsignor Kelly.

"Ralph told me, 'We've got to show the world that people like us come out of the South Bronx,' " Mr. Morales recalled.

"He didn't scare easily," said Mr. Collado.

Why a high-technology company would want to be in the South Bronx was a puzzlement to most people. One investment banker told them, "You guys have a good thing," but warned that it would come to grief in the South Bronx. Others recommended Boston's Route 128.

Even executives at the Port Authority of New York and New Jersey expressed surprise. When Mr. Morales approached the Port Authority about financing a move, "One had to ask, 'Why?' " recalled Anthony Giordano, chief of industrial parks development.

ANOTHER MOVE SOON

In the end, the Port Authority loaned Protocom $4.4 million. The company rented incubator space from the South Bronx Development Organization. Next spring, it is scheduled to move to Bathgate Industrial Park, the new industrial complex being erected in the South Bronx by the Port Authority and the Public Development Corporation. "We fully expect they'll create 200 jobs," said Mr. Giordano.

In the meantime, the company is doing what it can to bring together minorities and technology. It is training some students at Cooper Union and Manhattan College in

Protocom technology. Mr. Collado has had discussions—"interfaces," he calls them—with a handful of other small businesses about relocating to the South Bronx. Although Monsignor Kelly closed in 1972, a successor was opened last autumn. Protocom designated the new school as its "official" charity, and donated hardware and computers worth $50,000, Mr. Collado said.

The hope is to provide "a new model for success," Mr. Morales said. "It's not to grow up to be Walt Frazier, but to get on a plane and service a client, or to start your own company."●

VOICE OF DEMOCRACY WINNER

HON. DICK CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. CHENEY. Mr. Speaker, I would like to bring to the attention of my colleagues, the following essay, composed by Marsha Isbell, the Wyoming State winner of the Veterans of Foreign Wars' Voice of Democracy contest.

I hope that my colleagues will join me in commending the more than 300,000 individuals who participated in this contest for their outstanding commitment to their country. By expressing their "Pledges to America" through these compositions, these young men and women emphasize the responsibility they realize is essential to citizenship.

MY PLEDGE TO AMERICA

What is my personal pledge to America? Only in knowing the full meaning of the word "pledge" can one understand my pledge to America. Pledge means commitment, honor, bond, obligation and respect. In short, a pledge demonstrates allegiance to someone or something. Because as an American I am free to choose to whom my allegiance will be directed, my pledge to America involves many different parts of my life. It is not a subject to be taken lightly.

My commitment and honor should be directed in a manner that upholds America's moral principles. Our great nation was founded on the search for religious freedom. The United States Constitution was written with the good of the people in mind. Our forefathers fought to attain the freedom we now enjoy, and countless numbers of Americans have given their lives to maintain that same freedom. So I as an American ought to be willing to serve in the armed forces or related services if duty calls. After all, Andre Gide, a poet, once wrote, "Man's happiness does not lie in freedom, but in the acceptance of duty." I pledge to accept this duty both to myself and to my country.

Along with my commitment and honor to America there is a bond which I feel to the land. It has provided me with plenty of food and a place to call my home. I should consciously work to preserve its beauty and resources. A very practical way to do this would be to dispose of my trash properly. Also, America's limited suppy of water in lakes and streams should be kept free from pollution of wastes. Choosing to use renewable resources instead of exhaustible ones will help conserve the environment's balance. My America is a treasure house of resources, and I pledge to do my part to keep it that way.

In addition to my bond with the land, I feel there is an obligation to obey the laws set up by the government. After all, the American govenment is set up by and for the people. The people are directly responsible for the authority they put in government offices. So I individually pledge to vote in this year's and future elections. Voting is of "primary importance." As Sir Francis Bacon said, "God hangs the greatest weights on the smallest wires."

Pledge also means respect, which I can show in honoring the American Flag. One way is by using proper flag etiquette when raising or lowering the flag. As a citizen I can observe national holidays by displaying the flag to demonstrate patriotic spirit. This same spirit was shown in the past as the flag flew high and proudly over our nation during wars, depressions, and fruitful times. This symbol of American freedom has remained true to me, so I pledge my allegiance to it in return.

The world pledge sums up commitment, honor, bond, obligation and respect. A heartfelt pledge to America involves all of these aspects. It is my privilege to give my allegiance to a country so truly wonderful. In closing, I proudly dedicate myself to my country in a poem that I wrote:

"MY PLEDGE"

"I pledge allegiance . . ."
This is a phrase I often quote.
Looking at the flag flowing and free,
Some inspiring thoughts come to me.
Kids recite it before they can spell their name.
Everyone says it preceding a sports game.
It is an honor I can proclaim
That I am associated with America's name.
This is the time to think and reflect
On "America the beautiful" which I respect
I am bonded to this land so strong
My forefathers fought to right the wrong
They fought for freedom in this land
To accomplish this feat they took a stand
That is precisely what I want to do
This is a pledge I make to you
My America, so strong and true,
I pledge my allegiance especially to you.●

FIGHTING FOR TRADE FAIRNESS WITH JAPAN, NOT PROTECTION

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. ALEXANDER. Mr. Speaker, I don't know if our distinguished colleague from Ohio [Ms. KAPTUR], has ever been on a farm in Arkansas, but her leadership in seeking fairness in international trade has greatly benefited the people of my home State. She has been an active participant on the Democratic Task Force on Trade, and an outspoken supporter of American manufacturers who are suffering the disastrous effects of the inflated American dollar. The farmers of Arkansas are suffering as well, and we are grateful for her persistent demands for a fair deal for those in this country who depend on the export of American products.

Recently, the Kansas City Star published an article by the gentlelady from Ohio entitled "Fighting for Trade Fairness With Japan, Not Protection." I found her comments most useful and I commend them to my colleagues.

[From the Kansas City Star, Apr. 7, 1985]

FIGHTING FOR TRADE FAIRNESS WITH JAPAN, NOT PROTECTION

(By Representative Marcy Kaptur)

During the 1950s in America's heartland, the big debate among kids being hauled to school in yellow buses was whether your family drove a Ford or a Chevy. Folk culture. Midwestern boys are born with innate mechanical abilities; girls get temporary drivers' licenses at 16.

In Toledo, where I was born, the old Kaiser Jeep Corporation manufactured the Jeep that helped win World War II. Jeep was synonymous with America. In 1985, Jeep—now renamed American Motors—is a 49 percent French-owned firm in partnership with Renault.

When I travel from Toledo to Washington, I pass through Toledo Express Airport where a Chevy is on display. On its nameplate are the words "Made in Japan." When I arrive in Washington and stroll through the D.C. airport parking lot reserved for members of Congress, or the parking lot where I live in the nation's capital, I read the nameplates of Toyota, Nissan, Honda, Peugeot, Volvo, Volkswagen. These nameplates have begun to transform America's industrial heartland.

Though Chrysler, Ford and General Motors have component plants in my district, they are downsized to meet the obvious "new market realities." For example, the Saturn project GM plans to build in America is a modest scale plant of about 200,000 compacts per year, costing $450 million. This, however, is a minimal amount as compared with GM's 1984 profits of $4.5 billion.

In fact, GM, Ford, and Chrysler intend to invest capital abroad again this year to meet the competition. The big three auto firms have adopted an invest international posture, as well as the "Korean connection strategy" to import low-priced sub-compacts from Korea rather than tool up their own production in the U.S. As a result the America of the 1980's is drastically changing.

Voluntary restraints, imposed in 1981, were meant to limit the number of Japanese imported cars allowed in the U.S. to give the U.S. auto industry the needed time to bounce back. In 1984, Japanese auto imports were restricted to 1.85 million cars (it actually totalled 2.2 million), a $19 billion share of the U.S. market.

In 1984, therefore, about 20 percent of the 8 million cars sold in the U.S. were of Japanese origin. The VRA, although an imperfect mechanism because it was not specifically linked to U.S. investment and wage agreements, was imposed.

The Reagan administration has determined that higher after-tax profits of $10 billion earned by U.S. auto companies in 1984 are reason enough to lift the voluntary restraints. Will lifting the VRA contribute to the long-term health of the U.S. auto industry, or to America? I think not. The lifting of the restraints, absent any alternative,

will serve only to exacerbate the decline of the U.S. auto industry.

The removal of the VRA will serve only to further open U.S. markets to world competition at a time when the fragile U.S. auto industry is still in a struggle to remain on American soil. The industry has made steady progress regaining competitiveness, but has a long way to go.

First, U.S. production volume is down. In 1978, 9.1 million U.S.-made cars were sold in America; in 1984, 7.9 million U.S.-made cars were sold in America. For some time, the U.S. production trend has been down and that means an erosion of the U.S. auto-producing base.

Second, recent higher U.S. corporate profits in autos were the result of the mix of sales as the market moved in the short term to larger models since gas prices have temporarily moved down. Accordingly, profits are less the result of increased sales volume than of changes in product mix.

Third, the U.S. auto industry is making strides to become more competitive. Productivity is up 35 percent. The number of things wrong per 100 vehicles has decreased by 55 percent. And, since 1980, nearly $60 billion has been invested in capital improvement and research and development. This despite the fact that the recession of 1982 cost the industry $20 billion in cash flow. Finally, over the last four years, U.S. car price increases have consistently trailed inflation.

Lifting of the VRA will force U.S. corporate investment abroad, and cost us jobs in America. Since 1974, $110 billion was invested by all U.S. companies abroad, including auto companies; by 1984, that amount doubled to a level of $221 billion. International companies do not need America anymore. In truth, they only need to sell in America.

Because of market uncertainty, U.S. manufacturers have had to put recent profits into the "cash-in-hand category" or to acquire new-cash holdings, rather than make the type of massive investment in America that would spell fundamental change in the industry.

The U.S. trade negotiators should not give up on autos and the VRA as a powerful lever to get trade fairness with Japan. The fact is that the U.S. trade deficit in 1984 with Japan is over $36 billion, of which $19 billion is autos. Outside GATT, Japan has erected trade barriers (over 2,500 of them) to U.S. products and services.

Though the voluntary quota idea may not have been the wisest course to pursue to achieve auto trade equity with Japan, it was the only lever this country had. It resulted in predictable import penetration levels, as well as spurred over $2 billion of Japanese investment in America (a strong indication of the willingness of Japan to take steps to keep their part of the American market). Any change in the current auto agreement should be predicated on opening Japanese markets to American products and services where barriers have been erected over two decades.

Fighting for trade fairness is not protection. It is common sense. Because the Japanese auto industry has an excess capacity of more than 2 million units, there will be tremendous competitive pressures within Japan not to exercise self-restraint in its exports to America. The U.S. sub-compact market—3.5 million cars last year—is the largest in the world. Why give it away? Let's get something for that valuable commodity.●

UNIFORMED SERVICES FORMER SPOUSE RETIREMENT EQUITY ACT DETAILED

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mrs. SCHROEDER. Mr. Speaker, today I introduced the Uniformed Services Former Spouse Retirement Equity Act. Many military spouses find themselves without retirement benefits after a divorce. Although current law allows courts to consider the military retirement pay in divorce settlements, many courts fail to recognize the contributions and sacrifices of the spouse to a military career. Due to frequent moves, a military spouse is unable to establish a pension based on years worked with a single employer. In addition, it is ususally the spouse who resettle the family in a new neigborhood with each assignment.

Current law allows courts to consider the division of retired or retainer pay subject to certain restrictions. Because these restrictions allow the member to withhold taxes and other liabilities from the annuity before division, the spouse often does not receive a fair share of the retirement benefits. In addition, the Department of Defense has difficulty interpreting some of the formulas created by the courts to divide military retired pay.

In 1980 and 1982 Congress passed laws for CIA and Foreign Service spouses allowing them to claim a portion of retirement benefits based on years contributed to the career, subject to court review. This policy should be extended to military spouses.

The major provisions of the Uniformed Services Former Spouse Retirement Equity Act are:

I. RETIREMENT PAY

Representative SCHROEDER's bill, the Uniformed Services Former Spouse Retirement Equity Act, would establish a pro rata presumption to the retirement pay for former spouses, the same as is available to the CIA and Foreign Service spouses. The division would be subject to court review and would simplify annuity division.

FORMULA

Number of years of marriage during creditable service, times 0.50 times total equals former spouse.

Number of years of employment times retirement annuity equals retirement annuity.

(Note: As a result of pro rata division, each spouse would pay taxes based only on the portion of the retirement annuity he or she receives.)

II. SURVIVOR BENEFITS

This bill expands options available to those members and spouses who want to participate in the military survivor benefit plan.

At the time of retirement a member can choose to participate in SBP to provide financial protection for a survivor upon the member's death. If a member chooses to participate in the plan, a portion of his or her monthly retirement check will be withheld to provide the coverage.

A. Spousal sign-off: Currently, it is the sole decision of the member to decide whether to provide a survivor benefit for the spouse. This bill would provide joint spousal agreement when deciding whether to participate in the plan or to waive the election.

B. Category selection: The military member chooses the SBP beneficiary by the following categories: spouse, spouse and child or children, child or children, insurable interest. The different categories require different amounts to be withheld from the monthly check.

Under current law, former spouses are covered under the "insurable interest" category only, which is the most expensive benefit category. This bill would allow the couple to continue coverage of the former spouse under the less-expensive "spouse" category, subject to its rules, loss of survivior benefit coverage if the beneficiary remarries before age 60, or to select coverage under the insurable interest category.

In addition, this bill would:

First. Change the remarriage restriction from age 60 to age 55, bringing it in line with civil service survivor benefits.

Second. Establish a 2-year period in which military members already divorced, whose former spouses are not covered by SBP, can choose survivor benefit protection in either category.

Third. Allow members who chose SBP for former spouses under the insurable interest category, the only category available for former spouses under current law, to switch back to the spouse category, subject to written agreement of the former spouse.●

INDIA TURNS THE TIDE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. KEMP. Mr. Speaker, India's Prime Minister, Rajiv Gandhi, has begun a revolution that may well be destined to change the course of his nation and other developing nations economically and politically in the next generation.

Ever since World War II, India has been in the vanguard of the struggling new nations which have felt themselves caught up in the struggle between the West and the socialist bloc. India encouraged socialism for many

years; other neutral nations followed her lead.

Launched with such fanfare, socialism has been an economic catastrophe in India—and everywhere else. Holding aside the divisive politics of socialism, there is not one nation in the world today that can claim that socialism has created and distributed wealth, jobs, and prosperity to its people.

It takes a great political leader to admit a grand failure and move on to something else. Rajiv Gandhi is a great political leader. He has turned to the approach that restored America's prosperity, cutting his nation's very high marginal tax rates and deregulating portions of the private sector. Much remains to be done, but I am convinced that if India pursues the policies of freedom, opportunity, incentives, and economic growth on which it has been set, the world will soon see another "Asian miracle."

I recommend Don Lambro's article on India to my fellow members.

[From the Washington Times, Apr. 29, 1985]

SUPPLY-SIDE INDIA TURNS THE TIDE

(By Donald Lambro)

Will the profund economic reforms being implemented by Prime Minister Rajiv Gandhi make India the next economic miracle?

Though it has gotten relatively little notice in the news media, what Mr. Gandhi is doing to India's economy could have far-reaching effects not only among his own people, but among other Third World nations in Asia and throughout the world.

Moving away from the socialist and trade-protectionist policies followed by his mother, Indira Gandhi, and his grandfather, Jawaharlal Nehru, young Mr. Gandhi believes that private initiative and increased foreign investment hold the key to leading his nation of some 750 million persons into a new era of economic prosperity.

Indeed, in some ways Mr. Gandhi is becoming a practitioner of supply-side economics, cautiously testing some of its prescriptions for economic growth without abandoning India's mixed economy.

Under Mr. Gandhi, personal taxes have been slashed. Estate taxes have been abolished. Licensing requirements and regulations—which have posed obstacles to new business expansion—have been sharply reduced.

Speaking this month to a conference in New Delhi of industrialists from 27 nations, Mr. Gandhi said that India represented an untapped market for consumer goods, and invited the world's corporations to begin investing in India and taking advantage of its huge manpower pool.

To encourage new investment in such core industries as agricultural technology, communications, and energy, Mr. Gandhi has begun to remove regulations that have impeded foreign investment, and has lifted import duties on computers and other electronic equipment.

After decades of relatively poor-to-modest economic growth, he is trying to position his country to begin following in the footsteps of its successful eastern neighbors: South Korea, Japan, Hong Kong, and Taiwan.

India still has a highly regulated economy and has a long way to go before it can even approach the economic dynamism of those enterprising economies. However, if India stays on its present deregulatory course, it could very likely become Asia's next economic miracle. If it does, it will be largely because of Mr. Gandhi's open-mindedness and his ability to change and to adapt to a new era of enterprise.

India long ago demonstrated its ability to depart from its rigid economic controls to deal with what was once its foremost problem: its inability to feed itself. Once plagued by famines, India solved its food problems in the mid-1960s with capitalist solutions that starving Marxist and socialist nations in Africa and elsewhere would do well to emulate.

For one thing, agricultural income in India is exempt from taxes. The result has been substantially increased food production and fairer prices paid to farmers.

Thus, notes Malcolm S. Forbes Jr. in a recent issue of *Forbes* magazine, India can better feed 750 million today "than it could 350 million people at the time of its independence."

Through their own wits and entrepreneurial spirit, much Western aid, and the rise of economic growth in the region generally, large numbers of Indians have lifted themselves out of poverty into what Mr. Gandhi calls the "take-off stage."

Mr. Gandhi's bold vision: to open up India's vast untapped market to a multitude of consumer goods that, in turn, will create new businesses and jobs for his people. He does not talk of competing with exporting nations like Taiwan and Japan—although that, too, may come one day—but, rather, he emphasizes the growing purchasing power of India's consumers. "We can depend on our own market," he says.

However, much more is riding on Rajiv Gandhi's latest free-market initiatives than the economic future of the world's largest democracy.

For if Mr. Gandhi's bold reforms succeed in India, they can succeed in Third World nations in Africa, the Middle East, Southeast Asia, and in Latin America.

And if that begins to happen, the Soviet Union's disastrous socialist experiment will cease to be a model for the impoverished nations of the world.●

NEW YORK POST LOOKS AHEAD ON OUR NICARAGUAN POLICY

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. COURTER. Mr. Speaker, the votes on aid to the Contras may be over for the time being, but the problems the Nicaraguan regime presents to its people, to the country's neighbors, and to the United States, will remain. For an assessment of the immediate future of U.S. policy toward Nicaragua, I recommend to my colleagues the following worthy editorial by the New York Post.

[From the New York Post, May 2, 1985]

ONLY FEAR OF LOSING WILL BRING SANDINISTAS TO TERMS

An epidemic of second thoughts over Nicaragua seems to have broken out in Congress. Last week the Senate narrowly voted to supply the anticommunist guerrillas there with $14 million worth of bandages, food stamps, parasols and other forms of humanitarian aid.

This tentative proposal was then overturned by the liberal majority, mainly but not exclusively Democrats, in the House of Representatives. Congressmen took the view that humanitarian aid, even when distributed by the Red Cross, was altogether too bellicose and Reaganite to stomach.

That was last week. This week a mood of patriotic alarm set in. On Monday the Senate voted without dissent to condemn the Sandinista government in Nicaragua for "militarization, oppression and interference in the affairs of its neighbors." It seems that the learned senators had learned that Nicaraguan President Daniel Ortega was in Moscow and received Soviet promises of increased aid. They were thunderstruck—"Holy mackeral, these Sandinistas are Communists! Why did nobody tell us."

Hard on the heels of their conversion, the President belatedly decided to impose a trade embargo on Nicaragua.

While diplomatic relations with the Sandinista regime will be maintained, Nicaraguan ships and airplanes will be denied entry to the U.S. and all trade will be cut off. Incredibly, this has been opposed inside the White House so far, in case it might provoke "reprisals" from the Europeans.

Such reasoning is both feeble and unrealistic. European reprisals would be strictly verbal since European economies could not withstand a light sea-breeze. And no diplomatic adviser should have to be told that.

But, if the Administration is now ready to embark on a more sustained anti-Sandinista campaign it cannot stop at a trade cut-off.

It must publish—and publicize—evidence that the Sandinistas are assisting revolutionary subversion in neighboring countries. Seven Nicaraguan agents assisting leftist guerrillas were captured last month in Honduras. They should star in every speech by Reagan, Secretary Shultz and other foreign policy spokesmen in case the new realism dissipates.

It must lay clear policy aims before the public.

First, the Sandinistas must call off their "revolution without frontiers" against neighboring states.

Second, they must democratize and demilitarize their own society. These aims depend upon each other. However peaceful it professes to be, a heavily armed and closed totalitarian Nicaragua would not be a convincing good neighbor.

The Sandinistas, of course, will regard a demand for democratization as equivalent to surrendering power—something no Marxist regime has ever done voluntarily. So the prospect for a genuinely peaceful resolution of the Central American crisis is slight. All that sanctions and other such pressures can achieve is to slow the Sandinistas' push for total control and to make them more cautious about promoting subversion next door.

In the long term, given sufficiently generous Soviet aid—and Moscow seems to have promised Ortega all he needs—sanctions may not manage even that.

It is essential to maintain local military pressure.

Aid for the contras must be brought back onto the political agenda on a generous enough scale to pose a credible threat to Sandinista power.

Only one thing will persuade them to share power democratically with the Nicara-

guan people—the prospect of losing it altogether.●

MTSU BASKETBALL TEAMS BRING HONOR TO TENNESSEE

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. GORDON. Mr. Speaker, it is my desire to bring to the attention of the 99th Congress the outstanding achievements of the MTSU basketball teams, from the Sixth District of Tennessee.

I would like to take this opportunity to congratulate the team members of the MTSU Blue Raiders and Lady Raiders basketball teams, as well as their coaches, on their accomplishments this season. Both teams showed that with the combination of hard work, perseverance, and skill, any goal is attainable, even the goal of playing in the NCAA tournament.

The MTSU Blue Raiders finished fifth in the Ohio Valley Conference regular season this year. The team, led by Coach Bruce Stewart, then pushed up from behind to earn their way into the NCAA playoffs. They defeated Murray State, Tennessee Tech, and Youngstown State to capture the OVC tournament victory. This outstanding display of perseverance by the Blue Raiders showed that, despite incredible odds, victory can be won if a team is willing to push themselves to their limits. The Blue Raiders battled their way to the NCAA tournament and in doing so brought much honor to themselves and to all Tennesseans.

The accomplishments of the MTSU Lady Raiders are no less astounding this year. The Lady Raiders, coached by Larry Inman, went to the NCAA tournament for the third straight year in row. The Lady Raiders captured both the OVC regular season and the OVC tournament titles this year. This is also the third year that these young ladies have won these two titles; and on the way to reaching these victories, they set or tied a total of 10 school records. Like their counterparts, the Blue Raiders, the Lady Raiders demonstrated superb skill and perseverance. They have gone beyond their tremendous showings of hard work and devotion of the past, and have brought even more honor to themselves and their school.

I commend these two teams and their coaches on the fine job they've done this season. I congratulate the Blue Raiders and the Lady Raiders for their victories and I thank them for the pride and honor that they have brought to themselves, their school, their parents, and the great and sovereign State of Tennessee.●

SODIUM BROMINE

HON. BERYL ANTHONY, JR.

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. ANTHONY. Mr. Speaker, during the consideration of the Free Trade Agreement in the House Ways and Means Committee, I was assured by Trade Representative Brock that any bromine compound found import-sensitive by the ITC would not be immediately available for duty-free importation into the United States. Several of these compounds, including sodium bromine, were found to be import sensitive and under the Free Trade Agreement would be frozen for 5 years. However, now it is my understanding that Mr. Brock has recommended to the President that sodium bromine be included under the GSP Program. This of course would allow it to enter the United States immediately—duty free.

When this situation was brought to my attention, I immediately contacted the Office of the U.S. Trade Representative reminding him of the commitment given to the Ways and Means Committee. I was informed sodium bromine was added to the GSP Program because of a decline in 1984 sales.

While I am not satisfied with his arguments or his decision to renege on his commitment, he did assure me that he would monitor the imports of sodium bromine closely, and should a surge occur in the imports of this compound, he would immediately reconsider his decision.

Since Mr. Brock has left the Office of the U.S. Trade Representative, I would like to include in today's RECORD two letters. The first is a letter from Chairman ROSTENKOWSKI to Mr. Brock regarding the commitments made to the Ways and Means Committee on sodium bromine, and the second is a letter from Mr. Brock to me outlining his intentions to monitor imports of this compound. I would hope these assurances by the now Secretary of Labor would be binding, regardless of any further changes in the Office of U.S. Trade Representative.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 18, 1985.

Hon. WILLIAM E. BROCK,
U.S. Trade Representative,
Washington, DC.

DEAR BILL: It has come to my attention that you are seriously considering recommending to the President that he waive the competitive need limits and thereby retain duty-free treatment under the Generalized System of Preferences on imports of sodium bromide from Israel.

I am very concerned about the implications of such an action in view of the commitments made by you to this Committee in the context of the U.S.-Israel Free Trade Area Agreement negotiations and the draft implementing legislation to maintain duties on this and other import-sensitive items for at least the next five years.

Sincerely yours,

DAN ROSTENKOWSKI,
Chairman.

U.S. TRADE REPRESENTATIVE,
Washington, DC, April 22, 1985.

Hon. BERYL ANTHONY,
House of Representatives,
Washington, DC.

DEAR BERYL: Thank you for the phone call today regarding the de mininis waiver for sodium bromide under our GSP program.

Beryl, we reached a decision to leave sodium bromide on the GSP list, as it has been in the past, basically because there was a decline in the 1984 sales into our market. The Interagency group which met on this subject, during its review of the total GSP program, was simply unable to argue for removal in the face of declining imports. The amounts were so small as, in our judgement, represent no threat of any serious consequences to the U.S. industry.

While I understand both the ITC decision and your own concerns, it is important to restate that we have to operate the GSP program both ethically as well as legally consistent. We have tried very hard to respond to both, in part by taking four additional products off the GSP list in the bromine category. However, in that area of sodium bromide we felt there was no adequate justification to change the rules.

Let me assure you again that we will keep this matter under constant review. Should a surge occur which significantly reverse the pattern, offers a prospect of injury, or removes the logic of the de mininis waiver, we will reconsider that decision. As I told you last fall, and again today, we want to make absolutely certain that our program does not abrogate the commitments made to you during this discission over the last several months.

Thank you again for the opportunity to work with you. It is a pleasure. I wish you well.

Very truly yours,

WILLIAM E. BROCK.●

TENNESSEE TECH ATHLETES BRING HONOR TO TENNESSEE

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. GORDON. Mr. Speaker, I rise today to note an important occasion which has come to pass in the Sixth Congressional District of Tennessee. Tennessee has been witness to an outstanding display of courage and perseverance by the Golden Eagles basketball team from Tennessee Technological University. The fact that this group of young men won the Ohio Valley Conference regular season victory and then went on to make their first appearance in the National Invitational Tournament, not only brings me great pride, but brings great pride to all Tennesseans.

The Golden Eagles set a lofty goal for themselves this year and they attained it. Their participation in the NIT marks their first national tourna-

ment in 22 years. It was a great reward for their hard work and determination to be selected to play in the NIT, where they competed with the University of Tennessee Volunteers for the first time since the 1949-50 season. The Golden Eagles finished their season with a 19-7 record.

It is only fitting that, at this time I also commend Tech's coach, Tom Deaton, on his fine job of coaching the Golden Eagles this year. My sincerest congratulations go out to Tom, who in addition to leading the Golden Eagles to the NIT, was himself named the 1985 OVC Coach of the Year. He is only the second Golden Eagle coach to win this honor.

The Golden Eagles of Tennessee Tech displayed perseverance and much skill this basketball season. They battled their way to the top and in doing so, brought great pride upon themselves, their school, their parents, and the great and sovereign State of Tennessee.●

FINANCIAL STATEMENT OF F. JAMES SENSENBRENNER, JR.

HON. F. JAMES SENSENBRENNER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. SENSENBRENNER. Mr. Speaker, through the following statement, I am making my financial net worth as of March 31, 1985, a matter of public record. I have filed a similar statement for each of the 6 preceding years I have served in Congress.

Assets

Real property

Single family residence at 701 Kings Court, Alexandria, VA, at assessed valuation. (Assessed at $244,700.00. Ratio of assessed to market value—100%.) (Encumbered)	$244,700.00
Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, WI, at assessors estimated market value. (Unencumbered)	69,500.00
Undivided three-elevenths interest in residence at N52 W32654 Maple Lane, village of Chenequa, Waukesha County, WI, at assessor's estimated market value. (Unencumbered)	59,400.00
Seller's interest in land contract in two family residence at 1601 East Lake Bluff Boulevard and 4330 North Newhall Street, village of Shorewood, Milwaukee County, WI, sold on July 1, 1982 to Timothy Bleach	57,444.71
Down payments to O'Hara & Company, Inc. for purchase of single family residence at 609 Fort Williams Parkway, Alexandria, VA	58,275.00
Total real property	489,319.71

Personal property

No. of shares, and common stocks	*Value*
450—First Interstate Bancorp. at $46.50	$20,295.00
361.589—American Telephone & Telegraph at $21.625	7,819.36
259.016—Idaho Power Co. at $41..	10,619.66
34.847—American Information Technologies at $82.125	2,861.81
34.785—Bell Atlantic at $83.125 ...	2,891.50
103.781—Bell South at $35.50	3,684.23
35.073—NYNEX, Inc. at $80	2,805.84
34.130—Pacific Telesis, Inc. at $70.375	2,401.90
35.122—Southwest Bell, Inc. at $74.75	2,625.37
34.959—US West, Inc. at $74.875..	2,617.56
434.419—Tenneco Corp. at $42.75	18,571.41
264.0374—Nevada Power Co. at $29.125	7,690.09
300—Anchor Hocking Corp. at $23.375	7,012.50
360—General Mills, Inc. at $58.125	20,925.00
400—Kellogg Corp. at $49.75	19,900.00
1,000—Dunn & Bradstreet, Inc. at $72	72,000.00
1,000—Halliburton Co. at $30.625	30,625.00
3,016—Kimberly-Clark Corp. at $48.625	146,653.00
424—Insilco Corp. at $19.625	8,321.00
200—Minnesota Mining & Manufacturing at $81.25	16,250.00
100—Rank Organisation, Ltd. ADR at $4.25	425.00
616—Exxon Corp. at $50.25	30,954.00
480—Standard Oil Co. (Indiana) at $61.625	29,580.00
170—Dart & Kraft, Inc. at $92.875	15,788.75
480—Eastman Kodak Co. at $68.50	32,880.00
200—General Electric Co. at $59.125	11,825.00
204—General Motors Corp. at $73	14,892.00
10—General Motors Corp. Series E at $62	620.00
600—Merck & Co., Inc. at $104.875	62,925.00
200—Warner Lambert Co. at $39.625	7,925.00
100—Continental Corp. at $39.375	3,937.50
200—Sears Roebuck and Co. at $34.125	6,825.00
223.795—Sperry Corp. at $53	11,861.14
455—Ogden Corp. at $31.25	14,218.75
455—OMI Corp. at $1.875	853.13
287—International Business Machines Co. at $127	36,449.00
900—Inland Steel Co. at $23.625 ..	21,262.50
336—Monsanto Corporation at $42.25	14,196.00
26—Wisconsin Securities Corp. of Delaware at $205	5,330.00
333—Benton County Mining Co. at no value	nil.
Total common stocks	729,948.00

Life insurance policies

Face amount	*Cash surrender value*
$12,000—Northwestern Mutual No. 4378000	$10,838.44
$30,000—Northwestern Mutual No. 4574061	25,726.93
$10,000—Massachusetts Mutual No. 4116575	2,652.40
$100,000—Massachusetts Mutual No. 4228344	41,542.44
$25,000—Old Line Life Insurance Co. No. 515950	14,318.71
Total life insurance policies	95,079.92

Bank and savings and loan accounts:	
Marine Bank, N.A. of Milwaukee checking account no. 4000-9368	210.37
Marine Bank, N.A. of Milwaukee checking account no. 0046-2366	1,207.41
Marine Bank, N.A. of Milwaukee money market checking account no. 4011-5247	116,473.23
Marine Bank, N.A. of Milwaukee savings account no. 418-986	369.53
Marine Bank, N.A. of Milwaukee savings account no. 497-525	472.35
Freedom Savings & Loan of Menomonee Falls tax escrow account no. 2-0033192	881.43
Freedom Savings & Loan of Menomonee Falls savings account no. 2-0033206	5,237.23
Sergeant at Arms, U.S. House of Representatives checking account no. 748	117.96
Burke & Herbert Bank of Alexandria, Va., checking account no. 601-301-5	311.07
Freedom Savings & Loan of Menomonee Falls individual retirement account	9,233.67
Perpetual American Bank, N.S.B. of Washington escrow account	67,746.73
Total bank and savings and loans accounts	202,260.98
Miscellaneous:	
1978 Ford LTD automobile (at Blue Book trade-in value)	1,500.00
Office furniture and equipment	1,000.00
Furniture, clothing and personal property (estimated)	30,000.00
Stamp collection (estimated)	14,000.00
Interest in Wisconsin retirement fund	16,850.91
Deposits in congressional retirement fund	31,616.35
Total miscellaneous	94,967.26
Total assets	1,611,574.87
Liabilities:	
Perpetual American Federal Savings of Washington, D.C. (Amount due on mortgage on Alexandria, VA, residence) No. 45397-8	136,665.95
Miscellaneous 30 day charge accounts (estimated)	500.00
Total liabilities	137,165.95
Net worth	1,474,408.92

Statement of 1984 taxes paid

	Amount
Federal income tax	$28,100.00
Wisconsin income tax	9,951.00

	Amount
Menomonee Falls, WI, property tax	1,627.38
Alexandria, VA, property tax	3,313.50

I further declare that I am the direct beneficiary of one trust and a contingent beneficiary of one trust. I have no control over the assets of the trust of which I am a direct beneficiary and am a co-trustee of the other trust. Further, my wife, Cheryl Warren Sensenbrenner, and I are trustees of separate trusts established for the benefit of our minor sons, F. James Sensenbrenner III and Robert Alan Sensenbrenner.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other State or foreign country.●

DR. ARCH CHILTON SCURLOCK

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. PARRIS. Mr. Speaker, I would like to bring to your attention and the attention of the Members of this body a very special man from my State of Virginia. Over the years I have had the privilege of knowing him and his outstanding accomplishments.

Dr. Arch Chilton Scurlock's story not only reflects on the opportunities Virginia offers its citizens but also on the man and his ability as an engineer-scientist and inventor, entrepreneur, venture capitalist, and president and/or chairman of the board of several important companies in Virginia and in other parts of the United States.

Dr. Scurlock was born in Texas and attended the University of Texas earning a B.S. degree in chemical engineering and a B.A. in physics in 1941. In 1943, he received an M.S. and in 1948 a Sc.D. in chemical engineering from the Massachusetts Institute of Technology.

During World War II, he served for 3½ years as a naval officer, a year and a half of that time in the Pacific and 1 year in the Office of Naval Research, Washington, DC.

In 1949, he cofounded Atlantic Research Corp., which is headquartered in Alexandria, VA. He served as president and chief executive officer of this fine public firm from 1948 to 1962 and as chairman and a director from 1962 to 1967. Atlantic Research is the granddaddy of advanced technology organizations in Greater Washington metropolitan area with revenues last year of $176 million.

Dr. Scurlock was also one of the founders and first president of Greater Washington Investors. Greater Washington is a respected public venture capital organization with net assets at the end of last year of over $23 million.

Dr. Scurlock was also a founder in 1968 of Research Industries, Inc., which is headquartered in Alexandria, VA, and is president and chairman of the board of this substantial private investment and venture capital company. Assets of Research Industries are presently in the neighborhood of $40 million.

Dr. Scurlock has for the last 10 years served on the board of directors and was recently elected chairman of Halifax Engineering, Inc., headquartered in Alexandria, VA. Halifax, which first offered shares to the public in 1983, is an engineering services company that provides employment for several hundred Virginians and residents of the Greater Washington area. Halifax revenues this year are expected to be in the neighborhood of $30 million.

In 1969, through Research Industries, Inc., Dr. Scurlock made an investment in TransTechnology Corp.; and with Dan McBride, also a former Atlantic Research officer, took over the management of this small, failing west coast company. While maintaining his office in Old Town Alexandria, Dr. Scurlock assumed the office of chairman of the board of TransTechnology. Mr. McBride was appointed president and chief executive officer. Since Dr. Scurlock became responsible for the management of TransTechnology, revenues have increased at a compound rate of 28 percent per year from $2.7 million to over $115 million. During these 16 years, employment has grown to 1,700 and manufacturing operations have been expanded to locations in seven States.

TransTechnology is engaged in the design, manufacture, and sale of products in the aerospace-defense and industrial products industries. Aerospace-defense products include: First, cargo restraint and control products, which include helicopter rescue hoists and external hook systems; second, high-reliability devices containing solid propellants, high explosives, or pyrotechnic materials; and law enforcement products; third, custom electrical-interconnection systems; and fourth, weather instruments. Industrial products include: First, textile-finishing machinery and related supplies; second, worm-drive fasteners; and third, crane accessories and other construction-related equipment. The company is either a leader or an important factor in most of its product lines.

From his headquarters office in Sherman Oaks, CA, Mr. Dan McBride, an early associate of Dr. Scurlock, serves TransTechnology with great skill as its president.

Another management milestone and honor TransTechnology has recently achieved is its inclusion in the Forbes November 1984 annual Up and Comer 300, a group comprising the aristocracy of medium-sized public companies. This is the second consecutive year TransTechnology has been included in this select list. To earn a spot this year a company needed to have a 5-year return on equity of at least 14.3 percent and return on equity for the latest 12 months of at least 10 percent. For consideration, corporate revenues must be between $1 million and $250 million. Forbes reported that TransTechnology's return on equity for the last 5 years was a robust 27 percent.

As a constituent of mine, I am proud of the fact that Arch Scurlock has found Virginia an excellent State for his entrepreneurial skills and a State that offers unlimited opportunities for economic development.

I would also like to point out that Dr. Scurlock's outstanding career offers our young people an example of how, with ability and hard work, one can attain success in our great State. They do not have to seek greener pastures elsewhere, but have the opportunities right here.

I am proud that this extraordinary man resides in my State. His success story serves as an inspiration to others that we in Virginia welcome the person with the pioneering spirit.●

A TRIBUTE TO AIR SYSTEMS, INC.

HON. TIM VALENTINE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. VALENTINE. Mr. Speaker, I rise to commend a company recognized today by the President for providing jobs to disabled workers.

The company is called Air Systems, Inc., and it manufactures cargo nets in Wilson, NC, a city lying in the congressional district which I represent.

The president of the company, Mr. George Arapage, was selected to receive an award from the President's Committee on Employment of the Handicapped at its annual meeting in Washington tonight. The award honors his company as the Small Employer of the Year.

Air Systems, Inc., follows a policy of hiring qualified disabled workers and promoting them on an equal basis with other employees. Almost half of its work force is made up of disabled persons.

The company grants personalized, one-on-one instruction to mentally and physically disabled persons in order to integrate them as well as possible into production activities.

I am proud of Mr. Arapage and his company. They have reminded us that our definition of the human community must include everyone, at the workplace no less than anywhere else. The

people who lead and operate the company bring home a simple and powerful fact: We are all a part of one human community. We all have imperfections in our thinking and acting: Everyone has mental and physical limits. In this sense, all human beings are disabled, and no one can be justly excluded from human activity merely because of a mental or physical imperfection.

For all these reasons, the people of Wilson and the rest of North Carolina can take pride in this exemplary product of the progressive thinking rapidly making our State a leader in American business.●

MY PLEDGE TO AMERICA

HON. BERYL ANTHONY, JR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. ANTHONY. Mr. Speaker, we hear a lot about rights and what our country owes us. Today, I'd like to take a moment and read to you an essay written by Richard C. Sanford, about our duty to our country.

Richard, I'm proud to say, is a constituent of mine. He lives in Prescott, AR, and is a senior at Prescot High School. With this essay, he won the Voice of Democracy Scholarship Program in Arkansas this year. I think Richard's words will have meaning for all of us.

The essay follows:

MY PLEDGE TO AMERICA

"He loves his country best who strives to make it best." These words from R.G. Ingersoll on the 1882 Decoration Day Oration sum up my idea of what made this country a great nation. It is the cooperation of devoted American people to sustain its most valuable asset . . . freedom.

I believe it is my duty to my country to love it. After all, it is the love of freedom that compels me to desire to do more for my country. Freedom is a treasure enjoyed by not enough people in this world; it is my feeling that once tasted, freedom spawns a perpetual feeling of responsibility within one to do everything he can to preserve it.

I pledge myself to uphold my country's constitution and obey its laws. Our Founding Fathers worked hard in the long shadow of a revolution and short shadows of the lesser revolts that followed. If these troubles had taught them anything, it was that government belongs to people.

Lovers of freedom often overlook this paradox: There is no true freedom without discipline. An ordered and disciplined life gives us freedom to do the things we want to do . . .

Life offers us a choice between self-discipline and imposed discipline. The advocates of dictators would have all discipline imposed by outside force to produce efficient lives. But those of us who love the feedom of democracy do not care to have our lives regulated by some dictator.

Yet discipline is essential. Have it we must, whether we like it or not. If w do not want dictators, we must impose upon ourselves discipline to bring order out of social chaos.

Most Americans accept with enthusiasm, the laws set forth by out National leaders. I consider it a blessing to live in a country where the people rule by representation.

I pledge my respect to the American soldiers who gave their lives in war to save the American nation from the corruption of totalitarianism. Those who went willingly to far away lands went not merely to inflict pain upon the enemy, but to fight for the causes of freedom, peace, and democracy. From the first shot fired at Lexington to the invasion of Granada, American soldiers have displayed unmatched devotion to their country and deserve the utmost honor and expression of regard from the people of the United States.

I respect the American Flag and for what it stands. I think that every American citizen should relate to the flag with a sense of patriotism and responsibility. I know the flag of the United States is not just a colorful piece of cloth, but it is a symbol of a people unified for the causes of freedom.

After the British had ruthlessly attacked Fort McHenry on the night of September 14, 1814, Francis Scott Key saw the battered flag still waving the next morning as a ray of hope and was so moved by its glory that he wrote the words of our national anthem.

Finally, I pledge myself to the protection of my country and to all worthy causes, no matter how difficult the task may be, which may be beneficial in the preservation of the United States of America.●

SOLIDARITY SUNDAY FOR SOVIET JEWS

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. SOLARZ. Mr. Speaker, yesterday, May 5, I had the privilege of walking hand in hand with over 100,000 concerned people in New York City in the 14th annual "Solidarity Sunday for Soviet Jewry." I would like to join my colleagues in focusing attention on this and other concurrent demonstrations of support for the courageous Jewish citizens of the Soviet Union who continue to fight oppression and hardships in an effort to secure their basic human rights.

In recent years, the number of Jews allowed to emigrate from the Soviet Union has fallen to abysmally low levels. The irony of this restricted emigration policy is that though the Soviet Government is virulently anti-Semitic, it continues to insist that the Soviet Union contains a Jewish homeland. Those who are forced to remain must endure the inhumane treatment of the Soviet authorities—treatment that includes forced institutionalization in mental hospitals, prohibition from working in the fields in which they were trained, and an absence of religious freedom.

Let me relate to you briefly the story of one refusenik whom I have adopted. His name is Boris Chernobilsky and he applied for an emigration visa in 1975, for himself and his wife. As a result of his application, which was of course denied, Boris lost his job. He protested the Government's action, which landed him in jail for 15 days. Mrs. Chernobilsky has been a Hebrew teacher, despite the perils that this action carries with it. Boris and his wife Elena have a strong commitment to carrying on their heritage, even though it is hazardous to do so in the Soviet Union.

During a gathering of activists in the Opalikha woods, Boris was arrested on trumped-up charges of beating a policeman. He refused to participate in the travesty of justice known as the Soviet court system and conveyed his refusal in a letter to President Brezhnev. Boris was convicted without appearing at trial, and sentenced to 1 year in a labor camp. He was released in 1983, and has since returned to Moscow.

Boris and Elena Chernobilsky have continued to apply for exit visas, and have not ceased in their efforts to adhere to their faith and traditions. They have paid dearly for their convictions. In the winter of 1983 Boris was refused a telephone for reasons well known to him. The same year, the Chernobilskys received no letters, a fact which strongly suggests that the state is cutting off their mail.

The Chernobilskys are not alone in their suffering. Thousands of other tragic cases have been documented.

The atmosphere of state sponsored anti-Semitism in the Soviet Union is a pervasive one, working not only to wear down the resistance of individual dissidents, but also to effectively weaken the morale of all Jews who want to leave the Soviet Union.

Rallies such as the one in New York City are crucial to the fight to free Soviet Jewry. They show the Soviet leadership that we will not forget those who are fighting oppression in the Soviet Union. It is this message of support which we must continue to send, not only to the Soviet leaders, but also to the refuseniks themselves as a beacon of hope and strength to those who are kept prisoners in that country.

We are cautiously optimistic that with the changes in Soviet leadership and with the slight increase in visas granted during April, we may see somewhat better times for Soviet Jews. But until this actually happens we cannot let up in our fight. This issue will not fade in importance nor will it be reconciled through empty promises.

The Soviets cannot merely brush our criticism aside by saying that issue of Soviet Jewry is an internal affair of the Soviet Government. Through its signing of the Helsinki accords, the U.N. Charter, and other international agreements, the Soviet Union has im-

plicitly acknowledged that human rights is a proper subject for debate by the international community.

As the Soviet authorities continue to restrict the freedoms of its Jewish citizens in an attempt to crush their remaining resistance, it is only demonstrations of international support that keep the hopes of these Jews alive. I believe Martin Gilbert said it most eloquently in his recent book "The Jews of Hope":

Cut off from the world, the Jews of hope refuse to bow down to superior force, or to accept the threat of never being allowed to leave the Soviet Union. A few are crushed by the pressure imposed upon them. Others are forced into silence and isolation. But most of them continue to struggle, against the odds, waiting for the day, which they continue to believe will eventually come, when they will be allowed to leave.●

GLOBAL ECONOMIC GROWTH NEEDS A GLOBAL TAX CUT

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. KEMP. Mr. Speaker, President Reagan will confer with several world political leaders this week on monetary and trade issues. The President likes to make homespun analogies, and so he might remind the heads of state that water does not flow from lower to higher levels, and capital does not flow from low tax regions to those with high marginal tax rates.

The following article by Warren Brookes shows that the net capital income to the United States since the Reagan economic recovery began has not been the result so much of additional new capital inflows from overseas as it is the result of less capital leaving the United States. U.S. investment is now far more attractive than it used to be before the Reagan tax rate cuts. And with the tax reforms to come, which will further reduce marginal tax rates, the disparity will only increase.

The world's leaders must quickly learn that there is no artificial device yet conceived, no protectionist measure known, that in the long run can stop people from saving and investing where incentives are strongest. Rajiv Gandhi in India is now following the policy of increasing prosperity and creating employment with tax cuts. Indonesia is looking at this approach as well. Europe should also follow America's lead. Reducing the enormous marginal tax rates most Europeans labor under is the only effective way Europe's leaders have to convince their own investors not to seek economic growth elsewhere in the world. It's also the only effective way of making sure that every European shares in prosperity tomorrow just as most Americans are sharing in our prosperity today.

The article follows:

A TAX CUT SHOW-AND-TELL FOR BONN

When President Reagan goes to Bonn this week, he will carry a message the Canadians and Europeans may not want to hear—but it is in their self-interest to listen.

That message is: If you want to keep pace with American growth and hang on to your capital, you has better cut your marginal income-tax rates—now. Because when we get through with tax reform, the United States will become the capital mecca of the world.

As proof of his thesis, Mr. Reagan can point to two major developments: the rising "net inflow" of capital to the United States since our top marginal tax rates were cut to 50 percent in 1981-82. (This was caused mainly by U.S. capital staying home, instead of being exported.); and the parallel experience of Canada, whose own sluggish economic growth and soaring deficits have resulted from rising tax rates in the same period.

Contrary to popular misconceptions, the "net inflow" of capital to the United States has not been caused by excessive capital flows from overseas. In fact, in constant dollars, the 1984 inflow was the same as in 1978 and 1981, when the dollar was 40 percent lower than today.

The big difference is this: U.S. capital outflows overseas have dropped 58 percent in constant dollars since 1981. They are now 41 percent below 1978, principally because since 1978 U.S. capital gains tax rates have been cut from a top of 49 percent to 20 percent.

The huge drop in capital outflow has come during a period when American credit markets have expanded by a record 32 percent in real dollars, That means soaring U.S. capital is now staying home with a vengeance and expanding.

This is why the U.S. economy has created more than 8 million jobs since December 1982, and nearly 1.8 million since last October—more jobs than the Common Market countries have created in the last 12 years!

It is also why the United States now has the highest employment ratio in its history, and the highest labor force participation rate—almost 65 percent of all adults.

Relative to the supposedly "booming '60s" the "constant" base unemployment rate is now 40 percent lower than during the record year of 1966.

All this at a time when the Common Market countries and the United Kingdom have an average unemployment rate of more than 11 percent and rising. And Canada's sluggish economy still has a rate above 11 percent.

Canada, for example, dares not lecture the United States about budget deficits and the need for higher U.S. taxes. That high-tax nation just posted its biggest deficit ever—$34.8 billion, which amounts to more than $1,400 per capita, nearly double the U.S. figure of less than $800.

Worse, Canada posted this deficit in the third year of a weak recovery which has been attenuated by a substantial rise in Canada's average marginal tax rates (from inflation). Its overall tax burden has soared from 32.9 percent of gross national product in 1981 to nearly 34 percent in 1984. The U.S. burden has fallen from 32.4 to 30.9 percent in that period.

The same pattern holds true for virtually all the Common Market countries, where much higher tax rates have produced very slow economic recovery. Several of these countries have produced deficits in excess of 6 percent of GNP, compared with less than 5 percent in the United States.

Both Italy and Sweden already have reached the point where every tax increase makes their deficits larger and their economies more sluggish. Italy's 90 percent 1981 tax increase succeeded only in increasing its relative deficit burden nearly 70 percent, from 10 to 17 percent of GNP.

In short, the United States has every right to warn these countries that unless they get their tax rates and burdens down, they are in for even bigger trouble, especially with serious tax reform now looming on the U.S. horizon.

Top marginal tax rates in Europe now average more than 65 percent—and in some countries rise to as much as 80 or 90 percent. One does not have to be an economist to know that if the United States cuts its top rates to the 30-35 percent range, the rate of capital flow into the United States will quickly double.

President Reagan has no need to apologize to any of the summit conferees—and every right to instruct them on how to grow.●

ARNETTE AND RUSHING MAKE HISTORIC JOURNEY

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. GORDON. Mr. Speaker, I would like to bring to the attention of the 99th Congress the accomplishment of two of my constituents. These two men, Mr. C.B. Arnette and Mr. Elvis Rushing, of Murfreesboro, have undertaken a 2,100-mile, 21-day journey from Nashville, to Aberdeen, MS., and back in a recreational boat. They sailed via the Tennessee, the Ohio, and the Mississippi Rivers, the Gulf intra-coastal waterway and the new Tennessee-Tombigbee Waterway.

Arnette and Rushing are cousins who both turned 67 in March. They began their journey on September 20 in Arnette's 24-by-8 foot pontoon boat; and many days they traveled 125 miles or more. They also weathered three storms between Nashville and Aberdeen. During the course of their journey they even rescued two children form a sailboat which was drifting out to sea.

On behalf of the people of the Sixth District of Tennessee, I would like to congratulate these two men on making this historic voyage. They have proven that the spirit of adventure is not only found in Mark Twain's, "The Adventures of Huckleberry Finn." The spirit of adventure is very much alive and well in Tennessee. I take great pride in the accomplishments of my fellow Tennesseans, especially when their accomplishments demonstrate such courage and ingenuity. Mr. Arnette and Mr. Rushing have shown that

high goals can be reached when people are willing to work hard.

Following is an account of their journey, as published in the Nashville Tennessean on March 6, 1985:

OLD SALTS END HISTORIC VOYAGE

(By Laura Milner)

Huck Finn's life on the Mississippi inspired two Murfreesboro retirees to plunk their flat-bottomed boat into the Cumberland River and log 2,100 miles before dropping anchor for good yesterday in Nashville.

C.B. Arnette and Elvis Rushing, third cousins who both turn 67 this month, docked their pontoon at Riverfront Park, ending the last of a two-legged voyage that totaled 19 days.

"Next, we ought to try the Amazon or the Susquehannah," Rushing said after stepping ashore.

Their weathered faces told of trials aboard the "LuceeBee," where they opened their cots nightly on the deck, slept under the stars and awakened at sunrise to either sail smoothly onward or fight 5-foot waves in storms that threatened to capsize their boat.

They left Nashville in Arnette's 24- by 8-foot pontoon boat, packed with food and supplies, on Sept. 20 and sailed the Cumberland River to the Land Between the Lakes, where they entered the Tennessee River. They followed it some 40 miles to the Ohio, headed west on the Ohio for 45 miles, and—like young Huck Finn—joined the Mississippi river at Cairo, Ill.

"They have found a fragment of a lumber raft (it is high water and dead summer time), and are floating down the river by night, and hiding in the willows by day—bound for Cairo—whence the negro will seek freedom in the heart of the free States. But in a fog, they pass Cairo without knowing it."—from "Keelboat Talk and Manners," published in 1883 in Mark Twain's *Life on the Mississippi.*

Unlike Huck and Jim, the Murfreesboro buddies easily found their way from Cairo to New Orleans—some 900 miles—along the Mississippi, they refueled every day and a half, but spent most of their time aboard the LuceeBee, named after C.B. and his wife, Louise.

At New Orleans they entered the 35-mile Intracoastal Waterway Canal, crossed the Gulf of Mexico to Mobile, followed the Mobile River to the Tombigbee River, and were stopped cold at Aberdeen, Miss., on Oct. 4.

With 1,600 miles behind them and winter on its way, they discovered the Tennessee-Tombigbee Waterway was not yet navigable.

"That was as far as we could go because the new locks were not completed," Arnette said.

"Since 1969, we've been making all these rivers east of the Mississippi, and this was the only one we had not done."

"I really wanted to go, more than anything else, to see the new waterway for myself," Rushing said.

So the two set out last fall in the pontoon, powered by a 50-hp outboard motor, to "go new places and see new things," he said.

They averaged 125 miles a day and would drop anchor and open their cots at nightfall, going to sleep around 9:30 p.m. They got up at 5 a.m., brewed coffee on their makeshift stove and steered back on course.

They weathered three storms between Nashville and Aberdeen, Miss., and rescued two children from a sailboat slowly drifting out to sea.

They also answered a distress call from a lone, old fisherman, who saw two snakes poised on a tree limb above him. Arnette and Rushing pulled within firing range and shot one of the snakes from the tree.

"My husband fishes all the time, everywhere, and loves to hunt," Louise Arnette said yesterday as she awaited his return.

"I've been on some short trips with him, but not for a million dollars would I have gone on that pontoon boat trip. It's too rough."

Upon reaching Aberdeen and learning they could go no further Arnette and Rushing returned to their homes in Murfreesboro.

Both men grew up and retired in Murfreesboro; Arnette from the antiques business, and Rushing from his grocery and salvage stores.

"We've been friends all our lives," Rushing said. "In fact, we're a little kin—third or fourth cousins."

They were eager to maneuver the Tombigbee Waterway when it opened Jan. 14, but the weather kept them grounded until Friday, when they resumed their journey from Aberdeen.

For Arnette, the most memorable part was Monday's storm, during which his boat was bouncing against 5-foot waves in Kentucky Lake.

"That fourth storm was worse than any," he said. "We had wind gusts up to 50 mph, and the waves were 5 feet and higher. Everything got wet. It took us three hours to go seven miles.

"For two or three minutes, I really thought the boat would go under."

But they arrived yesterday at 12:45 p.m., only 15 minutes behind schedule. They were welcomed by their grandsons, Joe Daniel Rushing and D.B. Sommardahl, who jumped up and down shouting: "There he comes! There he comes!"

They also were welcomed by Lt. Col. Bill Malone, deputy district engineer, Nashville District, U.S. Army Corps of Engineers.

"This is the first time any recreational boat has ever made this trip, from Nashville to Nashville, using the Tenn-Tom Waterway," Malone said, adding that several hundred thousand tons of produce and coal have moved through the waterway in six weeks.

Arnette said they wrote about what they saw along the way, and plan to publish their story. Both laughed and admitted to reading *Huckleberry Finn,* but Arnette said he favored the late Memphis author, Richard Haliburton.

"He wrote personal accounts of exploring and his No. 1 book was *Royal Road to Romance,*" he said. "He made one trip and got lost or killed around 1936, I think."●

SAVING GRACE

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. DANNEMEYER. Mr. Speaker, on May 1, I introduced with several of my colleagues—Mr. ARMEY, Mr. BOULTER, Mr. DELAY, Mr. DIOGUARDI, and Mr. GROTBERG—H.R. 2297, legislation which would require all Federal agencies to report annually to Congress on the status of implementing the recommendations of the Grace Commission.

The President's "Private Sector Survey on Cost Control," familiarly known as the Grace Commission, has served in a critically useful capacity in drawing attention not only to where wasteful spending exists but also to what actions should be taken to remedy the situation. In January of 1984, the Commission issued its 47-volume final report indicating that $425 billion in budget savings could be realized over 3 years by adoption of 2,478 specific recommendations.

There has been considerable debate in the intervening time about how accurate those savings estimates are and how feasible or desirable many of the recommendations are. Studies have been conducted to verify the Commission's findings. Although not all of the recommendations were analyzed, of those that were, GAO—February 1985—found overall merit in 80 percent; and a joint CBO/GAO review—February 1984—substantiated $98 billion in 3-year savings.

Whether $98 billion or $425 billion, the potential savings are of a magnitude which must not be ignored. And this type of reduction from the deficit is much less painful than major cuts in programs or increasing taxes.

Obviously, not all of the recommendations are practical. But I believe the Federal Government owes it to its citizens to at least consider these recommendations and not merely discard them without adequate scrutiny.

H.R. 2297, then, would require all Federal agencies to report annually to Congress on the status of implementation; this report would include:

First, a list of recommendations under the agency's jurisdiction;

Second, a timetable for implementation;

Third, an analysis of the impact from implementation;

Fourth, an explanation of reasons why any recommendations are not included.

In this way, we seek some sort of accountability so that the American people—who overwhelmingly seek an end to waste and mismanagement as the step toward reducing budget deficits—can monitor progress made in combating excess Federal spending.

In closing, Mr. Speaker, I wish to include the following letter from the PPSSCC, which indicates support for our efforts.

FOUNDATION FOR THE PRESIDENT'S PRIVATE SECTOR SURVEY ON COST CONTROL, INC.,

Washington, DC, April 25, 1985.

Hon. BILL DANNEMEYER,
Longworth House Office Building,
Washington, DC.

DEAR BILL: Thank you very much for your letter of March 15, 1985, and the copy of your draft bill to require agencies to report on the implementation status of Grace Commission recommendations pertaining to them.

Such a bill would have considerable merit, in our estimation. Although the Office of Management and Budget has attempted to provide some information on the implementation status of the Grace Commission recommendations (as required by the Deficit Reduction Act of 1984) in its recent management report (pp. 93-106) accompanying the President's fiscal year 1986 budget, the level of detail provided is unfortunately too general and meager to permit an accurate determination of exactly what has been implemented and where. Your bill would make this kind of determination possible. Another positive feature of your bill is that it would likely lead to a better perception of the obstacles that may be blocking the implementation of some of the recommendations. Please let us know when it will be introduced and if there is anything we can do to be of help.

I am delighted that you have chosen to work with the "Grace Commission Caucus" in the House. We have very high hopes for this group. Enclosed for your reference is a copy of the statement J. Peter Grace made at the April 2, 1985 kick-off meeting of the Caucus—just in case you do not already have one.

Thanks once again for all your terrific support!

Sincerely,

J. P. BOLDUC.●

TRIBUTE TO HORIZON DISTRICT NATIONAL CAPITOL AREA COUNCIL—BOY SCOUTS OF AMERICA

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. BROOKS. Mr. Speaker, there is a rich soil and poor. There are good neighborhoods and those less fortunate. We tend to think of achievement as coming out of the "better" places. However, sometimes the richest soil is found in less "fashionable" sections. Sometimes an old neighborhood shows cohesion and character; and then its people plant of seeds of faith in that Earth.

It is a pleasure for me to bring to the attention of the House the deeds and accomplishments of one such remarkable group. The more than 300 volunteers of the Horizon District, National Capitol Area Council, of the Boy Scouts of America are involved with the cultivation of talent and citizenship in Anacostia one of the oldest and often one of the most troubled neighborhoods in the Nation's Capital. They are hard workers in a selfless cause—to raise the level of consciousness and spirit of young men. And they have succeeded—scouting generation after scouting generation—in character building and leadership training from which Anacostia, the District and the Nation continue to benefit. Today some 2,600 young people are in their program.

One of their graduates—a former Horizon District Cub Scout—is a U.S. Air Force astronaut, Col. Frederick D. Gregory, who is now in space commanding Spacelab III. Gregory takes his Scouting legacy as part of his personal and professional foundation. In a recent interview he credited the Scouting programs with having a "definite positive impact on my career." He acknowledges its lasting impact noting, "Once a Scout always a Scout." Significantly, Colonel Gregory is carrying with him a Horizon District Boy Scout Neckerchief with a special design commemorating both Spacelab III and adherence to Scouting ideals. The neckerchief bears the emblem of the space flight he will pilot and his quote, "Once a Scout always a Scout."

The Horizon District has operated under the sage and courageous leadership of an executive council headed by Col. Andrew D. Perkins of the DC National Guard. Under his stewardship the executive council has tapped a vast resource of talent and energy: Community, business and professional leaders, school principals, guidance counselors, churches, fraternal organizations, and other volunteers. There have been others, too.

The DC Police Department's 7th Precinct, under Deputy Police Chief Joyce Leland, sponsors an Explorer Scout post. This post, a security unit, is a major source of pride for young people in the Horizon District, and a role-model vehicle for boys and young men in the community.

Maj. Gen. Calvin Franklin, Commanding General of the DC National Guard, has extended the facilities of the DC Guard to the Horizon District Executive Council. He has helped establish a Guard Community Service Program, including the Scouts, and has even offered his conference room for executive council meetings.

Mr. Speaker, on May 10, 1985, Horizon District's Executive Council will meet to recognize and present awards to a number of people and organizations who have assisted in developing some of Anacostia's finest young people. Significantly, the awards will be made at a dinner meeting on the House grounds, in the Caucus Room of the Cannon House Office Building. These Horizon District volunteers have honored Scouting and this city. I know my colleagues on both sides of the aisle join me in commending the Horizon District of a job "Well done," and wish the volunteers and their charges continued success in the days ahead.●

SOVIET JEWRY—A CONTINUING TRAGEDY

HON. STEVE BARTLETT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. BARTLETT. Mr. Speaker, I address the House today on the issue of Soviet Jewry, a continuing tragedy whose dimensions have not, as of yet, been substantially mitigated by Mr. Gorbachev's rise to power. According to Israeli officials, 97 people received visas in March of this year, only marginally more than in most recent months. Ths state-organized crackdown on Jewish culture persists.

Officially sanctioned anti-Semitism has intensified to the point that the Soviet mass media, including newspapers and television, regularly malign Jews in tones reminiscent of Czarist pogroms. For instance, a recent Tass article claimed that "Zionists" had aided the ascendency of the Third Reich. Harassment of Jewish activists, in particular, has become far more brutal. In the past 8 months, 11 Soviet Jews were arrested and 4 sentenced to labor camps in a Moscow-centered persecution of Hebrew teachers and other Jewish cultural activists. This campaign, which began in late July 1984, has been characterized by State Department officials as "a deliberate and ongoing campaign of arrests and intimidation targeted at the Jewish community in the Soviet Union by Soviet authorities."

The case of Aleksandr Kholmyansky (Alexander Cole-mi-an-ski) is typical. Very interested in his Jewish heritage, Mr. Kholmyansky was one of the handful of Jews left in the Soviet Union who attempted to keep alive the teaching of Hebrew. On July 25, 1984, he was arrested and charged with stepping on flowers in a public park in Moscow. For this "offense," he was sentenced to 10 days in jail. However, Mr. Kholmyansky was detained for longer than that period, having been held on the vague charge of "hooliganism," which inexplicably involved the charge of tampering with a mailbox. In August 1984, police searched the apartment of friends of Mr. Kholmyansky and seized Hebrew books and teaching materials. Later that month, officials searched Mr. Kholmyansky's Moscow apartment, which he shared with his parents, and "found," under a cupboard, various items which had not been there previously, including a revolver and bullets. As a result of trumped up charges stemming from this search, Mr. Kholmyansky was sentenced to 18 months in a labor camp on February 1 of this year.

Of the several other Hebrew teachers arrested in the last year, one individual received 3 years in prison for

defaming the Soviet state, while another was sentenced to 4 years in prison for resisting arrest. This man would later lose an eye after a beating. Since October 1983, six unofficial teachers of Hebrew, who hold courses in private apartments, have been arrested and sent to labor camps on charges ranging from possession of narcotics to resisting arrest.

This cruel campaign against the Hebrew teacher reveals that Soviet officials are intent on stifling all Jewish tradition. This latest wave of persecution of Soviet Jews strongly suggests a resurgence of Russian xenophobia, with Soviet officials attempting to eradicate all vestiges of Western influence and instead promoting age-old Russian traditions, including anti-Semitism. Mr. Gorbachev, in style and rhetoric you have conveyed an image of "easing of tensions" with the West. Yet, the bottom line is that actions speak louder than words. Show us, Mr. Gorbachev, that you are serious in seeking a rapprochement with the United States by actually improving the plight of Soviet Jews, who have for so long endured the persecution and harassment of your government. As one Soviet Jew in Moscow remarked, "We will believe he means something different when he does something different, not before." Show us through your efforts, Mr. Gorbachev, and we might be willing to take your words more seriously.●

IN MEMORY OF LARRY HALL

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. SKELTON. Mr. Speaker, when I first became a member of the Missouri Senate in January of 1971, one of the first persons I met was the Associated Press correspondent Larry Hall. During my 6 years as a Missouri State Senator, Larry Hall covered the senate as a reporter and later he worked with the Missouri Senate as the first senate information officer. Since that time, Larry remained a good and warm friend through the years. Mr. Speaker, recently, I learned of Larry Hall's death. I was greatly saddened, as he was truly an outstanding man, as well as a highly respected journalist. I join all of his Jefferson City friends and all who worked with him and knew him in expressing sympathy to the Hall family.

Larry Hall was a rarity. He was rare in that he not only epitomized the best of his profession, but he was a good friend. Even a short visit with Larry would brighten my day. He was a warm and caring individual who commanded the respect of all who knew him.

Larry took special interest in young journalists, particularly those budding journalistic students from the University of Missouri. He taught them the ins and outs of State government. Further, they recognized his ability to communicate. As Bob Debo, his good friend through the years, who delivered the eulogy at Larry's funeral pointed out that words "flew out of Larry's typewriter like swallows at Capistrano". In a word, Larry Hall was good at what he did.

A fellow journalist, Les Pearson of the St. Louis Globe Democrat, said of him, "An absolutely straightaway reporter, he reliably and intelligently wrote of the antics of the Missouri Legislature and of a half dozen administrations, starting 1945."

Mr. Speaker, it is difficult to sum up the life of Larry Hall adequately, and I can only say that I am glad that our paths crossed for a period of time. He was a remarkable man.

I express sympathy to his sons John M. Hall and Thomas P. Hall and his daughter Ann Prenger.●

OUTDATED GASOLINE TARIFFS REQUIRES REVISION

HON. BERYL ANTHONY, JR.

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. ANTHONY. Mr. Speaker, I am pleased today to introduce legislation designed to correct a serious inequity in the tariff schedule of the United States [TSUS], which poses substantial risks to the domestic petroleum refining industry and our Nation's security. The Nation requires a healthy, competitive, and technologically advanced domestic refining industry to fuel its industrial base and to provide a stable supply of environmentally acceptable motor fuels for civilian and military demands.

This country's increasing dependence on foreign refined petroleum products especially motor gasoline, weakens a vital domestic industry and undermines our ability to employ the strategic petroleum reserve [SPR] in the event of a substantial energy supply interruption. A national dependence on imported refined products is rapidly replacing our historical dependence on imported crude oil.

Current motor fuel tariffs were established in 1958 at a level of 1.25 cents per gallon. At that time, wholesale gasoline was priced at 11.55 cents per gallon, yielding an equivalent ad valorem rate of 10.8 percent. In 1984, wholesale gasoline sold for an average of 83.2 cents per gallon, down from the 1981 preconservation high of $106.4. Hence, while crude oil prices have risen ninefold to tenfold and gasoline prices sevenfold to ninefold, the gasoline tariff has remained fixed at $1.25 per gallon and represents one-eighth of the value initially established.

The absence of a self-adjusting ad valorem tariff structure for motor fuels has made the United States the international dumping ground for the world's surplus refined products, seriously threatening the U.S. domestic refining industry. Increasing imports of gasoline and gasoline blendstocks have forced the shutdown of many efficient U.S. refineries.

Effective administrative import barriers or tariffs in Japan and the European Community have forced the diversion of gasoline cargoes from halfway around the globe to U.S. ports. Gasoline imports increased 300 percent in 1984 over 1983 levels, and the distressed pricing of this material lowered nationwide refining margins to razor thin or negative levels.

Motor gasoline is the single largest volume product of the domestic refining industry, and its production and sale are essential to the continued health of that industry. Imported gasoline sales at or below manufacturing cost undermine the industry and have already contributed to plant closures and the direct and indirect loss of skilled U.S. jobs.

OPEC export refineries have added and are about to add to the world's petroleum product surplus. These facilities are owned in whole or in part by nationalized oil companies and will operate regardless of their profit levels. Indeed, since nationalized companies own the crude oil and natural gas feedstocks, their profits cannot be measured by any normal accounting standards. These facilities have the additional significant economic benefit of selling into the U.S. market without incurring U.S. environmental, tax and safety costs.

Our SPR is designed to ensure against crude oil supply interruptions, and its value is predicated on a strong and adequate domestic refining industry. Should there be a significant energy supply interruption today, there is a serious question as to the current ability of the domestic refining industry to respond in a timely manner. Many plants have been permanently shut down, and others will undoubtedly be forced to close if current import trends continue.

While the SPR's maximum design drawdown rate is 4.5 million barrels per day, currently operating U.S. refining capacity is only able to refine our 9.8 million barrels per day of domestic crude oil and natural gas liquids production plus 2.3 to 3.0 million barrels per day of SPR crude oil. Last year's national refined petroleum product consumption was 15.7 million barrels per day.

Mr. Speaker, the Nation's military and civilian energy needs are for

motor gasoline, jet fuels, distillates and fuel oils, not crude oil. This country cannot and must not be again held hostage and its hard-won SPR neutralized through misguided and short-sighted policies. Motor fuel import tariffs must be realigned with their historical economic basis and ad valorem rates established to ensure that historical as well as security threatening import levels are addressed in a rational and continuing manner. I am therefore introducing legislation to that end and hope that we act expeditiously on this critical legislation.

The two-stage ad valorem rate for imported gasoline and blendstocks contained in this bill ensures that the country's economic base and energy security is preserved and will not be held captive to the whims of foreign nationalized oil companies. This bill also rationalizes and unifies the tariff classification for motor fuels and related items, creating a straightforward and predictable system in place of today's contradictions and ambiguities. The consolidation of gasoline and gasoline blendstocks at a single duty level is consistent with the International Trade Commission's [ITC] April 15, 1985, recommendations to the Ways and Means and Senate Finance Committees. The existing petrochemical naphtha treatment is preserved and an actual use test established for classification purposes, again consistent with the ITC recommendations.●

JEROME V. "JIM" LaBARBERA

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. SKELTON. Mr. Speaker, being that this week, May 5–11, 1985, has been designated as Small Business Week throughout the United States, I would like to take this time to honor a small businessman from my home State of Missouri.

Jim LaBarbera, chairman of the board and chief executive of Engineered Air Systems, Inc., has been selected as Missouri's 1985 Small Business Person of the Year by the Small Business Administration.

In the 3 years, since LaBarbera and partner Michael Shanahan bought Engineered Air, employment has increased from 290 persons to 490, and sales have climbed from $17 million in 1981 to $40 million last year.

Engineered Air makes environmental controls, such as air-conditioning and heating units, and ground support equipment, including chemical and biological warfare decontamination units for the U.S. military.

Acknowledgments of Engineered Air's success have come in numerous forms. Proclamations from both the mayor of the city of St. Louis and from the executive of St. Louis County were received in July 1984, recognizing the accomplishments of both labor and management in establishing and maintaining a harmonious working environment.

Jim and his wife Nancy, have four children, Jim, Janet, Tom and Kathy. The LaBarbera's reside in St. Louis County, MO.

Mr. Speaker, small business is America, and it gives me great pride and pleasure to honor such a successful small businessman as Jim LaBarbera.●

ORTEGA'S SECRET TRIP TO HAVANA

HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. LIVINGSTON. Mr. Speaker, many of our colleagues are justifiably outraged over Commandante Daniel Ortega's trip to Moscow immediately after this House voted to deny humanitarian aid to Nicaragua's progressive democratic opposition. That slap in the face from Ortega continues each day as he hops around the Eastern bloc issuing press releases and seeking replenishments of the Communist aid he has received since 1980, when he made his first trip to the Soviet Union.

But guess what, Mr. Speaker. The good commandante also took another trip—a secret trip—to Havana last month, as reported for the first time in yesterday's New York Times op-ed column written by Tad Szulc, who is in Havana. It's a wonder Ortega had the time to visit his Cuban buddies. He seemed to be completely occupied with his propaganda campaign and congressional lobbying against U.S. aid to the freedom fighters, which we were debating at the time.

Mr. Speaker, let's show that we disapprove of trips to Havana and the Soviet-bloc countries by the Sandinista leadership. Let's support the President at the very first opportunity.●

DR. WALTER J. MOLO, JR., TO RETIRE

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. FAWELL. Mr. Speaker, at the end of this school year, the superintendent of the Pleasantdale School District 107 in Lyons Township, IL, Dr. Walter J. Molo, Jr., will retire after years of service to public education.

This Friday, a retirement dinner will be held on his behalf to acknowledge his contributions to public education.

Dr. Molo's educational experience has been quite extensive. He served as a teacher for 4 years, an elementary and junior high principal for 8 years, an elementary school superintendent for 18 years, a high school superintendent for 2 years, and a unit district school superintendent for 3 years.

In his capacity as a fine educator of Illinois youth, Dr. Molo has made several contributions to improving the quality of public education. In 1952, he served as chairman of a special committee designed to implement sex education instruction in the public school curriculum in Berkely School District 87—the first Illinois school district to develop such a program. From 1956 to 1960, he advised numerous school districts which sought to establish sex education programs. Dr. Molo has also taught elementary and high school physical education, health and safety, and elementary biological science and mathematics.

Dr. Molo's imprint on education was not only felt in Illinois. In 1973, he established a computer education program at Brentwood High School in Brentwood, MO. Brentwood was the first high school to implement such a program in St. Louis County. The same year, he was listed in the first edition of the State of Missiouri Outstanding Education Who's Who in Education. From 1974 to 1976, Dr. Molo served on the Missouri Commission of Education Advisory Committee on School Finance.

During his years of service to public education, Dr. Molo also was actively involved in the Illinois Principals Association. He assisted in the organization of the IPA. He also was the president of the Lake Shore Division of the Illinois Elementary Principals Association.

There is no doubt that Dr. Molo will be sorely missed by community educators, parents, and students for his years of unselfish service to the cause of public education. I commend Dr. Molo for the exemplary contributions he has made over the years to public education and wish him the best for the future.●

GIFTED AND TALENTED CHILDREN ARE AT RISK

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. RAHALL. Mr. Speaker, today I am introducing legislation to amend the Elementary and Secondary Education Act of 1965 in order to once again establish targeted programs directed at the many unique and pressing

needs of our Nation's gifted and talented children.

All too often these individuals are overlooked by our Nation's educational policymakers because of a concern that, in an era of budget tightening, they do not need special additional resources. Simply stated, this is not the case, as has been well documented in a number of educational policy reports issued during the past several years.

For example, the National Commission on Excellence in Education, in its report, "A Nation at Risk," stated: "The Federal Government, in cooperation with States and localities, should meet the needs of key groups of students such as gifted and talented, the socioeconomically disadvantaged, minority and language minority students, and the handicapped. In combination these groups include both national resources and the Nation's youth who are most at risk." All of these groups, with the single exception of the gifted and talented, receive significant Federal assistance. Furthermore, this report makes numerous references to the gifted and talented concluding that "over half of the population of gifted students do not match their tested ability with comparable achievement in school" and that "despite widespread publicity about an overpopulation of teachers, severe shortages of certain kinds of teachers exist: * * * among specialists in education for gifted and talented."

The legislation I am proposing today is identical to S. 134, introduced by Senator INOUYE on January 3, 1985. It will again establish the Office of Gifted and Talented within the U.S. Department of Education and, further will authorize that $40 million be expended during the next 5 fiscal years for programs targeted to these future leaders of our Nation.

My proposal also authorizes the Secretary of the Department of Education to begin a modest discretionary grant program which would include demonstration projects. In addition, the bill provides for target programs for gifted and talented Native Americans, who unfortunately, without a special Federal initiative, would not reach their full potential.

Mr. Speaker, it is important that we realize that these students are indeed at risk. A gifted child in a regular classroom has no opportunity; a child with a 140 IQ has as much need of a specialized education as a child with a 60 IQ. We cannot fail in providing for the educational needs of this Nation's youth and our country's future.

It is my pleasure to be joined in introducing this bill by my colleagues, WILLIAM CLAY, MERVYN DYMALLY, CHARLES HAYES, AUSTIN MURPHY, MAJOR OWENS, CHRIS PERKINS, GARY ACKERMAN, HELEN DELICH BENTLEY, WALTER FAUNTROY, ALAN MOLLOHAN, JAMES H. SCHEUR, HARLEY STAGGERS, FOFO SUNIA, ROBERT WISE, DON YOUNG and ROBERT YOUNG. We hope that our colleagues will join us in this effort.●

THE VALIANT MEN OF THE 73D BOMB WING

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. ACKERMAN. Mr. Speaker, I ask my colleagues in the House of Representatives to join me now in paying a much deserved tribute to Mr. Murray Juvelier of Flushing, Queens County, NY, and to all the brave men who fought with him in the 73d Bombardment Wing on Saipan in 1944.

Mr. Juvelier is a member of the 498th Bomb Group, 73d Bomb Wing Association. On May 8, 1985, these admirable veterans will dedicate a plaque to the 1,033 men who did not return from battle. This important and historic commemorative event will take place at the Air Force Academy in Colorado Springs, CO, with many of those veterans who flew or were part of the group in attendance.

The plaque will be installed on the Academy's Military Honor Wall, which was built several years ago to preserve for posterity the feats of those outfits that have demonstrated exceptionally meritorious service. It is altogether appropriate that this wall is situated only a few yards away from the grave of Rosie Emmett O'Donnell, the general who led the 73d Bombardment Wing in its first raid on Tokyo.

Mr. Speaker, the men of the 73d Bomb Wing risked their lives flying B-29's to aid the allied forces in World War II. These courageous patriots fought valiantly right up until the final battle that brought triumph to our Nation and our allies. Their remarkable fortitude contributed significantly to our victory over the forces of tyranny and despotism, and we will always be grateful for the heritage their bravery bestows upon us. It is truly a privilege to be able to honor these great warriors, who continued to fight nobly for the triumph of their ideals, even in the face of death.

I ask all of the Members of the Congress of the United States to join me in paying homage to the men of the 73d Bombardment Wing for their legacy of valor.●

A TRIBUTE TO RICHARD M. THOMPSON

HON. WILLIAM CARNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. CARNEY. Mr. Speaker, I am very pleased to have the opportunity to bring to the attention of my colleagues in the House a shining example of the good which one person can accomplish through volunteer service to the community.

Richard M. Thompson, a resident of New York's First Congressional District, is business manager of the International Brotherhood of Electrical Workers, Local 1049, and has extended his concern for the working men and women of this country into voluntary service to the March of Dimes.

Mr. Thompson devotes a significant portion of his spare time to the cause of those less fortunate than himself. He will be recognized for his unselfish contributions during a June 14 fundraising dinner-dance to help the March of Dimes in its continuing fight against birth defects.

I am proud to represent Mr. Thompson, a fellow Long Islander, and I know that my colleagues will join me in congratulating a gentle, thoughtful man whose generosity of spirit can always be counted on in the cause of humanity.●

L. JACK BRADT, PENNSYLVANIA'S SMALL BUSINESS PERSON OF THE YEAR

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. RITTER. Mr. Speaker, I am pleased to congratulate Mr. L. Jack Bradt, chairman and chief executive officer of SI Handling Systems, Inc., of Easton, PA, on his being selected as Pennsylvania's State Small Business Person of the Year.

As vice chairman of the House Republican Task Force on High Technology Initiatives, I believe this recognition is especially significant since it reflects the need to bridge the gap between high tech and traditional industries. Understanding the need for U.S. business to rethink the whole manufacturing process, Mr. Bradt has developed a flexible manufacturing system where materials and parts move between factory work stations at variable high speeds, all under computer control. This type of innovation sets a strong example of what is needed to revive the so-called smokestack industries.

Setting examples in not new to Jack Bradt. He has a long history of setting strong examples. Not only has his company flourished in the difficult world market, with subsidiary companies in Germany and England, as well as a joint venture in Japan, it has been a prime sponsor of the Ben Franklin Advanced Technology Center at Lehigh University. This center was established to help meet the goals of the Commonwealth of Pennsylvania to

create and maintain jobs, improve the productivity of new and existing businesses, and diversify Pennsylvania's economy by creating and attracting firms in advanced technology fields. Mr. Bradt also serves on the board of directors of the Pennsylvania Chamber of Commerce and its small business advocacy group, and is founder of the Greater Easton Technology Enterprise Center which is designed to foster business growth. Clearly, small businesses in the Lehigh Valley benefit greatly from his advice.

I have come to know L. Jack Bradt as a doer as well as a thinker. His nononsense leadership approach to problem solving is something we can all admire. He has given so much of this to his own community, the Lehigh Valley of Pennsylvania.

In reflecting on the successes of Jack Bradt, one cannot omit the contributions of his fine, hard-working wife, Pat. Pat, a professional women in her own right, has been a major source of support to Jack—and visa versa—in the course of his career. Congratulations are indeed in order for this outstanding citizen of Pennsylvania's 15th District.●

SOLIDARITY SUNDAY FOR SOVIET JEWRY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1985

● Mr. STOKES. Mr. Speaker, I welcome the opportunity provided by my distinguished colleagues, the gentlemen from New York [Mr. GILMAN and Mr. RANGEL], who reserved this time for Members of Congress to speak out on behalf of Soviet Jewry. On May 5, 1985, 100,000 people are expected to gather near the United Nations for the 14th annual "Solidarity Sunday for Soviet Jewry." To express my solidarity with Soviet Jews, I would like to share with my colleagues some important facts concerning Soviet Jewish emigration.

It is now a widely known fact that fewer than 1,000 Soviet Jews were permitted to emigrate in 1984. This was the lowest number in over a decade, and a very sharp contrast to the 51,000 who were allowed to emigrate during 1979. What is a less publicized fact is that Soviet authorities are reacting, at least in part, against the mass exodus of Soviet Jews who emigrated between 1968 and 1981 when Soviet policies were comparatively more liberal. More than a quarter million Jews had left the Soviet Union by the early 1980's, and hundreds of thousands more were applying to emigrate. These developments were an embarrassment to the Soviet leadership who promoted the U.S.S.R. as a peoples' paradise.

Experts on the Soviet Union have determined that 1979-1980 appear to have been the years of a turning point in Soviet emigration policy. It was at this juncture that changes were made to restrict the flow of emigrants from the Soviet Union. For example, applicants were then required to submit invitations from first degree relatives—mother/father, husband/wife—living in the nation to which emigration was sought.

Moreover, the reasons for turning down applications for exit visas became both more numerous and less reasonable. In this connection, visa requests have been turned down because an applicant has more relatives in the U.S.S.R. than abroad. Therefore, the Soviet officials argued that emigration would divide, not reunited the family. Some applicants have received no reason at all for the denial of their visa requests.

Mr. Speaker, we, in the United States, and Members of Congress, in particular, must work to loosen the strictures that keep Soviet Jews imprisoned under the arbitrary authority of the Soviet regime.

Past experience has demonstrated that the Soviet Union is capable of exercising a more liberal emigration policy for Soviet Jews when liberalization will bring trade advantages or other benefits to the U.S.S.R. We must not give up hope that change is possible.

Fortunately, there will be a number of opportunities for the United States and the Soviet Union to meet over the coming months, and to include discussions of human rights on the agenda. Renewed discussions on arms control could create an atmosphere conducive to making progress in the human rights area. Also, between now and September 1986, the United States and the Soviet Union are both scheduled to participate in a series of multilateral Conference on Security and Cooperation in Europe [CSCE] meetings that will include the topics of emigration and the treatment of Soviet Jews.

Mr. Speaker, I urge my colleagues and all who are working on behalf of Soviet Jews to support legislation and other official initiatives that will open the doors of freedom to those now locked within the Soviet Union. Let us redouble our commitment to keeping the international spotlight on this important issue.●

CINCO DE MAYO

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. ANDERSON. Mr. Speaker, once again the calendar has summoned us to pay tribute to a landmark event in mankind's age-old struggle against tyranny. On Cinco de Mayo, 1862 Mexican President Benito Juarez led a group of stouthearted patriots against the French armies and Emperor Maximilian, the puppet they supported. This event is celebrated not only by Hispanic-Americans, who are such a significant part of the ethnic community that is southern California, but by countless other Americans astute enough to realize this historic confrontation is symbolic of what all nations in our continent went through, shaping the defiant and vital character of the New World.

In my beloved home, California, schools, cities, and organizations statewide will be observing this yearly event. This is particularly important there, where Hispanic heritage is, much to our advantage, so inextricably part of our own. We demonstrate our solidarity and affection for our neighbors south of the border, while honoring ourselves at the same time. The remembrance of Cinco de Mayo serves to illuminate the continuing struggle which American society, and particularly Hispanic-Americans, faces against economic and educational deprivation. This is not some event which is fading into the mists of time, because the spirit with which we meet the fresh challenges is as alive today as it was over a century ago in the Battle of Puebla.

While this complicated cultural saga has had its unhappy side, the observance of Cinco de Mayo is more appropriately a time to highlight the way in which the struggle of Hispanics has forged the strength of family, the faith and the compassion with which that people faces the day's new adversities. While the struggle continues, on Cinco de Mayo, 1985, let us witness the continuing advance of a tough and resilient people into their proper place in our legislatures, schools and corporate life. Happily, this vital aspect of the American character is alive and well.●

BITBURG RESOLUTION

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. FIELDS. Mr. Speaker, I voted present on House Concurrent Resolution 130 pertaining to President Reagan's upcoming trip to Bitburg, Germany. I voted present because I do not support the honoring of Nazi war criminals. At the same time, I do not want to be a part of any action by this body to unjustly criticize the President.

I believe the President was acting in good faith when he decided to visit the Bitburg Cemetery as a gesture of rec-

onciliation to the Federal Republic of Germany, a country which has taken its place among the community of democratic nations and which is now a friend and ally of the United States. I will not insult one of our strongest democratic allies.

We all know that the President is not anti-Semetic. I applaud the President's decision to visit the Bergen-Belsen Concentration Camp and I hope that this will mitigate the controversy. I further hope that as the President embarks on this important mission of peace that these acts of friendship extended toward the people of Germany are not misinterpreted by others.●

BETHLEHEM BAPTIST CHRISTIAN ACADEMY

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. HUNTER. Mr. Speaker, today I would like to honor the students in the third-grade class of Bethlehem Baptist Christian Academy from Fairfax, VA. These students visited the U.S. Capitol on April 16, 1985. While they were on the floor of the House Chamber, they recited five verses of the Star Spangled Banner. It was very moving to hear the earnestness in their voices as they said the words which express the greatness of the United States.

I am proud of these young people and their teachers, for their character and dedication to the American spirit of love and goodwill. It is a privilege to serve in this great body and be able to uphold the values of liberty. These youngsters represent our future and our work here will guarantee them the freedoms of America.

The members of the third-grade class and their teachers are: Mrs. Marianne Tierney, teacher; Mrs. Marlene Koski, aide; David Abbott, Lauren Anderson, Trey Beavers, Christopher Booth, Mark Bowers, Juli Brymer, Sarah Byrne, Claudia Cabanas, Stephen Dodson, Timothy Gadell, J.R. Gantt, Amanda Gee, Sarah Jane Godby, Adam Haines, Sandra Hall, Megan Henry, Duncan Hunter, Teresa McLachlan, Douglas May, Henry Price, Michelle Ratcliffe, Billy Seifert, John Smallwood, Joseph Smith, Brian Trick, and Laura Williams.

Mr. Speaker, I am delighted to bring to the attention of my colleagues in the House of Representatives the hard work of the third-grade class of Bethlehem Baptist Christian Academy.●

MR. ROY LIPE

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. BROOKS. Mr. Speaker, we all share concern about the quality of education in our country. I believe that one of the greatest assets to our Nation's superior education system is the dedication and sacrifice by our teachers and principals. I have recently received a great number of letters from the fifth grade class of Lee School in Port Arthur, TX, one of the finest elementary schools in our State.

Mr. Speaker, these students have written to express their appreciation and to praise the fine job done by Principal Roy Lipe. His wisdom, selfless dedication, and commitment to the well-being of children during his 34 years in education has made him a very special person who will have a place in the hearts of his students, their parents, and the entire community for many years to come.

Upon the occasion of his retirement on May 16 we all extend to him our warmest best wishes for the future and our heartiest congratulations on an outstanding life of service in education.●

JOHN WHITEHEAD AS DEPUTY SECRETARY OF STATE: A WISE CHOICE

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. COURTER. Mr. Speaker, I want to congratulate the administration on its wise selection of Mr. John Cunningham Whitehead as the new Deputy Secretary of State. I have the highest personal regard for John and believe that his many talents and broad experience will be well-employed as he helps to shape our Nation's foreign policy.

I am proud that, like myself, his roots are in Montclair, NJ. He now resides in Essex Fells. New Jersey rightfully claims him as its own.

John is a world traveler, and his experience and involvement as a member of the Council on Foreign Relations and the Trilateral Commission will serve him well in his new position. As president of the International Rescue Committee, he has helped refugees, and traveled into Hungary, Pakistan, the Sudan, Cambodia, Thailand, and Vietnam.

The New York Times recently said that "In the financial world, Mr. Whitehead has been among the most respected leaders." In the world of nations, I am confident that Mr. Whitehead will be just as respected.

I trust that this body will give him our confidence and strong support as he helps to guide our Nation's relations with other States. We are fortunate to have a man of his wisdom and stature serving our country in such an important office.●

TRIBUTE TO DR. AND MRS. JAMES KLINENBERG

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. WAXMAN. Mr. Speaker, it is my privilege to call to the attention of the House the outstanding contributions of Dr. James Klinenberg and his wife, Lynn, to the advancement of medicine and community health.

For the last 20 years, Dr. Klinenberg has been an eminent member of the Los Angeles medical community. As professor and chairman of the department of medicine of Cedars-Sinai Medical Center-UCLA School of Medicine, staff physician, UCLA Medical Center Hospital assistant dean, UCLA School of Medicine, and attending physician, Wadsworth VA Hospital, Dr. Klinenberg has distinguished himself in the fields of research, training, and patient care.

Before settling in California, Dr. Klinenberg received his A.B. and A.M. degrees from the Johns Hopkins University and earned his M.D. from the George Washington School of Medicine. He continued his clinical training at the Johns Hopkins Hospital where he served as medical intern and resident physician and as clinical associate at the National Institute of Arthritis and Metabolic Diseases, Bethesda, MD.

James Klinenberg's long association with the Arthritis Foundation began in 1966 when he became a postdoctoral fellow and continues to the present. His numerous activities with the foundation have included serving the southern California chapter as president and chairman, member and vice president of the executive committee; chairman and vice chairman of the medical and scientific committee, member and chairman of the government affairs committee; chairman of the grants subcommittee and research committee; editorial board member, arthritis and rheumatism; member of the medical administrative committee, board of governors, board of trustees, executive committee.

A brief mention of some of Dr. Klinenberg's other associations include American Rheumatism Association—chairman of the program committee, member of the executive committee, secretary treasurer, vice president and president elect; southern California Rheumatism Society—president; Asso-

ciation of American Medical Colleges—member of group on medical education; NIH, chairman and member of the committee to the cooperating clinics grant; UCLA School of Medicine—chairman, educational policy and curriculum committee; UCR/UCLA—curriculum committee; American College of Physicians—member, Governor's committee for college affairs; chairman, State arthritis council; U.S. Pharmacopeia and the National Formulary Panel on Allergy, Immunology and Connective Disease; chairman, National Arthritis Advisory Board; subcommittee of the American board of internal medicine on clinical competency president, Association of Program Directors in Internal Medicine.

As a leading authority on the diagnosis and treatment of arthritis, rheumatic diseases, gout, lupus, metabolic, and renal disorders, James Klinenberg has authored numerous papers for professional medical journals and has contributed substantive chapters to medical reference publications. His definitive research, teaching, and writing have earned Dr. Klinenberg the highest respect and accolades from his peers in the medical community.

As the mother of four children—Susan, Ellen, Ricky, and Steven—Lynn Klinenberg has been closely associated with community youth activities, serving as a Cub Scout leader, Brownie leader, Girl Scout leader, and PTA officer, and has participated in numerous fundraising activities on behalf of these organizations.

Lynn Klinenberg has been equally effective as an organizer and coordinator of many health care auxiliary groups. She has devoted her energies and considerable talent in creating a women's group to start a diabetes unit at Cedars-Sinai Medical Center in Los Angeles. She served as both president and vice president for 7 years; organized the group effort—a combined group of the Arthritis Foundation, Diabetes Unit-CSMC, Leukemia Society of America and Loyola-Marymount University, and started the group effort auction. She has been the coordinator of the group effort for 7 years. Mrs. Klinenberg is active in both the UCLA and Cedars-Sinai Doctor's Wives Group and has participated in the Arthritis Foundation's Telethon for 15 years. She served on the executive board and helped create the Monty Hall Diabetes Tennis Tournament and is the local arrangements chairman for the National American Rheumatism Association.

On May 11, 1985, Dr. James and Lynn Klinenberg will be honored with the Anti-Defamation League's Medical Division Achievement and Service Award. I ask the members to join with me in congratulating James and Lynn Klinenberg on this special occasion. In their dedication and service to the community, they have exemplified the best in American ideals—excellence in performance and a true sense of caring.●

THE 75TH ANNIVERSARY: COOPERATIVE EDUCATION

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. DONNELLY. Mr. Speaker, 1985 is a landmark year for Northeastern University in Boston, MA. At the beginning of the 1984-85 academic school year. Northeastern kicked off a year-long celebration in commemoration of their 75th Anniversary of Cooperative Education. It gives me great pleasure to have this opportunity to honor them before this body today.

There was a time when a quality higher education was limited to the affluent. However, with the establishment of programs like co-op education, the door was gradually opened to all groups. Individuals who otherwise would have been unable to devote their time to full-time academic study, were at last given a chance to engage in first-rate classroom instruction, while simultaneously earning an income in their chosen professions.

A pioneer in co-op education, Northeastern has grown to become the largest private educational institution in the Nation, and is also recognized around the world as the leader in co-op education. Co-op graduates can be found anywhere from America's board rooms to court rooms. Because of the demonstrated success rate of its graduates, the university continues to attract an overwhelming number of students and employers to their campuses each year. This year, Northeastern expects to place at least 9,500 students with 2,500 employers.

When Northeastern first opened its doors in 1898, classes were held in the attic of a Y.M.C.A. Today the university sits on 55 acres of land in Boston and efforts are currently underway for further expansion. Their curriculum has also been expanded to include a number of graduate and professional programs in addition to programs in the university college.

Northeastern University has a proud history, and their future looks to be equally promising.●

COL. ROBERT J. PFLEGHARDT HONORED

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. PARRIS. Mr. Speaker, I rise today to pay tribute to the distinguished service of Col. Robert J. Pfleghardt to the U.S. Army Reserve and the Nation. On August 12, 1985, Colonel Pfleghardt will be retiring from the U.S. Army Reserve after serving 30 years in defense of his country.

Since September 1982, Colonel Pfleghardt has been a member of the 352d Civil Affairs Command [CAC]. Prior to joining the 352d CAC, Colonel Pfleghardt served as the Assistant Chief of Staff for Civil Military Operations of the 310th Theater Army Area Command.

He is a member of the Army War College Alumni Association, and is an active member of the Reserve Officers' Association where he held several offices, including chapter president.

Colonel Pfleghardt was commissioned a second lieutenant on June 13, 1955. He entered active duty in February 1956 and was assigned to the 586th Float Bridge Company at Fort Benning, GA. In September 1956 he transferred to the 78th Engineer Combat Battalion and served in Germany. His next active duty tour was an instructor with the U.S. Army Engineer School, Fort Belvoir, VA. After release from active duty, he continued his military career in the Army Reserve. His decorations include the Meritorious Service Medal and Commendation Medal with oak leaf cluster.

Colonel Pfleghardt is a graduate of the engineer officer basic course, engineer officer advanced course, quartermaster advanced course, associate logistics executive development course, Command and General Staff College, and U.S. Army War College.

In civilian life, Colonel Pfleghardt holds a doctorate in education from the American University and is an employee of the U.S. Department of Housing and Urban Development. He is the son of the late Elizabeth Rose Pfleghardt, of Woodbourne, NY, and the late William Nicholas Pfleghardt of Brooklyn, NY. He is married to the former Doris Fay McLarty of Smyrna, GA. They are the proud parents of three children; Elizabeth F., Robert M., and Catherine D.—Mrs. Catherine P. Weisenburger.

Mr. Speaker, I would like to congratulate Colonel Pfleghardt on a distinguished career, and to extend my warmest best wishes for a healthy, happy, and long retirement for Colonel and Mrs. Pfleghardt.●

FRANK DONNER: A LIFETIME OF DEDICATION TO THE BILL OF RIGHTS

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. MORRISON of Connecticut. Mr. Speaker, today I rise in tribute to

Frank Donner, author of "The Age of Surveillance" (1980), "The UnAmericans" (1968) and, most recently, "The Legacy of Haymarket," the Nation's leading authority on abuses of police surveillance, and chairperson of the Fairfield County Chapter of the Connecticut Civil Liberties Union.

Yesterday, in recognition of a lifetime of dedication to civil liberties, Mr. Donner received the chapter's highest honor, the award for Unyielding Commitment to the Bill of Rights, in a ceremony in Southport, CT.

No one has contributed more to the protection of our rights as Americans. No one has spoken more eloquently of the consequences of abdicating our commitment to the Bill of Rights. Frank Donner has been an inspiration to me personally, and I know he has been an inspiration to many, many others. His commitment to civil liberties has truly been unyielding.●

M. SGT. BILL ARRIS, JR., USMC

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. DONNELLY. Mr. Speaker, I would like to call to the attention of this House to an unprecedented honor paid recently to M. Sgt. William E. Arris, Jr., USMC.

Master Sergeant Arris has been chosen by the Navy League of the United States as the first enlisted man to receive the Adm. Ben Moreel Award for logistics competence.

Master Sergeant Arris has served our country in the Marine Corps for 17 years. His is the senior noncommissioned officer in charge of supply operations control center, 2d Supply Battalion, 2d Force Service Support Group.

The Navy League's citation notes that in 1983, Master Sergeant Arris:

Took charge of logistic support being provided to Marines and the Navy ashore in Lebanon. He personally coordinated movement of personnel, equipment, and supplies to the service support groups of three marine amphibious units, ensuring smooth operations. His leadership enhanced the supply support capabilities of the bulk warehouse management unit.

Bill Arris hails from Quincy, MA, and I have had the privilege of knowing his fine family for many years.

Congratulations are in order for this exemplary marine on an award well earned and on a difficult job splendidly done.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, May 7, 1985, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 8

9:00 a.m.

* Banking, Housing, and Urban Affairs

To hold oversight hearings on recent changes in the financial services industry.

SD-538

Labor and Human Resources

Business meeting, to consider the nominations of Hortencia Benavides, of Texas, Leaanne Bernstein, of Maryland, Lorain Miller, of Michigan, Claude G. Swafford, of Tennessee, Robert A. Valois, of North Carolina, William C. Durant III, of Michigan, Paul B. Eaglin, of North Carolina, Pepe J. Mendez, of Colorado, Thomas F. Smegal, Jr., of California, Basile J. Uddo, of Louisiana, and Michael B. Wallace, of Mississippi, each to be a member of the Board of Directors of the Legal Services Corporation.

SD-430

9:30 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for foreign assistance programs, focusing on assistance to non-Communist insurgencies.

SD-124

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Health and Human Services, focusing on the National Institutes of Health, Alcohol, Drug Abuse, and Mental Health Administration, and the Health Care Financing Administration.

SD-116

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Legal Services Corporation.

S-146, Capitol

Labor and Human Resources

To hold hearings on the nominations of Marshall B. Babson, of Connecticut, and Wilford W. Johansen, of California, each to be a member of the National Labor Relations Board.

SD-430

Rules and Administration

Business meeting, to consider S.J. Res. 81, to provide for the appointment of Barnabas McHenry as a citizen regent of the Board of Regents of the Smithsonian Institution, proposed legislation authorizing funds for fiscal year 1986 for the Federal Election Commission, and other legislative and administrative business.

SR-301

10:00 a.m.

Foreign Relations

To hold hearings on the nominations of John D. Negroponte, of New York, to be Assistant Secretary of State for Oceans and International Environment and Scientific Affairs, and William A. Brown, of New Hampshire, to be Ambassador to the Kingdom of Thailand.

SD-419

Select on Intelligence

Closed business meeting, to resume markup of proposed legislation authorizing funds for fiscal year 1986 for the intelligence community.

SH-219

Joint Economic

Agriculture and Transportation Subcommittee

To hold hearings to assess rural economy.

SR-485

12:00 a.m.

Appropriations

District of Columbia Subcommittee

To hold hearings on the overall impact of drug use in the District of Columbia.

SD-138

2:00 p.m.

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of Management and Budget.

SD-124

MAY 9

9:00 a.m.

Commerce, Science, and Transportation

Business meeting, to consider pending calendar business.

SR-253

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Health Resources and Services Administration of the Department of Health and Human Services, and vocational education programs of the Department of Education.

SD-116

Banking, Housing, and Urban Affairs

Securities Subcommittee

To hold hearings on S. 936, to provide improved protection for investors in the Government securities market, and related measures.

SD-538

*Energy and Natural Resources
Energy Research and Development Subcommittee
To resume oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on fusion energy programs.
SD-366

Finance
To hold hearings on S. 409, S. 411, and S. 1006, bills to simplify the current Federal tax system.
SD-215

Veterans' Affairs
Business meeting, to mark up S. 6, S. 875, S. 876, bills to clarify and improve certain health care programs and services provided and administered by the Veterans' Administration, and related proposals, and S. 367, to provide for judicial review of certain administrative decisions of the VA, to codify certain VA adjudication procedures, to improve the VA appeals process, to require the VA to comply with certain rulemaking procedures, and to provide for reasonable fees to attorneys serving as legal counsel for veterans.
SR-418

10:00 a.m.
Appropriations
Defense Subcommittee To resume hearings on proposed budget estimates for fiscal year 1986 for the Department of Defense, focusing on Air Force Aircraft Procurement.
SD-192

Environment and Public Works
Business meeting, to consider pending calendar business.
SD-406

Foreign Relations
To hold hearings on the nominations of Charles E. Courtney, of California, and Ernest E. Pell, of Maryland, each to be an Associate Director of the United States Information Agency.
SD-419

*Governmental Affairs
To hold oversight hearings on the implementation of the Grace Commission Report.
SD-342

Judiciary
Business meeting, on pending calendar business.
SD-226

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Bureau of Land Management (including the land and water conservation fund), Department of the Interior.
SD-138

Judiciary
To hold hearings to discuss the proposed transfer of ownership of the Consolidated Rail Corporation (Conrail) to the private sector.
SD-226

MAY 10

9:30 a.m.
Special on Aging
To hold oversight hearings on the establishment and implementation of the National Pacemaker Registry.
SD-628

10:00 a.m.
Environment and Public Works
Water Resources Subcommittee
To hold hearings on S. 366 and S. 534, bills to authorize the U.S. Army Corps, of Engineers to construct various projects for improvements to rivers and harbors of the United States, and related proposals.
SD-406

MAY 13

9:00 a.m.
*Foreign Relations
To hold joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-226

*Judiciary
To hold joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-226

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To resume oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on nuclear energy programs and nuclear waste activities.
SD-366

MAY 14

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

Banking, Housing, and Urban Affairs
To resume oversight hearings on recent changes in the financial services industry.
SD-538

Energy and Natural Resources
Energy Regulation and Conservation Committeee
To hold oversight hearings on automobile fuel economy standards.
SD-366

* Rules and Administration
To hold hearings on S. 43, to grant line item veto authority to the President on appropriation bills.
SR-301

10:00 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to mark up S. 501 and S. 616, bills to expand export markets for United States agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, and related measures.
SR-328A

Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Energy Information Administration, and the Economic Regulatory Administration, Department of Energy.
SD-138

Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government, focusing on the Office of the Secretary of the Senate and the Office of the Senate Sergeant-at-Arms.
S-128, Capitol

Foreign Relations
To continue joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-419

Governmental Affairs
Permanent Subcommittee on Investigations
To hold oversight hearings on weight reduction products and plans, focusing on the safety and efficacy of diet products.
SD-342

Judiciary
To continue joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-419

10:30 a.m.
Governmental Affairs
Intergovernmental Relations Subcommittee
To resume hearings on S. 483, to ensure that the Federal Government assume the full cost of legislating and regulating Federal purposes and mandates.
SD-215

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To continue oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on conservation and renewable programs.
SD-366

MAY 15

9:00 a.m.
Judiciary
Constitution Subcommittee
Business meeting, to consider pending calendar business.
SD-234

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for certain defense programs, focusing on Army modernization.
SD-192

Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-116

10:00 a.m.
Foreign Relations
To continue joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-419

Governmental Affairs
Permanent Subcommittee on Investigations
To continue oversight hearings on weight reduction products, focusing on the safety and efficacy of diet products.
SD-342

Judiciary
To continue joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-419

2:00 p.m.
Foreign Relations
To hold joint closed hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
S-116, Capitol

Judiciary
To hold joint closed hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
S-116, Capitol

MAY 16

9:30 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.
SR-253

Labor and Human Resources
Handicapped Subcommittee
To hold hearings on S. 415, the Handicapped Children's Protection Act.
SD-430

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for fossil energy.
SD-138

Appropriations
Legislative Branch Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government, focusing on the Library of Congress and the Architect of the Capitol.
S-128, Capitol

Environment and Public Works
Water Resources Subcommittee
To resume hearings on S. 366 and S. 534, bills to authorize the U.S. Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and related proposals.
SD-406

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings to discuss the Department of Energy's prospective report to Congress on emerging clean-coal technologies.
SD-366

MAY 17

9:30 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on the deregulation of surface freight forwarders.
SR-253

MAY 21

9:30 a.m.
Environment and Public Works
Environmental Pollution Subcommittee
To hold oversight hearings on the implementation of section 404 of the Clean Water Act, relating to the wetlands dredge and fill permit program.
SD-406

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Holocaust Memorial Council, Minerals Management Service, Department of the Interior.
SD-138

2:00 p.m.
Appropriations
Legislative Branch Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government, focusing on the Congressional Budget Office, Office of Technology Assessment, General Accounting Office, and the Government Printing Office.
S-128, Capitol

MAY 22

10:00 a.m.
Governmental Affairs
Civil Service, Post Office, and General Services Subcommittee
To hold oversight hearings on a General Accounting Office report on Federal pay equity and classification system.
SD-342

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for Naval Petroleum Reserves, and fossil energy.
SD-138

MAY 23

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on S. 586, to provide for the review of certain authority in awarding international airline route certificates issued under the Federal Aviation Act.
SR-253

10:00 a.m.
Governmental Affairs
Civil Service, Post Office, and General Services Subcommittee
To continue oversight hearings on a General Accounting Office report on Federal pay equity and classification system.
SD-138

Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings on efforts to locate missing children.
SD-430

JUNE 3

9:30 a.m.
*Finance
Health Subcommittee
To hold hearings on proposed legislation to modify the Medicare direct medical education pass-through.
SD-215

JUNE 4

9:30 a.m.
Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on the impact of imported petroleum products on the domestic petroleum industry.
SD-366

JUNE 5

9:30 a.m.
Finance
To hold hearings on S. 814, to make technical corrections to certain provisions of the Tax Reform Act of 1984.
SD-215

JUNE 6

9:30 a.m.
Energy and Natural Resources
Natural Resources Development and Production Subcommittee
To hold oversight hearings on the impact of coal imports on the domestic coal industry.
SD-366

JUNE 10

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To resume oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on fossil energy programs.
SD-366

JUNE 11

9:30 a.m.
Labor and Human Resources
To hold oversight hearings on the implementation of the Orphan Drug Act (P.L. 97-414), focusing on section 7(b) relating to radiation-cancer liability.
SD-430

Labor and Human Resources
Handicapped Subcommittee
To hold oversight hearings on administrative activities of Gallaudet College and the National Technical Institute for the Deaf.
SR-428

10:00 a.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 403, to revise requirements with respect to the issuance of licenses for existing hydroelectric facilities, and S. 426, to provide for more protection to electric consumers.
SD-366

JUNE 12

9:30 a.m.
Labor and Human Resources
To continue oversight hearings on the implementation of the Orphan Drug Act (P.L. 97-414), focusing on section 7(b) relating to radiation-cancer liability.
SD-430

JUNE 18

9:30 a.m.
Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on the current status of and factors affecting the natural gas market.
SD-366

JUNE 20

10:00 a.m.
Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings to examine the problem of drugs in the military.
SD-430

OCTOBER 1

11:00 a.m.
Veterans' Affairs
To hold hearings to review the legislative priorities of the American Legion.
SD-106

CANCELLATIONS

MAY 8

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

HOUSE OF REPRESENTATIVES—*Tuesday, May 7, 1985*

The House met at 12 o'clock noon.

Mr. Robert F. Wagner, minister, Eastern Hills Church of Christ, Marshall, TX, offered the following prayer:

Our Heavenly Father, the Creator and Sustainer of the Universe, we are grateful we live in a free land and to a large extent in a time of peace. We pray this great Nation of ours will always enjoy freedom and practice justice and righteousness. May we each have a sense of the responsibility that is ours, according to the trust placed in our hands and endeavor to act as to be an influence for good that peace may prevail throughout the world enabling men the liberty to pursue happiness. God grant each Member of this Congress wisdom, courage, and fidelity in the performance of their duty and bless their efforts as they formulate legislation affecting the lives of all of us.

In the precious name of Jesus Christ we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. STRANG. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. STRANG. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 241, nays 164, answered "present" 2, not voting 27, as follows:

[Roll No. 96]

YEAS—241

Ackerman	Atkins	Boggs
Akaka	AuCoin	Boland
Alexander	Barnes	Boner (TN)
Anderson	Bates	Bonker
Andrews	Bedell	Borski
Annunzio	Bennett	Bosco
Anthony	Berman	Boucher
Applegate	Bevill	Boxer
Armey	Biaggi	Brooks
Broomfield	Huckaby	Quillen
Brown (CA)	Hughes	Rahall
Broyhill	Hutto	Rangel
Bruce	Jenkins	Ray
Bryant	Johnson	Reid
Burton (CA)	Jones (NC)	Richardson
Bustamante	Jones (OK)	Rinaldo
Byron	Jones (TN)	Rodino
Carr	Kanjorski	Roe
Coelho	Kaptur	Rose
Collins	Kastenmeier	Rostenkowski
Conyers	Kennelly	Rowland (GA)
Cooper	Kildee	Rudd
Coyne	Kleczka	Russo
Crockett	Kostmayer	Sabo
Daniel	LaFalce	Savage
Darden	Lantos	Scheuer
Daschle	Latta	Seiberling
de la Garza	Leath (TX)	Sharp
Dellums	Lehman (CA)	Shelby
Derrick	Lehman (FL)	Sisisky
Dicks	Leland	Skelton
Dingell	Levin (MI)	Slattery
Donnelly	Levine (CA)	Smith (FL)
Dorgan (ND)	Lipinski	Smith (IA)
Duncan	Lloyd	Snowe
Dwyer	Long	Snyder
Dyson	Lowry (WA)	Solarz
Early	Luken	Spratt
Eckart (OH)	Lundine	St Germain
Edgar	MacKay	Staggers
Edwards (CA)	Manton	Stallings
English	Markey	Stark
Erdreich	Martinez	Stenholm
Evans (IL)	Matsui	Stokes
Fazio	Mavroules	Stratton
Feighan	Mazzoli	Studds
Flippo	McCloskey	Swift
Florio	McCurdy	Synar
Foglietta	McHugh	Tallon
Foley	Meyers	Tauzin
Ford (TN)	Mica	Thomas (GA)
Frank	Mikulski	Torres
Frost	Mineta	Torricelli
Fuqua	Moakley	Towns
Garcia	Mollohan	Traficant
Gaydos	Montgomery	Traxler
Gejdenson	Moody	Udall
Gephardt	Morrison (CT)	Valentine
Gibbons	Mrazek	Vento
Glickman	Murphy	Visclosky
Gonzalez	Murtha	Volkmer
Gordon	Myers	Walgren
Gradison	Natcher	Watkins
Gray (IL)	Neal	Waxman
Gray (PA)	Nelson	Weiss
Guarini	Nichols	Wheat
Hall (OH)	Nowak	Whitley
Hall, Ralph	O'Brien	Whitten
Hall, Sam	Oakar	Williams
Hamilton	Oberstar	Wilson
Hatcher	Obey	Wirth
Hawkins	Olin	Wise
Hayes	Ortiz	Wolpe
Hefner	Owens	Wright
Heftel	Panetta	Wyden
Hertel	Pease	Wylie
Hopkins	Pepper	Yates
Horton	Perkins	Yatron
Howard	Petri	Young (MO)
Hoyer	Pickle	
Hubbard	Price	

NAYS—164

Archer	Brown (CO)	Cobey
Badham	Burton (IN)	Coble
Bartlett	Callahan	Coleman (MO)
Barton	Campbell	Combest
Bateman	Carney	Conte
Bentley	Chandler	Coughlin
Bereuter	Chappie	Courter
Bilirakis	Cheney	Craig
Bliley	Clay	Crane
Boehlert	Clinger	Dannemeyer
Boulter	Coats	Daub
Davis	Leach (IA)	Roemer
DeLay	Lent	Rogers
DeWine	Lewis (CA)	Roth
DioGuardi	Lewis (FL)	Roukema
Dornan (CA)	Lightfoot	Rowland (CT)
Downey	Livingston	Saxton
Dreier	Lott	Schaefer
Durbin	Lowery (CA)	Schneider
Eckert (NY)	Lujan	Schroeder
Edwards (OK)	Lungren	Schuette
Emerson	Mack	Schulze
Evans (IA)	Madigan	Schumer
Fawell	Marlenee	Sensenbrenner
Fiedler	Martin (IL)	Shaw
Fields	Martin (NY)	Shumway
Fish	McCain	Shuster
Frenzel	McCandless	Sikorski
Gallo	McCollum	Siljander
Gekas	McDade	Skeen
Gilman	McEwen	Slaughter
Gingrich	McGrath	Smith (NE)
Goodling	McKernan	Smith (NH)
Gregg	McKinney	Smith (NJ)
Grotberg	McMillan	Smith, Denny
Gunderson	Michel	Smith, Robert
Hammerschmidt	Miller (CA)	Solomon
Hansen	Miller (OH)	Spence
Hartnett	Miller (WA)	Stangeland
Hendon	Molinari	Strang
Henry	Monson	Stump
Hiler	Moore	Sundquist
Hillis	Moorhead	Sweeney
Holt	Morrison (WA)	Swindall
Hunter	Nielson	Tauke
Hyde	Packard	Taylor
Ireland	Parris	Thomas (CA)
Jacobs	Pashayan	Vucanovich
Jeffords	Penny	Walker
Kasich	Porter	Weber
Kemp	Pursell	Wolf
Kindness	Regula	Young (AK)
Kolbe	Ridge	Young (FL)
Kramer	Ritter	Zschau
Lagomarsino	Roberts	

ANSWERED "PRESENT"—2

Dymally	Ford (MI)

NOT VOTING—27

Addabbo	Dickinson	Mitchell
Aspin	Dixon	Oxley
Barnard	Dowdy	Robinson
Beilenson	Fascell	Roybal
Bonior (MI)	Fowler	Vander Jagt
Breaux	Franklin	Weaver
Carper	Green	Whitehurst
Chappell	Kolter	Whittaker
Coleman (TX)	Loeffler	Wortley

□ 1220

Mr. FAWELL, Mrs. SCHNEIDER, and Mr. CAMPBELL changed their votes from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

DISPENSING WITH CALL OF PRIVATE CALENDAR

Mr. BOUCHER. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be dispensed with today.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

MINISTER ROBERT F. WAGNER

(Mr. SAM B. HALL, JR., asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM B. HALL, JR. Mr. Speaker, I want to take this opportunity to commend the minister of my church, the Eastern Hills Church in Marshall, TX, Robert F. Wagner, for his inspirational and timely prayer which opened today's session. In addition, I want to thank Chaplain Ford for his assistance and courtesy in arranging for Robert Wagner to deliver the prayer.

As many of my colleagues know, I will soon be leaving this body to become a Federal district judge for the eastern district of Texas. Having my minister with me at this time is especially rewarding, and we both share in the excitement and honor of his appearance before the House today.

Robert Wagner has served as a minister of the Gospel for some 27 years. He began preaching in Bainbridge, GA, and his ministry brought him to the Eastern Hills Church of Christ in Marshall some 4 years ago.

He is married to the former Cenia Mae Groom, and they have two sons and two grandchildren. In addition to his ministry, Robert Wagner worked for the Department of Commerce for the State of Florida for 25 years. He also served with the U.S. Air Force from 1942 to 1945.

Again, it is a privilege to welcome Robert Wagner to Washington, DC. We are very proud of him.

OFFICIAL OBJECTORS FOR THE PRIVATE CALENDAR ON THE REPUBLICAN SIDE, 99TH CONGRESS

Mr. MICHEL. Mr. Speaker, I take this time to announce the official objectors for the Private Calendar on the Republican side for the 99th Congress.

Our official objectors will be the gentleman from Wisconsin [Mr. SENSENBRENNER], the gentleman from Colorado [Mr. BROWN], and the gentleman from Ohio [Mr. DEWINE].

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1157, MARITIME PROGRAMS AUTHORIZATION, FISCAL YEAR 1986

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 99-65) on the resolution (H. Res. 157), providing for the consideration of the bill (H.R. 1157) to authorize appropriations for fiscal year 1986 for certain maritime programs of the Department of Transportation and the Federal Maritime Commission, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1784, PANAMA CANAL COMMISSION AUTHORIZATION ACT, FISCAL YEAR 1986

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 99-66) on the resolution (H. Res. 158), providing for the consideration of the bill (H.R. 1784) to authorize appropriations for fiscal year 1986 for the operation and maintenance of the Panama Canal, and for other purposes, which was referred to the House Calendar and ordered to be printed.

TRIBUTE TO THE LATE HONORABLE HAROLD C. OSTERTAG

(Mr. HORTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORTON. Mr. Speaker, as the dean of the New York Republician delegation, it is with great regret and a deep sense of loss that I announce the passing on Thursday, May 2, of a close friend and former colleague—Harold C. Ostertag.

Harold represented the people of New York's 39th and 37th Congressional Districts for nearly 15 years. His dedication to his congressional duties and his constituents served to inspire many Members of the New York congressional delegation. He established a tradition of excellence which was ably upheld by his successor, now retired, Barber Conable, and which I am certain will be upheld by newly elected Representative FRED ECKERT.

Harold was born in Attica, NY, on June 22, 1896. He attended Attica High School and later graduated from Chamberlain Military Institute in Perry, NY. In 1915, at the age of 19, he enlisted in the Army and served in France with the 55th Pioneer Infantry in the American Expeditionary Forces in France. His political career began in 1932 when he was elected to the New York State Assembly where he served until 1950.

While in the assembly, he pioneered the effort to improve and strengthen cooperation between local, State, and Federal Government bodies. This effort led him to create the Council of State Governments and to seek the position of chairman of the Joint Legislative Committee on Interstate Cooperation. These positions further convinced him of the importance of intergovernmental relations.

Harold continued this work when he came to Congress in 1951. He served as a member of the Commission on Intergovernmental Relations and played a major role in my early interest in the work of the Commission.

Harold was also widely recognized for his work in the Defense and Independent Offices Appropriations Subcommittees. He worked long and hard to ensure that American tax dollars were spent wisely and effectively.

I had the privilege of serving with Harold Ostertag during the 88th Congress and believe that it is a tribute to his foresight and ability that his influence remains today. He was committed to ensuring a cost-effective Federal Government. An ideal we hear much of today.

Recently, another vision of Harold's was fulfilled—the expansion of military facilities in upstate New York. Harold was a strong advocate of the merits of New York as a site for military installations and he strongly encouraged the New York delegation to aggressively seek military contracts. This year, after nearly 10 years of discussion and negotiation, the Army and the New York congressional delegation, announced that Fort Drum will be the home of the 10th Mountain Division.

In closing, Nancy and I would like to express our sincere condolences to Harold's wife Grace. Harold was an outstanding Congressman and a good friend. He will be sorely missed by all of us who knew him.

□ 1230

Mr. ECKERT of New York. Mr. Speaker, will the gentleman yield?

Mr. HORTON. I yield to the gentleman from New York.

Mr. ECKERT of New York. I thank the gentleman for yielding.

Mr. Speaker, Harold C. Ostertag preceded Barber Conable for 14 years as the Representative of the Rochester and western New York State area congressional district. He was an expert on national defense matters in Congress as a member of the Defense Appropriations Committee, and he was an early supporter of our Nation's space program as a member of the Independent Offices Appropriations Subcommittee.

Congressman Ostertag was warmly regarded by his colleagues in Congress and by the people that he represented.

Mr. Ostertag held elective public office for 32 years, first being elected to the New York State Assembly in 1932 and serving there for 18 years before his election to the Congress. It was in the State Assembly that he developed an active interest in intergovernmental relations as chairman of the Joint Committee on Interstate Cooperation and as a member of the Board of Managers of the Council of State Governments. He continued that interest here in the House of Representatives. He was also a delegate to three Republican National Conventions from 1952 through 1960.

Harold Ostertag as born in Attica, NY, in 1896, and lived there most of his life until his retirement from Congress. He served with the American

Expeditionary Forces in World War I, took a leading role in veterans' affairs after the war and had a career in railroading with the New York Central Railroad.

I remember, as a youngster, still early in high school, the courtesies that he extended to me, and I feel privileged to follow in his path.

His wife, Grace, survives, and we extend to her our condolences.

GENERAL LEAVE

Mr. HORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the life, character and public service of the late Honorable Harold C. Ostertag.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERSONAL EXPLANATION

Ms. FIEDLER. Mr. Speaker, on April 30, 1985, on rollcall vote No. 84, on House Concurrent Resolution 130, I voted "yea." My vote was not registered by the voting machine.

I ask unanimous consent that these remarks be inserted in the permanent RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

TRIBUTE TO AMERICAN SERVICEMEN ON THE 40TH ANNIVERSARY OF VICTORY IN EUROPE

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, tomorrow will mark the 40th anniversary of victory in Europe.

In countries throughout Europe this week, flags are being flown, parades and other ceremonies are being held to celebrate the liberation of Europe from Hitler's oppression.

I think it is only fitting that we in this country also pay tribute to the American servicemen who helped restore freedom to those who suffered under the Nazis.

I have asked Congressman BOB GARCIA to call up a resolution honoring the 4 million American servicemen who marched through Europe with our allies to end this sad chapter in world history.

I think it is important to remember those who died in this effort, as well as those veterans who will be very much a part of ceremonies in Europe and in this country tomorrow.

I hope you will join in support of the resolution.

DANIEL ORTEGA'S LOYALTIES AND INTENTIONS

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, Daniel Ortega's shopping tour through the Communist capitals of Europe must be a revelation to those who argued a few days ago that his ties to the Soviets were exaggerated.

You can't help but be impressed with the warm reception he received from his Marxist hosts. But knowing how the Soviets operate makes you wonder what elaborate strings were attached to those fancy aid packages.

If history is any guide, we will see the quid pro quo emerge gradually in ways that no patriotic American nor our allies will appreciate.

Will we see the introduction of Soviet missiles just a few hundred miles from our borders as a result of this trip? Or, will it be the long-awaited arrival of Soviet Migs on our doorstep? Or, the accelerated transition of Nicaragua to a full-fledged, Cuban-style, Soviet client state?

It makes you wonder what surprises Ortega and Gorbachev are cooking up for us. But it should, once and for all, remove any doubts about Ortega's real loyalties and intentions.

ASHLEY BORNE: MISSING CHILD

(Mr. TAUZIN asked and was given permission to address the House for 1 minute.)

Mr. TAUZIN. Mr. Speaker, my wife, Gayle, was born and raised in a small corner of America that is probably recognized by very few Americans. It is a small place called Choupic, LA. In Choupic, LA, news of the national tragedy of missing children has become a personal and community tragedy for Choupic and the Lannie Borne family.

Last Tuesday, this girl, Ashley, the 13-year-old daughter of Lannie Borne and his wife Beverly disappeared from home, with no word, no message, no evidence or why or where she has gone, no word at all of what may become of her.

She is 13 years old, and she was last seen in a light green 1982 Delta 88 Oldsmobile, license plates Louisiana 391X920. She is 5 feet 1 inch tall, 115 pounds, blue eyes, with freckles and light brown hair. She was last seen wearing a pink sweater, blue jeans, and Nike tennis shoes.

Her mother and father are frantically seeking help to locate her. So far, no one has provided a single clue as to her whereabouts.

So the national tragedy of missing children has struck close to home in Choupic, LA. We all pray that Ashley is safe and that someone will soon help us find her and report her whereabouts either to my office or to the local authorities in Lafourche Parish in Louisiana.

THE SANDINISTA REGIME IN NICARAGUA

(Mr. LAGOMARSINO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, less than 2 weeks ago, this House voted to reject aid to the Contras, which would have helped to continue pressure on Managua to moderate its behavior in Central America.

We now know that not only is the Sandinista regime in Nicaragua not moderating its behavior, it is also increasing its ties with the Soviet Union in what only can be considered a direct slap in the face of those in the Congress who seemed to be conciliatory toward the Nicaraguan Government.

Furthermore, we have new reports of direct Sandinista involvement in subversive activities in Honduras. Those reports describe the efforts of Sandinista agents to smuggle arms into Honduras and help recruit and train Honduran guerrilla units.

Last week, I reported on the capture of documents in El Salvador which describes the close cooperation between the Salvadoran guerrillas and the regime in Managua, and this week we have a new report of the defection of a top Salvadoran guerrilla leader who acknowledges the direct support of the Cuban and Nicaraguan Governments for the guerrillas in El Salvador.

It is time to recognize that the Sandinista regime in Nicaragua is not going to be a constructive participant in the peace process in Central America. We must expect that the Sandinistas will continue to press their advantage at every opportunity and we must support those who are in a position to frustrate those efforts. It is not too late to salvage support for the Contras, and I urge my colleagues who rejected aid to the Contras to reconsider their position.

AID TO SENIOR CITIZENS

(Mrs. COLLINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COLLINS. Mr. Speaker, senior citizens are a vocal group when it comes to complaining about cuts in Social Security and Medicare. They believed President Reagan when he said Social Security would be cut only "over my dead body," and they voted for him by a 61- to 39-percent margin.

Well, Mr. Reagan is still very much alive, but his Republican-controlled Senate is still talking about a freeze on Social Security cost-of-living increases,

which older Americans say they can't do without.

They should have known this administration couldn't be counted on to keep their campaign promises. It's too bad the senior citizens didn't realize that last November.

But despite their election day loyalty to Reagan, senior citizens can rest assured that the Democratic Party always fights for their best interests.

□ 1240

THE QUALIFICATIONS FOR RAISING CATS

(Mr. STRANG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRANG. Mr. Speaker, we have recently encountered a proposal to furnish sandboxes to Members of Congress, that they may entertain themselves while others get on with the business of government. It would appear, Mr. Speaker, that one who aspires to be a leader of men and women and who would offer sandboxes as tokens of leadership, has rather more qualified himself for the raising of cats than for the leading of men and women.

THE SPACE ACTIVITIES OF NONLAUNCHING COUNTRIES

(Mr. NELSON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NELSON of Florida. Mr. Speaker, the United States is the world leader in civilian space activities, but a recent report shows we cannot afford to stand still. The report is entitled "Space Activities of the Non-Launching Countries," prepared by Patricia Humphlett of the Congressional Research Service, Report No. 85-72 SPR.

As its title states, the report covers only those countries that do not have thier own launch capabilities and have to rely on other nations to put a satellite in orbit.

Most of these nations are involved in weather or communication satellite activities. For example, the International Telecommunications Satellite Organization, Intelsat, has 109 members, all of whom have made an investment in the system.

There are two important things to realize about this:

First, these countries obtain real benefits from space.

Second, the small countries are joining together, to pool resources for space programs.

If the United States were to stand still, we would relinquish our world leadership in space.

In order to continue to lead the world, the United States must have a vigorous, well-funded civilian space program.

PLAYING INTO THE HANDS OF REVISIONIST HISTORIANS

(Mr. MRAZEK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MRAZEK. Mr. Speaker, recently a poll was conducted which suggested that fully 40 percent of those Americans surveyed did not know which side we were supporting during the Vietnam war. This is obviously hard to believe for those of us who lived through those traumatic times.

Now, President Reagan has managed to rewrite the history of what was certainly the most cataclysmic time in modern world history. While rewriting history, he has also trivialized it. While in Germany, President Reagan made it manifestly clear that in his view, Adolf Hitler himself was the evil, and that in a sense the German people were just as much victims of Hitler as free world forces that fought nazism at such great cost.

Well, it was not kids or Hollywood actors who crowded by the hundreds of thousands into the huge outdoor stadium at Nuremburg, and screamed "Heil Hitler" until their voices gave out. It was not impressionable kids who proclaimed themselves the "master race," and who, along with Japan, came so close to conquering the world.

For a new generation of Americans who cannot even remember Vietnam, it is a terrible mistake to suggest that millions of Allied soldiers gave their lives fighting one evil man named Adolf Hitler. Adolf Hitler did not personally run the death camps, and he did not conduct the "medical" experiments on children, and he did not destroy the village of Lidice or commit the Malmedy atrocity. He did not level the Warsaw ghetto, and he did not personally kill over 20 million allied soldiers who died fighting the Nazi armies.

Nazism was not one man; to suggest that this is true plays right into the hands of revisionist historians who are already making the case that the Holocaust itself never took place.

USDA OPERATING LOANS ARE AT RECORD LEVELS

(Mr. LATTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, in February, the House of Representatives took up the supplemental appropriation for emergency farm credit. At that time, the legislation included a provision to set up a brandnew program within the Small Business Administration to assist hard-pressed farmers in restructuring their debt and to provide needed assistance in planning this year's crops.

During the somewhat heated debate, I stated we did not need a costly new program to do this job; that we should use an ongoing program especially designed for farmers; namely, the Farmers Home Administration, for this purpose.

I am pleased to report to the House that I received word this morning from the Secretary of Agriculture that the U.S. Department of Agriculture operating loans to finance 1985 crops are running at record levels. With only a little more than half of this fiscal year gone, the USDA's Farmers Home Administration has already reached a record operating loan level of $2.6 billion without a new program.

This record reflects two things, and let me mention them. The administration and particularly Secretary Block, are making good on their commitment to make sufficient credit available for hard-pressed farmers for this year's production.

Second, this fact proves that the people inside and outside this Chamber, clamoring for yet another new, costly program last February were just plain wrong.

THE STAKES ARE TOO HIGH FOR THE ADMINISTRATION TO TURN ITS BACK ON THE TRADE DEFICIT

(Mr. DURBIN asked and was given permission to address the House for 1 minute.)

Mr. DURBIN. Mr. Speaker, the events of last Sunday concerning the President's visit to Bitburg Cemetery may overshadow the economic summit in Bonn, but the outcome of that meeting in Bonn could have a long-term impact on our Nation. One shortcoming of that meeting has particularly alarmed me, and that is the failure of the President and his colleagues to set a starting date on a new round of multilateral trade negotiations.

Today, Americans are facing a record $123 billion trade deficit. This staggering imbalance is threatening our economy and is also crippling our Nation's agricultural and industrial exports. Two weeks ago, Fiat-Allis, the largest private industry in my hometown of Springfield, IL, announced that it will close in July, and with that closing eliminate 800 jobs.

During the first quarter of 1985, our economy grew at a sluggish 1.3-percent annual rate. Just yesterday Commerce Secretary Malcolm Baldrige announced that the growth in our economy will fall far short of the administration's earlier estimates.

The stakes are too high for the administration to turn its back on our

trade deficit, and to turn its back on trade negotiations with our trading partners. If we must abandon the multilateral approach, so be it. By whatever means are necessary, the United States must seek a consistent trade policy from those who expect the United States to practice free trade, but who themselves refuse to.

At a recent town meeting in my district, a constituent asked me whether our recent actions concerning trade with Japan was just publicity. Our response to the failure of the economic summit at Bonn will answer his question.

BALANCED BUDGET AMENDMENT PLUS PHASE-IN

(Mr. SAXTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, seldom a day goes by that I am not approached by different groups asking for special consideration under the next year's budget.

This kind of solicitation could easily lead one to believe that the American public has mild concern for the spending problems we face.

Recently, the constituents in New Jersey's 13th District put things into proper perspective. In response to a questionnaire circulated by my office, an overwhelming majority said they wanted this Congress to pass a balanced budget amendment.

While we may disagree over spending priorities, I hope we do not lose sight of the average taxpayer's concerns.

I urge action on a balanced budget amendment during the 99th Congress.

In addition, I call attention to legislation I have introduced with fellow colleagues which will provide a phase-in mechanism. This will enable us to reach a balanced budget through a systematic reduction over 5 years.

THE AMERICAN PEOPLE WILL NOT BE FOOLED

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, 2 weeks ago, this House, reflecting the overwhelming sentiment of the American people rejected Ronald Reagan's request to provide $14 million in aid to the Contras. But now there are signs that the House may reverse itself and support such aid. Why? Because of Daniel Ortega's trip to the Soviet Union.

As badly timed as that trip was, it should not distract us from the facts: It should not lead us to provide assistance, however camouflaged, to a group of armed terrorists who have pledged, according to one Contra commander, that: "Come the counterrevolution, there will be a massacre in Nicaragua. There will be bodies from the border to Managua."

For 4 years this administration has waged all-out war against Nicaragua's economy. U.S.-financed Contras have mined Nicaraguan ports, have blown up oil storage facilities, assassinated coffee workers, and burned their crops.

The President has blocked multilateral aid to Nicaragua while cutting its sugar quota and denying it wheat credits. Now, after 4 years of orchestrated war, Mr. Ortega does the inevitable and seeks even more aid from the Russians. The Reagan administration cries out in feigned shock: "We told you so."

What hypocrisy. The American people will not be fooled; let us not be.

□ 1250

STATE DEPARTMENT AUTHORIZATION POSTPONED AGAIN

(Mr. KOLBE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOLBE. Mr. Speaker, last week on two occasions this House deferred action on the State Department authorization. On both occasions, the leadership of the majority party rose to tell us in very sad tones that they were doing so because of the dilatory and obstructionist tactics of the minority party in this body. The State Department authorization was important, we were told, and the minority party was responsible for blocking action on it.

Mr. Speaker, we did not regard our action as obstructionist tactics. We believed then—as we do now—that a very important constitutional issue faced this House. But we also understood that the State Department authorization is an important issue. We have come to this body this week prepared to carry on the business of this House. Now, today, we are told that the State Department authorization has been postponed yet again, and deferred yet again for another week.

Why, Mr. Speaker? If the State Department authorization was important last week, why is it not important this week? Let us stop kidding ourselves, Mr. Speaker. The majority party in this body has a responsibility to move this body toward the business of getting a budget passed for our Nation. I urge them to do so.

SAYING AND DOING—CONFLICTING MESSAGES

(Mrs. BOXER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOXER. Mr. Speaker, we can only hope that the message of Bitburg will be a warning to every citizen of the world who cares about the human race that we must never allow the world to forget the Holocaust, the SS, Hitler, and the death camps.

But there is another lesson in Bitburg—the lesson of hypocrisy. The lesson of saying one thing and doing another, saying beautiful words, quoting Anne Frank but still standing near the remains of the SS who caused her suffering and death.

But we have seen hypocrisy before from this administration saying they are for families and children but standing by while millions of children move into poverty; saying they are for deficit reduction but asking for huge increases in military spending; saying they are for the elderly and then breaking a solemn promise never to cut Social Security.

Saying and doing: Bitburg is the worst example of conflicting messages, but certainly not the only example.

ANNIVERSARY OF THE POLISH CONSTITUTION OF 1791

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, last Thursday, May 3 marked the anniversary of the Polish Constitution of 1791. One of the most important holidays, it observes the adoption of the Constitution through which Poland was transformed into a modern state.

The Constitution was adopted at a critical time in Polish history. In 1772, the first treaty of partition was signed at St. Petersburg between Prussia, Russia, and Austria. As a result, these three seized large sections of Polish territory.

Although Poland was to be dependent on the three partitioners, they evidently meant to make it a serviceable dependent. The overall shock of the first partition had a certain salutary effect on national mentality. Facing possible annihilation, all forces in Poland united behind the new Constitution, which was greatly influenced by the liberal movements in America, England, and France. The towns got full administrative and judicial autonomy, as well as a certain amount of parliamentary representation. Possession of land and access to office in the state and in church were thrown open to the townsmen. This date is not mentioned today in Poland, but is observed by the many Polish communities in the free world, especially the United States.

SOVIET CITIZENS OF AMERICAN EMBASSY IN MOSCOW ARE UNACCEPTABLE SECURITY RISKS

(Mr. COURTER asked and was given permission to address the House for 1 minutes and to revise and extend his remarks.)

Mr. COURTER. Mr. Speaker, between 1982 and 1984 it was discovered that typewriters in the U.S. Embassy in Moscow were bugged. It was discovered also that a number of Soviet citizens who worked in the U.S. Embassy were, in fact, employees of the KGB.

I have an amendment to the State Department bill which I urge all my colleagues to support. Basically, what it will do will be to fire 200 Russians who work now inside our Embassy in Moscow and our consulate in Leningrad. These Soviet citizens are an unacceptable security risk to the United States. They create a very heavy counterintelligence burden on the United States.

There is no reason why we should have in the U.S. Embassy, in the area where sensitive information is dealt with, citizens of the Soviet Union who probably work for the KGB.

Mr. Speaker, I urge my colleagues to support my amendment.

HOUSE SHOULD TAKE ANOTHER LOOK AT HUMANITARIAN AID TO NICARAGUAN RESISTANCE FORCES

(Mr. McCURDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCURDY. Mr. Speaker, like many of my colleagues, I was frustrated by the lack of options which led to the defeat 2 weeks ago of a proposal to provide humanitarian aid to the resistance forces in Nicaragua.

I believe recent events have shown that it was a mistake to completely reject such aid, and I think this House should take another look at the issue.

Accordingly, tomorrow I am introducing a joint resolution—which may be considered as a resolution or as an amendment to upcoming legislation—that would release the $14 million fenced last year, but limit its use to humanitarian aid. The funds would be distributed through the Agency for International Development, and any use for military or other lethal purposes is specifically forbidden.

Second, it urges the President to vigorously pursue diplomatic and economic steps, in concert with the OAS and other free world nations, to implement the Contradora objectives and to pressure the Government of Nicaragua to begin talks with the resistance forces. It also urges the President to resume bilaterial discussions between the United States and Nicaragua.

The President is required to report to the Congress every 90 days and, if he determines that negotiations and other steps have failed to resolve the conflict, he may—after consultation with the Congress—request a joint resolution providing additional assistance for the resistance forces. Such request would be considered on an expedited basis.

I believe this resolution, and a similar one in the Senate, offer the best hope of filling a dangerous hole in American foreign policy. I urge my colleagues' support.

□ 1300

THE PREVENTION OF FUTURE HOLOCAUSTS

(Mr. RITTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RITTER. Mr. Speaker, this past week the world has been witness to the events of the Holocaust, and the world has had the opportunity to reflect on those events. Our responsibility is to never forget, indeed to remember the Holocaust. Our responsibility is also to prevent future holocausts from occurring.

The common thread that has run through the holocausts of the 20th century is totalitarian tyranny. That thread was evident in Nazi Germany, that thread was evident in Soviet Russia during the enforced famine against the people of the Ukraine, and that thread was evident in the fabric of repression in Pol Pot's Cambodia.

Mr. Speaker, we have a responsibility to support the forces of pluralism and of democracy and those who would struggle against totalitarian tyranny. We have an obligation to support those who would struggle against totalitarian tyranny here in our own hemisphere on the mainland of the Americas.

Mr. Speaker, I urge Congress to revisit the aid package to those fighting for democracy in Nicaragua.

CENTRAL AMERICA: A DOSE OF REALITY

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute.)

Mr. GONZALEZ. Mr. Speaker, yesterday, I pointed out the fact that the United States is a member of the Organization of American States, the OAS. It is a fact, a reality, that the Rio Treaty, both in its original form and in its later amendments, commits our country to the peaceful settlement of disputes. The treaty obligations of the United States, as expressed in the Rio Treaty and its revisions, make it an unequivocal duty to avoid acts of aggression. Any country that commits an act of aggression clearly violates the terms of the treaty.

Aggression is defined thusly, in the Rio Treaty:

> The sending by or on behalf of a State of armed bands, groups, irregulars, or mercenaries, which carry out acts of armed force against another State.

This is an exact definition of the Contra forces, and of our support for them.

When the House debates the business of aid to the Contras, it is a reality, a fact that we must remember, that no matter what we may think of the Government of Nicaragua, our treaty obligations clearly call for us to seek negotiation of our differences and to avoid acts of war. And there is no evading the fact that our support of the Contra forces, and the acts that they have committed, fall within the definition of acts of war, acts of aggression, acts that our Government has solemnly pledged not to undertake.

We have to be sober and mature in our judgment. Some will say, "so what?" about any violation of international law. But those same voices rise in great outcry if some other country violates such law. We cannot have it both ways. We cannot call one country lawless, if we ourselves were the first to violate the law. In the case of Nicaragua, we are in no position to call that Government lawless. President Reagan knows that we are in clear violation of international law, and that is why, among other things, he denies that the World Court even has the right to examine the case of Nicaragua—even though in other cases, the United States has used the World Court to great advantage. It is no light thing to ignore law, even law so fragile as international law.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. NELSON of Florida). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has been concluded on all motions to suspend the rules.

AUTHORIZATION FOR THE BUREAU OF THE MINT, 1986

Mr. ANNUNZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2148) to authorize appropriations for the Bureau of the Mint for fiscal year 1986, as amended.

The Clerk read as follows:

H.R. 2148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5132(a)(2) of title 31, United States Code, is amended to read as follows:

"(2) Not more than $47,692,000 may be appropriated to the Secretary for the fiscal year ending September 30, 1986, to pay costs of the mints and assay offices.".

The SPEAKER pro tempore. Is a second demanded?

Mr. HILER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. ANNUNZIO] will be recognized for 20 minutes and the gentleman from Indiana [Mr. HILER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ANNUNZIO].

Mr. ANNUNZIO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2148 authorizes not more than $47,692,000 for the Bureau of the Mint. I know that many Members believe that we should put a freeze on Government spending. Those Members will be pleased to know that this authorization is $66,000 less than the House authorized in fiscal 1985.

The authorization includes a decrease of $250,000 from the authorization requested by the mint. The mint proposed to spend that amount on architectural and engineering studies related to the use of space at the Philadelphia Mint.

The study was supposedly required to determine how to best use the space now unused as a result of the closing of the casting and rolling facility. That closing occurred because it was allegedly cheaper to purchase, rather than manufacture, coinage strip. Now the mint proposes to spend half a million dollars to plan what to do with the space. The mint's own personnel are the experts on the coinage process, and no outsiders can approach them in the expertise they possess in mint operations. To use expensive contractors who are unfamiliar with coinage is a waste of the taxpayers' money.

The authorization includes an increase of $988,000 to restore the administration's proposed 5-percent cut for the salaries of the mint's employees. Such a cut is completely unwarranted and unfair. Most of the mint's employees are blue collar or clerical workers in the lower grades of the Federal pay scale. These employees would be least able to afford any pay cut at all.

H.R. 2148 does not require that the mint restore the funds for the proposed pay cut. It does restore them to the authorization so that, if the pay cut is not approved, the Appropriations Committee will be able to appropriate the funds without any need for the authorization to be amended.

The bill, as reported by the Banking Committee, deletes the mint's request for an unlimited authorization for fiscal year 1987. This enables Congress to maintain necessary control over mint spending and activities in fiscal year 1987 and future years.

I am firmly opposed to an authorization longer than 1 year in duration. A 1-year authorization provides the Congress and the Banking Committee with the opportunity to oversee and monitor the operation of this important agency.

It is important that the United States maintain control over its coinage. Security over the coinage process is vital to protect the integrity of our money. We cannot risk having coins of the realm made outside the realm. My concern was heightened earlier this year when the mint received a number of foreign bids on a solicitation to supply the Denver Mint with coin blanks.

During the consideration of H.R. 2148, the Consumer Affairs Subcommittee adopted an amendment I offered requiring the use of American metals, equipment, and services in the manufacture of our coins. On April 30, Mint Director Donna Pope wrote to me stating that the coin blank solicitation was being withdrawn. The letter stated that coin blanks will continue to be manufactured in the security of the Denver Mint.

In light of this positive action on the part of the Treasury, I withdrew my amendment. I do not believe that we now need codify a ban on foreign purchases. However, if it appears that the mint moves toward a continued erosion of American source contracting, I will not hesitate to reintroduce legislation to assure that our coins are truly American coins. As long as I am chairman of the subcommittee, our coins will never be labeled "made in Taiwan."

The U.S. Mint is the greatest mint in the world. Our coins are recognized worldwide. The quality and integrity of our coinage must be zealously guarded. This authorization assures that the mint will be funded at the level necessary to do so, without any unnecessary expenditures.

□ 1310

At this time I would like to pay tribute to the ranking minority member of the Coinage Subcommittee, the gentleman from Indiana, Mr. JOHN HILER, and to the ranking minority member of the full committee, the gentleman from Ohio, Mr. CHALMERS WYLIE, and to all the members of our committee for their genuine support and dedication to the coinage system of the United States. They have loyally supported my efforts as chairman, and as far as I am concerned, they have made my job much easier. I want to pay tribute to them today.

Mr. Speaker, I reserve the balance of my time.

Mr. HILER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join Chairman ANNUNZIO in support of H.R. 2148, which would authorize appropriations of $47.692 million for the expenses and salaries of the U.S. Mint.

Although this authorization is $738,000 above the administration's original request of $46.954 million, I believe that it is reasonable. The higher figure we are considering today reflects two policy changes which the Consumer Affairs and Coinage Subcommittee decided should be made in the administration's request.

First, the subcommittee eliminated the administration's proposed 5-percent reduction in salaries of mint personnel and replaced it with a pay freeze. In our view, the inclusion of a pay cut is not realistic. Recent action on the budget indicates that Congress is very unlikely to approve a 5-percent reduction in the pay of Federal workers, and the administration has indicated to the other body's leadership that a pay freeze will be sought.

Second, the subcommittee rejected the mint's request for an additional $275,000 in appropriated funds for architectural and engineering plans for utilization of available space at the Philadelphia Mint. Although I do not object to this project on its merits, I do believe that at a time when our Nation is facing extraordinarily large budget deficits, we all have to tighten our belts a bit. And if the mint decides that this project is essential, it can go ahead with it. The authorization permits the mint the flexibility to use its appropriated funds as it sees fit.

Two additional proposals related to the operations of the U.S. Mint were considered during consideration of the bill at the subcommittee and committee levels. The Consumer Affairs and Coinage Subcommittee reported a mint authorization bill that contained restrictions on the mint's procurement of metals, other materials, services, and equipment from foreign sources. Although I am generally an advocate of free trade, I do believe that we must take care not to jeopardize the security of our coinage system.

The awarding of contracts to foreign concerns for the blanking of coins could pose such a risk. While I am convinced that the bill as originally passed out of the subcommittee contained language that would have given the Treasury sufficient flexibility to buy foreign if there was no substantially equivalent U.S. product or if the domestic price was not reasonable, I am pleased that the Treasury Depart-

ment under its new leadership has decided to withdraw its current solicitation for bids on coin blanks in particular and to take another look at the implications of seeking private sources of coin blanks rather than continuing to do its own blanking, in light of the probability that a foreign source would have the lowest price. While savings could be attained from private-source blanking, if those savings are at the expense of domestically produced coins, I am not sure the savings would be worth it.

As a result of Treasury's decision on this matter, the Banking Committee dropped the proposed restrictions on the mint's procurement practices from the authorization.

The Banking Committee also considered an amendment offered by the gentleman from Arizona [Mr. KOLBE] to provide for the minting of a copper penny rather than the zinc penny we now have. Prior to 1981, the penny was a copper coin. Because of the run-up in the price of copper, the mint changed the penny to a copper-clad zinc coin at a large savings to the American people. Because the price of copper has now fallen, the gentleman from Arizona believes that going back to a copper coin would assist the copper mines and workers who are currently out of work.

Although this proposal encountered some resistance during the markup, I appreciate the concerns expressed by the gentleman from Arizona. This is an issue that both Chairman ANNUNZIO and I believe should be revisited in the future.

Although the mint is now an effectively managed agency under the direction of Donna Pope, there remains a need for constant and close congressional oversight of its operations. As ranking Republican on the Consumer Affairs and Coinage Subcommittee, I intend to continue to work closely with Chairman ANNUNZIO to ensure that the mint continues to be not only a cost-effective agency, but also one which operates in the best interests of the Nation it serves.

I might also add that I appreciated the cooperation which Chairman ANNUNZIO displayed not only to myself, but to the Republican members of the subcommittee and the full committee and look forward to working with the chairman in the future on oversight of the mint and in future authorizations.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. HILER. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

I would like the gentleman to yield for two purposes. No 1, it is my understanding that the authorization we have before us does indeed meet the freeze test; in other words, that the amount we would be authorizing in this bill is below the appropriation level for last year; is that correct?

Mr. HILER. That is correct. The authorized amount for fiscal year 1986 would be some $66,000 less than the appropriated amount had been in the continuing resolution passed last year for fiscal year 1985.

Mr. WALKER. So that we can assure our colleagues as we pass this authorization that those who have been in support of the freeze up until now in other authorizations are indeed supporting the same concept here.

Mr. HILER. That is correct.

Mr. WALKER. I would also ask the gentleman to yield further. I was just doing a head count here on the floor a little bit ago and discovered that there are somewhere between 7 and 10 people on the floor for this debate.

I point that out only because recently the Democratic Congressional Committee has been mailing into some of our districts suggesting that there are times when there are some serious activities on the floor, and other times when there are not serious activities and it is a waste of money when they point out that there is not serious activity.

I simply think that it is important for the American people to understand when they do not have the cameras panning the floor during the regular sessions of this body that they understand that there are not very many people here during some of these debates, either, despite the fact that the gentleman has helped bring a bill to the floor that is about a $47 million bill and we would have to wonder why some people do not regard that as serious business.

Mr. HILER. Well, I would like to think that the House recognizes that the chairman, the gentleman from Illinois [Mr. ANNUNZIO] and myself, would not bring a bill to the floor unless it was going to meet the guidelines that all 435 Members would subscribe to and I hope it shows confidence in us.

Mr. WALKER. I think that must be the case. I am sure the gentleman has defined it perfectly.

I thank the gentleman for yielding.

● Mr. WYLIE. Mr. Speaker, I join Chairman ANNUNZIO and Congressman HILER in their support of H.R. 2148, legislation that authorizes appropriations for the U.S. Mint for fiscal year 1986. I also would like to commend the chairman of the Consumer Affairs and Coinage Subcommittee for the outstanding work he has done in the oversight of the U.S. Mint and its operations. Mr. HILER deserves mention for his excellent contributions in making this a good bill.

The mint is one agency of the Government which is effectively and efficiently managed. Under the direction of Donna Pope, who I am proud to say is a fellow Ohioan, the mint has enjoyed considerable success in recent years. I think we would all agree that among the most significant of the mint's achievements is its recent deposit of $818 million in the general fund of the Treasury. This $818 million consisted of profits earned from seign-iorage and sales of numismatic items. Not many Government agencies can claim to earn a profit. Nor can many Government agencies boast that they actually contribute to reducing the deficit, rather than to increasing it.

Another of the mint's recent accomplishments is the successful completion of the Olympic Coin Program. A total of 3.3 million Olympic coins have been shipped from the mint to purchasers. As a result of the mint's efforts, more than $71.9 million has been turned over to the U.S. Olympic Committee and the Los Angeles Olympic Organizing Committee, in support of a very worthy cause.

In light of the outstanding recent successes of the U.S. Mint, particularly its laudable practice of enriching the Treasury's coffers, I believe that the authorization request before us today is a reasonable one. I recognize that the authorization adopted by the Banking Committee does exceed the President's request by $738,000. For the most part, this reflects the opinion of both the subcommittee and the committee that mint salaries should be frozen, rather than reduced by 5 percent as proposed by the administration. Even so, the authorization request of $47,692 million that is before us today is still $66,000 less than the fiscal year 1985 appropriation for the mint as contained in last year's continuing resolution.

The U.S. Mint is a Government agency we can all be proud of. Under the outstanding management of Donna Pope, it is working hard to produce the highest quality coinage at the lowest possible cost to the taxpayer. Beyond performing its basic function in an exemplary fashion, the mint has made some very special contributions to the Olympics Program and to the reduction of the deficit. These are contributions that we all can appreciate, and the agency making them deserves our strongest support.●

Mr. HILER. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank the gentleman from Indiana for yielding.

If I can answer the question of our distinguished colleague, the gentleman from Pennsylvania, the Members that are on the floor here are what we call the watchdogs of the Treasury, so I think the American people are well served.

I want to congratulate the ranking member of our subcommittee, the gen-

tleman from Indiana [Mr. HILER] for his marvelous job in crafting this legislation. He is truly gifted in this regard and we are fortunate to have him as the ranking member of our committee.

I also want to especially express my appreciation to our subcommittee chairman, the gentleman from Illinois [Mr. ANNUNZIO] for his eternal vigilance and diligence in this area. The U.S. Mint is responsive to the needs and concerns of the American public because he is in charge. I do not know of any man in Congress that is as well informed as the gentleman from Illinois when it comes to these important issues and is as conscientious and as diligent.

□ 1320

That is why we do not have to have all 435 Members here, because we have confidence in you and we have confidence that the job is going to be done right. We thank you for that and also our wonderful staff.

Mr. Speaker, I rise in support of H.R. 2148, which would authorize funding for the U.S. Mint for fiscal 1986. The cost of this authorization, is below the 1985 authorization level. This is a fiscally responsible bill.

I want to commend the ranking minority member of our subcommittee, Mr. HILER, for his efforts in crafting this legislation. And I especially want to express my appreciation to the subcommittee chairman, Mr. ANNUNZIO, for his eternal diligence in ensuring that the U.S. Mint is responsive to the needs and concerns of the American public.

On one issue in particular I want to associate myself with the chairman's position, and that is on the procurement of equipment and materials, especially coin blanks, by the mint. Most certainly, we have an obligation to protect American jobs and industries which can provide supplies to the mint at a reasonable cost.

Foreign sourcing of coin blanks is a troubling prospect on several counts. One, of course, is security. A second is quality control. But third, and most important, is the thought that the United States, a country with a $130 billion trade deficit, might actually begin importing its own coinage. As the chairman has said, the coin of the realm should not be produced outside of the realm. As far as I am concerned, this should be a guiding principle.

It is my understanding that the issue of sourcing of coin blanks has been resolved by Treasury's agreeing to drop its solicitation. There is some question in my mind as to whether or not private firms, in the United States or outside, should be doing a job the mint has been doing for years—and is perfectly capable of doing. I am pleased that since Treasury is under new leadership it has decided to revisit this entire issue.

Again, I strongly support this legislation, and urge my colleagues to do likewise.

There is one other issue I think we want to touch on which is somewhat relevant, and that is the issue of changing of our currency. For that, too, I want to thank our chairman and ranking member because no other issue is going to, I think, disturb the House as much as that particular issue if it is not properly handled.

So many times we go back to our districts and people say "I did not realize you were even considering this law on Capitol Hill, and now it is a law and we have to live with it." This issue of the change of the currency is one of those sleeping issues and for that we are confident and thankful to our chairman and to our ranking member that this issue is going to be resolved and is going to be guarded.

Again I want to thank the chairman and the ranking member for their diligence in this regard and in this matter. Because of you, those of us in Congress can have faith and confidence that the job will be done right.

Mr. ANNUNZIO. Will my good friend from Wisconsin yield?

Mr. ROTH. I am happy to yield.

Mr. ANNUNZIO. I appreciate the gentleman yielding. I want to express my deep appreciation to the gentleman, TOBY ROTH from Wisconsin, for all of the kind remarks and for his active participation in this committee. Without the support of all of the committee members we would not be able to do the job. I know I could not do the job by myself.

Under the Constitution, the Congress of the United States is given the authority to protect the currency and the coinage system of the United States. We are obligated. That is our responsibility. And as a committee we have been trying to do that job and I think we have done a good job.

I would also like to make this point for the RECORD. The mint produces for the Treasury of the United States, close to $500 million a year in profit from the sale of coins to the public. So for the taxpayers we not only want to protect the mint's integrity but we want to protect that source of revenue to the Treasury. And as we all know, the revenue is badly needed today because of the rising deficits in our budgets.

So, again, I thank the gentleman for his support. I am looking forward to his help on the counterfeit currency problem. We will have hearings in about a month and when those hearings begin I know the gentleman will take a very active part, along with the gentleman from Indiana, Mr. JOHN HILER.

Mr. ROTH. I thank our chairman for his graciousness and insight, and I yield back to the gentleman from Indiana.

Mr. HILER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ANNUNZIO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ANNUNZIO] that the House suspend the rules and pass the bill, H.R. 2148, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to authorize appropriations for the Bureau of the Mint for fiscal year 1986."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CONFERENCE REPORT ON H.R. 1869, REPEAL OF CONTEMPORANEOUS RECORDKEEPING REQUIREMENTS

Mr. ROSTENKOWSKI submitted the following conference report and statement on the bill (H.R. 1869) to repeal the contemporaneous recordkeeping requirements added by the Tax Reform Act of 1984, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 99-67)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1869) to repeal the contemporaneous recordkeeping requirements added by the Tax Reform Act of 1984, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SECTION 1. REPEAL OF CONTEMPORANEOUS RECORDKEEPING REQUIREMENTS, ETC.

(a) CONTEMPORANEOUS RECORDKEEPING REQUIREMENTS.—Subsection (d) of section 274 of the Internal Revenue Code of 1954 (relating to substantiation requirements for certain deductions and credits) is amended by striking out "adequate contemporaneous records" and inserting in lieu thereof "adequate records or by sufficient evidence corroborating the taxpayer's own statement", and the Internal Revenue Code of 1954 shall be applied and administered as if the word

"contemporaneous" had not been added to such subsection (d).

(b) PROVISIONS RELATING TO RETURN PREPARERS AND NEGLIGENCE PENALTY.—Paragraphs (2) and (3) of section 179(b) of the Tax Reform Act of 1984 are hereby repealed, and the Internal Revenue Code of 1954 shall be applied and administered as if such paragraphs (and the amendments made by such paragraphs) had not been enacted.

(c) REPEAL OF REGULATIONS.—Regulations issued before the date of the enactment of this Act to carry out the amendments made by paragraphs (1)(C), (2), and (3) of section 179(b) of the Tax Reform Act of 1984 shall have no force and effect.

SEC. 2. SUBSTANTIATION REQUIREMENTS NOT TO APPLY TO CERTAIN VEHICLES WITH LITTLE PERSONAL USE.

(a) IN GENERAL.—Subsection (d) of section 274 of the Internal Revenue Code of 1954 (relating to substantiation required) is amended by adding at the end thereof the following new sentence: "This subsection shall not apply to any qualified nonpersonal use vehicle (as defined in subsection (i))."

(b) QUALIFIED NONPERSONAL USE VEHICLE DEFINED.—Section 274 of such Code is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

"(i) QUALIFIED NONPERSONAL USE VEHICLE.—For purposes of subsection (d), the term 'qualified nonpersonal use vehicle' means any vehicle which, by reason of its nature, is not likely to be used more than a de minimis amount for personal purposes."

SEC. 3. EXEMPTION FROM REQUIRED INCOME TAX WITHHOLDING FOR CERTAIN FRINGE BENEFITS.

Section 3402 of the Internal Revenue Code of 1954 (relating to income tax collected at source) is amended by adding at the end thereof the following new subsection:

"(s) EXEMPTION FROM WITHHOLDING FOR ANY VEHICLE FRINGE BENEFIT.—

"(1) EMPLOYER ELECTION NOT TO WITHHOLD.—The employer may elect not to deduct and withhold any tax under this chapter with respect to any vehicle fringe benefit provided to any employee if such employee is notified by the employer of such election (at such time and in such manner as the Secretary shall by regulations prescribe). The preceding sentence shall not apply to any vehicle fringe benefit unless the amount of such benefit is included by the employer on a statement timely furnished under section 6051.

"(2) EMPLOYER MUST FURNISH W-2.—Any vehicle fringe benefit shall be treated as wages from which amounts are required to be deducted and withheld under this chapter for purposes of section 6051.

"(3) VEHICLE FRINGE BENEFIT.—For purposes of this subsection, the term 'vehicle fringe benefit' means any fringe benefit—

"(A) which constitutes wages (as defined in section 3401), and

"(B) which consists of providing a highway motor vehicle for the use of the employee."

SEC. 4. REDUCTION IN LIMITATIONS ON INVESTMENT TAX CREDIT AND DEPRECIATION FOR LUXURY AUTOMOBILES.

(a) GENERAL RULE.—

(1) INVESTMENT TAX CREDIT.—Paragraph (1) of section 280F(a) of the Internal Revenue Code of 1954 (relating to investment tax credit) is amended by striking out "$1,000" and inserting in lieu thereof "$675".

(2) DEPRECIATION.—Paragraph (2) of section 280F(a) of such Code (relating to depreciation) is amended—

(A) by striking out "$4,000" in subparagraph (A)(i) and inserting in lieu thereof "$3,200", and

(B) by striking out "$6,000" each place it appears in subparagraphs (A)(ii) and (B)(ii) and inserting in lieu thereof "$4,800".

(b) 4-YEAR DEFERRAL OF INFLATION ADJUSTMENT.—

(1) ADJUSTMENT AFTER 1988.—Subparagraph (A) of section 280F(d)(7) of such Code (relating to automobile price inflation adjustment) is amended by striking out "passenger automobile" and inserting in lieu thereof "passenger automobile placed in service after 1988".

(2) 1987 BASE PERIOD.—Subclause (II) of section 280F(d)(7)(B)(i) of such Code is amended by striking out "1983" and inserting in lieu thereof "1987".

(3) TECHNICAL AMENDMENT.—Clause (i) of section 280F(d)(7)(B) of such Code is amended by striking out the last sentence.

SEC. 5. NEW REGULATIONS.

Not later than October 1, 1985, the Secretary of the Treasury or his delegate shall prescribe regulations to carry out the provisions of this Act which shall fully reflect such provisions.

SEC. 6. EFFECTIVE DATES.

(a) REPEALS.—The amendment and repeals made by subsections (a) and (b) of section 1 shall take effect as if included in the amendments made by section 179(b) of the Tax Reform Act of 1984.

(b) RESTORATION OF PRIOR LAW FOR 1985.—For taxable years beginning in 1985, section 274(d) of the Internal Revenue Code of 1954 shall apply as it read before the amendments made by section 179(b)(1) of the Tax Reform Act of 1984.

(c) EXCEPTION FROM SUBSTANTIATION REQUIREMENTS FOR QUALIFIED NONPERSONAL USE VEHICLES.—The amendments made by section 2 shall apply to taxable years beginning after December 31, 1985.

(d) WITHHOLDING AMENDMENT.—The amendment made by section 3 shall take effect on January 1, 1985.

(e) REDUCTION IN LIMITATIONS ON INVESTMENT TAX CREDIT AND DEPRECIATION.—

(1) Except as provided in paragraph (2), the amendments made by section 4 shall apply to—

(A) property placed in service after April 2, 1985, in taxable years ending after such date, and

(B) property leased after April 2, 1985, in taxable years ending after such date.

(2) The amendments made by section 4 shall not apply to any property—

(A) acquired by the taxpayer pursuant to a binding contract in effect on April 1, 1985, and at all times thereafter, but only if the property is placed in service before August 1, 1985, or

(B) of which the taxpayer is the lessee, but only if the lease is pursuant to a binding contract in effect on April 1, 1985, and at all times thereafter, and only if the taxpayer first uses such property under the lease before August 1, 1985.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1869) to repeal the contemporaneous recordkeeping requirements added by the Tax Reform Act of 1984, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment to the text of the bill struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The difference between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

DAN ROSTENKOWSKI,
SAM M. GIBBONS,
J.J. PICKLE,
C.B. RANGEL,
PETE STARK,
JOHN J. DUNCAN,
BILL ARCHER,
GUY VANDER JAGT,
Managers on the Part of the House.

BOB PACKWOOD,
BOB DOLE,
W.V. ROTH, Jr.,
JOHN DANFORTH,
RUSSELL LONG,
LLOYD BENTSEN,
SPARK M. MATSUNAGA,
Managers on the Part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

I. EXPLANATION OF PROVISIONS

A. Repeal of Requirement That Certain Records Must Be Contemporaneous (secs. 1 (a) and (c) and 2(a) of the House bill and secs. 1 (a) and (c)

1. Repeal of "contemporaneous" requirement

Present law

The Tax Reform Act of 1984 (the 1984 Act) amended Code section 274(d) to require that taxpayers must maintain "adequate contemporaneous records" to substantiate deductions and credits for business use of automobiles and other listed property.

House bill

The House bill repeals the word "contemporaneous," effective as if it had never been enacted.

Senate amendment

The Senate amendment is the same as the House bill.

Conference agreement

The conference agreement follows the House bill and the Senate amendment.

2. Alternate substantiation method

Present law and background

Prior to the 1984 Act, taxpayers were required under section 274(d) to substantiate deductions for travel away from home (including meals and lodging), for items with respect to entertainment, amusement, or recreation activities of facilities, and for business gifts by adequate records or by sufficient evidence corroborating the taxpayer's own statement. In the case of an expense or item subject to substantiation under section 274(d), that provision required substantiation as to (1) the amount of such expense or other item, (2) the time

and place of the travel, entertainment, amusement, recreation, or use of the facility, or the date and description of the gift, (3) the business purpose of the expense or other item, and (4) the business relationship to the taxpayer of persons entertained, using the facility, or receiving the gift. Prior to the 1984 Act, local travel (i.e., travel not away from home) was not subject to the section 274(d) substantiation standards.

Section 179(b) of the 1984 Act deleted from section 274(d) the alternate substantiation method of sufficient evidence corroborating the taxpayer's own statement. The 1984 Act also applied the section 274(d) substantiation requirements to deductions or credits claimed for use of listed property (as defined in sec. 280F(d)(4)). The categories of listed property include automobiles (whether used for local travel or travel away from home), other means of transportation, computers, etc.

House bill

The House bill provides that, as an alternative to maintaining adequate records, taxpayers may substantiate deductions and credits under section 274(d) by sufficient written evidence corroborating their own statement.

The committee report also requires that certain information concerning mileage and business use of vehicles, as well as similar information concerning business use of other listed property, must be requested on tax returns.

The House bill is effective on January 1, 1986. For 1985, the substantiation rules in effect prior to the 1984 Act would apply.

Senate amendment

The Senate amendment is similar to the House bill in that it provides for an alternate substantiation method. However, the Senate amendment does not require that the evidence must be written in order to qualify as sufficient under the alternate substantiation standard. The Senate amendment is effective January 1, 1985.

The Senate amendment does not specifically require that questions regarding the business use of automobiles and other listed property be asked on tax returns.

Conference agreement

Substantiation standards

In general

The conference agreement generally follows the Senate amendment as to the substantiation standards under section 274(d). Thus, section 274(d) is amended to require that a taxpayer must have adequate records or sufficient evidence corroborating the taxpayer's own statement to support credits or deductions for expenditures subject to the section 274(d) substantiation rules. As under pre-1984 Act law, section 274(d) as amended by the bill requires the taxpayer to substantiate (1) the amount of the expense or item subject to section 274(d), (2) the time and place of the travel, entertainment, amusement, recreation, or use of the facility or property, or the date and description of the gift, (3) the business purpose of the expense or other item, and (4) the business relationship to the taxpayer of persons entertained, using the facility or property, or receiving the gift.

The conferees believe that a taxpayer's uncorroborated statement as to the business use of an automobile or other listed property does not alone have sufficient probative value to warrant consideration by the Internal Revenue Service or the courts. Consequently, the conferees adopt for this purpose the standard of prior law applicable to travel away from home and business entertainment (sec. 274(d)) that requires taxpayers to provide either adequate records or sufficient evidence corroborating their own statements in order to support a deduction or credit under section 274(d). The more general substantiation standards applicable under section 162,[1] which have been interpreted to permit in certain circumstances uncorroborated statements by taxpayers to support business deductions not subject to section 274(d) or other special rules, are to have no application to deductions or credits with respect to local travel, computers, and other listed property first required (under this bill) to meet the section 274(d) substantiation standards beginning January 1, 1986, just as they are to have no application with respect to expenditures with respect to travel away from home, etc., which continue to be subject to section 274(d) substantiation standards.

The conference agreement does not include the provision of the House bill that would require that the sufficient evidence corroborating the taxpayer's own statement be written. The conferees believe that oral evidence corroborating the taxpayer's own statement, such as oral testimony from a disinterested, unrelated party describing the taxpayer's activities, may be of sufficient probative value that it should not be automatically excluded from consideration under section 274(d).

The conferees emphasize, however, that different types of evidence have different degrees of probative value. The conferees believe that oral evidence alone has considerably less probative value than written evidence. In addition, the conferees believe that the probative value of written evidence is greater the closer in time it relates to the expenditure. Thus, written evidence arising at or near the time of the expenditure, absent unusual circumstances, has much more probative value than evidence created years later, such as written evidence first prepared for audit or court.

The conferees specifically approve the types of substantiation that were required under prior law, and consider the longstanding Treasury regulations on recordkeeping issued under section 274(d)[2] prior to the 1984 Act to reflect accurately their intent as to the substantiation that taxpayers are required to maintain.[3] While taxpayers may choose to keep logs on the use of their automobiles, and while such evidence generally has more probative value than evidence developed later, the Treasury is specifically prohibited from requiring that taxpayers keep daily contemporaneous logs of their use of automobiles.

The conferees expect the Internal Revenue Service and the courts to continue to weigh carefully the probative value of these, as well as all other, forms of evidence. The Service and the courts continue to have the ability to discount or reject totally evidence that has limited or no probative value (such as documents actually created much later than they purport to have been created). As noted above, section 274(d) requires that the records or evidence (whatever their particular form) most substantiate not just the amount of the expense, but also the time and place of the travel, entertainment, amusement, recreation, or use of the facility or property, or the date and description of the gift; the business purpose of the expense or other item; and the business relationship to the taxpayer of persons entertained, using the facility or property, or receiving the gift.

Although the conferees intend that the principles of these regulations fully apply to deductions and credits claimed for local travel and the use of other listed property under section 274(d), the conferees also recognize that these principles will need to be carefully applied to local travel and listed property not previously subject to section 274(d). This will need to be done because the nature of making these expenditures generally differs from the nature of making the types of expenditures that had been required to meet the section 274(d) substantiation standards prior to the 1984 Act, such as travel away from home and business meals. For example, deductions associated with local travel may be for annual amounts for items such as depreciation and insurance, rather than a series of discrete expenditures for meals or hotels. Also, expenses for travel away from home often involve a third party, such as an airline, train, or hotel, that provides a receipt for the taxpayer of the date and amount of the expenditure and the destination or location. Similarly, expenses for business meals generally occur in restaurants, which provide a similar receipt. While these receipts do not, of course, encompass all of the elements of the substantiation requirements under section 274(d),[4] they do aid taxpayers in their recordkeeping. Similar third party involvement generally is not available for local travel or the use of computers. Similarly, expenses for travel away from home or for business meals do not generally occur with the same frequency as individual local travel trips. Because the bill repeals the 1984 Act requirement of contemporaneous records, taxpayers are not required to maintain trip-by-trip logs and records encompassing each element of the substantiation standards of section 274(d) to justify a deduction or credit.

Consequently, the conferees recognize that some adjustment generally will need to be made in order to apply these principles to the specific factual circumstances surrounding expenditures for local travel and

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[1] Under general tax law principles, the courts have held that a taxpayer bears the burden of proving both the eligibility of any expenditure claimed as a deduction or credit and also the amount of any such eligible expenditure, including the expenses of using a car in the taxpayer's trade or business. See, e.g., *Interstate Transit Lines* v. *Comm'r*, 319 U.S. 590, 593 (1943); *Comm'r* v. *Heininger*, 320 U.S. 467 (1943); *Gaines* v. *Comm'r*, 35 T.C.M. 1415 (1976).

[2] See Teas. Reg. sec. 1.274-5.

[3] Prior law provided that adequate records or sufficient evidence may take the following forms:

a. Account books
b. Diaries
c. Logs
d. Documentary evidence (receipts, paid bills)
e. Trip sheets
f. Expense reports
g. Statements of witnesses
h. If the employee is required to make an adequate accounting to the employer and the reimbursement equals expenses, the employee is not required to report the expenses and reimbursement on his or her tax return. (A reimbursement would equal reimbursement expenses where the reimbursement is determined pursuant to data on the type of automobile and its availability for personal purposes, and on a reasonable allocation of local operating and fixed costs.)

[4] For example, the third party is not in a position to record the business purpose of the trip or meal; the taxpayer must provide that information, which is required under the section 274(d) substantiation rules.

use of listed property not previously subject to section 274(d) rules. The conferees believe that the courts and the Treasury can make these required adjustments without sacrificing these principles, and without reverting to the section 162 standards (including the *Cohan*[5] rule), which the conferees have determined are inadequate and unacceptable for purposes of section 274(d). In several cases previously decided under section 274(d), it is not clear that the courts had rejected the *Cohan* rule; the conferees believe that the courts must clearly and explicitly reject the *Cohan* rule for expenditures required to meet the substantiation requirements of section 274(d).

WRITTEN POLICY STATEMENTS

The conferees intend that the two types of written policy statements satisfying the conditions described below, if initiated and kept by an employer to implement a policy of no personal use (or no personal use except for commuting) of a vehicle provided by the employer, qualify as sufficient evidence corroborating the taxpayer's own statement[6] and therefore will satisfy the employer's substantiation requirements under section 274(d). Therefore, the employee need not keep a separate set of records for purposes of the employer's substantiation requirements under section 274(d) with respect to use of a vehicle satisfying these written policy statement rules. A written policy statement adopted by a government unit as to employee use of its vehicles would be eligible for these exceptions to the section 274(d) substantiation rules. Thus, a resolution of a city council or a provision of state law or the state constitution would qualify as a written policy statement, so long as the conditions described below are met.

The first type of written policy statement that will satisfy the employer's substantiation requirements under section 274(d) is a policy that prohibits personal use by the employee. In order to be eligible for this special rule, all of the following conditions must be met.

(1) The vehicle is owned or leased by the employer and is provided to one or more employees for use in connection with the employer's trade or business;

(2) When the vehicle is not being used for such business purposes, it is kept on the employer's business premises (or temporarily located elsewhere, e.g., for repair);

(3) Under the employer's written policy, no employee may use the vehicle for personal purposes, other than de minimis personal use (such as a stop for lunch between two business deliveries);

(4) The employer reasonably believes that no employee uses the vehicle, other than de minimis use, for any personal purpose;

(5) No employee using the vehicle lives at the employer's business premises; and

(6) There must be evidence that would enable the Internal Revenue Service to determine whether the use of the vehicle met the five preceding conditions.

The second type of written policy statement that will satisfy the employer's substantiation requirements under section 274(d) is a policy that prohibits personal use by the employee, except for commuting. In order to be eligible for this rule, all of the following conditions must be met—

(1) The vehicle is owned or leased by the employer and is provided to one or more employees for use in connection with the employer's trade or business and is used in the employer's trade or business;

(2) For bona fide noncompensatory business reasons, the employer requires the employee to commute to and/or from work in the vehicle;

(3) The employer establishes a written policy under which the employee may not use the vehicle for personal purposes, other than commuting or de minimis personal use (such as a stop for a personal errand between a business delivery and the employee's home);

(4) The employer reasonably believes that, except for de minimis use, the employee does not use the vehicle for any personal purpose other than commuting;

(5) The employer accounts for the commuting use by including an appropriate amount (specified in Treasury regulations) in the employee's gross income;[7] and

(6) There must be evidence that would enable the Internal Revenue Service to determine whether the use of the vehicle met the five preceding conditions.

This second type of written policy statement is not available if the employee using the vehicle for commuting is an officer or one-percent owner of the employer.[8]

Tax return questions

The conference agreement generally follows the House bill as to information to be requested on tax returns about business use of vehicles and other listed property.

The conferees want to ensure that taxpayers claim only the deductions and credits to which they are entitled, but without being unduly burdened by unnecessarily complex recordkeeping requirements. At the same time, the conferees believe that taxpayers should provide sufficient information on their returns so that the Internal Revenue Service can make a preliminary evaluation of the appropriateness of the taxpayer's claimed deductions. Previously, the Internal Revenue Service found it difficult to make such a preliminary evaluation without auditing the taxpayer, which can also be a significant burden on the taxpayer.

Therefore, the conferees intend that individual taxpayers (whether employees or self-employed) claiming deductions or credits for business use of an automobile or other listed property subject to the substantiation standards of section 274(d) are to provide on their returns the substance of the information (generally on appropriate existing tax forms) called for by all the questions as set forth in the House report on the bill.[9] Corporate taxpayers, as well as all other taxpayers and entities, claiming such deductions or credits also are to be asked to supply such information on the forms or schedules they are required to file.

The conferees have carefully considered the fact that furnishing additional tax return information, although involving only a limited number of questions, requires some additional effort by taxpayers. However, the conferees note that computations involved with respect to vehicles (such as mileage and percentage of business use) normally would be made by taxpayers in the process of determining the proper amount of deductions and credits to claim, and that other information can be obtained through "yes" or "no" questions. Accordingly, to achieve better compliance and more accurate computations, the conference agreement directs the Internal Revenue Service to obtain this information on appropriate tax forms or schedules, notwithstanding any otherwise applicable paperwork reduction considerations.

The conferees intend that employees give this return information to their employers with respect to employer-provided vehicles. Generally, the employer would report this information on its tax return, since the employer is claiming the tax deductions or credits for use of the vehicle. An employer which provides more than five cars to its employees, however, would not have to include all this information on the employer's return; instead, such an employer must obtain this information from its employees, must so indicate on its return, and must retain the information received. The Internal Revenue Service could then examine on audit the information that the employees had provided to the employer. An employer may rely on such a statement from its employee (unless the employer knows or has reason to know it is false) to determine the credits and deductions to which the employer is entitled and to determine the amount, if any, which must be included in employee's income and wages by the employer because of the employee's commuting or other personal use of the employer-provided car.

Effective dates

The modification to the substantiation standards of section 274(d) that provides that taxpayers must substantiate deductions or credits subject to that provision by adequate records or sufficient evidence corroborating their own statement is effective January 1, 1985.

Use of listed property that was not subject to section 274(d) substantiation rules prior to the 1984 Act (such as local travel in an automobile or use of computers) is subject to the section 274(d) substantiation requirements effective January 1, 1986.[10] For 1985,

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[5] *Cohan* v. *Commissioner*, 39 F.2d 540, 544 (2d Cir. 1930).

[6] The substance of these two special rules was set forth in the temporary Treasury regulations repealed by the bill. The conferees intend that these rules, as described in this report, be reinstated in the new regulations required by the bill.

[7] Of course, if in fact the employee uses the vehicle for personal purposes in violation of the particular type of written policy statement, then the employee has additional gross income.

[8] This restriction, which makes this rule inapplicable to officers or one-percent owners, applies for substantiation purposes under the conference agreement. The treatment of commuting use of vehicles by such persons for valuation purposes is to be determined separately under Treasury regulations. No inference is intended, on the basis of the exclusion of officers and one-percent owners from eligibility under this substantiation rule, as to the treatment of commuting use of vehicles by such persons under valuation rules prescribed by Treasury regulations.

[9] In the case of a vehicle, the information required to be requested on the tax return relates to mileage (total, business, commuting, and other personal), percentage of business use, date placed in service, use of other vehicles and after-work use, whether the taxpayer has evidence to support the business use claimed on the return, and whether or not the evidence is written. In the case of other listed property subject to the section 274(d) rules, information should be requested in connection with appropriate tax forms or schedules as to type of property (e.g., yacht, computer, airplane, etc.), percentage of business use, whether the taxpayer has written evidence to support the business use claimed on the return, and whether or not the evidence is written. Under the conference agreement, the Internal Revenue Service is not required to request on returns the specific question relating to computers set forth as question 2 on page 10 of the committee report on the House Bill.

[10] This January 1, 1986 effective date applies only to the extent that use of listed property was first made subject to the substantiation standards of section 274(d) by the 1984 Act. Deductions for ex-

use of such listed property is not subject to the special substantiation standards under section 274(d).

The tax return information (described above) must be requested on returns for taxable years beginning in 1985 (i.e., in the case of most individuals, returns which must be filed by April 15, 1986.)

3. Repeal of regulations

Present law

The Internal Revenue Service has issued temporary regulations implementing the recordkeeping provisions of section 179(b) of the 1984 Act.

House bill

The House bill repeals all Treasury regulations (temporary or proposed) issued prior to the enactment of this House bill that carry out the amendments made by section 179(b) of the Tax Reform Act of 1984. Thus, such regulations issued to implement the changes to section 274(d) made by that act, particularly the inclusion in that section of the word "contemporaneous," are revoked.[11] In addition, any regulations relating to the return preparer provision and the special negligence penalty (described above) are revoked.[12] These revoked regulations are to have no force and effect whatsoever.

Senate amendment

The Senate amendment is the same as the House bill.

Conference agreement

The conference agreement follows the House bill and the Senate amendment. Thus, the conference agreement provides that regulations issued to carry out the amendments made by paragraphs (1)(C), (2), and (3) of section 179(b) of the 1984 Act shall have no force and effect.

B. Repeal of Provisions Relating to Return Preparers (sec. 1(b) of the House bill and sec. 1(c) of the Senate amendment)

Present law

Return preparers must advise taxpayers of the substantiation requirements under section 274(d) and obtain written confirmation that those requirements have been met (Code section 6695(b)).

House bill

The House bill repeals this provision, effective as if it had never been enacted.

Senate amendment

The Senate amendment is the same as the House bill.

Conference agreement

The conference agreement follows the House bill and the Senate amendment.

C. Repeal of Special Negligence Penalty (sec. 1(b) of the House bill and sec. 1(c) of the Senate amendment)

Present law

A special no-fault negligence penalty (Code sec. 6653(h)) applies to the portion of any understatement of tax attributable to failure to meet the substantiation requirements to section 274(d).

House bill

The House bill repeals this special negligence penalty, effective as if it had never been enacted.

Senate amendment

The Senate amendment is the same as the House bill.

Conference agreement

The conference agreement follows the House bill and the Senate amendment. The conference agreement provides that the Internal Revenue Code shall be applied and administered as if this special negligence penalty had never been enacted.

The conferees believe that repealing this special negligence penalty is needed to restore to the Internal Revenue Service and the courts discretion not to impose the negligence penalty for minor, inadvertent recordkeeping or computational errors. The conferees emphasize, however, that the regular negligence and fraud penalties will continue to be applicable if a taxpayer claims tax benefits that cannot be supported. The conferees are concerned that these regular negligence and fraud penalties have not been applied by the Internal Revenue Service or the courts in a substantial number of instances where their application would be fully justified.

In one Tax Court case, for example, the taxpayer had kept detailed mileage records, required by his employer for reimbursement purposes, that indicated that his business use was approximately five percent of total use. On his tax return, the taxpayer claimed 70 percent business use, with no records to justify this claim. The Tax Court properly allowed only five percent business use. The Court did not, however, impose a negligence or fraud penalty. The conferees believe that, in a case like this one, the regular negligence penalty should certainly be imposed, and that careful consideration should be given to imposing the civil fraud penalty.

In another Tax Court Case, the taxpayer had kept detailed records so that he could be reimbursed by his employer, but claimed on his tax return approximately 35,000 miles of business use beyond what his records demonstrated, without any justification. No negligence penalty was imposed. In another case, the taxpayer produced a diary purporting to justify the claimed deductions. The Tax Court called the diary a "fabrication" and said that the taxpayer "was not telling the truth." The Court still permitted him a deduction, and did not impose the regular negligence or civil fraud penalty. Finally, another taxpayer apparently claimed a deduction for business mileage that exceeded the total mileage shown on his odometer, but the Tax Court did not impose a negligence or civil fraud penalty.

These cases indicate that the regular negligence and civil fraud penalties are not being administered by either the Internal Revenue Service or the courts in the manner that the Congress intended when it initially enacted these penalties. While minor, inadvertent recordkeeping or computational errors should not lead to the imposition of a substantial penalty, the conferees believe that it is vital to the integrity of the tax system that honest taxpayers know that others who claim tax benefits far in excess of what can be justified will be subject to the negligence and fraud penalties.

D. Exceptions From Section 274(d) Rules and Exclusion From Income for Certain Vehicles (sec. 2(b) of the House bill and sec. 2 of the Senate amendment)

Present law

Substantiation rules

Temporary Treasury regulations provided that, except for vehicles used for commuting, vehicles of a type ordinarily not susceptible to personal use do not constitute listed property to which the section 274(d) substantiation requirements apply. The regulations cited, as examples of such vehicles that are not susceptible to personal use, trucks specially designed for specific business purposes (such as refrigerated delivery trucks), special-purposes farm vehicles (such as tractors and combines), cement mixers, and forklifts.

Income inclusion

The fair market value of an employer-provided fringe benefit, such as personal use by an employee of an employer-provided vehicle, is included in the employee's gross income, and in wages for purposes of withholding and FICA, FUTA, and RRTA taxes, unless excluded under a specific statutory provision of the Code (secs. 61(a)(1), 3121(a), 3231(e), 3306(b), 3401(a)).

House bill

Substantiation rules

The House bill exempts from the section 274(d) substantiation rules (as modified by the bill) any vehicle that, by reason of its nature, is not likely to be used more than a de minimis amount for personal purposes. This provision is effective for taxable years beginning after December 31, 1985; thus, for 1985 the pre-1984 Act substantiation rules continue to apply with respect to such vehicles.

The committee report on the House bill lists the following vehicles as examples of vehicles exempted under the bill from the section 274(d) substantiation rules: (a) clearly marked police and fire vehicles (as described in the report); (b) delivery trucks with seating only for the driver, or only for the driver plus a folding jump seat; (c) flatbed trucks; (d) any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds; (e) passenger buses used as such with a capcity of at least 20 passengers; (f) ambulances used as such or hearses used as such; (g) bucket trucks ("cherry pickers"); (h) cranes and derricks; (i) forklifts; (j) cement mixers; (k) dump trucks (including garbage trucks); (l) refrigerated trucks; (m) tractors; and (n) combines.

The report on the House bill also states that the committee recognizes that it may not have developed an exhaustive list of vehicles not susceptible to personal use. Therefore, the report states, the committee intends that the Internal Revenue Service is to expand this list through either regulations or revenue rulings to include any vehicles not included in the listing in the report that are appropriate for listing because by their nature it is highly unlikely that they will be used more than a very minimal amount for personal purposes.

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penses or items that were subject to the section 274(d) substantiation standards prior to the 1984 Act (such as use of an automobile for travel away from home or use of a yacht that is an entertainment, recreation, or amusement facility) remain subject to the section 274(d) substantiation standards for all taxable years ending after December 31, 1962.

[11] Also, the provisions of the temporary regulations that prohibit an employer from including the entire value of the use of an automobile in the income of certain employees are revoked. Thus, an employer is permitted to charge the entire value of an employer-provided car to an employee as income and wages (for income tax, FICA, FUTA, and RRTA withholding purposes). The employer may then reimburse the employee for the business use of the car, or the employee may claim a deduction on the employee's income tax return for the business use of the car.

[12] The bill only revokes such regulations (issued prior to enactment) carrying out such amendments made by sections 179(b)(1)(C), (2), and (3) of the 1984 Act. Thus, the bill does not revoke any other regulations, such as regulations issued under sections 61 and 132 (relating to valuation).

The report also states that the committee did not generally exempt from the section 274(d) substantiation rules all pickup trucks and vans, because these vehicles can easily be used for personal purposes. Some taxpayers purchase these vehicles as substitutes for passenger sedans, and use them predominantly (or entirely) for personal purposes. On the other hand, however, the committee report recognized that this is not applicable to all vans. For example, a van that has only a front bench for seating, in which permanent shelving [13] has been installed, that constantly carries merchandise, and that has been specially painted with advertising or the company's name, is a vehicle not susceptible to personal use.

Income inclusion

The committee report on the House bill states that it is appropriate for Treasury regulations to provide that under certain conditions all use by an employee of any employer-provided vehicle that is exempted under the House bill from the section 274(d) substantiation rules (see above) is excluded, as a working condition fringe benefit (sec. 132(a)(3)),[14] from the employee's gross income, and from wages (and, where appropriate, from the benefit base) for purposes of FICA, FUTA, and RRTA taxes. Such exclusions pursuant to Treasury regulations are to be effective as of January 1, 1985.

Senate amendment

Substantiation rules

The Senate amendment provides that the following vehicles are exempt from the section 274(d) substantiation rules (as modified by the amendment), and that any commuting or other personal use of such exempted vehicles is excluded from the user's gross income, and from wages (and, where appropriate, from the benefit base) for purposes of FICA, FUTA, and RRTA taxes, effective January 1, 1985:

(a) Vehicles required to be used as an integral part of the trade or business of an individual or of the employer (such as calling on customers or clients, making deliveries, or visiting job sites), so long as use in the trade or business is at least 75 percent of the vehicle's total use;

(b) Vehicles used by an employee for commuting, where the commuting is for a bona fide business purpose, where the employer does not permit the employee to make other personal use of the vehicle (other than de minimis use), and where use in the trade or business of the employer is at least 75 percent of total use; and

(c) Vehicles used by a governmental unit for police or other law enforcement purposes and vehicles used as an ambulance.

Income inclusion

The Senate amendment provides that any commuting or other personal use of such exempted vehicles (described above) is excluded from the user's gross income, and from wages (and, where appropriate, from the benefit base) for purposes of FICA, FUTA, and RRTA taxes, effective January 1, 1985.

ITC and depreciation caps

The Senate amendment provides that police and law enforcement vehicles and ambulances placed in service after June 18, 1984 are exempt from the investment tax credit and depreciation limitations set forth in section 280F.

Conference agreement

The conference agreement follows the House bill, with the following modifications.

The conferees intend that school buses (as defined in Code section 4221(d)(7)(C)), qualified specialized utility repair trucks, and qualified moving vans, in addition to the list above (items (a) through (n) in the description of the House bill), are also to be examples of vehicles that, by reason of their nature, are not likely to be used more than a de minimis amount for personal purposes.

The term "qualified specialized utility repair trucks" means trucks (not including vans or pickup trucks) specifically designed and used to carry heavy tools, testing equipment, or parts where (1) the shelves, racks, or other permanent interior construction which has been installed to carry and store such heavy items is such that it is unlikely that the truck will be used more than a very minimal amount for personal purposes [15] and (2) the employer requires the employee to drive the truck home in order to be able to respond in emergency situations for purposes of restoring or maintaining electricity, gas, telephone, water, sewer, or steam utility services.

The term "qualified moving vans" means vans used by professional moving companies in the trade or business of moving household or business goods where no personal use of the van is allowed other than for travel to and from a move site (or for de minimis use), where personal use for travel to and from a move site is an irregular practice (i.e., not more than five times a month on average), and where personal use is limited to situations in which it is more convenient to the employer, because of the location of the employee's residence, for the van not to be returned to the employer's business location.

Also, the conferees agreed that the Treasury Department has authority to issue regulations exempting from the section 274(d) substantiation rules, and from inclusion in income and wages, officially authorized uses of unmarked vehicles by law enforcement officers. To qualify for this exemption, the personal use must be authorized by the Federal, State, county, or local governmental agency or department that owns or leases the vehicle and employs the officer, and must be for law-enforcement functions such as undercover work or reporting directly from home to a stakeout or surveillance site, or to an emergency situation. Use of an unmarked vehicle for vacation or recreation trips cannot qualify as an authorized use. The term "law enforcement officer" means an individual who is employed on a full-time basis by a governmental unit that is responsible for the prevention or investigation of crime involving injury to persons or property, who is authorized by law to carry firearms and execute search warrants and also to make arrests (other than merely a citizen arrest), and who regularly carries firearms (except when it is not possible to do this because of the requirements of undercover work). The term "law enforcement officer" does not include Internal Revenue Service special agents.

The conference agreement also provides that if, for example, a municipal government ordinance requires that police officers driving clearly marked police cars who are on duty at all times must take the vehicle home when the employee is not on his or her regular shift, and prohibits any personal use (except for this commuting use) of the vehicle outside the city (i.e., outside the limit of the officer's arrest powers), then all use of the vehicle could be considered in such regulations as an excludable working condition fringe.

E. Withholding Election (sec. 3 of the House bill)

Present law

As authorized under the 1984 Act, temporary Treasury regulations have provided for withholding (or payment) of income and employment taxes with respect to taxable noncash fringe benefits, such as an employee's personal use of an employer-provided vehicle, on a quarterly basis (Code sec. 3501(b)).

House bill

The House bill provides that an employer may elect not to deduct and withhold income taxes with respect to the noncash fringe benefit attributable to an employee's personal use of a highway motor vehicle provided by the employer. An employer making this election must so notify the employee (at such time and in such manner as provided in Treasury regulations) and must include the fair market value of the benefit on the Form W-2 furnished to the employee. An electing employer must still withhold social security (or railroad retirement) taxes. This provision is effective as of January 1, 1985.

The committee report on the House bill states that the committee intends that the regulations are to be revised to allow an employer to elect, for income and employment tax purposes, to treat taxable fringe benefits (including personal use of employer-provided automobiles) as paid on a pay period, quarterly, semi-annual, or annual basis.

Senate amendment

No provision.

Conference agreement

The conference agreement follows the House bill.

F. Limitations on Investment Tax Credit and Depreciation for Automobiles (sec. 4 of the House bill)

Present law

The 1984 Act generally imposed limitations on the amount of investment tax credit and annual depreciation deductions that are allowed for an automobile placed in service or leased by the taxpayer after June 18, 1984.

For an automobile placed in service in 1984, (1) the investment tax credit is limited to $1,000; (2) depreciation in the first taxable year the automobile is placed in service is limited to $4,000; and (3) depreciation in any subsequent taxable year is limited to $6,000. For years after 1984, the limits are adjusted for inflation, as measured by the percentage growth of the automobile component of the Consumer Price Index for all Urban Consumers between October of the preceding year and October, 1983. The adjusted limits for any year apply only to automobiles placed in service in that year.

House bill

The limits on the amount of investment tax credit and annual depreciation deduc-

[13] It is intended that this shelving fill most of the cargo area.

[14] Absent such a special exclusion, commuting use (or other personal use) by an employee of an employer-provided vehicle could not qualify as a working condition fringe benefit because the costs of commuting to and from work (or of other personal use of a vehicle) are nondeductible pursuant to Code section 262. *See*, e.g., *Fausner* v. *Comm'r*, 413 U.S. 838 (1973).

[15] An example of this would be permanent shelving that fills most of the cargo area.

tions that may be claimed with respect to an automobile are reduced as follows under the House bill: (1) the investment tax credit is limited to $675; (2) depreciation in the first taxable year tne automobile is placed in service is limited to $3,600 and (3) depreciation in any subsequent taxable year is limited to $5,400. For years after 1985, the reduced limits are indexed for inflation, as measured by the percentage growth of the automobile component of the Consumer Price Index for All Urban Consumers between October of the preceding year and October, 1984. Adjustments for inflation are otherwise determined as under present law. The committee report states that the committee intends that the Secretary of the Treasury prescribe all limits adjusted for inflation.

The reduced limits are generally effective for property placed in service or leased by the taxpayer after April 2, 1985. However, property acquired by the taxpayer pursuant to a binding contract in effect on April 1, 1985, and at all times thereafter, is not subject to the reduced limits if it is placed in service before August 1, 1985; and property of which the taxpayer is the lessee pursuant to a binding contract in effect on April 1, 1985, and all times thereafter, is not subject to the reduced limits if the taxpayer first uses the property under the lease before August 1, 1985.

Senate amendment

No provision.

Conference agreement

The conference agreement follows the House bill, with three modifications: (1) depreciation in the first taxable year is limited to $3,200; (2) depreciation in any subsequent taxable year is limited to $4,800; and (3) the reduced limits on the investment credit and depreciation are indexed for inflation until 1989. For automobiles placed in service in any year after 1988, the reduced limits are adjusted for the percentage increase of the automobile component of the Consumer Price Index for All Urban Consumers between October of the preceding year and October, 1987. The conferees made these changes to the House bill to ensure that the conference agreement is revenue neutral.

G. New Regulations (sec. 5 of the House bill)

Present law

The Treasury Department has the authority to issue regulations under the Internal Revenue Code.

House bill

The House bill requires that the Treasury Department issue regulations to carry out the provisions of the House bill not later than October 1, 1985.

Senate amendment

No provision.

Conference agreement

The conference agreement follows the House bill. Because the conferees have delayed applicability of the section 274(d) substantiation rules to local travel, computers, etc., until January 1, 1986, the conferees believe that requiring regulations to be issued by October 1, 1985, will provide taxpayers with sufficient time to prepare to meet these requirements.

II. ESTIMATED REVENUE EFFECTS

ESTIMATED REVENUE EFFECTS OF PROVISIONS OF H.R. 1869 AS AGREED TO BY THE CONFERENCE COMMITTEE, FISCAL YEARS 1985–90

[Millions of dollars]

Provision	1985	1986	1987	1988	1989	1990
Changes to Substantiation and Withholding Requirements	−172	−111	−151	−148	−149	−154
Reduction in Limitations on ITC and Depreciation for Autos	22	124	181	209	228	241
Total	−150	13	30	61	79	87

DAN ROSTENKOWSKI,
SAM M. GIBBONS,
J. J. PICKLE,
C. B. RANGEL,
PETE STARK,
JOHN J. DUNCAN,
BILL ARCHER,
GUY VANDER JAGT,
Managers on the Part of the House.

BOB PACKWOOD,
BOB DOLE,
W. V. ROTH, JR.,
JOHN DANFORTH,
RUSSELL LONG,
LLOYD BENTSEN,
SPARK M. MATSUNAGA,
Managers on the Part of the Senate.

UNITED STATES-ISRAEL FREE TRADE AREA IMPLEMENTATION ACT OF 1985

Mr. ROSTENKOWSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2268) to approve and implement the Free Trade Area Agreement between the United States and Israel.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 20 minutes and the gentleman from Illinois [Mr. CRANE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2268, presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the United States-Israel Free Trade Area Agreement, signed on April 22, provides for the elimination of duties on all products traded between the two countries by January 1, 1995. It also limits Israel's use of nontariff trade restrictions and contains a commitment by Israel to eliminate its export subsidies on industrial goods and processed agricultural products.

This is the first free trade area entered into by the United States with any country. It is consistent with the General Agreement on Tariffs and Trade and contains strict rules of origin to ensure that only products of the United States and Israel receive the benefits of duty free treatment.

Title IV of the Trade and Tariff Act of 1984 authorized the agreement with Israel and contains most of the provisions of U.S. law necessary for its administration. The main purpose of H.R. 2268 is to approve the agreement and provide authority the President presently does not have to proclaim the reductions and elimination of U.S. duties necessary to create the free trade area within 10 years. Under this bill, no reduction in current tariff protection can take place prior to duty elimination on January 1, 1995, on the articles which the U.S. International Trade Commission found to be most import sensitive. Any duty reductions on these items prior to that date would require Congress to grant further legislative authority.

Mr. Speaker, the Committee on Ways and Means has conducted a thorough review of the agreement and its implementation. U.S. exporters will benefit from elimination of high tariffs and the European preferential advantage in the Israeli market. Only 10 percent of U.S. imports from Israel currently dutiable will be affected, and existing import relief and unfair trade practice remedies will remain in place to protect domestic industries.

Mr. Speaker, I urge adoption of H.R. 2268.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

I want first of all to offer congratulations to our distinguished chairman of the Ways and Means Committee, my colleague from Illinois [Mr. ROSTENKOWSKI] who expeditiously moved this legislation along.

I want to salute simultaneously the distinguished gentleman from Florida who is our chairman of the Trade Subcommittee, and to congratulate all of the members of the committee for what is in my estimation a very forward looking, forward moving development in the area of trade.

□ 1330

At a time when, unfortunately, there are rumblings of protectionism worldwide and when there are indications that some nations have not yet understood the importance to consumers and to world commerce and man's material welfare, of free trade, this pioneering initiative is a giant step forward, even though the dollar volume that is involved in trade between

Israel and the United States may be, relatively speaking, inconsequential. It is this kind of example, this kind of commitment, that I would hope, as we discuss further trade issues, we might be able to see replicated time and time again. I think it is important also for Americans to realize that from the standpoint of what is already duty-free coming into the United States from Israel it is about 90 percent of Israeli exports; whereas our duty-free exports to the State of Israel constitute only about 35 to 40 percent.

This is something that in the trade area is not onesided, it is beneficial to this country as it will prove to be beneficial to the State of Israel.

I would urge all of our colleagues to support this resolution. It represents a significant bipartisan effort in the direction of not only improved economic conditions but I think amity and comity throughout the world.

Mr. BROOMFIELD. Mr. Speaker, will the gentleman yield?

Mr. CRANE. Mr. Speaker, I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

Mr. Speaker, I just merely would like to compliment both gentleman from Illinois [Mr. ROSTENKOWSKI and Mr. CRANE], and say that I am in strong support of this bill.

Mr. Speaker, I offer my support of this legislation designed to approve the Free Trade Area Agreement between our country and Israel. This effort is a step in the right direction in promoting free trade around the world. This agreement is long overdue, and I encourage my colleagues to support this important legislation.

This act approves and implements the agreement on the establishment of a free trade area between the United States and Israel. The act before us would strengthen economic relations between the United States and Israel for the mutual benefit of both countries. It would also foster the growth of free trade between our two great nations through the removal of trade barriers. This effort is clearly mutually beneficial to the economic well-being of our two countries.

Given America's strong support of Israel and the economic difficulties that small country has experienced, it is clearly in America's interest to help the economy of that nation. We should also remember that by helping Israel we are also helping ourselves. Many U.S. products exported to Israel will also enter under reduced tariffs. Current projections reveal that the United States will, in the long run, benefit greatly from this new program.

This free trade area approach in our dealings with Israel is a pilot case which can be used with other nations. I commend the administration for its support of this effort and for its commitment to encouraging free trade with other nations around the world.

I call upon my colleagues to offer their support of this worthwhile legislation.

Mr. CRANE. Mr. Speaker, I reserve the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 5 minutes to the distinguished subcommittee chairman, the gentleman from Florida, Mr. SAM GIBBONS, who has done an outstanding job not only on this legislation but on other legislation that has been before him as well.

Mr. GIBBONS. I thank the gentleman.

Mr. Speaker, I want to thank the chairman; I appreciate those kind remarks, and I hope I deserve them. I will try to deserve them, anyway.

Mr. Speaker, this is an important piece of legislation, not because of any precedent that it sets, but because of the very nature of it.

As Mr. ROSTENKOWSKI pointed out, this is the first time that any nation has entered into a free trade arrangement with the United States of America. If you look at it from an Israeli point of view it is really a big step. Most of their goods already enter the United States free of duty. In fact, the percentage of Israeli goods that enter this country subject to any duty are only one-half of 1 percent of all the goods that we import. But if you look at it from an Israeli point of view, what is happening on their side, massive changes will take place. Their economy will for the first time have to compete head on with the American economy. Their economy is conducted by 3½ million people in a very hostile environment, and it will have to make certain disciplinary changes that would be very tough for any economy to take.

Most of their economy has been protected from American competition by very high tariff barriers and it is to the wisdom of the leaders in Israel that I wish to pay tribute. They had to decide what was best for Israel and it is tough medicine.

Our competition in their economy will be very tough for them. In most of their industry, most of their agriculture has been protected for generations behind high tariff barriers. They are going to give up many of their subsidy programs that have allowed them to direct their courses of action and their products coming into our market will be subject to all the countervailing and any dumping provisions of our law.

So it is historic moment for both countries, much more historic for Israel than it is for the United States. I do not want anyone to think that this is just something that we are doing for Israel. During the preliminary negotiations on this package, I met with many of the Arab leaders, and I assured each one of them that if they wanted to enter into this kind of arrangement with the United States, I could not assure them of success, but I would introduce legislation for them and let them come in here and see what they can do trying to persuade the American Congress and the American economy that they were entitled to that same kind of duty free treatment.

So far I have not had any takers on that offer, but the offer still stands. I hope that we can build through this legislation a greater working arrangement with the people of this area of the world, particularly with Israel.

Perhaps it will lead to better working relationships with its neighbors out of this legislation.

Mr. Speaker, I also want to commend certain portions of American industry and agriculture which will be challenged by this. We know that the Israelis are fierce competitors and are good producers of certain products. It took courage on the part of some American industries to agree to what has been agreed to here. But this is a historic moment.

Mr. Speaker, I want to pay tribute to the bipartisan nature of this legislation. It is supported equally by both parties in this Congress and by the White House. It is truly one of those things which we have all come together on.

Mr. Speaker, I appreciate having been allowed to play a part in that coming-together.

Mr. CRANE. Mr. Speaker, I yield as much time as he may consume to the gentleman from Louisiana [Mr. MOORE], a great statesman on our committee and one of the most hard-working Members and senior Member of his delegation.

Mr. MOORE. I thank our distinguished ranking member of the Trade Subcommittee for this time.

Mr. Speaker and my colleagues, I think it is important that we understand what we are doing here and why. There are two reasons. The first reason is, of course, we are trying to help a good friend and ally, Israel. Israel is having a very difficult time, economically speaking. This action will help her help herself by expanding her economy in the area of free trade.

If a country is strong economically she can have a strong defense, she can take care of herself better, and there will be, perhaps, less aid needed from the United States in years to come. This is also a good way to reward a good friend and ally, a very strong democracy in a part of the world that always seems to be in some sort of chaos. There is one steady partner there, and that is Israel.

But there is a second reason. It also helps the United States and helps us in a very great way.

Right now our greatest trade competitor besides Japan; is the European Economic Community. They have had this arrangement with Israel now for a decade, which means anything made or grown in the European Economic Community can be sold more competitively than we can sell it to Israel.

So what we are doing here is finally giving the United States and our own producers the same benefits that the Europeans have been having for a decade in dealing with Israel.

We have been running the greatest trade deficit in the history of this country. This is a way to begin to reverse that. We have a positive balance of trade with Israel. This gives us the opportunity to open up new trade areas with them, sell them new products we cannot sell now because we do not have this agreement we are now implementing through this bill.

So I conclude by saying to my colleagues, there are two great reasons for supporting this legislation: First, it helps a good friend and ally; and second, it helps us.

We do not lose anything by this. We all gain. I believe it is most important that we pass it.

Mr. THOMAS of California. Mr. Speaker, will the gentleman yield?

Mr. MOORE. I yield to my good friend the gentleman from California.

□ 1340

Mr. THOMAS of California. Mr. Speaker, although the substance of this particular piece of legislation is important, I also want to underscore the process by which we arrived here today, and that I want to extend my compliments to the full committee chairman, Mr. ROSTENKOWSKI, and the subcommittee chairman, Mr. GIBBONS, along with the ranking members from my side of the aisle in that this end product is important for its substance, but I would commend it to the rest of my colleagues to examine the way in which we arrived at this position, because the process I think sometimes is as important as the substance.

In addition, Mr. Speaker, I want to highlight one aspect of the free trade area H.R. 2268 would implement because it is of extreme importance to many of my constituents. That, Mr. Speaker, is the treatment of import-sensitive commodities under this bill.

Under H.R. 2268, duties on products designated by the International Trade Commission as import-sensitive are frozen until 1995. It is understood that Presidential efforts to eliminate or modify duties on these products before 1995 require the President to first obtain the International Trade Commission's advice on whether these products remain import sensitive; as part of the Commission's reexamination of these products' sensitivity, the Commission must give the affected industries an opportunity to present information on their status. Further, the President must secure from the Congress new authority to reduce duties before he can actually do so on these particular products during the 5 years preceding January 1, 1995.

Mr. Speaker, this approach to the International Trade Commission's handling of import-sensitive items is extremely important to my constituents. It is consistent with certain understandings I developed with former Ambassador William Brock last year, and its inclusion in the implementation of this free trade area with Israel is one of several reasons I find the H.R. 2268 to be acceptable.

Mr. MOORE. Mr. Speaker, I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. CRANE. Mr. Speaker, I yield such time as he may consume to my hard-working and distinguished, knowledgeable colleague from the great State of Minnesota [Mr. FRENZEL].

Mr. FRENZEL. Mr. Speaker, this is a very important epochal agreement. It has been described well by previous speakers, and I endorse each of their statements as being important in describing what the agreement is going to do and what the reasons for putting the agreement forth in the first place were, and what the benefits are going to be to both of the countries involved.

I think what is more important is to talk a little bit about the process. The agreement did not spring full-blown from the head of the committee yesterday and suddenly appear on the Suspension Calendar. It has been years in negotiation between the two governments.

Last year, the Committee on Ways and Means, the Trade Subcommittee, began holding hearings. We included a trip to Israel. We consulted among ourselves, we passed a trade bill last fall which was signed by the President. As a result of that bill, the President and the executive department produced a negotiated agreement signed by both countries, and finally that agreement is being ratified by the bill that is before us today.

Under the procedures of the Trade Act of 1974 that bill is unamendable. For that reason, partly, the committee put it on the suspense calendar, because it could not be amended in any case, and we could avoid some hours of debate which are unnecessary because the bill has universal acclamation in both countries.

I think one of the most important reasons why we passed this bill was because the European Community had executed prior to our agreement a free trade agreement with the State of Israel, and had we not done this and laid this bill before us, American goods would have been at a disadvantage to European goods in the Israeli market; which is not a large market, but it is a sophisticated, high-grade market.

One other point I would like to make is that Israel is not a low-wage competitor. It is a highly industrialized state that pays relatively high wages in competition with the rest of the world, and it is one with which we trade to our mutual advantage without a great deal of bitterness, without a great deal of grievance on either side.

I hope the bill will be promptly passed.

Mr. Speaker, the agreement that we are implementing today, through passage of H.R. 2268, is the first of its kind that the United States has undertaken. It establishes a free trade zone between the United States and the State of Israel and, when fully in effect, will eliminate nontariff barriers and duties on all products traded between our two countries. The agreement is the result of months of negotiations between the two governments, with the close consultation of the Congress, and promises to be a model for trade expansion and facilitation now and in the future.

All commercial trade between the United States and Israel will be covered by the agreement. Many products traded between the two countries already enjoy duty-free treatment under the generalized system of preferences [GSP] because rates of duty are currently bound at zero as a result of earlier multilateral agreements. In 1982, the base year for this negotiation, about 90 percent of Israeli imports were duty free and about 35 percent of U.S. exports to Israel were also free of duties.

Therefore, the part of the negotiation involving tariff reductions covered only a fraction of overall trade, with the United States having the most to gain when all products become duty free. Still, there were some products on both sides which were felt to be potentially sensitive. Duty-free treatment for these products will be phased in under three separate staging arrangements until January 1, 1995.

The agreement also addresses some important nontariff issues. For example, Israel will give up any existing subsidy practices within 6 years and will not implement new ones. Furthermore, the conditions under which future Government help may be given to infant industries or because of balance-of-payments reasons are severely limited. The agreement provides for strict rules-of-origin requirements and prohibits restrictive import licensing schemes. However, import restrictions other than customs duties may be maintained for agriculture policy consideration, such as to enforce domestic

price supports. Finally, the agreement establishes preferential Government procurement guidelines between the two countries by lowering from $156,000 to $50,000 the threshold for waiving "Buy America" restrictions.

This historic agreement reinforces the longstanding bilateral relationship and mutual friendship between the United States and Israel. It brings commercial trade between us to the highest possible level of preferential treatment.

Prior to this agreement, the European Community had forged ahead of us with a free trade agreement with Israel and as a result would have had an advantage in that market when its agreement was fully effective. Now we will be on equal footing in technical terms with the EC, and because of our traditional close ties with Israel the U.S. position should be further enhanced in practice.

I hope my colleagues will join me in supporting this bill and the agreement it implements. I hope it will serve as an example for other such trade liberalizing efforts on either a bilateral or multilateral basis, in the future. It is a step forward at a time when there is shortsightedness and tremendous pressure to move backward.

Mr. Speaker, I urge unanimous approval of H.R. 2268.

Mr. CRANE. Mr. Speaker, I now yield such time as he may consume to my distinguished colleague, the gentleman from Pennsylvania [Mr. SCHULZE], who also has invested much time and labor on behalf of this legislation.

Mr. SCHULZE. Mr. Speaker, at a time when the world's commitment to free trade is undergoing a period of testing and many countries are waivering in their resolve to move forward toward the goal of a free global marketplace, I believe that our support today for a United States-Israeli Free Trade Agreement will again underscore America's commitment to free trade principles. Indeed, it is my hope that this historic agreement will serve as an example of the mutual benefits which nations can derive from unrestricted trade. By removing the last vestiges of trade barriers, the United States and Israel stand to share in the economic progress that flows from a free and fair exchange of goods across national borders. As U.S. exports find new markets in Israel, Americans will find new opportunities in export-related jobs and help reduce the widening U.S. trade deficit. Likewise, Israel will continue to develop markets for its products in the United States and benefit from expanded economic ties to the United States.

Mr. Speaker, I urge my colleagues to support the United States-Israeli Free Trade Agreement as a model for future agreements with our trading partners. As the first comprehensive, reciprocal Free Trade Agreement concluded by the United States, I believe it will prove to be an unparalleled success and should set the stage for further bilateral agreements. Israel and the United States have from their inceptions served as enviable examples, of freedom and democracy in a world where these ideals are continually threatened. By taking the unprecedented step toward a Free Trade Agreement, our two nations can also show the world that free trade benefits everyone and likewise serves as an example to those countries who are tempted to forestall the growth of an open world market. I am proud therefore to have participated in the development of this agreement and look forward to working on similar agreements in the near future.

I would also like to commend the chairman of the subcommittee, the gentleman from Florida [Mr. GIBBONS] and the chairman of the full committee [Mr. ROSTENKOWSKI] for their efforts in this direction.

Mr. Speaker, may I further state that this agreement goes far beyond the paper and the efforts that are made between Israel and the United States. In my opinion, the world order of trade is not functioning as it should and this historic document we work on today could be a landmark piece of legislation, setting the tone for agreements between other nations, and eventually supplanting the world order of trade as we know it today.

We know we are under attack by nations dumping and using our relatively open market as a way of lessening their domestic unemployment. If we are successful in this type of agreement and use this as a base upon which to build, we can open the world markets and have a freer world trading order and bring more prosperity, not only to the U.S. market, but share that prosperity with the rest of the world.

Mr. CRANE. Mr. Speaker, I yield 5 minutes to my good friend and mentor, the distinguished gentleman from New York.

Mr. GILMAN. Mr. Speaker, I want to commend the distinguished committee chairman and the subcommittee chairman, the ranking minority members, particularly the gentleman from Illinois [Mr. CRANE] for bringing this measure to the floor at this time, a time when Israel sorely needs some help with their economy.

Mr. Speaker, I rise in support of H.R. 2268, legislation to approve and implement the Free Trade Area Agreement between the United States and Israel. The United States and Israel approved this agreement on April 22, 1985, and under the terms of the Trade and Tariff Act of 1984, that agreement must be approved by Congress. H.R. 2268 provides that congressional approval.

Under the terms of the agreement reached between the two nations, rates of duties on products traded between the United States and Israel will be eliminated by January 1, 1995, thus estabishing a bilateral free trade area as permitted under the General Agreement on Tariffs and Trade.

Mr. Speaker, as the ranking Republican on the Foreign Affairs Committee Subcommittee on Europe and the Middle East, I have had the opportunity to follow closely the difficult steps that Israel is taking to get its troubled economy back on track. These are not easy undertakings, from either an economic or political perspective. However, the Israeli Government, labor, and the business sector have worked together to implement wage and price freezes, budget cuts, subsidy reductions, and strict budgetary guidelines concerning expenditures. Within this context, the establishment of a free trade area will be a significant approach to aid Israel's economy. For the United States, the relatively high tariff on close to one-half of American exports and the competitive disadvantage that the United States faces vis-a-vis the duty-free entry of European Community products will be eliminated.

Accordingly, Mr. Speaker, I urge my colleagues to suspend the rules and pass H.R. 2268, so that we may profit from the expanded market opportunities between the United States and Israel that this measure will permit.

● Mr. McGRATH. Mr. Speaker, I rise today in strong support of H.R. 2268, legislation which approves and implements a free trade arrangement between the United States and Israel.

Some concern has been voiced about the impact the agreement may have on certain American industries. I want to assure my colleagues that the Ways and Means Committee has carefully considered this aspect. I am convinced that the United States stands to gain much more from free access to the Israeli marketplace than any possible disadvantage certain U.S. manufacturers may face. For example, approximately 90 percent of Israeli goods already enter our country duty free, whereas close to one-half of American products encounter tariffs in Israel.

An important component of this agreement is the parity it will provide U.S. manufacturers. Israel has entered into a free trade arrangement with the European Community. Since nearly 70 percent of U.S. industrial exports to Israel compete directly with goods from these EC nations, H.R. 2268 will assure even footing for domestic manufactures.

When then Ambassador Brock and Ariel Sharon signed the free trade agreement on April 22, the President noted that in his discussions with Israeli Prime Minister Shimon Peres last

fall, the free trade area legislation was agreed to be "instrumental in helping Israel put its economy back on the foundation of vigorous, self-sustaining growth."

In negotiating this country's first reciprocal free trade agreement, I believe we have conveyed a clear message to our trading partners that unlimited access to the U.S. market is possible with a positive attitude toward trade negotiations, such as Israel has maintained.

I urge my colleagues to support H.R. 2268 and yield back the balance of my time.●

● Mr. LENT. Mr. Speaker, I rise in strong support of H.R. 2268, to approve and implement the Free Trade Area Agreement between the United States and Israel. I was pleased when the authorization legislation received such overwhelming support last year and I am optimistic about the chances of success for this legislation.

The primary purpose of this act is to strengthen and develop economic relations between the United States and Israel through the establishment of a free trade zone. I want to emphasize that the United States and Israel Free Trade Area Implementation Act is mutually advantageous. The agreement will bolster trade relations and provide each country with significant economic benefits.

Not only is this legislation beneficial from an economic standpoint, but it is good foreign policy as well. Israel—the only democracy in the Middle East—is a vital ally to the United States. We are all aware of the severity of Israel's exports necessary to ensure her economic growth and well-being.

It is worth noting that the European Community will have lifted all trade duties with Israel by 1989. The United States will be at a distinct trade disadvantage if we do not follow suit. I am convinced that the establishment of the Free Trade Area Agreement between the United States and Israel will have an immediate positive effect on the economies of both nations.

In sum, this legislation will give a boost to the economies of both countries while making a significant contribution to the preservation of democracy in the Middle East. I urge my colleagues to vote in favor of this important legislative initiative.●

● Mr. LUKEN. Mr. Speaker, I am delighted to lend my support to H.R. 2268, the United States-Israel Free Trade Area Implementation Act.

I strongly believe that a free trade area with Israel will be in the economic and security interests of both the United States and Israel. Such an agreement will allow U.S. exporters to maintain and even increase their current 20-percent share of the Israeli import market, thereby generating additional jobs for Americans.

A free trade area also will be of immense value to Israel by ensuring the kind of duty-free access to the U.S. market that Israel needs in order to increase her exports and restructure her economy. A free trade area also will help Israel continue to develop her high technology industry, in which she holds a comparative advantage.

Israel is America's closest ally in the Middle East, sharing our commitment to freedom and democracy, and American opposition to Soviet expansion. An economically strong Israel is better able to defend itself and thus protect both its own and U.S. interests.

This historic agreement, the first of its kind with any nation, will provide American exporters with duty-free access to an $8 billion market in which they are currently disadvantaged because of high duties and a tariff disparity resulting from a trade agreement between the European Economic Community and Israel.

The establishment of a free trade area between the United States and Israel will be instrumental in reaffirming and strengthening the common bonds we share with our only democratic ally in the Middle East, Israel.●

● Mr. GREEN. Mr. Speaker, I rise in enthusiastic support of H.R. 2268, legislation to establish a free trade zone between the United States and Israel, which commits both our governments to phase out duties on all products in bilateral trade within 10 years.

Last year, Mr. Speaker, I was pleased to vote for H.R. 5377, a bill which gave the President the authority to negotiate a free trade agreement with Israel. Last month, April 22, 1985, the President signed a free trade agreement with Israel, and this legislation, when approved by this House and the Senate, will enact the free trade area into law.

I am pleased to support this legislation for two major reasons. First, Israel is our most loyal ally in the Middle East, and our two countries commit a great deal of our resources to mutually beneficial trade. Yet, about one-half of U.S. goods are subject to Israeli tariffs, and though about 90 percent of Israeli products currently enter the United States duty-free, Israel will soon be graduated out of its current trade status under the new revision of the Generalized System of Preferences. It is clear that the respective economies of our two countries will benefit from passage of this legislation.

In addition to helping our good friend and trusted ally, I would hope that passage of this historic legislation would help relieve the pressure now felt by our allies from those who would advocate protectionist trade policies. This United States-Israel agreement is the first free trade agreement entered into the United States, and I hope that it is not the last. Free trade bolsters the economies of all nations involved, and I look forward to working with my colleagues to ensure that both we and our trading partners are able to improve our economies, and our working relationships as a whole, through increased trade.

Again, Mr. Speaker, I urge my colleagues to vote for this important and timely legislation.●

● Mr. ARCHER. Mr. Speaker, I fully support H.R. 2268, legislation to implement a free trade area agreement with the Government of Israel. It has been a year and a half since President Reagan and former Prime Minister Shamir agreed to begin negotiations on this precedent-setting proposal. The Trade and Tariff Act of 1984 authorized the President to conclude an agreement with Israel providing for the reduction or elimination of tariffs and nontariff barriers. In my view his negotiators have negotiated well for us. The agreement is a landmark in the history of U.S. trade policy and should be approved by this body without delay.

I am especially heartened to have an opportunity to vote on this bill because it will put the United States back in a position of leading the further expansion of world trade. Recently we have heard a high degree of inward-looking sentiment. I continue to believe it is a mistake for us to focus on protecting industries that can only be competitive at the expense of the taxpayers and consumers through quotas, tariffs, and subsidies.

The acceleration of our economic growth and that of the world depends on a continued reduction in tariff barriers. The law of comparative advantage tells us that economic welfare will be enhanced if each nation specializes in the production of items that it can produce, in relative terms, most efficiently. Restating this basic principle is a reminder of all that the United States and Israel have to gain from a free trade area.

In passing H.R. 2268 we will be eliminating uncertainty and allowing entrepreneurs producing for international trade to invest in plants and equipment and know that their efforts will not prove fruitless due to an unexpected trade barrier. Efficiency, quality, and price will be the main determinants of success in an environment with more jobs and more opportunities for everyone. Expanded economic activity will not occur without adjustments in certain less competitive sectors, but it is the Israelis' who have the most to lose in this respect. The risks to our economy are relatively small by comparision.

For example, about 90 percent of Israeli exports to the United States already enter the United States on a duty-free basis while 40 percent of

U.S. exports to Israel are still covered by relatively high tariffs. The United States has a $400 million trade surplus with Israel even excluding military purchases. In cases where products were determined to be especially sensitive, duty-free treatment will be phased in, under three separate staging arrangements. Therefore, the part of the negotiation involving tariff reductions covered only a fraction of overall trade, with the United States having the most to gain when all products become duty-free.

Israel, on the other hand, is facing a severe economic crisis which includes the burden of high defense expenditures, a huge foreign debt and a crippling rate of inflation. Yet the people of Israel are prepared to face the unregulated competition of some of America's most accomplished traders. For Israel to embark on this experiment takes a great deal of courage that should be recognized.

The United States achieved significant concessions on a number of troublesome nontariff issues as well. The Israelis pledged to phase out all subsidy programs over the next 6 years. Market protections for infant industries or for balance of payments purposes are strictly limited by the agreement. Also U.S. exporters will no longer have to face burdensome import licensing requirements when doing business in Israel.

In short, a United States-Israel Free Trade Area will further the economic and political goals of both nations. Israel is America's closest ally in the Middle East, sharing our commitment to freedom and democracy and our opposition to Soviet encroachments in the area. Israeli consumers have already proven their preference for American exports. Through this bill, Israel will be able to increase its own exports, stengthen its economy, and decrease its dependence on foreign aid. In agreeing to accept this challenge in mutual cooperation, Israel joins the United States in setting an example the economic benefits of which will not go unnoticed by other forward-looking nations with which we trade.●

□ 1350

Mr. CRANE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COLEMAN of Texas). The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the bill, H.R. 2268.

The question was taken.

Mr. ROSTENKOWSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

COMMENDING PRESIDENT DUARTE AND PARTICIPATING ORGANIZATIONS ON RECENT VACCINATION CAMPAIGN IN EL SALVADOR

Mr. YATRON. Mr. Speakers, I move to suspend the rules and agree to the resolution (H. Res. 145) to commend President Jose Napoleon Duarte and the participating international humanitarian organizations for their compassion, vision, and leadership in carrying out the recent vaccination campaign in El Salvador, as amended.

The Clerk read as follows:

H. RES. 145

Whereas President Jose Napoleon Duarte has served the people of El Salvador with dedication, honor, and distinction during turbulent political times since his democratic election to office in 1984;

Whereas El Salvador's children, if unprotected, would be highly vulnerable to horrible, crippling diseases such as pertussis, tetanus, diphtheria, measles, and polio;

Whereas less than 20 percent of children in the developing world are immunized against these diseases and as a result 5,000,000 children die and an additional 5,000,000 are mentally or physically disabled each year;

Whereas in El Salvador, a comprehensive effort to immunize that nation's children has not occurred since 1975, thereby leaving a generation of children, approximately 900,000, exposed to life-threatening but preventable diseases;

Whereas beginning in February 1985, President Jose Napoleon Duarte initiated and coordinated a thorough, well-organized, and effective immunization program in El Salvador on three separate days (February 3, March 3, and April 21, 1985), thereby immunizing and protecting the lives of more than 300,000 Salvadoran children, with more to be innoculated during a comprehensive follow up campaign;

Whereas several organizations and agencies such as the United Nations Children's Fund, United States Agency for International Development, the Roman Catholic Church, Project Hope, the International Committee of the Red Cross, the International Rotary, the Pan-American Health Organization, and others, lent their financial support, expertise, and technical assistance, thereby contributing to the success of the vaccination campaign;

Whereas on each of those three days, this humanitarian project resulted in a near cease-fire so that more than 18,000 Salvadoran volunteers and medical staff could safely participate in the immunization program which took place at more than 2,000 sites throughout the country;

Whereas the United Nations Children's Fund, and the many other organizations leading the fight to save children, have embarked upon a campaign to immunize all the world's children by 1990; and

Whereas President Duarte's successful project in El Salvador will serve as a model for similarly constructed programs throughout the developing world so that the goal of worldwide child immunization may be achieved: Now, therefore, be it

Resolved, That on the occasion of his May 1985 visit to the United States, the House of Representatives applauds President Jose Napolean Duarte and the Government of El Salvador and expresses its deep appreciation for his effective leadership in the campaign to immunize and protect the children of El Salvador.

The SPEAKER pro tempore. Is a second demanded?

Mr. BROOMFIELD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. YATRON] will be recognized for 20 minutes and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. YATRON].

Mr. YATRON. Mr. Speaker, I yield myself such time a I may consume.

Mr. Speaker, I rise in strong support of House Resolution 145, which commends President Duarte and the participating international humanitarian organizations for their compassion, vision, and leadership in carrying out the recent vaccination campaign in El Salvador.

Mr. Speaker, this resolution, sponsored by our friend from New Jersey, Congressman SMITH seeks to enhance international awareness on what has been a miraculous undertaking by President Duarte, UNICEF, PAHO, and the Agency for International Development: a major, national campaign to immunize the children of El Salvador.

Mr. Speaker, the American public and the rest of the international community are under the impression that U.S. policy in Central America is limited to military involvement. The recent success of this immunization campaign demonstrates that this is just not the case.

Through a coordinated effort by UNICEF, USAID and several humanitarian organizations, President Duarte spearheaded a national campaign which resulted in over 200,000 children being immunized against several deadly diseases including diphtheria, polio, and the measles. The last vaccination drive took place on April 20.

The Subcommittee on Human Rights and international organizations has been very active in promoting the child survival revolution by authorizing money for the child survival fund and by increasing our contributions to UNICEF. The amended text of the resolution, which was agreed to in the Foreign Affairs Committee, reflects the fact that the Pan American Health Organization rendered an in-

valuable service in implementing this national campaign.

Given that President Duarte is due to arrive in Washington within the month, I think congressional passage of this resolution would demonstrate our support for his valiant efforts to save the lives of hundreds of thousands of children. Further, it would send a message to the international community that the United States is committed to fostering humanitarian relief and social development in El Salvador.

Mr. Speaker, it is also important to note that the Catholic Church in El Salvador played a vital role in this campaign by negotiating a temporary cease-fire between the guerrillas and the Government so that thousands of children in the rural countryside of this war-torn nation could benefit from this program. I want to commend Congressman SMITH for his leadership in this area; he witnessed the last immunization drive in El Salvador and has been an outspoken leader in promoting the child survival revolution in the Congress. I strongly urge our colleagues to support this resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield myself such time as I may consume.

I offer my support for this resolution commending President Jose Napoleon Duarte and the concerned international humanitarian organizations for their outstanding work in the Salvadoran vaccination campaign.

Earlier this year, President Duarte initiated a massive health program in El Salvador which immunized more than 300,000 Salvadoran children. A followup innoculation program will add thousands more to the list of children who will be protected against the ravages of the many diseases prevalent in that part of Central America. President Duarte effectively coordinated this effort with numerous international organizations including the U.N. Children's Fund, and others.

Because of the unprecedented success of this vaccination campaign, El Salvador's program will serve as a model for programs in the developing world.

Once again, President Duarte has shown his leadership and his deep interest in the welfare of his people. Through his efforts, future generations of Salvadoran children will live normal healthy lives. The world needs more leaders of President Duarte's stature. He had displayed leadership, energy and vision in his service to the people of El Salvador, and has moved boldly to bring peace to that war-torn nation.

I am certain that my colleagues will join me in offering our praises for President Duarte's noteworthy accomplishments both in the political sphere as well as in the area of improving the well-being of the Salvadoran people.

My colleagues, I am certain that you will join me in supporting House Resolution 145.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. SMITH], the principal sponsor of this legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my friend for yielding time to me, and I appreciate the kind remarks of the gentleman from Pennsylvania [Mr. YATRON], the chairman of the subcommittee, as well as the remarks of the gentleman from Michigan [Mr. BROOMFIELD].

Mr. Speaker, a couple of Sundays ago, on April 21, I went to El Salvador to observe and participate in a mass child immunization campaign organized and personally led by President Jose Napolean Duarte.

I was joined in El Salvador by Mark Tavlarides, staff director of the Subcommittee on Human Rights, a very professional and hard working member of the Foreign Affairs' Committee staff, and while in San Salvador, met up with many distinguished people including Dr. Albert Sabine, developer of the oral polio vaccine a quarter of a century ago.

House Resolution 145 recognizes and salutes President Duarte for his vision, compassion and leadership in leading this campaign. The resolution also commends numerous agencies and organizations for their crucial role in the success of the program.

Mr. Speaker, I believe it is extremely important for this Congress to appropriately cite the dynamic leadership exhibited by President Duarte in the immunization program. It is estimated that up to 300,000 Salvadoran children were immunized or are in the process of being immunized and thereby protected from painful debilitating and even fatal diseases such as whooping cough, diphtheria, tetanus, measles, and polio. Significantly, tens of thousands more will be vaccinated in a follow up effort. It is clear, though, that without President Duarte's leadership, there would not have been an immunization campaign in El Salvador.

Mr. Speaker, the campaign was a model of good planning, effective management, and interagency cooperation. Key to the vaccine campaign's success was the participation by U.S. Agency for International Development UNICEF, PAHO, and several other agencies and organizations. I am very proud of our Government's contribution to this humanitarian effort. Very proud indeed. It underscores our commitment to the well-being and safety of the people of El Salvador, especially her children.

I would also like to point out to my colleagues that there are many individuals who are much deserving of praise including James Grant, Executive Director of UNICEF and a true champion of children, Dr. Benjamin Valdez, Minister of Health in El Salvador, and Dr. Carlyle Guerra De Macedo, Director of the Pan American Health Organization. These are just a few, there are obviously many others.

Also, Mr. Speaker, the Roman Catholic Church, in a further manifestation of its sacred mission to the world, put its full weight and resources behind the campaign and even mediated a cease-fire so the children living in contested areas of El Salvador could be immunized and thus protected.

Mr. Speaker, it seems to me that the major obstacle to the immunization of all the world's children is not expense—it is relatively inexpensive—nor is it lack of interest on the part of volunteers and medical staff. Indeed, the El Salvador program benefited from more than 20 international and local organizations as well as more than 18,000 Salvadoran volunteers and medical staff.

Instead, Mr. Speaker, the chief problem lies in the lack of leadership at the highest echelons of governments. With proper leadership at the top, like in El Salvador, millions of children could be saved. It is so sad and regrettable, Mr. Speaker, that only 20 percent of the world's families are aware of and take advantage of the new low-cost immunizations which could protect their children. As a result, more than 5 million children die and a further 5 million more are mentally and physically disabled each year from these easily preventable diseases.

Mr. Speaker, in my opinion, President Duarte provided an inspiring example to the rest of the developing world, as to how to close the gap between available immunization services and children actually immunized in a country. In El Salvador, hundreds of thousands were in need of vaccines to protect them from these chronic diseases, and now many are protected. Despite the wartorn status of his country, President Duarte had the vision and courage to lead a nationwide effort to protect his country's children. We must encourage other leaders in the developing world to do likewise.

Mr. Speaker, I am happy to report to my colleagues that few people in El Salvador were unaware of the national immunization campaign. With President Duarte leading the project, radio stations, churches, banks, health groups, community based organizations, and schools all participated in the promotion, as well as, the implementation of the vaccine campaign. By establishing conveniently located vaccination points—over 2,000 in El Salvador—and by coordinating specific dates and times, President Duarte ensured that more parents would be aware of the immunization program.

Thus, thousands of El Salvadoran children were immunized and an overwhelming percentage of children returned to receive all three doses which are needed for these vaccinations to be effective. Mass innoculations were provided on February 3, March 3, and April 21.

Mr. Speaker, there is no doubt that President Duarte's effort in El Salvador will serve as a model for similarly needed programs throughout the developing world. El Salvador is a success story, an inspiration and an example to be duplicated.

I would like to take this opportunity in closing to thank the chairman of the Subcommittee on Human Rights and international organizations, Mr. YATRON, and ranking member, Mr. SOLOMON, for their strong support and origional cosponsorship of this resolution. I would also like to thank the distinguished chairman of the full Foreign Affairs Committee, Mr. FASCELL, and ranking member, Mr. BROOMFIELD, for their support. Finally I would like to thank Mr. BARNES, chairman of the Subcommittee on Western Hemisphere Affairs and ranking member Mr. LAGOMARSINO and all 67 House Members who cosponsored this resolution.

□ 1400

Mr. YATRON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the ranking minority member on the committee, the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of this resolution, of which I am pleased to be a cosponsor. And I also commend the gentleman from New Jersey for his leadership on this resolution and for his taking the initiative to go down to El Salvador to see firsthand the immunization program; and also Chairman YATRON, and staff member Mark Tavlarides.

Mr. Speaker, the successful completion of a three-stage vaccination campaign in El Salvador has been one of the most dramatic and positive developments in the recent history of that troubled country. I am sure that much of the credit for this success goes to President Duarte. His wide leadership is supported by an overwhelming majority of the Salvadoran people and is instrumental in contributing to the stabilization of the country, to the greater observance of human rights, and to progress in meeting the needs of the people.

There are those of us in Congress, particularly on this side of the aisle, who are often critical of overwrought congressional resolutions that seem only to focus on problems—resolutions that criticize friends and allies of the United States. And so I am particularly proud to support a resolution like this, which congratulates a good friend and ally on a job well done. What a testimony it is for the world to see a democratically elected leader achieve a cease-fire in a time of civil insurrection in order to achieve a humanitarian purpose. Would to God the unelected tryants in Ethiopia, for example, show the same compassion toward those starving people in the northern provinces of their country.

And so I strongly support this resolution. I commend Mr. SMITH for offering it. And I urge its unanimous adoption by the House.

● Mr. FASCELL. Mr. Speaker, I rise in support of House Resolution 145, to commend President Duarte and the several international humanitarian organizations on their recent mass vaccination campaign in El Salvador. I would also like to commend the sponsor of the resolution, our colleague, Mr. SMITH of New Jersey for bringing this important matter to our attention. I also want to thank Mr. YATRON, chairman of the Subcommittee on Human Rights and International Organizations and Mr. BARNES, chairman of the Subcommittee on Western Hemisphere Affairs for the expeditious way in which they agreed to move this resolution.

Mr. Speaker, President Duarte and the international humanitarian organizations that participated deserve credit for arranging a 3-day period during which over 300,000 Salvadoran children were innoculated against killing and crippling diseases that confront El Salvador and the rest of the underdeveloped world. This successful project will serve as an example to the rest of the world as to what can be accomplished to improve health standards even under the most trying circumstances.

I would like to take particular note of the excellent work of the Pan American Health Organization, both in the immunization program in El Salvador and elsewhere in the region. Through the efforts of the Pan American Health Organization, the number of cases of poliomyelitis in Central and South America have been substantially reduced. Of equal importance for the health of the people, the Pan American Health Organization will soon launch a campaign to eradicate the indigenous transmission of wild polio virus by the year 1990. This program will require the same type of public and private cooperation which made the immunization in El Salvador so successful and deserves the active support of the governments of this hemisphere.

Mr. Speaker, I urge the adoption of House Resolution 145.●

Mr. BROOMFIELD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. YATRON] that the House suspend the rules and agree to the resolution, House Resolution 145, as amended.

The question was taken.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.,

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. YATRON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to the provisions of clause 5, rule I, the Chair will now put the question on each motion on which further proceedings were postponed in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 2268, and House Resolution 145, both by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic votes after the first such vote in this series.

UNITED STATES-ISRAEL FREE TRADE IMPLEMENTATION ACT OF 1985

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2268.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the bill, H.R. 2268, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 422, nays 0, answered "present" 3, not voting 9, as follows:

[Roll No. 97]

YEAS—422

Akaka	Alexander	Anderson

Andrews
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Badham
Barnes
Bartlett
Barton
Bateman
Bates
Bedell
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carney
Carper
Carr
Chandler
Chappell
Chappie
Cheney
Clay
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daschle
Daub
Davis
de la Garza
Delay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fawell
Fazio
Feighan
Fiedler
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Gregg
Grotberg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hansen
Hartnett
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennelly
Kildee
Kindness
Kleczka
Kolbe
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Loeffler
Long
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Monson
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Oxley
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Russo
Sabo
Savage
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Seiberling
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm
Stokes
Strang
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wilson
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zschau

NAYS—0

ANSWERED "PRESENT"—3

Bonior (MI) Conyers Murphy

NOT VOTING—9

Ackerman Beilenson Roybal
Addabbo Breaux Vander Jagt
Barnard Fascell Weaver

□ 1420

Mr. BONIOR of Michigan changed his vote from "yea" to "present."

So (two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLEMAN of Texas). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

COMMENDING PRESIDENT DUARTE AND PARTICIPATING ORGANIZATIONS ON RECENT VACCINATION CAMPAIGN IN EL SALVADOR

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 145, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. YATRON] that the House suspend the rules and agree to the resolution, House Resolution 145, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 1, answered "present" 1, not voting 12, as follows:

[Roll No. 98]

YEAS—420

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Badham
Barnes
Bartlett
Barton
Bateman
Bates
Bedell
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bruce
Bryant
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carney
Carper
Carr
Chandler
Chappell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daschle
Daub
Davis
de la Garza
Delay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fazio
Feighan
Fiedler
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Gregg
Grotberg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hansen
Hartnett
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)

Kanjorski	Moore	Sisisky
Kaptur	Moorhead	Skeen
Kasich	Morrison (CT)	Skelton
Kastenmeier	Morrison (WA)	Slattery
Kemp	Mrazek	Slaughter
Kildee	Murphy	Smith (FL)
Kindness	Murtha	Smith (IA)
Kleczka	Myers	Smith (NE)
Kolbe	Natcher	Smith (NH)
Kolter	Neal	Smith (NJ)
Kostmayer	Nelson	Smith, Denny
Kramer	Nichols	Smith, Robert
LaFalce	Nielson	Snowe
Lagomarsino	Nowak	Snyder
Lantos	O'Brien	Solarz
Latta	Oakar	Solomon
Leach (IA)	Oberstar	Spence
Leath (TX)	Obey	Spratt
Lehman (CA)	Olin	St Germain
Lehman (FL)	Ortiz	Staggers
Leland	Owens	Stallings
Lent	Oxley	Stangeland
Levin (MI)	Packard	Stark
Levine (CA)	Panetta	Stenholm
Lewis (CA)	Parris	Stokes
Lewis (FL)	Pashayan	Strang
Lightfoot	Pease	Stratton
Lipinski	Penny	Studds
Livingston	Pepper	Stump
Lloyd	Perkins	Sundquist
Loeffler	Petri	Sweeney
Long	Pickle	Swift
Lott	Porter	Swindall
Lowery (CA)	Price	Synar
Lowry (WA)	Pursell	Tallon
Lujan	Quillen	Tauke
Luken	Rahall	Tauzin
Lundine	Rangel	Taylor
Lungren	Ray	Thomas (CA)
Mack	Regula	Thomas (GA)
MacKay	Reid	Torres
Madigan	Richardson	Torricelli
Manton	Ridge	Towns
Markey	Rinaldo	Traficant
Marlenee	Ritter	Traxler
Martin (IL)	Roberts	Udall
Martin (NY)	Robinson	Valentine
Martinez	Rodino	Vento
Matsui	Roe	Visclosky
Mavroules	Roemer	Volkmer
Mazzoli	Rogers	Vucanovich
McCain	Rose	Walgren
McCandless	Rostenkowski	Walker
McCloskey	Roth	Watkins
McCollum	Roukema	Waxman
McCurdy	Rowland (CT)	Weber
McDade	Rowland (GA)	Weiss
McEwen	Rudd	Wheat
McGrath	Russo	Whitehurst
McHugh	Sabo	Whitley
McKernan	Savage	Whittaker
McKinney	Saxton	Whitten
McMillan	Schaefer	Williams
Meyers	Scheuer	Wilson
Mica	Schneider	Wirth
Michel	Schroeder	Wise
Mikulski	Schuette	Wolf
Miller (CA)	Schulze	Wolpe
Miller (OH)	Schumer	Wortley
Miller (WA)	Seiberling	Wright
Mineta	Sensenbrenner	Wyden
Mitchell	Sharp	Wylie
Moakley	Shaw	Yates
Molinari	Shelby	Yatron
Mollohan	Shumway	Young (AK)
Monson	Shuster	Young (FL)
Montgomery	Sikorski	Young (MO)
Moody	Siljander	Zschau

NAYS—1

Conyers

ANSWERED "PRESENT"—1

Clay

NOT VOTING—12

Addabbo	Burton (CA)	Kennelly
Barnard	Fascell	Roybal
Beilenson	Fawell	Vander Jagt
Breaux	Jeffords	Weaver

□ 1430

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2246

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of the bill, H.R. 2246.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1403

Mr. RAHALL. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of the bill, H.R. 1403.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1229

Mr. OLIN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1229.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

VIETNAM VETERANS RECOGNITION DAY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 128) to designate May 7, 1985, as "Vietnam Veterans Recognition Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House the minority has no objection to the legislation being considered.

● Mr. MONTGOMERY. Mr. Speaker, I want to commend my distinguished colleague from New York [Mr. GARCIA], and the other members of the Post Office and Civil Service Committee for bringing up Senate Joint Resolution 128, which would designate today, May 7, "Vietnam Veterans Recognition Day."

On May 2, I introduced an identical measure, House Joint Resolution 276, which was also referred to the Post Office and Civil Service Committee. I am pleased to see this great body consider a measure with the same intent.

Our Vietnam veterans had to readjust to a society that, as a whole, found it difficult to understand their experiences and their needs. The Committee on Veterans' Affairs and the Congress have attempted, quite successfully I believe, to ease this readjustment by providing a comprehensive benefits program designed specifically for Vietnam veterans.

Setting aside this special day, the 10th anniversary of the end of the Vietnam era, to recognize our Vietnam veterans is a very appropriate and important step. They have earned our respect and our praise for their noble efforts and their sacrifices in a country on the other side of the world.

"Vietnam Veterans Recognition Day" makes a major statement. It emphasizes that we are listening and that we do care. I'm proud to give my strong support to this measure, and I know it will go a long way toward increasing the public's awareness of the Vietnam veteran and his concerns.●

● Mr. BILIRAKIS. Mr. Speaker, 10 years ago today, with the fall of Saigon, our Nation's longest war came to a final close. The anniversary of that ending is a time for reflection for all Americans, and our reflections of the war are as many and varied as we are.

Indeed, the war in Southeast Asia was emotional, misunderstood, divisive, and it often pitted honorable people one against the other. There is one thought, however, Mr. Speaker, one reflection on the war that I believe is universal.

It is that all Americans are grateful for the honorable service and considerable sacrifices made by the almost 9 million men and women who served their country in uniform during this period. And while I know my fellow citizens would concur in what I have to say, I want to take this opportunity to express my personal thanks to each and every one of these fine Americans.

Vietnam veterans have recently been the subject of a poll by ABC and the Washington Post. Its results are most interesting, but in my view, not surprising. The poll clearly indicates that most of these veterans are better citizens because of their military experience. It shows, of course, that scars of war often remain but that these fine individuals have triumphed over social, economic, and educational difficulties to become some of our finest citizens. The fact is, in my view, they have always been among our finest citizens.

There is no question that special needs do exist among Vietnam veter-

ans, and as a member of the House Committee on Veterans Affairs, I am proud to be involved in the effort to meet those needs through necessary legislation and specific Federal programs. Indeed, it is our duty to meet those needs. However, in our recognition of the needs of some Vietnam veterans, let us rise above the oft-repeated critical statements concerning the ability of these young Americans to readjust to civilian life after their service in Vietnam. The ABC-Post poll puts to rest some of these critical myths about Vietnam veterans and it is my hope that this country will finally realize that Vietnam veterans deserve to be recognized for their service, their strength and their successes as well as their needs.

Mr. Speaker, I would be remiss if I failed to mention a group of Vietnam veterans on whom the poll could not make comment, a group who cannot hear our thanks today, a group for whom there has been no homecoming. I am speaking, of course, of the 2,477 American servicemen still missing in Southeast Asia. As we commemorate an end to war, let us renew our commitment to gaining a full accounting for each and every servicemember whose fate remains unknown. Until this is achieved, there can be no end to the war for these men and for their families.

Mr. Speaker, Vietnam veterans willingly served their country when their country called. They did their duty as did millions of other Americans who were called to arms in previous wars. I salute these veterans as noble representatives of all that is good in America. Their patriotism and valor flows through the veins of all our citizens.

Vietnam veterans, like their comrades before them, have served us well and they deserve our everlasting thanks. May that be the lesson of Vietnam that is foremost in our minds on this 10th anniversary.

Thank you, Mr. Speaker.●

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 128

Whereas over three million American fighting men and women who served in the Vietnam theater for over a decade acquitted themselves in the highest traditions of American service personnel;

Whereas more than fifty-seven thousand Americans lost their lives there, and an additional two thousand four hundred Americans are still listed as missing in action in Southeast Asia;

Whereas thousands of Vietnam veterans still suffer physically and psychologically from the effects of the war, including many who are permanently disabled;

Whereas regardless of the ultimate verdict of history about United States involvement in that war, the service that patriotic Americans performed in the Vietnam theater is deserving of continued and reemphasized grateful recognition;

Whereas the Nation is now beginning to review in a more dispassionate and evenhanded manner the history of our involvement in the Vietnam conflict;

Whereas for too long the Nation failed to honor the service of and respond appropriately to the needs of Vietnam veterans and was instead anxious to place the Vietnam experience behind it; and

Whereas May 7, 1985, marks the tenth anniversary of the official end of America's involvement in the conflict in Vietnam: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 7, 1985, is designated "Vietnam Veterans Recognition Day" and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such a day with appropriate activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CORRECTIONAL OFFICERS WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 64) to designate the week beginning May 5, 1985, as "National Correctional Officers Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation being considered.

Mr. TRAXLER. Mr. Speaker, will the gentleman yield?

Mr. HANSEN. I would be happy to yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, I rise in support of House Joint Resolution 100, a resolution to declare the week of May 5, 1985, as "National Correctional Officers Week," and its Senate companion which is before us today, Senate Joint Resolution 64.

As sponsor of the House version of the resolution, I want to express my appreciation and that of our Nation's correctional officers to all of our colleagues who have added their names as cosponsors of this resolution which points to the vital significance of correctional officers. I respectfully request unanimous consent that the names of all of the cosponsors be printed in the RECORD after my remarks.

We passed a similar resolution during the 98th Congress, and it led to ceremonies throughout the country which honored correctional officers for their important work. I was privileged to personally participate in a ceremony at the Great Hall of the Department of Justice along with Chief Justice Warren Burger and many uniformed members of correctional officers from throughout the country.

Correctional officers perform an essential task that few of us would be able to perform. Our criminal justice system operates under the premise that with proper guidance those who have been found guilty of criminal charges can be helped to return to a lawful way of life. This system breaks down without correctional officers, because if they are not there to shepherd this process, who will be?

Correctional officers have often been portrayed as cruel, as uncaring, and in some instances worse than those individuals with whom they are charged. Isn't it amazing what we are led to believe simply because it makes a more tantalizing plot?

If it is anything that has impressed me during my work on this resolution, it is that correctional officers are a strong opposite to the Hollywood version. They are very caring. They often take more grief than they have to take. They are committed to their profession, as is any true professional. And, sadly, they are not sufficiently appreciated. It was this element more than anything else that led me to sponsoring this resolution.

Over the past few months, my office has been contacted by correctional and police associations from throughout the country who are working very hard to make this commemorative week come about. Several States have planned commemorations of their own based upon the expectation of the passage of this resolution, and I am certainly pleased that we will not disappoint them.

We have been faced with several important issues in recent weeks, and I know that there will be some among us who will say that we shouldn't spend our time on commemorative resolutions of this type. We are a body of many views, and the one I have just described is certainly not mine. I believe that it is important that we pause occasionally to say "thank you" to Americans who perform tasks important to our society, and this is one of those times.

Mr. Speaker, I urge all of our colleagues to support the passage of this resolution, and thereby House Joint Resolution 100, a resolution declaring the week of May 5, 1985, as "National Correctional Officers Week."

COSPONSORS—H.J. RES. 100

Joseph P. Addabbo, Daniel Akaka, Bill Alexander, Michael A. Andrews, Frank

Annunzio, Douglas Applegate, Les AuCoin, Michael D. Barnes, Herbert H. Bateman, Charles E. Bennett, Douglas K. Bereuter, Howard L. Berman, Tom Bevill, Mario Biaggi, Michael Bilirakis, Thomas Bliley, Jr., Lindy Boggs, Edward P. Boland, William Hill Boner, David E. Bonior, Robert A. Borski, Frederick Boucher.

Barbara Boxer, John Breaux, Jack Brooks, William Broomfield, George E. Brown, Hank Brown, John Bryant, Sala Burton, Albert Bustamante, Beverly B. Byron, Herbert L. Callahan, Bob Carr, Rod Chandler, Bill Chappell, Jr., William Clay, Tony Coelho, Ronald D. Coleman, Cardiss Collins, Silvio Conte, John Conyers, Jim Cooper, Larry Coughlin.

George Crockett, Dan Daniel, William E. Dannemeyer, George Darden, Thomas A. Daschle, Hal Daub, Bob Davis, E de la Garza, Ron de Lugo, Thomas Dale Delay, Butler Derrick, Michael DeWine, John Dingell, Joseph J. DioGuardi, Julian C. Dixon, Robert K. Dornan, Bernard Dwyer, Mervyn M. Dymally, Roy Dyson, Joe Early, Bob Edgar, Bill Emerson.

Glenn English, Dante B. Fascell, Walter E. Fauntroy, Vic Fazio, Edward F. Feighan, Hamilton Fish, Jr., Ronnie G. Flippo, James J. Florio, Thomas S. Foley, Harold E. Ford, William D. Ford, Wyche Fowler, Jr., Bill Frenzel, Martin Frost, Don Fuqua, Dean A. Gallo, Newt Gingrich, Henry B. Gonzalez, Barton J. Gordon, Kenneth J. Gray, Bill Green, Judd Gregg.

Frank J. Guarini, Ralph M. Hall, Sam B. Hall, Jr., Thomas F. Hartnett, Charles Hatcher, Augustus F. Hawkins, Charles A. Hayes, W.G. Hefner, Paul B. Henry, Dennis M. Hertel, Marjorie S. Holt, Frank Horton, Steny H. Hoyer, Jerry Huckaby, William J. Hughes, Duncan Hunter, Andy Ireland, Andrew Jacobs, Jr., James M. Jeffords, Ed Jenkins, Nancy L. Johnson, Ed Jones.

Walter B. Jones, Marcy Kaptur, John R. Kasich, Robert W. Kastenmeier, Jack F. Kemp, Barbara Kennelly, Dale Kildee, Thomas N. Kindness, Joseph P. Kolter, Peter H. Kostmayer, John J. LaFalce, Robert J. Lagomarsino, Tom Lantos, Richard Lehman, Mickey Leland, Sander Levin, Mel Levine, Jerry Lewis, Jim Lightfoot, Bob Livingston, Mike Lowry, Stanley N. Lundine.

Dan Lungren, Edward R. Madigan, Thomas J. Manton, David O'B. Martin, Matthew G. Martinez, Robert T. Matsui, Romano L. Mazzoli, Bob McEwen, Raymond J. McGrath, Matt McHugh, John R. McKernan, Jr., Barbara A. Mikulski, John R. Miller, Joe Moakley, W. Henson Moore, Bruce A. Morrison, Robert J. Mrazek, Austin J. Murphy, John Murtha, William H. Natcher, Stephen L. Neal, Bill Nichols.

Henry J. Nowak, George M. O'Brien, Mary Rose Oakar, James L. Oberstar, Solomon P. Ortiz, Ron Packard, Leon E. Panetta, Charles Pashayan, Jr., Carl C. Perkins, Thomas E. Petri, Carl Pursell, James H. Quillen, Nick Joe Rahall, II, Charles B. Rangel, Harry Reid, Bill Richardson, Pat Roberts, Tommy Robinson, Peter W. Rodino, Jr., Robert A. Roe, Buddy Roemer, Harold Rogers.

Charles Rose, J. Roy Rowland, Martin Olav Sabo, H. James Saxton, James H. Scheuer, Charles E. Schumer, E. Clay Shaw, Jr., Richard C. Shelby, Norman D. Shumway, Gerry Sikorski, Norman Sisisky, Joe Skeen, Ike Skelton, D. French Slaughter, Jr., Christopher Smith, Lawrence Smith, Neal Smith, Robert C. Smith, Gene Snyder, Steve Solarz, Gerald B.H. Solomon, Floyd Spence.

Fernand J. St Germain, Michael L. Strang, Samuel S. Stratton, Bob Stump, Fofo I.F. Sunia, Mike Synar, R.M. Tallon, Jr., Thomas J. Tauke, W.J. Tauzin, R. Lindsay Thomas, Robert G. Torricelli, Edolphus Towns, Bob Traxler, Guy Vander Jagt, Bruce F. Vento, Harold L. Volkmer, Barbara Vucanovich, Wes Watkins, Henry A. Waxman, James Weaver, Ted Weiss, Alan Wheat, Charles Whitley, Bob Whittaker, Charles Wilson, Frank R. Wolf, Howard Wolpe, George C. Wortley, Chalmers P. Wylie, Gus Yatron, C.W. Bill Young, Don Young.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. FAZIO. Mr. Speaker, reserving the right to object, I will not object, but I also take this time to thank the chairman of this committee and the ranking Republican for the expeditious handling of this very important matter. As one who represents many correctional officers, I know well the service they render in their States, their localities, and in the country.

Mr. Speaker, I want to voice my support for Senate Joint Resolution 64. This resolution will establish National Correctional Officers Week.

We have honored many Americans in this body, and the men and women who serve the public each day in prisons across our country deserve this small gesture of thanks.

Who among us has not called for a crackdown on crime? We should realize that the cost of safe streets is additional burdens on the people working in our correctional institutions.

And the corrections officers already have a tough job. The prisons are overcrowded. Racial tensions, bad enough on the outside, are intensified in close quarters. The corrections officer works in a constant state of alert, a constant state of danger.

When we do hear about corrections officers, it is when the pressures burst within a prison and they are hurt, or worse.

This resolution is long overdue. We should recognize the contribution corrections officers make each day to the safety of all of us. They do a tough job well, day in and day out, without applaud or reward. It is time for us to say thank you.

● Mr. ORTIZ. Mr. Speaker, this past weekend marked the beginning of National Correctional Officers Week. I rise today to encourage my colleagues to recognize and pay tribute to this exceptional group of professionals.

As a former law enforcement official, I know of the unique pressures and frustrations felt by correctional officers. Their responsibilities are greatly different, yet no less important, than the policemen who patrol our streets. Correctional officers usually handle convicted felons restricted to a confined area. They must control violence in this environment, plus promote rehabilitation and prepare prisoners for release.

I am proud to join the Nation in honoring our courageous correctional officers. The Texas Department of Corrections has 6,000 dedicated correctional officers who epitomize the attitude, morale, and professionalism set forth in the declaration of National Correctional Officer's Week. They are responsible for the daily operations to include custody and control of 38,000 inmates, incarcerated in 27 major institutions throughout the State of Texas.

Texas correctional officers are committed to exerting a positive influence and taking a national leadership role in promoting continued professional growth, education, and training for all correctional officers to meet the increasing challenges and demands of their profession. These Texans serve as national role models in developing and implementing innovative standards for correctional services and methods for measuring compliance. They will continue to significantly contribute to shaping national correctional policies and procedures.

As a member of the House Armed Services Committee, I would also like to pay tribute to the men and women who serve as correctional officers in the Army, Navy, Air Force, and Marine Corps. Over 5,000 correctional officers work in military prisons around the world. Additionally, the military correctional divisions of the armed services are continually improving themselves through professional affiliation in the Military Corrections Committee of the American Correctional Association and, as such, deserves our gratitude for the superb job done by the correctional officers who protect our servicemen and women.

The qualities I have attributed to the correctional officers of Texas are applicable to their colleagues across America. On this occasion, I would like to congratulate all correctional officers and encourage them to maintain their strong performance in a difficult job.●

● Mr. GRAY of Illinois. Mr. Speaker, I rise in support of Senate Joint Resolution 64, the National Correctional Officers Week. The resolution will name the week of May 5 as National Correctional Officers Week.

Mr. Speaker, there are about 300,000 correctional officers nationally. These officers are dedicated, hard-working

professionals who perform the task necessary to an orderly society.

They often risk their lives in daily performance of work, working under conditions which would be difficult for most of us to bear.

Mr. Speaker, I have a bill in to make murder of correctional officers by inmates a capital offense.

We are proud of all correctional officers but in particular the correctional officers at the Marion Federal Prison and our State institutions. Thank you.●

● Mr. ADDABBO. Mr. Speaker, I rise to join my colleagues in designating the week of May 5 as National Correctional Officers Week.

The men and women on the front lines of our correctional system do a very difficult and often thankless task. As we are all too accustomed to hearing, dangerous and overcrowded conditions exist in most of this country's prisons. From time to time, this situation has lead to violent confrontations between prisoners and correctional officers.

We have justifiably embarked on a national policy aimed at removing violent criminals from our society. More of them are behind bars today than ever before and for the first time in two decades, the crime rate is on the decline.

The job done by prison guards and parole officers is vital if we are to be successful in our national war on crime. I urge unanimous approval for Senate Joint Resolution 64 in recognition of the important work done by this dedicated group of people.●

Mr. FAZIO. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 64

Whereas American correctional officers who work in our jails and prisons are currently responsible for the containment and control of over six hundred thousand prisoners;

Whereas correctional officers must protect inmates from violence while encouraging them to develop skills and attitudes that can help them become productive members of society following their release;

Whereas the morale of correctional officers is affected by many factors, and the public perception of the role of correctional officers is more often based upon dramatization rather than factual review;

Whereas good job performance requires correctional officers to absorb the adverse attitudes present in confinement while maintaining themselves as professionals in order to have their actions appreciated and accepted by the public at large;

Whereas correctional officers had been similarly honored by many States and localities in 1984;

Whereas correctional officers had been similarly honored by a similar joint resolution of the Senate and House of Representatives of the United States in Congress assembled in 1984; and

Whereas the attitude and morale of correctional officers is a matter worthy of serious congressional attention: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning May 5, 1985, hereby is designated "National Correctional Officers Week" and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL DIGESTIVE DISEASES AWARENESS WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 94) to designate the week beginning May 12, 1985, as "National Digestive Diseases Awareness Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Reserving the right to object, Mr. Speaker, I do not object, but simply would like to inform the House that the minority has no objection to the legislation being considered.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 94

Whereas digestive diseases represent one of the most serious health problems of the Nation in terms of human discomfort and pain, mortality, personal expenditures for treatment, and working hours lost;

Whereas digestive diseases rank among other forms of illness as the third largest burden on the economy of the Nation;

Whereas 20,000,000 Americans suffer from chronic digestive diseases and disorders, and more than 14,000,000 cases of acute digestive diseases are treated in the Nation each year;

Whereas digestive diseases account for one-third of all malignant growths and for some of the most common acute infections;

Whereas more Americans are hospitalized with digestive diseases than with any other form of illness;

Whereas digestive diseases account for 25 percent of all surgical operations and comprise one of the most common causes of disability in the working force;

Whereas digestive diseases represent more than $17,000,000,000 annually in direct health care costs and represent a total economic burden of almost $50,000,000,000 annually;

Whereas more than 200 deaths annually are caused by each of at least 100 different diseases and disorders of the gastrointestinal tract;

Whereas the people of the Nation should be concerned with research into the causes, cures, prevention, and clinical treatment of digestive diseases and related nutrition problems and should recognize prevention and treatment of digestive diseases as a major health priority;

Whereas national lay and professional digestive diseases organizations, individually and through the Coalition of Digestive Diseases Organizations and the Federation of Digestive Diseases Societies, are committed to promoting awareness and understanding, among members of the general public and the health care community, of digestive tract disorders;

Whereas the National Digestive Diseases Advisory Board, and the National Institutes of Health through its National Digestive Diseases Education and Information Clearinghouse, are committed to encourage and coordinate these educational efforts;

Whereas the National Digestive Diseases Education Program is a coordinated effort to educate the public and the health care community as to the seriousness of digestive diseases and to provide information on treatment, prevention, and control; and

Whereas the second anniversary of the National Digestive Diseases Education Program occurs during the week beginning May 12, 1985: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning May 12, 1985, hereby is designated "National Digestive Diseases Awareness Week", and the President of the United States is authorized and requested to issue a proclamation calling upon all public officials and the people of the United States to observe such week with appropriate programs and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1440

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1827

Mr. NIELSON of Utah. Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of H.R. 1827.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

NATIONAL OSTEOPOROSIS AWARENESS WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 61) to designate the week of May 1, 1985, through May 7, 1985, as "Na-

tional Osteoporosis Awareness Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation of objection, I would like to yield to the gentlewoman from Maine [Ms. SNOWE], who is the chief sponsor of House Joint Resolution 46.

Ms. SNOWE. Mr. Speaker, I want to thank the gentleman from New York [Mr. GARCIA], chairman of the Subcommittee on Census and Population, and the ranking minority member of the committee, Mr. HANSEN, for bringing this important issue to the floor. I rise in full support of Senate Joint Resolution 61, which is virtually identical to House Joint Resolution 46, a bill which I introduced into this Chamber. I think it is important to note that my resolution received the support of more than half the Members of the House. I appreciate the interest of my colleagues in this important issue.

As the author of the companion House bill, I am pleased that today we are considering legislation that, as amended, will designate the week of May 20 to 26 as "National Osteoporosis Awareness Week." We have the opportunity to bring to national awareness information on a disease that disables and kills thousands each year.

Osteoporosis is a disease that principally strikes women, the onset of which begins after menopause. One in four women over the age of 45 can be expected to suffer from this disease which is characterized by weakened bones that break and fracture. Hip fractures, which are often suffered by older people, may actually be caused by bones which are so brittle that they simply break, thus causing a fall, rather than the fall causing broken bones.

As a consequence, osteoporosis is responsible for the death of 50,000 women yearly who die from the complications that result from hip fractures. This is 10,000 more than the number who die annually from breast cancer, making osteoporosis the 12th leading cause of death. Unlike breast cancer and other such diseases, osteoporosis appears to be preventable. It has been found that 50 percent of bone fractures could be avoided by adding adequate levels of calcium to the diet. By following a regimen which includes adequate calcium, exercise, and in some cases, estrogen supplementation, it is possible to prevent the development of this disease.

Prevention is one way to address the increasing health care costs related to osteoporosis. Currently the costs are estimated to be between $3.8 billion and $6 billion. With the growing elderly population, these costs can reasonably be expected to increase.

While osteoporosis affects between 15 and 20 million individuals in the United States alone, it is still relatively unknown—more than three-fourths of American women know nothing about this disease. For that reason, by designating "National Osteoporosis Awareness Week," we can begin to focus attention on this problem. We have within our means the ability to reduce the pain, deformity, disability, and cost associated with osteoporosis. Let this week be the beginning of an educational campaign that will ultimately add osteoporosis to the list of those diseases which no longer are a threat to our society.

I thank my colleagues for their consideration of this bill and I urge unanimous consent of Senate Joint Resolution 61.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 61

Whereas fifteen to twenty million persons in the United States are afflicted with osteoporosis, and generative bone condition;

Whereas approximately 25 percent of postmenopausal women in the United States develop osteoporosis;

Whereas among those who live to be age ninety, 32 percent of women and 17 percent of men will suffer a hip fracture due mostly to osteoporosis;

Whereas more than fifty thousand older women and many older men die each year in the United States as a result of such complications;

Whereas hip fracture complications related to osteoporosis often result in loss of independence for older persons;

Whereas approximately $3,800,000,000 is expended annually in the United States for health care costs relating to osteoporosis;

Whereas osteoporosis is associated with the loss of bone tissue by estrogen lack and low calcium intake;

Whereas the majority of men and women are unaware of the condition of osteoporosis; and

Whereas the best treatment of osteoporosis is prevention through education: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of May 1, 1985, through May 7, 1985, is designated as "National Osteoporosis Awareness Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate activities.

AMENDMENT OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARCIA: Page 2, line 3, strike out "May 1, 1985, through May 7, 1985," and insert in lieu thereof "May 20, 1985, through May 26, 1985,".

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. GARCIA: Amend the title so to read: "A joint resolution to designate the week of May 20, 1985, through May 26, 1985, as 'National Osteoporosis Awareness Week'."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

NATIONAL ASTHMA AND ALLERGY AWARENESS WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 83) designating the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation I would like to yield to the gentleman from Illinois [Mr. O'BRIEN] who is the chief sponsor of the House bill, House Joint Resolution 170.

Mr. O'BRIEN. Mr. Speaker, I am pleased to note that a majority of our colleagues have joined me in sponsoring House Joint Resolution 170, now identified as Senate Joint Resolution 83 to designate this week as "National Asthma and Allergy Awareness Week."

Allergic diseases know no age, race or geographic boundaries, and their toll on society is enormous. Taken together, asthma and allergic diseases represent a huge public health problem.

One out of every six Americans is afflicted in some way by these illnesses.

An estimated 5,000 individuals die each year from asthma, despite common medical knowledge and treat-

ments capable of preventing such deaths.

As many as 9 million Americans are asthmatic, over a third of whom are children.

Hay fever, perhaps the most common allergic disease, afflicts an estimated 15 million of our neighbors.

About 8 million work days a year are lost due to hay fever and asthma.

Occupational allergic diseases are now believed to be a major cause of workplace-caused illness.

About 130-million school days are missed each year because of hay fever and asthma.

Many other ailments of the skin, joints, kidneys, lungs, intestines, glands as well as some parasitic, blood, infectious, and malignant disorders are now believed to have major allergic and immunologic components.

The total annual cost of these incurable immunologic diseases was estimated at $4 billion in 1981, and indirect costs alone, such as lost wages, probably exceed $800 million a year for hay fever and asthma alone.

Obviously, the Awareness Week which we create here today will not cure the diseases. However, by bringing the problem to the attention of the American public, the efforts of researchers—public and private—doctors, teachers, and volunteers of all types, are highlighted. From such effort, the work of the public and private institutions devoted to conquering the many related diseases is made easier.

Mr. Speaker, I thank the House for recognizing the importance of the job many individuals and groups are doing to reduce the suffering caused by these debilitating diseases, and for making it possible to increase the impact of the informational message about the diseases which the Awareness Week provides.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 83

Whereas asthma and allergic diseases result in physical, emotional, and economic hardship for more than thirty-five million Americans and their families;

Whereas thousands of Americans, many of them young, die each year from asthma even though sufficient medical knowledge and resources exist to prevent many asthma-related deaths;

Whereas student absenteeism is due in significant part to asthma and allergic diseases;

Whereas environmental conditions in the workplace often cause or exacerbate asthma and allergic diseases among employees;

Whereas many hospital patients suffer allergic reactions to prescribed medications;

Whereas it is estimated that the American public pays $4,000,000,000 per year in medical bills directly attributable to the treatment and diagnoses of asthma and allergic diseases and pays another $2,000,000,000 per year as a result of the indirect social cost of such illnesses;

Whereas, because of recent developments in the study of immunology, health care providers are better equipped to diagnose and treat asthma and allergic diseases; and

Whereas increased public awareness of recent scientific advancements in the study of immunology will help many of the common misconceptions concerning asthma, allergic diseases, and the victims of those illnesses: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the week beginning on May 5, 1985, is hereby designated as "National Asthma and Allergy Awareness Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SENIOR CENTER WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 60) to designate the week of May 12, 1985, through May 18, 1985, as "Senior Center Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation I would like to yield to the gentleman from Georgia [Mr. ROWLAND] who is the chief sponsor of the House bill, House Joint Resolution 146.

Mr. ROWLAND of Georgia. Mr. Speaker, I appreciate the gentleman from Utah yielding. As you know, I introduced House Joint Resolution 146, which is identical to Senate Joint Resolution 60, the resolution being considered today. With over 218 cosponsors, the enactment of this measure will give special recognition to our Nation's senior centers by designating the second week in May as Senior Center Week.

Our older Americans appreciate having access to the many services provided by these centers. I want to thank my colleagues for signing onto this legislation commemorating the week of May 12–18, 1985, as Senior Center Week.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution, as follow:

S.J. RES. 60

Whereas local communities support over eight thousand senior centers and there is hardly a city or town without one;

Whereas senior centers affirm the dignity, self-worth, and independence of older persons by facilitating their decisions and action, tapping their experiences, skills, and knowledge, and enabling their continued contribution to the community;

Whereas senior centers, encouraged and supported by the Older Americans Act, function as service delivery focal points, helping older persons to help themselves and each other, and offering service or access to community services as needed;

Whereas the national theme for Senior Center Week is "Senior Centers are Wellness Centers", and senior centers nationwide are viewed as centers to promote the well-being of older persons—emotionally and physically; and

Whereas the month of May has historically been proclaimed Older Americans Month, and communities across the country are giving special recognition to older persons and the role of senior centers in serving them: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second week in May, May 12 through May 18, 1985, is designated as "Senior Center Week" and the President is authorized and requested to include this designation of Senior Center Week as part of the proclamation of Older Americans Month, calling upon the people of the United States to honor older Americans and these local organizations that bring together activities and services for their benefit.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YOUTH SUICIDE PREVENTION MONTH

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 53) to authorize and request the President to designate the month of June 1985 as "Youth Suicide Prevention Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objec-

tion to the legislation being considered.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 53

Whereas the youth of society represent the hope for the future;

Whereas the rate of youth suicide has increased more than threefold in the last two decades;

Whereas over five thousand young Americans took their lives last year, many more attempted suicide, and countless families were affected;

Whereas youth suicide is a phenomenon which must be addressed by a concerned society; and

Whereas youth suicide is a national problem which can only be solved through the combined efforts of individuals, families, communities, organizations, and government to educate society: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America Congress assembled, That the month of June 1985 is designated as "Youth Suicide Prevention Month" and the President is authorized and requested to issue a proclamation calling upon the Governors of the several States, the chief officials of local governments, and the people of the United States to observe such month with appropriate programs and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL ALZHEIMER'S DISEASE MONTH

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution of (S.J. Res. 65) designating the month of November 1985 as "National Alzheimer's Disease Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York.

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation I would like to yield to the gentleman from California [Mr. LOWERY] who is the chief sponsor of the House bill, House Joint Resolution 193.

Mr. LOWERY of California. Mr. Speaker, Alzheimer's disease is a surprisingly common disorder which destroys certain vital brain cells causing a form of senile dementia. Alzheimer's disease affects between 5 and 10 percent of all of our citizens over the age of 65.

Precise figures are not available because there are no completely reliable diagnostic methods yet.

We do know, however, that Alzheimer's disease afflicted almost 3 million people or 1 adult in every 3 American families. Alzheimer's disease victims now constitute 50 to 60 percent of the 1.3 million Americans in nursing homes, accounting for more than one-half of the $25 billion spent annually for nursing home care. And by the year 2050, unless a cure is found, it is estimated that more than 3 million people will be afflicted, and the custodial cost will rise to more than $30 billion a year as a result of Alzheimer's disease.

Alzheimer's disease currently claims over 100,000 lives a year. It is awesome in the affliction that it causes and the pain that it causes to families.

We are raising the consciousness of the American people and through this legislation by declaring the month of November National Alzheimer's Disease Month I think we will acquaint more and more Americans with this problem.

I would like to insert the following article from Time magazine of July 11, 1983:

SLOW, STEADY, AND HEARTBREAKING

ALZHEIMER'S DISEASE IS A DEVASTATING ILLNESS OF ADVANCING AGE

"You look inside your mind and see nothing but black."—A victim.

The first signs are small, puzzling and all too easy to dismiss. For Chicago Journalist Charles Leroux, it was his mother's diminishing ability to manage her checkbook and count change. For Frank Holmes, a retired Boston businessman, it was the wild spending sprees by his once prudent wife and her increasing tendency to garble phone messages. For Eleanor Zimmerlein, an Illinois farmer's wife, it was the decline in the quality of her husband's handiwork: "Suddenly the row of shingles he'd put on the roof would be crooked, and he couldn't saw a straight line." And for Chicago Office Clerk Eleanor Marzillo, it began with her husband's difficulty in shaving, first his trim mustache got bushier and bushier, then one day he shaved half of it off. At the same time, Marzillo recalls, rags were mysteriously collecting in the family car. "I couldn't figure out what Tony was doing with these rags," she says. "It turned out he knew how to start the car and how to drive, but he couldn't figure out how to use the windshield wipers or defroster any more."

Aberrations such as these mark the onset of Alzheimer's disease (AD), the insidious and heartbreaking malady of advancing age. The memory lapses, confusion and dementia inevitably get worse. The intelligent and athletic Mrs. Holmes, now 65, forgot how to cook: she set a chicken ablaze by trying to roast it over all four burners of her stove. She also forgot how to play tennis and ultimately she had trouble recognizing her friends. Once an active Y.M.C.A. employee, Tony Marzillo, 61, gradually lost all ability to care for himself, becoming incontinent, unruly and destructive. "It was like chasing a 6-ft.-tall toddler around," his wife recalls, "except you knew that a toddler would eventually learn the rules of the house." Today both Marzillo and Holmes are institutionalized. Says Eleanor Marzillo of her husband: "He cannot speak, he cannot eat, he cannot ask for water."

The relentlessness of Alzheimer's disease makes it a nightmare for families of the patients. The affliction's rising incidence threatens to make it a nightmare for the country at large. By far the leading cause of mental deterioration among the elderly, AD affects between 5% and 10% of all people over 65. Among them: former Movie Star Rita Hayworth, 64. Because most AD patients must eventually be placed in institutions, the disease puts tremendous demands on the nation's health-care resources. Alzheimer's victims constitute 50% to 60% of the 1.3 million people in nursing homes, accounting for more than half of the $25 to $26 billion spent annually on such care.

The disease will become more common and take an even greater toll as the U.S. population continues to age. On July 1, the U.S. reached a milestone: for the first time there are more Americans over 65 (27.4 million) than teen-agers (26.5 million). In March, Health and Human Resources Secretary Margaret Heckler created a special AD task force and proposed to increase federal funds for AD research to $25 million in 1984, up from $17 million in 1981. Says Heckler: "Every breakthrough we achieve is a step toward the reuniting of families and friends, the lifting of the veil of confusion and isolation from Americans who deserve days and years of celebration in their final years, not days and years of drift."

Alzheimer's disease was first identified in 1906 by German Physician Alois Alzheimer. His patient, a 51-year-old woman, suffered loss of memory, disorientation and later, severe dementia. After her death, Alzheimer conducted an autopsy on her brain and found the two distinctive characteristics of the disease: tangled clumps of nerve fibers and patches of disintegrated nerve-cell branches. Because Alzheimer's patient was relatively young, AD was at first considered a disease of middle age; similar symptoms in elderly people were simply regarded as a natural consequence of aging. Today this view has been discarded. Even in an octogenarian, severe mental confusion "is a disease, not a natural decline," says Katherine Bick, acting deputy director of the National Institute of Neurological Communicative Disorders and Stroke (NINCDS).

Little real progress has been made in the treatment of AD since Alzheimer's day, and even diagnosis remains difficult. The only way to be absolutely certain that a patient has the disorder is to examine the brain after death. Thus, the diagnosis must be approximated by a careful process of elimination. Through CAT scanning and other tests, the physician gradually determines that the patient has not suffered a series of small strokes, does not have Parkinson's disease, a brain tumor, depression, an adverse drug reaction or any other possible cause of dementia. If all tests are negative, AD is diagnosed by default. This conclusion may be further verified with psychological tests.

Alzheimer's disease would be far easier to treat and detect if doctors knew what caused it. The fact that the disease often occurs in several members of the same family suggests that a genetic factor is at work. This factor "is most prominent in very early onset cases," says University of

Minnesota Psychiatrist Leonard Heston. In one family, for instance, two out of three siblings developed Alzheimer's by age 27. According to Johns Hopkins Psychiatrist Marshal Folstein, a sibling or child of an AD victim runs a greater than 50% chance of developing the disease by age 90.

Still, heredity alone cannot explain the disease, which often affects individuals whose families have no history of the disorder. "Possibly it comes down to genetic susceptibility triggered by one or more things," suggests Bick of NINCDS. Some doctors speculate that the trigger may be a slow-acting virus, similar to the "slow viruses" that cause such rare brain disorders as kuru and Creutzfeldt-Jakob disease in man, and scrapie in sheep and goats. Unfortunately, all efforts to isolate an AD virus have failed. Concludes Virologist Joseph Gibbs of the National Institutes of Health: "If slow virus are involved in Alzheimer's, I suspect that the association is remote."

Mr. GARCIA. Will the gentleman yield to me?

Mr. HANSEN. I yield to the gentleman from New York.

□ 1450

Mr. GARCIA. Mr. Speaker, I want to take a moment to commend my colleague for introducing this resolution.

This disease is one of the most tragic to plague our elderly. It slowly destroys its victim's mind, and finally, his dignity. Modern science has created miracles, helping mankind to deal with a host of diseases and afflictions. I don't know if we will ever be able to cure Alzheimer's, but we must try. Recognition of this disease is a first necessary step it that process, and by declaring November National Alzheimer's Disease Month we are calling attention to an affliction that must be fought, that must be beaten .

Mr. LOWERY of California. Mr. Speaker, I appreciate the comments of the gentleman. What he says is absolutely correct. Progress is being made. In fact, in March 1984, Secretary Heckler appointed a special Alzheimer's disease task force; more funding for research is being recommended and by continually increasing the consciousness of the American people the funding will be coming forth both through Government as well as private sources so that we can eradicate this disease.

Mr. Speaker, before I yield back my time I would like to thank my colleague [BUTLER DERRICK] for his concern and interest in gathering the signatures so that this legislation may be brought to the floor.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. So there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 65

Whereas more than two million Americans are affected by Alzheimer's disease, which is surprisingly common disorder that destroys certain vital cells of the brain;

Whereas Alzheimer's disease is the fourth leading cause of death among other Americans;

Whereas Alzheimer's disease is responsible for 50 per centum of all nursing home admissions, at an annual cost of more than $20,000,000,000;

Whereas in one-third of all American families one parent will succumb to this disease;

Whereas Alzheimer's disease is not a normal consequence of aging; and

Whereas an increase in the national awareness of the problem of Alzheimer's disease may stimulate the interest and concern of the American people, which may lead, in turn, to increased research and eventually to the discovery of a cure for Alzheimer's disease: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of November 1985 is designated as "National Alzheimer's Disease Month". The President is requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the several joint resolutions just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

ROACHBUSTERS

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. LIVINGSTON. Mr. Speaker, a few weeks ago, my friend and colleague, the Honorable SILVIO O. CONTE, took this podium to declare his personal war against the crustatorial creatures that inhabit his office. Shortly thereafter, the Times-Picayune, the ranking newspaper of the great city of New Orleans, which by no coincidence must be known to the inner circles of insect society as Cockroach Valhalla, has given great praise to his intentions but offered bleak prospects for his success. Alas, the editorial board of the Times-Picayune is unfortunately correct, for the might of man is no match for the might of mite.

Mr. Speaker, at this point I would like to include the article from the New Orleans Times-Picayune.

ROACHBUSTERS

The history of the U.S. Congress is a hallowed story of more than two centuries of triumph over obstacles, difficulties and assorted forces of iniquity. But Congress may have finally taken on an adversary it cannot hope to overcome: the cockroach.

The Capitol, it seems, has become overrun with roaches. But as New Orleanians could explain to the distinguished members of the Congress, the outcome of the battle can safely be predicted: The roaches are going to win hands (or feelers) down.

Rep. Silvio Conte, D-Mass., who comes from a cold-weather state where roaches are insignificant both individually and as a group and large-scale roach-fighting is a virtually unknown art, has allowed himself to be chivvied into heading the would-be roach-busting campaign. Rep. Conte comes to this formidable task armed with two yellow flyswatters, 35,000 roach traps and a large canister of bug spray.

There has probably never been a combatant who declared a war so hopelessly unprepared for the struggle before him.

By contrast, New Orleanians have been fighting roaches at least since 1718, according to recorded history, and have accumulated a wealth of experience along with a certain superior amusement reserved for those who claim to see a light at the end of the tunnel.

Hardened by generations of roach-fighting and well versed in the almost supernatural cunning and physical stamina of their adversaries, New Orleanians know that anyone armed to battle roaches only with Rep. Conte's meager arsenal is a hopeless novice ripe for swift discomfiture.

Rep. Conte will learn in due course that it may be possible for him to clear his office of the pesky creatures for an hour or maybe a day, perhaps even two days. But as any New Orleanian can attest, the roach has not survived through some 350 million years of changing environments to now fall victim to an untutored native of Massachusetts.

However many individual roaches the congressman may account for with his flyswatters, traps and bug spray, the roach will not only survive but prosper—and return in triumph again and again.

FARM POLICY REFORM ACT OF 1985

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include therein extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

Mr. WALKER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question, since he is a member of the Democratic leadership and one of the Members who last week lectured the Republican side on the dilatory tactics that were preventing us from hearing the debate on the State Department authorization bill, which today, now, the Democratic leadership has pulled off the calendar.

Could the gentleman, as a member of that leadership, explain to the House why that bill was pulled today?

Mr. ALEXANDER. I would be pleased to explain to the gentleman that it has come to our notice that the chairman of the Committee on For-

eign Affairs, the gentleman from Florida [Mr. FASCELL] is without the city.

Mr. WALKER. Further reserving the right to object, last week when we were doing something on this side of the aisle that we thought was important, the gentleman lectured us, and I have his words here, that we were in fact doing something that might jeopardize the lives and safety of Americans living abroad.

Is this matter with regard to the chairman so important that the Democratic leadership has now decided that that is not a concern of this body?

Mr. ALEXANDER. I have not conferred with the chairman of the Committee on Foreign Affairs about his itinerary and do not know his reasons.

Mr. WALKER. Further reserving the right to object, so if I understand it then correctly, when the chairman of the committee is engaged in business that he regards as important, then it is all right to jeopardize the lives and safety of people abroad, but when the Republican minority is engaged in things that they regard as important, then the leadership can come on the floor and lecture us?

Mr. ALEXANDER. The gentleman misunderstood.

Mr. WALKER. Are we somehow engaged in practices——

Mr. ALEXANDER. I think the gentleman misunderstood my explanation. I have said that so far as I am advised——

POINT OF ORDER

Mr. VENTO. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. VENTO. Mr. Speaker, I would ask for regular order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas to address the House for 1 minute?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I simply take this time today to advise my colleagues that I have introduced the Farm Policy Reform Act of 1985, together with cosponsors DASCHLE, CONYERS, BRYANT, WEAVER, EVANS of Illinois, and HAYES, which bill will be filed as a part of the proceedings today and circulated among the Members.

I have asked permission, and I include herewith, a summary of that bill for Members and ask that they give it consideration pending the debate on the farm bill which is forthcoming.

The summary of the bill follows:

SUMMARY—FARM POLICY REFORM ACT OF 1985

TITLE I. AGRICULTURAL COMMODITY SUPPLY MANAGEMENT

Section 101—Supply Management Program

A producer referendum is mandated on August 1, 1985, 1989, 1993, and 1997 to determine by majority vote if a mandatory supply management program will be in effect for the succeeding four-year period for the commodities wheat, corn, grain sorghums, barely, oats, rye, upland cotton, rice, and soybeans. If the referendum fails, the farm program will be established at the discretion of the Secretary.

If a referendum is approved, each producer will be assigned a normal crop acreage (NCA) equivalent to the average number of acres cultivated, including farm program acres retired, during the four preceding years. Each producer must set aside 15% of his NCA. This determines eligible crop acres. Each producer will submit planting intentions to USDA. If the producer's total farm and nonfarm income is less than $200,000, the producer will receive acreage allotments in accordance with that requested. Producers with gross incomes in excess of $200,000 must request supplemental acreage allotments for each commodity.

The Secretary, after determining a national marketing quota for each commodity, by totaling estimated domestic demand, export demand, food aid requirements, and reserve requirements, will prorate the remaining needed production to all producers requesting supplemental allotments through a formula which requires an increasingly greater set-aside percentage as producer gross income increases. Producers who earn more than 50% of their gross income from nonfarm sources will be required to set aside an additional 10% of their eligible crop acres.

The Secretary may award bonus acres to all producers if the total of all allotment requests does not exceed the national marketing quota.

Nonrecourse loans will be made available for a period of 36 months and the loan rates shall equal 70% of parity for the 1986 crop year and will increase by 2% each year thereafter until 1996. Target price programs are eliminated.

At the time acreage allotments are assigned, the Secretary shall issue marketing certificates for each commodity based on county average yield or proven farm yield, whichever is higher. The certificate may be adjusted by the Secretary to reflect on-farm use. If production exceeds the amount in the marketing certificate, the surplus may be used for on-farm use, applied to the subsequent year's marketing certificate, donated for Title II, P.L. 480 use, or sold to the Commodity Credit Corporation for 50% of the loan rate.

Producers must apply approved conservation measures to set-aside acres. The Secretary may permit haying and grazing set-aside acres and may make a payment for land used for wildlife use.

A farmer disaster reserve is created to replace crop insurance. Each producer must contribute a portion of his production, determined on an actuarially sound basis, to the reserve. In the event of a disaster, the producer will receive commodities from the reserve equivalent to 90% of his marketing certificate less the amount actually produced. However, the value of commodities received under this program may not exceed $360,000 annually.

Section 102—Wool and Mohair

The National Wool Act of 1954 is extended for five years.

Section 103—Suspension of Permanent Program

Sections of current law which would conflict with this program are suspended.

TITLE II. AGRICULTURAL CREDIT

Section 201—Guaranteed Loans

Limits FmHA guaranteed farm operating and farm real estate loans to 10% of loans made in those categories.

Section 202—Limited Resource Real Estate Loans

Clarifies authority for FmHA to make limited resource real estate loans.

Section 203—Record Keeping Training

Requires record keeping training for limited resource borrowers.

Section 204—Limits on Operating Loans

Establishes a two-tiered debt ceiling on operating loans. For direct loans, the limit would be $200,000, except that no more than 25% of the funds could be used for loans above $100,000. For guaranteed loans, the limit would be $400,000, except that no more than 25% of the guarantee authority could be for loans above $200,000. Total FmHA indebtedness could not exceed $500,000 per farmer.

Section 205—Limited Resource Operating Loans

Clarifies authority for FmHA to make limited resource operating loans.

Sections 206-210—Emergency Loans

Reforms the FmHA emergency loan program by redirecting toward family-sized farms. The reforms include limiting loans to family-size farms, limiting loans to farmers who cannot get credit elsewhere, and reducing the individual loan ceiling from $500,000 to $200,000.

Section 211—Loan Deferrals

Expands authority for the deferral of principal and interest for up to 5 years as long as the producer can project a positive cash flow under the support price schedule in Title I.

Section 212—Loan Defaults

Clarifies FmHA Procedures for handling loan defaults.

Section 213—County Committees

Expands FmHA county committees to 5 members of which three must be farmer-elected.

Section 214—Prompt Approval of Loans

Establishes definite time limits for approval of FmHA loans.

Section 215—Farm Program Appeals

Establishes a new procedure for the appeal of FmHA loan applications. The major components include informal meetings to facilitate resolution of disputes at local level, one formal hearing where informal meetings are unsuccessful, and the availability of an administrative law judge at the state level to conduct the formal hearing and provide independent resolution.

Section 216—Disposition and Leasing of Farmland

Clarifies procedures for disposition of farmland held in inventory by FmHA. Limits the leasing or sale of land to farmers who are eligible for FmHA operating or real estate loans, with first priority going to limited resource farmers.

Section 217—Release of Normal Income Security

Provides for minimum standards for the release of income security for family living and operating expenses.

Section 218—Loan Summary Statements

Requires FmHA to provide each borrower with a loan status reoprt to provide farmers

with necessary information to better manage their debts.

Section 219—Family Farm Definition

Clarifies definition of a "family farm" specifying that individuals owning farm must provide a majority of the labor.

Section 220—Limited Resource Loan Amounts

Restores the original minimum quota to require that at least 25% of FmHA operating and real estate loans go to limited resource borrowers.

Section 221—Farm and Home Plan Study

Provides for a study of the appropriateness of FmHA's "Farm and Home Plan" and proposed substitutes.

TITLE III. AGRICULTURAL EXPORTS AND IMPORTS

Subtitle A

Sections 301-302—Sales for Foreign Currencies

Authorized Title I, P.L. 480 sales for local currencies to developing countries with per capity GNP of $500 or below.

Section 303—Use of Private Entities

Grants may be made to private entities for projects designed to improve storage and marketing or to stimulate or expand private enterprise in friendly countries.

Section 304—Intermediate Credit

Requires using not less than $500 million annually for an intermediate export credit program.

Section 305—Quantities for Famine Relief

Minimum tonnage under Title II, P.L. 480 is increased from 1.7 to 3.25 million metric tons grain equivalent over a six year period.

Section 306—Multiyear Agreements

Title II, P.L. 480 amended to permit multiyear agreements with nonprofit organizations.

Section 307—Disaster Reserve

Voluntary agencies authorized to maintain an operating reserve of no less than 15% of approved levels in drought and disaster prone counties.

Section 308—Processed Product and Fortified Grain Reserve

Processed and fortified foods will be prepositioned in the United States to ensure timely delivery of commodities.

Section 309—Authorization

Title II, P.L. 480 funding increased from $1.0 billion to $1.9 billion.

Section 310—Authorization to Purchase Foreign Currencies

Funding for Title II sponsors to utilize local currencies generated from Title I is increased from $7.5 million to $9.5 million.

Section 311—Multilateral Agreements

Encourages multilateral agreements with other food exporting nations to fulfill food aid requirements of needy nations.

Subtitle B—Agricultural Imports

Section 320—Agricultural Imports

Instructs the Secretary of Agriculture to utilize existing law to the maximum extent practicable to minimize food imports.

Section 321—Labeling Imported Meat

Requires imported meat to be so labeled with words to indicate its country of origin.

Section 322—Serving Imported Meat

Requires that eating establishments inform individuals purchasing food of the fact that such food products are imported.

TITLE IV. SOIL AND WATER CONSERVATION

Subtitle A—Soil and Water Conservation

Section 401—Training of Soil Conservation Personnel

Authorizes the Secretary of Agriculture to establish and carry out a training program for soil conservation service employees.

Section 402—Dry Land Farming

Authorizes the Secretary of Agriculture to promote energy and water conservation through dry land farming.

Section 403—Local and State Committees

Instructs the Secretary to take the needed actions to strengthen the role of local and state committees.

Section 404—Agricultural Conservation Program

Instructs the Secretary of Agriculture to require all producers to use Agricultural Conservation Program payments, grants and aid in accordance with a conservation plan approved by the local soil and water conservation district.

Section 405—Conservation Reserve Program

Authorizes the Secretary of Agriculture to enter into contracts of 10 years in order to promote soil and water conservation on erosion prone land.

Section 406—Water Conservation Program

Authorizes the Secretary of Agriculture to enter into contracts of 5 years in order to reduce the use of water from underground aquifers to irrigate land.

Subtitle B—Highly Erodible Land Conservation

Sections 410-415

Instructs the Secretary of Agriculture to make any person or producer who plows out new highly erodible land ineligible for agricultural programs for that year. Producers would be ineligible for price supports, loans and guarantees, crop insurance, or disaster payments. Local agricultural stabilization and Conservation County Committees are to be used to administer the program.

TITLE V. FOOD ASSISTANCE PROGRAM

Subtitle A—Food Stamp Program

Section 501—Adjustment of Trinity Food Plan

Increases the Thrifty Food Plan (TFP) to reflect actual food prices. Bases the food stamp allotment on the projected average cost of the TFP in the coming year. Food stamp recipients would receive a benefit reflecting the true cost of purchasing the TFP.

Section 502—Earned Income Deduction

Adjusts income deductions to enhance work incentives and better reflect actual excess shelter and dependent care costs.

In order to recognize the taxes and work related expenses and provide a work incentive for food stamp recipients, current law requires that 18% of any earned income be disregarded in establishing a recipient household Food stamp eligibility and benefit level. Prior to amendment in 1981, the disregard for earning was 20%.

Section 503—Dependent Care and Excess Shelter Deductions

Separates and raises the maximum dependent care deduction to $160 per month for all child care costs incurred, and the excess shelter deduction to $175 per month.

Section 504—Calculation of Income

Permits uneven proration of family income to be calculated either on a prospective or retrospective basis.

Section 505—Supplementation of Allotments

Permits supplementing the allotments of households that experience an income loss of $100 or more during a given month.

Section 506—Resource Limitations

Increases asset limits and changes the treatment of financial resources to reflect actual availability.

These provisions would raise the liquid asset limit applied to individuals and households to two or more without elderly members from $1,500 to $2,250. Similarly, it would raise the limit applied to households of two or more with an elderly member from $3,000 to $3,500. The exempt value of a non-excluded vehicle would be increased from $4,500 to $5,500.

Section 507—Personal Property Limitations

Non-liquid asset requirements would be waived for up to four months in ares of high unemployment and high farm foreclosures.

Section 508—Food Stamp Information

Requires states to provide reasonable program information to potential recipient populations and matches dollar for dollar state expenditures for this purpose.

Section 509—Authorization and Appropriations

Authorizes the appropriations of such sums as necessary for fiscal years ending September 30, 1986 through September 30, 1989.

Subtitle B—Child Nutrition Program

Section 502—Summer Food Service Program for Children

Permits private non-profit agencies to sponsor summer food service program and reduces restrictions for participation.

Section 521—School Breakfast

Increases subsidy to school breakfast program by 6¢ per meal.

Subtitle C—Food Distribution Programs

Section 530—Commodity Supplemental Food

Extends for four years the authorization for the Commodity Supplemental Food Program.

Section 531—Temporary Emergency Food Assistance Program

Extends Temporary Emergency Food Assistance Program (TEFPA) through 1989.

Subtitle D—Effecitve Date

Section 540—Effective Date

Title V shall be effective on October 1, 1985.

[NOTE.—This bill does not address the dairy program and in the absence of legislative action, the support price for milk will revert to a minimum support level of 75 percent of parity on October 1, 1985. However, it is the intent of the author to include a dairy program consistent with the commodity provisions of Title I.]

OPPORTUNITY TO CORRECT TRADE IMBALANCE LOST IN THE DUST AT BONN

(Mr. VENTO asked and was given permission to address the House for 1 minute, and to include extraneous matter.)

Mr. VENTO. Mr. Speaker, the first 5 months' U.S. record of food imports flies in the face of surplus domestic grain supplies. In fact, at this rate, the

United States, the world's best producer of food grains, will import 20 billion dollars' worth of food products, nearly half as much as we will export, half the value of what we export. Trade barriers and the dollar value imbalance clearly are at the root of this particular food import flood.

Yet the opportunity to address this problem and resolve this trade imbalance, the $124 billion imbalance of trade in 1984, has been lost in the dust of Bonn. Clearly, the cosmetic approach to the problems of the international economy needs substantive answers, not euphemisms. The President's failure at Bonn to make any progress is yet another blow to our agricultural economy.

Mr. Speaker, I am inserting a copy of an article by Lee Egerstrom of the St. Paul Pioneer Press and Dispatch which documents the magnitude of this problem. The article is as follows:

[From the St. Paul Pioneer Press and Dispatch, Apr. 29, 1985]

DESPITE SURPLUSES, U.S. SETS RECORD AG IMPORTS

(By Lee Egerstrom)

Back up 20 or more years and speakers pandering to farm groups would tell demeaning stories about city slickers. One favorite was in the form of a question, "What do we need farmers for when we have so many grocery stores?"

That used to be funny. It isn't anymore. And not simply because Northern commodity producers have become pretty slick themselves.

Charles Goode, an economist with USDA's Economic Research Service, has concluded that America set a record for agricultural trade in fiscal 1984, but the record was for imports.

Farm product imports reached $18.9 billion in the fiscal year, an increase of $2.5 billion over 1983. That is shocking in this land of food abundance even though imports of non-agricultural products climbed to $295 billion compared with $229 billion the previous year.

All imports in the first half of the current fiscal year are well ahead of last year's pace. Agricultural imports during the first five months of this year—October through February—were valued at $8.2 billion compared with $7.5 billion a year ago.

Some of this is attributed to increased imports of citrus and vegetables after two rough winters in Florida that have reduced domestic production. And in some cases, such as coffee, rubber, fruit juices, vegetable oils and cocoa products, the increase in import value results from higher world prices.

But Goode said some of the increase is directly attributed to the working of world markets, with the strong U.S. dollar giving domestic products a substantial price disadvantage against commodities from other countries.

This was highlighted earlier this year when Cargill announced it was bringing a load of Argentine wheat to Southeastern ports. It canceled the deal, but it noted that it was economically feasible.

But Argentina is only one cereal grain exporting country where trading prices undercut U.S. commodities that are denominated in dollars.

While few people outside the grain trade have been watching, Canada has shipped 13,362 metric tons of wheat to U.S. markets since October. And Goode said one metric ton of wheat has come into the U.S. market from Asia.

In the previous year, a paltry 198 tons of wheat came over the border from Canada.

Meanwhile, Sweden has shipped us 113,000 metric tons of oats in the first five months of this year, compared with 15,000 tons a year ago. And Finland increased its oats exports to America from 44,000 metric tons a year ago to 100,100 tons through the first five months.

Barley, another cash grain important to the farm economy in Minnesota, Wisconsin and the Dakotas, also is coming into the domestic market on boats.

Goode said New Zealand has shipped us 15,000 metric tons so far this year. There was no barley trading a year ago. And Canada has increased its barley shipments to the U.S. from 18,000 metric tons a year ago to 49,000 tons so far this year.

At the midway point of the current fiscal year, agricultural imports are on pace to reach $20 billion. That will be better than half the value of U.S. farm exports, according to current projections, and it may be close to two-thirds the value of what we sell.

Farm exports have been a major anchor for the U.S. economy and its balance of trade during the past 15 years. But the farm contribution is declining and is being dwarfed by the total trade imbalance.

Just what will happen to farm trade in the last six months of the current year is difficult to predict. The segmented soybean market suggests a lot of vegetable oil and related products will be imported, and it's likely the U.S. Customs Service will hire cowboys to handle traffic at the borders.

Domestic livestock production is being cut back sharply after continual poor cattle and pork cycles. This suggests there will be higher meat prices later this year. But will any strengthening of prices attract more imports of livestock and processed meats?

Goode said beef imports were among the few commodities to actually decline in the previous fiscal year, falling 16 percent to $1.2 billion. He expects a rebound this year.

And hogs and pork products valued at $703 million—a boost of 10 percent—came into the U.S. market last year. They are likely to be even higher this year despite U.S.-Canadian trade talks aimed at slowing the stampede.

Imports of oilseeds and vegetable oil products jumped 52 percent last year to $796 million, and there are more on the way. The domestic soybean market can't be called either bullish or bearish; rather, it is bizarre.

Jack Cole of Cole Commodities in Minneapolis notes that the nearby contracts for soybean oil show that food companies and other users are trying to pull soybeans out of storage and into the market with daily price increases of late.

Meanwhile, the price for soybeans have been steadily falling, and the price for soybean meal has been falling through the floor. "There is obvious tight supply for oil, but nobody can do anything with the meal," he said.

Prices trail off for all major grains and remain stagnant on soybeans for contracts on distant delivery months that will include the crops now being planted.

"Commodity markets are a scare market," said Cole. "Scare me. Tell me what I better buy today because I won't be able to buy it tomorrow."

At the start of this planting season, the markets are scary but the supplies aren't. Not with Canada, Sweden, Finland, New Zealand, the Common Market, Indonesia, the Philippines, Malaysia, Australia and most of South America standing by with surpluses of grains, oilseeds and livestock, and currency values that let them put goods on our grocery shelves.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrows, one of its clerks, announced that the Senate had passed with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1617. An act to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1986, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1617), "An act to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1986, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DANFORTH, Mr. GORTON, Mr. GOLDWATER, Mr. HOLLINGS, and Mr. RIEGLE to be the conferees on the part of the Senate.

OBSERVING 50TH ANNIVERSARY OF REA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DE LA GARZA] is recognized for 60 minutes.

Mr. DE LA GARZA. Mr. Speaker, in the beginning, when God created the heavens and the Earth, the Earth was a formless wasteland, and darkness covered the abyss, while a mighty wind swept over the waters.

Then God said, "Let there be light," and there was light. God saw how good the light was. God then separated the light from the darkness. God called the light "day," and the darkness He called "night," thus evening came, and morning followed—the first day.

And on the sixth day God created to His image and likeness man, and then woman followed, with the charge to have dominion over all the creatures of the land, and to subdue the Earth to their needs.

Here my friends began the quest for fire and light, for God clearly defined darkness from light, and it was for man to bring light into the darkness. Eventually man conceived light that would shine upon the darkness from fire and he utilized his genius to use his intellect and the tools at his disposal to make light, and thus we had electricity for those who could avail themselves of this great discovery—

here my friends was the birth of REA—the Rural Electrification Administration to allow all who would, in partnership with their Government to have light, regardless of where they lived or their station in life—if we were to take all of time, from creation to now, and frame it in the space of 365 days—the last 50 years would be but the last 30 seconds of the 365th day—so we celebrate.

Mr. Speaker, I am so very glad to have this chance to participate in observing the 50th anniversary of the REA. This is an important observance for many reasons * * * and one of them is the fact that when this Congress makes decisions about the program in the future, our Members should be aware of what the REA has meant to rural America.

A lot of people these days do not remember what life was like a half century ago in areas without electric service. When we look back to those days, most of us who grew up in small towns and on farms may remember best the many good things about rural life. But for many people, there was another side to that rural experience. It was a side of hardships, isolation, and doing without many of the things that were part of everyday life for other Americans.

Not long ago, the Texas electric cooperatives went around to talk to some of our people who remembered the old days. One of the stories they collected for their oral history project came from a gentleman named Fain McDougal, a retired rural cooperative manager, at Cuero in south-central Texas. He was talking at one point about a conversation he had many years ago with a child from a family that had recently gotten electric service. Let me give you, word for word, what Mr. McDougal had to say:

> One little girl from up at Yoakum says, "You know, when we first started to school we talked funny, and they made fun of us and the way we dressed. And now we've got lights, radio and television. And we dress like everybody and talk like everybody else. They can't tell us from town kids."

There was another interview in that series I want to give you briefly. Mrs. Ruth Lane of San Angelo. She had this to say about life in the country after the power lines came:

> Now we have been put within the mainstream of American life . . . and I hope future generations can realize how much it has meant to rural America.

The rural electrification movement that began 50 years ago has, indeed, done a great deal for rural people and for our country. It has transformed the quality of rural life. It has made it possible for our farmers to become the world's most efficient producers of food and fiber. And it has been a spur for the development of thousands of new nonfarm businesses and industries and new community facilities in rural communities all across the country.

These are reasons enough to celebrate the 50th anniversary of the program.

We should be celebrating the accomplishments of the program and its leaders, both on the national level and in every local cooperative where people work together to make power systems work to meet their needs. We should be remembering people like President Roosevelt, who created the REA, and the great leaders in Congress who wrote the program legislation and kept it updated to meet changing needs down through the years. We should be noting the great service of the National Rural Electric Cooperative Association down through the years.

But celebrating the past is not enough. This is also a time when we should be looking to the future. Times and conditions have changed since the REA was created half a century ago. But there are still great needs and future challenges out there, and the job facing the Rural Electric Program in the years ahead remains a major national challenge. The Rural Electric Program must continue to be an engine for making sure that rural America and its people have a fair chance to participate in future national economic growth. And to fulfill that initial mandate of "Let there be light."

□ 1500

Mr. Speaker, I yield to the gentleman from Texas [Mr. PICKLE] at this time.

Mr. PICKLE. Mr. Speaker, I thank the gentleman for yielding, and I particularly want to thank him for taking this special order.

Fifteen years ago we held a special order in this House, commemorating the 35th anniversary of the rural electric cooperative. It is hard to believe it was that long ago, but we had a very successful special order, and some 50 different Members expressed their appreciation for the service that REA had rendered to their districts and to this Nation.

Today, as we celebrate the 50th anniversary, I think it a moment for everyone in America to pause and thank the Lord for the blessing that program has given to rural America. It is terribly important what it has done for the countryside, that at that time had little hope and little promise because it was a dark and dreary landscape at times.

I suppose less than 10 percent of the Nation's people were being served with some kind of a central station electric service. Now it is amazing to realize how many people actually are served by the Rural Electrification Program.

In my district, I have two of the largest in the State of Texas, and some that would be classified as largest in the country. I know what it means to those rural people to have electricity, which they had been deprived of all the years.

The program was started in 1935 by Franklin Roosevelt. We really thought at the time it was a gamble. Could you actually build a cooperative line, a system that the farmers could pool their resources together and get enough service for them to collect money to pay the bill? Could they pay back the money they had borrowed? And it was not certain at all that we could do that.

Yet, though we had a chance to do away with the little old, bitty 25-watt bulb and put in some regular electric systems, they took that gamble, and rural America has not been the same since that date.

I take particular pride in calling to the Members' attention today the fact that the Congressman we had in our district at that time—this was 1937, was the then-new Congressman Lyndon Baynes Johnson. He was one of the greatest promoters of rural electrification in the country. He started the Perdinales Electric Cooperative, at a time when they were told that the land was too bare, the farms and the ranches too far apart, there were not enough people that can subscribe and pay for it, and actually the administration had turned them down.

Then Congressman Lyndon Johnson kept insisting that he had to transform the whole countryside, and electricity was the only vehicle they had to do it.

He went to work, and he finally convinced President Roosevelt, along with the national REA officers, that they would take this gamble out for the REA.

Today, the Perdinales Electric Cooperative is probably the first or the second largest one in the State of Texas. There is no question now; no gamble about it. It is so large now that their problem is one of distribution, of generation, where and how can they get the power to serve the people who they must serve in order to take care of their customers.

Well now, that is a success story, and the same is true of the Blue Bonnet Electric Cooperative down in Giddings—that county, Lee County, just left my district, but it is also a very successful program.

Do I know that those farmers and ranchers actually scratched out a living from their little farm, 50 years ago, to embark on a common cause: that is, electricity.

I want to yield to some of the other Members here, because I know Members want to participate in this special order. I want to call the people's attention to the fact that in the book that has been written about 1½, 2 years ago, about President Johnson.

The author took several liberties that we could take offense to in our

district, but some of the chapters in that book were marvelous reading. One chapter dealt with the hill country; how bare and unproductive it was, how the people had gone there because they had no other land, but they could not make a living, and how the women in particular had to do all the work by hand. That meant going to the creek to get water. That meant scrubbing their clothes by hand. That meant washing, individually, every garment they had. That meant toting buckets of water over and over again, and all the other farm chores that were just a matter of physical ordeal.

Yet when they had electricity, that put a new life to them. Now this program is terribly important to this country, and we must not weaken it; we must find ways to see it strengthened.

I want to say to you that we must not allow the Rural Electrification Program to be set aside in this budget, or by this administration.

Many millions of Americans are being served by this program, and they are entitled to the consideration of their Government, and I think this Congress must be certain of that.

Mr. DE LA GARZA. I would advise the gentleman that the time being consumed now is under my special order, and the gentleman's special order will follow, so we might interchange time here from time to time.

The gentleman from Tennessee [Mr. JONES], chairman of the subcommittee on the Committee on Agriculture that has jurisdiction over the REA and who has done a magnificent job in guiding legislation related to REA, and has been one of the champions since his years here, since he came to Congress, and as his years as chairman of that subcommittee.

The gentleman from Tennessee.

□ 1510

Mr. JONES of Tennessee. I thank the gentleman for yielding.

Mr. Speaker, I commend our colleagues from Texas, Mr. DE LA GARZA and Mr. PICKLE, for their leadership and efforts in providing this opportunity to recognize and celebrate the 50th anniversary of the establishment of the Rural Electrification Administration.

At the height of the Great Depression our Nation's rural population was caught in a vicious web of poverty, unemployment, and despair. Rural America lacked the basic necessities to meet the challenge of pulling itself out of a situation which threatened its very existence. Then, 50 years ago, under the leadership of President Franklin Roosevelt, hope became a reality with the establishment of the REA.

As much as any other action taken during the 1930's, the electrification of rural America was responsible for holding the countryside together. I can well remember the day the lights were turned on at my family's farm in rural west Tennessee. Our lives, and those of our neighbors, were changed forever by the events which grew out of the creation of the REA.

With the expansion of the REA's mandate in 1949 to include loan assistance to rural telephone companies, rural America became a full partner on our Nation's road to progress.

In its half century of existence, the REA has provided technical assistance and long-term financing to rural electric and telephone systems throughout this country. The REA, along with thousands of rural electric and telephone cooperatives, has played a vital role in bringing the rural areas of America into the mainstream of modern life.

However, the job is not over, and the need for strong, effective REA activities continues today. It's true that 99 percent of America's farms and ranches now have access to central station electric service, and 95 percent have basic telephone service available to them. But the real challenge remains: In order to survive in today's economic environment, and in order to compete in today's climate of deregulation, rural America's needs are constantly changing and developing with the times. The question is not whether electric and telephone services are available to our rural citizens and small businesses; the question is whether these services are affordable.

Without continuing vital programs in the Rural Electrification Administration, I have serious doubts that our Nation's rural areas can stand up to the economic forces which would drive even more thousands of farmers and small businesses into bankruptcy. That's why I intend to fight this administration to the very end to save the REA from elimination, and I encourage all our colleagues to join in these efforts to protect one of the greatest institutions this Government has ever contributed toward the enrichment of its citizens.

Mr. DE LA GARZA. I thank the gentleman, and I certainly would commend the gentleman for the great work he has done in this area.

I might mention that it is so gratifying as chairman of the Committee on Agriculture to go out into the countryside and to see these REA cooperatives in North Dakota, South Dakota, Texas, throughout the South and the West and all of the areas of our country. I have taken it upon myself now—I mentioned it once when I was speaking to a co-op—I want to see that last pole, that last mile of line. I have seen it now. Just last month I was in Deaf Smith County, TX, and I went out to a little community named Friona, and my friend who was driving me around, I was telling him the story, the last pole, the last mile of line. He said, "Well, if you don't mind going out of the way about 5 minutes, I'll show you." That is way out in west Texas, in Deaf Smith County, and we went out. There was the last pole, the last mile of line, and it came down to a water pump that irrigated about 200 acres of grain out there. And, believe me, that was the last pole because beyond there I think I could see the Pacific Ocean. Everything from there was just flat, going west, and to me it was a beautiful sight to see against the sky, that beautiful west Texas sky, that line coming out, knowing that someone could reap, hopefully, a profit, which not too many of our farmers are doing at this time, but that there was this partnership that brought this line out there where not even a hawk was flying but yet each one benefited from it.

Mr. Speaker, I yield to the gentleman from Georgia [Mr. ROWLAND].

Mr. ROWLAND. I thank the gentleman for yielding.

Mr. Chairman, you and the gentleman from Texas and the gentleman from Tennessee have certainly painted a graphic picture of what the coming of electricity through the REA to the rural areas of our country has meant.

Mr. Speaker, in a recent newspaper article about the coming of electricity to rural America, a farmer who was giving witness in a country church was quoted as saying:

"Brothers and sisters, I want to tell you this. The greatest thing on Earth is to have the love of God in your heart. And the next greatest thing is to have electricity in your house."

When President Roosevelt signed the Rural Electrification Act on May 11, 1935, he revolutionized much of America. Until then, a large part of the country's population still did not have the electric light, let alone central heating and air conditioning. People still relied on kerosene lamps and wood-burning stoves. Many older Americans tell you that among their most vivid memories are those of constantly hauling wood and water during their younger years.

Electricity not only brought new conveniences for rural families, it brought new opportunities. Farm operations were revitalized and new businesses and industries came to town. New jobs opened up, along with a new promise for our rural communities which is still in the process of being realized.

Georgia is the birthplace of the Rural Electrification Administration. President Roosevelt himself recalled that he began to think about how to bring electricity to rural areas while staying at his cottage in Warm Springs, GA, where he had to pay four times the amount he paid for electricity at his estate in Hyde Park, NY.

At the time REA went into effect, only one out of every 10 farms had electric service. Even after REA came into being, rural residents had to struggle to get electricity. But within a few years, they overcame all obstacles and the lights were turned on throughout the country.

Today, rural communities are still not getting an even break. Based on the amount they contribute in motor fuel taxes, rural areas deserve more Federal road funds. Many of our largest cities have grown too big too fast, and the blight that resulted has led to a range of social problems. The more rapid development of rural America can help alleviate those problems, and help improve the quality of life for urban and rural residents alike.

The REA has paved the way for that development.

Congratulations to the Rural Electrification Program on its 50th anniversary.

Mr. DE LA GARZA. I thank the gentleman for his contribution.

□ 1520

Mr. Speaker, I yield to the distinguished gentleman from South Dakota, a very prominent member of our committee and a friend of REA [Mr. DASCHLE].

Mr. DASCHLE. I thank the gentleman for yielding to me and I yield to the gentleman from Minnesota [Mr. WEBER].

Mr. WEBER. Mr. Speaker, I thank the gentleman from South Dakota for yielding to me.

Mr. Speaker, I would like to compliment the gentleman in the well, the distinguished chairman of the Agriculture Committee, for taking out this special order.

My district, of course, adjoins that of the gentleman from South Dakota. Unlike the gentleman, I do not represent an entire State, but almost. At least so it seems.

According to some statistics, my district is the most rural in the country, at least depending on how you measure it. Certainly there has been no program that has helped to create the economic backbone of my district or of the gentleman's or of many rural districts in the country than the REA Program.

I would just like to associate myself with the remarks of all the gentleman who have been participating in this special order to say that this is a great program that deserves our support. I would like to work with everybody on both sides of the aisle in making sure that we maintain the program in spite of an onslaught from the administration in the Federal budget. That is not a program that I think can be reasonably cut.

I would like to compliment everybody that has been a part of helping to build this program and make it what it is for rural America.

Mr. Speaker, I am honored and privileged to be a part of today's special order to commemorate the 50th anniversary of the Rural Electrification Program.

Many of my colleagues will no doubt concentrate their remarks on the actual historical events surrounding the enactment of the REA program. My remarks will take a different tack. I want to concentrate these couple of minutes on my experience with the people who live with rural electrification every day, the people of rural Minnesota.

When I first came to Congress in 1981 I knew of rural electrification. My hometown of Slayton, MN, located in the southwest corner of the State, is located in a farming area. My high school friends from the farm were totally dependent on rural electrification. I grew up with their memories of having electric and telephone service at a reasonable cost miles away from our town.

Those memories I brought to this body, but my real lesson on the importance of the program has been learned the last few years. Working directly with the local cooperative members, listening to their concerns, successes, and hopes for the future gives me a personal insight into the REA people.

We started holding annual meetings on REA, inviting the board members of each cooperative and their general managers in the district, and we spent the evening talking about the program. There, I heard some of the history of rural electrification coming to rural areas, bringing with it the accessibility of modern conveniences to our producers of food and fiber. Just as important, though, was the close knit bond of trust and friendship we have developed at these meetings. We put politics aside and got down to talking about the real problems and solutions rural electric subscribers face daily.

I think these annual town meetings are unique among projects my colleagues have initiated in this Chamber. Through this sense of working together, hearing each other out, we have developed a strong bond between us.

I guess what I am trying to say is that it is the people in the rural electric cooperative movement who have made the program a success, and allows us to celebrate its 50th anniversary today. I can honestly say, that as a group, there are no finer individuals than those who are a part of the nearly 1,000 member-owned rural electric systems in the country. Those member-owned systems in Minnesota have provided me with an insight into the importance of the program I will never forget. If I would have come to Congress to do nothing more than work for the interests of the rural electric cooperative members, my time and effort would have been well spent.

We must now look to the challenges ahead so that in 50 years, Members of this body can celebrate the 100th anniversary of the REA program.

Mr. DASCHLE. Mr. Speaker, in paying tribute to the Rural Electrification Program today and this week, I think it is instructive to note that the leaders of the program have had to fight day and night for survival for the past 4 years.

If it had not been for their unstinting efforts and the support of the majority of this House of Congress, the Reagan administration would have had its way and be presiding over the burial of the program at the moment when those of us who know the importance of rural electrification to America are planning to celebrate the 50th anniversary of REA.

I find it particularily disturbing to read that the Administrator of the Rural Electrification Administration has said that he can't support the Rural Electrification Program. I am concerned that instead of carrying out the responsibilities of his office, and to fairly administer the laws of the land, he is more concerned with devising ways and means of weakening and dismantling REA.

The Rural Electrification Program is looked upon as one of the greatest government-to-people kinds of program that has ever existed. It is the envy of Third and Fourth World governments around the world.

And the reason is quite simple. It is a great program, that was administered over most of its years by a dedicated and exceptionally good staff, and it was put into effect by thousands of determined and hard-working people in the rural areas of 46 States. It is their work that we are paying tribute to here today, and I believe that the leaders working in the Rural Electrification Program today have done, and are doing a great and patriotic service to their Nation by refusing to buckle under the administration's efforts to destroy the program.

I would call upon the administration, though they have refused to allocate a dime toward commemorating this great program and its golden anniversary, to abandon their policies of trying to systematically dismantle the REA, and recognize its value to the country—to strenthen its services such as those provided by the Engineering Standards Division, rather than trying to palm them off as unnecessary activities of government.

Fifty years ago, the President signed Executive Order 7037 and gave rural Americans the opportunity to enjoy the benefits of electricity and modern living. Forty-nine years ago, the very Chamber echoed with the thunder of debate as the Rural Electrification Act came before the House for consideration.

Even then, though rural Americans were living under disgraceful conditions, there were those who tried to deny them programs that would correct these conditions. Rural electrification has always had its enemies. And it aways will. We have been right in our support and maintenance of the REA and its program. It has been, and will continue to be, a foundation of hope and progress in the future for rural America.

Mr. Speaker, I also take the floor today to highlight the importance of the Rural Electrification Administration in another important area of rural America. That area is the assistance provided in rural communities for rural telephone service.

Mr. Speaker, the establishment of the REA Telephone Program in 1949 was an important milestone for rural America. Because of the depression and the unavailability of loan funds to maintain the small telephone systems that serve rural areas, the number of American farms with telephone service declined. By 1949, only 38 percent of farms had telephones.

With REA money, the rebuilding of these systems has progressed steadily. Many telephone systems started with 8- and 10-party lines, an operator and crank telephones. Over the years, these have been upgraded considerably. By 1983, approximately 96 percent of farms had telephone service. About 85 percent of customers served by REA borrowers have single party service.

But, the job is not done. REA money continues to be needed. An estimated 260,000 miles of cable is exposed to the extreme weather conditions prevalent in rural areas and must be buried. Rural Telcos are exchanging their older electromechanical switches for the new digital technology at a rate that will leave them far behind their urban counterparts. About 15 percent of REA telephone customers are still on party-line service—including 4- 5-, and 8-party lines. And the Bureau of the Census estimated in its 1983 annual housing survey, that over 10 percent of households—as opposed to farms—in non-SMA areas do not have access to telephone service.

Resolving these problems and maintaining affordable service will not be easy for rural Telcos. Deregulation is pushing telephone rates up, especially in rural areas. Keeping a strong REA will be essential.

In addition to providing funds for upgrading service, REA has provided many services to help small telephone systems. Such services are provided by the telecommunications engineering and standards division. Using feedback from borrowers about technical problems, REA's engineers work with manufacturers and consultants to design new products to address these problems. Thus, the private sector is stimulated to manufacture new products tailored to the special needs of rural telephone service. Such products are now widely used by REA borrowers and nonborrowers alike. Some are used around the world. The REA-established uniform equipment in construction standards are also widely used.

Finally, I want to point out the unique, national impact of the REA Telephone Program. It is partly because of REA that we now have nearly universal telephone service. This House has recognized the importance of a universal telephone network to the economy as a whole. Clearly, the service is more valuable if the caller is able to reach anyone in the country in rural or urban areas. Businesses rely more and more on the telephone for their transactions. When telephone service is available to all, everyone benefits.

In the interest of rural citizens, in the interest of the Nation, both the REA programs and its telephone program must continue.

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman for his cooperation always in the endeavors that we pursue in behalf of bringing light to rural America.

I might add that another thing, the bounty which has come to those people living in rural America has been shared because, through the private or public, I guess you might say, association; the National Rural Electric Cooperatives Association. They share the technology; they share their bounty around the world. I have seen some of their activities in the Philippines and Central America and Africa. They have tried to bring to other areas of the world that which we have so ably mastered in this country.

That beautiful partnership between the people organized in partnership with the Government, using the resources, using their own resources, because when we talk about tax money, it is not tax money; it is yours and my tax dollars. The peoples' money. Sometimes the people wisely put some added money of their own to that which they have submitted to the Government to put it together to work for the benefit of both.

Mr. Speaker, I yield to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. I thank the chairman for yielding.

Mr. Speaker, following on the chairman's last remarks, the spirit of cooperation has been the secret of the REA movement from its inception in 1936. The Federal Government undertook a project to allow neighbors working with neighbors; farmers with farmers. Rural citizens with not quite urban citizens, but small towns and small communities to work together, jointly with their Government in order to bring about a dream. A dream of area coverage or of universal service. The dream that all Americans, whether they live in the country or whether they live in town, could have central station power. Or, as later, telephone service.

The concept of area coverage was born, and I submit today that it has served this Nation well. The Federal Government's involvement in and its assistance to the electric utilities dates back to that early inception. I think we need to draw one distinction at this point as we celebrate the 50th anniversary.

In the beginning, the so-called investor-owned utilities fought the REA. Today, we have no one in the electric utility industry fighting that which the House Agriculture Committee and others who we have heard from today, are suggesting for the future; the next 50 years of rural electrification.

Today, 50 years later, rural electric cooperatives are still operating in the areas which other utilities cannot or will not serve for very good economic reasons. Furthermore, by providing low-interest, insured loans to telephone systems which could not afford or qualify for commercial loans, the REA Telephone Loan Program brought telephone service to those same areas.

Given the tremendous positive role that agriculture and other rural-based resource industries play in the economy of our Nation, and the fact that rural areas are typically the most difficult and expensive to serve for both electric and telephone utilities, there is a strong and valid reason for continued Federal assistance to REA.

I would hasten to point out that no one within the rural electric movement is suggesting that they should be exempt from the Budget Acts; that they should be exempt from what is necessary to bring about a balanced budget for our Nation as a whole.

We acknowledge that there are some costs involved. There always has been a cost involved to bring electrical service to rural, sparsely settled areas. I think that anyone who will examine closely the results of the last 50 years would come to the same conclusion: It has been a good investment, Mr. Speaker, as you have suggested, of our tax dollars. They are our dollars; the charge we have in the Congress is to make those investments and make them pay dividends for the Nation as a whole.

Today, 98 percent of our farms are electrified, but that does not mean the job for REA is over. Population density is still low, and in some areas getting lower. The cost of getting electric service to our Nation's farms and ranches is still high today. The REA still has a vital role to play looking ahead to the future.

Mr. Speaker, I know as one who spent 9½ years of my adult life in-

volved in the Rural Electric Program, as a manager of a rural electric cooperative; as one who has seen time and time again the leadership of our rural areas come together, look at the problems at hand and put together a solution that is good for them and good for our Nation. Those problems that some talk about today with rural electrification that prompt some to suggest that the days are over.

□ 1530

I think that once again we will see the leadership of rural electrification throughout this Nation come together, provide for future responses, whether it be another CFC, a self-help lending program to assist ourselves in doing that which we cannot do individually, or whatever it might be, the term that our cooperatives like to use is, "We are owned by those we serve," and Mr. Speaker, I think your comments suggest that rural electric cooperatives are owned by all Americans, and I hope all who are listening and watching and will be reading and observing the day that you commemorate today with this special order, that everyone will feel a sense of pride in that their small part of this investment has been a good investment for them and for all of America.

Mr. DE LA GARZA. I thank the gentleman. He is part of our celebration in that he has been an integral part as a manager of a co-op. I wholeheartedly concur with him that America should be proud that that is our investment, that is our return, not a CD of 9 percent, or investment of 12 percent, or whatever; but, rather, it has been an investment in enhancing the quality of life for Americans, of enhancing the opportunities in rural America, of enhancing the economic growth in rural America.

This cannot be measured in dollars and cents, but I assure the gentleman it is a lot more than 15- or 20- or 30-percent return. For his participation, I think we should give him a special commendation, since he has been an integral part of the process that we legislate. He has worked with the REA as a co-op manager.

Mr. Speaker, I yield to our distinguished colleague, the gentleman from Missouri [Mr. EMERSON], a member of our committee.

Mr. EMERSON. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to join my colleagues today in paying tribute to the Rural Electrification Administration on the occasion of its 50th anniversary. I thank my chairman for making this tribute possible.

When the REA was created in 1935, only 10 percent of the Nation's rural families had electricity in their homes and farms. Since then rural America has come to enjoy a vastly improved standard of living and productivity on America's farms has increased many times over. Nearly 1,000 member-owned electric systems provide power to more than 25 million people in 46 States, Puerto Rico, and the Virgin Islands. Without the REA, it is quite possible that many of these people would still be without electric service today.

The task of providing electricity to rural areas has never been an easy one. Our rural electric systems operate and maintain nearly half of this country's power lines, but they reach an average of only five consumers along a mile of line. In addition, lines must often cover rough terrain and remote areas where accessibility for maintenance crews is very difficult. These were the factors that prevented electricity from reaching rural America in the early part of this century, and in order to overcome these difficulties, rural America forged a partnership with the Federal Government that continues to be the linchpin of our rural electric system today.

Mr. Speaker, that it is why I believe it is so important that we pause today on the 50th anniversary of the REA to remember how far we have come and to think about where we can go from here if we continue this worthwhile commitment. Because there is electricity, farmers will continue to increase their productivity to better feed a hungry world. Because there is electricity, new industries we hope will continue to locate in rural areas, providing jobs and improving the economic climate of these areas. Because there is electricity, rural America will grow and diversify both economically and socially in ways no one ever dreamed of a few decades ago. And because there is electricity, Americans can now recognize that rural living offers both an attractive and desirable lifestyle in which to work and raise a family.

Over the years, the REA has helped many dreams become a reality. As we move forward in our efforts to improve the rural economy, there can be no doubt that the REA will continue to be an important key to our success.

Mr. DE LA GARZA. I thank the gentleman for his contribution.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. I thank the gentleman for yielding, and I am pleased to follow my colleague, the gentleman from Missouri on the opposite side of the aisle, because I, too, would like to say that I represent not a rural area, but a Pennsylvania area with a very small rural population and a very small part of the aspect of rural electrification has affected my district, but those citizens of my district realize the importance of electrification and the telephone to the rural areas of America.

We in Pennsylvania, although not having taken part in much of the subsidies that the Rural Electrification Administration has provided, appreciate what it has done for the rural farmer and the rural communities in America, and I, as one Member representing a district that is not particularly affected by the rural needs of America, pledge my support for the continued type of development of the infrastructure of America such as rural electrification.

But I would like to say one further thing, and commend my fellow Members from the South and the West, and many of the rural areas of America, that this is an example of a national policy program that developed in the days of the New Deal that have established themselves as not only good thought but well worked programs that have served all America, and that as we move through this Congress and the future Congresses, particularly with the change in philosophy that has occurred in America, and sometimes the attempt to throw the baby out with the bathwater, I would say that some of us in Pennsylvania, and New York, and the industrial Northeast, and the industrial central part of America will be asking you to support programs that will offer subsidies to our area of the country, too, because they, too, will reflect upon the needs of the people in the cities and the urban areas of America.

As we pledge to support you in the South, and the West, and in rural America, we would ask your indulgence to consider some of the philosophical needs of the people in the cities and the urban parts of America, and if we can put aside our political disagreements, and sometimes our philosophical misunderstandings, and realize that a public policy that serves America totally, completely, as REA has these 50 years, it can serve all Americans well, and those in need, whether they be in urban America or rural America, should have the interest and attention of this Congress. I ask you in the future to give us that type of consideration.

I would like to offer on the part of Pennsylvania and my constituents congratulations to the Rural Electrification Administration.

Mr. DE LA GARZA. I thank the gentleman for his contribution and concur in his philosophy and thinking, and how gratifying it is for me to tell the gentleman that that is exactly what we have been doing; that we have been working with our urban colleagues.

As a matter of fact, it was trying to bring what the inner city had, or the urban area had, to rural America to make us equal, and not only with power and light but with the telephone. I not too long ago remember someone telling me: "Why should not

a grandmother in the last hollow in the mountains in West Virginia not be able to call her grandchild who lives in California? Why?"

Well, through the REA we have brought the rural telephone to the menu, to see that last pole out in that last hollow in West Virginia. We have brought that grandmother, as you see the ads on the television, to talk to her grandaughter. A little hollow in West Virginia has as much right to talk to a grandaughter in California as someone in New York City, or Atlanta, or a big town like Mission, TX, which is my hometown.

Mr. Speaker, I yield to the gentleman from Kansas [Mr. SLATTERY].

Mr. SLATTERY. I thank the gentleman for yielding.

Mr. Speaker, I rise to express my strong support for America's rural electrification program. As someone who grew up on a farm in northeast Kansas, I know firsthand what rural electrification has meant to the farms and rural communities across this great land. Clyde Ellis, the first general manager of the National Rural Electric Cooperative Association, put it best:

> The wires which tied the houses of rural people together also seemed to unite their spirits. Beginning in the early days and growing through the years, there has been some unusual quality about the rural electrification program which has drawn people of diverse political and social views together in a common purpose.

With the passage of the Rural Electrification Act of 1936, the Federal Government undertook the challenge of assuring that the farmers, ranchers, businesses, and individual residents of rural America would have access to reliable, central station electric service at costs reasonably comparable to those charged to consumers in the urban and suburban areas of the Nation.

To pursue this goal, Congress created the Rural Electrification Administration [REA], now an agency of the U.S. Department of Agriculture. In the 53-year period from 1881, when the first central generating system went into service, to 1936, when REA was created, only 10 percent of all farms in the United States were receiving electric service. In its near half-century of existence, REA has provided technical assistance and long-term financing to rural electric and telephone systems throughout the Nation, and thus has played a vital role in bringing the rural areas of our Nation into the mainstream of modern life. The success of this effort is well established by the fact that some 99 percent of the Nation's farms and ranches now have access to central station electric service. Also attesting to the quality and soundness of the Federal investment in rural electrification and telephone is the fact that of the more than $20 billion in loans and loan guarantees made since the inception of the program, losses have been less than $50,000—a peerless record by anyone's standard. Electric power encourages industrial and economic development in rural areas, and results in a rural market of electrical appliances and equipment estimated at more than $1 billion per year.

The REA loan program continues to be a vital element in providing reliable electric service to rural areas at affordable rates. Rural electric cooperatives are still operating in the areas which other utilities could not, or would not, serve, as was the case when the REA program was created nearly 50 years ago. Co-ops, by and large, serve thinly populated areas. They have built and maintain 50 percent of the Nation's electric lines, but account for less than 10 percent of its total electricity sales. The average electric cooperative's revenue per mile of installed line is about 8 percent of that enjoyed by the average power company, and their consumer density is just 13 percent of the typical investor-owned utility. At the same time, however, the co-ops' investment per consumer is 162 percent of the investment of the power companies. Adding to these handicaps is the fact that the growth in co-op consumers' demand for electricity has now fallen to between 2 percent and 4 percent per year, compared with 8 percent to 12 percent a decade ago.

All of this, combined with enormously higher utility construction and operating costs, has contributed to the difficult financial and economic conditions in which electric cooperatives now operate. And most of all, this is why the preservation of a stable and adequate REA lending program as the centerpiece of rural electric financing is so important to the future survival of rural electrification.

Mr. Speaker, in my home State of Kansas, the first electric loan under the Rural Electrification Act was to the Cooperative Electric Power & Light Co. of Iola. The first rural electric cooperative in Kansas to energize, however, was the Brown-Atchison Cooperative Association, headquartered in Holton, which is located in the Second Congressional District. Special ceremonies marking the energizing of 88 miles of line took place on April 1, 1938. The Kansas Electric Cooperatives, Inc., was formed on August 18, 1941. Membership in this group has grown to include all 37 electric distribution cooperatives that served consumer/members in Kansas. Today, there are 35 distribution cooperatives in the membership of KEC, plus the two generation and transmission cooperatives, Sunflower EC and KepCo.

In addition, REA loans to telephone borrowers in Kansas provide modern telephone service for an estimated 141,377 rural subscribers over 42,582 miles of line. When the REA telephone loan program was authorized by Congress in 1949, only 68.3 percent of the farms in Kansas had telephones, and much of this was obsolete service. Today, more than 96 percent of the State's 74,000 farms, as well as many rural homes and businesses, have telephones, and a much greater proportion is modern dial service. The first REA telephone loan in the State of Kansas was approved on April 17, 1951, to the W.E.G. Telephone, Inc., of the community of Gardner.

Mr. Speaker, in closing let me just say that I believe the multitude of benefits and opportunities that the rural electric and telephone systems have provided to rural America, and, in particular, to northeast Kansas, cannot be overestimated. These programs have changed untold numbers of rural lives for the better. The many good men and women of the Rural Electrification Administration truly have been doing outstanding work over the past 50 years, and they deserve our thanks, commendations, and continued support.

□ 1540

Mr. Speaker, I thank the chairman of the Committee on Agriculture for his leadership in this area, and I thank him for giving me the opportunity to participate in this program today.

Mr. TALLON. Mr. Speaker, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman from South Carolina.

(Mr. TALLON. Mr. Speaker, I would like to thank Chairman DE LA GARZA and Mr. PICKLE for scheduling this special order commemorating the 50th anniversary of the Rural Electrification Administration.

In the early 1930's, South Carolina leaders knew that if the State was ever to regain its position of leadership in this country, its rural areas must be brought into the 20th century.

Up until this time, electricity was confined to the towns and cities where power could serve large groups of people over small areas of land. The power companies said it was uneconomical for them to serve rural areas.

President Roosevelt during this time created the Rural Electrification Administration by Executive order to provide funds for electrical power to rural America.

Even though President Roosevelt was a man of great vision, he probably did not realize he had initiated one of the most successful programs of all times.

Today in South Carolina, there are 20 nonprofit electric distribution cooperatives serving rural and suburban areas, with 30,000 members scattered over 47,000 miles of powerlines or

nearly 70 percent of the total land area of the State.

When the REA telephone loan program was authorized by Congress in 1949, only 8.5 percent of the farms in South Carolina had telephones and much of this was obsolete service.

Today that amount is 95 percent and REA loans to telephone borrowers in South Carolina provide modern telephone service for an estimated 172,000 rural subscribers over 22,155 miles of line.

Members of the South Carolina electric and telephone cooperatives, and all those across this Nation, are a living testimonial to the American spirit and ingenuity.

When others said there was no way to do it, these men and women brought rural South Carolina into the 20th century. America is a better place today because of them.

But now rural America is facing the most serious economic crisis since the Great Depression, with 1984 showing an overwhelming number of farm foreclosures and business failures.

This is no time to compound an already critical situation by overburdening rural electric and telephone systems. They are essential elements in promoting and sustaining an improved rural economy.

We must continue the mission REA was charged with 50 years ago—to provide adequate, reliable, and affordably priced electric and telephone service to the rural consumer.

The job of REA is not finished.

For instance, in the telephone program, many plants date from the 1950's when the REA first began taking effect and now need to be replaced.

Most telephone cooperatives cannot obtain commercial loans, since REA holds the first lien on the assets of its borrowers. The REA can accommodate some of these liens, but in recent years has been reluctant to do so. Because of this restrictive REA policy in the granting of lien accommodations, commercial lenders are unwilling to make loans to REA borrowers.

As well, the telecommunications marketplace is changing constantly, and rural America should not be denied an opportunity to share in the telecommunications explosion.

Mr. Speaker, all Federal programs should be required to prove their merit. I believe the REA has and continues to be an American success story.

Rural electric and telephone cooperatives have become a national resource providing us all with a higher standard of living and a better way of life. We must work to keep the cooperatives viable.

Mr. DE LA GARZA. Mr. Speaker, the REA has printed a book entitled "The Next Greatest Thing," depicting the 50 years of the REA, and I want to give a quote from whence the title came. A farmer giving witness in a rural Tennessee church in the early 1940's finished his words by saying this:

> Brothers and sisters, I want to tell you this. The greatest thing on earth is to have the love of God in your heart, and the next greatest thing is to have electricity in your house.

Mr. Speaker, I quote a farmer from rural Tennessee who shall remain unnamed.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman from Georgia.

Mr. JENKINS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this week marks the 50th anniversary of rural electrification in America. For rural America, this is not just an anniversary of an event to be marked on a calendar each year. It is a celebration of a beginning.

The bringing of electricity to America's plains, its valleys and its hills marked the beginning of a new America.

When President Franklin Delano Roosevelt signed an Executive order creating the Rural Electrification Administration May 11, 1935, he lit the spark for the raging fire of change to sweep this country. Sometimes the fire moved slowly, creeping into crevices of doubt and opposition. The first fire break it jumped was the U.S. House of Representatives. This bill establishing REA as an agency squeezed out of Representative Sam Rayburn's committee by one vote.

One vote determined the difference between darkness and light in rural America. One vote put electricity into homes where children squinted by lamplight to quench the desire to learn, to reach horizons beyond the darkness.

One vote started the journey toward eliminating drudgery on the family farm. Without that vote, how long would farm families have been letting the bucket down into the well and drawing it out by rope, then carrying the filled buckets to the iron pots and tin tubs to scrub clothes by hand? How long would women have stood for hours lifting the hot irons out of the coals? How long would they have stoked and fed the firebox to keep the woodstove going in the dead heat of summer to preserve food for their families to eat the coming winter?

Without that one vote, where would American agriculture be? How long would it have been before dairy farmers could have switched from milking by hand to electrical milk machines? How long would it have been before the milk was pumped directly into temperature-controlled vats free of bacteria?

Where would we be had President Roosevelt not come to Warm Springs, GA, and realized that his electricity bill there was more than at his estate in Hyde Park? Where would we be without his recognition of a need and the foresight to light the spark which set the fire of rural electrification raging?

Had it not been for the foresight of Franklin Delano Roosevelt, had it not been for that one vote in committee in the U.S. House of Representatives, the light of knowledge and progress would not be shining as brightly in my home State of Georgia and in the rest of rural America. Without that light, our past 50 years might not have seen us as great a nation as we have become.

And, that is why we focus on this 50th anniversary of rural electrification.

Mr. Speaker, I thank my chairman for letting me have this opportunity to join him and others in commemorating this great anniversary.

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman for his contribution.

Mr. BOULTER. Mr. Speaker, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman from Texas.

Mr. BOULTER. Mr. Speaker, a lot has been said over the years about universal telephone service and about the role of the Rural Electrification Administration in helping to bring the magic of the talking wire to the back roads and rural farms of this great Nation. It is fitting, on this, the 50th anniversary of the REA Program—and the 36th year of the REA Telephone Program—to stop and reflect on the critical importance of REA, then and now.

Most people of my generation are astonished to hear that the quality of telephone service in this land was at an alltime low following World War II. Phone service was better in the early part of the century, when Mr. Alexander Graham Bell's patents expired and newly organized independent phone systems mushroomed in every small town across America. And yet, rural America went largely unserved, simply because it cost so much to bring telephone service to large areas with too few people. But over the next 30 years, rural citizens helped themselves get into the telephone business, and by 1929, literally hundreds of systems were established. Granted, they generally had inferior equipment and provided inadequate service. But by 1945, following 15 years of depression and war, telephone service in this country was worse than it had been two decades earlier. Most of the small independents simply operated the equipment until it stopped and then went out of business.

All that began to change, when in 1949, following 4 years of effort in Congress by rural interests, President

Harry S. Truman signed the telephone amendment to the Rural Electrification Act, making long-term, low-interest loans available to rural telephone systems. That year, fewer than two out of five rural homes and businesses had telephone service of any kind, and most of what did exist was inferior multiparty. The "whoop and holler" "hello central" magneto telephone system was still very much in evidence in rural America.

There is a small telephone cooperative in my district, Santa Rosa Telephone Cooperative in Vernon, TX, with very close and compelling ties to the Rural Electrification Administration. Its story is best told in the words of its founding manager, Carl Freeling:

I spent the first 52 years of my life on a rural farm without a telephone. When my mother died, I learned of it three days after her funeral. In World War II, one of my brothers was killed in action on the day I received a letter from him. I was notified of his death by telegram seven days later.

The problems of day-to-day living were almost as great. Farm commodity prices varied so violently that it was impossible for us, living 16 miles from town, to keep up with them. We had to make a trip to town in advance to see what kind of prices our products were bringing and we delivered them the next day, often only to learn that the market had dropped and we were left with the choice of selling at a loss or not at all. Eventually I had to move to town where I could have a telephone and find out about changes in commodity prices. We couldn't get commercial telephone service in our rural area for love nor money until a bill was passed in Washington permitting the REA to loan us money to finance our own cooperative telephone system. I immediately made myself available to establish and organize a telephone cooperative in our area. We held a meeting with the mayor, the bankers and a few of the leading farmers. About 20 of us discussed the possibility of organizing an REA telephone cooperative. The newspaper, the Vernon Record, promised to give the project free publicity. That was all the encouragement I needed. I held a meeting in the vicinity of the small, rural settlement of Tolbert, TX and 75 farmers attended. After I had explained my purpose, I received not only the unanimous support of those present, but also cash deposits of five dollars and promises to pay and additional forty-five dollars each when their telephone was installed.

This enthusiastic reception gave me a shot in the arm. I held similar meetings in eight more communities with the same success * * * and the prospects for success seemed bright when our loan was approved by the REA in 1952 * * *.

Initially, the costs of service seemed prohibitive, but by offering good telephone service and using constant persuasion our system slowly grew.

Looking back over this development as I am retiring, I have never regretted any part of it. I receive constant thanks from many individuals for the profits they have gotten from their telephones. The most isolated subscribers are the happiest. It's amazing what the cooperative telephone system has done for rural America.

Carl Freeling retired from Santa Rosa, in 1968, and passed away 2 years later, but under the guidance of manager Howard Thomas, who has been with the system since 1958, the cooperative has continued to prosper. Subscriber growth is slow in west Texas, but today every Santa Rosa customer has single-party dial telephone service. Manager Thomas reports that the company today is a very successful venture serving 2,200 customers in 14 counties over an area of approximately 2,000 square miles. He says they have less than one subscriber per mile of line, and each one of those customers are very appreciative of the quality telephone service they are receiving.

Indeed, the telephone loan programs of REA have done a magnificant job of helping to bring modern, efficient telephone service to our rural citizens. And yet, as we approach the 1990's, the REA mission is as critical to rural America as it was back at the middle of this century. In 1985, close to 12 percent of America's nonmetropolitan households still do not have access to telephone service.

Fully 16 percent of the customers served by REA telephone borrowers are still communicating on multiparty; 2-, 4-, and even 8-party lines.

Deregulation has been a boon to the telephone industry, if what I read in the papers can be believed. Unfortunately, I know that that is not necessarily so, since the revenues historically gained from long-distance service by local operators is declining, and the result is hitting rural areas the hardest. Next month the Federal Communications Commission's residential subscriber line charge will take effect, adding another dollar to consumers' phone bills. This charge will rise to $2 next year. Let's hope it stops there, as the FCC has promised. Otherwise, I know quite a few rural folks won't be able to pay their phone bill.

Speaking of deregulation, the entire telephone industry is just beginning to emerge from a protracted period of drastic change—change that has left small, independent, rural telephone companies reeling. Many didn't know if they would be in business a year down the road. Now that the industry is settling into its new, deregulated phase, rural phone systems are better able to evaluate their futures, and are again lining up for help from their old friend, REA. REA is needed more than ever by small, rural telephone systems. Witness its current first-time current first-time loan applications, which total close to $90 million, or its entire backlog of loan applications of half a billion dollars.

Thanks to the ERA telephone loan programs, rural Americans pay fair rates for their local telephone service. But their local service is far different from yours or mine. Consider this: While you or I might be able to pick up the phone, and on a local call, dial any one of 3 million citizens, can you imagine what it's like calling your child's school or the hospital—long distance? REA telephone borrowers reach an average of only 5.8 customers per mile of line compared to thousands in urban America. And it costs an average of almost $2,000 per rural customer to provide the service that we have all come to take for granted. In some areas, it costs as much as $7,000 to provide a household with a phone, which is substantially more than it costs in urban areas.

Most REA borrowers could not dream of paying commercial interest rates. Few can even afford to pay the rate charged by the rural telephone bank—9.5 percent.

What about universal telephone service? To a large degree, REA is responsible for it; for your ability to pick up the phone and reach virtually anyone in the country. We can't afford to abandon our commitment—either to universal service or to rural America. Can you imagine going backwards to a time when you couldn't call a relative on the farm? It could happen. But not as long as the REA programs are intact. Having a phone in Vernon, TX makes the phone in New York City or Washington, DC more valuable, since it creates that unbroken link in a truly universal telephone network.

As modern technology continues to create new and sometimes mystifying capabilities like data transmission and computer shopping by phone, rural America must be allowed to keep pace, to constantly upgrade its telecommunications systems—first to single party, digitalized service, then to compatibility with this vast array of new technology, or run the risk of finding itself forever disenfranchised from the mainstream that is America.

Today, with the REA Program in its 50th year, and the telephone programs of REA in their 36th year, much has changed from the days when Carl Freeling met with the farmers of Tolbert, TX to organize the Santa Rosa co-op. No, modern, efficient telephone service didn't just happen. The real story of the development of rural telephony is not one story, but hundreds of individual stories. The buried cables leading to a customer's pushbutton telephone follow a path that someone walked 36 years ago to get the signatures and memberships that led to the establishment of a telephone cooperative.

REA telephone borrowers are proud of their history, their record of service, and their record of complete and total repayment to the agency that made it all possible—the REA.

Let me offer my congratulations on this 50th anniversary, with best wishes for another 50 years of service to the people of rural America.

51-059 O-86-22 (Pt. 8)

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman for his contribution.

Mr. PENNY. Mr. Speaker, will the gentleman yield?

Mr. DE LA GARZA. I yield to my distinguished colleague, the gentleman from Minnesota.

Mr. PENNY. Mr. Speaker, I thank my colleague from Texas, [Mr. DE LA GARZA] for organizing this special order on the 50th anniversary of what is undoubtedly one of the most successful Federal efforts in the history of this Nation—the Rural Electrification Administration.

The people of Minnesota have many special reasons to celebrate this birthday. First, much of our State is rural. Thousands of farms depend on the REA for the electricity that drives modern-day agriculture. Second, former Minnesota Congressman and Secretary of Agriculture Bob Bergland is also now the head of the National Rural Electrific Cooperation Association. Finally, in my district of southeastern Minnesota, we shared in a very special way this heritage known to many simply as "the day the lights came on." Red Wing, MN, which is in Goodhue County, was the sight of the very first experiment by the Northern States Power Co. to see whether extending electricity to farms was practical. On Christmas Eve, 1923, a 6.3 mile experimental Red Wing line was energized to serve several Burnside farms including the Burnside Consolidated School.

The Red Wing Republican Eagle, Red Wing's daily paper, made special mention of this event recently by commenting on the U.S. Postal Service decision to issue a special stamp commemorating the first electric lines to rural America. Instead of Red Wing, the stamp will commemorate Madison, SD, where the small rural community of Renner was energized on that same Christmas Eve in 1923.

Whoever gets the credit for being the first rural community to receive electricity, we have all shared in the benefits many times over, the benefit of electrification that the REA helped to bring to all of rural America. To close my comments on this special part of our history, I would like to quote Partick Dahl, who recently wrote in Midwest News:

"The coming of the light and power to rural areas, the first magic glow of the naked bulb in the farm home, was witnessed by farm families with awe. Even today, the recounting of that high and moving moment imparts a sense of wonder. Countless stories are still told of that night: of children, and parents, too, running through their homes, turning lights on and off, of women quietly weeping to see new appliances—their electric servants—really working.

Rural life and work, rural society itself, was transformed forever.

Those words speak volumes about the importance of the REA to the development of rural America. Today we celebrate 50 years of success for this vital program.

□ 1550

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman.

I think we might add here another side of the partnership, because we do not exclude the public utility companies, the privately owned utility companies, but rather they are part of this unique partnership in that they complement. They are a capitalistic for-profit type of corporation and they could not come for profit to many areas, so there came then the REA, not to the exclusion, not in competition, but to complement and that partnership now extends to such a degree that the investor-owned rural electric cooperative, which is in partnership with the people, its membership, their users, with a Government who assists them in financing, with the private public utility company who many times sells the power to the REA. It is not a competition. It is not an exclusion, but rather a partnership.

I guess that is the beauty of our system. That is the beauty of our country. That is the thing that we have fought and died for. Without attaching any emotional involvement, that is what it is all about, the ingenuity of the American tradition, the American mind in the Congress and outside the Congress, working in unison, that when the private sector reaches a point where it cannot service, then not in competition, but in complementing, we find a way in which Government can involve itself, hopefuly always not to the detriment, but rather to complement, the one to fulfill the need and in unison.

So here we have a three-cornered hat partnership, the Government, the public utility, the private investor-owned REA, all working in unison, not one against the other, but bringing light to rural America.

Mr. Speaker, I thank the gentleman for his contribution.

I yield to the distinguished gentlewoman from Nebraska [Mrs. SMITH].

Mrs. SMITH of Nebraska. Mr. Speaker, I thank the gentleman for yielding.

I wish to thank my distinguished colleague from Texas [Mr. DE LA GARZA] for his leadership in organizing this opportunity to pay tribute to one of the most successful Government programs in our Nation's history, the Rural Electrification Administration.

Since its creation on May 11, 1935, the REA has been a significant contributor to the development of our rural communities across this country. Today, nearly 1,000 member-owned rural electric systems provide service to about 25 million people in 46 States, Puerto Rico, and the Virgin Islands.

Ninety-nine percent of our farms and rural homes are electrified today, largely with power provided by REA-financed generation and transmission facilities.

This achievement is no small feat, particularly in a Nation with the broad geographic expanse that separates many of our rural residences. For example, the representatives of REA who have come to visit the Capitol this week from my home State of Nebraska can attest to the sparseness of population across the Great Plains and Sandhills areas, where in one case in my home congressional district, 47 miles separate nearest residences.

Without the vital provisions of financing and engineering assistance for cooperatives and other electrical companies in the countryside, many of our rural areas might still be without electricity to power the milking machine, television sets, and the yardlights that speckle the rural landscape on those crystal-clear nights that are familiar to those of us with rural backgrounds.

Today, nearly all of us take for granted the conveniences that electricity offers in our daily lives. Yet as one who watched as the REA was founded and developed during its early years, I can recall the days when electricity wasn't available to the average farm family. In those days of the kerosene lantern and the washboard, perhaps no one foresaw the manner in which "the electric" would come to influence our way of living.

Indeed, no one probably would have guessed the tremendous influence of the Rural Electrification Administration 50 years ago, either. At that time, in the midst of the Great Depression, rural electrification was originated to help put people back to work. While this was the original idea, little time passed before it became evident that the gigantic task of lighting the countryside would require the skills and organization of a group of professionals with expertise in engineering and management, and an understanding of the rural life that would be so revolutionized by this wonderful gift.

In foresight of this development, a fellow Nebraskan, the late Senator George Norris, took the leadership in converting the REA to an independent lending agency with $40 million in loan authority, to be extended to farmer cooperatives, public utility districts, and municipally owned power companies.

The rest is history, as the REA program has grown steadily, along with the electrical needs of rural America. In 1941, more than 100 million dollars' worth of loans were made for the first time by the agency. By this time, REA-financed cooperatives and companies had over a million customers.

This growth has continued to the current day. To date, the cumulative amount of loans and guarantee commitments made to REA borrowers has totaled over $50 billion. And in this time of harsh financial conditions in the heartland, only $44,478 in loan principal and interest losses have been recorded—a loss ratio of approximately one ten-thousandth of 1 percent.

Certainly, this phenomenal record speaks for itself. I would like to take this opportunity to heartily commend all who have been instrumental in the efforts of the REA to light our homes, to bind together our rural communities, and to provide rural America with a new lifestyle that otherwise might not have been achieved. I look forward to a continued cooperative effort between the Federal Government and rural America, to ensure the continued vitality of our rural electrical system.

Mr. DE LA GARZA. Mr. Speaker, I thank the gentlewoman.

Forgive me for intervening periodically with personal experiences, but as I travel throughout this country and abroad, most of our travel is at night to get to a hearing for the next morning or to get from one place to the next place to be there for the hearing the following morning; we are so blessed and it is so beautiful as you fly across America, to fly across rural America, to see those lights out there. You can tell the size of the community. You can tell that they have a little football stadium, or a little league stadium. You fly in many other parts of the country and see these wonderful things.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

ORDER OF BUSINESS

Mr. GINGRICH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE], who I think has the time next after me and clearly has a number of very distinguished Members who want to participate in what I think is a very educational special order already begun by his colleague, the gentleman from Texas, so I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] be allowed to proceed next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

COMMEMORATION OF THE 50TH ANNIVERSARY OF THE RURAL ELECTRIFICATION PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. PICKLE] is recognized for 60 minutes.

Mr. PICKLE. Mr. Speaker, I yield to my colleague, the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, first, I want to thank the distinguished gentleman from Georgia for his kindness and generosity.

This would be an added tribute to rural America and to the REA.

Let me just conclude by saying that in many other countries, including Europe, you will see darkness as you fly across the countryside, no lights, no bluish-greenish lights. Now and then in Africa and some other areas you will see a bonfire. You see a flicker that you know is somebody burning some logs. This is their power. This is their light.

Throughout America you see those bluish-greenish lights throughout the countryside and you know that it is a public utility or the REA complementing each other and bringing light to rural America.

Mr. Speaker, I thank my colleague, the gentleman from Texas, for yielding to me these last few minutes.

Mr. PICKLE. Mr. Speaker, I want to thank the gentleman from Texas [Mr. DE LA GARZA] for this special order. I am pleased to continue that special order.

I particularly want to thank the gentleman from Georgia [Mr. GINGRICH] for his courtesy.

Mr. Speaker, 15 years ago, this body held a special order to express support for the Rural Electrification Administration and to celebrate the 35th anniversary of the REA. Joining me during that first session of the 92d Congress were some of the staunch supporters of the REA. Today, I join with my friend KIKA DE LA GARZA, along with many of our colleagues, in celebrating the 50th anniversary of REA. This program is a great and good program that just keeps getting better.

The Rural Electrification Administration was created on May 11, 1935, by Executive Order 7037 by President Franklin Roosevelt. REA was made an agency of the Government exactly 1 year later with passage of the Rural Electrification Act.

When REA was created, only about 10 percent of the Nation's rural families had central station electric service. Rural America, for many, was a dark and dreary landscape, offering some promise and hope, but without that one critical element necessary to make this rich and fertile countryside productive and properous—electricity. One young Congressman from the 10th District in Texas was extremely dedicated to the cause of getting electricity to his constituents. Lyndon Johnson knew then, as we know now, that electricity can change for the better the lives of rural Americans.

Since the Rural Electrification Administration began, more than 99 percent of America's rural areas have received reliable, central station electric service, and more than 25 million people, including most of the Nation's farmers and ranchers, are served by the nonprofit, locally owned electric cooperatives made possible by the REA. One of the direct benefits resulting from the creation of this small Government agency was the creation of the most productive agricultural industry in the world. In the 1920's, before rural electrification, the American farmer could feed himself and about 20 other people. By the 1950's with much of rural America benefiting from rural electrification, that same farmer was able to feed himself and about 50 others. Today's American farmer feeds more than 75 people.

Agricultural production improvements are not the sole benefit of rural electrification, however, as a result of bringing electricity to light up the countryside, vast improvements in the quality of life in rural America have evolved. The educational testing levels of rural children improved markedly upon the advent of rural electrification. People who live in rural America today have the advantage of modern health care with access to the highly sophisticated medical technology. Rural American housing has also improved. The advent of rural electrification has enabled, in many sections of the country, central heating and air-conditioning and a resulting improvement in the general health of rural people of all ages. Rural telephone service has brought neighbor close to neighbor, within quick calling distance of friends and communities.

Rural electric cooperatives, capitalizing on the experience and expertise that brought rural electrification in the countryside, have taken the initiative in many communities to bring needed facilities and services such as community health care facilities, water and sewer improvements, irrigation projects, and more. Just recently, the Pedernales Electric Cooperative, in the central Texas hill country and part of my congressional district, has instituted a communications system in their area for emergencies that is so good that the city of Austin is looking at it as an example for a system they might institute. PEC has already had many other services going as has Bluebonnet Electric Cooperative which is also located in my district.

These, and other rural electric systems across the country, have worked to bring business and industry to the communities they serve, to provide the vital off-farm jobs that diversify the rural economy and that provide the means of support that allow young people and small family farmers to stay in the communities in which they were raised, and where they might wish to stay. In fact rural electric borrowers, in the past 20 years, have assisted in the creation of more than three-quarters of 1 million new jobs in rural America, jobs that keep people

on the farm and out of the already impacted cities.

These are troubled times in rural America. People who come from farming backgrounds and who want to continue to farm, committed young farmers who employ the best techniques to achieve maximum efficiency are being driven off the farms by the thousands each month because of a variety of economic conditions. Without the economic diversity created in part by these rural electric systems, that situation would be far worse than it is now.

Times have been tough in rural America before. But, since the coming of essential light and power made possible by rural electrification, there has always been a friend in the rural community—the rural electric cooperatives—whose leaders are concerned activists willing to lend a hand to solve whatever problems are present at the time, leaders who remain committed to the improvement of life in rural America, to the concept that agriculture, America's most vital industry, must be preserved and must flourish.

Mr. PICKLE. We do have several speakers and I would be willing to yield to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, today I join with my colleagues in commemorating the 50th anniversary of the Rural Electrification Program.

In tracing the history of electrification of rural America, we are reminded of the high ideals, aspirations, and determination of the American people. A half century ago, rural Americans saw their need for electric power and light and worked with each other and the Federal Government to realize this dream. As a skeptical world watched, these pioneers created their own cooperative rural electrification program that has grown to over 1,000 co-ops across our Nation today. User-owned rural electric service not only enhanced the quality of life of the rural communities, but has made all of America a greater nation by the creation of jobs, advanced technology for hospitals, better serviced schools, and increased productivity to feed our Nation and a hungry world.

Since its inception, the Rural Electrification Program has made vast improvements in life on our farms and across rural America. At a time when our farmers face great economic adversities, we must continue to nurture and carry on the dream envisioned by rural pioneers 50 years ago.

□ 1600

Mr. PICKLE. I appreciate the gentleman's contribution. His State has been one of the best participants in the REA Program we have in this country, and many of our leaders in the program came from Carolina. We appreciate the gentleman's contribution.

Mr. GUNDERSON. Will the gentleman yield?

Mr. PICKLE. I now yield to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Speaker, as we all rise this afternoon to commemorate the 50th anniversary of the Rural Electric Program, I really can't help but observe how far we have come in our goal of electrifying rural America since the Rural Electrification Administration was created by Executive order in 1935.

Quite frankly, the REA Program was born out of the American sense of equality—that people who reside in rural areas should have substantially similar utility service as their urban counterparts.

And, as I have mentioned on the House floor on previous occasions, that certainly wasn't the case in 1936 when one of my predecessors, Garner Withrow, who served Wisconsin's Third Congessional District as a Progressive and a Republican for more than 15 years, took the well of the House to speak in favor of the very first REA authorizing legislation.

He eloquently pointed out that of the 6.8 million farms in the United States in 1936, over 6 million were without electricity. Even with the advent of the electric milking machine, America's dairyland—Wisconsin—had but 20 percent of its farms wired for electricity. And some States, such as Arkansas, Louisiana, and Mississippi, were barely at the 1-percent level.

In short, the lack of electricity created a dramatic difference between life in urban America and life in rural America—a variance that was incompatible with our basic concept of equality.

And, as Republican Congressman Charles Wolverton of New Jersey so appropriately noted on the floor that same day in 1936, the REA would come to establish a permanent and comprehensive national rural electrification policy that not only bring the conveniences and comforts of electricity to American farmers, but would also stimulate American industry by greatly increasing the demand for electrical equipment and appliances.

Now, Mr. Chairman, from a rural electrification rate of 11 percent in 1936, we can now boast a near-perfect 99-percent level. Does that mean the job of REA is finished?

Hardly. On the contrary, we've just begun and, fortunately, are nearing completion of but the first phase of providing electrical service to rural America at reasonable costs.

As the REA begins its second 50 years and the second phase of its overall mission, we must consider those changes that will permit the program to respond and adapt to the ever-growing diversification of electrical needs in rural America while, at the same time, preserving the program's essential purpose. And, Mr. Speaker, that's a lot easier said than done.

It will take carefully crafted legislation to make the necessary adjustments in the program to preserve and extend our investment in the future of rural America. And, make no mistake about it, the challenges to that future are many.

Technological innovations for rural America are drastically altering the quantity of electricity needed by farmers. The exodus of many city dwellers to rural areas will increase the quantity and diversity of utility services demanded.

Thus, if we ever needed a healthy and dynamic REA to meet these new and dramatic challenges, it is today. Accordingly, as we pause to reflect on its first 50 years, we cannot help but consider the future of the Rural Electric Program as well.

It was rather ironic last weekend traveling through my district I stopped into a bakery in one of my towns to obviously buy some sweets to eat along the road, and as we were paying for it at the cashier's counter the lady there started bringing up some of her problems where she lives. She said: "You know, I live out here outside of town." It is near one of the more urban communities in my district. And she said a number of things were wrong and then she finished it by saying: "And, you know, I am on the Rural Electric Program so my rates are a lot higher than my neighbors who live in town."

What that points out is a fallacy which has existed so often, unfortunately, in this community, this town. That is that rural electrification provides a subsidy and, therefore, cheaper rates, rural electric rates to rural people than the urban consumers have at the same level of service. That is not true. She bore out those facts last weekend and we have seen those facts evidenced many, many times.

So the challenge of the REA in the future is going to be much. It is going to be providing the increased demand for electrical services. It is going to be responding to the changing electrical and technological needs of rural America, and most important it is going to be the challenge of trying to provide that service at rates equal to and not higher than our urban brothers and sisters.

The mission has started. It deserves a great commemoration for the progress it has made, but it is not completed.

I thank the gentleman very much for yielding me this opportunity to join with him in this celebration.

Mr. PICKLE. I thank the gentleman and thank him for his comments, and I know all those who participate in the REA Program appreciate his comments.

I think it is good for us to repeat again what the Members have said, that today, after 50 years of the operation of the REA, over 99 percent of the farmers in this country participate in the REA Program. And they can receive reliable, central station electric service.

Today, after 50 years in operation, over 25 million Americans receive electricity through these cooperative programs.

Now, that is important to know that that kind of service has been given to them by nonprofit, locally owned electric cooperatives made possible by the REA.

One of the direct benefits resulting from the creation of this small governmental agency was the creation of the most productive agricultural industry in the world. Today our agricultural production is the envy of the world.

If there is any one thing that the U.S.S.R. covets from us it would be our capacity to produce from our agricultural resources. They cannot do it. They try, and it seems like each year they have a shortage and they call on us for help. And we are glad to help.

But with all of their vastness of land, still they do not have that productivity, and I think a lot of it is the result of the REA Program.

In the 1920's, before rural electrification, the American farmer could feed himself and about 20 other people. By the 1950's, with much of rural electrification benefiting our people, that same farmer was able to feed himself and about 50 other people. Today the American farmer feeds more than 75 people.

Now, that is productivity and that shows you how much we have increased, threefold, in production.

Agricultural production improvements are not the sole beneficiary of rural electrification. However, as a result of bringing the electricity to light up our countryside, vast improvements in the quality of life in rural America have evolved.

The educational testing levels of rural children have improved markedly upon the advent of rural electrification. People who live in rural America today have the advantage of modern health care with access to the highly sophisticated medical technology that was beyond their dreams 50 years ago. Rural America housing has improved. The advent of rural electrification has enabled in many sections of the country central heating and air-conditioning, and a resulting improvement in the general health of rural people of all ages.

Rural telephone service also has brought service neighbor to neighbor within quick calling distance of friends in the community.

So all of these services have come about because of rural electification and we should be grateful and salute this program on its 50th anniversary.

Mr. WRIGHT. Will the gentleman yield?

Mr. PICKLE. I am pleased to yield to our distinguished majority leader, the gentleman from Texas [Mr. WRIGHT] who knows something first hand of this great program.

□ 1610

Mr. WRIGHT. I thank my very good friend JAKE PICKLE for having yielded to me. I am grateful to him for having had the foresight to take this time in order that some of us on the House floor might say a few words of nostalgia, of gratitude, and of the progress that has occurred on the rural scene since that 50 years ago when rural electrification made its debut.

There are a few of us left who can remember childhoods when there was no rural electrification.

As a student in elementary school I used to visit my friends on their farms. There were no electric lights, they used lanterns. Sometimes they used candles, usually if they were lucky they used lanterns.

There was no such thing as a telephone on most Texas farms. Those outside my hometown of Weatherford certainly were not blessed with telephones. Fewer than 10 percent of the farms had the benefit of any use of electricity whatever. There were no electric pumps by which they could pump water. Many of them had windmills. They were dependent upon the vagaries of the weather and the water tables underneath them for their sustenance, for their health, for the well-being of their farms.

With the coming of rural electrification progress began to spread across America's landscape. America's farm families, over so many years, denied the privileges that had so long been available to their city kinsmen, became better customers and there burgeoned an entire new market for such things as deep freezers, refrigerators, electric fans, ultimately air-conditioning and television and telephones and all those things that symbolize this abundant American life that we enjoy and celebrate in this country.

I think on this occasion it is worth observing that rural electrification in the process of one generation turned America around from a stage in which fewer than 10 percent of our farms had the benefit of its benign services to one in which more than 90 percent of those farms enjoyed electrification.

When it was begun there were some who claimed that it was a terrible invasion on the part of Government in competition with private industry. The truth of it is that the private electric companies had chosen not to extend their electric service to farms because it was too costly, because it did not pay them, in the bottom line, to see to it that those American families had the benefits of electric service.

When we provided rural electrification with the benefit of a benign Government, a Government who reached the hand of friendship out across the miles to help those farm families to enjoy a part of this abundant life that is America, everybody benefited. The city electric companies did not lose anything. All along they had had the privilege, if they desired, to extend electric service to the farms and had not done so. And so it was no unfair competition to them. The marketplace, alone and unattended, the real selfish motive of profit its only goal, would not have provided service for many, many years, quite probably decades, to rural America.

It is in those occasions in those instances when it is not profitable for private industry to do that which is beneficial and in the public interest that a Government that serves its people, that is responsive to its people, has found that it can provide the difference, can create an atmosphere conducive to letting it be possible for these people through the organization of cooperatives to do it for themselves. We made that possible through low-interest-rate loans.

The Government has lost no money as a result of them. In fact, the entire economy is infinitely richer because of the broadening of the buying power and the participation in this economy by millions upon millions of additional people. I think the same thing may be said for such intuitive things as the Tennessee Valley Authority and other things that our Government has done to make life more abundant for America's farm families and other families previously denied.

On this 50th anniversary I certainly want to congratulate my friend Jake Pickle for having brought this to our attention.

Mr. PICKLE. I thank the distinguished majority leader.

Mr. Speaker, I was amused at his recollection of the early days of REA when he visited some of his rural farms out of Weatherford. It brought back to my memory some of my own experiences on a more limited basis. But I just wondered today how many Members of this body or those who might be listening can remember the days when we had to use the kerosene lamp. I wonder how many of you have had the chore of filling up the lamps at night so that you might have illumination during the evening.

I recall one of the comments that President Johnson used to say that that kerosene lamp caused him to have more ambition than almost any-

thing he had to do except milking the cows. And that one of the almost hateful tasks he had was each night he had to somehow get that kerosene 5-gallon can and empty it out into the lamps. He said always the kerosene would get on your hands. Usually we had lost the little stopper on it and you would have an Irish potato and that sufficed. You could just slap that old potato on there and that held it pretty good.

But I will tell you, when you go to pour it out from that can into the lamps or into small buckets it always spilled over, it got on your hands, your hair, on your clothes, you would smell it all night. You would go inside the house at night and you could not get the wick lit just right, you would either get too much wick or too little wick to too much air or not enough kerosene. The lamp would get colored and sometimes you would have to blow it out and clean it and start all over again.

I imagine many a young man took a vow that "If ever I can get away from the kerosene lamp I will try to make something out of myself." I say that kind of facetiously but there is a lot of truth in it. So that is my recollection of the early days of the kerosene lamp. I remember them.

I vouchsafe that you would remember them too.

I yield to my good friend from Maryland.

Mr. MITCHELL. I thank the gentleman for yielding.

Mr. PICKLE. I yield to the city man from Maryland.

Mr. MITCHELL. For the education of a poor old city fellow, what was the advantage of the Irish potato? What qualities does it have?

Mr. PICKLE. The potato was actually the stopper on the kerosene lamp. You always somehow lost a little screw, the little lid on it. When you did not have a lid on it you could not just let it go.

Mr. MITCHELL. So you used the Irish potato.

Mr. PICKLE. It served as a lid. You would just clamp it on there, the Irish potato.

Mr. MITCHELL. Would the gentleman yield a bit further for the education of this poor urban fellow?

Did the Irish potato have some absorptive capacities that took up some of the fumes?

Mr. PICKLE. The Irish potato did nothing but serve as a stopper, and it was not perfect because sometimes when you would stick it on the kerosene would come out and you would think it would be a good air seal but no such thing.

□ 1620

Mr. WRIGHT. If the gentleman would yield, I think our friend from Maryland [Mr. MITCHELL] needs to understand that no one sought then to eat an Irish potato that had been soaked by kerosene. That was not recommended.

In fact, it was highly discouraged. That served no purpose whatever in giving flavor to the potato. In fact, it saved the kerosene itself from evaportation and saved some spillage and possible danger, you know, if somebody had struck a match or a flickering ash had fallen from the fireplace onto that kerosene that might have spilled out on the floor, you could have had a fire.

Now, kerosene did have certain other values. Among them, if you had Bantam chickens or other types of chickens——

Mr. MITCHELL. Would the gentleman yield at that point? What kind of chicken?

Mr. WRIGHT. I would say a Bantam chicken, primarily, or another kind of chicken that had scales on its legs. You could rub those scales with "coal oil" which was a name applied to kerosene by some, and the scales would fall off, as if by magic. It was a marvelously wonderous medicinal purpose that it served.

But one did not eat the Irish potato, notwithstanding.

Mr. MITCHELL. May I thank both of the gentlemen; really I came here to learn and I have been very well educated in the last 2 or 3 minutes of this dialog.

Mr. PICKLE. I appreciate the gentleman's inquiry, and I know that he needs to be educated about these matters.

Let me say to the gentleman that the Irish potato helped, but it was quite difficult because after a time, the potato would just shrink a little, shrivel, and when you go to put that lid back on, you did not always get the same little ring you had made before, so you would be cutting another one. Pretty soon you would cut that potato up, and then it would spill off completely. It was not an easy task, and I tell you, living on a farm those days.

Now we tell about these things lightly. The fact of the matter is, it is well to remember that that is how we lived in rural America in those days, and the hardship you had with the lamp, the difficulty of hauling water, the great ordeals that our womenfolks went through as they tried to iron or wash. All of that disappeared, essentially, when we got the RE going full swing.

So it is good for us to recall these things, and though we might make light of it, it is a serious thing for us to remember.

I yield to the gentleman from west Texas, who is a real farm boy if we ever had one in the House.

Mr. STENHOLM. I thank the gentleman from Texas for yielding, and I must say, in the recent colloquy between the gentleman from Maryland and the gentleman from Texas, my difficulty in remembering is somewhat greater. I was 2½ years old when electricity first came to our farm, but I can remember as well today as that day that one little wire hanging from the ceiling with the one light bulb on the end and the electricity coming in. I can remember it as though I see it today. How, I do not know; I remember very few other things.

I certainly do not remember the difficulties of kerosene at that age. I was not entrusted with the lighting of the lamp at that age; I was too little. But I fully remember.

Mr. PICKLE. Some of us more mature Members can remember those days.

Mr. STENHOLM. I would say this, Mr. Speaker. It is particularly fitting that the gentleman from Maryland has participated today, since he is waiting for another special order today which I intend to participate with him in: The commemoration of the Small Business Week for the United States.

In my district alone, I have 12 rural electric cooperatives with headquarters within my district. I have another 7 who have lines that come within my district, and I think that many of the things that he and I both will say in our recognition of the importance of small business, will be particularly apropos and applicable to the Rural Electric Program, because those rural electrics provide many jobs, they provide many job opportunities, they in fact provide many opportunities for other small businesses who have been created within those rural communities and those small towns. That is what small businesses are all about.

I think it is very fitting that we recognize both the Rural Electric Program in its 50th anniversary, but also as we celebrate Small Business Week, we recognize we are talking about one and the same: Small businesses, working together to provide the jobs to provide that which has made America the great country we are.

I would further say to the gentleman from Texas, knowing a little further of your background, of the tremendous role that you have played throughout your political career and even before that, in seeing that we have gotten to this point of the 50th anniversary. The activities that you have been a part in, I know that others will join with me in saying "Thank you, Jake" to the gentleman for the tremendous leadership that you provided.

When I was a rural electric manager and president of the Texas Electric Cooperatives Association, working from the other side of the desk, or the other side of this Chamber, you might say, in recognizing the importance of

those who have recognized, as the majority leader so eloquently expressed himself before.

Today I say thank you to a colleague.

Mr. PICKLE. I appreciate your comments very much. As a former manager of a rural electrification system, you can speak firsthand of the great good work that those cooperatives do, and that we hope they continue.

They have grown, and they have prospered. It is good for us to remember how much they really have grown. Let me give an example. When we started out in the Pedernales Electric Cooperative—of course, there were no users, and they said you could not get 100 people signed up. You could not get 200 people on the whole system, and they turned him, their Congressman, Lyndon Johnson down.

I remember he put on contests; he would say to different people: "If you'll go out and get people to subscribe, I'll get the one who signs up the most this month, I'll give him a hat."

I remember one man, E. Bade Smith, won the contest, one hat. One time he got 55 people to sign up. That was a monumental task, but that was quite an accomplishment.

Now from the days where we had no members, today we look at Pedernales Electric Cooperative. Today they have over 65,000 users on that one system alone. In the Blue Bonnet, which is located at Giddings in Lee County just below our city of Austin, that cooperative today has 42,000 people signed up who use electricity from that system.

Now that is over 105,000 people. That is almost half as many people in the whole district when we started out years ago. So it is good for us to remember how much we have done, how much we have accomplished, and therefore it is well for us to pause today to remember the 50th anniversary of the Rural Electric Cooperative Program.

I would be happy to yield to the gentleman from Oklahoma at this point.

Mr. WATKINS. Mr. Speaker, I do seek recognition.

Mr. Speaker, it is a privilege to have the opportunity to speak before this body commemorating 50 years of electrification to rural America. I can remember when the lights came on for the first time in my rural area south of Bennington in southern Oklahoma. Electricity changed our lifestyle as it did for many rural Americans. The pride of rural Americans in themselves and their accomplishments grew as rural areas became plugged into the rest of the world.

The "night the lights came on" has become an unforgettable event in the lives of many rural people. Yet, today we take for granted this efficient system of nearly 1,000 member-owned rural electric systems that provide service to about 25 million people in 46 States, Puerto Rico, and the Virgin Islands.

The year 1935 was the beginning of rural development with President Franklin D. Roosevelt's signing the law that created the Rural Electrification Administration. Now, 50 years later we stand at the edge of decision. Will this Congress accept the ideaology of this administration to terminate a program that has been successful and changed the lives of so many people. REA changed the philosophy of rural Americans and their outlook on life. It was a light that overshadowed the darkness and despair of the period.

Today, we have the same kind of despair and tragedy in rural America as we see more than 50,000 farmers expected to be forced off the land this year. Electricity was the only light at the end of the tunnel for rural Americans in the late 1930's and early 1940's. For many it was the spark of hope as they realized that finally someone was taking notice of rural problems.

It is tragic that in a year that we are commemorating 50 years of successful service to rural America from the REA Program that this administration is proposing termination of REA. If the administration has their way it will be a blackout in rural America, because with fewer people on the lines rural users will not be able to afford the cost of electricity. Deregulation of the telephone company has already increased the rate of telephone subscribers.

It's not a coming storm that will affect rural electricity as portrayed so vividly in Thomas Hart Benton's painting. It's a storm that's already here. And, if the administration has anything to do with it then it won't blow over. It's a storm that will knock out the power to the homes and farms of every rural American. Combined with proposals to downgrade soil conservation programs and given agriculture's current economic status rural homes and farms face the biggest Dust Bowl and blackout since the 1920's and 1930's.

Anyone who was involved in the blackout a few years ago in New York City can describe the chaos and terror that struck the city that summer night. That same apparent danger is visible today in the proposals that have been made in the budget concerning REA.

When REA was created in 1935, only 10 percent of U.S. farms had electricity. By providing low interest loans to rural electric cooperatives, REA brought electric power to millions of rural homes that private utilities found unprofitable to serve. Today, 99 percent of U.S. farms have electricity.

A big enough breakerbox couldn't be built to absorb all the shocks that rural America will take as a result of the proposals by this administration. Without affordable power and continued quality service, rural America will virtually shut down. Granted the rural people will suffer, but higher electric rates will transfer to consumers through the purchase of food in the grocery store.

The administration has a choice today, to continue its efforts to weaken the bonds of a structure that has been a 50-year success or to use a tool that can provide rural development that will build jobs and keep farmers and ranchers on the farm and provide a cheap food policy for the consumer. We must decide. Are we going to throw the switch on rural America? Let's keep the current flowing across this great country and through its rural communities. Fifty years from now, will historians recall 1985 as the year that the REA Program was used to strengthen rural America or will they recall that 1985 was the year the administration terminated REA and the rural citizen have their electric bills increased 50 to 100 percent for some rural electric co-ops. If that occurs, then President Reagan has accomplished his purpose of exploiting the farmers from American soil—that surely will be a sad and tragic day.

□ 1630

Mr. PICKLE. I thank the gentleman.

The gentleman from Oklahoma heads up the Rural Electrification caucus for this Congress, and probably does as much as any Member of this Congress to advance the cause of rural America. His activities here the last few years have been very significant, and he certainly knows whereof he speaks when he talks about the value of rural America and the importance the REA Program plays in that program.

I would remind the gentleman that time was when REA's got started with 3 percent money, you could borrow money at very low rates. Now, 30 or 40 years ago 3 percent was not such a low rate. It was a pretty average rate. Today it seems like an extremely small figure. We have gotten away from that, and rightly so, and the co-ops now get money at the cost of Government, as they should be, but, in addition, now the cooperatives have formed their Cooperative Finance Corp. into which they have bought shares, and that program has built. So today when a cooperative goes to borrow money, it does not come just straight to the Government for appropriated funds, but they also can participate in their CFC; in other words, they are building up a financing mechanism to finance their own program, and that is good.

I am told just recently by the cooperative in my district, the Blue Bonnet, that they have asked for a loan of some $29 million. The REA would pay 70 percent of that loan and the CFC would pay 30 percent. In other words, it is a sharing program, and that amount is growing, so that if things continue on the present course, the cooperatives will be largely able to finance themselves.

I think the present administration thinks the REA is another social program and therefore they ought to cut back on it or do away with it. It is not a social program. It is an investment in America that is as important as our educational system and many other programs. So we must tell that story.

Now, today as I conclude this special order I want to commend the Rural Electrification for their 50 years of service to the American people. It has been a magnificent gift to the American citizen, and we should be grateful for it.

I would hope that the co-ops, though, out across our land would remember that they represent the people on the farms, by and large, and they are the ones they are serving. They are not serving themselves, they are not a utility, in the sense of the big private companies. They are supposed to be serving rural America. And I would hope that they would ask the members of these cooperatives what they want, what kind of service can they give. I would hope that the members who belong to the cooperatives go to their annual meetings and just do not take it for granted that the cooperatives are going to treat you right.

□ 1640

You go there and voice your opinion and cast your ballot; have a say-so in that cooperative so that they know what you are thinking and how you are feeling. If you have got some disagreement, remind them that the program belongs to you, not just a cooperative or someone else, but belongs to you, one of the members.

I would hope that the co-ops also would expand their services as they have in many different fields now, from electricity to housing to telephone service, and even today they are implementing on many of their farms solar systems. What a perfect system it is to augment their own farms.

So I think a lot of things can be developed and we can see further growth in both industry and business as we continue this program. It is very important that the people realize the importance to the American people. It is good for us in the Congress to pause long enough to say again that this is a good program; it has meant as much to America as any other one program, and we have got to remember it.

I think if I was to paint a last scene here before I leave, I would ask you a question, I would ask you people this question: What is the most peaceful scene that you can imagine? If someone were to ask you, what is the most restful or peaceful scene that you can have?

I will tell you what I think it is. I think it is being able to go to bed at night on a farm and listen outside and hear the tinkling of the windmill. A gentle breeze, blowing strong enough to turn that wheel; you hear the clinking and tinkling of the mill knowing that there is wind; water is being pumped; maybe a little rain. As you look out now, with REA in, you can see the illumination of a night light made possible by the cooperative. That is a restful scene. That is good for America. Let us keep it that way.

The accomplishments of the REA Program are truly deserving of much praise. It is appropriate that this body take note of those accomplishments. I want to thank my good friend and colleague, KIKA DE LA GARZA, for his leadership on this issue. I also want to salute this body for its role in the establishment and continued concern and efforts on behalf of electrification for rural America. I hope we will indicate our support for this program by continuing our present funding for the REA at the fiscal year 1985 level.

● Mr. EVANS of Illinois. Mr. Speaker, in the past 50 years the Rural Electrification Administration [REA] has played an invaluable role in the development of our rural areas. It continues this tradition today, providing many of our rural communities and outlying areas the electricity needed to light their homes, and the power necessary to operate local businesses and industries.

This tradition of excellence is now under attack. The Reagan administration's budget for fiscal year 1986 calls for, among other things, the phase out of all REA loan programs by 1990. While this proposal leaves no doubt as to the future of the REA in the eyes of President Reagan and OMB, it cannot be interpreted as a recent decision, based solely on current budget realities. No; the REA was lined up in the gunsights of OMB long before the administration's budget was released. The call for a complete phase out is only the final salvo in a war of attrition which the administration has been staging with the REA over the past few years.

These efforts have been successful to date. The staff of the REA has declined to its lowest level since 1938. On June 30 of this year, the agency had 625 employees. It was authorized for 660. Shortly afterwards, the USDA put a freeze on new hiring at REA until the end of the fiscal year. This, in light of the fact that in May 1982, before the Subcommittee on Conservation, Credit, and Rural Development of the House Agriculture Committee, REA Administrator Harold Hunter, in response to questions concerning the shortage of manpower at the agency responded that "we're just about to the point now where we're ready to move ahead on that".

The level of morale at REA has followed suit. The employees are now subject to attempts to dismantle the agency through the elimination of essential divisions. "If I wanted to kill the rural electric program, the very first thing I'd do is abolish the engineering standards division," says Bill Matson, general manager of the Pennsylvania Rural Electric Association. That, of course, is exactly what the administration has proposed.

The engineering standards division establishes and enforces standards of safety, quality, and efficiency in the construction of rural electric systems, and provides technical assistance to REA borrowers and REA field representatives and the headquarters staff. These standards require all rural electric systems to use uniform materials, equipment, and plant design, which in turn holds down construction costs and enables rural electric crews to help each other to quickly and safely restore electric service in times of disaster.

The administration rationale for elimination of this division is based upon their unflappable belief that, as with many other Government-administered functions, private industry could carry out this function in a more effective and cost-efficient manner. I think that argument is deserving of some thought. Most private industries, as far as I know, are in business to make a profit. To achieve this goal a company will take a good, hard look at the costs involved in their production and/or service process, and determine whether or not the total costs justify their commitment of time, energy, and capital.

With that in mind, let's take a brief look at the scope of the product and service developed and administered by the REA: Only about five families live along each mile of rural electric line. It takes more than half the Nation's poles and power lines, owned and maintained by 1,000 locally owned, nonprofit rural electric systems, to serve 25 million people in the far corners of our Nation. Nearly 75 percent of all rural electric systems have higher costs and higher rates than neighboring urban facilities.

Does that sound like a scenario that most, if any, private industries would be willing to tackle? Moreover, can we seriously believe that the 50 years of REA experience which have made electricity a reality for our rural areas can be readily duplicated by an untold number of separate private businesses? I think not.

As a member of the House Agriculture Committee, I am keenly aware of the essential services which our rural electrification program has provided for millions of our rural citizens. I am also greatly concerned about the effect that the elimination of this program could have on our agricultural sector, which is currently in its worst throes since the days of the Depression. Then, as now, this program gives our farmers the security of a reliable source of electricity at a reasonable rate. To eliminate the REA would just be one more problem heaped upon our farmers. Moreover, it would seriously hinder the development of our rural areas. In this moment of need, we must work to see that this imprudent and short-signed proposal does not reach fruition.

I urge our colleagues to look beyond the budget-cutting rhetoric of the administration and do everything in our power to see that the REA is not forced to die a quiet yet untimely death.●

● Mr. BROYHILL. Mr. Speaker, 1985 marks the 50th anniversary of the Rural Electrification Administration, a program that made electric power a reality for rural America.

The story of the Rural Electrification Administration is remarkable, a shining example of what Americans can accomplish when they work together in their local communities.

The Rural Electrification Administration was created when President Franklin D. Roosevelt signed Executive Order 7037 on May 11, 1935. One year later, Congress followed and passed the Rural Electrification Act.

Soon after, farms, ranches, and rural homes and businesses began to be transformed. The farmer now had a new "hired hand"—the electric motor. It brought with it unlimited potential for increasing agricultural productivity. Exhausting daily chores became greatly assisted by electric power. Furthermore, electricity furnished extra daylight hours in the farmer's barn allowing more time to be devoted to his harvest.

While the rural economy was being revolutionized, something special was also happening in America's homes. Electricity provided unlimited power and light for work and leisure.

Electric-powered appliances helped with the housework while affording more time to families to do what they enjoyed. More time could now be spent studying, worshipping, relaxing, and playing. Overall, limited leisuretime became more satisfying and work became more productive and rewarding.

Although most Americans today can take electric power and its benefits for granted, it is important for us to recognize the accomplishments of the Rural Electrification Administration. Because the REA and Americans all across this land have toiled for half a century at improving our rural communities, the quality of American life has improved immeasurably.●

● Mr. TRAXLER. Mr. Speaker, I am pleased to join today in paying tribute to the programs that have helped to provide electricity to our rural areas throughout the country. This is a most appropriate special order, because rural electric is most special.

We all too often fail to appreciate the programs that make our lives more livable each day. We become so used to having certain things available that we simply expect that they will always be there.

This hasn't been true for the provision of electric power in rural areas. Many public power companies would not take the risk of expanding into these areas because of the cost of providing service. But people in rural America need electricity just as much if not more than the people in our more populated areas, and the Rural Electrification Administration has helped to provide this assistance over the past 50 years.

More than 25 million Americans get their power from 1,000 rural electric systems that were developed with the help of the Rural Electrification Administration. Many of the people that I represent get their power from an important entity in my congressional district, the Thumb Electric Cooperative, and they pay fair prices for the service they receive. If it wasn't for REA, I know that the lives of these people would be vastly different, and the community structure of this area would also be quite different.

But I am very sad to say that after 50 years of aiding the people who live in rural areas, REA may soon find its ability to continue to provide assistance curtailed if the President's budget is adopted. As he has with so many other important domestic programs, he has said with his budget that the effort is no longer needed. That is not what I hear from the people I represent, and that is not what the Subcommittee on Agricultural Appropriations on which I serve was told my several witnesses. They told us that without REA their lives would change. People would find it difficult to live in certain parts of the country, and many more would face deteriorating service as electric power systems continue to age. But in the view of a few, we would "save" money.

It is true that some suggest that these rural systems should get financing from private sources. But rural areas are not the prime operating areas for investment bankers. And even if such loans would be made available from private lending sources, few electric co-ops could afford the interest rates while those who could would be forced to increase their power rates dramatically.

Mr. Speaker, I believe in the greatness of our country. I believe that this greatness is the product of we recognizing as Americans that our country has diverse needs, and that we will be the strongest when we meet as many of these diverse needs as possible. One-line platitudes are easy, and for this reason many people choose to believe them. But I challenge anyone to meet with people who depend upon rural electric co-ops and hear about the importance they have for their members, and then come back and tell us with a clear conscience that these programs can be cut.

The Rural Electrification Administration has helped millions of Americans since its creation, and the National Rural Electric Cooperatives Association has done stellar work in keeping all of us informed of the continuing need for REA programs. It is a privilege for me to participate in this tribute, and I hope that all of our colleagues will join me in wishing our rural electric programs another successful 50 years.●

● Mr. RANGEL. Mr. Speaker, it is my pleasure to join with my distinguished colleagues, JAKE PICKLE and KIKA DE LA GARZA, in this special order to commemorate the accomplishments of the Rural Electrification Administration.

As a New York State Assemblyman, I had the opportunity to personally learn of the benefits to my upstate rural farm areas of the rural electrification program. As a result, since I have been in Congress, I have consistently been a strong supporter of the rural electrification program.

Through the efforts of cooperative groups such as the Rural Community Assistance Program and the National Rural Electric Cooperative Association, a tremendous job has been done over the years of bringing affordable electricity to rural America. Our Nation's farmers and ranchers have been able to provide high-quality food and fiber because rural electrics have provided them with the electric power they needed to become efficient. The over 1,000 rural electrical systems now in operation account for and maintain nearly half the country's power lines. This has allowed our farmers to focus more on expansion and diversification of their economic activities. In so doing it has made America the feeder of the world.

The Rural Electrification Administration has enabled the public and private sector to build a thriving economy where once there were few, if any, job opportunities. Unfortunately, the Reagan administration now proposes, in its fiscal 1986 budget, to cut the legs out from under the rural electrification movement in America. To my mind this would be a tragedy Congress must not allow to happen.

I commend the Rural Electrification Administration, on this, their 50th anniversary, and want to express my continued support for the tremendous job REA programs have done. These programs reflect the indispensible role of electric power to the American farm system.●

● Mrs. MEYERS of Kansas. Mr. Speaker, I am delighted to join in this celebration of the 50th anniversary of the Rural Electric Administration. I extend my congratulations to all the rural electric co-ops who have made such significant contributions in raising the standard of living for our Nation's rural areas.

As a native of rural Kansas and Nebraska, I am aware of the great benefits in rural life made possible by electricity. In appreciation, I wish to extend a special note of recognition to the statewide association, the Kansas Electric Cooperatives.

This year as we debate the future of the REA, we profit from a review of what has made this program a success. By recognizing that a true need was being left unmet, and that private enterprise would find these sparsely populated markets unprofitable, a partnership between Government and nonprofit member-supported cooperatives has been able to bring electric power to rural America. In a model program, both parties have been able to do what they do best. The Federal Government provided the focal point and the seed money while the local organizations were able to shape the delivery of electric service to best fit their needs and resources.

I have only one co-op which represents a very small portion of my district. However, REA was an instrumental factor in those great advances in American farming which we all enjoy today. Much of the productivity of our State's great wheat farms can be traced to the availability of electric power. The REA was charged with bringing power to rural America, a job which they have performed magnificently. The future of REA is a self-sufficient program insuring our hard earned gains will benefit future generations.●

● Mr. GAYDOS. Mr. Speaker, 50 years ago, less than 10 percent of all rural Americans enjoyed the benefits of central station electric service. Even in a densely populated State such as Pennsylvania, only 25 percent of the farms and rural homes were electrified.

Today, virtually every corner of the Nation, including some of the most remote areas, are served with electricity, largely because of the work of the Rural Electrification Aministration.

This Saturday, Mr. Speaker, will mark the 50th anniversary of this Agency. It was on May 11, 1935, that then President Franklin Delano Roosevelt signed the Executive order creating the REA, an agency that over the years has provided loans, loan guarantees, and other forms of assistance to about 1,100 rural electric utilities and more than 1,000 rural telephone companies in 46 States, Puerto Rico, the Virgin Islands, Guam, Rota, Saipan, and Tinian.

Quite frankly, if it were not for REA, many parts of this country would be without electric or telephone service.

Those of us from Pennsylvania, however, have a special closeness to the REA Program, primarily because the concept was developed during the 1920's by Pennsylvania Governor Giffort Pinchot.

During that decade, Governor Pinchot commissioned a study of the Commonwealth's electric utility industry and one of the principal recommendations was that everything possible should be done to bring the State's farmers and other rural residents into the 20th century by providing them with electric service.

As a testament of the work done by that study commission, it should be noted that Morris Lewellyn Cooke, the man who directed the electrification study for Governor Pinchot, was chosen by President Roosevelt to head up the REA. In fact, Pennsylvania is particularly proud of its role in the REA because the second administrator of the administration was John M. Carmody, also from the Keystone State.

In addition to serving to extend electric power, initially, and telephone service later, REA was developed as an unemployment relief program. The idea was to provide or guarantee loans to construct rural electric and telephone systems with the assurance that the actual construction would be done by the WPA.

As a Pennsylvanian, Mr. Speaker, I take great pride in honoring the 50th anniversary of this most important program. The services rendered to America's farmers and rural dwellers in the past 50 years cannot be overstated.

The benefits of this program, initially to the millions of unemployed during the Great Depression who were able to earn something and feel productive, and later to thousands of once-isolated families, are visible to the eyes of anyone who has traveled outside our primary and secondary population centers.

I am delighted to offer my anniversary wishes to the Rural Electrification Administration.●

● Mr. FRENZEL. Mr. Speaker, today we have an opportunity to pay tribute to one of the greatest examples of the cooperative spirit that binds our Nation together * * * the Rural Electric Administration.

Fifty years ago the lights began coming on all over rural America, leaving confused farmers holding on to pull chains, fearing that the light would go out. The confusion soon passed, as farmers began to realize the potential for electricity. Workloads were considerably reduced, productivity increased, and activity on Main Street soared. The electric co-op soon became a vital foundation for rural communities, as powerlines went up around the country.

In its 50 years, the REA has put 25 million consumers on the lines of rural electric systems. Nearly half of the country's powerlines are operated and maintained by the Nation's rural electric systems. The era of the "Dirty Thirties" was transformed forever when the REA brought light to rural America. It is proper to pay tribute to the REA, a stellar example of people and communities working together in a spirit of cooperation.●

● Mr. GLICKMAN. Mr. Speaker, it is with great pleasure that I join my colleagues today in marking the 50th anniversary of the Rural Electrification Act. The last 50 years have given rise to dramatic improvements in the quality of life for rural America, due in large part to the farsighted thinking of the originators of the Rural Electrification Administration.

Few other government programs have achieved the remarkable success of this program. Through it, rural America literally came out of an age of darkness into the modern world and at the same time, American agriculture has grown to one of the most imposing economic powerhouses on the globe.

We are now in the midst of writing a new farm bill, one which will be of critical importance to the future of agriculture. As we do so, we surely need to think critically about our policy and where it needs to be reformed. We live in a different world and we need updated policies to lead us into the next 50 years of advancements. However, we should stay mindful of the success Federal agriculture policy has accomplished. The critics, naysayers, and forecasters of doom and gloom see nothing but mistakes and peril in our policies. In their ideological zeal, critics would remove government's constructive hand from farm policy and cast American farmers adrift on an uncertain sea.

To them, I say: "Take a closer look." In our enthusiasm to criticize, improve, and reform, let us not forget what we have achieved. From the bleak, dark days of the Depression and the Dust Bowl, we have an industry which drives 20 percent of our economy, employing 20 percent of our workers, and reaching every corner of the country, indeed the globe. The REA has been a full partner in that success, and will continue as we move into the 21st century.

Cut spending and wring out the waste from government programs, yes. But slash them wholesale without thinking of the consequences, no. REA is of crucial importance and needs continued government support. Rural America is now with lights and telephones, but to continue to develop and grow and meet the challenges of the future, those needs will not wither, they will remain as pressing and crucial as ever before.

Today is truly a remarkable day. Ask any farmer in rural Kansas and he will affirm my amazement and support for the work REA and the network of our Nation's rural electric and telephone cooperatives have done. This is a legacy which must be preserved and built upon, not cast aside. Let's keep those lights burning bright.●

● Mr. ROBINSON. Mr. Speaker, it is truly a pleasure to be here today to salute the 50th anniversary of the Rural Electrification Administration [REA]. Most of us here cannot imagine what life before the REA was like, but many of my constituents probably remember it first hand. They remember the difficulties of providing wholesome food for their families because they did not have electric refrigerators. They spent hours performing tasks that now take only seconds because now they have electricity.

With the advent of electricity in rural America came economic development. Rural electric borrowers, in the past 20 years, have assisted in the creation of more than three-quarters of a million new jobs in rural America, not to mention the millions of new jobs that were created because of electrification in general. Today over 50 percent of my constituents live in rural areas, and over 98 percent of them enjoy electrical service. That is pretty impressive, and I give much of the credit to the REA.

The success story does not end with electricity. In 1949, the REA was granted the authority to make loans for telephone service. Never again would the elderly, the young, and the helpless be isolated by the many miles that separated them from their neighbors.

The goal of rural electrification is being met, and all of America has benefited. No longer is rural America isolated from mainstream America. Indeed, rural America is mainstream America.

It is rare to see a cooperation between government and private individuals to be so successful. The last 50 years have proven that such partnerships can work. Arkansans continue to be involved in bringing efficient, inexpensive electricity to our State, and I am proud to offer my congratulations and heartfelt thanks to them on this very important anniversary.●

● Mr. ENGLISH. Mr. Speaker, I join with my colleagues today in recognizing the invaluable contribution that the Rural Electrification Administration has made during the past 50 years to thousands of people in rural America as well as our Nation as a whole.

Our Founding Fathers believed that all men were created equal and REA Programs have certainly helped bring equality to living standards in rural areas.

In 1935, electricity reached fewer than 12 percent of our Nation's farms. In 1982, 99 percent of our farms had electricity. REA's responsibility to modernize and strengthen this vast network is as important today as starting the system was 50 years ago.

Economic growth depends upon strong energy networks and REA's role in these networks is crucial to ensuring that rural America shares in the economic growth of our Nation. Without the REA, farm families and small businesses in rural areas could be priced out of the electric market. No doubt, that would be devastating to the economies of rural areas.

We must take this 50th anniversary as an opportunity to repledge our support for the REA and the people which it serves.

TELEPHONE SERVICE IN RURAL AMERICA

In 1949, the mission of the Rural Electrification Administration was expanded to include telephone service when Congress declared a national policy of assuring the availability of adequate telephone service to the widest practical number of rural users.

Undoubtedly, the REA Program has been one of the greatest success stories of our Government and its citizens working together. In my own State of Oklahoma, only 32 percent of the farms had telephones when the program began in 1949. Today, more than 95 percent of the State's farms, as well as many rural homes and businesses, have telephones.

The story of the Panhandle Telephone Co-op in Oklahoma is an excellent example of the success of this effort to improve the quality of living and working in rural areas.

Back in 1950, no commercial telephone company was willing to assume the task of providing telephone service to the rural areas of the Oklahoma Panhandle with extensions into Texas, New Mexico, and Colorado. Even today this co-op has less than one subscriber for every mile of telephone line. The task was not economically attractive, and existing telephone companies were not eager to incur great expense and risk to extend lines into these remote rural areas.

For 6 successive years, 1962 to 1967, the co-op operated at annual losses in its struggle to meet service needs. But it never gave up. Competent managers—formerly Bob Jeffries and currently Gary Kennedy—along with the co-op's succession of dedicated board members, fought hard and made great personal sacrifices to explore every possible way for the struggling co-op to meet its telephone service needs.

In 1974, the co-op was one of the first of the Nation's co-ops to pioneer the cost study method of dividing toll revenues with Southwestern Bell and General Telephone. It was recognized that although this new procedure would require more work and effort from management and employees, it would produce significantly greater toll income to keep local rates low. Ever since, balance sheets and operating statements have steadily improved.

In view of the current changing nature of telecommunications industry, the co-op alerted its customers that telephone service pricing through-out the Nation is changing drastically—more than at any time in history. Court and regulatory commission efforts to induce competition into telephone services are forcing the price of most telephone services to be changed to reflect their precise cost levels. Co-op representatives appeared before a panel of State and Federal commissioners to argue the case for preserving affordable local telephone rates for small rural communities. Universal service at affordable rates must be preserved or we will end up with universal service only for those who can afford it. The deregulation of airline rates has either eliminated service or has produced tremendous increases in airfares for rural towns. Deregulation of telephone services must not force the rural citizen to give up his telephone or even curtail its use.

The opportunity for Panhandle Telephone Co-op to succeed was made possible by a loan from REA. On the 50th anniversary of the REA Program and the 36th anniversary of the telephone program I offer my congratulations to the agency for helping to provide adequate affordable telephone service to constituents in my district. I extend my best wishes for an additional 50 years of service to rural areas throughout the country.●

● Mr. FUQUA. Mr. Speaker, it is my sincere honor and privilege to participate in the special order today commemorating the 50th anniversary of the Rural Electrification Program.

The REA means a great deal to me and to my district in particular. Out of the 18 REA's serving the State of Florida, 11 are in my district.

Little did President Roosevelt know when he signed an Executive order back in 1935 to create the REA that so many lives would be touched and affected by his hope of bringing power to rural areas.

As of January 1, 1985, Florida's rural electric cooperatives were serving more than 480,000 people over 46,000 miles of line. Over the years, these low densities have continued to present difficult economics for the rural elec-

tric systems and in Florida there are only 10.4 consumers per mile of line, a challenging task to this day.

The rural electric leaders of our State and throughout the Nation are to be congratulated on the contributions thay have made to this Nation. Happy 50th anniversary to REA, rural electrification, and to all its leadership and members.●

● Mr. BUSTAMANTE. Mr. Speaker, light has long symbolized creativity and progress. But light was more than a symbol for the majority of rural Americans in the 1930's who lived without benefit of electricity. Light was a badly needed service. As late as the mid-1930's, 9 out of 10 rural homes were without electric service. Since businesses and factories tended to locate in cities where electric power was readily available, rural economies were vitually dependent on agriculture. Yet without electricity, agricultural production was inefficient, and rural life was characterized by hard work and drudgery.

On May 11, 1935, President Franklin D. Roosevelt created the Rural Elecrification Administration [REA] by Executive order. REA switched rural America on with electrical power. But it was the involvement of the rural people themselves that really provided power for the electrification effort. Farmer-owned cooperatives, many newly organized for the REA loans, worked energetically and vigorously to obtain REA loans and being electricity to the countryside. Their cooperative efforts brought light to rural America and set the stage for growth and progress.

As we mark the 50th anniversary of the Rural Electrification Program, it is worthwhile to remember and recount this story in American history. It is also appropriate to pay tribute to those Americans who today devote their energies to delivering electricity to rural America.

Rural electric systems are consumer-owned utilities serving rural communities throughout the country. More than 1,000 rural electric systems form a rural electric network. In addition, in 39 of the 46 States in which rural electric systems are located, statewide organizations exist. These organizations represent members' interests and coordinate such services as communications, training, purchasing, billing, and research. Through the efforts of all involved in rural electrification, the lifeline of electrical power is brought to farms, homes, schools, community institutions, and commercial enterprises.

On this anniversary occasion, I want to say thank you to those who keep the lights burning across rural America.●

● Mr. FOWLER. Mr. Speaker, the rural electrification movement, spawned in the New Deal, is one of the great success stories of our recent history. In just 50 years, its efforts have transformed the face of rural America. As the very fine book put out by NRECA, "The Next Greatest Thing: 50 Years of Rural Electrification in America," says:

> Because there is electricity, the American farmer and rancher has been able to increase his productivity to easily feed our nation and to help feed a hungry world—at a cost that allows Americans to spend less of their income for food than people of any other nation in the world. Because there is electricity, millions of acres of otherwise arid or marginal farmland can be irrigated, stabilizing food production and lessening potential perils of drought and famine. Because there is electricity, Americans eat fresh foods of a quality that defies comparison with those of just a generation ago. Because there is electricity, small industries—or large ones—can locate in rural areas, diminishing population pressures on America's cities. Because there is electricity, millions of Americans have a real choice about where and how they want to live.

This is one urban Congressman who understands that the well-being of our cities, and indeed the health of our entire economy, is inextricably bound up with the prosperity of rural America. And while I join in celebrating 50 years of progress, I also share with the rural electric co-ops the belief that, contrary to the opinion of some in this town, the job is not done. There is still much to do in maintaining and building upon work of the past half century.

That is why I have introduced legislation in the House of Representatives that is designed to allow rural co-ops to compete on a more equitable footing with other businesses in providing employee pension benefits. Specifically, my bill aims to correct an oversight in current law in which NRECA's pension is excluded from the increasingly popular salary reduction pension savings program authorized by section 401(k) of the Internal Revenue Code simply because it is not a profit sharing or stock bonus plan.

Our national pension policy has sought to encourage a broad spectrum of Americans to save for their retirement and section 401(k) was adopted in furtherance of that policy. Yet because of their very nature, the rural electric co-ops do not have stockholders and are nonprofit organizations. Thus, they have been denied the pension benefits available to most public utility companies, for example.

My bill would explicitly allow defined contribution plans of rural electric cooperatives to include a qualified cash or deferred arrangement to encourage pension savings. Since the legislation is narrowly drawn to include only rural electric cooperatives, the revenue loss will be negligible according to the Joint Tax Committee. At a time of great concern over the deficit, this is a very important point in the bill's chances for success.

In closing, I want to congratulate the men and women who have built and sustained the Rural Electrification Program. But, truly, their monument is their work, which has so enriched the lives of millions of rural Americans.●

● Ms. KAPTUR. Mr. Speaker, today we celebrate 50 years of the Rural Electric Administration. It is hard to imagine that less than one lifetime ago rural Americans lived much like their pioneering ancestors. Before the coming of REA life in rural America was ruled by the amount of work that could be done by daylight. Without the modern conveniences of electrical appliances and farm equipment life was hard and there seemed little that could be done to improve the standard of living. Only the wealthy could afford electricity in the country. The average rural American could not escape from the daily drudgery of working without the assistance of electricity. That was before Franklin Roosevelt created the REA. This step gave rural Americans the opportunity to help themselves, improve living conditions, and increase agricultural productivity. The Government provided the opportunity but it was the people of rural America that brought about electrification through hard work, organization, and the cooperative. It is this spirit that today keeps over 1,000 rural electric systems serving 25 million consumers in the most remote areas of our Nation. In recognition of this achievement it is fitting that we commemorate the beginnings of this great program.●

● Mr. GRAY of Illinois. Mr. Speaker, it is a distinct privilege to join my distinguished colleagues J.J. PICKLE and KIKA DE LA GARZA in commemorating the 50th anniversary of the Rural Electrification Administration.

Having been raised on a farm I know first hand what a great value REA has been to rural America.

Since 1935 our country has been growing from mud roads and kerosene lanterns to super highways and modern farms, thanks in great part to this great program of electricity and telephones provided by REA.

As one farmer to another I salute these great achievements for America and wish REA well for the future. I want to thank my close friends for taking this time.●

● Mr. BARNARD. Mr. Speaker, on May 11, 1935, President Franklin D. Roosevelt signed an Executive order creating the Rural Electrification Administration [REA] to bring power to rural America. It is one of the greatest success stories launched by any government.

When the agency was created, only 1 out of every 10 farms had electric service. In the early months of the development of REA, it became clear that

power companies were not interested in REA's plan to construct electric lines with loan funds that were to be used on an area-wide basis. REA field personnel and the agency's engineers and planners in Washington found instead that it was nonprofit cooperatives, a familiar form of rural business enterprise, which were coming to the forefront, many of them newly organized for the REA loans.

Rural life and work, rural society itself, was transformed forever when rural areas became electrified. The entire process, organizationally and technically, was a test of the ingenuity, resolve and skills of rural citizens and their leaders.

Georgia has several cooperatives which build generating and distributing plants, and provide power at comparatively low costs to thousands of Georgians in rural areas. I have seen first hand what a difference REA can make to bring opportunity to rural users and rural businesses. The facilitation of telephone and electric services has permitted a section of the country that might have been left behind to keep up with more populous areas where the communication and energy industries prosper. The REA has played an important role in unifying numerous small communities and improving the quality of life.

Again, I wanted to take this opportunity to congratulate the Rural Electrification Administration on the occasion of their 50th anniversary. Universal electric and telephone service has become a near-reality because of REA's efforts, and all Americans—urban and rural—have benefited from this achievement.●

● Mr. HOPKINS. Mr. Speaker, we celebrate today the golden anniversary when opportunity was extended to rural America some 50 years ago—the creation of the rural electrification program which brought electricity to millions who otherwise would have been left in the dark as our Nation surged to the forefront of a bright new age of technology.

Nearly 99 percent of rural households now enjoy the convenience of electricity, a monumental achievement directly related to the establishment of the Rural Electrification Administration. Witness the growth of rural cooperatives in Kentucky today: some 26 electrical distribution cooperatives serve 400,000 separately metered accounts throughout the State.

The economic challenges of the 1980's are similar in scope to those our forebearers faced when the campaign for universal rural electricity was born a half century ago. Absent REA's strong partnership with the rural electric cooperatives, the dream we know today as reality may never have been obtained.

We salute today those whose vision of a better America inspired the rural electrification movement half a century ago. On behalf of their heirs—nearly all rural Americans who now have electricity—we are eternally grateful.●

● Mr. ROSE. Mr. Speaker, May 11—this coming Saturday—marks the 50th anniversary of the birth of the Rural Electrification Administration—more familarly known as the REA. I rise today to commemorate that anniversary and commend the fine job that the REA and rural electric cooperatives have done in "turning on the lights" in rural America.

In 1985, it is difficult to imagine a world without electricity. But in 1935, most of rural America was without electricity, and most rural Americans lived in intolerably primitive conditions. Nowadays, we tend to romanticize about those times when a farmer milked his cows by lantern light or a mother scrubbed her clothes on a washboard or children carried water from the well to the house. As romantic as this scene may be now, it was a tragedy in 1935, and on May 11, 50 years ago, President Franklin Roosevelt signed the Executive order establishing the REA.

This important Executive order, and the Rural Electrification Act—introduced by the late great Sam Rayburn—brought abut the most dramatic change ever in the lives of millions of people in rural areas. Mr. Speaker, farmers no longer had to milk their cows by lantern light, mothers could own labor saving electric appliances, and children could get water from the tap inside the house rather than having to go to the well. Electricity transformed these people's lives from a life of drudgery and slavery to a life of just plain hard work.

After the establishment of the REA, neighbors joined with neighbors to form rural electric cooperatives and worked together to make electricity a reality. These cooperatives are a testament to the American spirit of hard work and ingenuity.

Mr. Speaker, even before I came to this House, and through my position on the Agriculture Committee, I have seen the fine work that rural electric cooperatives have done in bringing electricity to rural areas. The affordable electricity provided by cooperatives has allowed the expansion of agribusiness, and has brought about technological changes that make American Agriculture the envy of the entire world. Also, Mr. Speaker, electric cooperatives have spurred the growth of industry in rural areas, bringing much needed jobs to people who otherwise would have been doomed to a life of unemployment.

As much of a success story as rural electric cooperatives have been, they are still needed as much today as they were back in 1935 to provide affordable electric power to rural America. Unfortunately, on the eve of the REA's 50th anniversary, this administration has made two proposals that would effectively eliminate rural electric cooperatives and the reliable service they provide. One proposal is to eliminate the REA Engineering Standards Division. The other proposal—a plan to replace the REA's general fund rule with a working capital criterion—would make 70 percent of the rural electric cooperatives ineligible for new REA loans or advances on already approved loans. Mr. Speaker, in a time that we are trying to promote economic growth and recovery, it makes little sense for this administration to eliminate one of the best vehicles for economic growth and recovery.

I want to commend the REA and all the rural electric cooperatives for their dedication over the past 50 years, and I look forward to their continued service for the next 50. Thank you.●

● Mr. MONTGOMERY. Mr. Speaker, I want to commend the chairman of the Agriculture Committee, Mr. DE LA GARZA, and the gentleman from Texas [Mr. PICKLE] for taking this special order today. I am happy to join with them in paying tribute to the Rural Electrification Administration [REA] on its 50th anniversary.

It seems hard to believe today that up until the mid-1930's only 10 percent of all the farms in this country had electric service. It was not until 1936, when the REA was created by President Roosevelt, that a serious effort was undertaken to "turn on the lights" in rural America. Today, as a result of REA and the very dedicated and hardworking people who made it a success, 99 percent of U.S. farms enjoy electric service.

Mr. Speaker, it would have been worth the effort if this work had only been done to make life more convenient for those in our Nation who chose to farm the land and provide food for America and the rest of the world. That alone would have been a worthy goal. But, the REA's effect has been much greater.

The more than 1,000 rural electric cooperatives across the country have enabled the American farmer and rancher to increase productivity tremendously, for obvious reasons. Small businesses, as well as larger ones, have been able to move to a more rural setting because of the availability of electricity. That has meant new jobs and better opportunities for everyone involved.

Another positive result has been the fact that the REA and the rural cooperatives have become a vital part of the communities they serve. The directors of the co-ops are the leaders in those communities and they have worked over the years to continue to improve the quality of life for these people.

There is no doubt that the REA has been good for Mississippi. Our State is predominately rural and I can tell you that it was the rule rather than the exception to find homes without electricity in the 1930's in my part of the country. The REA helped change all that and the cooperatives are at work today making sure that the systems are updated and things are running smoothly.

Mr. Speaker, we appreciate what the creation of the REA has meant to the people of Mississippi, as well as the rest of rural America. I am proud to take part in this recognition of its golden anniversary.●

● Mr. DERRICK. Mr. Speaker, it is indeed a privilege to join my colleagues today in offering recognition and praise for a program that in 50 short years has had the most profound of impacts on rural America: the Rural Electrification Program. At the outset, I want to thank my distinguished friend and colleague, the chairman of the House Agriculture Committee, KIKA DE LA GARZA, for reserving time today for this special tribute.

As the Representative of a predominately rural district in South Carolina, I can attest to the lifelines, both economic and social, rural electric and telephone cooperatives have provided my constituents.

Mr. Speaker, approximately 340,000 business and residential customers are currently served by rural electric systems in South Carolina—over 3 percent of the total number of rural electric customers nationwide.

In 1935, when the REA Program was established by Executive order by then-President Franklin D. Roosevelt, only 2 percent of South Carolina's farms were electrified. By 1978, that number had climbed to 98 percent.

In addition to the immeasurable impact electrification has had on the lives and well-being of rural Americans, the economic impact of greatly increased agricultural productivity is impressive as well. Farmers whose production feed an average of 20 Americans in 1935, now feed an average of 75 persons per farmer.

As impressive as the statistics regarding increased productivity and economic activity are, perhaps the most lasting and significant impact the rural electric program has had has been on the quality of life in rural America. Not only has rural America been brought directly into the mainstream of life in this great Nation, but the overall health and well-being of these Americans has been greatly enhanced by the provision of basic services most Americans have taken for granted for many decades.

Mr. Speaker, rural electric and telephone services have and will continue to have substantial impacts on rural America. And since 1935, most administration's have worked hand-in-hand to provide the necessary financial mechanisms to allow these services to be delivered efficiently.

In the last Congress, the House passed comprehensive legislation aimed at shoring up the Federal fund which provides the lending base on which this program rests. It was a comprehensive reform package, drafted in recognition of the present constraints on Federal spending, that would have gradually increased interest rates to REA borrowers while rejecting less thoughtful approaches that simply eliminating many of these necessary loan programs.

Mr. Speaker, as a member of the House Budget Committee, it has been and will continue to be my aim to ensure that all Federal spending is carefully scrutinized and reductions effected equitably. The REA Program will necessarily be a part of this review. I intend to utilize my efforts, however, to ensure that each of my colleagues is aware of the outstanding record of success of this program, and its vital role in rural America.

Proposals aimed at immediately increasing interest costs to borrowers from the REA, as well as interest rates on repayment of existing debt from Federal Power Marketing Administrations—which are often significant sources of energy for rural electric systems—serve only to undermine the services rural electric and telephone cooperative must provide.

In fact, my colleagues might be interested to note that based on 1984 figures, the electric rates charged by rural cooperatives were higher than rates charged by neighboring utilities 72.3 percent of the time. In South Carolina, over one-half of the rural electric cooperatives must charge rates higher than neighboring utilities.

While we must appreciate and acknowledge the very important budget constraints we face, and the need to take effective action to lower Federal deficits, measures aimed simply at undercutting the goals and objectives of successful Federal programs must be rejected.

Mr. Speaker, I intend to work closely with my friend from Texas [Mr. DE LA GARZA], on this issue during this Congress. There are few, if any, programs that have such a positive and significant impact on rural Americans.●

● Mr. FASCELL. Mr. Speaker, I would like to take this opportunity to join our colleagues in commemorating the 50th anniversary of the Rural Electrification Program.

Special praise should be given to the leaders of the rural electric cooperatives, which serve an important part of the population in my home district in the Florida Keys, and throughout the State of Florida. I salute the dedication and leadership of the president and manager of the Florida Keys Electric Cooperative, the members who own it, and that of the Florida Rural Electric Cooperatives Association. Their accomplishments and progress over the years have helped the Florida Keys accommodate its unpredicatably rapid population growth and development.

The Florida Keys Electric Cooperative, located in Tavernier in the Florida Keys, was organized and incorporated in 1940. Its 45th annual meeting will soon take place. Although not a farming area like other areas served by cooperatives, the community which FKEC serves was in the 1940's primarily a fishing area. This fishing community provided the impetus for bringing electric service into the Florida Keys.

Back then, the Florida Keys consisted of only a few fishing camps, a few houses for commercial fishermen, some stores, a few Red Cross hurricane cottages, and a lot of mangroves. Only 59 consumers received electric power for about 6 hours a day from small generating plants. A few pioneers, who were dissatisfied with the lack of electric service, banded together to request the Federal Rural Electrification Administration to assist them financially in establishing an economically feasible, community-owned and built power system in an area not served by other utilities. As the need for electricity grew, FKEC expanded its operations so that its generating capacity could meet the needs of the populace, businesses, and fishing industry.

Today, the continued success of the operations of the cooperative remains strong. Looking forward, FKEC's most important step for the future power supply of the Florida Keys was an agreement for the interconnection with the City Electric System of Key West and the proposed wheeling of power to the co-op.

This investor-owned utility is a member of a parent organization located in Tallahassee, the Florida Rural Electric Cooperatives Association, which also deserves special mention. The 16 rural electric cooperatives which are members of the association provide dependable service to over 1 million citizens in 49 counties in Florida. These individual cooperatives depend on the insights and guidance of the association's leaders and staff to assist them in their many needs. The association has called on me many times to discuss various legislative issues of interest to them, and I am happy to continue my dialog with them.

Again, I join our colleagues in commemorating the 50th anniversary of the rural electrification of America. This is indeed a noteworthy celebration, for without rural electrification, America—and my congressional district—would have greatly suffered.●

● Mr. HATCHER. Mr. Speaker, it gives me great pleasure to pay tribute to the Rural Electrification Administration [REA] on its 50th anniversary. Hailing from a predominantly rural area in south Georgia, I have witnessed firsthand the positive changes that have taken through the work of the REA.

President Franklin D. Roosevelt had the foresight to establish the REA on May 11, 1935, and he was followed 1 year later with the passage by Congress of the Rural Electrification Act, which funded the REA. The subsequent success of the REA came largely from a concerted effort on the part of millions of Americans throughout the rural areas of the country. As we face what is considered one of the worst financial crises in the Nation's farm belt since the Great Depression, we should take note of the dedication and inner strength of those same Americans, who were able to bounce back from the depression and set the country on a road to prosperity again.

REA cooperatives today bring a standard of living to rural America that is comparable to urban areas. We should indeed be proud of the REA's outstanding record of achievement as we salute 50 years of rural electrification.●

● Mr. DYSON. Mr. Speaker, today I rise to join in the tribute to the rural electrification program on this, its 50th anniversary.

Only 50 years ago, millions of rural Americans routinely used wood-burning stoves to cook, kerosene lanterns for light, and hand pumps to get their water. Less than 1 farm in 10 nationwide had the luxury of basic electrical service. This harsh lifestyle was changed by the creation of the Rural Electrification Administration [REA] in 1935. This agency assisted rural communities to obtain financing which permitted them to build generating stations, transmission and distribution lines. The low interest charged kept the cost of electricity equal to what was paid by their urban counterparts. Later, this agency provided the means for rural areas to extend and improve their telephone service.

Today we salute the 50th anniversary of the program which brought rural America some of the comforts which had been available to urban dwellers for years. This program provided affordable, reliable electricity in the quiet corners of the country. These areas were routinely avoided by the large power companies because of the large investment required for startup and the small return on the dollar. From the REA came the electric cooperatives. Today there are still almost 1,000 electric cooperatives located in 46 States. Two cooperatives in my district, southern Maryland and Choptank, serve over 90,000 homes thanks to REA.

Rural America is not as large as it was 50 years ago. Our population is centered around urban areas where electricity is easily and readily available. However, those that have remained in rural areas, many of them ranchers and farmers providing for the needs of their fellow Americans, still depend on the rural electrification program to assure a dependable continuation of affordable energy.

In 1973 the Congress created the revolving fund, an independent, long-term source of capital which provides insured loans to finance the rural cooperatives. The low interest charged for these loans guarantees those receiving electricity in remote areas will pay no more than those in the cities.

In spite of all the service that the REA has provided over the decades, it is in trouble and faces an end of services. The 1986 ceiling is $800 million with no new guaranteed loans scheduled and the lending program is to be phased out entirely in 1990. This demise comes at a time when this program continues to provide the same dependable service it was originally designed to provide. Hundreds of thousands of Americans will be adversely affected by the loss of the Rural Electrification Program.

Much of rural America is facing continuing and escalating financial loss and stress. This problem is further aggravated by the plight of our agricultural industry. We cannot turn our backs on those families who have already sacrificed so much. The basic quality of life requires the availability of affordable electricity.

Mr. Speaker, fellow Members, in 1985, the golden anniversary of the REA and its goal to provide electricity to rural America, it would be a cruel act if we let this important program slip away when it is the backbone of electricity in rural areas. I ask you to join today in saluting the accomplishments of the REA and the rural electrification program and also commit yourselves to protecting this program for the citizens of America who depend on it, and us.●

● Mr. YATRON. Mr. Speaker, I deeply appreciate this opportunity arranged by the gentlemen from Texas [Mr. DE LA GARZA and Mr. PICKLE] to commemorate the 50th anniversary of the Rural Electrification Program.

There was a time when 90 percent of all rural Americans did not have access to central station electric service. With the establishment of the Rural Electrification Administration by President Roosevelt on May 11, 1935, however, a movement of cooperation between the Government and the rural community was begun that has resulted today in the participation of 25 million Americans in our rural electric systems. Individuals who otherwise would not have had the chance to utilize electricity for light and power were able to do so and farmers began to recognize the potential for electricity in their daily work.

In my home State of Pennsylvania, with a relatively dense population, the number of electrified farms 50 years ago was only 25 percent. Today, in the Commonwealth of Pennsylvania over 600,000 consumers are served by our nonprofit, consumer-owned rural electric cooperatives.

Rural electrification has a proud history. Virtually every corner of our Nation today has access to electric service, largely because of the work of the Rural Electrification Administration and rural electric cooperatives. The REA has been a very successful Government program that has helped to provide access to electricity to millions of rural Americans while helping to provide lower cost food to our urban population. Thus, the future of the American farmer and rural Americans continues to be linked with our rural electric systems. I am hopeful that this anniversary will serve to underline the importance of having an effective rural electrification system playing a pivotal role in helping us to address the current problems facing the American farmer. The REA has established a true partnership of the people with the Government and congratulations are in order for all those who have participated in a difficult job splendidly done.●

● Mr. MOODY. Mr. Speaker, I am pleased to rise today to commemorate the 50th anniversary of the Rural Electrification Program which is administered by the Rural Electrification Administration [REA].

The programs of the REA literally brought American farms out of the dark ages and changed the face of rural America forever. Because of the modernization programs of the REA, American farming became the most efficient and productive agricultural endeavor in the world.

Although my district is in an urban area, everyone in my State experiences the benefits of the REA programs—from farmers to urban dwellers with summer homes throughout Wisconsin. I will continue to support the work of the REA and would like to include in the RECORD the following article on the subject which recently appeared in the Milwaukee Journal.

[From the Milwaukee Journal, Apr. 7, 1985]

REA IS 50, MORE POWER TO IT

HATLEY, WI.—Frank Rombalski, 69, scratched the back of his memory for a moment but then wondered, why?

"It's such a nice thing to forget," he said.

But then he reached back again and the memories formed one little smile after another, not because of the things he had forgotten but because of the miracle that allowed them to be put behind.

The miracle is light.

This is the year of anniversaries in America—40 years since Iwo Jima, 10 since the

fall of Saigon, and 1 since Cyndi Lauper became a star.

But in some ways more significantly than any of those, 1985 also is the golden anniversary of the act that brought rural America out of the dark ages.

Though it means little to those of us born into a world of blow dryers and electric guitars, around farmhouses the birth of the Rural Electrification Administration is not going unnoticed.

Frank and Louise Rombalski remembered, as did Earl and June Olsen, who live west of Iola. Iola is the home of the Central Wisconsin Electric Cooperative that finally brought electricity to their farms in the mid-1940s.

"It brought the city to the country," Rombalski said.

"It revolutionized rural America," Olsen said.

The REA was conceived and ordered by President Roosevelt, who had concluded that rural America had gone without electricity long enough.

American cities were plugged in by then. There were lights, refrigerators and power to run pumps for indoor plumbing. But the wires seldom stretched to the countryside. Utilities considered farms too far apart to make rural electrification possible and profitable.

Many farmers felt short-changed even if they understood the economics.

"You weren't a second-rate citizen, but you couldn't have refrigeration," said Olsen, 72. "We didn't have water in the house."

Louise Rombalski said, "You had to make do, that's all there was to it."

But after the REA was formed, there was more to it. It offered rural citizens who formed cooperatives the low-cost loans needed to plant poles and string wire along country roads. They then could contract with the utilities that had previously snubbed them and buy current to replace the lanterns in the barns, houses and schools of rural America.

Olsen filled out his membership card on the hood of the organizer's car. Rombalski, who went from farm to farm to enlist co-op members, said some farmers had to save for a few months to get the $5 fee, but that the army of this revolution had no opponents.

Even before the lines went up, farmers hired contractors to prepare their buildings for power.

"The engineers at my place came kitty-corner across a field and, of course, I don't think we cared where they put the poles at the time," Olsen said. "Afterwards, I think they probably could have put them in a little handier place, but we just were glad to get current."

Current in the lines and current with the times. That was when farmers milked cows by hand in the yellow light of kerosene lanterns and tried not to have to go into the hayloft after dark.

"You had to carry that lantern with you, and it wasn't a very safe thing," Olsen said. "There were a few fires that were caused by that, but when electricity came . . . it was a great thing for farmers."

And farm women, for whom life was very hard.

Louise Rombalski, 68, who looked after her nine children and 14 cattle while Frank taught school at Galloway during the 1940s, said: "I only remember the worst part of it, pumping water by hand for 14 cattle twice a day for 45 minutes. The kids would watch me until they'd get tired."

But she couldn't get tired because there was not power for a pump and the water was needed.

June Olsen said:

"You worked all the time. You carried the wood in to heat the stove and that turned into ashes and you had to carry it out. You carried your water in, and then you carried it out. You worked all the time and you were tired by the end of the day. It's a wonder farmers lived to be so old."

Not all lived long enough to see rural America into the bright lights of the 20th century. Olsen's father died in 1937, after the REA was formed but before electricity reached his farm near Rosbolt.

"I often thought of that," Olsen said. "It sure would have been wonderful if he could have seen that. I lived with my mother until she was over 90 years old and I tell you, I was glad she had many years of electricity."

When power reached her farm, Louise Rombalski felt she was joining "the rest of the world, really. We had had nothing, no telephones. If we had good voices we could communicate with the neighbor across the road.

"We just couldn't believe it was happening. We got a break from some faraway place and all of a sudden, things started happening to us."

It was an awe-inspiring, exciting time. First came the poles, then the wire, Frank said, and "all of a sudden you'd see the neighbor had lights and you'd call to one another."

"What a wonderful thing. It was just out of this world, let's put it like that."

When the lights went on inside the house, the bathrooms could follow. Refrigerators, even if they weren't self-defrosting, ended the chore of lowering milk on a rope into the well to cool it, and meant fresh meat didn't have to be stuck away in salt brine in a crock in the basement to prevent spoiling.

It meant coolers for the milk house, power for the milking machine, and a measure of safety in the hayloft. And it meant that people in the country had access to the same conveniences that made life easier in the cities.

For those who could afford more, it meant labor-saving appliances. But for everyone, it meant lights.

"A lot of people said it could never be done, that farmers and rural people could never run their own utility," said Olsen, who, though retired from farming, still is president of the local electric co-op. Romba lski is secretary.

Theirs is one of about 30 electric cooperatives in Wisconsin and, like the others, is collecting notes on the past for a special publication marking the anniversary.

"You're young," his wife told a visitor as she served coffee from a percolator in her thoroughly modern kitchen.

"You don't realize what a struggle we had. When they talk about the good old days, bosh, they can have them.

"We certainly owe Franklin Delano Roosevelt a lot."●

● Mr. LEATH of Texas. Mr. Speaker, I rise today to commemorate the Rural Electrification Administration—a program that has helped countless rural Americans acquire something that we all take for granted—electricity. You know, it's hard to mention the REA without thinking of the man who did so much for that program, the man who represented for 42 years the district I now represent—Mr. Bob Poage. I talked with Congressman Poage a couple of weeks ago, when I was down in the district, and we discussed the problems of rural development that existed 50 years ago. "The first thing you had to develop," Mr. Poage said to me, "was the roads. Then you had to have electricity and then water."

But Congressman Poage wasn't one to just sit around and talk about how things should be. From the time he got to Washington Mr. Poage worked tirelessly to ensure adequate funding for the REA. He authored the bill expanding the program to include loans for telephone service, as well as the bill establishing a loan and grant program for rural water and sewer systems. I doubt we can fully appreciate what rural America would be like today without the contributions of Congressman Poage.

And the first step in the process was the creation of the REA. I'm proud to stand here today and tell you that the first REA cooperative in the Nation to begin producing electricity is located in Bartlett, TX, which it is my privilege to represent. I talked just last week with Mr. Horace Keith, who lives down in Bartlett. Mr. Keith not only worked to help string the original power lines, but served for almost 30 years as manager of the cooperative.

He and his wife Marie remembered well what it was like in those days before they had electricity, or telephones, or even roads to speak of. They remembered coal oil lamps, and wood stoves, and how Mrs. Keith washed the clothes for this family of eight children by hand, using a washboard and tub.

They spoke of how the REA program had not just benefited rural areas, but the entire nation's economy as well. "Just think," they said to me, "of the many washing machines, and lamps, and other electric appliances we all bought." And this was a time, let us not forget, when one-quarter of the American people lived in rural areas.

So today, Mr. Speaker, we salute these people who banded together and gave freely of their time, and energy, and know-how; these people who worked tirelessly to see the completion of their dream—a dream of electric service for all. "The most beautiful sight," Mrs. Keith said to me, "was the sight of the smallest shack, miles away from any neighbors, with that electric line now running to it. We didn't want to leave out anyone just because they were far away," she said, "and we didn't."

These people, ladies and gentlemen, are the people who have made Amer-

ica the great Nation she is—a nation where neighbors are brothers, a nation where all work for the good of the community, a nation where no one is left out. I'm reminded of a tree; because as you know, trees need strong roots in order to flourish—in order for the trunk to grow tall; in order for the tree to bear fruit. Without strong roots, that tree withers. Rural America is today, and always has been, the strong roots of our Nation, and may we never forget that America's success is built on that strength.●

● Mr. OBEY. Mr. Speaker, rural electric cooperatives helped to transform the quality of life for millions of farmers and other people in Wisconsin and other parts of rural America over the past 50 years.

When the Rural Electrification Administration [REA] was created 50 years ago, less then 10 percent of all rural families enjoyed basic utility services. In those years before REA, farmers had to endure enormous hardships and struggle with many of the simplest tasks we all now take for granted. Agriculture was a much more back-breaking endeavor than it is today and everything from pumping water to keeping food fresh was a major chore.

Without electricity, there was no easy way to raise water from the well. There were no electric lights or heat, no telephones, no electric irons, no washing machines or stereos, or television, or refrigeration. For Wisconsin's dairy farmers that meant lowering milk on a rope into the well to cool it. It also meant that you tried to avoid the hayloft after dark because of the dangers involved in taking a kerosene lantern with you.

The reason for this was simply that private utilities considered farms too far apart and the countryside too sparsely populated to make rural electrification a profitable commercial proposition. For many of the same reasons that the Federal Government provided assistance to the railroads in their endeavor to establish a transcontinental railroad system, the Federal Government established the goal of bringing electricity to rural areas.

REA offered rural citizens who formed co-ops the low cost loans needed to plant poles and string wire along country roads.

Today, reliable electricity and telephone service is available to 25 million people in 46 States throughout rural America at affordable rates set by farmers and their neighbors who are members and directors of nearly 1,000 member-owned local co-ops.

In Wisconsin, rural electric and telephone co-ops play a vital part in the State's economic picture. The 29 electric co-ops serve more than half of the State's farm and rural population—over 122,000 households. They also provide service to nearly 4,000 small commercial customers. And they have an important role in Wisconsin's tourism industry, providing service to about 32,000 customers for seasonal homes or cottages.

REA has come a long way and produced enormous benefits for rural America, but the job is not yet completed.

That's why I am very pleased to join in honoring REA on its golden anniversary not only to remember the great advances that rural America has enjoyed as a result of its work, but also to wish it and the rural co-ops it supports many more good years of service bringing light to the people of rural America.●

● Mr. THOMAS of Georgia. Mr. Speaker, this day marks the 50th anniversary of the birth of rural electrification. It is an anniversary of a day that began a transformation of America.

The Rural Electrification Administration is, of course, a national program. But in Georgia, we lay claim to being the State that was the cornerstone of its creation.

It is almost impossible in 1985 to understand the incredible burden of poverty that held rural America in a relentless grip some 50 years ago. It was a yoke that was particularly heavy in the rural South, and it oppressed both our people and our economy.

REA is today such an unqualified success that we tend to take it for granted. And yet, it was a revolutionary concept when it was established, and there were many who predicted its failure.

It succeeded in large measure because it was handed to local people by the Government as a kind of seed, and it was placed in their hands to be planted and nurtured. This organization of local control is very much alive and well today in the system of local REA cooperatives. When you talk about a partnership of local citizens making a government program work as it should, you are talking about REA.

I am very proud of the fact that Mr. Walter Harrison of Millen, GA, in my congressional district, was one of the key leaders in rural electrification in its earliest days, and remains one of its most respected and effective leaders. He is one of the most accomplished and intelligent men I have ever known, and he typifies the citizen leadership of rural electrification.

Today, there are critics who say that REA has worked itself out of a job. They contend it is time for the Government to pull the plug.

They are wrong for at least two reasons.

First, the work of REA is far from complete. It is a thriving, hard-working enterprise, and if its labors are stilled, it would be a tragic step backward toward a rural America that was a national burden rather than a national resource.

Second, the REA has been a program that makes money for the Government in both the loans made to help fund its operation and in the tax revenue that comes from economic activity made possible by REA power.

Mr. Speaker, it is well known that rural America today faces its greatest crisis since the Great Depression. Falling commodity prices, soaring production costs, and declining export trade are just some of the reasons that America's rural economies have been ravaged at a time when the rest of our Nation has enjoyed a period of recovery.

Agriculture and agribusiness remain this Nation's largest employer. But agriculture and rural America have been gravely wounded in recent years. If we compound those problems by an attack on REA, we will do so at our own national economic peril.

Mr. Speaker, I am here to salute REA and the men and women who make it work. The fruits of their labor are their own best testimonial, and I am honored to associate myself with them on this day and at all other times.

At this point I would like to insert into the CONGRESSIONAL RECORD an article which appeared in the May 3 edition of the Atlanta Constitution by Ms. Priscilla Painton.

I thank my colleagues.

1935: THE YEAR THE LIGHTS CAME ON IN RURAL GEORGIA

(By Priscilla Painton)

Brothers and sisters,
I want to tell you this.
The greatest thing on earth is to have the love of God in your heart,
And the next greatest thing is to have electricity in your house.

—A farmer giving witness in a rural Tennessee church in the early 1940s.

On May 7, 1937, Ethel Caudle was down at a Methodist church in Troup County when someone flipped the switch for the first time. "We were standing on the steps when the lights came on," the 81-year-old said, in a pious whisper. "We went inside and looked at them. What better place could we be?"

By the turn of the century, electricity had turned most of the nation's cities into beacons of the Industrial Revolution. But for rural America, electricity had done nothing except, by its absence, illuminate the farmers' days of drudgery and evenings of fumbling like moles in near darkness.

After sunset, "you just had to feel yourself around," said Murlin Whitlow, 80, of LaGrange.

Then came the Rural Electrification Act, which is 50 years old next week. Less than a year after the order was signed, Mrs. Whitlow's first bulb popped with light and she suddenly knew "how dark it (had been). You realized it more than ever. And when you saw the light, you saw the light and you wanted to keep the light."

Mrs. Whitlow kept the light and discarded much more. She got rid of the stove that she had kept burning at the height of summer because washing, ironing and

baking knew no season. She put away the kerosene lamps whose small circle of light had tightened her eyes and wrinkled her brows. And she quit hauling wood and water, the chores that curved her shoulders before old age.

For these, and many other reasons, Mrs. Whitlow and rural residents across the nation next week will commemorate the start of a revolution completed quietly within their lifetimes. On May 11, 1935, President Franklin D. Roosevelt signed the Rural Electrification Act, which made possible the wiring of millions of farms across America. That day, fewer than 11 out of 100 farms in the United States had electricity. Thirty-five years later, 99 out of every 100 farms were hooked up.

Georgians may be able to take some credit for this. Roosevelt blamed a Georgia electric bill for sparking the Rural Electrification Act and the Washington agency that went with it.

"There was only one discordant note in that first stay of mine at Warm Springs." Roosevelt said in 1938 of his Georgia refuge. "When the first-of-the-month bill came in for electric light for my cottage, I found that the charge was 18 cents per kilowatt-hour—about four times as much as I paid in Hyde Park, New York. That started my long study of proper public utility charges for electric current and the whole subject of getting electricity into farm homes."

Fifty years later, the Rural Electrification Administration, which lends money and guarantees loans for the construction of electric power systems, has spawned about 1,000 utility cooperatives nationwide, serving about 25 million people.

Georgia, like many other states, had no statute legalizing the corporate creature that Roosevelt's administration had envisioned would carry out the federal electrification program—a non-profit organization owned and run by its members. So in 1937 the Legislature passed the Electric Membership Corporation Act. Today Georgia has 2.3 million consumers, the highest number in the nation.

About 50 years later, REA is the acronym that has perhaps reached farthest into the political vocabulary of rural America. Not long ago, a woman near Goldsboro, N.C., was interviewed by a reporter before a vote in the State Legislature on the Equal Rights Amendment. "The ERA? Hell yes, I'm for ERA. Never would have had lights without it," she said.

The night the lights came on is often remembered as one of life's apotheoses for many rural families, ranking with marriages and births. Terry Kay, an Atlanta writer and also assistant to the general manager of the company that supplies most of the Georgia cooperatives with electricity, said his family in Vanna, Ga., gathered ceremoniously around the living room's naked bulb.

"We did not move, or speak," he recalled. "My sister, Peggy, who was standing near the wall switch, pulled the switch down, to Off, and the light snapped away. She pushed it to On, and the light reappeared. Off. On. Off. On. Light and shadow danced in the room. And then Gary, my younger brother, moved to my sister, Patsy. . . . He hugged her leg, tugged at her. And he said, 'Peggy, better quit doing that. She's going to burn out all the batteries.' "

"I'M CELEBRATING TODAY"

Even when the lights came during the day, many farmers refused to turn them off until late, out of fear that they would disappear, or just to savor their glow. One Georgia farmer, who told his story to the National Rural Electric Cooperative Association, said it was spring and plowing time when the REA brought electricity to his home. "But I wouldn't go to the field," he recalled.

"I wanted to wait in the house and see what happened. The wife told me I was going to wear out the pull chain before we got the lights. I guess I was afraid of the bulbs bursting. They finally came in the late afternoon. There was plenty of light outside, the missis says, 'Aren't you going back out?' 'No,' I says, 'I'm celebrating today. I'm gonna sit here till dark and see how supper eats with a good light.' "

For Mrs. Whitlow, electricity eventually brought a washing machine that relieved her of a ritual whose strainful steps she can still describe:

"You put your clothes in a big old tub of warm water and you put lye soap in it. You rubbed them clothes on a rub board, you battled them on a battling block, we called it, then you rubbed them some more, then you put them in a pot and you boiled them, then you took 'em and wrenched them in three different waters, you wrenched them out of this one, then out of that one, and that one, and . . . then you hung 'em up.

"Now you go to a well and pull up three tubs of water," she said, almost defiantly. "Then you'll realize what a machine means to you."

LIGHT AFFORDED PROTECTION

Because there was no electricity, there were also full days for canning and ironing and baking, summer days during which the stove breathed such heat there seemed no air left for her.

Meanwhile, her husband, William, milked his cows by the faint light of kerosene, worrying first that it not tip over and burn the hay-filled barn, and worrying next that the milk not spoil as it waited for the dairy truck on the side of the road.

There was no electric pump to water his cows, no electric gauger to feed his livestock, no electric motor to unload his cottonseed and shovel it into the barn. So farmers like the Whitlows usually turned in after sunset, ending the day in the same darkness with which they had begun.

From electricity, Mrs. Whitlow learned, strangely, that she could feel afraid in the dimness of moonlight. For man-made light suddenly gave her a sense of protection. "You can see, and you can know what's going on around you. Anything that's starting in on you, anything happening, you can see," she said.

'WATCHING' THE NEW RADIO

That's perhaps why the lights on the farmhouse porch are still her favorite. They used to shine on the path her husband took when he returned to the couple's cottage from visiting his parents nearby. Her mother-in-law "turned that porch light on and watched him home. The light was bright and she could watch him just going home. 'Cause the light would shine all the way down to our little porch," she said.

If electricity made the world seem safer, it also burst the boundaries of life in rural America—to the thrill of some farmers and the bewilderment of others.

Radios were one of the first purchases in newly wired towns and, almost overnight, living rooms were filled with soap operas, pieces of advice and news dispatches.

Although radio broke some farmers' sense of isolation, it gave them one of a different kind.

"You know, people back then, they visited a lot," recalled Mrs. Whitlow. After radio, families stayed home to "watch" the radio, for they invariably looked at it as they listened.

"I kept up with some of the stories. . . and my neighbor across the street couldn't see why I settled down and listened to the stories like I did," said Mrs. Caudle. "And then her daugther gave her a radio, and she started, and when I'd go over, she didn't want me to say a word."●

● Mr. GEKAS. Mr. Speaker, I am honored to participate today in this special order commemorating the 50th anniversary of the establishment of the Rural Electric Administration by President Franklin Roosevelt.

In 1935, REA was created to provide electric service to those many Americans who lived in the rural parts of our country. At that time, only 10 percent of rural Americans received electricity. The goal of REA from the start was to give technical and financial help to consumer-owned rural electric cooperatives and other utilities who would provide electric service in rural areas. It has done a marvelous job of doing just that for the past 50 years, and will continue to do so in the future.

Being from Pennsylvania, Mr. Speaker, I am proud to point out that the first Administrator of the Rural Electric Administration came from our Commonwealth. Morris Lewellyn Cooke served as President Roosevelt's first Administrator after working on the issue of electric utilities for our Governor Gifford Pinchot in the 1920's. The second REA Administrator, John M. Carmody, also came from Pennsylvania. When you throw in the fact that the first rural electric cooperative in Pennsylvania was established in 1936, 49 years ago you can certainly see how Pennsylvania has been interwined with the history of rural electricity.

Although rural Americans today benefit from electricity, the job of rural electric cooperatives is not over. As new customers arrive in rural areas, they must be connected to electricity with new lines. Of course, the quality of the old lines must be maintained with improvements and repairs. And any new generating plants in rural areas will need assistance in providing adequate and inexpensive supplies of electricity.

For all of these reasons, the Rural Electric Administration should be highly commended on its 50th anniversary, and on behalf of the rural citizens of Pennsylvania, I wish them a fruitful future. The assistance they have provided already to millions of Americans is immeasurable.●

● Mr. KRAMER. Mr. Speaker, it gives me great pleasure to join in commemorating the 50th anniversary of the Rural Electrification Administration, a Federal agency that has helped to lit-

erally light up the lives of countless thousands of rural Americans.

Over its 50-year history, REA has helped pay for power supply and distribution facilities serving Coloradans on almost 60,000 miles of line in the State.

When REA was created in 1935, only 11.2 percent of Colorado farms had central station electrical service. Our State's first REA-financed project was activated in Grand Junction in 1937. Since then, REA has loaned more than $700 million to rural Colorado power cooperatives. Today, of the 25,300 farms in our State, over 98 percent have electric service.

The REA's history, both in Colorado and across the country, is one of remarkable investment in our Nation's infrastructure. On behalf of more than 270,000 rural Coloradans who use REA-financed electrical service, let me offer sincere congratulations to the Rural Electrification Administration on its 50th birthday.●

● Mr. RAY. Mr. Speaker, there are many things that are so much a part of our everyday lives, that we rarely think about them, or imagine what our lives would be like if they weren't there. Such is the case with electricity.

But, some of us who grew up in rural America can remember what life was like without electricity. We can remember coal and wood stoves, summers with no air-conditioning, farms and houses where all the power was supplied by man, mule, or horse. We can remember this, Mr. Speaker, because electricity didn't reach the rural areas of our Nation until Government and the people decided to work together to "electrify" all of America.

In the 1930's, when power lines were becoming a common sight in the cities of our Nation, the people of rural America still operated as they always had. Because of cost and other factors, it became clear that private utility companies were not going to extend their lines and the power they brought to the rural communities.

President Roosevelt saw this problem, and he determined to find a way to bring electricity to all sections of our country.

In May 1935, he signed an Executive order, creating the Rural Electrification Administration [REA]. This order was signed in Warm Springs, GA, which is in the heart of my district.

Under the auspices of REA, cooperatives began to develop, made up of people who wanted electricity on their farms or in their community. These electric membership cooperatives or EMC's became the catalyst that finally stretched power lines into even the most remote sections of our country.

Electricity changed rural America. It gave our farms the capability and machinery to produce enough so that we can now feed the world.

It brought new industry and economic activity to small towns and communities.

Just as it did with all other segments of our country, the coming of electricity opened rural America up to the wonders and effectiveness of modern technology.

That is what we celebrate today when we look at the 50 years since President Roosevelt first set out to spread electric capability. We celebrate the 25 million consumers who now have electricity because of the cooperation and the spirit of willingness that led to rural electrification.

For myself, it's a personal celebration as well. Because I will always remember the wonder and awe a small farm boy felt when he looked across the fields and, for the first time, saw his house ablaze with lights. I remember how electricity brought new life to our farm and community, so it is with gratitude and pride that I join today in celebrating the 50th anniversary of the REA.●

● Mr. STANGELAND. Mr. Speaker, I join my colleagues in commemorating the 50th anniversary of the Rural Electrification Administration [REA]. As we all know, REA is responsible for bringing modern, affordable telephone and electric service to rural America. Key to REA's success is its standards setting program for rural utility construction.

Over the years, REA's telecommunications engineering and standards division has worked with REA borrowers, equipment manufacturers, and construction contractors to develop telephone system designs best suited to rural conditions. Because of the high caliber of standards work performed by REA, non-REA borrowers serving all areas of the United States and abroad have chosen to adopt REA specifications for electric and telephone plant construction.

Mr. Speaker, REA's standards have made enormous contribution to the quality of life of rural citizens, and to all Americans by enhancing the public telephone network. Standardization of rural telephone system plants has resulted in high-quality telephone service to and from rural areas. REA is in the best position to establish industry standards for its borrowers because of its expertise in rural telephone service and also because it has the power to enforce its specifications.

I am extremely troubled, Mr. Speaker, that despite its huge success in setting industry standards, REA is currently considering abandoning its function. This would be a serious blow to REA borrowers and nonborrowers who rely on REA standards work, particularly at this time of unprecedented, technological, and regulatory change in the telephone industry. The rural telephone industry depends on REA's publications, which are the only comprehensive publications on rural telephone system design. It also relies on REA's outstanding engineering staff to test new equipment and monitor operational equipment.

REA standards are also responsible for minimizing telephone company costs by ensuring competitive bidding on standardized equipment. It would be absurd to eliminate REA's standards and thereby risk higher telephone construction and maintenance costs, particularly in light of today's rural economic climate. Everyone is painfully aware of rising telephone charges, in the wake of the AT&T divestiture and deregulation. Higher telephone charges are compounding the economic crisis in rural America. Surely we do not want to relinquish a Government operation which is not only doing its job superbly, but also saving consumers money, a cost savings that may mean the difference between being able to afford a telephone and being forced to drop off the telephone network.

While no decision has been made as to the fate of the REA standards program, an alarming number of staff have left the standards division in the last year and their positions are not being filled. This is weakening the agency's ability to perform this vital function.

Mr. Speaker, REA has served the country well in its first 50 years, but it has much to do to ensure that telephone service remains affordable and available to rural citizens in Minnesota and throughout the country. I am extremely proud of the REA program and will work to maintain a strong REA.●

● Mr. JONES of Oklahoma. Mr. Speaker, we are honoring today a successful program, one which has provided opportunities for millions of rural Americans that might never have become available if it had not been for this program—the Rural Electrification Administration.

As the son of a rural mail carrier in Oklahoma, I saw first hand the improvements in the quality of life in rural America which were a direct result of REA.

In much of Oklahoma, as in other rural areas, utility companies cannot provide affordable electric service. The density of population is too low to profitably build powerlines. Without electric cooperatives, the potential most rural areas have for economic development could never be realized.

Rural America has made great strides in developing its potential. While private enterprise can do many things better and more efficiently than government, it has in many cases not been able to provide to rural America the low-cost energy that it provides to urban Americans.

REA has been able to provide electricity to rural Americans who would not be able to afford it otherwise. Urban America depends on rural America to a greater degree than many people realize. If rural America cannot develop its resources to their fullest potential, then neither will America.

I spoke with a group of members from the Oklahoma Association of Rural Electric Cooperatives yesterday. These people recognize the sacrifices all Americans must make if we are to reduce the deficit. They are prepared to accept a reduction of 20 percent in the level of funds available for loans to cooperatives. This reaffirms to me the commitment those in rural America have to building a better future for all Americans.

Mr. Speaker, I give my warmest congratulations to REA on 50 years of work well done, and am happy to honor a group of people committed to making all America a better place.●

Mr. DASCHLE. Mr. Speaker, I ask unanimous consent to proceed out of order in the next special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

GENERAL LEAVE

Mr. DASCHLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

THE 10TH ANNIVERSARY OF THE END OF THE VIETNAM WAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota [Mr. DASCHLE] is recognized for 60 minutes.

Mr. DASCHLE. Mr. Speaker, today, like every day in America and in this Congress, has been very busy. We have exhausted ourselves in speeches here on the floor and our busy days at work in the office. The hustle of the Capitol life whirls around us as it does every day that we come here.

Tonight, the news will be followed again by the weather; will be followed again by the sports; and at midnight, the seventh of May will end and tomorrow will begin another day, in many respects, just like today.

Before this day ends, this day is unusual in that it marks the 10th anniversary of the end of the Vietnam war. I think before this day ends, we all could do well by pausing to remember, to remember that it has been 10 years since our last soldier came home. So we pause to give thanks; we pause to add our prayers for those fallen soldiers whose lives have been lost, and for those whose complete use of their bodies and minds is even today but just a memory.

Memories have clouded in 10 years; we are older, and the experiences of life have dimmed the importance of the past. But after 10 years that war has left a mark on every Vietnam-era veteran, no more removable than the color of our skin or the shape of our bones. While the fire in us no longer burns out of control, the flicker is still there, and will probably last forever.

After 10 long years, a Vietnam veteran is now buried at the Tomb of the Unknown Soldier. We do not know much about him, but we know more than past wars. We know that this particular veteran was killed in 1973, but the circumstances surrounding his death are unknown. But we know this: We know that for those who witnessed the excruciating agony of this war, it was worse than any of the young men had ever dreamed.

Indescribable human pain; limbs and blood splattered about like a junkyard of human parts; screams and explosions ceaselessly through the night. As the night winds blew cool over the molten lead and still-warm bodies, this body lay totally undistinguished from the thousands of others; not even a name.

So now this young man lies in everlasting peace. Having been dealt the ultimate penalty of war. There is a line in an old spiritual: "All my trials, Lord, will soon be over."

Today we pause, if for no other reason than just to pay tribute. If for no other reason to him and to his comrades and to the millions who served to say, "Thank you; we haven't forgotten." As we pay tribute, let us also rise up as Americans across this land and make a solemn commitment, first to the families of the POW's and MIA's that we as a nation will not be satisfied until, until everyone of the 2,400 POW's and MIA's whose names we do know are accounted for and are returned.

Second, to those Vietnam veterans who daily experience the new wounds of a new war, that we will not stop, that we will not stop until as much as is humanly possible, those wounds are healed. Agent orange and delayed stress; wounds common and wounds unique.

Third, to those veterans whose needs remain, let us commit ourselves once again to a continued and a determined effort to meet them. The GI bill and education; full employment; judicial review. As Members of Congress, we have more reason than perhaps anyone else in the whole country to make that commitment.

This country has a practice that is a good one, I think. This country names cities after its heroes of history. We have taken their names for our children and we put their names on our schools. So far, that has not been the case for Vietnam veterans.

There are no cities; there are no schools for which their names are lent. Only a black marble wall. A monument to withstand the harsh elements of the future. But I see another monument, a monument to the living and to the children of those who live. A monument of laws; a monument to guarantee the commitments that we renew today. A monument to those Vietnam veterans who still experience the war and its toll. For a monument that we today now commit, let us pause, for it is indeed a monument of life.

It is indeed a monument that we can look again with hope, with commitment, with optimism, that those who have survived live on. Because they survived, and because they fought so valiantly, we have learned a great deal as a nation.

□ 1650

We live our life today much better as a result of their sacrifice.

Mr. Speaker, I yield to the gentleman from Georgia.

Mr. ROWLAND of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I wish to commend the gentleman from South Dakota for taking this time to focus more acutely on what today really means, and beyond that to say that when I first came to the Congress, the gentleman from South Dakota was the one who was so actively involved in this area and helped to focus my attention on the problems that our Vietnam veterans were having.

If the gentleman recalls, it was the agent orange issue at that time which he was working so hard on, to make people realize the problems that the veterans were having from exposure to that herbicide during the Vietnam era, and I just appreciate very much the things the gentleman has done to focus attention here.

Mr. Speaker, the war in Vietnam ended for America 10 years ago, and today that experience is still very much on our minds.

We are aware of the superb record of service that our military personnel achieved in Vietnam, their bravery and sacrifice under circumstances that were just as difficult as any our Armed Forces have ever faced.

We remember the suffering which many Vietnamese people went through, both during the years of that conflict and following their country's eventual fall.

And more than ever before, we have begun to fully realize what was at stake there.

We know the United States cannot be the world's policeman and we

should rely more often, I am sure, on diplomatic rather than military answers to our problems. But while many people may disagree with the direction we took in Southeast Asia, I also believe most of us realize that our presence in Vietnam was truly motivated by a concern for those human values this country has always represented.

Our forces were fighting for the freedom of South Vietnam and against the spread of totalitarianism throughout that region. We asked for nothing in return other than what we wished for the people we were helping defend. We wanted peace, security, and a continuation of a government based on the consent of the governed.

Representative democracy steadily grew and flourished around the world for nearly 200 years following the formation of our Nation. It had taken great sacrifice to establish freedom as a stable of government, and the generations that followed knew that the efforts which were first necessary to create it were just as necessary to sustain it in their own times. This still holds true today, Mr. Speaker.

It is a sobering fact, however, that totalitarian forces have advanced in recent years while representative democracy has fallen back, and yet, while we did not gain our objectives in Vietnam, we know the struggle against those forces is far from over at this time.

I believe our experience in Vietnam tells us we are still prepared to make the great sacrifices necessary to sustain freedom. Our directions may have changed, but I believe our resolve is greater than ever. In spite of the powerful forces aligned against humanity, I am convinced democracy will eventually regain lost ground and expand its boundaries throughout the entire world. I believe this not because we are necessarily the strongest country in the world but because our cause is true and right.

Today, we remain concerned about the people of South Vietnam who yearned to continue living under representative government, and it appears that they have lost it. We also remain concerned about our MIA's/POW's, and we will continue to search for the truth about their fate.

Mr. Speaker, the entire Nation owes a solemn debt of gratitude to all Americans who have served their country to further the cause of freedom.

Mr. Speaker, I commend the gentleman again for what he is doing here again.

Mr. DASCHLE. I thank the gentleman for his contribution. He has been an invaluable member of the Committee on Veterans' Affairs. I cannot think of a Member who has come in in recent years who has contributed more, with more dedication, and with more credibility to the issues facing not only Vietnam veterans but those who have been exposed to atomic and nuclear difficulties and the ramifications of the explosions of nuclear devices than the gentleman from Georgia, and I am very grateful for his contribution today.

Mr. ROWLAND of Georgia. I thank the gentleman for those comments, and I shall look forward to working with him in the future to continue to do what is just for the veterans of this country.

Mr. DASCHLE. I thank, the gentleman.

The war in Vietnam has been characterized many times as the longest and most divisive foreign war ever engaged in by the United States, but regardless of one's feelings about that conflict, I think all of us share a sense of full significance of our massive involvement in the affairs of that small Asian country has yet to be fully understood.

We do know that our experience in Vietnam was a deeply emotional one and one that had a profound effect on the entire generation of young Americans. Those who served on the Committee of Veterans' Affairs, including myself, have a special responsibility, I think, to fully understand and respond to the effects of the Vietnam war on those who served during that controversial era. It is a duty that I believe all of us welcome and even consider a privilege.

For too long, the ambivalence the Nation had toward the war in Vietnam extended to those who fought the war in our behalf. Veterans of Vietnam were either ignored because they were reminders of a national experience that many wanted desperately to forget, or these veterans were subjected to outright hostility, perceived as disturbed, maybe even dangerous individuals, whose values and behavior were somehow suspicious and alien.

The country seemed unable to empathize with these returning veterans. A nation noted for its compassion would not or could not open its heart to its own, denying Vietnam veterans the means and support they needed to finally come home. Throughout the world, our Nation's warriors have been celebrated as heroes, reflecting glory on their culture, but that was before Vietnam.

In his touching, powerful book, "A Rumor of War," Phillip Caputo describes the bonding which occurred between those in combat:

> Two friends of mine died trying to save the corpses of their men from the battlefield. Such devotion, simple and selfless, sentiment of belonging to each other, was one of the decent things that we found in a conflict otherwise notable for its monstrosities.

Reconciliation has begun, and those young men and women we sent to serve in Vietnam are finally coming home to all of us. We must not let this process of once again belonging to one another falter. Our commitment to our Nation's veterans of Vietnam did not end 10 years ago when the last helicopter transported the last Marines out of Saigon. Our commitment did not end on May 7, 1975, when the President proclaimed that the Vietnam era had ended.

Our special national responsibility is ongoing. We will be shamed as a nation if we do not continue to honor that responsibility as we try to do so today.

Mr. Speaker, I yield to my colleague and highly regarded member of the Committee on Veterans' Affairs, the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. I thank the gentleman for yielding.

Mr. Speaker, today, May 7 marks the 10th anniversary of the end of the war in Vietnam. During this spring season, a season that is a symbol of nature's unending renewal, it is fitting that we honor the memory of those who fought and died in that war.

Earlier this year, ceremonies took place that commemorated the closing of the Vietnam Veterans War Memorial Foundation, organized by Vietnam veteran Jan Scruggs. It was his mission, and that of thousands of Vietnam veterans and millions of Americans, to build the magnificent memorial to Vietnam veterans that lies adjacent to the Lincoln and Washington Memorials here in this Nation's Capital city. In each of our home communities this spring, we have paid tribute to the 59,000 men and women who died in that war, as well as the thousands who have died from war-related causes since, and the 2,477 still listed as missing in action. In Ohio, there are 148 Vietnam veterans who still have not come home. Today, in our hearts, we light a candle for each and every one of them. We remember them on behalf of the Nation.

Vietnam veterans are sons and daughters, parents, brothers and sisters, fiances, friends, classmates, buddies, and neighbors. They answered this Nation's call. Though our generation, in our lifetime, will never agree on the dimensions and ultimate meaning of that war for America, we know that the Vietnam Veterans of America, in their activities and devotion, have helped heal our Nation since then.

As Time magazine so aptly stated recently, Vietnam was "a bloody rite of passage * * * which cost America its innocence and still haunts its conscience." For America, there can be no turning back the pages of history. Though no testimonial can ever be adequate, we can honor those men and women who made the ultimate sacrifice by remembering them for all time.

Yet, if this Nation, from their sacrifice, develops a deeper understanding of the difficult but imperative challenges of peace in this dangerous and troubled world, we shall have paid them all the finest tribute.

Mr. DASCHLE. I thank the gentlewoman from Ohio for an excellent statement. Her contribution to Vietnam veterans in particular has been a very significant one, and her participation in the Committee on Veterans' Affairs and her work on so many issues is very deeply appreciated. I thank her for participating in this special order.

□ 1700

There is no Member in this entire body that serves with more ability and who receives more respect and general support than the chairman of our Committee on Veterans' Affairs. He has been able to reach out to every element in the House for support of his work. I gratefully acknowledge his presence and ask his participation at this time with my thanks.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. DASCHLE. I am happy to yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I want to first thank my distinguished colleague from South Dakota, TOM DASCHLE, for those very kind remarks and commend him for calling this special order to commemorate not only the 10th anniversary of the end of the Vietnam war, but to pay tribute to its American participants.

TOM has been an outspoken advocate for benefits and services geared specifically toward the special needs of Vietnam-era veterans.

As you may know, TOM authored and nurtured the Agent Orange and Atomic Veterans Relief Act, provided the leadership that steered it through this great body and, as a result, we now provide a disability allowance to those veterans suffering from certain conditions that may be associated with exposure to agent orange.

Now, as chairman of the Veterans' Affairs Subcommittee on Education, Training and Employment, TOM is working to ensure that all veterans are given ample opportunity to readjust and to be productive.

We're proud to have him as a member of the Committee on Veterans' Affairs, and the veterans of this Nation from all wars are fortunate to have him representing their best interests in the Congress of the United States.

Mr. Speaker, it has been said many times—war does not end with ceasefire. Vietnam was no exception. In the years following the war, controversy remained. Vietnam veterans worked to readjust to a society that found it difficult to understand what they had been through, what they had done. Most were successful.

May 7 marks the 10th anniversary of the official end of the Vietnam era. It comes at a time when the psychological wounds of the Vietnam era are beginning to heal. Events of recent years have added much to the healing process.

In November 1982, there was a belated and much-needed thank you performed on The Mall in Washington—the Vietnam Veterans Memorial, 58,022 names on a black granite wall attesting to the high price of war, was dedicated. Last November, a statue of three fighting men was added and the memorial became a national monument. On Memorial Day 1984, a serviceman of the Vietnam war was laid to rest with his comrades from previous wars at the Tomb of the Unknowns.

I'm proud to say that, due to the nonpartisan efforts of the Committee on Veterans' Affairs and the House of Representatives, there is now a Comprehensive Benefits Program that recognizes the experiences, the contributions, and the special needs of the Vietnam-era veteran.

The program includes: Treatment for exposure to herbicides and a disability allowance for certain conditions that could be associated with that exposure; readjustment counseling; small business loans; increased job training and job placement assistance, including a landmark program that marks the first time employers have been paid directly to hire and train veterans; special consideration for Vietnam-era veterans seeking Federal employment—this program, the Veterans' Readjustment Appointment Authority, has provided employment opportunities for more than 200,000 Vietnam-era veterans—GI bill education benefits; and posttraumatic stress research and treatment.

In addition, the Veterans' Administration's efforts in carrying out congressional mandates have been noteworthy. Here are the facts:

The VA has assisted more than 6.5 million, or more than two-thirds of all Vietnam-era veterans, in receiving education benefits.

Approximately 600,000 Vietnam-era veterans receive monthly compensation checks for service-connected disabilities and over 21,000 receive pensions for severe disabilities incurred after discharge.

From 1981 through 1983 alone, the VA guaranteed $14.1 billion in GI home loans for Vietnam-era veterans. Vietnam-era veterans receive half of the VA's guaranteed home loans.

Since 1981, the number of VA Readjustment Counseling Centers has increased from 90 to 137, with an additional 52 in the works. More than 250,000 veterans and 50,000 family members have received counseling at these centers; 19,000 veterans visit the centers each month, 6,300 for the first time.

More than 178,000 Vietnam veterans have been given agent orange physical examinations. There have been more than 23,000 inpatient admissions and over 1 million outpatient visits associated with agent orange and herbicide exposure.

These benefits and services, like the wall, have become a symbol of America's increasing willingness to listen to those who survived the war and to remember those who didn't.

There are now over 8 million living Vietnam-era veterans. Approximately 3.4 million served in the Southeast Asia theater of operation; more than 58,000 were killed, 300,000 were wounded, and 75,000 were permanently disabled.

Mr. Speaker, the Vietnam war and our veterans who served and sacrificed in southeast Asia and during the Vietnam-era are a powerful part of our history. They deserve our gratitude and our respect.

Mr. DASCHLE. Mr. Speaker, I thank the committee chairman very much for his statement.

It is only fitting, I think, that the chairman called a meeting of the Veterans' Affairs Committee today to deal with a number of bills directly affecting the Vietnam veterans and others, but particularly today Vietnam veterans, and I think the legislation as it will come to the floor in the next couple of weeks ought to be considered and supported by every Member in this body for the kind of show of support and the kind of value it will have for the veterans as they are affected. I thank the chairman for his work on this committee and for the leadership he has given all of us.

Mr. MOLINARI. Mr. Speaker, will the gentleman yield?

Mr. DASCHLE. I yield at this time to another active member of the committee, the gentleman from New York [Mr. MOLINARI].

Mr. MOLINARI. Mr. Speaker, I am pleased to join in today's special order and I commend the gentleman from South Dakota for his initiative in this regard.

Each year I attend Vietnam Veterans Memorial Day ceremonies in my district. Each year I come away with the same troubled feelings. Ten years after the end of the war, the scars are still too visible. The continuing suffering is obvious. I then ask myself what we can do as a country to help these American veterans?

Look into their faces—into their eyes—speak to them. I see confusion, uncertainty, and perhaps that they are searching for something. Is it identity, is it peace of mind, is it a desire to forget or a desire to remember? I don't know the answers to these questions.

I have learned some things, however. Vietnam veterans do appreciate people who show concern for them, people who hold out a helping hand. Above all, I think they are searching for love and acceptance. If we can understand this, then I think we can respond in a way that can help them the most. God knows they certainly deserve at least that much from their fellow Americans.

Out Vietnam veterans are a special group of men and women. They answered the call of their country when it was popular, even fashionable, to condemn our Government and to praise those we were fighting against. Although there is a temptation to try to forget the Vietnam war and that troubled time, we must not forget those 58,000 who died and the thousands of men and women who heroically served in our Armed Forces in Southeast Asia.

There are a number of steps that have been taken and should be continued in the future to provide assistance to our veterans. Programs created specifically for our Vietnam veterans must continue with greater emphasis placed on readjustment counseling, employment training and other valuable services.

In the past few years we have witnessed several events in Washington to honor those who have served in Vietnam. Last year, the remains of an unidentified soldier killed in Vietnam were placed between those of the unknown soldiers from Korea and World War II in Arlington Cemetery. Like the Vietnam Memorial, this was a long overdue but deserved tribute. New York City is currently conducting 2 days of ceremonial events, including the dedication of a Vietnam Veterans Memorial in Lower Manhattan containing the texts of letters written to or from American soldiers, in order to recognize the 250,000 New York men and women who fought in Vietnam.

Ten years after the end of the war, the healing process is beginning and it is important that it be continued. In terms of compassion, understanding, assistance, and acceptance, Americans can do much to let the forgotten vet know that he is forgotten no longer.

Mr. DASCHLE. Mr. Speaker, I thank my friend, the gentleman from New York [Mr. MOLINARI] for his excellent statement, and I appreciate his participation this afternoon.

Mr. PENNY. Mr. Speaker, will the gentleman yield?

Mr. DASCHLE. I yield now to the gentleman from Minnesota [Mr. PENNY], another very active member of the Veterans' Affairs Committee.

Mr. PENNY. Mr. Speaker, I thank my friend and colleague, Mr. DASCHLE, for this opportunity to share his special order today.

This is an unusual day. There are few of us who, when asked the official date of the end of the Vietnam war, could quickly come up with "May 7, 1975," and fewer still who could readily recall where we were or exactly what we were doing on that day. For the most part, our troops had left Vietnam 2 years before, leaving, as they had come, not in platoons and squadrons, but in modest ones and twos, arriving home not to parades but often to anonymity. At the same time, it is a day we cannot let go by unnoticed.

This is not a day to engage in rhetorical breast-beating about who was right and who was wrong in our strategy in Southeast Asia. It is instead a day for remembrance, reconciliation, and recommitment.

It is first a day for remembrance. We remember the people whose lives were touched dramatically changed by the war. We remember the families who grieve for the nearly 57,000 who died in Vietnam. We remember the families who still wonder and wait to learn the fate of the 2,500 POW's and MIA's who have never been accounted for. We remember those who have learned to cope with disabilities—both physical and emotional—suffered as a result of Vietnam. We remember our brothers, sisters, fathers, and friends who served our Nation well. And, we remember the American children and the refugees.

This is a day for reconciliation, a time for all in our society to be reconciled to one another, to look beyond our differences regarding the war in Vietnam and to look toward our commonly shared goals of peace, justice, freedom, and democracy for all people.

Finally, this is a day for recommitment. For the thousands of veterans suffering from post-traumatic stress disorder or from the effects of dioxin exposure or for those who are disabled or unemployed, Vietnam is not over. We must recommit ourselves to addressing their needs. We can pass legislation which presumes service connection for post-traumatic stress disorder; we can further expand agent orange compensation; we can extend the emergency veterans jobs training bill; we can act to keep the entire veterans health care system strong. And, we can continue our efforts to locate our POW's and MIA's.

As we pause today for remembrance, reconciliation and recommitment, we consider the words of Myra MacPherson in the Washington Post:

A quietness comes over those who visit the Vietnam Veterans Memorial. Voices are stilled as people lose themselves in private thoughts, as they look at that wall with the names of nearly 58,000 dead or missing. And something else also happens. As you look into that black granite wall, your reflection stares back. That mirror image is a reminder of something long buried, long ignored: We in America are all veterans of Vietnam.

□ 1710

Mr. DASCHLE. Mr. Speaker, I thank the gentleman for a very, very good statement. I appreciate his participation this afternoon. The gentleman from Minnesota has been very active in many of these issues and it is obvious from the statement just provided that he speaks with an eloquence that comes from the heart.

Mr. Speaker, I yield to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Speaker, I would first like to commend my colleagues from the Veterans' Affairs Committee for calling this special order.

A decade has proven to be too short a time for us to fully understand the consequences of the Vietnam war. We know the number who died for their names are etched in stone.

We have counted the wounded, but must add to the number of casualties as we learn more about posttraumatic stress syndrome and agent orange.

We know the war cost $150 billion to wage, but many decades will pass before we know the cost of fulfilling our promise to those who served. A generation yet born will be called upon to shoulder that which has rightfully been called the continuing cost of war.

Vietnam was a deeply emotional experience for America. It had a profound effect on an entire generation of young Americans.

Initial American involvement in Vietnam's civil war was not unpopular. But as months turned into years, Americans began to weigh the cost in human lives for interests that no longer seemed vital.

The realities of war visited living rooms throughout the Nation on the nightly news. The absence of solidarity of purpose, that so characterized America in World War II, was mirrored in congressional debates and policies pursued by successive administrations.

Each individual had a special perception of the war. Fathers and mothers; brothers and sisters; those who had fought in other wars and those who never had; combatants and peace marchers. All were left with differing impressions of America's longest war.

The debate raged over our involvement in the war, but ignored those who were called upon to serve their country.

I was exposed to the same anxieties and pressures, during that time, like most people my age: I visited the local recruiter; not old enough to enlist; too young to fully understand war and the extent of Vietnam.

I felt I couldn't fully understand the experiences of classmates and friends who fought in Vietnam. And in turn, they told me they felt they had missed

out on something that had occurred while they were away. Understanding is vital if we are to end the lingering divisiveness.

Those of us serving on the Veterans' Affairs Committee have a special responsibility to understand the problems confronting the American veteran. Only through understanding can we hope to be capable stewards of America's promise to those who defended our freedom and liberties.

We must acknowledge that the needs of veterans differ as acutely as the wars in which they fought. Whatever judgment is passed on American involvement in Vietnam, we must own up to the fact that young Americans went to Vietnam to fight for their country.

This is their distinction, this is the honor they share with American veterans of other wars. Their obedience to duty must not be tarnished by feelings of shame, guilt, or our failure to fully understand the changes in our society caused by the Vietnam war.

A Vietnam veteran told me recently that like so many others he received the cold shoulder upon his return from the war. Trying to talk to his family about the problems he faces, he was told by his uncles that they didn't want to hear it because they had won their war.

The shame is ours if we thrust upon the Vietnam veteran our national guilt. The loss is ours if we lock out a generation that has much to contribute. The misfortune is ours if we call upon another generation of Americans to defend our freedom and liberties and they fail to answer the call for fear of future condemnation.

As the leader of the free world, we bear a great responsibility. We must be strong economically for this is the bedrock of our security and prosperity. We must maintain a strong military force capable of defending our Nation and fulfilling our collective security commitments.

It is for these reasons I have supported military spending that I believe strengthens our ability and readiness. It is for these same reasons that I have supported programs that address the problems confronting veterans and rewards them for the sacrifices they have made in protecting our Nation.

Young Americans today considering going into the armed services must be assured that we stand by our commitments to our veterans. That we are genuinely concerned about their future well-being and that of their families. If we fail to make good on our debt to Vietnam veterans then we risk not having the essential ingredient necessary for a strong defense—dedicated men and women.

Mr. DASCHLE. Mr. Speaker, I thank the gentleman.

I think this year in particular as we consider budgetary matters, it is important that we also consider priorities with regard to those commitments that we have already made. They do not go in and out with fads. They do not go in and out with the popularity of a given issue. They remain commitments hard and firm, just as important and just as solid as that marble wall that is a constant reminder, perhaps far more visual than the reminder that we need to make each and every time we consider legislation here on the floor dealing with those veterans and the veterans who preceded them.

I thank the gentleman for his contribution this afternoon and his continued commitment to the Vietnam veterans who count on him and count on all of us for support.

Mr. Speaker, I yield to the new chairman of the Vietnam Veterans in Congress, a person who has dedicated a great deal of his career in the House of Vietnam veterans and veterans of all wars, a member of the House Veterans' Affairs Committee and a very able one at that, the gentleman from Illinois [Mr. EVANS].

Mr. EVANS of Illinois. Mr. Speaker, I would like to commend my distinguished colleague from the Veterans' Affairs Committee, TOM DASCHLE, for requesting this special order.

I am privileged to serve this Congress as chairman of the Vietnam-era Veterans in Congress caucus, a bipartisan, bicameral group of legislators dedicated to helping our Vietnam-era veterans. I can think of no more appropriate observance of this anniversary than rededicating ourselves to helping those Americans who served in Southeast Asia when their country called.

As we as a nation have approached this anniversary of the end of our Vietnam involvement, I have seen many accounts of how our experience there has affected our foreign policy. I have even read accounts of how the country of Vietnam is faring in the aftermath of the war. What I have not seen in any reasonable measure is an accounting of our continuing debt to our Vietnam veterans, or how that debt has yet to be fully repaid.

Yes; there has been a marked change in the way that we as a nation think about our Vietnam veterans. Our Vietnam veterans are increasingly recognized as patriotic Americans who served their country as bravely as did those veterans of earlier, more popular wars. With the construction of the Vietnam Veterans' Memorial and the inclusion of a Vietnam serviceman in the Tomb of the Unknowns, those who served in Vietnam have, symbolically at least, rejoined the mainstream. Vietnam veteran units can now march proudly in our Memorial Day parades.

But while our citizens have come to recognize the courage and dedication of our Vietnam veterans, our Government has been painfully slow to comply. It was the Federal Government which, rightly or wrongly, sent Americans to fight and die in Vietnam. Yet is is the Federal Government that still stands in the way of their complete rehabilitation.

It was U.S. policy to defoliate large portions of Vietnam, which exposed our air and ground troops to agent orange and other toxic herbicides. But the Veterans' Administration has been slow to compensate those affected by these poisons, or to help their families including children suffering genetic defects.

While the issue is endlessly studied and restudied, our Vietnam veterans are told that there simply isn't enough scientific evidence to prove their case. Yet the same Federal Government bought and evacuated the entire community of Times Beach, MO, because it was contaminated with the dioxin contained in agent orange. The parallels to our post-World War II veterans exposed to atomic radiation are apparent. It would be tragic if the VA waits long enough, as with the atomic veterans, the surviving agent organge veterans will become fewer in number and the pressure for Government action will diminish.

Serving in Vietnam often meant postponing a higher education or sacrificing job opportunities. And many Vietnam veterans experienced readjustment problems upon their return and were not easily reintegrated into the work force. Unemployment levels for Vietnam-era veterans have remained consistently above the national average for other Americans of comparable age. And whenever economic conditions worsen, Vietnam-era veterans suffer the brunt of the employment impact.

Yet the GI bill benefits for Vietnam-era veterans have been relatively limited in comparison to those provided for veterans of previous wars. Job and job-training programs targeted at Vietnam-era veterans have been enacted only recently, with relatively limited participation.

Vietnam-era veterans suffered a higher rate of less-than-honorable discharges than did their predecessors in previous wars. Fully a third of the U.S. Marines who served in Vietnam received less-than-honorable discharges. This stigma follows those veterans for the remainder of their lives, making employment and educational opportunities more difficult.

Finally, an estimated 2,400 Americans are still unaccounted for in Southeast Asia. This Nation simply cannot rest until a full accounting of those servicemen is rendered. For those veterans and their families, the sacrifice continues. For them, no healing, no reconciliation is possible.

As this 10th anniversary of our withdrawal from Vietnam passes, the spotlight of publicity and commemoration will inevitably fade. Yet for the millions who served there, the memory will never fade. In all too many cases, their sacrifices continue.

It would be unconscionable for our Government to ignore the problems of our Vietnam veterans and those who love them. We must demonstrate the same compassion toward those individuals that we have for the hundreds of thousands of refugees from Southeast Asia who have made new lives on our shores.

As Members of Congress, we must ensure that our Government upholds its obligation to those who answered its call. If we fail in that regard, we surrender forever the moral basis for demanding similar sacrifices from future generations of Americans.

□ 1720

Again I thank Chairman DASCHLE for setting up this special order and Chairman MONTGOMERY for participating and staying with us through the course of it.

Mr. DASCHLE. I thank the gentleman for an excellent statement and a great deal of food for thought as we consider this 10th anniversary.

Mr. EDGAR. Will the gentleman yield?

Mr. DASCHLE. I now yield to my friend from Pennsylvania, Mr. EDGAR, a most active member of the Veterans' Affairs Committee and a leader in Vietnam veteran issues as well as many others.

Mr. EDGAR. I thank the gentleman for yielding and want to commend the gentleman from South Dakota [Mr. DASCHLE] for his leadership on the issue of helping to raise the consciousness of the House of Representatives and the other body to the issue of the Vietnam veteran.

Those of us who have been in Congress over the last 10 years, since the shutting down of the Vietnam war, through the period of agonies as Vietnam veterans struggled for some recognition, through the period of time when memorials were established not only here in Washington but throughout the country to recognize the service of these Vietnam veterans, the gentleman has provided a great deal of leadership.

The gentleman from Illinois, Congressman LANE EVANS, I think summed up much of our feeling about those persons who served in Vietnam, and I congratulate him for his leadership of those Members of Congress who served in the military during the Vietnam era.

I would also like to commend the chairman of our full committee, the gentleman from Mississippi, SONNY MONTGOMERY. When I came to Congress I was placed on the House Veterans' Affairs Committee by senior Members from my delegation who did not think I was going to be around very long. And I feel a little bit like the kid in the commercial who has the cereal bowl pushed in front of him and his two brothers look and watch and suddenly he takes a bite and they both respond, "Mikey likes it." I have really enjoyed my opportunity to serve on the House Veterans' Affairs Committee and deal with the issues of education, of employment, of readjustment counseling, of the issues relating to agent orange and trying to understand that chemical defoliant that was used in Vietnam that is inflicting great injury to many veterans. And it is the leadership of people like SONNY MONTGOMERY that has helped to make our committee a bipartisan committee where Democrats and Republicans alike struggle with the issues that are so important.

Mr. Speaker, I want to congratulate my friend and colleague, the gentleman from South Dakota, TOM DASCHLE, for requesting this tribute in honor of all those who served their country during the Vietnam war. In particular, I would like to express my personal appreciation for his leadership in being one of the founding members of the Vietnam Veterans In Congress. This congressional caucus, currently under the direction of the gentleman from Illinois [Mr. EVANS] has been one of the leading forces in supporting our efforts on the House Veterans' Affairs Committee in seeking meaningful recognition of the needs and strengths of all those who served during the Vietnam era.

Retracing our steps over the past 10 years in the Congress in our efforts to come to grips with the Vietnam experience is not an easy process. I was elected to Congress in November 1974 and joined the House Veterans' Affairs Committee in January of 1975. At that time there were no Vietnam veterans in Congress. There were very few of us then who even spoke out on behalf of Vietnam veterans issues. We were faced with a general consensus in this body and a growing feeling across the country that the Vietnam war should be put behind us. The blatant neglect which many Vietnam veterans experienced individually when they returned home was mirrored by the inadequacy of the programs, benefits, and services provided for them by the Congress.

It was the World War I generation in Congress, abandoned by their own Government when they returned home in 1918, who developed the GI bill, one of the most beneficial programs ever devised, for those who returned from World War II. The memory of that experience carried over to assist those who returned from the Korean conflict. But the Vietnam veteran fell quickly into the amnesia which surrounded the Vietnam war itself. Very few were willing to listen when we spoke out during those early years about the inadequacy of the Vietnam era GI bill, or the lack of proper employment training or readjustment programs for those who had returned from that war. There was very little understanding of the unique needs of Vietnam veterans. There was very little compassion or tolerance for their views when we fought to extend and expand education and rehabilitation programs specifically tailored to meet those needs.

Gradually and fortunately this attitude began to change. With it changed the perception and the appreciation of the American people for those who served in our last and longest war. We made progress slowly, but we still moved ahead with and for the Vietnam veteran. There were several landmarks in this process.

In 1978 Congressman DON EDWARDS of California and I called for the first hearings in the House Veterans' Affairs Committee on the impact of the use of the defoliant agent orange on the Vietnam veteran population. This led to a long and frustrating struggle which, while it continues, has since provided health care in VA facilities for those suffering disabilities which could be associated with exposure to the defoliant and a framework which will lead to a mechanism to provide compensation for those affected.

In 1979, the House Veterans' Affairs Committee finally accepted our recommendation through Public Law 96-22 to establish the first storefront readjustment counseling centers to provide outreach and assistance to those Vietnam veterans still seeking a way to fully readjust to civilian life. The centers were an immediate success. A nationwide study we authorized indicated that between 600,000 and 800,000 Vietnam veterans could benefit from these services. Despite efforts from the present administration to curtail the program or eliminate it entirely, we managed to both extend and expand the number of vet centers to over 186 communities across the Nation. Legislation, I introduced in the last Congress extended the program until 1988. Vet centers served two purposes. First, they were the key element in the congressional effort to advance the Veterans' Administration to the forefront in research, understanding, and treatment of post-traumatic stress disorder which has affected veterans from all wars. Second, they served as a catalyst to bring Vietnam veterans together for the first time to share with both their peers and the public at large the unique service and sacrifice that was Vietnam. The Vet Center Program sparked one of the largest volunteer efforts in the Federal Government when the call

went out for assistance to augment the services provided by the program. Vietnam veterans from all backgrounds offered their help with counseling, job, and readjustment assistance. To date over 300,000 Vietnam veterans have sought assistance through the Vet Center Program.

In 1981, as chairman of the House Veterans' Affairs Subcommittee on Education, Training and Employment I introduced legislation, included in Public Law 97-72 which established a small business loan program for Vietnam veterans and disabled veterans. The provision served as a catalyst to encourage the Small Business Administration to implement their special outreach assistance to help Vietnam veterans start their own businesses.

In 1982, my subcommittee authorized and the Congress approved a targeted extension of the 10-year delimiting period for GI bill benefits to allow undertrained and unemployed Vietnam era veterans to utilize additional job training programs. We also, completely redesigned, through my legislation, the Department of Labor's veterans employment system to more fully meet the needs of those seeking employment and job placement services. Part of this process was also achieved through an amendment I offered to the Job Training Partnership Act which enacted a specific grant program for the States to provide community based and rural outreach employment centers for Vietnam veterans.

In 1983, we again addressed unemployment and underemployment among the Vietnam veteran population as one of our major issues of concern. Those who had gone to serve their country during the Vietnam war had historically been the last hired and the first fired. The serious economic depression in the early 1980's had brought this problem to crisis proportions within the Vietnam veteran population. Thousands of Vietnam veterans were out of work and seeking new skills. In response, we drafted the Emergency Veterans' Job Training Act of 1983. An entirely new concept, it provided, for the first time, needed incentives for employers to hire and train Vietnam era and Korean war veterans in new skills and new occupations. The program was designed to help new business and growth industries as much as it was planned to retrain the long term unemployed veteran or the veteran displaced from previous employment and job skills. Sadly there are many regions of the country that have not recovered from the economic tragedy of the early 1980's. Today our committee approved legislation which would extend this needed program again.

But perhaps the most rewarding contribution we have made in my mind as the present chairman of the House Veterans' Affairs Subcommittee on Hospitals and Health Care has been within the system of VA medical benefits and services. All of the programs and not perfect, and we still have much to do in directing the VA to focus a clearer attention on the needs of the Vietnam veteran and all veterans; but we have made progress.

This progress has been shown in directing the agency to expand its new intensive in-patient treatment programs for veterans suffering from post traumatic stress disorder as we did in the last Congress. It has been shown in our efforts and our legislation directing the massive major studies on the effects of agent orange exposure or on the special concerns of women veterans who served in Vietnam. But perhaps the most tangible example of the worth of our work has been demonstrated in very human and very individual terms. For this subcommittee chairman, there have been many examples of the individual results of our efforts which paid off in terms of wounds healed, of lives restructured. There have been examples of dedicated VA employees giving their time their interest and concern to help those who served in Vietnam. There have been the individual examples of members of our great veterans organizations who have lent their voice and support to our efforts here in Washington and their concern and guidance to help veterans in communities across this country. And there have been great examples of the healing we have been able to achieve both in mind and body and spirit over the past 10 years in demonstrating our obligation to the Vietnam veteran and the contribution Vietnam veterans can make to this society.

Mr. Speaker, it is difficult in a short period of time, and merely through a litany of legislative measures to address the frustration, the concern, the excitement and the satisfaction of the past 10 years with our work in the Congress involving Vietnam veterans. It is also very true that Government programs, benefits and services are not, and should not, be the only benchmark we use in saying thank you and welcome home to those who served during the Vietnam war. But as politicians and representatives of the people we are tasked to address the needs of our constituencies and to meet the needs of those who require those services with specific solutions. I believe we have made and are continuing to make an honest effort to accomplish that goal. We have seen a new awakening of respect and understanding for all those who served during the Vietnam war in this process and not just those who have earned and deserved their Government's assistance. It is a record we all can share; both veteran and nonveteran alike. It is a debt we continue to owe.

I commend the gentleman in the well for just today you have acted in our committee to authorize a program extension and to provide for additional funds so that those who are still unemployed and underemployed might use that very program.

□ 1730

In listing out these programs, whether it is the storefront counseling centers, whether it is the Job Training Partnership Act, whether it is an issue to try to help focus the concerns on education, training, and employment for these Vietnam veterans, or simply counseling for those who are troubled, I think we have responded and taken the first steps. But through the efforts of the gentleman in the well [Mr. DASCHLE], the gentleman from Mississippi [Mr. MONTGOMERY], the gentleman from Illinois [Mr. EVANS], and through the bipartisan efforts of Democrats and Republicans, I think it is clear that we are beginning to address the needs of Vietnam veterans.

The real question I think for this body is what is our vision of the future? How can we help those who are still unemployed find meaningful employment? How can we help those who are caught up in drug and alcohol abuse problems find some security through centers throughout the Veterans' Administration? How can we help the Veterans' Administration understand the special needs that these veterans have? And how can we help the administration understand that they simply cannot cut budgets that impact on concerns for those who are combat-related veterans who have post-traumatic stress disorder and other related problems that they face as a result of their service? You can be troubled by the war, but I think all of us here understand the need to care about the warrior. I think the gentleman in the well has demonstrated that in our committee, and hopefully as chairman of the Subcommittee on Hospitals and Health Care I can relate that health care system to the specific needs of veterans of all wars, but those special needs of the veterans who served our country well in Vietnam.

Mr. Speaker, I thank the gentleman for his special order today and I appreciate his focus on this issue.

Mr. DASCHLE. I thank the gentleman for his contribution.

Early in my statement I said that not only did we need to tend from time to time the grounds and view the monument to the Vietnam veterans, but really those of us here have a special opportunity to build another monument, that is a monument of laws.

The gentleman from Pennsylvania [Mr. EDGAR] has laid out the blueprint very well. That monument continues to find a need for construction, contin-

ues to find a need for completion, and continues to find a need among Vietnam veterans.

Let that be our goal and our commitment this afternoon.

To all of those who have participated in this special order, my thanks.

● Mr. BRYANT. Mr. Speaker, this week our Nation observes the 10th anniversary of the official end of the longest and most controversial military involvement in U.S. history—the war in Vietnam.

More than 9 million Americans served their country during that bitter and prolonged struggle. Nearly one-third served in the Vietnam theater, where combat prevailed. The average age of Vietnam veterans when they separated from military service was 24 years. The average time on active duty was 3 years, but most served in active combat zones for 1 year or less.

More than 58,000 of them lost their lives, 300,000 were wounded, and 75,000 were permanently disabled. We grieve not only for the dead, but also for the 2,400 or more Americans who are listed as missing in action in Southeast Asia and for their families who have waited for a decade or more to learn the fate of their loved ones.

For many Americans who were most affected by the conflict, the war seems in many ways not to be over. For the families of those killed and missing, it is surely not. Nor is it for the service men and women who came home not to the ticker-tape parades and fireworks that greeted the heroes of our previous foreign wars, but occasionally to hostility and often to lives of further sacrifice. Mostly, they and their unselfish contributions to their country were ignored.

Unfortunately, the reception these valorous and patriotic men and women encountered when they returned home was tainted by a nation anxious to put any thought of America's first battlefield loss behind it. In addition to the physical wounds endured by many of these veterans, thousands still suffer from post-traumatic stress disorder [PTSD] and other psychological problems which might have been alleviated by a more positive reception.

Now, 10 years later, we as a nation are finally welcoming home these gallant men and women. We are thanking them, as we should, for the service they rendered their country.

In November 1982, an awesome black granite wall etched with 58,022 names attesting to the high price of war, was dedicated on the Mall in Washington, DC—the Vietnam Veterans Memorial. Last November, a statue of three fighting men was added and the memorial became a national monument. On Memorial Day 1984, a serviceman from the Vietnam war was laid to rest next to his comrades from previous wars at the Tomb of the Unknown Soldier in Arlington National Cemetery.

Long delayed but well deserved, these are appropriate tributes to the devotion and sacrifice of millions of Americans. The Vietnam Memorial and the Vietnam War's Unknown Soldier have become symbols of America's increasing desire to listen to the needs of those who survived the war and remember with love those who did not.

The Vietnam war is a powerful part of our history. Our veterans who served and sacrificed in Southeast Asia and during the Vietnam-era deserve our respect, our recognition, and our gratitude as we observe this anniversary of their service on May 7—"Vietnam Veterans Recognition Day."●

● Mr. SOLOMON. Mr. Speaker, in this day and age, instantaneous communications and the rapid pace of daily life seem to make distance shrink and time rush forward. Yet even by modern standards, a decade is not very much time in which to heal and forget, particularly when the scars are so deep and painful as those left by the tragedy of America's involvement in Vietnam.

The second term of Abraham Lincoln began at the twilight of another divisive and deeply traumatic conflict, the Civil War. In his second inaugural address, Lincoln promised to rule over a time of healing in this Nation, offering "malice toward none and charity for all." Yet 10 years after his assassination, the nation was still feeling the divisiveness that bred that conflict. And has proven the same for Vietnam.

The battlegrounds of the Civil War were as close and familiar as Gettysburg and Antietam. In Vietnam, the names were unfamiliar, and bore a faraway sound—Pleiku, Khe Sahn, and Hue. Yet the war was as divisive to Americans as any in our history.

All we have to do to invoke those days is recall in our mind's eye the sight of the American flag being torn, trampled on, and burned. This sight is symbolic of the tearing apart of American society as the protests raged and Americans watched on their television screens the deaths of American boys in faraway jungles and the rioting of their counterparts on the streets and campuses of our Nation.

These intense memories, brought home to us nightly in images of death and destruction, are only now starting to fade, 10 years after the last helicopter lifted from the U.S. Embassy South Vietnam.

And there have been fresh horrors since then to drive home the enormity of the conflict in Southeast Asia. I speak, of course, of the holocaust played out on the killing fields of Cambodia in the wake of the takeover of the Khmer Rouge, the pitiful lunge for freedom by the boat people of Vietnam, following after the new communist Government of Viet Nam began its systematic anihilation of all organized opposition to the oppressive government.

I would be the last to say that these memories should ever be allowed to fade, or be forgotten. There is too much that must be remembered, and above all we must never forget the sacrifices of those brave young men who died so far from home.

But while these memories should remain with us forever, it is important that the painful wounds that caused them be allowed to heal, so that we can look back on these days with an historical prospective that will enable us to draw the proper lesson from this conflict.

I am very proud of the way this Nation has come together following the conflict in Vietnam to heal the wounds of war. I am especially proud of our Commander in Chief, the President of the United States, for the courage to tell the veterans of this country that their brothers who fought in Vietnam were part of a noble cause.

That remark caused a lot of controversy, but after thinking about it, who can deny the nobility of America's purpose. We did not seek to gain land, or wealth or power, but to stop communism dead in its tracks. And that is the noblest of causes for this Nation, the leader of the free world.

I'm also very proud to have been named by my friend and colleague from New York, STEPHEN SOLARZ, as the new chairman of the House Task Force on Prisoners and Missing in Action in Southeast Asia. We are pledged to a full accounting of the fate of the 2,500 Americans who are still unaccounted for. For their families and their friends, we are working to write the final chapter of the history of their bravery so far from home.

But, as I said before, as memories fade, the tempers cool, it is important that we gain some lasting lesson from the war in Vietnam. And I have learned one lesson that I want to share with my colleagues today.

Wars have been lost on the battlefield, wars have been lost in the command posts behind the lines, wars have been lost at headquarters. But the war in Vietnam was not lost by America's military, its fighting men or its generals. The war in Vietnam was lost here at home, right here in Congress, aided and abetted by the American media.

As we mark the 10th anniversary of the fall of Saigon, we must reflect on this lesson carefully. For I am very much afraid that the action of this House just 2 weeks ago denying aid to freedom fighters in Nicaragua could well set the stage for another anniversary 10 years from now—the fall of Central America.

When is this Congress going to learn to stand behind President Reagan's noble cause of stopping Soviet-style communism in Central America dead in its tracks. When are we going to learn not to nitpick and second guess our President? When are we going to learn that America can not have an effective and coherent foreign policy as long as there are 535 secretaries of state here on Capitol Hill? When are we going to learn to stop listening to men like Daniel Ortega and start trusting our own President? In short, when are we going to learn why we lost in Vietnam?

It's time we learn that freedom and democracy will face a defeat in Central America as great as that of Vietnam unless those of us who lived through that era learned from our mistakes.●

● Mr. MOLLOHAN. Mr. Speaker, as we all know, last week marked the 10th anniversary of the Communist victory in Saigon. In recent weeks much has been printed in the press, and broadcast on television, to resurrect for us the memories of that war, which for America, ended a decade ago. All the articles and documentaries serve to remind us of the impact which the Vietnam war had on this country then, and continues to have on us all today. Whether we served there, or had a brother or sister or child or friend who served there, we all realize the sacrifice which so many young Americans made to defend the ideals of freedom so far away from home. Undoubtedly, the memory of the Vietnam war will be invoked each time the United States finds itself at the brink of involvement in conflict around the world, just as it was recently brought forth during debate on the situation in Nicaragua.

Mr. Speaker, we could talk all day about the Vietnam war and debate the pros and cons of that conflict and our actions, but I feel that today it is more fitting to talk about the brave Americans who undertook the arduous, painful duty of defending freedom against the threat of communism. Lets today honor the 2.8 million servicemen who participated in the war, the nearly 60,000 who lost their lives, and the 2,500 Americans who are still missing and unaccounted for in Vietnam. Today, let us reflect on the debt we owe all the American servicemen who fought, and those who sacrificed their lives, to defend the American principles of freedom and liberty and lets make it a high priority of our work in Congress to secure a full accounting of Americans still missing in Southeast Asia.●

● Mr. ROBINSON. Mr. Speaker, 10 years after the fall of Saigon, the war in Southeast Asia remains a painful memory. It is the memory of America's only loss in war, but more than that it is the memory of the 58,022 Americans who gave their lives over the span of a decade and a half. It is the memory of a great power being humbled by its own arrogance and misguided tenacity.

The past decade witnessed in America a collective amnesia about Vietnam. Recently, that amnesia has subsided. This Nation has recognized the valiant efforts of the men who fought and died not for territory, or glory, or wealth, but merely because they were called to serve. On July 8, 1959, the first American was killed in Vietnam. On April 30, 1975, the last American fled, not because of defeat on the battlefield, but defeat on the homefront. Those men and women did not abandon their positions, it was America that abandoned them. It is time we acknowledged that those who served cannot be forgotten, or separated from our memories. They are part of our history.

It is fitting we should commemorate the fall of Saigon and the departure of the American presence in Vietnam. While we commemorate victories, we should recognize and learn from our failures as well. We must never forget the lessons that Vietnam taught. We learned that successful foreign and military policy hinges on clearly defined goals. Militarily we learned that body counts and bomb tonnage ultimately mean very little. And, morally, we learned that this Nation should never send its men to die with the same lack of conviction and determination we showed in Southeast Asia.●

● Mr. ROE. Mr. Speaker, next week on May 7 we will commemorate the 10th anniversary of the end of our Nation's involvement in the Vietnam war. That conflict involved over 9 million American servicemen, of which 57,000 lost their lives. Another 2,400 are still listed officially as missing in action.

The Vietnam war evoked great passions among all Americans. There was great division in the Nation over whether or not our soldiers should be fighting a war in Southeast Asia.

Whatever our feelings about what our role there should have been, it is fair to say the Vietnam war did not have the overwhelming national support that we associate with both World Wars and the Korean conflict.

Unfortunately, that angry feeling about the Vietnam war permeated the lives of our soliders when they returned home from the battlefields of Asia. There were no parades down Broadway for the Vietnam vets. Instead, because of our desire to get Vietnam behind us, they became the forgotten generation of American heroes.

In addition to horrendous physical disabilities, many of the Vietnam veterans came home with mental disorders caused by the trauma of the traumatic jungle warfare they suffered through.

Now, 10 years later, many of those soldiers still suffer from what has been termed post-traumatic stress disorder that causes them to suffer, among other symptoms, deep depression that prevents them from leading normal lives.

Mr. Speaker, it has only been recently that our Nation has begun to appreciate the valiant efforts made by our fighting men and women in Vietnam. The establishment of the Vietnam Veterans Memorial in Washington was a major step in acknowledging the bravery and devotion to duty of those who gave their lives in the name of freedom.

On this 10th anniversary of the end of that conflict we can take another step to honor those who fought in Vietnam and those who are still missing in action. I am most proud to join my colleague, Representative TOM DASCHLE of South Dakota, in urging President Reagan to declare May 7, 1985, as Vietnam Veterans Recognition Day.

Such a dedication is long overdue. It is my prayer that this observance will send a loud clear signal to all Vietnam war veterans that indeed, they have not been forgotten.●

● Mr. KANJORSKI. Mr. Speaker, I would like to bring to your attention the accomplishments and achievements of the many young Americans who served with valor in the Vietnam conflict. On this, the 10th anniversary of the end of the Vietnam war, it is appropriate that we look back on this chapter in our history to honor those men and women who made the ultimate sacrifice on behalf of their Nation.

The Vietnam war was one of the most divisive in our history. The conflict in this country at times overshadowed the war itself.

The Vietnam era was a difficult time for our Nation and our Government, but its most profound impact was felt by the men and women who served in the Armed Forces.

Washington's Vietnam Veterans Memorial is one of the most moving structures in a city full of monuments. It is so moving because its message is so simple, yet profound. There is no greater service an individual can perform for his nation than to risk his life and limb on behalf of his country. The more than 58,000 American servicemen who died in Vietnam did so out of a commitment to their country. They served honorably and deserve nothing less than our fullest respect and appreciation.

While American troops no longer fight in Southeast Asia, many of the veterans of that conflict still carry the emotional and physical scars of the war. It is entirely appropriate that we recognize those who died in Vietnam. But we should also recognize the many

thousands of soldiers who survive today. The State of Pennsylvania alone is home to more than 375,000 Vietnam-era veterans. We should never waver in our commitment to care for those who risk their lives for our freedom.

It has been 10 years since the fall of Saigon. Let us not forget that all wars are paid for in the blood of young soldiers. The men who served in Vietnam paid that price, and for their sacrifice we should be forever grateful.●

● Mr. GALLO. Mr. Speaker, this weekend marked the 40th anniversary of the close of the Second World War. While it is right and just to celebrate the end of this tragic war, I would like to take this opportunity to remind my colleagues of the thousands of American soldiers who are missing in action from the conflict in Vietnam.

Saigon fell 10 years ago. Thousands of American soldiers left Vietnam to return to their loved ones. Thousands of others offered the ultimate sacrifice for their country. There are still thousands for whom there is no accounting. They are missing in action. Their status is uncertain. Are they alive? Have they passed away? Are they still being held captive?

Wars leave countries in debt. Whether a country is victorious or not, a debt to the soldiers, to their friends, and to their families is always accrued. It is a debt that we, as a people and a nation, must repay.

Our debt to the missing in action, to their families, and to their friends is overdue. I will not rest until the debt is paid.

By the most recent figures, there are some 2,400 brave American soldiers who are missing in action. The Defense Intelligence Agency has indicated that sighting reports and other information confirm the possibility that there are servicemen still alive in Southeast Asia. In fact, refugees have reported in excess of 750 firsthand sightings of live American soldiers.

Progress is beginning to be made with regard to ending the mystery of our missing in action. I do not, however, think that the current faint glimmer of hope is an adequate downpayment on our debt.

Today I am joining my colleague, Mr. HENDON, of North Carolina, in sponsoring House Concurrent Resolution 129. This important legislation would create a congressional commission that would report to Congress on whether or not there are American soldiers being held against their will in Southeast Asia, and what steps this Congress should take to ensure their return.

We absolutely must be ever vigilant in our efforts to determine the status of our soldiers who have yet to return.●

Mr. DASCHLE. Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Maryland?

There was no objection.

U.S. SMALL BUSINESS WEEK, 1985

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. MITCHELL] is recognized for 60 minutes.

Mr. MITCHELL. Mr. Speaker, the climate during which we are celebrating U.S. Small Business Week 1985 is unparalled. I cannot recall in all the years we've marked this observance a more awesome threat to all that the week of May 5-11, 1985, represents.

The administration—if it dared drop its cloak of hyprocrisy and doublespeak—would acknowledge as its symbol for Small Business Week 1985 a thumbs down on small business; thumbs down on free enterprise; thumbs down on economic empowerment for disadvantaged small and minority business; thumbs down on what has made America a land of opportunity through Government for the people rather than subsidies for the special interests.

My fellow colleagues, as I speak today, I must say that though I am pleased with the fact that we honor small business in 1985, it is clear that this is the year that small business in the United States has suffered unprecedented dishonor at the hands of the Federal Government—at the hands of the President of the United States.

Indeed, 1985 is the year that the U.S. Congress has been called on to be an accomplice in neutralizing the Government's role in maintaining and fostering a viable small business sector. Since 1932, Congress has seen fit to assist small businesses with technical and management assistance, loans and subcontracting.

What could be more disturbing? What could be more self-defeating? What could be more counterproductive than terminating Federal aid to small business at a time when we're focusing on revitalizing our economy and reducing a Federal budget deficit acquired by mismanagement, fraud, and selfish fiscal and monetary policies.

Nine Americans who served as Small Business Administrators under seven Presidents between 1951 and 1980 have made a matter of record their abhorrence of the administration's proposal to eliminate the U.S. Small Business Administration [SBA].

Their positions are not predicated on any sentimental attachment to an agency they once served. Instead, they are simply a part of a chorus of public outcry against the administration's destructive and uninformed decisionmaking—decisionmaking that is not guided by fact, and is arrogant in its disregard for the taxpayers and the will of the Congress.

Let us look briefly at some of these facts that are now being expressed in the wake of the administration's proposal to eliminate SBA.

First, reaction has been bipartisan, not only on the part of the former SBA Administrators, but on the part of individuals, groups, and governmental entities around the country. Indeed, the House Committee on Small Business has received, firsthand, public tributes to SBA for the help it gave that could not be found elsewhere. The committee has heard from mayors, such as Tom Bradley of Los Angeles and Ernest Morial of New Orleans. They told the panel that no small share of the economic development—jobs, tax revenues, decrease in public assistance—in their cities is due to SBA assistance. Governors have spelled out in letters to the committee their displeasure and indeed, their concern that further erosion of their economic bases will occur if SBA's long-term credit assistance is eliminated. We all know that big business and government borrowing dominate the long-term credit markets. We also know that SBA is the only public or private financial institution designed specifically to provide long-term credit to small businesses.

Over and over, in city after city, small business owners—some have subsequently graduated from this classification—took time from busy schedules to have placed in the records their account of how Federal assistance was there when they had no where else to go. Loans were provided small and minority entrepreneurs who were turned down by commercial institutions.

THE ECONOMIC FACTS

There is no argument from the administration regarding the economic stimulus derived from small business activity.

There is, indeed, no argument from the Congress on the economic benefits of a viable small business sector. Legislative activity of the Small Business Committee during the 98th Congress and continuing with the 99th Congress is based on opening up opportunities for capital growth, plant expansion, payroll and employee increases through public law mandated by the Congress.

As a result of such legislative activity during the last Congress several new public laws are on the books to stimulate achievement of a competitive small business sector. For the first

time in the history of the Federal procurement system, competition is open to small business. There was unusually vocal opposition to what is now the Small Business Federal Procurement Competition Enhancement Act of 1984 (Public Law 98-577). Strong lobbying against this measure made its enactment not only momentous but a true test of the bipartisanship that should prevail in regard to the small business issue.

I call on you to be governed in this legislative session by that same spirit of bipartisanship as we look at the administration's economic package as it relates to small business and a range of domestic programs.

Be governed during this period by these facts:

Since 1932, Congress has seen fit to assist small businesses. Through various wars, assistance to its veterans, depression and recessions, Congress promulgated Acts which would assist small businesses with technical and management assistance, loans and subcontracting.

Small businesses employ approximately 48 percent of the private work force, contribute 42 percent of all sales in the country and are responsible for 38 percent of the gross national product.

Small businesses provide approximately 67 percent of initial job opportunities and, thus, are responsible for the major cost in initial on-the-job training in basic skills.

Small businesses have been responsible for more than 50 percent of the new product and service innovations developed since World War II.

Almost every energy-related innovation of the past century has come from small businesses.

To measure benefits to the Government from SBA program assistance is to recognize that in every case the return far exceeds the monetary outlay. In the case of the Small Business Investment Program, for example, the cost-benefit ratio is 1 to 110. For a Government outlay of $4 million the Government takes in $441.3 million.

We have much to observe this week. We also have a small business sector to which we owe credit and a means of survival and growth.

In paying these debts and in giving this honor, we honor America and what it should always stand for.

□ 1740

In paying tribute to small business, we pay tribute indeed, we honor this Nation.

I would take this time to admonish and warn that any proposition, any proposal that would seek to dismantle, reduce, gut or render impotent the Small Business Administration is a gross, gross disservice to this Nation and to the small business of the Nation.

● Mr. SKELTON. Mr. Speaker, we are the land of opportunity. The best example of the endless opportunities available here in America is our small businesses. Small businessmen and women define the word "entrepreneur." They challenge the odds, start up their businesses, risking their money and reputation and struggle each day for survival. These entrepreneurs are the ones who contribute the most to our economy.

Small businesses were the power behind the drive for the 1983 economic recovery. Small companies created roughly 2.5 million new jobs in 1981 and 1982, more than offsetting the number of jobs lost by large industries. It is the small companies which are flexible enough to respond rapidly to consumer demands. More than 97 percent of all American companies are small business operations. These companies account for approximately 40 percent of our gross national product.

Small business also means innovation. Small companies carve out market niches too small for large companies, offering vital goods and services that large companies cannot or will not provide. Small companies generate 24 times more technological advances per dollar spent as compared to large companies.

The accomplishments of small business are made in an environment which is not always conducive to economic expansion. I have been a member of the Small Business Committee since I first arrived to serve in Congress. I have heard countless small businessmen describing the difficulties they face: obtaining capital, paperwork burdens, management, regulations and unfair competition to name a few. Small business owners have shown time and time again that they can overcome these difficulties and contribute so much to our Nation's economy by creating new markets, new jobs and improving our quality of life.

Mr. Speaker, this week is set-aside to honor small business owners for their countless contributions. But, Mr. Speaker, I would like to express my concern for the small businesses in rural America. Along with the 5.6 million people actively involved in farming today, there are more than 54 million people whose livelihood is directly dependent upon agricultural production. The crisis of the farm economy is theirs too, and their burden is no less the same. Bankruptcy makes no distinction between farmer and farm supplier, or between farmer and farm banker. Let us remember that the survival and future of this important sector of small business will be reflected not only in the success of the general economy as a whole, but the success of the farm economy as well.

It is in our Nation's interest to encourage the success of all small business intiatives. We must reaffirm our commitment to that entrepreneurial spirit, so uniquely American, that has been the pride of this Nation's past and shall be the hope of its future.●

● Mr. MAVROULES. Mr. Speaker, during this week many of us are taking the time to honor some of our Nation's most successful small businessmen and women. These individuals are outstanding representatives of this important segment of our private sector economy.

I must say that I am proud that the small businessman of the year from Massachusetts is from my congressional district; Mr. Alfred D'Alessandro of Gloucester.

However, today there is a question on the mind of Mr. D'Alessandro and his fellow honorees. They are concerned over the future of the agency which has given so many a fighting chance, and are opposed to the administration's proposed abolition of the Small Business Administration.

SBA is the one Federal agency with the responsibility to assist this segment of our economy. Small businesses are at the forefront of the American economy, producing a majority of new jobs and innovation occuring in the United States today.

The administration is now apparently supporting a revised plan which, rather than eliminating SBA will dismantle virtually all of the agency's lending programs. They claim that an independent voice for small business will still be maintained. But I contend that without a strong, fully functioning SBA, we would be virtually ignoring the voice of small business—and reversing what has been a bipartisan commitment to the small business sector.

Opponents of the SBA claim that the agency is not well utilized by American small businesses. I wish they could have received all the mail that has flooded my office over the last few weeks. Since the administration's plans were announced, I have heard from a large number of small businesses who have used the agency and support all of its programs. Many of these businesses wrote that they would not be in business today were it not for the Small Business Administration. It is likely that even our small businessman of the year, Mr. D'Alessandro, would not be honored here today if the SBA had not been in existence to turn his ideas into reality.

Mr. Speaker, it seems that many people have not been listening to the grassroots supporters of the Small Business Administration. Indicative of this feeling is the sentiment expressed by the president of the chamber of commerce in my hometown of Peabody, MA. He has written to the National Chamber of Commerce in Washington, DC and urged them to

reconsider their position in opposition to the SBA. The Peabody Chamber has informed the national office that it intends to withdraw from the U.S. Chamber of Commerce unless this position is reversed.

Mr. Speaker, I think the message from the grassroots is clear—save the SBA.●

● Mr. GALLO. Mr. Speaker, I rise today to acknowledge the many men and women of vision who have created small businesses with their own ideas and their own energies.

During U.S. Small Business Week, it is appropriate that we reflect on the fact that all businesses began as small businesses.

In my own district of New Jersey, a man of vision named Henry F. Henderson, Jr., began a new business in 1954 and has built an engineering and design company that merges our industrial manufacturing strengths with high tech know-how.

Mr. Henderson has been recognized by the U.S. Small Business Administration for top honors in New Jersey.

He and thousands of men and women like him have begun with a dream and developed a strong future of growth and employment for hundreds of other people.

Cooperation between Government and the private sector has produced impressive results in my home State of New Jersey. I feel strongly that we must create that same type of cooperative atmosphere in Washington, if we are to be successful in our efforts to promote growth in the economy.

Small businesses are the backbone of our economy.

Most major corporations today depend on the support services provided by a wide variety of small businesses. Growth in one area promotes growth in related fields.

Last year, in the 11th Congressional District of New Jersey alone, 11,000 new businesses opened their doors.

These operations, and other businesses like them, employ a majority of the work force. Growth in this sector of the economy is a positive sign for the future.

Questions have been raised in Washington about Government's involvement in business investment and support services through the work of the Small Business Administration.

There is no question that Government has an important role in cooperative efforts to promote a strong economy. The question involves the form that role should take.

I have learned from the New Jersey experience that Government's involvement should include cooperative efforts to help small businesses. It is an idea with a proven track record.

The current challenge to the future of Federal programs for small business development may be a blessing in disguise.

By forcing all of us to review current programs and discover avenues toward improvement, this process will result in an ever-stronger cooperative commitment, based on proven ideas and methods.

We must work together to create a new level of Government-private sector cooperation to promote economic growth.●

● Mr. ROTH. Mr. Speaker, commitment. To me this three syllable word best describes the stuff that makes up the small businessmen and women around this country. They are people who are willing to take a gamble and follow through on their own beliefs. They are the pioneers of today, setting forth on new adventures; often times risking all they have to achieve their goal; relying on their own determination, knowledge and entrepreneurship. That's commitment, and that is why it is fitting and proper that we set aside a week to honor the small business person—truly the backbone of the American economy.

Small businesses are the foundation on which our economy was built. It was the small business person who paved the way for our economic recovery. They are the innovators; over the past 50 years small businesses have been responsible for the creation of the majority of new products in the United States. Firms with less than 1,000 employees generate 24 times as many technological innovations per research dollar than do businesses with over 10,000 employees.

Small businesses are the job creators; 80 percent of all new jobs are created in the small business sector. More Americans have jobs now than ever before in our Nation's history.

Small businesses are the producers; during the 1970's small business accounted for 50 percent of the private sector GNP.

Today, more than 14 million small businesses across the Nation provide the initiative to propel our Nation to new heights. Last year the American economy soared ahead by 6.9 percent, defying dire predictions of many economists by turning in its best possible performance in 33 years.

Small businesses provide the locomotion to keep our economy on track.

However, we should not underestimate the strength of Government to derail this powerful engine.

The Federal Government has a two-part role to play in ensuring a bright future for small business. First, it should take every responsible effort to free small business of burdensome regulations which hamper growth and productivity. Second, it should promote a positive atmosphere in which small business can flourish both domestically and abroad.

An example of meeting the first goal will take place this week. It is appropriate that this week the Congress will take final action to repeal a tax recordkeeping law governing the business and nonbusiness use of automobiles and other equipment. This regulation required that excessively detailed vehicle logs be maintained in order for business people to receive routine tax deductions. This placed an unfair burden on the small businessman. It is fitting and proper that it be removed as soon as possible.

On January 21, I introduced legislation, H.R. 541, the Paperwork Reduction Act, to repeal the "adequate contemporaneous records" provision. In the past "adequate records" or "sufficient corroborating evidence" served as the legitimate standard for tax purposes. Productive business people should not be made unproductive bookkeepers. It is unfair for them to spend even more time coping with Government redtape. Companies which faithfully followed these regulations would have no time to do anything else. Repealing this onerous requirement is an example of fitting Government action to reduce burdensome regulations for small businesses.

In meeting the second goal, a Federal agency is needed to serve as small business's watchdog within the Government and liaison between the public and private sectors.

I believe the wholesale elimination of the Small Business Administration would be a serious mistake. Though there has been dissatisfaction with major elements of its programs, the SBA remains the only agency at the Federal level to serve as an important clearinghouse for all small business information. Its district offices provide necessary advice, counseling and resources to the small business community.

Abolishing the SBA is not the way to fight the deficit; closing down the agency and selling off its portfolio would cost the taxpayers in lost payments almost exactly the same amount as the projected savings. Instead the agency should be revamped and made more responsive.

We are entering a new entrepreneurial era, and the SBA should be redesigned to meet new challenges. Programs that cost far more than they produce must be eliminated. Programs that could produce valid results if better managed should be made more efficient and effective. Programs that already work well should be retained and enhanced. If these reforms can be made, then the Small Business Administration can meet its historic goal as the practical manifestation of small business's importance to the economy.

As regards international promotion, we must look toward the future and keep in mind that the world is becoming increasingly interdependent.

I have introduced legislation to give small business a "leg up" on the inter-

national market. House Concurrent Resolution 70 calls for international agreement on tariff and tax preferences to encourage exports by small businesses. If we are serious about expanding small business participation in world trade, tariff reductions would be one way to offset the extra complexity and risk inherent for small business exporters.

Our national economy, as well as the world economy, stands to benefit from a global free trade zone for small business. We can significantly ameliorate our trade deficit by attracting more American companies into the international trading area. A free trade zone targeted to independently owned small business will help foster free enterprise and entrepreneurship around the world. It is an important U.S. foreign policy objective to encourage the healthy growth of an active private sector, particularly in the developing world.

In the end, however, the Government can only do so much. As any small businessman will tell you the success or failure of a company will depend on the individual, how good a manager he or she is, and his or her commitment. We from Wisconsin have had a long history of committed small business people working for a better future in our state. I am proud that two of my fellow Wisconsinites will be honored during this week for superior achievement in the field of small business.

Ted Batterman of Fort Atkinson, the Wisconsin Small Business person of the year, saw the commercial potential in shelving mounted on tracks. His simple technology resulted in an annual 44 percent average growth of sales and the employment of 95 people in the last dozen years.

Gene Boyer of Beaver Dam has been named Woman in Business Advocate of the year. She has designed a framework for an entrepreneurial training program that involves educators and established business owners in providing classroom and on-the-job training for aspiring entrepreneurs. As head of the newly formed Wisconsin Women's Business Coalition, Boyer has taken steps toward her goal of organizing Wisconsin's women in business, management, and public life into a force for change in the state's political, legislative, and policymaking processes. With leadership such as this, I have no fears for the future of small business in my state.

As President Reagan said in proclaiming Small Business Week, "The history of America is the history of a nation at work—a nation of farmers, manufacturers, and merchants joining together to build a better society." This week we take time to honor that commitment to hard work and the belief that through that work of the individual, a difference can be made a better society can be built.●

● Mr. VENTO. Mr. Speaker, I would like to take this opportunity to congratulate those in our small business community across the country during this, U.S. Small Business Week. The men and women in our small businesses are often on the leading edge of innovation and progress. They bring particular skills and capabilities to our business sector that allow our economy to move ahead.

I am especially honored today to represent the area in Minnesota in which Dianne and Rocco Altobelli reside. The Altobellis are being honored this week as Minnesota's small business persons of the year. When the Altobellis started their business 11 years ago, Dianne managed the books and the reception desk, and Rocco hired three stylists to work with him. Today, the six Altobelli salons serve approximately 15,000 customers a month and gross $5 million annually. Also very important, Rocco and Dianne have not lost their ability to continue their community spirit. For the past 2 years, they have sponsored a fashion show/hair styling competition raising money to benefit the University of Minnesota Organ Transplant Assistance Fund.

The businesses represented by the various States range from a lumber company in Arkansas to a chemical corporation in Arizona. Many of these entrepreneurs started with little cash in their pockets but a strong spirit in their hearts. Through hard work and determination, they were able to make a go of their operation.

I would like to thank my colleague, Mr. MITCHELL, for arranging this special order, and again extend my congratulations to our 13 million small business people across the country and encourage them to continue their hard work and dedication.●

● Mr. MACK. Mr. Speaker, I would like to thank my distinguished colleague from Maryland, PARREN MITCHELL, the chairman of the House Committee on Small Business, for organizing today's special order honoring small business. It is a privilege to be able to participate in this celebration of Small Business Week.

The small business community has been the engine behind the tremendous recovery our Nation has experienced during the past several years. As small business owners in my State of Florida can testify, the continuing recovery has been strong and broadbased. In many sectors of the economy, small businesses have enjoyed considerably higher growth than their larger competitors. For example, between October 1982 and October 1984, employment in industries dominated by small firms rose 11.4 percent, nearly double the employment increase of larger firms.

Business starts across the country have set records for the past 2 years. In Florida alone, statistics indicate a 31-percent increase in new corporate formations during the past 4 years.

What has made this growth so dramatic? I think the answer is crystal clear—we have had a consistently low level of inflation.

I can think of no better way for this Congress to pay tribute to the economic importance of small business in America than to pledge that we will make the hard decisions necessary to promote an economic environment conducive to continuing growth and prosperity. First and foremost, this means that we must achieve substantial reductions in the projected budgetary deficits in not only fiscal year 1986, but in the outyears as well.

In a recent survey of its membership by the National Federation of Independent Business, it was learned that nearly 90 percent believe that reducing the deficit should be our Nation's highest priority. Almost 80 percent think that taxes are too high and accordingly, oppose efforts to force a citizen "bailout" of the Government. The message is—let us make the sacrifices across the board, let us not rely on new revenues that would inhibit further business expansion, and, let us pull together and do what is in the interest of the entire country, not narrow interest groups.

Doing what is best for small business is doing what is best for America. I urge that this House recognize this fact when we address the Federal budget in the coming weeks. If Congress is able to achieve significant deficit reduction, I am confident that the next few years will witness new records for small business expansion, continued employment increases, and a healthy, growing economy.●

● Mr. ROE. Mr. Speaker, I take great pleasure in rising today to salute what I consider to be the backbone of our Nation's economy; the small businessman and woman.

Some 21 years ago this week, Congress designated "National Small Business Week" to honor and recognize the achievements of those men and women who make up the small business community throughout our Nation.

Figures detailing the role the small business owners play in our economy are starting. It is estimated of the 15 million businesses in the United States, some 98 percent are considered to be in the category of small businesses.

The small business sector is by far the largest creator of jobs in our economy. In fact, the number of jobs created in the small business sector was twice that of large businesses.

Owning and operating a small business has been the dream of millions of

Americans. The dream has become a reality for many of minority and women entrepreneurs. From 1983 to 1984, the percentage of women who owned their own businesses increased 5.1 percent from 2,440,000 to 2,566,000.

The number of minority small business owners jumped 10.3 percent during the same time period from 570,000 to 629,000.

It is vital that Congress continue to support the efforts of the small business community in our Nation. Small Business Week is the perfect vehicle to highlight the achievements of our small entrepreneurs and to send out the message that the small businessman will be the leader in providing us with economic growth in the years ahead.●

● Mr. TORRES. Mr. Speaker, I want to thank the distinguished chairman of the Committee on Small Business for reserving this time to honor the Nation's small businesses.

Much has happened since last year's National Small Business Week. In a year, the Small Business Administration has gone from the praise of President Reagan to the scorn of David Stockman. The SBA, in 1 year, has gone from Presidential commendation to bureaucratic rathole.

But Mr. Speaker, it is not the SBA that has changed in a year. Most of the agency's programs continue to offer benefits to the Nation far exceeding costs. And it is not the small businesses that have changed in a year. Small businesses continue to need Government loans to expand and remain competitive.

What has changed is that some people stopped listening to small business men and women. Some people decided that honoring small businesses is enough but listening to them is too much. I disagree. To honor small businesses, we also must listen to the message of small business owners and employees carried in letters. They are asking us to save the SBA. To honor small businesses we also must listen to their testimony at committee hearings. They are telling us to save SBA's financial assistance programs.

Mr. Speaker, I would like to submit three letters from small business men and women. Listen to Isabelle Sanderman, the president of Li Wong Enterprises in West Covina, CA:

MARCH 1, 1985.

Mr. ESTEBAN E. TORRES,
Congress of the United States, House of Representatives, Washington, DC.

DEAR MR. TORRES: I have received your "Keeping in Touch" letter dated February 21, 1985 regarding the future of Small Business Administrations livelihood. I am one of those who used the Small Business Administration to help me along with an occasional problem. Nothing major, but it is a comfort to me to know that there is a place I can go if the need arises. No doubt there are countless others who stated their business with the help of the SBA. I am aware that the cost to keep this organization running is enormous, but I feel that we received so little for the taxes we pay in the way of community services from the government that I am in favor as you are to keep the SBA as long as possible.

You can tell the President for me that I voted for him because I like some of his policies and I think he is a fair man, but he cannot help the poor because he's never been there like so many others; and even though he means well, he can't do something about certain domestic issues if he knows nothing about them.

Thank you for keeping me informed.

Sincerely,

ISABELLE SANDERMAN,
President.

Listen to Richard D. Sullivan, the owner of Sullivan Janitorial Services in Cleveland, OH:

MARCH 4, 1985.

Congressman ESTEBAN TORRES,
Small Business Committee, Rayburn House Office Building, Washington, DC.

CONGRESSMAN TORRES: We feel that the Small Business Administration has been a vanguard in helping small business.

In the beginning they made some mistakes, and had a few "kinks" in their procedures, but they have overcome the difficulties that they previously entertained and at the present time they are an effective and efficient "machine" working for the ongoing progress of the small business.

At this point in time the Small Business Administration is at the crest of what it was originally created to do.

The new programs which are being proposed and those that have been implemented, I am sure, will do some of things they are intended to do in 10 or 15 years, but not today. The Small Business Administration is doing them now.

In short, I think to disband the Small Business Administration at this time would be a great mistake if it is indeed your true intentions to aid and assist small businesses. We are sure the economical return will be more than tenfold the current investment in America's future.

Thank you for taking the time to listen to the voice of one small business owner.

Sincerely,

RICHARD D. SULLIVAN,
Owner.

And listen to Josie Mena, the project director of the San Joaquin Valley Business Consulting Center in Fresno, CA:

FEBRUARY 28, 1985.

Congressman ESTEBAN TORRES,
House of Representatives, Longworth Building, Washington, DC.

DEAR CONGRESSMAN TORRES: I was pleased to receive your bulletin "Keeping in Touch" where you express your support for the continued funding of SBA.

As a Minority Business Development Center that provides management and technical assistance to minority owned business in Fresno County, we can certainly attest to necessity of SBA. Approximately 95 percent of our clients, financial packages are guaranteed through SBA. Their elimination would have a devastating impact in the formation of small business—specifically minority owned. Small businesses are the backbone of our economy and needless to say, they create the largest percentage of jobs.

Thank you for your support of SBA and if I can be of any assistance in lobbying for SBA please do let me know. For your information, I am attaching a copy of letter that I sent recently to Congressmen Coelho, Pashayan and Lehman.

Sincerely,

JOSIE MENA,
Project Director.

Mr. Speaker, these people are the small businessmen and women which we honor today. Listen to their words, save the SBA.●

● Mr. STENHOLM. Mr. Speaker, I commend the chairman of the House Small Business Committee, our friend and colleague PARREN MITCHELL, for scheduling this time to honor the Nation's small business community. Your stewardship of the Small Business Committee and its jurisdictional issues pertaining to legitimate small business concerns is to be applauded. It is, indeed, my pleasure to be able to serve and work with you.

As a member of the Small Business Committee and chairman of the Subcommittee on Energy, Environment, and Safety Issues Affecting Small Business, I am pleased to take the opportunity to salute the men and women of this Nation who contribute to the economic welfare of America by operating and maintaining small businesses. The almost 13 million small businesses in this country are the very foundation of new jobs, ideas, and technologies that further the economic system we enjoy. Moreover, our Nation's small businesses provide communities with a sense of continuity and support that go beyond just dollars and cents.

My district, the 17th District of Texas, is a perfect example. In this predominantly rural area, there are almost twice as many small businesses as the national average. These businesses, and the people who maintain them—many of whom are third or fourth generation families carrying on a long tradition in business—are the backbone of the communities they serve, economically and culturally. These businesses and the people they employ are a part of the community, and the community is a part of them; this interdependence between a small town or city and its business persons can overcome recession and economic hardship that would otherwise destroy the fiber of a community.

On this note, I commend the Nation's small business community during U.S. Small Business Week, and remind my colleagues and all Americans that this week should not be the only time we offer our thanks to these men and women: their contributions are felt in every city and town in this country every day, and our appreciation should be extended to them on a daily basis.●

● Mrs. MEYERS of Kansas. Mr. Speaker, I am pleased to join my colleagues in honoring small businesses during U.S. Small Business Week.

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The efforts expended by small businessmen and women in operating their businesses efficiently, contributing to the development of new innovations and utilizing American talent in the workforce, is commendable. This week we recognize their important achievements and we honor them.

Today I would like to read to you some remarks made to me by small businessmen and women from my district. I think that they reflect the state of small business in my district and most importantly, they describe the character and motivation of the small businessman and woman.

First, I want to recognize the "Kansas small business person of the year." His name is Mr. Bruce F. Burdick, president of Burdick's Computer Stores, Inc. He is a resident of Overland Park, KS. Mr. Burdick is a successful businessman who has opened up a number of computer stores and often counsels Computerland franchisees. Last night at the small business reception he stated that he "supports the SBA and that some of it's loan programs assisted him in starting his business."

The following statements are made by small businessmen and women from my district and I would like to read them into the RECORD:

Ms. Mary Birch, executive secretary of the Overland Park, KS Chamber of Commerce: "Overland Park and Johnson County have been fortunate in the last 10 years to experience a vast array of dynamic business growth. In the pattern of growth it seems to become evident that the glue of the community are the small businesses who are developing and expanding. Small business growth has been the catalyst that has resulted in over 10 years of business expansion and growth in employment opportunities."

Mr. John Jullian, president of the Small Business Council of the Kansas City, Kansas Area Chamber of Commerce:

"The small businessman is not a stereotyped chairman of the board. He is not a 'sit behind the desk' professional. He is an adventurer. He is a speculator and a dreamer. And when you think about it, isn't this how business gets started? An idea, with a dream—the American dream.

"The American dream is still out there for every person who is willing to roll up his or her sleeves and stop bellyaching. It takes time and patience to realize a dream. Faith is also a strong factor. Sometimes it is more powerful than logic or theoretical thinking. Remember that big business did not start out that way.

"Success stories of small business are increasing at a greater percentage than anytime in our history. This leads to Keener competition and professionalism. It sounds like a tough way to go but it's not impossible. When success is realized with the accompanying self-satisfaction and financial contribution to our community, as Jackie Gleason used to exclaim 'how sweet it is!'.

"I believe that if you do what interests you, bearing in mind love, sensitivity, and cooperation with others, and strength and conviction, it can be done. It all makes you worthy of your own self-respect and that of others."

Mr. Mike Dugan, president of the Kansas City, Kansas Area Chamber of Commerce:

"Small business is big business in Kansas and throughout the United States. Locally, 96 percent of the area businesses have fewer than 50 employees. And those small businesses mean big numbers for employment. The Nation's 14 million small businesses employ one-half of the Nation's workforce.

"During National Small Business Week the Kansas City, KS Area Chamber of Commerce, in cooperation with the SBA, is saluting this essential group within the American economy. Today the chamber and the SBA announced the selection of the community's small business of the year. That small business is the Douglass Bank with Mr. Donald Ford as president and Mr. Will Taliaferro as chairman of the board. Additional awards were given to the new small business of the year. This business is River Views Newspaper, with John and Mary Walizeck, owners and publishers. The outstanding contribution to the community was made by the small business named Buchanan Architects, Eugene and Georgia Buchanan, principals."

Again, Mr. Speaker, I am pleased to have this opportunity to honor small business in Kansas and throughout the Nation for their important and innovative contributions to the economy.●

● Mr. HAYES. Mr. Speaker, it is with a mixture of pride and fear that I join with my distinguished colleagues today to celebrate National Small Business Week. Pride because of the spirit of entrepreneurship which has given life to the dreams of small business people all over this Nation. Fear, because the little assistance that the Federal Government has been able to give to help those dreams come true may be swept away by the Reagan administration.

As a member of the Small Business Committee of the U.S. House of Representatives, I have listened with great interest to the testimony of many small business owners, bankers, and elected officials in this country. I have been impressed by their courage and their perserverance. There have been stories filled with sadness and stories filled with joy, but they are all filled with hope for a better tomorrow.

Small business generates 38 percent of our Nation's gross national product. Additionally, small business accounts for over 85 percent of newly created jobs in the country. In the district that I represent on Chicago's south side, unemployment is 17 percent. Unemployment among our youth is over 60 percent. Given the potential to create jobs and opportunities for economic development, I am extremely concerned about the Reagan administration's proposal to eliminate some of the SBA's most successful programs. The direct loan program, the guaranteed loan program, and the surety bonding programs are targeted for elimination, and yet, these are precisely the programs that have helped to create, sustain, and expand businesses; businesses that last year added an additional 13,000 jobs in my home State of Illinois. I fear that under the pretense of "deficit reduction," the administration will do away with helpful, meaningful, programs that Budget Director David Stockman does not want to keep anyway—deficit or no deficit.

Small business had rallied to the defense of the SBA, however. We have heard from small businesses, Government agencies, and elected officials. The message has come from far and near and the message has been loud and strong; small business wants to have a strong and independent SBA. If deficit reduction is the goal, then SBA will take it's share. I strongly oppose, however, elimination of programs that have been proven effective.

It is with this message, and with the hope of present and future small businesses, that I salute "Small Business Week." I salute the small business "people of the year," especially those in Illinois. I also congratulate Jack Smith, Chicago District Director of SBA, and the Chicago District office staff. Keep up the good work and good luck to all of you.●

● Mr. BONER of Tennessee. Mr. Speaker, all this week we are honoring this Nation's small business community. It is fitting that we do so, especially since they contribute so much to our economy.

At the same time, we need to realize that the Reagan administration wants to cut the lifeline to our small business community. I am talking about the proposal to eliminate the Small Business Administration.

The Small Business Administration [SBA] has been responsive to the needs of the small business entrepreneurs, including women and minorities, for the past 30 years. The SBA has proved effective in increasing Federal contract opportunities for small firms as well as by implementing set-aside provisions for minority-owned businesses.

The SBA has provided support to countless numbers of people in the Fifth Congressional District of Tennessee to operate many of this area's small enterprises. These are enterprises which stimulate and sustain our local economy. These are businesses that produce, innovate, and generate a large number of new jobs for the people of this county.

Small business is not just another special-interest group, it is a very vital component of our economic system. Tennessee's small business firms produce millions of dollars worth of products for both our domestic and foreign markets.

I believe that the real strength of our economy lies in the good health of the small business community. Without the continuation of the Small Business Administration, that strength in our small businesses and

our economy would weaken. That is why I believe we must continue the programs sponsored by the Small Business Administration. I encourage all my colleagues here in the House of Representatives to support the continued funding of the Small Business Administration.●

● Mr. DREIER of California. Mr. Speaker, in 1840, Alexis De Tocquevile made this observation about the American economy: "What most astonished me in the United States was not so much the grandeur of some undertakings as the innumerable multitude of the small ones." Today, nothing has changed since 1840. Small business is the most vital segment of our economy.

Small businesses total 97 percent of all business establishments, and the goods and services produced by the American small business person makes them the world's fourth greatest economic power. The value of small business is even more critical to my home State of California, which accounts for over 11 percent of the Nation's small business establishments. Small business is not just important to California, it is our economic lifeline. It is estimated that by the year 1990, California's dynamic economy will create 2 million new jobs, most of which will be provided by the small business sector.

Part of that dynamic influence comes right from my congressional district. As part of Small Business Week, in honor of our Nation's more than 14 million small businesses, I have recognized four of the many outstanding small business individuals in my district. They are: Don Beckhart, PIP Instant Printing in Pomona; Ken Casford, Whittier Mailing Service in Whittier; Jerry Oxman, Oxman Surplus in La Mirada; and Patrick Gatti, La Verne Florist in La Verne. These four small business people epitomize the dedication and perseverance it take to become successful small entrepreneurs in a free and growing economy. As Members of Congress, we need to do our part to insure steady growth and opportunity so that every American can attain successful dreams similar to these four outstanding individuals.●

● Mr. BARNES. I am pleased to take part in this recognition of National Small Business Week by honoring one of the more unique small businesses in my community of Montgomery County, MD—Integrated Microcomputer Systems, Inc.

As the following testimony by John T.C. Yeh, the owner, will show, Integrated Microcomputer Systems represents an inspiring example of how a long-shot business venture can succeed through the resourcefulness and perserverance of one individual—and with some help from the Small Business Administration.

When Mr. Yeh arrived in this country from Taiwan in 1947, not only was he completely unschooled in the English language, he was also deaf. Although he obtained a masters degree in computer science from the University of Maryland, he found that he was unable to advance in his chosen career because of the unwillingness of potential employers to hire someone with his handicap.

Frustrated by seeing his nonhandicapped brothers achieve professional success with similar qualifications, Mr. Yeh decided to strike out on his own. He received a loan from the Small Business Administration's Handicapped Assistance Loan Program and went on to achieve his dream of owning a business which has not only been financially successful, but has also provided employment for a number of minority and handicapped individuals.

The testimony follows:

TESTIMONY OF JOHN T.C. YEH BEFORE THE COMMITTEE ON SMALL BUSINESS, APRIL 30, 1985

Mr. Chairman and members of the committee, as you can see my testimony will be presented in sign language. A member of my staff will be interpreting for me.

I am John Yeh, owner and president of Integrated Microcomputer Systems, Inc. IMS is a high-tech company located in Rockville, MD. We are involved in computer systems engineering, software development, office automation and telecommunications. Currently, we employ 175 people, almost 50 percent of whom are minorities and 20 percent of whom are deaf individuals. Most of these deaf employees were either unemployed or significantly underemployed before joining us.

I have been told that it might be useful to the 99th Congress, as it deliberates the future of the SBA and its various programs, to hear the story of why and how I founded the company and even a little about my background.

I was born deaf in Taiwan in 1947. In search of a quality education for my deaf sister and me, my parents moved the family to the United States when I was 15. I arrived not knowing a word of English but thanks to a constantly used Chinese/English dictionary and dedicated teachers at the federally funded Kendall School for the Deaf here in Washington, DC, I was accepted at Gallaudet College. It was at this internationally known college for the deaf, that I received a bachelor of arts degree in mathematics. Knowing that job opportunities were limited for deaf individuals, even for those possessing a bachelor's degree, I enrolled at the University of Maryland. There with the aid of interpreters and extra readings recommended by professors, I earned a masters degree in computer science.

After months of effort and the distribution of hundreds of resumes the only job I could find was as a computer programmer at my alma mater, Gallaudet College, a place not afraid to hire a deaf person. I advanced to senior programmer, a position I did not find sufficiently challenging and a position from which it was impossible to advance because of the limited opportunities inherent in any college's computer unit.

It was during this time that I saw my three hearing brothers, each of whom also received a graduate degree in computer science from the University of Maryland, advance quickly in the high-tech field.

Once again, I spent many months looking for a position that offered the professional advancement of which I knew I was capable. Potential employers, however, lost all interest as soon as they discovered I was deaf.

It was a very frustrating time for me. The high-tech world was rushing forward with many exciting advances, my brothers were experiencing constant professional progress and I, it seemed, would be in the same unchallenging, dead end position for the rest of my life.

At this point it became clear to me that the only way I would ever advance was to start my own business, a business which, hopefully, would allow me to provide employment opportunities to some of the many deaf people I knew who were unemployed or, like myelf, underemployed.

After collecting several almost instantaneous rejections from bank loan officers, I received a $100,000 loan from the SBA's Handicapped Assistance Loan [HAL] Program to start Integrated Microcomputer Systems in 1979. The Small Business Administration continued to be of vital assistance through its many excellent publications and technical assistance, but most of all through its 8(a) set-aside program for minority-owned business.

I am certain that I would not have been able to start the business without the SBA. I am equally certain that the company would not have grown from myself, a secretary, and a part-time business manager to the 175 employees we have now without the SBA.

Although I am a Republican and support the administration in several respects, I vigorously oppose the elimination or reduction of the Small Business Administration as a very shortsighted attempt to reduce the Federal deficit. I firmly believe that the SBA and its Handicapped Assistance Loan Program are wise investments in the future of our country's economy. The billions of dollars small businesses and their employees pay in taxes shows the Administration's strategy to be "penny wise and pound foolish".

I respectfully urge this Congress to retain the Small Business Administration in its entirety. And I respectfully request this committee to make special efforts to assure that Congress retains the Handicapped Assistance Loan Program. The latter is the only way many disabled people will be allowed to reach their potential for contributing to the economic and social health of our country.

Thank you for the opportunity to share my experiences and views.●

● Mr. ADDABBO. Mr. Speaker, I rise to join my colleagues in recognizing the vital role that small businesses play in our Nation's economy.

President Reagan in his proclamation declaring the week of May 5 as "Small Business Week," stated that throughout our history small businesses have "provided the foundation for a growing and prosperous America". The President further asserted that small businesses "provide the technology to keep the economy growing, the manufacturing and marketing skills to keep the Nation competitive, and the innovation to guide us into a better future."

The President's words are not mere rhetoric. The fact is that small businesses provide 58 percent of the jobs in this country, are responsible for 45 percent of the GNP, and produce half of all major innovations at only 4 percent of what it costs big business and government to produce the remainder.

Thirty-two years ago, recognizing the importance of small businesses, the Congress established the SBA. Over the years it has played, and continues to play, a critical role in the expansion and development of small businesses throughout America. A great many small businesses would not exist today were it not for the financial and technical assistance made available to them through the programs administered by the SBA.

Yet the administration proposes to do away with the SBA. The President, as usual, was eloquent in his Small Business Week Proclamation. But this country and this economy needs more than just lip service from the White House, it requires a President who will provide a positive climate for small business. A good place to start would be with the removal of the SBA from the administration's hit list.●

● Mr. BROOMFIELD. Mr. Speaker, I rise today to salute small businesses all over the country as we celebrate Small Business Week this May 5-11.

Our Nation is a nation at work with small business leading the way. It is small business men and women who have created the jobs and the wealth of this great land and helped make our country the richest in the world. It is small business people who have done the innovation and have created the new ideas to keep America No. 1 in technology, manufacturing, farming, and in many other areas.

Our Nation's 14 million small businesses have led the way for our current economic prosperity. It is small business that has been willing to take the risks, hire the manpower, and rekindle that great American competitive spirit. Many young entrepreneurs have seen the opportunities and have striven to meet the challenge.

Mr. Speaker, I ask my colleagues to join me in celebrating "America at Work" and in saluting America's small businesses.●

● Mr. BLILEY. Mr. Speaker, in a recent Washington Post editorial George F. Will wrote: "Since 1970 the United States has produced more jobs every day than Western Europe has produced in the decade and a half." This is a tribute to small businessmen and small businesswomen who, by using what President Reagan calls enterprising genius, created more of these jobs than any other sector. In just 2 years, from 1980 to 1982, small business created 2,650,000 new jobs. All this is evidence small business is a driving force in our economy. It is fitting we honor them this week.

But what will we do to them next week? For gentlemen, we stand here today not only in the midst of "small business week," but also on the eve of the budget debate. The outcome of that debate will have a tremendous effect on small business and all Americans, for some time to come.

I believe we have but one alternative and that is to substantially reduce the deficit. This is a difficult chore, but not one that is optional. And if we meet the challenge, most experts agree interest rates will fall and small business will be off and running again. So, let us go forward in a bipartisan manner to reduce the deficit. This would show we truly honor small business. Thank you.●

Mr. MITCHELL. Mr. Speaker, I yield back the balance of my time.

BIG STEEL HAS BIG PROBLEMS; NOW WE NEED WORKABLE SOLUTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennslyvania [Mr. GAYDOS] is recognized for 30 minutes.

● Mr. GAYDOS. Mr. Speaker it should come as no surprise to anyone in this body who has followed the American steel industry when I say that the industry is in big trouble. I have been saying so for the past several years and, while I fear that my words have fallen on deaf ears, I know I am not alone in my concern.

Recent reports strengthen my concerns. Just the other day, Wheeling-Pittsburgh Steel Corp., which about 1 month ago filed for reorganization under chapter 11 of the Federal Bankruptcy Code, issued its financial report for 1984—and the picture isn't too good.

Wheeling-Pittsburgh reported that in 1984 it suffered an operating loss of $8.2 million. Admittedly there was some improvement from 1983 to 1984. In 1983, Wheeling-Pittsburgh showed an operating loss of $93.3 million. Keep in mind, however, that there are operating losses, the difference between net sales and operating costs. The net loss for Wheeling-Pittsburgh in 1984—that's after interest on debt and other costs—was $59.3 million, as compared to a net loss of $54 million in 1983.

And, given the figures for the first quarter of 1985, things are still bleak. For the first quarter of 1984, Wheeling-Pittsburgh showed an operating profit of just over $7 million. For the first quarter of this year, the company reports an operating loss of $11.6 million.

But Wheeling-Pittsburgh is not the only steel company feeling the pinch. Armco, Inc., will sell up to $800 million in assets in order to reduce its debt and consolidate its operations. Armco hopes to stave off continuing problems through this means.

And, late last month, Inland Steel Co. announced that it would reduce its steelmaking capacity by 30 percent on a permanent basis over the next year and a half, laying off some 900 hourly workers and 150 salaried workers in the process.

In addition, other major steel producers in this country are facing similar problems that could result in similar actions—filing for reorganization and reductions in capacity. Given the fears that American lenders have with regards to loans to steelmakers, the problems could affect many others as well.

An article in the Wall Street Journal on May 2 clearly outlines the issue. The article quotes one bank vice president as advising loan officers to show extreme caution in making new loans to major steel making firms. That bank officer says that despite a reduction in steelmaker bank debt from 1983 to 1984, the industry's failure to rebuild its balance sheets during the economic recovery makes new credit just too risky.

What this means for the steel industry in this country is that at a time when it is seeking resources in order to modernize its plants and install new technological advances as a means of competing better with imported steel, it will not be able to get those funds from traditional lenders.

I am enclosing the article because I think every member of this body should be very much aware of the pressures facing this most important industry.

But, that isn't all. The United States Steel Corp. held its annual meeting in Los Angeles earlier this week. At that meeting, David Roderick, United States Steel board chairman, told stockholders that the American Steel industry would continue to shrink over the next 5 years and that United States Steel, itself, would survive only if the Government restricts imports and labor unions grant concessions.

Mr. Roderick, who strongly supported this administration's decision to aim for voluntary restraint agreements with several steel exporting nations, seems now ready to change his mind. How, he hopes the agreements work, but he isn't overly optimistic.

I don't know why he is so surprised. I have been saying since last September that only worldwide quotas would work. These agreements we have developed will only go so far.

The problem, simply stated, is that the agreements have been drawn with some eight steel-exporting nations. What we, who are concerned, see is other nations with whom there are no agreements shipping more here.

Last week, a new report on the steel industry was released. This report,

"The Competitive Status of the U.S. Steel Industry," was prepared by the Steel Panel Committee on Technology and International Economic and Trade Issues of the Office of the Foreign Secretary of the National Academy of Engineering and the Commission on Engineering and Technical Systems of the National Research Council.

The opening paragraph of this report sets the stage as well as any other single report I have read on the future of the American steel industry:

The domestic steel industry, probably more than any other industry in this country, offers a unique opportunity to study the influence of technology and international trade policy alternatives on mature or declining industries. For roughly two decades the steel industry in the United States has been beset by a plethora of related factors: Severe competition from imported steel, often sold at allegedly dumping prices; relative long depreciation schedules; outdated facilities; de facto price controls; high labor costs; high capital outlays to meet regulatory requirements; poor public relations; and management problems. Moreover, the international trade aspects of the problem appear to be increasing rather than diminishing. The world steel industry has access capacity and little or no profits while at the same time some developing countries are adding new capacity. These conditions are likely to induce foreign producers to export more steel to the United States, the world's largest and most accessible market.

There is almost nothing else to be said about the American steel industry except what to do to resolve the problems.

The report by the National Academy of Engineering and the National Research Council does not make any specific recommendations, but instead looks at a number of those that have been proposed and reviews both the positive and negative impacts of those suggested solutions.

Enforcement of countervailing duty or antidumping laws, the study says, would be beneficial in that industry would see the maximum extent of American fair trade laws. On the obverse side of that coin, there is no assurance that the imposition of unfair trade duties on particular countries or geographical regions would prevent other countries from expanding their steel exports.

The disadvantage of quotas, according to the report, is that they eliminate any foreign price competition and weaken the constraint on domestic wage settlements. On the other hand, they are the most direct way of assuring the domestic industry a specific market share and eliminate concerns about fluctuations in exchange rates and supply-demand balances.

One other suggestion worth noting concerns liberalization of antitrust policy in the United States. Such changes that would permit mergers and acquisitions to promote combining and matching of facilities; joint ventures to reduce capital costs; and jointly sponsored research and development.

This is an important study and one I recommend to each and every Member of Congress so that we, as a body, will be in a position to understand the problems of this most important industry and develop solutions that will have some long-lasting impact.

I have never made a secret of the fact that I would prefer specific quotas for a specified period of time, probably 5 years, because I believe that is the only way we will be able to control the flow of steel into this country and ensure our domestic steel industry an opportunity to hold its share of the American market.

That way, we would not have to fear increases from countries that have not signed voluntary agreements with us and, at the same time, we would have a better handle on exactly what our needs are.

I recognize that quotas alone might not do the job. It may well be that some combination of factors, such as strong enforcement of unfair trade laws and easing of antitrust laws as well as quotas, might be a better answer.

None of us, however, even those opposed to quotas, should close his or her mind to seeking workable solutions that will enable the American steel industry to remain healthy and productive.

[From the Wall Street Journal, May 2, 1985]

Banks Fret Over Exposure in Steel Industry

(By J. Ernest Beazley)

Since J.P. Morgan founded U.S. Steel Corp. in 1901, the alliance of steelmakers and bankers has been an intimate one. But that once-stable relationship appears headed for the rocks as lenders increasingly fret over their exposure in the troubled industry.

Last month's bankruptcy-law filing by Wheeling-Pittsburgh Steel Corp. and Armco Inc.'s near-bankruptcy only exacerbated already-strained ties between capital and industry. They also illustrated the turbulence and heightened risk in steel lending.

Not long ago, the unraveling of the steel industry would have seemed unthinkable both to producers and bankers alike. But cheap foreign imports, high labor costs, obsolete hardware and the dwindling demand for steel have ravaged steelmakers, shattering their lenders' smokestack orientation.

Although loans to the industry pale next to the enormity of Latin debt, steel industry bankers find themselves in vulnerable positions. Most major U.S. lenders already are carrying large portfolios of shaky foreign loans, and their capital-to-assets ratios scarcely meet federal regulatory guidelines.

Money-center banks are reassessing major steelmakers as credit risks, while some lenders have turned to stronger producers such as Allegheny Ludlum Steel Corp., a specialty-steel maker, and Pohang Iron & Steel Co. of Korea, a government-controlled producer. Most banks are seeking to use debt-restructuring talks such as those with Wheeling-Pittsburgh and Armco to strengthen the security for existing loans.

Consequently, "it's getting to the point that banks hear the word 'steel' and think 'no'," says Mark Steitz, steel analyst for the U.S. Congressional Budget Office.

Credit status is damaged

Steel executives agree. "There isn't any doubt that lenders will be a little more edgy," says Robert Wilkins, Bethlehem Steel Corp.'s senior vice president, finance. Wheeling-Pittsburgh's bankruptcy-law filing, he adds, "damages everyone's credit status."

Even some profitable mini-mills have detected a coolness of late from usually friendly money-center banks. John Morris, assistant treasurer and controller of Roanoke Electric Steel Corp., says that when he discussed financing a planned new rolling mill recently with a large New York bank, "they told us they weren't at all interested because they already had so many steel loans in their portfolio."

Although steel industry exposure for individual banks is difficult to determine, such loan portfolios add up to several billion dollars for the nation's top five or six lenders alone. As a result, Frank Renaud, a Marine Midland Bank vice president and economist, advises lending officers to show "extreme caution" in making new loans to major steelmakers. Despite a reduction last year from 1983 in steelmakers' bank debt as a percentage of total liabilities, the indistry's failure to rebuild its balance sheets during the economic recovery makes new credit "just too risky," he contends.

"The damage is probably containable, but it's a problem with a lot of long-term implications that we'll be wrestling with for years," says one major steelmaker's banker. Adds a director of another producer: "If the banks didn't already realize how serious the situation is, Armco and Wheeling-Pittsburgh got their attention."

Wheeling-Pittsburgh's Chapter 11 filing for bankruptcy-law protection, which followed months of talks aimed at restructuring the No. 7 producer's debt, left Manufacturers Hanover Trust Co. and 10 other lenders holding more than $300 million in unsecured debt.

Just a month earlier, Armco—less visibly—faced an equally severe crisis. The nation's No. 5 steelmaker, unable to meet regulators' demands for $130 million in fresh reserves to shore up its troubled insurance operations, turned to its banks to put together a new $300 million revolving credit agreement.

"Nobody wanted to stay in (the new agreement), but there wasn't a lot of choice," says one Armco lender.

Wheeling-Pittsburgh's filing and the gradual deterioration of steelmakers' finances didn't catch lenders totally by surprise. Bank of America is known to have conducted an extensive study of steel industry lending, long dominated by traditional Northeastern banks, only to conclude that a major entry was far too risky.

Morgan Guaranty Trust Co. of New York and Chase Manhattan Bank, meanwhile, have done recent analyses that found the banks had a large share of the industry's credits relative to other money-center banks. Bankers say the studies concluded that the two banks should be increasingly selective in steel lending.

Bankers say that the bulk of the industry bank credit is advanced by five or six major lenders, all but one of them in New York. The industry's top three lenders are said to be Citicorp, Chase Manhattan and Morgan

Guaranty. Other major lenders are Manufacturers, Bankers Trust Co. and Continental Illinois National Bank & Trust Co. of Chicago.

The banks declined to discuss their exposure in the steel industry.

The increasing risk that comes with lending to steelmakers is illustrated by regulators' classification of industry debt. Before Wheeling-Pittsburgh's filing for bankruptcy-law protection, the steelmaker's bank debt already was classified as substandard. The category is the least serious of three used by bankers and examiners to designate problem loans. It basically means the loan carries excessive risk.

Bankers say Wheeling-Pittsburgh's loans now will be downgraded to doubtful, a more serious category that reflects increased likelihood of loss. Such classifications require the lender to add to its loan-loss reserve, with that amount subtracted from a bank's earnings.

Similarly, large portions of the bank loans extended Armco and Bethlehem Steel, another deeply troubled steelmaker, are also believed to be classified as substandard.

CONTINUED DECLINE FEARED

Compounding the problem for lenders is the seeming inevitability of the industry's continued decline. "The real fear we all have isn't so much that there'll be more Wheeling-Pittsburghs now during the industry down cycle, but that they've been wounded so badly they can't participate in any kind of an upturn," one lender says.

The extent of bank exposure to the industry is difficult to gauge. At least one large New York investment house recently tried to assess individual bank exposure only to come up short. "It's tedious and damned near impossible," says one of the firm's executives. Neither the U.S. Comptroller of the Currency nor the Federal Deposit Insurance Corp. require their bank examiners to keep tabs on such loans.

That's partly because of the large numbers of contingent liabilities, off-balance-sheet financing transactions and other "creative" financing arrangements that steelmakers have resorted to as their finances—and credit ratings—deteriorated. Many commercial arrangements with steelmakers in which banks' assets are clearly at risk don't appear as loans to the companies on banks' balance sheets.

EQUITY INTEREST IN MACHINERY

When Bethlehem needed to make $540 million in mill improvements at its Sparrows Point, Md., and Burns Harbor, Ind., plants last year, the steelmaker's heavy debt load and poor credit rating ruled out conventional bank and insurance-company financing. Instead, Morgan Guaranty, Chemical and Bankers Trust agreed to take an equity interest in the modern steelmaking machinery. Once the machinery begins operating next year, the banks expect to recover their investment through a tolling, or fee, arrangement that hinges on usage.

Banks have financed other steelmakers' iron ore and metallurgical coal suppliers on a production-payment arrangement. Although the banks technically have extended loans to the mining companies, repayment hinges on the steelmakers' ability to accept the ore. The loans, of course, don't appear on the banks' books as loans to steelmakers.

Even many steel bankers aren't able to assess the exposure. During Armco's negotiations with its lenders, the company circulated a three-ring binder outlining both its bank debt and lenders' contingent exposure—mainly letters of credit to back its reinsurance operations. Bankers dubbed it "The Debt Book."

"I was stunned," one Armco lender said. "There was a page in it for every bank, and I hadn't even heard of some of these banks." The banker adds: "If you define exposure as assets at risk, the big banks' exposure is far above what anyone thinks."●

INDUSTRIAL COMPETITIVENESS LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. LAFALCE] is recognized for 30 minutes.

● Mr. LAFALCE. Mr. Speaker, today I am introducing a package of legislative initiatives designed to address the serious decline in the competitiveness of this Nation's industries in the world economy.

Two years ago, the Economic Stabilization Subcommittee, which I chair, began an extensive set of hearings on the competitive problems of American industry and the need for a public response to those problems. A major source of these problems is the overvalued dollar, but it is only one source. Our hearings disclosed deep-seated structural problems in the American economy that have persisted through fluctuations in the value of the dollar—slow productivity growth, high unemployment, stagnant wages, and high capital costs, Dozens of witnesses warned that these problems would hamper our ability to compete in world markets and make it impossible to sustain the rate of growth which is essential to provide a rising standard of living and decent jobs for all American workers.

We have failed to address these issues adequately and the results are clear. When I first introduced legislation in late 1983 to deal with our competitiveness problems, our trade deficit was running at a $69 billion annual rate. Last year it rose to a devastating $123.3 billion, and it is continuing to spiral rapidly upward. We are reaching the point where the losses our industries are suffering in terms of reduced market share, inadequate investment, plant closings, and declining employment, will be impossible to recoup.

Trade performance is increasingly critical to our prospects for growth—fully 75 percent of all goods produced in this country are now subject to international competition. But as our trade dependence is increasing, our trade performance is becoming even more abysmal. We are rapidly losing whatever competitive edge we had, not only in older industries such as steel and machine tools, but in potentially high-growth high-tech sectors. Imports are taking an ever-increasing share of our domestic markets in a whole range of goods, including steel, autos, and machine tools. Simultaneously, our share of the world's export market in such areas as semiconductors, computers and chemicals has dropped dramatically. Burdened by the overvalued dollar, the industrial strategies of our competitors, and their own competitive problems, our industries are no longer holding their own.

The burgeoning trade deficit that has resulted has become a tremendous drag on our economy. We have only to look at the newspaper to see that the President's engine of growth is grinding to a halt.

As of the first quarter of this year, our growth has plummeted to a 1.3 percent annual rate—the smallest quarterly gain since the recession ended in late 1982. The Commerce Department has just reported yet another drop in two key indicators used to gauge economic activity—the index of leading economic indicators and new orders for factory goods. New orders for factory goods now have declined in 8 of the last 12 months. Orders for nondefense capital goods have dropped 7.4 percent. New orders for consumer goods and materials are down, net business formation is down, contracts and orders for plant and equipment are down, vendor performance is down. The sudden acceleration of investment that begin in 1983 has been fading for the past year.

Our economic slowdown is apparently picking up speed and our trade imbalance is a central factor. Domestic production gains are continuing to be limited by higher imports and flat export sales, holding down growth. Manufacturing activity, which never fully recovered from the last recession, has been weakened as demand has shifted from domestic products to foreign goods. We cannot possibly keep growing if we're importing all our goods.

If this period of minimal growth continues, and there is every indication that it will, the management of the American people will once again face the prospect of a serious recession. The administration can no longer apply what has been its chief economic stimulant—larger and larger budget deficits. Our reckless fiscal policy is now self-destructing. President Reagan has been counting on real economic growth of about 4 percent this year to prevent the Federal budget deficit from growing even larger. Instead, slow growth will swell that deficit. Lower economic activity, among other things, implies lower incomes, profits and Treasury revenues. It also suggests the economy's growth may not be vigorous enough to prevent a significant rise in an already unacceptable 7.2 percent unemployment rate.

We can no longer push these problems aside and hope they will solve themselves. It is long past time that we put the competitiveness of our in-

dustries, and the economic stability that competitiveness can bring, at the top of this Nation's economic agenda. The President's own Commission on Industrial Competitiveness perhaps put it best:

> The United States is losing its ability to compete in world markets . . . A close look at U.S. performance during the past two decades reveals a declining ability to compete—a trend that, if continued, will lead to a lower standard of living and fewer opportunities for all Americans.

Through subcommittee's hearings, we identified three basic causes for our competitiveness problem:

First, we clearly have an extensive set of government policies which grant support to industry, but we have been unable to focus these policies into a coherent strategy to improve our international competitiveness;

Second, we have failed to support an adequate level of applied research and development to keep American goods and technologies competitive; and

Third, we have been unwilling or unable to make the investment required to keep our industries competitive in world markets.

This is not my view of our competitiveness problem, or even the Democratic view. It is a view shared by nearly two dozen panels of distinguished experts of varying political persuasions—including President Reagan's own Commission on Industrial Competitiveness—who have tried to divine the roots of our economic slump.

The legislation I am introducing today would meet these problems head on. This legislation would create a Council on Industrial Competitiveness to address the issue of policy coordination; establish an Advanced Technology Foundation to facilitate the development and dissemination of new technology; and create a bank for industrial competitiveness to respond to the problems of inadequate investment and high capital costs.

Stunning confusion marks U.S. policy affecting competitiveness. While existing policies profoundly affect individual industries, their overall impact on key industrial sectors is too often neither intended, understood, nor anticipated. The Federal Government ostensibly applies public policy in pursuit of a public purpose, but in fact often has no clearly articulated purpose against which to measure the policy or its impact.

The basic issue confronting the U.S. economy is the inability of all those participants with important stakes in its success to act together, to build a consensus about common economic problems and to mobilize resources in pursuit of our common goals. In report after report, a principal recommendation is the need for better coordination of the various government actions that influence business activities and U.S. participation in the global marketplace. Business, labor and government all have critical roles to play in restoring America's global competitiveness. Consensus-building must, therefore, be the cornerstone of any competitiveness strategy.

The first bill I am introducing would create a Council on Industrial Competitiveness which would provide a mechanism for coordinating government policies and would allow government, business, and labor to work together and achieve consensus to better the competitive position of American industry. The bill would establish a national Council, charged with thinking broadly about the structure of our economy and the problems of international competitiveness. The national Council would in turn sponsor a series of industry subcouncils to explore in greater depth the problems and prospects of specific industries or sectors. The agenda for both the national and sectoral councils would be the same: to determine ways in which private action and public policy can further our common goals of economic growth and international competitiveness.

At the heart of the deficiencies in current government policies affecting the competitiveness of U.S. industries is an appalling lack of both basic economic data regarding competitive opportunities and problems and the focused analytical capability that could make use of it. This incredible lack of information contributes to this country's inability to devise effective economic strategies and perpetuates our unfortunate tendency to be "blindsided" by foreign competitive advances which could easily have been foreseen. This Nation's already inadequate economic data base has been eroded by cuts this administration has made in critical data collection programs. But even before these reductions, the Federal Government's capacity to analyze international economic data from a competitiveness perspective was minimal.

The Council would also be charged with undertaking precisely such analysis. It would interpret and analyze relevant domestic and international data concerning current and future economic trends and market opportunities. Consequently, it would be in a position to monitor the changing nature of the U.S. industrial economy and its capacity to provide marketable goods and services in domestic and international markets, providing an early warning system regarding problems in responding to international competition.

A second bill I am proposing would address our failure to support an adequate level of applied research and development. Applied research is the key to international competitiveness, as it is central to the production of new products and the introduction of cost-cutting breakthroughs in existing production which will allow American industry to retain the needed edge over foreign firms. Yet American industry systematically underinvests in applied research.

The Government has for years recognized the need for public support of research, yet we presently concentrate our efforts on either basic research via the National Science Foundation, or applied research in the military sector through the Department of Defense. We devote a far larger fraction of our government-funded R&D to defense purposes than does either Japan or West Germany and spend a substantially smaller fraction of GNP for civilian R&D purposes. The Reagan administration has increased the fraction of Federal R&D funds for defense purposes from about 47 percent in 1980 to the 1984 level of 70 percent.

The bill I am introducing today would create an Advanced Technology Foundation to provide our civilian industrial sector with the same type of support which NSF provides for basic research and the Defense Department provides for military applied research. The Foundation's mission would be to focus national attention on the vital link between technological innovation and the international competitiveness of the American economy, and to provide financial assistance programs to stimulate the development of technological innovation in the private sector. The bill would also create a Federal Industrial Extension Service in order to speed the diffusion of new technologies to small- and medium-sized firms that are not generally able to gain ready access to many new technological developments. The Foundation would focus on research in areas of industrywide significance. Such support will help all sectors of the American economy develop and maintain a strong competitive position in the world economy.

A third piece of legislation would address serious deficiencies in our capital markets. The bill would create a Bank for Industrial Competitiveness which will help to catalyze private financial support for industries and firms whose health is essential for a vital and competitive national economy. Although this country possesses one of the most efficient and highly-developed capital markets in the world, there remain certain key areas in which private capital markets fail to meet the needs of the economy. In particular, financial markets often fail to provide adequate flows of capital to mature industries seeking revitalization, and fail to supply innovative, growing firms with the patient capital they need for expansion. The bank's mission would be to promote the competitiveness of America's industry by cooperating with private banks in overcoming

structural gaps in capital markets, thereby improving the efficiency of these markets.

As a market-perfecting institution, the bank would focus its attention solely on niches which are presently underserved by private financing. It would not be a source of subsidized rate financing. The bank would only help to finance projects that are financially sound when measured largely against market criteria.

In basic industries requiring modernization, the bank would help negotiate the kinds of revitalization agreements among all participants in the industry that are essential to producing a viable investment package. Failure to reach such a consensus between management, labor and lenders put Wheeling-Pittsburgh Steel Corp. in bankruptcy court only a few weeks ago. This failure has serious implications for other companies in the steel industry and in other industries which face heavy debt and uncertain futures. In new and emerging industries, the bank would provide patient capital for new product or technology development through direct lending, and by promoting decentralized forms of development finance. In all cases, Bank financial participation would be limited to a maximum of 30 percent, and each package would have to bear the test of acceptance by private lenders.

Together, these three initiatives give us a comprehensive approach to our competitiveness problems. But each stands alone as an important contributor to an overall competitiveness strategy.

Ideally, I believe a comprehensive approach embodying these three initiatives is the way we should proceed. But I am a political realist. We know that the administration knows of our competitiveness problems—his own Commission has told him of them in devastating detail. We also know the President's response.

President Reagan has dealt with our desperate need to bring competitiveness issues to the top of this Nation's economic agenda by creating an advisory Commission on Industrial Competitiveness and then ignoring its recommendations. He has dismissed out of hand his Commission's recommendation that we establish a Department of Science and Technology—a proposal far more ambitious than the Advanced Technology Foundation I recommend. And despite continuing plant closings, rapid movement of production overseas, and decreasing levels of domestic investment, the administration has yet to even acknowledge that we have a capital investment problem. Perhaps our growing economic instability will eventually grab the President's attention—but, to date, his indifference has been devastating.

Given these political realities, I have included in the package I am proposing two bills which constitute an alternative approach—one creating a White House Adviser on Economic Competitiveness and the other establishing an Economic Information Center within the Department of Commerce. Virtually every group that has examined our international competitiveness problems has endorsed two specific recommendations. First, all agreed there is a need to create a Presidential Adviser on Economic Competitiveness to raise competitiveness to the highest level of U.S. economic policymaking, and to bring greater coordination and coherence to the welter of Federal policies that affect the competitiveness of U.S. industry. Second, there is agreement that the Federal Government must establish the analytic capacity to assess U.S. and foreign competitive shifts and the likely effects of U.S. domestic and foreign policies on American competitiveness.

As the other bills I have introduced today demonstrate, I believe far more needs to be undertaken than these two recommendations if our country is to make a serious effort to address its declining ability to compete in international markets. However, these are both sensible suggestions that have attracted widespread bipartisan support. Together they would make a constructive beginning toward developing a more coherent set of national competitiveness policies. In my view, these proposals represent the very least we can afford to do given the serious problems we face.

The first bill would establish within the Executive Office of the President the position of Special Adviser on Economic Competitiveness to advise the President on issues relating to the international competitiveness of the U.S. economy. The second would create an Information Center on Economic Competitiveness in the Department of Commerce to collect and analyze information pertaining to the international competitiveness of U.S. industry.

The duties of the Special Adviser would include evaluating existing government policies and business practices in terms of their competitive impact, analyzing relevant domestic and international data concerning current and future economic trends and market opportunities affecting U.S. industry, and providing policy recommendations and guidance to the President and the Federal agencies to further the development of a more coherent, long-term set of industrial strategies.

The Special Adviser would have the authority to constitute such advisory committees and consult with such representatives of industry, labor, consumers, State and local governments, and other groups as he deems necessary. He would be able to secure directly from any department or agency of the Federal Government, as well as private research organizations, the information necessary to carry out his duties. He would also be able to employ on a consultant basis the experts necessary to carry out the duties of his office.

In sum, he would serve as a desperately needed highly visible focal point for the making of U.S. competitiveness policy.

The Information Center on Economic Competitiveness would be responsible for collecting and analyzing, in consultation with the appropriate Federal agencies, all information pertaining to the international operations and competitiveness of U.S. industries. It would be responsible for collecting data and conducting studies on all sectors of the U.S. economy, as well as collecting comparative international information on specific industries and the policies of foreign governments toward those industries.

The Center would also serve as a national clearinghouse for information on economic competitiveness, providing data and analysis to State and local governments and to private industry. The Center would also help identify impending import threats and potential export opportunities for U.S. industries, and make available to industry currently unobtainable translations of foreign trade laws, regulations, and publications essential to the successful operation of American business.

In addition, the Center would be charged with maintaining updated input-output tables of U.S. industries capable of providing detailed analysis of the economic transactions among industries at particular periods in time. This essential analytical tool is currently updated only once every 8 years, making it almost useless for effective policymaking. In contrast, the Japanese update their tables on a yearly basis.

Since the Federal Government has a highly decentralized system of data collection, the success of the Center will largely depend on the cooperation it receives from the numerous departments and agencies that collect information relating to economic competitiveness. These agencies include, among others, the Federal Reserve Board, the Departments of Labor, Treasury, Agriculture, and Justice, the Office of the U.S. Trade Representative, and the Federal and International Trade Commissions. The bill explicitly directs these agencies to use the programs under their authority to provide the Center such assistance as the Center deems necessary to carry out its responsibilities.

The legislative initiatives I am introducing today are intended to refocus our national debate on economic policy. Improved competitiveness must be central to that debate, and it is my belief that these specific initiatives represent public actions which are essential to rebuilding our industrial competitiveness and insuring the long-run prosperity of the economy.●

GENERAL LEAVE

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the subject of the special order today by the gentleman from Oklahoma [Mr. SYNAR].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

PETROLEUM MARKETING PRACTICES ACT AMENDMENTS OF 1985

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. SYNAR] is recognized for 5 minutes.

● Mr. SYNAR. Mr. Speaker, along with my good friend and colleague from Iowa, Congressman TOM TAUKE, I am today introducing legislation to amend the Petroleum Marketing Practices Act of 1978 [PMPA]. The purpose of this bipartisan legislative effort is to correct deficiencies in the existing Petroleum Marketing Practices Act, and to promote healthy and vigorous competition in the petroleum marketing industry in the United States.

This legislation is similar to PMPA amendments—H.R. 5023—which TOM TAUKE and I introduced in 1984. That legislation was cosponsored by 52 of our colleagues in the House, and the Fossil and Synthetic Fuels Subcommittee held 2 days of hearings on the proposal.

Mr. Speaker, the purpose of the original Petroleum Marketing Practices Act of 1978 was to enhance fair and open competition in the petroleum marketing industry by preventing franchisors—refiners and distributors—from arbitrarily terminating francise relationships with their franchisees—distributors and dealers.

Unfortunately, some narrow judicial interpretations and some abusive and predatory marketing practices by some refiners have severely limited the ability of our Nation's independent marketers and dealers to reasonably compete in the marketplace, despite passage of the original PMPA law over 6 years ago.

The number of gasoline distributors and retail service station dealers in the United States has declined dramatically over the past years. While some of that shrinkage is attributable to normal market changes, it is also clear to us that predatory marketing practices by some refiners have hastened the decline. Our legislation seeks to address these abusive practices without unduly interfering in the marketplace.

Some major refiners will be quick to assert that declining petroleum prices have increased competition in the marketplace and that, through this legislation, inefficient marketers and dealers are simply seeking protection from the vagaries of the marketplace. Nothing could be further from the truth. While declining oil prices have increased the competitive nature of the market, what those same major refiners won't tell you is that this has exacerbated the predatory and abusive marketing practices of some refiners who attempt to sustain or increase their market share at the expense of their independents.

During the past several years, I have had the opportunity to speak with hundreds of independent dealers and marketers about the Petroleum Marketing Practices Act and their relationship with their suppliers. Contrary to what the refiners assert, these independents seek nothing more than fair and open competition—not protection from it. But, under current law, the deck is stacked against them and it's time we put an end to it.

I have yet to meet any independent marketer or dealer who is not willing to compete head to head in the marketplace provided the rules of the game are fair for both sides. But, Mr. Speaker, the rules as currently drawn are full of loopholes which are of advantage to only one side—the refiners. The legislation we are introducing today attempts to balance the rules a little bit, to give independent marketers and dealers the chance they deserve to go head to head in the marketplace. It won't protect independents from the normal pressures of competition; it will put a stop to some of the more flagrant marketing practices of those refiners who now take advantage of any and every existing loophole in order to undercut their independents.

The majors will also suggest that this legislation is an attempt to "regulate" the market, but that is not true. It does not set up any new Federal regulatory bureaucracy to enforce the law. Instead, it only gives independent marketers and dealers a self-enforcing right to action to ensure them a fair and reasonable opportunity to compete in the marketplace, by ensuring that normal contracting practices can and will work in the interests of a competitive market—rather than a restricted market.

Mr. Speaker, the need for this legislation is just as compelling in 1985 as it was a year ago. Accordingly, while some changes have been made in the language of some provisions to meet legitimate questions or criticisms raised by refiners last year, the thrust and the intent of the bill are the same—to benefit the industry and consumers alike by establishing fair and balanced rules for petroleum marketing and to promote healthy and vigorous competition in the industry.

As introduced, the bill would:

Prohibit franchisors from terminating franchisees for failure to purchase a minimum number of gallons, unless such volumes were offered at a competitive price;

Prohibit franchisors from discriminating in price and allocation policies between their classes of franchisees;

Provide that in the event of market withdrawal, refiner franchisors must offer franchisees the right of first refusal to purchase the leased marketing premises;

Require that changes made in the franchise agreement at the time of renewal be fair and reasonable;

Prohibit station conversions during the term of the franchise agreement;

Allow franchisees to continue operating the leased marketing premises in cases where the underlying lease had expired and where the franchisee had been able to negotiate his or her own agreement with the owners of the property;

Prohibit franchisors from engaging in anti-competitive pricing practices in instances where they are in direct competition with their own franchisees; and

Allow for the sale or transfer of a franchise agreement and allow for succession of a franchise under a plan to be approved by the franchisor.

I urge all my colleagues to join us in this bipartisan effort by cosponsoring the legislation we are introducing today.●

● Mr. TAUKE. Mr. Speaker, over the past several years, Members of Congress have spent a considerable amount of time reviewing the petroleum marketing practices of the major refiners of crude oil. The record that has been compiled suggests that the major oil refiners have pursued policies designed to force a substantial number of service station dealers and oil jobbers out of business. These practices have reduced competition in the petroleum market. It is apparent that Congress should enact legislation to address this problem.

Let me begin by affirming my belief that Congress should enact divorcement legislation prohibiting the major refiners from engaging in the retail marketing of petroleum products. Having pursued that course for 6 years, I recognize that it is unlikely that divorcement legislation can be passed. Yet the problem persists. Therefore it is essential that Congress consider legislation that is "doable"—an approach that can receive majority support and be passed into law.

Toward this end, Congressman SYNAR and I began last year to work with the Petroleum Marketers Asso-

ciation of America [PMAA] and the Service Station Dealers of America [SSDA] to resolve their long-standing differences on legislation affecting the marketing of petroleum products and to develop a proposal both groups could support. As a result of lengthy discussions among Members of Congress, their staffs, the NOJC, the SSDA, and other interested parties, today we are introducing this bill, the Petroleum Marketing Practices Act Amendments of 1985.

This legislation is in the best interest of consumers because it will encourage competition in the marketplace. There are those who contend that the best way to serve consumers is to permit the major refiners to engage in predatory pricing practices to take over the marketplace. While there may be some short-term benefits to this approach, I am convinced that this is to the long-term detriment of consumers. We must not permit competition to be stifled, and thousands of small business men and women must not be replaced by the marketing arms of a few large refiners.

This bill is good for small business. Small businesses do not have the economic power to bargain effectively with major refiners, which is why Congress passed the PMPA in 1978. While the act has helped preserve competition in the marketplace by giving small businesses leverage in contract negotiations, it is clear that current law is not halting the purge of the small businesses engaged in marketing petroleum products.

Let it be clear that we are not trying to regulate the marketplace. This measure will not bring the Federal Government into the marketplace nor will it add additional regulations written by a Federal bureaucracy. What it does is ensure that the normal contracting processes which establish business policies in petroleum marketing can work and will work in the interests of a competitive marketplace and the consumer.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. WEAVER (at the request of Mr. WRIGHT) for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BILIRAKIS) to revise and estend their remarks and include extraneous materials:)

Mr. GINGRICH, for 60 minutes, today.
Mr. WALKER, for 60 minutes, today.
Mr. BLILEY, for 60 minutes, today.
Mr. BURTON, of Indiana, for 60 minutes, today.

(The following Members (at the request of Mr. FAZIO) to revise and extend their remarks and include extraneous material:)

Mr. CROCKETT, for 5 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. LAFALCE, for 30 minutes, today.
Mr. GONZALEZ, for 60 minutes, today.

(The following Members (at the request of Mr. MITCHELL) to revise and extend their remarks and include extraneous material:)

Mr. MARTINEZ, for 5 minutes, today.
Mr. SYNAR, for 5 minutes, today.
Mr. DARDEN, for 5 minutes, May 8.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. LAFALCE, and to include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,803.

(The following Members (at the request of Mr. BILIRAKIS) and to include extraneous matter:)

Mr. FIELDS.
Mr. GROTBERG.
Mr. KRAMER.
Mr. YOUNG of Alaska.
Mr. MOORHEAD.
Mr. LEWIS of California.
Mr. SHUMWAY.
Mr. HAMMERSCHMIDT in two instances.
Mr. SOLOMON.
Ms. SNOWE.
Mr. LIVINGSTON.
Ms. ROUKEMA.
Mr. DREIER of California.
Mr. MCKERNAN.
Mr. TAUKE.
Mr. DUNCAN.
Mr. DAUB.
Mr. SHUSTER.
Mr. PORTER.
Mr. SHAW.
Mr. LENT.
Mr. WOLF.
Mr. CRANE.

(The following Members (at the request of Mr. FAZIO) and to include extraneous matter:)

Mr. GAYDOS in two instances.
Mr. MONTGOMERY.
Mr. VENTO.
Mr. BARNES in two instances.
Mr. KOSTMAYER.
Mr. COELHO in two instances.
Mr. FLORIO.
Mr. FORD of Michigan.
Mr. LELAND.
Mr. HUCKABY.
Mr. ROE.
Mr. COLEMAN of Texas.
Mr. MATSUI.
Mr. TORRES.
Mr. SCHUMER in two instances.
Mr. DYMALLY.
Ms. OAKAR.
Mr. ORTIZ.
Mr. LAFALCE.
Mr. LANTOS in two instances.
Mr. KANJORSKI.
Mr. MILLER of California.
Mr. WAXMAN.
Mr. SYNAR.
Mr. SIKORSKI.
Mr. ACKERMAN.
Mr. EDGAR in two instances.
Mr. ANDREWS.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following title:

S. 597. An act to amend subtitle II of title 46, United States Code, "Shipping," making technical and conforming changes, and for other purposes, and

S.J. Res. 128. Joint resolution to designate May 7, 1985, as "Vietnam Veterans Recognition Day."

JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on May 6 present to the President, for his approval, joint resolutions of the House of the following title:

H.J. Res. 195. Joint resolution designating May 1985 as "Older Americans Month," and

H.J. Res. 258. Joint resolution to designate May 6, 1985, as "Dr. Jonas E. Salk Day."

ADJOURNMENT

Mr. MITCHELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 8, 1985, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1223. A letter from the Acting Secretary of the Air Force, transmitting a draft of proposed legislation to authorize the retention in active status until age 60 of certain Reserve officers employed as military technicians; to the Committee on Armed Services.

1224. A letter from the Secretary of Energy, transmitting a draft of proposed legislation to provide for distribution to the States of certain amounts resulting from enforcement of the Emergency Petroleum Allocation Act of 1973, and for other purposes; to the Committee on Energy and Commerce.

1225. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to extend vari-

ous health services authorities, and for other purposes; to the Committee on Energy and Commerce.

1226. A letter from the Acting Secretary of State, transmitting notification of the use of emergency authority to provide assistance under part I of the Foreign Assistance Act to the Afghan people, pursuant to 22 U.S.C. 2261(a)(2); to the Committee on Foreign Affairs.

1227. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed letter of offer to Korea for defense articles and services, pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1228. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting the text of ILO Recommendation No. 169 concerning employment policy, pursuant to article 19 of the ILO constitution; to the Committee on Foreign Affairs.

1229. A letter from the Commissioner, Immigration and Naturalization Service, transmitting a report on the admission of aliens who were affiliated with certain subversive organizations and who have established opposition to such subversion, pursuant to INA, section 212(a)(28)(1)(ii)(b) (66 Stat. 182); to the Committee on the Judiciary.

1230. A letter from the Secretary of Transportation, transmitting the sixth annual report on the administration of the offshore oil pollution compensation fund, pursuant to Public Law 95-372, section 314; jointly, to the Committee on Interior and Insular Affairs and Merchant Marine and Fisheries.

1231. A letter from the Attorney General of the United States, transmitting notification of the determination, on constitutional grounds, not to appeal the decision of the U.S. Court of Appeals for the 10th Circuit in *United States* v. *Wulff*, pursuant to Public Law 96-132, section 21; Public Law 98-411, section 203(a) (98 Stat. 1558); jointly, to the Committees on the Judiciary and Merchant Marine and Fisheries.

1232. A letter from the Acting General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to amend sections 5315 and 5316 of title 5, United States Code, to change the position of Chief Counsel for the Internal Revenue Service, Department of the Treasury, from level V to level IV of the Executive Schedule; jointly, to the Committee on Ways and Means and Post Office and Civil Service.

1233. A letter from the Railroad Retirement Board, transmitting a report on the acturial status of the railroad retirement system, pursuant to 45 U.S.C. 321f-1 (Public Law 98-76, section 502); jointly, to the Committees on Ways and Means and Energy and Commerce.

1234. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend the Social Security Act to make certain program and fiscal improvements in the program of aid to families with dependent children, and for other purposes; jointly, to the Committee on Ways and Means and Education and Labor.

1235. A letter from the Acting General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to raise the authorized pay level of the Treasurer of the United States to executive level IV; jointly, to the Committee on Banking, Finance and Urban Affairs; Ways and Means; and Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOAKLEY: Committee on Rules. House Resolution 157. Resolution providing for the consideration of H.R. 1157. A bill to authorize appropriations for fiscal year 1986 for certain maritime programs of the Department of Transportation and the Federal Maritime Commission. (Rept. No. 99-65). Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 158. Resolution poviding for the consideration of H.R. 1784. A bill to authorize appropriations for fiscal year 1986 for the operation and maintenance of the Panama Canal, and for other purposes. (Rept. No. 99-66). Referred to the House Calendar.

Mr. ROSTENKOWSKI: Committee of conference. Conference report on H.R. 1869 (Rept. No. 99-67). Ordered to be printed.

Mr. HAWKINS: Committee on Education and Labor. Report pursuant to section 302(b) of the Congressional Budget Act of 1974. (Rept. No. 99-68). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 2005. A bill to amend title II of the Social Security Act and related provisions of law to make minor improvements and necessary technical changes; with amendments (Rept. No. 99-69). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FLORIO (for himself, Mr. ECKART of Ohio, Mr. RICHARDSON, Mr. SHARP, and Mr. SIKORSKI):

H.R. 2372. A bill authorizing appropriations for carrying out the Federal Railroad Safety Act of 1970, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LaFALCE:

H.R. 2373. A bill to improve the industrial competitiveness of the United States; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2374. A bill to promote the commercial application and diffusion of advanced technology within industrial sectors; jointly, to the Committees on Banking, Finance and Urban Affairs and Science and Technology.

H.R. 2375. A bill to establish the bank for industrial competitiveness; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2376. A bill to improve the economic competitiveness of the United States; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2377. A bill to establish the information center on economic competitiveness; jointly, to the Committees on Banking, Finance and Urban Affairs; Foreign Affairs; and Energy and Commerce.

By Mr. KASTENMEIER (for himself, Mr. MOORHEAD, Mr. FISH, Mr. BROOKS, Mr. MAZZOLI, Mr. SYNAR, Mrs. SCHROEDER, Mr. GLICKMAN, Mr. MORRISON of Connecticut, Mr. BERMAN, Mr. BOUCHER, Mr. HYDE, Mr. KINDNESS, Mr. DEWINE, Mr. SWINDALL and Mr. COBLE):

H.R. 2378. A bill to amend section 504 of title 5, United States Code, and section 2412 of title 28, United States Code, with respect to awards of expenses of certain agency and court proceedings, and for other purposes; to the Committee on the Judiciary.

By Mr. BEDELL:

H.R. 2379. A bill to amend the Federal Meat Inspection Act to prohibit the importation of live animals and meat products from countries having standards for the use of certain antibiotics in food-producing animals that are not as stringent as those of the United States, and for other purposes; jointly, to the Committees on Agriculture, Ways and Means, and Foreign Affairs.

By Mr. CAMPBELL:

H.R. 2380. A bill to amend the Internal Revenue Code of 1954 to extend the period for making tax-free rollovers of certain distributions from qualified plans from 60 to 90 days; to the Committee on Ways and Means.

By Mr. CARR:

H.R. 2381. A bill relating to user fees for customs services at certain small airports; to the Committee on Ways and Means.

By Mr. CHAPPIE (for himself, Mr. FUQUA, Mr. ENGLISH, Mr. WILSON, Mr. LEACH of Iowa, Mr. TRAXLER, Mr. HORTON, Mr. THOMAS of Georgia, Mr. RICHARDSON, Mr. FAZIO, Mr. MARTINEZ, Mr. DASCHLE, Mr. MARLENEE, Mr. WILLIAMS, and Mr. ROBERTS):

H.R. 2382. A bill entitled: "The Beekeeper Preservation Act of 1985"; to the Committee on Ways and Means.

By Mr. ALEXANDER (for himself, Mr. DASCHLE, Mr. CONYERS, Mr. LELAND, Mr. BRYANT, Mr. WEAVER, Mr. EVANS of Illinois, and Mr. HAYES):

H.R. 2383. A bill to provide price and income protection to family farmers through the management of the supply of the 1986 through 1999 crops of certain agricultural commodities, and for other purposes; jointly, to the Committee on Agriculture and Foreign Affairs.

By Mr. DIOGUARDI:

H.R. 2384. A bill to amend the Internal Revenue Code of 1954 to permit first-time homebuyers to use amounts in their individual retirement accounts or annuities to purchase a home without including such amounts in gross income or incurring the penalty for early distributions; to the Committee on Ways and Means.

By Mr. FLORIO:

H.R. 2385. A bill to amend the Federal Trade Commission Act to extend the authorization of appropriations contained in such act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FOLEY (for himself and Mr. FAZIO):

H.R. 2386. A bill to amend the Federal Power Act to specify the annual charges for projects with licenses issued for the use of dams and other structures; to the Committee on Energy and Commerce.

By Mr. FRANK:

H.R. 2387. A bill to amend the Miller Act to provide for the inclusion of interest and legal fees in judgments granted on suits by subcontractors based upon payment bonds, and for other purposes; to the Committee on the Judiciary.

By Mr. GEJDENSON:

H.R. 2388. A bill to amend the Age Discrimination in Employment Act of 1967, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1954 to prohibit mandatory retirement; jointly, to the Committees on Education and Labor and Ways and Means.

By Mr. GEPHARDT (for himself, Mr. ANDREWS, Mr. FROST, Mr. LANTOS, Mr. RICHARDSON, Mr. ROE, Mr. SMITH of Florida, and Mr. VENTO):

H.R. 2389. A bill to amend title 28 of the United States Code to set up a regime of response for certain archeological and ethnological material and cultural property; to the Committee on the Judiciary.

By Mr. HALL of Ohio (for himself, Mr. EVANS of Iowa, Mr. PANETTA, Mr. FAZIO, Mr. LELAND, Mr. MORRISON of Washington, Mr. KOSTMAYER, Mr. FOLEY, and Mr. DORGAN of North Dakota):

H.R. 2390. A bill to amend the Agricultural Trade Development and Assistance Act of 1954 and section 416(b) of the Agricultural Act of 1949 in order to enhance the effectiveness of U.S. food assistance programs for developing countries and to promote U.S. trade interests, and for other purposes; jointly, to the Committees on Agriculture and Foreign Affairs.

By Mr. HOWARD (for himself, Mr. YOUNG of Missouri, Mr. SNYDER, and Mr. SHAW) (by request):

H.R. 2391. A bill to authorize the Administrator of General Services to collect additional contributions of money provided to him by private individuals or organizations for the Nancy Hanks Center; to the Committee on Public Works and Transportation.

By Mr. HOWARD (for himself, and Mr. YOUNG of Missouri) (by request):

H.R. 2392. A bill authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. HUCKABY:

H.R. 2393. A bill to transfer certain land in Rapides Parish, LA; to the Committee on Agriculture.

By Mr. LELAND:

H.R. 2394. A bill to prohibit arrangements by which public television VHF stations are converted, by exchange or otherwise, to commercial broadcasting stations; to the Committee on Energy and Commerce.

By Mr. LENT (by request):

H.R. 2395. A bill to amend the Federal Railroad Safety Act of 1970; to the Committee on Energy and Commerce.

By Mr. MATSUI:

H.R. 2396. A bill to change the tariff treatment with respect to naphtha and motor fuel blending stocks; to the Committee on Ways and Means.

By Mr. NICHOLS (for himself, Mr. BENNETT, and Mr. HOPKINS):

H.R. 2397. A bill to limit the payment of costs to defense contractors; to the Committee on Armed Services.

By Mr. PETRI:

H.R. 2398. A bill to amend title 18 of the United States Code to provide capital punishment for first degree murders committed by prisoners serving a life sentence; to the Committee on the Judiciary.

By Mr. RANGEL (for himself, Mr. GIBBONS, Mr. STARK, Mr. JENKINS, Mr. FOWLER, Mr. GUARINI, Mr. MATSUI, Mr. ANTHONY, Mr. FLIPPO, Mrs. KENNELLY, Mr. DONNELLY, Mr. DORGAN of North Dakota, Mr. VANDER JAGT, and Mr. MCGRATH):

H.R. 2399. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of commercial airline pilots under section 415; to the Committee on Ways and Means.

By Mr. RICHARDSON:

H.R. 2400. A bill to amend the Securities Exchange Act of 1934 to provide a moratorium on hostile corporate takeovers financed by junk securities, to prohibit federally insured institutions from holding junk securities, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. SCHROEDER (for herself, Mr. ACKERMAN, Mr. APPLEGATE, Mr. BARNES, Mrs. BOXER, Mrs. COLLINS, Mr. CROCKETT, Mr. DICKS, Mr. DWYER of New Jersey, Mr. FOLEY, Mr. FRANK, Mr. FUSTER, Mr. HAYES, Mr. HEFNER, Mr. HOWARD, Mr. KOSTMAYER, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. OWENS, Mr. ROE, Mr. SAVAGE, Mr. STAGGERS, Mr. STOKES, Mr. WHEAT, and Mr. WOLPE):

H.R. 2401. A bill to amend title 5, United States Code, to establish certain reporting requirements applicable in the case of any agency proposing to carry out removals, reductions in grade or pay, or other adverse personnel actions incident to closing, or changing the functions of, any of its field offices; to the Committee on Post Office and Civil Service.

By Mr. SHAW (for himself, Mr. YOUNG of Missouri, and Mr. SUNDQUIST):

H.R. 2402. A bill to establish the public building service in the General Services Administration; to the Committee on Public Works and Transportation.

By Mr. SHAW (for himself, Mr. ROBERT F. SMITH, and Mr. SUNDQUIST):

H.R. 2403. A bill to require that public buildings constructed or altered under the Public Buildings Act of 1959 comply, to the maximum extent feasible, with nationally recognized model codes and with local zoning laws and certain other laws; to the Committee on Public Works and Transportation.

By Mr. SHUMWAY:

H.R. 2404. A bill to prohibit gambling activities within Indian country unless such activities do not violate State law or are conducted by an Indian tribal government under tribal legislation approved by the Secretary of the Interior and are not in conflict with the public policy of the State within which such Indian country is located; jointly, to the Committees on Interior and Insular Affairs and the Judiciary.

By Mr. SOLOMON:

H.R. 2405. A bill to impose an embargo on trade between the United States and Nicaragua; jointly, to the Committees on Ways and Means and Foreign Affairs.

By Mr. SYNAR (for himself, and Mr. TAUKE):

H.R. 2406. A bill to amend the Petroleum Marketing Practices Act to promote fair competition in the distribution of motor fuel; to the Committee on Energy and Commerce.

By Mr. THOMAS of California (for himself, Mr. CHAPPIE, Mr. PASHAYAN, and Mr. LEWIS of California):

H.R. 2407. A bill to assist in expanding and increasing foreign markets for agricultural commodities and the products of such commodities produced in the United States, and for other purposes; jointly, to the Committees on Agriculture, Foreign Affairs, Ways and Means, and Merchant Marine and Fisheries.

By Mr. TORRICELLI:

H.R. 2408. A bill to amend the Federal Food, Drug, and Cosmetic Act relating to the use of alcohol in confectionery; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself and Mr. MADIGAN):

H.R. 2409. A bill to amend the Public Health Service Act to revise and extend the authorities under that act relating to the National Institutes of Health and National Research Institutes, and for other purposes; to the Committee on Energy and Commerce.

H.R. 2410. A bill to amend the Public Health Service Act to revise and extend the programs under title VII of that act; to the Committee on Energy and Commerce.

By Mr. WILLIAMS:

H.R. 2411. A bill to amend title 38, United States Code, to provide compensation to former prisoners of war of the European Theater of World War II; to the Committee on Veterans' Affairs.

H.R. 2412. A bill to amend title 38, United States Code, to provide compensation to former prisoners of war of the Asian-Pacific Theater of World War II and of the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. WOLF:

H.R. 2413. A bill to authorize a study of the feasibility of improving the interchange between the George Washington Memorial Parkway and I-395 in the Commonwealth of Virginia; to the Committee on Public Works and Transportation.

H.R. 2414. A bill to authorize a study of the feasibility of additional lanes on the Theodore Roosevelt Bridge over the Potomac River; to the Committee on Public Works and Transportation.

By Mr. YOUNG of Alaska:

H.R. 2415. A bill to accept the findings and implement the recommendations of the Commission on Wartime Relocation and Internment of Civilians with respect to the Aleut people; to the Committee on the Judiciary.

By Mr. YOUNG of Missouri (for himself, Mr. HOWARD, Mr. SNYDER, and Mr. SHAW):

H.R. 2416. A bill to direct the Architect of the Capitol to construct a building on the U.S. Capitol Grounds to provide office space for the judicial branch of the Federal Government, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. BILIRAKIS:

H.J. Res. 277. Joint resolution to designate October 1985 as "Displaced Homemakers Awareness Month"; to the Committee on Post Office and Civil Service.

By Mr. COELHO (for himself, Mr. JEFFORDS, Mr. VOLKMER, Mr. OLIN, Mr. STENHOLM, Mr. DASCHLE, Mr. JONES of Tennessee, Mr. BEDELL, Mr. ENGLISH, Mr. STANGELAND, Mr. GUNDERSON, Mr. LEWIS of Florida, Mr. ROBERT F. SMITH, Mr. WAXMAN, Mr. LUNDINE, Mr. MARTIN of New York, Mrs. BENTLEY, Mr. JONES of North Carolina, Mrs. BOXER, and Mr. FAUNTROY):

H.J. Res. 278. Joint resolution designating May 25, 1985, as "National Holstein Day"; to the Committee on Post Office and Civil Service.

By Mr. KINDNESS (for himself, Mr. HUNTER, Mrs. SMITH of Nebraska, Mr. KASICH, Mr. HAMMERSCHMIDT, Mr. RUDD, Mr. DUNCAN, Mr. NICHOLS, Mr. COBEY, Mr. QUILLEN, Mr. MONSON, Mr. HARTNETT, Mr. PARRIS, Mr. DANNEMEYER, Mr. BARTON of Texas, Mr. SMITH of New Hampshire, Mr. BLILEY, Mr. YOUNG of Florida, Mr. SLAUGHTER, Mr. IRELAND, Mr. MOLLOHAN, Mr. DAUB, Mr. MOORE, Mr. MCCANDLESS, Mr. TAUZIN, Mrs. BENTLEY, Mr. BILIRAKIS, Mr. STANGELAND, Mr. BURTON of Indiana, Mr. GREGG, Mr. CAMPBELL, Mr. ROGERS, Mr. FIELDS, Mr. HANSEN, and Mr. BOULTER):

H.J. Res. 279. Joint resolution proposing an amendment to the Constitution of the United States relating to voluntary school prayer; to the Committee on the Judiciary.

By Mrs. KENNELLY:

H. Con. Res. 141. Concurrent resolution to pay tribute to the American veterans of World War II on the 40th anniversary of V-E Day; to the Committee on Post Office and Civil Service.

By Mr. SOLARZ (for himself and Mr. DYMALLY):

H. Con. Res. 142. Concurrent resolution welcoming the Prime Minister of India, Rajiv Gandhi, on the occasion of his official visit to the United States; to the Committee on Foreign Affairs.

By Mr. SOLOMON:

H. Con. Res. 143. Concurrent resolution expressing the sense of the Congress that all the member nations of the Organization of American States should implement measures to impose trade sanctions against Nicaragua; to the Committee on Foreign Affairs.

By Mr. JACOBS:

H. Res. 159. Resolution expressing the appreciation of the House of Representatives for the heroism and civic achievements of Sgt. Alvin C. York and encouraging local communities and organizations throughout the United States to begin preparing ceremonies and activities to commemorate the 100th anniversary of his birth in 1987; to the Committee on Post Office and Civil Service.

By Mr. MCHUGH (for himself and Mr. GILMAN):

H. Res. 160. Resolution to express the sense of the House of Representatives that the people of the world should support and encourage the goals of the First Earth Run; to the Committee on Foreign Affairs.

By Mr. MONTGOMERY (for himself and Mr. HAMMERSCHMIDT):

H. Res. 161. Resolution expressing the sense of the Congress that May 8, 1985, the 40th anniversary of Victory in Europe [VE] Day, should be a day of tribute to those who served and sacrificed to bring the war in Europe to a successful conclusion: to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of our rule XXII, memorials were presented and referred as follows:

112. By the SPEAKER: Memorial of the Senate of the State of Hawaii, relative to the Soil Conservation Service; to the Committee on Agriculture.

113. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to funding for Federal meat inspection; to the Committee on Agriculture.

114. Also, memorial of the Senate of the State of Hawaii, relative to minimum drinking age legislation; to the Committee on Public Works and Transportation.

115. Also, memorial of the Legislature of the State of Hawaii, relative to Federal energy tax credits; to the Committee on Ways and Means.

116. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to "Roll-Back Imports Day"; to the Committee on Ways and Means.

117. Also, memorial of the Legislature of the State of South Carolina, relative to the sportfishing and boating enhancement fund; jointly, to the Committee on Merchant Marine and Fisheries and Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

[Omitted from the Record of May 6, 1985]

H.R. 1606: Mr. SCHUMER.

[Submitted May 7, 1985]

H.R. 43: Mr. FEIGHAN.

H.R. 44: Mrs. BENTLEY.

H.R. 153: Mr. GRAY of Pennsylvania.

H.R. 201: Mr. LIPINSKI, Mr. VIN WEBER, Mr. STANGELAND, Mr. STRANG, Mr. HENRY, Mr. ROBERTS, and Mr. EVANS of Iowa.

H.R. 281: Mr. DYMALLY, Mrs. KENNELLY, Ms. MIKULSKI, Mr. MURTHA, Mr. SMITH of Florida, Mr. VOLKMER, Mr. WOLPE, Mr. LEVINE of California, Mr. MINETA, Mr. PENNY, and Mr. STARK.

H.R. 479: Mr. BURTON of Indiana.

H.R. 480: Mr. MCCAIN.

H.R. 556: Mrs. BOXER.

H.R. 587: Mr. ROE, Mr. TORRICELLI, Mr. PENNY, Mr. MRAZEK, Mr. GREGG, Mr. MITCHELL, Mr. RINALDO, Mr. CALLAHAN, Mr. SKEEN, Mr. MOAKLEY, Mr. SMITH of New Hampshire, Mr. HALL of Ohio, Mr. GARCIA, Mr. CHAPPIE, Mr. LUKEN, Mr. SHAW, Mr. TAUKE, Mr. TOWNS, Mr. HUBBARD, Mr. QUILLEN, Mr. SNYDER, Mr. MICA, Mr. SCHUMER, Mrs. JOHNSON, Mr. LEACH of Iowa, Mr. SUNDQUIST, Mr. SENSENBRENNER, Ms. FIEDLER, Mr. LOEFFLER, Mr. LUNDINE, Mr. TALLON, Mr. SHUMWAY, Mr. SAXTON, Mr. BLILEY, Mr. APPLEGATE, and Mr. CLINGER.

H.R. 605: Mr. SMITH of New Jersey, Mr. EDWARDS of Oklahoma, Mr. SILJANDER, Mr. DEWINE, and Mr. KOLBE.

H.R. 616: Ms. KAPTUR, Mr. WEISS, Mr. OWENS, Mr. EDWARDS of California, Mr. HAWKINS, Mr. MARTINEZ, Mr. VENTO, Mr. NEAL, Mr. RICHARDSON, Mr. BRYANT, Mr. GUARINI, Mr. ACKERMAN, Mr. HAYES, Mr. REID, Mr. FEIGHAN, Mr. SEIBERLING, Mr. BERMAN, and Mr. MURPHY.

H.R. 654: Mr. FISH, Mr. NIELSON of Utah, Mr. DANNEMEYER, Mr. PORTER, Mr. WEBER, Mr. MCCAIN, Mr. BROYHILL, Mr. SENSENBRENNER, Mr. LAGOMARSINO, Mr. MONTGOMERY, Mr. WHITEHURST, Mr. GRAY of Illinois, Mr. ZSCHAU, and Mr. MONSON.

H.R. 673: Mr. LAGOMARSINO and Mr. LEHMAN of Florida.

H.R. 753: Mr. OWENS.

H.R. 796: Mrs. BENTLEY, Mr. JONES of Tennessee, and Mr. RIDGE.

H.R. 822: Mr. HEFTEL of Hawaii, Mr. HAWKINS, Mr. HERTEL of Michigan, and Mr. FOLEY.

H.R. 887: Mr. FRENZEL and Mr. FORD of Tennessee.

H.R. 917: Mrs. MARTIN of Illinois and Mr. HORTON.

H.R. 930: Mr. RUDD, Mr. WHITEHURST, Mr. BEVILL, Mr. DWYER of New Jersey, and Mr. ROE.

H.R. 983: Mr. GUARINI, Mr. MYERS of Indiana, Mr. BOEHLERT, Mr. JACOBS, Mr. DOWNEY of New York, Mr. MOAKLEY, Mr. KINDNESS, Mr. TALLON, Mrs. COLLINS, Mr. SAVAGE, Mr. FAUNTROY, Mr. CONYERS, Mr. TOWNS, Mr. APPLEGATE, Mr. LAGOMARSINO, Mr. FROST, Mr. MCCAIN, Mr. STARK, Mr. DUNCAN, Mr. COELHO, Mr. KOLTER, Mr. BONIOR of Michigan, Mr. GARCIA, Mr. FASCELL, Mr. FOWLER, Mr. BIAGGI, Mr. LEHMAN of Florida, Mr. WORTLEY, Mr. HENRY, Mr. CHAPPIE, Mr. CROCKETT, Mr. ECKART of Ohio, and Mr. MURPHY.

H.R. 1048: Mr. NIELSON of Utah, Mr. DREIER of California, Mr. DORNAN of California, Mr. ARMEY, Mrs. BENTLEY, and Mr. CRANE.

H.R. 1059: Mrs. BENTLEY.

H.R. 1088: Mr. DOWDY of Mississippi and Mr. VALENTINE.

H.R. 1090: Mr. GUARINI and Mr. KOLBE.

H.R. 1138: Mr. WALKER, Mr. MRAZEK, and Mr. KOSTMAYER.

H.R. 1140: Mr. FUQUA and Mr. BUSTAMANTE.

H.R. 1272: Mr. DIXON and Mr. LEATH of Texas.

H.R. 1304: Mr. FEIGHAN.

H.R. 1318: Mr. EDWARDS of Oklahoma and Mr. LEWIS of California.

H.R. 1319: Mr. EDGAR.

H.R. 1349: Mr. BROOKS.

H.R. 1515: Mr. FEIGHAN.

H.R. 1524: Mr. BATES, Mr. STUDDS, Mr. EDGAR, and Mr. LUKEN.

H.R. 1552: Mrs. VUCANOVICH, Mr. WOLPE, Mr. ROGERS, and Mr. TORRICELLI.

H.R. 1560: Mr. ENGLISH, Mr. JONES of North Carolina, Mr. KOLTER, Mr. STENHOLM, and Mr. WHITLEY.

H.R. 1566: Mr. HORTON and Mr. TAUKE.

H.R. 1567: Mr. HORTON and Mr. TAUKE.

H.R. 1615: Mr. GRAY of Illinois, Mr. BOUCHER, and Mr. ROBERT F. SMITH.

H.R. 1650: Mr. SCHEUER and Mrs. MARTIN of Illinois.

H.R. 1704: Mr. CAMPBELL, Mr. ROWLAND of Connecticut, Mr. WYDEN, Mr. BURTON of Indiana, and Mr. YOUNG of Alaska.

H.R. 1722: Mr. CROCKETT.

H.R. 1746: Mr. HEFTEL of Hawaii, Mr. CHANDLER, Mr. CROCKETT, Mrs. BENTLEY, Mr. LAGOMARSINO, Mr. BEREUTER, and Mr. MANTON.

H.R. 1771: Mrs. MARTIN of Illinois.

H.R. 1785: Mr. CROCKETT.

H.R. 1811: Mr. NICHOLS, Mr. COMBEST, Mr. COURTER, Mr. BILIRAKIS, Mr. WALKER, Mr. WHITEHURST, Mr. WEBER, Mr. DELAY, Mr. CRAIG, Mr. GROTBERG, Mr. COATS, Mr. MCMILLAN, Mr. PORTER, Mr. DORNAN of CALIFORNIA, and Mr. SILJANDER.

H.R. 1965: Mrs. BENTLEY, Mr. BONIOR of Michigan, Mr. DYSON, Mr. GORDON, Mr. GROTBERG, Mr. O'BRIEN, Mr. OXLEY, Mr. PARRIS, Mr. DENNY SMITH, Mr. STRANG, Mr. TAUKE, and Mr. HANSEN.

H.R. 2005: Mr. ARCHER, Mr. GEPHARDT, Mr. FOWLER, Mr. DONNELLY, Mr. COYNE, Mr. GIBBONS, Mr. DAUB, and Mr. GREGG.

H.R. 2025: Mrs. SMITH of Nebraska, Mr. LAGOMARSINO, and Mr. PASHAYAN.

H.R. 2069: Mr. KOSTMAYER, Mr. VOLKMER, Mr. HYDE, Mr. FAUNTROY, Mr. ANDREWS, Mr. TORRES, Mr. WYDEN, Mr. MCCAIN, Mr. FASCELL, Mr. COURTER, Mrs. BYRON, Mr. MONSON, Mr. EMERSON, Mr. COLEMAN of Missouri, Mr. IRELAND, Mr. LEWIS of Florida, Mr. EDWARDS of California, Mr. NEAL, Mr. WEBER, Mr. ROSE, Mr. WORTLEY, Mr. BONER of Tennessee, Mr. SHELBY, Mr. DASCHLE, Mr.

CARR, Mr. BONIOR of Michigan, Mr. REID, Mr. ROBINSON, Mr. LENT, Mr. BARTLETT, Mr. TALLON, Mr. MICA, Mr. SLATTERY, Mr. BARNARD, Mr. LIGHTFOOT, Mr. MACK, Mr. NIELSON of Utah, Mr. FISH, and Mr. MCKERNAN.

H.R. 2080: Mr. WHEAT, Mr. STALLINGS, Mr. HAMILTON, Mr. SABO, Mr. QUILLEN, Mr. STUDDS, Mr. MOODY, Mr. MANTON, Mr. PENNY, Mr. MARTINEZ, Mr. HALL of Ohio, Mr. WIRTH, Mr. MAVROULES, Mr. WOLPE, Mr. RODINO, Mr. CLAY, Mr. SWIFT, Mr. VENTO, Mr. STARK, Mr. FAUNTROY, Mr. LEVIN of Michigan, Mr. LEVINE of California, Mr. MINETA, Mr. SEIBERLING, Mr. MORRISON of Connecticut, and Mr. LUNDINE.

H.R. 2119: Mr. KOLBE, Mr. BURTON of Indiana, Mr. DOWDY of Mississippi, Mr. DERRICK, Mr. ROSE, Mr. RICHARDSON, Mr. GRADISON, Mr. HAYES, Mr. WOLF, Mr. HUGHES, Mr. GILMAN, Mr. HOWARD, Mr. BEDELL, Mr. TALLON, Mr. MANTON, Mr. LEVIN of Michigan, Mr. FIELDS, Mr. DEWINE, Mr. GEJDENSON, Mr. SHELBY, Mr. CONTE, Mr. BLILEY, and Mr. ERDREICH.

H.R. 2137: Mr. MITCHELL and Mr. ROBERTS.

H.R. 2182: Mr. PETRI, Mr. KLECZKA, and Mr. KASTENMEIER.

H.R. 2198: Mr. WOLF.

H.R. 2211: Mr. JONES of North Carolina, Mr. HUGHES, Mr. BROOKS, Mr. BOUCHER, Mr. TRAXLER, and Mr. MATSUI.

H.R. 2216: Mr. LEVINE of California, Ms. KAPTUR, Mr. FUSTER, Mr. FRANK, Mr. HORTON, Mr. SMITH of Iowa, Mrs. BOXER, Mr. FORD of Tennessee, Mr. MITCHELL, and Mr. STOKES.

H.R. 2235: Mr. VENTO, Mr. TOWNS, Mrs. COLLINS, Ms. KAPTUR, Mr. BONIOR of Michigan, Mr. MITCHELL, and Mr. TRAFICANT.

H.R. 2247: Mr. SAVAGE, Mr. MATSUI, Mr. LEVIN of Michigan, and Mr. FAZIO.

H.R. 2263: Mr. DORNAN of California, Ms. MIKULSKI, Mr. REID, Mr. PORTER, Mr. ACKERMAN, and Mr. BONIOR of Michigan.

H.R. 2277: Mr. ROE, Mr. FRANK, Mr. LEACH of Iowa, and Mr. BATEMAN.

H.J. Res. 1. Mr. YOUNG of Florida.

H.J. Res. 3: Mr. BOLAND, Mr. SWIFT, Mr. MCKERNAN, Mr. BOEHLERT, Mr. MCCLOSKEY, Mr. WISE, Mr. FLORIO, Mr. HAYES, Mr. OLIN, Mr. SCHEUER, Mr. GIBBONS, Mr. RANGEL, Mr. WILLIAMS, Mr. FOWLER, Mr. FOLEY, and Mr. GEPHARDT.

H.J. Res. 46: Mr. ENGLISH, Mr. LOTT, Mr. LAFALCE, Mr. BOEHLERT, Mr. SCHULZE, Mr. MCMILLAN, Mr. TAUZIN, Mr. MCEWEN, and Mr. RANGEL.

H.J. Res. 64: Mr. BATES, Mr. DYSON, Mr. EMERSON, Mr. HERTEL of Michigan, Mr. HUCKABY, Mr. LEATH of Texas, Mr. LELAND, Mrs. LLOYD, Mr. MACKAY, Mr. MAVROULES, Mr. MAZZOLI, Mr. O'BRIEN, Mr. REID, Mr. SKELTON, Mr. DENNY SMITH, Mr. VANDER JAGT, Mr. WATKINS, Mr. WAXMAN AND Mr. YOUNG of Missouri.

H.J. Res. 100: Mr. GUARINI and Mr. BROWN of California.

H.J. Res. 146: Mr. MICA, Mr. FRANKLIN, and Mr. BOEHLERT.

H.J. Res. 161: Mr. WEISS, Mr. MAVROULES, Mr. DEWINE, Mr. DURBIN, Mr. TALLON, Mr. LELAND, and Mr. NIELSON of Utah.

H.J. Res. 170: Mr. STARK, Mr. GONZALEZ, Mr. VANDER JAGT, and Mr. ENGLISH.

H.J. Res. 173: Mr. TOWNS, Mr. O'BRIEN, Mr. HORTON, Mr. ROE, Mr. WEISS, Mr. DAUB, Mr. DANIEL, Mr. RAHALL, Mr. BERMAN, Mr. WAXMAN, Mr. SABO, Mr. DARDEN, Mr. HUGHES, Mr. OWENS, Mr. DWYER of New Jersey, Mr. FEIGHAN, Mr. MARTINEZ, Mr. CROCKETT, Mr. VOLKMER, Mr. MINETA, Mr. SUNIA, Mr. SMITH of Florida, Mr. JEFFORDS, Mr. GREEN, Mr. RICHARDSON, Ms. KAPTUR, Mr. PURSELL, Mrs. HOLT, Mr. DYMALLY, Mr. BRYANT, Mr. HARTNETT, Mr. VENTO, Mr. BLILEY, Mr. FASCELL, Mr. GUNDERSON, Mr. MATSUI, Mr. HAYES, Mr. MOAKLEY, Mr. BATEMAN, Mr. JONES of North Carolina, Mr. MURPHY, Mr. FRANK, Mr. STUMP, Mr. MOLLOHAN, Mrs. COLLINS, Mr. WOLF, Mr. SLAUGHTER, Mr. KOLTER, Mr. PARRIS, Mr. KLECZKA, Mr. FRENZEL, Mr. FISH, Mr. RANGEL, Mr. HOPKINS, Mr. ST GERMAIN, Mr. GEKAS, Mr. SISISKY, Mr. SYNAR, Mr. LEHMAN of Florida, and Mr. BOUCHER.

H.J. Res. 192: Mr. SIKORSKI, Mr. STRANG, and Mr. LELAND.

H.J. Res. 204: Mr. ANTHONY, Mr. APPLEGATE, Mr. BATEMAN, Mr. BATES, Mrs. BENTLEY, Mr. BEVILL, Mr. BOLAND, Mrs. BURTON of California, Mrs. BYRON, Mr. CONYERS, Mr. CRANE, Mr. DARDEN, Mr. DAVIS, Mr. DICKS, Mr. DINGELL, Mr. DIOGUARDI, Mr. DWYER of New Jersey, Mr. EDGAR, Mr. ERDREICH, Mr. FAZIO, Mr. FLIPPO, Mr. FOLEY, Mr. FOWLER, Mr. GROTBERG, Mr. GUARINI, Mr. HAMMERSCHMIDT, Mr. HAYES, Mr. HUCKABY, Mr. HUNTER, Mr. HYDE, Mr. JONES of North Carolina, Mr. LANTOS, Mr. LATTA, Mr. LELAND, Mr. LEVIN of Michigan, Mr. LIGHTFOOT, Mr. LOWRY of Washington, Mr. MOORHEAD, Mr. MORRISON of Connecticut, Mr. PICKLE, Mr. PORTER, Mr. PRICE, Mr. RAHALL, Mr. ROEMER, Mr. ROWLAND of Georgia, Mr. SCHUMER, Mr. STOKES, Mr. WALGREN, and Mr. WILSON.

H.J. Res. 207: Mr. WHITTAKER, Mr. ROEMER, Mr. YOUNG of Alaska, Mr. FLORIO, Mr. IRELAND, Mr. BERMAN, Mr. HEFTEL of Hawaii, Mr. CHAPPIE, Mr. REGULA, Mr. CHANDLER, Mr. DYMALLY, Mr. LAGOMARSINO, Mr. ROE, Mr. FUSTER, Mr. WOLF, Mr. LEVINE of California, Mr. JEFFORDS, Mr. DEWINE, Mrs. BENTLEY, Mr. CROCKETT, Ms. KAPTUR, Mr. HUGHES, Mr. COATS, Mr. RAHALL, and Mr. OWENS.

H.J. Res. 234: Mr. BARNES, Mr. GEKAS, Mr. KOLTER, Mr. GUARINI, Mr. HORTON, Mr. MARTINEZ, Mr. GONZALEZ, Mr. PANETTA, Mr. WRIGHT, Mr. KOLBE, Mr. ALEXANDER, Mr. ST GERMAIN, Mr. MOODY, Mr. DE LA GARZA, Mrs. LLOYD, and Mr. JONES of North Carolina.

H.J. Res. 263: Mr. RITTER, Mr. KOSTMAYER, Mr. KLECZKA, Mr. DENNY SMITH, Mr. DYMALLY, Mr. MORRISON of Connecticut, Mr. ANNUNZIO, Mr. MANTON, Mr. DORNAN of California, Mr. O'BRIEN, Mr. DYSON, Mr. WEBER, Mrs. KENNELLY, Mr. DELAY, Mr. BONER of Tennessee, Mr. DWYER of New Jersey, Mr. FRANK, Mr. RUDD, Mr. GEJDENSON, Mr. DIOGUARDI, Mr. HUGHES, Mr. DEWINE, Mr. LAGOMARSINO, Mr. EDGAR, and Mr. BLILEY.

H.J. Res. 274: Mr. DYMALLY, Mr. BATEMAN, Mr. LAGOMARSINO, Mr. MONTGOMERY, Mr. LEVINE of California, Mr. DEWINE, Mr. DORNAN, of California, and Mr. MURPHY.

H. Con. Res. 112: Mr. HAYES, Mr. ROSE, Mr. FROST, Mr. FRANK, Mr. FAUNTROY, Mr. TORRES, Mr. TOWNS, Mr. HUGHES, Mr. SEIBERLING, Mr. ALEXANDER, Ms. KAPTUR, Mr. BEDELL, Mr. CONYERS, Mr. VENTO, Mr. AKAKA, Mr. WIRTH, Mr. COURTER, Mr. REID, Mr. MITCHELL, Mr. BOSCO, Mr. MARTINEZ, Mr. WEISS, Mr. FAZIO, Mr. BOEHLERT, and Mr. CROCKETT.

H. Con. Res. 114: Mr. STALLINGS, Mr. BONER of Tennessee, Mr. AKAKA, Mr. SCHEUER, Mr. PEASE, Mr. COLEMAN of Texas, Mr. STARK, Mr. FROST, Mr. HAMILTON, Mr. HAYES, Mr. DIXON, Mr. NOWAK, Mr. KANJORSKI, Mr. LEVINE of California, Mr. MRAZEK, Ms. KAPTUR, Mr. LEVIN of Michigan, Mr. KOLTER, Mr. VOLKMER, Mr. MURPHY, Mr. GEJDENSON, Mr. SMITH of Florida, Mr. TALLON, Mr. MINETA, Mr. GARCIA, Mr. NICHOLS, Mr. FRANK, Mr. HUGHES, Mr. SABO, Mr. AUCOIN, Mr. JONES of North Carolina, Mr. DARDEN, Mr. BOUCHER, and Mr. MATSUI.

H. Con. Res. 117: Mrs. VUCANOVICH, Mr. WORTLEY, Mr. BILIRAKIS, and Mr. DORNAN of California.

H. Con. Res. 131: Mr. LEACH of Iowa, Mr. MARTIN of New York, Mr. RAHALL, and Mr. WATKINS.

H. Con. Res. 134: Mr. NELSON of Florida.

H. Con. Res. 140: Mr. EMERSON, Mr. GILMAN, Mr. BEREUTER, Mr. EVANS of Iowa, Mr. ROBERT F. SMITH, and Mr. MORRISON of Washington.

H. Res. 131: Mr. MCGRATH, Mr. STARK, Mr. ROWLAND of Connecticut, Mr. KOLTER, Mr. KILDEE, Mr. BIAGGI, Mr. LELAND, Mr. SMITH of Florida, Mr. WORTLEY, and Mr. TRAFICANT.

H. Res. 145: Mr. HALL of Ohio, Mr. MCCAIN, Mr. BLILEY, Mr. BATEMAN, Mr. MRAZEK, Mr. WHITEHURST, Mrs. BENTLEY, Mr. LUNGREN, Mr. GREEN, Mr. KOSTMAYER, Mr. BEDELL, Mr. GINGRICH, Mr. DELAY, Mr. GROTBERG, Mr. LIGHTFOOT, Mr. CHANDLER, Mr. DIOGUARDI, and Mr. PANETTA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1229: Mr. OLIN.

H.R. 1403: Mr. RAHALL.

H.R. 2246: Mr. GOODLING.

H.R. 1827: Mr. NIELSON of Utah.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

97. By the SPEAKER: Petition of the Executives' Conference, Federated States of Micronesia, Kolonia, Ponape, Eastern Caroline Islands, relative to the Farmers Home Administration programs; to the Committee on Agriculture.

98. Also, petition of the city council, Jacksonville, FL, relative to the Job Corps Program funding; to the Committee on Education and Labor.

99. By Mr. MOAKLEY: Petition of Mr. Michael D. Benge, Ms. Sophiny Biv-Beng, and Mr. Biv Chhay Lieng, Falls Church, VA, relative to United States assistance to Kampuchea; to the Committee on Foreign Affairs.

100. By the SPEAKER: Petition of Shu Ka Tung, Hong Kong, relative to human rights; to the Committee on Foreign Affairs.

101. Also, petition of the Australian Parliament, Canberra, A.C.T., relative to U.S. involvement in Central America; to the Committee on Foreign Affairs.

102. Petition of the Commission of the city of Miami, FL, relative to the freedom fighters of Nicaragua; to the Committee on Foreign Affairs.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2068

By Mr. VENTO:

—Strike Section 126 and insert the following:

SEC. 126. ESTABLISHMENT OF A TRAVEL ADVISORY ON THE STATE OF JALISCO, MEXICO.

(a) VIOLENCE AGAINST AMERICANS.—The Congress—

(1) deplores the brutal murder of Drug Enforcement Administration agent Enrique Camarena Salazar, and the abduction and disappearance of numerous other Americans, including John Clay Walker, Alberto Radelat, Dennis Carlson, Rose Carlson, Benjamin Mascarenas, and Patricia Mascarenas; and

(2) finds that the violence perpetrated by drug traffickers in Mexico constitute a danger to the safety of United States citizens living and traveling in the State of Jalisco, Mexico.

(b) TRAVEL ADVISORY.—The Congress, therefore, directs the Secretary of State to issue a travel advisory warning United States citizens of the current dangers of traveling in the State of Jalisco, Mexico. Such travel advisory shall remain in effect until those responsible for the abduction or murder of any of the aforementioned United States citizens have been brought to trial and a verdict has been obtained.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

REGISTRATIONS

The following registrations were submitted for the first calendar quarter 1985:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).
(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

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Organization or Individual Filing	Employer/Client
CHARLES A. ACQUARD, 1400 K STREET, NW, #500 WASHINGTON DC 20005	HANDGUN CONTROL, INC
JOHN J. ADAMS, 2000 PENNSYLVANIA AVE., NW, #900 WASHINGTON DC 20006	ETHYL CORPORATION
THOMAS L. ADAMS JR., 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	AMERICAN SOCIETY OF ANESTHESIOLOGISTS
SANDRA LEE ADAMSON, P.O. BOX 44026 WASHINGTON DC 20026	L5 SOCIETY
AKIN GUMP STRAUSS HAUER & FELD, SUITE 400 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	GULF & WESTERN INDUSTRIES, INC
DONALD C. ALEXANDER, MORGAN LEWIS & BOCKIUS 1800 M ST., NW, #800 NORTH WASHINGTON DC 20036	BECHTEL GROUP, INC
Do	GETTY SYNTHETIC FUELS, INC
WAYNE G. ALLCOTT, 1819 L ST., NW, #900 WASHINGTON DC 20036	U S WEST, INC
DOROTHY D. ALLEN, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.
AMERICAN ASSN OF UNIVERSITY WOMEN, 2401 VIRGINIA AVENUE, NW WASHINGTON DC 20037	
AMERICAN CAMPING ASSOCIATION, BRADFORD WOODS MARTINSVILLE IN 46151	
AMERICAN CEMENT TRADE ALLIANCE, INC, 1331 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	
AMERICAN CONGRESS ON REAL ESTATE, 145 EAST CENTER STREET PROVO UT 84601	
AMERICAN RED CROSS, 17TH & D STREETS, NW WASHINGTON DC 20006	
AMERICAN WIND ENERGY ASSN, 1516 KING STREET ALEXANDRIA VA 22314	
AMERICANS FOR DEMOCRATIC ACTION, 1411 K STREET, NW, #850 WASHINGTON DC 20005	
AMERICANS FOR IMMIGRATION CONTROL, INC, 107 2ND STREET, NE WASHINGTON DC 20002	
DESIREE C. ANDERSON, 1150 17TH STREET, NW, #306 WASHINGTON DC 20036	NATIONAL MULTI HOUSING COUNCIL
ANDERSON HIBEY NAUHEIM & BLAIR, 1708 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20009	U.S. FOOTBALL LEAGUE
DAVID R. ANDREWS, THREE EMBARCADERO CENTER SAN FRANCISCO CA 94111	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: AMFAC, INC)
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: CASTLE & COOKE, INC)
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: ROHR INDUSTRIES)
LISA ANDREWS, 51 LOUISIANA AVENUE, NW WASHINGTON DC 20001	ACACIA MUTUAL LIFE INSURANCE CO
PAUL W. ARCARI, 201 N. WASHINGTON STREET ALEXANDRIA VA 22314	RETIRED OFFICERS ASSN
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JOHN A. ARMSTRONG, 1330 BURLINGTON STREET EAST HAMILTON, ONTARIO CANADA L8N 3J5	CANADIAN TUBULAR PRODUCERS ASSN
G. RAY ARNETT, 1600 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMERICA
ARNOLD & PORTER, 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	CSX CORPORATION
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GARY R. BALZHISER, 1050 CONNECTICUT AVE., NW, #760 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA
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MARK A. BARTNER, 100 MARYLAND AVENUE, NE WASHINGTON DC 20002	RELIGIOUS COALITION FOR ABORTION RIGHTS, INC
THOMAS W. BATTAGLIA, 2550 M STREET, NW, #300 WASHINGTON DC 20037	GLOBAL DEFENSE & SPACE, INC
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BAYH TABBERT & CAPEHART, 1575 I STREET, NW, #1025 WASHINGTON DC 20005	NATIONAL SOFT DRINK ASSN
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DONALD K. BELCH, STELCO TOWER HAMILTON, ONTARIO CANADA L8N 3 TI	CANADIAN TUBULAR PRODUCERS ASSN
JOE BELEW, 1300 N. 17TH ST., #1200 ARLINGTON VA 22209	CONSUMER BANKERS ASSN
BENNER BURNETT & COLEMAN, 1401 NEW YORK AVENUE, NW WASHINGTON DC 20005	SCHNITZER STEEL PRODUCTS CO
PETER E. BERG, BERG & ASSOCIATES 641 INDIANA AVENUE, NW WASHINGTON DC 20006	
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BILLIG SHER & JONES, P.C., 2033 K ST., NW, #300 WASHINGTON DC 20006	BARBER BLUE SEA LINE
Do	MAERSK LINE
Do	NEDLLOYD LINES
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BIRCH HORTON BITTNER PESTINGER & ANDERSON, 12TH FLOOR 1155 CONNECTICUT AVE., NW WASHINGTON DC 20036	ALASKA TEAMSTERS-EMPLOYER WELFARE TRUST
Do	NORTHERN AIR CARGO
BLACK MANAFORT STONE & KELLY, P.C., 324 NORTH FAIRFAX STREET ALEXANDRIA VA 22314	BETHLEHEM STEEL
Do	CHICAGO RTA
Do	FOOTWEAR INDUSTRIES OF AMERICA
Do	GOVERNMENT OF THE BAHAMAS
Do	JOHNSON & JOHNSON
Do	SIGNAL COMPANIES
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BRAND LOWELL & DOLE, 923 15TH STREET, NW, FIFTH FL. WASHINGTON DC 20005	COALITION ON BEVERAGE ISSUES
CHRISTIAN N. BRAUNLICH, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS
GEORGE L. BROWN, 1000 WILSON BOULEVARD ARLINGTON VA 22209	GRUMMAN CORP
REBECCA G. BROWN, 1275 K ST., NW, #750 WASHINGTON DC 20005	NATIONAL WOMEN'S POLITICAL CAUCUS
S. M. HENRY BROWN JR., 411 FAYETTEVILLE STREET MALL, #2035 RALEIGH NC 27601	CAROLINA POWER & LIGHT CO
VIRGINIA BROWN, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.
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LINDA KNELL BUMBALO, 1125 15TH STREET, NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSN OF AMERICA
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BURKE HARTMAN HALLBERG & CONKLING, 300 METROPOLITAN SQUARE BUILDING 655 15TH STREET, NW WASHINGTON DC 20005	
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PATRICK BUTLER, 1875 EYE STREET, NW, #1110 WASHINGTON DC 20006	TIMES MIRROR
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Do	LTV AEROSPACE & DEFENSE CO
Do	NEW ENGLAND LIFE
Do	PITNEY BOWES
Do	RIFFE PETROLEUM CO
Do	TEXAS AIR CORP
Do	TEXAS UTILITIES SERVICE
Do	WESTINGHOUSE CORP
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Do	NEORX
LUIS EDUARDO CASTANEDA, P.O. BOX 364 BUENA VISTA STATION MIAMI FL 33137	NEW GENERATION LOBBY
CENTER FOR RURAL AFFAIRS, P.O. BOX 405 WALTHILL NB 68067	
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Do	SYNCROTECH SOFTWARE CORP
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WILLIAM T. CHRISTIAN, 2211 CONGRESS STREET PORTLAND ME 04122	UNION MUTUAL LIFE INSURANCE CO
CHWAT/WEIGEND ASSOCIATES, 400 FIRST STREET, NW, #816 WASHINGTON DC 20001	NATIONAL ASSN OF CONVENIENCE STORES
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COALITION TO KEEP ALASKA OIL, AFL-CIO BUILDING 815 16TH STREET, NW, #309 WASHINGTON DC 20006	

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Do	LUTHERAN BROTHERHOOD
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Do	ILLINOIS DEPT OF ENERGY & NATURAL RESOURCES
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CROWELL & MORING, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	CONTRACTORS LIABILITY & INDEMNIFICATION ALLIANCE
D L ASSOCIATES, INC, 1730 RHODE ISLAND AVENUE, NW, #210 WASHINGTON DC 20036	MARTIN MARIETTA AEROSPACE
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D'AMICO LUEDTKE DEMAREST & GOLDEN, 1920 N STREET, NW, #400 WASHINGTON DC 20036	MURCHISON OIL & GAS, INC
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DECHERT PRICE & RHOADS, 1730 PENNSYLVANIA AVENUE, NW, #1100 WASHINGTON DC 20006	CONSITUTIONAL RIGHTS FOUNDATION
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RICHARD A. DEEM, 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN
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GAIL DELOACH, P.O. BOX 8091 FALLS CHURCH VA 22041	FRIENDSHIP HILL ASSN
SAMUEL L. DEVINE, 888 17TH ST., NW WASHINGTON DC 20006	CONSOLIDATED RAIL CORP
DEWEY BALLANTINE BUSHBY PALMER & WOOD, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	BENEFICIAL FINANCIAL CORP
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Do	WARNER LEROY
Do	NORFOLK SOUTHERN CORP
Do	JOSEPH E. SEAGRAM & SONS, INC
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Do	SACO DEFENSE, INC
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DILLON READ & CO, INC, 535 MADISON AVENUE NEW YORK NY 10022	
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MARY ELIZABETH DONNELLY, 1090 VERMONT AVENUE, NW, #530 WASHINGTON DC 20005	NEWMONT MINING CORP
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JOSEPH R. DUGAN, 888 16TH STREET, NW WASHINGTON DC 20006	MILK INDUSTRY FOUNDATION/INT'L ASSN OF ICE CREAM MFGRS
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WILLIAM C. DUNCAN, 1050 17TH STREET, NW, #410 WASHINGTON DC 20036	JAPAN AUTOMOBILE MANUFACTURERS ASSN
ED DURKIN, 101 CONSTITUTION AVENUE, NW WASHINGTON DC 20001	UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA
DUTKO & ASSOCIATES, 412 FIRST ST., SE, #214 WASHINGTON DC 20003	GULF & WESTERN INDUSTRIES, INC
Do	OKLAHOMA STATE UNIVERSITY
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ROBERT F. EISEN, 111 WEST 40TH STREET NEW YORK NY 10018	GREENWOOD MILLS MARKETING CO
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ROBERT J. EVANS, 2060 CANTERBURY ROAD KINGSPORT TN 37660	
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FIRST DATA RESOURCES, 7301 PACIFIC STREET OMAHA NB 68114	
MADELINE FISHEL, 1400 EYE STREET, NW WASHINGTON DC 20005	WILDERNESS SOCIETY
FISHER & PHILLIPS, 3500 FIRST ATLANTA TOWER TWO PEACHTREE STREET, NW ATLANTA GA 30383	SAVANNAH-CHATHAM COUNTY BOARD OF EDUCATION
BARRY FLAMM, 1400 EYE STREET, NW WASHINGTON DC 20005	WILDERNESS SOCIETY
R. D. FOLSOM, 1317 F STREET, NW, #400 WASHINGTON DC 20004	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIBERTY NATIONAL)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIFE OF VIRGINIA)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: MORGAN GUARANTY TRUST CO)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: PHARMACEUTICAL MANUFACTURERS ASSN)
FORESIGHT SCIENCE & TECHNOLOGY, INC, 2000 P ST., NW, #305 WASHINGTON DC 20036	NATIONAL COALITION FOR SCIENCE & TECHNOLOGY
LARRY FORRESTER, 3707 WOODVIEW TRACE P.O. BOX 68700 INDIANAPOLIS IN 46268	NATIONAL ASSN OF MUTUAL INSURANCE COS
CHUCK FOX, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
ERIC R. FOX, 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	APPLE COMPUTER CORP
JAMES R. FRANKLIN, 1185 AVENUE OF THE AMERICAS NEW YORK NY 10036	J.P. STEVENS & CO, INC
RONNA FREIBERG, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE GUARANTY CO)
FRENCH & COMPANY, 1317 F ST., NW, #307 WASHINGTON DC 20004	NATIONAL RETAIL MERCHANTS ASSN
VERRICK O. FRENCH, FRENCH & COMPANY 1317 F STREET, NW WASHINGTON DC 20004	HONG KONG TRADE DEVELOPMENT COUNCIL
CHARLES H. FRITTS, 1101 14TH STREET, NW, #804 WASHINGTON DC 20005	NATIONAL APARTMENT ASSN
GA ASSN OF PETROLEUM RETAILERS, INC, 900 N. HAIRSTON RAOD, SUITE D STONE MOUNTAIN GA 30083	
DEBORAH GAHS, 1601 DUKE STREET ALEXANDRIA VA 22314	SOCIETY OF AMERICAN FLORISTS
MARK GALLANT, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN
GRENVILLE GARSIDE, VAN NESS FELDMAN SUTCLIFFE & CURTIS, PC 1050 THOMAS JEFFERSON ST., NW, 7TH FL. WASHINGTON DC 20007	CENTRAL & SOUTH WEST CORP
GARVEY SCHUBERT ADAMS & BARER, 1000 POTOMAC ST., NW WASHINGTON DC 20006	CONTRACTORS BONDING & INSURANCE CO
Do	CSX CORPORATION
FRANK T. GASPER, 8104 RIVER FALLS DRIVE POTOMAC MD 20854	MOOG, INC
PAMELA GILBERT, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP
GINN & EDINGTON, INC, 121 SOUTH COLUMBUS STREET ALEXANDRIA VA 22314	GARRETT CORPORATION
Do	ROCKWELL INTERNATIONAL CORP
FRANCIS J. GIST, 1511 K STREET, NW, #809 WASHINGTON DC 20005	
JOSEPH GOFFMAN, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONGRESS WATCH
GOLD & LIEBENGOOD, INC, 1050 CONNECTICUT AVENUE, NW, #980 WASHINGTON DC 20036	DOREMUS & CO
Do	FUND FOR ASSURING AN INDEPENDENT RETIREMENT
Do	MARIST COLLEGE
Do	MARTIN MARIETTA CORP
Do	PHILLIPS PETROLEUM CO

Organization or Individual Filing	Employer/Client
Do	PURGATORIE RIVER WATER CONSERVANCY DISTRICT
Do	TICOR TITLE INSURANCE CO
ROBERT H. GOLDSBOROUGH, 5508 LOMBARDY PLACE BALTIMORE MD 21210	AMERICANS FOR IMMIGRATION CONTROL, INC
HELANE L. GOLDSTEIN, 2626 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20037	NATIONAL TELEPHONE COOPERATIVE ASSN
BARBARA DIANE GORRA, 1819 L STREET, NW, #820 WASHINGTON DC 20036	SANTA FE INTERNATIONAL CORP
DAVID C. GRAY, 2939 VAN NESS STREET, NW, #108 WASHINGTON DC 20008	AMERICAN CAMPIGN ASSOCIATION
MARY ELIZABETH GREGORY, 2075 S. ATLANTIC BLVD. COMMERCE CA 90040	AMERICAN SUN, INC
KAREN M. GREINER, 1300 NORTH 17TH STREET ARLINGTON VA 22209	ADAPSO
GINNY GRENHAM, 2501 M STREET, NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSN
ELLEN GRIFFEE, 1413 K STREET, NW, 10TH FL. WASHINGTON DC 20005	ASSOCIATION OF SCIENCE-TECHNOLOGY CENTERS
ED GROSSWILER, 920 SW SIXTH AVENUE 1400 PUBLIC SERVICE BUILDING PORTLAND OR 97204	PACIFIC POWER & LIGHT CO
RICHARD L. GRUBER, P.O. BOX 2511 HOUSTON TX 77001	TENNESSEE GAS PIPELINE CO
MARY SCOTT GUEST, 1919 PENNSYLVANIA AVENUE, NW, #800 WASHINGTON DC 20006	
LELAND M. GUSTAFSON, 1050 17TH ST., NW, #1180 WASHINGTON DC 20036	PACIFIC GAS & ELECTRIC CO
ALVIN M. GUTTMAN, 818 CONNECTICUT AVE., NW, #300 WASHINGTON DC 20006	TOWING & RECOVERY ASSN OF AMERICA, INC
GEORGE HACKER, 1501 16TH STREET, NW WASHINGTON DC 20036	CENTER FOR SCIENCE IN THE PUBLIC INTEREST
HALE AND DORR, 1201 PENNSYLVANIA AVE., NW, #807 WASHINGTON DC 20004	NORTHEASTERN UNIVERSITY
Do	PHIL VILLERS
JERALD V. HALVORSEN, 2200 MILL ROAD ALEXANDRIA VA 22314	AMERICAN TRUCKING ASSNS, INC
HAMEL & PARK, 888 16TH STREET, NW WASHINGTON DC 20006	GRAND TRUNK CORP
PHILIP W. HAMILTON, 1825 K ST., NW WASHINGTON DC 20006	AMERICAN SOC OF MECHANICAL ENGINEERS
HANNAFORD CO, INC, 655 15TH ST., NW, #200 WASHINGTON DC 20005	ROYAL EMBASSY OF SAUDI ARABIA
Do	SMOKELESS TOBACCO COUNCIL, INC
HANSELL & POST, 1667 K ST., NW, #500 WASHINGTON DC 20006	NATIONAL BROILER COUNCIL
Do	UNITED FAMILY LIFE INSURANCE CO
CHRISTOPHER W. HANSEN, 1745 JEFFERSON DAVIS HIGHWAY, #1000 ARLINGTON VA 22202	GENERAL DYNAMICS
CHARLES G. HARDIN, 815 CONNECTICUT AVE., NW, #800 WASHINGTON DC 20006	MERCEDES-BENZ OF NORTH AMERICA, INC
STUART B. HARDY, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.
J. WILLIAM W. HARSCH, 1600 M ST., NW, #701 WASHINGTON DC 20036	SIGNAL COMPANIES
Do	SOLV-EX CORPORATION
WILLIAM H. HARSHA, 1102 DELF DRIVE MCLEAN VA 22101	WM. H. HARSHA & ASSOC, INC (FOR: NORFOLK SOUTHERN CORP)
ROBERT G. HAYES, BOGLE AND GATES ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	KALAMA CHEMICAL, INC
BILL HECHT AND ASSOCIATES, INC, 499 SOUTH CAPITOL STREET, SE, #501 WASHINGTON DC 20003	CROWLEY MARITIME CORP
HERBERT A. HEDDEN, 1025 CONNECTICUT AVE., NW, #707 WASHINGTON DC 20036	INTERNATIONAL FRANCHISE ASSN
EDWARD D. HEFFERNAN, 1513 16TH ST., NW, 4TH FL. WASHINGTON DC 20036	CSX CORPORATION
Do	NATIONAL ASSN OF CRIMINAL DEFENSE LAWYERS
Do	TRANSAMERICA INTERWAY, INC, ET AL.
HERRICK & SMITH, 1800 MASSACHUSETTS AVENUE, NW, #510 WASHINGTON DC 20036	HARD MINERALS CONSORTIUM
DALE E. HEYDLAUFF, CRAFT & RICHARDS 1050 THOMAS JEFFERSON STREET, NW, 6TH FL WASHINGTON DC 20007	ALLIS CHALMERS ENERGY & MINERALS SYSTEMS CO
Do	CONSUMERS UNITED FOR RAIL EQUITY (C.U.R.E.)
Do	EDISON ELECTRIC INSTITUTE
Do	ILLINOIS DEPT OF ENERGY & NATURAL RESOURCES
EDWARD HIDALGO, 1828 L ST., NW, #1111 WASHINGTON DC 20036	NORFOLK SOUTHERN CORP
WILLIAM F. HILDENBRAND, GOLD & LIEBENGOOD, INC 1050 CONNECTICUT AVENUE, NW, #980 WASHINGTON DC 20036	CHEMICAL MANUFACTURERS ASSN
EDWARD JOSEPH HILLINGS, 1700 N. MOORE STREET, #919 ARLINGTON VA 22209	HOUSTON NATURAL GAS CORP
JOHN L. HILLS, RT. 1, BOX 645 PURCELLVILLE VA 22132	SUNDSTRAND CORPORATION
RICK HIND, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP
HOGAN & HARTSON, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	COALITION FOR THE ADVANCEMENT OF INDUSTRIAL TECHNOLOGY
Do	NATIONAL SOFT DRINK ASSN
NIELS C. HOLCH, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE GUARANTY CO)
FRED H. HOLT, 119 ORONOCO STREET BOX 1417-D50 ALEXANDRIA VA 22313	ANIMAL HEALTH INSTITUTE
STEVEN HORNBURG, 1050 17TH STREET, NW, #770 WASHINGTON DC 20036	AMERICAN ASSN OF HOMES FOR THE AGING
RICHARD H. HUGHES, P.O. BOX 880 VALLEY FORGE PA 19482	AVTEX FIBERS, INC
HUNTON & WILLIAMS, P.O. BOX 1535 RICHMOND VA 23212	AMERICAN INSURANCE ASSN
GARY HYMEL, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE INSURANCE CO)
INTEGRATED RESOURCES, INC, 666 THIRD AVENUE, 4TH FL. NEW YORK NY 10017	
INTERNATIONAL TAXICAB ASSOCIATION, 3849 FARRAGUT AVENUE KENSINGTON MD 20895	
IRWIN AND LESSE, 2011 EYE STREET, NW WASHINGTON DC 20006	ATLANTIC SATELLITE COMM., INC & EARTH STATION SATELLITE...
AMY F. ISAACS, 1411 K STREET, NW, #850 WASHINGTON DC 20005	AMERICANS FOR A DEMOCRATIC ACTION
RUSTY L. JESSER, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN
BRUCE JOHNSON, AVENUE OF THE ARTS BLDG., #1009 PHILADELPHIA PA 19107	AD-HOC MORTGAGE-BACKED SECURITIES LEGIS. & REGULATORY ASSN
JAMES A. JOHNSON, 2550 M ST., NW, #500 WASHINGTON DC 20037	SHEARSON LEHMAN BROTHERS; NORFOLK SOUTHERN RAILWAY
JAMES E. JOHNSON, 11510 GEORGIA AVENUE, #115 WHEATON MD 20902	J. E. JOHNSON & ASSOCIATES, INC
JONES & WINBURN, 50 E ST., SE WASHINGTON DC 20003	HARTFORD FIRE INSURANCE GROUP
JONES DAY REAVIS & POGUE, 655 15TH ST., NW WASHINGTON DC 20005	AUTOMOTIVE DISMANTLERS & RECYCLERS ASSN, INC
Do	CARL M. FREEMAN ASSOCIATES
Do	LOS ANGELES COUNTY
ALEXANDER H. JORDAN, 1201 PENNSYLVANIA AVENUE, NW, #730 WASHINGTON DC 20004	KIMBERLY-CLARK CORP
DENNIS R. KANIN, FOLEY HOAG & ELIOT ONE POST OFFICE SQUARE BOSTON MA 02109	HUMANE SOCIETY OF THE U.S., ET AL.
Do	LEADING EDGE PRODUCTS, INC
GENE KARPINSKI, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP
KAYE SCHOLER FIERMAN HAYS & HANDLER, 1575 I STREET, NW, #1150 WASHINGTON DC 20005	UNITED TELEVISION, INC
KEITH KEENER, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN
PETER M. KELLY, BELL BOYD & LLOYD 70 W. MADISON, #3200 CHICAGO IL 60602	BALCOR/AMERICAN EXPRESS, INC
BRENDAN KENNY, 1625 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AIR LINE PILOTS ASSN
J. H. KENT, KENT & O'CONNOR 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	LOS ANGELES ALLIANCE FOR EQUITABLE CUSTOMS STAFFING
MICHAEL J. KERRIGAN, 1925 K STREET, NW, #504 WASHINGTON DC 20006	SMOKELESS TOBACCO COUNCIL, INC
RICHARD S. KESSLER, 1800 M STREET, NW, #950 WASHINGTON DC 20036	JACK MCDONALD CO (FOR: COALITION FOR THE ADVANCEMENT OF INDUSTRIAL TECHNOLOGY)
Do	JACK MCDONALD CO (FOR: FIBER FABRIC & APPAREL COALITION FOR TRADE)
DALE RODNEY KETCHAM, 223 COLUMBIA DRIVE, #317 CAPE CANAVERAL FL 32920	
KILPATRICK & CODY, SUITE 500 2501 M ST., NW WASHINGTON DC 20037	B. W. CROSWELL
GENE KIMMELMAN, 1424 16TH STREET, NW WASHINGTON DC 20036	CONSUMER FEDERATION OF AMERICA
RUBY KING-WILLIAMS, 1201 16TH STREET, NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN
KIRBY GILLICK SCHWARTZ & TUOHEY, P.C., 1220 L STREET, NW, #310 WASHINGTON DC 20005	NATIONAL VEHICLE LEASING ASSN
Do	AMERICA WEST AIRLINES, INC
WILLIAM J. KISSICK, 503 QUEEN STREET EAST SAULT STE. MARIE ONTARIO CANADA P6A 5P2	ALGOMA STEEL CORP, LTD
Do	CANADIAN TUBULAR PRODUCERS ASSN
JOAN M. KOVALIC, 21 DUPONT CIRCLE, NW, #600 WASHINGTON DC 20036	TAFT STETTINIUS & HOLLISTER (FOR: JAMES GRAHAM BROWN FOUNDATION)
KEITH R. KRUEGER, 600 MARYLAND AVE., SW, #400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN
THOMAS R. KUHN, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE
JEFFREY KURZWEIL, HILL BETTS & NASH 1220 19TH ST., NW, SUITE 302 WASHINGTON DC 20036	J.W. MARRIOTT INVESTOR GROUP
KUTAK ROCK & CAMPBELL, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	NATIONAL ELECTRICAL MANUFACTURERS ASSN
Do	VALMONT INDUSTRIES, INC
WARREN LASKO, 1125 15TH STREET, NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSN OF AMERICA
LAVENTHOL & HORWATH, 1901 L STREET, NW WASHINGTON DC 20036	WORLD ZIONIST ORGANIZATION JERUSALEM, ISRAEL
LAXALT CORPORATION, 214 MASSACHUSETTS AVE., NE, #380 WASHINGTON DC 20002	PHILIP MORRIS INTERNATIONAL
LEFF & MASON, 1700 PENNSYLVANIA AVE., NW, #450 WASHINGTON DC 20006	SANITATION DISTRICTS OF ORANGE COUNTY
TERRY L. LEITZELL, BOYLE AND GATES ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	SEATTLE METRO
LYNN H. LEMASTER, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE
LEONARD & MCGAUN, P.C., 900 17TH STREET, NW, #1020 WASHINGTON DC 20006	INTERNATIONAL UNION OF POLICE ASSNS, AFL-CIO
Do	WISCONSIN DAIRIES
LAWRENCE E. LEVINSON, ONE GULF & WESTERN PLAZA NEW YORK NY 10023	GULF & WESTERN INDUSTRIES, INC

Organization or Individual Filing	Employer/Client
ANN F. LEWIS, 1411 K STREET, NW, #850 WASHINGTON DC 20005	AMERICANS FOR DEMOCRATIC ACTION
LEWIS WHITE & CLAY, P.C., 1300 FIRST NATIONAL BUILDING DETROIT MI 48226	
LIPSEN HAMBERGER WHITTEN & HAMBERGER, 1725 DESALES ST., NW, #800 WASHINGTON DC 20036	MOORE MCCORMACK RESOURCES
Do	NORFOLK SOUTHERN CORP
Do	UNIVERSITY OF SYRACUSE
SUSAN LISS, 600 NEW JERSEY AVENUE, NW WASHINGTON DC 20001	JUDICIAL SELECTION PROJECT
THOMAS W. LITTLE, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE
FRANCI LIVINGSTON, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONGRESS WATCH
SARA L. LOVELAND, P.O. BOX 65-761 WASHINGTON DC 20035	S.O.S. SMALL BUSINESS JOBS
PAULA D. LUCAK, 815 16TH STREET, NW, #308 WASHINGTON DC 20006	PUBLIC EMPLOYEE DEPARTMENT, AFL-CIO
JAMES D. LUCAS, 25 SOUTH CHARLES STREET BALTIMORE MD 21201	FIRST MARYLAND BANCORP
JAMES D. LUCAS, 25 SOUTH CHARLES STREET BALTIMORE MD 21201	FIRST NATIONAL BANK OF MARYLAND
JOHN E. LYNN, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	AMERICAN INSTITUTE OF ARCHITECTS
PETER T. MADIGAN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS
CONNIE MAHAN, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY
ELLEN L. MAITLAND, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS
LAWRENCE R. MALONE, 1211 AVENUE OF THE AMERICAS NEW YORK NY 10036	CELANESE CORP
MANATT PHELPS ROTHENBERG & TUNNEY, 1200 NEW HAMPSHIRE AVE., NW, #200 WASHINGTON DC 20036	FLYING TIGER LINE, INC
FRANK MANKIEWICZ, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE GUARANTY CO)
HOWARD MARLOWE, 655 15TH STREET, NW, #300 WASHINGTON DC 20005	COALITION TO KEEP ALASKA OIL
DAN MARRIOTT, 900 KENNECOTT BUILDING SALT LAKE CITY UT 84133	GUARDIAN LIFE INSURANCE CO OF AMERICA
J. ROSS MARTIN, KANSAS PETROLEUM COUNCIL 1414 MERCHANTS NAT'L BANK BLDG. 8TH & JACKSON TOPEKA KS 66612	AMERICAN PETROLEUM INSTITUTE
MARK A. MASLYN, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FEDERATION
DONALD F. MASSEY, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MUTUAL OF OMAHA)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO)
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE INSURANCE CO)
COLIN D. MATHEWS, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	VINSON & ELKINS (FOR: FEDERAL LAND BANK ASSNS OF TEXAS STOCKHOLDERS' DEFENSE FUND)
SUZETTE MATTHEWS, 1726 M STREET, NW, #806 WASHINGTON DC 20036	AIR TRAFFIC CONTROL ASSN, INC
WILLIAM W. MAURER, 1745 JEFFERSON DAVIS HIGHWAY, #1000 ARLINGTON VA 22202	GENERAL DYNAMICS
MAYER BROWN & PLATT, 2000 PENNSYLVANIA AVENUE, NW, #6500 WASHINGTON DC 20006	BRUNSWICK CORP
Do	GOLDMAN SACHS & CO
Do	PFIZER, INC
Do	RTS CAPITAL CORP
STEPHEN C. MCCAFFREY, 1828 N. MERIDIAN STREET INDIANAPOLIS IN 46202	UNITED WAY OF INDIANAPOLIS
ROBIN W. MCCLUNG, 1667 K ST., NW, #1210 WASHINGTON DC 20006	ROHM AND HAAS CO
MARIAN E. MCDOWELL, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE
MICHAEL MCGEHEE & ASSOCIATES, 1411 E. ABINGDON DRIVE ALEXANDRIA VA 22314	
MCGUIRE WOODS & BATTLE, 1400 ROSS BUILDING RICHMOND VA 23219	CSX CORP
GEORGE G. MEAD, 1908 EDNOR ROAD CLOVERLY MD 20904	NORTH AMERICAN VAN LINES, INC
MEMEL JACOBS PIERNO GERSH & ELLSWORTH, 1800 M STREET, NW, #1000-N WASHINGTON DC 20036	ALLIANCE FOR MEDICAL NUTRITION
Do	NATIONAL ASSN OF PUBLIC HOSPITALS
JANE MENTZINGER, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE
CHRISTOPHER L. MEYER, 410 8TH AVENUE DAYTON KY 41074	NEW GENERATION LOBBY
LISA MIHALY, 122 C STREET, NW, 4TH FL. WASHINGTON DC 20001	CHILDREN'S DEFENSE FUND OF THE WASHINGTON RESEARCH PROJECT
HARRIS MILLER & ASSOCIATES, 1000 WILSON BLVD., #900 ARLINGTON VA 22209	AGRICULTURAL PRODUCERS
MILLER & CHEVALIER, CHTD, METROPOLITAN SQUARE 655 15TH STREET, NW WASHINGTON DC 20005	BLUE CROSS & BLUE SHIELD ASSN
Do	MOTOR VEHICLE MANUFACTURERS ASSN
CARL A. MODECKI, 1300 N. 17TH ST., #1200 ARLINGTON VA 22209	CONSUMER BANKERS ASSN
NANCY JACKS MONTGOMERY, 1601 DUKE STREET ALEXANDRIA VA 22314	SOCIETY OF AMERICAN FLORISTS
CARLOS MOORE, 1101 CONNECTICUT AVENUE, NW, #300 WASHINGTON DC 20036	AMERICAN TEXTILE MANUFACTURERS INSTITUTE
MORGAN LEWIS & BOCKIUS, SUITE 800 NORTH 1800 M ST., NW WASHINGTON DC 20036	ZALMAN C. BERNSTEIN
Do	BUSINESS ROUNDTABLE
JOHN W. MORIARTY, 4400 COMPUTER DRIVE WESTBORO MA 01580	DATA GENERAL CORP
JEANNE L. MORIN, 1511 K ST., NW, #1100 WASHINGTON DC 20005	NATIONAL ASSN OF DEVELOPMENT COMPANIES
JANELLE MORRIS, 1828 L STREET, NW, #906 WASHINGTON DC 20036	MERRILL LYNCH & CO, INC
GEORGE R. MOSES, 1341 G STREET, NW, #202 WASHINGTON DC 20005	TRW, INC
DOROTHY J. MOSS, 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN
GERALD J. MOSSINGHOFF, 1100 15TH STREET, NW, #900 WASHINGTON DC 20005	PHARMACUETICAL MANUFACTURERS ASSN
ROBERT N. MOTTICE, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS
DONNA T. MUNDY, 2211 CONGRESS STREET PORTLAND ME 04122	UNION MUTUAL LIFE INSURANCE CO
WILLIAM T. MURPHY JR., 1225 19TH STREET, NW, #200 WASHINGTON DC 20036	DICKSTEIN SHAPIRO &, MORIN
Do	NATURAL GAS SUPPLY ASSN
MARGARET R. MURRAY, 600 NEW HAMPSHIRE AVENUE, NW, #626 WASHINGTON DC 20037	NATIONAL RURAL TELECOM ASSN
JOHN L. NAPIER, NAPIER AND JENNINGS P.O. DRAWER 995 BENNETTSVILLE SC 29512	PHILLIPS PETROLEUM CO
KAREN J. NARDI, THREE EMBARCADERO CENTER SAN FRANCISCO CA 94111	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: AMFAC, INC)
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: CASTLE & COOKE, INC)
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: ROHR INDUSTRIES)
JOHN FRANCIS NASH JR., 17 N. GREENBRIER STREET ARLINGTON VA 22203	MILLIKEN & CO
NATIONAL ASSN FOR STOCK CAR AUTO RACING, INC (NASCAR), 1801 SPEEDWAY BOULEVARD DAYTONA BEACH FL 32015	
NATIONAL ASSN OF DEVELOPMENT COMPANIES, 1511 K ST., NW WASHINGTON DC 20005	
MARIO NAVARRO DA COSTA, 4301 COLUMBIA PIKE, #405 ARLINGTON VA 22204	WASHINGTON BUR. FOR THE REP. OF THE SOCS. FOR THE DEFENSE...
MICHAEL W. NAYLOR, 1150 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	ALLIED CORPORATION
NEILL & COMPANY, INC, 900 17TH ST., NW, #400 WASHINGTON DC 20006	DEMOCRATIC REPUBLIC OF SUDAN
NEW GENERATION LOBBY, 410 8TH AVENUE DAYTON KY 41074	
JOHN L. NOBLE, ONE AMERICAN PLAZA EVANSTON IL 60201	AMERICAN HOSPITAL SUPPLY CORP
ROBERT I. NOOTER, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FEDERATION
O'CONNOR & HANNAN, 1919 PENNSYLVANIA AVE., NW, #800 WASHINGTON DC 20006	AMERICAN TRUCKING ASSNS, INC
Do	CENTER FOR ENVIRONMENTAL EDUCATION
Do	CHAMBER OF COMMERCE OF THE U.S.
Do	CONSOLIDATED RAIL CORP
Do	OPTICAL COATING LABORATORY, INC
EMILY O'CONNOR, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS
IAN O'CONNOR, 111 CHIMNEY ROCK ROAD BRIDGEWATER NJ 08807	CANADIAN TUBULAR PRODUCERS ASSN
PATRICK C. O'CONNOR, KENT & O'CONNOR, INC 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	NATIONAL ASSN OF FLEET ADMINISTRATORS, INC
DANIEL J. O'GRADY, 815 16TH STREET, NW, #408 WASHINGTON DC 20006	FOOD & ALLIED SERVICE TRADES DEPT, AFL-CIO
O'NEILL AND HAASE, P.C., 1333 NEW HAMPSHIRE AVE., NW, #1110 WASHINGTON DC 20036	BANK OF NEW ENGLAND
Do	CONNECTICUT BANK & TRUST CORP
Do	U.S. STEEL
PAUL C. OAKLEY, 1920 L STREET, NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN RAILROADS
ELVIRA J. ORLY, 1150 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	ALLIED CORPORATION
PARRY AND ROMANI ASSOCIATES, INC, 1140 CONNECTICUT AVENUE, NW, #400 WASHINGTON DC 20036	LINCOLN SAVINGS
Do	NATIONAL CABLE TELEVISION ASSN
LANDON PARVIN, 5410 CONNECTICUT AVENUE, NW, #502 WASHINGTON DC 20015	COMMUNICATIONS COUNSEL, INC
JERRY M. PATTERSON, LEFF & MASON 1700 PENNSYLVANIA AVE., NW, #450 WASHINGTON DC 20006	GREAT WESTERN FINANCIAL CORP
PATTON BOGGS & BLOW, 2550 M ST., NW, #800 WASHINGTON DC 20037	CARLSON COMPANIES, INC
Do	CHELSEA PROPERTY OWNERS
Do	OCEAN CATCH
Do	RETAIL INDUSTRY TRADE ACTION COALITION
Do	U.S. FISHERIES DEVELOPMENT ASSN
Do	U.S. TUNA FOUNDATION
PAUL HASTINGS JANOFSKY & WALKER, 6TH FLOOR 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	ASPIRIN FOUNDATION OF AMERICA, INC
JAMES C. PENNINGTON, 5535 HEMPSTEAD WAY SPRINGFIELD VA 22151	NATIONAL ASSN FOR UNIFORMED SERVICES

Organization or Individual Filing	Employer/Client
PERITO DUERK & PINCO, P.C., 1140 CONNECTICUT AVENUE, NW, #400 WASHINGTON DC 20036	AMERICAN COLLEGE OF NEUROPSYCHOPHARMACOLOGY
Do	AMERICAN PROTESTANT HEALTH ASSN
Do	AMERICAN SOC FOR PHARMACOLOGY & EXPERIMENTAL THERAPEUTICS
Do	JOHNSON & JOHNSON
Do	NATIONAL ASSN OF ALCOHOLISM TREATMENT PROGRAMS, INC
Do	COMMITTEE ON PROBLEMS OF DRUG DEPENDENCE, INC
PERKINS COIE STONE OLSEN & WILLIAMS, 1110 VERMONT AVE., NW, #1200 WASHINGTON DC 20005	BOEING CO
Do	KOOTZNOOWOO, INC
Do	ORMAT SYSTEMS, INC
THOMAS P. PERKINS III, 1800 MERCANTILE BANK & TRUST BUILDING TWO HOPKINS PLAZA BALTIMORE MD 21201	MARYLAND SAVINGS-SHARE INSURANCE CORP
PAUL F. PETERS, 1522 K STREET, NW, #828 WASHINGTON DC 20005	AMERICAN VETERINARY MEDICAL ASSN
Do	ASSOCIATION OF AMERICAN VETERINARY MEDICAL COLLEGES
CAROLINE PETTI, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
JOHN H. PILCHER, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS
PILLSBURY MADISON & SUTRO, 1667 K ST., NW, #1100 WASHINGTON DC 20006	INDEPENDENT STAINLESS STEEL WIRE REDRAWERS
Do	TRANSPACE CARRIERS, INC
PIPER & MARBURY, 888 16TH ST., NW WASHINGTON DC 20006	FIRST MARYLAND BANCORP
Do	FIRST NATIONAL BANK OF MARYLAND
Do	TRANSAMERICA INTERWAY, INC, ET AL
MINDY POLLACK, 1025 CONNECTICUT AVE., NW, #512 WASHINGTON DC 20036	REINSURANCE ASSN OF AMERICA
FRED POLLI, P.O. BOX 5768 CHARLOTTEVILLE VA 22905	HIGH FRONTIER GROUP
POWELL GOLDSTEIN FRAZER & MURPHY, 1110 VERMONT AVE., NW, #1050 WASHINGTON DC 20005	COALITION FOR THE ADVANCEMENT OF INDUSTRIAL TECHNOLOGY
Do	INTERNATIONAL TELECOMMUNICATIONS SATELLITE ORGANIZATION
Do	SKW ALLOYS, INC
PRESTON THORGRIMSON ELLIS & HOLMAN, 1735 NEW YORK AVENUE, NW, #500 WASHINGTON DC 20006	GRANT COUNTY PUBLIC UTILITY DISTRICT
Do	INTELSAT
JOEL PRITCHARD, BOGLE & GATES ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	INTERNATIONAL TELECOMMUNICATIONS SATELLITE ORGANIZATION
Do	SEATTLE METRO
SUE P. PURVIS, P.O. BOX 14042(D2B) ST. PETERSBURG FL 33733	FLORIDA POWER CORP
JOHN C. RAMIG, 1730 M STREET, NW, #900 WASHINGTON DC 20036	STOEL RIVES BOLEY FRASER & WYSE (FOR: ASSOCIATION OF O & C COUNTIES)
Do	STOEL RIVES BOLEY FRASER & WYSE (FOR: PACIFICORP)
ROBERT A. RAPOZA ASSOCIATES, 2001 S STREET, NW WASHINGTON DC 20007	FRIENDS OF THE RURAL DEVELOPMENT LOAN FUND
Do	
Do	NATIONAL RURAL HOUSING COALITION
CRAIG RAUPE, CAMPBELL-RAUPE ASSOCIATES, INC 1015 15TH STREET, NW, #907 WASHINGTON DC 20005	ALGONQUIN GAS TRANSMISSION
Do	AMERICAN NUCLEAR ENERGY COUNCIL
Do	LTV AEROSPACE & DEFENSE CO
Do	NEW ENGLAND LIFE
Do	PITNEY BOWES
Do	RIFFE PETROLEUM CO
Do	TEXAS AIR CORP
Do	TEXAS UTILITIES SERVICE
Do	WESTINGHOUSE CORP
JOHN K. RAYBURN, 1801 K STREET, NW WASHINGTON DC 20006	WESTINGHOUSE ELECTRIC CORP
BENJAMIN F. REEVES, 1100 17TH STREET, NW WASHINGTON DC 20036	BURLEY & DARK LEAF TOBACCO EXPORT ASSN
REID & PRIEST, 1111 19TH STREET, NW WASHINGTON DC 20036	BALTIMORE GAS & ELECTRIC CO, ET AL
REINSURANCE ASSN OF AMERICA, 1025 CONNECTICUT AVENUE, NW, #512 WASHINGTON DC 20036	
RENEWABLE FUELS ASSOCIATION, 499 S. CAPITOL ST., SW, #420 WASHINGTON DC 20003	
REYNOLDS ALLEN & COOK, 1667 K STREET, NW, #300 WASHINGTON DC 20006	GRANADA MANAGEMENT CORP
LES RICHTER, 1801 SPEEDWAY BOULEVARD DAYTONA BEACH FL 32015	NATIONAL ASSN FOR STOCK CAR AUTO RACING, INC (NASCAR)
Do	NATIONAL MOTORSPORTS COMMITTEE OF ACCUS, FIA, INC
RIDDELL HOLROYD & BUTLER, 1331 PENNSYLVANIA AVENUE, NW, #1215 WASHINGTON DC 20004	ASSOCIATES CORP OF NORTH AMERICA
Do	BENEFICIAL CORP
Do	C.I.T. FINANCIAL CORP
Do	W. K. KELLOGG FOUNDATION
ROGERS & WELLS, 1737 H STREET, NW WASHINGTON DC 20006	LIZ CLAIBORNE, INC
Do	DREYFUS CORPORATION
Do	PFIZER, INC
LESLIE ROSE, 624 9TH STREET, NW, #700 WASHINGTON DC 20001	GROUP HEALTH ASSN OF AMERICA, INC
DAVID B. ROSENAUER, 1317 F STREET, NW, #400 WASHINGTON DC 20004	R. DUFFY WALL & ASSOCIATES, INC (FOR: BALCOR/AMERICAN EXPRESS, INC)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: FOOTWEAR RETAILERS OF AMERICA)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: JMB REALTY CORP)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIBERTY NATIONAL)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIFE OF VIRGINIA)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: MORGAN GUARANTY TRUST CO)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: PHARMACEUTICAL MANUFACTURERS ASSN)
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: WINE & SPIRITS WHOLESALERS OF AMERICA, INC)
RICHARD ROSENBAUM, 666 THIRD AVE., 4TH FL. NEW YORK NY 10017	COMMITTEE FOR A RESPONSIBLE TAX POLICY, INC
LYNN ROSINKSY, 1625 L STREET, NW WASHINGTON DC 20036	AMERICAN FED OF STATE COUNTY & MUNICIPAL EMPLOYEES, AFL-CIO
NANCY ROSS, 1010 VERMONT AVENUE, NW WASHINGTON DC 20005	RAINBOW ALLIANCE
JOSEPH L. ROSSO, 2200 MILL ROAD ALEXANDRIA VA 22314	AMERICAN TRUCKING ASSNS, INC
CHARLES ROWTON, 1899 L STREET, NW, #1100 WASHINGTON DC 20036	EXXON CORP
ROBERT S. ROYER, ROYER & SHACKNAI 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	PHILLIPS PETROLEUM
PATRICIA RYAN, 1400 K STREET, NW WASHINGTON DC 20005	AMERICAN PSYCHIATRIC ASSN
S.O.S. - SMALL BUSINESS JOBS, P.O. BOX 65761 WASHINGTON DC 20035	
ANTHONY J. SAGGESE JR., 1050 17TH ST., NW, #500 WASHINGTON DC 20036	TEXACO, INC
JAMES D. SANTINI, BIBLE, SANTINI, HOY & MILLER 900 17TH ST., NW WASHINGTON DC 20006	CHICAGO NORTHWESTERN TRANSPORTATION CO
Do	HOMESTAKE MINING CO
Do	ISL VENTURES, INC
Do	MARLENE C. MCGUIRL
Do	SAVAGE INDUSTRIES
JAMES P. SCALA, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.
ROBERT H. SCARBOROUGH, 1700 PENNSYLVANIA AVE., NW, #600 WASHINGTON DC 20006	APPLE COMPUTER, INC
DEBORAH SCHECHTER, 1501 16TH STREET, NW WASHINGTON DC 20036	CENTER FOR SCIENCE IN THE PUBLIC INTEREST
DAVID JOEL SCHLEIN, 545 FOURTH STREET, SE WASHINGTON DC 20003	AMERICAN FED OF GOV'T EMPLOYEES, LOCAL 12
RICHARD F. SCHULTZ, 807 MAINE AVENUE, SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS
SCRIBNER HALL & THOMPSON, SUITE 700 1875 EYE STREET, NW WASHINGTON DC 20006	CNA FINANCIAL CORP
HOWARD SEGERMARK, 214 MASSACHUSETTS AVENUE, NE, #560 WASHINGTON DC 20002	INDUSTRY COUNCIL FOR TANGIBLE ASSETS
SEIDMAN & SEIDMAN/BDO, 15 COLUMBUS CIRCLE NEW YORK NY 10023	
SEWARD & KISSEL, 919 18TH ST., NW WASHINGTON DC 20006	BALDWIN SECURITIES CORP
DEBORAH L. SHANNON, 1150 17TH ST., NW, #306 WASHINGTON DC 20036	NATIONAL MULTI HOUSING COUNCIL
DONALD B. SHEA, 1750 K STREET, NW WASHINGTON DC 20006	U.S. BREWERS ASSN, INC
JAY SHERMAN, 2001 S STREET, NW, #500 WASHINGTON DC 20009	CENTER FOR RURAL AFFAIRS
ROBERT M. SHERWOOD, 1700 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	PFIZER, INC
SANA F. SHTASEL, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS
STEVEN W. SILVER, ROBERTSON, MONAGLE, EASTAUGH & BRADLEY 240 MAIS ST., #800 JUNEAU AK 99802	NORANDA MINING, INC
GARY D. SIMMS, 1835 K STREET, NW, #515 WASHINGTON DC 20006	AMERICAN ACADEMY OF ACTUARIES
SKADDEN ARPS SLATE MEAGHER & FLOM, 919 18TH STREET, NW WASHINGTON DC 20006	AIR PRODUCTS & CHEMICALS, INC
Do	DREXEL BURNHAM LAMBERT, INC
Do	OCEAN THERMAL CORP
Do	SEA-LAND CORP
WILLIAM T. SLIDER, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.
DEBORAH SLIZ, 2301 M STREET, NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN
ROBERT G. SMERKO, 1945 OLD GALLOWS ROAD, #405 VIENNA VA 22180	AMERICAN WOOD PRESERVERS INSTITUTE
JAMES A. SMITH, 1819 L ST., NW, #900 WASHINGTON DC 20036	U S WEST, INC
PATRICIA SMITH, 2401 VIRGINIA AVENUE, NW WASHINGTON DC 20037	AMERICAN ASSN OF UNIVERSITY WOMEN
VELMA SMITH, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE
SMOKELESS TOBACCO COUNCIL, INC, 1925 K STREET, NW, #504 WASHINGTON DC 20006	
DENNIS SMYTH, 503 QUEEN STREET EAST SAULT STE. MARIE ONTARIO CANADA P6A 5P2	CANADIAN TUBULAR PRODUCERS ASSN
LARRY S. SNOWHITE, 1825 EYE ST., NW WASHINGTON DC 20006	GSX CORPORATION
MICHAEL D. SOLOMON, 1709 NEW YORK AVENUE, NW WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS
BARRY SONSHINE, 111 RAYETTE ROAD CONCORD ONTARIO CANADA L4K 2E9	CANADIAN TUBULAR PRODUCERS ASSN

Organization or Individual Filing	Employer/Client
PHILIP SPESER, 2000 P ST., NW WASHINGTON DC 20036	FORESIGHT SCIENCE & TECHNOLOGY, INC (FOR: NATIONAL COALITION FOR SCIENCE & TECHNOLOGY)
VIVIAN ESCOBAR STACK, 2010 MASSACHUSETTS AVENUE, NW, #500 WASHINGTON DC 20036	PLANNED PARENTHOOD FEDERATION OF AMERICA, INC
DAVID P. STANG, P.C., SUITE 601 1629 K ST., NW WASHINGTON DC 20006	COMMITTEE FOR CAPITAL FORMATION THROUGH DIV. REINVESTMENT
Do	SMALL BUSINESS COUNCIL OF AMERICA, INC
TERRY W. STARK, P.O. BOX 2130 NEWPORT BEACH CA 92658	WESTERN GROWERS ASSN
DAVID MICHAEL STATON, 1615 H STREET, NW WASHINGTON DC 20062	CITIZEN'S CHOICE, INC
KRISTIN STELCK, 2401 VIRGINIA AVENUE, NW WASHINGTON DC 20037	AMERICAN ASSN OF UNIVERSITY WOMEN
STEPHENSON CARPENTER CROUT & OLMSTED, P.O. BOX 669 SANTA FE NM 87504	HOMESTAKE MINING CO; UNITED NUCLEAR CORP
VICTOR STEPSAY, 1750 NEW YORK AVENUE, NW WASHINGTON DC 20006	SHEET METAL WORKERS' INT'L ASSN
H. DONALD STEWART, 188 W. MAIN STREET PENNS GROVE NJ 08069	
LYNN S. STEWART, 3 EMBARCADERO CENTER SAN FRANCISCO CA 94111	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: AMFAC, INC)
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: CASTLE & COOKE, INC)
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: ROHR INDUSTRIES)
STEVEN F. STOCKMEYER, 1800 M ST., NW, #950 NORTH WASHINGTON DC 20036	VERNER LIIPFERT BERNHARD... (FOR NORFOLK SOUTHERN)
FLOYD E. STONER, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN
SUSAN STRAUSS, 1025 CONNECTICUT AVENUE, NW, #707 WASHINGTON DC 20036	INTERNATIONAL FRANCHISE ASSN
SULLIVAN & CROMWELL, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	KIDDER PEABODY & CO, INC
SURREY & MORSE, 1250 EYE STREET, NW WASHINGTON DC 20005	ALLNET COMMUNICATIONS SERVICES, INC
SUTHERLAND ASBILL & BRENNAN, 1666 K STREET, NW, #800 WASHINGTON DC 20006	SOUTHEAST COMPACT COMMISSION
DAVID L. SWANSON, CRAFT & RICHARDS 1050 THOMAS JEFFERSON ST., NW, 6TH FL. WASHINGTON DC 20007	BOEING ENGINEERING CO SOUTHEAST, INC
Do	EDISON ELECTRIC INSTITUTE
Do	GA TECHNOLOGIES, INC
Do	ILLINOIS DEPT OF ENERGY & NATURAL RESOURCES
ROBERT TAFT JR., 21 DUPONT CIRCLE, NW, #600 WASHINGTON DC 20036	TAFT STETTINIUS & HOLLISTER (FOR: JAMES GRAHAM BROWN FOUNDATION)
AUGUSTINE D. TANTILLO, 1726 M STREET, NW WASHINGTON DC 20036	RUSSELL CORP
SUSAN TATUM, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN
NORMAN J. TEMPLE, 155 DRESDEN AVENUE GARDINER ME 04345	MAINE YANKEE - CENTRAL MAINE POWER CO
PAUL M. TENDLER, 1110 VERMONT AVENUE, NW, #840 WASHINGTON DC 20005	TENDLER & BIGGINS (FOR: ADVANCED CELLULAR PHONE CO)
BETTY-GRACE TERPSTRA, 1726 M STREET, NW, #901 WASHINGTON DC 20036	SCOTT PAPER CO
MICHELLE C. TESSIER, 21 DUPONT CIRCLE, NW WASHINGTON DC 20036	NATIONAL ASSN OF PUBLIC TELEVISION STATIONS
TEXANS FOR A RESPONSIBLE AMERICA, 1300 MAIN STREET, #1935 HOUSTON TX 77002	
THACHER PROFFITT & WOOD, SUITE 512 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036	BANK OF VERMONT
EDLU J. THOM, 919 18TH STREET, NW, #400 WASHINGTON DC 20006	DIAMOND SHAMROCK CORP
JOHN W. THOMAS, 119 ORONOCO STREET BOX 1417-D50 ALEXANDRIA VA 22313	ANIMAL HEALTH INSTITUTE
MICHAEL F. THOMPSON, 1745 JEFFERSON DAVIS HIGHWAY, #511 ARLINGTON VA 22202	MANUFACTURED HOUSING INSTITUTE
EBEN S. TISDALE, 1550 WILSON BLVD., #600 ARLINGTON VA 22209	HEWLETT-PACKARD CO
PETER W. TOOKER, 1920 N STREET, NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS
VINCENT TRIVELLI, 815 16TH STREET, NW WASHINGTON DC 20006	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS
PAUL E. TSONGAS, FOLEY HOAG & ELIOT ONE POST OFFICE SQUARE BOSTON MA 02109	LEADING EDGE PRODUCTS, INC
WILLIAM W. TURNER, 1025 CONNECTICUT AVE., NW, #1014 WASHINGTON DC 20036	ENSERCH CORPORATION
CRAIG ULRICH, 1300 N. 17TH STREET, #1200 ARLINGTON VA 22209	CONSUMER BANKERS ASSN
UNIQUE ATHLETES, INC, 3 WOODLAND AVENUE WESTHAMPTON BEACH NY 11978	
UNITED NUCLEAR CORPORATION, 7700 LEESBURG PIKE FALLS CHURCH VA 22043	
UNITED WAY OF INDIANAPOLIS, COMMUNITY SERVICE COUNCIL OF METRO INDIANAPOLIS 1828 N. MERIDIAN STREET INDIANAPOLIS IN 46202	
VAN NESS FELDMAN SUTCLIFFE & CURTIS, P.C., 7TH FLOOR 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	CLEAN COAL TECHNOLOGY COALITION
DEBRA J. VANDERBEEK, 1575 EYE STREET, NW, #200 WASHINGTON DC 20005	AMERICAN CYANAMID CO
JENNIFER VASILOFF, 1730 M STREET, NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.
ROBERT J. VERDISCO, 1901 PENNSYLVANIA AVENUE, NW, #200 WASHINGTON DC 20006	NATIONAL MASS RETAILING INSTITUTE
VERNER LIIPFERT BERNHARD MCPHERSON & HAND, CHTD, 1660 L STREET, NW, #1000 WASHINGTON DC 20036	CITY OF NEW ORLEANS
Do	GENCORP
Do	NORFOLK SOUTHERN
Do	RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC
ANNE L. VIGNOVIC, 1750 K STREET, NW WASHINGTON DC 20006	U.S. BREWERS ASSN, INC
VINSON & ELKINS, 1101 CONNECTICUT AVE., NW, #900 WASHINGTON DC 20036	DILLON READ & CO, INC
WALTER D. VINYARD JR., ZUCKERT, SCOUTT, RASENBERGER & JOHNSON 888 17TH ST., NW, 7TH FL. WASHINGTON DC 20006	NATIONAL FRATERNAL CONGRESS OF AMERICA
VORYS SATER SEYMOUR & PEASE, 1828 L STREET, NW, #1111 WASHINGTON DC 20036	SCM CORPORATION
R. B. WACKERLE, 1000 WILSON BOULEVARD, #2300 ARLINGTON VA 22209	NORTHROP CORP
WAGNER & BARODDY, INC, 1100 17TH STREET, NW, #804 WASHINGTON DC 20036	AMERICAN BUSINESS PRESS
Do	CSX CORPORATION
CHARLS E. WALKER ASSOCIATES, INC, 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ALABAMA POWER CO
Do	ARTHUR ANDERSON & CO
Do	CHAMPION INTERNATIONAL CORP
Do	E. I. DU PONT DE NEMOURS & CO
Do	PUBLIC SECURITIES ASSN
Do	SIMUFLITE TRAINING INTERNATIONAL, INC
Do	UNOCAL CORPORATION
R. DUFFY WALL & ASSOCIATES, INC, 1317 F STREET, NW, #400 WASHINGTON DC 20004	LIBERTY NATIONAL
Do	LIFE OF VIRGINIA
Do	PHARMACEUTICAL MANUFACTURERS ASSN
WALLACE & EDWARDS, 1150 CONNECTICUT AVE., NW, #507 WASHINGTON DC 20036	AMERICAN MEAT INSTITUTE
Do	NATIONAL WOOL GROWERS ASSN
CLAUDIA WALLER, 236 MASSACHUSETTS AVENUE, NE, #504 WASHINGTON DC 20002	CENTER FOR LAW AND EDUCATION, INC
JAMES K. WALTON, 1819 L STREET, NW, #820 WASHINGTON DC 20036	SANTA FE INTERNATIONAL CORP
WASHINGTON BUR. FOR THE REP. OF THE SOCS. FOR THE DEFENSE..., 4301 COLUMBIA PIKE, #405 ARLINGTON VA 22204	
MARY WEBB, 1050 17TH STREET, NW, #770 WASHINGTON DC 20036	AMERICAN ASSN OF HOMES FOR THE AGING
WEBSTER & SHEFFIELD, 1200 NEW HAMPSHIRE AVE., NW, #350 WASHINGTON DC 20036	PINKERTON TOBACCO CO
Do	POGO PRODUCING CO
WEBSTER CHAMBERLAIN & BEAN, 1747 PENNSYLVANIA AVE., NW, #1000 WASHINGTON DC 20006	INTERNATIONAL TAXICAB ASSN
TAMARA WEINSTEIN, 1830 17TH STREET, NW, #704 WASHINGTON DC 20036	RAINBOW ALLIANCE
KATHLEEN WELCH, 215 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP
CHARLES M. WEST, 205 DAINGERFIELD ROAD ALEXANDRIA VA 22314	NATIONAL ASSN OF RETAIL DRUGGISTS
PAMELA R. WEST, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN
WEXLER REYNOLDS HARRISON & SCHULE, INC, SUITE 600 1317 F STREET, NW WASHINGTON DC 20004	AMERICAN AIRLINES
Do	AMUSEMENT & MUSIC OPERATORS ASSN
Do	DEALER BANK ASSN COMMITTEE ON GLASS-STEAGALL REFORM
Do	ROCK-OLA MANUFACTURING CORP
Do	STORER COMMUNICATIONS, INC
Do	TURNER BROADCASTING SYSTEMS, INC
Do	VIACOM INTERNATIONAL, INC
ELLAN WHARTON, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO, INC
CLYDE A. WHEELER JR., BISHOP LIBERMAN COOK PURCELL & REYNOLDS 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PETROLEUM INSTITUTE
DEBORAH A. WHITE, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO
DON WHITE, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSOCIATION
WILLIAM R. WHITE, BRICKER & ECKLER 888 17TH STREET, NW, #1050 WASHINGTON DC 20006	CONSOLIDATED RAIL CORP
Do	LINCOLN SAVINGS & LOAN ASSN
STEVEN C. WHITNEY, 27 SUNSET DRIVE ALEXANDRIA VA 22301	NATIONAL PARKS & CONSERVATION ASSN
JUDY A. WIEDEMEIER, 1875 I STREET, NW, #800 WASHINGTON DC 20006	TOBACCO INSTITUTE
WILLIAMS & JENSEN, P.C., 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN REAL ESTATE COMMITTEE
Do	COMMITTEE FOR FAIRNESS IN REAL ESTATE TAXATION
Do	NORFOLK SOUTHERN CORP
FLOYD L. WILLIAMS, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.
JACK L. WILLIAMS, 451 NEW JERSEY AVENUE, SE WASHINGTON DC 20003	TYSON FOODS; RICELAND FOODS; FIRST SOUTH S&L; ET AL.
WILMER CUTLER & PICKERING, 1666 K ST., NW WASHINGTON DC 20006	AMERICAN CYANAMID CO
REID WILSON, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP
WINDELS MARX DAVIES & IVES, 51 W. 51ST STREET NEW YORK NY 10019	CHELSEA PROPERTY OWNERS
ERNEST WITTENBERG ASSOCIATES, INC, 1616 H ST., NW WASHINGTON DC 20006	FEDERAL LAND BANK ASSNS OF TEXAS STOCKHOLDERS' DEFENSE FUND
DAVID M. WOOLDRIDGE, 2222 ARLINGTON AVENUE SOUTH BIRMINGHAM AL 35205	EDMOND & VINES
WORLD ZIONIST ORGANIZATION - AMERICAN SECTOR, INC, 515 PARK AVENUE NEW YORK NY 10022	WORLD ZIONIST ORGANIZATION JERUSALEM, ISRAEL
DEBRA T. YARBROUGH, 1819 L ST., NW, #900 WASHINGTON DC 20036	U S WEST, INC
THOMAS F. YOUNGBLOOD, 1819 L STREET, NW, #600 WASHINGTON DC 20036	AMERICAN HOTEL & MOTEL ASSN
MELINDA M. ZIMMERMAN, 1730 RHODE ISLAND AVENUE, NW, #200 WASHINGTON DC 20036	NATURAL GAS SUPPLY ASSN

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following quarterly reports were submitted for the first calendar quarter 1985:

(NOTE.—The form used for reporting is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§302(e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $.....Dues and assessments
2. $.....Gifts of money or anything of value
3. $.....Printed or duplicated matter received as a gift
4. $.....Receipts from sale of printed or duplicated matter
5. $.....Received for services (e.g., salary, fee, etc.)
6. $.....TOTAL for this Quarter (Add items "1" through "5")
7. $.....Received during previous Quarters of calendar year
8. $.....TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $.....TOTAL now owed to others on account of loans
10. $.....Borrowed from others during this Quarter
11. $.....Repaid to others during this Quarter
12. $.....Expense money" and Reimbursements received this Quarter

Contributors of $500 or more (from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": .....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and address of Contributor*
	(*"Period"* from Jan. 1 through....., 19.....)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $.....Public relations and advertising services
2. $.....Wages, salaries, fees, commissions (other than item "1")
3. $.....Gifts or contributions made during Quarter
4. $.....Printed or duplicated matter, including distribution cost
5. $.....Office overhead (rent, supplies, utilities, etc.)
6. $.....Telephone and telegraph
7. $.....Travel, food, lodging, and entertainment
8. $.....All other expenditures
9. $.....TOTAL for this Quarter (Add "1" through "8")
10. $.....Expended during previous Quarters of calendar year
11. $.....TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $.....TOTAL now owed to person filing
13. $.....Lent to others during this Quarter
14. $.....Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
A & S TRANSPORTATION COMPANY, 75 JACOBUS AVENUE SOUTH KEARNY NJ 07032			
ROBERT J. AAGRE, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	50.00	20.00
LEANNE J. ABDNOR, SUITE 1250 1899 L STREET, NW WASHINGTON DC 20036	VENNERS AND CO., LTD. (FOR: KOCH INDUSTRIES)		
PAUL C. ABENANTE, 3RD FLOOR 1111 14TH ST., NW WASHINGTON DC 20005	AMERICAN BAKERS ASSN	720.00	2.00
THOMAS G. ABERNETHY SR., 3973 STUART PLACE JACKSON MS 39211	U.S. CANE SUGAR REFINERS' ASSN	166.67	246.00
ELAINE ACEVEDO, 1601 DUKE STREET ALEXANDRIA VA 22314	SOCIETY OF AMERICAN FLORISTS	9,846.00	
ACTION FOR CHILDREN'S TELEVISION, 46 AUSTIN ST. NEWTONVILLE MA 02160		22,470.28	275.29
ACTION, INC, 2025 EYE STREET, NW, #1022 WASHINGTON DC 20006	AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM		
JOHN J. ADAMS, 2000 PENNSYLVANIA AVE., NW, #900 WASHINGTON DC 20006	VEPCO		
KENNETH R. ADAMS, 1850 K STREET, NW, #210 WASHINGTON DC 20006	CABOT CORPORATION		425.00
ADAMS QUACKENBUSH HERRING & STUART, P.O. BOX 394 COLUMBIA SC 29202	U.S. CAPITAL CORP	395.00	1,025.00
THOMAS L. ADAMS JR., 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	AMERICAN SOCIETY OF ANESTHESIOLOGISTS	840.00	29.00
HOBSON H. ADCOCK, 700 ANDERSON HILL RD. PURCHASE NY 10577	PEPSICO, INC.		
ADDUCI DINAN AND MASTRIANI, 1140 CONNECTICUT AVENUE, NW, #250 WASHINGTON DC 20036	MUNICIPAL CASTINGS FAIR TRADE COUNCIL		
V. J. ADDUCI, 1620 EYE ST., NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC.	21.00	
ROBERT O. ADERS, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	200.00	
TERRANCE M. ADLHOCK, 1111 19TH ST., NW, #303 WASHINGTON DC 20036	SOUTHERN CALIFORNIA EDISON CO	2,000.00	1,500.00
AEROSPACE INDUSTRIES ASSN OF AMERICA, INC, 1725 DESALES ST., NW WASHINGTON DC 20036		19,618.66	19,618.66
AFL-CIO MARITIME COMMITTEE, 100 INDIANA AVE., NW WASHINGTON DC 20001		5,645.00	5,902.57
AGENDAS INTERNATIONAL, 820 SECOND AVENUE, #1302 NEW YORK NY 10017	MINISTERIO DEL EXTERIOR, REPUBLIC OF NICARAGUA		
ELIZABETH AGLE, 530 7TH ST., SE WASHINGTON DC 20003	NATIONAL CLEAN AIR COALITION, INC.	9,074.14	105.82
ROBERT S. AGMAN, 100 INDIANA AVE., NW WASHINGTON DC 20001	LABOR MANAGEMENT MARITIME COMMITTEE, INC	1,436.00	105.35
DAVID J. AHO, 1090 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN HOSPITAL SUPPLY CORP		37.00
HERBERT ALLEN AILSWORTH, SUITE 1101 1050 17TH STREET, NW WASHINGTON DC 20036	SANDOZ, INC.		32.00
AIR CONDITIONING & REFRIGERATION INSTITUTE, 1501 WILSON BLVD. ARLINGTON VA 22209			
AIR PRODUCTS & CHEMICALS, INC, 1730 PENNSYLVANIA AVE., NW, #265 WASHINGTON DC 20006			3,120.00
AIR TRAFFIC CONTROL ASSN, INC, 2020 NORTH 14TH STREET, #410 ARLINGTON VA 22201		3,183.85	3,183.85
RANDOLF H. AIRES, 633 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20004	SEARS ROEBUCK & CO.	4,650.00	93.65
MICHAEL A. AISENBERG, SUITE 610 888 16TH ST., NW WASHINGTON DC 20006	DIGITAL EQUIPMENT CORPORATION	12,300.00	
AKIN GUMP STRAUSS HAUER & FELD, SUITE 400 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	AIR FREIGHT ASSOCIATION		
Do	AMERADA HESS CORPORATION		
Do	AMERICAN EXPRESS CO.		
Do	AMERICAN INTERNATIONAL GROUP, INC.		
Do	AMERICAN TELEPHONE & TELEGRAPH CO	3,200.00	57.00
Do	ARCHER DANIELS MIDLAND COMPANY	600.00	19.00
Do	ATCOR, INC		
Do	BENEFICIAL CORPORATION	1,900.00	38.00
Do	CAPITAL MARKETS GROUP	5,000.00	95.00
Do	CELANESE CORPORATION	2,350.00	38.00
Do	COALITION OF SERVICE INDUSTRIES, INC.	1,200.00	19.00
Do	COMMITTEE AGAINST NETWORK DOMINANCE		
Do	COMMITTEE FOR PRUDENT DEREGULATION		
Do	CONTINENTAL AIRLINES		
Do	E & J GALLO WINERY	500.00	
Do	EMBASSY OF PEOPLE'S REPUBLIC OF CHINA		
Do	FARM LABOR ALLIANCE		
Do	FRUPAC INTERNATIONAL CORP		
Do	GOLDMAN SACHS & CO.		
Do	GULF & WESTERN INDUSTRIES, INC	3,000.00	57.00
Do	LEVI STRAUSS & CO		
Do	LONE STAR INDUSTRIES, INC.		
Do	LONE STAR STEEL CO		
Do	MARRIOTT CORP.	500.00	
Do	MESA PETROLEUM CO.	5,250.00	95.00
Do	METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY	5,025.00	95.00
Do	MILITARY ACCESSORIES SERVICE ASSN, INC		
Do	MORGAN STANLEY & CO, INC.	7,500.00	285.00
Do	MOTION PICTURE ASSN OF AMERICA, INC.	2,900.00	57.00
Do	NATIONAL CABLE TELEVISION ASSN.		
Do	NATIONAL FOOTBALL LEAGUE	10,350.00	190.00
Do	NEW YORK AIR		
Do	PUROLATOR, INC.	1,275.00	19.00
Do	RAUSCHER PIERCE REFSNES, INC.		
Do	RETAIL TRADE ACTION COALITION		
Do	RINGLING BROS. BARNUM AND BAILEY		
Do	SOUTHERN CALIFORNIA EDISON CO	8,000.00	152.00
Do	TEXACO, INC.		
Do	TEXAS AIR CORPORATION		
Do	TIPPERARY CORP.		
Do	WEBER HALL SALE & ASSOCIATES, INC		
Do	WERTHEIM & CO.		
Do	WESTERN GOVERNORS POLICY OFFICE	900.00	19.00
Do	ZALE CORPORATION		
HENRY D. AKINS, P.O. BOX 75818 WASHINGTON DC 20013			
ALASKA PULP CORP, P.O. BOX 1050 SITKA AK 99835			
JAMES J. ALBERTINE, 1575 EYE STREET, NW WASHINGTON DC 20005	AMERICAN SOC OF ASSN EXECUTIVES	300.00	
JOHN M. ALBERTINE, 1025 CONNECTICUT AVENUE, NW, #209 WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE, INC.	3,125.00	95.51
H. MEADE ALCORN JR., ALCORN, BAKEWELL & SMITH ONE AMERICAN ROW HARTFORD CT 06103	HELEN WODELL HALBACH ESTATE		
FREDERICK K. ALDERSON, 1730 M STREET, NW, #607 WASHINGTON DC 20036	ARIZONA PUBLIC SERVICE COMPANY	512.00	1,527.27
DONALD C. ALEXANDER, MORGAN LEWIS & BOCKIUS 1800 M ST., NW, #800 NORTH WASHINGTON DC 20036	ALIGNPAC	110.00	
Do	BECHTEL GROUP, INC.	44.00	
Do	COMMITTEE FOR CAP FORMATION THROUGH DIVIDEND REINVESTMENT	22.00	
Do	DISABLED AMERICAN VETERANS		
Do	EASTERN AIR LINES, INC.		
Do	GETTY SYNTHETIC FUELS, INC	72.00	
NANCY L. ALEXANDER, 245 SECOND STREET, NE WASHINGTON DC 20002	FRIENDS COMM ON NATIONAL LEGISLATION	3,713.49	
WILLIS W. ALEXANDER, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	2,500.00	58.25
MAXTON ALLCOX, 400 FIRST ST., NW, RM 801 WASHINGTON DC 20001	BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES	14,373.81	
ROBERT G. ALLEN, 511 C STREET, NE WASHINGTON DC 20002	C.A.R.E.		
ALLIANCE AGAINST HANDGUNS, P.O. BOX 75700 WASHINGTON DC 20013			
ALLIANCE OF AMERICAN INSURERS, 1501 WOODFIELD ROAD, #400 WEST SCHAUMBURG IL 60195			10,063.64
ALLIANCE TO SAVE ENERGY, 1925 K STREET, NW, #507 WASHINGTON DC 20006			
ROBERT F. ALLNUT, 950 L'ENFANT PLAZA, SW WASHINGTON DC 20024	COMMUNICATIONS SATELLITE CORP	7,250.00	170.23
ALLTEL CORPORATION, 100 EXECUTIVE PARKWAY HUDSON OH 44236			1,586.00
JOSEPH C. ALLWARDEN, 220 DANIEL WEBSTER HWY SOUTH MERRIMACK NH 03054	KOLLSMAN INSTRUMENT CO.		
HARVEY ALTER, 1615 H STREET, NW WASHINGTON DC 20062	U.S. CHAMBER OF COMMERCE	200.00	
MICHAEL J. ALTIER, 1000 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	NATIONAL RETAIL MERCHANTS ASSN.	200.00	20.00
THOMAS H. ALTMEYER, 1575 I STREET, NW, #525 WASHINGTON DC 20005	MINING & RECLAMATION COUNCIL OF AMERICA	3,000.00	50.00
RICARDO R. ALVARADO, 2550 M STREET, NW, #600 WASHINGTON DC 20037	SIGNAL COMPANIES, INC	4,357.14	
SUSAN E. ALVARADO, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	3,299.37
AMALGAMATED TRANSIT UNION, AFL-CIO, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016			8,000.00
AMALGAMATED TRANSIT UNION, NATL CAP DIV. 689, 100 INDIANA AVE., NW, #403 WASHINGTON DC 20001			
ROBERT P. AMBROSE, 14615 LONE OAK ROAD EDEN PRAIRIE MN 55344	COOPERATIVE POWER ASSOCIATION	3,000.00	70.01
AMERICAN ACADEMY OF FAMILY PHYSICIANS, 1740 WEST 92ND ST. KANSAS CITY MO 64114		12,035.90	12,035.90
AMERICAN ACADEMY OF OPHTHALMOLOGY, SUITE 300 1101 VERMONT AVE., N.W. WASHINGTON DC 20005			
AMERICAN ADVERTISING FEDERATION, 1400 K STREET, NW, #1000 WASHINGTON DC 20005			
AMERICAN ARTS ALLIANCE, 424 C ST., NE WASHINGTON DC 20002		26,723.32	92,242.09
AMERICAN ASSN FOR COUNSELING AND DEVELOPMENT, 5999 STEVENSON AVENUE ALEXANDRIA VA 22304		47,374.34	20,983.06
AMERICAN ASSN OF EQUIPMENT LESSORS, 1300 NORTH 17TH ST., #1010 ARLINGTON VA 22209			
AMERICAN ASSN OF MEAT PROCESSORS, P.O. BOX 269 ELIZABETHTOWN PA 17022		947.97	802.65
AMERICAN ASSN OF PORT AUTHORITIES, INC, 1010 DUKE ST. ALEXANDRIA VA 22314		12,546.12	11,332.09
AMERICAN ASSN OF UNIVERSITY WOMEN, 2401 VIRGINIA AVENUE, NW WASHINGTON DC 20037			246.92
AMERICAN AUTOMOBILE ASSN, 8111 GATEHOUSE RD. FALLS CHURCH VA 22047			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
AMERICAN BANKERS ASSN, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036		31,869.25	31,869.25
AMERICAN BUSINESS CONFERENCE, INC, 1025 CONNECTICUT AVENUE, NW, #209 WASHINGTON DC 20036		5,325.00	4,493.13
AMERICAN CEMENT TRADE ALLIANCE, INC, 1331 PENNSYLVANIA AVE., NW WASHINGTON DC 20004		356,470.00	6,035.98
AMERICAN COUNCIL FOR CAPITAL FORMATION, 1850 K STREET, NW, #520 WASHINGTON DC 20006		17,370.00	6,844.00
AMERICAN COUNCIL OF LIFE INSURANCE, INC, 1850 K ST., NW WASHINGTON DC 20006			9,265.00
AMERICAN FARM BUREAU FED, 225 TOUHY AVE PARK RIDGE IL 60068		105,230.00	105,230.00
AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS, 815 16TH ST., NW WASHINGTON DC 20006			138,406.23
AMERICAN FEED MANUFACTURERS ASSN, 1701 N. FT. MYER DR. ARLINGTON VA 22209		3,240.00	3,240.00
AMERICAN FINANCIAL SERVICES ASSN, 1101 14TH ST., NW WASHINGTON DC 20005			11,625.00
AMERICAN FROZEN FOOD INST, 1700 OLD MEADOW RD., #100 MCLEAN VA 22102		6,000.00	6,000.00
AMERICAN HEALTH CARE ASSN, 1200 15TH STREET, NW WASHINGTON DC 20005		212,098.20	31,153.10
AMERICAN HELLENIC INSTITUTE PUBLIC AFFAIRS COMMITTEE, 1730 K ST., NW WASHINGTON DC 20006			
AMERICAN HONEY PRODUCERS ASSN, P.O. BOX 368 MINCO OK 73059		14,250.00	5,183.02
AMERICAN HOSPITAL ASSN, 840 N. LAKE SHORE DR. CHICAGO IL 60611		36,845.89	36,845.89
AMERICAN HOTEL & MOTEL ASSN, 888 SEVENTH AVE. NEW YORK NY 10019		23,557.10	11,007.33
AMERICAN INST OF MERCHANT SHIPPING, 1625 K STREET, NW, #1000 WASHINGTON DC 20006			
AMERICAN INSURANCE ASSN, 85 JOHN ST. NEW YORK NY 10038		1,314.00	1,314.00
AMERICAN ISRAEL PUBLIC AFFAIRS COMM, 444 N. CAPITOL STREET, NW, #412 WASHINGTON DC 20001		59,428.00	92,672.02
AMERICAN LAND TITLE ASSN, 1828 L ST., NW WASHINGTON DC 20036			5,397.00
AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE, 122 C ST., NW, #740 WASHINGTON DC 20001		13,500.00	14,346.89
AMERICAN LIBRARY ASSN, 50 E. HURON ST. CHICAGO IL 60611		1,496.63	6,156.39
AMERICAN MALTING BARLEY ASSN, INC, 735 NORTH WATER STREET, #908 MILWAUKEE WI 53202			2,912.49
AMERICAN MEAT INSTITUTE, PO BOX 3556 WASHINGTON DC 20007			6,500.00
AMERICAN MEDICAL ASSN, 535 NORTH DEARBORN ST. CHICAGO IL 60610		1,510.00	34,467.18
AMERICAN MEDICAL CARE & REVIEW ASSN, SUITE 210 5410 GROSVENOR LANE BETHESDA MD 20814			
AMERICAN METAL DETECTOR MANUFACTURERS' ASSN, 2814 NATIONAL DR. GARLAND TX 75401			
AMERICAN MOVERS CONFERENCE, 2200 MILL ROAD ALEXANDRIA VA 22314			2,896.00
AMERICAN NEWSPAPER PUBLISHERS ASSN, BOX 17407 DULLES INTERNATIONAL AIRPORT WASHINGTON DC 20041		1,125.00	1,125.00
AMERICAN NUCLEAR ENERGY COUNCIL, 410 1ST ST., SE WASHINGTON DC 20003			
AMERICAN NURSES' ASSN, 2420 PERSHING RD KANSAS CITY MO 64108		28,862.15	28,862.15
AMERICAN OPTOMETRIC ASSN, C/O DR. JOHN D. TUMBLIN 600 MARYLAND AVENUE, SW, #400E WASHINGTON DC 20024		126.72	779.95
AMERICAN PAPER INSTITUTE, INC, 260 MADISON AVE. NEW YORK NY 10016			2,340.00
AMERICAN PETROCHEMICAL CONSUMERS, 1815 H STREET, NW, #1000 WASHINGTON DC 20006			
AMERICAN PETROLEUM INSTITUTE, 1220 L ST., NW WASHINGTON DC 20037		314,777.77	247,101.40
AMERICAN PODIATRIC MEDICAL ASSN, 20 CHEVY CHASE CIRCLE WASHINGTON DC 20015			
AMERICAN POSTAL WORKERS UNION, AFL-CIO, 817 14TH ST., NW WASHINGTON DC 20005		42,878.59	57,887.81
AMERICAN PSYCHOLOGICAL ASSN, 1200 17TH STREET, NW WASHINGTON DC 20036		19,483.85	19,483.82
AMERICAN PUBLIC TRANSIT ASSN, 1225 CONNECTICUT AVE., NW WASHINGTON DC 20036		73,111.00	73,111.00
AMERICAN PULPWOOD ASSN, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036			
AMERICAN RADIO RELAY LEAGUE, INC, 225 MAIN ST. NEWINGTON CT 06111			11,652.77
AMERICAN RED CROSS, 17TH & D STREETS, NW WASHINGTON DC 20006		2,000.00	300.00
AMERICAN RETREADERS' ASSN, P.O. BOX 17203 LOUISVILLE KY 40217		2,000.00	2,000.00
AMERICAN SEED TRADE ASSN, 1030 15TH STREET, NW, #964 WASHINGTON DC 20005			11,350.00
AMERICAN SHORT LINE RAILROAD ASSN, 2000 MASSACHUSETTS AVE., NW WASHINGTON DC 20036			
AMERICAN SOCIETY OF ANESTHESIOLOGISTS, 1201 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004			1,049.00
AMERICAN SOYBEAN ASSOCIATION, 600 MARYLAND AVENUE, SW, #510 WASHINGTON DC 20024			4,282.89
AMERICAN TEXTILE MACHINERY ASSN, 7297 N. LEE HWY. FALLS CHURCH VA 22042		300.00	300.00
AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC, 1101 CONNECTICUT AVENUE, NW, #300 WASHINGTON DC 20036		42,764.32	42,764.32
AMERICAN VETERANS OF WORLD WAR II, KOREA & VIETNAM (AMVETS) , 4647 FORBES BOULEVARD LANHAM MD 20706		6,950.47	6,950.00
AMERICAN VETERINARY MEDICAL ASSN, 1522 K STREET, NW, #828 WASHINGTON DC 20005		1,235.00	1,235.00
AMERICAN WATERWAYS OPERATORS, INC, 1600 WILSON BOULEVARD, #1000 ARLINGTON VA 22209		276,730.62	1,904.45
MORRIS J. AMITAY, P.C., 444 N. CAPITOL STREET, NW, #712 WASHINGTON DC 20001	NATHAN LEWIN (FOR 47TH STREET PHOTO)	7,500.00	
Do	NATIONAL SATELLITE CABLE ASSN		
Do	NORTHROP CORP	3,000.00	
Do	PAN AMERICAN WORLD AIRWAYS, INC	1,500.00	
Do	SOLAR ENERGY INDUSTRIES ASSN	4,000.00	
Do	THOMPSON MEDICAL	4,000.00	
JAN S. AMUNDSON, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
EDWARD ANDERSEN, 1616 H ST., NW WASHINGTON DC 20006	NATIONAL GRANGE	845.00	
H. KIM ANDERSON, VIRGINIA PETROLEUM COUNCIL 1809 STAPLES MILL ROAD RICHMOND VA 23230	AMERICAN PETROLEUM INST	380.00	253.60
J. LEM ANDERSON, 4111 FRANCONIA RD. ALEXANDRIA VA 22310	TIME, INC	1,000.00	
JAMES A. ANDERSON JR., 1725 K STREET, NW, #710 WASHINGTON DC 20006	NATIONAL ASSN OF WHOLESALER-DISTRIBUTORS		
ROBERT L. ANDERSON, JOHN DEERE RD. MOLINE IL 61265	DEERE & COMPANY		
ROMILDA R. ANDERSON, 10 WESTPORT ROAD WILTON CT 06897	RICHARDSON-VICKS	10,500.00	3,049.41
STEVEN C. ANDERSON, 1700 OLD MEADOW RD. MCLEAN VA 22102	AMERICAN FROZEN FOOD INST	5,000.00	
WAYNE C. ANDERSON, 1050 CONNECTICUT AVE., NW, #300 WASHINGTON DC 20036	NABISCO BRANDS, INC	5,000.00	340.00
WILLIAM C. ANDERSON, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		80.00
ANDREWS & KURTH, 1730 PENNSYLVANIA AVE., NW, #700 WASHINGTON DC 20006	SPACE SERVICES, INC OF AMERICA		
DAVID R. ANDREWS, THREE EMBARCADERO CENTER SAN FRANCISCO CA 94111	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: AMFAC, INC)		
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: CASTLE & COOKE, INC)		
LEWIS D. ANDREWS JR., 1825 EYE STREET, NW, #400 WASHINGTON DC 20006	COMMITTEE FOR EQUITABLE COMPENSATION	6,000.00	335.00
ROBERT B. ANDREWS, 1100 CONNECTICUT AVENUE, NW, #620 WASHINGTON DC 20036	MOBIL OIL CORP	500.00	
JACK R. ANGELL, 1101 17TH STREET, NW, #704 WASHINGTON DC 20036	UNITED GAS PIPE LINE CO		
JAY ANGOFF, 215 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	CONGRESS WATCH	6,000.00	
J. DONALD ANNETT, 1050 17TH ST., NW, #500 WASHINGTON DC 20036	TEXACO, INC	500.00	
TOBIAS ANTHONY, 1819 H STREET, NW, #510 WASHINGTON DC 20006	NATIONAL ASH ASSN, INC		
THOMAS ANTONE, CASSON CALLIGARO & MUTRYN 2600 VIRGINIA AVENUE, NW, #900 WASHINGTON DC 20037	SAMARITAN HEALTH SERVICE		
PATRICK S. ANTRIM, 1800 K STREET, NW WASHINGTON DC 20006	BANKAMERICA CORPORATION	137.30	32.50
APARTMENT & OFFICE BUILDING ASSN OF METROPOLITAN WASH, DC, 1413 K STREET, NW, #600 WASHINGTON DC 20005			
JOHN D. AQUILINO JR., 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER		
JOHN CHRISTIAN ARCHER, 1730 RHODE ISLAND AVE., NW, #213 WASHINGTON DC 20036	BROWN & ROOT, INC		
JOHN ARCHER, 8111 GATEHOUSE RD. FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
R. M. JULIE ARCHULETA, 1747 PENNSYLVANIA AVENUE, NW, 3RD FL. WASHINGTON DC 20006	OCCIDENTAL CHEMICAL CORP	300.00	
ARENT FOX KINTNER PLOTKIN & KAHN, 1050 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	BREED CORPORATION		509.34
Do	CENTRAL STATES SE & SW AREAS HEALTH, WELFARE & PENSION FUNDS	34,155.01	2,954.09
Do	GUARDIAN LIFE INSURANCE CO. OF AMERICA	29,954.01	128.48
Do	MOTOR AND EQUIPMENT MANUFACTURERS ASSOCIATION		
Do	TOYOTA MOTOR CORPORATION	517.70	6.00
Do	TUBULAR CORP OF AMERICA, INC	40,186.07	473.11
W. STANLEY ARMSTRONG, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	60.00	9.00
G. RAY ARNETT, 1600 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMERICA	2,500.00	
ARNOLD & PORTER, 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	AMERICAN ASSN OF EXPORTERS & IMPORTERS (AAEI)	300.00	10.00
Do	AMERICAN TRADING & PRODUCTION CORP		
Do	FLUOR CORPORATION		
Do	SACRAMENTO MUNICIPAL UTILITY DISTRICT		
Do	WERNER FLEISCHMANN		
CARL F. ARNOLD, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN IRON & STEEL INSTITUTE	1,080.00	
Do	CORPORATE PROPERTY INVESTORS	875.00	
Do	MEAD CORPORATION	1,260.00	
Do	QUINTANA PETROLEUM CORP	1,500.00	
JULIE L. ARNOLD, 1050 17TH STREET, NW, #1126 WASHINGTON DC 20036	TRAVENOL LABORATORIES, INC		
SANDY ARNOLD, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
NAN ARON, 600 NEW JERSEY AVENUE, NW WASHINGTON DC 20001	ALLIANCE FOR JUSTICE	28.32	
ASBILL & JUNKIN, SUITE 603 1302 18TH ST., NW WASHINGTON DC 20036	COALITION ON SMOKING OR HEALTH	23,987.50	14,653.85
LUD ASHLEY, P.C., 1735 NEW YORK AVENUE, NW, 6TH FL. WASHINGTON DC 20006	AMERICAN INTERNATIONAL GROUP, INC	3,000.00	
Do	FEDERAL HOME LOAN MORTGAGE CORP		
Do	IRVING TRUST CO		
Do	ISFA CORPORATION		
Do	MANVILLE CORPORATION		
Do	MERRILL LYNCH & CO, INC		
Do	NATIONAL ASSN OF STATE SAVINGS & LOAN SUPERVISORS		
Do	J.C. PENNEY CO, INC		
JOSEPH ASHOOH, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
ASIAN PACIFIC ECONOMIC EDUCATIONAL CULTURAL ORGANIZATION, P.O. BOX 891 MANILA, PHILIPPINE			
ASPHALT ROOFING MANUFACTURERS ASSOCIATION, 6288 MONTROSE ROAD ROCKVILLE MD 20852			
ASSOCIATED CREDIT BUREAUS, INC, P.O. BOX 218300 16211 PARK 10 PLACE HOUSTON TX 77084			
ASSOCIATED EMPLOYERS, INC, SUITE 315 A 1222 N. MAIN SAN ANTONIO TX 78212			
ASSOCIATED GENERAL CONTRACTORS OF AMERICA, 1957 E ST., NW WASHINGTON DC 20006			
ASSOCIATION FOR BIOMEDICAL RESEARCH, 1275 K STREET, NW, #900 WASHINGTON DC 20005		5,240.00	9,155.67
ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER, 10 BROADWAY ST. LOUIS MO 63102			67.50
ASSOCIATION OF AMERICAN LAW SCHOOLS, ONE DUPONT CIRCLE, NW, #370 WASHINGTON DC 20036			
ASSOCIATION OF AMERICAN PUBLISHERS, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036		8,296.93	8,296.93
ASSOCIATION OF AMERICAN RAILROADS, AMERICAN RAILROADS BLDG., SUITE 720 1920 L ST., NW WASHINGTON DC 20036.		61,550.05	61,550.05
ASSOCIATION OF AMERICAN VETERINARY MEDICAL COLLEGES, 1522 K STREET, NW, #828 WASHINGTON DC 20005			
ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS, 1300 NORTH 17TH STREET, #300 ARLINGTON VA 22209			
ASSOCIATION OF TRIAL LAWYERS OF AMERICA, 1050 31ST ST., NW WASHINGTON DC 20007		13,253.00	13,253.00
ASSOCIATION OF URBAN UNIVERSITIES, 1346 CONNECTICUT AVENUE, NW, #228 WASHINGTON DC 20036		24,000.00	6,803.99
GEORGE J. ASTE, 1825 K ST., NW, #607 WASHINGTON DC 20006	UNITED AIRLINES	500.00	
ATLANTIC RICHFIELD CO, 515 SOUTH FLOWER STREET LOS ANGELES CA 90071			1,399.08
FRITZ E. ATTAWAY, 1600 EYE ST., NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA, INC		
JOHN J. AUCIELLO, P.O. BOX 269 ELIZABETHTOWN PA 17022	AMERICAN ASSN OF MEAT PROCESSORS		
AUDIO RECORDING RIGHTS COALITION, P.O. BOX 33705 WASHINGTON DC 20033			11,500.05
KENNETH E. AUER, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	FARM CREDIT COUNCIL	625.00	
JOHN D. AUSTIN JR., 1920 N STREET, N.W. WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
RONALD R. AUSTIN, 1201 16TH STREET, NW WASHINGTON DC 20036	OVERSEAS EDUCATION ASSN	546.25	
AUTOMOTIVE PARTS REBUILDERS ASSN, 6849 OLD DOMINION DRIVE MCLEAN VA 22101			
JOHN S. AUTRY, 2000 L STREET, NW, #810 WASHINGTON DC 20036	SPERRY CORPORATION	1,200.00	500.00
AVENEL ASSOCIATES, INC, P.O. BOX 53131 WASHINGTON DC 20009	FLORIDA DEFENDERS OF THE ENVIRONMENT	4,000.00	8.85
GEORGE C. AXTELL, 122 C ST., NW, #740 WASHINGTON DC 20001	AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE	3,000.00	
WILLIAM H AXTMAN, RM. 160 950 N. GLEBE RD. ARLINGTON VA 22203	AMERICAN BOILER MANUFACTURERS ASSN, INC		
CRAIG H. BAAB, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	63.80
JED L. BABBIN, 4910 NORTH 27TH STREET ARLINGTON VA 22207	SHIPBUILDERS COUNCIL OF AMERICA	17,000.00	
HOPE M. BABCOCK, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY		
DALE R. BABIONE, 1700 N. MOORE ST. ROSSLYN VA 22209	BOEING COMPANY	676.00	
CARL E. BAGGE, COAL BUILDING WASHINGTON DC 20036	NATIONAL COAL ASSN	3,185.00	35.00
JOAN N. BAGGETT, 815 15TH ST., NW WASHINGTON DC 20005	INTERNATIONAL UNION OF BRICKLAYERS & ALLIED CRAFTSMEN		
GEORGE F. BAILEY JR., P.O. BOX 21 MONTGOMERY AL 36101	ALABAMA RAILROAD ASSN		
PAUL C. BAILEY JR., 108 COLUMBUS ST. ARLINGTON VA 22204	SOUTHERN COMPANY SERVICES, INC	1,844.82	892.44
WILLIAM W. BAILEY, 1050 17TH STREET, NW, #650 WASHINGTON DC 20036	MERCK & CO, INC	2,000.00	690.98
JUDITH L. BAIRD, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	200.00	
JOHN BAIZE, CAPITOL GALLERY BLDG., #510 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN SOYBEAN ASSOCIATION		
EDWARD R. BAJER, 1015 15TH ST., NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	450.00	
BAKER & BOTTS, 1701 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	HOUSTON LIGHTING & POWER COMPANY	370.00	
Do	PENNZOIL CO	340.00	
BAKER & HOSTETLER, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	CLEVELAND INSTITUTE OF ELECTRONICS		
DAVID BAKER, 530 7TH ST., SE WASHINGTON DC 20003	LEAGUE OF WOMEN VOTERS OF THE U.S.	3,327.66	69.19
EMIL F. BAKER, 1303 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	FLEET RESERVE ASSN		
GERALD E. BAKER, 1625 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AIR LINE PILOTS ASSN	5,250.00	422.59
JAMES JAY BAKER, 1600 RHODE ISLAND AVENUE, N.W. WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	962.50	238.25
KEITH L. BAKER, 1000 THOMAS JEFFERSON ST., NW, #600 WASHINGTON DC 20007	FEDERATION EMPLOYMENT & GUIDANCE SERVICE		
LISA BAKER, 1730 K STREET, NW, #703 WASHINGTON DC 20006	AMERICAN BUSINESS CONFERENCE	80.25	75.61
QUINTER S. BAKER, P.O. BOX 8091 FALLS CHURCH VA 22041	FRIENDSHIP HILL ASSN		
WALDON L. BAKER, 1015 15TH STREET, NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	100.00	
S. EASON BALCH JR., P.O. BOX 306 BIRMINGHAM AL 35201	BALCH & BINGHAM (FOR: SOUTHERN COMPANY SERVICES, INC)		
S. EASON BALCH, P.O. BOX 306 BIRMINGHAM AL 35201	BALCH & BINGHAM (FOR: SOUTHERN COMPANY SERVICES, INC)	300.00	118.83
H. R. BALIKOV, 333 THORNALL ST. EDISON NJ 08818	J. M. HUBER CORP		
CHRISTIAN BALLANTYNE, 214 N. HENRY STREET, #203 MADISON WI 53703	SIERRA CLUB	1,329.35	375.82
BALLARD SPAHR ANDREWS & INGERSOLL, 1850 K STREET, NW, #1100 WASHINGTON DC 20006	ATLANTIC ALLIANCE FOR MARITIME HERITAGE CONSERVATION		
Do	DELAWARE RIVER PORT AUTHORITY		372.25
Do	PHILADELPHIA PORT CORPORATION		223.35
Do	PORT OF WILMINGTON, DELAWARE		74.45
Do	SOUTH JERSEY PORT CORPORATION		74.45
Do	TITAN OCEAN SYSTEMS, INC		
Do	TREASURE SALVORS, INC		
Do	U.S. COMMITTEE FOR UNICEF		
THOMAS M. BALMER, 888 16TH STREET, NW WASHINGTON DC 20006	MILK INDUSTRY FOUNDATION/INT'L ASSN OF ICE CREAM MFRS		
PHILIP A. BANGERT, 1010 WISCONSIN AVENUE, NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC	30.00	
CHARLES E. BANGERT, P.C., 1825 EYE STREET, NW, #300 WASHINGTON DC 20006	BUSINESS ROUNDTABLE		
BANK OF BOSTON CORPORATION, 100 FEDERAL ST. BOSTON MA 02110			
JAMES T. BANKS, 600 MARYLAND AVE., SW, #607 WASHINGTON DC 20024	WASTE MANAGEMENT, INC		
PATTY BANKSON, 1030 15TH STREET, NW, #976 WASHINGTON DC 20005	NATIONAL BOARD OF YOUNG MEN'S CHRISTIAN ASSNS		
DELMAR K. BANNER, 1800 MASSACHUSETTS AVENUE, NW, #604 WASHINGTON DC 20036	FARM CREDIT COUNCIL	4,540.00	
ROBERT D. BANNISTER, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
JUDY BARDACKE, 555 NEW JERSEY AVENUE, NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS		
ROBERT O. BARKER, 801 NORTHLAND TOWERS WEST SOUTHFIELD MI 48075	NATIONAL ASSN OF MANUFACTURERS	1,500.00	15.00
THOMAS H. BARKSDALE JR., 1220 L ST., NW WASHINGTON DC 20036	AMERICAN PETROLEUM INST	5,500.00	331.60
DONNA R. BARNAKO, 1200 15TH STREET, NW WASHINGTON DC 20005	AMERICAN HEALTH CARE ASSN	1,743.75	278.32
WILLIAM J. BARNDS, 1000 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	JAPAN ECONOMIC INSTITUTE OF AMERICA	300.00	
BARNES RICHARDSON & COLBURN, 1819 H ST., NW, #400 WASHINGTON DC 20006	EHA VENTILFABRIK WILHELM FRITZ KG		
Do	FLORIDA CITRUS MUTUAL		116.02
Do	TARTARIC CHEMICALS CORPORATION		
BARNETT & ALAGIA, 1000 THOMAS JEFFERSON STREET, NW, #900 WASHINGTON DC 20007	CUBAN AMERICAN PUBLIC AFFAIRS COUNCIL		
BARNETT YINGLING & SHAY, 1090 VERMONT AVE., NW, #810 WASHINGTON DC 20005	CITIBANK, N.A	3,040.00	6.00
NEIL D. BARON, BOOTH & BARON 122 EAST 42ND ST. NEW YORK NY 10168	STANDARD & POOR'S CORPORATION		
JAMES C. BARR, 1840 WILSON BOULEVARD ARLINGTON VA 22201	NATIONAL MILK PRODUCERS FEDERATION	3,300.00	
ROBERT W. BARRIE, 1331 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	GENERAL ELECTRIC CO	2,000.00	
HARVEY BARRISON, 291 BROADWAY NEW YORK NY 10007	C. A. SHEA & COMPANY, INC		
JAMES E. BARTLEY, 1090 VERMONT AVENUE, NW, #410 WASHINGTON DC 20005	NATIONAL INDUSTRIAL TRANSPORTATION LEAGUE	6,000.00	9.00
MARK A. BARTNER, 100 MARYLAND AVENUE, NE WASHINGTON DC 20002	RELIGIOUS COALITION FOR ABORTION RIGHTS, INC	4,065.39	
R. WILLIAM BARTON, 1000 POTOMAC STREET, NW, #302 WASHINGTON DC 20007	FEDERATION EMPLOYMENT & GUIDANCE SERVICE		
RICHARD A. BARTON, 1101 17TH ST., NW, #900 WASHINGTON DC 20036	DIRECT MARKETING ASSN	1,400.00	
WALTER F. BATCHELOR, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN	500.00	38.35
DIANE BATEMAN, 1015 18TH STREET, NW WASHINGTON DC 20036	FERTILIZER INSTITUTE	15,000.00	
ROBERT E. BATES JR., 1100 CONNECTICUT AVE, NW WASHINGTON DC 20036	MOBIL OIL CORP	1,125.00	
DAVIS M. BATSON, 1155 15TH STREET, NW, #611 WASHINGTON DC 20005	ETHYL CORPORATION	500.00	
LAURIE C. BATTLE, 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	3,125.00	
JOHN F. BATTLES, MASSACHUSETTS PETROLEUM COUNCIL 11 BEACON ST., #515 BOSTON MA 02108	AMERICAN PETROLEUM INST	3,000.00	999.16
JOHN L. BAUER JR., 1667 K ST., NW, #650 WASHINGTON DC 20006	ARMCO	3,000.00	390.05
BARBARA BAUMAN, 1990 M STREET, NW, #480 WASHINGTON DC 20036	DETROIT EDISON COMPANY	450.00	25.00
BARRY H. BAUMAN, 777 14TH ST., NW WASHINGTON DC 20005	U.S. CHAMBER OF COMMERCE	1,600.00	139.89
JAMES R. BAXTER, 2033 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL CONSTRUCTION EMPLOYERS COUNCIL		
BAYH TABBERT & CAPEHART, 1575 I STREET, NW, #1025 WASHINGTON DC 20005	AMERICAN CANCER SOCIETY	7,500.00	500.00
Do	LEXITEL CORPORATION		
Do	NATIONAL SOFT DRINK ASSN	4,000.00	150.00
Do	NEW ENERGY CORPORATION		
Do	SUGAR USERS GROUP	7,000.00	525.00
Do	VIRATEK		
Do	FRANK W. WINNE & SON, INC		
TINA MARTS BEACH, 1331 PENNSYLVANIA AVENUE, NW, #700 WASHINGTON DC 20004	GENERAL ELECTRIC CO	372.00	
BRUCE A. BEAM, 1667 K ST., NW, #450 WASHINGTON DC 20006	AMERICAN ELECTRIC POWER SERVICE CORP	385.28	135.60
DONALD S. BEATTIE, 1815 H STREET, NW, #1000 WASHINGTON DC 20006	AMERICAN PETROCHEMICAL CONSUMERS		
Do	RAILWAY LABOR EXECUTIVES' ASSN	2,914.91	
CHRISTINE T. BEATTY, 1627 K STREET, NW, #200 WASHINGTON DC 20006	ST. JOE MINERALS CORP	7,500.00	
HUBERT BEATTY, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
LAURA L. BEATY, 806 N. JEFFERSON ST. ARLINGTON VA 22205	NATIONAL PARKS & CONSERVATION ASSOCIATION	144.90	4.40

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
ORREN BEATY JR., 700 JEFFERSON BUILDING 1225 19TH STREET, NW WASHINGTON DC 20036	WESTERN FUELS ASSOCIATION, INC	7,392.00	180.64
JEAN A. BECHERER, 1800 K STREET, NW, #530 WASHINGTON DC 20006	TESORO PETROLEUM CORP	1,500.00	
EDWARD A. BECK III, 1220 L STREET, NW WASHINGTON DC 20005	AMERICAN PETROLEUM INSTITUTE	6,461.54	384.86
ROBERT J. BECKER, 800 E. NORTHWEST HWY., #101 MT. PROSPECT IL 60056	JOINT COUNCIL OF ALLERGY & IMMUNOLOGY		
WILLIAM W. BEDDOW, 1101 15TH ST., NW WASHINGTON DC 20005	NATIONAL CONSTRUCTORS ASSOCIATION	1,600.00	
JON CHARLES BEDNERIK, 11 EMBARCADERO WEST, #202 OAKLAND CA 94607	WESTERN INDEPENDENT BANKERS	500.00	818.93
LYDIA I. BEEBE, 1700 K STREET, NW, #1204 WASHINGTON DC 20006	CHEVRON USA, INC	150.00	
RONALD L. BEEBER, 1660 L STREET, NW WASHINGTON DC 20036	GENERAL MOTORS CORP	2,500.00	4,211.28
CHRISTOPHER M. BEERMANN, 240-40 43RD AVE. DOUGLASTON NY 11363	MORALITY IN MEDIA, INC		
ROBERT M. BEERS, 2101 E STREET, NW WASHINGTON DC 20037	AMERICAN FOREIGN SERVICE ASSN	3,120.00	822.41
EDWIN L. BEHRENS, 801 18TH STREET, NW, #400 WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO	60.00	
MARK BELANGER, 805 THIRD AVENUE NEW YORK NY 10022	MAJOR LEAGUE BASEBALL PLAYERS ASSN		
DONALD K. BELCH, STELCO TOWER HAMILTON, ONTARIO CANADA L8N 3 TI	CANADIAN TUBULAR PRODUCERS ASSN	200.00	446.56
ALEXANDER B. BELL, 9618 COTTRELL TERRACE SILVER SPRING MD 20903	UNITED ASSN OF JNYMEN & APPREN. OF PLMBG & PIPEFTG INDUSTRY	3,750.00	253.03
HOWARD H. BELL, 1400 K ST., NW, #1000 WASHINGTON DC 20036	AMERICAN ADVERTISING FEDERATION		
WINSTON EVERETT BELL, P.O. BOX 26543 LAS VEGAS NV 89126			
MARY K. BELLAMY, 1600 M ST., NW WASHINGTON DC 20036	INVESTMENT CO INSTITUTE		
JAMES P. BELLIS, 11 DUPONT CIRCLE, NW, #700 WASHINGTON DC 20036	PALUMBO & CERRELL, INC (FOR: AMERICAN SOC OF COMPOSERS AUTHORS & PUBLISHERS)	9,600.00	
Do	PALUMBO & CERRELL, INC (FOR: NATIONAL SCHOOL TRANSPORTATION ASSN)	9,600.00	
Do	PALUMBO & CERRELL, INC (FOR: SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT)	9,600.00	
BRUCE BENEFIELD, 1000 WILSON BLVD., #2600 ARLINGTON VA 22209	TRW, INC	1,000.00	
KENNETH U. BENJAMIN JR., 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	2,887.00	
ALAN R. BENNETT, 1575 EYE STREET, NW, #1150 WASHINGTON DC 20005	KAYE SCHOLER FIERMAN HAYS & HANDLER (FOR: BRISTOL-MYERS CO)		
BEVERLY L. BENNETT, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		285.00
CATHERINE BENNETT, 1700 PENNSYLVANIA AVE., NW, #730 WASHINGTON DC 20006	PFIZER, INC	650.00	502.15
WILLIAM C. BENNETT JR., 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	425.00	
BENOIT SMITH & LAUGHLIN, 2001 JEFFERSON DAVIS HIGHWAY, #501 ARLINGTON VA 22202	ECONOPURE		
Do	HUGHES AIRCRAFT COMPANY		
FREDERICK S. BENSON III, 1625 EYE STREET, NW, #902 WASHINGTON DC 20006	WEYERHAEUSER COMPANY		
NANCY C. BENSON, 1575 EYE ST., NW, #220 WASHINGTON DC 20005	AMERICAN CYANAMID CO	125.00	217.58
TOM BENSON, 501 UNION STREET, #506 NASHVILLE TN 37219	TENNESSEE RAILROAD ASSN		866.30
JAMES E. BENTON, N. J. PETROLEUM COUNCIL 170 W. STATE ST. TRENTON NJ 08608	AMERICAN PETROLEUM INST	74.00	
GEORGE L. BERG JR., 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,063.00	21.00
PETER E. BERG, BERG & ASSOCIATES 641 INDIANA AVENUE, NW WASHINGTON DC 20006			
REBECCA J. BERG, 900 17TH ST., NW, #1100 WASHINGTON DC 20036	SEA-LAND CORPORATION	450.00	59.98
O. M. BERGE, 12050 WOODWARD AVE. DETROIT MI 48203	BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES		
BOB BERGLAND, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	625.00	20.00
EDWIN M. BERGSMARK, THREE SEAGATE TOLEDO OH 43603	TOLEDO TRUST COMPANY		
PAUL C. BERGSON, 2550 M ST., NW, #770 WASHINGTON DC 20037	RJR INDUSTRIES, INC		
DAVID BERICK, 218 D ST., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	122.66	
FRANK BRETT BERLIN, 655 15TH ST., NW, #210 WASHINGTON DC 20005	CRAY RESEARCH, INC		
ELLEN BERMAN, 2000 L ST., NW, #320 WASHINGTON DC 20036	CONSUMER ENERGY COUNCIL OF AMERICA		
JASON S. BERMAN, 2020 K ST., NW, #250 WASHINGTON DC 20006	WARNER COMMUNICATIONS, INC	15,000.00	10,400.00
WILLIAM R. BERMAN, 8111 GATEHOUSE RD. FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
MARY E. BERNHARD, 1090 VERMONT AVENUE, NW, #500 WASHINGTON DC 20005	FLEXIBLE PACKAGING ASSOCIATION		
CHARLES BERNHARDT, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	42.02	
DONALD C. BERNO, 1615 H ST., NW WASHINGTON DC 20062	U.S. CHAMBER OF COMMERCE	7,500.00	73.40
GEORGE K. BERNSTEIN, 1730 K ST., NW WASHINGTON DC 20006	AMERICAN INSURANCE ASSN	1,500.00	
MAX N. BERRY, 3213 O ST., NW WASHINGTON DC 20007	AMERICAN IMPORTERS MEAT PRODUCTS GROUP		
Do	CENTRE NATIONAL INTERPROFESSIONNEL DE L'ECONOMIC LAITIERE		
Do	COMMITTEE TO ASSURE THE AVAILABILITY OF CASEIN		
Do	FEDERATION DES EXPORTATEURS DE VINS & SPIRITUEUX DE FRANCE		
FRANK S. BESSON III, 1725 JEFFERSON DAVIS HWY, #900 ARLINGTON VA 22202	AM GENERAL CORPORATION	1,925.00	
ROBERT BETZ, 1101 14TH STREET, NW, #1100 WASHINGTON DC 20005	ROBERT BETZ ASSOCIATES, INC (FOR: ALABAMA HOSPITAL ASSOCIATION)	5,250.00	140.42
BEVERLY ENTERPRISES, INC, 1901 N. FORT MYER DRIVE, #302 ROSSLYN VA 22209			25,867.37
CHERYL BEVERSDORF, 1200 15TH STREET, NW WASHINGTON DC 20005	AMERICAN HEALTH CARE ASSN	2,755.00	329.09
RALPH A. BIEDERMANN, ONE BRUNSWICK PLAZA SKOKIE IL 60077	BRUNSWICK CORP		
JOAN T. BIER, 1726 M STREET, NW, #701 WASHINGTON DC 20036	INTERNATIONAL MINERALS & CHEMICAL CORP		
JAMES N. BIERMAN, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	FOLEY LARNDER HOLLABAUGH & JACOBS (FOR: VGS CORPORATION)		
MOE BILLER, 817 14TH ST., NW WASHINGTON DC 20005	AMERICAN POSTAL WORKERS UNION, AFL-CIO	10,535.11	
BILLIG SHER & JONES, P.C., 2033 K ST., NW, #300 WASHINGTON DC 20006	HAPAG-LLOYD, A.G.		
Do	PORT USERS	200.00	268.00
Do	PRIVATE TRUCK COUNCIL OF AMER, INC		
Do	SOUTH DAKOTA DEPT. OF TRANSPORTATION, DIV. OF RAILROADS		
Do	STEAMSHIP CONFERENCES		
KEVIN W. BILLINGS, 410 FIRST STREET, SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	1,854.17	502.96
LEON G. BILLINGS, INC, 1660 L ST., NW, #713 WASHINGTON DC 20036	STATE OF MONTANA	20,000.00	
BIRCH HORTON BITTNER PESTINGER & ANDERSON, 12TH FLOOR 1155 CONNECTICUT AVE., NW WASHINGTON DC 20036	ALASCOM, INC		
Do	ALASKA BANKERS ASSN		
Do	ALASKA PACIFIC BANCORPORATION		
Do	ALASKA POWER AUTHORITY		
Do	ALASKA TEAMSTERS-EMPLOYER PENSION TRUST		
Do	AMERADA HESS		
Do	CALISTA CORP		
Do	CITY OF ST. GEORGE		
Do	FIRST FEDERAL BANK OF ALASKA, S.B.		
Do	SEALASKA CORP		
Do	ST. GEORGE TANAQ CORP		
Do	TEAMSTERS LOCAL 959		
Do	WESTINGHOUSE ELECTRIC CORP		
Do	YUKON PACIFIC CORP		182.30
WILLIAM J. BIRKHOFER, 1015 15TH STREET, NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	875.00	
CHARLES O. BISHOP, 1225 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN PUBLIC TRANSIT ASSN	6,000.00	52.00
BISHOP LIBERMAN COOK PURCELL & REYNOLDS, 1200 17TH STREET, NW, 7TH FL. WASHINGTON DC 20036	AMERICAN MOTORCYCLIST ASSN		
Do	AMERICAN RICE, INC		
Do	BOARD OF TRADE OF KANSAS CITY, MO., INC		
Do	ENSERCH CORP		
Do	FIVE STATE RICE PRODUCERS LEGISLATIVE GROUP		
Do	HARLEY-DAVIDSON MOTOR CO, INC	62.50	
Do	IOWA BEEF PROCESSORS, INC		
Do	MISSISSIPPI POWER & LIGHT		
Do	PESTICIDE PRODUCERS ASSN		
Do	PIONEER CORP		
Do	PLANTERS PEANUTS		
Do	PUBLIC SECURITIES ASSN		
Do	SALOMON BROTHERS, INC		
Do	VALLEY VIEW HOLDINGS, INC		
Do	WESTERN PEANUT GROWERS' ASSN		
DENNIS A. BITZ, P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORP		
GERRIE BJORNSON, 1800 K ST., NW, #929 WASHINGTON DC 20006	B.F. GOODRICH CO	100.00	
BLACK MANAFORT STONE & KELLY, P.C., 324 NORTH FAIRFAX STREET ALEXANDRIA VA 22314	AMERICAN PETROFINA, INC	3,000.00	449.86
Do	DOMINICAN REPUBLIC	15,000.00	1,036.39
Do	GOVERNMENT OF BARBADOS	6,000.00	1,523.37
Do	GOVERNMENT OF ST. LUCIA	2,100.00	5,428.92
Do	INTERNATIONAL MEDICAL CENTERS	4,500.00	1,360.58
Do	KAMAN AEROSPACE	24,000.00	788.68
Do	NATURAL GAS SUPPLY ASSN	11,250.00	508.47
Do	SALOMON BROTHERS, INC	18,000.00	1,786.25
Do	SOLAR ENERGY INDUSTRY ASSN	12,000.00	336.79
Do	SQUIBB CORP		
TOM G. BLACK, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	1,181.51	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
ROBERT J. BLACKWELL, BOGLE & GATES ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	COVE MARITIME COMPANIES		
Do	EQUITY CARRIERS I, INC		
Do	EQUITY CARRIERS III, INC		
Do	FALCON TANKERS, INC		
Do	PHOENIX BULKSHIP I, INC		
Do	PHOENIX BULKSHIP II, INC		
BEV D. BLACKWOOD, 1899 L STREET, NW, #1100 WASHINGTON DC 20036	EXXON CORPORATION		
BOWEN BLAIR JR., 519 S.W. THIRD AVE., #810 PORTLAND OR 97204	FRIENDS OF THE COLUMBIA GORGE	247.50	
DAVID A. BLAIR, 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORTAION	156.00	
NEAL B. BLAIR, SUITE J 11244 WAPLES MILL RD. FAIRFAX VA 22030	FREE THE EAGLE & TARGET, INC	12,695.60	
ROSLYNNE BLAKE, 316 PENNSYLVANIA AVENUE, SE, #301 WASHINGTON DC 20003	SAN DIEGO GAS & ELECTRIC	611.00	29.14
MICHAEL D. BLANCHARD, 501 WEST 6TH STREET FORT WORTH TX 76102	TEXAS-NEW MEXICO POWER CO	12,000.00	318.00
HELEN BLANK, 122 C STREET, NW WASHINGTON DC 20001	CHILDREN'S DEFENSE FUND	2,490.00	10.00
SAMUEL A. BLEICHER, FRANK BERNSTEIN CONAWAY & GOLDMAN 300 EAST LOMBARD STREET BALTIMORE MD 21201	A & S TRANSPORTATION COMPANY		
VIRGINIA B. BLISS, 1725 K STREET, NW WASHINGTON DC 20006	COURTNEY MCCAMANT & TURNEY	300.00	
JERALD BLIZIN, 1201 PENNSYLVANIA AVENUE, NW, #700 WASHINGTON DC 20004	HILL & KNOWLTON, INC		
L. THOMAS BLOCK, ONE WALL STREET NEW YORK NY 10015	IRVING TRUST CO	4,000.00	1,000.00
PETER L. BLOCKLIN, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,250.00	
HOLTON E. BLOMGREN, 1015 15TH STREET, NW, #1220 WASHINGTON DC 20005	NATIONAL MANUFACTURED HOUSING FEDERATION	25,000.00	
DOUGLAS M. BLOOMFIELD, 444 N. CAPITOL STREET, NW, #412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	17,416.66	530.46
MARK BLOOMFIELD, 1850 K ST., NW, #520 WASHINGTON DC 20006	AMERICAN COUNCIL FOR CAPITAL FORMATION	1,188.00	
JOHN B. BLOUNT JR., 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,250.00	390.71
JARED O. BLUM, 1730 M ST., NW, #610 WASHINGTON DC 20036	DIRECT SELLING ASSOCIATION	300.00	529.06
BLUM NASH & RAILSBACK, 1133 15 ST. WASHINGTON DC 20005	WALT DISNEY PRODUCTIONS	1,093.00	100.00
MILLY S. BLUMEL, 1050 CONNECTICUT AVENUE, NW, #750 WASHINGTON DC 20036	UNION OIL COMPANY OF CALIFORNIA		924.74
CHARLES R. BLUMENFELD, BOGLE & GATES 2100 THE BANK OF CALIFORNIA CENTER SEATTLE WA 98164	PACIFIC SEAFOOD PROCESSORS ASSN		
SAMUEL D. BLUNT, 444 N. CAPITOL STREET, #828 WASHINGTON DC 20001	RADIO OFFICERS UNION	1,657.38	
WILLIAM J. BOARMAN, P.O. BOX 157 COLORADO SPRINGS CO 80901	COLUMBIA TYPOGRAPHICAL UNION #101, AFL-CIO		
BOAT OWNERS ASSOCIATION OF THE U.S., 880 S. PICKETT ST. ALEXANDRIA VA 22304		50,000.00	47,125.00
DAVID A. BOCKORNY, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	1,202.26
HAROLD BOEL, 444 N. CAPITOL STREET, NW, #718 WASHINGTON DC 20001	PACIFIC TELESIS GROUP	12,000.00	
LARRY A. BOGGS, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
TIMOTHY A. BOGGS, 2020 K STREET, NW, #250 WASHINGTON DC 20006	WARNER COMMUNICATIONS, INC	14,400.00	8,253.12
ROBERT Z. BOHAN, 1101 16TH ST., NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN		272.09
PATRICIA BOINSKI, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO		
RICHARD O. BOLGER, 1010 WISCONSIN AVENUE, NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC		
ROBERT J. BOLGER, P.O. BOX 1417-D49 ALEXANDRIA VA 22313	NATIONAL ASSN OF CHAIN DRUG STORES, INC	1,500.00	
BERNADETTE BOLTON, 400 FIRST STREET, NW, #800 WASHINGTON DC 20001	BROTHERHOOD OF RAILROAD SIGNALMEN	300.00	
SHARON E. BOMER, 727 N. WASHINGTON STREET ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN	980.00	200.10
A. DEWEY BOND, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	500.00	
JOHN E. BONITT, 1150 CONNECTICUT AVENUE, NW, #700 WASHINGTON DC 20036	ALLIED CORPORATION	1,340.00	135.00
SHARON LEE BONITT, 1025 CONNECTICUT AVE., NW, #200 WASHINGTON DC 20036	SHELL OIL CO	500.00	
BONSIB, INC, P.O. BOX 1807 WASHINGTON DC 20013			
GAYLON B. BOOKER, 1918 N. PARKWAY MEMPHIS TN 38112	NATIONAL COTTON COUNCIL OF AMER	732.42	61.86
W. DAN BOONE, 345 PARK AVE. NEW YORK NY 10154	UNION PACIFIC CORP AND ALLIANCE FOR CLEAN ENERGY		
JOHN K. BOOTH, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	500.00	
EDWARD T. BORDA, 1625 EYE ST., NW, #1023 WASHINGTON DC 20006	ASSOCIATION OF GENERAL MERCHANDISE CHAINS	4,000.00	
LAURENCE D. BORY, 1015 15TH ST., NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	750.00	
G. STEWART BOSWELL, 1611 NORTH KENT ST., #800 ARLINGTON VA 22209	AMERICAN APPAREL MANUFACTURERS ASSN, INC	4,150.00	175.00
CHARLES G. BOTSFORD, 1730 M ST., NW, #515 WASHINGTON DC 20036		1,500.00	117.00
JOHN E. BOUCHARD, 1667 K STREET, NW, #350 WASHINGTON DC 20036	MOLLER STEAMSHIP COMPANY, INC		
ALBERT D. BOURLAND, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S		
WAYNE A. BOUTWELL, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	825.00	
FRANK J. BOWDEN JR., ASSOCIATED PETROLEUM INDUSTRIES OF PA P.O. BOX 925 HARRISBURG PA 17108	AMERICAN PETROLEUM INST		
JAMES J. BOWE, 4 WORLD TRADE CENTER NEW YORK NY 10048	COFFEE SUGAR & COCOA EXCHANGE, INC		
RODNEY A. BOWER, 818 ROEDER RD., #702 SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS		
DAVID W. BOWERS, 1801 K ST., NW, #1201 WASHINGTON DC 20006	U.S. TELEPHONE ASSOCIATION		
ROBERT R. BOWERS, WEST VIRGINIA PETROLEUM COUNCIL SUITE 714 ATLAS BLDG. CHARLESTON WV 25301	AMERICAN PETROLEUM INST	470.00	398.38
BOWERY SAVINGS BANK, 110 EAST 42ND STREET NEW YORK NY 10017			
DOUG B. BOWLES, 205 SPRING HILL TERRACE ROSWELL GA 30075	GEORGIA POWER CO	6,129.00	7,141.74
RICHARD P. BOWLING, 1020 PRINCESS STREET ALEXANDRIA VA 22314	TRUCK TRAILER MANUFACTURERS ASSN	1,000.00	9.44
BOWMAN CONNER TOUHEY & PETRILLO, 2828 PENNSYLVANIA AVENUE, NW, #203 WASHINGTON DC 20007	AMERICAN AUTOMAR CORP	650.00	178.46
Do	AMERICAN PETROFINA, INC		
Do	COUNCIL OF AMERICAN FLAG SHIP OPERATORS	1,950.00	408.03
BOWMER COURTNEY BURLESON PEMBERTON & NORMAND, P.O. BOX 844 TEMPLE TX 76503	TRIBAL COUNCIL OF THE COUSHATTA TRIBE OF LOUISIANA		2,520.86
JIM D. BOWMER, P.O. BOX 844 TEMPLE TX 76503	TRIBAL COUNCIL OF THE COUSHATTA TRIBE OF LOUISIANA		
JOAN COSTAIN BOWYER, 1015 15TH ST., NW WASHINGTON DC 20005	PHELPS DODGE CORP	150.00	
JOHN G. BOYD, 1801 K ST., NW WASHINGTON DC 20006	INTERNATIONAL BUSINESS MACHINES CORP	120.60	16.00
ROBERT K. BOYD, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	3,500.00	1,211.45
STEPHEN S. BOYNTON, 1015 MOOREFIELD HILL GROVE VIENNA VA 22180	AMERICAN FUR RESOURCES INSTITUTE	1,000.00	
BRACEWELL & PATTERSON, 1825 EYE STREET, NW, #1200 WASHINGTON DC 20006	AMERICAN COUNCIL ON EDUCATION		
Do	AUSTRIAN LANCE & STEWART, P.C		
Do	CHEMICAL MANUFACTURERS ASSN	1,155.00	460.85
Do	DRESSER INDUSTRIES, INC		
Do	HOUSTON NATURAL GAS CORP	660.00	263.34
Do	LOUISIANA LAND & EXPLORATION CO	1,320.00	526.68
Do	PENNSYLVANIA NATURAL GAS ASSOCIATES	825.00	329.18
Do	RALSTON PURINA CO		
Do	SOUTHDOWN/PELTO OIL COMPANY		
Do	U.S. TUNA FOUNDATION		
Do	VALERO ENERGY CORPORATION	1,320.00	526.68
BRACY WILLIAMS & COMPANY, 1000 CONNECTICUT AVENUE, NW, #304 WASHINGTON DC 20036	AMERICAN SOUTHWEST FINANCIAL CO	3,500.00	260.00
Do	CALIFORNIA NICKEL CORP	14,000.00	170.00
Do	CITY OF TUCSON	7,000.00	210.00
Do	CSX CORPORATION	12,000.00	425.00
Do	DAYLIGHT SAVING TIME COALITION		180.00
Do	ENERGY ABSORPTION SYSTEMS, INC	8,000.00	110.00
Do	ESTES COMPANY	3,000.00	130.00
Do	PRATT & WHITNEY AIRCRAFT GROUP	10,000.00	107.00
Do	SINGAPORE AIRLINES, LTD	12,000.00	315.00
Do	SOUTHERN ARIZONA WATER RESOURCES ASSOCIATION	3,000.00	240.00
FRANK W. BRADLEY, 1700 K ST., NW WASHINGTON DC 20006	CHEVRON USA, INC	2,400.00	
WAYNE W. BRADLEY, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	500.00	
DENNIS M. BRADSHAW, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
CHARLES N. BRADY, 8111 GATEHOUSE RD. FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
HUGH S. BRADY, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	400.00	
CARREN BRAGG, 1901 L STREET, NW, #303 WASHINGTON DC 20036	COLT INDUSTRIES, INC		
CHARLES G. BRAGG, P.O. BOX 12285 MEMPHIS TN 38182	NATIONAL COTTON COUNCIL OF AMER	935.55	72.80
RAYMOND F. BRAGG JR., 114 THIRD STREET, SE WASHINGTON DC 20003	AMERICAN INDEPENDENT REFINERS ASSN	300.00	
BRAND LOWELL & DOLE, 923 15TH STREET, NW, FIFTH FL WASHINGTON DC 20005	COALITION ON BEVERAGE ISSUES	129.00	1,193.39
Do	GENERAL DYNAMICS	525.00	
Do	METROPOLITAN TRANSPORTATION AUTHORITY		
Do	ZENITH RADIO CORP		
ROBERT M. BRANDON, 1300 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION	2,500.00	52.70
RICHARD D. BRANNICK, P.O. BOX 550 DEXTER NY 13634	NATIONAL BORDER PATROL COUNCIL	85.68	282.59
GERARD M. BRANNON, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
ROY BRAUNSTEIN, 817 14TH ST., NW WASHINGTON DC 20005	AMERICAN POSTAL WORKERS UNION, AFL-CIO	9,831.78	76.63
PETER ELLIOT BRAVEMAN, 101000 SANTA MONICA BLVD., #2200 LOS ANGELES CA 90067	LOEB AND LOEB (FOR: JOAN IRVINE SMITH)		
DONALD H. BRAZIER, P.O. BOX 12266 SEATTLE WA 98102	DOLLAR SAVINGS BANK, ET AL		
HAROLD E. BRAZIL, 1900 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20068	POTOMAC ELECTRIC POWER CO		
NOEL BRAZIL, 600 MARYLAND AVENUE, SW, #400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
EDWARD T. BREATHITT, 1050 CONNECTICUT AVE., NW WASHINGTON DC 20036	NORFOLK SOUTHERN CORPORATION	1,000.00	
ROY S. BREDDER, 1111 14TH ST., #1200 WASHINGTON DC 20005	AMERICAN DENTAL ASSN	1,000.00	117.53

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
BREED ABBOTT & MORGAN, 1875 EYE ST., NW, #1000 WASHINGTON DC 20006	AEROJET-GENERAL, INC, ET AL		
Do	ASSOCIATED HOSPITAL SERVICES OF NEW YORK		
BREGMAN ABELL KAY & SIMON, 1156 15TH ST., NW, #1212 WASHINGTON DC 20005	AIR TRANSPORT ASSN OF AMERICA	2,000.00	
Do	AMERICAN CAR RENTAL ASSN	1,500.00	
Do	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS		
Do	AVIS, INC		
Do	BUDGET RENT A CAR CORP		
Do	CONSOLIDATED FREIGHTWAY CORP		
Do	HILTON INTERNATIONAL, INC		
Do	NATIONAL CAR RENTAL SYSTEM, INC	1,500.00	
Do	ROADWAY EXPRESS, INC		
Do	RYDER SYSTEMS, INC	1,500.00	
Do	TRANS WORLD AIRLINES, INC	5,000.00	
Do	TRANS WORLD CORPORATION		
Do	TRUCK RENTING & LEASING ASSN	1,500.00	
JAMES PATRICK BRENNAN, 5999 STEVENSON AVENUE ALEXANDRIA VA 22304	AMERICAN ASSN FOR COUNSELING & DEVELOPMENT	2,879.26	139.04
MICHAEL J. BRENNAN, 1750 NEW YORK AVE., NW WASHINGTON DC 20006	INTERNATIONAL ASSN OF BRIDGE, STRUCT. & ORNAMENTAL IRON WKRS	10,800.00	207.44
PETER E. BRERETON, 900 EUCLID AVENUE CLEVELAND OH 44101	AMERITRUST CO, NAT'L ASSN	412.50	620.25
THOMAS M. BRESNAHAN III, 1700 K STREET, NW, #1204 WASHINGTON DC 20006	CHEVRON U.S.A., INC	400.00	
ALBERT E. BREWSTER, 1000 WILSON BLVD., #2300 ARLINGTON VA 22209	NORTHROP CORP		6.27
CHARLES BRIMER, 201 PARK WASHINGTON COURT FALLS CHURCH VA 22046	NATIONAL-AMERICAN WHOLESALE GROCERS' ASSN	3,000.00	
BELVA B. BRISSETT, 1771 N ST., NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	1,159.50
ELIZABETH Y. BRITTON, 2550 M STREET, NW WASHINGTON DC 20037	RJR INDUSTRIES, INC	147.48	211.67
STEPHEN W. BROADIE, 1629 K STREET, NW WASHINGTON DC 20006	ALLIANCE OF AMERICAN INSURERS	500.00	52.20
MARINA L. BROCKMANN, 605 14TH STREET, NW WASHINGTON DC 20005	SOCIETY OF THE PLASTICS INDUSTRY		
WILLIAM M. BRODHEAD, 900 MARQUETTE BUILDING DETROIT MI 48226	PLUNKETT COONEY RUTT WATTERS STANCZYK & PEDERSEN, P.C. (FOR: MICHIGAN CONSOLIDATED GAS CO).	6,924.50	1,182.90
Do	PLUNKETT COONEY RUTT WATTERS STANCZYK & PEDERSEN, P.C. (FOR: CITY OF DETROIT, MICHIGAN).	7,500.00	
DAVID A. BRODY, 1640 RHODE ISLAND AVE., NW WASHINGTON DC 20036	ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH	2,600.00	
PHILLIP J. BROMAN, 919 18TH STREET, NW, #600 WASHINGTON DC 20006	TOYOTA MOTOR SALES, USA, INC		
MICHAEL D. BROMBERG, 1111 19TH ST., NW, #402 WASHINGTON DC 20036	FEDERATION OF AMERICAN HOSPITALS	4,500.00	
MARY E. BROOKS, 1730 M STREET, NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.	4,225.69	82.80
DAVID W. BROOME, 1726 M STREET, NW, #401 WASHINGTON DC 20036	BURLINGTON INDUSTRIES, INC	8,755.00	710.00
DANIEL T. BROSS, P.O. BOX 1478 HOUSTON TX 77001	UNITED GAS PIPE LINE CO		
MARIO BROSSI, 1730 M ST., NW WASHINGTON DC 20036	DIRECT SELLING ASSOCIATION	300.00	45.31
BROTHERHOOD OF RAILWAY AIRLINE & STEAMSHIP CLERKS, FREIGHT HANDLERS EXPRESS & STATION EMPL 815 16TH ST., NW WASHINGTON DC 20006.		10,500.00	17,073.82
DONALD G. BROTZMAN, 1400 K ST., NW WASHINGTON DC 20005	RUBBER MFGRS ASSN	10,000.00	
BROWN & FINN, 1920 N STREET, NW, #510 WASHINGTON DC 20036	SATELLITE TELEVISION INDUSTRY ASSN/S.P.A.C.E.		
Do	SATELLITE TV VIEWING RIGHTS SUPERFUND, INC	11,548.00	
BEN JARRATT BROWN, 1000 POTOMAC STREET, NW, #103 WASHINGTON DC 20007	CORPORATION FOR GOVERNMENT ACTION, INC		
CHARLES T. BROWN, P.O. BOX 100 MIAMI AZ 85539	PINTO VALLEY COPPER CORPORATION		
DAVID S. J. BROWN, 1101 17TH ST., NW, #604 WASHINGTON DC 20036	MONSANTO CO	700.00	1,836.67
DIANE R. BROWN, 1515 WILSON BOULEVARD ARLINGTON VA 22209	AMERICAN GAS ASSN	4,000.00	539.18
DOREEN L. BROWN, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036	CONSUMERS FOR WORLD TRADE		
ELLEN B. BROWN, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	2,400.00	516.98
GEORGE L. BROWN, 1000 WILSON BOULEVARD ARLINGTON VA 22209	GRUMMAN CORP	140.00	765.51
JAMES P. BROWN, BROWN & ASSOCIATES 301 SOVEREIGN COURT, #102 ST. LOUIS MO 63011	CITY OF ST. LOUIS - CITY HALL		
JESSE P. BROWN JR., 1918 N. PARKWAY MEMPHIS TN 38112	NATIONAL COTTON COUNCIL OF AMER		
JOHN J. BROWN, 1125 17TH ST., NW WASHINGTON DC 20036	INTERNATIONAL UNION OF OPERATING ENGINEERS	8,500.00	200.00
RALPH BROWN, SUITE 107 701 S. 22ND STREET OMAHA NB 68102	M.O.A.A.I.O.A. & SUBS, INC	10.00	
BROWN ROADY BONVILLIAN & GOLD, 1300 19TH STREET, NW, #300 WASHINGTON DC 20036	CITICORP CAPITAL INVESTORS, LTD	5,358.80	517.64
Do	KANSAS CITY SOUTHERN RAILWAY	4,096.07	545.10
Do	METROPOLITAN TRANSIT AUTHORITY	5,415.43	869.21
Do	NORTHEASTERN INTERNATIONAL AIRWAYS, INC		41.27
Do	SECONDARY LEAD SMELTERS ASSN (SLSA)	2,342.15	189.59
Do	SMITH DAWSON ASSOCS (FOR SAN FRAN. PUBLIC UTIL. COMMISSION)	1,000.00	166.88
Do	WESTERN RIVER GUIDES ASSN		
S. M. HENRY BROWN JR., 411 FAYETTEVILLE STREET MALL, #2035 RALEIGH NC 27601	CAROLINA POWER & LIGHT CO	472.50	690.46
BROWN TODD & HEYBURN, 1600 CITIZENS PLAZA LOUISVILLE KY 40202	BROWN & WILLIAMSON TOBACCO CORP		
VINCENT D. BROWN, NEBRASKA PETROLEUM COUNCIL P.O. BOX 95063 LINCOLN NB 68509	AMERICAN PETROLEUM INST	1,000.00	64.14
VIRGINIA BROWN, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
WILLIAM E. BROWN, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	171.00	42.65
WILLIAM R. BROWN, 122 C STREET, NW, #200 WASHINGTON DC 20001	COUNCIL OF STATE CHAMBERS OF COMMERCE	270.00	
WILLIAM Y. BROWN, 600 MARYLAND AVE., SW, #607 WASHINGTON DC 20024	WASTE MANAGEMENT, INC		
DONALD T. BROWNE, 205 EAST 42ND STREET NEW YORK NY 10017	RISK & INSURANCE MANAGEMENT SOCIETY, INC		
STANLEY R. BROWNE, 1701 PENNSYLVANIA AVENUE, NW, #1120 WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO		
THOMAS N. BROWNELL, 1700 NORTH MOORE STREET, 20TH FL. ROSSLYN VA 22209	BOEING COMPANY		
BROWNSTEIN ZEIDMAN & SCHOMER, 1025 CONNECTICUT AVENUE, NW, #900 WASHINGTON DC 20036	CANADIAN FINANCIAL CORPORATION		
Do	MORTGAGE GUARANTY INSURANCE CORP		
Do	NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS		
Do	NATIONAL HOUSING REHABILITATION ASSOCIATION		
Do	NEW YORK STATE URBAN DEVELOPMENT CORP		
Do	SCHOCHET ASSOCIATES		
KATHRYNE M. BRUNER, 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	GA TECHNOLOGIES, INC	750.00	206.43
WILLIAM K. BRUNETTE, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	409.62	128.89
ROBERT O. BRUNNER, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	426.15	22.00
J. CHARLES BRUSE, 633 PENNSYLVANIA AVE., NW, #600 WASHINGTON DC 20004	ALLSTATE INSURANCE GROUP	560.00	163.48
BRYAN CAVE MCPHEETERS & MCROBERTS, 1015 15TH STREET, NW, #1000 WASHINGTON DC 20005	MICROELECTRONICS & COMPUTER TECHNOLOGY CORP		
DAWN M. BRYDON, 888 16TH STREET, NW WASHINGTON DC 20006	MILK INDUSTRY FOUNDATION/INT'L ASSN OF ICE CREAM MFRS		
BUCHANAN INGERSOLL, P.C., 1667 K STREET, NW, 9TH FL. WASHINGTON DC 20006	CLOROX CO		
Do	EXPRESS FOODS CO, INC		
Do	FEDERATION OF APPAREL MANUFACTURERS	2,971.46	784.75
Do	GENERAL INSTRUMENT CORP		
Do	GROCERY MANUFACTURERS OF AMERICA, INC		
Do	LANGASCO ENERGY CORP		
Do	OHIO OIL & GAS ASSN		
Do	WHEY PRODUCTS INSTITUTE		
LANA BUCK, 1319 F STREET, NW WASHINGTON DC 20004	NATIONAL ASSN OF PRIVATE PSYCHIATRIC HOSPITALS	100.00	
SUSAN BUCK, 115 D ST., NE WASHINGTON DC 20003	UNITED TELECOM COMMUNICATIONS, INC	525.00	
ROBERT D. BUEHLER, 1800 K ST., NW, #929 WASHINGTON DC 20006	BF GOODRICH CO	400.00	
BUILDING OWNERS & MANAGERS ASSN INTL, 1250 EYE ST., NW, #200 WASHINGTON DC 20005			
DOUGLAS W. BULCAO, 1101 CONNECTICUT AVE., NW, #300 WASHINGTON DC 20036	AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC	3,600.00	132.00
LINDA KNELL BUMBALO, 1125 15TH STREET, NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSN OF AMERICA	5,850.00	93.00
DARREL D. BUNGE, MINNESOTA PETROLEUM COUNCIL 386 N. WABASHA ST., #1025 ST. PAUL MN 55102	AMERICAN PETROLEUM INST	250.00	1,016.00
DAVID A. BUNN, 1211 CONNECTICUT AVENUE, NW, #406 WASHINGTON DC 20036	HEARST CORPORATION	900.00	
Do	MAGAZINE PUBLISHERS ASSN, INC	4,000.00	
Do	PARCEL SHIPPERS ASSN	1,000.00	
NORMAN D. BURCH, 1101 VERMONT AVE., NW, #401 WASHINGTON DC 20005	COLLEGE OF AMER PATHOLOGISTS	5,200.00	39.50
BARBARA G. BURCHETT, 1201 PENNSYLVANIA AVENUE, NW, #210 WASHINGTON DC 20004	HALLMARK CARDS, INC		
DAVID S. BURCKMAN, P.O. BOX 7610 BEN FRANKLIN STATION WASHINGTON DC 20044	SENIOR EXECUTIVES ASSN		
PAUL F. BURDETT, SUITE 700 SOUTH 1800 M STREET, NW WASHINGTON DC 20036	MERRELL DOW PHARMACEUTICALS, INC		74.50
CLAIR W. BURGENER, P.O. BOX 8186 RANCH SANTA FE CA 92067	BIXBY RANCH CO	4,500.00	522.00
Do	G A TECHNOLOGIES, INC	10,500.00	4,872.88
KEVIN BURKE, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	782.60
SALLY J. BURKE, SCOTT HARRISON & MCLEOD 2501 M STREET, NW WASHINGTON DC 20037	AMERICAN ASSN OF CROP INSURERS	1,237.50	
Do	UNITED EGG PRODUCERS	202.50	
BURLEY & DARK LEAF TOBACCO EXPORT ASSN, 1100 17TH ST., NW WASHINGTON DC 20036		35,040.87	2,546.83
BILL D. BURLISON, 499 SOUTH CAPITOL STREET, SE, #103 WASHINGTON DC 20003	MCDONNELL DOUGLAS CORPORATION	2,000.00	908.88
Do	PLANNING RESEARCH CORPORATION	250.00	
MAHLON A. BURNETTE III, 3812 NORTH 13TH STREET ARLINGTON VA 22201	GROCERY MANUFACTURERS OF AMERICA, INC	8,452.50	200.25
DAVID G. BURNEY, 2040 HARBOR ISLAND DR., #208 SAN DIEGO CA 92101	U.S. TUNA FOUNDATION	6,000.00	3,000.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
CHARLES S. BURNS, 1015 15TH ST., NW WASHINGTON DC 20005	PHELPS DODGE CORP	1,200.00	
MICHAEL BURNS, 21 DUPONT CIRCLE, NW, #401 WASHINGTON DC 20036	BUSINESS EXECUTIVES FOR NATIONAL SECURITY	886.00	79.00
TIMOTHY F. BURNS, 2501 M ST., NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSOCIATION, INC.	300.00	
BURR PEASE & KURTZ, INC, 810 N ST. ANCHORAGE AK 99501	EKLUTNA, INC		
FRANK BURTNETT, 5999 STEVENSON AVENUE ALEXANDRIA VA 22304	AMERICAN ASSN FOR COUNSELING & DEVELOPMENT	1,041.87	
BUSBY REHM & LEONARD, 1629 K ST., NW, #1100 WASHINGTON DC 20006	TIMEX CORP		
Do	UNIVERSAL LEAF TOBACCO CO., INC		
BARBARA L. BUSH, 1220 L ST., NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST	200.00	
E. PHILIP BUSH, 300 LINCOLN PLAZA, LB-5 DALLAS TX 75201	TAYLOR & MIZELL		
ROY BUSSEWITZ, 1319 F STREET, NW WASHINGTON DC 20004	NATIONAL ASSN OF PRIVATE PSYCHIATRIC HOSPITALS	80.00	
RICHARD R. BUTA, 1620 EYE ST., NW, #703 WASHINGTON DC 20006	BECHTEL NATIONAL, INC		
BUTLER & BINION, 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ASSOCIATION OF EXECUTIVE SEARCH CONSULTANTS, INC		
Do	CITY OF HOUSTON/DEPT. OF AVIATION		
Do	CORNING ASSOCIATES		
Do	JACQUES BOREL ENTERPRISES, INC AND ACCOR NORTH AMERICAN, INC		
Do	PENINSULA AIRWAYS, INC		
Do	PEOPLE EXPRESS AIRLINES, INC		
HELEN C. BUTLER, 1630 CONNECTICUT AVENUE, NW, #202 WASHINGTON DC 20009	GOVERNMENT OF THE REPUBLIC OF HAITI	4,500.00	
Do	TAIWAN POWER CO	4,500.00	
MICHAEL F. BUTLER, 1747 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	ANDREWS & KURTH (FOR: TRANSCO EXPLORATION PARTNERS, LTD & TRANSCO ENERGY CO).		
PATRICK BUTLER, 1875 EYE STREET, NW, #1110 WASHINGTON DC 20006	TIMES MIRROR		
C.A.R.E., 511 C STREET, NE WASHINGTON DC 20002			
CADES SCHUTTE FLEMING & WRIGHT, 740 WASHINGTON PARK BUILDING 1001 22ND STREET, NW WASHINGTON DC 20037	HAWAII CONSUMER FINANCE ASSN, INC		81.53
Do	HAWAIIAN ELECTRIC CO, INC		12.67
Do	U.S. WINDPOWER, INC		
CADWALADER WICKERSHAM & TAFT, 7TH FLOOR 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	AD HOC COMM OF FLOOR BROKERS		
Do	ASPHALT ROOFING MANUFACTURERS ASSOCIATION		
Do	KWAJALEIN ATOLL CORP		23.80
Do	MOCATTA METALS CORPORATION		
ANDREW A. CAFFEY, 1025 CONNECTICUT AVENUE, NW, #707 WASHINGTON DC 20036	INTERNATIONAL FRANCHISE ASSN		
JOHN D. CAHILL, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	3,000.00	
Do	MASSACHUSETTS PORT AUTHORITY	10,625.00	
ROY C. CAHOON, 6100 KNOLLWOOD DR. FALLS CHURCH VA 22041	NATIONAL AUTOMATIC MERCHANDISING ASSN		
MORRISON G. CAIN, 1625 I ST., NW, #1023 WASHINGTON DC 20006	ASSOCIATION OF GENERAL MERCHANDISE CHAINS	6,250.00	
ALAN CALDWELL, 2550 M STREET, NW, #770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	1,200.00	63.28
CAROL V. CALHOUN, MORGAN LEWIS & BOCKIUS 1800 M STREET, NW WASHINGTON DC 20036	ALIGNPAC		
CHARLES D. CALHOUN, 30 MONTGOMERY STREET JERSEY CITY NJ 07302	RADIO OFFICERS UNION	2,133.62	
FRANK W. CALHOUN, 3400 TEXAS COMMERCE TOWER HOUSTON TX 77002	HOUSTON ENDOWMENT, INC		1,845.76
CALIFORNIA HOUSING COUNCIL, 1225 8TH STREET, #325 SACRAMENTO CA 95814		10,000.00	10,000.00
PETER E. CALLANAN, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	HONEYWELL, INC	250.00	450.00
JOHN C. CALLIHAN, 299 PARK AVENUE NEW YORK NY 10171	WESTVACO CORP		
CALORIE CONTROL COUNCIL, #500-D 5775 PEACHTREE-DUNWOODY RD. ATLANTA GA 30342			230.00
GORDON L. CALVERT, BOX 34-531 BETHESDA MD 20817	COMMERICIAL LAW LEAGUE OF AMER, COMM COLL. AGENCY SECTION		
DONALD L. CALVIN, 11 WALL ST. NEW YORK NY 10005	NEW YORK STOCK EXCHANGE, INC		
ARTHUR E. CAMERON, 499 S. CAPITOL ST., SW, #110 WASHINGTON DC 20003	AMERACE CORPORATION, ET AL	5,250.00	
Do	AMERICAN GREYHOUND TRACK OPERATORS ASSN	4,500.00	
Do	SAFETRAN SYSTEMS CORPORATION	8,550.00	
Do	SIGNAL COMMUNICATIONS		
NANCY CAMM, 1800 K STREET, NW, #900 WASHINGTON DC 20006	BANKAMERICA CORP	170.31	68.01
CAMP CARMOUCHE BARSH HUNTER GRAY HOFFMAN & GILL, 2550 M ST., NW, #275 WASHINGTON DC 20037	ALLSTATE		
Do	CHAMPLIN PETROLEUM COMPANY		
Do	CHEMICAL MANUFACTURERS ASSOCIATION, INC	11,750.00	
Do	EASTERN CENTRAL MOTOR CARRIERS ASSN		
Do	GEORGIA PACIFIC CORP		
Do	HOLLYWOOD MARINE SERVICES, INC	300.00	
Do	INTERMEDICS		
Do	MOBIL OIL CORP		
Do	NATURAL GAS SUPPLY ASSN	2,100.00	
Do	OCCIDENTAL PETROLEUM CORP	800.00	
Do	PENNZOIL CO	300.00	
Do	PPG INDUSTRIES, INC		
Do	SEARS ROEBUCK & CO	17,875.00	
Do	SIGNAL COMPANIES, INC		
Do	SOUTH CENTRAL BELL		
Do	TEXACO, INC		
CAMPAIGN FOR U.N. REFORM - POLITICAL EDUCATION COMMITTEE, 600 VALLEY ROAD WAYNE NJ 07470		3,670.35	3,547.10
C. R. CAMPBELL JR , 1120 CONNECTICUT AVENUE, NW, #900 WASHINGTON DC 20036	GTE CORP		
CARL C. CAMPBELL, 1030 15TH ST., NW, SUITE 700 WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMER	300.00	
CHARLES ARGYLL CAMPBELL, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
CHARLES O. CAMPBELL, 1745 JEFFERSON DAVIS HIGHWAY, #511 ARLINGTON VA 22202	MANUFACTURED HOUSING INST	900.00	100.00
JEANNE CAMPBELL, CAMPBELL-RAUPE ASSOCIATES, INC 1015 15TH STREET, NW, #907 WASHINGTON DC 20005	ALGONQUIN GAS TRANSMISSION		
Do	AMERICAN NUCLEAR ENERGY COUNCIL		
Do	LTV AEROSPACE & DEFENSE CO		
Do	NEW ENGLAND LIFE		
Do	PITNEY BOWES		
Do	RIFFE PETROLEUM CO		
Do	TEXAS AIR CORP		
Do	TEXAS UTILITIES SERVICE		
Do	WESTINGHOUSE CORP		
JERRY L. CAMPBELL, 1201 CHESTNUT ST. CHATTANOOGA TN 37402	TENNESSEE VALLEY PUBLIC POWER ASSN		
KEVIN B. CAMPBELL, 101 CONSTITUTION AVENUE, N.W. WASHINGTON DC 20001	UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA	10,400.00	3,454.60
THOMAS D. CAMPBELL, 1000 16TH ST., NW, #500 WASHINGTON DC 20036	STANDARD OIL CO (INDIANA)	1,500.00	259.40
ALYCE D. CANADAY, 4201 CATHEDRAL AVE., NW, #413E WASHINGTON DC 20016	PACIFIC POWER AND LIGHT CO		
CANADIAN COALITION ON ACID RAIN, 112 ST. CLAIR AVENUE, #504 TORONTO, ONTARIO M4V 2Y3		5,550.00	2,058.20
SHARON M. CANAVAN, 1125 15TH ST., NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSOCIATION OF AMERICA	6,810.00	21.00
CANDLELIGHTERS, 123 C ST., SE WASHINGTON DC 20003			
PAUL W. CANE, 50 BEALE ST., P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
H. SPOFFORD CANFIELD, 1015 15TH STREET, NW, #900 WASHINGTON DC 20005	NORTHERN NATURAL GAS CO	2,000.00	
DAVE CANNARD, 113 W. 1ST VANCOUVER WA 98660	FRIENDS OF THE COLUMBIA GORGE		
LAURA VAN ETTEN CANNATA, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		520.57
SHARON F. CANNER, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	131.44	
W. DEAN CANNON JR , 9800 S. SEPULVEDA BLVD., #500 LOS ANGELES CA 90045	CALIFORNIA LEAGUE OF SAVINGS INSTITUTIONS	3,000.00	2,738.40
DAVID L. CANTOR, 1133 15TH STREET, NW, #1200 WASHINGTON DC 20005	PORTER WRIGHT MORRIS & ARTHUR (FOR: COALITION FOR ENVIRONMENTAL ENERGY BALANCE (CEEB)).	128.00	
RICHARD A. CANTOR, P.O. BOX 8293 WASHINGTON DC 20024	OIL INVESTMENT INST		
GARY CAPISTRANT, 1200 15TH STREET, NW WASHINGTON DC 20005	AMERICAN HEALTH CARE ASSN	3,602.50	233.07
CONSTANTINE G. CARAS, 2828 PENNSYLVANIA AVENUE, NW, #205 WASHINGTON DC 20007	OGDEN CORPORATION		
DENISE A. CARDMAN, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
NORVAL E. CAREY, 1025 CONNECTICUT AVE., NW #704 WASHINGTON DC 20036	GULF OIL CORP (FOR GA TECHNOLOGIES, INC)	4,468.00	563.48
ROBERT B. CARLESON, 1201 PENNSYLVANIA AVE., NW, #1201 WASHINGTON DC 20004	KMG MAIN HURDMAN, CPA'S		
ANNE E. CARLSON, 1620 EYE STREET, NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSN OF THE U.S., INC	150.00	
ROBERT E. CARLSTROM JR., 1627 K STREET, NW, #200 WASHINGTON DC 20006	ST. JOE MINERALS CORPORATION	6,000.00	116.34
BERTRAM W. CARP, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN	2,750.00	
CY CARPENTER, 12025 E 45TH AVE. DENVER CO 80251	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	8,750.00	297.03
GEORGE D. CARPENTER, 7162 READING ROAD CINCINNATI OH 45222	PROCTER & GAMBLE MANUFACTURING CO		
JACK CARPENTER, 1920 N ST. NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	46.80	21.60
SUSAN CARR, 1709 NEW YORK AVENUE, NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS	1,000.00	
JOHN R. CARSON, 20 CHEVY CHASE CIRCLE WASHINGTON DC 20015	PODIATRIC MEDICAL ASSN	16,000.00	
HANS L CARSTENSEN, 1625 EYE STREET N.W. #902 WASHINGTON DC 20006	WEYERHAEUSER CO	225.00	48.96
DAVID C. CARTER, 1156 15TH ST., NW, #1019 WASHINGTON DC 20005	U.S. BEET SUGAR ASSN		
HARLON B. CARTER, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	2,187.50	
JOSEPH L. CARTER JR , 412 FIRST ST., SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS	1,075.30	112.71

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
TERRIE M. CARTER, 1667 K STREET, NW, #370 WASHINGTON DC 20006	DEERE & CO	68.75	
JAMES P. CARTY, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	500.00	
SUSAN B. CARVER, 1130 17TH STREET, NW WASHINGTON DC 20036	NATIONAL COAL ASSN	525.00	2,811.29
ALLEN R. CASKIE, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
EUGENE I. CASRAISS JR , 1757 N ST., NW WASHINGTON DC 20036	UNITED AUTO, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS	10,535.36	162.55
WILLIAM E. CASSELMAN II , 2000 L STREET, NW, #802 WASHINGTON DC 20036	POPHAM HAIK SCHNOBRICH KAUFMAN & DOTY, LTD (FOR: APCOA, INC)		
CASSIDY AND ASSOCIATES, INC, 955 L'ENFANT PLAZA, SW, #1401 WASHINGTON DC 20024	ALEXANDER GRAHAM BELL ASSN	50.00	5.00
Do	ANATOLIA COLLEGE BOARD OF TRUSTEES		
Do	ATLANTA UNIVERSITY	650.00	68.25
Do	BARRY UNIVERSITY	200.00	
Do	BOSTON COLLEGE		45.00
Do	BOSTON UNIVERSITY	100.00	114.00
Do	BROADHEAD INVESTMENTS, INC		
Do	BROWN UNIVERSITY	250.00	41.75
Do	CATHOLIC UNIVERSITY OF AMERICA	100.00	12.00
Do	CENTEX COMMUNICATIONS, INC		
Do	CITY OF HATTIESBURG	100.00	31.00
Do	COLUMBIA UNIVERSITY		16.50
Do	COMMAND CONTROL & COMMUNICATIONS CORP		
Do	COMMUNITY CARE SYSTEMS, INC		5.00
Do	INDIANA UNIVERSITY	300.00	45.75
Do	NEORX	100.00	5.00
Do	NORTHWESTERN UNIVERSITY		
Do	OCEAN SPRAY CRANBERRIES, INC	450.00	78.00
Do	OCEANIC INSTITUTE		4.00
Do	PIRELLI CABLE CORPORATION	400.00	46.50
Do	POLYTECHNIC INSTITUTE OF NEW YORK	650.00	63.00
Do	ROCHESTER INSTITUTE OF TECHNOLOGY	100.00	12.50
Do	SOUTHWEST MARINE, INC		
Do	TUFTS UNIVERSITY	300.00	102.00
J. WARREN CASSIDY, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMERICA	1,937.50	
TERESA D. CASSIDY, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	FARM CREDIT COUNCIL		
MARK A. CASSO, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	AMERICAN INSTITUTE OF ARCHITECTS	1,970.00	66.10
JOHN J. CASTELLANI, 27TH FLOOR 1000 WILSON BLVD. ARLINGTON VA 22209	TRW, INC	1,600.00	
RITA L. CASTLE, 100 NE ADAMS PEORIA IL 61629	CATERPILLAR TRACTOR CO	6,000.00	1,458.00
G. THOMAS CATOR, 1050 17TH STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF DEVELOPMENT COMPANIES (NADCO)	250.00	
Do	NEECE CATOR & ASSOCIATES, INC (FOR: SMALL BUSINESS UNITED)	1,700.00	1,700.00
Do	NEECE CATOR & ASSOCIATES, INC (FOR: SOUTHEASTERN LUMBER MANUFACTURERS ASSN).	1,800.00	1,800.00
JOSEPH E. CAVANAGH, 1125 15TH ST., NW WASHINGTON DC 20005	INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO-CLC	6,000.00	28.00
RED CAVANEY, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
NICHOLAS G. CAVAROCCHI, 6TH FLOOR 2010 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036			
CEDERBERG & ASSOCIATES, 7100 SUSSEX PLACE ALEXANDRIA VA 22307	GRUMMAN CORPORATION	200.00	
Do	MARTIN MARIETTA CORP	200.00	
DAVID CERTNER, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	390.00	70.50
CF INDUSTRIES, INC., SALEM LAKE DR. LONG GROVE IL 60047			1,000.00
CHADBOURNE PARKE WHITESIDE & WOLFF, 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN PAPER INSTITUTE		
Do	APPLIED ENERGY SERVICES, INC		
Do			
Do	MANUFACTURERS LIFE INSURANCE CO & MAINE FIDELITY LIC	17,887.77	169.50
Do	WASHINGTON PSYCHIATRIC SOCIETY		244.62
HENRY CHAJET, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	60.00	5.00
DURWOOD CHALKER, P.O. BOX 660164 DALLAS TX 75266	CENTRAL AND SOUTH WEST CORP		
CHARLES E. CHAMBERLAIN, 1747 PENNSYLVANIA AVENUE, N.W. WASHINGTON DC 20006	COMMITTEE FOR 806.30 AND 807, INC	750.00	
CHAMBERS ASSOCIATES, INC, 1411 K STREET, NW, #500 WASHINGTON DC 20005	AMERICAN HOSPITAL ASSN		
Do	AMERICAN POSTAL WORKERS UNION, AFL-CIO	1,500.00	
Do	APACHE CORPORATION		
Do	BEAR STEARNS AND CO		
Do	COALITION OF PUBLICLY TRADED LIMITED PARTNERSHIPS	8,250.00	
Do	COMMISSIONED OFFICERS ASSN OF THE PUBLIC HEALTH SERVICE		
Do	MANVILLE CORPORATION	6,000.00	
Do	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES		
Do	STATE OF IDAHO, DEPT. OF EMPLOYMENT		
Do	U S WEST		
ED CHANDLER, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	9,158.00	500.00
J. W. CHANDLER, 1575 I ST., NW WASHINGTON DC 20005	YORK DIV., BORG-WARNER CORP		15.60
JOHN M. CHAPMAN, 1000 WILSON BOULEVARD ARLINGTON VA 22209	BENDIX AEROSPACE SECTOR		
WILLIAM C. CHAPMAN, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	5,379.41
RICHARD M. CHARLTON, 229 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS CORPORATION	192.00	281.00
PEGGY CHARREN, 971 MEMORIAL DRIVE, #504 CAMBRIDGE MA 02138	ACTION FOR CHILDREN'S TELEVISION	250.00	
LESLIE CHEEK III, 1025 CONNECTICUT AVENUE, NW, #414 WASHINGTON DC 20036	CRUM & FOSTER CORP	16,250.00	1,121.56
JANE CHEEVER, 100 FEDERAL ST. BOSTON MA 02110	BANK OF BOSTON CORPORATION		
Do	FIRST NATIONAL BANK OF BOSTON		
CHEMICAL MANUFACTURERS ASSN, INC, 2501 M STREET, NW WASHINGTON DC 20037		5,000.00	3,000.00
CHEMICAL SPECIALTIES MFGRS ASSN, 1001 CONNECTICUT AVENUE, NW, #1120 WASHINGTON DC 20036			279.38
WILLIAM B. CHERKASKY, 1025 CONNECTICUT AVENUE, NW, #707 WASHINGTON DC 20036	INTERNATIONAL FRANCHISE ASSN		
B. H. CHERRY, 100 INTERPACE PARKWAY PARSIPPANY NJ 07054	GPU SERVICE CORPORATION		
BLAIR G. CHILDS, P.O. BOX 7610, BF STATION WASHINGTON DC 20044	SENIOR EXECUTIVES ASSN	500.00	300.00
MICHAEL W. CHINWORTH, 1000 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	JAPAN ECONOMIC INSTITUTE OF AMERICA		
CHLORINE INSTITUTE, INC, 70 WEST 40TH STREET NEW YORK NY 10018		2,596.50	2,596.50
J. SAMUEL CHOATE JR., 300 CROWN VIEW DRIVE ALEXANDRIA VA 22312	J. SAMUEL CHOATE, JR., P.C. (FOR: ASSOCIATION OF PROGRESSIVE RENTAL ORGANIZATIONS).		
LAURA M. CHRISTIAN, 203 9TH STREET, SE WASHINGTON DC 20003	J. SAMUEL CHOATE, JR., P.C. (FOR: ASSOCIATION OF PROGRESSIVE RENTAL ORGANIZATIONS).		
JACK E. CHRISTY, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	447.69	
CHUGACH ELECTRIC ASSN, INC, POUCH 6300 ANCHORAGE AK 99502			275.48
DONALD T. CHUNN, ROUTE 2, BOX 89 COLUMBIA TN 38401	TITLE ASSOCIATES, INC		
CHWAT/WEIGEND ASSOCIATES, 400 FIRST STREET, NW, #816 WASHINGTON DC 20001	AMERICAN HOME SEWING ASSN, INC	500.00	500.00
Do	ASSOCIATED LOCKSMITHS OF AMERICA	975.00	975.00
Do	NATIONAL ASSN OF COMPANION SITTER AGENCIES & REFERRAL SERV	375.00	375.00
Do	NATIONAL ASSN OF TOBACCO DISTRIBUTORS	2,000.00	2,000.00
Do	NATIONAL WEATHER SERVICE EMPLOYEES ORGANIZATION	300.00	300.00
CIGAR ASSN OF AMERICA, INC, 1100 17TH STREET, NW, #1201 WASHINGTON DC 20036			
CITIZEN/LABOR ENERGY COALITION, 1300 CONNECTICUT AVENUE, NW, RM. 401 WASHINGTON DC 20036		8,000.00	8,215.00
CITIZENS COMM FOR THE RIGHT TO KEEP & BEAR ARMS, LIBERTY PARK, 12500 NE TENTH PLACE BELLEVUE WA 98005		448,898.08	113,577.00
CITIZENS FOR SENSIBLE CONTROL OF ACID RAIN (CSCAR), P.O. BOX 33729 WASHINGTON DC 20033		309,101.00	
CITIZENS POLITICAL ACTION COMMITTEE, P.O. BOX 645 228 SOUTH A STREET, #2 OXNARD CA 93032			
CLADOUHOS & BRASHARES, 1750 NEW YORK AVE., NW WASHINGTON DC 20006	SMITH, BARNEY, HARRIS, UPHAM & CO	100.00	
JOHN W. CLAGGETT, 1825 EYE STREET, NW, #1040 WASHINGTON DC 20006	FUTURES INDUSTRY ASSN, INC		
DAVID A. CLANTON, 1667 K STREET, NW, 9TH FL. WASHINGTON DC 20006	BUCHANAN INGERSOLL, P.C. (FOR: FEDERATION OF APPAREL MANUFACTURERS)	594.29	
PATRICIA T. CLAREY, 1025 CONNECTICUT AVENUE, NW, #507 WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
BOB CLARK, SUITE 1908 400 MADISON ST. ALEXANDRIA VA 22314	RYDER SYSTEMS, INC		
JAMES F. CLARK, ROBERTSON, MONAGLE, EASTAUGH & BRADLEY 240 MAIN ST., # 800, PO BOX 1211 JUNEAU AK 99802	ALASKA PULP CORP	7,000.00	
JAMES W. CLARK JR , 600 MARYLAND AVENUE, SW, #400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN	126.72	432.23
JORDAN CLARK, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
JOSEPH J. F. CLARK, 1725 K ST., NW, #1111 WASHINGTON DC 20006	EATON ASSOCIATES, INC		
PHILLIP A. CLARK, 1050 17TH ST., NW, #700 WASHINGTON DC 20036	NATIONAL OCEAN INDUSTRIES ASSN	4,050.00	
RUDY I. CLARK, 5342 WOODBURY WOODS LANE FAIRFAX VA 22032	AIR FORCE SERGEANTS ASSN, INC		
VERNON A. CLARK, 1899 L ST., NW, #403 WASHINGTON DC 20036	OUTDOOR ADVERTISING ASSOCIATION OF AMERICA, INC	2,438.00	8,811.00
WADE P. CLARKE JR , JOHN DEERE RD MOLINE IL 61265	DEERE & COMPANY		
SCOTT CHARLES CLARKSON, 600 MARYLAND AVENUE, SW, #607 WASHINGTON DC 20024	WASTE MANAGEMENT, INC	2,000.00	268.70
JOAN CLAYBROOK, 2000 P STREET, NW, #605 WASHINGTON DC 20036	PUBLIC CITIZEN, INC	328.74	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
CLAYMARK CORPORATION, INC, C/O MILBANK TWEED HADLEY & MCCLOY 30 ROCKEFELLER PLAZA, RM. 5600 NEW YORK NY 10112.			
CLEAR CHANNEL BROADCASTING SERVICE (CCBS), 1776 K STREET, NW, #1100 WASHINGTON DC 20006			
CLEARY GOTTLIEB STEEN & HAMILTON, 1752 N STREET, NW WASHINGTON DC 20036	PPG INDUSTRIES, INC		
Do	PUBLIC SECURITIES ASSN		
Do	SYNTHETIC ORGANIC CHEMICAL MANUFACTURERS ASSN, INC		
JACQUELINE W. CLEMENTS, 1015 15TH STREET, NW, #900 WASHINGTON DC 20005	INTERNORTH	1,500.00	
RONALD D. CLEMENTS, 1111 19TH ST., NW, 9TH FLOOR WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	1,415.11	302.60
CLEVELAND ELECTRIC ILLUMINATING CO., 55 PUBLIC SQUARE P.O. BOX 5000 CLEVELAND OH 44113			162.00
W. M. CLICK, BOX 719 DALLAS TX 75221	SOUTHLAND CORPORATION		
CLIFFORD & WARNKE, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	AUSTRALIAN MEAT & LIVE-STOCK CORP		
Do	JOINT CORPORATE COMM ON CUBAN CLAIMS	600.00	180.00
Do	NATIONAL TOUR ASSOCIATION, INC		
DEXANNE CLOHAN, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	3,769.00	
CHRISTOPHER E. CLOUSER, 25TH & MCGEE KANSAS CITY MO 64108	HALLMARK CARDS, INC		
STANLEY A. CMICH, 1700 GATEWAY BOULEVARD CANTON OH 44707	FISCAL ASSOCIATES, INC		
Do	GIBBONS & GRABLE CO		
Do	TIMKEN CO		
Do	WHITE ENGINES, INC		
COALITION FOR FULL NUCLEAR ACCOUNTABILITY, 218 D ST., SE WASHINGTON DC 20003			
COALITION FOR UNIFORM PRODUCT LIABILITY LAW, 1250 CONNECTICUT AVE., NW, #255 WASHINGTON DC 20036			731.39
COALITION TO KEEP ALASKA OIL, AFL-CIO BUILDING 815 16TH STREET, NW, #309 WASHINGTON DC 20006		1,020.00	1,020.00
COAN COUTURE LYONS & MOORHEAD, 1625 EYE ST., NW, #1015 WASHINGTON DC 20006	A - C VALLEY CORPORATION		
Do	VIETNAM VETERANS OF AMERICA		
Do	WESTINGHOUSE ELECTRIC CORPORATION		
COASTAL PROPERTIES INSTITUTE, INC., 66 SURFWATCH DRIVE JOHNS ISLAND SC 29455			
RICHARD B. COBB, PETROLEUM COUNCIL OF GA 230 PEACHTREE ST., NW, #1500 ATLANTA GA 30303	AMERICAN PETROLEUM INST	500.00	1,401.74
COFFEE SUGAR & COCOA EXCHANGE, INC, 4 WORLD TRADE CENTER, 8TH FL NEW YORK NY 10048			
JOHN J. COFFEY, 1700 K STREET, NW, #1204 WASHINGTON DC 20006	CHEVRON USA, INC	825.00	
DON V. COGMAN, 1100 CONNECTICUT AVENUE, NW, #820 WASHINGTON DC 20036	MAPCO INC	4,750.00	345.97
DANIEL L. COHEN, 1050 31ST STREET, NW WASHINGTON DC 20007	ASSOCIATION OF TRIAL LAWYERS OF AMERICA	2,000.00	100.00
HERBERT B. COHN, MORGAN, LEWIS & BOCKIUS 1800 M ST., NW WASHINGTON DC 20036	COMMITTEE FOR CAP FORMATION THROUGH DIVIDEND REINVESTMENT		
TIMOTHY A. COLCORD, SUITE 603 1620 I ST., NW WASHINGTON DC 20006	VISA		
COLE & CORETTE, P.C., 1100 VERMONT AVENUE, NW, #900 WASHINGTON DC 20005	CHASE MANHATTAN BANK, N.A		
Do	GOVERNMENT OF THE NETHERLANDS ANTILLES		
Do	LOTUS DEVELOPMENT CORP		10.00
Do	MEDTRONIC, INC		
Do	MILLIPORE CORPORATION		
Do	WORLD ZIONIST ORGANIZATION JERUSALEM, ISRAEL		10.00
E. WILLIAM COLE, 1050 CONNECTICUT AVENUE, NW, #760 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA	700.00	94.50
RANDALL I. COLE, 1050 CONNECTICUT AVENUE, NW, #200 WASHINGTON DC 20036	EL PASO NATURAL GAS CO	1,000.00	696.08
STACEY W. COLE, NEW HAMPSHIRE PETROLEUM COUNCIL 23 SCHOOL ST. CONCORD NH 03301	AMERICAN PETROLEUM INST		
COLETTE R. COLEMAN, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
JOHN M. COLLIER, 4436 PERRIER ST. NEW ORLEANS LA 70115	SOUTHERN FOREST PRODUCTS ASSN	11,732.76	
COLLIER SHANNON RILL & SCOTT, 1055 THOMAS JEFFERSON ST., NW, #308 WASHINGTON DC 20007	AMERICAN FROZEN FOOD INST		
Do	AMERICAN MEAT INSTITUTE		
Do	AMERICAN TEXTILE MACHINERY ASSN	300.00	300.00
Do	BICYCLE MFGRS ASSN OF AMER, INC		
Do	CROP INSURANCE RESEARCH BUREAU		
Do	CYLINDER MANUFACTURERS ASSOCIATION		
Do	FOOD MARKETING INSTITUTE		
Do	FOOTWEAR INDUSTRIES OF AMERICA	3,000.00	3,000.00
Do	INDEPENDENT LUBRICANT MANUFACTURERS ASSN	300.00	300.00
Do	NATIONAL ASSN OF CONVENIENCE STORES	3,000.00	3,000.00
Do	NATIONAL BROILER COUNCIL		
Do	NATIONAL HAIRDRESSERS & COSMETOLOGISTS ASSN		
Do	NORRIS INDUSTRIES		
Do	OUTDOOR POWER EQUIPMENT INSTITUTE		
Do	PITTSBURGH CORNING CORPORATION		
Do	SOCIETY OF INDEPENDENT GASOLINE MARKETERS OF AMERICA	6,500.00	6,500.00
Do	SPECIALTY STEEL INDUSTRY OF THE UNITED STATES		
Do	WEST TEXAS LAND & ROYALTY OWNERS ASSN		
TERESE COLLING, 2062 N. 14TH ST. ARLINGTON VA 22201	MEDIA GENERAL, INC	360.00	62.36
MARY M. COLLINS, 1120 20TH STREET, NW, #600 SOUTH WASHINGTON DC 20036	UNION PACIFIC CORP	1,500.00	
COLORADO SKI COUNTRY USA, INC., SUITE A-201 1410 GRANT STREET DENVER CO 80203			
KENT W. COLTON, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
TIM COLTON, P.O. BOX 498 CHESTER PA 19016	PENNSYLVANIA SHIPBUILDING CO	1,350.00	161.00
COMMISSION FOR DELIVERY & EFFECTIVE PUBLIC SERVICE, 906 S. 60TH STREET PHILADELPHIA PA 19142		2,600.00	7,700.00
COMMITTEE FOR A RESPONSIBLE TAX POLICY, INC, 1750 PENNSYLVANIA AVE., NW, #1201 WASHINGTON DC 20006		100.00	
COMMITTEE FOR CAP FORMATION THROUGH DIVIDEND REINVESTMENT, C/O HERBERT COHN 1800 M ST., NW, #800 NORTH WASHINGTON DC 20036.		44.00	44.00
COMMITTEE FOR CONSTITUTIONAL INTEGRITY, 1156 15TH ST., NW, #1212 WASHINGTON DC 20005			
COMMITTEE FOR EFFECTIVE CAPITAL RECOVERY, 1250 CONNECTICUT AVE., NW, #255 WASHINGTON DC 20036			
COMMITTEE FOR EQUALITY OF CITIZENS BEFORE THE COURTS, 2762 N. CLAYBOURN AVENUE CHICAGO IL 60614			
COMMITTEE FOR HUMANE LEGISLATION, INC, 11 WEST 60TH ST. NEW YORK NY 10023		111,127.97	5,366.92
COMMITTEE FOR PRIVATE EDUCATION, 1025 MICHIGAN AVENUE, NE WASHINGTON DC 20036			
COMMITTEE FOR PROPOSITION THIRTY, P.O. BOX 915 HARTSELLE AL 35640			
COMMITTEE TO ASSURE THE AVAILABILITY OF CASEIN, 3213 O ST., NW WASHINGTON DC 20007		9,000.00	
COMMON CAUSE, 2030 M ST., NW WASHINGTON DC 20036		2,346,081.00	583,967.77
COMMUNICATIONS MANAGEMENT, INC, 1925 NORTH LYNN STREET, #1140 ARLINGTON VA 22209	CITIZENS FOR SENSIBLE CONTROL OF ACID RAIN (CSCAR)		
Do	NATURAL GAS SUPPLY ASSN		
Do	PHILIP MORRIS U.S.A	138,429.75	138,429.75
COMMUNITY NUTRITION INSTITUTE, 2001 S ST., NW, #530 WASHINGTON DC 20009			
LANCE COMPA, 1411 K ST., NW, #410 WASHINGTON DC 20005	UNITED ELECTRICAL RADIO & MACHINE WORKERS OF AMERICA	5,918.38	
COMPUTER & COMMUNICATIONS INDUSTRY ASSOCIATION, 1500 WILSON BLVD., #512 ARLINGTON VA 22209		6,675.00	6,640.00
BERT M. CONCKLIN, 1500 PLANNING RESEARCH DRIVE MCLEAN VA 22102	PLANNING RESEARCH CORPORATION		1,930.72
EDWARD C. CONE JR., P.O. BOX 1788 FOREST PARK GA 30051	SOUTHEASTERN LUMBER MANUFACTURERS ASSN		
CAROLE K. CONES, 1515 N. COURTHOUSE RD., #301 ARLINGTON VA 22201	DCM GROUP (FOR: AD HOC COMM FOR AMERICAN SILVER)	3,562.50	48.63
CONGRESS WATCH, 215 PENNSYLVANIA AVE., SE WASHINGTON DC 20003		69,920.29	49,173.23
RAYMOND F. CONKLING, 1600 S. LYNN STREET ARLINGTON VA 22202	DIAMOND SHAMROCK CORP		
JOHN B. CONNALLY, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	VINSON & ELKINS (FOR: FEDERAL LAND BANK ASSNS OF TEXAS STOCKHOLDERS' DEFENSE FUND).		
Do	VINSON & ELKINS (FOR: NORTHVILLE INDUSTRIES CORP)		
Do	VINSON & ELKINS (FOR: TRAVELERS INSURANCE COMPANY)		
STEPHEN N. CONNER, ROUTE 1, BOX 506 EASTON MD 21601	FOREIGN MINISTRY OF KINGDOM OF SAUDI ARABIA	40,000.00	3,293.76
PAULA J. CONNOLLY, 1020 19TH ST., NW, #600 WASHINGTON DC 20036	AMERICAN EXPRESS CO		
SUSAN CONNOLLY, 1615 H ST., N.W. WASHINGTON DC 20061	CHAMBER OF COMMERCE OF THE U.S.	2,500.00	
JERRY C. CONNORS, 1745 JEFFERSON DAVIS HIGHWAY, #511 ARLINGTON VA 22202	MANUFACTURED HOUSING INST	1,000.00	100.00
GREGORY E. CONRAD, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
SHEILA A. CONSAUL, 1020 19TH ST., NW WASHINGTON DC 20036	BALCOR/AMERICAN EXPRESS, INC	6,500.00	983.84
CONSOLIDATED EDISON CO OF NEW YORK, INC, 4 IRVING PLACE NEW YORK NY 10003			325.00
CONSUMER ENERGY COUNCIL OF AMERICA, 2000 L ST., NW, #320 WASHINGTON DC 20036			
CONSUMERS FOR WORLD TRADE, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036			
CONTACT SYSTEMS CORP, 200 MADISON AVENUE, #1207 NEW YORK NY 10016			
JOHN J. CONTNEY, 1250 E. HOLLANDALE BEACH BLVD. HOLLANDALE FL 33009	TEXTILE RENTAL SERVICES ASSN OF AMERICA		
DANIEL J. CONWAY, 1025 CONNECTICUT AVENUE, NW, #512 WASHINGTON DC 20036	REINSURANCE ASSN OF AMERICA	1,500.00	30.00
EMERY S. CONYERS, P.O. BOX 1706 MIDLAND MI 48640	DOW CHEMICAL CO		
ALEXANDRA W. COOK, 229 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS CORPORATION	320.00	236.00
FREDERCK N. COOK, VERMONT PETROLEUM ASSOCIATION P.O. BOX 566 MONTPELIER VT 05602	AMERICAN PETROLEUM INST	450.00	742.23
HARRY N. COOK, 1130 17TH ST., NW WASHINGTON DC 20036	NATIONAL WATERWAYS CONFERENCE, INC		
K. RICHARD COOK, 1331 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	GENERAL ELECTRIC CO	375.00	
THOMAS M. COOK, 425 13TH ST., NW, #1032 WASHINGTON DC 20004	NATIONAL CATTLEMEN'S ASSN	1,000.00	
EILEEN D. COOKE, 110 MARYLAND AVE., NE, SUITE 101, BOX 54 WASHINGTON DC 20002	AMERICAN LIBRARY ASSN	1,440.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
C. WILLIAM COOPER, 603 BROAD ST. SEWICKLEY PA 15143	UNITED DISTRIBUTION COMPANIES		
JESSE D. COOPER, 345 PETROLEUM BLDG DENVER CO 80202	ROCKY MOUNTAIN OIL & GAS ASSN	2,600.00	1,369.14
JOSHUA W. COOPER, 400 MADISON STREET, APT. 808 ALEXANDRIA VA 22314	PORTSMOUTH-KITTERY ARMED SERVICES COMM, INC	2,400.00	303.25
KATHY J. COOPER, 1700 K ST., NW, #1204 WASHINGTON DC 20006	CHEVRON USA, INC	125.00	
MITCHELL J. COOPER, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036	FOOTWEAR DIV., RUBBER MFGRS ASSN	14,250.00	52.98
ROBIN A. COOPER, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE	300.00	
DARRELL COOVER, 499 SOUTH CAPITOL ST., SW, #401 WASHINGTON DC 20003	NATIONAL ASSN OF INDEPENDENT INSURERS	2,000.00	746.00
JOHN F. CORCORAN, 1050 CONNECTICUT AVE., NW, #740 WASHINGTON DC 20036	NORFOLK SOUTHERN CORPORATION	1,000.00	
PATRICK H. CORCORAN, 1725 K ST., NW, #1205 WASHINGTON DC 20006	ASSOCIATION OF OIL PIPELINES		
ALFRED C. CORDON, 1920 N ST., NW, 2ND FLOOR WASHINGTON DC 20036	BUFFALO BROADCASTING CO., INC		
CORMAN LAW OFFICES, 1420 16TH STREET, NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN RAILROADS		
Do	BAITY & JOSEPH	3,600.00	
Do	BANK AMERILEASE GROUP	270.00	
Do	CALIFORNIA VISION SERVICE PLAN		
Do	CARGILL LEASING CORP	270.00	
Do	CCS AUTOMATION SYSTEMS, INC	1,300.00	
Do	CONNELL FINANCE CO, INC	270.00	
Do	CONSOLIDATED CAPITAL COMPANIES	700.00	
Do	EDS FINANCIAL CORPORATION	270.00	
Do	FIRST CHICAGO LEASING CORP	270.00	
Do	FIRST NATIONAL BANK OF BOSTON	270.00	
Do	FIRST NATIONAL BANK OF MINNEAPOLIS	270.00	
Do	GATX CORPORATION		
Do	GATX LEASING CORP	270.00	
Do	GENERAL ELECTRIC CREDIT CORP	270.00	
Do	KELSO & COMPANY	4,500.00	
Do	MANUFACTURERS HANOVER LEASING CORP	270.00	
Do	MUSIC CORP OF AMERICA, INC	1,500.00	
Do	NATIONAL COMM TO PRESERVE SOCIAL SECURITY AND MEDICARE	5,650.00	
Do	NATIONAL RAILWAY LABOR CONFERENCE		
Do	STATE OF MICHIGAN	9,100.00	
Do	SUPERIOR ENGINEERING & ELECTRONICS SYSTEMS AND APPLIED SCIENCES	750.00	
Do	TEXAS AIR CORP	775.00	
Do	UNITED ENERGY CORP	9,350.00	
BENNETT J. CORN, FOUR WORLD TRADE CENTER NEW YORK NY 10048	COFFEE SUGAR & COCOA EXCHANGE, INC		
CORN REFINERS ASSOCIATION, INC., 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036		6,600.00	2,273.00
CORPORATION FOR GOVERNMENT ACTION, INC, 1000 POTOMAC ST., NW, #103 WASHINGTON DC 20007		11,500.00	12,136.47
ERNEST J. CORRADO, 1625 K ST., NW, #1000 WASHINGTON DC 20006	AMERICAN INST OF MERCHANT SHIPPING		
MARY MARCOTTE CORRIGAN, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER		
RICHARD L. CORRIGAN, 1201 PENNSYLVANIA AVENUE, NW, #250 WASHINGTON DC 20004	CH2M HILL, INC	2,000.00	
MARTY CORRY, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	466.16	183.48
ALLAN D. CORS, 1800 K ST., NW, SUITE 1104 WASHINGTON DC 20006	CORNING GLASS WORKS	1,200.00	
WILLIAM R. CORSON, 1707 H ST., NW WASHINGTON DC 20006	PENTHOUSE INTL LTD		
R. H. CORY, 1005 CONGRESS AVENUE, #795 AUSTIN TX 78701	CENTRAL AND SOUTH WEST SERVICES, INC	3,150.00	12,489.65
TOM COSGROVE, 37 TRUMBULL STREET NEW HAVEN CT 06511	SIERRA CLUB	2,887.50	591.25
COSMETIC TOILETRY & FRAGRANCE ASSN, INC, 1110 VERMONT AVE., NW, #800 WASHINGTON DC 20005			
JAMES R. COSTELLO JR., 1101 CONNECTICUT AVE., NW, #300 WASHINGTON DC 20036	AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC		
MICHAEL E. COSTELLO, 1090 VERMONT AVENUE, NW, #600 WASHINGTON DC 20005	TEXAS EASTERN TRANSMISSION CORP		531.41
MEREDITH COTE, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	387.69	
MARY ALICE COTTER, 410 FIRST STREET, SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	825.00	29.40
COUNCIL FOR LANGUAGES AND OTHER INT'L STUDIES, 3520 PROSPECT ST., NW WASHINGTON DC 20007		9,280.08	11,283.81
COUNCIL FOR RURAL HOUSING AND DEVELOPMENT, 2300 M ST., NW WASHINGTON DC 20036		4,000.00	4,000.00
COUNCIL OF STATE CHAMBERS OF COMMERCE, 122 C ST., NW, #200 WASHINGTON DC 20001		5,512.91	562.05
COUNCIL ON MULTIEMPLOYER PENSION SECURITY, INC, 1000 POTOMAC STREET, NW, #103 WASHINGTON DC 20007		19,250.00	11,500.00
WILLIAM R. COURTNEY, P.O. BOX 844 TEMPLE TX 76503	TRIBAL COUNCIL OF THE COUSHATTA TRIBE OF LOUISIANA		
JOHN F. COVE, 918 16TH ST., NW, #702 WASHINGTON DC 20006	COVE ASSOCIATES, INC (FOR: ASSOCIATION OF U.S. NIGHT VISION MANUFACTURERS)		
COVINGTON & BURLING, 1201 PENNSYLVANIA AVENUE, NW P.O. BOX 7566 WASHINGTON DC 20044	AMERICAN ASSN OF ORAL & MAXILLOFACIAL SURGEONS		
Do	AMERICAN WATCH ASSN	800.00	
Do	ASSOCIATION OF MAXIMUM SERVICE TELECASTERS, INC		
Do	COALITION TO PRESERVE THE INTEGRITY OF AMERICAN TRADEMARKS		
Do	GEORGE ROWE, JR. (FOR: ESTATE OF EDMUND G. MONELL)		
Do	HOUDAILLE INDUSTRIES, INC		
Do	INVESTMENT COMPANY INSTITUTE	1,000.00	
Do	LUTHERAN BROTHERHOOD		39.70
Do	MIDWEST TELEVISION, INC		
Do	NATIONAL FOOTBALL LEAGUE		18.00
Do	PACIFIC STOCK EXCHANGE, INC		
Do	POST-NEWSWEEK STATIONS, INC		
Do	WESLEYAN UNIVERSITY, AMHERST COLLEGE, ET AL		
EUGENE S. COWEN, 1150 17TH ST., NW WASHINGTON DC 20036	AMERICAN BROADCASTING CO, INC	280.80	
C. DEMING COWLES, 6TH FLOOR 1050 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007	BERING SEA FISHERMEN'S ASSN	1,000.00	114.00
Do	MUNICIPALITY OF ANCHORAGE	11,739.97	1,486.75
Do	UNITED FISHERMEN OF ALASKA	1,000.00	659.35
ARCHIBALD COX, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	5,350.02	194.40
C. BRYAN COX, PO BOX 139 KANSAS CITY MO 64141	KANSAS CITY LIFE INSURANCE CO		
JEFFREY T. COX, 1420 KING ST. ALEXANDRIA VA 22314	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	1,250.00	
DONALD FORSYTH CRAIB III, 633 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20004	SEARS ROEBUCK & CO	725.00	
CRAMER HABER & LUKIS, P.C., 818 CONNECTICUT AVE., NW WASHINGTON DC 20036	CANAVERAL PORT AUTHORITY	13,500.00	29.07
Do	CITY OF MIAMI	2,750.00	10.75
Do	DADE COUNTY INTERNATIONAL AIRPORT	16,000.00	697.42
Do	DADE COUNTY	6,000.00	
Do	PENNSYLVANIA ENGINEERING CORP	1,800.00	356.47
Do	REPUBLIC OF GABON	36,750.00	
WILLIAM C. CRAMER, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	CRAMER HABER & LUKIS, P.C. (FOR: CANAVERAL PORT AUTHORITY)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: CITY OF MIAMI)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: DADE COUNTY INTERNATIONAL AIRPORT)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: DADE COUNTY)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: PENNSYLVANIA ENGINEERING CORP)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: REPUBLIC OF GABON)		
JOHN R. CRANE, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE		
RICHARD L. CRAWFORD, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
WILLIAM D. CRAWFORD, 400 FIRST ST., NW WASHINGTON DC 20001	BROTHERHOOD OF RAILWAY CARMEN OF THE U.S. & CANADA	2,032.53	
JOHN P. CREGAN, 1000 CONNECTICUT AVENUE, NW, #1200 WASHINGTON DC 20036	U.S. BUSINESS & INDUSTRIAL COUNCIL		
RICHARD C. CREIGHTON, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	5,000.00	500.00
DOUGLAS P. CREW, 100 N.E. ADAMS STREET PEORIA IL 61629	CATERPILLAR TRACTOR CO		
JOSEPH M. CRIBBEN, 6900 VALLEY BROOK DR. FALLS CHURCH VA 22042	UNITED ASSN OF JNYMEN & APPREN. OF PLMBG & PIPEFTG INDUSTRY	1,750.00	
MICHAEL F. CRIM, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
RICHARD E. CRISTOL, 5775 PEACHTREE-DUNWOODY RD., #500D ATLANTA GA 30342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)		
P. H. CROFT, 2000 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN SHORT LINE RAILROAD ASSN		
ROBERT W. CROMARTIE, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	125.00	
CHARLES H. CROMWELL, INC, 6709 GEORGIA ST. CHEVY CHASE MD 20815	GENERAL ELECTRIC CO		
Do	HUGHES HELICOPTERS		
Do	NORTHROP CORP		
DONALD J. CRONIN, 1511 K STREET, NW, #820 WASHINGTON DC 20005	FRANK G. KINGSLEY	5,000.00	105.00
LAUREN J. CRONIN, 1331 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	AMERICAN CEMENT TRADE ALLIANCE, INC	2,000.00	461.83
RAE E. CRONMILLER, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	135.00	
THOMAS R. CROSBY JR., 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
COLLEEN CROSSLAND, 444 N. CAPITOL STREET, NW, #718 WASHINGTON DC 20001	PACIFIC TELESIS GROUP	15,450.00	
BOBBY E. CROW, 3805 W. ALABAMA HOUSTON TX 77027	COLUMBIA GULF TRANSMISSION CO		
CROWELL & MORING, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	ASARCO INC		
Do	ASSOCIATED GAS DISTRIBUTORS		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	AVON PRODUCTS, INC		
Do	BROOKLYN UNION GAS CO		10.00
Do	BURLINGTON NORTHERN	1,860.00	14.00
Do	COMMUNICATIONS SATELLITE CORP		
Do	CONTROL DATA CORPORATION		
Do	COOK INLET REGION, INC		
Do	ELI LILLY AND COMPANY	1,406.25	10.00
Do	NATIONAL ASSN OF MANUFACTURERS	202.50	4.00
Do	NATIONAL ASSN OF WHOLESALER-DISTRIBUTORS	10,425.00	10.00
Do	PAN AMERICAN WORLD AIRWAYS, INC; PAN AM WORLD SERVICES	508.75	72.45
Do	REGIONAL AIRLINE ASSOCIATION		
Do	TRUST FOR PUBLIC LANDS		
Do	WESTERN GOVERNORS' ASSN	1,085.00	19.00
CUBA CLAIMS ASSOCIATION, PO BOX 014004 MIAMI FL 33101			
CUBAN AMERICAN PUBLIC AFFAIRS COUNCIL, 1000 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007			
WILLIAM E. CUMBERLAND, 1125 15TH ST., NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSOCIATION OF AMERICA		
SCOTT S. CUNNINGHAM, 1100 15TH STREET, NW WASHINGTON DC 20005	UNION CARBIDE CORP		
JOHN T. CURRAN, 905 16TH ST., NW WASHINGTON DC 20006	LABORERS' INTL UNION OF NORTH AMERICA, AFL-CIO	14,182.50	330.27
Do	NATIONAL COORDINATING COMM FOR MULTIEMPLOYER PLANS		
KATHLEEN L. CURRY, 122 C ST., NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	2,865.00	552.00
RICHARD C. CURRY, 6819 ELM STREET, #3 MCLEAN VA 22101	FIRE ISLAND ASSOCIATES, INC	3,170.00	367.94
EDWARD P. CURTIS JR., GENESEE PUBLIC AFFAIRS, INC 36 W. MAIN STREET ROCHESTER NY 14614	LAKE ONTARIO CEMENT LIMITED		
Do	MINISTRY OF THE ENVIRONMENT PROVINCE OF ONTARIO, CANADA	1,500.00	
JAY B. CUTLER, 1400 K STREET, NW WASHINGTON DC 20005	AMERICAN PSYCHIATRIC ASSN	5,584.00	782.00
M. RUPERT CUTLER, 1325 G ST., NW, #103 WASHINGTON DC 20005	ENVIRONMENTAL FUND	275.00	6.00
EVERETT E. CUTTER, 620 SW FIFTH AVENUE BLDG., SUITE 912 PORTLAND OR 97204	OREGON RAILROAD ASSN		
D L ASSOCIATES, INC, 1730 RHODE ISLAND AVENUE, NW, #210 WASHINGTON DC 20036	BRIGGS & STRATTON	250.00	
Do	MARTIN MARIETTA AEROSPACE	200.00	
Do	PHILLIPS PETROLEUM CO	250.00	
Do	SCIENCE APPLICATIONS, INC	250.00	
D'AMICO LUEDTKE DEMAREST & GOLDEN, 1920 N STREET, NW, #400 WASHINGTON DC 20036	CENERGY EXPLORATION CO		
Do	ENHANCED ENERGY RESOURCES, INC		
Do	MITCHELL ENERGY & DEVELOPMENT CORP		
Do	MURCHISON OIL & GAS, INC		
Do	PITTS ENERGY GROUP		
Do	SOUTHLAND CORPORATION		
Do	TEXAS OIL & GAS CORP		
Do	US TELECOM, INC		
Do	WESSELY ENERGY CORP		
WILLIAM D. D'ONOFRIO, 1800 W. 8TH ST. WILMINGTON DE 19805	NATIONAL ASSN FOR NEIGHBORHOOD SCHOOLS, INC		
WILLIAM K. DABAGHI, ARTER & HADDEN 1919 PENNSYLVANIA AVE., NW, #400 WASHINGTON DC 20006	COALITION FOR REGIONAL BANKING & ECONOMIC DEVELOPMENT	5,439.00	1,942.15
LESLIE DACH, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	8,125.00	1,278.00
WILLIAM KAY DAINES, 1616 H ST., NW WASHINGTON DC 20006	AMERICAN RETAIL FEDERATION	300.00	33.50
LEWIS I. DALE, 1800 K ST., NW, #1016 WASHINGTON DC 20006	AIR PRODUCTS & CHEMICALS, INC	3,120.00	
DONALD W. DALRYMPLE, 1575 I ST., NW WASHINGTON DC 20005	AMERICAN CYNAMID COMPANY (FOR: LEDERLE LABORATORIES)	3,400.00	1,633.42
JAMES G. DALTON, 1420 KING ST. ALEXANDRIA VA 22314	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	2,500.00	
JOHN M. DAMGARD, 1825 EYE STREET, NW, #1040 WASHINGTON DC 20006	FUTURES INDUSTRY ASSN, INC		
DAMRELL DAMRELL & NELSON, P.C., 911 13TH STREET P.O. BOX 3489 MODESTO CA 95353	CENTRAL SAN JOAQUIN RIVER ASSN		
JOHN E. DANIEL, 1133 15TH STREET, NW, #1200 WASHINGTON DC 20005	OHIO EDISON CO		
DAVID S. DANIELSON, 600 MARYLAND AVENUE, SW, #400-E WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
CHARLES FRANKLIN DAOUST, P.O. BOX 12910 CHARLESTON SC 29412	KIAWAH ISLAND CO LTD		
COLLEEN A. DARLING, 1730 RHODE ISLAND AVENUE, NW, #204 WASHINGTON DC 20036	JAPANESE AMERICAN CITIZENS LEAGUE	5,040.00	47.00
RICHARD C. DARLING, 1156 15TH ST., NW WASHINGTON DC 20005	J. C. PENNEY CO, INC	100.00	50.00
DIANE DAVENNY DARNEILLE, 1726 M ST., NW, #300 WASHINGTON DC 20036	SCHERING-PLOUGH CORP	2,832.00	12,138.58
JOHN C. DATT, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	10,250.00	
M. DENNIS DAUGHERTY, 733 15TH STREET, NW WASHINGTON DC 20005	LEGAL SERVICES CORP	28.25	7.35
JOHN B. DAVENPORT JR., 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	145.00	
LARRY C. DAVENPORT, 5775 PEACHTREE-DUNWOODY RD., #500-D ATLANTA GA 30342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)		
EARL F. DAVID, 1825 K ST., NW, #1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY	1,000.00	
DANIEL I. DAVIDSON, 1350 NEW YORK AVE., NW WASHINGTON DC 20005	SPIEGEL & MCDIARMID (FOR: NORTHERN CALIFORNIA POWER AGENCY)		
CHERYL C. DAVIS, 510 C STREET, NE WASHINGTON DC 20002	INTERNATIONAL ASSN OF AMUSEMENT PARKS & ATTRACTIONS		
CHRISTOPHER L. DAVIS, 2501 M ST., NW, #400 WASHINGTON DC 20037	ALLNET COMMUNICATION SERVICES, INC		
DAVID R. DAVIS, INDIANA PETROLEUM COUNCIL 714 HARRISON BLDG. INDIANAPOLIS IN 46204	AMERICAN PETROLEUM INST	1,623.00	129.59
DREW M DAVIS, 1101 16TH ST., NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN	305.90	79.70
EDWARD M. DAVIS, 410 FIRST ST., SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	6,375.00	1,378.88
FRED G. DAVIS, 1111 19TH STREET, N.W. WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	1,402.20	493.97
DAVIS GRAHAM & STUBBS, 1101 16TH ST., NW, #500 WASHINGTON DC 20037	MUNICIPAL SUBDISTRICT, NO. COLORADO WATER CONSERVANCY DIST	5,535.00	5,535.00
Do	NORTHERN COLORADO WATER CONSERVANCY DISTRICT	675.00	675.00
DAVIS HOCKENBERG WINE BROWN & KOEHN, 2300 FINANCIAL CENTER DES MOINES IA 50309	NORTHWESTERN BELL (IOWA DIV.)		
OVID R. DAVIS, P.O. DRAWER 1734 ATLANTA GA 30301	COCA-COLA COMPANY	250.00	473.00
DAVIS POLK & WARDWELL, 1575 EYE ST., NW WASHINGTON DC 20005	NORWEST CORP		
Do	U.S. TRUST CORP		
ROBERT DAVIS, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	800.00	347.00
W. KENNETH DAVIS, P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL GROUP, INC		
DONALD S. DAWSON, 1220 L ST., NW, #310 WASHINGTON DC 20005	OPTICIANS ASSN OF AMER	4,000.00	
Do	VIRGIN ISLANDS GIFT & FASHION SHOP ASSN		
Do	VIRGIN ISLANDS MERCHANTS ASSOCIATION		
HARRY F. DAY, 1800 K STREET, NW, #1100 WASHINGTON DC 20006	NEW YORK STOCK EXCHANGE, INC		
DCM GROUP, 1515 N. COURTHOUSE RD., #301 ARLINGTON VA 22201	AD HOC COMM FOR AMERICAN SILVER	4,521.88	5,992.20
GASTON DE BEARN, 1050 CONNECTICUT AVENUE, NW, #401 WASHINGTON DC 20036	HOFFMANN-LA ROCHE INC		
RALPH DE LA CRUZ, 1225 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN PUBLIC TRANSIT ASSN	2,625.00	
O. MARK DE MICHELE, 411 NORTH CENTRAL AVENUE P.O. BOX 21666 PHOENIX AZ 85014	ARIZONA PUBLIC SERVICE COMPANY		
DEALER BANK ASSN, 1800 K ST., NW, #1014 WASHINGTON DC 20006			
JOHN RUSSELL DEANE III, 1607 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20009	AMERICAN METAL DETECTORS MANUFACTURERS, INC		
Do	AUTO INTERNATIONAL ASSN	150.00	73.47
Do	COALITION OF AUTOMOTIVE ASSNS		
Do	SPECIALTY EQUIPMENT MARKET ASSN	990.00	461.91
DEBEVOISE & PLIMPTON, 1777 F ST., NW WASHINGTON DC 20006	SONY CORP OF AMERICA	4,713.00	97.10
Do	STATUE OF LIBERTY-ELLIS ISLAND FOUNDATION, INC		4,409.09
ROBERT L. DEBO, MISSOURI OIL COUNCIL 428 E. CAPITOL, #203 JEFFERSON CIY MO 65101	AMERICAN PETROLEUM INST		
EDWARD S. DEBOLT, 1515 N. COURTHOUSE RD., #301 ARLINGTON VA 22201	DCM GROUP (FOR: AD HOC COMM FOR AMERICAN SILVER)	2,375.00	
DECHERT PRICE & RHOADS, 1730 PENNSYLVANIA AVENUE, NW, #1100 WASHINGTON DC 20006	CONSITUTIONAL RIGHTS FOUNDATION		23.60
Do	YONKERS RACING CORP		404.24
MARK O. DECKER, 1120 VERMONT AVE., NW, #1130 WASHINGTON DC 20005	PETROLEUM MARKETERS ASSN OF AMERICA	688.00	
WINSTON M. DECKER, 1522 K ST., NW, #828 WASHINGTON DC 20005	AMERICAN VETERINARY MEDICAL ASSN		
Do	ASSOCIATION OF AMERICAN VETERINARY MEDICAL COLLEGES		
RICHARD A. DEEM, 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	25.00	
BRIAN DEERY, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
DONALD H. DEFOE, 100 N.E. ADAMS STREET PEORIA IL 61629	CATERPILLAR TRACTOR CO		
MARY ELISE DEGONIA, 600 MARYLAND AVENUE, SW WEST WING, SUITE 300 WASHINGTON DC 20024	70001 LTD	500.00	20.00
GENE A. DEL POLITO, 1341 G STREET, NW, #500 WASHINGTON DC 20005	THIRD CLASS MAIL ASSN	600.00	
STEPHEN T. DELAMATER, 2600 SOUTHLAND CENTER 400 N. OLIVE ST. DALLAS TX 75201	HALLIBURTON CO		
JOHN W. DELANEY, 100 FEDERAL ST. BOSTON MA 02110	BANK OF BOSTON CORPORATION		
Do	FIRST NATIONAL BANK OF BOSTON		
DELANEY MIGDAIL & YOUNG, CHTD, 1629 K STREET, NW, #1000 WASHINGTON DC 20006	GOVERNMENT EMPLOYEES INSURANCE CO	15,280.77	233.87
Do	MARYLAND SAVINGS SHARE INSURANCE CORP	8,644.72	233.28
Do	NATIONAL ASSN OF INDEPENDENT INSURERS	8,117.69	67.61
THOMAS J. DELANEY, 1111 NORTH 19TH STREET, #700 ARLINGTON VA 22209	NATIONAL ASSN OF FEDERAL CREDIT UNIONS	1,500.00	119.03
JOHN L. DELANO, 7 EDWARDS - BOX 1172 HELENA MT 59624	MONTANA RAILROAD ASSN		
ROBERT B. DELANO, 225 TOUHY AVE. PARK RIDGE IL 60068	AMERICAN FARM BUREAU FED	3,125.00	
CARTHA D. DELOACH, 700 ANDERSON HILL ROAD PURCHASE NY 10577	PEPSICO, INC		
GAIL DELOACH, P.O. BOX 8091 FALLS CHURCH VA 22041	FRIENDSHIP HILL ASSN		
GEORGIA L. DELYANNIS, 1730 K STREET, NW, #903 WASHINGTON DC 20006	AMERICAN HELLENIC INSTITUTE PUBLIC AFFAIRS COMMITTEE		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
TANIA DEMCHUK, 499 SOUTH CAPITOL ST., SW, #401 WASHINGTON DC 20003	NATIONAL ASSN OF INDEPENDENT INSURERS	100.00	
BRADFORD T. DEMPSEY, 512 W. MAPLE AVE., #210 VIENNA VA 22180			
PERRY COMO DENBY, BOX 7000 TEXARKANA TX 75501		37.50	37.50
GEORGE H. DENISON, 4801 MASSACHUSETTS AVE., NW, #400 WASHINGTON DC 20016	CRUISE AMERICA LINE, INC	500.00	
Do	NATIONAL OFFICE PRODUCTS ASSN	200.00	
Do	WESTINGHOUSE ELECTRIC CORP	450.00	
RAY DENISON, 815 16TH ST., NW WASHINGTON DC 20006	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	15,769.00	450.26
JOHN H. DENMAN, MISSOURI OIL COUNCIL 428 E. CAPITAL ST., #203 JEFFERSON CITY MO 65101	AMERICAN PETROLEUM INST	872.20	1,238.16
ROBERT A. DENMAN, 600 MARYLAND AVENUE, SW, #202W WASHINGTON DC 20024	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	4,845.12	
THOMAS J. DENNIS SR., 1801 K STREET, NW, #1041 WASHINGTON DC 20006	AMERICAN ELECTRIC POWER SERVICE CORP		
EDWARD A. DENT, 3115 N ST., NW WASHINGTON DC 20007	AMERICANS FOR THE NATIONAL VOTER INITIATIVE AMENDMENT		
WELLS DENYES, 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	EASTMAN CHEMICALS DIVISION	165.00	229.35
DEPARTMENT FOR PROFESSIONAL EMPLOYEES, AFL-CIO, 815 16TH ST., NW WASHINGTON DC 20006		11,803.11	11,803.11
GREGORY L. DEPRIEST, 1735 DESALES STREET, NW WASHINGTON DC 20036	ASSOCIATION OF MAXIMUM SERVICE TELECASTERS, INC		
ALPHONSE DEROSSO, 1899 L ST., NW, #1100 WASHINGTON DC 20036	EXXON CORPORATION	250.00	48.31
LLOYD J. DERRICKSON, 1828 L ST., NW, #906 WASHINGTON DC 20036	MERRILL LYNCH & CO., INC	6,500.00	
MICHAEL DESANTO, 9200 EDMONSTON ROAD, #304 GREENBELT MD 20770	GREATER WASHINGTON/MARYLAND SERVICE STATION ASSN	1,000.00	
JAMES T. DEVINE, LAW OFFICES OF DERRIS LEONARD, P.C. 900 17TH ST., NW, #1020 WASHINGTON DC 20006	BOWLING PROPRIETORS ASSN OF AMER		
SAMUEL L. DEVINE, 888 17TH ST., NW WASHINGTON DC 20006	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
Do	GROCERY MANUFACTURERS OF AMERICA, INC		
Do	OCCIDENTAL PETROLEUM CORP	19,998.98	
Do	PAYCO AMERICAN CORPORATION		
Do	PEPSICO, INC		
DEWEY BALLANTINE BUSHBY PALMER & WOOD, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AMAX, INC		
Do	AMERICAN CAN CO		
Do	AMERICAN STOCK EXCHANGE, INC		
Do	BROWNING-FERRIS INDUSTRIES, INC		
Do	CHASE MANHATTAN CORP		
Do	FEDERAL NATIONAL MORTGAGE ASSN		
Do	GTE SERVICE CORP		
Do	INTEGRATED RESOURCES, INC		
Do	WARNER LEROY	963.70	
Do	NORFOLK SOUTHERN CORP		
Do	JOSEPH E. SEAGRAM & SONS, INC		
DORIS J. DEWTON, 1025 CONNECTICUT AVE., NW, #507 WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
DGA INTERNATIONAL INC, 1818 N STREET, NW WASHINGTON DC 20036	DIR INTL AFF OF THE GEN DEL FOR ARMEMENTS		
Do	SOCIETE NATIONALE D'ETUDE ET DE CONST. DE MOTEURS D'AVIATION		352.55
Do	SOFREAVIA		57.56
Do	THOMSON-CSF DIVISION SYSTEMS ELECTRONIQUE OF FRANCE		
DIAMOND SHAMROCK CORPORATION, 717 N. HARWOOD STREET DALLAS TX 75201			
CHARLES J. DIBONA, 1220 L ST., NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST	1,875.00	
JOHN M. DICKERMAN, 1015 15TH ST., NW, #700 WASHINGTON DC 20005	NATIONAL LUMBER & BUILDING MATERIAL DEALERS ASSN		
CHESTER T. DICKERSON JR., 1101 17TH ST., NW, #604 WASHINGTON DC 20036	MONSANTO CO		652.36
WILLIAM E. DICKINSON, 206 N. WASHINGTON ST., #300 ALEXANDRIA VA 22314	SALT INSTITUTE	250.00	250.00
DICKINSON WRIGHT MOON VAN DUSEN & FREEMAN, 1901 L ST., NW, #801 WASHINGTON DC 20036	DETROIT MADISON COMPANY		
Do	GENERAL MOTORS CORP		
DICKSTEIN SHAPIRO & MORIN, 2101 L ST., NW WASHINGTON DC 20037	BEAR, STEARNS & CO		
Do	BOUNDARY GAS, INC		
Do	CAR AUDIO SPECIALISTS ASSOCIATION		
Do	FEDERATED CASH MANAGEMENT SYSTEMS		
Do	GILBANE BUILDING CO		
Do	HUGHES AIRCRAFT CO		
Do	LTV AEROSPACE & DEFENSE CO		
Do	MAREMONT CORP		
Do	MARINE ENGINEERS' BENEFICIAL ASSN		
Do	MCDONNELL DOUGLAS CORP		
Do	METROPOLITAN TRANSPORTATION AUTHORITY		
Do	NATIONAL ASSN OF GOV'T GUARANTEED LENDERS, INC	1,250.00	
Do	NATIONAL ASSN OF PUBLIC TELEVISION STATIONS		
Do	NATIONAL FEDERATION OF SOCIETIES FOR CLINICAL SOCIAL WORK	600.00	
Do	PAULUCCI ENTERPRISES	765.00	
Do	STANDARD MANUFACTURING CO		
Do	STATE OF DELAWARE, STATE OF IOWA, STATE OF LOUISIANA, ET AL		
Do	UNITED BRANDS CO		
RICK DIEGEL, 1125 15TH STREET, NW WASHINGTON DC 20005	INTERNATIONAL BROTHERHOD OF ELECTRICAL WORKERS, ALF-CIO-CLC	2,281.25	150.00
GEORGE DILLARD, 5128 SAUER, SUITE A HOUSTON TX 77004	KALEIDOSCOPE RESEARCH & MARKETING GROUP		
TIMOTHY V. A. DILLON, 1331 PENNSYLVANIA AVE., NW, #905 WASHINGTON DC 20004	SACRAMENTO MUNICIPAL UTILITY DISTRICT	3,600.00	148.62
Do	WESTLANDS WATER DISTRICT	3,000.00	111.07
THOMAS A. DINE, 444 NORTH CAPITOL ST, NW, #412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	14,374.98	3,547.07
MICHAEL F. DINEEN, 600 PENNSYLVANIA AVE., SE, #206 WASHINGTON DC 20003	LUMBERMENS MUTUAL CASUALTY CO (FOR: FEDERAL KEMPER LIFE ASSURANCE CO).	134.34	80.23
Do	LUMBERMENS MUTUAL CASUALTY CO (FOR: KEMPER FINANCIAL SERVICES, INC)		
Do	LUMBERMENS MUTUAL CASUALTY CO (FOR: KEMPER INVESTORS LIFE INSURANCE CO).	72.34	43.20
Do	LUMBERMENS MUTUAL CASUALTY COMPANY	1,800.00	
CHARLES VERN DINGES IV , 1325 G STREET, NW, #1003 WASHINGTON DC 20005	ENVIRONMENTAL FUND	350.00	23.00
DIRECT SELLING ASSOCIATION, 1730 M ST., NW WASHINGTON DC 20036			2,174.37
HARLEY M. DIRKS, 400 FIRST STREET, NW, #712 WASHINGTON DC 20002	HEALTH & MEDICINE COUNSEL OF WASHINGTON		
Do	PROFESSIONAL SERVICES COUNCIL		
DISABLED AMERICAN VETERANS, 3725 ALEXANDRIA PIKE COLD SPRING KY 41076		166,181.35	166,181.35
STEVEN P. DOEHLER, 1725 K ST., NW, #1405 WASHINGTON DC 20006	MORTGAGE INSURANCE COMPANIES OF AMERICA		
JOHN D. DOHERTY JR., 900 17TH STREET, NW, #706 WASHINGTON DC 20006	CHASE MANHATTAN BANK, N.A	182.00	43.17
GREGORY S. DOLE, BRAND LOWELL & DOLE 923 15TH STREET, NW WASHINGTON DC 20005	EDISON ELECTRIC INSTITUTE		
Do	NATIONAL HEAD INJURY FOUNDATION, INC		
JULIE DOMENICK, 1600 M ST., NW WASHINGTON DC 20036	INVESTMENT COMPANY INSTITUTE	507.00	417.34
DOMESTIC PETROLEUM COUNCIL TRADE ASSOCIATION, 1627 K STREET, NW, #910 WASHINGTON DC 20006			
DOMESTIC WILDCATTERS ASSN, P.O. BOX 4394 HOUSTON TX 77210			18,000.00
NANCY A. DONALDSON, 110 MARYLAND AVENUE, NE, #408 WASHINGTON DC 20002	WOMEN'S ACTION FOR NUCLEAR DISARMAMENT EDUCATION FUND, INC	1,593.58	230.22
JOHN F. DONELAN, DONELAN CLEARY WOOD & MASER, P.C. 914 WASHINGTON BUILDING WASHINGTON DC 20005	PROCOMPETITIVE RAIL STEERING COMMITTEE		
ANDREW J. DONELSON, 1101 15TH STREET, NW WASHINGTON DC 20005	MINNESOTA MINING & MANUFACTURING CO (3M)	2,500.00	
THOMAS E. DONLEY, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S		
SALLY S. DONNER, 4TH FL. 1710 RHODE ISLAND AVE., NW WASHINGTON DC 20036	GENERAL FOODS CORPORATION	1,016.75	82.72
PAUL M. DONOVAN, LAROE WINN & MOERMAN 1120 G STREET, NW, #800 WASHINGTON DC 20005	CHLORINE INSTITUTE, INC	2,345.00	29.50
WILLIAM DONOVAN, 1111 N. 19TH ST, #700 ARLINGTON VA 22209	NATIONAL ASSN OF FEDERAL CREDIT UNIONS	2,500.00	233.69
FRANCIS X. DOOLEY, 525 SCHOOL ST., SW WASHINGTON DC 20024	AMERICAN ROAD & TRANSPORTATION BLDRS ASSN	7,500.00	650.00
IRA DORFMAN, 3RD FLOOR 1111 14TH ST., NW WASHINGTON DC 20005	AMERICAN BAKERS ASSN	116.49	2.00
MAY DEL RIO DORFMAN, 380 SECOND AVENUE NEW YORK NY 10010	PLANNED PARENTHOOD OF NEW YORK CITY, INC	423.62	
JAMES A. DORSCH, 1750 K ST., NW WASHINGTON DC 20006	HEALTH INSURANCE ASSOCIATION OF AMERICA, INC		
DEAN R. DORT II , 1667 K STREET, NW, #370 WASHINGTON DC 20006	DEERE & COMPANY	1,430.00	
CHARLENE DOUGHERTY, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	8,000.00	1,134.14
THEODORE DOUGLAS, 6554 COVENTRY ST. LOUIS MO 63033			
DOW LOHNES & ALBERTSON, 1255 23RD ST., NW WASHINGTON DC 20037	ALGOMA STEEL CORP, LTD, ET AL		190.49
Do	CANADIAN TUBULAR PRODUCERS ASSN	2,852.00	21.11
Do	LESNINA, ET AL		
CHARLES P. DOWNER, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	1,125.00	250.00
JANE LIND DOWNEY, 2200 MILL RD ALEXANDRIA VA 22314	AMERICAN MOVERS CONFERENCE	785.00	
RICHARD MORGAN DOWNEY, 10801 ROCKVILLE PIKE ROCKVILLE MD 20852	AMERICAN SPEECH-LANGUAGE-HEARING ASSN		
CONNIE M. DOWNS, 1800 K STREET, NW WASHINGTON DC 20006	BANKAMERICA CORP		
JOHN H. DOWNS JR., 1101 16TH STREET, NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN		
WILLIAM A. DOYLE, 2346 S. ROLFE STREET ARLINGTON VA 22202	HARRIS CORP	2,700.00	1,534.16
NANCY DRABBLE, 215 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	CONGRESS WATCH	7,999.98	
RONALD W. DRACH, 807 MAINE AVENUE, SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	15,688.41	46.95
JAMES E. DRAKE, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	5,272.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JOAN ALBERT DREUX, 600 PENNSYLVANIA AVENUE, SE, #211 WASHINGTON DC 20003	NATIONAL ASSN OF CASUALTY & SURETY AGENTS	2,400.00	1,048.67
JEROME L. DREYER, 1300 N. 17TH ST. SUITE 300 ARLINGTON VA 22209	ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS		
STEPHEN D. DRIESLER, 1150 17TH STREET, NW, #306 WASHINGTON DC 20036	NATIONAL MULTI HOUSING COUNCIL	1,515.78	1,582.26
JOHN P. DRING, 1331 PENNSYLVANIA AVE., NW, #565 WASHINGTON DC 20004	TEXAS GAS TRANSMISSION CORP	1,500.00	728.93
KEVIN J. DRISCOLL, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
DOROTHY J. DRUMMER, 1730 K ST., NW, #703 WASHINGTON DC 20006	AMERICAN BUSINESS CONFERENCE, INC	115.38	25.00
EDWIN JASON DRYER, 1775 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	FOLEY LARDNER HOLLABAUGH & JACOBS (FOR: VGS CORPORATION)		
FRAN DU MELLE, 1101 VERMONT AVENUE, NW, #402 WASHINGTON DC 20005	AMERICAN LUNG ASSN	2,890.00	1,157.00
ERNEST DUBESTER, 815 16TH STREET, NW WASHINGTON DC 20006	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	13,694.20	121.47
EVELYN DUBROW, 1710 BROADWAY NEW YORK NY 10019	INTERNATIONAL LADIES' GARMENT WORKERS UNION	11,739.00	3,114.25
MORGAN D. DUBROW, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	145.00	
TIM DUDGEON, 1250 EYE ST., NW, #900 WASHINGTON DC 20005	DISTILLED SPIRITS COUNCIL OF THE U.S.	2,000.00	200.00
JANE MCPIKE DUDLEY, 1101 15TH STREET, N.W. WASHINGTON DC 20005	NATIONAL CONSTRUCTORS ASSOCIATION	1,055.00	
MARY JANE C. DUE, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
ANN ANDERSON DUFF, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSOCIATION OF MANUFACTURERS	1,200.00	
MICHAEL J. DUFF, 1101 16TH STREET, NW WASHINGTON DC 20036	SCIENTIFIC APPARATUS MAKERS ASSN	1,400.00	238.97
MICHAEL F. DUFFY, 1920 N ST. NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
C. R. DUGGAN, 815 16TH ST., NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY, AIRLINE & STEAMSHIP CLERKS	1,000.00	1,000.00
FRANCIS J. DUGGAN, 412 FIRST ST., SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS	425.35	349.47
EVELYN DUKOVIC, 475 RIVERSIDE DRIVE, #239 NEW YORK NY 10115	MORALITY IN MEDIA, INC		
MERVIN E. DULLUM, 1629 K ST., NW, #204 WASHINGTON DC 20006	DELTA AIR LINES, INC	200.00	76.25
DON R. DUNCAN, 1825 K ST.,NW SUITE 1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY	4,500.00	594.35
DUNCAN WEINBERG & MILLER, P.C., 1775 PENNSYLVANIA AVE., NW, #1200 WASHINGTON DC 20006	GUAM POWER AUTHORITY		
Do	MID WEST ELECTRIC CONSUMERS' ASSN, INC		
Do	STATE OF NEVADA		
Do	STATE OF NORTH DAKOTA		
Do	WESTERN FUELS ASSOCIATION, INC		
WILLIAM C. DUNCAN, 1050 17TH STREET, NW, #410 WASHINGTON DC 20036	JAPAN AUTOMOBILE MANUFACTURERS ASSN	1,800.00	810.12
JAMES W. DUNLOP, 195 MONTAGUE ST. BROOKLYN NY 11201	BROOKLYN UNION GAS CO		
MARI LEE DUNN, 1850 K ST., NW, #520 WASHINGTON DC 20006	AMERICAN COUNCIL FOR CAPITAL FORMATION		
JOHN H. DUNNE, 818 ROEDER RD., #702 SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS		
DUNNELLS DUVALL BENNETT & PORTER, 1220 19TH STREET, NW, #400 WASHINGTON DC 20036	MULTIFAMILY HOUSING ASSOCIATION		
JAMES A. DUPREE, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	3,600.00	1,040.70
JOSEPH L. DURAN, 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
JUDY C. DURAND, 1120 20TH STREET, NW, #600S WASHINGTON DC 20036	UNION PACIFIC CORPORATION	666.00	768.95
MARGARET A. DURBIN, 1025 CONNECTICUT AVENUE, NW, #415 WASHINGTON DC 20036	AMERICAN INSURANCE ASSN		
B. J. DURHAM, P.O. BOX 2121 CORPUS CHRISTI TX 78403	CENTRAL POWER AND LIGHT COMPANY	501.00	1,119.00
ED DURKIN, 101 CONSTITUTION AVENUE, NW WASHINGTON DC 20001	UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA		
DURYEA MURPHY DAVENPORT & VAN WINKLE, 711 CAPITOL WAY OLYMPIA WA 98501	STATE OF NEVADA, NUCLEAR WASTE PROJECT OFFICE		
DUTKO & ASSOCIATES, 412 FIRST ST., SE, #214 WASHINGTON DC 20003	A.R.M., INC		
Do	ANCHOR INDUSTRIES, INC	3,338.34	
Do	ASSOCIATES OF NORTH AMERICA		
Do	BILL'S COAL CO		
Do	CALIFORNIA SPACE INST. & SCRIPPS INSTITUTION OF OCEANOGRAPHY	8,000.00	
Do	CENERGY EXPLORATION CO	10,692.75	
Do	CHEROKEE COAL CO	1,312.50	
Do	D & B WHOLESALE COSMETICS, INC	5,455.76	
Do	GULF & WESTERN INDUSTRIES, INC	22,500.00	
Do	MITCHELL ENERGY & DEVELOPMENT CORP	692.75	
Do	OKLAHOMA STATE UNIVERSITY	4,000.00	
Do	PATCH COAL CO		
Do	PITTS ENERGY GROUP	692.75	
Do	SCHLENSKER DRILLING CO		
Do	M. STEVENS COSMETICS CO	5,455.76	
Do	SWEETWATER COAL CO		
Do	TEXAS OIL & GAS CORP (TXO)	692.75	
Do	TRADE MAX, INC	4,219.93	
Do	UNITED TELECOM COMMUNICATIONS, INC	6,625.00	
Do	WESSELY ENERGY CORP	692.75	
L. L. DUXBURY, 210 7TH STREET, SE, #517 WASHINGTON DC 20003	RAILROAD RETIREMENT ASSN		326.82
PEGGY L. DUXBURY, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
HENRY I. DWORSHAK, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
DENIS J. DWYER, 700 NORTH FAIRFAX ST. ALEXANDRIA VA 22314	RAILWAY PROGRESS INST	475.00	
RODERICK T. DWYER, 1920 N STREET,N.W. WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
MICHAEL J. DYER, 1331 PENNSYLVANIA AVENUE, NW, #905 WASHINGTON DC 20004	NATIONAL COALITION FOR EMERGENCY MEDICAL SERVICES		
DYNALECTRON CORPORATION, 1313 DOLLEY MADISON BLVD. MCLEAN VA 22101			
TALIS DZENITIS, 633 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20004	SEARS ROEBUCK & CO	500.00	29.00
JACK D. EARLY, 1155 15TH ST., NW, #514 WASHINGTON DC 20005	NATIONAL AGRICULTURAL CHEMICALS ASSN	400.00	9.00
GEORGE H. EATMAN, 1800 CONNECTICUT AVE., NW WASHINGTON DC 20009	SLURRY TECHNOLOGY ASSN		
EATON ASSOCIATES, INC, 1725 K ST., NW, #1111 WASHINGTON DC 20006			
CHARLES H. EATON, 1725 K ST., NW, #1111 WASHINGTON DC 20006	EATON ASSOCIATES, INC	300.00	
ROBERT E. L. EATON, 1725 K ST., NW, #1111 WASHINGTON DC 20006	EATON ASSOCIATES, INC		
DONALD R. EBE, 1800 K ST., NW, #800 WASHINGTON DC 20006	GOODYEAR TIRE & RUBBER CO	4,000.00	
ROBERT E. EBEL, 1025 CONNECTICUT AVE., NW, #1014 WASHINGTON DC 20036	ENSERCH CORPORATION	1,450.00	815.00
N. BOYD ECKER, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	MOBIL OIL CORP	1,500.00	63.35
ROBERT C. ECKHARDT, 1750 PENNSYLVANIA AVE., NW, #1105 WASHINGTON DC 20006	CERTAIN TEXAS CLAIMANTS LAWYERS	4,250.00	
Do	CONSOLIDATED NATURAL GAS CO	5,000.01	
Do	INVESTMENT COMPANY INSTITUTE	5,000.01	
Do	STATE BAR OF TEXAS		
Do	WESTERN FUELS ASSOCIATION, INC	9,999.99	
PATRICIA K. ECONOMOS, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
MITCHELL H. EDELSTEIN, 1411 K ST., NW, #850 WASHINGTON DC 20005	AMERICANS FOR DEMOCRATIC ACTION	3,531.84	92.00
WILLIAM R. EDGAR, 1620 EYE ST., NW, #501 WASHINGTON DC 20006	GATES LEARJET CORPORATION		
HELEN H. EDGE, 700 N. FAIRFAX ST. ALEXANDRIA VA 22314	RAILWAY PROGRESS INST	462.50	
ARTHUR B. EDGEWORTH JR , 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS	312.50	
EDISON ELECTRIC INSTITUTE, 9TH FLOOR 1111 19TH ST., NW WASHINGTON DC 20036		300,416.29	88,021.53
V. ANNE EDLUND, 1620 EYE ST., NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC		
STEPHEN L. EDMISTON, 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	14,024.40	474.44
ED EDMONDSON, BOX 11 MUSKOGEE OK 74401	AMERICAN INLAND WATERWAYS COMMITTEE		
Do	CHEROKEE NATION		
Do	DOSS AVIATION, INC		
Do	IU INTERNATIONAL MANAGEMENT CORP		
Do	OKLAHOMA ASSN OF ELECTRIC COOPS		
Do	U.S. MARITIME COMMITTEE, INC		
EDS CORPORATION, 229 PENNSYLVANIA AVE., SE WASHINGTON DC 20003			2,139.56
JOHN M. EDSALL, 1120 20TH STREET, NW, #600S WASHINGTON DC 20036	UNION PACIFIC CORPORATION	218.00	1,414.84
EDWARDS ASSOCIATES, 507 SECOND ST., NE WASHINGTON DC 20002	CONFEDERATED TRIBES OF WARM SPRINGS		
CHRISTINE A. EDWARDS, 633 PENNSYLVANIA AVE., NW, #600 WASHINGTON DC 20004	SEARS, ROEBUCK AND CO	341.87	49.30
J. RODNEY EDWARDS, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INSTITUTE, INC		
WILLIAM A. EDWARDS, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	1,675.82	
PAUL S. EGAN, 1608 K ST., NW WASHINGTON DC 20006	AMERICAN LEGION	9,003.00	218.93
EGGERS & GREENE, 1407 MAIN ST., #335 DALLAS TX 75202	LTV CORPORATION		
KAREN EHRNMAN, 1522 K STREET, NW, #1120 WASHINGTON DC 20005	AMERICAN COLLEGE OF NURSE-MIDWIVES		
YVONNE B. EIDER, 400 FIRST STREET, NW, #800 WASHINGTON DC 20001	FRIENDS OF ANIMALS, INC	5,322.84	858.67
ROBERT F. EISEN, 111 WEST 40TH STREET NEW YORK NY 10018	GREENWOOD MILLS MARKETING CO		1,907.00
ALBERT C. EISENBERG, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	9,000.00	18.00
H. J. ELAM III, 1201 MAPLE ST. GREENSBORO NC 27405	CONE MILLS CORPORATION	26,000.00	3,451.00
JANE ELDER, 214 N. HENRY ST., #203 MADISON WI 53703	SIERRA CLUB	2,250.00	2,262.60
TIMOTHY L. ELDER, 1730 PENNSYLVANIA AVE., NW, #450 WASHINGTON DC 20006	CATERPILLAR TRACTOR CO	2,500.00	828.93
GEORGE K. ELIADES, 7297 LEE HIGHWAY FALLS CHURCH VA 22042	SOCIETY OF AMERICAN WOOD PRESERVERS, INC	400.00	825.00
C. M. ELKINS ASSOCIATES, 1100 17TH ST., NW, #310 WASHINGTON DC 20036	DELAWARE & HUDSON RAILWAY CO		
Do	MISSOURI KANSAS TEXAS RAILROAD		
Do	PITTSBURGH & LAKE ERIE RAILROAD		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
J. BURTON ELLER JR., 1301 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	NATIONAL CATTLEMEN'S ASSN	1,000.00	
CHARLES W. ELLIOTT, WISCONSIN PETROLEUM COUNCIL 25 W. MAIN ST., #703 MADISON WI 53703	AMERICAN PETROLEUM INST	944.44	920.17
JOHN DOYLE ELLIOTT, 5500 QUINCY ST. HYATTSVILLE MD 20784			
ELY RITTS BRICKFIELD & BETTS, WATERGATE 600 BLDG., #915 WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN		
Do	OCEAN MINING ASSOCS		
EMERGENCY COMMITTEE FOR AMERICAN TRADE, 1211 CONNECTICUT AVE. WASHINGTON DC 20036		32,864.97	69,237.59
EMERSON ELECTRIC CO, 8000 FLORISSANT ST. LOUIS MO 63136			869.52
EMPLOYEE RELOCATION COUNCIL, 1627 K ST., NW, #600 WASHINGTON DC 20006			2,876.27
EMPLOYERS COUNCIL ON FLEXIBLE COMPENSATION, 1700 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006			
IRENE R. EMSELLEM, 1800 M STREET, NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
LOWELL J. ENDAHL, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	150.00	
ENERGY CONSUMERS & PRODUCERS ASSN, BOX 1726 PETROLEUM PLAZA SEMINOLE OK 74868		27,995.00	5,365.08
RALPH ENGEL, 1001 CONNECTICUT AVE., NW, #1120 WASHINGTON DC 20036	CHEMICAL SPECIALTIES MFGRS ASSN		
STEVEN L. ENGELBERG, 2033 M ST., NW, #404 WASHINGTON DC 20036	AMERICAN ASSN FOR MARRIAGE & FAMILY THERAPY		
CHRISTOPHER ENGQUIST, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
CLINTON W. ENSIGN, 2600 VIRGINIA AVENUE, NW, #901 WASHINGTON DC 20037	SINCLAIR OIL CORPORATION	500.00	91.85
ENVIRONMENTAL FUND, 1325 G ST., NW #1003 WASHINGTON DC 20005			854.00
KIMBERLY NEILSEN EPSTEIN, 2626 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20037	NATIONAL TELEPHONE COOPERATIVE ASSN	1,862.50	375.46
PAUL A. EQUALE, 600 PENNSYLVANIA AVE., SE, #200 WASHINGTON DC 20003	INDEPENDENT INSURANCE AGENTS OF AMERICA, INC	12,654.00	
JOHN M. ERSKINE JR., 1122 COLORADO, SUITE 208 AUSTIN TX 78701	STANDARD OIL CO (INDIANA)		
INGOLF G. ESDERS, 815 16TH STREET, NW WASHINGTON DC 20006	INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO	4,775.37	
MARK ESHERICK, 1346 CONNECTICUT AVENUE, NW, #603 WASHINGTON DC 20036	ZERO POPULATION GROWTH, INC	747.00	39.00
ESTATE OF MABEL R. LADD, R.R. 1 BUNKER HILL IN 46914			
JOHN T. ESTES, 2550 M ST., NW, #770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	225.00	65.00
STEPHEN E. EURE, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	2,000.00	
EUROPEAN TRAVEL COMMISSION, 630 FIFTH AVENUE NEW YORK NY 10111			
DAVE EVANS ASSOCIATES, 160 N. CAROLINA AVENUE, SE WASHINGTON DC 20003	AMERICAN EXPRESS CO		
Do	U.S. LEAGUE OF SAVING INSTITUTIONS		
JOSEPH O. EVANS, APARTMENT 21 4401 LEE HWY, ARLINGTON VA 22207			
RAE FORKER EVANS, 1201 PENNSYLVANIA AVE., NW, #210 WASHINGTON DC 20004	HALLMARK CARDS, INC		
ROBERT B. EVANS, 1101 14TH STREET, NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN	1,375.00	
ROBERT D. EVANS, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
WILLIAM J. EVANS JR., 1660 L ST., NW, #901 WASHINGTON DC 20036	PAN AMERICAN WORLD SERVICES, INC	770.00	367.54
J. BALLARD EVERETT, 1125 15TH STREET, NW, #700 WASHINGTON DC 20001	MORTGAGE BANKERS ASSN OF AMERICA	1,060.00	41.00
ELLEN E. EVES, NEW MURPHY RD. AND CONCORD PIKE WILMINGTON DE 19897	ICI AMERICAS, INC		
KY P. EWING JR., 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	VINSON & ELKINS (FOR: ARCHIE BENNETT)	35,714.82	
Do	VINSON & ELKINS (FOR: FEDERAL LAND BANK ASSNS OF TEXAS STOCKHOLDERS' DEFENSE FUND)		3,773.25
Do	VINSON & ELKINS (FOR: ALFRED C. GLASSELL JR.)		133.84
Do	VINSON & ELKINS (FOR: NORTHVILLE INDUSTRIES CORP)		19.03
Do	VINSON & ELKINS (FOR: PUBLIC SERVICE BOARD OF THE CITY OF EL PASO, TX)	51,695.25	6.46
Do	VINSON & ELKINS (FOR: TRAVELERS INSURANCE CO)	54,907.57	2,318.75
WAYNE S. EWING, ASSOCIATED PETROLEUM INDUSTRIES OF PA P.O. BOX 925 HARRISBURG PA 17108	AMERICAN PETROLEUM INST		
ROBBIE G. EXLEY, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	31.71	
PAUL K. EYER, 122 C STREET, NW, #875 WASHINGTON DC 20001	AMERICAN OSTEOPATHIC ASSN	1,350.00	25.52
F/P RESEARCH ASSOCIATES, 1700 K ST., NW, #303 WASHINGTON DC 20006	NATIONAL CABLE TELEVISION ASSN, INC	1,000.00	
MICHAEL W. FABER, REID & PRIEST 1111 19TH STREET, NW, #1100 WASHINGTON DC 20036	COMMITTEE OF CORPORATE TELECOMMUNICATIONS USERS		
ROBERT R. FAHS, 1101 15TH ST., NW, #205 WASHINGTON DC 20005	CARGILL INC	2,500.00	
DALE W. FALLAT, P.O. BOX 119 MAUMEE OH 43537	ANDERSONS		
F. S. FALLON JR., P.O. BOX 888-F-9 ASHLAND KY 41101			
GEORGE W. FALLTRICK, 815 16TH ST., NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY, AIRLINE & STEAMSHIP CLERKS		
PETER M. FANNON, 21 DUPONT CIRCLE, NW WASHINGTON DC 20036	NATIONAL ASSN OF PUBLIC TELEVISION STATIONS	600.00	150.00
THOMAS B. FARLEY II, 1220 L ST., NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST	7,900.00	110.70
FARM CREDIT COUNCIL, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036			6,068.37
DAVID M. FARMER, 1629 K STREET, NW, #1010 WASHINGTON DC 20006	ALLIANCE OF AMERICAN INSURERS	1,300.00	114.60
FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA, P.O. BOX 2251 DENVER CO 80251		247,701.25	58,814.48
JOHN W. FARQUHAR, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	300.00	
ROBERT M. FARQUHAR, P.O. BOX 130 LEVIS, QUEBEC, CANADA G6V 6N7	DAVIE SHIPBUILDING LIMITED		
DAGMAR T. FARR, 1750 K STREET, N.W. WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	450.00	
CHRISTOPHER G. FARRAND, 1120 20TH STREET, NW, #720 WASHINGTON DC 20036	PEABODY HOLDING COMPANY, INC		570.00
MICHAEL FARRAR, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC	200.00	
JOSEPH A. FARRELL, 1600 WILSON BOULEVARD, #1000 ARLINGTON VA 22209	AMERICAN WATERWAYS OPERATORS, INC		
MICHAEL P. FARRIS, 122 C STREET, NW, #800 WASHINGTON DC 20001	CONCERNED WOMEN FOR AMERICA	1,200.00	
MARCUS G. FAUST, 2121 K ST., NW, #880 WASHINGTON DC 20037	STANDARD OIL CO (OHIO)	11,250.00	
CLINTON B. FAWCETT, NINE GREENWAY PLAZA HOUSTON TX 77046	COASTAL CORPORATION		
JANE FAWCETT-HOOVER, 801 18TH ST., NW, #400 WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO	39.58	
WILLIAM D. FAY, 1130 17TH STREET, NW WASHINGTON DC 20036	NATIONAL COAL ASSN	6,125.00	949.62
FREDERICK FEDELI, 1400 K ST., NW WASHINGTON DC 20006	AMERICAN PSYCHIATRIC ASSN	1,904.00	961.95
FEDERAL EXPRESS CORP, BOX 727 MEMPHIS TN 38194			6,800.00
FEDERAL JUDGES ASSOCIATION, 1355 MARKET STREET, #155 SAN FRANCISCO CA 94103		15,670.00	8,670.27
FEDERATION EMPLOYMENT & GUIDANCE SERVICE, 114 FIFTH AVENUE NEW YORK NY 10011			
FEDERATION FOR AMERICAN AFGHAN ACTION, 236 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002		500.00	10,738.20
FEDERATION OF AMERICAN CONTROLLED SHIPPING, 50 BROADWAY NEW YORK NY 10004		1,511.92	1,511.92
FEDERATION OF AMERICAN HOSPITALS, 1111 19TH ST., NW, #402 WASHINGTON DC 20036		11,500.00	11,500.00
FEDERATION OF AMERICAN SCIENTISTS, 307 MASSACHUSETTS AVE., NE WASHINGTON DC 20002			2,722.79
DONALD M. FEHR, 805 THIRD AVE. NEW YORK NY 10022	MAJOR LEAGUE BASEBALL PLAYERS ASSN		437.57
BRUCE E. FEIN, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)	275.00	
CARL B. FELDBAUM, 1716 N STREET, NW WASHINGTON DC 20036	J. W. MARRIOTT JR	21,218.05	4,496.07
RANDOLPH B. FENNINGER, 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	25.00	
JUDITH W. FENSTERER, 242 E. 80TH STREET NEW YORK NY 10021	GENERIC PHARMACEUTICAL INDUSTRY ASSN	320.00	109.50
EDWARD T. FERGUS, 100 GOLD ST. NEW YORK NY 10292	PRUDENTIAL-BACHE SECURITIES INC	750.00	
BETSY FERGUSON, 1875 EYE ST., NW, #1110 WASHINGTON DC 20006	TIMES MIRROR COMPANY		
JOHN L. FESTA, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
FRED C. FIELDING, 1725 JEFFERSON DAVIS HWY, #900 ARLINGTON VA 22202	AM GENERAL CORPORATION	3,800.00	166.00
C. H. FIELDS, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	6,563.00	40.00
GARY W. FIELDS, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN		
MANUEL D. FIERRO, 1901 N. FORT MYER DR., #202 ROSSLYN VA 22209	FOND DU LAC RESERVATION		
Do	GREAT LAKES INDIAN FISH & WILDLIFE COMMISSION		
HERBERT A. FIERST, 610 RING BLDG. 1200 18TH ST., NW WASHINGTON DC 20036	COUNCIL OF FOREST INDUSTRIES OF B.C.	31,251.00	3,260.00
LOUIS F. FINCH, 2001 JEFFERSON DAVIS HIGHWAY, #307 ARLINGTON VA 22202	INTERNATIONAL REQUIREMENTS CORP		
THEODORA FINE, 1400 K STREET, NW WASHINGTON DC 20005	AMERICAN PSYCHIATRIC ASSN	2,640.00	1,125.36
MATTHEW P. FINK, 1600 M ST., NW WASHINGTON DC 20036	INVESTMENT COMPANY INSTITUTE		
FINLEY KUMBLE WAGNER HEINE UNDERBERG MANLEY & CASEY, 10TH FLOOR 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036.	DIRECT BROADCAST SATELLITE CORP		
Do	GENERAL DYNAMICS CORP		
Do	GOLDEN NUGGET, INC		
Do	GOVERNMENT OF ANTIGUA & BARBUDA		
Do	POPULATION CRISIS COMMITTEE	1,237.00	
Do	RCA		
Do	TRT TELECOMMUNICATIONS CORP		
Do	TURNER BROADCASTING SYSTEM, INC		
Do	UNITED SATELLITE ACTION	17,538.50	
STEPHEN A. FINN, P.O. BOX 520783 - GENERAL MAIL FACILITY MIAMI FL 33152	BURGER KING CORP		
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER, 1775 K STREET, NW WASHINGTON DC 20006	INTERNATIONAL COMMUNICATIONS ASSN		
THOMAS D. FINNIGAN, OLD RIDGEBURY ROAD SECTION D228 DANBURY CT 06817	UNION CARBIDE CORP		
M. J. FIOCCO, 1090 VERMONT AVE., NW WASHINGTON DC 20005	NATIONAL INDUSTRIAL TRANSPORTATION LEAGUE	4,625.00	48.90
LAURIE A. FIORI, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	447.56	63.15
FIRST NATIONAL BANK OF BOSTON, 100 FEDERAL ST. BOSTON MA 02110			21,912.57
RICHARD L. FISCHER, 1000 16TH ST., NW WASHINGTON DC 20036	STANDARD OIL CO (INDIANA)	1,050.00	
DONALD W. FISHER, 3814 IVANHOE LANE ALEXANDRIA VA 22310	AMERICAN GROUP PRACTICE ASSN, INC	93.00	
DWIGHT R. FISHER, 600 MARYLAND AVENUE, SW, #700 WASHINGTON DC 20024	NATIONAL FED OF INDEPENDENT BUSINESS	700.00	100.00
JANET S. FISHER, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	250.00	
WILLIAM L. FISHER, 2828 N. HASKELL AVE. DALLAS TX 75204	SOUTHLAND CORPORATION		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
WILLIAM P. FISHER, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
LAURI J. FITZ, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: GOVERNMENT OF CANADA).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF HAITI)		
MARY CLARE FITZGERALD, 1025 THOMAS JEFFERSON ST., NW, #301 WASHINGTON DC 20007	GOLEMBE ASSOCIATES, INC		
THOMAS H. FITZPATRICK, 410 ASYLUM STREET HARTFORD CT 06103	AMERICAN PETROLEUM INST	200.00	217.60
HILLIARD J. FJORD, 602 MAIN ST., #600 CINCINNATI OH 45202	OHIO RIVER CO	3,000.00	866.54
DANIEL V. FLANAGAN JR., 1730 RHODE ISLAND AVENUE, NW, #206 WASHINGTON DC 20036	VEPCO	10,000.00	3,632.84
JAMES J. FLANAGAN, 25 RESEARCH DR. WESTBOROUGH MA 01581	NEW ENGLAND POWER SERVICE CO	273.72	68.70
MICHAEL FLEMING, 1300 17TH ST., #1010 ARLINGTON VA 22209	AMERICAN ASSN OF EQUIPMENT LESSORS		
FLORIDA BUSINESS ASSOCIATES, 2000 L ST., NW, #200 WASHINGTON DC 20036	ETA SYSTEMS, INC	12,735.00	
Do	FLORIDA STATE UNIVERSITY	12,500.00	
Do	JACKSONVILLE TRANSPORTATION AUTHORITY	3,657.00	
Do	WESTINGHOUSE ELECTRIC CORP	4,563.00	
RUTH FLOWER, 245 SECOND ST., NE. WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	4,050.99	
VERONICA M. FLOYD, 2001 S. JEFF DAVIS HIGHWAY, #1107 ARLINGTON VA 22202	BRUNSWICK CORP		
RICHARD A. FLYE, MCKENNA CONNER & CUNEO 1575 EYE STREET, NW WASHINGTON DC 20005	FERTILIZER INSTITUTE	272.50	
JOHN J. FLYNN, 1125 17TH STREET, NW WASHINGTON DC 20036	INTERNATIONAL UNION OF OPERATING ENGINEERS	7,500.00	180.00
FOLEY & LARDNER, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	VGS CORPORATION		
R. D. FOLSOM, 1317 F STREET, NW, #400 WASHINGTON DC 20004	R. DUFFY WALL & ASSOCIATES, INC (FOR: FOOTWEAR RETAILERS OF AMERICA)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: FREEPORT MCMORAN, INC)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIBERTY NATIONAL)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIFE OF VIRGINIA, ET AL.)		
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIFE OF VIRGINIA)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: MORGAN GUARANTY TRUST CO)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: PHARMACEUTICAL MANUFACTURERS ASSN).	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: WINE & SPIRITS WHOLESALERS OF AMERICA).	300.00	
FOOD & ALLIED SERVICE TRADES DEPT, AFL-CIO, 815 16TH ST., NW WASHINGTON DC 20006		15,842.00	15,842.00
FOOD MARKETING INSTITUTE, 1750 K ST., NW WASHINGTON DC 20006			5,400.00
FOODSERVICE & LODGING INST, 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006			
GORDON FORBES, 303 HANOVER BLDG., 480 CEDAR ST. ST. PAUL MN 55101	MINNESOTA RAILROADS		
JAMES E. FORD, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO		
LAURENCE S. FORDHAM, FOLEY, HOAG & ELIOT ONE POST OFFICE SQUARE BOSTON MA 02109	C & S WHOLESALE GROCERS, INC		
JOHN H. FOREHAND III, 12216 FLEMING LANE BOWIE MD 20715	COMPUTERVISION		
Do	OMNI-TECH OF AMERICA, INC		
DONALD D. FOREMAN, 5001 W. 80TH ST., #880 MINNEAPOLIS MN 55437	STANDARD OIL CO (INDIANA)		
FOREST FARMERS ASSOCIATION, P.O. BOX 95385 ATLANTA GA 30347			
FOREST INDUSTRIES COMMITTEE ON TIMBER VALUATION & TAXATION, 1250 CONNECTICUT AVE., NW WASHINGTON DC 20036.			
MARK A. FORMAN, 1120 20TH ST., NW, #600-S WASHINGTON DC 20036	UNION PACIFIC CORP	625.00	124.38
MARTI FORMAN, 3471 N. FEDERAL HIGHWAY, #511 FT. LAUDERDALE FL 33306	AMERISERV, INC		
SALLIE H. FORMAN, 1825 K ST., NW WASHINGTON DC 20006	NATIONAL BROADCASTING CO, INC	562.50	
LUISE FORSETH, 3055 OLD HIGHWAY 8 P.O. BOX 1453 MINNEAPOLIS MN 55440	MEDTRONIC, INC	260.00	440.27
EBERT E. FOURNACE, 3706 EATON RD., NW CANTON OH 44708	AMERICAN ELECTRIC POWER SERVICE CORP		
ALLAN FOX, 1575 I STREET, NW, #1150 WASHINGTON DC 20005	KAYE SCHOLER FIERMAN HAYS & HANDLER (FOR: BRISTOL-MYERS CO)		
Do	AMERICAN MEAT INSTITUTE		
DONALD FRAHER, 633 E STREET, NW WASHINGTON DC 20004	AMERICAN SYMPHONY ORCHESTRA LEAGUE	8,749.98	297.50
FRANCES E. FRANCIS, SPIEGEL & MCDIARMID 1350 NEW YORK AVE., NW WASHINGTON DC 20037	NORTHERN CALIFORNIA POWER AGENCY, ET AL	390.00	
DOUGLAS L. FRANCISCO, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSN OF AMERICA		110.00
ALFRED S. FRANK JR., 700 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037			
PETER M. FRANK, 1625 K ST., NW, #906 WASHINGTON DC 20006	KERR-MCGEE CORP	2,500.00	2,308.32
DAVID C. FRANKIL, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	150.00	
WALTER L. FRANKLAND JR., 1717 K ST., NW WASHINGTON DC 20006	SILVER USERS ASSN, INC	1,458.30	132.89
THOMAS C. FRANKS, 5TH FLOOR 1220 L ST., NW WASHINGTON DC 20005	AMERICAN LAND DEVELOPMENT ASSN	1,500.00	
CHARLES W. FRANZ, 1133 19TH STREET, NW WASHINGTON DC 20036	MCI COMMUNICATIONS CORP	2,500.00	
MARIAN C. FRANZ, 2121 DECATUR PLACE, NW WASHINGTON DC 20008	NATIONAL CAMPAIGN FOR A WORLD PEACE TAX FUND	450.00	144.00
CHARLES L. FRAZIER, 475 L'ENFANT PLAZA, SW, #2250 WASHINGTON DC 20024	NATIONAL FARMERS ORGANIZATION	4,583.00	3,810.76
ROBERT M. FREDERICK, 1616 H ST., NW WASHINGTON DC 20006	NATIONAL GRANGE	5,000.00	
FREDERICK SERVICE GROUP, 102 W. CHURCH STREET FREDERICK MD 21701			
ANN TODD FREE, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	500.00	
FREE THE EAGLE NATIONAL CITIZEN'S LOBBY, 11244 WAPLES MILL RD., SUITE J FAIRFAX VA 22030		3,800.00	36,573.36
D. MICHAL FREEDMAN, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	7,622.01	
JOEL FREEDMAN, 1600 M ST., NW, 5TH FLOOR WASHINGTON DC 20036	HARTFORD FIRE INSURANCE CO	5,000.00	
JAMES O. FREEMAN, 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS	4,590.00	18.00
LEWIS R. FREEMAN JR., 605 14TH STREET, NW WASHINGTON DC 20005	SOCIETY OF THE PLASTICS INDUSTRY		
MARY ANN FREEMAN, 1331 PENNSYLVANIA AVE, NW WASHINGTON DC 20005	GENERAL ELECTRIC CO		
PAULA A. FREER, 1800 M ST., NW, #975 WASHINGTON DC 20036	MARATHON OIL CO		
RONNA FREIBERG, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN IRON & STEEL INSTITUTE).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: ASARCO INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BROWNING-FERRIS INDUSTRIES, INC).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BUDD COMPANY)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO).	67.50	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: COMMONWEALTH OF PUERTO RICO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FINANCIAL INVESTMENT ASSOCIATES, INC).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO).	67.50	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: JOINT MARITIME CONGRESS).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO).	67.50	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: NATIONAL BRAODCASTING COMPANY).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO).	67.50	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SANTA FE CORP)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SHAKLEE CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE GUARANTY CO).	67.50	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STROH BREWERY CO)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: TOBACCO INSTITUTE)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: WARNER COMMUNICATIONS).		
VERRICK O. FRENCH, FRENCH & COMPANY 1317 F STREET, NW WASHINGTON DC 20004	NATIONAL RETAIL MERCHANTS ASSN		
SARA HAMRIC FREUND, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INSTITUTE, INC		
FRIED FRANK HARRIS SHRIVER & KAMPELMAN, 600 NEW HAMPSHIRE AVE., NW, #1000 WASHINGTON DC 20037	AMERICAN INDIAN NATIONAL BANK		
Do	ASSINIBOINE TRIBE		
Do	CHEYENNE RIVER SIOUX TRIBE		
Do	DOYON, LIMITED		
Do	GENERAL ELECTRIC CO		
Do	MICCOSUKEE TRIBE OF INDIANS OF FLORIDA		
Do	NEZ PERCE TRIBE		
Do	PUEBLO OF LAGUNA		
Do	SENECA NATION OF INDIANS		
RONALD A. FRIED, 2000 L STREET, NW, #200 WASHINGTON DC 20036	ORION SATELLITE CORPORATION	7,125.00	596.69
MAX L. FRIEDERSDORF, 700 ANDERSON HILL ROAD PURCHASE NY 10577	PEPSICO, INC		
PHILIP P. FRIEDLANDER JR., 1250 EYE STREET, NW, #400 WASHINGTON DC 20005	NATIONAL TIRE DEALERS & RETREADERS ASSN	100.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JAMES M. FRIEDMAN, 1100 CITIZENS BLDG. CLEVELAND OH 44114	CLEVELAND ELECTRIC ILLUMINATING CO	13,388.50	449.75
Do	COALITION FOR ENVIRONMENTAL-ENERGY BALANCE	9,937.50	
FRIENDS COMMITTEE ON NATIONAL LEGISLATION, 245 2ND ST., NE WASHINGTON DC 20002			13,899.21
FRIENDS OF ANIMALS, INC, 400 FIRST STREET, NW, #800 WASHINGTON DC 20001		14,000.00	14,445.23
FRIENDS OF THE COLUMBIA GORGE, 519 SW THIRD, #810 PORTLAND OR 97204		68.48	1,748.16
OWEN V. FRISBY, 900 17TH ST., NW WASHINGTON DC 20006	CHASE MANHATTAN BANK, N.A.	230.00	17.97
SUSAN T. FRITSCHLER, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	1,148.90	326.30
ALLYN M. FRITTS, 1298 WOODSIDE DRIVE MCLEAN VA 22102	NEW BEDFORD SEAFOOD COUNCIL, INC	5,001.00	166.56
CHARLES H. FRITZEL, 499 S. CAPITOL ST., SE, #401 WASHINGTON DC 20003	NATIONAL ASSN OF INDEPENDENT INSURERS	300.00	210.00
JEFFREY FRITZLEN, 1120 20TH STREET, NW, #600-S WASHINGTON DC 20036	UNION PACIFIC CORP	2,000.00	
ALBERT E. FRY, 1828 L STREET, NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE	1,200.00	
DAVID A. FULTON, P.O. BOX 7305, DEPT. 77 KANSAS CITY MO 64116	FARMLAND INDUSTRIES, INC		
CLAUDIA R. FUQUAY, 1401 NEW YORK AVE., NW, #400 WASHINGTON DC 20036	NATIONAL FOOD PROCESSORS ASSN	500.00	59.30
FUTURES INDUSTRY ASSN, INC, 1825 EYE STREET, NW, #1040 WASHINGTON DC 20006			
DAVID H. FYOCK, 600 MARYLAND AVE., SW, #520 WASHINGTON DC 20024	GPU SERVICE CORPORATION	3,222.00	500.98
G-4 CHILDREN'S COALITION, 1666 K ST., NW, RM. 1100 WASHINGTON DC 20006		629.43	2,233.00
GA ASSN OF PETROLEUM RETAILERS, INC, 900 N. HAIRSTON RAOD, SUITE D STONE MOUNTAIN GA 30083			900.00
MARC P. GABOR, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO	3,000.00	590.41
TERRY GABRIELSON, 490 L'ENFANT PLAZA, SW, #3202 WASHINGTON DC 20024	TRANSCO ENERGY CO		
JAMES E. GAFFIGAN, 1899 L ST., NW, #607 WASHINGTON DC 20036	TRAVEL & TOURISM GOVERNMENT AFFAIRS POLICY COUNCIL	1,875.00	
FRANK W. GAINES JR., OLWINE CONNELLY CHASE O'DONNELL & WEYHER 1850 K STREET, NW, #890 WASHINGTON DC 20006.	PROGRESS TRADING CO		
NORMAN S. GAINES, 2550 M ST., NW, #770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	2,200.00	400.61
JOE H. GALIS, P.O. BOX 221 RAIFORD FL 32083			
KARL GALLANT, 8001 BRADDOCK ROAD SPRINGFIELD VA 22160	NATIONAL RIGHT TO WORK COMM	3,000.00	176.00
HARRY GANDERSON, P.O. BOX 871 CHARLOTTSVILLE VA 22902	INTERNATIONAL TRADE SERVICES CORP		
WILLIAM R. GANSER JR., 4804 FOLSE DR. METAIRIE LA 70002	SOUTHERN FOREST PRODUCTS ASSN	2,775.00	
NICOLE GARA, 1117 NORTH 19TH STREET, NW, #300 ARLINGTON VA 22209	AMERICAN ACADEMY OF PHYSICIAN ASSISTANTS	6,806.64	
HARRY D. GARBER, 1285 AVENUE OF THE AMERICAS NEW YORK NY 10019	EQUITABLE LIFE ASSURANCE SOCIETY OF THE U.S	1,000.00	15.00
GARDNER CARTON & DOUGLAS, 1875 I ST., NW WASHINGTON DC 20006	MIDCON CORP		
SHERWIN GARDNER, 1010 WISCONSIN AVE., NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC	100.00	
EDWARD A. GARMATZ, 2210 LAKE AVE. BALTIMORE MD 21213	BALTIMORE GAS & ELECTRIC CO		
NICHOLAS P. GARNETT, 1025 VERMONT AVE., NW, #410 WASHINGTON DC 20005	NATIONAL INSULATION CONTRACTORS ASSN		
GARRETT & COMPANY, 1630 CONNECTICUT AVENUE, NW, #202 WASHINGTON DC 20009	GOVERNMENT OF THE REPUBLIC OF HAITI	4,125.00	4,500.00
Do	TAIWAN POWER COMPANY	3,000.00	4,500.00
GRENVILLE GARSIDE, VAN NESS FELDMAN SUTCLIFFE & CURTIS, PC 1050 THOMAS JEFERSON ST., NW, 7TH FL. WASHINGTON DC 20007.	CENTRAL & SOUTH WEST CORP		
GARVEY SCHUBERT ADAMS & BARER, 1000 POTOMAC ST., NW WASHINGTON DC 20006	CONTRACTORS BONDING & INSURANCE CO	1,377.50	156.47
Do	GTE SERVICE CORP		
Do	JAPAN FISHERIES ASSOCIATION	2,502.50	
Do	NIKE, INC		
Do	NORTHWEST MARINE IRON WORKS	875.00	
Do	PACCAR, INC		
Do	PACIFIC RIM TRADE ASSN		
Do	SONATRACH	1,675.00	
Do	TOTEM; OCEAN TRAILER EXPRESS, INC	1,487.50	
Do	WASHINGTON CITIZENS FOR WORLD TRADE	390.00	
E. JUNE GARVIN, OHIO PETROLEUM COUNCIL 88 E. BROAD, #1960 COLUMBUS OH 43215	AMERICAN PETROLEUM INST	1,000.00	2,610.03
W. BRADFORD GARY, 1050 17TH STREET, NW, #1126 WASHINGTON DC 20036	BAXTER TRAVENOL LABORATORIES, INC		
MARY A. GARZA, P.O. BOX 152777, SB-7 IRVING TX 75015	ZALE CORP		
LILLIAN B. GASKIN, 1800 M ST., NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
PHILIP GASTEYER, 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS	3,250.00	
MARGARET L. GEHRES, 1828 L STREET, NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE	1,000.00	15.00
RUTHANN GEIB, 1156 15TH STREET, NW, #1020 WASHINGTON DC 20005	AMERICAN SUGARBEET GROWERS ASSN		
RONALD L. GEIGLE, 1030 15TH STREET, NW, #1100 WASHINGTON DC 20005	HEALTH INDUSTRY MANUFACTURERS ASSOCIATION		
ROBERT C. GELARDI, 5775 PEACHTREE-DUNWOODY RD., #500-D ATLANTA GA 30342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)	90.00	
MORTON A. GELLER, 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
GENERAL AVIATION MANUFACTURERS ASSOCIATION, 1400 K STREET, NW, #801 WASHINGTON DC 20005			4,982.00
GENERAL INSTRUMENT CORPORATION, 767 5TH AVE. NEW YORK NY 10153		600.00	131.82
GENERIC PHARMACEUTICAL INDUSTRY ASSN, 200 MADISON AVE., #2404 NEW YORK NY 10016		9,879.50	9,879.50
FRED J. GENTILE, 195 MONTAGUE STREET BROOKLYN NY 11201	BROOKLYN UNION GAS CO		
JOHN GENTILLE, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
NANCY WHORTON GEORGE, 499 SOUTH CAPITOL STREET, SW, #400 WASHINGTON DC 20003	CELERON		
Do	HOUSTON NATURAL GAS		
Do	TRANSCO, INC		
GEORGE W. GEPHART, P.O. BOX 1475 BALTIMORE MD 21203	BALTIMORE GAS & ELECTRIC CO		
GERARD BYLER & ASSOCIATES, INC, 1100 17TH STREET, NW WASHINGTON DC 20036	AK-CHIN INDIAN COMMUNITY		
Do	COLVILLE BUSINESS COUNCIL		
Do	COMMISSIONED OFFICERS ASSN OF THE U.S. PUBLIC HEALTH SERVICE		
Do	LEECH LAKE RESERVATION BUSINESS COMMITTEE		
Do	MINNESOTA CHIPPEWA TRIBE		
Do	PAPAGO TRIBE OF ARIZONA		
Do	TULALIP TRIBES		
Do	WHITE EARTH RESERVATION BUSINESS COMMITTEE	1,154.00	
JOSEPH G. GERARD, 918 16TH ST., NW, #402 WASHINGTON DC 20006	AMERICAN FURNITURE MANUFACTURERS ASSN	1,500.00	1,245.43
LOUIS GERBER, 1925 K ST., NW WASHINGTON DC 20006	COMMUNICATIONS WORKERS OF AMERICA	5,959.38	136.70
DANIEL R. GERKIN, 1575 I STREET, NW, #525 WASHINGTON DC 20005	MINING & RECLAMATION COUNCIL OF AMERICA	500.00	
PHYLLIS H. GERSTELL, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
ALVIN J. GESKE, 1801 K ST., NW, #1109 WASHINGTON DC 20006	NATIONAL CATTLEMEN'S ASSN		
DAVID TROY SAXTON GETTY, P.O. BOX 7000-A TEXARKANA TX 75501			
DOROTHY F. GEVINSON, 801 18TH STREET, NW, #400 WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO	68.32	
ROBERT N. GIAIMO, 499 S. CAPITOL ST., SW, #110 WASHINGTON DC 20003	AETNA LIFE & CASUALTY	9,375.00	
Do	INSURANCE ASSOCIATION OF CONNECTICUT	3,750.00	
WILLIAM C. GIBB, 1750 K STREET, NW, #1200 WASHINGTON DC 20006			
WAYNE GIBBENS, 1919 PENNSYLVANIA AVE., NW, #503 WASHINGTON DC 20006	MID-CONTINENT OIL & GAS ASSN	14,000.00	186.00
ANNE MARIE GIBBONS, THIRD FLOOR 2301 M STREET, NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	500.00	
GIBSON DUNN & CRUTCHER, 1050 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	ASSOCIATED SPECIALTY CONTRACTORS, INC		
Do	FEDERATION OF APPAREL MANUFACTURERS		
Do	INSURANCE ASSN OF CONNECTICUT		
Do	MECHANICAL CONTRACTORS ASSN OF AMERICA, INC		
THERESA GIBSON, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	1,074.31
WILLIAM G. GIERY, 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	FOODSERVICE & LODGING INST		
PAMELA GILBERT, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP	3,250.00	
RICHARD GILBERT, 1015 15TH STREET, NW WASHINGTON DC 20005	AMERICAN PUBLIC HEALTH ASSN	1,222.00	
MICHAEL GILDEA, 815 16TH ST., NW WASHINGTON DC 20006	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	14,151.80	20.05
JOHN E. GILES, 1600 EYE ST., NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA, INC	300.00	471.16
FLOYD H. GILKEY, 2111 HARBOR DRIVE ANNAPOLIS MD 21401	CHESAPEAKE INDUSTRIES, INC		
GINN & EDINGTON, INC, 121 SOUTH COLUMBUS STREET ALEXANDRIA VA 22314	GULFSTREAM AEROSPACE CORP	1,000.00	13.43
Do	HERCULES INC		
Do	LOCKHEED-GEORGIA COMPANY	5,000.00	64.50
Do	MECHANICAL TECHNOLOGY, INC	1,500.00	18.81
Do	PROFESSIONAL INSURANCE AGENTS	6,000.00	77.93
Do	TEXAS INSTRUMENTS, INC	7,000.00	91.37
Do	TURNER BROADCASTING SYSTEM, INC		
Do	U.S. CANE SUGAR REFINERS' ASSN		
GERARD GIOVANIELLO, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	403.46
MICHAEL K. GIRE, BRICKER & ECKLER 100 E. BROAD ST. COLUMBUS OH 43215	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
BRENDA M. GIRTON, 633 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20004	SEARS ROEBUCK & CO	100.00	20.50
FRANCIS J. GIST, 1511 K STREET, NW, #809 WASHINGTON DC 20005			
MICHAEL J. GIUFFRIDA, 204 E STREET, NE WASHINGTON DC 20002	NATIONAL FROZEN FOOD ASSOCIATION	1,000.00	
SOL GLASNER, 2000 L ST., NW, #810 WASHINGTON DC 20036	SPERRY CORPORATION		
CLAUDE R. GLAZE, 815 16TH ST., NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY AIRLINE & STEAMSHIP CLERKS		
GEORGE L. GLEASON, 410 1ST ST., SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	6,593.76	767.70

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JOHN P. GLEASON, 11490 COMMERCE PARK DR. RESTON VA 22041	BRICK INSTITUTE OF AMERICA		
LAW OFFICES OF THOS GLEASON, 90 BROAD STREET, #600 NEW YORK NY 10004	INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO		
ROBERT GLEASON, 815 SIXTEENTH STREET, N.W. WASHINGTON DC 20006	INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO	8,458.25	123.48
DONALD R. GLENN, 1627 K STREET, NW, #200 WASHINGTON DC 20006	ENERGY RESEARCH CORP		
GLOBAL USA, INC, GLOBAL HOUSE 1823 JEFFERSON PLACE, NW WASHINGTON DC 20036	FANUC, LTD		
Do	KOMATSU, LTD		
Do	KYOCERA CORPORATION		
Do	MAZAK CORPORATION		
JAMES W. GODLOVE, 1825 K STREET, NW, #1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM CO	900.00	9.48
RICHARD P. GODWIN, P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL CIVIL & MINERALS, INC		
JOSEPH GOFFMAN, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONGRESS WATCH	4,249.98	
GEORGE TIMOTHY GOJIO, 1730 RHODE ISLAND AVENUE, NW, #204 WASHINGTON DC 20036	JAPANESE AMERICAN CITIZENS LEAGUE	7,000.00	3,150.00
A. JAMES GOLATO, 2300 M ST., NW, #800 WASHINGTON DC 20037	H&R BLOCK, INC		
GOLD & LIEBENGOOD, INC, 1050 CONNECTICUT AVENUE, NW, #980 WASHINGTON DC 20036	COLLEGE OF AMERICAN PATHOLOGISTS	12,570.00	1,976.10
Do	ELECTRONIC DATA SYSTEMS	11,410.00	2,056.76
Do	ENERGY RESEARCH CORP #200	9,050.00	1,923.30
Do	EQUITABLE LIFE ASSURANCE SOCIETY OF THE U.S.	5,000.00	1,829.62
Do	FEDERATED INVESTORS, INC	25,000.00	1,829.62
Do	GLOBETROTTERS ENGINEERING CORP	5,185.00	1,995.29
Do	INVESTMENT COMPANY INSTITUTE	25,400.00	2,440.36
Do	MARIOTT GROUP/MARRIOTT CORP	4,005.00	1,861.62
Do	MARIST COLLEGE		1,829.62
Do	MARTIN MARIETTA CORP	23,597.50	2,153.52
Do	NATIONAL COALITION FOR PORT PROGRESS		1,973.04
Do	NATIONAL FOOTBALL LEAGUE	15,635.00	2,029.44
Do	OIL INVESTMENT INSTITUTE	12,847.50	2,207.32
Do	OUTDOOR ADVERTISING ASSN OF AMERICA	4,090.00	1,921.40
Do	PHILLIPS PETROLEUM CO		1,829.62
Do	TEXAS CATTLEFEEDERS ASSN	11,445.00	1,993.61
Do	TICOR TITLE INSURANCE CO	5,000.00	1,829.62
Do	TOBACCO INSTITUTE	69,050.00	2,806.21
HARVEY S. GOLD, 8100 OAK STREET DUNN LORING VA 22027	NATIONAL PEST CONTROL ASSN		
STEPHEN V. GOLD, 1010 WISCONSIN AVENUE, NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA	18.50	104.24
HOWARD S. GOLDBERG, 1818 N ST., NW WASHINGTON DC 20036	DGA INTERNATIONAL INC (FOR: SOCIETE NATIONALE D'ETUDE ET DE CONST DE MOTEURS D'AVIATION)		
Do	DGA INTERNATIONAL, INC (FOR: SOFREAVIA)		
PATRICIA R. GOLDMAN, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	4,783.96	209.30
BENSON S. GOLDSTEIN, 1600 M STREET, NW WASHINGTON DC 20036	INVESTMENT COMPANY INSTITUTE	151.10	12.40
HELANE L. GOLDSTEIN, 2626 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20037	NATIONAL TELEPHONE COOPERATIVE ASSN	1,862.50	401.61
JACK GOLODNER, 815 16TH ST., N.W. WASHINGTON DC 20006	DEPARTMENT FOR PROFESSIONAL EMPLOYEES, AFL-CIO	4,004.75	
RUTH M. GOLTZER, 1785 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL TRUST FOR HISTORIC PRESERVATION	5,524.75	156.42
JOHN GONELLA, 412 FIRST ST., SE, #200 WASHINGTON DC 20036	ASSOCIATION OF AMERICAN RAILROADS	1,182.29	91.50
ALFONSO J. GONZALEZ, 6105 32ND ST., NW WASHINGTON DC 20015	NATIONAL ASSN OF SOCIAL WORKERS		
RUTH GONZE, THIRD FLOOR 2301 M STREET, NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	500.00	
LEE M. GOODWIN, WICKWIRE GAVIN & GIBBS, P.C. 1819 L STREET, NW, #700 WASHINGTON DC 20036	NATIONAL HYDROPOWER ASSN, ET AL		
GOODWIN PROCTER & HOAR, 28 STATE STREET BOSTON MA 02109	POLAROID CORPORATION	4,452.70	4.29
ROBERT F. GOODWIN, 1850 K ST., NW, SUITE 275 WASHINGTON DC 20006	MEREDITH CORP	40.00	18.00
DOUGLAS GORDON, 1401 NEW YORK AVE., NW, #400 WASHINGTON DC 20005	NATIONAL FOOD PROCESSORS ASSN	375.00	16.17
GORDON FEINBLATT ROTHMAN HOFFBERGER & HOLLANDER, 233 EAST REDWOOD STREET BALTIMORE MD 21202	MERCHANTS TERMINAL CORP		
STEPHEN GORDON, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
IRMGARD GORDOS, FERNWOOD APT. L4 FERNWOOD-GLENDALE SPARTANBURG SC 29302	AMERICAN SECURITY COUNCIL		
MILLICENT GORHAM, 600 MARYLAND AVE., SW, #400E WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
DAVID W. GORMAN, 807 MAINE AVENUE, SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	12,688.00	217.37
JAMES D. GORMLEY, 1400 K STREET, NW, #801 WASHINGTON DC 20005	GENERAL AVIATION MANUFACTURERS ASSOCIATION	1,917.00	
BARBARA DIANE GORRA, 1819 L STREET, NW, #820 WASHINGTON DC 20036	SANTA FE INTERNATIONAL CORP		
ANN M. GOSIER, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
PETER GOSSENS, 122 C STREET, NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	6,053.00	424.00
JOHN T. GOULD JR., 1875 EYE STREET, NW, #540 WASHINGTON DC 20006	CHAMPION INTERNATIONAL CORP	200.00	600.00
HUGH J. GOWNLEY, 1225 19TH STREET, NW WASHINGTON DC 20036	DGA INTERNATIONAL INC (FOR: SNECMA)		
EDMUND GRABER, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	1,000.00	500.00
JOHN R. GRAFF, 1025 VERMONT AVE., NW, #330 WASHINGTON DC 20005	INTERNATIONAL ASSN OF AMUSEMENT PARKS AND ATTRACTIONS	45.00	31.00
DONALD E. GRAHAM, MCDERMOTT, WILL & EMERY 1850 K STREET, NW, #500 WASHINGTON DC 20006	NATIONAL COUNCIL OF FARMER COOPERATIVES		
LAWRENCE T. GRAHAM, 1401 NEW YORK AVENUE, NW, #400 WASHINGTON DC 20005	NATIONAL FOOD PROCESSORS ASSN	500.00	68.36
JOHN K. GRAM, 319 SW WASHINGTON STREET, #714 PORTLAND OR 97204	PUBLIC TIMBER PURCHASERS GROUP	1,781.25	425.70
FRANCES TURK GRANAHAN, 1090 VERMONT AVENUE, NW, #600 WASHINGTON DC 20005	TEXAS EASTERN TRANSMISSION CORP		190.22
WILLIAM W. GRANT, 1150 CONNECTICUT AVE., NW, #710 WASHINGTON DC 20036	UTAH INTL, INC		540.25
JAMES L. GRANUM, 1050 CONNECTICUT AVE., NW WASHINGTON DC 20036	NORFOLK SOUTHERN CORPORATION	1,000.00	
KARLA L. GRAUE, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	784.62	
RUTH P. GRAVES, 600 MARYLAND AVE., SW, #500 WASHINGTON DC 20024	READING IS FUNDAMENTAL, INC		
THOMAS P. GRAVES, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	125.00	
JAMES A. GRAY, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	855.00	25.00
NEIL A. GRAY, 6811 KENILWORTH AVE. RIVERDALE MD 20737	NATIONAL ASPHALT PAVEMENT ASSN	6,623.64	134.26
ROBERT K. GRAY, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN IRON & STEEL INSTITUTE)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN MARITIME ASSN)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN TRUCKING ASSNS, INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: ASARCO INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BROWNING-FERRIS INDUSTRIES, INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BUDD COMPANY)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CANADIAN ASBESTOS INFORMATION CENTRE)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: COMMONWEALTH OF PUERTO RICO)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: ELECTRONIC INDUSTRIES ASSN OF JAPAN)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: GRUMMAN CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: HEALTH INSURANCE ASSN OF AMERICA)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: HRH PRINCE TALAL BIN ABDUL AZIZ AL SAUD)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: HTB CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: JOINT MARITIME CONGRESS)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LIFE CARE SERVICES CORP)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MARTIN BAKER AIRCRAFT COMPANY LTD)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MOTOROLA, INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: NATIONAL BROADCASTING CO, INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: QUIXOTE CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SHAKLEE CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STROH BREWERY CO)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: TOBACCO INSTITUTE)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: U.S. BANKNOTE)		
MARK E. GRAYSON, 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	HILL & KNOWLTON, INC		
SAMUEL A. GRAYSON, P.O. BOX 1745 BOISE ID 83701	UNION PACIFIC RAILROAD		
MARY R. GREALY, 1111 19TH STREET, NW, #402 WASHINGTON DC 20036	FEDERATION OF AMERICAN HOSPITALS	1,500.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
GREATER WASHINGTON BOARD OF TRADE, 1129 20TH ST., NW WASHINGTON DC 20036			
GREATER WASHINGTON/MARYLAND SERVICE STATION ASSN, 9200 EDMONSTON ROAD, #304 GREENBELT MD 20770			
DONALD R. GREELEY, 1101 17TH ST., NW, #307 WASHINGTON DC 20036	CELANESE CORP	3,000.00	3,000.00
EDWARD M. GREEN, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	2,000.00	226.08
GEORGE R. GREEN, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE		
JOHN K. GREEN, 800 AMERICAN CHARTER CENTER 1623 FARNAM ST. OMAHA NB 68102	PAPILLION-LAVISTA NEBRASK SCHOOL DISTRICT	450.00	
KAYLENE H. GREEN, 555 NEW JERSEY AVE., NW, #880 WASHINGTON DC 20001	CONGOLEUM CORPORATION	18.82	2,307.12
LAURA MARIE GREEN, 8001 BRADDOCK ROAD SPRINGFIELD VA 22160	NATIONAL RIGHT TO WORK COMMITTEE	300.00	130.70
LEON GREEN JR, 1819 L ST., NW, #700 WASHINGTON DC 20036	CLEAN COAL COALITION, INC	800.00	947.00
RANDY GREEN, 600 MARYLAND AVENUE, SW, #510 WASHINGTON DC 20024	AMERICAN SOYBEAN ASSN		
ELDON V. C. GREENBERG, GALLOWAY & GREENBERG 1835 K ST., NW, #801 WASHINGTON DC 20006	SOUTHEASTERN FISHERIES ASSN, INC		1,003.50
ELLEN F. GREENBERG, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN	6,000.00	2,663.49
PHYLLIS GREENBERGER, 1400 K STREET, NW WASHINGTON DC 20005	AMERICAN PSYCHIATRIC ASSN	2,325.00	155.26
H. THOMAS GREENE, 412 1ST ST., SE WASHINGTON DC 20003	NATIONAL AUTOMOBILE DEALERS ASSN	1,904.00	1,226.55
LOUISE S. GREENFIELD, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONGRESS WATCH	7,500.00	
MARCI E. GREENSTEIN, 2626 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20037	NATIONAL TELEPHONE COOPERATIVE ASSN		
DALE W. GREENWOOD, 612 HOGE BLDG. SEATTLE WA 98104	WASHINGTON RAILROAD ASSN	2,330.00	191.80
SARAH MASSENGALE GREGG, 1090 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN HOSPITAL SUPPLY CORP		
SAUNDERS GREGG, PO BOX 2628 HOUSTON TX 77252	ENTEX, INC		
CHELLIS O. GREGORY, 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	HILL AND KNOWLTON, INC (FOR: T. RAMIREZ AND COMPANY, INC)		
JOHN D. GREGORY, AUSTIN & LEWIS 1529 LAUREL STREET, P.O. BOX 11208 COLUMBIA SC 29211	MULTIFAMILY HOUSING ASSOCIATION		
RANDALL GRIFFIN, 1515 WILSON BOULEVARD ARLINGTON VA 22209	AMERICAN GAS ASSN		
TOM W. GRIFFITH, 1448 DUKE ST., #100 ALEXANDRIA VA 22314	NATIONAL RURAL LETTER CARRIERS' ASSN	3,000.00	601.03
MARK N. GRIFFITHS, 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	14,209.00	
JACK GRIMES, 8100 OAK STREET DUNN LORING VA 22027	NATIONAL PEST CONTROL ASSN	150.00	
NORMAN E. GRIMM JR., 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
MARYBETH GRISWOLD, 1828 L STREET, NW, #500 WASHINGTON DC 20036	GTE SPRINT COMMUNICATIONS CORP		
OLGA GRKAVAC, 1300 NORTH 17TH ST., #300 ARLINGTON VA 22209	ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS	3,100.00	246.00
GROCERY MANUFACTURERS OF AMERICA, INC, 1010 WISCONSIN AVE., NW, #800 WASHINGTON DC 20007			
GROOM & NORDBERG, 1775 PENNSYLVANIA AVENUE, NW, #700 WASHINGTON DC 20006			10,607.61
Do	AD HOC GROUP ON LIFE INSURANCE CO TAXATION OF PENSION FUNDS		
Do	AETNA LIFE & CASUALTY		
Do	ALUMINUM CO OF AMERICA		
Do	BANKERS LIFE COMPANY		
Do	BAXTER TRAVENOL LABORATORIES, INC		
Do	COLORADO-UTE	100.00	6.00
Do	CONNECTICUT GENERAL INSURANCE CO		
Do	DOW CHEMICAL CO		
Do	ELI LILLY AND COMPANY	100.00	6.00
Do	EQUITABLE LIFE ASSURANCE SOCIETY OF THE U.S		
Do	GLOBAL MARINE, INC		
Do	GOLDMAN SACHS & CO		
Do	GUARDIAN LIFE INSURANCE CO OF AMERICA		
Do	GULF OIL CORP		
Do	JOHN HANCOCK MUTUAL LIFE INSURANCE CO		
Do	MINNESOTA MUTUAL LIFE INSURANCE COMPANY		
Do	NEW YORK CITY TEACHERS RETIREMENT SYSTEM		
Do	NEW YORK LIFE INSURANCE COMPANY		
Do	OCEAN DRILLING & EXPLORATION CO		
Do	PHILLIPS PETROLEUM COMPANY	200.00	8.00
Do	PHOENIX MUTUAL LIFE INSURANCE COMPANY		
Do	PROVIDENT MUTUAL LIFE INSURANCE CO OF PHILADELPHIA		
Do	PRUDENTIAL INSURANCE COMPANY OF AMERICA	500.00	8.00
Do	PUERTO RICO, U.S.A. FOUNDATION	1,000.00	3,528.00
Do	READING & BATES CORPORATION		
Do	SOUTHERN CALIFORNIA EDISON COMPANY	200.00	8.00
Do	TRAVELERS		
Do	UNION TEXAS PETROLEUM		
Do	WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST FUND		
Do	WESTINGHOUSE ELECTRIC CORP		
NINA G. GROSS, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,500.00	153.75
STANLEY C. GROSS, 249 MAITLAND AVENUE ALTAMONE SPRINGS FL 32701	INSTITUTE OF INTERNAL AUDITORS, INC		
ED GROSSWILER, 920 SW SIXTH AVENUE 1400 PUBLIC SERVICE BUILDING PORTLAND OR 97204	PACIFIC POWER & LIGHT CO	1,619.00	
WALTER B. GRUBBS, P.O. BOX 841 ABILENE TX 79604	WEST TEXAS UTILITIES CO	938.42	1,409.00
JOHN T. GRUPENHOFF, 10,000 FALLS RD., #306 POTOMAC MD 20854	AMERICAN ACADEMY OF DERMATOLOGY	5,600.00	404.20
Do	AMERICAN ACADEMY OF OTOLARYNGOLOGY-HEAD & NECK SURGERY	400.00	157.40
Do	AMERICAN GASTROENTEROLOGICAL ASSN	2,820.00	146.10
Do	AMERICAN SOC FOR GASTROINTESTINAL ENDOSCOPY	2,820.00	174.00
Do	AMERICAN SOC OF CLINICAL ONCOLOGY	600.00	828.92
Do	AMERICAN UROLOGICAL ASSN/AMER ASSN OF CLINICAL UROLOGISTS	860.00	124.90
Do	ASSOCIATION OF AMERICAN CANCER INSTITUTES	780.00	712.11
Do	COOLEY'S ANEMIA FOUNDATION	200.00	133.00
Do	NATIONAL HEMOPHILIA FOUNDATION	300.00	127.60
CLARK J. GUILD JR., GUILD, HAGEN & CLARK, LTD. 102 ROFF WAY RENO NV 89505	MOTION PICTURE ASSN OF AMERICA, INC		
JAMES E. GUIRARD JR., 1730 RHODE ISLAND AVENUE, NW, #419 WASHINGTON DC 20036	BASF WYANDOTTE CORP		
Do	BELL AEROSPACE TEXTRON		
Do	KMS FUSION, INC	1,050.00	21.33
Do	TANO CORPORATION		
JEROME R. GULAN, 1604 K ST., NW WASHINGTON DC 20006	NATIONAL SMALL BUSINESS ASSN	4,500.00	
Do	SMALL BUSINESS LEGISLATIVE COUNCIL	2,500.00	
GUN OWNERS OF AMERICA, INC, 5881 LEESBURG PIKE, #204 FALLS CHURCH VA 22041		409,287.60	423,409.46
JOHN E. GUNTHER, 1725 K STREET, NW, #1405 WASHINGTON DC 20006	MORTGAGE INSURANCE COS OF AMERICA		
DAVID GUSKY, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	10,990.62	
SUSAN L. GUSTAFSON, 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
RAYMOND J. GUSTINI, LEFF & MASON 1700 PENNSYLVANIA AVENUE, NW, #450 WASHINGTON DC 20006	GREAT WESTERN FINANCIAL CORP	4,080.00	
Do	HERON CORP, LTD	1,744.00	6.00
Do	U.S. LEAGUE OF SAVINGS INSTITUTIONS	96.00	
ROBERT F. GUTHRIE, 815 16TH ST., NW, #608 WASHINGTON DC 20006	DEPARTMENT FOR PROFESSIONAL EMPLOYEES, AFL-CIO	6,534.66	
RICHARD E. GUTTING JR., 2000 M ST., NW, #580 WASHINGTON DC 20036	NATIONAL FISHERIES INST	6,000.00	656.00
ALVIN M. GUTTMAN, 818 CONNECTICUT AVE., NW, #300 WASHINGTON DC 20006	TOWING & RECOVERY ASSN OF AMERICA, INC	2,000.00	
DALLAS E. GWYNN, BALCOR PLAZA 4849 GOLF ROAD SKOKIE IL 60077	BALCOR/AMERICAN EXPRESS, INC	20,200.00	4,918.40
H&W DRILLING, INC, 422 NORTH CLIFFWOOD AVENUE LOS ANGELES CA 90049			
DANA W. HAAS, 1920 N ST., NW, #720 WASHINGTON DC 20036	KANSAS CITY POWER & LIGHT CO, ET AL	2,812.50	5,047.75
JAMES M. HACKING, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS		
CRAIG HACKLER, 412 FIRST ST., SE, #214 WASHINGTON DC 20003	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA		
Do	INTERNATIONAL CHIROPRACTIC ASSN		
LOYD HACKLER, 1616 H ST., NW WASHINGTON DC 20006	AMERICAN RETAIL FEDERATION	2,000.00	55.50
CHARLES W. HACKNEY JR., 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S		
WILLIAM F. HADDAD, 924 WEST END AVE., #91 NEW YORK NY 10025	GENERIC PHARMACEUTICAL INDUSTRY ASSN	3,000.00	880.00
THOMAS M. HAGAN, 1005 CONGRESS AVE., #795 AUSTIN TX 78701	CENTRAL AND SOUTH WEST SERVICES, INC	1,592.00	3,460.38
HAGEDORN-CANDO, INC, 1704 23RD ST., SO. ARLINGTON VA 22202	DAVY MCKEE CORP		
Do	HASEN ENGINE CO		
ANN HAGEMANN, 1735 DESALES ST., NW, #400 WASHINGTON DC 20036	ASSOCIATION OF MAXIMUM SERVICE TELECASTERS, INC		
PETER H. HAHN, 1100 17TH ST., NW, #1000 WASHINGTON DC 20036	CHROMALLOY AMERICAN CORP		
THOMAS F. HAIRSTON, 1050 CONNECTICUT AVE., NW, #760 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA	6,000.00	1,404.93
HALE AND DORR, 1201 PENNSYLVANIA AVE., NW, #807 WASHINGTON DC 20004	INDIAN LAND CLAIM COMMITTEE		
Do	NORTHEASTERN UNIVERSITY	15,000.00	15,633.87
Do	TOWN OF MASHPEE		
Do	PHIL VILLERS		
HALE FOUNDATION, 422 FIRST STREET, SE, #208 WASHINGTON DC 20003		20,020.00	11,913.39
RANDOLPH M. HALE, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
BEVERLY HALEM, P.O. BOX 1419 COCOA FL 32922	HALEM INDUSTRIES, INC		
CHERYL A. HALEY, 444 NORTH CAPITOL ST., NW, #500 WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	1,968.95	134.68
MARTIN HALEY COMPANIES, 1015 15TH ST., NW WASHINGTON DC 20005	M&M/MARS		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
REBECCA L. HALKIAS, 1850 K STREET, NW, #1100 WASHINGTON DC 20006	BALLARD SPAHR ANDREWS & INGERSOLL		
JOHN F. HALL, 1619 MASSACHUSETTS AVE., N.W. WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	800.00	
RICHARD F. HALL, 1050 CONNECTICUT AVENUE, NW, #760 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA	2,000.00	839.34
WILLIAM F. HALL, P.O. BOX 7658 CHICAGO IL 60680	PUBLIC AFFAIRS RESEARCH ASSOCIATES, INC		
MARIAN HALL-CRAWFORD, 316 PENNSYLVANIA AVENUE, SE, #301 WASHINGTON DC 20003	SAN DIEGO GAS & ELECTRIC	1,186.00	2,448.44
PAUL HALLISAY, 1625 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AIR LINE PILOTS ASSN, INT'L	3,551.60	301.85
JOSEPH HALOW, 1800 M ST., NW, #610-N WASHINGTON DC 20036	NORTH AMERICAN EXPORT GRAIN ASSN, INC		
MAURICE E. HALSEY, P.O. BOX 190 AURORA IL 60507	NORTHERN ILLINOIS GAS COMPANY	2,000.00	
J. PHILLIP HALSTEAD, 1221 BROADWAY OAKLAND, CA 94612	CLOROX COMPANY		
PAUL T. HALUZA, 1120 19TH ST., NW, #333 WASHINGTON DC 20036	MOTOR AND EQUIPMENT MANUFACTURERS ASSOCIATION	3,000.00	560.64
RHONDA LEE HALVERSON, 1730 K ST., NW, #703 WASHINGTON DC 20006	AMERICAN BUSINESS CONFERENCE, INC	64.62	25.00
HAMEL & PARK, 888 16TH STREET, NW WASHINGTON DC 20006	BENEFICIAL FOUNDATION		
Do	ESTATE OF HELEN WODELL HALBACH		
Do	GRAEPER-VAN NOY-WAGNER, INC		
Do	GRAND TRUNK CORP	261.02	802.91
Do	SKYLINK CORPORATION, INC		
Do	TANDY CORPORATION		
JAMES L. HAMILTON III, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	U.S. STEEL CORPORATION	600.00	177.21
J. LEE HAMILTON, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	212.60	
PHILIP W. HAMILTON, 1825 K ST., NW WASHINGTON DC 20006	AMERICAN SOC OF MECHANICAL ENGINEERS		
STANLEY HAMILTON, 2200 MILL RD. ALEXANDRIA VA 22314	INTERSTATE CARRIERS CONFERENCE	500.00	50.00
SUSAN WOODWARD HAMLIN, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
AMY R. HAMMER, 1899 L ST., NW, #1100 WASHINGTON DC 20036	EXXON CORPORATION	750.00	256.67
ROBERT E. HAMPTON, NEW MURPHY ROAD & CONCORD PIKE WILMINGTON DE 19897	ICI AMERICAS, INC		
TIMOTHY A. HANAN, 1100 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	MOBIL CORPORATION	1,500.00	
NOLAN W. HANCOCK, 1126 16TH ST., NW WASHINGTON DC 20036	OIL CHEMICAL & ATOMIC WORKERS INTERNATIONAL UNION	5,549.00	
TED HANDEL, THIRD FLOOR 2301 M STREET, NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	4,000.00	
DONALD K. HANES, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	181.79	
GEORGE J. HANKS JR., 1100 15TH ST., NW, L2TH FL. WASHINGTON DC 20005	UNION CARBIDE CORP		
JAMES M. HANLEY, JAMES M. HANLEY AND ASSOCIATES 1301 PENNSYLVANIA AVENUE, NW, #1150 WASHINGTON DC 20004.	ALLIANCE OF THIRD-CLASS NON-PROFIT MAILERS	4,167.00	350.00
ELIZABETH HANLIN, 2000 L ST., NW, #810 WASHINGTON DC 20036	SPERRY CORPORATION		
HANNAFORD CO, INC, 655 15TH ST., NW, #200 WASHINGTON DC 20005	BHC, INC		
Do	COMMITTEE FOR FAIR INSURANCE RATES		
Do	FIREMAN'S FUND INSURANCE COS		
HANSELL & POST, 1667 K ST., NW, #500 WASHINGTON DC 20006	AMEV HOLDINGS, INC		
Do	ROCKWELL INTERNATIONAL CORP	700.00	11.40
J. E. HANSEN, 400 1ST ST., NW WASHINGTON DC 20001	BROTHERHOOD OF RAILROAD SIGNALMEN	350.00	
PETER J. HAPWORTH, 1015 15TH STREET, NW, #200 WASHINGTON DC 20005	NATIONAL PORK PRODUCERS COUNCIL	2,000.00	9.00
ROBERT N. HARBOR, 1050 CONNECTICUT AVENUE, NW, #200 WASHINGTON DC 20036	EL PASO NATURAL GAS CO		
CHARLES G. HARDIN, 815 CONNECTICUT AVE., NW, #800 WASHINGTON DC 20006	MERCEDES-BENZ OF NORTH AMERICA, INC		
RALPH HARDING, SUITE 717 WATERGATE 2600 VIRGINIA AVENUE, NW WASHINGTON DC 20037	PHILIPPINE SUGAR COMMISSION	60,000.00	55,441.00
WILLIAM E. HARDMAN, 9300 LIVINGSTON ROAD FT. WASHINGTON MD 20744	NATIONAL TOOLING & MACHINING ASSN	34,077.00	64.75
EUGENE J. HARDY, 1100 17TH ST., NW, #1000 WASHINGTON DC 20036	GERBER PRODUCTS COMPANY	500.00	15.50
JON HARKAVY, 205 EAST 42ND STREET NEW YORK NY 10017	RISK & INSURANCE MANAGEMENT SOCIETY, INC		
CHARLES N. HARKEY, 453 NEW JERSEY AVENUE, SE WASHINGTON DC 20003	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA	1,350.00	
WILLIAM G. HARLEY, 1235 JEFFERSON DAVIS HIGHWAY, #606 ARLINGTON VA 22202	NATIONAL UTILITY CONTRACTORS ASSN		
DAN R. HARLOW, 717 N. HARWOOD STREET DALLAS TX 75201	DIAMOND SHAMROCK CORPORATION	1,000.00	
LEON HARPER, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	250.00	
WILEY C. HARRELL JR., 1211 CONNECTICUT AVE., NW, #502 WASHINGTON DC 20036	ANHEUSER-BUSCH COMPANIES, INC		
TONI HARRINGTON, 955 L'ENFANT PLAZA NORTH, SW, #905 WASHINGTON DC 20024	AMERICAN HONDA MOTOR CO, INC	200.00	153.63
HARRIS & BERG, 1100 15TH STREET, NW, #1100 WASHINGTON DC 20005	ALMET, INC		
Do	ASSOCIATION OF FOOD INDUSTRIES, INC	500.00	13.64
Do	COMMITTEE OF DOMESTIC STEEL WIRE ROPE & SPECIALTY CABLE MFRS	1,500.00	75.00
Do	P. L. THOMAS & COMPANY, INC, ET AL		
MARILYN A. HARRIS, 818 CONNECTICUT AVENUE, NW WASHINGTON DC 20006	U.S. STEEL CORPORATION	800.00	20.00
ROBERT L. HARRIS, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	ALUMINUM ASSN		50.00
JIM HARRISON, 1346 CONNECTICUT AVE., NW, #228 WASHINGTON DC 20036	ASSOCIATION OF URBAN UNIVERSITIES	5,625.00	
J. WILLIAM W. HARSCH, 1600 M ST., NW, #701 WASHINGTON DC 20036	SIGNAL COMPANIES		
Do	SOLV-EX CORPORATION	25,535.00	2,520.91
WILLIAM H. HARSHA, 1102 DELF DRIVE MCLEAN VA 22101	WM. H. HARSHA & ASSOC, INC (FOR: NORFOLK SOUTHERN CORP)		74.80
LYNN S. HART, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN		394.57
HARTFORD FIRE INSURANCE CO, HARTFORD PLAZA HARTFORD CT 06115			6,415.00
GABRIEL A. HARTL, 2020 N. 14TH STREET, #410 ARLINGTON VA 22201	AIR TRAFFIC CONTROL ASSN		
HOGAN & HARTSON, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	NATIONAL HOSPICE ORGANIZATION	5,000.00	14.50
EDWIN HAROLD HARVEY, 2020 K STREET, NW, #200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES		
JAY HARVEY, 815 16TH STREET, NW, #408 WASHINGTON DC 20006	FOOD & ALLIED SERVICE TRADES DEPT, AFL-CIO	1,615.00	32.00
LINDA CAROL HASLETT, 55 PUBLIC SQUARE, #624 P.O. BOX 5000 CLEVELAND OH 44113	CLEVELAND ELECTRIC ILLUMINATING CO		
HOLLY HASSETT, 2000 L STREET, NW, #200 WASHINGTON DC 20036	HERSHEY FOODS CORP		
LEWIS B. HASTINGS, 1776 K ST., NW, #200 WASHINGTON DC 20006	MOTOROLA, INC	3,000.00	
JANET HATHAWAY, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONGRESS WATCH	5,499.96	
GARY R. HATTAL, 818 ROEDER RD., #702 SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS		
HOWARD M. HAUG, 100 EAST 42ND ST. NEW YORK NY 10017	NATIONAL FOREIGN TRADE COUNCIL, INC		
BARBARA S. HAUGEN, 311 FIRST STREET, NW, #700 WASHINGTON DC 20003	NATIONAL ASSN OF INSURANCE BROKERS		
MARILYN BETH HAUGEN, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
BARBARA J. HAUGH, 1050 CONNECTICUT AVENUE, NW, #760 WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA		1,342.54
MARY W. HAUGHT, 1800 K ST., NW, #820 WASHINGTON DC 20006	SUN CO, INC	700.00	29.40
CHARLES W. HAVENS III, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	LEBOEUF LAMB LEIBY & MACRAE		
KATHRYN JOANN HAWES, 818 ROEDER RD., #702 SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS		
SIDNEY G. HAWKES, 1667 K ST., NW, #420 WASHINGTON DC 20006	MEAD CORPORATION		
JOHN H. HAWKINS JR., 600 N. 18TH ST. BIRMINGHAM AL 35291	ALABAMA POWER CO	15,114.00	
WESLEY F. HAYDEN, 5224 CHEROKEE AVE. ALEXANDRIA VA 22312	INTERNATIONAL ASSN OF FISH & WILDLIFE AGENCIES	8,513.30	135.55
ROBERT A. HAYNOS, 4711 HUNT CIRCLE HARRISBURG PA 17112	HARSCO CORPORATION	15,249.99	999.87
HOLLY ELISABETH HAZARD, 400 FIRST STREET, NW, #800 WASHINGTON DC 20001	COMMITTEE FOR HUMANE LEGISLATION		
Do	FRIENDS OF ANIMALS, INC	5,250.00	
HEALTH INSURANCE ASSN OF AMERICA, INC, 1750 K ST., NW WASHINGTON DC 20006		196.75	196.75
ROBERT L. HEALY, 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	250.00	
CHARLES L. HEBNER, NEW MURPHY ROAD & CONCORD PIKE WILMINGTON DE 19897	ICI AMERICAS, INC		
JAY HEDLUND, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	9,921.30	1,546.50
EDWARD D. HEFFERNAN, 1513 16TH ST., NW, 4TH FL. WASHINGTON DC 20036	CAMP CARMOUCHE BARSH HUNTER GRAY & HOFFMAN, P.C.	12,000.00	
Do	CSX CORPORATION		
Do	DUCTILE IRON PIPE RESEARCH ASSN		
Do	NATIONAL ASSN OF CRIMINAL DEFENSE LAWYERS	5,000.00	
Do	TRANSAMERICA INTERWAY, INC, ET AL		
JOAN A. HEFFERNAN, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN	2,018.00	57.40
JOHN HEFFNER, 1957 E STREET, N.W. WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ELIZABETH W. HEILIG, 1660 L STREET, NW, #215 WASHINGTON DC 20036	CROWN ZELLERBACH CORPORATION		
JOHN F. HEILMAN, 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	17,331.60	256.91
ROBERT M. HEINE, 1701 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	CONOCO, INC	1,000.00	
HELICOPTER ASSOCIATION INTERNATIONAL, 1110 VERMONT AVE., NW, #430 WASHINGTON DC 20005			
THOMAS M. HELLMAN, 1150 CONNECTICUT AVENUE, NW, #700 WASHINGTON DC 20036	ALLIED CORPORATION		
RICHARD L. HELLWEGE, 1911 JEFFERSON DAVIS HIGHWAY, #1002 ARLINGTON VA 22202	LEAR SIEGLER, INC		
THOMAS M. HELSCHER, 1101 17TH STREET, NW, #604 WASHINGTON DC 20036	MONSANTO CO	450.00	454.45
CAROL C. HENDERSON, 110 MARYLAND AVE., NE, #101, BOX 54 WASHINGTON DC 20002	AMERICAN LIBRARY ASSN	903.00	
DONALD E. HENDERSON, 130 E. WASHINGTON STREET P.O. BOX 1290 INDIANAPOLIS IN 46204	INDIANA FARM BUREAU, INC	10,000.00	2,091.46
KATHLEEN M. HENDERSON, 1025 VERMONT AVENUE, NW, #500 WASHINGTON DC 20005	MILES LABORATORIES, INC		
DENNIS A. HENIGAN, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	FOLEY LARDNER HOLLABAUGH & JACOBS (FOR: VGS CORPORATION)		
C. DAYLE HENINGTON, 1101 CONNECTICUT AVE., NW, #801 WASHINGTON DC 20036	CHICAGO MERCANTILE EXCHANGE		
EDMUND P. HENNELLY, 150 E. 42ND ST. NEW YORK NY 10017	MOBIL OIL CORP	1,500.00	
GEORGE F. HENNRIKUS JR., 201 N. WASHINGTON ST. ALEXANDRIA VA 22314	RETIRED OFFICERS ASSN	5,740.00	
LEANN HENSCHE, 2550 M ST., NW, #770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	263.74	79.83
BRUCE HEPPEN, 2020 K ST., NW, # 200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES		
GEORGE B. HERBERT SR., 6601 SOUTHPOINT DRIVE, #245 JACKSONVILLE FL 32216	J M FAMILY ENTERPRISES, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
STEPHEN HERM, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
WILLIAM HERMELIN, 1200 15TH STREET, NW WASHINGTON DC 20005	AMERICAN HEALTH CARE ASSN	4,375.00	435.25
HERON BURCHETTE RUCKERT & ROTHWELL, 1025 THOMAS JEFFERSON ST., NW, #700 WASHINGTON DC 20007	AGRI-ENERGY, INC		
Do	AMERICAN GRAPE GROWERS ALLIANCE FOR FAIR TRADE		
Do	ASSOCIATION OF FLORAL IMPORTERS OF FLORIDA		
Do	BAY AREA RAPID TRANSIT DISTRICT	32,000.00	
Do	CALIFORNIA ALMOND GROWERS EXCHANGE	38,155.00	
Do	CASTLE AND COOKE	4,975.00	
Do	CHICAGO MERCANTILE EXCHANGE	31,977.50	
Do	CONFEDERATED SALISH & KOOTENAI TRIBES OF THE FLATHEAD RESERV		
Do	FARM LABOR ALLIANCE	26,136.95	
Do	INDEPENDENT CEMENT CORP		
Do	NATIONAL ASSN OF GROWERS & PRODUCERS FOR FREE TRADE	7,500.00	
Do	NATIONAL ASSN OF INSURANCE COMMISSIONERS	21,861.24	
Do	NATIONAL CABLE TELEVISION ASSN		
Do	NATIONAL POTATO COUNCIL	7,500.00	
Do	SOLID-TEK SYSTEMS, INC	9,810.04	
Do	SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT		
Do	SUN-DIAMOND GROWERS OF CALIFORNIA		
Do	SUNKIST GROWERS, INC	78,937.00	
Do	WESTERN COTTON GROWERS ASSN		
CATHERINE L. HERON, 1600 M ST., NW WASHINGTON DC 20036	INVESTMENT COMPANY INSTITUTE		
HERRICK & SMITH, 1800 MASSACHUSETTS AVENUE, NW, #510 WASHINGTON DC 20036	HARD MINERALS CONSORTIUM		
Do	SMITH COLLEGE		
BARRY ALEXANDER HERRING, 66 VALECREST AVENUE HAMILTON, ONTARIO CANADA L7L 5N5	LAUREL STEEL PRODUCTS LIMITED		
CAROL M. HERRINGTON, 1235 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	EMERSON ELECTRIC CO		795.12
WILLIAM G. HERROLD, 1111 19TH ST., NW, #608 WASHINGTON DC 20036	INSTITUTE OF ELECTRICAL & ELECTRONICS ENGINEERS		
FRED HERVEY, P.O. BOX 29021 2645 E. WASHINGTON PHOENIX AZ 85038	REDUCE OUR DEBT FOUNDATION		239.00
HEUBLEIN, INC, MUNSON ROAD FARMINGTON CT 06032			20,482.43
TED ALLEN HEYDINGER, 311 FIRST STREET, NW, #500 WASHINGTON DC 20001	COMPUTER & BUSINESS EQUIPMENT MANUFACTURERS ASSN	1,750.00	146.00
G. BROCKWEL HEYLIN, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
PAUL T. HICKS, RHODE ISLAND PETROLEUM ASSN 154 FRANCIS ST. PROVIDENCE RI 02903	AMERICAN PETROLEUM INST		
EDWARD HIDALGO, 1828 L ST., NW, #1111 WASHINGTON DC 20036	NORFOLK SOUTHERN CORP		41.85
J. THOMAS HIGGINBOTHAM, ONE MELLON BANK CENTER, #2002 PITTSBURGH PA 15258	MELLON BANK N.A. AND MELLON NATIONAL CORP	2,000.00	1,745.47
CAROL A. HIGGINS, 1101 14TH STREET, NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN	9,000.00	83.61
SHARON L. HILDEBRANDT, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN		
WILLIAM F. HILDENBRAND, GOLD & LIEBENGOOD, INC 1050 CONNECTICUT AVENUE, NW, #980 WASHINGTON DC 20036	CHEMICAL MANUFACTURERS ASSN		1,829.62
CLIFTON T. HILDERLEY JR., 1025 CONNECTICUT AVE., NW, #507 WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
J. ELDRED HILL JR., 600 MARYLAND AVE., SW, #603 WASHINGTON DC 20024	UBA, INC	2,000.00	
MORTON A. HILL, 475 RIVERSIDE DRIVE, #239 NEW YORK NY 10115	MORALITY IN MEDIA, INC		
PATRICIA HILL, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AMERICAN PAPER INSTITUTE, INC		
ROBERT B. HILL, 2501 M STREET, N.W. WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSN, INC	300.00	
EDWARD JOSEPH HILLINGS, 1700 N. MOORE STREET, #919 ARLINGTON VA 22209	HOUSTON NATURAL GAS CORP		
JOHN L. HILLS, RT. 1, BOX 645 PURCELLVILLE VA 22132	SUNDSTRAND CORPORATION	375.63	
JOHN M. HIMMELBERG, SCOTT HARRISON & MCLEOD 2501 M STREET, NW, #400 WASHINGTON DC 20037	FLORIDA FRUIT & VEGETABLE ASSN	3,000.00	
Do	FLORIDA TOMATO EXCHANGE	1,500.00	
RICK HIND, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP	4,000.00	
STEPHEN HITCHNER, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	13,398.78	
J. D. HITTLE, 3137 S. 14TH ST. ARLINGTON VA 22204	KMS INDUSTRIES, INC	1,500.00	
Do	LTV AERO-SPACE & DEFENSE CO	2,500.00	189.10
LAWRENCE S. HOBART, 2301 M ST., NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	1,000.00	
CLAUDE E. HOBBS, 1801 K ST., NW WASHINGTON DC 20006	WESTINGHOUSE ELECTRIC CORP	1,300.00	90.00
SCOTT HODES, 180 NORTH LA SALLE STREET CHICAGO IL 60610	INVESTMENT COMPANY INSTITUTE	7,000.00	
HOWARD E. HOELTER, ILLINOIS PETROLEUM COUNCIL P.O. BOX 5034 SPRINGFIELD IL 62705	AMERICAN PETROLEUM INSTITUTE	444.00	752.49
GLEN D. HOFER, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	1,687.29	
IRVIN A. HOFF, 20 N. LIVE OAK RD. HILTON HEAD ISLAND SC 29928	U.S. CANE SUGAR REFINERS' ASSN		
ADONIS E. HOFFMAN, 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: GOVERNMENT OF HAITI)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF KOREA)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)	1,775.00	
ELMO R. HOFFMAN, PARKER, JOHNSON, OWEN & MCGUIRE 108 EAST HILLCREST STREET P.O. BOX 2867 ORLANDO FL 32801	GLOBAL EXPLORATION & DEVELOPMENT CORP		
THOMAS F. HOFFMAN, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	CONSOLIDATION COAL CO	104.00	68.58
WILLIAM L. HOFFMAN, 516 FIRST ST., S.E. WASHINGTON DC 20003	AMERICAN UNIVERSITY OF BEIRUT	11,445.00	1,825.72
F. NORDY HOFFMANN AND ASSOC., INC, 400 N. CAPITOL ST., NW, #327 WASHINGTON DC 20001	ARCHER DANIELS MIDLAND COMPANY		
Do	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION		
Do	MARINE ENGINEERS BENEFICIAL ASSN		
Do	O'CONNOR & HANNAN		
Do	PAGE AIRWAYS		
Do	WESTINGHOUSE ELECTRIC		
HOGAN & HARTSON, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	COUNCIL OF EUROPEAN & JAPANESE NATIONAL SHIPOWNERS' ASSN		
Do	HOME HEALTH SERVICES & STAFFING ASSN		
Do	MAY DEPARTMENT STORES CO		
Do	MEDTRONIC, INC		
Do	MEHARRY MEDICAL COLLEGE	3,301.25	
Do	MERCEDES-BENZ OF NORTH AMERICA, INC	19,007.75	54.50
Do	METHODIST HOSPITAL		
Do	MUTUAL LIFE INSURANCE CO OF NEW YORK		
Do	NATIONAL HOSPICE EDUCATION PROJECT		
Do	NATIONAL SOFT DRINK ASSN		
Do	TOYOTA MOTOR SALES, U.S.A., INC	5,276.25	28.00
Do	WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY		
RICHARD F. HOHLT, 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS	5,344.00	18.75
WALTER HOLAN, 20 NORTH WACKER DRIVE CHICAGO IL 60606	PROFIT SHARING COUNCIL OF AMER		
BRUCE E. HOLBEIN, 111 POWDERMILL RD. (B79) MAYNARD MA 01754	DIGITAL EQUIPMENT CORPORATION	12,500.00	
MICHELE O'DONNELL HOLBROOK, 10 LAFAYETTE SQURAE, RM. 900 BUFFALO NY 14203	NATIONAL FUEL GAS DISTRIBUTION CORP, ET AL	1,920.00	4,371.27
NIELS C. HOLCH, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN IRON & STEEL INSTITUTE).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN MARITIME ASSN).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BROWNING-FERRIS INDUSTRIES, INC).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO).	1,040.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO).	1,040.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO).	1,040.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LIFE CARE SERVICES CORP).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: QUIXOTE CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO).	1,040.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SHAKLEE CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE GUARANTY CO).	1,040.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: U.S. BANKNOTE)		2,000.00
HOLIDAY INNS, INC, C/O TALCOTT MCCABE & ASSOCIATES 600 MARYLAND AVE., SW, 302 W. WING WASHINGTON DC 20024.			
PHILIP C. HOLLADAY, 1025 CONNECTICUT AVENUE, NW, #200 WASHINGTON DC 20036	SHELL OIL COMPANY	500.00	
BRIGID A. HOLLERAN, 2550 M STREET, NW, #640 WASHINGTON DC 20037	CF INDUSTRIES, INC	500.00	207.65
THOMAS L. HOLLOWAY, 1920 N STREET, NW, #720 WASHINGTON DC 20036	UNION ELECTRIC CO, KANSAS CITY POWER & LIGHT CO, ET AL	2,187.00	4,555.53
WENDELL M. HOLLOWAY, 815 CONNECTICUT AVE., NW, #900 WASHINGTON DC 20006	FORD MOTOR CO	1,245.00	1,306.73
PETER E. HOLMES, 1331 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	GENERAL ELECTRIC CO	750.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
E.Y. HOLT JR., 1111 NORTH 19TH ST., #700 ARLINGTON VA 22209	NATIONAL ASSN OF FEDERAL CREDIT UNIONS		
FRED H. HOLT, 119 ORONOCO STREET BOX 1417-D50 ALEXANDRIA VA 22313	ANIMAL HEALTH INSTITUTE	50.00	
HOLTZMAN & ASSOCIATES, 214 MASSACHUSETTS AVENUE, NE, #340 WASHINGTON DC 20002	HOLLAND ASSOCIATES		
Do	NATIONAL COALITION FOR LOWER PRICES	2,000.00	
LOIS HOLWERDA-HOYT, 600 MARYLAND AVENUE, SW, #770 WASHINGTON DC 20024	AMERICAN ACADEMY OF FAMILY PHYSICIANS	1,937.50	227.07
HOME RECORDING RIGHTS COALITION, P.O. BOX 33576 WASHINGTON DC 20033		14,025.00	22,055.61
KAREN C. HONTZ, 1875 EYE ST., NW, #940 WASHINGTON DC 20006	GULF & WESTERN MANAGEMENT COMPANY	2,400.00	96.00
EDWIN M. HOOD, 1725 K STREET, NW, #1102 WASHINGTON DC 20006	NATIONAL STEEL & SHIPBUILDING CO	624.50	30.00
HOOG & ASSOCIATES, 17000 E. OHIO PL. AURORA CO 80017	DENELCOR, INC.		
CANDICE SHY HOOPER, 1025 CONNECTICUT AVE., NW, #1014 WASHINGTON DC 20036	ENSERCH CORPORATION	5,313.00	2,236.01
LILLIE E. HOOVER, 103 N. COLLEGE ST. MARTINSBURG WV 25401	NATIONAL PEACH COUNCIL		
VIRGINIA E. HOPKINS, 21 DUPONT CIRCLE, NW, #600 WASHINGTON DC 20036	TAFT STETTINIUS & HOLLISTER (FOR: KINGS ENTERTAINMENT CO)		
Do	TAFT STETTINIUS & HOLLISTER (FOR: MIAMI CONSERVANCY DISTRICT)		
Do	TAFT STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)		
Do	TAFT STETTINIUS & HOLLISTER (FOR: TAFT BROADCASTING COMPANY)		
Do	TAFT STETTINIUS & HOLLISTER (FOR: TELEPHONE & DATA SYSTEMS, INC)		
Do	TAFT STETTINIUS & HOLLISTER (FOR: WALD MANUFACTURING CO, INC)		
ROBERT JACK HORN, 1990 M ST., NW, #480 WASHINGTON DC 20036	DETROIT EDISON COMPANY	750.00	348.89
HARRY J. HORROCKS II, 40 IVY STREET, SE WASHINGTON DC 20003	NATIONAL LUMBER & BUILDING MATERIAL DEALERS ASSN		
HOSPITAL CORP OF AMERICA, 2000 L STREET, NW, #200 WASHINGTON DC 20035			
WILLIAM J. HOTES, 919 18TH ST., NW, #400 WASHINGTON DC 20006	DIAMOND SHAMROCK CORPORATION	1,000.00	153.30
HOUDAILLE INDUSTRIES, INC, ONE FINANCIAL PLAZA FORT LAUDERDALE FL 33394			
MARGARET A. HOULIHAN, 1620 I ST., NW, #703 WASHINGTON DC 20006	BECHTEL POWER CORPORATION		
THOMAS B. HOUSE, 1700 OLD MEADOW RD. MCLEAN VA 22102	AMERICAN FROZEN FOOD INST	1,000.00	
HOUSLEY GOLDBERG & KANTARIAN, P.C., 2301 M ST., NW, #500 WASHINGTON DC 20037			
JACK W. HOUSTON, 900 N. HAIRSTON ROAD, SUITE D STONE MOUNTAIN GA 30083	GEORGIA ASSN OF PETROLEUM RETAILERS, INC.		
MARY GREER HOUSTON, 1901 L ST., NW #804 WASHINGTON DC 20036	SIEGEL HOUSTON & ASSOC, INC (FOR: FARM LABOR RESEARCH COMM)		
HOUSTON NATURAL GAS CORP, P.O. BOX 1188 HOUSTON TX 77001			7,663.45
HOVING GROUP, 2550 M STREET, NW, #695 WASHINGTON DC 20037	EAGLE-PICHER INDUSTRIES	250.00	
Do	WESTERN SOUTHERN	500.00	
ROBERT M. HOWARD, 815 CONNECTICUT AVENUE, NW WASHINGTON DC 20006	FORD MOTOR CO	1,506.60	1,089.89
HOWELL CORP, 1010 LAMAR, SUITE 1800 HOUSTON TX 77002			
GARY HOWELL, 1745 JEFFERSON DAVIS HIGHWAY, #1006 ARLINGTON VA 22202	TEXAS INSTRUMENTS, INC	600.00	
J. WILLIAM HOWELL, 1801 K ST., NW WASHINGTON DC 20006	INTERNATIONAL BUSINESS MACHINES CORP	256.20	
JAMES P. HOWELL, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	571.67	
MARY J. LYNCH HOWELL, 1090 VERMONT AVE., NW, #1100 WASHINGTON DC 20005	TEXTRON, INC	1,500.00	280.00
STEVEN K. HOWELL, 1010 LAMAR, SUITE 1800 HOUSTON TX 77002	HOWELL CORP		
WELDON U. HOWELL JR., 15 WEST CARRILLO STREET SANTA BARBARA CA 93101	SCHRAMM & RADDUE (FOR: H&W DRILLING, INC)		
JOHN B. HOWERTON, 1730 RHODE ISLAND AVE., NW, #209 WASHINGTON DC 20036	ASARCO INC	2,000.00	
MICHAEL R. HOWLAND, 1111 14TH STREET, NW, 3RD FL. WASHINGTON DC 20005	AMERICAN BAKERS ASSN		
CLIFFORD T. HOWLETT JR., 1875 EYE ST., NW, #400 WASHINGTON DC 20006	GEORGIA-PACIFIC CORP	3,000.00	
PAUL R. HUARD, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	2,750.00	
MARGARET RENKEN HUDSON, 600 MARYLAND AVENUE, SW, #695 WASHINGTON DC 20024	NATIONAL FED OF INDEPENDENT BUSINESS	2,250.00	200.00
DAVID EMERY HUGHES, 2211 CONGRESS ST. PORTLAND ME 04122	UNION MUTUAL LIFE INSURANCE CO		
GARY E. HUGHES, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
HUGHES HUBBARD & REED, 1201 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20004	CONTINENTAL AIR LINES, INC		
Do	GROCERY MANUFACTURERS OF AMERICA, INC		
Do	TEXAS AIR CORP		
Do	47TH STREET PHOTO		
PETER W. HUGHES, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	1,040.31	
RICHARD H. HUGHES, P.O. BOX 880 VALLEY FORGE PA 19482	AVTEX FIBERS, INC		
WILLIAM HUGHES, 1522 K ST., NW, #836 WASHINGTON DC 20005	NATIONAL ASSN OF FEDERAL VETERINARIANS	17.90	
EDWARD L. HUIE, WHEATON PLAZA NORTH, #415 WHEATON MD 20902	NATIONAL ASSN OF AIR TRAFFIC SPECIALISTS	5,687.42	1,008.72
CORDELL W. HULL, 50 BEALE ST., P O BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
RANDALL K. HULME, 618 A STREET, SE, #25 WASHINGTON DC 20003	PETER FENN & ASSOCIATES, INC		
GREGORY A. HUMPHREY, 555 NEW JERSEY AVE., NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS	14,148.36	80.00
MARGOT SMILEY HUMPHREY, 1150 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	KOTEEN & NAFTALIN (FOR: ALASCOM, INC)		
Do	KOTEEN & NAFTALIN (FOR: TELEPHONE & DATA SYSTEMS, INC)		
K. ADRIAN HUNNINGS, 1030 15TH STREET, NW, #700 WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMERICA		
FRANCIS M. HUNT, 1800 M STREET, NW, #700S WASHINGTON DC 20036	DOW CHEMICAL CO	550.00	239.00
PETER C. HUNT, 195 MONTAGUE ST. BROOKLYN NY 11201	BROOKLYN UNION GAS CO		
RICHARD M. HUNT, 1150 CONNECTICUT AVE., NW, #1009 WASHINGTON DC 20036	NL INDUSTRIES, INC	4,775.00	
JAMES C. HUNTER, 1747 PENNSYLVANIA AVENUE, NW, #300 WASHINGTON DC 20006	CITIES SERVICE OIL & GAS CORP	296.00	185.26
MICHAEL M. HUNTER, 1600 M ST., NW WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION	1,100.00	42.00
ROBERT BRUCE HUNTER, 1801 N. MOORE STREET ARLINGTON VA 22209	AMERICAN ASSN OF SCHOOL ADMINISTRATORS		
MILTON F. HUNTINGTON, MAINE PETROLEUM ASSN 283 WATER ST. AUGUSTA ME 04330	AMERICAN PETROLEUM INSTITUTE	272.00	805.35
HUNTON & WILLIAMS, P.O. BOX 1535 RICHMOND VA 23212	AMERICAN INSURANCE ASSN	497.50	
Do	EDISON ELECTRIC INSTITUTE	9,680.00	240.39
ADELE M. HURLEY, 112 ST. CLAIR AVE., WEST, #504 TORONTO, ONTARIO CANADA M4V 2Y3	CANADIAN COALITION ON ACID RAIN	1,523.07	213.90
GERARD F. HURLEY, 1625 I ST., NW, #609 WASHINGTON DC 20006	NATIONAL CLUB ASSOCIATION		
HURT RICHARDSON GARNER TODD & CADENHEAD, 1100 PEACHTREE CENTER HARRIS TOWER 233 PEACHTREE STREET, NE ATLANTA GA 30043	NATIONAL ASSN OF PENSION CONSULTANTS & ADMINISTRATORS, INC	5,000.00	46.12
ROBERT R. HURT, 1050 17TH ST., NW, #650 WASHINGTON DC 20036	MERCK & CO, INC		
CATHY HURWIT, 1300 CONNECTICUT AVENUE, NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION	5,000.00	
BENJAMIN MELVIN HURWITZ, 1925 K ST., NW, #200 WASHINGTON DC 20006	MITCHELL ENERGY & DEVELOPMENT CORP		50.00
RAYMOND W. HUSSEY, 29400 LAKELAND BLVD. WICKLIFFE OH 44092	LUBRIZOL CORPORATION	700.00	1,701.22
DEWEY M. HUTCHINS, 1919 PENNSYLVANIA AVE., NW, #705 WASHINGTON DC 20006	EASTMAN KODAK CO	500.00	190.00
PHILIP A. HUTCHINSON, 490 L'ENFANT PLAZA, #3210 WASHINGTON DC 20024	VOLKSWAGEN OF AMERICA, INC	250.00	
ROBERT E. HUTCHINSON, P.O. BOX 29021 2645 E. WASHINGTON PHOENIX AZ 85038	REDUCE OUR DEBT FOUNDATION		239.00
JAMES L. HUTCHISON, 260 MADISON AVENUE NEW YORK NY 10016	AMERICAN PAPER INSTITUTE, INC		
HELENA C. HUTTON, 1101 15TH STREET, NW WASHINGTON DC 20005	MINNESOTA MINING & MANUFACTURING CO (3M)	2,500.00	
RANDY HUWA, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	10,346.28	1,077.54
B. F. HYDE, TENNESSEE PETROLEUM COUNCIL 211 7TH AVENUE, NORTH, 4TH FL. NASHVILLE TN 37219	AMERICAN PETROLEUM INST	1,650.00	1,537.99
ISABEL E. HYDE, 1800 K STREET, NW WASHINGTON DC 20006	GOODYEAR TIRE & RUBBER CO	2,550.00	
GARY HYMEL, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN IRON & STEEL INSTITUTE).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN MARITIME ASSN).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: ASARCO INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BROWNING-FERRIS INDUSTRIES, INC.).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BUDD COMPANY)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CANADIAN ASBESTOS INFORMATION CENTRE).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO).	870.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: COMMONWEALTH OF PUERTO RICO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO).	870.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: HEALTH INSURANCE ASSN OF AMERICA).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: HTB CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: JOINT MARITIME CONGRESS).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO).	870.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LIFE CARE SERVICES CORP).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MARTIN BAKER AIRCRAFT COMPANY LTD.).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MOTOROLA, INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MUTUAL OF OMAHA)		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: NATIONAL BROADCASTING CO, INC).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: QUIXOTE CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF KOREA)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)	1,957.50	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO).	870.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SANTA FE INTERNATIONAL).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SHAKLEE CORPORATION)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE INSURANCE CO).	870.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STROH BREWERY CO)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: TOBACCO INSTITUTE)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: U.S. BANKNOTE)		
ROBERT D. HYNES JR , 1825 K ST., NW, #807 WASHINGTON DC 20006	NATIONAL BROADCASTING CO, INC	500.00	
RICHARD H. ICHORD, 499 SOUTH CAPITOL STREET, SW, #400 WASHINGTON DC 20003	AAI CORPORATION	750.00	267.96
Do	EMERSON ELECTRIC CO	600.00	1,736.85
Do	WASHINGTON INDUSTRIAL TEAM, INC	600.00	
ANNELISE ILSCHENKO, 101 S. REYNOLDS STREET, #H-116 ALEXANDRIA VA 22304			
BERNARD J IMMING, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN		
CATHERINE L. IMUS, 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORP		
INDEPENDENT DATA COMMUNICATIONS MANUFACTURERS ASSN, C/O SQUIRE SANDERS & DEMPSEY 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004.			
INDEPENDENT LUBRICANT MANUFACTURERS ASSN, 1055 THOMAS JEFFERSON STREET, NW WASHINGTON DC 20007		300.00	300.00
INDEPENDENT PRODUCERS GROUP, 240 PAGE COURT 220 W. DOUGLAS WICHITA KS 67202		8,707.80	8,219.37
INDIANA RAILROAD ASSN, 143 W. MARKET STREET, #201 INDIANAPOLIS IN 46204		5,000.00	705.28
INDUSTRIAL UNION DEPARTMENT, AFL-CIO, 815 16TH ST., NW WASHINGTON DC 20006		21,834.12	21,834.12
INDUSTRY COUNCIL FOR TANGIBLE ASSETS, 214 MASSACHUSETTS AVENUE, NE, #560 WASHINGTON DC 20002			
CHARLES E. ING, 412 FIRST STREET, SE WASHINGTON DC 20003	NATIONAL AUTOMOBILE DEALERS ASSN	3,000.00	
ANDREA L. INNES, 1130 17TH STREET, NW WASHINGTON DC 20036	NATIONAL COAL ASSN	5,375.00	384.95
INSTITUTE OF MAKERS OF EXPLOSIVES, 1575 EYE STREET, NW, #550 WASHINGTON DC 20005			
INSURANCE ECONOMICS SOCIETY OF AMERICA, 1700 PENNSYLVANIA AVE., NW, #590 WASHINGTON, DC 20006		22,968.50	5,650.00
INT'L UNION, UNITED AUTO AEROSPACE & AGRIC IMPLEMENT WORKERS, WORKERS OF AMERICA (UAW) 8000 E. JEFFERSON DETROIT MI 48214.		93,679.21	93,679.21
INTEGRATED RESOURCES, INC, 666 THIRD AVENUE, 4TH FL NEW YORK NY 10017			4,250.00
INTERNATIONAL ASSN OF BRIDGE, STRUCT. & ORNAMENTAL IRON WKRS, 1750 NEW YORK AVE., NW WASHINGTON DC 20006.			10,800.00
INTERNATIONAL BROTHERHOOD OF TEAMSTERS, 25 LOUISIANA AVE., NW WASHINGTON DC 20001			64,749.24
INTERNATIONAL GOLD CORPORATION LIMITED, 900 THIRD AVENUE NEW YORK NY 10022			
INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO, 17 BATTERY PLACE, #1500 NEW YORK NY 10004			45,419.45
INTERNATIONAL UNION OF BRICKLAYERS & ALLIED CRAFTSMEN, 815 15TH ST., NW WASHINGTON DC 20005			
INTERNATIONAL UNION OF OPERATING ENGINEERS, 1125 17TH ST., NW WASHINGTON DC 20036		16,000.00	380.00
INVESTMENT COMPANY INSTITUTE, 1600 M ST., NW WASHINGTON DC 20036			11,122.88
INVESTMENT COUNSEL ASSN OF AMERICA, INC, 50 BROAD ST. NEW YORK NY 10004			
CHARLES C. IRIONS, 2200 MILL RD. ALEXANDRIA VA 22314	AMERICAN MOVERS CONFERENCE	1,584.00	
THOMAS L. IRMEN, P.O. BOX 119 MAUMEE OH 43537	ANDERSONS		
IRON ORE LESSORS ASSN, INC, 1500 FIRST NATL BANK BLDG. SAINT PAUL MN 55101		17,365.36	16,205.21
IRWIN AND LESSE, 2011 EYE STREET, NW WASHINGTON DC 20006	ATLANTIC SATELLITE COMM., INC & EARTH STATION SATELLITE	3,696.08	5,571.64
ITEL CONTAINER CORP, 55 FRANCISCO STREET, 6TH FL SAN FRANCISCO CA 94133			596.91
ROBERT A. JABLON, SPIEGEL & MCDIARMID 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	FT. PIERCE UTILITIES AUTH OF THE CITY OF FT. PIERCE, ET AL	32.50	
CARLTON JACKSON, FLORIDA PETROLEUM COUNCIL 325 JOHN KNOX RD., #F-210 TALLAHASSEE FL 32303	AMERICAN PETROLEUM INST		
CHARLES L. JACKSON, 1990 M ST., NW, #450 WASHINGTON DC 20036	SHOOSHAN & JACKSON, INC (FOR: ROGERS U.S. CABLESYSTEMS, INC)		
GLENN JACKSON, 1660 L STREET, NW, #601 WASHINGTON DC 20036	INTERSTATE NATURAL GAS ASSN OF AMERICA	300.00	
NEAL A. JACKSON, 2000 M ST., NW WASHINGTON DC 20036	CAROLINAS COTTON GROWERS ASSN, INC		
WILLIAM P. JACKSON JR., JACKSON & JESSUP, P.C. 3426 N. WASHINGTON BOULEVARD ARLINGTON VA 22201	OSBORNE TRUCK LINE, INC, ET AL	3,645.00	3,231.08
STEPHEN JACOBS, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	1,295.60
WALTER K. JAENICKE, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	4,500.00	
E. A. JAENKE & ASSOCIATES, INC, 1575 EYE ST., NW, SUITE 230 WASHINGTON DC 20005	FARMLAND INDUSTRIES	500.00	
Do	UNIVERSITY OF KANSAS	250.00	
DANIEL L. JAFFE, 1400 K ST., NW, #1000 WASHINGTON DC 20005	AMERICAN ADVERTISING FEDERATION		
JAFFE SNIDER RAITT & HEUER, P.C., 1800 FIRST NATIONAL BUILDING DETROIT MI 48226			
EDWARD L. JAFFEE, 1730 RHODE ISLAND AVENUE, NW, #713 WASHINGTON DC 20036	PPG INDUSTRIES, INC		
JAPAN ECONOMIC INSTITUTE OF AMERICA, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036		6,925.84	6,925.84
JOSEPH J. JAQUAY, 5025 WISCONSIN AVE., NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO		
EVELYN JARVIS-FERRIS, 444 MARKET STREET SAN FRANCISCO CA 94111	SHAKLEE CORPORATION		
JERRY J. JASINOWSKI, 1776 F STREET, N.W. WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	2,000.00	
JOSEPH A. JEFFREY, 1920 N ST., NW, #300 WASHINGTON DC 20036	AMERICAN MINING CONGRESS	400.00	
PHILIP F. JEHLE, 1710 RHODE ISLAND AVE. NW, #300 WASHINGTON DC 20036	SMITHKLINE BECKMAN CORP	1,000.00	
JOSEPH S. JENCKES, SUITE 300 1710 RHODE ISLAND AVE., NW WASHINGTON DC 20036	ABBOTT LABORATORIES	5,000.00	
LINDA JENCKES, 1750 K ST., NW WASHINGTON DC 20006	HEALTH INSURANCE ASSN OF AMERICA, INC		
DAVID M. JENKINS II , 1025 VERMONT AVENUE, NW, #500 WASHINGTON DC 20005	MILES LABORATORIES, INC		
KEMPTON B. JENKINS, 1747 PENNSYLVANIA AVE., NW, #702 WASHINGTON DC 20006	ARMCO, INC	300.00	232.00
JENNER & BLOCK, 21 DUPONT CIRCLE, NW WASHINGTON DC 20036	ADHESIVE & SEALANT COUNCIL, INC		
Do	AMERICAN ASSN OF NURSE ANESTHETISTS		
Do	AMERICAN DENTAL ASSISTANTS ASSN		
Do	AMERICAN DENTAL TRADE ASSN		
Do	AMERICAN FILM MARKETING ASSN		
Do	AMERICAN INTRA-OCULAR IMPLANT SOCIETY		
Do	AMERICAN PORTRAIT SOCIETY		
Do	AMERICAN SOC OF ASSN EXECUTIVES		
Do	AMUSEMENT & MUSIC OPERATORS ASSN		
Do	ASSOCIATION OF OPERATING ROOM NURSES		
Do	AUTO GLASS INDUSTRY COMM		
Do	DENTAL GOLD INSTITUTE		
Do	INTRAOCULAR LENS MFRS ASSN		
Do	NATIONAL GLASS ASSN		
JAMES C. JENNINGS, 3255 GRACE ST., NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC		
JENNINGS STROUSS & SALMON, 111 WEST MONROE PHOENIX AZ 85003	SHAMROCK FOODS CO		
RUSTY L. JESSER, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,000.00	
NANCY H. JESSICK, 1331 PENNSYLVANIA AVE., NW, #720 WASHINGTON DC 20004	HIRAM WALKER & SONS, INC		
GUY E. JESTER, 2150 KIENLEN AVE. ST. LOUIS MO 63121	ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER		
CHARLES JOECKEL JR., 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	18,647.19	165.25
JOHNSON & ASSOCIATES, 3240 N. ALBEMARLE STREET ARLINGTON VA 22207	FOREMOST DAIRIES-HAWAII		
Do	MEADOWGOLD DAIRIES-HAWAII		
CARL T. JOHNSON, 1800 K ST., NW, #1104 WASHINGTON DC 20006	CORNING GLASS WORKS	400.00	
CLIFFORD T. JOHNSON, 1700 NORTH MOORE STREET ROSSLYN VA 22209	BOEING MILITARY AIRPLANE COMPANY		
DAVID E. JOHNSON, 1100 15TH STREET, NW, #900 WASHINGTON DC 20005	PHARMACEUTICAL MANUFACTURERS ASSN	1,333.00	
JAMES A. JOHNSON, 2550 M ST., NW, #500 WASHINGTON DC 20037	SHEARSON LEHMAN BROTHERS; NORFOLK SOUTHERN RAILWAY	12,100.00	31.00
JESS JOHNSON JR., 1025 CONNECTICUT AVE., NW, #200 WASHINGTON DC 20036	SHELL OIL CO	500.00	
JOEL L. JOHNSON, 475 L'ENFANT PLAZA, SW, #4400 WASHINGTON DC 20024	AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE	5,000.00	264.89
JOHN B. JOHNSON, ALABAMA PETROLEUM COUNCIL P.O. BOX 4220 MONTGOMERY AL 36195	AMERICAN PETROLEUM INSTITUTE	1,118.00	774.85
JUSTIN W. JOHNSON, P.O. BOX 970 FT. WORTH TX 76101	TEXAS ELECTRIC SERVICE CO	145.00	40.20
LARRY W. JOHNSON, P.O. BOX 3000 LEESBURG VA 22075	VOCATIONAL INDUSTRIAL CLUBS OF AMERICA, INC		
LINDA MEYER JOHNSON, 1575 EYE STREET, NW, #625 WASHINGTON DC 20005	ROLM CORPORATION		
MARK R. JOHNSON, 1667 K STREET, NW, #350 WASHINGTON DC 20036	MOLLER STEAMSHIP CO, INC		
NANCIE S. JOHNSON, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	CONOCO, INC	1,100.00	
NICHOLAS JOHNSON, BOX 1876 IOWA CITY IA 52244			
RADY A. JOHNSON, 1000 16TH ST., NW WASHINGTON DC 20036	STANDARD OIL CO (INDIANA)		
RICHARD W. JOHNSON JR., 219 N. WASHINGTON STREET ALEXANDRIA VA 22314	NON COMMISSIONED OFFICERS ASSN OF THE USA	5,955.04	92.18
SPENCER A. JOHNSON, 1101 VERMONT AVE., NW, #411 WASHINGTON DC 20005	PAPERBOARD PACKAGING COUNCIL		
STANLEY L. JOHNSON, 1050 17TH ST., NW WASHINGTON DC 20036	TEXACO, INC	150.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
STEPHEN M. JOHNSON, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: COMMONWEALTH OF PUERTO RICO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MUTUAL INSURANCE COALITION).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)		
THOMAS G. JOHNSON, ONE SHELL PLAZA, #4868 P.O. BOX 2463 HOUSTON TX 77001	SHELL OIL COMPANY		
WILLIAM L. JOHNSON, 1050 17TH ST., NW, #301 WASHINGTON DC 20036	PRIMARK CORPORATION	2,200.00	
BARBARA W. JOHNSTON, 1150 CONNECTICUT AVE. NW #710 WASHINGTON DC 20036	UTAH INTERNATIONAL, INC		601.32
DAVID JOHNSTON, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ERNEST JOHNSTON, 1825 K STREET, NW, #1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM CO	1,072.50	48.00
JAMES D. JOHNSTON, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,600.00	7,289.10
JANE JOHNSTON, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
JOINT CORPORATE COMM ON CUBAN CLAIMS, C/O LONE STAR INDUSTRIES, INC PO BOX 5050 GREENWICH CT 06830			180.00
JOINT TASK FORCE ON FED FINANCIAL ASSIST. FOR LAW STUDENTS, C/O LAW SCHOOL ADMISSION COUNCIL 11 DUPONT CIRCLE, NW WASHINGTON DC 20036.			
MARY K. JOLLY, 1600 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	900.00	23.92
HERBERT A. JOLOVITZ, 900 17TH STREET, NW WASHINGTON DC 20006	OWENS-CORNING FIBERGLAS CORPORATION	1,337.00	
BEVERLY E. JONES, WICKWIRE GAVIN & GIBBS, P.C. 1819 L STREET, NW, #700 WASHINGTON DC 20036	AMERICAN INDEPENDENT REFINERS ASSN	100.00	1.80
Do	CONSOLIDATED NATURAL GAS CO	287.50	11.60
Do	NATIONAL HYDROPOWER ASSN, ET AL		
CHERYL L. JONES, 1331 PENNSYLVANIA AVE., NW, #565 WASHINGTON DC 20004	TEXAS GAS TRANSMISSION CORP	375.00	55.09
JONES DAY REAVIS & POGUE, 655 15TH ST., NW WASHINGTON DC 20005	AUTOMOTIVE DISMANTLERS & RECYCLERS ASSN, INC		
Do	CARL M. FREEMAN ASSOCIATES		
Do	LOS ANGELES COUNTY	8,493.50	303.65
Do	MISSISSIPPI CHEMICAL CORP		
Do	PFIZER, INC	3,750.00	98.98
JAMES E. JONES JR., 1629 K ST., NW, #1010 WASHINGTON DC 20006	ALLIANCE OF AMERICAN INSURERS	298.50	341.58
JAMES E. JONES, 40 FRANKLIN RD., SW P.O. BOX 2021 ROANOKE VA 24022	APPALACHIAN POWER COMPANY		385.32
JULIE S. JONES, 1050 17TH STREET, NW, #301 WASHINGTON DC 20036	PRIMARK CORP	750.00	
NORVILL JONES, 1620 EYE ST., NW WASHINGTON DC 20006	REYNOLDS METALS CO	250.00	
RANDALL T. JONES, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	1,945.83	
ROY C. JONES, 717 2ND ST., NW, #300 WASHINGTON DC 20002	MORAL MAJORITY, INC	8,666.00	
WILEY N. JONES, 1667 K ST., NW, #600 WASHINGTON DC 20006	SOUTHERN PACIFIC CO. & AFFILIATES	1,000.00	500.00
ALEXANDER H. JORDAN, 1201 PENNSYLVANIA AVENUE, NW, #730 WASHINGTON DC 20004	KIMBERLY-CLARK CORP		
DE SOTO JORDAN, 229 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS CORPORATION	198.00	43.00
JAMES V. JORDAN III, PO BOX 2563 BIRMINGHAM AL 35202	SOUTHERN NATURAL GAS CO		
JEFFREY H. JOSEPH, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	1,400.00	10.00
ARDON B. JUDD JR., 1100 CONNECTICUT AVE., NW, #310 WASHINGTON DC 20036	DRESSER INDUSTRIES, INC		
ROBERT E. JULIANO, 1875 I ST., NW, #450 WASHINGTON DC 20006	HOTEL & RESTAURANT EMPLOYEES & BARTENDERS INTL UNION	16,238.64	1,188.35
JUSTICE FELLOWSHIP, P.O. BOX 17181 WASHINGTON DC 20041			
GEZA KADAR, 1750 K STREET, N.W. WASHINGTON DC 20006	HEALTH INSURANCE ASSN OF AMERICA, INC	62.04	34.50
JAMES A. KAITZ, 1101 16TH STREET, NW WASHINGTON DC 20036	SCIENTIFIC APPARATUS MAKERS ASSN	1,100.00	215.53
SUZANNE KALFUS, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
LINDA HELLER KAMM, 1775 PENNSYLVANIA AVE., NW, #1000 WASHINGTON DC 20006	FOLEY LARDNER HOLLABAUGH & JACOBS (FOR: VGS CORPORATION)		
JAMES L. KANE JR., 1312 VINCENT PLACE MCLEAN VA 22101			
DONALD J. KANIEWSKI, 905 16TH ST., NW WASHINGTON DC 20006	LABORERS' INTL UNION OF NORTH AMERICA, AFL-CIO	7,500.00	76.20
KAPLAN RUSSIN & VECCHI, 1218 16TH STREET, NW WASHINGTON DC 20036	AMERICAN CHAMBER OF COMMERCE OF THE DOMINICAN REPUBLIC		
Do	TADIRAN ISRAEL ELECTRONICS INDUSTRIES, LTD		
GENE KARPINSKI, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP	5,250.00	
MARYANN M. KASWELL, 1300 NORTH 17TH ST., #1200 ARLINGTON VA 22209	CONSUMER BANKERS ASSN		
PATRICIA L. KATSON, 300 INDEPENDENCE AVE., SE WASHINGTON DC 20003	LIBERTY LOBBY	4,500.00	267.00
HOWARD C. KATZ, 4 WORLD TRADE CENTER NEW YORK NY 10048	J. ARON & CO (FOR: COFFEE SUGAR & COCOA EXCHANGE, INC)		
RICHARD S. KAUFMAN, 3471 N. FEDERAL HIGHWAY, #511 FT. LAUDERDALE FL 33306	AMERISERV, INC		
EVERETT E. KAVANAUGH, 1110 VERMONT AVE., NW, #800 WASHINGTON DC 20005	COSMETIC TOILETRY & FRAGRANCE ASSN, INC		
KAYE SCHOLER FIERMAN HAYS & HANDLER, 1575 I STREET, NW, #1150 WASHINGTON DC 20005	AMERICAN MEAT INSTITUTE		
Do	AMERICAN PSYCHOANALYTIC ASSOCIATION		
Do	AMERICAN SOCIAL HEALTH ASSN		
Do	BRISTOL-MYERS COMPANY		
Do	DRUMMOND COMPANY		
Do	ELSEVIER SCIENTIFIC PUBLISHERS		
RICHARD F. KEATING, 1211 CONNECTICUT AVE., NW, #502 WASHINGTON DC 20036	ANHEUSER-BUSCH COMPANIES, INC		
ROBERT J. KEEFE, 444 N. CAPITOL STREET, #711 WASHINGTON DC 20001	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)		
JOSEPH D. KEEFER, 1301 PENNSYLVANIA AVE., NW, #325 WASHINGTON DC 20006	NATIONAL COUNCIL ON SYNTHETIC FUELS PRODUCTION		
VICKI R. KEENAN, 1620 EYE ST., NW, #703 WASHINGTON DC 20006	BECHTEL POWER CORPORATION		
KEITH KEENEY, 5775 PEACHTREE-DUNWOODY RD., #500-D ATLANTA GA 30342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)	50.00	
ROBERT C. KEENEY, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN	2,006.00	397.33
ROBIN E. KEENEY, 1156 15TH STREET, NW, #1101 WASHINGTON DC 20005	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS	2,000.00	
ROBERT H. KELLEN, 5775 PEACHTREE-DUNWOODY RD., #500-D ATLANTA GA 20342	ROBERT H. KELLEN CO (FOR: CALORIE CONTROL COUNCIL)	90.00	
KELLER & HECKMAN, 1150 17TH STREET, NW, #1000 WASHINGTON DC 20036	SPECIALTY ADVERTISING ASSN INT'L	3,300.00	325.00
JAY KELLER, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	5,688.78	504.25
JOHN B. KELLEY, 1400 K STREET, NW, #1100 WASHINGTON DC 20005	AVCO CORP		
THOMAS F. KELLEY III, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
TY KELLEY, P.O. BOX 1417-D49 ALEXANDRIA VA 22313	NATIONAL ASSN OF CHAIN DRUG STORES, INC	1,500.00	
STEPHEN G. KELLISON, 1835 K ST., NW, #515 WASHINGTON DC 20006	AMERICAN ACADEMY OF ACTUARIES		
STEPHEN S. KELLNER, 1001 CONNECTICUT AVE., NW, #1120 WASHINGTON DC 20036	CHEMICAL SPECIALTIES MFGRS ASSN		
DEBORAH MARQUIS KELLY, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN	2,100.00	61.63
ERNEST B. KELLY III, 950 L'ENFANT PLAZA, SW WASHINGTON DC 20024	COMMUNICATIONS SATELLITE CORPORATION	1,500.00	218.03
HAROLD V. KELLY, SUITE 1004 1155 15TH ST., NW WASHINGTON DC 20005	LTV CORP		
JOHN F. KELLY, 1828 L STREET, NW # 906 WASHINGTON DC 20036	MERRILL LYNCH & CO, INC	2,000.00	
PETER M. KELLY, BELL BOYD & LLOYD 70 W. MADISON, #3200 CHICAGO IL 60602	BALCOR/AMERICAN EXPRESS, INC		
MARK L. KEMMER, 1660 L STREET, N.W. WASHINGTON DC 20036	GENERAL MOTORS CORP	2,500.00	1,588.82
KENDALL & ASSOCIATES, 50 E ST., SE WASHINGTON DC 20003	ANDERSON HIBEY NAUHEIM & BLAIR (FOR MARRIOTT CORP)		
Do	CLADOUHOS & BRASHARES (FOR SMITH BARNEY HARRIS UPHAM & CO)		
Do	CARL M. FREEMAN ASSOCIATES, INC		
Do	HELLER EHRMAN WHITE & MCAULIFFE		
Do	MANVILLE CORPORATION	500.00	
Do	TOYOTA MOTOR SALES, U.S.A	1,000.00	
Do	WORLDWIDE INFORMATION RESOURCES, INC		
WILLIAM T. KENDALL, 50 E ST., SE WASHINGTON DC 20003	ALLIANCE FOR FREE ENTERPRISE		
SABASTIAN KENIGHT, 1994-A WOODWARD AVE., #312 BLOOMFIELD HILLS MI 48013	KF, INC (FOR: AFGE - ALLIANCE FOR LOCAL 1658)		
JOSEPH W. KENNEBECK, 490 L'ENFANT PLAZA, SW, #3210 WASHINGTON DC 20024	VOLKSWAGEN OF AMERICA, INC	300.00	
ART KENNEDY, P.O. BOX 3576 ECB ANCHORAGE AK 99501	ALASKA RESOURCE ANALYSTS, INC		
MICHAEL E. KENNEDY, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
EDWARD E. KENNEY & ASSOCIATES, INC, 499 S. CAPITOL ST., SW, #520 WASHINGTON DC 20003	LOCKHEED-GEORGIA CORPORATION		
JEREMIAH J. KENNEY JR., 12TH FL. 1100 15TH ST., NW WASHINGTON DC 20005	UNION CARBIDE CORP		
J. H. KENT, KENT & O'CONNOR 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	AMERICAN DENTAL HYGIENISTS ASSN	4,257.26	1,456.31
Do	AMERICAN SUPPLY ASSOCIATION	7,336.06	2,504.86
Do	AMERICAN WAREHOUSEMEN'S ASSOCIATION		
Do	CFS CONTINENTAL		
Do	GOULD, INC	7,000.00	2,388.35
Do	LOS ANGELES ALLIANCE FOR EQUITABLE CUSTOMS STAFFING	2,972.99	1,019.41
Do	NATIONAL CUSTOMS BROKERS & FORWARDERS ASSN OF AMERICA		
Do	TRANSPORTATION LAWYERS ASSN		
DALE RODNEY KETCHAM, 223 COLUMBIA DRIVE, #317 CAPE CANAVERAL FL 32920			
ROBERT M. KETCHEL, 1331 PENNSYLVANIA AVE., NW, #895 WASHINGTON DC 20004	GENERAL ELECTRIC CO		
GILBERT W. KEYES, P.O. BOX 3999 (MAIL STOP 8K-36) SEATTLE WA 98124	BOEING AEROSPACE CO	508.80	794.05
EARLINE A. KEYSER, 1620 I ST., NW, #703 WASHINGTON DC 20006	BECHTEL POWER CORPORATION		
KIAWAH ISLAND COMPANY, P.O. BOX 12910 CHARLESTON SC 29142			
RICHARD F. KIBBEN, 200 PARK AVE. NEW YORK NY 10166	BUSINESS ROUNDTABLE		
BRIAN D. KIDNEY, 444 N. CAPITOL STREET, NW, #718 WASHINGTON DC 20001	PACIFIC TELESIS GROUP	15,450.00	
ROBERT W. KIERNAN, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	1,500.00	100.00
WILLIAM S. KIES, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	200.00	
INGOLF N. KILAND JR., 1660 L STREET, NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	4,185.64

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
DANIEL L. KILEY, P.O. BOX 3609 NORFOLK VA 23514	NORFOLK SOUTHERN CORPORATION		
GREGORY KILGORE, 311 FIRST STREET, NW, #500 WASHINGTON DC 20001	COMPUTER & BUSINESS EQUIPMENT MANUFACTURERS ASSN		
MARY K. KILLORIN, 1101 15TH STREET, NW WASHINGTON DC 20005	MINNESOTA MINING & MANUFACTURING CO (3M)	1,500.00	
ROBERTA D. KIMBALL, 1015 15TH STREET, NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	200.00	
RICHARD H. KIMBERLY, 1201 PENNSYLVANIA AVENUE, NW, #730 WASHINGTON DC 20004	KIMBERLY-CLARK CORP	881.40	77.00
KIMBERLY-CLARK CORP, 401 NORTH LAKE STREET NEENAH WI 54956			958.40
JAMES L. KIMBLE, 1025 CONNECTICUT AVE., NW, #415 WASHINGTON DC 20036	AMERICAN INSURANCE ASSN		538.50
LISA KIMBRO, 1101 16TH STREET, NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSN OF AMERICA		15.52
GENE KIMMELMAN, 1424 16TH STREET, NW WASHINGTON DC 20036	CONGRESS WATCH		
KING & SPALDING, 1730 PENNSYLVANIA AVE., NW, #1200 WASHINGTON DC 20006	BELLSOUTH CORP		
Do	BETHLEHEM STEEL CORP		
Do	DAMSON OIL CORP		
Do	FRAZIER LANIER CO (ALABAMA STATE DOCKS DEPT)	13,000.00	
Do	GENERAL ELECTRIC CREDIT CORP		
Do			
Do	LIFE OF GEORGIA		
Do	LINCOLN PROPERTY CO	21.00	
Do	MILLER BREWING CO	60.00	
Do	NATIONAL ASSN OF CHILDREN'S HOSPITALS & RELATED INSTITUTIONS		887.94
AUBREY C. KING, 1625 EYE STREET, NW, #609 WASHINGTON DC 20006	NATIONAL CLUB ASSOCIATION		
EDWARD H. KING, 200 WILMOT RD. DEERFIELD IL 60015	WALGREEN CO		
G. JACK KING, WASHINGTON NATIONAL AIRPORT WASHINGTON DC 20001	U.S. AIR, INC	1,000.00	
W. RUSSELL KING, 1730 RHODE ISLAND AVE., NW, #400 WASHINGTON DC 20036	FREEPORT MCMORAN, INC	500.00	66.00
DANIEL T. KINGSLEY, 1655 N. FT. MYER DR., #700 ARLINGTON VA 22209	NATIONAL VENTURE CAPITAL ASSOCIATION	18,000.00	14,566.56
ROGER P. KINGSLEY, 10801 ROCKVILLE PIKE ROCKVILLE MD 20852	AMERICAN SPEECH-LANGUAGE-HEARING ASSN		
MARCIA Y. KINTER, 1600 WILSON BOULEVARD, #1000 ARLINGTON VA 22209	AMERICAN WATERWAYS OPERATORS, INC		
CECILIA ANNE KIRBY, 1819 L STREET, NW, #600 WASHINGTON DC 20036	AMERICAN HOTEL & MOTEL ASSN	1,128.94	
KIRBY GILLICK SCHWARTZ & TUOHEY, P.C., 1220 L STREET, NW, #310 WASHINGTON DC 20005	LAKE ONTARIO CEMENT LIMITED	2,747.00	55.50
Do	NATIONAL VEHICLE LEASING ASSN	900.00	34.50
ALAN G. KIRK II , 1900 PENNSYLVANIA AVE., NW WASHINGTON DC 20068	POTOMAC ELECTRIC POWER CO		
JOHN R. KIRK, BINGHAM, DANA & GOULD 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
KIRKPATRICK & LOCKHART, 1900 M ST., NW WASHINGTON DC 20036	AMERICAN COUNCIL OF LIFE INSURANCE		
Do	CALVERT GROUP, LTD		
Do	COUNCIL OF STATE HOUSING AGENCIES		
Do	COUNTY OF SUFFOLK, NEW YORK		
Do	INTERNATIONAL GOLD CORPORATION LIMITED	1,239.00	
Do	INVESTORS FIDUCIARY TRUST CO	1,218.00	
Do	PAINE WEBBER JACKSON & CURTIS, INC		
Do	REPUBLIC NATIONAL BANK OF NEW YORK		
Do	SEARCH GROUP, INC		
Do	WHITNEY NATIONAL BANK OF NEW ORLEANS		
SALLY ANN KIRKPATRICK, 1629 K ST., NW, #1010 WASHINGTON DC 20006	ALLIANCE OF AMERICAN INSURERS	588.00	239.71
KIRLIN CAMPBELL & KEATING, 1150 CONNECTICUT AVE., NW, #800 WASHINGTON DC 20036	COUNCIL OF EUROPEAN & JAPANESE NATIONAL SHIPOWNERS' ASSN		365.12
ROBERT A. KIRSHNER, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	100.00	
RICHARD L. KLASS, 1818 N ST., NW, #600 WASHINGTON DC 20036	DGA INTERNATIONAL, INC (FOR: DIR INTL AFF OF THE GEN DEL FOR ARMEMENTS)		
Do	DGA INTERNATIONAL, INC (FOR: SOCIETE NATIONALE D'ETUDE ET DE CONST DE MOTEURS D'AVIATION)		
Do	DGA INTERNATIONAL, INC (FOR: THOMSON-CSF DIVISION SYSTEMS ELECTRONIQUE OF FRANCE)		
RICHARD P. KLEEMAN, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS		
JAMES A. KLEIN, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	1,750.00	288.28
KLINE KNOPF & WOJDAK, INC, 355 N. 21ST STREET, #105 CAMP HILL PA 17011	GENERAL PUBLIC UTILITIES CORPORATION		
WILLIAM J. KLINEFELTER, 815 16TH ST., NW, #706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	9,192.84	
MICHAEL R. KLIPPER, 1600 I ST., NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA	816.55	186.00
GLENN KNAPP, 773 DARTMOUTH AVE. SAN CARLOS CA 94070			
KEITH R. KNOBLOCK, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	20.00	
ALBERT B. KNOLL, 1800 K STREET, NW, #820 WASHINGTON DC 20006	SUN COMPANY, INC	1,500.00	244.70
C. NEAL KNOX, NEAL KNOX ASSOCIATES BOX 6537 SILVER SPRING MD 20906		3,474.00	200.00
RUTH F. KOBELL, 600 MARYLAND AVE., SW, #202 WASHINGTON DC 20024	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	3,074.40	28.06
THOMAS G. KOBUS, 1112 16TH ST., NW, #2000 WASHINGTON DC 20036	NATIONAL PARKING ASSOCIATION	17,393.74	
BRADLEY R. KOCH, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	149.48	
GEORGE W. KOCH, 1010 WISCONSIN AVE., NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC	70.50	
PATRICK C. KOCH, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	800.00	
PAUL E. KOHL, J.C. PENNY CO., INC. 1301 AVENUE OF THE AMERICAS NEW YORK NY 10019	18TH CONG. DIST. FOR PRO-LIFE ACTIVITIES		
MICHAEL S. KOLEDA, 1301 PENNSYLVANIA AVE., NW, #325 WASHINGTON DC 20006	NATIONAL COUNCIL ON SYNTHETIC FUELS PRODUCTION		
JOHN C. KOLOJESKI, LAROE WINN & MOERMAN 1120 G STREET, NW, #800 WASHINGTON DC 20005	CHLORINE INSTITUTE, INC	2,345.00	29.50
NICHOLAS KOMINUS, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036	U.S. CANE SUGAR REFINERS' ASSN	742.50	67.92
EUGENE P. KOPP, SUITE 600 SOUTH 1120 20TH STREET, NW WASHINGTON DC 20036	UNION PACIFIC CORP	1,250.00	
STEVEN KOPPERUD, 1701 N. FT. MYER DRIVE ARLINGTON VA 22209	AMERICAN FEED MANUFACTURERS ASSN	3,240.00	
HORACE R. KORNEGAY, 1875 I ST., NW, #800 WASHINGTON DC 20006	TOBACCO INSTITUTE		
BERNARD KOTEEN, 1150 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	KOTEEN & NAFTALIN (FOR: TAFT BROADCASTING CO)		
GERALD J. KOVACH, 1133 19TH STREET, NW WASHINGTON DC 20036	MCI COMMUNICATIONS CORP		6,746.75
KENNETH S. KOVACK, 815 16TH ST., NW, #706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	9,192.84	
JOAN M. KOVALIC, 21 DUPONT CIRCLE, NW, #600 WASHINGTON DC 20036	TAFT STETTINIUS & HOLLISTER (FOR: INMONT CORP)		
Do	TAFT STETTINIUS & HOLLISTER (FOR: JAMES GRAHAM BROWN FOUNDATION)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS COMPANY)		
CHRIS KOYANAGI, 1702 WOODMAN DRIVE MCLEAN VA 22101	WASHINGTON ALTERNATIVES, INC	6,462.34	66.00
MYLIO S. KRAJA, 1608 K ST., NW WASHINGTON DC 20006	AMERICAN LEGION	3,088.02	295.30
JOSEPH H. KRAMER III, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: HTB CORPORATION)		
STEPHEN W. KRAUS, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
RAYMOND R. KRAUSE, THE PILLSBURY CENTER MS 3278 MINNEAPOLIS MN 55402	PILLSBURY COMPANY	1,500.00	522.00
JEFFREY KRAUSS, 1350 PICCARD DRIVE, #304 ROCKVILLE MD 20850	M/A-COM, INC	2,500.00	150.00
ALAN G. KRAUT, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN	1,000.00	146.45
EARL R. KREHER, 1620 EYE STREET, NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSN OF THE U.S., INC		
KATHERINE KRELL, 1201 PENNSYLVANIA AVENUE, NW, #700 WASHINGTON DC 20004	HILL AND KNOWLTON, INC		
KROGER COMPANY, 1014 VINE ST. CINCINNATI OH 45201			4,641.02
JAMES C. KRONE, 1152 HASLETT ROAD P.O. BOX 99 HASLETT MI 48840	ROSES, INC	600.00	
KATHLEEN BONNER KRONMILLER, 600 WATER STREET, SW, #207 WASHINGTON DC 20024	SPACE SERVICES, INC (SSI) OF AMERICA		
KROOTH & ALTMAN, 2101 L STREET, NW, #210 WASHINGTON DC 20037	BRISCOE CO		862.50
K. H. KRUKE, 1776 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	HIGHWAY USERS FEDERATION FOR SAFETY & MOBILITY	2,143.18	75.53
PAUL R. KRUSE, 1155 15TH ST., NW WASHINGTON DC 20005	PENNZOIL CO	625.00	
JAMES S. KRZYMINSKI, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES		
THOMAS A. KUBE, 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
PHILIP KUGLER, 555 NEW JERSEY AVE., NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS		
LLOYD R. KUHN, 1725 DESALES ST., NW WASHINGTON DC 20036	AEROSPACE INDUSTRIES ASSN OF AMERICA, INC	17,906.00	
THOMAS R. KUHN, 1111 19TH STREET, NW WASHINGTON DC 20036	AMERICAN NUCLEAR ENERGY COUNCIL	12,068.29	556.34
Do	EDISON ELECTRIC INSTITUTE	3,425.82	42.65
ROSE KUIUMGIAN, 1910 K STREET, NW, #700 WASHINGTON DC 20006	NATIONAL GROCERS ASSN		
ESTER KURZ, 444 N. CAPITOL ST., NW, #412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	12,854.16	142.07
JEFFREY KURZWEIL, HILL BETTS & NASH 1220 19TH ST., NW, SUITE 302 WASHINGTON DC 20036	J.W. MARRIOTT INVESTOR GROUP		
Do	MARRIOTT CORPORATION		
GARY JAY KUSHNER, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	1,000.00	
KUTAK ROCK & CAMPBELL, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	HAYES, INC		
Do	METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY		
Do	VALMONT INDUSTRIES, INC		
KUYKENDALL COMPANY, 517 3RD STREET, SE WASHINGTON DC 20003	ALPHA 21 CORP		
Do	BROYHILL FURNITURE INDUSTRIES		
Do	BROYHILL MANAGEMENT CORP		
Do	GULF & CARIBBEAN FOUNDATION		
Do			
Do	MUSE AIR CORP		
Do	PEREGRINE RESOURCES, INC		
Do	ROBERT THOMPSON		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
DAN H. KUYKENDALL, 517 3RD STREET, SE WASHINGTON DC 20003	KUYKENDALL COMPANY		
KWAJALEIN ATOLL CORP, P.O. BOX 5220 KWAJALEIN EBEYE MARSHALL ISLAN			3,300.00
LABOR BUREAU, INC, 1346 CONNECTICUT AVE., NW, #501 WASHINGTON DC 20036		8,678.00	9,754.00
LABOR MANAGEMENT MARITIME COMMITTEE, INC, 100 INDIANA AVENUE, NW WASHINGTON DC 20001			22,088.97
LABORERS' INTL UNION OF NORTH AMERICA, AFL-CIO, 905 16TH ST., NW WASHINGTON DC 20006	MANVILLE PRODUCTS CORP	500.00	
JOSEPH L. LACH, 1025 CONNECTICUT AVENUE, NW, #214 WASHINGTON DC 20036	EDS CORPORATION	192.00	85.00
JOHN D. LACOPO, 229 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	SCOTT PAPER COMPANY	4,750.00	1,892.77
ROBERT A. LADIG, SCOTT PLAZA PHILADELPHIA PA 19113	NATIONWIDE INSURANCE CO & AFFILIATES		
SANDRA L. LAFEVRE, 2500 RIVA ROAD, SE ANNAPOLIS MD 21401	FOLEY LARDNER HOLLABAUGH & JACOBS (FOR: VGS CORPORATION)		
JACK L. LAHR, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AMERICAN PETROLEUM INST	5,000.00	84.31
ROBERT LAMB, 1220 L STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF INSURANCE BROKERS		
DAVID F. LAMBERT III, 311 FIRST STREET, NW, #700 WASHINGTON DC 20001	FEDERATION EMPLOYMENT & GUIDANCE SERVICE		
DAVID M. F. LAMBERT, 1000 POTOMAC STREET, NW, #302 WASHINGTON DC 20007	NEW YORK STOCK EXCHANGE, INC		
DAVID P. LAMBERT, 1800 K ST., NW WASHINGTON DC 20006	AMERICAN SEED TRADE ASSN	5,000.00	
DAVID R. LAMBERT, 1030 15TH ST., NW, #964 WASHINGTON DC 20005	ANHEUSER-BUSCH COMPANIES, INC		
STEPHEN K. LAMBRIGHT, ONE BUSCH PLACE ST. LOUIS MO 63118	CHAMBER OF COMMERCE OF THE U.S.	2,400.00	353.63
VIRGINIA B. LAMP, 1615 H STREET, NW WASHINGTON DC 20062	DGA INTERNATIONAL, INC (FOR: DIR INTL AFF OF THE GEN DEL FOR ARMEMENTS)		
VIRGINIA A. LAMPLEY, 1818 N ST., NW, #600 WASHINGTON DC 20036	DGA INTERNATIONAL, INC (FOR: SOCIETE NATIONALE D'ETUDE ET DE CONST. DE MOTEURS D'AVIATION)		141.22
Do	TEXAS GAS TRANSMISSION CORP	3,000.00	92.91
RAY H. LANCASTER, 1331 PENNSYLVANIA AVE., NW, #565 WASHINGTON DC 20004	LEBOEUF LAMB LEIBY & MACRAE		
L. CHARLES LANDGRAF, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	SMITHKLINE BECKMAN CORP		
THOMAS M. LANDIN, ONE FRANKLIN PLAZA PHILADELPHIA PA 19101	AMERICAN SOC OF COMPOSERS AUTHORS & PUBLISHERS		
LANDIS COHEN SINGMAN & RAUH, 1019 19TH ST., NW, #500 WASHINGTON DC 20036	NFL PLAYERS ASSOCIATION	4,000.00	
Do	ABBOTT LABORATORIES	2,000.00	
DAVID W. LANDSIDLE, 1710 RHODE ISLAND AVENUE, NW, #300 WASHINGTON DC 20036	CITY OF BALTIMORE	600.00	
LANE & EDSON, P.C., 2300 M STREET, NW WASHINGTON DC 20036	COUNCIL FOR RURAL HOUSING AND DEVELOPMENT	4,000.00	
Do	NATIONAL LEASED HOUSING ASSN	900.00	
Do	MEDCOM-MIC		
ALBERT E. LANE, 1377 K ST., NW, #537 WASHINGTON DC 20005	PEOPLE OPPOSED TO ENERGY LOBBY - POTEL		
Do	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
RICHARD F. LANE, 1957 E STREET, NW WASHINGTON DC 20006	NATIONAL RETAIL MERCHANTS ASSN	200.00	20.00
ROBIN W. LANIER, 1000 CONNECTICUT AVE., NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	1,187.50	850.00
WAYNE R. LAPIERRE JR., 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	GENERAL ELECTRIC CO	1,165.00	
CLIFFORD LAPLANTE, 1331 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	NATIONAL RIGHT TO WORK COMM		
REED E. LARSON, 8001 BRADDOCK ROAD, #600 SPRINGFIELD VA 22160	AMALGAMATED TRANSIT UNION, AFL-CIO		
JAMES LASALA, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	NATIONAL RIFLE ASSN OF AMER	1,112.50	
MICHAEL LASHBROOK, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036	AMERICAN DIETETIC ASSN	150.00	32.97
LATHAM WATKINS & HILLS, 1333 NEW HAMPSHIRE AVE., NW, #1200 WASHINGTON DC 20036	SEARS ROEBUCK & CO		
Do	GENERAL DYNAMICS	1,000.00	157.95
KARL F. LAUENSTEIN, 1745 JEFFERSON DAVIS HIGHWAY, #1000 ARLINGTON VA 22202	AMERICAN PAPER INST, INC		
LOUIS F. LAUN, 260 MADISON AVE. NEW YORK NY 10016	PETROLEUM MARKETERS ASSN OF AMERICA	5,000.00	130.88
ROBERT LAUTERBERG, 1120 VERMONT AVE., NW, #1130 WASHINGTON DC 20006	WORLD ZIONIST ORGANIZATION JERUSALEM, ISRAEL		
LAVENTHOL & HORWATH, 1901 L STREET, NW WASHINGTON DC 20036	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
JOAN H. LAVOR, 1957 E STREET, NW WASHINGTON DC 20006	COTTAGE INDUSTRIES		
DEBORAH A. LAWRENCE, P.O. BOX 12148 ARLINGTON VA 22209	LEAGUE OF WOMEN VOTERS OF THE U.S.	3,593.89	51.80
ELIZABETH LAWSON, 1730 M STREET, NW WASHINGTON DC 20036	SHELL OIL COMPANY	500.00	
JANIE L. LAWSON, 1025 CONNECTICUT AVENUE, NW, #200 WASHINGTON DC 20036	CITIZENS FOR AMERICA		
LAXALT CORPORATION, 214 MASSACHUSETTS AVE., NE, #380 WASHINGTON DC 20002	MOTION PICTURE ASSN OF AMERICA, INC	2,000.00	
Do	PHILIP MORRIS INTERNATIONAL	1,300.00	
Do	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA		
ERNEST M. LE SUEUR, 453 NEW JERSEY AVENUE, SE WASHINGTON DC 20003		20,280.30	11,454.54
LEAD-ZINC PRODUCERS COMMITTEE, 180 MAIDEN LANE NEW YORK NY 10038		31,448.90	31,448.90
LEAGUE OF WOMEN VOTERS OF THE U.S., 1730 M ST., NW WASHINGTON DC 20036			8,000.00
LEAGUE TO SAVE LAKE TAHOE, 2197 LAKE TAHOE BLVD. P.O. BOX 10110 SOUTH LAKE TAHOE CA 95731	BUSINESS ROUNDTABLE		
THOMAS B. LEARY, HOGAN & HARTSON 815 CONNECTICUT AVENUE, NW WASHINGTON DC 20006			
RICHARD J. LEASE, 2145 BOISE DRIVE LAS CRUCES NM 88001	SHIPPING CORP OF INDIA, LTD	8,909.10	
LEBOEUF LAMB LEIBY & MACRAE, 1333 NEW HAMPSHIRE AVE., NW, #1100 WASHINGTON DC 20036	UNDERWRITERS AT LLOYD'S LONDON		
Do	AMERICAN ASSN OF NURSERYMEN		
ROBERT F. LEDERER, 1250 I STREET, NW, #500 WASHINGTON DC 20005	ENTEX, INC		
THOMAS J. LEE JR., P.O. BOX 2628 HOUSTON TX 77252	CITY OF NEW BRIGHTON		
LEFEVERE LEFLER KENNEDY O'BRIEN & DRAWZ, 2000 FIRST BANK PLACE WEST 120 SOUTH 6TH STREET MINNEAPOLIS MN 55402			
LEFF & MASON, 1700 PENNSYLVANIA AVE., NW, #450 WASHINGTON DC 20006	COUNTY OF ORANGE		
Do	ORANGE COUNTY TRANSPORTATION COMMISSION		
Do	ORANGE COUNTY WATER DISTRICT		
Do	SANTA ANA RIVER FLOOD PROTECTION AGENCY		
LEIGHTON LEMOV JACOBS & BUCKLEY, 2033 M ST., NW, #800 WASHINGTON DC 20036	ADHESIVE & SEALANT COUNCIL, INC		
Do	AMERICAN ASSN OF NURSE ANESTHETISTS		
Do	AMERICAN DENTAL ASSISTANTS ASSN		
Do	INTRAOCULAR LENS MFRS ASSN		
TERRY L. LEITZELL, BOYLE AND GATES ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	AMERICAN SHRIMPBOAT ASSOCIATION	1,000.00	
Do	MARINE CONSTRUCTION & DESIGN CO		
Do	OCEANTRAWL CORPORATION	2,000.00	
Do	BOGLE & GATES (FOR: PACIFIC SEAFOOD PROCESSORS ASSN)	300.00	
Do	PORT OF SEATTLE	2,000.00	
Do	SEATTLE METRO	1,000.00	
JOSEPH L. LEITZINGER, 900 4TH AVE. SEATTLE WA 98164	SIMPSON TIMBER CO		
LYNN H. LEMASTER, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	671.43	178.51
LAVERNE STILL LEMEN, 1030 15TH ST., NW, #700 WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMER	481.25	16.93
LYNETTE LENARD, 1050 CONNECTICUT AVENUE, NW, #300 WASHINGTON DC 20036	NABISCO BRANDS, INC	2,500.00	1,130.57
THOMAS J. LENGYEL, 1625 K STREET, NW, #1000 WASHINGTON DC 20006	AMERICAN INST OF MERCHANT SHIPPING		
LEONARD & MCGAUN, P.C., 900 17TH STREET, NW, #1020 WASHINGTON DC 20006	KANSAS CORPORATION COMMISSION		
BETTY JANE LEONARD, P.O. BOX 19109 GREENSBORO NC 27419	UNIFI, INC		
BURLEIGH C. W. LEONARD, 2550 M STREET, NW, #770 WASHINGTON DC 20037	RJR INDUSTRIES, INC	600.00	443.75
EARL T. LEONARD JR., P.O. DRAWER 1734 ATLANTA GA 30301	COCA-COLA COMPANY	3,072.00	3,310.80
LLOYD LEONARD, 1730 M ST., NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.	4,846.17	57.82
RODNEY E. LEONARD, 2001 S STREET, NW, #530 WASHINGTON DC 20009	COMMUNITY NUTRITION INSTITUTE		
CHARLES LEPPERT JR., 801 18TH STREET, NW, #400 WASHINGTON DC 20006	PROCTER & GAMBLE MANUFACTURING CO	-76.71	
RICHARD L. LESHER, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	769.25	
WILLIAM J. LESSARD JR., 1300 19TH STREET, NW, #310 WASHINGTON DC 20036	NATIONAL COMM TO PRESERVE SOCIAL SECURITY & MEDICARE	3,000.00	
LEVA HAWES SYMINGTON & MARTIN, 815 CONNECTICUT AVE., NW, #1001 WASHINGTON DC 20006	FINNIGAN CORPORATION	1,620.00	55.60
Do	SCIENTIFIC APPARATUS MAKERS ASSN		45.44
MORRIS J. LEVIN, 1050 17TH ST., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN RAILROADS	2,500.00	
BARBARA W. LEVINE, 1015 15TH STREET, NW WASHINGTON DC 20005	AMERICAN PUBLIC HEALTH ASSN	634.50	
BERTRAM J. LEVINE, 1667 K STREET, NW, #410 WASHINGTON DC 20006	JOHNSON & JOHNSON	1,000.00	225.00
HARRY LEVINE JR., 1331 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	GENERAL ELECTRIC CO	175.00	
JAMES F. LEVY, 5301 TRENHOLM ROAD COLUMBIA SC 29260	DENTAL MANAGEMENT SERVICES, INC		
LESLIE LEVY, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	8,084.88	152.76
ROGER N. LEVY, 600 PENNSYLVANIA AVENUE, SE, #200 WASHINGTON DC 20003	INDEPENDENT INSURANCE AGENTS OF AMERICA, INC	21,192.00	
F. THOMAS LEWAND, 1800 FIRST NATIONAL BUILDING DETROIT MI 48226	JAFFE SNIDER RAITT & HEUER, P.C		
CLUNET R. LEWIS, 1800 FIRST NATIONAL BUILDING DETROIT MI 48226	JAFFE SNIDER RAITT & HEUER, P.C		
E. DAVID LEWIS, UNIT P 7297 LEE HIGHWAY FALLS CHURCH VA 22042	SOCIETY OF AMERICAN WOOD PRESERVERS, INC	500.00	600.00
MICHAEL R. LEWIS, 1133 15TH ST., NW, #640 WASHINGTON DC 20005	INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION	9,812.00	1,227.69
RICHARD LEWIS, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AMERICAN PULPWOOD ASSN		
STUART A. LEWIS, 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	MANUFACTURERS HANOVER CORP	400.00	
Do	NATIONAL BANK OF DETROIT	200.00	
LEWIS WHITE & CLAY, P.C., 1300 FIRST NATIONAL BUILDING DETROIT MI 48226			
JOHN F. LEYDEN, 815 16TH STREET, NW, #308 WASHINGTON DC 20006	PUBLIC EMPLOYEE DEPARTMENT, AFL-CIO	3,805.87	
WILLIAM J. LHOTA, 215 N. FRONT STREET COLUMBUS OH 43215	COLUMBUS AND SOUTHERN OHIO ELECTRIC CO	1,261.44	1,134.78
ROBERT G. LIBERATORE, 1100 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CHRYSLER CORP	2,250.00	301.05
JUDITH LICHTMAN, 2000 P ST., NW, #400 WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND	332.40	106.95
HERBERT LIEBENSON, 1604 K ST., NW WASHINGTON DC 20006	NATIONAL SMALL BUSINESS ASSN	5,625.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	SMALL BUSINESS LEGISLATIVE COUNCIL		
WILLIAM C. LIENESCH, 238 10TH ST., SE WASHINGTON DC 20003	NATIONAL PARKS & CONSERVATION ASSOCIATION	666.50	19.80
TERRY L. LIERMAN, 1156 15TH STREET, NW, #1102 WASHINGTON DC 20005	ALBERT AND DIANE KANEB		
DUKE R. LIGON, 1575 EYE STREET, NW, #510 WASHINGTON DC 20005	CORCORAN HARDESTY WHYTE HEMPHILL & LIGON, P.C. (FOR: NOVA SCOTIA RESOURCES, LTD).		
Do	CORCORAN HARDESTY WHYTE HEMPHILL & LIGON (FOR: PROVINCE OF NOVA SCOTIA).		
ROSS W. LILLARD, 2100 CHARTERBANK CENTER KANSAS CITY MO 64105	STINSON MAG & FIZZELL (FOR: FARMLAND INDUSTRIES, INC)		
RICHARD A. LILLQUIST, 1090 VERMONT AVE., NW, #500 WASHINGTON DC 20005	FLEXIBLE PACKAGING ASSOCIATION		
STEPHEN R. LINDAUER, 1957 E STREET, NW WASHINGTON DC 20515	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
ELENA LINTHICUM, 1150 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	ALLIED CORPORATION		
LINTON MIELDS REISLER & COTTONE, LTD, 1015 18TH ST., NW, #200 WASHINGTON DC 20036	AMBASSADOR BRIDGE CO		
Do	CENTRAL TRANSPORT		
HERSHEL LIPOW, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	3,625.00	108.35
FRANCES S. LIPSCOMB, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	600.00	
LISBOA ASSOCIATES, INC, 3600 M STREET, NW WASHINGTON DC 20007			126.20
JOHN M. LISON, 16100 SOUTH LATHROP AVENUE HARVEY IL 60426	ATCOR, INC	6,000.00	287.75
SUSAN LISS, 600 NEW JERSEY AVENUE, NW WASHINGTON DC 20001	JUDICIAL SELECTION PROJECT	79.61	
BARBARA A. LITTLE, 1155 15TH ST., NW, #611 WASHINGTON DC 20005	ETHYL CORPORATION	1,000.00	
CHARLES B. LITTLE, 600 MARYLAND AVE., SW, #603 WASHINGTON DC 20024	UBA, INC	1,000.00	
WILLIAM F. LITTLE, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	487.00	332.40
ROY LITTLEFIELD, 15900 PINECROFT LANE BOWIE MD 20716	AMERICAN RETREADERS ASSN	2,000.00	
Do	GREATER WASHINGTON/MARYLAND SERVICE STATION ASSN	2,000.00	
E. GEOFFREY LITTLEHALE, 1101 14TH STREET, NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN	1,250.00	128.20
THEODORE M. LITTMAN, 2230 E. IMPERIAL AVE. EL SEGUNDO CA 90245	ROCKWELL INTERNATIONAL		
ROBERT W. LIVELY, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	115.00	
LIVESTOCK MARKETING ASSOCIATION, 301 E. ARMOUR BLVD. KANSAS CITY MO 64111			5,814.81
FRANCI LIVINGSTON, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	CONGRESS WATCH	3,750.00	
NEIL C. LIVINGSTONE, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: ELECTRONIC INDUSTRIES ASSN OF JAPAN).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: GOVERNMENT OF HAITI)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF KOREA)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)		
LOBEL NOVINS & LAMONT, 1275 K ST., NW, #770 WASHINGTON DC 20005	GENERIC PHARMACEUTICAL INDUSTRY ASSN	3,126.12	112.49
PAUL LOCIGNO, 25 LOUISIANA AVENUE, NW WASHINGTON DC 20001	INTERNATIONAL BROTHERHOOD OF TEAMSTERS	16,220.52	
ROBERT F. LOCKHART JR., 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO, INC		
KAREN LOCKWOOD, 444 NORTH CAPITOL ST., NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	3,227.65	380.51
NILS LOFGREN, 1620 EYE STREET, NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSN OF THE U.S., INC		
JUDITH LOGAN-WHITE, 100 MARYLAND AVENUE, NE WASHINGTON DC 20002	RELIGIOUS COALITION FOR ABORTION RIGHTS, INC	4,012.08	
ROBERT S. LONG, 919 18TH STREET, NW, #400 WASHINGTON DC 20006	DIAMOND SHAMROCK CORP	1,000.00	213.01
ROBERT W. LONG, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	40.00	
WILLIAM E. LONG, ONE NATIONWIDE PLAZA COLUMBUS OH 43216	NATIONWIDE INSURANCE COMPANY	4,680.00	
LONGNECKER & ASSOC, P.O. BOX 24209 WASHINGTON DC 20024			
JOHN H. LONNQUIST, 1025 CONNECTICUT AVE., NW, #214 WASHINGTON DC 20036	MANVILLE CORPORATION	1,500.00	
LAURA LOOMIS, 1701 18TH ST., NW ARLINGTON VA 20009	NATIONAL PARKS & CONSERVATION ASSOCIATION		
LOOMIS OWEN FELLMAN & HOWE, 2020 K ST., NW WASHINGTON DC 20006	ASSOCIATION OF BITUMINOUS CONTRACTORS		
Do	CLASSROOM PUBLISHERS ASSN		
Do	TEXTILE RENTAL SERVICES ASSN OF AMERICA		
SUSAN J. LOOMIS, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	2,000.00	500.00
GERALD D. LORE, 1050 CONNECTICUT AVENUE, NW, #401 WASHINGTON DC 20036	HOFFMANN-LA ROCHE, INC		
PHILIP J. LOREE, 50 BROADWAY NEW YORK NY 10004	FEDERATION OF AMERICAN CONTROLLED SHIPPING	200.00	
ROBERT E. LOSCH, P.C., 1716 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20009	AMERICAN DREDGING CO, ET AL	20,000.00	3,539.73
CLAUDIA J. LOUIS, 1101 16TH ST., NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN		
JAMES F. LOVETT, 1801 K ST., NW WASHINGTON DC 20006	WESTINGHOUSE ELECTRIC CORP	500.00	200.00
RODNEY W. LOWMAN, 1025 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	GULF OIL CORP		
JAMES D. LUCAS, 25 SOUTH CHARLES STREET BALTIMORE MD 21201	FIRST NATIONAL BANK OF MARYLAND		
MRS. FREDDIE H. LUCAS, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	1,517.65
CHARLES EMMET LUCEY, MCDERMOTT, WILL & EMERY 1850 K STREET, NW, #500 WASHINGTON DC 20006	MCDERMOTT WILL & EMERY		
SYLVESTER LUKIS, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	CRAMER HABER & LUKIS, P.C. (FOR: CANAVERAL PORT AUTHORITY)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: CITY OF MIAMI)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: DADE COUNTY INTERNATIONAL AIRPORT)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: DADE COUNTY)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: PENNSYLVANIA ENGINEERING CORP)		
Do	CRAMER HABER & LUKIS, P.C. (FOR: REPUBLIC OF GABON)		
LUMAN & SCHOOR, 1030 15TH ST., NW, #720 WASHINGTON DC 20005	NATIONAL ASSN OF PERSONNEL CONSULTANTS		
LUMBERMENS MUTUAL CASUALTY COMPANY, LONG GROVE IL 60049			3,302.00
MILTON F. LUNCH, 1420 KING ST. ALEXANDRIA VA 22314	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	1,000.00	
LUND & O'BRIEN, 1625 EYE ST., NW WASHINGTON DC 20006	FEDERATION OF AMERICAN CONTROLLED SHIPPING	600.00	33.15
Do	PENNSYLVANIA POWER & LIGHT CO	1,274.00	76.77
CHRISTIAN J. LUND, 1825 I STREET, NW, #700 WASHINGTON DC 20006	UNITED TECHNOLOGIES CORPORATION		
FRANCIS M. LUNNIE JR., 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS		
JOHN C. LYNCH, 1615 H STREET, NW WASHINGTON DC 20062	CITIZEN'S CHOICE, INC	10,375.00	
TIMOTHY P. LYNCH, 1501 WILSON BOULEVARD, #910 ARLINGTON VA 22209	ROADWAY EXPRESS, INC	425.00	200.00
M/A-COM, INC, 1350 PICCARD DRIVE, #304 ROCKVILLE MD 20850			22,138.50
TIMOTHY MACCARTHY, 1620 I STREET, NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSN OF THE U.S., INC	783.00	
ANTHONY R. MACCHIA, 127 JOHN STREET NEW YORK NY 10038	COFFEE SUGAR & COCOA EXCHANGE, INC		
RUSSELL MACCLEERY, 1250 I STREET, NW, #400 WASHINGTON DC 20005	NATIONAL TIRE DEALERS & RETREADERS ASSN		
JACK A. MACDONALD, 1901 N. FORT MEYER DRIVE, #302 ROSSLYN VA 22209	BEVERLY ENTERPRISES, INC	6,250.00	150.00
MIRIAM A. MACDONALD, 1025 CONNECTICUT AVENUE, NW, #1010 WASHINGTON DC 20036	METROPOLITAN INSURANCE COS	1,000.00	
JAMES E. MACK, 9005 CONGRESSIONAL COURT POTOMAC MD 20854	NATIONAL ASSN OF MIRROR MFGRS		
Do	PEANUT BUTTER & NUT PROCESSORS ASSN	4,906.20	2,194.13
JAMES H. MACK, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	14,410.00	500.00
PETER T. MADIGAN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	260.19
SUSAN MAGAW, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	2,000.00	
A. JOHN MAGUIRE, 1030 15TH STREET, NW WASHINGTON DC 20005	NATIONAL COTTON COUNCIL OF AMERICA	12,000.00	478.85
CHARLES MAGUIRE, 3315 P STREET, NW, #906 WASHINGTON DC 20036	MERRILL LYNCH & CO, INC	1,200.00	
W. TERRY MAGUIRE, BOX 17407 DULLES INTERNATIONAL AIRPORT WASHINGTON DC 20041	AMERICAN NEWSPAPER PUBLISHERS ASSN	1,125.00	
MICHAEL MAHDESIAN, 8636 WONDERLAND AVE. LOS ANGELES CA 90046	ARMENIAN NATIONAL COMMITTEE		
THOMAS D. MAHER, 1600 M ST., NW WASHINGTON DC 20036	INVESTMENT COMPANY INSTITUTE		
JOHN F. MAHONEY, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	5,378.00	
TERENCE P. MAHONY, 1825 K STREET, NW, #807 WASHINGTON DC 20006	NATIONAL BROADCASTING CO, INC	500.00	92.09
MICHAEL C. MAIBACH, 3065 BOWERS AVENUE SANTA CLARA CA 95051	INTEL CORPORATION	12,000.00	2,707.49
ROBERT L. MAIER, 900 17TH ST., NW, #1000 WASHINGTON DC 20006	KAISER ALUMINUM & CHEMICAL CORP	70.00	8.00
STEVEN R. MAIMON, P.O. BOX 7579 WASHINGTON DC 20044			
MICHAL W. MAINWARING, 1730 RHODE ISLAND AVENUE, NW, #713 WASHINGTON DC 20036	PPG INDUSTRIES, INC		
MAJOR LEAGUE BASEBALL PLAYERS ASSN, 805 THIRD AVENUE NEW YORK NY 10022			569.70
K. WAYNE MALBON, 1250 I STREET, NW, #400 WASHINGTON DC 20005	NATIONAL TIRE DEALERS & RETREADERS ASSN, INC	625.00	25.00
DAVID MALLINO, 815 16TH STREET, NW WASHINGTON DC 20006	INDUSTRIAL UNION DEPT, AFL-CIO	6,922.50	191.00
J. WILSON MALLOY JR., 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	EASTMAN CHEMICALS DIVISION	500.00	70.95
KURT L. MALMGREN, 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORATION	1,050.00	
LAWRENCE R. MALONE, 1211 AVENUE OF THE AMERICAS NEW YORK NY 10036	CELANESE CORP		
MARY JO MALONE, 1735 NEW YORK AVE., NW WASHINGTON DC 20006	AMERICAN INST OF ARCHITECTS	1,900.00	223.00
ROBERT H. MALONEY, 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO, INC		
WILLIAM R. MALONI, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN	22,500.00	1,106.79
MANAGEMENT IMPROVEMENT CORP. OF AMERICA, 2634 CHAPEL HILL BLVD. DURHAM NC 27707			
CARTER MANASCO, 5932 CHESTERBROOK RD. MCLEAN VA 22101	NATIONAL COAL ASSN	7,812.51	111.90
MANATT PHELPS ROTHENBERG & TUNNEY, 1200 NEW HAMPSHIRE AVE., NW, #200 WASHINGTON DC 20036	BANKERS TRUST CO		
Do	BKK CORPORATION		
Do	BOEING CO		
Do	FLYING TIGER LINE, INC	1,475.00	
Do	KAUFMAN & BROAD, INC		
Do	MANUFACTURERS HANOVER LEASING CORPORATION	210.00	
Do	NORTHROP CORP	1,155.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT	420.00	
FRANK MANKIEWICZ, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN EXPRESS CO)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN IRON & STEEL INSTITUTE).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: JOINT MARITIME CONGRESS).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: NATIONAL BROADCASTING CO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE GUARANTY CO).		
RICHARD J. MANNIX, 195 MONTAGUE ST. BROOKLYN NY 11201	BROOKLYN UNION GAS CO		
CLAUDIA MANSFIELD, 1801 N. MOORE STREET ARLINGTON VA 22209	AMERICAN ASSN OF SCHOOL ADMINISTRATORS		87.50
CYNTHIA MANSFIELD, 600 MARYLAND AVE., SW, #520 WASHINGTON DC 20024	GPU SERVICE CORPORATION	4,421.61	586.67
ARMAND G MANSON, 1090 VERMONT AVE., NW, #1100 WASHINGTON DC 20006	BELL AEROSPACE TEXTRON		
MANUFACTURED HOUSING INST, 1745 JEFFERSON DAVIS HIGHWAY, #511 ARLINGTON VA 22202			4,900.00
JOHN V. MARANEY, 324 EAST CAPITOL ST., NE WASHINGTON DC 20003	NATIONAL STAR ROUTE MAIL CARRIERS' ASSN		
MARCH FOR LIFE, INC, PO BOX 2950 WASHINGTON DC 20013		105,593.61	86,696.92
R. V. MARIANI, 815 16TH ST., NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY AIRLINE & STEAMSHIP CLERKS	1,000.00	1,000.00
MARITIME INSTITUTE FOR RESEARCH & INDUSTRIAL DEVELOPMENT, 1133 15TH ST., NW, #600 WASHINGTON DC 20005			13,152.00
PATRICIA MARKEY, 1899 L ST., NW, #505 WASHINGTON DC 20036	UNITED DISTRIBUTION COMPANIES	840.00	48.80
E. VERNON MARKHAM III, 2121 K STREET, NW, #830 WASHINGTON DC 20037	STEPHENS OVERSEAS SERVICES, INC		
LAWRENCE D. MARKLEY, P.O. BOX 6300 ANCHORAGE AK 99501	CHUGACH ELECTRIC ASSN, INC		275.48
NATHAN FRED MARKS, 685 N.W. 8TH STREET GRESHAM OR 97030			
LUTHER A. MARKWART, 1156 15TH ST., NW, #1019 WASHINGTON DC 20005	AMERICAN SUGARBEET GROWERS ASSN		
HOWARD MARLOWE, 655 15TH STREET, NW, #300 WASHINGTON DC 20005	COALITION TO KEEP ALASKA OIL	1,000.00	20.00
CHALMERS H. MARQUIS, 3430 BLAIR RD. FALLS CHURCH VA 22041	NATIONAL ASSN FOR PUBLIC TELEVISION STATIONS	600.00	150.00
DAN MARRIOTT, 900 KENNECOTT BUILDING SALT LAKE CITY UT 84133	GUARDIAN LIFE INSURANCE CO OF AMERICA		
C. TRAVIS MARSHALL, 1776 K ST., NW WASHINGTON DC 20006	MOTOROLA, INC	1,500.00	360.59
CATHERINE A. MARSHALL, 1750 K STREET, NW WASHINGTON DC 20006	U.S. BREWERS ASSN, INC		
THOMAS A. MARTENS, P.O. BOX 10110 SO. LAKE TAHOE CA 95731	LEAGUE TO SAVE LAKE TAHOE	8,000.00	
DANEA KEHOE MARTIN, 1922 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF LIFE UNDERWRITERS	215.00	
DAVID F. MARTIN, 2020 14TH STREET, NORTH ARLINGTON VA 22201	TRANE COMPANY	750.00	
DONALD N. MARTIN, DONALD N. MARTIN & COMPANY, INC 630 FIFTH AVE. NEW YORK NY 10111			
FRED J. MARTIN JR., 1800 K STREET, NW WASHINGTON DC 20006	BANKAMERICA CORPORATION	619.22	1,002.89
J. ROSS MARTIN, KANSAS PETROLEUM COUNCIL 1414 MERCHANTS NAT'L BANK BLDG. 8TH & JACKSON TOPEKA KS 66612	AMERICAN PETROLEUM INSTITUTE	675.00	968.54
JAMES D. MARTIN, 4600 72ND AVENUE LANDOVER HILLS MD 20784	COMMUNICATIONS SATELLITE CORPORATION	1,500.00	150.18
JOHN M. MARTIN JR., 6909 FORT HUNT ROAD ALEXANDRIA VA 22307	FOOD MARKETING INSTITUTE	100.00	
Do	JEWELRY INDUSTRY COORDINATING COMMITTEE		
KATHERINE E. MARTIN, 412 FIRST ST., SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS	657.74	357.60
LARRY K. MARTIN, 1611 NORTH KENT STREET, #800 ARLINGTON VA 22209	AMERICAN APPAREL MANUFACTURERS ASSN, INC	2,600.00	575.68
STEPHEN L. MARTIN, HARTFORD PLAZA HARTFORD CT 06115	HARTFORD FIRE INSURANCE CO		
JAMES C. MARTINELLI, 1025 CONNECTICUT AVENUE, NW, #300 WASHINGTON DC 20036	ENVIRONMENTAL MANAGEMENT CONSULTANTS, INC		
VILMA S. MARTINEZ, 612 S. FLOWER STREET, 5TH FLOOR LOS ANGELES CA 90017	MUNGER TOLLES & RICKERSHAUSER (FOR: SPANISH INTERNATIONAL COMMUNICATION CORP).	1,120.00	114.16
ERNEST MARTY, 85 RIDGE ST. NORTH SIDNEY, NSW 2060 AUSTRALIA			
JUDITH MARTY, 85 RIDGE ST. NORTH SYDNEY, NSW 2060 AUSTRALIA			
JOSEPH J. MARTYAK, 1100 15TH ST., NW, 12TH FL. WASHINGTON DC 20005	UNION CARBIDE CORP		
MARYLAND SAVINGS-SHARE INSURANCE CORP, 901 NORTH HOWARD STREET BALTIMORE MD 21201			78.99
MIKE M. MASAOKA, SUITE 520, THE FARRAGUT BLDG. 900 17TH ST., NW WASHINGTON DC 20006	AMERICAN JAPANESE TRADE COMM		
Do	JAPAN TELESCOPES MANUFACTURERS ASSN	200.00	
Do	NISEI LOBBY		
Do	TOYOTA MOTOR SALES, U.S.A., INC	750.00	
Do	WEST MEXICO VEGETABLE DISTRIBUTORS ASSN	500.00	
MARK A. MASLYN, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FEDERATION	5,250.00	27.00
W. A. MASON, P.O. BOX 21106 SHREVEPORT LA 71156	SOUTHWESTERN ELECTRIC POWER CO	101.78	
NED W. MASSEE, 299 PARK AVENUE NEW YORK NY 10171	WESTVACO CORP		
DONALD F. MASSEY, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CHICAGO TITLE INSURANCE CO).	1,260.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: FIRST AMERICAN TITLE INSURANCE CO).	1,260.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LAWYERS TITLE INSURANCE CO).	1,260.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)	620.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SAFECO TITLE INSURANCE CO).	1,260.00	
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: STEWART TITLE INSURANCE CO).	1,260.00	
JAMES D. MASSIE, 1730 RHODE ISLAND AVENUE, NW, #400 WASHINGTON DC 20036	FREEPORT-MCMORAN, INC	300.00	186.25
CHARLES D. MATTHEWS, 1050 17TH ST., NW, #700 WASHINGTON DC 20036	NATIONAL OCEAN INDUSTRIES ASSN	1,359.60	384.54
ROBERT A. MATTHEWS, 700 NORTH FAIRFAX ST. ALEXANDRIA VA 22314	RAILWAY PROGRESS INST	1,021.88	
SUZETTE MATTHEWS, 1726 M STREET, NW, #806 WASHINGTON DC 20036	AIR TRAFFIC CONTROL ASSN, INC	3,180.85	3,183.85
JOANNE E. MATTIACE, 633 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20004	SEARS ROEBUCK & CO	150.00	86.57
WILLIAM C. MATTOX, 1775 PENNSYLVANIA AVENUE, NW, #701 WASHINGTON DC 20006	EQUITABLE LIFE ASSURANCE SOCIETY OF THE U.S	1,100.00	45.00
MARSHALL L. MATZ, SCOTT HARRISON & MCLEOD 2501 M STREET, NW, 4TH FL. WASHINGTON DC 20037	AFFILIATED FOOD PROCESSORS, INC		
Do	AMERICAN SCHOOL FOOD SERVICE ASSN	9,000.00	2,368.23
Do	ELECTRONIC DATA SYSTEMS	12,000.00	320.48
C.V. & R.V. MAUDLIN, 1511 K STREET, NW, #535 WASHINGTON DC 20005	BRASS AND BRONZE INGOT INSTITUTE		
ANTHONY F. MAURIELLO, NEW YORK STATE PETROLEUM COUNCIL 150 STATE STREET ALBANY NY 12207	AMERICAN PETROLEUM INST	1,500.00	1,070.60
SAMUEL L. MAURY, 1828 L ST., NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE	800.00	
THOMAS H. MAXEDON, KENTUCKY PETROLEUM COUNCIL 612-A SHELBY STREET FRANKFORT KY 40601	AMERICAN PETROLEUM INSTITUTE		
WILLIAM A. MAXWELL, 311 FIRST STREET, NW, #500 WASHINGTON DC 20001	COMPUTER & BUSINESS EQUIPMENT MANUFACTURERS ASSN	1,400.00	
WALTER R. MAY, 7004 PARK TERRACE DRIVE ALEXANDRIA VA 22307	YELLOW FREIGHT SYSTEM, INC	11,250.00	1,863.00
ARNOLD MAYER, 1775 K ST., NW WASHINGTON DC 20006	UNITED FOOD & COMMERCIAL WORKERS INTL UNION	18,846.17	978.24
MAYER BROWN & PLATT, 2000 PENNSYLVANIA AVENUE, NW, #6500 WASHINGTON DC 20006	AEROSPACE INDUSTRIES ASSN OF AMERICA, INC		
Do	COMDISCO, INC		
Do	GATX CORP		
Do	JMB REALTY CORP	850.00	
Do	SEARS ROEBUCK & CO		
Do	TRANSCANADA PIPELINES LTD		
G. MARK MAYFIELD, P.O. BOX 7305, DEPT. 77 KANSAS CITY MO 64116	FARMLAND INDUSTRIES, INC		
JEFFREY G. MAYS, 600 MARYLAND AVE., SW, #400E WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
MICHAEL J. MCADAMS, 1015 18TH STREET, NW WASHINGTON DC 20036	FERTILIZER INSTITUTE	10,000.00	1,772.99
DOUGLAS E. MCALLISTER, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
ANN MCBRIDE, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	13,398.78	92.50
R. G. MCBRIDE, MISSISSIPPI PETROLEUM COUNCIL P.O. BOX 42 JACKSON MS 39205	AMERICAN PETROLEUM INSTITUTE	1,000.00	1,053.64
STEPHEN C. MCCAFFREY, 1828 N. MERIDIAN STREET INDIANAPOLIS IN 46202	UNITED WAY OF INDIANAPOLIS		
KATHERINE S. MCCARTER, 1015 15TH STREET, NW WASHINGTON DC 20005	AMERICAN PUBLIC HEALTH ASSN	2,566.00	
CAROLYN KIM MCCARTHY, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	1,500.00	500.00
JAMES R. MCCARTHY, 1220 L STREET, NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST	200.00	
JAMES W. MCCARTHY, 1515 WILSON BOULEVARD ARLINGTON VA 22209	AMERICAN GAS ASSN	7,900.00	1,983.00
MCCARTY NOONE & WILLIAMS, 490 L'ENFANT PLAZA EAST, SW, #3306 WASHINGTON DC 20024	AMERICAN MEDICAL TECHNOLOGISTS	855.00	69.21
MCCLURE & TROTTER, 1100 CONNECTICUT AVE., NW, #600 WASHINGTON DC 20036	COCA-COLA COMPANY		
Do	GULF & WESTERN INDUSTRIES, INC		
Do	MOBIL OIL CORP		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS		
Do	PROVIDENCE CAPITOL CORP		
ROBERT S. MCCONNAUGHEY, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
JAMES F. MCCONNELL JR., 1700 PENNSYLVANIA AVENUE, NW, #450 WASHINGTON DC 20006	LEFF & MASON (FOR: CARMA-SANDLING GROUP)		
JOHN L. MCCONNELL, 1800 K ST., NW, #1100 WASHINGTON DC 20006	NEW YORK STOCK EXCHANGE, INC		
SALLY MCCONNELL, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	8,709.33	360.18
MOLLY MCCORMICK, 2301 MARKET STREET, S24-4 PHILADELPHIA PA 19101	PHILADELPHIA ELECTRIC COMPANY		
ALVIN MCCOY, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
DENNIS R. MCCOY, 1101 17TH STREET, NW WASHINGTON DC 20036	UNITED GAS PIPE LINE CO		
E. L. MCCULLOCH, 819 RAILWAY LABOR BLDG., 400 1ST ST., NW WASHINGTON DC 20001	BROTHERHOOD OF LOCOMOTIVE ENGINEERS	284.60	239.66
DAVID F. MCDERMITT, 1235 JEFFERSON-DAVIS HIGHWAY, #606 ARLINGTON VA 22202	NATIONAL UTILITY CONTRACTORS ASSN		44.91
ALBERT L. MCDERMOTT, 1819 L STREET, NW, #600 WASHINGTON DC 20036	AMERICAN HOTEL & MOTEL ASSN	2,032.62	
MARIANNE MCDERMOTT, 600 PENNSYLVANIA AVENUE, NW, #300 WASHINGTON DC 20003	GREETING CARD ASSN		
MARK T. MCDERMOTT, JOSEPH, POWELL, MCDERMOTT & REINER, P.C. 1300 19TH STREET, NW, #400 WASHINGTON DC 20036.	CIVIL PILOTS FOR REGULATORY REFORM	3,000.00	
MCDERMOTT WILL & EMERY, 1850 K ST., NW, #500 WASHINGTON DC 20006	CATERPILLAR TRACTOR CO	180.00	
Do	FEDERAL KEMPER LIFE ASSURANCE COMPANY	243.00	
Do	GUARDIAN AD LITEM, AIR CRASH DISASTER NEAR SAIGON		
Do	KEMPER INVESTORS LIFE INSURANCE CO	117.00	
Do	LUMBERMAN MUTUAL CASUALTY CO		
Do	TUNA RESEARCH FOUNDATION, INC		
JACK MCDONALD CO, 1800 M STREET, NW, #950 NORTH WASHINGTON DC 20036	AMERICAN EXPRESS CORP		
Do	COALITION FOR THE ADVANCEMENT OF INDUSTRIAL TECHNOLOGY	2,000.00	107.65
Do	FIBER FABRIC & APPAREL COALITION FOR TRADE		
Do	MUTUAL BENEFIT LIFE INSURANCE CO		
E. T. MCDONALD, 815 16TH ST., NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY AIRLINE & STEAMSHIP CLERKS	2,500.00	2,500.00
JACK MCDONALD, 1800 M STREET, NW, #950 NORTH WASHINGTON DC 20036	JACK MCDONALD CO (FOR: AMERICAN EXPRESS CORP)		
Do	JACK MCDONALD CO (FOR: COALITION FOR THE ADVANCEMENT OF INDUSTRIAL TECHNOLOGY)	2,000.00	107.65
Do	JACK MCDONALD CO (FOR: FIBER FABRIC & APPAREL COALITION FOR TRADE)		
Do	JACK MCDONALD CO (FOR: MUTUAL BENEFIT LIFE INSURANCE CO)		
MICHAEL D. MCDONALD, MARYLAND PETROLEUM ASSN 60 WEST ST. ANNAPOLIS MD 21401	AMERICAN PETROLEUM INSTITUTE	300.00	189.14
NORRIS MCDONALD, 218 D ST., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	559.03	
PATRICK J. MCDONOUGH, 5999 STEVENSON AVENUE ALEXANDRIA VA 22304	AMERICAN ASSN FOR COUNSELING AND DEVELOPMENT		
MARIAN E. MCDOWELL, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	1,128.57	315.25
DINAH D. MCELFRESH, 1800 M ST., NW, #1030N WASHINGTON DC 20036	HAUCK & ASSOCIATES (FOR: NATIONAL ASSN OF CHILD CARE MANAGEMENT)		
CHRISTINE W. MCENTEE, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	392.31	97.55
ROBERT H. MCFADDEN, 1620 EYE STREET, NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSN OF THE U.S., INC		
JOSEPH M. MCGARRY, 16 MUNSON RD. FARMINGTON CT 06032	HEUBLEIN, INC	16,120.00	4,362.43
PAUL J. MCGEADY, 475 RIVERSIDE DRIVE, #239 NEW YORK NY 10115	MORALITY IN MEDIA, INC	515.10	
DONNA LEE MCGEE, 1726 M ST., NW, #401 WASHINGTON DC 20036	BURLINGTON INDUSTRIES, INC	1,000.00	710.00
P. ANNE MCGHEE, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	450.00	
ROBERT M. MCGLOTTEN, 815 16TH ST., NW WASHINGTON DC 20006	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	15,269.02	1,085.09
PHYLLIS M. MCGOVERN, 1875 EYE STREET, NW, #800 WASHINGTON DC 20006	TOBACCO INSTITUTE	38.10	13.40
JEANNE H. MCGOWAN, 1025 CONNECTICUT AVENUE, NW, #415 WASHINGTON DC 20036	AMERICAN INSURANCE ASSN		
CHRISTOPHER C. MCGRATH, NEW YORK STATE PETROLEUM COUNCIL 156 WILLIAM ST. NEW YORK NY 10038	AMERICAN PETROLEUM INSTITUTE		
JEROME J. MCGRATH, 1660 L ST., NW, #601 WASHINGTON DC 20036	INTERSTATE NATURAL GAS ASSN OF AMERICA	500.00	
JOSEPH M. MCGUIRE, 1501 WILSON BLVD. ARLINGTON VA 22209	AIR CONDITIONING & REFRIGERATION INSTITUTE		
PETER E. MCGUIRE, 400 FIRST ST., NW WASHINGTON DC 20001	NATIONAL ASSN OF RETIRED & VETERAN RAILWAY EMPLOYEES	2,500.00	
MCGUIRE WOODS & BATTLE, 1400 ROSS BUILDING RICHMOND VA 23219	CSX CORP		
Do	UNITED COAL CO		
MCHALE COOK & WELCH, P.C., 1122 CHAMBER OF COMMERCE BUILDING INDIANAPOLIS IN 46204	ESTATE OF MABEL R. LADD		5.00
MCHENRY & STAFFIER, P.C., 1300 19TH ST., NW, #408 WASHINGTON DC 20036	FOOTHILLS PIPE LINES (YUKON) LTD	900.00	
Do	NOVA, AN ALBERTA CORP		
Do	NOVACOR CHEMICALS, LTD	900.00	
Do	PAN-ALBERTA GAS LTD	900.00	
CLARENCE M. MCINTOSH JR., 400 FIRST ST., NW WASHINGTON DC 20001	RAILWAY LABOR EXECUTIVES' ASSN	1,244.14	
DENNIS MCINTOSH, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	148.20
WILLIAM F. MCKENNA, 2301 M ST., NW, #500 WASHINGTON DC 20037	HOUSLEY, GOLDBERG & KANTARIAN, P.C.		
JAN E. MCKENZIE, 1111 19TH ST., NW, #702 WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	2,362.64	421.44
ROBERT T. MCKERNAN, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC	250.00	
WILLIAM COLM MCKEVENY, 30 ROCKEFELLER PLAZA NEW YORK NY 10112	AMERICAN PULPWOOD ASSN		
JAMES D. MCKEVITT, 600 MARYLAND AVE., SW, #695 WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
C. A. 'MACK' MCKINNEY, 219 NORTH WASHINGTON STREET ALEXANDRIA VA 22314	NON COMMISSIONED OFFICERS ASSN OF THE USA	9,018.00	9,328.84
THOMAS I. MCKNEW JR., 1100 CONNECTICUT AVENUE, NW, #840 WASHINGTON DC 20036	SANTA FE SOUTHERN PACIFIC CORP	1,500.00	
JAMES D. MCLAUGHLIN, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	400.00	
MICHAEL R. MCLEOD, SCOTT HARRISON & MCLEOD 2501 M ST., NW WASHINGTON DC 20037	AMERICAN ASSN OF CROP INSURERS	875.00	
Do	UNITED EGG PRODUCERS		
WILLIAM F. MCMANUS, 1331 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	GENERAL ELECTRIC CO	460.00	
JAMES D. MCMILLAN, 1899 L ST., NW, #1100 WASHINGTON DC	EXXON CORPORATION	450.00	462.45
KURT CHARLES MCMILLAN, 1010 WISCONSIN AVENUE, NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC		
KATHRYN M. MCNAMARA, 633 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20004	SEARS ROEBUCK & CO	270.00	48.00
LARAMIE FAITH MCNAMARA, 1000 WILSON BLVD., #2700 ARLINGTON VA 22209	TRW, INC	1,000.00	
PETER F. MCNEISH, 1156 15TH STREET, NW, #1101 WASHINGTON DC 20005	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS	3,000.00	
MICHAEL J. MCSHANE, 1200 NEW HAMPSHIRE AVENUE, NW, #320 WASHINGTON DC 20036	TECHNOLOGY FOR ENERGY CORP		
RONALD E. MCWILLIAMS, 1700 N. MOORE ST. ROSSLYN VA 22209	BOEING MARINE SYSTEMS		
GEORGE G. MEAD, 1908 EDNOR ROAD CLOVERLY MD 20904	NORTH AMERICAN VAN LINES, INC		
JOSEPH F. MEADOW, 7100 BALTIMORE AVENUE COLLEGE PARK MD 20740	UNITED ACTION FOR ANIMALS, INC	1,650.00	
JOHN K. MEAGHER, 1155 15TH ST.,N.W. SUITE 1004 WASHINGTON DC 20005	LTV CORPORATION	3,000.00	750.00
FRANCIS X. MEANEY, 1825 EYE STREET, NW WASHINGTON DC 20006	MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO (FOR: GOLDMAN SACHS & CO)		
Do	MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO (FOR: REFUSE FUELS, INC.)		
Do	MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO (FOR: SECURITIES INDUSTRY ASSN)	7,000.00	
JOSEPH J. MEDER, 1050 17TH ST., NW, #1100 WASHINGTON DC 20036	INTERLAKE, INC	10,500.00	
MEDTRONIC, INC., 3055 OLD HIGHWAY 8 P.O. BOX 1453 MINNEAPOLIS MN 55440			1,798.27
WILLIAM H. MEGONNELL, 1111 19TH ST., NW, 9TH FLOOR WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	850.49	847.24
RICHARD A. MEHLER, 1742 N ST., NW WASHINGTON DC 20036	AUTOMOTIVE PARTS REBUILDERS ASSN		
LARRY MEHLHAFF, 23 N. SCOTT SHERIDAN WY 82801	SIERRA CLUB	6,500.00	1,399.04
MEMEL JACOBS PIERNO GERSH & ELLSWORTH, 1800 M STREET, NW, #1000-N WASHINGTON DC 20036	ALLIANCE FOR MEDICAL NUTRITION		
HOWARD H. MENAKER, 600 MARYLAND AVE., SW, #400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
MENDELSOHN ASSOCIATES, INC., 1826 JEFFERSON PLACE, NW, #101 WASHINGTON DC 20036	WOLF TRAP FOUNDATION FOR THE PERFORMING ARTS		
JOHANNA S. R. MENDELSON, 2025 M STREET, NW WASHINGTON DC 20036	NATIONAL PUBLIC RADIO		29.28
HOWARD A. MENELL, 1020 19TH ST., NW, #600 WASHINGTON DC 20036	AMERICAN EXPRESS CO		
EDWARD L. MENNING, 1522 K ST., NW, #836 WASHINGTON DC 20005	NATIONAL ASSN OF FEDERAL VETERINARIANS		
STEPHANIE MENSH, 1101 VERMONT AVENUE, NW, #300 WASHINGTON DC 20005	AMERICAN ACADEMY OF OPHTHALMOLOGY		
EDWARD A. MERLIS, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN	2,307.69	
EDWARD L. MERRIGAN, 6000 CONNECTICUT AVE., NW WASHINGTON DC 20815	CENTRAL GULF LINES, INC		
Do	GOVERNMENT OF PUERTO RICO	12,000.00	
Do	NATIONAL ASSN OF RECYCLING INDUSTRIES, INC	5,000.00	436.69
MERRILL LYNCH & CO, INC, 1828 L ST., NW, #906 WASHINGTON DC 20036			8,500.00
NANCY JO MERRILL, 1707 H ST., NW, #600 WASHINGTON DC 20006	MARCH OF DIMES BIRTH DEFECTS FOUNDATION	2,750.00	5.60
THOMAS L. MESKAN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,250.00	875.00
JEAN L. MESTRES, 1747 PENNSYLVANIA AVENUE, NW, #300 WASHINGTON DC 20006	CITIES SERVICE OIL & GAS CORP	454.10	104.44
METZGER SHADYAC & SHCWARZ, 1275 K ST., NW WASHINGTON DC 20005	MELEX USA, INC		
M. BARRY MEYER, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	ALUMINUM ASSN		
LARRY D. MEYERS, 412 FIRST STREET, SE WASHINGTON DC 20003	HUCHENG INTERNATIONAL CO		
Do	LEMA PROPERTIES, INC		
Do	NATIONAL PEANUT GROWERS GROUP	4,500.00	
Do	SAM KANE PACKING		
JAMES G. MICHAUX, 1200 NEW HAMPSHIRE AVENUE, NW, #430 WASHINGTON DC 20036	FEDERATED DEPT STORES, INC	500.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
THOMAS A. MICHELETTI, 1111 19TH STREET, NW, #303 WASHINGTON DC 20036	SOUTHERN CALIFORNIA EDISON CO	3,750.00	1,500.00
KATHLEEN MICHELS, 1101 14TH STREET, NW, #200 WASHINGTON DC 20005	AMERICAN NURSES' ASSN	4,410.13	20.42
RONALD A. MICHIELI, 425 13TH ST., NW, #1032 WASHINGTON DC 20004	NATIONAL CATTLEMEN'S ASSN	1,000.00	
MID CONTINENT WILDCATTERS ASSN, 200 DOUGLAS BLDG. WICHITA KS 67202		10,000.00	
MID-CONTINENT OIL & GAS ASSN, 711 ADAMS OFFICE BLDG. TULSA OK 74103		3,434.67	5,191.18
PAUL J. MIGNINI SR., 815 16TH STREET, NW, #310 WASHINGTON DC 20006	AMALGAMATED CLOTHING & TEXTILE WORKERS UNION	3,412.50	140.48
LISA MIHALY, 122 C STREET, NW, 4TH FL. WASHINGTON DC 20001	CHILDREN'S DEFENSE FUND OF THE WASHINGTON RESEARCH PROJECT	105.16	
MILBANK TWEED HADLEY & MCCLOY, 1825 EYE STREET, NW, #900 WASHINGTON DC 20006	CLAYMARK CORPORATION		
Do	JOINT TASK FORCE ON FEDERAL FINAN. ASSIST. FOR LAW STUDENTS		
MILES & STOCKBRIDGE, 1701 PENNSYLVANIA AVE., NW, #500 WASHINGTON DC 20006	BLACK AND DECKER MANUFACTURING COMPANY		50.00
Do	PEPSICO, INC.		
Do	PIZZA HUT, INC		160.00
MILLER & CHEVALIER, CHTD, METROPOLITAN SQUARE 655 15TH STREET, NW WASHINGTON DC 20005	HALLMARK CARDS, INC		
Do	NATIONAL ASSN OF TEMPORARY SERVICES, INC		
MILLER CASSIDY LARROCA & LEWIN, 2555 M ST., NW, #500 WASHINGTON DC 20037	47TH STREET PHOTO		
DALE MILLER, 4000 RENO ROAD, NW WASHINGTON DC 20008	GULF INTRACOASTAL CANAL ASSN		
Do	TEXASGULF, INC		
DEBORAH IMLE MILLER, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
GRANT MILLER, 1725 JEFFERSON DAVIS HIGHWAY, #900 ARLINGTON VA 22202	LTV AEROSPACE & DEFENSE CO	2,500.00	125.00
HARRIS C. MILLER, 1747 PENNSYLVANIA AVENUE, #300 WASHINGTON DC 20006	OCCIDENTAL CHEMICAL CORP	455.00	39.60
JAMES C. MILLER, 1616 H ST, NW WASHINGTON DC 20006	NATIONAL GRANGE		
JEFFREY T. MILLER, 7 CAMPUS DRIVE PARSIPPANY NJ 07054	NABISCO BRANDS, INC	1,500.00	2,284.00
JOSEPH E. MILLER JR., 1608 K STREET, NW WASHINGTON DC 20006	AMERICAN LEGION	6,960.00	228.00
JOSEPH S. MILLER, 19 3RD ST., NE WASHINGTON DC 20002	PROFESSIONAL AIR TRAFFIC CONTROLLERS ORGANIZATION		
LINDA B. MILLER, 1625 EYE ST., NW, #810 WASHINGTON DC 20006	VOLUNTEER TRUSTEES OF NOT-FOR-PROFIT HOSPITALS	5,833.00	543.73
NANCY A. MILLER, 1101 14TH STREET, NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN		
PAUL J. MILLER, 8000 SEARS TOWER CHICAGO IL 60606	INVESTMENT COUNSEL ASSN OF AMERICA, INC		
RICHARD G. MILLER, 1101 14TH STREET, NW, #200 WASHINGTON DC 20005	AMERICAN NURSES' ASSN	3,836.63	257.00
RICHARD L. MILLER, 1700 NORTH MOORE ST ARLINGTON VA 22209	BOEING COMPANY		
ROBERT H. MILLER, 490 L'ENFANT PLAZA EAST, SW, #2202 WASHINGTON DC 20024	TENNECO INC		
ROBIN MILLER, 1925 K STREET, NW WASHINGTON DC 20006	ALLIANCE TO SAVE ENERGY		
STEVEN T. MILLER, 1607 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20009	AMERICAN METAL DETECTORS MANUFACTURERS, INC		
Do	AUTO INTERNACIONAL ASSN	150.00	73.47
Do	COALITION OF AUTOMOTIVE ASSNS		
Do	SPECIALTY EQUIPMENT MARKET ASSN	990.00	461.91
W. KIRK MILLER, 735 NORTH WATER STREET, #908 MILWAUKEE WI 53202	AMERICAN MALTING BARLEY ASSN, INC	1,575.00	587.49
C.G. PETE MILLIGAN, 4360 N.E. JOE'S POINT STUART FL 33494	AMERICAN TELEPHONE & TELEGRAPH CO	2,300.00	
CHRISTINE TOPPING MILLIKEN, 122 C ST., NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	3,148.00	595.00
JOHN C. MILLINER JR., P.O. BOX 1788 FOREST PARK GA 30051	SOUTHEASTERN LUMBER MANUFACTURERS ASSN	111.00	
JOHN F. MILLS, 1875 I ST., NW WASHINGTON DC 20006	TOBACCO INSTITUTE		
ROBERT G. MILLS, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE	600.00	
RICHARD V. MINCK, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	1,600.00	
JOHN H. MINER, ROOM 1414-SOUTH BUILDING, USDA WASHINGTON DC 20250	ORGANIZATION OF PROFESSIONAL EMPLOYEES OF USDA	750.00	
MINERAL EXPLORATION COALITION, INC, P.O. BOX 15638 LAKEWOOD CO 80215		2,200.00	
MINING & RECLAMATION COUNCIL OF AMERICA, 1575 I STREET, NW, #525 WASHINGTON DC 20005			
JOSEPH MINISH, 66 SHERIDAN AVE. WEST ORANGE NJ 07052	U.S. LEAGUE OF SAVINGS INSTITUTIONS	4,125.00	674.64
MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO, P.C., 1825 I STREET, NW, #1025 WASHINGTON DC 20006	CABLEVISION SYSTEMS DEVELOPMENT CO		
Do	GENERAL TELEPHONE & ELECTRONICS		
Do	HOME RECORDING RIGHTS COALITION	1,890.00	
Do	HOUGHTON MIFFLIN COMPANY		
Do	TURNER BROADCASTING SYSTEM, INC	1,750.00	
THOMAS B. MIRANDA, 410 FIRST ST., SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL	2,500.00	143.61
EDWARD F. MITCHELL, 1900 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20068	POTOMAC ELECTRIC POWER CO	1,662.80	
JOANNE MITCHELL, 2020 K STREET, NW, #435 WASHINGTON DC 20006	COMMODITY EXCHANGE, INC		
THOMAS F. MITCHELL, 1875 EYE ST., NW, #400 WASHINGTON DC 20006	GEORGIA-PACIFIC CORP		
MMB ASSOCIATES, INC, 122 C STREET, NW, #240 WASHINGTON DC 20001	NATIONAL RURAL DEVELOPMENT & FINANCE CORP	30,000.00	
STACEY J. MOBLEY, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO	137.50	
DAVID T. MODI, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO	40.00	
ROBERT M. MOLITER, 1331 PENNSYLVANIA AVE., NW, #865 WASHINGTON DC 20004	GENERAL ELECTRIC CO		
ROBERT A. MOLOFSKY, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO	5,000.00	196.55
MICHAEL J. MOLONY, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	60.00	
C. MANLY MOLPUS, P.O. BOX 3556 WASHINGTON DC 20007	AMERICAN MEAT INSTITUTE	1,000.00	
CHRISTOPHER MONEK, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
MICHAEL MONRONEY, 1000 WILSON BLVD., #2700 ARLINGTON VA 22209	TRW, INC	1,000.00	
JOHN C. MONSUL, 923 RIVA RIDGE DRIVE GREAT FALLS VA 22066			
STEVEN M. MOODIE, 910 16TH ST., NW, #302 WASHINGTON DC 20006	FEDERATION OF AMERICAN CONTROLLED SHIPPING	200.00	
JAMES P. MOONEY, 1724 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	3,666.67	
MARILYN MOONEY, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO		
ALAN J. MOORE, SUITE 840, 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	SANTA FE INDUSTRIES, INC	1,000.00	
CARLOS MOORE, 1101 CONNECTICUT AVENUE, NW, #300 WASHINGTON DC 20036	AMERICAN TEXTILE MANUFACTURERS INSTITUTE		
FRANCIS B. MOORE, 3003 BUTTERFIELD ROAD OAK BROOK IL 60521	WASTE MANAGEMENT, INC	5,000.00	1,323.00
POWELL A. MOORE, 8637 WINTHROP DRIVE ALEXANDRIA VA 22307	LOCKHEED CORP	4,150.00	654.05
WILLIAM D. MOORE, 10 DORRANCE STREET PROVIDENCE RI 02903	GREATER PROVIDENCE CHAMBER OF COMMERCE		
MORALITY IN MEDIA, INC, 475 RIVERSIDE DR., #239 NEW YORK NY 10115		684.19	684.19
VINCENT L. MORELLI, 555 NEW JERSEY AVE., NW, #880 WASHINGTON DC 20001	CONGOLEUM CORPORATION	1,000.00	469.01
DUDLEY DIGGES MORGAN III, 4900 BARONNE NEW ORLEANS LA 70115	SOUTHERN FOREST PRODUCTS ASSN	10,700.04	
E. JOYCE MORGAN, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
MORGAN LEWIS & BOCKIUS, SUITE 800 NORTH 1800 M ST., NW WASHINGTON DC 20036	COMMITTEE FOR CAP FORMATION THROUGH DIVIDEND REINVESTMENT	44.00	22.00
Do	CONSOLIDATED NATURAL GAS CO		
PETER DENIS MORGAN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
JOHN W. MORIARTY, 4400 COMPUTER DRIVE WESTBORO MA 01580	DATA GENERAL CORP	2,500.00	830.00
JEANNE L. MORIN, 1511 K ST., NW, #1100 WASHINGTON DC 20005	CHAMBER OF COMMERCE OF THE U.S.		
ROBERT E. MORIN, 600 NEW HAMPSHIRE AVENUE, NW, #354 WASHINGTON DC 20037	SOCIETY OF REAL ESTATE APPRAISERS		
JAMES A. MORRILL, SCOTT PLAZA I PHILADELPHIA PA 19113	SCOTT PAPER COMPANY	2,250.00	643.35
GERALD D. MORRIS, 555 NEW JERSEY AVE., NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS	11,849.10	80.00
MARTIN S. MORRIS, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
TESSA MORRIS, 1819 L STREET, NW, #800 WASHINGTON DC 20036	SECURITY PACIFIC NATIONAL BANK		
W. PATRICK MORRIS, 1110 VERMONT AVENUE, NW WASHINGTON DC 20005	SHIPBUILDERS COUNCIL OF AMERICA		
JAMES MORRISON, 21 DUPONT CIRCLE, NW, #401 WASHINGTON DC 20036	BUSINESS EXECUTIVES FOR NATIONAL SECURITY	2,385.00	90.00
JULIAN K. MORRISON III, 1015 15TH STREET, NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	750.00	
PHILIP D. MORRISON, 1700 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20006	AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC		
Do	AMF, INC	8,337.50	
Do	BERKELEY BIO-MEDICAL, INC		
Do	BLOUNT, INC		
Do	BLUE BELL, INC		
Do	BORG-WARNER CORP	108.75	
Do	CONSOLIDATED NATURAL GAS CO	1,667.50	
Do	DIGITAL EQUIPMENT CORP		
Do	EASTMAN KODAK CO	2,320.00	
Do	EATON CORP		
Do	EMPLOYEE RELOCATION COUNCIL	3,335.00	
Do	GENERAL SHALE PRODUCTS CORP		
Do	MERCANTILE STORES, INC	362.50	
Do	RHINECHEM CORP	145.00	
Do	ROCHESTER TAX COUNCIL	7,975.00	
Do	SIR JAMES GOLDSMITH	435.00	
Do	STANDARD CORP	1,522.50	
Do	TASTY BAKING CO	145.00	
Do	XEROX CORP	145.00	
WILLIAM C. MORRISON, 2001 NORTH ADAMS ST. ARLINGTON VA 22201	MEAT IMPORTERS COUNCIL OF AMERICA, INC	875.00	
VALERIE T. MORSE, 453 NEW JERSEY AVE., SE WASHINGTON DC 20003	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA	860.00	
FRANK D. MORUZZI, 1235 JEFFERSON DAVIS HIGHWAY, #500 ARLINGTON VA 22202	ITALIAN AEROSPACE INDUSTRIES (U.S.A.), INC		
GEORGE R. MOSES, 1341 G STREET, NW, #202 WASHINGTON DC 20005	M/A-COM, INC	2,100.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
RUSSELL N. MOSHER, 950 N. GLEBE RD., #160 ARLINGTON VA 22203	AMERICAN BOILER MANUFACTURERS ASSN, INC		167.00
MOSS ASSOCIATES, INC, MOSS ASSOCIATES, INC 2450 VIRGINIA AVE., NW WASHINGTON DC 20037	ASSOCIATION OF BANK HOLDING COS	900.00	
DOROTHY J. MOSS, 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	25.00	
GERALD J. MOSSINGHOFF, 1100 15TH STREET, NW, #900 WASHINGTON DC 20005	PHARMACUETICAL MANUFACTURERS ASSN	666.00	
LYNN E. MOTE, 1015 15TH ST., NW, #900 WASHINGTON DC 20005	INTERNORTH	2,000.00	
MOTION PICTURE ASSN OF AMERICA, INC, 1600 EYE STREET, NW WASHINGTON DC 20006		10,156.04	10,156.04
JOHN J. MOTLEY, 600 MARYLAND AVE., SW, #695 WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
MOTOR AND EQUIPMENT MANUFACTURERS ASSOCIATION, 1120 19TH ST., NW, #333 WASHINGTON DC 20036			3,560.64
MOTOR VEHICLE MANUFACTURERS ASSN OF THE U.S., INC, 300 NEW CENTER BLDG. DETROIT MI 48202		2,515.00	2,515.00
ROBERT N. MOTTICE, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	250.00	
MOUNTAIN WEST ASSOCIATES, 2121 K ST., NW, #880 WASHINGTON DC 20037	PUBLIC SERVICE COMPANY OF NEW MEXICO	10,250.00	89.37
Do	UTAH POWER & LIGHT CO	20,272.99	5,537.07
MUDGE ROSE GUTHRIE ALEXANDER & FERNDON, 2121 K STREET, NW WASHINGTON DC 20037	BASIN ELECTRIC POWER COOPERATIVE		
JAMES MULAR, 815 16TH ST., NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY AIRLINE & STEAMSHIP CLERKS		
ALBERT E. MULLIN JR., 111 POWDERMILL RD. (B79) MAYNARD MA 01754	DIGITAL EQUIPMENT CORPORATION	10,000.00	
TRACY MULLIN, 1000 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	NATIONAL RETAIL MERCHANTS ASSN	250.00	25.00
ROBERT J. MULLINS, SUITE 202-W 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	FARMERS' EDUCATIONAL & CO-OPERATIVE UNION OF AMERICA	9,408.00	24.08
W. H. L. MULLINS, 1745 JEFFERSON DAVIS HIGHWAY, #1000 ARLINGTON VA 22202	GENERAL DYNAMICS	1,000.00	153.76
MULTIFAMILY HOUSING ASSOCIATION, C/O LIZ ARCURI 1220 19TH ST., NW, #400 WASHINGTON DC 20036			
JOHN P. MURPHY, 1828 L STREET, NW, #710 WASHINGTON DC 20036	STAUFFER CHEMICAL CO	2,800.00	1,213.00
PAUL T. MURPHY, 900 17TH ST., NW, #514 WASHINGTON DC 20006	NATIONAL FOREIGN TRADE COUNCIL, INC	5,000.00	759.00
RICHARD E. MURPHY, 2020 K ST., NW, #200 WASHINGTON DC 20006	SERVICE EMPLOYEES INTL UNION, AFL-CIO	1,000.00	434.22
DANIEL H. MURRAY, 1828 L STREET, NW WASHINGTON DC 20036	GTE SPRINT COMMUNICATIONS CORP	16,250.00	
GORDON L. MURRAY, 1911 JEFFERSON DAVIS HIGHWAY, #1002 ARLINGTON VA 22202	LEAR SIEGLER, INC/ENERGY PRODUCTS DIV	86.00	86.00
JAMES E. MURRAY, ONE FARRAGUT SQUARE SOUTH WASHINGTON DC 20006	BROWN WOOD IVEY MITCHELL & PETTY (FOR: NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS, ET AL.).		
MARGARET R. MURRAY, 600 NEW HAMPSHIRE AVENUE, NW, #626 WASHINGTON DC 20037	NATIONAL RURAL TELECOM ASSN		
WILLIAM E. MURRAY, 1800 MASS. AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN		
LAWRENCE P. MUTTER, 6849 OLD DOMINION DR. MCLEAN VA 22102	AUTOMOTIVE PARTS REBUILDERS ASSN		
FRED J. MUTZ, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	2,500.00	
PAUL J. MYER, 1150 17TH ST., NW, 11TH FLOOR WASHINGTON DC 20036	AMERICAN BROADCASTING CO, INC		
GARY D. MYERS, 1015 18TH STREET, NW WASHINGTON DC 20036	FERTILIZER INSTITUTE	4,500.00	1,003.01
TIMOTHY D. NAEGELE & ASSOCIATES, 1850 K STREET, NW, #1280 WASHINGTON DC 20006	BAYBANKS, INC		
ALAN Y. NAFTALIN, 1150 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	KOTEEN & NAFTALIN (FOR: ALASCOM, INC)		
Do	KOTEEN & NAFTALIN (FOR: TELEPHONE & DATA SYSTEMS, INC)		
LINDA K. NAIDA, 1616 H STREET, NW WASHINGTON DC 20006	NATIONAL GRANGE	1,000.00	
PETER A. NALEWAIK, 4 WORLD TRADE CENTER NEW YORK NY 10048	COFFEE SUGAR & COCOA EXCHANGE, INC		
JOHN L. NAPIER, NAPIER AND JENNINGS P.O. DRAWER 995 BENNETTSVILLE SC 29512	BEVERIDGE & DIAMOND, PC (FOR TEXAS OIL & GAS)		
Do	FLUE CURED TOBACCO STABILIZATION CORPORATION		
Do	NATIONAL BEER WHOLESALERS' ASSN OF AMERICA, INC	7,500.00	40.00
Do	OREGON INLET COMMISSION	11,700.00	615.44
Do	PHILLIPS PETROLEUM CO	29,432.23	2,578.34
KAREN J. NARDI, THREE EMBARCADERO CENTER SAN FRANCISCO CA 94111	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: AMFAC, INC)		
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: CASTLE & COOKE, INC)		
Do	MCCUTCHEN DOYLE BROWN & ENERSEN (FOR: ROHR INDUSTRIES)		
JOHN FRANCIS NASH JR., 17 N. GREENBRIER STREET ARLINGTON VA 22203	MILLIKEN & CO	5,000.00	900.00
FRANCES E. NATHAN, 455 FIFTH AVENUE NEW YORK NY 10016	NEW YORK PUBLIC LIBRARY	5,021.00	
HARDY L. NATHAN, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	750.00	
RAYMOND NATHAN, 4242 EAST-WEST HWY CHEVY CHASE MD 20815	AMERICAN ETHICAL UNION	600.00	201.92
NATIONAL AGRICULTURAL CHEMICALS ASSN, 1155 15TH ST., NW WASHINGTON DC 20005		7,276.60	7,276.60
NATIONAL AIR CARRIER ASSN, 1730 M ST., NW, #710 WASHINGTON DC 20036			
NATIONAL ASSN FOR NEIGHBORHOOD SCHOOLS, INC, 335 LOCUST ST. PITTSBURGH PA 15218		3,558.49	1,636.83
NATIONAL ASSN FOR STOCK CAR AUTO RACING, INC (NASCAR), 1801 SPEEDWAY BOULEVARD DAYTONA BEACH FL 32015			8,856.20
NATIONAL ASSN FOR UNIFORMED SERVICES, 5535 HEMPSTEAD WAY SPRINGFIELD VA 22151		2,407.88	2,159.54
NATIONAL ASSN OF AIR TRAFFIC SPECIALISTS, WHEATON PLAZA NORTH, #415 WHEATON MD 20902			6,696.14
NATIONAL ASSN OF AIRCRAFT & COMMUNICATIONS SUPPLIERS, INC, 23871 MADISON TORRANCE CA 90505		22,600.00	11,953.78
NATIONAL ASSN OF CHAIN DRUG STORES, INC, P.O. BOX 1417-D49 ALEXANDRIA VA 22313			7,870.43
NATIONAL ASSN OF FEDERAL VETERINARIANS, 1522 K ST., NW, #836 WASHINGTON DC 20005			17.90
NATIONAL ASSN OF HOMES FOR CHILDREN, C/O TALCOTT, MCCABE & ASSOCIATES 600 MARYLAND AVE., SW, 302 W. WING WASHINGTON DC 20024.			2,000.00
NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES, 122 C ST., NW, #705 WASHINGTON DC 20001		4,649.00	64,886.00
NATIONAL ASSN OF INSURANCE BROKERS, INC, 311 FIRST ST., NW, #700 WASHINGTON DC 20001			
NATIONAL ASSN OF MANUFACTURERS, 1776 F ST., NW WASHINGTON DC 20006		77,203.93	77,203.93
NATIONAL ASSN OF PENSION CONSULTANTS & ADMINISTRATORS, INC, 359 E. PACES FERRY RD., NE ATLANTA GA 30305		9,400.00	6,700.05
NATIONAL ASSN OF REAL ESTATE INVESTMENT TRUSTS, INC, 1101 17TH ST., NW, #700 WASHINGTON DC 20036		28,000.00	4,262.39
NATIONAL ASSN OF STEVEDORES, 2011 I STREET, NW, #601 WASHINGTON DC 20006		3,250.00	2,080.00
NATIONAL ASSN OF TEMPORARY SERVICES, INC, 119 SOUTH SAINT ASAPH STREET ALEXANDRIA VA 22314		33,638.00	
NATIONAL ASSN OF TRUCK STOP OPERATORS, INC, 1199 N. FAIRFAX STREET, #801 ALEXANDRIA VA 22314			
NATIONAL ASSN OF WHEAT GROWERS, 415 2ND ST., NE, #300 WASHINGTON DC 20002		10,810.00	4,143.08
NATIONAL AUDIO-VISUAL ASSN, 3150 SPRING ST. FAIRFAX VA 22031		321,814.16	7,604.36
NATIONAL BROILER COUNCIL, 1155 15TH ST., NW WASHINGTON DC 20005		2,750.00	2,750.00
NATIONAL BUSINESS AIRCRAFT ASSN, 1200 18TH ST., NW WASHINGTON DC 20036			
NATIONAL CABLE TELEVISION ASSN, INC, 1724 MASSACHUSETTS AVE., NW WASHINGTON DC 20036			
NATIONAL CATTLEMEN'S ASSN, 5420 S. QUEBEC ST. P.O. BOX 3469 ENGLEWOOD CO 80155			4,000.00
NATIONAL CITIZENS COMMUNICATIONS LOBBY, P.O. BOX 1876 IOWA CITY IA 52244			
NATIONAL CLEAN AIR COALITION, INC, 530 7TH ST., SE WASHINGTON DC 20003		24,004.91	20,962.30
NATIONAL COAL ASSN, COAL BLDG. WASHINGTON DC 20036		1,214,114.03	14,891.09
NATIONAL COMM FOR CITIZENS IN EDUCATION, WILDE LAKE VILLAGE GREEN, #410 COLUMBIA MD 21044			
NATIONAL COMM ON SMALL ISSUE INDUSTRIAL DEVELOPMENT BONDS, BOX 1, 900 SOUTH 1800 M ST., NW WASHINGTON DC 20036.			
NATIONAL COMM TO PRESERVE SOCIAL SECURITY & MEDICARE, 1300 19TH STREET, NW, #310 WASHINGTON DC 20036		781,883.00	781,883.00
NATIONAL COMMERCIAL FINANCE ASSOCIATION, 225 W. 34TH ST. NEW YORK NY 10001		2,380.12	4,201.08
NATIONAL COTTON COUNCIL OF AMER, P.O. BOX 12285 MEMPHIS TN 38182		22,447.59	22,447.59
NATIONAL COUNCIL OF AGRICULTURAL EMPLOYERS, 499 S. CAPITOL ST, SW #411 WASHINGTON DC 20003		94,412.50	2,550.00
NATIONAL COUNCIL OF FARMER COOPERATIVES, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036		16,621.13	7,958.53
NATIONAL COUNCIL ON SYNTHETIC FUELS PRODUCTION, 1301 PENNSYLVANIA AVE., NW, #325 WASHINGTON DC 20006			
NATIONAL ELECTRICAL MFGRS ASSN, 2101 L ST., NW WASHINGTON DC 20037		159.69	159.69
NATIONAL FEDERATION OF FEDERAL EMPLOYEES, 2020 K ST., NW, #200 WASHINGTON DC 20006		21,055.90	21,055.90
NATIONAL FEDERATION OF INDEPENDENT BUSINESS, 150 W. 20TH AVE. SAN MATEO CA 94403		16,950.00	16,950.00
NATIONAL FERTILIZER SOLUTIONS ASSN, 8823 NORTH INDUSTRIAL ROAD PEORIA IL 61615		6,592.06	6,592.06
NATIONAL FOOD PROCESSORS ASSN, 1401 NEW YORK AVENUE, NW, #400 WASHINGTON DC 20005		1,518.83	1,518.83
NATIONAL FOREIGN TRADE COUNCIL, INC, 100 EAST 42ND ST. NEW YORK NY 10017		14,927.00	14,927.00
NATIONAL GRAIN & FEED ASSN, 725 15TH ST., NW WASHINGTON DC 20005			30.00
NATIONAL GRANGE, 1616 H ST., NW WASHINGTON DC 20006		12,500.00	6,845.00
NATIONAL GUARD ASSN OF THE U.S., ONE MASSACHUSETTS AVE., NW WASHINGTON DC 20001		31,648.50	130.50
NATIONAL HEALTH CARE FINANCING ASSN, P.O. BOX 946 HOLLY HILL FL 32017			
NATIONAL INDUSTRIAL TRANSPORTATION LEAGUE, 1090 VERMONT AVE., NW, #410 WASHINGTON DC 20005		12,000.00	11,332.90
NATIONAL LEAGUE OF POSTMASTERS OF THE U.S., 1023 NORTH ROYAL STREET ALEXANDRIA VA 22314			36,055.00
NATIONAL LEASED HOUSING ASSN, 2300 M ST., NW, #260 WASHINGTON DC 20037		900.00	900.00
NATIONAL MILK PRODUCERS FED, 1840 WILSON BLVD. ARLINGTON VA 22201		8,943.75	8,943.75
NATIONAL MOTORSPORTS COMM OF ACCUS, 1500 SKOKIE BOULEVARD, #101 NORTHBROOK IL 60062		32.66	9,851.80
NATIONAL MULTI HOUSING COUNCIL, 1150 17TH STREET, NW, #306 WASHINGTON DC 20036			5,495.39
NATIONAL OFFICE MACHINE DEALERS ASSOCIATION, 810 LIVELY BLVD., P.O. BOX 707 WOOD DALE IL 60191		15.00	.20
NATIONAL PARKING ASSOCIATION, 1112 16TH ST., NW WASHINGTON DC 20036			44,133.70
NATIONAL PEACE ACADEMY CAMPAIGN, 110 MARYLAND AVE., NE, #409 WASHINGTON DC 20002			
NATIONAL PEST CONTROL ASSN, 8100 OAK ST. DUNN LORING VA 22027			
NATIONAL PUBLIC AFFAIRS CORP, 900 17TH STREET, NW WASHINGTON DC 20006	WESTINGHOUSE ELECTRIC CORP		
NATIONAL REALTY COMMITTEE, 2033 M ST., NW WASHINGTON DC 20036		1,891.00	1,891.00
NATIONAL REHABILITATION ASSN, 633 S. WASHINGTON ST. ALEXANDRIA VA 22314			4,500.00
NATIONAL RETAIL MERCHANTS ASSN, 1000 CONNECTICUT AVENUE, NW WASHINGTON DC 20036			3,265.00
NATIONAL RIFLE ASSN OF AMERICA, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036		319,091.57	181,614.71
NATIONAL RIGHT TO WORK COMM, 8001 BRADDOCK RD., #600 SPRINGFIELD VA 22160		8,226.34	8,226.34
NATIONAL RURAL ELECTRIC COOPERATIVE ASSN, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036			3,783.51

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
NATIONAL RURAL HOUSING COALITION, 2001 S ST., NW, #500 WASHINGTON DC 20009		19,219.05	17,077.06
NATIONAL RURAL LETTER CARRIERS' ASSN, 1448 DUKE ST., #100 ALEXANDRIA VA 22314		11,519.00	18,186.00
NATIONAL SECURITY TRADERS ASSN, INC, ONE WORLD TRADE CENTER, #4511 NEW YORK NY 10048			4,375.00
NATIONAL SMALL BUSINESS ASSN, 1604 K ST., NW WASHINGTON DC 20006		5,000.00	1,999.35
NATIONAL SMALL BUSINESS INDEX, R.R. #1 AITKIN MN 56431			
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS, 1420 KING STREET ALEXANDRIA VA 22314		12,500.00	8,600.00
NATIONAL SOFT DRINK ASSN, 1101 16TH ST., NW WASHINGTON DC 20036			32,886.48
NATIONAL SOLID WASTES MANAGEMENT ASSN, 10TH FLOOR 1730 RHODE ISLAND AVE., NW WASHINGTON DC 20036			
NATIONAL TELEPHONE COOPERATIVE ASSN, 2626 PENNSYLVANIA AVE., NW WASHINGTON DC 20037			7,023.87
NATIONAL TIRE DEALERS & RETREADERS ASSN, 1250 EYE STREET, NW, #400 WASHINGTON DC 20005		6,575.00	6,575.00
NATIONAL VENTURE CAPITAL ASSOCIATION, 1655 N. LYNN ST., #700 ARLINGTON VA 22209			8,229.33
NATIONAL-AMERICAN WHOLESALE GROCERS' ASSN, 201 PARK WASHINGTON COURT FALLS CHURCH VA 22046		9,000.00	9,000
SUSAN BINGHAM NEAL, SUITE 695 600 MARYLAND AVE., SW WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS		
KAREN J. NEALE, 2501 M STREET N.W. WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSN, INC	300.00	
JEFFREY NEDELMAN, 1010 WISCONSIN AVENUE, NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC	13.02	
ALLEN NEECE JR., 1050 17TH STREET, NW WASHINGTON DC 20036	NEECE CATOR & ASSOCIATES, INC (FOR: ASSOCIATION OF SMALL BUSINESS DEVELOPMENT CENTERS)	1,600.00	1,600.00
Do	NEECE CATOR & ASSOCIATES, INC (FOR: NATIONAL VENTURE CAPITAL ASSOCIATION)		
Do	NEECE CATOR & ASSOCIATES, INC (FOR: SMALL BUSINESS UNITED)	1,700.00	1,700.00
NEECE CATOR & ASSOCIATES, INC, 1050 17TH STREET, NW WASHINGTON DC 20036	ASSOCIATION OF SMALL BUSINESS DEVELOPMENT CENTERS	1,600.00	1,600.00
Do	NATIONAL ASSN OF DEVELOPMENT COMPANIES (NADCO)	150.00	
Do	NATIONAL VENTURE CAPITAL ASSOCIATION		
Do	SMALL BUSINESS UNITED	3,400.00	3,400.00
Do	SOUTHEASTERN LUMBER MANUFACTURERS ASSN (SLMA)	1,800.00	1,800.00
STANLEY NEHMER, 1320 19TH STREET, NW, #600 WASHINGTON DC 20036	LEAD-ZINC PRODUCERS COMMITTEE	500.00	350.00
NEILL & COMPANY, INC, 900 17TH ST., NW, #400 WASHINGTON DC 20006	ARAB REPUBLIC OF EGYPT		1,100.00
Do	HASHEMITE KINGDOM OF JORDAN	55,000.00	1,350.00
Do	KINGDOM OF MOROCCO	300,000.00	450.00
NEILL MULLENHOLZ SHAW & SEEGER, 900 17TH ST., NW, #400 WASHINGTON DC 20006	NATIONAL COUNCIL SOCIAL SECURITY MANAGEMENT ASSNS, INC	2,000.00	475.00
Do	NATIONAL FARM & POWER EQUIPMENT DEALERS ASSN	1,500.00	
Do	SENIOR EXECUTIVES ASSN	5,000.00	250.00
NELSON & YUDIN, 1707 H ST., NW, #500 WASHINGTON DC 20006	BUS TRANSIT CAUCUS	850.00	43.68
Do	DIMENSION FINANCIAL CORP	240.00	25.00
CAROLYN B. NELSON, #2 METROPLEX DR., SUITE 500 BIRMINGHAM AL 35209	METROPOLITAN PROPERTIES, INC		
MARK D. NELSON, 1701 PENNSYLVANIA AVE., NW, #900 WASHINGTON DC 20036	E. I. DU PONT DE NEMOURS & CO		
THOMAS C. NELSON, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
SAMUEL B. NEMIROW, HILL BETTS & NASH 1220 19TH ST., NW, #302 WASHINGTON DC 20036	LYKES BROS. STEAMSHIP CO, INC		
NETWORK, 806 RHODE ISLAND AVE., NE WASHINGTON DC 20018		30,765.62	33,345.76
E. JOHN NEUMANN, 1100 CONNECTICUT AVE., NW, #820 WASHINGTON DC 20036	BALTIMORE GAS & ELECTRIC CO	859.55	763.51
NEW YORK COMM OF INTL COMM OF PASSENGER LINES, 74 TRINITY PLACE NEW YORK NY 10006			
NEW YORK SHIPPING ASSN, INC, 80 BROAD STREET, 12TH FL. NEW YORK NY 10004			
LESLIE F. NEWCOMER, 226 W. RITTENHOUSE SQUARE PHILADELPHIA PA 19103	PHILADELPHIA NATIONAL BANK		
NEWMAN & HOLTZINGER, P.C., 1615 L ST., NW, #1000 WASHINGTON DC 20036	UTILITY NUCLEAR WASTE MANAGEMENT GROUP		
NICHOLAS JOHN NICHOLS, 1620 EYE ST., NW WASHINGTON DC 20006	AMERICAN INST OF CERTIFIED PUBLIC ACCOUNTANTS	500.00	2,376.50
THOMAS NICKELS, 1101 14TH STREET, NW, #200 WASHINGTON DC 20005	AMERICAN NURSES' ASSN	5,143.96	367.54
PATRICK J. NILAN, 817 14TH ST., NW WASHINGTON DC 20005	AMERICAN POSTAL WORKERS UNION, AFL-CIO	12,767.75	3,873.11
NISSAN MOTOR CORPORATION IN U.S.A., 1919 PENNSYLVANIA AVENUE, NW, #707 WASHINGTON DC 20006			
NL INDUSTRIES, INC, 1230 AVENUE OF THE AMERICAS NEW YORK NY 10020			9,550.67
JOHN L. NOBLE, ONE AMERICAN PLAZA EVANSTON IL 60201	AMERICAN HOSPITAL SUPPLY CORP		
BARBARA D. NOCERA, 955 L'ENFANT PLAZA, SW, #905 WASHINGTON DC 20024	AMERICAN HONDA MOTOR CO, INC	200.00	
A. ALLAN NOE, 1828 L STREET, NW, #710 WASHINGTON DC 20036	STAUFFER CHEMICAL CO	1,500.00	631.16
ROBERT W. NOLAN, 1303 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	FLEET RESERVE ASSN	100.00	
WALKER F. NOLAN, 1111 19TH ST., NW, 9TH FL. WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	2,180.77	800.24
H. CHRISTOPHER NOLDE, 2501 M ST., NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSN, INC	300.00	
CHARLES M. NOONE, 490 L'ENFANT PLAZA EAST, SW, #3306 WASHINGTON DC 20024	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS	1,200.00	80.18
ROBERT I. NOOTER, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FEDERATION	5,000.00	
NORTH AMERICAN EXPORT GRAIN ASSN, INC, 1800 M ST., NW, SUITE 610-N WASHINGTON DC 20036			
NORTH AMERICAN TELECOMMUNICATIONS ASSOCIATION, 2000 M ST., NW, #550 WASHINGTON DC 20036		24,725.00	24,725.00
NORTHEAST UTILITIES SERVICE CO, SELDEN ST. BERLIN CT 06037			3,162.48
NORTHERN TELECOM, INC, 600 MARYLAND AVENUE, SW, #605 WASHINGTON DC 20024			
CLIFFORD R. NORTHUP, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	2,000.00	
MARY JANE NORVILLE, 600 MARYLAND AVENUE, SW, #695 WASHINGTON DC 20024	NATIONAL FED OF INDEPENDENT BUSINESS	2,250.00	200.00
P. MICHAEL NUGENT, 229 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	ELECTRONIC DATA SYSTEMS CORPORATION	64.00	92.56
RALPH D. NURNBERGER, 444 NORTH CAPITOL ST., NW, #412 WASHINGTON DC 20001	AMERICAN ISRAEL PUBLIC AFFAIRS COMM	11,284.80	690.29
MARK J. NUZZACO, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN	5,825.00	500.00
DONALD A. NYBERG, 1050 17TH ST., NW, #650 WASHINGTON DC 20036	STANDARD OIL CO (OHIO)		
KENNETH E. NYQUIST, 8600 BRYN MAWR AVENUE CHICAGO IL 60631	NATIONAL ROOFING CONTRACTORS ASSN		
GEORGE O'BEA JR., 815 16TH ST., NW, #304 WASHINGTON DC 20006	UNITED PAPERWORKERS INT'L UNION		
COLEMAN C. O'BRIEN, 1709 NEW YORK AVE., NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS	7,300.00	15.00
JOHN F. O'BRIEN, CONNECTICUT PETROLEUM COUNCIL 410 ASYLUM ST. HARTFORD CT 06103	AMERICAN PETROLEUM INSTITUTE		
RAYMOND V. O'BRIEN, 1600 M ST., NW WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION	50.00	10.00
ROSEMARY L. O'BRIEN, 2550 M ST., NW, #640 WASHINGTON DC 20037	CF INDUSTRIES, INC	500.00	75.50
THOMAS H. O'BRIEN, 2600 VIRGINIA AVENUE, NW, #800 WASHINGTON DC 20037	HARRIS CORPORATION	2,500.00	1,736.22
DAVID S. O'BRYON, 1916 WILSON BLVD. ARLINGTON VA 22201	AMERICAN CHIROPRACTIC ASSN	500.00	16.95
SHANNON O'CHESTER, 122 C STREET, NW, #800 WASHINGTON DC 20001	CONCERNED WOMEN FOR AMERICA	1,000.00	
JAMES J. O'CONNELL, 1201 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	CONTROL DATA CORPORATION	860.00	398.58
RICHARD T. O'CONNELL, RICHARD T. O'CONNELL & ASSOCIATES, INC 3208 TRAVELER STREET FAIRFAX VA 22030	CHOCOLATE MANUFACTURERS ASSN OF THE USA		30.80
Do	NATIONAL CONFECTIONERS ASSN OF THE U.S.		
TERRENCE M. O'CONNELL II , 444 N. CAPITOL STREET, #711 WASHINGTON DC 20001	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)		
WILLIAM B. O'CONNELL, 111 EAST WACKER DR. CHICAGO IL 60601	U.S. LEAGUE OF SAVINGS INSTITUTIONS	21,437.00	3,594.09
O'CONNOR & HANNAN, 1919 PENNSYLVANIA AVE., NW, #800 WASHINGTON DC 20006	AMERICAN BUS ASSN	13,224.48	1,749.94
Do	AMERICAN INST OF CERTIFIED PUBLIC ACCOUNTANTS	1,400.00	
Do	AMERICAN INSURANCE ASSN	1,100.00	
Do	AMERICAN SOC OF ASSOCIATION EXECUTIVES	4,775.00	683.28
Do	ARMCO, INC	145.25	
Do	ASSOCIATION OF INDEPENDENT TELEVISION STATIONS, INC		
Do	AUTOMOTIVE PARTS & ACCESSORIES ASSN		
Do	CENTURY MEDIA CORP		
Do	CITY OF MINNEAPOLIS		
Do	COMMITTEE FOR PRUDENT DEREGULATION		
Do	COMMUNICATIONS COUNSEL		
Do	ELECTRONIC DATA SYSTEMS CORPORATION	50.00	
Do	FAIRCHILD INDUSTRIES, INC	500.00	
Do	GLASS PACKAGING INSTITUTE		
Do	GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO		
Do	HEALTH CARE FINANCING STUDY GROUP	1,600.00	
Do	HENNEPIN COUNTY		
Do	HULES MEXICANOS, S.A.		
Do	INDUSTRIAS NEGROMEX, S.A. DE C.V.	2,000.00	
Do	INSURANCE ASSN OF CONNECTICUT	7,050.00	
Do	INVESTMENT COMPANY INSTITUTE		
Do	J. C. PENNEY CO, INC		
Do	JOINT COMM OF KNITWEAR ASSOCIATIONS	9,000.00	
Do	KIMBERLY-CLARK CORP		
Do	MASSACHUSETTS MUTUAL LIFE INSURANCE CO	3,362.50	238.92
Do	MERCEDES-BENZ OF NORTH AMERICA, INC	500.00	
Do	MERRILL LYNCH & CO, INC	1,632.00	
Do	MEXICAN CEMENT CHAMBER		
Do	MILLER & SCHROEDER MUNICIPALS, INC	12,100.00	
Do	NATIONAL COAL CONSUMERS ALLIANCE		
Do	NATIONAL COMM FOR QUALITY HEALTH CARE	900.00	
Do	PACIFIC TELESIS GROUP	7,430.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	PRUDENTIAL INSURANCE COMPANY OF AMERICA	1,682.00	
Do	SECURITIES INDUSTRY ASSN	4,206.00	
Do	SMITHKLINE BECKMAN CORP	8,345.00	191.37
Do	U.S. TELECOMMUNICATIONS SUPPLIERS ASSN		
Do	WESTINGHOUSE ELECTRIC CORP		
GEORGE E. O'CONNOR, 600 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20037	NEW YORK LIFE INSURANCE COMPANY	6,000.00	1,975.00
LEONARD F. O'CONNOR, 100 FEDERAL ST. BOSTON MA 02110	FIRST NATIONAL BANK OF BOSTON		
PATRICK C. O'CONNOR, KENT & O'CONNOR, INC 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	AMERICAN DENTAL HYGIENISTS ASSN		
Do	AMERICAN SUPPLY ASSOCIATION	7,336.06	2,515.06
Do	AMERICAN WAREHOUSEMEN'S ASSOCIATION		
Do	ASSOCIATION OF FOOD INDUSTRIES, INC		
Do	STEEL TANK INSTITUTE		
Do	TRANSPORTATION LAWYERS ASSOCIATION	2,386.66	818.85
GRADY O'CUMMINGS III, 2178 ATLANTIC AVE. BROOKLYN NY 11233	NATIONAL COMMITTEE FOR POOR PEOPLE		
JOHN B. O'DAY, 1700 PENNSYLVANIA AVE., NW, #590 WASHINGTON, DC 20006	INSURANCE ECONOMICS SOCIETY OF AMERICA	2,000.00	
THOMAS A. O'DAY, 1629 K ST., NW, #1010 WASHINGTON DC 20006	ALLIANCE OF AMERICAN INSURERS	300.00	
ASHTON J. O'DONNELL, 50 BEALE ST., P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL NATIONAL, INC		
DANIEL J. O'GRADY, 815 16TH STREET, NW, #408 WASHINGTON DC 20006	FOOD & ALLIED SERVICE TRADES DEPT, AFL-CIO	366.00	
JANE O'GRADY, 815 16TH ST., NW WASHINGTON DC 20006	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	15,019.03	429.69
TERRI O'GRADY, 1600 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMERICA	775.00	224.70
O'KEEFE ASHENDEN LYONS & WARD, ONE FIRST NATIONAL PLAZA - SUITE 5100 CHICAGO IL 60603	AMERICAN INVSCO CORPORATION		
O'MELVENY & MYERS, 1800 M ST., NW WASHINGTON DC 20036	AIR TRANSPORT ASSN OF AMERICA		
Do	AMAX, INC		
Do	SANTA FE INTERNATIONAL CORP		
Do	WARNER COMMUNICATIONS, INC		
SARAH E. O'NEIL, 1600 M ST., NW WASHINGTON DC 20036	INVESTMENT COMPANY INSTITUTE		
O'NEILL AND HAASE, P.C., 1333 NEW HAMPSHIRE AVE., NW, #1110 WASHINGTON DC 20036	ALLEGHENY COUNTY COMMISSION		
Do	AMERICAN IRON & STEEL INSTITUTE		
Do	ASSOCIATION OF PROGRESIVE RENTAL ORGANIZATIONS		
Do	AYDIN CORP		
Do	BANK OF NEW ENGLAND	1,400.00	
Do	BEER INDUSTRY ALLIANCE		
Do	COMMERICAL UNION INSURANCE COMPANIES		
Do	CONNECTICUT BANK & TRUST CORP	1,100.00	
Do	CRUISE AMERICA LINE, INC	10,000.00	
Do	GLASS PACKAGING INSTITUTE		
Do	MARATHON MANUFACTURING CO		
Do	MARRIOTT CORPORATION		
Do	MASSACHUSETTS GENERAL HOSPITAL		
Do	MILK INDUSTRY FOUNDATION		
Do	NORTHWESTERN MUTUAL LIFE		
Do	SEARS ROEBUCK & CO	1,400.00	
Do	TEXAS UTILITIES SERVICES, INC		
Do	U.S. FOOTBALL LEAGUE	2,100.00	
Do	U.S. STEEL		
Do	WESTINGHOUSE ELECTRIC CORP		
DONALD K. O'NEILL, 1000 WILSON BLVD., #2600 ARLINGTON VA 22209	TRW, INC	1,000.00	
J. DENIS O'TOOLE, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	4,500.00	
M. DIANE O'TOOLE, 1000 WILSON BLVD., #2300 ARLINGTON VA 22209	NORTHROP CORP		
STEPHEN E. O'TOOLE, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	2,159.72
PAUL C. OAKLEY, 1920 L STREET, NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN RAILROADS		
HARRY R. OBLEY, MELLON SQUARE PITTSBURGH PA 15230	MELLON BANK N.A. AND MELLON NATIONAL CORP	2,000.00	956.18
G. H. OCHENRIDER, 1000 WILSON BLVD. ARLINGTON VA 22209	GRUMMAN AEROSPACE CORPORATION	1,600.00	326.16
BRADFORD C. OELMAN, 900 17TH STREET, NW, #508 WASHINGTON DC 20006	OWENS-CORNING FIBERGLAS CORPORATION		
NEIL H. OFFEN, 1730 M ST., NW WASHINGTON DC 20036	DIRECT SELLING ASSOCIATION	1,000.00	
OIL INVESTMENT INST, PO BOX 8293 WASHINGTON DC 20024			
PHILIP M. OLA, 1919 PENNSYLVANIA AVENUE, NW, #400 WASHINGTON DC 20006	STEEL SERVICE CENTER INSTITUTE		
MICHAEL D. OLDAK, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	100.00	
ALVIN E. OLIVER, 725 15TH ST., NW WASHINGTON DC 20005	NATIONAL GRAIN & FEED ASSN		
R. TEEL OLIVER, 1050 17TH STREET, NW, #650 WASHINGTON DC 20036	MERCK & CO, INC	687.50	500.00
AUSTIN P. OLNEY, 1333 NEW HAMPSHIRE AVE., NW, #1100 WASHINGTON DC 20036	LEBOEUF LAMB LEIBY & MACRAE (FOR: SHIPPING CORP OF INDIA, INC)		
DENNIS M. OLSEN, 485 E STREET IDAHO FALLS ID 83402	AETNA INSURANCE CO		
Do	AMERICAN BANKERS INSURANCE OF FLORIDA		
Do	CENTENNIAL INSURANCE COMPANY		
Do	CHARTER OAK INSURANCE		
Do	FLORISTS' MUTUAL INSURANCE CO		
Do	FOREMOST INSURANCE CO		
Do	GREAT AMERICAN INSURANCE COMPANY		
Do	MINNEHOMA INSURANCE COMPANY		
Do	MONSANTO CO		
Do	NATIONAL FARMERS UNION PROPERTY & CASUALTY INSURANCE CO		
Do	STATE FARM FIRE AND CASUALTY CO		
Do	STATE FARM INSURANCE COMPANY		
Do	STATE FARM MUTUAL AUTOMOBILE INSURANCE CO		
Do	TRAVELER'S INDEMNITY OF RHODE ISLAND		
Do	TRAVELERS		
GERALD L. OLSON, 200 S. 6TH ST. MINNEAPOLIS MN 55402	PILLSBURY COMPANY		
RICHARD C. OLSON, 1313 DOLLEY MADISON BLVD. MCLEAN VA 22101	DYNALECTRON CORPORATION		
ROY E. OLSON, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INSTITUTE, INC		
CLARK ONSTAD, 1201 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20004	TEXAS AIR CORP AND CONTINENTAL AIR LINES	1,500.00	766.00
PHILIP C. ONSTAD, 500 WEST PUTNAM AVE. GREENWICH CT 06830	CONTROL DATA CORPORATION	2,000.00	193.27
THOMAS J. OPSUT, 733 15TH STREET, NW WASHINGTON DC 20005	LEGAL SERVICES CORP	34.00	7.40
ORGAN. FOR PROTECTION & ADVANCEMENT OF SMALL TELEPHONE COS, 2301 M STREET, NW, #530 WASHINGTON DC 20037.			
ORGANIZATION OF PROFESSIONAL EMPLOYEES OF USDA, RM. 1414 S. BUILDING U.S. DEPT OF AGRICULTURE WASHINGTON DC 20250.		3,082.67	1,042.85
ABRAHAM ORLOFSKY, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	1,183.71	
ELVIRA J. ORLY, 1150 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	GETTY OIL COMPANY		
DAVID S. OSTERHOUT, 1000 WILSON BOULEVARD ARLINGTON VA 22209	BENDIX AEROSPACE SECTOR	3,000.00	335.00
HIDEAKI OTAKA, 19001 SOUTH WESTERN AVE. TORRANCE CA 90509	TOYOTA MOTOR SALES, USA, INC		
J. F. OTERO, 815 16TH STREET, NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY AIRLINE & STEAMSHIP CLERKS	1,000.00	300.00
KEVIN D. OTT, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	340.00	
ROLAND A. OUELLETTE, 1660 L ST., NW, #501 WASHINGTON DC 20036	GENERAL MOTORS CORP	3,600.00	1,779.66
CLIFF OUSE, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	25.00	
GENE E. OVERBECK, 1101 17TH STREET, NW WASHINGTON DC 20036	AMERICAN AIRLINES, INC	2,125.00	
OVERSEAS EDUCATION ASSOCIATION, 1201 16TH STREET, NW WASHINGTON DC 20036		1,000.00	683.41
JACK W. OWEN, 444 NORTH CAPITOL ST., NW, #500 WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN		
THOMAS J. OWENS, P.O. BOX 12266 SEATTLE WA 98102	DOLLAR SAVINGS BANK, ET AL	14,325.00	4,989.36
WILLIAM J. OWENS, 1745 JEFFERSON DAVIS HIGHWAY, #511 ARLINGTON VA 22202	MANUFACTURED HOUSING INST	900.00	100.00
R. RAY PAABO, 1667 K ST., NW, #600 WASHINGTON DC 20006	SANTA FE INDUSTRIES, INC	1,000.00	
PACIFIC MANAGEMENT DYNAMICS CORP, 910 FLOEIN RD., #107 SACRAMENTO CA 95831			
LEE W. PADEN, P.O. BOX 201 TULSA OK 74102	PUBLIC SERVICE COMPANY OF OKLAHOMA		
HENRY H. PAIGE, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	ATLANTIC RICHFIELD CO		
JOHN M. PALATIELLO, 210 LITTLE FALLS STREET FALLS CHURCH VA 22046	AMERICAN CONG. ON SURVEY. & MAPP./AMER SOC OF PHOTOGRAMMETRY	8,903.04	2,000.00
HENRY S. PALAU, 201 N WASHINGTON ST. ALEXANDRIA VA 22134	RETIRED OFFICERS ASSN		
BRADLEY D. PALMER, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE	2,400.00	
PALUMBO & CERRELL, INC, 11 DUPONT CIRCLE, NW, #700 WASHINGTON DC 20036	AMERICAN SOC OF COMPOSERS AUTHORS & PUBLISHERS	12,212.50	
Do	DISTILLED SPIRITS COUNCIL OF THE U.S., INC		
Do	NATIONAL SCHOOL TRANSPORTATION ASSN	6,000.00	
Do	R.J. REYNOLDS TOBACCO CO	19,762.52	
Do	SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT	9,000.00	
BENJAMIN L. PALUMBO, 11 DUPONT CIRCLE, NW, #700 WASHINGTON DC 20036	WESTINGHOUSE ELECTRIC CORP		
PETER J. PANTUSO, 7900 WESTPARK DRIVE, #514 MCLEAN VA 22102	NATIONAL CONFECTIONERS ASSN OF THE U.S.	450.00	1,179.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JAMES E. PANYARD, 1346 CHESTNUT, #800 PHILADELPHIA PA 19107	GREATER PHILADELPHIA CHAMBER OF COMMERCE		
PAPERBOARD PACKAGING COUNCIL, 1101 VERMONT AVE., NW, #411 WASHINGTON DC 20005	AMERICAN PETROLEUM INSTITUTE		
G. OLIVER PAPPS, N.J. PETROLEUM COUNCIL 170 W. STATE ST. TRENTON NJ 08608	NEW YORK STOCK EXCHANGE, INC.		
STEPHEN J. PARADISE, 1800 K STREET, NW, #1100 WASHINGTON DC 20006	AMERICAN PETROLEUM INSTITUTE		
HERSCHELL E. PARENT, 460 TWIN CITY BANK ONE RIVERFRONT PLACE NORTH LITTLE ROCK AR 72114	ASSOCIATION OF TRIAL LAWYERS	5,000.00	100.00
ALAN A. PARKER, 1050 31ST STREET, NW WASHINGTON DC 20007	MOBIL OIL CORP	375.00	
JOHN N. PARKER, 1100 CONNECTICUT AVE., NW, #620 WASHINGTON DC 20036	ALLSTATE INSURANCE GROUP	500.00	210.00
CARL M. PARKS, 633 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20004	NATIONAL RURAL LETTER CARRIERS' ASSN	12,385.00	1,530.00
KEN PARMELEE, 1448 DUKE STREET ALEXANDRIA VA 22314	NATIONAL ASSN FOR UNIFORMED SERVICES	1,640.32	
CHARLES C. PARTRIDGE, 5535 HEMPSTEAD WAY SPRINGFIELD VA 22151	KROGER COMPANY	2,500.00	880.02
JACK PARTRIDGE, 1014 VINE ST. CINCINNATI OH 45201	COMMUNICATIONS COUNSEL, INC.		
LANDON PARVIN, 5410 CONNECTICUT AVENUE, NW, #502 WASHINGTON DC 20015	NATIONAL MUSIC PUBLISHERS ASSN, INC		
PASKUS GORDON & HYMAN, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMVETS	6,800.00	150.47
DAVID J. PASSAMANECK, 4647 FORBES BOULEVARD LANHAM MD 20706	DOW CHEMICAL CO	500.00	239.00
RICHARD M. PATTERSON, 1800 M ST., NW, #700 SOUTH WASHINGTON DC 20036	GENERAL ELECTRIC CO	274.00	
WILLIAM H. PATTERSON, 1331 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	NATIONAL AUDIO-VISUAL ASSN, INC	3,687.50	
KENTON H. PATTIE, 3150 SPRING ST. FAIRFAX VA 22031	HEALTH INSURANCE ASSN OF AMERICA, INC	41.60	9.35
DAVID J. PATTISON, 1750 K ST., NW WASHINGTON DC 20006	AIR PRODUCTS & CHEMICALS, INC		
PATTON BOGGS & BLOW, 2550 M ST., NW, #800 WASHINGTON DC 20037	AIWA AMERICA, INC	4.90	2.84
Do	AKAI AMERICA, LTD	7.90	2.84
Do	ALUMINUM COMPANY OF AMERICA		
Do	AMERICAN BROADCASTING CO, INC	100.00	
Do	AMERICAN COLLEGE OF MORTGAGE ATTORNEYS		
Do	AMERICAN CONGRESS ON SURVEYING & MAPPING	100.00	
Do	AMERICAN EXPRESS CO.		
Do	AMERICAN HOME PRODUCTS CO		
Do	AMERICAN INTERNATIONAL AUTOMOBILE DEALERS ASSN		
Do	AMERICAN MARITIME ASSN		
Do	AMERICAN MOVERS CONFERENCE		
Do	AMERICAN PUBLIC POWER ASSN	1,112.75	
Do	AMERICAN SOC OF ASSN EXECUTIVES		
Do	ARMCO, INC		
Do	ASOCIACION DE AZUCAREROS DE GUATEMALA		
Do	ASSOCIATION OF TRIAL LAWYERS OF AMERICA	5,493.00	162.43
Do	BABCOCK & BROWN		
Do	BASIC INDUSTRIES COALITION, INC.		
Do	C. F. BEAN		
Do	BIOGEN		
Do	BRISTOL-MYERS, INC		
Do	BURLINGTON INDUSTRIES, INC.		
Do	CALIFORNIA STATE UNIVERSITY		
Do	CARLSON COMPANIES, INC.	875.00	
Do	CARTER-WALLACE CO		
Do	CASTLE & COOKE, INC.		
Do	CHELSEA PROPERTY OWNERS	2,000.00	
Do	CHICAGO BOARD OPTIONS EXCHANGE		
Do	CHRYSLER CORPORATION		
Do	COALITION FOR LOW INCOME & MODERATE INCOME HOUSING		
Do	COALITION FOR NATIONAL AIRPORT	685.00	20.00
Do	COLUMBIA, INC.	.70	2.84
Do	COMMITTEE OF RAILROAD SHIPPERS		
Do	COMPUTER DEALERS & LESSORS ASSOCIATION, INC.		
Do	COUNCIL OF STATE CHAMBERS OF COMMERCE		
Do	DUTY FREE SHOPPERS, LTD		
Do	ENERGY RESEARCH CORPORATION		
Do	FLUE CURED TOBACCO COOPERATIVE		
Do	FUJI PHOTO FILM U.S.A., INC	14.10	2.84
Do	GEORGIA PACIFIC CORP		
Do	GREAT LAKES DREDGE & DOCK		
Do	GTE SPRINT		
Do	HAYT HAYT & LANDAU		
Do	HITACHI SALES CORP OF AMERICA	130.00	2.84
Do	HOFFMAN & LAROCHE		
Do	E.F. HUTTON LIFE INSURANCE COMPANY	500.00	
Do	IC INDUSTRIES		
Do	INSTITUTE OF SCRAP IRON & STEEL, INC	447.50	
Do	INTERMEDICS, INC.		
Do	JOHNSON & JOHNSON		
Do	KAISER ALUMINUM & CHEMICAL CORP		
Do	KENWOOD U.S.A. CORPORATION	4.10	2.84
Do	LAUNDRY CLEANING COUNCIL		
Do	LOOP, INC.		
Do	LOSS RESERVE DEDUCTION COMMITTEE		
Do	MARS, INC.	192.50	409.59
Do	MASCO, INC.		
Do	MATSUSHITA ELECTRIC CORP OF AMERICA	285.20	2.84
Do	MAXELL CORP OF AMERICA	24.90	2.84
Do	MCI TELECOMMUNICATIONS, INC.	100.00	
Do	MCINTOSH FOUNDATION		
Do	MEAD CORPORATION		
Do	MERCK & CO.		
Do	MICHIGAN INSURANCE ASSN		
Do	MITSUBISHI ELECTRIC SALES OF AMERICA, INC.	40.00	2.84
Do	MOCATTA METALS CORP		
Do	NAKAMICHI U.S.A. CORP.	5.30	2.84
Do	NATIONAL ASSN OF CHAIN DRUG STORES		
Do	NATIONAL ASSN OF RETAIL DRUGGISTS		
Do	NATIONAL CABLE TELEVISION ASSN, INC.		
Do	NATIONAL MARINE MFRS ASSN	650.00	
Do	NATIONAL SOFT DRINK ASSN	500.00	444.81
Do	NEC ELECTRONICS (USA) INC.	504.20	2.84
Do	NEW PROCESS CO		
Do	NORTH AMERICAN VAN LINES		
Do	OCEAN CATCH		
Do	OCEAN MINERALS CO.		
Do	ONKYO U.S.A. CORP.	2.50	2.84
Do	OSG BULK SHIPS, INC.		
Do	OVERSEAS MILITARY SALES GROUP		
Do	PENNZOIL CO.		
Do	PIONEER ELECTRONICS (U.S.A.) INC	10.80	2.84
Do	PPG INDUSTRIES, INC		
Do	PROCTER & GAMBLE		
Do	PROFESSIONAL SERVICES COUNCIL		
Do	READER'S DIGEST ASSN, INC.		
Do	REDWOOD INDUSTRY PARK COMM	520.00	
Do	REPUBLIQUE D'HAITI	2,200.00	
Do	RETAIL INDUSTRY TRADE ACTION COALITION	9,642.00	
Do	RETAIL TAX COMMITTEE		
Do	RICE MILLERS' ASSN.		
Do	ROCKWELL INTERNATIONAL CORP		
Do	RORER GROUP, INC		
Do	SANSUI ELECTRONICS CORP	5.30	2.84

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	SANYO ELECTRIC, INC	132.60	2.84
Do	SCHERING-PLOUGH CO		
Do	SHARP ELECTRONICS CORP	61.10	2.84
Do	SLURRY TRANSPORT ASSN		
Do	SONY CORPORATION OF AMERICA	100.80	2.84
Do	SQUIBB CORP		
Do	ST. JOE MINERALS CORP		
Do	STATE OF LA, DEPT OF CONSERVATION		
Do	STEPHENS, INC		
Do	STUART PHARMACEUTICALS		
Do	SULTANTATE OF OMAN		
Do	SYSCON CORPORATION		
Do	TDK U.S.A. CORP	30.90	2.84
Do	TEKNIKA ELECTRONICS CORP	4.90	2.84
Do	TOSHIBA AMERICAN, INC	48.00	2.84
Do	U.S. FISHERIES DEVELOPMENT ASSN	150.00	
Do	U.S. LIFESAVING MANUFACTURERS ASSN		
Do	UNITED BRANDS CO		
Do	UNITED PLANT GUARD WORKERS ASSN		
Do	US JVC CORPORATION	79.60	2.84
Do	ZEISS AVIONICS SYSTEMS, INC		
ANDREW R. PAUL, 1875 EYE STREET, NW, #940 WASHINGTON DC 20006	GULF & WESTERN MANAGEMENT CO	2,750.00	274.68
PAUL HASTINGS JANOFSKY & WALKER, 6TH FLOOR 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	AMERICAN TELEPHONE & TELEGRAPH CO		
Do	ASPIRIN FOUNDATION OF AMERICA, INC		
Do	CALIFORNIA PORTLAND CEMENT CO		
Do	GAF CORPORATION		
Do	M LIFE INSURANCE COMPANY	4,412.00	74.50
Do	OGLETHORPE POWER CORP		
Do	SECURITY LIFE OF DENVER	3,981.50	
PAUL WEISS RIFKIND WHARTON & GARRISON, 1714 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NEC ELECTRONICS U.S.A., INC	986.00	6.00
Do	ORBITAL SCIENCES CORP		
LARRY E. PAULICK, 2111 EISENHOWER AVENUE ALEXANDRIA VA 22314	NATIONAL SPA & POOL INSTITUTE		
RICHARD A. PAYSOR, 1415 ELBRIDGE PAYNE RD., #135 ST. LOUIS MO 63017	FIRST CAPITOL ASSOCIATES - GATEWAY, INC		
JAMES M. PEIRCE JR., 1016 16TH ST., NW WASHINGTON DC 20036	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	1,732.17	
LEEANN PELHAM, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	4,750.02	330.24
PELTON RESEARCH CENTER, 1400 S. JOYCE STREET ARLINGTON VA 22202	HELP, INC		
CRIS PENN, 1346 CHESTNUT, #800 PHILADELPHIA PA 19107	GREATER PHILADELPHIA CHAMBER OF COMMERCE		
MICHAEL J. PENNINGTON, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		1,350.97
PENNSYLVANIA POWER & LIGHT CO, 2 N. 9TH ST. ALLENTOWN PA 18101			
DON PENNY, 1045 31ST STREET, NW, #506 WASHINGTON DC 20007	AMERICAN EXPRESS		
DOMINIC V. PENSABENE, 1700 K ST., NW WASHINGTON DC 20006	CHEVRON USA, INC	1,200.00	
GREGORY M. PENSABENE, 1667 K ST., NW, #600 WASHINGTON DC 20006	SANTA FE INDUSTRIES, INC	2,700.00	
PENSION RIGHTS CENTER, 1346 CONNECTICUT AVE., NW WASHINGTON DC 20036			264.35
PEOPLE FOR THE AMERICAN WAY ACTION FUND, 1424 16TH STREET, NW, #601 WASHINGTON DC 20036			11,578.00
PEPPER & CORAZZINI, 1776 K ST., NW WASHINGTON DC 20006	TEST MARKETING GROUP, INC		
VICTOR J. PERINI JR., 1776 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	HIGHWAY USERS FEDERATION FOR SAFETY & MOBILITY		
PERKINS COIE STONE OLSEN & WILLIAMS, 1110 VERMONT AVE., NW, #1200 WASHINGTON DC 20005	BOEING CO		
Do	BURLINGTON NORTHERN, INC		
Do	KOOTZNOOWOO, INC		
Do	ORMAT SYSTEMS, INC		
THOMAS P. PERKINS III, 1800 MERCANTILE BANK & TRUST BUILDING TWO HOPKINS PLAZA BALTIMORE MD 21201	MARYLAND SAVINGS-SHARE INSURANCE CORP		78.99
GARY J. PERKINSON, 453 NEW JERSEY AVENUE, SE WASHINGTON DC 20003	BENEFICIAL MANAGEMENT CORPORATION OF AMERICA	900.00	
ERNEST MICHAEL PERLEY, 112 ST CLAIR AVENUE, WEST, #504 TORONTO, ONTARIO M4V 2Y3	CANADIAN COALITION ON ACID RAIN	846.15	85.22
JEFFRY L. PERLMAN, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S	2,400.00	457.29
LEONARD PERLMAN, 5999 STEVENSON AVENUE ALEXANDRIA VA 22304	AMERICAN ASSN FOR COUNSELING & DEVELOPMENT	700.00	
MARK PERMAR, P.O. BOX 12910 CHARLESTON SC 29142	KIAWAH ISLAND COMPANY, LTD		1,268.05
G. STEPHEN PERRY, 950 L'ENFANT PLAZA, SW WASHINGTON DC 20024	COMMUNICATIONS SATELLITE CORP (COMSAT)	2,000.00	529.74
KATE M. PERRY, 1785 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL TRUST FOR HISTORIC PRESERVATION		
SUSAN PERRY, 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BUS ASSN	2,687.50	75.00
THOMAS D. PESTORIUS, 1025 CONNECTICUT AVENUE, NW, #1014 WASHINGTON DC 20036	EBASCO SERVICES, INC		33.00
PHILLIPS S. PETER, 1331 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	GENERAL ELECTRIC CO		
MARY PETERS, 1319 F STREET, NW WASHINGTON DC 20004	NATIONAL ASSN OF PRIVATE PSYCHIATRIC HOSPITALS	75.00	
PETERSON ENGBERG & PETERSON, 1730 M ST., NW, #907 WASHINGTON DC 20036	FEDERATED RESEARCH CORP	21,900.00	484.38
GEOFFREY G. PETERSON, 425 13TH STREET, NW, #1300 WASHINGTON DC 20005	DISTILLED SPIRITS COUNCIL OF THE U.S	2,000.00	400.00
LARS E. PETERSON, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	450.00	
MARY B. PETERSON, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	2,623.32
MARY JO PETERSON, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	1,000.00	500.00
RUSSELL W. PETERSON, 950 THIRD AVENUE NEW YORK NY 10022	NATIONAL AUDUBON SOCIETY	1,000.00	
SUSAN F. PETNIUNAS, 1025 CONNECTICUT AVE., NW, #214 WASHINGTON DC 20036	MANVILLE CORP	500.00	
MICHAEL J. PETRINA JR., 1110 VERMONT AVENUE, NW, #800 WASHINGTON DC 20005	COSMETIC TOILETRY & FRAGRANCE ASSN, INC		
PETROLEUM MARKETERS ASSN OF AMERICA, 1120 VERMONT AVE., NW, #1130 WASHINGTON DC 20005		187,285.60	13,217.88
BRIAN T. PETTY, 1901 L ST., NW, #702 WASHINGTON DC 20036	INTERNATIONAL ASSN OF DRILLING CONTRACTORS		
JAMES R. PHALEN, 1100 CONNECTICUT AVENUE, NW, #535 WASHINGTON DC 20036	MAPCO INC	3,250.00	42.33
PHARMACEUTICAL MANUFACTURERS ASSN, 1100 15TH STREET, NW WASHINGTON DC 20005		7,578.76	7,578.76
MARSHALL A. PHARR, 6103 ADIRONDACK AMARILLO TX 79106	SOUTHWESTERN PUBLIC SERVICE CO	3,091.20	1,735.42
DENNIS J. PHELAN, ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	PACIFIC SEAFOOD PROCESSORS ASSN	7,500.00	580.00
DEBORAH M. PHILLIPS, 1200 NEW HAMPSHIRE AVE., NW, #320 WASHINGTON DC 20036	GENERAL INSTRUMENT CORPORATION		
DEIRDRE B. PHILLIPS, 100 FEDERAL STREET BOSTON MA 02110	BANK OF BOSTON CORP		
Do	FIRST NATIONAL BANK OF BOSTON	1,157.00	2,746.04
JOHN D. PHILLIPS, 122 C ST., NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	4,215.00	372.00
WILLIAM G. PHILLIPS, D.C. ASSOCIATES, INC 402 THIRD STREET, SE WASHINGTON DC 20003	AIR QUALITY RESEARCH, INC	5,000.00	177.77
Do	ASSOCIATION OF UNIV. PROGRAMS IN OCCUPA HEALTH & SAFETY	6,000.00	768.35
Do	ASSOCIATION OF UNIVERSITY ENVIRONMENTAL HEALTH CENTERS	4,500.00	91.17
Do	HARVARD SCHOOL OF PUBLIC HEALTH		
Do	METAL TRADES DEPARTMENT, AFL-CIO	4,650.00	1,061.72
JOAN PICCOLO, 1776 K STREET, NW, #200 WASHINGTON DC 20006	MOTOROLA, INC	3,000.00	
W.D. PICKETT, 400 FIRST ST. WASHINGTON DC 20001	BROTHERHOOD OF RAILROAD SIGNALMEN	350.00	
PAULETTE C. PIDCOCK, 1100 CONNECTICUT AVENUE, NW, #530 WASHINGTON DC 20036	BALTIMORE GAS & ELECTRIC CO	484.58	188.07
ROBERT R. PIERCE, 1701 18TH ST., NW WASHINGTON DC 20036	NATIONAL PARKS & CONSERVATION ASSN		
WAYNE PIERCE, 101 CONSTITUTION AVENUE, NW WASHINGTON DC 20001	UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA	21,125.00	
PIERSON BALL & DOWD, 1200 18TH ST., NW WASHINGTON DC 20036	DUN & BRADSTREET CORP		
Do	EL POMAR		
Do	INTERNATIONAL FUTURES EXCHANGE (BERMUDA) LTD		
Do	INTEX HOLDINGS (BERMUDA) LTD		
Do	NATIONAL ASSN OF CASUALTY & SURETY AGENTS		
Do	SATELLITE BUSINESS SYSTEMS	2,500.00	
Do	SECURITIES INDUSTRY ASSN	2,750.00	
Do	UNITED SATELLITE COMMUNICATIONS, INC		
PIERSON SEMMES & FINLEY, 1054 31ST STREET,NW WASHINGTON DC 20007	SIX FLAGS CORPORATION	135.00	
STUART F. PIERSON, VERNER, LIIPFERT, BERNHARD, & MCPHERSON 1660 L ST., NW, #1100 WASHINGTON DC 20036	PAN AM, ET AL		
DANIEL J. PILIERO II, P.C., 1750 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	AD HOC COMM FOR RESPONSIBLE TAX POLICY	550.00	
Do	AD HOC COMM OF MUTUAL FUND MANAGERS	1,973.76	
Do	INTEGRATED RESOURCES, INC	1,250.00	
Do	NL INDUSTRIES	700.00	
Do	PRUDENTIAL LINES, INC	750.00	
PILLSBURY MADISON & SUTRO, 1667 K ST., NW, #1100 WASHINGTON DC 20006	AMERICAN PETROLEUM INSTITUTE		
Do	INDEPENDENT STAINLESS STEEL WIRE REDRAWERS	4,987.50	214.00
Do	TEMIS RAMIRES DE ARELLANO		
PINEAPPLE GROWERS ASSN OF HAWAII, P.O. BOX 3829 HONOLULU HI 96813			
VALERIE F. PINSON, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	923.08	
PIPER & MARBURY, 888 16TH ST., NW WASHINGTON DC 20006	FIRST MARYLAND BANCORP	250.00	
Do	FIRST NATIONAL BANK OF MARYLAND	250.00	
Do	TRANSAMERICA INTERWAY, INC, ET AL		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
LILLIAN M.S. PITCAITHLY, 1730 K ST., NW, #703 WASHINGTON DC 20006	AMERICAN BUSINESS CONFERENCE, INC	139.62	25.00
PLAINS COTTON GROWERS, INC, PO BOX 3640 LUBBOCK TX 79452			
PLANNED PARENTHOOD OF NEW YORK CITY, INC, 380 SECOND AVENUE, THIRD FL. NEW YORK NY 10010			1,089.08
WYLL W. PLEGER, 1730 RHODE ISLAND AVE., NW, #213 WASHINGTON DC 20036	BROWN & ROOT, INC		
MICHAEL PODHORZER, 1300 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION		
NANCY POLIKOFF, 2000 P STREET, NW, #400 WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
MICHAEL A. POLING, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
RICHARD J. POLLACK, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	1,400.95	632.82
FRANCES A. POLLAK, 1850 K ST., NW, #390 WASHINGTON DC 20006	UNION CAMP CORPORATION	500.00	1,278.82
ALFRED M. POLLARD, 1155 CONNECTICUT AVE., NW, #1130 WASHINGTON DC 20036	SECURITY PACIFIC NATIONAL BANK		
RAYMOND K. POPE, 2000 L STREET, NW, #200 WASHINGTON DC 20036	AMFAC, INC	3,437.49	1,048.12
PAULA D. PORPILIA, 1120 CONNECTICUT AVE., NW, 7TH FL. WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,250.00	130.46
PORT OF SEATTLE, P.O. BOX 1209 SEATTLE WA 98111			8,421.80
PHILLIP PORTE & ASSOCIATES, INC, 3845 N. 26TH ST. ARLINGTON VA 22207	AMERICAN ASSN FOR RESPIRATORY THERAPY	7,000.00	
Do	AMERICAN MEDICAL RECORDS ASSN	2,500.00	
Do	NATIONAL ASSN OF MEDICAL DIRECTORS OF RESPIRATORY CARE	4,000.00	
CAROL ALICE PORTER, 1612 K ST., NW, #1101 WASHINGTON DC 20036	WILDLIFE LEGISLATIVE FUND OF AMERICA	4,524.00	
PORTER WRIGHT MORRIS & ARTHUR, 37 WEST BROAD STREET COLUMBUS OH 43215	COALITION FOR ENVIRONMENTAL-ENERGY BALANCE		879.43
SHARON T. PORTNOY, 225 W. 34TH ST. NEW YORK NY 10001	NATIONAL COMMERCIAL FINANCE ASSN	3,547.50	
JOHN MICHAEL POWDERLY, 815 16TH ST., NW, #706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	9,192.84	
CATHERINE POWELL, 880 S. PICKETT STREET ALEXANDRIA VA 22304	BOAT OWNERS ASSN OF THE U.S. (BOAT/U.S.)	4,000.00	
POWELL GOLDSTEIN FRAZER & MURPHY, 1110 VERMONT AVE., NW, #1050 WASHINGTON DC 20005	HAYES MICROCOMPUTER PRODUCT, INC		
ROBERT D. POWELL, 1300 19TH ST., NW, #400 WASHINGTON DC 20036	NATIONAL BUSINESS AIRCRAFT ASSN		
JANET POWER, 1620 I ST., NW WASHINGTON DC 20006	VISA USA, INC		
JOHN J. POWER, 815 16TH ST., NW WASHINGTON DC 20006	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	15,012.43	857.34
FREDERICK W. POWERS III, 223 PERIMETER CENTER PARKWAY P.O. BOX 89000 ATLANTA GA 30338	SIEMENS-ALLIS, INC		
GRAYDON R. POWERS JR., 1101 16TH ST., NW WASHINGTON DC 20036	SCIENTIFIC APPARATUS MAKERS ASSN		
KATHY S. PRAGER, 1420 KING ST. ALEXANDRIA VA 22314	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	1,250.00	
PRATHER SEEGER DOOLITTLE & FARMER, 1101 16TH ST., NW WASHINGTON DC 20036	BANKER'S ASSN FOR FOREIGN TRADE	8,600.00	135.00
ROBERT L. PRATT, 101 FIRST AVE. WAYLAND MA 02254	THERMO ELECTRON CORPORATION	1,250.00	645.00
WILLIAM B. PRENDERGAST, 6215 KELLOGG DRIVE MCLEAN VA 22101	TOBACCO INSTITUTE	6,000.00	4,952.58
LLOYD T. PRESLAR, 1818 N ST., NW, #600 WASHINGTON DC 20036	DGA INTERNATIONAL INC (FOR: SOCIETE NATIONALE D'ETUDE ET DE CONST DE MOTEURS D'AVIATION).		
Do	DGA INTERNATIONAL, INC. (FOR: SOFREAVIA)		
Do	THOMSON-CSF DIVISON SYSTEMS ELECTRONIQUE OF FRANCE		
PRESTON THORGRIMSON ELLIS & HOLMAN, 1735 NEW YORK AVENUE, NW, #500 WASHINGTON DC 20006	AETNA LIFE & CASUALTY		
Do	ALASKA LUMBER & PULP CO, INC/LOUISIANA PACIFIC OF KETCHIKAN		
Do	ALLEGHANY CORPORATION	15,501.00	
Do	AMERICAN INSURANCE ASSN		
Do	AMERICAN PRESIDENT LINES		
Do	AMERICAN WATERWAYS SHIPYARD CONFERENCE		
Do	BELLINGHAM COLD STORAGE		
Do	CALISTA CORP		
Do	CHUGACH NATIVES, INC		
Do	COALITION FOR THE ADVANCEMENT OF INDUSTRIAL TECHNOLOGY	2,800.00	
Do	COUNCIL OF AMERICAN-FLAG SHIP OPERATORS		
Do	EMPLOYERS REINSURANCE CORP		
Do	GRANT COUNTY PUBLIC UTILITY DISTRICT		
Do	HUDSON WATERWAYS		
Do	MOORE MCCORMACK RESOURCES, INC		
Do	NATIONAL ASSN OF STATE DIRECTORS OF COMMUN & JUNIOR COLLEGES		
Do	NORTH WEST TIMBER ASSN		
Do	PORT OF SEATTLE		
De	SPOKANE COUNTY	363.00	
De	SUNMAR SHIPPING, INC		
Do	TENNESSEE GAS PIPELINE CO		
Do	TRANSPORTATION INSTITUTE		
Do	WESTERN FOREST INDUSTRIES ASSN		
KEITH A. PRETTY, 322 W. OTTAWA LANSING MI 48933	STANDARD OIL CO (INDIANA)		
BARBARA J. PRICE, 1825 K ST., NW, #1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY	950.00	102.84
JAMES M. PRICE, P.O. BOX 11248 KNOXVILLE TN 37919	SIERRA CLUB	635.16	
LEE PRICE, 1757 N STREET, NW WASHINGTON DC 20036	INT'L UNION, UNITED AUTO AEROSPACE & AGRIC IMPLEMENT WORKERS	5,230.18	93.75
PATRICIA PRIDE, 1129 20TH ST., NW WASHINGTON DC 20036	FINANCIAL ACCOUNTING FOUNDATION	211.43	26.36
BEVERLY HINES PRINCE, 1620 EYE ST., NW WASHINGTON DC 20006	VISA USA, INC		
SHARON D. PRINZ, 2121 K STREET, NW, #830 WASHINGTON DC 20037	STEPHENS OVERSEAS SERVICES, INC		
GWENYTH PRITCHARD, 600 MARYLAND AVE., NW, #700 WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
JOEL PRITCHARD, BOGLE & GATES ONE THOMAS CIRCLE, NW, #900 WASHINGTON DC 20005	COALITION FOR CLEAN WATER		
Do	INTERNATIONAL TELECOMMUNICATIONS SATELLITE ORGANIZATION		
JERRY C. PRITCHETT, 5410 GROSVENOR LN., #120 BETHESDA MD 20814	MECHANICAL CONTRACTORS ASSN OF AMER, INC		
PRO-LIFE CDAC 12, P.O. BOX 7145 MENLO PARK CA 94025		273.94	486.00
PRO/LIFE CONGRESSIONAL DISTRICT 11, P.O. BOX 727 SAN CARLOS CA 94070		242.00	569.97
SYDNEY PROBST, 1250 EYE ST., NW, #900 WASHINGTON DC 20005	DISTILLED SPIRITS COUNCIL OF THE U.S.	2,000.00	200.00
PROCOMPETITIVE RAIL STEERING COMMITTEE, 1090 VERMONT AVENUE, NW, #410 WASHINGTON DC 20005		37,750.00	8,378.09
STUART PROCTOR, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,750.00	147.00
PROFESSIONAL MANAGERS' ASSN, P.O. BOX 7762, BEN FRANKLIN STATION WASHINGTON DC 20044		6,468.01	5,866.44
PROFIT SHARING COUNCIL OF AMER, 20 N. WACKER DRIVE CHICAGO IL 60606			
PROPRIETARY ASSN, 1150 CONNECTICUT AVE., NW, #1200 WASHINGTON DC 20036			3,431.25
PRUDENTIAL-BACHE SECURITIES, INC, 100 GOLD ST. NEW YORK NY 10272			750.00
JAMES C. PRUITT, 1050 17TH ST., NW, #500 WASHINGTON DC 20036	TEXACO, INC	180.00	
PRYOR CASHMAN SHERMAN & FLYNN, 410 PARK AVENUE NEW YORK NY 10022	O. EDMUND CLUBB		
Do	POPULATION CRISIS COMMITTEE	775.00	16.00
PUBLIC EMPLOYEE DEPARTMENT, AFL-CIO, 815 16TH ST., NW WASHINGTON DC 20006		59,613.22	9,952.38
PUBLIC TIMBER PURCHASERS GROUP, 714 OREGON BANK BLDG. 319 S.W. WASHINGTON ST. PORTLAND OR 97204		27,250.00	4,060.79
DAVID E. PULLEN, 1025 CONNECTICUT AVE., NW, #214 WASHINGTON DC 20036	MANVILLE CORP	1,000.00	
JOHN R. PURCELL, 204 E STREET, NE WASHINGTON DC 20002	NATIONAL FROZEN FOOD ASSN	500.00	
WILLIAM E. PURSLEY, 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	SHELL OIL COMPANY	500.00	
SUE P. PURVIS, P.O. BOX 14042(D2B) ST. PETERSBURG FL 33733	FLORIDA POWER CORP		
EARLE W. PUTNAM, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO		
HOWARD PYLE III, 4930 QUEBEC ST., NW WASHINGTON DC 20016	HOUSTON LIGHTING & POWER COMPANY	3,600.00	
ROBERT N. PYLE, P.O. BOX 3731 WASHINGTON DC 20007	ELKEM METALS COMPANY	4,350.00	378.00
Do	INDEPENDENT BAKERS ASSN	3,000.00	300.00
JOHN R. QUARLES JR., MORGAN LEWIS & BOCKIUS 1800 M ST., NW WASHINGTON DC 20036	NATIONAL ENVIRONMENTAL DEVELOPMENT ASSN CLEAN AIR ACT PROJ		
JAMES M. QUIGLEY, 1875 EYE ST., NW, #540 WASHINGTON DC 20006	CHAMPION INTERNATIONAL CORPORATION		
WILLIAM A. QUINLAN, 3045 RIVA RD. RIVA MD 21140	NATIONAL CANDY WHOLESALERS ASSN, INC		
Do	RETAIL BAKERS OF AMERICA		
ARTHUR LEE QUINN, 1015 15TH STREET, NW, #200 WASHINGTON DC 20005	COOPER LABORATORIES, INC	32,000.00	14.28
Do	GOVERNMENT OF BELIZE	4,500.00	150.82
Do	GOVERNMENT OF REPUBLIC OF PANAMA	3,000.00	161.80
Do	SUGAR ASSN OF THE CARIBBEAN	12,890.00	362.73
PATRICK H. QUINN, 499 S. CAPITOL ST., SW, #411 WASHINGTON DC 20003	NATIONAL COUNCIL OF AGRICULTURAL EMPLOYERS	1,000.00	100.00
R/R ASSOCIATES, 2 MARINE WAY, SUITE 217 JUNEAU AK 99801	CITY OF DILLINGHAM		
CLIFFORD RABER, ONE MCDONALD'S PLAZA OAK BROOK IL 60521	MCDONALD'S CORP		
ALEX RADIN, 2301 M ST., NW WASHINGTON DC 20036	AMERICAN PUBLIC POWER ASSN	947.52	
TESS A. RAE, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC		
JOHN D. RAFFAELLI, LAW OFFICES OF JOHN D. RAFFAELLI 499 SOUTH CAPITOL ST., SW, #407 WASHINGTON DC 20003	DEAN WITTER REALTY, INC		
Do	GULF COAST WASTE DISPOSAL AUTHORITY	1,000.00	
Do	NATIONAL COUNCIL FOR HIGHER LOAN PROGRAMS		
ROBERT A. RAGLAND, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	75.00	
RAILROAD RETIREMENT ASSN, 210 7TH ST., SE, #517 WASHINGTON DC 20003		2,954.97	2,954.97
TOM RAILSBACK, BLUM NASH & RAILSBACK 1015 18TH STREET, NW WASHINGTON DC 20005	FEDERAL JUDGES ASSN	52.00	
Do	INSURANCE ASSN OF CONNECTICUT	781.00	60.00
Do	NATIONAL AGRICULTURAL CHEMICAL ASSN		
Do	NATIONAL ASSN OF BROADCASTERS	104.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	WALT DISNEY PRODUCTIONS	1,093.00	50.00
RAILWAY LABOR EXECUTIVES' ASSN, 400 FIRST ST., NW, #804 WASHINGTON DC 20001		57,600.00	112,365.92
RAILWAY PROGRESS INSTITUTE, 700 NORTH FAIRFAX ST. ALEXANDRIA VA 22314			
DAVID H. RAITT, 1800 FIRST NATIONAL BUILDING DETROIT MI 48226	JAFFE SNIDER RAITT & HEUER, P.C.		
JOHN C. RAMIG, 1730 M STREET, NW, #900 WASHINGTON DC 20036	STOEL RIVES BOLEY FRASER & WYSE (FOR: ASSOCIATION OF O & C COUNTIES)	1,329.25	
Do	STOEL RIVES BOLEY FRASER & WYSE (FOR: PACIFICORP)	1,638.00	945.36
KATHLEEN MARIE RAMSEY, 1010 WISCONSIN AVENUE, NW, #800 WASHINGTON DC 20007	GROCERY MANUFACTURERS OF AMERICA, INC.		
JEANNETTE H. RANDALL, 3471 N. FEDERAL HIGHWAY, #511 FORT LAUDERDALE FL 33306	AMERISERV, INC.	5,000.00	72.00
JAMES D. RANGE, 600 MARYLAND AVENUE, SW, #607 WASHINGTON DC 20024	WASTE MANAGEMENT, INC	5,000.00	2,264.50
D. MICHAEL RAPPOPORT, P.O. BOX 1980 PHOENIX AZ 85001	SALT RIVER PROJECT	1,680.00	5,319.44
CARL L. RASAK, 8301 FORT HUNT ROAD ALEXANDRIA VA 22308			
MAGDA RATAJSKI, P.O. BOX 3609 NORFOLK VA 23514	NORFOLK SOUTHERN CORPORATION		
CAROL L. RAULSTON, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC	1,675.00	20.00
CRAIG RAUPE, CAMPBELL-RAUPE ASSOCIATES, INC 1015 15TH STREET, NW, #907 WASHINGTON DC 20005	ALGONQUIN GAS TRANSMISSION		
Do	AMERICAN NUCLEAR ENERGY COUNCIL		
Do	LTV AEROSPACE & DEFENSE CO		
Do	NEW ENGLAND LIFE		
Do	PITNEY BOWES		
Do	RIFFE PETROLEUM CO		
Do	TEXAS AIR CORP		
Do	TEXAS UTILITIES SERVICE		
Do	WESTINGHOUSE CORP		
G. DAVID RAVENCRAFT, 1025 CONNECTICUT AVE., NW, #507 WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
RAYMARK CORPORATION, 100 OAKVIEW DRIVE TRUMBULL CT 06611			
RBC ASSOCIATES, 324 FOURTH STREET, NE WASHINGTON DC 20003	BANGOR & AROOSTOOK RAILROAD	4,750.00	3,721.51
Do	CHICAGO & NORTH WESTERN TRANSPORTATION CORP	38,000.00	3,942.72
Do	DELAWARE OTSEGO SYSTEM	17,000.00	4,028.87
Do	GENESEE & WYOMING CORP	750.00	3,641.90
Do	PITTSBURG & SHAWMUT RAILROAD	2,100.00	3,641.90
JULIAN O. READ, 1005 CONGRESS AVENUE, #500 AUSTIN TX 78701	CENTRAL AND SOUTH WEST CORP		
READING IS FUNDAMENTAL, INC, 600 MARYLAND AVE., SW, #500 WASHINGTON DC 20560			
SYDNEY C. REAGAN, NO. 10 DUNCANNON CT. DALLAS TX 75225	SOUTHWESTERN PEANUT SHELLERS ASSN	1,562.00	1,412.00
JOHN M. RECTOR, 205 DAINGERFIELD RD. ALEXANDRIA VA 22314	NATIONAL ASSN OF RETAIL DRUGGISTS	700.00	150.00
ROBERT E REDDING, 7315 WISCONSIN AVENUE BETHESDA MD 20814	SHIPPERS NATIONAL FREIGHT CLAIM		
DWIGHT C. REED, 1101 16TH ST., NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN		
JO REED, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	408.46	
REED ROBERTS TAX CREDIT ASSISTANCE CORP, 55 CHARLES LINDBERGH BLVD., #CS-101 UNIONDALE NY 11553			
PAULINE B. REEPING, 1750 NEW YORK AVENUE, NW WASHINGTON DC 20006	NEW YORK SHIPPING ASSN., INC.		
BENJAMIN F. REEVES, 1100 17TH STREET, NW WASHINGTON DC 20036	BURLEY & DARK LEAF TOBACCO EXPORT ASSN	850.00	538.65
J. RONALD REEVES, WASHINGTON NATIONAL AIRPORT WASHINGTON DC 20001	U.S. AIR, INC.	2,000.00	175.00
JOHN T. REGGITTS JR., 95 BOOTON AVE. P.O. BOX 470 BOONTON NJ 07005			
REICHLER & APPELBAUM, 1776 K STREET, NW, #900 WASHINGTON DC 20006	REPUBLIC OF NICARAGUA	4,000.00	
REID & PRIEST, 1111 19TH STREET, NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE		
REID & RIEGE, P.C., ONE STATE STREET HARTFORD CT 06103	WESLEYAN UNIVERSITY	3,360.00	
CHARLOTTE REID, 2466 CHATHAM ROAD AURORA IL 60506	MOTOROLA, INC.	3,000.00	
MICHAEL W. REID, 1925 K STREET, NW, #206 WASHINGTON DC 20006	ALLIANCE TO SAVE ENERGY		
HARRY O. REINSCH, 50 BEALE ST. P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
REINSURANCE ASSN OF AMERICA, 1025 CONNECTICUT AVENUE, NW, #512 WASHINGTON DC 20036		2,500.00	142.65
RELIGIOUS COALITION FOR ABORTION RIGHTS, INC, 100 MARYLAND AVENUE, N.E. WASHINGTON DC 20002		209,556.04	8,919.27
GEORGE E. RENAULT, 1800 M ST., NW, #1040 ALEXANDRIA VA 20036	AMERICAN ENERGY PRODUCTS, INC		
RENDON COMPANY, 1439 RHODE ISLAND AVE., NW WASHINGTON DC 20005			
JOHN W. RENDON JR., 1439 RHODE ISLAND AVE., NW WASHINGTON DC 20005	RENDON COMPANY		
W. W. RENFROE, 69 FOUNTAIN PL. - P.O. BOX 417 FRANKFORT KY 40602	KENTUCKY RAILROAD ASSN		
DIANE RENNERT, 2005 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS	4,300.00	984.88
RESOURCES FUND, INC, 810 18TH ST., NW, #804 WASHINGTON DC 20006			20,000.00
RETIRED OFFICERS ASSN, 201 N. WASHINGTON ST. ALEXANDRIA VA 22314		7,754.00	
JOHN H. REURS, 74 TRINITY PLACE NEW YORK NY 10006	NEW YORK COMM OF INTL COMM OF PASSENGER LINES		
VINCENT P. REUSING, 1025 CONNECTICUT AVENUE, NW, #1010 WASHINGTON DC 20036	METROPOLITAN INSURANCE COS	1,000.00	
ALAN V. REUTHER, 1757 N STREET, NW WASHINGTON DC 20036	UNITED AUTO, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS	11,898.38	160.75
ALLAN R. REXINGER, 1150 CONNECTICUT AVE., NW, #1200 WASHINGTON DC 20036	PROPRIETARY ASSN	3,281.25	150.00
MARK E. REY, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	1,500.00	
RENEE REYMOND, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	200.00	100.00
MARY ANNE REYNOLDS, 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
FREDERICK W. RHODES, 1800 K STREET, NW, #800 WASHINGTON DC 20006	GOODYEAR TIRE & RUBBER CO	3,000.00	
JOHN J. RHODES, CUMMINGS & LOCKWOOD 1090 VERMONT AVENUE, NW, #650 WASHINGTON DC 20005	ALLIANCE FOR CLEAN ENERGY; UNION PACIFIC RAILROAD	500.00	
EDMUND B. RICE, 444 NORTH CAPITOL ST., NW, #500 WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	3,025.73	28.65
RICE GENOCIDE RESEARCH, 3046 ROOSEVELT STREET DETROIT MI 48216			182.52
GRACE ELLEN RICE, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,762.00	149.00
LOIS D. RICE, 1201 PENNSYLVANIA AVNEUE, NW WASHINGTON DC 20004	CONTROL DATA CORPORATION	442.50	18.00
M. LEE RICE, 1110 VERMONT AVENUE, NW WASHINGTON DC 20005	SHIPBUILDERS COUNCIL OF AMERICA	1,500.00	
THERON J. RICE, 1700 PENNSYLVANIA AVE., NW, #900 WASHINGTON DC 20006	CONOCO, INC.		
JAMES E. RICH JR., 1025 CONNECTICUT AVE., NW, #200 WASHINGTON DC 20036	SHELL OIL COMPANY	500.00	
RICHARD RICHARDS, BLISS, CRAFT & RICHARDS 1050 THOMAS JEFFERSON STREET, NW, 6TH FL WASHINGTON DC 20007	SIKORSKY AIRCRAFT	833.33	32.56
STACY RICHARDS, 1015 15TH ST., NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	375.00	
ALAN H. RICHARDSON, 2301 M ST., NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	4,000.00	
DONNA RICHARDSON, 1101 14TH STREET, NW, #200 WASHINGTON DC 20005	AMERICAN NURSES' ASSN	4,932.01	158.70
DOUGLAS B. RICHARDSON, 2001 WISCONSIN AVENUE, NW, #100 WASHINGTON DC 20007	GEORESEARCH, INC.		
DOUGLAS C. RICHARDSON, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
JOHN C. RICHARDSON, 520 MADISON AVENUE NEW YORK NY 10022	LEBOEUF LAMB LEIBY & MACRAE (FOR: BRITISH INSURANCE ASSN AND LLOYD'S OF LONDON).		
K. O. RICHARDSON, 815 16TH ST., NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY, AIRLINE & STEAMSHIP CLERKS	3,000.00	166.26
LOIS RICHERSON, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC.	823.85	
LES RICHTER, 1801 SPEEDWAY BOULEVARD DAYTONA BEACH FL 32015	NATIONAL ASSN FOR STOCK CAR AUTO RACING, INC (NASCAR)	8,000.00	856.20
Do	NATIONAL MOTORSPORTS COMMITTEE OF ACCUS, FIA, INC		4,851.80
LARRY D. RICKARDS, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN	2,025.00	216.72
JUDY NOEL RIDDLE, 6630 W. BROAD ST. RICHMOND VA 23230	LAWYERS TITLE INSURANCE CORP		
LOWELL J. RIDGEWAY, NORTH DAKOTA PETROLEUM COUNCIL P.O. BOX 1395 BISMARCK ND 58502	AMERICAN PETROLEUM INST	632.00	
E. GEORGE RIEDEL, 1600 M STREET, NW WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION	1,800.00	150.00
E. PHILIP RIGGIN, 1608 K ST., NW WASHINGTON DC 20006	AMERICAN LEGION	11,322.00	490.18
PAT RILEY, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
SUSAN RILEY, 1150 17TH STREET, NW, #306 WASHINGTON DC 20036	NATIONAL MULTI HOUSING COUNCIL	1,180.66	
MARK ALAN RILLING, 110 MARYLAND AVENUE, NE, #409 WASHINGTON DC 20002	NATIONAL PEACE ACADEMY CAMPAIGN		
DALE P. RIORDAN, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN	23,750.00	130.56
KEVIN J. RIORDAN, 1700 K ST., NW, #1204 WASHINGTON DC 20006	GULF OIL CORP	300.00	185.00
JOHN S. RIPPEY, 730 15TH ST., NW WASHINGTON DC 20005	ASSOCIATION OF BANK HOLDING COS	1,075.00	70.00
RISELLI & PRESSLER, 2033 M STREET, NW, #504 WASHINGTON DC 20036	PROFESSIONAL MANAGERS' ASSN	663.00	29.86
CAROL A. RISHER, 2005 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS	2,000.00	94.75
ROBIN RISSO, 511 C STREET, NE WASHINGTON DC 20002	CONTINENTAL ASSN OF RESOLUTE EMPLOYERS (C.A.R.E.)		
JAMES E. RITCHIE & ASSOCIATES, 499 S. CAPITOL ST., SW, #400 WASHINGTON DC 20003	GAMING INDUSTRY ASSN OF NEVADA, INC.		
Do	GOLDEN NUGGET, INC.		
Do	NATIONAL ASSN OF OFF-TRACK BETTING		
Do	NATIONAL ASSN OF OPTOMETRISTS & OPTICIANS, INC		
Do	NEVADA RESORT ASSN		
JEANNE M. RITCHIE, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC.		
STARK RITCHIE, 1220 L ST., NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST		
PHILLIP W. RIVERS, 1050 17TH ST., NW #500 WASHINGTON DC 20036	GETTY OIL COMPANY	81.00	
RJR INDUSTRIES, INC, 1100 REYNOLDS BLVD. WINSTON-SALEM NC 27106			8,352.14
ROBERT ROACH, 218 D ST., SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	153.06	
RAY ROBERTS & ASSOCIATES, 2224 PEMBROOKE DENTON TX 76201	J. W. BATESON & CO, INC.	2,000.00	182.94
Do	TEXAS UTILITIES SERVICES, INC.	3,000.00	211.47
BRADLEY H. ROBERTS, 1899 L STREET, NW WASHINGTON DC 20036	AMERICAN ASSN OF ADVERTISING AGENCIES	2,500.00	750.00
MICHAEL A. ROBERTS, 1101 VERMONT AVENUE, NW, #300 WASHINGTON DC 20005	AMERICAN ACADEMY OF OPHTHALMOLOGY		
PATRICIA L. ROBERTS, 1825 K ST., NW, #1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY	1,250.00	150.86

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
PERRY A. ROBERTS, 8000 FLORISSANT ST. LOUIS MO 63136	EMERSON ELECTRIC CO		
RICHARD R. ROBERTS, 1899 L ST., NW, #403 WASHINGTON DC 20036	OUTDOOR ADVERTISING ASSOCIATION OF AMERICA, INC.	450.00	754.00
RICHARD W. ROBERTS, 100 EAST 42ND ST. NEW YORK NY 10017	NATIONAL FOREIGN TRADE COUNCIL, INC	500.00	
WILLIAM A. ROBERTS, 444 NORTH CAPITOL STREET, #711 WASHINGTON DC 20001	KEEFE COMPANY (FOR: WESTINGHOUSE ELECTRIC CORP)		
BETTY S. ROBINSON, 1757 N ST., NW WASHINGTON DC 20036	UNITED AUTO, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS	10,460.96	75.00
CHARLES A. ROBINSON JR., 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	131.53	
KENNETH L. ROBINSON, 1111 N. 19TH STREET, #700 ARLINGTON VA 22209	NATIONAL ASSN OF FEDERAL CREDIT UNIONS	1,400.00	
THOMAS E. ROBINSON, 1101 17TH ST., NW, #700 WASHINGTON DC 20036	NATIONAL ASSN OF REAL ESTATE INVESTMENT TRUSTS, INC	900.00	
BOB JOHN ROBISON, 1201 PENNSYLVANIA AVENUE, NW, #700 WASHINGTON DC 20004	HILL & KNOWLTON, INC	1,250.00	55.00
ANTOINETTE K. ROCHE, 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	GA TECHNOLOGIES, INC	2,000.00	350.00
JAMES ANTHONY ROCK, 1730 M STREET, NW, #607 WASHINGTON DC 20036	MONTANA POWER CO AND WASHINGTON WATER POWER CO	400.00	200.00
MICHAEL J. ROCK, 444 NORTH CAPITOL STREET, NW WASHINGTON DC 20001	AMERICAN HOSPITAL ASSN	330.11	154.41
DAVID W. RODERER, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN		
RODEY DICKASON SLOAN AKIN & ROBB, P.O. BOX 1888 ALBUQUERQUE NM 87103	NAVAJO TRIBE		714.98
QUINCY RODGERS, 1200 NEW HAMPSHIRE AVE., NW, #320 WASHINGTON DC 20036	GENERAL INSTRUMENT CORPORATION	600.00	131.82
JACK E. ROEBEL, 712 COMMERCE BLDG. 127 W. BERRY STREET FORT WAYNE IN 46802	SHEET METAL WORKERS MID-STATES HEALTH & BENEFIT TRUST	1,388.07	
WILLI ROELLI, VOLKART BROTHERS, INC 120 WALL ST. NEW YORK NY 10005	COFFEE, SUGAR & COCOA EXCHANGE, INC		
ROGERS & WELLS, 1737 H STREET, NW WASHINGTON DC 20006	AMERICAN EXPRESS CO		144.00
Do	CEMENTOS ANAHUAC DEL GOLFO, S.A.		
Do	LIZ CLAIBORNE, INC		
Do	DESERT PALACE, INC		
Do	FRANZIA, FRED T. JOHN C. & JOSEPH S.	822.52	50.00
Do	WILLIAM ANTHONY HOGAN		
Do	INTERNOOR TRADE, INC	1,000.00	
Do	KAMEHAMEHA SCHOOLS/BERNICE P. BISHOP ESTATE		
Do	MERRILL LYNCH & CO., INC		
Do	MERRILL LYNCH COMMODITIES, INC		
Do	MERRILL LYNCH HUBBARD		
Do	MORRIS & GWENDOLYN CAFRITZ FOUNDATION		
Do	NATIONAL ASSN OF BEDDING MANUFACTURERS		
Do	PAN AMERICAN WORLD SERVICES	17,005.00	2,859.36
Do	PARIBAS CORPORATION		
Do	PFIZER, INC	9,237.55	184.80
Do	TEACHERS INSURANCE & ANNUITY ASSN/COLLEGE RET. EQUITIES FUND		
BRUCE N. ROGERS, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	2,500.00	7,188.22
DONALD L. ROGERS, 730 15TH ST., NW WASHINGTON DC 20005	ASSOCIATION OF BANK HOLDING COS	2,106.25	
ESTELLE H. ROGERS, 1350 NEW YORK AVENUE, NW, #300 WASHINGTON DC 20005	NATURAL RESOURCES DEFENSE COUNCIL, INC	862.50	
JAMES T. ROGERS, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
KEITH ROGERS, 47 LAFAYETTE PLACE, APT. 6D GREENWICH CT 06830	U.S. TOBACCO COMPANY		
NANCY ROGERS, 815 16TH STREET, NW WASHINGTON DC 20006	INDUSTRIAL UNION DEPARTMENT, ALF-CIO	5,531.50	156.90
CAROLE M. ROGIN, 1800 M STREET, NW, #1030 WASHINGTON DC 20036	HAUCK & ASSOCIATES, INC (FOR: HEARING INDUSTRIES ASSN)		
Do	HAUCK & ASSOCIATES, INC. (FOR: NATIONAL ASSN FOR CHILD CARE MANAGEMENT)		
PETER ROGOFF, 122 C STREET, NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	3,044.00	154.00
RICHARD A. ROHRBACH, 1625 I ST., NW, #809 WASHINGTON DC 20006	BOISE CASCADE CORP	22,250.00	89.47
JACK ROLLINS, 1201 16TH STREET, NW WASHINGTON DC 20036	OVERSEAS EDUCATION ASSN & NATIONAL EDUCATION ASSN		
JOHN F. ROLPH III, 1200 NEW HAMPSHIRE AVE., NW, #350 WASHINGTON DC 20036	CITIBANK, N.A	1,000.00	
KENNETH S. ROLSTON JR., 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PULPWOOD ASSN		
MICHAEL J. ROMIG, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	1,200.00	703.00
FRED B. ROONEY, 1050 CONNECTICUT AVE., NW, 12TH FL. WASHINGTON DC 20036	AMERICAN IRON & STEEL INSTITUTE	250.00	
Do	ASSOCIATION OF AMERICAN RAILROADS	350.00	
Do	CALIFORNIA PORTLAND CEMENT COMPANY	150.00	
Do	CRAWFORD FITTING CO	150.00	
Do	LONE STAR INDUSTRIES, INC	150.00	
Do	M LIFE INSURANCE CO	350.00	
Do	PAUL, HASTINGS, JANOFSKY & WALKER (FOR: SECURITY LIFE OF DENVER)	250.00	
JOHN C. ROOTS, 1333 NEW HAMPSHIRE AVE., NW, #1001 WASHINGTON DC 20036	ATLANTIC RICHFIELD CO	274.08	
RAYMOND W. ROPER, 1601 DUKE STREET ALEXANDRIA VA 22314	SOCIETY OF AMERICAN FLORISTS	274.08	
ROSE SCHMIDT CHAPMAN DUFF & HASLEY, 1825 EYE ST., NW, #300 WASHINGTON DC 20006	ANNUAL CHARGES POLICY GROUP	1,190.00	8.00
LOUISE L. ROSEMAN, 1620 I ST., NW, #603 WASHINGTON DC 20006	VISA U.S.A., INC		
BURT ROSEN, 1700 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	PFIZER, INC	1,000.00	857.81
LESTER L. ROSEN, 1025 VERMONT AVENUE, NW, #500 WASHINGTON DC 20005	MILES LABORATORIES, INC		
DAVID B. ROSENAUER, 1317 F STREET, NW, #400 WASHINGTON DC 20004	R. DUFFY WALL & ASSOCIATES, INC (FOR: BALCOR/AMERICAN EXPRESS, INC)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: FOOTWEAR RETAILERS OF AMERICA)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: JMB REALTY CORP)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIBERTY NATIONAL)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: LIFE OF VIRGINIA)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: MORGAN GUARANTY TRUST CO)	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: PHARMACEUTICAL MANUFACTURERS ASSN).	300.00	
Do	R. DUFFY WALL & ASSOCIATES, INC (FOR: WINE & SPIRITS WHOLESALERS OF AMERICA, INC).	300.00	
RICHARD ROSENBAUM, 666 THIRD AVE., 4TH FL. NEW YORK NY 10017	INTEGRATED RESOURCES, INC	3,000.00	250.00
SARA ROSENBAUM, 122 C STREET, NW WASHINGTON DC 20001	CHILDREN'S DEFENSE FUND	979.50	
ROGER C. ROSENTHAL, 2001 S ST., NW, #310 WASHINGTON DC 20009	MIGRANT LEGAL ACTION PROGRAN, INC		
ROSES, INC., 1152 HASLETT ROAD P.O. BOX 99 HASLETT MI 48840		3,241.45	2,336.36
JOE ROSS, P.O. BOX 1582 LITTLE ROCK AR 72201			
JOHN W. ROSS, 425 13TH STREET, NW, #1032 WASHINGTON DC 20004	NATIONAL CATTLEMEN'S ASSN	1,000.00	
WILLIAM F. ROSS, SOUTH CAROLINA PETROLEUM COUNCIL 715 KEENAN BLDG. COLUMBIA SC 29201	AMERICAN PETROLEUM INST	214.00	731.81
LESLEY A. ROSSE, 1220 L ST., NW, 5TH FL. WASHINGTON DC 20005	AMERICAN LAND DEVELOPMENT ASSN		
ALAN J. ROTH, SPIEGEL & MCDIARMID 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	FT. PIERCE UTILITIES AUTH OF THE CITY OF FT. PIERCE, ET AL		
BARRY N. ROTH, 1120 20TH STREET, NW, #700 WASHINGTON DC 20036	WILLIAMS COMPANIES	100.00	
SAMUEL A. ROTH, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	2,000.00	
JOHN C. ROTHER, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	644.24	12.00
EDWIN ROTHSCHILD, 1300 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION	4,500.00	
DONALD D. ROUNDS, SOUTH DAKOTA PETROLEUM COUNCIL P.O. BOX 669 PIERRE SD 57501	AMERICAN PETROLEUM INST		
MICHAEL O. ROUSH, CAPITAL GALLERY EAST, #695 600 MARYLAND AVE. WASHINGTON DC 20024	NATIONAL FEDERATION OF INDEPENDENT BUSINESS	2,250.00	200.00
EUGENE F. ROWAN, 1156 15TH ST., NW WASHINGTON DC 20005	J. C. PENNEY CO, INC		
JOHN W. ROWLAND, 5025 WISCONSIN AVE., NW WASHINGTON DC 20006	AMALGAMATED TRANSIT UNION, AFL-CIO		
ROXTON, INC, 2000 S. EADS STREET, #1003 ARLINGTON VA 22202	GLOBAL IDENTIFICATION CORP		
ROBERT S. ROYER, ROYER & SHACKNAI 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AMERICAN MILITARY SALES		
Do	CHRYSLER MILITARY SALES CORP		
Do	CITY OF AKRON, OHIO		
Do	FORD, RIFF & BURGESS		
Do	HARLEY-DAVIDSON MILITARY SALES		
Do	INTERNATIONAL FUTURES EXCHANGE		
Do	INTEX HOLDINGS (BERMUDA) LTD		
Do	MICHIGAN TRADE EXCHANGE		
Do	OVERSEAS MILITARY SALES GROUP		
Do	SECURITIES INDUSTRY ASSOCIATION		
TOBI Z. ROZEN, 888 16TH ST., NW WASHINGTON DC 20006	MILK IND. FOUNDATION/INTL ASSN OF ICE CREAM MFRS		
ERIC M. RUBIN, RUBIN WINSTON & DIERCKS 1730 M ST., NW, #708 WASHINGTON DC 20036	COMMISSONER OF PUBLIC LANDS FOR STATE OF NEW MEXICO		
Do	OUTDOOR ADVERTISING ASSOCIATION OF AMERICA, INC		
JAMES S. RUBIN, 1150 CONNECTICUT AVE., NW, #700 WASHINGTON DC 20036	ALLIED CORPORATION	540.00	
PAUL M. RUDEN, WILNER & SCHEINER 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	AMERICAN SOC OF TRAVEL AGENTS		
BARBARA A. RUDOLPH, 1901 N. FORT MYER DRIVE, #302 ROSSLYN VA 22209	BEVERLY ENTERPRISES	3,375.00	393.62
CAMILLE KEARNS RUDY, 1346 CHESTNUT, #800 PHILADELPHIA PA 19107	GREATER PHILADELPHIA CHAMBER OF COMMERCE		
HENRY C. RUEMPLER, 1200 NEW HAMPSHIRE AVENUE, NW, #350 WASHINGTON DC 20036	CITIBANK, N.A	500.00	
NICHOLAS L. RUGGIERE, 1667 K STREET, NW, #410 WASHINGTON DC 20006	JOHNSON & JOHNSON	1,000.00	225.00
MORGAN S. RUPH, 4647 FORBES BOULEVARD LANHAM MD 20706	AMVETS	6,800.00	150.47
DOMENIC R. RUSCIO, 6TH FLOOR 2010 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036			
BARRY RUSSELL, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		40.00
DOROTHEA L. RUSSELL, 1120 VERMONT AVENUE, NW, #1120 WASHINGTON DC 20005	NATIONAL CANDY WHOLESALERS ASSN, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
NANCY RUSSELL, 4921 SW HEWETT BLVD. PORTLAND OR 97221	FRIENDS OF THE COLUMBIA GORGE		
WALLY RUSTAD, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	50.00	
HERMAN MAX RUTH, P. O. BOX 4000, SPRINGFIELD, MA 65808			
J. T. RUTHERFORD & ASSOCIATES, INC., 1301 N. COURTHOUSE RD., #1802 ARLINGTON VA 22201	AMERICAN ASSN OF BIOANALYSTS/INTL SOC OF CLINICAL LAB TECHS		301.20
Do	AMERICAN COLLEGE OF RADIOLOGY		211.50
Do	AMERICAN OPTOMETRIC ASSN		260.20
Do	GTE/SPRINT COMMUNICATIONS		38.20
ELLA-MARICE RYAN, 1156 15TH STREET, NW, #1015, WASHINGTON DC 20005	J. C. PENNY CO, INC	100.00	
FRANK T. RYAN, 1400 K STREET, NW WASHINGTON DC 20005	RUBBER MFGRS ASSN	2,500.00	
GEORGE J. RYAN, 915 ROCKEFELLER BUILDING CLEVELAND OH 44113	LAKE CARRIERS' ASSN		4.00
JOHN F. RYAN, 1600 M STREET, NW WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION		
JOHN G. RYAN, 1700 K STREET, NW WASHINGTON DC 20006	SQUIBB CORP	1,000.00	
JOSEPH RYAN, SUITE 320 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	GENERAL INSTRUMENT CORPORATION		
PATRICIA RYAN, 1400 K STREET, NW WASHINGTON DC 20005	AMERICAN PSYCHIATRIC ASSN	483.33	277.49
FRANK MAX SALINGER, 1101 14TH ST., NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN		
JAMES H. SAMMONS, 535 NORTH DEARBORN STREET CHICAGO IL 60610	AMERICAN MEDICAL ASSN	900.00	
SANDERS SCHNABEL & BRANDENBURG, P.C., 1110 VERMONT AVENUE, NW, #600 WASHINGTON DC 20005	AMERICAN SOC OF ASSN EXECUTIVES		
STEPHEN E. SANDHERR, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
CHARLES E. SANDLER, 1220 L STREET, NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST	6,000.00	
PETER G. SANDLUND, 1725 EYE ST., NW, #315 WASHINGTON DC 20006	COUNCIL OF EUROPEAN & JAPANESE NATIONAL SHIPOWNERS' ASSN	300.00	
JAMES D. SANTINI, BIBLE, SANTINI, HOY & MILLER 900 17TH ST., NW WASHINGTON DC 20006	GREENS CREEK JOINT VENTURE	3,750.00	870.54
Do	LORIMAR PRODUCTIONS	4,500.00	31.22
Do	NATIONAL TOUR ASSOCIATION, INC	8,000.00	667.03
Do	NORANDA EXPLORATION, INC	4,500.00	532.44
Do	REDFIELD LAND COMPANY	1,750.00	
CHARLES SAPP, 3500 TEXAS COMMERCE TOWER HOUSTON TX 77002	HOUSTON ENDOWMENT, INC		
RONALD A. SARASIN, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
JOHN S. SATAGAJ, 1250 I STREET, NW, #500 WASHINGTON DC 20005	AMERICAN ASSN OF NURSERYMEN		
ALBERT C. SAUNDERS, 1100 15TH ST., NW #900 WASHINGTON DC 20005	PHARMACEUTICAL MANUFACTURERS ASSN	4,000.00	9.00
THOMAS C. SAWYER, 1825 K STREET, NW WASHINGTON DC 20006	NATIONAL BROADCASTING CO	2,000.00	328.70
ROBERT WAYNE SAYER, 4545 42ND STREET, NW WASHINGTON DC 20016	GCA CORP		417.36
JAMES P. SCALA, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
ROBERT H. SCARBOROUGH, 1700 PENNSYLVANIA AVE., NW, #600 WASHINGTON DC 20006	APPLE COMPUTER, INC		12.30
STEPHEN G. SCHAFER, 1800 FIRST NATIONAL BUILDING DETROIT MI 48226	JAFFE SNIDER RAITT & HEUER, P.C.		
MARK L. SCHAFFER, ASHCRAFT & GEREL 2000 L STREET, NW, #700 WASHINGTON DC 20036	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	4,009.10	
JEROME D. SCHALLER, 1101 15TH ST., NW WASHINGTON DC 20005	MINNESOTA MINING & MANUFACTURING CO	10,000.00	30.00
WILLIAM T. SCHAPAUGH, 1030 15TH STREET, NW WASHINGTON DC 20005	AMERICAN SEED TRADE ASSN	4,000.00	
C. M. SCHAUERTE, P.O. BOX 3247 HOUSTON TX 77253	AMERICAN GENERAL CORPORATION		
JAY T. SCHECK JR., RT. 202-206 NORTH SOMERVILLE NJ 08876	AMERICAN HOECHST CORPORATION		
RICHARD H. SCHECK, 167 PELHAM RD. NEW ROCHELLE NY 10805			
DALE E. SCHELL, 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	GATX CORP		
JANE N. SCHERER, SUITE 1204 1700 K STREET, NW WASHINGTON DC 20006	CHEVRON USA, INC	100.00	
JOSEPH SCHERER, 1801 NORTH MOORE ST. ARLINGTON VA 22209	AMERICAN ASSN OF SCHOOL ADMINISTRATORS		
JACQUES T. SCHLENGER, 1800 MERCANTILE BANK & TRUST BLDG. THE HOPKINS PLAZA BALTIMORE MD 21201	MARYLAND SAVINGS-SHARE INSURANCE CORP		78.99
KENNETH D. SCHLOMAN, 1600 RHODE ISLAND AVENUE, N.W. WASHINGTON DC 20036	NATIONAL RIFLE ASSOCIATION OF AMERICA	962.50	54.60
FOREST S. SCHMELING, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	1,100.00	366.70
RICHARD M. SCHMIDT JR , SUITE 600 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	ASSOCIATION OF AMERICAN PUBLISHERS	500.00	
SCHNADER HARRISON SEGAL & LEWIS, SUITE 1000 1111 19TH ST., NW WASHINGTON DC 20036	SAVIN CORPORATION	145.00	
Do	TOYOTA MOTOR CORPORATION	1,247.00	7.10
THERESA A. SCHNEIDER, 1575 EYE STREET, NW, #550 WASHINGTON DC 20005	INSTITUTE OF MAKERS OF EXPLOSIVES		
FRANK SCHNELLER, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
SCHRAMM & RADDUE, 15 WEST CARRILLO STREET SANTA BARBARA CA 93101	H&W DRILLING CO		
JACK J. SCHRAMM, SUITE 607 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	WASTE MANAGEMENT, INC	5,000.00	62.14
MARSHA SCHRAMM, 1627 K ST., NW, #910 WASHINGTON DC 20006	DOMESTIC PETROLEUM COUNCIL, INC		
A. KOLBET SCHRICHTE, SUITE 500 1133 15TH STREET, NW WASHINGTON DC 20005	AMERICAN LOGISTICS ASSOCIATION		
N. DONALD SCHROEDER, MARYLAND PETROLEUM COUNCIL 60 WEST ST., #403 ANNAPOLIS MD 21401	AMERICAN PETROLEUM INST	240.00	226.88
MARK SCHULTZ, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	5,000.00	154.57
ROBERT L. SCHULZ, C/O IOWA PETROLEUM COUNCIL 1012 FLEMING BLDG. DES MOINES IA 50309	AMERICAN PETROLEUM INST	668.75	1,069.60
WALTER A. SCHUMANN III, 1511 NATALIE JOY LN. MCLEAN VA 22101	POTOMAC OVERLOOK ASSOCIATES		
JAMES H SCHUYLER, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
DONALD H. SCHWAB, 200 MARYLAND AVE., NE WASHINGTON DC 20002	VETERANS OF FOREIGN WARS OF THE U.S.	12,250.00	
LYNDLEY M. SCHWAB, 410 1ST ST., SE WASHINGTON DC 20003	AMERICAN NUCLEAR ENERGY COUNCIL		
SCHWABE WILLIAMSON WYATT MOORE & ROBERTS, SUITE 302 1000 POTOMAC ST., NW WASHINGTON DC 20007	AMERICAN GREYHOUND TRACK OPERATORS ASSN		
Do	LITCHSTREET COMPANY		
Do	MOUNTAIN STATES ENERGY, INC	4,894.54	4,189.58
Do	NATIONAL FOREST PRODUCTS ASSN		
Do	NORTHWEST INLAND WATERWAYS COMMITTEE		
Do	PIASECKI AIRCRAFT CORPORATION	2,334.36	1,997.93
Do	STATE OF OREGON, CITY OF PORTLAND, OREGON METRO	6,409.66	5,486.77
ELINOR SCHWARTZ, 318 S. ABINGDON STREET ARLINGTON VA 22204	CALIFORNIA STATE LANDS COMMISSION	7,800.00	418.85
RICHARD SCHWARTZ, 880 S. PICKETT ST. ALEXANDRIA VA 22304	BOAT OWNERS ASSOCIATION OF THE U.S.	4,000.00	
STEVE AARON SCHWARTZ, 818 ROEDER ROAD SUITE 702 SILVER SPRING MD 20910	INTERNATIONAL FED OF PROFESSIONAL & TECHNICAL ENGINEERS		
RICHARD S. SCHWEIKER, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	3,430.00	
CARL F. SCHWENSEN, 415 2ND ST., NE SUITE 300 WASHINGTON DC 20002	NATIONAL ASSN OF WHEAT GROWERS	1,778.47	
SCIENTIFIC APPARATUS MAKERS ASSN, 1101 16TH ST., NW WASHINGTON DC 20036		6,989.57	10,338.41
MICHAEL SCIULLA, 880 S. PICKETT ST. ALEXANDRIA VA 22304	BOAT OWNERS ASSOCIATION OF THE U.S.	6,000.00	
HAROLD B. SCOGGINS, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		22.13
SCOTT COMPANY, INC., 66 SURFWATCH DRIVE JOHNS ISLAND SC 29455	COASTAL PROPERTIES INSTITUTE, INC		
SCOTT HARRISON & MCLEOD, 2501 M STREET, NW, 4TH FL. WASHINGTON DC 20037	THAI FOOD PROCESSORS ASSN		
JAMES M. SCOTT, 66 SURFWATCH DRIVE JOHNS ISLAND SC 29455	SCOTT COMPANY		
JOHN N. SCOTT, 1825 K STREET, NW, #1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY	222.00	2,120.12
SCRIBNER HALL & THOMPSON, SUITE 700 1875 EYE STREET, NW WASHINGTON DC 20006	CNA FINANCIAL CORP		
Do	CONTINENTAL AMERICAN LIFE INSURANCE CO	5,000.00	
Do	JEFFERSON-PILOT CORP. AND SUBSIDIARIES	10,000.00	
Do	OCCIDENTAL LIFE INSURANCE CO OF CALIFORNIA	25,000.00	
Do	PROVIDENT LIFE & ACCIDENT INSURANCE CO	35,000.00	2,000.00
TIMOTHY SCULLY, 25 LOUISIANA AVENUE, NW WASHINGTON DC 20001	INTERNATIONAL BROTHERHOOD OF TEAMSTERS	9,187.50	
WALTER J. SCZUDLO, 15 WEST CARRILLO STREET SANTA BARBARA CA 93101	SCHRAMM & RADDUE (FOR: H&W DRILLING, INC)		
EARL W. SEARS, P.O. BOX 12285 MEMPHIS TN 38112	NATIONAL COTTON COUNCIL OF AMER	3,750.00	125.30
PAMELA SEDERHOLM, 2828 N. HASKELL AVE. DALLAS TX 75204	SOUTHLAND CORPORATION		
H. RICHARD SEIBERT JR , 1776 F ST., NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	275.00	
ARMISTEAD I. SELDEN, SUITE 4400 475 L'ENFANT PLAZA, SW WASHINGTON, DC 20024	AMERICAN LEAGUE FOR EXPORTS & SECURITY ASSISTANCE	5,000.00	22.00
M. FRANK SELLERS, 1615 H STREET, NW WASHINGTON DC 20062	U.S. CHAMBER OF COMMERCE (FOR: BUSINESS ALLIANCE ON GOVERNMENT COMPETITION)	5,000.00	265.95
STANTON P. SENDER, 633 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	SEARS, ROEBUCK AND CO	2,160.00	72.70
STUART D. SERKIN, 1800 CONNECTICUT AVENUE, NW WASHINGTON DC 20009	SLURRY TECHNOLOGY ASSN		
SERVICE MASTER INDUSTRIES, INC, C/O OF TALCOTT MCCABE & ASSOCIATES 600 MARYLAND AVE., SW, 302 W. WING WASHINGTON DC 20024.			775.00
SARAH SETTON, 1511 K ST., NW WASHINGTON DC 20005	SUGAR ASSOCIATION, INC	150.00	474.00
SEVEN MONTHS SESSION FOR CONGRESS, 3306 YELLOWPINE TERRACE AUSTIN TX 78757			605.00
SEWARD & KISSEL, 919 18TH ST., NW WASHINGTON DC 20006	A. I. LEASING CORP		
Do			
J. RICHARD SEWELL, 1111 19TH ST., NW, #1102 WASHINGTON DC 20036	FLORIDA POWER & LIGHT CO	2,100.00	425.24
SEYFARTH SHAW FAIRWEATHER & GERALDSON, 1111 19TH ST., NW WASHINGTON DC 20036	AGRICULTURAL PRODUCERS	15,439.45	
Do	AMERICAN SOC OF PENSION ACTUARIES	11,250.00	603.86
Do	FRIENDS OF THE HOP MARKETING ORDER		
Do	JOHNSON & HIGGINS	6,250.00	1,002.44
DONNA S. SHAFFER, DULLES INTERNATIONAL AIRPORT P.O. BOX 17309 WASHINGTON DC 20041	PRIDE AIR, INC		
VICTORIA MCKENZIE SHAIN, 1710 RHODE ISLAND AVENUE, NW, #300 WASHINGTON DC 20036	ABBOTT LABORATORIES	1,000.00	
JAMES M. SHAMBERGER, 1025 CONNECTICUT AVE., NW, #512 WASHINGTON DC 20036	REINSURANCE ASSN OF AMER	1,000.00	62.65
SHAMROCK FOODS CO., 2228 N. BLACK CANYON PHOENIX AZ 85009			
DEBORAH L. SHANNON, 1150 17TH ST., NW, #306 WASHINGTON DC 20036	NATIONAL MULTI HOUSING COUNCIL	902.78	51.12
HARRY D. SHAPIRO, 1800 MERCANTILE BANK & TRUST BLDG. TWO HOPKINS PLAZA BALTIMORE MD 21201	MARYLAND SAVINGS-SHARE INSURANCE CORP		78.99

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
NORMAN F. SHARP, 1100 17TH STREET, NW, #1201 WASHINGTON DC 20036	CIGAR ASSN OF AMERICA, INC		
KAREN DOLMATCH SHAW, SUITE 920 1800 K ST., NW WASHINGTON DC 20006	BANKAMERICA CORPORATION	804.64	728.11
LUTHER W. SHAW, SUITE 514 1155 15TH ST., NW WASHINGTON DC 20005	NATIONAL AGRICULTURAL CHEMICALS ASSN	5,625.00	49.15
SHAW PITTMAN POTTS & TROWBRIDGE, 1800 M ST., NW, #900-S WASHINGTON DC 20036	ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER	67.50	
Do	ATLAS MINERALS DIVISION	5,188.00	
Do	COMMITTEE FOR PRIVATE EDUCATION		
Do	EMERSON ELECTRIC CO		
Do	INSTITUTE OF FOREIGN BANKERS	2,250.00	45.00
Do	INVESTMENT COMPANY INSTITUTE	300.00	
Do	INVESTMENT COUNSEL ASSN OF AMERICA, INC		
Do	NATIONAL COMM ON SMALL ISSUE INDUSTRIAL DEVELOPMENT BONDS		
Do	UTILITY NUCLEAR WASTE MANAGEMENT GROUP		
SHEA & GOULD, 330 MADISON AVE. NEW YORK NY 10017	ELEANOR A. CLARK		
Do	HOSPITAL CORP OF AMERICA		
Do	NABISCO, INC		
Do	REPUBLIC OF HAITI	7,800.00	36.00
JAMES V. SHEAHAN, 223 PERIMETER CTR. PKWY. P.O. BOX 89000 ATLANTA GA 30338	SIEMENS-ALLIS, INC		
SHEARMAN & STERLING, 153 EAST 53RD ST. NEW YORK NY 10005	BUSINESS ROUNDTABLE		
JOHN J. SHEEHAN, 815 16TH ST., NW, #706 WASHINGTON DC 20006	UNITED STEELWORKERS OF AMER	11,955.01	
PATRICIA Q. SHEEHAN, 1667 K STREET, NW, #410 WASHINGTON DC 20006	JOHNSON & JOHNSON	1,000.00	225.00
KATHLEEN SHEEKEY, 3RD FLOOR 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	10,362.54	1,007.83
JOHN P. SHEFFEY, 5535 HEMPSTEAD WAY SPRINGFIELD VA 22151	NATIONAL ASSN FOR UNIFORMED SERVICES	265.94	
JONATHAN R. SHEINER, 410 FIRST ST., SE WASHINGTON DC 20003	CONSOLIDATED EDISON CO OF NEW YORK, INC	676.25	
SEYMOUR SHERIFF, 1126 WOODWARD BLDG. WASHINGTON DC 20005	MAN-MADE FIBER PRODUCERS ASSN, INC		
R. PHILIP SHIMER, SUITE 405 444 N. CAPITAL ST., NW WASHINGTON DC 20001	WESTERN GOVERNORS ASSOCIATION		
SHIPLEY SMOAK HENRY & HOLDGREIWE, SUITE 820 910 17TH ST., NW WASHINGTON DC 20006	FEDERATED DEPT STORES, INC		
Do	FLANIGAN'S ENTERPRISES, INC		
Do	NATIONAL COMMITTEE OF DISCOUNT SECURITIES BROKERS		
Do	STEADMAN MUTUAL FUNDS		
Do	STEADMAN SECURITY CORPORATION		
Do	U.S.-SOUTH WEST AFRICA/NAMIBA TRADE & CULTURAL COUNCIL		
Do	WBNO RADIO AND WLKM RADIO		
HARVEY A. SHIPMAN, 1701 PENNSYLVANIA AVENUE, NW, #830 WASHINGTON DC 20006	PENN CENTRAL CORPORATION		
FRED B. SHIPPEE, 1611 N. KENT ST., #800 ARLINGTON VA 22209	AMERICAN APPAREL MANUFACTURERS ASSN, INC		
SHIPPERS NATIONAL FREIGHT CLAIM COUNCIL, INC, 120 MAIN STREET HUNTINGTON NY 11743			
MARY FRANCES SHLAGEL, SUITE 760 1050 CONNECTICUT AVE., NW WASHINGTON DC 20036	UNION OIL CO OF CALIFORNIA		
ELAINE SHOCAS, 555 NEW JERSEY AVENUE, NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS	10,183.68	80.00
SHOOSHAN & JACKSON, INC., 1990 M ST., NW, #450 WASHINGTON DC 20036	ROGERS U.S. CABLESYSTEMS, INC		
HARRY M. SHOOSHAN III, 1990 M ST., NW, #450 WASHINGTON DC 20036	SHOOSHAN & JACKSON, INC (FOR: ROGERS U.S. CABLESYSTEMS, INC)		
SCOTT SHOTWELL, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	2,475.00	
A. Z. SHOWS, RM 203 1801 COLUMBIA RD., NW WASHINGTON DC 20009			
SANA F. SHTASEL, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	149.17	
JOHN SHUEY, P.O. BOX 3151 HOUSTON TX 77253	BROWNING-FERRIS INDUSTRIES, INC		
LAWRENCE E. SIEGEL, 8283 GREENSBORO DRIVE MCLEAN VA 22102	SATELLITE BUSINESS SYSTEMS		
JAMES V. SIENA, 1735 NEW YORK AVENUE, NW WASHINGTON DC 20006	AMERICAN INSTITUTE OF ARCHITECTS	2,000.00	
RONALD G. SILLS, C/O 38832-066, A-1 F.C.I. BOX 7000 TEXARKANA TX 75501			
DAVID SILVER, 1600 M ST., NW WASHINGTON DC 20036	INVESTMENT COMPANY INSTITUTE		
STEVEN W. SILVER, ROBERTSON, MONAGLE, EASTAUGH & BRADLEY 240 MAIS ST., #800 JUNEAU AK 99802	ALASKA PULP CORP	1,000.00	
SILVER USERS ASSN, INC, 1717 K ST., NW WASHINGTON DC 20006		4,610.43	3,474.43
SILVERSTEIN & MULLENS, 1776 K ST., NW WASHINGTON DC 20006	ASSOCIATION FOR ADVANCED LIFE UNDERWRITING		
Do	BRISTOL-MYERS CO		
Do	F.W. WOOLWORTH CO		
Do	FEDERAL NATIONAL MORTGAGE ASSN		
Do	GATX CORP		
Do	MUSIC CORPORATION OF AMERICA, INC		
Do	NATIONAL ASSN OF HOME BUILDERS OF THE U.S		
Do	NATIONAL COUNCIL OF SAVINGS INSTITUTIONS		
Do	CERTAINTEED CORP		
M. P. SIMMONS, P.O. BOX 860 VALLEY FORGE PA 19482	AMERICAN ACADEMY OF ACTUARIES		
GARY D. SIMMS, 1835 K STREET, NW, #515 WASHINGTON DC 20006	INTERNATIONAL FRANCHISE ASSN		
NEIL A. SIMON, 1025 CONNECTICUT AVENUE, NW, #707 WASHINGTON DC 20036	COMMON CAUSE	3,733.34	
PHILIP SIMON, 2030 M STREET, NW WASHINGTON DC 20036	AFL-CIO MARITIME COMMITTEE	300.00	632.92
TALMAGE E. SIMPKINS, 100 INDIANA AVE., NW WASHINGTON DC 20001	LABOR MANAGEMENT MARITIME COMMITTEE, INC	1,436.00	183.34
Do	BROWN & ROOT, INC		
C. KYLE SIMPSON, P.O. BOX 3 HOUSTON TX 77001	FIRST MISSISSIPPI CORPORATION	2,000.00	
WILLIAM G. SIMPSON, SUITE 424 1155 15TH STREET, NW WASHINGTON DC 20005	J.R. SCRIBNER EQUIPMENT	2,000.00	
Do	MISSISSIPPI POWER & LIGHT COMPANY	2,000.00	
Do	STATE OF MISSISSIPPI	4,000.00	
Do	PERFORMANCE ENGINEERING, INC		
ALBERT M. SIMS, BOX 872 SMITHTOWN NY 11787	TRW, INC	1,000.00	
IVAN E. SINCLAIR, 1000 WILSON BOULEVARD, #2700 ARLINGTON VA 22209	OAKLAND COLISEUM	6,000.00	
RICHARD L. SINNOTT & CO, SUITE 900 ONE THOMAS CIRCLE, NW WASHINGTON DC 20005	PORT OF OAKLAND	3,000.00	
Do	ASSOCIATION OF BANK HOLDING COS	1,312.50	60.00
JAMES C. SIVON, 730 15TH STREET, NW WASHINGTON DC 20005	AIR PRODUCTS & CHEMICALS, INC	1,500.00	
SKADDEN ARPS SLATE MEAGHER & FLOM, 919 18TH STREET, NW WASHINGTON DC 20006	CITIES SERVICE OIL & GAS CORP		
Do	OCEAN THERMAL CORP	1,500.00	
Do	TEXACO, INC		
Do	TRANSCO ENERGY COMPANY		
Do	TRICENTROL U.S., INC		
CYNTHIA ELLIOT SKIFF, 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
WILLIAM J. SKINNER, 815 15TH ST., NW WASHINGTON DC 20005	U.S. PHARMACOPEIAL CONVENTION, INC	838.24	84.05
BARNEY J. SKLADANY JR., 1100 CONNECTICUT AVE., NW WASHINGTON DC 20036	MOBIL OIL CORP	1,125.00	
SCOTT SKLAR, 1717 MASSACHUSETTS AVENUE, NW, #503 WASHINGTON DC 20036	SOLAR ENERGY INDUSTRIES ASSN	6,000.00	
RUTH L. SKY, 2211 CONGRESS ST. PORTLAND ME 04122	UNION MUTUAL LIFE INSURANCE CO		
F. SLATINSHEK & ASSOCIATES, INC., 1102 BELLE VISTA DR. ALEXANDRIA VA 20007	GRUMMAN AERO CORP; D.L. LYNCH & ASSOCS	300.00	
ROBERT G. SLAUGHTER, 2501 M ST., NW WASHINGTON DC 20037	PACIFIC RESOURCES, INC	500.00	
SCOTT L. SLESINGER, SUITE 804 1101 14TH ST., NW WASHINGTON DC 20005	NATIONAL APARTMENT ASSN		
BARRY S. SLEVIN, 1000 POTOMAC STREET, NW WASHINGTON DC 20007	SEIFMAN, SEMO, SLEVIN & MARCUS, P.C. (FOR: UNITED FOOD & COMMERCIAL WORKERS INT'L UNION)		
WILLIAM T. SLIDER, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S		
RONALD J. SLINN, 260 MADISON AVENUE NEW YORK NY 10016	AMERICAN PAPER INST, INC		
CATHERINE REISS SLOAN, 1990 M ST., NW, #450 WASHINGTON DC 20036	SHOOSHAN & JACKSON, INC (FOR: ROGERS U.S. CABLESYSTEMS, INC)		
JOHN E. SLOAN JR., CAPITAL GALLERY EAST, #695 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	NATIONAL FED OF INDEPENDENT BUSINESS	1,150.00	200.00
DAVID P. SLOANE, 1725 K STREET, NW, #710 WASHINGTON DC 20006	NATIONAL ASSN OF WHOLESALER-DISTRIBUTORS		
SLURRY TRANSPORT ASSN, 1800 CONNECTICUT AVE., NW WASHINGTON DC 20009			
SMALL BUSINESS COUNCIL OF AMERICA, INC, P.O. BOX 4299 COLUMBUS GA 31904		113,325.00	26,808.65
SMALL BUSINESS LEGISLATIVE COUNCIL, 1604 K ST., NW WASHINGTON DC 20006		3,000.00	30.00
SMC INTERNATIONAL, 1820 JEFFERSON PL., NW WASHINGTON DC 20036	CAPITOL AIR, INC		
Do	GC SERVICES CORP	1,500.00	202.26
Do	PIEDMONT AIRLINES, INC	3,000.00	665.51
Do	SAFECARD SERVICES, INC	700.00	144.88
ELEANOR SMEAL & ASSOCIATES, 2401 VIRGINIA AVE., NW, #306 WASHINGTON DC 20037	NATIONAL ORGANIZATION FOR WOMEN		
DONALD E. SMILEY, 1899 L ST., NW, #1100 WASHINGTON DC 20036	EXXON CORPORATION		
JAMES R. SMIRCINA, P.O. BOX 5000 CLEVELAND OH 44101	CLEVELAND ELECTRIC ILLUMINATING CO	255.38	162.00
CATHERINE S. SMITH, 1730 K ST., NW, #703 SUITE 209 WASHINGTON DC 20006	AMERICAN BUSINESS CONFERENCE, INC	124.51	25.00
DANIEL T. SMITH, P.O. BOX 660074 DALLAS TX 75266	INTERNATIONAL AIRLINE PASSENGERS ASSN, INC		
DAVID S. SMITH, 1701 PENNSYLVANIA AVE., NW, #1102 WASHINGTON DC 20006	MARTIN & SMITH		
SMITH DAWSON ASSOCIATES, INC, 1000 CONNECTICUT AVENUE, NW, #304 WASHINGTON DC 20036	N.Y. METROPOLITAN TRANSPORTATION AGENCY	17,137.26	20,040.35
Do	SAN FRANCISCO P.V.C	9,000.00	9,000.00
ELIZABETH M. SMITH, 815 16TH ST., NW, #310 WASHINGTON DC 20006	AMALGAMATED CLOTHING & TEXTILE WORKERS UNION	5,277.48	249.85
FREDERICK P. SMITH JR., 1575 EYE STREET, NW, #550 WASHINGTON DC 20005	INSTITUTE OF MAKERS OF EXPLOSIVES		
GORDON L. SMITH, 1201 PENNSYLVANIA AVE., NW, #700 WASHINGTON DC 20004	HILL & KNOWLTON, INC (FOR: FLORISTS' TRANSWORLD DELIVERY ASSN)	2,500.00	
JAMES P. SMITH, 2000 L STREET, NW, #200 WASHINGTON DC 20036	HOSPITAL CORP OF AMERICA		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JEFFREY A. SMITH, 919 18TH STREET, NW, #600 WASHINGTON DC 20006	TOYOTA MOTOR SALES, USA, INC	240.00	373.94
JENNIFER L. SMITH, 900 17TH STREET, NW, #520 WASHINGTON DC 20006	WEST MEXICO VEGETABLE DISTRIBUTORS ASSN	300.00	
JOSEPH M. SMITH, 1730 K ST., NW, #703 WASHINGTON DC 20006	AMERICAN BUSINESS CONFERENCE	50.77	25.00
JULIAN H. SMITH JR., 600 NORTH 18TH STREET BIRMINGHAM AL 35291	ALABAMA POWER CO	13,785.00	18,313.64
MICHAEL E. SMITH, 55 PUBLIC SQUARE, RM. 624 P.O. BOX 5000 CLEVELAND OH 44113	CLEVELAND ELECTRIC ILLUMINATING CO		
MICHAEL P. SMITH, 485 LEXINGTON AVE. NEW YORK NY 10017	NEW YORK STATE BANKERS ASSN	1,280.00	738.00
PATRICIA SMITH, 2401 VIRGINIA AVENUE, NW WASHINGTON DC 20037	AMERICAN ASSN OF UNIVERSITY WOMEN	4,080.00	220.45
RONALD E. SMITH, 2501 M STREET, NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSN	5,000.00	12,667.43
SHALAH SMITH, 1130 17TH STREET, NW WASHINGTON DC 20036	NATIONAL COAL ASSN	2,360.00	333.64
SUSAN SNYDER SMITH, 7900 WESTPARK DRIVE, #514 MCLEAN VA 22102	CHOCOLATE MANUFACTURERS ASSN OF THE USA	750.00	661.06
WILLIAM C. SMITH, 1850 K STREET, NW, #1100 WASHINGTON DC 20006	BALLARD, SPAHR, ANDREWS & INGERSOLL		
WAYNE H. SMITHEY, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	FORD MOTOR CO	7,012.00	381.95
PETER LEIGH SNELL, DAVID VIENNA & ASSOCIATES 510 C ST., NE WASHINGTON DC 20002	INTERNATIONAL ASSN OF AMUSEMENT PARKS & ATTRACTIONS		
Do	NATIONAL ASSN OF CREDIT MANAGEMENT		
FRANK B. SNODGRASS, 1100 17TH ST., NW, #306 WASHINGTON DC 20036	BURLEY & DARK LEAF TOBACCO EXPORT ASSN	1,158.18	
LARRY S. SNOWHITE, 1825 EYE ST., NW WASHINGTON DC 20006	ENVIRITE CORPORATION	393.75	
Do	GSX CORPORATION	700.00	28.05
Do	LIBERTY MUTUAL INSURANCE CO	5,337.50	95.90
Do	MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO (FOR: LION LINES, LTD.)		
Do	MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO (FOR: MASS. CONSTRUCTION INDUS. COUNCIL TRUCK WEIGHT COMM).		
Do	MASSACHUSETTS COLLEGE STUDENT LOAN AUTHORITY	787.50	11.15
Do	NEW ENGLAND EDUCATION LOAN MARKETING CORP	455.00	11.15
Do	MINTZ, LEVIN, COHN, GLOVSKY AND POPEO (FOR: SCA SERVICES)		
Do	MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO (FOR: SECURITIES INDUSTRY ASSN)		
EDWARD F. SNYDER, 245 2ND ST., NE WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	4,726.26	
J. R. SNYDER, 400 1ST ST., NW, #704 WASHINGTON DC 20001	UNITED TRANSPORTATION UNION		1,116.00
JOHN M. SNYDER, 600 PENNSYLVANIA AVE., S.E. SUITE 205 WASHINGTON DC 20003	CITIZENS COMM FOR THE RIGHT TO KEEP & BEAR ARMS	9,000.00	
SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION, P.O. BOX 3719 GEORGETOWN STATION WASHINGTON DC 20007		29,131.74	37,654.47
MICHAEL D. SOLOMON, 1709 NEW YORK AVENUE, NW WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS	1,050.00	
EDMUND T. SOMMER JR., 1627 K STREET, NW, #1200 WASHINGTON DC 20006	COUNCIL OF AMERICAN-FLAG SHIP OPERATORS		
CAROLE SONNENFELD, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	3,400.03	
CHARLES R. SONNIER, SONNIER & HEBERT P.O. DRAWER 1040 ABBEVILLE LA 70511	COUSHATTA TRIBE OF LOUISIANA		
SONOSKY CHAMBERS AND SACHSE, 1050 31ST ST., NW WASHINGTON DC 20007	ASSINIBOINE AND SIOUX TRIBES		
Do	MACKENZIE TURNIPSEED		
Do	MULTI-HOUSING LAUNDRY ASSOCIATION, INC		
Do	STANDING ROCK SIOUX TRIBE		
E. RICHARD SOPER, 1957 E STREET, NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
SOUTHWESTERN PEANUT SHELLERS ASSN, 10 DUNCANNON CT. DALLAS TX 75225		1,562.00	1,562.00
CHARLES E. SOUTHWICK, 1627 K STREET, NW, #200 WASHINGTON DC 20006	FLUOR CORPORATION	15,000.00	899.62
IAN D. SPATZ, 1785 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL TRUST FOR HISTORIC PRESERVATION	1,753.11	
SPECIALIZED CARRIERS & RIGGING ASSOCIATION, SUITE 616 2200 MILL RD. ALEXANDRIA VA 22314			
JOHN F. SPEER JR., 888 16TH STREET, NW WASHINGTON DC 20006	MILK INDUSTRY FOUNDATION/INT'L ASSN OF ICE CREAM MFRS		
WILLIAM C. SPENCE, 3805 W. ALABAMA HOUSTON TX 77027	COLUMBIA GULF TRANSMISSION CO		
JOANN SPEVACEK, 1500 PLANNING RESEARCH DRIVE MCLEAN VA 22102	PLANNING RESEARCH CORP		652.29
SPIEGEL & MCDIARMID, 2600 VIRGINIA AVE., NW WASHINGTON DC 20037	NORTHERN CALIFORNIA POWER AGENCY, ET AL	260.00	
NICHOLAS J. SPIEZIO, 1709 NEW YORK AVNEUE, NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS		
LARRY N. SPILLER, 1015 15TH ST., NW, #802 WASHINGTON DC 20005	AMERICAN CONSULTING ENGINEERS COUNCIL	900.00	
JOSEPH L. SPILMAN JR., 1220 L STREET, NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST	200.00	
PETER A. SPINA, 150 EAST 42ND STREET NEW YORK NY 10017	MOBIL OIL CORP	900.00	
SPRIGGS BODE & HOLLINGSWORTH, 1015 15TH ST., NW WASHINGTON DC 20005	UNR INDUSTRIES, INC	7,590.00	
EARL C. SPURRIER, THE MADISON BUILDING, #514 1155 15TH STREET, NW WASHINGTON DC 20005	NATIONAL AGRICULTURAL CHEMICALS ASSN	90.00	
ELISABETH A. SQUEGLIA, BRICKER & ECKLER 888 11TH ST., NW WASHINGTON DC 20006	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
SQUIRE SANDERS & DEMPSEY, 1201 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	ALAMO CEMENT COMPANY, ET AL	2,051.25	
Do	AMERICAN SOC OF ANESTHESIOLOGISTS		
Do	ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS		
Do	INDEPENDENT DATA COMMUNICATIONS MANUFACTURERS ASSOCIATION		
Do	MICROBAND CORP OF AMERICA		
Do	NATIONAL COLLEGIATE ATHLETIC ASSN		
Do	TYMNET, INC		
JOHN W. SROKA, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
CARL F. ST. CIN, 1101 17TH STREET, NW, #604 WASHINGTON DC 20036	MONSANTO CO		
ROBERT P. ST. LOUIS, SUITE 880 555 NEW JERSEY AVE., NW WASHINGTON DC 20001	CONGOLEUM CORPORATION	1,000.00	346.93
JANIS ST. MARIE, 15 WEST CARRILLO STREET SANTA BARBARA CA 93101	SCHRAMM & RADDUE (FOR: H&W DRILLING, INC)		
CONNELL STAFFORD, P.O. DRAWER 1734 ATLANTA GA 30301	COCA-COLA COMPANY	302.00	1,093.92
DAVID E. STAHL, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN	3,500.00	
ELVIS J. STAHR JR., 1815 H STREET, NW, #600 WASHINGTON DC 20006	CASSIDY & ASSOCIATES, INC		
Do	NATIONAL AUDUBON SOCIETY		
LYNN E. STALBAUM, 1840 WILSON BOULEVARD ARLINGTON VA 22201	NATIONAL MILK PRODUCERS FED	2,610.00	
TYRONE STALLWORTH, 220 NORTH DEVILLERS STREET PENSACOLA FL 32501			
DAVID P. STANG, P.C., SUITE 601 1629 K ST., NW WASHINGTON DC 20006	COMMITTEE FOR CAPITAL FORMATION THROUGH DIV. REINVESTMENT		
Do	EMPLOYEE STOCK OWNERSHIP ASSN	49.98	
Do	NATIONAL ASSN OF ROYALTY OWNERS, INC	83.99	
Do	OFFSHORE INDUSTRY COMMITTEE		
Do	SMALL BUSINESS COUNCIL OF AMERICA, INC	52.50	
Do	STANDARD OIL OF INDIANA	152.85	
Do	SUN COMPANY, INC		
MICHAEL J. STANTON, 1620 EYE STREET, NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC	925.00	
TERRY W. STARK, P.O. BOX 2130 NEWPORT BEACH CA 92658	WESTERN GROWERS ASSN	9,582.00	1,162.80
WALTER M. STARKE, P.O. BOX 2563 BIRMINGHAM AL 35202	SOUTHERN NATURAL GAS CO		
BETTE ANNE STARKEY, 1030 15TH STREET, NW, #1100 WASHINGTON DC 20005	HEALTH INDUSTRY MANUFACTURERS ASSN		
LOIS STARKEY, SUITE 511 1745 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	MANUFACTURED HOUSING INST	900.00	100.00
RONALD W. STASCH, 205 E. 42ND STREET NEW YORK NY 10017	RISK & INSURANCE MANAGEMENT SOCIETY, INC		
FRANK M. STASZESKY JR., P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORP		
DAVID MICHAEL STATON, 1615 H STREET, NW WASHINGTON DC 20062	CITIZEN'S CHOICE, INC		
CHARLES D. STATTON, P.O. BOX 3965 SAN FRANCISCO CA 94119	BECHTEL POWER CORPORATION		
STAUFFER CHEMICAL CO, NYALA FARM ROAD WESTPORT CT 06881			8,907.73
SAMUEL E. STAVISKY, 1725 DESALES STREET, NW, #804 WASHINGTON DC 20036	SAMUEL E. STAVISKY ASSOCIATES INC. (FOR: BROADCAST MUSIC INC. (BMI))		
RANDOLPH J. STAYIN, SUITE 600 21 DUPONT CIRCLE, N.W. WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: MACHINERY DEALERS NATIONAL ASSOCIATION).		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)	258.00	
Do	TAFT STETTINIUS & HOLLISTER (FOR: SPECIAL COMM FOR WORKPLACE PRODUCT LIABILITY REFORM).		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: WALD MANUFACTURING CO, INC)	206.00	
STEELE SIMMONS & FORNACIARI, 2020 K STREET, NW, #850 WASHINGTON DC 20006	K MART CORP	20,081.25	2,255.38
J. C. STEEN, 412 FIRST STREET, SE, #301 WASHINGTON DC 20003	FORD AEROSPACE & COMMUNICATIONS CORP	300.00	109.61
Do	MCDONNELL DOUGLAS CORP	400.00	213.69
Do	NORTHROP CORP	800.00	181.57
HENRY J. STEENSTRA JR., 1000 WILSON BOULEVARD, #2600 ARLINGTON VA 22209	TRW, INC	1,000.00	
KRISTIN STELCK, 2401 VIRGINIA AVENUE, NW WASHINGTON DC 20037	AMERICAN ASSN OF UNIVERSITY WOMEN	6,250.00	188.50
JACK L. STEMPLER, 1725 JEFFERSON DAVIS HIGHWAY, #900 ARLINGTON VA 22202	LTV AEROSPACE DEFENSE CO	2,500.00	75.00
MARCY STEPHENS, 2030 M STREET, NW WASHINGTON DC 20036	COMMON CAUSE	5,670.00	
STEPHENS OVERSEAS SERVICES, INC., 2121 K STREET, NW, #830 WASHINGTON DC 20037	NATIONAL OFFICE MACHINE DEALERS ASSN	42.00	.04
Do		57.50	7.25
STEPHENS, INC, 2121 K ST., NW, #830 WASHINGTON DC 20037			
STEPTOE & JOHNSON, CHTD, 1330 CONNECTICUT AVE., NW WASHINGTON DC 20036	COALITION FOR UNIFORM PRODUCT LIABILITY LAW		731.39
Do	COMMITTEE FOR EFFECTIVE CAPITAL RECOVERY		
Do	FOREST INDUSTRIES COMMITTEE ON TIMBER VALUATION & TAXATION		
Do	MASSACHUSETTS MUTUAL LIFE INSURANCE CO		
Do	RULE OF LAW COMMITTE		
Do	TRAILWAYS, IANC		
RICHARD W. STERNBERG, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	100.00	
MICHAEL E. STEWARD, 7957 REVENNA LANE SPRINGFIELD VA 22153	PUGET SOUND POWER & LIGHT CO	5,024.00	455.24

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
EUGENE L. STEWART, 1001 CONNECTICUT AVE., NW, #910 WASHINGTON DC 20036	ROSES, INC.	1,350.00	349.67
IMAGENE STEWART, 214 P STREET, NW WASHINGTON DC 20001	AMERICAN WOMEN'S CLERGY ASSN		
ROBERT I. STEWART, 2001 THIRD AVENUE, SOUTH BIRMINGHAM AL 35233	TORCHMARK CORPORATION		
WALTER J. STEWART, SUITE 700 1100 15TH ST., NW WASHINGTON DC 20005	SONAT, INC		
WARREN E. STICKLE, SUITE 1120 1001 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CHEMICAL SPECIALTIES MFGRS ASSN	261.38	18.00
STEPHEN W. STILL, 1100 15TH STREET, NW, #700 WASHINGTON DC 20005	SONAT, INC		
DON STILLMAN, 1757 N STREET, NW WASHINGTON DC 20036	INT'L UNION, UNITED AUTO AEROSPACE & AGRIC IMPLEMENT WORKERS	1,271.40	12.00
EDWARD W. STIMPSON, SUITE 801 1400 K ST., NW WASHINGTON DC 20005	GENERAL AVIATION MANUFACTURERS ASSOCIATION	3,065.00	
JOHN J. STIRK, 1745 JEFFERSON DAVIS HIGHWAY, #1000 ARLINGTON VA 22202	GENERAL DYNAMICS	1,000.00	273.35
STOCKHOLDERS OF AMERICA, INC., 1625 EYE ST., N.W. # 724A WASHINGTON DC 20006		6,235.00	724.55
STEVEN F. STOCKMEYER, 1800 M ST., NW, #950 NORTH WASHINGTON DC 20036	ALLNET COMMUNICATIONS SERVICES, INC		
Do	JACK MCDONALD CO (FOR: COALITION FOR THE ADVANCEMENT OF INDUSTRIAL TECHNOLOGY).		
Do	JACK MCDONALD CO (FOR: FIBER FABRIC & APPAREL COALITION FOR TRADE)		
Do	MANVILLE CORP	3,450.00	95.70
Do	VERNER LIIPFERT BERNHARD... (FOR NORFOLK SOUTHERN)		
DENNIS C. STOLTE, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,937.00	53.00
JANE S. STONE, 1719 ROUTE 10 PARSIPPANY NJ 07054	NATIONAL ASSN OF MANUFACTURERS	600.00	
JAY STONE, JAY STONE AND ASSOCIATES, INC 412 FIRST STREET, SE., #50 WASHINGTON DC 20003	MASSACHUSETTS MUTUAL LIFE INSURANCE CO	2,000.00	
Do	MELAMINE CHEMICALS, INC	2,000.00	
MARTIN F. STONE, 1411 K STREET, NW, #850 WASHINGTON DC 20005	AMERICANS FOR DEMOCRATIC ACTION	2,999.10	138.00
FLOYD E. STONER, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,000.00	
STEPHEN STORCH, 1800 K STREET, NW, #1100 WASHINGTON DC 20006	NEW YORK STOCK EXCHANGE, INC		
WILLIAM M. STOVER, 2501 M ST., NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSOCIATION, INC	1,000.00	
STRASBURGER & PRICE, 1200 ONE MAIN PLACE DALLAS TX 75250	DALLAS/FT. WORTH REGIONAL AIRPORT BOARD	63,599.58	
TERRENCE D. STRAUB, 818 CONNECTICUT AVENUE, N.W. WASHINGTON DC 20006	U.S. STEEL CORPORATION	250.00	744.06
JAMES R. STREETER, 733 15TH STREET, NW WASHINGTON DC 20005	LEGAL SERVICES CORP	41.18	13.00
ROGER J. STROH, 727 N. WASHINGTON STREET ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN		
STROOCK & STROOCK & LAVAN, 1150 17TH ST., NW WASHINGTON DC 20036	AMERICAN RED CROSS RETIREMENT SYSTEM	270.25	
Do	AMERICAN TRUCKING ASSNS, INC		
Do	CITY OF TUCSON	2,948.00	30.00
Do	DREYFUS CORPORATION		
Do	DREYFUS DOLLAR FUND		
Do	J. ARON & CO, INC		
WALTER B. STULTS, 1156 15TH STREET, NW, #1101 WASHINGTON DC 20005	NATIONAL ASSN OF SMALL BUSINESS INVESTMENT COS	4,000.00	
EUGENE F. STURGEON, 182 CRATER LANE KENSINGTON CT 06037	NORTHEAST UTILITIES SERVICE CO	2,172.72	989.76
SULLIVAN & CROMWELL, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AMERICAN INTERNATIONAL GROUP, INC		
Do	BP NORTH AMERICA, INC		
Do	GOLDMAN SACHS & CO		
Do	GRAND MET USA, INC		
Do	KIDDER PEABODY & CO, INC		51.75
Do	SECURITIES INDUSTRY ASSN		63.40
AUSTIN P. SULLIVAN JR., P.O. BOX 1113 MINNEAPOLIS MN 55440	GENERAL MILLS, INC		
BONNIE A. SULLIVAN, 725 15TH STREET, NW WASHINGTON DC 20005	NATIONAL GRAIN & FEED ASSN	30.00	
GAEL M. SULLIVAN, SUITE 1004 1155 15TH STREET, NW WASHINGTON DC 20005	LTV CORPORATION	2,344.00	640.00
HAROLD R. SULLIVAN, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	750.00	
JOHN H. SULLIVAN, 2924 COLUMBIA PIKE ARLINGTON VA 22204	DEVELOPMENT ASSOCIATES, INC (FOR: GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA).	132.35	11.65
JUDY M. SULLIVAN, 1120 20TH STREET, NW, #700 WASHINGTON DC 20036	WILLIAMS COMPANIES		
MARGARET COX SULLIVAN, 1625 EYE ST., N.W. # 724A WASHINGTON DC 20006	STOCKHOLDERS OF AMERICA, INC		
PATRICK J. SULLIVAN, 815 SIXTEENTH STREET, N.W. WASHINGTON DC 20006	INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL-CIO	9,429.25	1,079.37
FERN SUMMER, P.O. BOX 17402 DULLES INT'L AIRPORT WASHINGTON DC 20041	WATER & WASTEWATER EQUIPMENT MANUFACTURERS ASSN, INC		
J. MITCHELL SUMMERS, 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ARMCO, INC	600.00	287.00
JOHN B. SUMMERS, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	1,092.90
IRIS SUNSHINE, 1710 BROADWAY NEW YORK NY 10019	INTERNATIONAL LADIES GARMENT WORKERS UNION	5,124.99	160.28
SURREY & MORSE, 1250 EYE STREET, NW WASHINGTON DC 20005	EMBASSY OF THE PEOPLE'S REPUBLIC OF CHINA		67.50
Do	UNITED NATIONS STAFF UNION		
Do	WESTINGHOUSE ELECTRIC CORP	904.00	13.50
SUTHERLAND ASBILL & BRENNAN, 1666 K STREET, NW, #800 WASHINGTON DC 20006	ACACIA GROUP	3,756.00	344.74
Do	AMERICAN INDUSTRIAL CLAY & GEORGIA KAOLIN		
Do	ANGLO-AMERICAN CLAYS CORP		
Do	ASSOCIATION OF BUSINESSES ADVOCATING TARIFF EQUITY		
Do	BANKING ISSUES GROUP	7,336.95	1,315.40
Do	CAPITAL HOLDING CORP		323.93
Do	CONSUMER CREDIT INSURANCE ASSOCIATION	750.00	
Do	COUNCIL OF INDUSTRIAL BOILER OWNERS		
Do	CREDIT UNION NATL ASSN, INC		
Do	ENGELHARD MINERALS & CHEMICALS CORP		
Do	EQUIFAX, INC		718.47
Do	FIDELITY BANKERS LIFE INSURANCE CO	83.33	
Do	INDUSTRIAL OIL CONSUMERS GROUP		
Do	J. M. HUBER CORP		
Do	LINCOLN NATIONAL LIFE INSURANCE COMPANY	1,333.75	
Do	MUTUAL OF OMAHA INSURANCE CO		
Do	NATIONAL ASSN OF LIFE COS	1,500.00	
Do	NATIONAL HOME LIFE ASSURANCE COMPANY	995.50	25.05
Do	NORD RESOURCES CORP		
Do	SECURITY-CONNECTICUT LIFE INSURANCE CO	83.33	
Do	SENTRY LIFE INSURANCE CO	83.33	
Do	SOUTHEAST COMPACT COMMISSION		114.13
Do	STOCK INFORMATION GROUP	8,058.90	532.25
Do	THIELE KAOLIN CO		
WILLIAM F. SUTHERLAND, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	150.00	
W. THOMAS SUTTLE, 1755 WILLARD ST., NW, #4 WASHINGTON DC 20009	INSTITUTE OF ELECTRICAL & ELECTRONICS ENGINEERS	2,566.00	680.00
WILLIAM W. SUTTLE, 1025 CONNECTICUT AVE., NW SUITE 415 WASHINGTON DC 20036	AMERICAN INSURANCE ASSN		
IRVING W. SWANSON, 11212 FARMLAND DRIVE ROCKVILLE MD 20852	HARRIS CORPORATION	5,600.00	447.54
DAVID A. SWEENEY, 25 LOUISIANA AVE., NW WASHINGTON DC 20001	INTERNATIONAL BROTHERHOOD OF TEAMSTERS	18,142.20	
ROSEMARIE SWEENEY, SUITE 770 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN ACADEMY OF FAMILY PHYSICIANS	2,218.74	1,123.29
SWIDLER BERLIN & STRELOW, CHTD, 1000 THOMAS JEFFERSON ST., NW #500 WASHINGTON DC 20007	AIRCO, INC		
Do	LUCASFILM, LTD		
Do	NATIONAL COUNCIL OF COMMUNITY HOSPITALS	3,570.00	
RUSSELL A. SWINDELL, P.O. BOX 2635 RALEIGH NC 27602	NORTH CAROLINA RAILROAD ASSOCIATION		
RANDALL SWISHER, 2301 M STREET, NW WASHINGTON DC 20037	AMERICAN PUBLIC POWER ASSN	2,500.00	
DAVID A. SYKUTA, ILLINOIS PETROLEUM COUNCIL P.O. BOX 5034 SPRINGFIELD IL 62705	AMERICAN PETROLEUM INST	555.00	1,285.35
CHRISTOPHER U. SYLVESTER, 1831 BRIAR RIDGE COURT MCLEAN VA 22101	GARRISON DIVERSION CONSERVANCY DISTRICT	6,000.00	336.36
MERRIBEL SYMINGTON, SUITE 540 1875 EYE STREET, NW WASHINGTON DC 20006	CHAMPION INTERNATIONAL CORPORATION		
Z. MICHAEL SZAZ, 6415 FRANCONIA COURT SPRINGFIELD VA 22150	EMBASSY OF THE DEMOCRATIC REPUBLIC OF SOMALIA	1,200.00	
ROBERT TAFT JR., 21 DUPONT CIRCLE, NW, #600 WASHINGTON DC 20036	TAFT, STETTINIUS & HOLLISTER (FOR: GROCERY MANUFACTURERS OF AMERICA, INC.).		
Do	TAFT STETTINIUS & HOLLISTER (FOR: INMONT CORP)	236.00	72.41
Do	TAFT STETTINIUS & HOLLISTER (FOR: JAMES GRAHAM BROWN FOUNDATION)		
Do	TAFT STETTINIUS & HOLLISTER (FOR: KINGS ENTERTAINMENT CO)	1,000.00	
Do	TAFT, STETTINIUS & HOLLISTER (FOR: MACHINERY DEALERS NATIONAL ASSOCIATION).		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: MIAMI CONSERVANCY DISTRICT)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: RCA GLOBAL COMMUNICATIONS, INC)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: SHERWIN-WILLIAMS CO)	59.00	
Do	TAFT, STETTINIUS & HOLLISTER (FOR: SPECIAL COMM FOR WORKPLACE PRODUCT LIABILITY REFORM).	400.00	
Do	TAFT, STETTINIUS & HOLLISTER (FOR: TAFT BROADCASTING COMPANY)	1,600.00	
Do	TAFT, STETTINIUS & HOLLISTER (FOR: TELEPHONE & DATA SYSTEMS, INC.)		
Do	TAFT, STETTINIUS & HOLLISTER (FOR: WALD MANUFACTURING CO, INC)		
TAGGART & ASSOCIATES, 1015 15TH STREET, NW, #200 WASHINGTON DC 20005	ANIMAL HEALTH INSTITUTE		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	MARION LABORATORIES, INC		
Do	TELEPHONE & DATA SYSTEMS, INC		
WALTER G. TALAREK, SUITE 405 1945 GALLOWS RD. VIENNA VA 22180	AMERICAN WOOD PRESERVERS INSTITUTE		
TALCOTT MCCABE & ASSOCIATES, SUITE 302, WEST WING 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	HOLIDAY INNS, INC	2,000.00	
Do	NATIONAL ASSN OF HOMES FOR CHILDREN	2,000.00	
Do	SERVICEMASTER INDUSTRIES, INC	775.00	
DOYLE TALKINGTON, 1015 15TH STREET, NW, #200 WASHINGTON DC 20005	NATIONAL PORK PRODUCERS COUNCIL	1,000.00	9.00
H. WILLIAM TANAKA, TANAKA WALDERS & RITGER 1919 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	JAPAN AUTOMOBILE TIRE MANUFACTURERS ASSN (JATMA)		
TANAKA WALDERS & RITGER, 1919 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ELECTRONIC INDUSTRIES ASSN OF JAPAN		
SUSAN TANNENBAUM, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	5,281.26	80.25
AUGUSTINE D. TANTILLO, 1726 M STREET, NW WASHINGTON DC 20036	RUSSELL CORP	3,500.00	
TARGET, INC., 13924 BRADDOCK RD. P.O. BOX 881 CENTREVILLE VA 22020			13,500.00
JOHN F. TATE, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE	1,200.00	
M. LOUISE TATE, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE	900.00	
GRACA DA SILVA TAVARES, 17 PERKINS STREET WEST NEWTON MA 02165			
TAYLOR & MIZELL, 3000 LINCOLN PL., LB5 DALLAS TX 75201	NATIONAL ASSN OF INDEPENDENT INSURERS	1,000.00	161.86
CHARLES A. TAYLOR III, 499 SOUTH CAPITOL ST., SW, #401 WASHINGTON DC 20003	U.S. SURGICAL CORPORATION	1,000.00	47.50
DENNIS J. TAYLOR, SUITE 650 1090 VERMONT AVE., NW WASHINGTON DC 20005	ALABAMA RAILROAD ASSN		
MARGIE A. TAYLOR, P.O. BOX 21 MONTGOMERY AL 36101	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	15,019.03	309.94
PEGGY TAYLOR, 815 16TH ST., NW WASHINGTON DC 20006	AMERICAN SOC OF ASSN EXECUTIVES	300.00	
R. WILLIAM TAYLOR, 1575 EYE STREET, NW WASHINGTON DC 20005	TAYLOR & MIZELL		
ROBERT C. TAYLOR, 3000 LINCOLN PLAZA, LB-5 DALLAS TX 75201	NATIONAL FEDERATION OF FEDERAL EMPLOYEES		
ELAYNE L. TEMPEL, 2020 K ST., NW, #200 WASHINGTON DC 20006	MAINE YANKEE - CENTRAL MAINE POWER CO	1,305.00	1,938.01
NORMAN J. TEMPLE, 155 DRESDEN AVENUE GARDINER ME 04345	TENDLER & BIGGINS (FOR: ADVANCED CELLULAR PHONE CO)		
PAUL M. TENDLER, 1110 VERMONT AVENUE, NW, #840 WASHINGTON DC 20005	PAUL TENDLER ASSOCIATES, INC (FOR: AMERICAN LICENSED PRACTICAL NURSES ASSN)		
Do	PAUL TENDLER ASSOCIATES, INC (FOR: BASCOM, INC.)		
Do	TENDLER & BIGGINS (FOR: GEODESCO)		
Do	PAUL TENDLER ASSOCIATES, INC (FOR: NATIONAL INSTITUTE OF TENANTS)		
Do	PAUL TENDLER ASSOCIATES, INC (FOR: RASCH ELEKTRONIK)		
Do	PAUL TENDLER ASSOCIATES, INC (FOR: SCHOENEMAN, INC)		
Do	TENDLER & BIGGINS (FOR: SOLARGISTICS CORP)		
Do	PAUL TENDLER ASSOCIATES, INC (FOR: SOUTHEASTERN EXPORTERS)		
BETTY-GRACE TERPSTRA, 1726 M STREET, NW, #901 WASHINGTON DC 20036	AMERICAN FURNITURE MANUFACTURERS ASSN	750.00	656.01
JOSEPH L. S. TERRELL, 1800 MASSACHUSETTS AVENUE, NW, #604 WASHINGTON DC 20036	FARM CREDIT COUNCIL		
THACHER PROFFITT & WOOD, SUITE 512 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMOSKEAG SAVINGS BANK		55.50
Do	FAMILY-BACKED MORTGAGE ASSN, INC	298.44	232.00
Do	MAINE SAVINGS BANK		55.50
Do	MUTUAL SAVINGS CENTRAL FUND, INC	617.26	232.00
Do	NEW HAMPSHIRE SAVINGS BANK		55.50
Do	SALOMON BROTHERS, INC	10,025.00	247.00
Do	SAVINGS BANKS ASSN OF MASSACHUSETTS	1,975.08	232.00
MARY KAY THATCHER, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,375.00	92.27
KAREN E. THEIBERT, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	200.00	
BRUCE D. THEVENOT, 1155 15TH ST., NW, #424 WASHINGTON DC 20005	CASSON CALLIGARO & MUTRYN (FOR HUMANA, INC)	1,950.00	
Do	NATIONAL FED OF LICENSED PRACTICAL NURSES	5,000.00	
Do	OKLAHOMA STATE NURSING HOME ASSN	1,950.00	
ALAN J. THIEMANN, 1199 N. FAIRFAX STREET, #801 ALEXANDRIA VA 22314	NATIONAL ASSN OF TRUCK STOP OPERATORS		
THIRD CLASS MAIL ASSOCIATION, 1341 G ST., NW, #500 WASHINGTON DC 20005		600.00	600.00
EDLU J. THOM, 919 18TH STREET, NW, #400 WASHINGTON DC 20006	DIAMOND SHAMROCK CORP	1,000.00	224.33
Do	SOCIETY OF THE PLASTICS INDUSTRY, INC		
DORIS I. THOMAS, 15TH & M STS., NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
JAMES M. THOMAS JR., 100 INDIANA AVENUE, NW, #403 WASHINGTON DC 20001	AMALGAMATED TRANSIT UNION, NATL CAP LOCAL 689		
MESHALL THOMAS, SUITE 400 2000 P STREET, NW WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
PATRICIA THOMAS, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	5,793.72	
RANDI PARKS THOMAS, 1101 17TH STREET, NW, #603 WASHINGTON DC 20036	TUNA RESEARCH FOUNDATION, INC	850.00	
ROBERT L. THOMAS, 1319 F ST., NW WASHINGTON DC 20004	NATIONAL ASSN OF PRIVATE PSYCHIATRIC HOSPITALS	50.00	
THOMAS E. THOMASON, 1620 EYE STREET, NW, #703 WASHINGTON DC 20006	BECHTEL POWER CORP		
THOMPSON & MITCHELL, 1120 VERMONT AVENUE, NW, #1000 WASHINGTON DC 20005	AMERICAN INLAND WATERWAYS COMMITTEE	681.00	
Do	COLD FINISHED STEEL BAR INSTITUTE		
Do	CONTACT LENS MANUFACTURERS ASSN		
Do	CROWN LIFE INSURANCE CO	9,000.00	2,369.43
Do	MIDLAND ENTERPRISES, INC		
Do	VALLEY LINE COMPANY		
BOYD THOMPSON, SUITE 210 5410 GROSVENOR LANE BETHESDA MD 20814	AMERICAN MEDICAL CARE & REVIEW ASSN		
THOMPSON HINE & FLORY, 1920 N ST., NW, #700 WASHINGTON DC 20036	ALLTEL CORPORATION	1,586.00	
Do	GREAT WESTERN SUGAR CO		
JAMES P. THOMPSON JR., 1957 E STREET, N.W. WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA		
KENNETH W. THOMPSON, 1660 L ST., NW, #601 WASHINGTON DC 20036	INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA	300.00	
MICHAEL F. THOMPSON, 1745 JEFFERSON DAVIS HIGHWAY, #511 ARLINGTON VA 22202	MANUFACTURED HOUSING INSTITUTE	700.00	100.00
NANCY THOMPSON, 1600 EYE STREET, NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA, INC		
RICHARD L THOMPSON, 1700 K STREET, NW, #601 WASHINGTON DC 20006	SQUIBB CORPORATION	1,500.00	325.00
ROGER G. THOMPSON, 117 BELLEFONTE DRIVE ASHLAND KY 41101	KENTUCKY POWER CO	7,500.00	2,981.47
W. REID THOMPSON, 1900 PENNSYLVANIA AVE., NW WASHINGTON DC 20068	POTOMAC ELECTRIC POWER CO		
TERENCE H. THORN, SUITE 919 1700 NORTH MOORE STREET ARLINGTON VA 22209	HOUSTON NATURAL GAS CORP	163.45	
JOHN A. THORNER, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL FOREST PRODUCTS ASSN		
WILLIAM R. THORNHILL, P.O. BOX 2511 HOUSTON TX 77001	TENNESSEE GAS PIPELINE CO	7.39	6.00
MARGO THORNING, 1850 K ST., NW, #520 WASHINGTON DC 20006	AMERICAN COUNCIL FOR CAPITAL FORMATION	201.00	
WALTER L. THREADGILL, 1220 19TH STREET, NW WASHINGTON DC 20036	STORER COMMUNICATIONS, INC	250.00	
SAMUEL THURM, 1725 K ST., NW WASHINGTON DC 20006	ASSOCIATION OF NATL ADVERTISERS		
DREW V. TIDWELL, SUITE 1200 1300 N. 17TH ST. ARLINGTON VA 22209	CONSUMER BANKERS ASSN		
WALLACE TILLMAN, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	148.00	
MARTIN R. TILSON JR., PO BOX 2563 BIRMINGHAM AL 35202	SOUTHERN NATURAL GAS CO		
PATTI A. TILSON, SUITE 520 900 17TH STREET, NW WASHINGTON DC 20006	TOYOTA MOTOR SALES, U.S.A., INC	500.00	
C. H. TIMBERLAKE, 1825 K ST., NW, #1107 WASHINGTON DC 20006	PHILLIPS PETROLEUM COMPANY	975.00	507.07
TIMMONS & CO, INC, 1850 K ST., NW, #850 WASHINGTON DC 20006	AMERICAN BROADCASTING CO, INC	997.50	
Do	AMERICAN INLAND WATERWAYS COMMITTEE	1,092.50	
Do	AMERICAN PETROLEUM INST	400.00	
Do	ANHEUSER-BUSCH COMPANIES, INC	712.50	
Do	ASSOCIATION OF TRIAL LAWYERS OF AMERICA	260.00	
Do	BROWN GROUP, INC	50.00	
Do	CAPITAL MARKETS GROUP	1,250.00	
Do	CHRYSLER CORPORATION	1,092.50	
Do	EASTERN AIR LINES, INC	340.00	
Do	G. D. SEARLE & CO	1,350.00	289.91
Do	H. J. HEINZ CO	300.00	
Do	MAJOR LEAGUE BASEBALL	2,000.00	
Do	MIDDLE SOUTH SERVICES, INC	200.00	
Do	NATIONAL RIFLE ASSN OF AMER	200.00	
Do	NORTHROP CORP	950.00	
Do	STANDARD OIL CO (INDIANA)	400.00	
MICHAEL L. TINER, 1775 K ST., NW WASHINGTON DC 20006	UNITED FOOD & COMMERCIAL WORKERS INTL UNION	11,384.64	388.70
WILLIAM C. TINKLEPAUGH, 888 16TH STREET, NW WASHINGTON DC 20006	MILK INDUSTRY FOUNDATION/INT'L ASSN OF ICE CREAM MFRS		
CONSTANCE D. TIPTON, 888 16TH STREET, NW WASHINGTON DC 20006	MILK IND. FOUNDATION/INTL ASSN OF ICE CREAM MFRS		
E. LINWOOD TIPTON, 888 16TH ST., NW WASHINGTON DC 20006	MILK IND FOUNDATION/INTL ASSN OF ICE CREAM MFRS		
TITLE ASSOCIATES, INC., RT.2, BOX 89 COLUMBIA TN 38401			
TOBACCO ASSOCIATES, INC, SUITE 912 1101 17TH ST., NW WASHINGTON DC 20036			4,137.61
JAMES R. TOBIN, MACK CENTRE DR. PARAMUS NJ 07652	BECTON, DICKINSON & CO	2,000.00	
M. DOUGLAS TODD, SUITE 2300 1000 WILSON BOULEVARD ARLINGTON VA 22209	NORTHROP CORP		
DAVID R. TOLL, SUITE 1100 1111 19TH STREET, NW WASHINGTON DC 20036	WESTERN UTILITIES CLEAN AIR GROUP		
WILLIAM R. TOLLEY JR., PO BOX 37 MELBOURNE FL 32919	HARRIS CORPORATION		670.44
EDWARD TONAT, 6723 BRIGADOON DRIVE BETHESDA MD 20817	ROBERT GOFF & ASSOCIATES, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
WILLIAM D. TOOHEY, 1899 L ST., NW, #600 WASHINGTON DC 20036	TRAVEL INDUSTRY ASSOCIATION OF AMERICA		
GILBERT D. TOUGH, 70 NORTH MAIN ST. WILKES-BARRE PA 18711	BLUE CROSS OF N.E. PENNSYLVANIA		
WANDA TOWNSEND, 1724 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	886.46	
JOSEPH P. TRAINOR, 815 16TH ST., NW WASHINGTON DC 20006	BROTHERHOOD OF RAILWAY, AIRLINE & STEAMSHIP CLERKS	2,000.00	607.56
JEFFREY B. TRAMMELL, 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BROWNING-FERRIS INDUSTRIES, INC.).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: BUDD COMPANY)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: COMMONWEALTH OF PUERTO RICO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: HEALTH INSURANCE ASSN OF AMERICA).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: JOINT MARITIME CONGRESS).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LIFE CARE SERVICES CORP).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MOTOROLA, INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MUTUAL OF OMAHA)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: NATIONAL BROADCASTING CO, INC).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SANTA FE CORP)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: SHAKLEE CORPORATION)		
HUBERT TRAVAILLE, SUITE 510 1090 VERMONT AVE., NW WASHINGTON DC 20005	POTLATCH CORPORATION	3,000.00	182.39
TRAVEL & TOURISM GOVERNMENT AFFAIRS POLICY COUNCIL, SUITE 607 1899 L STREET, NW WASHINGTON DC 20036		1,885.00	1,885.00
TRAVEL INDUSTRY ASSOCIATION OF AMERICA, 1899 L ST., NW WASHINGTON DC 20036			
ERNEST B. TREMMEL, INC., 5908 ROSSMORE DRIVE BETHESDA MD 20014	BURNS & ROE, INC		
SALLY A. TRIPLETT, 1725 DESALES STREET, NW, #804 WASHINGTON DC 20036	SAMUEL E. STAVISKY & ASSOCIATES, INC (FOR: BROADCAST MUSIC INC. (BMI))		
EUGENE M. TRISKO, 9817 ROSENSTEEL AVENUE SILVER SPRING MD 20910	STERN BROS., INC		
VINCENT TRIVELLI, 815 16TH STREET, NW WASHINGTON DC 20006	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS	3,382.40	
MICHAEL G. TROOP, 1709 NEW YORK AVENUE, NW, #801 WASHINGTON DC 20006	U.S. LEAGUE OF SAVINGS INSTITUTIONS	840.00	11.00
ROBERT C. TROUP, BOX 893 NEW CANAAN CT 06840			
GEORGE G. TROUTMAN, SUITE 1100 1090 VERMONT AVE., NW WASHINGTON DC 20005	BELL HELICOPTER TEXTRON, INC	150.00	
ALEXANDER B. TROWBRIDGE, 1776 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF MANUFACTURERS	2,250.00	
THOMAS TRUAX, 1200 15TH ST., NW WASHINGTON DC 20005	AMERICAN HEALTH CARE ASSN	3,300.00	
THOMAS L. TRUEBLOOD, 401 NORTH MICHIGAN AVE. CHICAGO IL 60611	INTERNATIONAL HARVESTER CO	1,000.00	746.52
MOTOYUKI TSUTSUI, 919 18TH STREET, NW, #600 WASHINGTON DC 20006	TOYOTA MOTOR SALES U.S.A, INC		
TUCKER & VAUGHT, WESTERN FEDERAL SAVINGS BLDG., #1330 718 17TH ST. DENVER CO 80202	PETRO-LEWIS CORPORATION		
Do	THE MANVILLE CORPORATION	1,500.00	
SHANNON B. TUEL, 311 FIRST STREET, NW WASHINGTON DC 20001	NATIONAL RESTAURANT ASSN		
TUNA RESEARCH FOUNDATION, INC, 1101 17TH ST., NW WASHINGTON DC 20036		1,041.34	2,230.67
B. ELIZABETH TUNNEY, 124 SALEM CHURCH ROAD MECHANICSBURG PA 17055	RETAIL, WHOLESALE & DEPT STORE UNION (INT'L), ET AL	7,995.00	149.01
BRIAN TURNER, 815 16TH STREET, NW WASHINGTON DC 20006	INDUSTRIAL UNION DEPARTMENT, AFL-CIO	7,218.25	98.00
TURNER BROADCASTING SYSTEM, INC, 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036			5,909.56
JANE L. TURNER, 1920 N STREET, NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
RICHARD F. TURNEY, 1725 K ST., NW WASHINGTON DC 20006	COURTNEY, MCCAMANT & TURNEY	300.00	
MAX TURNIPSEED, 1155 15TH STREET, NW, #611 WASHINGTON DC 20005	ETHYL CORP	3,175.00	391.12
W. GLENN TUSSEY, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	8,125.00	59.00
ST. CLAIR J. TWEEDIE, SUITE 220 1575 EYE STREET, NW WASHINGTON DC 20005	AMERICAN CYANAMID CO	15,000.00	200.00
U.S. CANE SUGAR REFINERS' ASSN, 1001 CONNECTICUT AVE., NW WASHINGTON DC 20036		1,996.24	1,438.79
U.S. DEFENSE COMMITTEE, 3238 WYNFORD DRIVE FAIRFAX VA 22031		11,380.00	11,380.00
U.S. LEAGUE OF SAVINGS INSTITUTIONS, 111 E. WACKER DR. CHICAGO IL 60601			146,371.85
U.S. PUBLIC INTEREST RESEARCH GROUP, 215 PENNSYLVANIA AVENUE WASHINGTON DC 20003		33,605.06	36,787.88
U.S.O.C.A. WASHINGTON D.C. LOBBY COMMITTEE, P.O. BOX 42404 WASHINGTON DC 20015		3,132.25	3,505.16
JERRY G. UDELL, 1616 H ST., NW WASHINGTON DC 20006	AMERICAN RETAIL FEDERATION	300.00	37.75
KENJI UENO, 919 18TH STREET, NW, #600 WASHINGTON DC 20006	TOYOTA MOTOR SALES, U.S.A., INC		
PHILIP J. UFHOLZ, 1025 CONNECTICUT AVENUE, NW, #1010 WASHINGTON DC 20036	METROPOLITAN INSURANCE COS	1,000.00	
MANYA S. UNGAR, 10 BRANDYWINE COURT SCOTCH PLAINS NJ 07076	NATIONAL CONGRESS OF PARENTS & TEACHERS		1,317.06
UNIFI, INC., P.O. BOX 19109 GREENSBORO NC 27419			
UNION MUTUAL LIFE INSURANCE CO, 2211 CONGRESS ST. PORTLAND ME 04122			
UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA, 101 CONSTITUTION AVE., NW WASHINGTON DC 20001			34,979.60
UNITED FOOD & COMMERCIAL WORKERS INTL UNION, 1775 K ST., NW WASHINGTON DC 20006		48,821.01	48,821.01
UNITED FRESH FRUIT & VEGETABLE ASSN, 727 N. WASHINGTON ST. ALEXANDRIA VA 22314		4,216.00	971.73
UNITED GAS PIPE LINE CO, PO BOX 1478 HOUSTON TX 77001			
UNITED IRISH & AMERICAN SOCIETY OF ILLINOIS, BOX 219 3400 W. 111TH STREET CHICAGO IL 60655			
UNITED SERVICES AUTOMOBILE ASSOCIATION, 9800 FREDERICKSBURG ROAD SAN ANTONIO TX 78288			
UNITED WAY OF INDIANAPOLIS, COMMUNITY SERVICE COUNCIL OF METRO INDIANAPOLIS 1828 N. MERIDIAN STREET INDIANAPOLIS IN 46202			
LLOYD N. UNSELL, 1101 16TH ST., NW WASHINGTON DC 20036	INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA		40.00
A. RUSSELL UPSHAW JR., 1030 15TH STREET, NW WASHINGTON DC 20005	EASTERN AIRLINES		85.00
MARIAN S. URNIKIS, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,050.00	
UTILITY NUCLEAR WASTE MANAGEMENT GROUP, C/O EDISON ELECTRIC INSTITUTE 1111 19TH ST., NW WASHINGTON DC 20036.			
MARY UYEDA, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN	2,018.00	137.74
ANTHONY VALANZANO, 1850 K STREET, NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	2,200.00	250.00
JACK J. VALENTI, 1600 EYE ST., NW WASHINGTON DC 20006	MOTION PICTURE ASSN OF AMERICA, INC	450.00	
R. THOMAS VAN ARSDALL, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	188.71	
LIONEL VAN DEERLIN, 2945 FRUITLAND DRIVE VISTA CA 92083	AMERICAN BORDER BROADCASTERS FREE SPEECH COMMITTEE, INC		
JULIANE H. VAN EGMOND, SUITE 220 1575 EYE STREET, NW WASHINGTON DC 20005	AMERICAN CYANAMID CO	347.20	56.90
VAN FLEET ASSOCIATES, INC, SUITE 102 499 SOUTH CAPITOL ST., SW WASHINGTON DC 20003	CADILLAC GAGE	11,250.00	
Do	FORD AEROSPACE & COMMUNICATIONS CORP		
Do	MARCONI ELECTRONICS	4,883.00	
C. D. VAN HOUWELING, 1015 15TH ST., NW, #200 WASHINGTON DC 20005	NATIONAL PORK PRODUCERS COUNCIL		
NICK L. VAN NELSON, SUITE 540 1875 EYE STREET, NW WASHINGTON DC 20006	CHAMPION INTERNATIONAL CORPORATION		
DANIEL W. VAN NESS, P.O. BOX 17500 WASHINGTON DC 20041	JUSTICE FELLOWSHIP		
VAN NESS FELDMAN SUTCLIFFE & CURTIS, P.C., 7TH FLOOR 1050 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007	ALLIED-GENERAL NUCLEAR SERVICES		
Do	AMERICAN INST OF CERTIFIED PUBLIC ACCOUNTANTS	717.50	6.00
Do	AMERICAN PRESIDENT LINES		
Do	ARCTIC SLOPE REGIONAL CORP		
Do	BRAE CORPORATION		
Do	COLUMBIA GAS SYSTEM SERVICE CORP		
Do	CONSUMERS UNITED FOR RAIL EQUITY (C.U.R.E.)	16,187.50	279.14
Do	HAWAIIAN ELECTRIC COMPANY, INC		
Do	INTERNATIONAL LEISURE HOSTS, LTD	175.00	14.90
Do	JACOBS ENGINEERING GROUP, INC		
Do	NATOMAS CO		
Do	PEABODY HOLDING CO, INC		
Do	REPUBLIC GEOTHERMAL, INC		
Do	REPUBLIC OF PALAU		
Do	STATE OF ALASKA	192.50	
Do	TEXAS AIR CORP	665.00	
Do	UNION CARBIDE CORP		
DEBRA J. VANDERBEEK, 1575 EYE STREET, NW, #200 WASHINGTON DC 20005	AMERICAN CYANAMID CO	4.75	4.00
THERESA VARNER, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	263.08	
GEORGE F. VARY, 1747 PENNSYLVANIA AVENUE, NW, #702 WASHINGTON DC 20006	ARMCO, INC	200.00	230.20
JENNIFER VASILOFF, 1730 M STREET, NW WASHINGTON DC 20036	LEAGUE OF WOMEN VOTERS OF THE U.S.	214.45	
ROBYN E. VAUGHAN, 1600 M ST., NW WASHINGTON DC 20036	INVESTMENT COMPANY INSTITUTE	136.50	126.78
LISA A. VEHMAS, 1920 N STREET, NW, #300 WASHINGTON DC 20036	AMERICAN MINING CONGRESS	7.50	5.40
KRISTIN LEA VEHRS, 1110 VERMONT AVENUE, NW, #1160 WASHINGTON DC 20005	AMERICAN ASSN OF ZOOLOGICAL PARKS & AQUARIUMS		
JOHN P. VENNERS, 1899 L ST., NW, #1250 WASHINGTON DC 20036	VENNERS & CO (FOR: KOCH INDUSTRIES)		
JERRY T. VERKLER, 1660 L STREET, NW, #601 WASHINGTON DC 20036	INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA	6,250.00	131.80
VERNER LIIPFERT BERNHARD MCPHERSON & HAND, CHTD, 1660 L STREET, NW, #1000 WASHINGTON DC 20036	JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS		
Do	LABOR-INDUSTRY COALITION FOR INTL TRADE	3,505.00	
Do	NORFOLK SOUTHERN		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	ORION SATELLITE CORP	637.50	
Do	RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC	200.00	
Do	TRAVELERS CORP	1,290.00	
FRANK VERRASTRO, 1155 15TH STREET, NW, #600 WASHINGTON DC 20005	PENNZOIL COMPANY	937.50	
LINDA VICKERS, 1706 23RD ST., SOUTH ARLINGTON VA 22202	NATIONAL ASSN OF CROP INUSRANCE AGENTS		
BRENDA R. VIEHE-NAESS, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	LEBOEUF LAMB LEIBY & MACRAE (FOR: BRITISH INSURANCE ASSN AND LLOYD'S OF LONDON).		
DAVID P. VIENNA JR., 510 C ST., NE WASHINGTON DC 20002	HORSEMEN'S BENEVOLENT & PROTECTIVE ASSN		
Do	INTERNATIONAL ASSN OF AMUSEMENT PARKS & ATTRACTIONS		
Do	NATIONAL ASSN OF CREDIT MANAGEMENT		
R. ERIC VIGE, SUITE 300 1747 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	CITIES SERVICE OIL & GAS CORP	280.00	223.65
MICHAEL F. VIGIL JR., 900 THIRD AVENUE NEW YORK NY 10022	INTERNATIONAL GOLD CORPORATION LIMITED		
RUDOLPH A. VIGNONE, 1800 K ST., NW, #800 WASHINGTON DC 20006	GOODYEAR TIRE & RUBBER CO	4,500.00	
RALPH VINOVICH, 1875 EYE STREET, NW, #800 WASHINGTON DC 20006	TOBACCO INSTITUTE	5,000.00	528.62
WALTER D. VINYARD JR., ZUCKERT, SCOUTT, RASENBERGER & JOHNSON 888 17TH ST., NW, 7TH FL. WASHINGTON DC 20006.	CONTINENTAL INSURANCE COMPANIES	6,000.00	
Do	HARTFORD INSURANCE GROUP	300.00	
Do	ITT CORP	30.00	
VIRGINIA ASSOCIATION OF RAILWAY PATRONS, P.O.BOX 867 RICHMOND VA 23207		124.04	124.04
GEORGE A. VIVERETTE JR., 8111 GATEHOUSE ROAD FALLS CHURCH VA 22047	AMERICAN AUTOMOBILE ASSN		
NICK J. VOLCHEFF, 2509 E. SAN MIGUEL PHOENIX AZ 85016	AT&T		
VOLKSWAGEN OF AMERICA, INC, 490 L'ENFANT PLAZA, SW, #3210 WASHINGTON DC 20024			500.00
DOUGLAS K. VOLLMER, 801 18TH ST., NW WASHINGTON DC 20006	PARALYZED VETERANS OF AMERICA	10,512.72	
VOLPE BOSKEY & LYONS, SUITE 602 918 16TH STREET, NW WASHINGTON DC 20006	AMERICAN ASSN OF EQUIPMENT LESSORS		
VOLUNTEERS TRUSTEES OF NOT-FOR-PROFIT HOSPITALS, 1625 EYE ST., NW WASHINGTON DC 20006		154,000.00	9,973.23
MARCOS VON GOIHMAN, 1835 K ST., NW, #600 WASHINGTON DC 20006	GUYANA AIRWAYS CORP		
INGRID A. VOORHEES, 1957 E ST., NW WASHINGTON DC 20006	ASSOCIATED GENERAL CONTRACTORS OF AMERICA	2,000.00	500.00
VORYS SATER SEYMOUR & PEASE, 1828 L STREET, NW, #1111 WASHINGTON DC 20036	GROCERY MANUFACTURERS OF AMERICA, INC		
Do	OHIO OIL & GAS ASSN		
Do	YANKEE RESOURCES, INC		
W.A.W. WAR AGAINST WOMEN, 1224 FREEMONT, ROSEBURG, OR 97470			
R. B. WACKERLE, 1000 WILSON BOULEVARD, #2300 ARLINGTON VA 22209	NORTHROP CORP		
ROBERT J. WAGER, 3RD FLOOR 1111 14TH ST., NW WASHINGTON DC 20005	AMERICAN BAKERS ASSN		
KERRI WAGNER, 1155 15TH STREET, NW WASHINGTON DC 20005	NATIONAL BROILER COUNCIL	1,250.00	
HOWARD W. WAHL, P.O. BOX 1000 ANN ARBOR MI 48106	BECHTEL POWER CORPORATION		
CHRISTINE M. WAISANEN, NEW MURPHY ROAD & CONCORD PIKE WILMINGTON DE 19897	ICI AMERICAS, INC		
HERBERT R. WAITE, 100 FEDERAL ST. BOSTON MA 02110	BANK OF BOSTON CORPORATION		
Do	FIRST NATIONAL BANK OF BOSTON	10,250.00	7,759.53
JOHN A. WAITS, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	FARM CREDIT COUNCIL	330.00	
WALD HARKRADER & ROSS, 1300 19TH ST., NW WASHINGTON DC 20036	EMPACADORA DEL NORTE, S.A.		
Do	MATSUSHITA ELECTRIC INDUSTRIAL CO, LTD		
ANGELA S. WALDORF, N.C. PETROLEUM COUNCIL P.O. BOX 167 RALEIGH NC 27602	AMERICAN PETROLEUM INST		
ROBERT E. WALDRON, ASSOCIATED PETROLEUM INDUSTRIES OF MICHI 930 MICHIGAN NATL TOWER, PO BOX 10070 LANSING MI 48901.	AMERICAN PETROLEUM INST	845.00	1,345.83
CHARLS E. WALKER ASSOCIATES, INC, 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	AGRICO CHEMICAL COMPANY, ET AL	2,000.00	
Do	ALABAMA POWER CO	1,000.00	
Do	ALUMINUM COMPANY OF AMERICA	375.00	
Do	AMERICAN TELEPHONE & TELEGRAPH CO	375.00	
Do	ANHEUSER-BUSCH COMPANIES, INC	1,875.00	
Do	BECHTEL CIVIL & MINERALS, INC	375.00	
Do	CBS, INC		
Do	CHAMPION INTERNATIONAL CORP	375.00	
Do	COPIAT	1,500.00	
Do	DEALER BANK ASSN	1,667.00	
Do	DRESSER INDUSTRIES, INC	375.00	
Do	E. I. DU PONT DE NEMOURS & CO	375.00	
Do	FEDERAL NATIONAL MORTGAGE ASSN		
Do	FORD MOTOR CO		
Do	GOODYEAR TIRE & RUBBER CO	375.00	
Do	GTE CORPORATION	375.00	
Do	IBM		
Do	INDEPENDENT REFINERS COALITION	11,250.00	
Do	LONE STAR STEEL CO	3,125.00	
Do	NORTHVILLE INDUSTRIES CORP	6,000.00	
Do	NORTHWESTERN MUTUAL LIFE INSURANCE CO		
Do	OWENS-ILLINOIS	375.00	
Do	PROCTER & GAMBLE MANUFACTURING CO	375.00	
Do	SCOTT PAPER CO	500.00	
Do	SONGWRITERS GUILD	1,125.00	
Do	UNION CARBIDE CORP	375.00	
Do	WEYERHAEUSER CO	375.00	
R. DUFFY WALL & ASSOCIATES, INC, 1317 F STREET, NW, #400 WASHINGTON DC 20004	BALCOR/AMERICAN EXPRESS, INC	1,000.00	300.00
Do	FOOTWEAR RETAILERS OF AMERICA	1,500.00	600.00
Do	FREEPORT MCMORAN, INC	1,000.00	300.00
Do	JMB REALTY CORP	1,000.00	300.00
Do	LIBERTY NATIONAL	1,000.00	600.00
Do	LIFE OF VIRGINIA, ET AL		
Do	LIFE OF VIRGINIA	1,000.00	600.00
Do	MORGAN GUARANTY TRUST CO	1,500.00	600.00
Do	PHARMACEUTICAL MANUFACTURERS ASSN	1,500.00	600.00
Do	WINE & SPIRITS WHOLESALERS OF AMERICA, INC	1,000.00	600.00
MARTIN A. WALL, 1025 VERMONT AVENUE, NW, #800 WASHINGTON DC 20005	AMERICAN OSTEOPATHIC HOSPITAL ASSN	2,225.00	485.00
WALLACE & EDWARDS, 1150 CONNECTICUT AVE., NW, #507 WASHINGTON DC 20036	ALABAMA FARM BUREAU FEDERATION	6,000.00	1,265.39
Do	AMERICAN MEAT INSTITUTE	12,000.00	265.39
Do	AMERICAN SUGAR CANE LEAGUE OF THE USA, INC	6,000.00	1,663.45
Do	ARROW TRANSPORTATION CO		
Do	COTTON WAREHOUSE ASSOCIATION OF AMERICA	11,000.00	1,265.39
Do	GROCERY MANUFACTURERS OF AMERICA, INC	650.00	
Do	MERCHANTS GRAIN & TRANSPORTATION, INC		
Do	NATIONAL COTTON COUNCIL OF AMERICA	7,500.00	663.45
Do	SERVICE CORPORATION INTERNATIONAL	6,000.00	
RAYMOND C. WALLACE, 5025 WISCONSIN AVENUE, NW WASHINGTON DC 20016	AMALGAMATED TRANSIT UNION, AFL-CIO		
LIONEL L. WALLENROD, 260 MADISON AVE. NEW YORK NY 10016	AMERICAN PAPER INST, INC		
R. DOUGLAS WALLIN JR., 1235 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	EMERSON ELECTRIC CO		74.40
CHARLES S. WALSH, FLEISCHMEN & WALSH 1725 N ST., NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC		
JAMES P. WALSH, DAVIS WRIGHT TODD RIESE & JONES 1752 N ST., NW, #800 WASHINGTON DC 20036	AMERICAN TUNABOAT ASSN		
HENRY L. WALTHER, 3238 WYNFORD DRIVE FAIRFAX VA 22031	U.S. DEFENSE COMMITTEE	3,000.00	
JAMES K. WALTON, 1819 L STREET, NW, #820 WASHINGTON DC 20036	SANTA FE INTERNATIONAL CORP		4,225.00
G. L. 'LEW' WALTS, 11319 SUNSET HILLS ROAD RESTON VA 22090	NATIONAL TURKEY FEDERATION		
WILLIAM C. WAMPLER, 412 FIRST STREET, SE WASHINGTON DC 20003	AMERICAN MEAT INSTITUTE		
Do	AMERICAN PEANUT PRODUCT MANUFACTURERS, INC	9,000.00	
HERBERT C. WAMSLEY, 1800 M STREET, NW, #1030N WASHINGTON DC 20036	INTELLECTUAL PROPERTY OWNERS, INC	17,539.00	
BONNIE B. WAN, 1201 PENNSYLVANIA AVENUE, #730 WASHINGTON DC 20004	KIMBERLY-CLARK CORP		
JOHN F. WANAMAKER, 201 N. WASHINGTON, ST. ALEXANDRIA VA 22314	RETIRED OFFICERS ASSN	2,014.00	
ALAN S. WARD, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	BAKER & HOSTETLER (FOR: SOAP & DETERGENT ASSN)		
JUSTIN R. WARD, 1350 NEW YORK AVENUE, NW, #300 WASHINGTON DC 20005	NATURAL RESOURCES DEFENSE COUNCIL, INC	2,129.24	5.60
STEPHEN E. WARD, 1919 PENNSYLVANIA AVENUE, NW, #503 WASHINGTON DC 20006	MID-CONTINENT OIL & GAS ASSN	1,984.62	45.00
BARBARA F. WARDEN, SUITE 202-WEST WING 600 MARYLAND AVE., SW WASHINGTON DC 20024	NATIONAL CONSUMERS LEAGUE		
RICHARD D. WARDEN, 1757 N ST., NW WASHINGTON DC 20036	UNITED AUTO, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS	15,614.96	686.66
JACK WARE, 1220 L STREET, NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST	6,280.00	267.45
MICHAEL O. WARE, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	CONOCO, INC	1,750.00	
WILLIAM L. WARFIELD, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	NATIONAL ASSN OF REALTORS		
PETER F. WARKER, SUITE 2700 1000 WILSON BOULEVARD ARLINGTON VA 22209	TRW, INC	1,250.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
WARNER AMEX CABLE COMMUNICATIONS, 75 ROCKEFELLER PLAZA NEW YORK NY 10019			
ERNEST R. WARNER JR., 1818 N ST., NW WASHINGTON DC 20036	DGA INTERNATIONAL, INC. (FOR: DIR INTL AFF OF THE GEN DEL FOR ARMEMENTS)		
Do	DGA INTERNATIONAL, INC. (FOR: SNECMA)		211.33
Do	THOMSON-CSF DIVISION SYSTEMS ELECTRONIQUE OF FRANCE		
WILLIAM H. WARNER, 1201 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	CONTROL DATA CORP	500.00	
CHRISTINE M. WARNKE, SUITE 300 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC	400.00	244.55
B. JACK WARREN, P.O. BOX 95385 ATLANTA GA 30347	FOREST FARMERS ASSN		
BARBARA J. WASHBURN, 1201 PENNSYLVANIA AVENUE, NW, #370 WASHINGTON DC 20004	CONTROL DATA CORPORATION	787.50	71.70
WASHINGTON INDUSTRIAL TEAM, INC., 499 S. CAPITOL ST., SW, #520 WASHINGTON DC 20003	BOEING COMPANY	900.00	349.67
Do	HUGHES AIRCRAFT COMPANY	1,500.00	749.44
Do	ROCKWELL INTL	1,500.00	749.44
WATERBED MANUFACTURERS ASSN, 1411 WEST OLYMPIC BOULEVARD LOS ANGELES CA 90015			1,000.00
ROBERT E. WATKINS, 1620 EYE STREET, NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC		
CLARKE R. WATSON, 655 BROADWAY, #425 DENVER CO 80203	WESTLAND COMPANIES, INC		
KENNETH W. WATSON, 900 THIRD AVENUE NEW YORK NY 10022	INTERNATIONAL GOLD CORPORATION LIMITED		
STEPHEN L. WATSON, 143 W. MARKET ST., #201 INDIANAPOLIS IN 46204	INDIANA RAILROAD ASSN	400.00	305.28
CAROLYN HERR WATTS, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	50.00	
DOUGLAS R. WATTS, 1724 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	1,200.00	
GEORGE B. WATTS, 1155 15TH ST., NW WASHINGTON DC 20005	NATIONAL BROILER COUNCIL	1,500.00	
BRUCE H. WATZMAN, 1130 17TH STREET, N.W. WASHINGTON DC 20036	NATIONAL COAL ASSN	5,750.00	505.62
WILLIAM H. WEATHERSPOON, NORTH CAROLINA PETROLEUM COUNCIL PO BOX 167 RALEIGH NC 27602	AMERICAN PETROLEUM INST	800.00	891.33
A. VERNON WEAVER, 2121 K STREET, NW, #830 WASHINGTON DC 20037	STEPHENS OVERSEAS SERVICES, INC	57.50	
FREDERICK L. WEBBER, 1101 16TH STREET, NW WASHINGTON DC 20036	NATIONAL SOFT DRINK ASSN	88.94	
SUSAN WEBER, 1346 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	ZERO POPULATION GROWTH, INC	29.00	4.00
WEBSTER CHAMBERLAIN & BEAN, 1747 PENNSYLVANIA AVE., NW, #1000 WASHINGTON DC 20006	MILLER BREWING COMPANY	2,550.00	110.00
Do	WATERBED MANUFACTURERS ASSN	1,000.00	
LEE J. WEDDIG, SUITE 580 2000 M ST., NW WASHINGTON DC 20036	NATIONAL FISHERIES INST	4,000.00	
CHARLES W. WEGNER JR., 600 PENNSYLVANIA AVENUE, SE, #203 WASHINGTON DC 20003	PROFESSIONAL INSURANCE AGENTS	500.00	7,777.00
STEVEN A. WEIN, 1090 VERMONT AVENUE, NW, #1100 WASHINGTON DC 20005	TEXTRON, INC	600.00	150.00
NANCY WEINBERG, SUITE 1210 1667 K ST., NW WASHINGTON DC 20006	ROHM AND HAAS COMPANY		
DONALD G. WEINERT, 1420 KING ST. ALEXANDRIA VA 22314	NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS	1,500.00	
ARTHUR E. WEISBERG, 2200 FIRST BANK PLACE EAST MINNEAPOLIS MN 55402	DORSEY & WHITNEY		
ARTHUR A. WEISS, 1800 FIRST NATIONAL BUILDING DETROIT MI 48226	JAFFE SNIDER RAITT & HEUER, P.C.		
MICHAEL A. WEISS, 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO INC		
MORTON N. WEISS, SUITE 4511 ONE WORLD TRADE CENTER NEW YORK NY 10048	NATIONAL SECURITY TRADERS ASSN, INC	4,375.00	
STANLEY A. WEISS, SUITE 401 21 DUPONT CIRCLE, NW WASHINGTON DC 20036	BUSINESS EXECUTIVES FOR NATIONAL SECURITY		
DON WELCH, P.O. BOX 841 ABILENE TX 79604	WEST TEXAS UTILITIES CO		
KATHLEEN WELCH, 215 PENNSYLVANIA AVE., SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP	3,500.00	
WELLFORD WEGMAN GOLD & HOFF, 1775 PENNSYLVANIA AVE., NW, #450 WASHINGTON DC 20006	CANADIAN EMBASSY	440.00	
Do	DEPARTMENT OF NATURAL RESOURCES, PROVINCE OF MANITOBA	1,012.50	
Do	GRANTS & CONTRACTS PROJECTS, UNITED WAY OF AMERICA		
Do	MANVILLE CORP	11,250.00	
Do	MITEX		
L. H. WELLS, SUITE 200 1025 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	SHELL OIL CO	500.00	
THOMAS F. WENNING, 1910 K ST., NW WASHINGTON DC 20006	NATIONAL GROCERS ASSN		
FRED WERTHEIMER, 2030 M ST., NW WASHINGTON DC 20036	COMMON CAUSE	16,050.00	192.00
FORD B. WEST, 1015 18TH STREET, NW WASHINGTON DC 20036	FERTILIZER INSTITUTE	25,000.00	791.01
WEST MEXICO VEGETABLE DISTRIBUTORS ASSN, PO BOX 848 NOGALES AZ 85621			1,000.00
PAMELA R. WEST, 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PSYCHOLOGICAL ASSN	1,250.00	38.35
WEST TEXAS LAND & ROYALTY OWNERS ASSN., 4302 AIRPORT BLVD. AUSTIN TX 78722		23.50	
W. P. WEST 1629 K ST., NW ROOM 204 WASHINGTON DC 20006	DELTA AIR LINES, INC	273.00	169.52
WESTERN FUELS ASSOCIATION, INC, 700 JEFFERSON BUILDING 1225 19TH ST., NW WASHINGTON DC 20036		13,000.00	19,452.63
JOHN F. WETZEL JR., 412 FIRST ST., SE, #200 WASHINGTON DC 20003	ASSOCIATION OF AMERICAN RAILROADS	181.72	45.80
WILLIAM WEWER, 1300 19TH STREET, NW, #310 WASHINGTON DC 20036	NATIONAL COMM TO PRESERVE SOCIAL SECURITY	16,950.00	
WEXLER REYNOLDS HARRISON & SCHULE, INC, SUITE 600 1317 F STREET, NW WASHINGTON DC 20004	AETNA LIFE & CASUALTY		
Do	ALLIED CORPORATION	1,650.00	23.00
Do	AMERICAN AIRLINES	6,125.00	506.21
Do	AMERICAN LOW POWER TELEVISION ASSN		
Do	AMUSEMENT & MUSIC OPERATORS ASSN	800.00	422.75
Do	COMMUNICATIONS SATELLITE CORP	7,497.50	210.50
Do	CONSORTIUM OF PUBLIC TV STATIONS	2,140.00	16.00
Do	DEALER BANK ASSN COMMITTEE ON GLASS-STEAGALL REFORM	2,000.00	58.50
Do	DYCO PETROLEUM CO	8,325.00	78.15
Do	FOOTHILLS PIPE LINES (YUKON) LTD	2,865.00	172.77
Do	GENERAL MOTORS CORP	4,725.00	6.00
Do	HOECHST-ROUSSEL PHARMACEUTICALS, INC	460.00	10.00
Do	INEXCO OIL CO		
Do	MANVILLE CORPORATION	14,064.50	190.25
Do	MOTION PICTURE ASSN OF AMERICA, INC	1,125.00	288.18
Do	NATIONAL CABLE TELEVISION ASSN, INC	3,900.00	18.50
Do	NATIONAL RADIO BROADCASTERS ASSOCIATION	500.00	10.00
Do	NEW ENGLAND ELECTRIC SYSTEM	1,320.00	28.00
Do	NEW YORK POWER AUTHORITY		
Do	NOVA, AN ALBERTA CORP		
Do	NOVACOR CHEMICALS, LTD	30.00	
Do	SECURITY INVESTMENT CO	225.00	12.00
ROBERT G. WEYMUELLER, 1101 VERMONT AVENUE, NW, #402 WASHINGTON DC 20005	AMERICAN LUNG ASSN	4,000.00	4,650.00
BRIAN B. WHALEN JR , 401 N. MICHIGAN AVE. CHICAGO IL 60611	INTERNATIONAL HARVESTER CO	1,250.00	705.02
CURTIS E. WHALEN, 490 L'ENFANT PLAZA, SW, #3202 WASHINGTON DC 20024	TRANSCO ENERGY COMPANY	4,500.00	3,762.61
ELLAN WHARTON, 1701 PENNSYLVANIA AVENUE, NW, #900 WASHINGTON DC 20006	E. I. DU PONT DE NEMOURS & CO, INC		
LEONARD P. WHEAT, 1101 17TH STREET, NW, #1002 WASHINGTON DC 20036	AMERICAN DENTAL ASSN	1,000.00	34.33
CHARLES W. WHEELER, 1120 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	1,500.00	464.64
CLYDE A. WHEELER JR , BISHOP LIBERMAN COOK PURCELL & REYNOLDS 1200 17TH STREET, NW WASHINGTON DC 20036	AMERICAN PETROLEUM INSTITUTE	2,500.00	
EDWIN M. WHEELER, 1815 H STREET, NW, #100 WASHINGTON DC 20006	AMERICAN PETROCHEMICAL CONSUMERS		
JUNE M. WHELAN, SUITE 600 S 1120 20TH STREET, NW WASHINGTON DC 20036	UNION PACIFIC CORPORATION	1,250.00	
WHITE & CASE, 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	ALLEGHANY CORPORATION		
DIANE WHITE, 122 C ST., NW, #800 WASHINGTON DC 20001	CONCERNED WOMEN FOR AMERICA	3,600.00	28.00
DONALD F. WHITE, 1616 H ST., NW WASHINGTON DC 20006	AMERICAN RETAIL FEDERATION	1,500.00	75.00
WHITE FINE & VERVILLE, SUITE 1100 1156 15TH ST., NW WASHINGTON DC 20005	AMERICAN EDUCATORS OF ARKANSAS, INC, ET AL	25,000.00	
Do	BIRCH HORTON BITTNER... (FOR MODESTO IRRIGATION DISTRICT)		
GEORGE E. WHITE JR., P.O. BOX 61000 NEW ORLEANS LA 70161	MIDDLE SOUTH SERVICES, INC	1,476.54	1,032.29
JOHN C. WHITE, SUITE 207 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	COASTAL CORP & CHICAGO MERCANTILE EXCHANGE		
JOHN S. WHITE, 1800 M ST., NW, #975 WASHINGTON DC 20036	MARATHON OIL CO		
JOHN THOMAS WHITE II , SUITE 2202 490 L'ENFANT PLAZA EAST, SW WASHINGTON DC 20024	TENNECO INC		
SAM WHITE, 412 FIRST STREET, SE WASHINGTON DC 20003	INDEPENDENT CATTLEMEN'S ASSN		
Do	NATIONAL PEANUT GROWERS GROUP	6,500.00	
Do	SAM KANE PACKING		
WILLIAM R. WHITE, BRICKER & ECKLER 888 17TH STREET, NW, #1050 WASHINGTON DC 20006	LINCOLN SAVINGS & LOAN ASSN		
RICHARD M. WHITING, 730 15TH STREET, NW WASHINGTON DC 20005	ASSOCIATION OF BANK HOLDING COS	937.50	
WHITMAN & RANSOM, 1333 NEW HAMPSHIRE AVE., NW, #650 WASHINGTON DC 20036	JAPAN EXTERNAL TRADE ORGANIZATION (JETRO)		
JAMES A. WHITMAN, P.O. BOX 1417-D49 ALEXANDRIA VA 22313	NATIONAL ASSN OF CHAIN DRUG STORES, INC	500.00	
ROBERT L. WHITMIRE, 1745 JEFFERSON DAVIS HIGHWAY, #1000 ARLINGTON VA 22202	GENERAL DYNAMICS	1,000.00	30.73
WILLIAM F. WHITSITT, 1800 K ST., NW SUITE 820 WASHINGTON DC 20006	SUN CO, INC	2,100.00	818.87
DENNIS J. WHITTLESEY, WHITTLESEY & O'BRIEN, P.C. 21 DUPONT CIRCLE, #801 WASHINGTON DC 20036	COWLITZ INDIAN TRIBE		
WILLIAM E. WICKERT JR., 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORATION	750.00	
WICKWIRE LEWIS GOLDMARK & SCHOOR, 500 MAYNARD BLDG. SEATTLE WA 98104	ARCTIC SLOPE REGIONAL CORP, ET AL		
RICHARD J. WIECHMANN, 1619 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC		
W. SCOTT WILBER, 1101 VERMONT AVENUE, NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	3,975.00	
ROBERT E. WILBUR, 3000 LINCOLN PL., LB5 DALLAS TX 75201	TAYLOR & MIZELL		
THOMAS D. WILCOX, P.C., 2011 EYE STREET, NW, #705 WASHINGTON DC 20006	NATIONAL ASSN OF STEVEDORES	1,470.00	1,470.00
WILEY & REIN, 1776 K STREET, NW WASHINGTON DC 20006	CLEAR CHANNEL BROADCASTING SERVICE		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
GUENTHER O. WILHELM, SUITE 1100 1899 L STREET, NW WASHINGTON DC 20036	EXXON CORPORATION		
WILKINSON BARKER KNAUER & QUINN, 1735 NEW YORK AVE., NW WASHINGTON DC 20006	AMERICAN ASSN OF PRESIDENTS OF INDEPENDENT COLL. & UNIVER	12,000.00	
Do	BONNEVILLE INTERNATIONAL CORP	965.00	
Do	CONFEDERATED SALISH & KOOTENAI TRIBES OF THE FLATHEAD RES		
Do	MANVILLE CORPORATION	50,057.40	1,622.92
Do	MOUNTAIN STATES TELEPHONE CO		
Do	NANA REGIONAL CORP, INC		
Do	NORTHWESTERN BELL TELEPHONE CO		
Do	PACIFIC NORTHWEST BELL TELEPHONE CO		
Do	J.C. PENNEY CO, INC	39,800.00	731.00
Do	SHEE ATIKA, INC		
Do	U.S. WEST, INC		
PAUL R. WILLGING, 1200 15TH STREET, NW WASHINGTON DC 20005	AMERICAN HEALTH CARE ASSN	6,875.00	
F. LEE WILLIAMS, 1616 H ST., NW WASHINGTON DC 20006	AMERICAN RETAIL FEDERATION	1,600.00	
FLOYD L. WILLIAMS, 15TH & M STREETS, NW WASHINGTON DC 20005	NATIONAL ASSN OF HOME BUILDERS OF THE U.S.		
KAREN WILLIAMS, 1750 K STREET, NW WASHINGTON DC 20006	HEALTH INSURANCE ASSN OF AMERICA		
LEONARD B. WILLIAMS, 1000 16TH STREET, NW, #800 WASHINGTON DC 20036	BETHLEHEM STEEL CORPORATION	120.00	
LUCINDA L. WILLIAMS, 1111 19TH ST., NW, #402 ARLINGTON VA 20036	FEDERATION OF AMERICAN HOSPITALS	5,500.00	
MARGIE R. WILLIAMS, 415 2ND ST., NE SUITE 300 WASHINGTON DC 20002	NATIONAL ASSN OF WHEAT GROWERS	1,275.83	
PERRY F. WILLIAMS, 225 MAIN ST. NEWINGTON CT 06111	AMERICAN RADIO RELAY LEAGUE, INC	11,000.00	652.77
ROBERT E. WILLIAMS, 1825 K ST., NW, #607 WASHINGTON DC 20006	UNITED AIRLINES	1,500.00	
THOMAS F. WILLIAMS, 6812 OLD KENT ROAD AMARILLO TX 79109	SOUTHWESTERN PUBLIC SERVICE CO	769.90	333.99
DAVID K. WILLIS, 1620 EYE STREET, NW, #1000 WASHINGTON DC 20006	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC		
CHARLOTTE M. WILMER, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL RURAL ELECTRIC COOPERATIVE ASSN	130.00	
WILMER CUTLER & PICKERING, 1666 K ST., NW WASHINGTON DC 20006	AMERICAN CYANAMID CO	5,448.10	14.10
Do	AMERICAN SOC OF COMPOSERS AUTHORS & PUBLISHERS	1,715.13	4.29
Do	APACHE CORPORATION	300.00	
Do	BUSINESS ROUNDTABLE		
Do	CBS, INC		23.63
Do	CITICORP		
Do	G-4 CHILDREN'S COALITION	2,233.00	27.00
Do	HANDGUN CONTROL, INC		1.05
Do	MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE U.S., INC		
Do	PEOPLE OF ENEWETAK		8.75
CHARLES D. WILSON, 1850 K ST., NW, #390 WASHINGTON DC 20006	UNION CAMP CORP		1,297.59
DENA L. WILSON, SUITE 1000 1600 WILSON BLVD. ARLINGTON VA 22209	AMERICAN WATERWAYS OPERATORS, INC	1,700.00	204.45
DON T. WILSON, 1250 I STREET, NW, #400 WASHINGTON DC 20005	NATIONAL TIRE DEALERS & RETREADERS ASSN, INC	800.00	25.00
DOROTHY WILSON, 4201 CATHEDRAL AVENUE, NW, #607-E WASHINGTON DC 20016	COALITION OF CONCERNED CHARITIES	12,068.29	556.34
REID WILSON, 215 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	U.S. PUBLIC INTEREST RESEARCH GROUP	2,500.00	
ROBERT C. WILSON, 499 S. CAPITOL ST., SW, #520 WASHINGTON DC 20003	RMI, INC	380.00	
Do	WASHINGTON INDUSTRIAL TEAM, INC		
ROBERT GARY WILSON, 1730 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	PPG INDUSTRIES, INC		
RONALD J. WILSON, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	630.00	
ROSEMARY L. WILSON, MINNESOTA PETROLEUM COUNCIL 1025 NORTHERN FEDERAL BLDG. ST. PAUL MN 55102	AMERICAN PETROLEUM INST		
WILLIAM A. WILSON III, 8001 BRADDOCK ROAD SPRINGFIELD VA 22160	NATIONAL RIGHT TO WORK COMM	750.00	
JUDY WINCHESTER, 3900 WISCONSIN AVENUE, NW WASHINGTON DC 20016	FEDERAL NATIONAL MORTGAGE ASSN	5,000.00	147.78
WINDELS MARX DAVIES & IVES, 51 W. 51ST STREET NEW YORK NY 10019	CHELSEA PROPERTY OWNERS	2,000.00	
KATHLEEN J. WINN, 1155 15TH ST., NW SUITE 602 WASHINGTON DC 20006	PENNZOIL CO	475.00	50.00
MARIE WINSLOW, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
DAVID A. WINSTON, 1922 F STREET, NW WASHINGTON DC 20006	NATIONAL ASSN OF LIFE UNDERWRITERS	437.50	47.75
JAMES L. WINSTON, 1730 M STREET, NW, #708 WASHINGTON DC 20036	NATIONAL ASSN OF BLACK OWNED BROADCASTERS		
MARK E. WINTER, 1828 L ST., NW WASHINGTON DC 20036	AMERICAN LAND TITLE ASSN	3,223.00	
JAMES W. WISE, DAVID VIENNA & ASSOCIATES 510 C STREET, NE WASHINGTON DC 20002	HORSEMEN'S BENEVOLENT & PROTECTIVE ASSN		
Do	INTERNATIONAL ASSN OF AMUSEMENT PARKS & ATTRACTIONS		
RONALD S. WISHART JR., 1100 15TH STREET, NW, #1200 WASHINGTON DC 20005	UNION CARBIDE CORP		
ROBERT V. WITECK, THE POWER HOUSE 3255 GRACE STREET, NW WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN EXPRESS CORP).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN FLAGSHIPS)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: AMERICAN IRON & STEEL INSTITUTE).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: ANEUTRONIX, INC)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: CANADIAN ASBESTOS INFORMATION CENTRE).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: COMMONWEALTH OF PUERTO RICO).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: JOINT MARITIME CONGRESS).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: LIFE CARE SERVICES CORP).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: MUTUAL OF OMAHA)		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: NATIONAL BROADCASTING CO, INC).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: NATIONAL MULTI HOUSING COUNCIL).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF TURKEY)	2,240.00	
CLAUDIA A. WITHERS, 2000 P STREET, NW, #400 WASHINGTON DC 20036	WOMEN'S LEGAL DEFENSE FUND		
WITKOWSKI WEINER MCCAFFREY & BRODSKY, SUITE 350 1575 I ST., NW WASHINGTON DC 20005	COMMERCIAL CREDIT CORP		
Do	COORDINATING COUNCIL ON MANUFACTURED HOUSING FINANCE	6,646.50	526.61
Do	FOREMOST INSURANCE CO	1,283.00	57.60
Do	MERRILL LYNCH & CO., INC.; COMMERCIAL CREDIT CORP		
Do	NATIONAL MANUFACTURED HOUSING FINANCE ASSN	103.50	
GLENN P. WITTE, 888 16TH ST., NW WASHINGTON DC 20006	MILK IND. FOUNDATION/INTL ASSN OF ICE CREAM MFRS		
ERNEST WITTENBERG ASSOCIATES, INC, 1616 H ST., NW WASHINGTON DC 20006	FEDERAL LAND BANK ASSNS OF TEXAS STOCKHOLDERS' DEFENSE FUND	2,500.00	960.00
HERMAN C. WITTHAUS, 1660 L ST., NW WASHINGTON DC 20036	GENERAL MOTORS CORP	3,000.00	3,536.32
CLINTON WOLCOTT, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FED OF FEDERAL EMPLOYEES		
JAMES E. WOLF, 2020 14TH ST., NORTH ARLINGTON VA 22201	TRANE COMPANY	1,000.00	
JAMES WOLF, 1925 K ST., NW, #206 WASHINGTON DC 20006	ALLIANCE TO SAVE ENERGY		
THOMAS F. WOLFE, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	2,500.00	
RONALD WOLSEY, P.O. BOX 507 BALTIMORE MD 21203	AMOCO OIL COMPANY		
DON WOMACK, SUITE 303 1825 K ST., NW WASHINGTON DC 20006	TEXAS UTILITIES SERVICES, INC	2,575.00	38.59
WOMEN AGAINST MILITARY MADNESS POLITICAL ACTION COMM (WAMM) , 3255 HENNEPIN AVENUE MINNEAPOLIS MN 55408		200.00	815.00
BURTON C. WOOD, 1125 15TH ST., NW WASHINGTON DC 20005	MORTGAGE BANKERS ASSOCIATION OF AMERICA	14,400.00	2,448.00
CHARLES A. WOOD, 10 LAFAYETTE SQUARE BUFFALO NY 14203	NATIONAL FUEL GAS DISTRIBUTION CORP., ET AL		
HUGH A. WOOD, 515 S. FLOWER STREET LOS ANGELES CA 92678	ATLANTIC RICHFIELD CO		
JOHN L. WOOD, 2121 SAN JACINTO ST. P.O. BOX 660164 DALLAS TX 75266	CENTRAL AND SOUTH WEST CORP		
W. ALAN WOODFORD, 2501 M ST.,NW WASHINGTON DC 20037	CHEMICAL MANUFACTURERS ASSOCIATION, INC	300.00	
THOMAS C. WOODS, 1660 L STREET, NW WASHINGTON DC 20036	GENERAL MOTORS CORP	2,500.00	1,302.05
PERRY W. WOOFTER, SUITE 530 1800 K ST. NW WASHINGTON DC 20006	TESORO PETROLEUM CORP	2,000.00	
DAVID M. WOOLDRIDGE, 2222 ARLINGTON AVENUE SOUTH BIRMINGHAM AL 35205	EDMOND & VINES	4,901.20	
HOWARD E. WOOLLEY, 1771 N STREET, NW WASHINGTON DC 20036	NATIONAL ASSN OF BROADCASTERS	1,500.00	1,512.90
LINDA ANZALONE WOOLLEY, 1600 M ST., NW WASHINGTON DC 20036	INTERNATIONAL TELEPHONE & TELEGRAPH CORPORATION		
NOEL C. WOOSLEY, 4647 FORBES BOULEVARD LANHAM MD 20706	AMVETS	6,800.00	150.47
DEE WORKMAN, 405 LEXINGTON AVE. NEW YORK NY 10017	MOBIL OIL CORP	18,750.00	1,600.00
WORLD ZIONIST ORGANIZATION - AMERICAN SECTOR, INC, 515 PARK AVENUE NEW YORK NY 10022	WORLD ZIONIST ORGANIZATION JERUSALEM, ISRAEL		180.00
WORLDWIDE INFORMATION RESOURCES, LTD, 1717 K STREET, NW, #706 WASHINGTON DC 20006	EQUITABLE LIFE ASSURANCE SOCIETY OF THE U.S		
Do	PAN AMERICAN WORLD AIRWAYS, INC		
Do	STATE OF MONTANA		
Do	TOYOTA MOTOR SALES U.S.A., INC		
W. ROBERT WORLEY, 1736 CREEK CROSSING ROAD VIENNA VA 22180	SOUTHERN COMPANY SERVICES, INC	1,254.00	750.99
STEVEN M. WORTH, 3255 GRACE ST., NW THE POWER HOUSE WASHINGTON DC 20007	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: ELECTRONIC INDUSTRIES ASSN OF JAPAN).		
Do	GRAY & CO PUBLIC COMMUNICATIONS INT'L, INC (FOR: REPUBLIC OF KOREA)		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
BRENDA J. WRIGHT, SUITE 2600 1000 WILSON BLVD. ARLINGTON VA 22209	TRW, INC	1,000.00	
DAVID L. WRIGHT, ANDERSON HILL RD. PURCHASE NY 10577	PEPSICO, INC		189.00
FREDERICK S. WYLE, ONE MARITIME PLAZA, #2500 SAN FRANCISCO CA 94111	FEDERATED STATES OF MICRONESIA		
THOMAS L. WYLIE, 1800 K STREET, NW, #820 WASHINGTON DC 20006	SUN COMPANY, INC	5,355.00	143.60
MARC D. YACKER, 1619 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AMERICAN PAPER INST, INC	195.00	
MILAN P. YAGER, 727 N. WASHINGTON STREET ALEXANDRIA VA 22314	UNITED FRESH FRUIT & VEGETABLE ASSN	1,230.00	374.20
T. ALBERT YAMADA, SUITE 520 900 17TH ST., NW WASHINGTON DC 20006	TOYOTA MOTOR SALES, U.S.A., INC	500.00	
Do	WEST MEXICO VEGETABLE DISTRIBUTORS ASSN	500.00	
NANCY FOSTER YANISH, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	200.00	
ANDREA J. YANK, 1785 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL TRUST FOR HISTORIC PRESERVATION	4,467.10	253.67
EDWARD R. YAWN, 1111 19TH ST., NW WASHINGTON DC 20036	EDISON ELECTRIC INSTITUTE	726.92	141.28
KIM YELTON, 8120 FENTON ST. SILVER SPRING MD 20910	AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE	6,787.97	119.56
JACK YELVERTON, 1303 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	FLEET RESERVE ASSN		
RICHARD K. YEP, 5999 STEVENSON AVENUE ALEXANDRIA VA 22304	AMERICAN ASSN FOR COUNSELING AND DEVELOPMENT	4,924.98	448.32
D. SCOTT YOHE, 1629 K ST., NW, #204 WASHINGTON DC 20006	DELTA AIR LINES, INC	390.00	115.00
ANDREW YOOD, 1220 L STREET, NW WASHINGTON DC 20005	AMERICAN PETROLEUM INST	200.00	
EDWARD A. YOPP, P.O. BOX 1072 EL PASO TX 79958	MBANK EL PASO		
ROBERTA LYNN YOUMANS, 509 C STREET, NE STANTON PARK WASHINGTON DC 20002	ROISMAN, RENO & CAVANAUGH (FOR: NATIONAL HOUSING LAW PROJECT)	1,851.21	
JOHN ANDREW YOUNG, 1333 NEW HAMPSHIRE AVE., NW, #207 WASHINGTON DC 20036	COASTAL CORPORATION		
THOMAS F. YOUNGBLOOD, 1819 L STREET, NW, #600 WASHINGTON DC 20036	AMERICAN HOTEL & MOTEL ASSN	1,125.00	
BETSY YOUNKINS, 1220 L STREET, NW, #1200 WASHINGTON DC 20005	AMERICAN PETROLEUM INST	6,000.00	1,259.44
EUGENE A. YOURCH, 50 BROADWAY NEW YORK NY 10004	FEDERATION OF AMERICAN CONTROLLED SHIPPING	200.00	
RALPH ZAAYENGA, 1800 K STREET, NW, #820 WASHINGTON DC 20006	SUN COMPANY, INC	1,419.60	26.00
HARRY M ZACHEM, 1025 CONNECTICUT AVE., #507 WASHINGTON DC 20036	ASHLAND OIL, INC	2,000.00	
MICHAEL ZAGORAC P.O. BOX 4689 CLEARWATER FL 33518	JACK ECKERD CORPORATION		
LYNN ZAKUPOWSKY, 1331 PENNSYLVANIA AVE., NW WASHINGTON DC 20004	GENERAL ELECTRIC CO	1,500.00	
STEVEN S. ZALEZNICK, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	542.31	
BARNABY W. ZALL, 1424 16TH STREET, NW, #707 WASHINGTON DC 20036	FAIR CONGRESSIONAL TASK FORCE, INC		
Do	FEDERATION FOR AMERICAN IMMIGRATION REFORM		
JOHN S. ZAPP, 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN MEDICAL ASSN	4,900.00	
ELAINE ZARAFONETIS, 201 PARK WASHINGTON COURT FALLS CHURCH VA 22046	NATIONAL-AMERICAN WHOLESALE GROCERS' ASSN	3,000.00	
JANICE ZARRO, SUITE 715-16 1660 L ST., NW WASHINGTON DC 20036	AVON PRODUCTS, INC		
THOMAS K. ZAUCHA, 1825 SAMUEL MORSE DRIVE RESTON VA 22090	NATIONAL GROCERS ASSN		
DENIS R. ZEGAR, 201 PARK WASHINGTON COURT FALLS CHURCH VA 22046	NATIONAL-AMERICAN WHOLESALE GROCERS' ASSN	3,000.00	
PHILIP F. ZEIDMAN, 1025 CONNECTICUT AVE., NW, #900 WASHINGTON DC 20036	AMERICAN BUSINESS CONFERENCE, INC		
DON J. ZELLER, SUITE 503 1000 16TH STREET, NW WASHINGTON DC 20036	STANDARD OIL CO (INDIANA)	1,850.00	552.27
ZERO POPULATION GROWTH, INC, 1346 CONNECTICUT AVE., NW WASHINGTON DC 20036		2,913.00	1,990.00
RONALD L. ZIEGLER, 1199 N. FAIRFAX STREET, #801 ALEXANDRIA VA 22314	NATIONAL ASSN OF TRUCK STOP OPERATORS, INC		
MICHAEL J. ZIMMER, WICKWIRE, GAVIN & GIBBS 1819 L STREET, NW, #700 WASHINGTON DC 20036	CLEAN COAL COALITION, INC		
Do	COGENERATION COALITION, INC		
Do	CONSOLIDATED NATURAL GAS CO	120.00	5.00
ZIONTZ PIRTLE MORRISSET ERNSTOFF & CHESTNUT, METROPOLITAN PARK, 16TH FLOOR 1100 OLIVE WAY SEATTLE WA 98101.	CONFEDERATED TRIBES OF THE COLVILLE INDIAN RESERVATION		
Do	HOOPA VALLEY TRIBE	329.27	2,083.67
Do	INUPIAT COMMUNITY OF THE ARCTIC SLOPE		
Do	MAKAH INDIAN TRIBE		
Do	METLAKATLA INDIAN COMMUNITY		
Do	MILLE LACS BAND OF CHIPPEWA INDIANS		
Do	NORTHERN CHEYENNE INDIAN TRIBE		
Do	TULALIP INDIAN TRIBE		
Do	UKPEAGVIK INUPIAT CORPORATION		
ZUCKERT SCOUTT RASENBERGER & JOHNSON, 888 17TH ST., NW WASHINGTON DC 20006	BUSINESS ROUNDTABLE	6,243.00	1,555.68
Do	DREYFUS CORPORATION		
Do	HARCOURT BRACE JOVANOVICH		
Do	INCENTIVE FEDERATION, INC	4,575.00	1,282.44
Do	RECON/OPTICAL, INC		
CHARLES O. ZUVER, 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN BANKERS ASSN	5,000.00	
23RD CONGRESSIONAL DISTRICT ACTION COMM., 575 CHARLES ST. ST. MARYS PA 15857			
34TH CONGRESSIONAL DISTRICT ACTION COMM (NY), RD 2 ALLEGANY NY 14706			

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following reports for the fourth calendar quarter of 1984 were received too late to be included in the published reports for that quarter:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§302(e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $.....Dues and assessments
2. $.....Gifts of money or anything of value
3. $.....Printed or duplicated matter received as a gift
4. $.....Receipts from sale of printed or duplicated matter
5. $.....Received for services (e.g., salary, fee, etc.)
6. $.....TOTAL for this Quarter (Add items "1" through "5")
7. $.....Received during previous Quarters of calendar year
8. $.....TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $.....TOTAL now owed to others on account of loans
10. $.....Borrowed from others during this Quarter
11. $.....Repaid to others during this Quarter

12. $.....Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": .....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and address of Contributor*
	(*"Period"* from Jan. 1 through....., 19.....)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $.....Public relations and advertising services
2. $.....Wages, salaries, fees, commissions (other than item "1")
3. $.....Gifts or contributions made during Quarter
4. $.....Printed or duplicated matter, including distribution cost
5. $.....Office overhead (rent, supplies, utilities, etc.)
6. $.....Telephone and telegraph
7. $.....Travel, food, lodging, and entertainment
8. $.....All other expenditures
9. $.....TOTAL for this Quarter (Add "1" through "8")
10. $.....Expended during previous Quarters of calendar year
11. $.....TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $.....TOTAL now owed to person filing
13. $.....Lent to others during this Quarter
14. $.....Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
LEANNE J. ABDNOR, SUITE 1250 1899 L STREET, NW WASHINGTON DC 20036	VENNERS AND CO., LTD. (FOR: KOCH INDUSTRIES)		
ALBERT E. ABRAHAMS, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	8,000.00	1,194.24
KENNETH R. ADAMS, 1850 K STREET, NW, #210 WASHINGTON DC 20006	CABOT CORPORATION		425.00
AFL-CIO MARITIME COMMITTEE, 100 INDIANA AVE., NW WASHINGTON DC 20001		5,645.00	4,584.92
ELIZABETH AGLE, 530 7TH ST., SE WASHINGTON DC 20003	NATIONAL CLEAN AIR COALITION, INC	9,212.49	238.69
AIR TRANSPORT ASSN OF AMERICA, 1709 NEW YORK AVE., NW WASHINGTON DC 20006		28,949.00	28,949.00
ALABAMA FARM BUREAU FEDERATION, P.O. BOX 11000 MONTGOMERY AL 36198		19,360.00	6,000.00
H. MEADE ALCORN JR., ALCORN, BAKEWELL & SMITH ONE AMERICAN ROW HARTFORD CT 06103	HELEN WODELL HALBACH ESTATE		
KAREN D. ALEXANDER, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.		
NANCY L. ALEXANDER, 245 SECOND STREET, NE WASHINGTON DC 20002	FRIENDS COMM ON NATIONAL LEGISLATION	3,553.77	
JOHN D. ALLAN, ROYAL TRUST TOWER TORONTO DOMINION CENTER TORONTO, ONTARIO CANADA M5K 1J4	STELCO, INC		
JUANITA ALVAREZ, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	479.49	
ROBERT ALVAREZ, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	9.86	
AMERICAN ACADEMY OF OPHTHALMOLOGY, SUITE 300 1101 VERMONT AVE., N.W. WASHINGTON DC 20005			
AMERICAN ASSN FOR RESPIRATORY THERAPY, 1720 REGAL ROW DALLAS TX 75235		2,518.05	19,445.41
AMERICAN ASSN OF PRESIDENTS OF INDEPENDENT COLLEGES & UNIVS., BOX 723 REXBURG ID 83440		24,225.00	14,373.32
AMERICAN ASSN OF UNIVERSITY WOMEN, 2401 VIRGINIA AVENUE, NW WASHINGTON DC 20037			203.63
AMERICAN CLEAN WATER ASSN, 3911 NORTHHAMPTON, NW WASHINGTON DC 20015		3,311.54	3,354.86
AMERICAN COUNCIL FOR COMPETITIVE TELECOMMUNICATIONS, 415 SECOND ST., NE WASHINGTON DC 20002			
AMERICAN DENTAL ASSN, 211 E. CHICAGO AVE. CHICAGO IL 60611		4,591.62	7,784.10
AMERICAN FED OF STATE COUNTY & MUNICIPAL EMPLOYEES, 1625 L ST., NW WASHINGTON DC 20036			81,220.63
AMERICAN FINANCIAL SERVICES ASSN, 1101 14TH ST., NW WASHINGTON DC 20005			12,035.31
AMERICAN GAS ASSN, 1515 WILSON BOULEVARD ARLINGTON VA 22209		26,819.00	26,819.00
AMERICAN MEDICAL STUDENT ASSN, 1910 ASSOCIATION DRIVE RESTON VA 22091			8,767.60
AMERICAN PHYSICAL THERAPY ASSN, 1111 N. FAIRFAX ST. ALEXANDRIA VA 22314		5,679.93	5,679.93
AMERICAN TEXTILE MACHINERY ASSN, 7297 N. LEE HWY. FALLS CHURCH VA 22042			
AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC, 1101 CONNECTICUT AVENUE, NW, #300 WASHINGTON DC 20036		45,113.80	45,113.80
AMERICAN TRUCKING ASSNS, INC, 2200 MILL RD. ALEXANDRIA VA 22314		10,290.06	75,882.10
ANDERSON & PENDLETON, 1000 CONNECTICUT AVENUE, NW, #707 WASHINGTON DC 20036	CANNED & COOKED MEAT IMPORTERS' ASSN	1,925.00	2,008.01
Do	CORPORACION NACIONAL DEL COBRE (CHILE) (CODELCO)	2,083.00	6,468.85
ARNE ANDERSON, 1325 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20005	AMERICAN FED OF GOVERNMENT EMPLOYEES	7,270.56	
LINDA D. ANDERSON, SUITE 750 1275 K ST., NW WASHINGTON DC 20005	NATIONAL WOMEN'S POLITICAL CAUCUS	1,133.89	
L. J. ANDOLSEK, 1533 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES	585.00	21.00
JOHN A. ARMSTRONG, 1330 BURLINGTON STREET EAST HAMILTON, ONTARIO CANADA L8N 3J5	DOFASCO, INC		
W. STANLEY ARMSTRONG, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS	270.00	11.00
ARNOLD & PORTER, 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	BUILDING & CONSTRUCTION TRADES DEPT, AFL-CIO	1,887.50	53.20
Do	CITY OF MIAMI		
Do	CITY OF NEW YORK		
Do	CITY OF NORFOLK	600.00	
Do	NATIONAL COORDINATING COMM FOR MULTIEMPLOYER PLANS	15,312.00	439.50
Do	SACRAMENTO MUNICIPAL UTILITY DISTRICT	2,156.62	10.50
Do	SACRAMENTO PUBLIC UTILITY DISTRICT, ET AL	320.15	189.93
Do	SIEMENS CORPORATE RESEARCH & SUPPORT, INC	6,000.00	77.62
ARNOLD STANDARD REVIEW CORP, 100 MERRICK ROAD ROCKVILLE CENTRE NY 11571			
LUD ASHLEY, P.C., 1735 NEW YORK AVENUE, NW, 6TH FL. WASHINGTON DC 20006	AMERICAN INTERNATIONAL GROUP, INC	3,000.00	
Do	FEDERAL HOME LOAN MORTGAGE CORP	12,500.00	
Do	IRVING TRUST CO	9,700.00	
Do	ISFA CORPORATION	12,220.00	
Do	MANVILLE CORPORATION		
Do	MERRILL LYNCH & CO, INC	10,700.00	
Do	NATIONAL ASSN OF STATE SAVINGS & LOAN SUPERVISORS	10,000.00	
Do	J.C. PENNEY CO, INC	26,460.00	
ASSOCIATION FOR DEVELOPMENT POLICY RESEARCH, 1309 L STREET, NW WASHINGTON DC 20005		2,416.29	2,431.65
ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER, 10 BROADWAY ST. LOUIS MO 63102			63.00
ASSOCIATION FOR WOMEN IN SCIENCE, 1346 CONNECTICUT AVENUE, NW, #1122 WASHINGTON DC 20036		2,581.16	3,472.14
ASSOCIATION OF GOVERNMENT ACCOUNTANTS, 727 SOUTH 23RD STREET, #100 ARLINGTON VA 22202			
ASSOCIATION OF MAXIMUM SERVICE TELECASTERS, INC, 1735 DESALES ST., NW WASHINGTON DC 20036			558.00
ASSOCIATION OF URBAN UNIVERSITIES, 1346 CONNECTICUT AVENUE, NW, #228 WASHINGTON DC 20036		51,000.00	9,263.40
RONALD R. AUSTIN, 1201 16TH STREET, NW WASHINGTON DC 20036	OVERSEAS EDUCATION ASSN	264.00	
HOPE M. BABCOCK, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY		
PATTI JO BABER, SUITE 400 919 18TH ST., NW WASHINGTON DC 20006	DIAMOND SHAMROCK CORPORATION		
BAKER & MCKENZIE, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	DART & KRAFT	37,640.50	1,335.94
JAMES JAY BAKER, 1600 RHODE ISLAND AVENUE, N.W. WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMER	918.75	131.41
ELIZABETH BALDWIN, 1346 CONNECTICUT AVENUE, NW, #1122 WASHINGTON DC 20036	ASSOCIATION FOR WOMEN IN SCIENCE	2,700.00	
MICHAEL BALY III, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	3,000.00	276.98
MICHAEL P. BALZANO JR., 444 NORTH CAPITOL ST., NW, #801 WASHINGTON DC 20001	JOINT MARITIME CONGRESS	2,692.50	
PATTY BANKSON, 1030 15TH STREET, NW, #976 WASHINGTON DC 20005	NATIONAL BOARD OF YOUNG MEN'S CHRISTIAN ASSNS		
DELMAR K. BANNER, 1800 MASSACHUSETTS AVENUE, NW, #604 WASHINGTON DC 20036	FARM CREDIT COUNCIL		
BARAFF KOERNER OLENDER & HOCHBERG, P.C., 2033 M STREET, NW, #203 WASHINGTON DC 20036	COLLEGE FOOTBALL ASSOCIATION	80.00	
Do	NATIONAL BASKETBALL ASSN	440.00	
Do	NORTH AMERICAN SOCCER LEAGUE	100.00	
MAURICE A. BARBOZA, 1800 M STREET, NW WASHINGTON DC 20036	AMERICAN BAR ASSN	400.00	50.00
DONNA R. BARNAKO, 1200 15TH STREET, NW WASHINGTON DC 20005	AMERICAN HEALTH CARE ASSN	1,650.00	185.64
BARNES RICHARDSON & COLBURN, 1819 H ST., NW, #400 WASHINGTON DC 20006	DOW CHEMICAL CO	1,200.00	100.00
Do	FLORIDA CITRUS MUTUAL		488.25
Do	JOSEPH E. SEAGRAM & SONS, INC, ET AL	20,340.80	59.09
BARNETT & ALAGIA, 1000 THOMAS JEFFERSON STREET, NW, #900 WASHINGTON DC 20007	ASSOCIATION OF FOOD INDUSTRIES, INC		
LARRY P. BARNETT, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMERICA	7,000.00	
PAMELA H. BARNETT, 100 MARYLAND AVENUE, NE WASHINGTON DC 20002	RELIGIOUS COALITION FOR ABORTION RIGHTS, INC	3,625.02	
JAMES C. BARR, 1840 WILSON BOULEVARD ARLINGTON VA 22201	CREDIT UNION NATL ASSN, INC	300.00	
BARRETT SMITH SCHAPIRO SIMON & ARMSTRONG, 1201 PENNSYLVANIA AVENUE, NW, #821 WASHINGTON DC 20004	COFFEE SUGAR & COCOA EXCHANGE, INC		
Do	HUGO NEU & SONS, INC		
Do	IRVING TRUST CO		
Do	METROPOLITAN TRANSPORTATION AUTHORITY		
Do	NEW YORK MERCANTILE EXCHANGE		
Do	SINGAPORE AIRLINES, LTD		
DAVIS M. BATSON, 1155 15TH STREET, NW, #611 WASHINGTON DC 20005	ETHYL CORPORATION	500.00	
BARRY H. BAUMAN, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
BAYH TABBERT & CAPEHART, 1575 I STREET, NW, #1025 WASHINGTON DC 20005	AMERICAN CAN CO	3,000.00	135.00
Do	NATIONAL BASKETBALL ASSN	7,000.00	165.00
MICHAEL K. BEARD, 100 MARYLAND AVE., NE WASHINGTON DC 20002	NATIONAL COALITION TO BAN HANDGUNS		
ROBERT J. BECKER, 800 E. NORTHWEST HWY., #101 MT. PROSPECT IL 60056	JOINT COUNCIL OF ALLERGY & IMMUNOLOGY		
LOUIS BEER, 1320 19TH ST., NW, #200 WASHINGTON DC 20036	M.A.N. TRUCK & BUS CORP		
DONALD K. BELCH, STELCO TOWER HAMILTON, ONTARIO CANADA L8N 3 T1	STELCO, INC		
NANCY C. BENSON, 1575 EYE ST., NW, #220 WASHINGTON DC 20005	AMERICAN CYANAMID CO	190.00	173.09
GEORGE L. BERG JR., 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,875.01	16.00
JANE W. BERGWIN, 1050 17TH STREET, NW, #490 WASHINGTON DC 20036	CONSUMERS POWER CO	3,448.00	1,666.00
GEORGE K. BERNSTEIN, 1730 K ST., NW WASHINGTON DC 20006	AMERICAN INSURANCE ASSN	4,500.00	
ROBERT BETZ, 1101 14TH STREET, NW, #1100 WASHINGTON DC 20005	ROBERT BETZ ASSOCIATES, INC (FOR: ALABAMA HOSPITAL ASSOCIATION)	5,250.00	94.98
RALPH A. BIEDERMANN, ONE BRUNSWICK PLAZA SKOKIE IL 60077	BRUNSWICK CORP		
PAT BILLINGS, 624 9TH STREET, NW, #700 WASHINGTON DC 20001	GROUP HEALTH ASSN OF AMERICA, INC	666.66	
ROBERT J. BIRD, 888 16TH STREET, NW WASHINGTON DC 20006	ZACHRY, INC		
BISHOP LIBERMAN COOK PURCELL & REYNOLDS, 1200 17TH STREET, NW, 7TH FL. WASHINGTON DC 20036	VOLVO CAR B.V.		
GERRIE BJORNSON, 1800 K ST., NW, #929 WASHINGTON DC 20006	B.F. GOODRICH CO	100.00	
TOM G. BLACK, 2020 K ST., NW, #200 WASHINGTON DC 20006	NATIONAL FEDERATION OF FEDERAL EMPLOYEES	1,163.78	
BRENT BLACKWELDER, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	739.25	
SMITH BLAIR, 1533 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES	811.00	6.00
KENNETH T. BLAYLOCK, 1325 MASSACHUSETTS AVE., NW WASHINGTON DC 20005	AMERICAN FED OF GOVERNMENT EMPLOYEES	18,729.06	4,693.01
SAMUEL A. BLEICHER, FRANK BERNSTEIN CONAWAY & GOLDMAN 300 EAST LOMBARD STREET BALTIMORE MD 21201	A & S TRANSPORTATION COMPANY		
RICHARD BLISS, BLISS, CRAFT & RICHARDS 1050 THOMAS JEFFERSON ST., NW, 6TH FL. WASHINGTON DC 20007	GULF OIL CORP		
Do	ST. JOE MINERALS CORPORATION		
JACK A. BLUM, 1015 18TH ST., NW WASHINGTON DC 20036	GETTY NORTHEAST JOBBERS & DISTRIBUTORS ASSN		
Do	INDEPENDENT GASOLINE MARKETERS COUNCIL	25,000.00	550.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JOANNE BLUM, 2010 MASSACHUSETTS AVENUE, NW, #500 WASHINGTON DC 20036	PLANNED PARENTHOOD FEDERATION OF AMERICA, INC	355.28	24.40
BLUM NASH & RAILSBACK, 1133 15 ST. WASHINGTON DC 20005	GETTY NORTHEAST JOBBERS & DISTRIBUTORS ASSN		
Do	SOLAR ENERGY INDUSTRIES ASSN		
CHARLES R. BLUMENFELD, BOGLE & GATES 2100 THE BANK OF CALIFORNIA CENTER SEATTLE WA 98164	PACIFIC SEAFOOD PROCESSORS ASSN		
DAVID A. BOCKORNY, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	795.68
SETH M. BODNER, 386 PARK AVENUE SOUTH NEW YORK NY 10016	NATIONAL KNITWEAR & SPORTSWEAR ASSN	1,250.00	
LARRY A. BOGGS, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
WAYNE A. BOUTWELL, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	337.50	
BOWMAN CONNER TOUHEY & PETRILLO, 2828 PENNSYLVANIA AVENUE, NW, #203 WASHINGTON DC 20007	NATIONAL ASSN OF AIRCRAFT & COMMUNICATIONS SUPPLIERS, INC	3,700.00	265.43
ROBERT K. BOYD, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	1,150.00	1,011.30
THERESA M. BRADY, 444 N. CAPITOL STREET, NW, #801 WASHINGTON DC 20001	JOINT MARITIME CONGRESS	769.20	
ROBERT M. BRANDON, 1300 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION	2,000.00	42.00
ROY S. BREDDER, 1111 14TH ST., #1200 WASHINGTON DC 20005	AMERICAN DENTAL ASSN	1,000.00	10.00
ROBERT J. BRINKMANN, 1627 K STREET, NW, #400 WASHINGTON DC 20006	NATIONAL NEWSPAPER ASSN	5,000.00	113.13
BROADHURST BROOK MANGHAM HARDY & REED, 1730 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	LOUISIANA INTRASTATE GAS CORP		
Do	PHILLIPS PETROLEUM CO		
Do	TEXAS GAS TRANSMISSION CO		
PAMELA BRODIE, 530 7TH STREET, SE WASHINGTON DC 20003	NATIONAL CLEAN AIR COALITION	928.81	
BROWN & FINN, 1920 N STREET, NW, #510 WASHINGTON DC 20036	SATELLITE TELEVISION INDUSTRY ASSN/S.P.A.C.E.		
Do	SATELLITE TV VIEWING RIGHTS SUPERFUND, INC	43,902.50	847.44
DIANE R. BROWN, 1515 WILSON BOULEVARD ARLINGTON VA 22209	AMERICAN GAS ASSN	2,000.00	849.13
MARGUERITE BRACY BROWN, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE COUNTY & MUNICIPAL EMPLOYEES	8,983.56	101.90
BROWNSTEIN ZEIDMAN & SCHOMER, 1025 CONNECTICUT AVENUE, NW, #900 WASHINGTON DC 20036	MERRILL LYNCH HUBBARD, INC		
Do	NEW YORK CITY HOUSING DEVELOPMENT CORP	2,071.80	
Do	NEW YORK STATE MORTGAGE LOAN ENFORCEMENT & ADMIN. CORP.	16,571.23	
Do	NORWEST MORTGAGE, INC	3,698.50	
WILLIAM K. BRUNETTE, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	440.19	64.20
ROBERT O. BRUNNER, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	456.92	2.75
BRYAN CAVE MCPHEETERS & MCROBERTS, 1015 15TH STREET, NW, #1000 WASHINGTON DC 20005	MICROELECTRONICS & COMPUTER TECHNOLOGY CORP		
BUCHANAN INGERSOLL, P.C., 1667 K STREET, NW, 9TH FL. WASHINGTON DC 20006	FEDERATION OF APPAREL MANUFACTURERS	3,031.76	835.76
SUSAN BUCK, 115 D ST., NE WASHINGTON DC 20003	UNITED TELECOM COMMUNICATIONS, INC		
ROBERT D. BUEHLER, 1800 K ST., NW, #929 WASHINGTON DC 20006	BF GOODRICH CO	400.00	
SUSAN M. BUFFONE, 3604 34TH STREET, NW WASHINGTON DC 20009	NATIONAL PARKS & CONSERVATION ASSOCIATION	120.00	
CHRISTINE CAPITO BURCH, 1625 L STREET, NW WASHINGTON DC 20036	AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES	5,738.87	
WILLIAM J. BURHOP, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMERICA	10,200.00	
J. J. BURKE JR., 40 E. BROADWAY BUTTE MT 59701	MONTANA POWER CO		
FRANCIS X. BURKHARDT, 1750 NEW YORK AVE., NW WASHINGTON DC 20006	INTERNATIONAL BROTHERHOOD OF PAINTERS & ALLIED TRADES		
DAVID G. BURNEY, 2040 HARBOR ISLAND DR., #208 SAN DIEGO CA 92101	U.S. TUNA FOUNDATION	6,000.00	3,000.00
BUSBY REHM & LEONARD, 1629 K ST., NW, #1100 WASHINGTON DC 20006	AUTOMOBILE IMPORTERS OF AMERICA, INC	300.00	
FREDERICK MORRIS BUSH, 2829 PENNSYLVANIA AVE., NW, #400 WASHINGTON DC 20007			
NICHOLAS J. BUSH, 1730 RHODE ISLAND AVENUE, NW, #200 WASHINGTON DC 20036	NATURAL GAS SUPPLY ASSN	4,359.28	2,931.94
WILLIAM A. BUTLER, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	5,000.00	150.00
CADES SCHUTTE FLEMING & WRIGHT, 740 WASHINGTON PARK BUILDING 1001 22ND STREET, NW WASHINGTON DC 20037	HAWAII CONSUMER FINANCE ASSN, INC	11,656.16	529.84
Do	HAWAIIAN ELECTRIC CO, INC		174.24
Do	U.S. WINDPOWER, INC	18,452.87	1,455.03
CADWALADER WICKERSHAM & TAFT, 7TH FLOOR 1333 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	INSTITUTE OF INTERNATIONAL CONTAINER LESSORS		
JOHN D. CAHILL, 444 N. CAPITOL STREET, NW WASHINGTON DC 20001	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	2,000.00	
Do	MASSACHUSETTS PORT AUTHORITY	10,625.00	
CAMP CARMOUCHE BARSH HUNTER GRAY HOFFMAN & GILL, 2550 M ST., NW, #275 WASHINGTON DC 20037	GOLDMAN SACHS & CO		
Do	INTERMEDICS		
Do	U.S. LEAGUE OF SAVINGS ASSOCIATIONS		
ALYCE D. CANADAY, 4201 CATHEDRAL AVE., NW, #413E WASHINGTON DC 20016	PACIFIC POWER AND LIGHT CO	740.00	963.01
ROBERT P. CANAVAN, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	2,535.00	18.00
WILLIAM F. CANIS, 1730 PENNSYLVANIA AVENUE, NW, #450 WASHINGTON DC 20006	CATERPILLAR TRACTOR CO	2,500.00	100.55
CAPITAL ADVOCATES, 1127 11TH STREET, #950 SACRAMENTO CA 95814	CROWLEY MARITIME CORP	14,800.00	5,580.00
Do	DISTILLED SPIRITS COUNCIL OF THE US, INC		
PETER CARLSON, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	262.66	
CHAPIN CARPENTER JR., 1211 CONNECTICUT AVENUE, NW, #406 WASHINGTON DC 20036	MAGAZINE PUBLISHERS ASSN, INC	1,500.00	
JANET B. CARROLL, 419 7TH ST., NW, #402 WASHINGTON DC 20004	NATIONAL RIGHT TO LIFE COMMITTEE, INC	5,500.00	
JOHN R. CARTER, 1000 WILSON BLVD., #2600 ARLINGTON VA 22209	TRW, INC	1,000.00	
TERESA D. CASSIDY, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	FARM CREDIT COUNCIL		
G. THOMAS CATOR, 1050 17TH STREET, NW WASHINGTON DC 20036	NEECE CATOR & ASSOCIATES, INC (FOR: LATIN AMERICAN MANUFACTURERS ASSN (LAMA))		
CEDERBERG & ASSOCIATES, 7100 SUNNEX PLACE ALEXANDRIA VA 22307	GRUMMAN CORPORATION	200.00	
DAVID CERTNER, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	417.31	
PHILIP CHABOT, 1317 F STREET, NW WASHINGTON DC 20004	EAST BAY REGIONAL PARK DISTRICT		
ED CHANDLER, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN		
WILLIAM J. CHANDLER, 1511 K STREET, NW, #1100 WASHINGTON DC 20005	NATURAL RESOURCES DEFENSE COUNCIL, INC	1,356.24	240.85
WILLIAM CHASEY ORGANIZATION, INTERNATIONAL CLUB BLDG., #631 1800 K STREET, NW WASHINGTON DC 20006	NATIONAL UNIVERSITY	6,000.00	3,800.00
Do	REAL PROPERTY SERVICES CORP	15,000.00	5,170.00
STEPHAN E. CHERTOFF, 1709 NEW YORK AVENUE, NW, #303 WASHINGTON DC 20006	BLUE CROSS & BLUE SHIELD		
HAL M. CHRISTENSEN, 1111 14TH STREET, NW, #1200 WASHINGTON DC 20005	AMERICAN DENTAL ASSN	3,000.00	559.53
JACK E. CHRISTY, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	488.66	88.52
CITIZEN/LABOR ENERGY COALITION, 1300 CONNECTICUT AVENUE, NW, RM. 401 WASHINGTON DC 20036		7,500.00	7,757.50
DAVID A. CLANTON, 1667 K STREET, NW, 9TH FL. WASHINGTON DC 20006	BUCHANAN INGERSOLL, P.C. (FOR: FEDERATION OF APPAREL MANUFACTURERS)	515.00	
JULIE CLARK, 1625 K ST., NW EIGHTH FLOOR WASHINGTON DC 20006	NATIONAL LEGAL AID & DEFENDERS ASSN	9,347.00	17.95
COALITION TO PROMOTE AMERICA'S TRADE, 1875 EYE STREET, NW, #540 WASHINGTON DC 20006		11,400.00	13,323.59
COALITIONS FOR AMERICA, 721 SECOND STREET, NE WASHINGTON DC 20002			
COASTAL PROPERTIES INSTITUTE, INC., 66 SURFWATCH DRIVE JOHNS ISLAND SC 29455			
COHEN & URETZ, 1775 K STREET, NW, #400 WASHINGTON DC 20006	ESTATE OF SYLVIA S. BURING	1,807.50	
KEN W. COLE, 1150 CONNECTICUT AVENUE, NW, #700 WASHINGTON DC 20036	ALLIED CORPORATION		
COLLIER SHANNON RILL & SCOTT, 1055 THOMAS JEFFERSON ST., NW, #308 WASHINGTON DC 20007	SPECIALTY STEEL INDUSTRY OF THE UNITED STATES	4,000.00	4,000.00
LISA COLLINS, 201 MASSACHUSETTS AVENUE, NE, #310 WASHINGTON DC 20002	NATIONAL COMM AGAINST REPRESSIVE LEGISLATION	4,000.00	
TIM COLTON, P.O. BOX 498 CHESTER PA 19016	PENNSYLVANIA SHIPBUILDING CO	1,620.00	381.52
CAROL A. COLZA, ROGER B. SCHAGRIN, P.C. 923 15TH STREET, NW WASHINGTON DC 20005	COMMITTEE ON PIPE & TUBE IMPORTS	81,150.00	
COMMITTEE FOR DO-IT-YOURSELF HOUSEHOLD MOVING, 1725 K ST., NW, #401 WASHINGTON DC 20005			
BERT M. CONCKLIN, 1500 PLANNING RESEARCH DRIVE MCLEAN VA 22102	PLANNING RESEARCH CORPORATION		611.30
CAROLE K. CONES, 1515 N. COURTHOUSE RD., #301 ARLINGTON VA 22201	DCM GROUP (FOR: AD HOC COMM FOR AMERICAN SILVER)	2,765.63	14.15
CHARLES E. CONLON, 923 15TH STREET, NW WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	3,000.00	
PAULA J. CONNOLLY, 1020 19TH ST., NW, #600 WASHINGTON DC 20036	AMERICAN EXPRESS CO		
CONSORTIUM OF SOCIAL SCIENCE ASSNS., 1200 17TH ST., NW, #520 WASHINGTON DC 20036		15,750.00	780.49
CONSUMER FEDERATION OF AMERICA, 1424 16TH ST., NW, #604 WASHINGTON DC 20005		106,629.00	89,209.00
JOHN A. CONWAY, 1201 16TH STREET, NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
BENJAMIN Y. COOPER JR., 1730 NORTH LYNN ST. ARLINGTON VA 22209	PRINTING INDUSTRIES OF AMER, INC	7,500.00	
COOPERATIVE LEAGUE OF THE USA, 1828 L ST., NW, #1100 WASHINGTON DC 20036		10,791.50	3,381.47
MARTY CORRY, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	499.42	670.24
MEREDITH COTE, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	417.31	33.50
COUNCIL FOR A LIVABLE WORLD, 11 BEACON ST. BOSTON MA 02108			16,878.62
COVINGTON & BURLING, 1201 PENNSYLVANIA AVENUE, NW P.O. BOX 7566 WASHINGTON DC 20044	AMERICAN ASSN OF ORAL & MAXILLOFACIAL SURGEONS	2,500.00	
ERIC COX, 418 7TH ST., SE WASHINGTON DC 20003	CAMPAIGN FOR U.N. REFORM-POLITICAL EDUCATION COMMITTEE	147.84	
W. O. CRAFT JR., CRAFT & RICHARDS 1050 THOMAS JEFFERSON ST., NW, 6TH FL. WASHINGTON DC 20008	ALLIS-CHALMERS ENERGY & MINERALS SYSTEMS CO		
Do	CONSUMERS UNITED FOR RAIL EQUITY (C.U.R.E.)		
CRAMER HABER & LUKIS, P.C., 818 CONNECTICUT AVE., NW WASHINGTON DC 20036	DADE COUNTY INTERNATIONAL AIRPORT	32,000.00	1,888.51
WILLIAM C. CRAMER, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	CRAMER HABER & LUKIS, P.C. (FOR: DADE COUNTY INTERNATIONAL AIRPORT)		
KEN A. CRERAR, 1611 NO. KENT STREET, #900 ARLINGTON VA 22209	FOOTWEAR INDUSTRIES OF AMERICA	2,700.00	4,502.37
DONALD J. CRONIN, 1511 K STREET, NW, #820 WASHINGTON DC 20005	FRANK G. KINGSLEY	5,000.00	120.00
LAUREN J. CRONIN, 1331 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004	KAISER CEMENT CORPORATION	7,320.00	6,096.00
SAM S. CRUTCHFIELD, 3528 GALLOWS ROAD ANNANDALE VA 22003	HALE FOUNDATION		
CUBAN AMERICAN PUBLIC AFFAIRS COUNCIL, 1000 THOMAS JEFFERSON ST., NW WASHINGTON DC 20007			
BILL CUNNINGHAM, P.O. BOX 635 HELENA MT 59624	MONTANA WILDERNESS ASSOCIATION		
KATHLEEN L. CURRY, 122 C ST., NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	2,538.00	391.00
RICHARD C. CURRY, 6819 ELM STREET, #3 MCLEAN VA 22101	FIRE ISLAND ASSOCIATES, INC	1,240.00	272.17
EDWARD P. CURTIS JR., GENESEE PUBLIC AFFAIRS, INC 36 W. MAIN STREET ROCHESTER NY 14614	LAKE ONTARIO CEMENT LIMITED	2,900.00	1,408.99

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	MINISTRY OF THE ENVIRONMENT PROVINCE OF ONTARIO, CANADA	1,400.00	
MICHAEL C. CUSHING, 8283 GREENSBORO DRIVE MCLEAN VA 22102	SATELLITE BUSINESS SYSTEMS		
JAY B. CUTLER, 1400 K STREET, NW WASHINGTON DC 20005	AMERICAN PSYCHIATRIC ASSN	5,412.00	689.45
LESLIE DACH, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	1,625.00	258.00
DAEDALUS ENTERPRISES, INC, P.O. BOX 1869 ANN ARBOR MI 48106			
DAKOTA LAY'D EGG CO, P.O. BOX 606 CANDO ND 58324			
DAN DANNER, 1747 PENNYSLVANIA AVE., NW WASHINGTON DC 20006	ARMCO, INC	1,500.00	396.75
RICHARD C. DARLING, 1156 15TH ST., NW WASHINGTON DC 20005	J. C. PENNEY CO, INC	100.00	50.00
JOHN C. DATT, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,062.51	
CHERYL C. DAVIS, 510 C STREET, NE WASHINGTON DC 20002	INTERNATIONAL ASSN OF AMUSEMENT PARKS & ATTRACTIONS		
CHRISTOPHER L. DAVIS, 2501 M ST., NW, #400 WASHINGTON DC 20037	ALLNET COMMUNICATION SERVICES, INC		
KENNETH E. DAVIS, SUITE 1210 1667 K ST., NW WASHINGTON DC 20006	ROHM & HAAS CO	500.00	30.75
THOMAS A. DAVIS, 499 S. CAPITOL ST., SW, #407 WASHINGTON DC 20003	AMERICAN GENERAL LIFE INSURANCE CO	1,225.00	
Do	AMERICAN HORSE COUNCIL	175.00	238.13
Do	CHICAGO BOARD OF TRADE	1,487.50	388.47
Do	FLORIDA POWER & LIGHT CO	87.50	
Do	FLORIDA SUGAR CANE LEAGUE, INC		
Do	NATIONAL CATTLEMEN'S ASSN		
Do	PROVIDENT LIFE & ACCIDENT INSURANCE CO		
Do	U.S. SUGAR		
DCM GROUP, 1515 N. COURTHOUSE RD., #301 ARLINGTON VA 22201	AD HOC COMM FOR AMERICAN SILVER	6,693.75	4,210.51
GASTON DE BEARN, 1050 CONNECTICUT AVENUE, NW, #401 WASHINGTON DC 20036	HOFFMANN-LA ROCHE INC		
JEFF DEBOER, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
EDWARD S. DEBOLT, 1515 N. COURTHOUSE RD., #301 ARLINGTON VA 22201	DCM GROUP (FOR: AD HOC COMM FOR AMERICAN SILVER)	1,425.00	
ROBERT DEBRAGGA, 26 FLANDER RD. RFD #1, BOX 239 STONINGTON CT 06388	PROJECT CURE, INC		
JOHN J. DEGNAN, SHANLEY & FISHER, P.C. 131 MADISON AVENUE MORRISTOWN NJ 07960	SHARP ELECTRONICS CORP		
DELOITTE HASKINS & SELLS, 655 15TH STREET, NW WASHINGTON DC 20005	ARKANSAS ELECTRIC COOPERATIVE CORP		
Do	HYDRIL CO		
Do	INDEPENDENT LIFE & ACCIDENT INSURANCE CO		
Do	TEKTRONIX CORPORATION		
Do	TRIANGLE INDUSTRIES, INC		
Do	UNION PACIFIC CORP		
PERRY COMO DENBY, BOX 7000 TEXARKANA TX 75501			
SAMUEL L. DEVINE, 888 17TH ST., NW WASHINGTON DC 20006	AMERICAN SMALL AND RURAL HOSPITAL ASSOCIATION, OHIO CHAPTER		
Do	GROCERY MANUFACTURERS OF AMERICA, INC		
Do	OCCIDENTAL PETROLEUM CORP	19,999.98	
Do	PAYCO AMERICAN CORPORATION		
Do	PEPSICO, INC	10,000.00	
DEWEY BALLANTINE BUSHBY PALMER & WOOD, 1775 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	CHASE MANHATTAN BANK, N.A		
RALPH B. DEWEY, 1050 17TH ST., NW, #1180 WASHINGTON DC 20036	PACIFIC GAS & ELECTRIC CO	167.30	252.62
DICKINSON WRIGHT MOON VAN DUSEN & FREEMAN, 1901 L ST., NW, #801 WASHINGTON DC 20036	DETROIT MADISON COMPANY	30,105.00	561.20
Do	GENERAL MOTORS CORP		
DISABLED AMERICAN VETERANS, 3725 ALEXANDRIA PIKE COLD SPRING KY 41076		133,309.05	133,309.05
PATSY B. DIX, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	2,021.00	61.00
ROBIN C. DOLE, 1825 EYE ST., NW, #350 WASHINGTON DC 20006	CENTURY 21 REAL ESTATE CORP	1,045.00	
DOMESTIC PETROLEUM COUNCIL TRADE ASSOCIATION, 1627 K STREET, NW, #910 WASHINGTON DC 20006			
THOMAS J. DONOHUE, 2200 MILL ROAD ALEXANDRIA VA 22314	AMERICAN TRUCKING ASSNS, INC	11,000.00	
KARIN A. DOUGAN, MILLER & CHEVALIER, CHTD 655 15TH STREET, NW WASHINGTON DC 20005	LINCOLN SAVINGS & LOAN ASSN		
DOW LOHNES & ALBERTSON, 1255 23RD ST., NW WASHINGTON DC 20037	ALGOMA STEEL CORP, LTD, ET AL	7,741.00	1,086.64
Do	LESNINA, ET AL	307.50	
CHARLES P. DOWNER, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN		
JOHN C. DOYLE JR., 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
RONALD W. DRACH, 807 MAINE AVENUE, SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	14,799.20	862.89
ANTHONY V. DRESDEN, 444 N. CAPITOL STREET, NW, #801 WASHINGTON DC 20001	JOINT MARITIME CONGRESS	879.20	
LOUISE C. DUNLAP, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
MARGARET A. DURBIN, 1025 CONNECTICUT AVENUE, NW, #415 WASHINGTON DC 20036	AMERICAN INSURANCE ASSN		
DYKEMA GOSSETT SPENCER GOODNOW & TRIGG, 1752 N ST., NW, 6TH FL. WASHINGTON DC 20036	DAEDALUS ENTERPRISES, INC		
Do	TOTAL PETROLEUM, INC		
EDEA, INC, 929 GUISANDO DE AVILA TAMPA FL 33612	AMERICAN SHIP BUILDING CO	6,500.00	
STEPHEN L. EDMISTON, 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	13,228.80	892.93
EDWARDS ASSOCIATES, 507 SECOND ST., NE WASHINGTON DC 20002	CONFEDERATED TRIBES OF WARM SPRINGS		
MAX N. EDWARDS, 1511 K STREET, NW, #1100 WASHINGTON DC 20005	FRANK G. KINGSLEY	6,000.00	50.00
MICHAEL D. EDWARDS, 1201 16TH STREET, NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
KAREN EHRNMAN, 1522 K STREET, NW, #1120 WASHINGTON DC 20005	AMERICAN COLLEGE OF NURSE-MIDWIVES		
DOROTHY A. ELLSWORTH, 1300 CONNECTICUT AVE., NW WASHINGTON DC 20036	INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS	13,495.86	
EMERSON ELECTRIC CO, 8000 FLORISSANT ST. LOUIS MO 63136			464.03
EMPLOYERS COUNCIL ON FLEXIBLE COMPENSATION, 1700 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006			
ENVIRONMENTAL FUND, 1325 G ST., NW #1003 WASHINGTON DC 20005			
J. BARRY EPPERSON, P.O. BOX 42464 HOUSTON TX 77242	ASSOCIATED WIRE ROPE FABRICATORS	900.00	3,386.49
EPSTEIN BECKER BORSODY & GREEN, 1140 19TH ST., NW, #900 WASHINGTON DC 20036	NATIONAL CABLE TELEVISION ASSN, INC	5,370.50	
KIMBERLY NEILSEN EPSTEIN, 2626 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20037	NATIONAL TELEPHONE COOPERATIVE ASSN	1,862.50	316.57
PAUL A. EQUALE, 600 PENNSYLVANIA AVE., SE, #200 WASHINGTON DC 20003	INDEPENDENT INSURANCE AGENTS OF AMERICA, INC	11,434.00	
ESTATE OF MABEL R. LADD, R.R. 1 BUNKER HILL IN 46914			
ROBERT B. EVANS, 1101 14TH STREET, NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN		
WILLIAM J. EVANS JR., 1660 L ST., NW, #901 WASHINGTON DC 20036	PAN AMERICAN WORLD SERVICES, INC	465.00	209.30
FAWN K. EVENSON, 1611 N. KENT ST., #900 ARLINGTON VA 22209	FOOTWEAR INDUSTRIES OF AMERICA	4,000.00	161.31
MICHAEL W. FABER, REID & PRIEST 1111 19TH STREET, NW, #1100 WASHINGTON DC 20036	COMMITTEE OF CORPORATE TELECOMMUNICATIONS USERS		
MICHAEL FADEN, 1346 CONNECTICUT AVE., NW, #1101 WASHINGTON DC 20006	UNION OF CONCERNED SCIENTISTS	7,350.00	
FARM CREDIT COUNCIL, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036			238.85
FARMERS FOR FAIRNESS, ROUTE 1 BACANTON GA 31716			
JOHN W. FARQUHAR, 1750 K ST., NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	300.00	
STEPHANIE T. FARRIOR, 201 MASSACHUSETTS AVENUE, NE, #310 WASHINGTON DC 20002	NATIONAL COMM AGAINST REPRESSIVE LEGISLATION	4,000.00	
MICHAEL P. FARRIS, 122 C STREET, NW, #800 WASHINGTON DC 20001	CONCERNED WOMEN FOR AMERICA	1,200.00	
FREDERICK FEDELI, 1400 K ST., NW WASHINGTON DC 20006	AMERICAN PSYCHIATRIC ASSN	1,800.00	938.00
FEDERAL EXPRESS CORP, BOX 727 MEMPHIS TN 38194			15,362.56
FEDERAL JUDGES ASSOCIATION, 1355 MARKET STREET, #155 SAN FRANCISCO CA 94103		27,050.00	10,388.34
FEDERAL KEMPER LIFE ASSURANCE COMPANY, KEMPER BLDG. D-3 LONG GROVE IL 60049			595.53
JOEL F. FELDMAN, LAW OFFICES OF SHELDON I. LONDON 1725 DESALES STREET, NW, #401 WASHINGTON DC 20036	AMERICAN HARDWARE MANUFACTURERS ASSN	1,000.00	
JACK FERGUSON ASSOCIATES, 203 MARYLAND AVE., NE WASHINGTON DC 20002	DILLINGHAM CONSTRUCTION GROUP	4,487.50	779.44
Do	DILLINGHAM SHIP REPAIR		
Do	FOSS LAUNCH & TUG COMPANY; FOSS ALASKA LINE	1,625.00	821.52
Do	MIDLAND CAPITAL CORP		
Do	NORTHWEST ENERGY COMPANY	7,200.00	1,489.82
Do	U.S. BORAX & CHEMICAL CORP	7,979.17	1,015.47
Do	WESTERN FOREST INDUSTRIES ASSN	5,000.00	
DENISE G. FERGUSON, 1020 19TH ST., NW, #600 WASHINGTON DC 20036	AMERICAN EXPRESS CO		
WILLIAM FERGUSON, 1875 EYE ST., NW, #1275 WASHINGTON DC 20006	IRVINE COMPANY	5,312.50	169.94
C. H. FIELDS, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,083.33	42.46
STEVEN I. FIER, 777 14TH STREET, NW, 5TH FL. WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,750.00	175.00
MANUEL D. FIERRO, 1901 N. FORT MYER DR., #202 ROSSLYN VA 22209	FOND DU LAC RESERVATION		
Do	GREAT LAKES INDIAN FISH & WILDLIFE COMMISSION		
CARSON LEE FIFER JR., BOOTHE PRICHARD & DUDLEY P.O. BOX 1101 ALEXANDRIA VA 22304		500.00	
THEODORA FINE, 1400 K STREET, NW WASHINGTON DC 20005	AMERICAN PSYCHIATRIC ASSN	2,502.00	1,042.69
FINLEY KUMBLE WAGNER HEINE UNDERBERG MANLEY & CASEY, 10TH FLOOR 1120 CONNECTICUT AVE., NW WASHINGTON DC 20036.	MUTUAL PROTECTION TRUST COOPERATIVE OF AMERICAN PHSYICANS		
Do	NEW YORK LIFE INSURANCE CO		
Do	OCCIDENTAL PETROLEUM CORP		
Do	SAVOY INDUSTRIES	13,500.00	334.02
Do	TDI WINSTON NETWORK, INC		
Do	TRANSIT ADVERTISING ASSN, INC		
JILL FINSEN, 923 15TH ST., N.W. WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	3,000.00	
LAURIE A. FIORI, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	588.27	202.40
STACY P. FISCHER, MILLER & CHEVALIER, CHTD 655 15TH STREET, NW WASHINGTON DC 20005	LINCOLN SAVINGS & LOAN ASSN		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
REV. MSGR. JAMES H. FITZPATRICK, 15 COMPUTER DRIVE WEST ALBANY NY 12205	HOSPITAL ASSOCIATION OF NEW YORK STATE	183.00	
FELIPE M. FLORESCA, 67 WALL STREET, #1802 NEW YORK NY 10005			
RUTH FLOWER, 245 SECOND ST., NE. WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	3,715.14	
DAVID H. FOERSTER, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
CORNELIUS J. FOLEY JR., 1440 MAIN STREET WALTHAM MA 02254	MASSACHUSETTS MEDICAL SOCIETY		
R. D. FOLSOM, 1317 F STREET, NW, #400 WASHINGTON DC 20004	R. DUFFY WALL & ASSOCIATES, INC (FOR: MORGAN GUARANTY TRUST CO)	250.00	
FOOTWEAR RETAILERS OF AMERICA, INC, 1319 F ST., NW, #700 WASHINGTON DC 20004			325.00
FOREMAN & DYESS, 1920 N STREET, NW WASHINGTON DC 20036	CENERGY EXPLORATION CO		
Do	MITCHELL ENERGY & DEVELOPMENT CORP		
Do	PITTS ENERGY GROUP		
Do	TEXAS OIL & GAS CORP		
Do	U.S. TELEPHONE, INC		
Do	WESSELY ENERGY CORP		
FORESIGHT SCIENCE & TECHNOLOGY, INC, 2000 P ST., NW, #305 WASHINGTON DC 20036	SOCIETY FOR AMERICAN ARCHAEOLOGY	5,160.00	1,218.11
MARTI FORMAN, 3471 N. FEDERAL HIGHWAY, #511 FT. LAUDERDALE FL 33306	AMERISERV, INC		
NANCY E. FOSTER, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	92.50	
ALLAN FOX, 1575 I STREET, NW, #1150 WASHINGTON DC 20005	KAYE SCHOLER FIERMAN HAYS & HANDLER (FOR: BRISTOL-MYERS CO)		
Do	AMERICAN MEAT INSTITUTE		
CHUCK FOX, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	89.55	28.80
ALFRED S. FRANK JR., 700 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037			
MYRON L. FRANS, MILLER & CHEVALIER, CHTD 655 15TH STREET, NW WASHINGTON DC 20005	LINCOLN SAVINGS & LOAN ASSN		
FRIED FRANK HARRIS SHRIVER & KAMPELMAN, 600 NEW HAMPSHIRE AVE., NW, #1000 WASHINGTON DC 20037	GENERAL ELECTRIC CO	380.00	
FRIEDMAN & MANN, P.C., 3315 QUESADA STREET, NW WASHINGTON DC 20015	COUSHATTA TRIBE OF LOUISIANA		
GAY H. FRIEDMANN, 1150 CONNECTICUT AVE., NW, #717 WASHINGTON DC 20036	SOUTHERN CALIFORNIA GAS CO	8,140.00	
FRIENDS COMMITTEE ON NATIONAL LEGISLATION, 245 2ND ST., NE WASHINGTON DC 20002			22,897.00
ALBERT E. FRY, 1828 L STREET, NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE	400.00	
G-4 CHILDREN'S COALITION, 1666 K ST., NW, RM. 1100 WASHINGTON DC 20006		604.66	2,911.15
JOHN G. GAINE, 8TH FLOOR 1900 M ST., NW WASHINGTON DC 20036	MEAT PRICE INVESTIGATORS ASSN		
HENRY T. GALLAGHER, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
CURTIS B. GANS, ROUTE 2, BOX 60 LOVETTSVILLE VA 22190	COMMITTEE FOR THE STUDY OF THE AMERICAN ELECTORATE	58,500.00	1,100.00
SHELLEY ANN GARDNER, 20 BLACK OAK MEWS NEWTOWN PA 18940	ELECTRICAL ALLIANCE		
Do	PHILADELPHIA MARITIME EXCHANGE		
NICHOLAS P. GARNETT, 1025 VERMONT AVE., NW, #410 WASHINGTON DC 20005	NATIONAL INSULATION CONTRACTORS ASSN		
GRENVILLE GARSIDE, VAN NESS FELDMAN SUTCLIFFE & CURTIS, PC 1050 THOMAS JEFERSON ST., NW, 7TH FL. WASHINGTON DC 20007.	CENTRAL & SOUTH WEST CORP	1,950.00	
JOHN C. GARTLAND, 7575 EAST FULTON ROAD ADA MI 49355	AMWAY CORP	8,250.00	
GAY RIGHTS NATIONAL LOBBY, INC, 750 7TH ST., SE WASHINGTON DC 20003		32,631.03	34,627.92
MARGARET L. GEHRES, 1828 L STREET, NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE		
DAVID TROY SAXTON GETTY, P.O. BOX 7000-A TEXARKANA TX 75501			150.00
MATTHEW J. GICHTIN, 1627 K STREET, NW, #400 WASHINGTON DC 20006	NATIONAL NEWSPAPER ASSN	2,000.00	
WILLIAM L. GIFFORD, 600 MARYLAND AVENUE, SW, #520 WASHINGTON DC 20024	GPU NUCLEAR CORP		
NEAL P. GILLEN, 1725 K STREET, NW, #1210 WASHINGTON DC 20006	AMERICAN COTTON SHIPPERS ASSN	24,999.99	1,189.13
WILLIAM GILMARTIN, 2010 MASSACHUSETTS AVE., NW, #500 WASHINGTON DC 20036	PLANNED PARENTHOOD FEDERATION OF AMERICA, INC	123.95	8.00
JAMES T. GLENN, 840 WASHINGTON BUIDING 15TH STREET & NEW YORK AVE., NW WASHINGTON DC 20005	CSX CORPORATION	3,000.00	872.48
DONNA GOLD, 1201 16TH STREET, NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
HELANE L. GOLDSTEIN, 2626 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20037	NATIONAL TELEPHONE COOPERATIVE ASSN	1,862.50	251.95
ALFONSO J. GONZALEZ, 6105 32ND ST., NW WASHINGTON DC 20015	NATIONAL ASSN OF SOCIAL WORKERS		
LEE M. GOODWIN, WICKWIRE GAVIN & GIBBS, P.C. 1819 L STREET, NW, #700 WASHINGTON DC 20036	NATIONAL HYDROPOWER ASSN, ET AL		
DAVID W. GORMAN, 807 MAINE AVENUE, SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	11,965.20	1,747.23
PETER GOSSENS, 122 C STREET, NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	4,227.00	223.00
JOHN K. GRAM, 319 SW WASHINGTON STREET, #714 PORTLAND OR 97204	PUBLIC TIMBER PURCHASERS GROUP	1,781.25	365.40
EDWARD S. GRANDIS, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	227.39	
JAMES A. GRAY, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN		
JAMES R. GRECO, P.O. BOX 3151 HOUSTON TX 77001	BROWNING-FERRIS INDUSTRIES, INC		
JAMES W. GREEN, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
LEON GREEN JR., 1819 L ST., NW, #700 WASHINGTON DC 20036	CLEAN COAL COALITION, INC		
ROY G. GREEN, 500 E. JOHN CARPENTER FREEWAY DALLAS/FT. WORTH TX 75261	FEDERAL HOME LOAN BANK OF DALLAS		
Do	U.S. LEAGUE OF SAVINGS INSTITUTIONS		
ALLEN GREENBERG, 2000 P ST., NW, #708 WASHINGTON DC 20036	HEALTH RESEARCH GROUP	5.66	
PHYLLIS GREENBERGER, 1400 K STREET, NW WASHINGTON DC 20005	AMERICAN PSYCHIATRIC ASSN	1,800.00	1,386.40
ROBERT GREENSTEIN, 236 MASSACHUSETTS AVENUE, NE WASHINGTON DC 20002	CENTER ON BUDGET & POLICY PRIORITIES	144.89	70.69
RANDALL GRIFFIN, 1515 WILSON BOULEVARD ARLINGTON VA 22209	AMERICAN GAS ASSN	1,800.00	123.45
GROH EGGERS & PRICE, 550 WEST 7TH AVENUE, #1250 ANCHORAGE AK 99501	AMERICAN PETROFINA, INC	315.00	25.95
STANLEY C. GROSS, 249 MAITLAND AVENUE ALTAMONE SPRINGS FL 32701	INSTITUTE OF INTERNAL AUDITORS, INC		
JEROME GROSSMAN, 11 BEACON ST. BOSTON MA 02108	COUNCIL FOR A LIVABLE WORLD	3,669.72	
RAYMOND J. GUSTINI, LEFF & MASON 1700 PENNSYLVANIA AVENUE, NW, #450 WASHINGTON DC 20006	GREAT WESTERN FINANCIAL CORP	4,576.00	
Do	HERON CORP, LTD	3,184.00	32.37
Do	U.S. LEAGUE OF SAVINGS INSTITUTIONS	728.50	32.00
ELLEN HAAS, 1001 CONNECTICUT AVE., NW, #519 WASHINGTON DC 20036	PUBLIC VOICE FOR FOOD & HEALTH POLICY		
GLENN M. HACKBARTH, 444 N. CAPITOL STREET, #204 WASHINGTON DC 20001	BONNEVILLE ASSOCIATES, INC (FOR: INTERMOUNTAIN HEALTH CARE, INC)	12,500.00	
JAMES M. HACKING, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	999.62	111.45
BRUCE N. HAHN, 9300 LIVINGSTON RD. FT. WASHINGTON MD 20744	NATIONAL TOOLING & MACHINING ASSN	12,321.63	1,223.66
HALE FOUNDATION, 422 FIRST STREET, SE, #208 WASHINGTON DC 20003		20,000.00	6,814.96
HALLMARK CARDS, INC, 1201 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20004			
SEYMOUR HALPERN, 540 MADISON AVENUE, 23RD FL. NEW YORK NY 10022	SEYMOUR HALPERN, INC (FOR: UNIDYNAMICS/ST. LOUIS, INC)	2,000.00	
JERALD V. HALVORSEN, 2200 MILL ROAD ALEXANDRIA VA 22314	AMERICAN TRUCKING ASSNS, INC	5,000.00	
BRUCE HAMILTON, BOX 1078 LANDER WY 82520	SIERRA CLUB		
WILLIAM W. HAMILTON JR., 2010 MASSACHUSETTS AVE., NW, #500 WASHINGTON DC 20036	PLANNED PARENTHOOD FEDERATION OF AMERICA, INC		
HANDGUN CONTROL, INC, 1400 K STREET, NW, #500 WASHINGTON DC 20005		403,468.00	40,000.00
DONALD K. HANES, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES		
HANNAFORD CO, INC, 655 15TH ST., NW, #200 WASHINGTON DC 20005	BHC, INC		
Do	COMMITTEE FOR FAIR INSURANCE RATES		
Do	FIREMAN'S FUND INSURANCE COS		
Do	ROCKWELL INTERNATIONAL CORP		
ERLING HANSEN, 624 9TH ST., NW, 7TH FL. WASHINGTON DC 20001	GROUP HEALTH ASSOCIATION OF AMERICA, INC		
WILLIAM G. HARLEY, 1235 JEFFERSON DAVIS HIGHWAY, #606 ARLINGTON VA 22202	NATIONAL UTILITY CONTRACTORS ASSN		
LEON HARPER, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	250.00	
JIM HARRISON, 1346 CONNECTICUT AVE., NW, #228 WASHINGTON DC 20036	ASSOCIATION OF URBAN UNIVERSITIES	5,625.00	80.00
HARTKE & HARTKE, 7637 LEESBURG PIKE FALLS CHURCH VA 22043	HUMANE SOCIETY OF THE U.S	9,000.00	
ROBERT MICHAEL HARTMAN, 1025 CONNECTICUT AVENUE, NW, #1014 WASHINGTON DC 20036	EBASCO SERVICES, INC	600.00	27.00
CLIFFORD J. HARVISON, 2200 MILL RD. ALEXANDRIA VA 22314	NATIONAL TANK TRUCK CARRIERS, INC		
DAVID G. HAWKINS, 1725 I ST., NW WASHINGTON DC 20006	NATURAL RESOURCES DEFENSE COUNCIL, INC	2,086.88	
HEALTH RESEARCH GROUP, 2000 P ST., NW, #708 WASHINGTON DC 20036		9.32	9.32
ELIZABETH W. HEILIG, 1660 L STREET, NW, #215 WASHINGTON DC 20036	CROWN ZELLERBACH CORPORATION		
JOHN F. HEILMAN, 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	16,348.80	1,289.37
HELICOPTER ASSOCIATION INTERNATIONAL, 1110 VERMONT AVE., NW, #430 WASHINGTON DC 20005			
NOEL HEMMENDINGER, 1300 19TH STREET, NW WASHINGTON DC 20036	WALD HARKRADER & ROSS (FOR: JAPAN IRON & STEEL EXPORTERS' ASSN)		
THOMAS R. HENDERSHOT, HENDERSHOT, KOESTER & WORSHTIL 8181 PROFESSIONAL PL., #200 LANDOVER MD 20785	PHILADELPHIA GAS WORKS	26,865.00	200.00
DONALD E. HENDERSON, 130 E. WASHINGTON STREET P.O. BOX 1290 INDIANAPOLIS IN 46204	INDIANA FARM BUREAU, INC	9,650.00	1,122.40
GEORGE B. HERBERT SR., 6601 SOUTHPOINT DRIVE, #245 JACKSONVILLE FL 32216	J M FAMILY ENTERPRISES, INC	12,500.00	2,283.90
HERCULES INC, HERCULES PLAZA WILMINGTON DE 19894			9,386.50
LAWRENCE R. HERMAN, 600 PENNSYLVANIA AVENUE, SE., #200 WASHINGTON DC 20003	INDEPENDENT INSURANCE AGENTS OF AMERICA, INC	11,669.00	
BARRY ALEXANDER HERRING, 66 VALECREST AVENUE HAMILTON, ONTARIO CANADA L7L 5N5	LAUREL STEEL PRODUCTS LIMITED		
CAROL M. HERRINGTON, 1235 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202	EMERSON ELECTRIC CO		247.97
CAROL A. HIGGINS, 1101 14TH STREET, NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN	9,000.00	134.31
HIGH FRONTIER GROUP, P.O. BOX 5768 CHARLOTTESVILLE VA 22905			
MORTON A. HILL, 475 RIVERSIDE DRIVE, #239 NEW YORK NY 10115	MORALITY IN MEDIA, INC		
EDWARD JOSEPH HILLINGS, 1700 N. MOORE STREET, #919 ARLINGTON VA 22209	FLUOR CORPORATION	15,000.00	1,531.76
HOBBS STRAUS DEAN & WILDER, 1819 H ST., NW, #800 WASHINGTON DC 20006	BRISTOL BAY AREA HEALTH CORP		
Do	MENOMINEE INDIAN TRIBE		
Do	METLAKATLA INDIAN COMMUNITY	600.00	
Do	MICCOSUKEE TRIBE OF INDIANS OF FLORIDA		
Do	NATIONAL CONGRESS OF AMERICAN INDIANS, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	OGLALA SIOUX TRIBE		
Do	PUEBLO DE COCHITI		
Do	STATE OF UTAH	1,150.00	6.75
Do	TANANA CHIEFS CONFERENCE, INC		
Do	THREE AFFILIATES TRIBES OF THE FORT BERTHOLD RESERVATION		
Do	UTE MOUNTAIN UTE TRIBE	1,150.00	6.75
GLEN D. HOFER, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES		
HOGAN & HARTSON, 815 CONNECTICUT AVE., NW WASHINGTON DC 20006	AMERICAN ELECTRONICS ASSN	4,054.50	
Do	COMPUTER & BUSINESS EQUIPMENT MANUFACTURERS ASSN	4,086.47	
Do	SCIENTIFIC APPARATUS MAKERS ASSN	7,150.08	
Do	SEMICONDUCTOR INDUSTRY ASSOCIATION	2,571.58	
WILLIAM J. HOLAYTER, 1300 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS	7,297.68	
HOLLAND & KNIGHT, 888 17TH ST., NW WASHINGTON DC 20006	EMHART CORPORATION	178.50	10.00
MOSES D. HOLMES JR., 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
PAUL R. HOLTZ, 1111 14TH STREET, NW, #1200 WASHINGTON DC 20005	AMERICAN DENTAL ASSN	3,000.00	223.65
LILLIE E. HOOVER, 103 N. COLLEGE ST. MARTINSBURG WV 25401	NATIONAL PEACH COUNCIL		
MARIAN HOPKINS, 1400 S. 28TH STREET, APT. 8 ARLINGTON VA 22206	BARNETT & ALAGIA	31,000.00	2,026.38
ELLA MAE HORSE, 1234 MASSACHUSETTS AVENUE, NW, #821 WASHINGTON DC 20005	ALL INDIAN PUEBLO COUNCIL		
Do	CALIFORNIA URBAN INDIAN HEALTH COUNCIL		
Do	LAC COURTE OREILLES OJIBWA TRIBE		
HOSPITAL ASSOCIATION OF NEW YORK STATE, 15 COMPUTER DRIVE WEST ALBANY NY 12205		235.00	235.00
HOSPITAL CORP OF AMERICA, 2000 L STREET, NW, #200 WASHINGTON DC 20035			
HOUSTON NATURAL GAS CORP, P.O. BOX 1188 HOUSTON TX 77001			163.45
ANNE L. HOWARD, ANNE L. HOWARD AND ASSOCIATES 888 17TH STREET, NW, #600 WASHINGTON DC 20006	COUNCIL OF CALIFORNIA TRIBAL GOVERNMENTS (CCTG)		
Do	LITTLE SIX BINGO	9,000.00	437.80
Do	MIAMI TRIBE OF OKLAHOMA		
Do	PAN AMERICAN MANAGEMENT CO		
Do	PASCUA PUEBLO BINGO		
Do	PASCUA-YAQUI TRIBE		
Do	PUEBLO OF SANDIA TRIBE		
Do	SHAKOPEE MDEUAKAUTON SIOUX COMMUNITY		
Do	STEVEN H. WHILDEN, P.A.		
EDWARD F. HOWARD, 1334 G STREET, 3RD FL. WASHINGTON DC 20005	VILLERS ADVOCACY ASSOCIATES	728.25	9.80
JAMES P. HOWELL, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	550.00	
JOHN A. HOWES, 1050 17TH ST., NW, #490 WASHINGTON DC 20036	CONSUMERS POWER CO	6,000.00	1,696.00
SUSAN HOWLAND-KELLY, 20 BLACK OAK MEWS NEWTOWN PA 18940	ELECTRICAL ALLIANCE		
Do	PHILADELPHIA MARITIME EXCHANGE		
HUDSON LEFTWICH & DAVENPORT, 1101 15TH ST., NW, #806 WASHINGTON DC 20005	CITY OF DETROIT		
PETER W. HUGHES, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	866.92	
GREGORY A. HUMPHREY, 555 NEW JERSEY AVE., NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS	13,940.02	160.00
RICHARD M. HUNT, 1150 CONNECTICUT AVE., NW, #1009 WASHINGTON DC 20036	NL INDUSTRIES, INC	4,775.00	
HARRIET HUNT-BURGESS, 82 2ND ST. SAN FRANCISCO CA 94105	TRUST FOR PUBLIC LAND	3,080.00	2,740.00
HUNTON & WILLIAMS, P.O. BOX 1535 RICHMOND VA 23212	EDISON ELECTRIC INSTITUTE	7,791.25	467.37
CATHY HURWIT, 1300 CONNECTICUT AVENUE, NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION	4,500.00	
GEOFFREY B. HURWITZ, 1434 NEW YORK AVE., NW, #743 WASHINGTON DC 20005	ROHM AND HAAS COMPANY	500.00	125.84
INDEPENDENT INSURANCE AGENTS OF AMERICA, INC, 100 CHURCH ST. NEW YORK NY 10007		27,715.00	27,715.00
CHARLES E. ING, 412 FIRST STREET, SE WASHINGTON DC 20003	NATIONAL AUTOMOBILE DEALERS ASSN	3,000.00	
INSTITUTE OF FOREIGN BANKERS, SUITE 303 EAST, RM. 23 200 PARK AVE. NEW YORK NY 10017			
INSURANCE ECONOMICS SOCIETY OF AMERICA, 1700 PENNSYLVANIA AVE., NW, #590 WASHINGTON, DC 20006		35,972.40	5,595.60
INT'L UNION, UNITED AUTO AEROSPACE & AGRIC IMPLEMENT WORKERS, WORKERS OF AMERICA (UAW) 8000 E JEFFERSON DETROIT MI 48214		116,826.90	116,826.90
INTERLAKE, INC, 2015 SPRING RD. OAK BROOK IL 60521			
INTERNATIONAL ASSN OF MACHINISTS & AEROSPACE WORKERS, 1300 CONNECTICUT AVE., NW WASHINGTON DC 20036			27,298.41
INTERNATIONAL BROTHERHOOD OF PAINTERS & ALLIED TRADES, 1750 NEW YORK AVE., NW WASHINGTON DC 20006			
INTERNATIONAL BUSINESS & ECONOMIC RESEARCH CORPORATION, 2121 K ST., NW, #700 WASHINGTON DC 20008	TRADE INDUSTRY & CUSTOMS DEPT, GOV'T OF HONG KONG		
INTERNATIONAL GOLD CORPORATION LIMITED, 900 THIRD AVENUE NEW YORK NY 10022			
INVESTMENT COUNSEL ASSN OF AMERICA, INC, 50 BROAD ST. NEW YORK NY 10004			
LEON E. IRISH, 1101 17TH STREET, NW, #1100 WASHINGTON DC 20036	CAPLIN & DRYSDALE (FOR: O.C. TANNER COMPANY)	3,510.00	1,432.32
JOHN ISAACS, 100 MARYLAND AVE., NE WASHINGTON DC 20002	COUNCIL FOR A LIVABLE WORLD	7,201.86	
IVINS PHILLPS & BARKER, 1700 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20006	EMPLOYERS COUNCIL ON FLEXIBLE COMPENSATION		
J M FAMILY ENTERPRISES, INC, P.O. BOX 1160 DEERFIELD BEACH FL 33441			14,783.90
NEAL A. JACKSON, 2000 M ST., NW WASHINGTON DC 20036	CAROLINAS COTTON GROWERS ASSN, INC	4,595.00	141.14
E. A. JAENKE & ASSOCIATES, INC, 1575 EYE ST., NW, SUITE 230 WASHINGTON DC 20005	FARMLAND INDUSTRIES	500.00	
Do	UNIVERSITY OF KANSAS	250.00	
JAPANESE AMERICAN CITIZENS LEAGUE, 1765 SUTTER STREET SAN FRANCISCO CA 94118			
T. DESTRY JARVIS, 529 TENNESSEE AVE. ALEXANDRIA VA 22305	NATIONAL PARKS & CONSERVATION ASSOCIATION	263.70	14.00
JOSEPH A. JEFFREY, 1920 N ST., NW, #300 WASHINGTON DC 20036	AMERICAN MINING CONGRESS	400.00	
DAVID JENNESS, 1200 17TH STREET, NW, #520 WASHINGTON DC 20036	CONSORTIUM OF SOCIAL SCIENCES ASSNS		
JENNINGS STROUSS & SALMON, 111 WEST MONROE PHOENIX AZ 85003	SHAMROCK FOODS CO		
GUY E. JESTER, 2150 KIENLEN AVE. ST. LOUIS MO 63121	ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER		
CHARLES JOECKEL JR., 807 MAINE AVE., SW WASHINGTON DC 20024	DISABLED AMERICAN VETERANS	17,591.60	155.70
RONALD P. JOHNSEN, 1625 EYE ST., NW, #303 WASHINGTON DC 20006	COLUMBIA GAS SYSTEM SERVICE CORP	175.00	490.15
B. GERALD JOHNSON, 500 MAYNARD BUILDING SEATTLE WA 98104	PUBLIC HEALTH HOSPITAL PRESERVATION & DEVELOPMENT AUTHORITY		
Do	ST OF ALASKA, OFF OF THE ATT GEN, TRANSPORT SEC		
DOUGLAS JOHNSON, 419 7TH ST., NW, #402 WASHINGTON DC 20004	NATIONAL RIGHT TO LIFE COMMITTEE, INC	7,750.00	102.38
THOMAS G. JOHNSON, ONE SHELL PLAZA, #4868 P.O. BOX 2463 HOUSTON TX 77001	SHELL OIL COMPANY		
JOINT MARITIME CONGRESS, 444 N. CAPITOL ST. WASHINGTON DC 20001		24,759.88	24,759.88
JONES & WINBURN, 50 E ST., SE WASHINGTON DC 20003	AMERICAN ASSN OF EQUIPMENT LESSORS	9,000.00	34,468.22
Do	CITY OF BATON ROUGE	3,000.00	34,468.22
Do	NATIONAL ASSN OF ASCS COUNTY OFFICE EMPLOYEES (NASCOE)	2,979.40	34,468.22
ALLAN R. JONES, 1616 P ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSNS, INC	9,000.00	828.97
BEVERLY E. JONES, WICKWIRE GAVIN & GIBBS, P.C. 1819 L STREET, NW, #700 WASHINGTON DC 20036	AMERICAN INDEPENDENT REFINERS ASSN		
Do	CONSOLIDATED NATURAL GAS CO		
Do	NATIONAL HYDROPOWER ASSN, ET AL		
RANDALL T. JONES, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	918.75	
THEODORE L. JONES, 3081 TEDDY DR. P.O. BOX 65122 BATON ROUGE LA 70896	HARTFORD FIRE INSURANCE CO		
DAVID W. JOYNER, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
HANS KAEHLER, P.O. BOX 118 COLD SPRING HARBOR NY 11724			
LAUREL B. KAMEN, 1020 19TH ST., NW, #600 WASHINGTON DC 20036	AMERICAN EXPRESS CO		
KAYE SCHOLER FIERMAN HAYS & HANDLER, 1575 I STREET, NW, #1150 WASHINGTON DC 20005	AMERICAN MEAT INSTITUTE		
Do	AMERICAN PSYCHOANALYTIC ASSOCIATION		
Do	AMERICAN SOCIAL HEALTH ASSN		
Do	BRISTOL-MYERS COMPANY	6,880.10	
Do	ELSEVIER SCIENTIFIC PUBLISHERS		
KECK MAHIN & CATE, 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	SCHWINN BICYCLE CO	950.00	
KEIKI KEHOE, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	32.20	
SUELLEN KEINER, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
KELLER & HECKMAN, 1150 17TH STREET, NW, #1000 WASHINGTON DC 20036	SPECIALTY ADVERTISING ASSN INT'L		
CANDACE KELLER, 624 9TH ST., NW 7TH FLOOR WASHINGTON DC 20001	GROUP HEALTH ASSN OF AMERICA, INC	4,080.00	
DONALD W. KELLER, P.O. BOX 3331 HOUSTON TX 77253	QUINTANA PETROLEUM CORP		
PAUL J. KELLEY, 2727 NORTH CENTRAL AVE. PHOENIX AZ 85004	U-HAUL INTL, INC		
STEPHEN G. KELLISON, 1835 K ST., NW, #515 WASHINGTON DC 20006	AMERICAN ACADEMY OF ACTUARIES		
KEMPER FINANCIAL SERVICES, INC, 120 SOUTH LASALLE STREET CHICAGO IL 60603			
KEMPER INVESTORS LIFE INSURANCE CO, 120 SOUTH LASALLE STREET CHICAGO IL 60603			319.02
BRENDAN KENNY, 1625 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	AIR TRANSPORT ASSN OF AMERICA	5,500.00	
VYTAUTAS KERBELIS, 69 COTTAGE ST. BAR HARBOR ME 04609	ARAS		
T. MICHAEL KERR, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE COUNTY & MUNICIPAL EMPLOYEES	10,300.02	24.30
RICHARD F. KIBBEN, 200 PARK AVE. NEW YORK NY 10166	BUSINESS ROUNDTABLE		
MARYANN KILDUFF, 923 15TH ST., N.W. WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	3,000.00	12.48
GENE KIMMELMAN, 1424 16TH STREET, NW WASHINGTON DC 20036	CONSUMER FEDERATION OF AMERICA	4,375.00	
KING & SPALDING, 1730 PENNSYLVANIA AVE., NW, #1200 WASHINGTON DC 20006	GENERAL ELECTRIC CREDIT CORP		
KIRKPATRICK & LOCKHART, 1900 M ST., NW WASHINGTON DC 20036	COLUMBIA PICTURES INDUSTRIES, INC		
Do	GROCERY MANUFACTURERS OF AMERICA, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	MICHIGAN KNIFE CO	252.00	
Do	H. K. PORTER COMPANY, INC		
DONALD R. KIRTLEY, HERCULES PLAZA WILMINGTON DE 19894	HERCULES INC		
JAMES E. KNEALE, 2335 SOUTH MEADE ST. ARLINGTON VA 22202	LOCKHEED CORPORATION	875.00	196.14
KEITH R. KNOBLOCK, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
KOMINERS FORT SCHLEFER & BOYER, 1776 F ST., NW WASHINGTON DC 20006	APEX MARINE CORP	1,835.00	521.21
Do	CROWLEY MARITIME CORP AND SUBSIDIARIES	70,000.00	2,371.04
KROGER COMPANY, 1014 VINE ST. CINCINNATI OH 45201			
JAMES S. KRZYMINSKI, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES		
PHILIP KUGLER, 555 NEW JERSEY AVE., NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS		
JEFFREY KURZWEIL, HILL BETTS & NASH 1220 19TH ST., NW, SUITE 302 WASHINGTON DC 20036	MARRIOTT CORPORATION		
JAMES M. KUSZAJ, SUITE 700 SOUTH 1800 M STREET, NW WASHINGTON DC 20036	DOW CHEMICAL U.S.A.		
LABOR BUREAU, INC, 1346 CONNECTICUT AVE., NW, #501 WASHINGTON DC 20036			
STEPHEN K. LAMBRIGHT, ONE BUSCH PLACE ST. LOUIS MO 63118	ANHEUSER-BUSCH COMPANIES, INC		
LINDA L. LANAM, 1709 NEW YORK AVENUE, NW, #303 WASHINGTON DC 20006	BLUE CROSS & BLUE SHIELD ASSN		
DAVID W. LANDSIDLE, 1710 RHODE ISLAND AVENUE, NW, #300 WASHINGTON DC 20036	ABBOTT LABORATORIES	2,000.00	
LANE & MITTENDORF, 1750 K STREET, NW, #1200 WASHINGTON DC 20006	INDEPENDENT PRODUCERS GROUP		254.69
GEORGE H. LAWRENCE, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	700.00	
LEAD-ZINC PRODUCERS COMMITTEE, 180 MAIDEN LANE NEW YORK NY 10038		145.79	6,465.89
LEAGUE OF AMERICAN INVESTORS, 32123 LINDERO CANYON ROAD WESTLAKE VILLAGE CA 91361			
A. MICHAEL LEBECK, P.O. BOX 925 ALBUQUERQUE NM 87103			
LECHNER & BUTSAVAGE, P.C., 3101 SOUTH ST., NW WASHINGTON DC 20007	NATIONAL ASSN OF POLICE ORGANIZATIONS	12,862.64	7,299.80
DAVID A. LEFF, 444 NORTH CAPITOL WASHINGTON DC 20001	JOINT MARITIME CONGRESS	3,606.00	
DALE LESTINA, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	2,535.00	254.64
S. R. LEVERING, ROUTE 2 ARARAT VA 24053	U.S. COMMITTEE FOR THE OCEANS		
ROGER N. LEVY, 600 PENNSYLVANIA AVENUE, SE, #200 WASHINGTON DC 20003	INDEPENDENT INSURANCE AGENTS OF AMERICA, INC	18,159.00	
STUART A. LEWIS, 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	MANUFACTURERS HANOVER CORP		
Do	NATIONAL BANK OF DETROIT		
TERRY L. LIERMAN, 1156 15TH STREET, NW, #1102 WASHINGTON DC 20005	ALBERT AND DIANE KANEB	300.00	
ROSS W. LILLARD, 2100 CHARTERBANK CENTER KANSAS CITY MO 64105	STINSON MAG & FIZZELL (FOR: FARMLAND INDUSTRIES, INC)		
LILLICK MCHOSE & CHARLES, 21 DUPONT CIRCLE, NW WASHINGTON DC 20036	NEPTUNE ORIENT LINES, LTD		
LINTON MIELDS REISLER & COTTONE, LTD, 1015 18TH ST., NW, #200 WASHINGTON DC 20036	IOWA DEPARTMENT OF TRANSPORTATION	3,915.00	
Do	LAKE SUPERIOR DISTRICT POWER CO	523.68	
Do	MADISON GAS & ELECTRIC CO	1,193.67	
Do	METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO	6,164.05	38.00
Do	NORTHERN STATES POWER CO	1,345.72	
Do	OREGON DEPT OF TRANSPORTATION	3,000.00	
Do	STATE OF IL, DEPT OF TRANS, DIV OF WATER RES	3,846.00	143.13
Do	STATE OF IL, DEPT OF TRANSPORTATION	6,439.50	
Do	SUPERIOR WATER, LIGHT & POWER CO	393.42	
Do	WISCONSIN ELECTRIC POWER CO	3,542.70	173.62
Do	WISCONSIN FUEL AND LIGHT CO	280.07	
Do	WISCONSIN GAS CO	1,712.56	179.72
Do	WISCONSIN NATURAL GAS CO	947.36	
Do	WISCONSIN POWER & LIGHT CO	2,026.37	
Do	WISCONSIN PUBLIC SERVICE CORP	2,160.17	
Do	WISCONSIN SOUTHERN GAS CO	280.07	
RON M. LINTON, 1015 18TH ST., NW, #200 WASHINGTON DC 20036	DENVER TECHNOLOGICAL CENTER	270.00	
FRANCES S. LIPSCOMB, 645 PENNSYLVANIA AVENUE, SE WASHINGTON DC 20003	NATIONAL AUDUBON SOCIETY	350.00	
E. GEOFFREY LITTLEHALE, 1101 14TH STREET, NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN	1,250.00	276.00
LIVESTOCK MARKETING ASSOCIATION, 301 E. ARMOUR BLVD. KANSAS CITY MO 64111			3,850.00
JUDITH LOGAN-WHITE, 100 MARYLAND AVENUE, NE WASHINGTON DC 20002	RELIGIOUS COALITION FOR ABORTION RIGHTS, INC	5,024.65	
LAW OFCS OF SHELDON LONDON, 1725 DESALES ST., NW, #401 WASHINGTON DC 20036	AMERICAN HARDWARE MANUFACTURERS ASSN	1,500.00	
KATHLEEN D. LONG, MILLER & CHEVALIER, CHTD 655 15TH STREET, NW WASHINGTON DC 20005	LINCOLN SAVINGS & LOAN ASSN		
ROBERT S. LONG, 919 18TH STREET, NW, #400 WASHINGTON DC 20006	DIAMOND SHAMROCK CORP		
WILLIAM E. LONG, ONE NATIONWIDE PLAZA COLUMBUS OH 43216	NATIONWIDE INSURANCE COMPANY	23,400.00	
LOOMIS OWEN FELLMAN & HOWE, 2020 K ST., NW WASHINGTON DC 20006	CLASSROOM PUBLISHERS ASSN		
Do	INDUSTRIAL DIAMOND ASSN		
Do	OPTICAL MFGRS ASSN		
GERALD D. LORE, 1050 CONNECTICUT AVENUE, NW, #401 WASHINGTON DC 20036	HOFFMANN-LA ROCHE, INC		
TIMOTHY LOVAIN, 1632 MT. EAGLE PLACE ALEXANDRIA VA 22302	DENNY MILLER ASSOCIATES	3,000.00	
CHARLES M. LOVELESS, 1625 L STREET, NW WASHINGTON DC 20036	AMERICAN FED OF STATE COUNTY & MUNICIPAL EMPLOYEES	9,205.38	145.72
JAMES F. LOVETT, 1801 K ST., NW WASHINGTON DC 20006	WESTINGHOUSE ELECTRIC CORP	500.00	200.00
DONALD C. LUBICK, 1776 F STREET, NW WASHINGTON DC 20006	BUFFALO PHILHARMONIC ORCHESTRA		
CHARLES EMMET LUCEY, MCDERMOTT, WILL & EMERY 1850 K STREET, NW, #500 WASHINGTON DC 20006	MCDERMOTT WILL & EMERY		
PETER J. LUCIANO, 923 15TH STREET, NW WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	5,000.00	
WILLIAM F. LUDLAM SR., P.O. BOX 5282 VIRGINIA BEACH VA 23455	ARBA LICENSEES ASSN		662.50
SYLVESTER LUKIS, 818 CONNECTICUT AVE., NW WASHINGTON DC 20006	CRAMER HABER & LUKIS, P.C. (FOR: DADE COUNTY INTERNATIONAL AIRPORT)		
W. FLETCHER LUTZ, 727 SOUTH 23RD ST., #100 ARLINGTON VA 22202	ASSOCIATION OF GOVERNMENT ACCOUNTANTS		
JAMES LYON, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
CLINTON LYONS, 1625 K STREET, NW, 8TH FL. WASHINGTON DC 20006	ADVOCATES TO SAVE LEGAL SERVICES, INC		
WILLIAM T. LYONS, 1747 PENNSYLVANIA AVE., NW, #700 WASHINGTON DC 20006	CIBA-GEIGY CORP	4,688.00	3,505.00
SAMUEL A. MABRY, 1800 K ST., NW WASHINGTON DC 20006	HERCULES INC	3,750.00	3,553.00
JAMES H. MACK, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN		
JOHN MACNAMARA, 503 QUEEN STREET EAST SAULT STE. MARIE ONTARIO CANADA P6A 5P2	ALGOMA STEEL CORP, LTD		
CLIFF MADISON GOVERNMENT RELATIONS, INC, P.O. BOX 3482 GRANADA HILLS CA 91344	MARK AIR, INC		
Do	SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT		
Do	WESTERN AIRLINES		
MICHAEL MAHDESIAN, 8636 WONDERLAND AVE. LOS ANGELES CA 90046	ARMENIAN NATIONAL COMMITTEE		
LINDA J. MAHER, 1140 CONNECTICUT AVE., NW, #1006 WASHINGTON DC 20036	TURNER BROADCASTING SYSTEM, INC	4,600.00	
MICHAEL C. MAIBACH, 3065 BOWERS AVENUE SANTA CLARA CA 95051	INTEL CORPORATION	12,000.00	5,051.93
MANCHESTER ASSOCIATES, LTD, 1155 15TH STREET, NW, #811 WASHINGTON DC 20005	CORPORACION NACIONAL DEL COBRE DE CHILE (CODELCO)	5,250.00	3,251.00
Do	NISSAN MOTOR COMPANY, LTD		
PETER T. MANGIONE, 1319 F STREET, NW, #700 WASHINGTON DC 20004	FOOTWEAR RETAILERS OF AMERICA, INC	75.00	
ARMAND G MANSON, 1090 VERMONT AVE., NW, #1100 WASHINGTON DC 20006	BELL AEROSPACE TEXTRON	2,760.00	
JENNIFER MARCH, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	28.67	
THOMAS P. MARINIS JR., 3418 FIRST CITY TOWER HOUSTON TX 77002	VINSON & ELKINS (FOR: ARCHIE BENNETT JR.)		
RONALD ANTHONY MARKS, 10 WATERSIDE PLAZA, #2B NEW YORK NY 10010			
LARRY K. MARTIN, 1611 NORTH KENT STREET, #800 ARLINGTON VA 22209	AMERICAN APPAREL MANUFACTURERS ASSN, INC	3,750.00	140.00
JIM MATHESON, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
HERBERT S. MATTHEWS, RTE. 3, BOX 437 MECHANICSVILLE MD 20659	MARTIN-MARIETTA AEROSPACE	6,600.00	785.04
SAMUEL L. MAURY, 1828 L ST., NW, #402 WASHINGTON DC 20036	BUSINESS ROUNDTABLE	100.00	
DOUGLAS E. MCALLISTER, 1920 N ST., NW WASHINGTON DC 20036	AMERICAN MINING CONGRESS		
CAROLYN KIM MCCARTHY, 7901 WESTPARK DRIVE MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN		
JAMES W. MCCARTHY, 1515 WILSON BOULEVARD ARLINGTON VA 22209	AMERICAN GAS ASSN	1,300.00	2,159.00
JOHN L. MCCORMICK, 218 D STREET WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	107.14	
THOMAS W.J.C. MCCRYSTAL, P.O. BOX 5768 CHARLOTTESVILLE VA 22905	HIGH FRONTIER GROUP		
ROSE MCCULLOUGH, SOUTHERN PLAINS OFFICE 5611 SEARS AVENUE DALLAS TX 75206	SIERRA CLUB	535.00	242.45
DAVID F. MCDERMITT, 1235 JEFFERSON-DAVIS HIGHWAY, #606 ARLINGTON VA 22202	NATIONAL UTILITY CONTRACTORS ASSN		821.79
MARIANNE MCDERMOTT, 600 PENNSYLVANIA AVENUE, NW, #300 WASHINGTON DC 20003	GREETING CARD ASSN		
MCDERMOTT WILL & EMERY, 1850 K ST., NW, #500 WASHINGTON DC 20006	CATERPILLAR TRACTOR CO	340.00	42.00
Do	FEDERAL KEMPER LIFE ASSURANCE COMPANY	28.70	
Do	FEDERATION OF JAPAN SALMON FISHERIES COOPERATIVE ASSN		
Do	FORT HOWARD PAPER CO	212.00	5.00
Do	KEMPER INVESTORS LIFE INSURANCE CO	13.80	
Do	LUMBERMAN MUTUAL CASUALTY CO		
Do	TUNA RESEARCH FOUNDATION, INC		
AH QUON MCELRATH, 1334 G STREET, NW, THIRD FL. WASHINGTON DC 20005	VILLERS ADVOCACY ASSOCIATES	1,679.19	18.65
CHRISTINE W. MCENTEE, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	476.92	36.50
CHRISTOPHER C. MCGRATH, NEW YORK STATE PETROLEUM COUNCIL 156 WILLIAM ST. NEW YORK NY 10038	AMERICAN PETROLEUM INSTITUTE		
MCGUIRE WOODS & BATTLE, 1400 ROSS BUILDING RICHMOND VA 23219	UNITED COAL CO		
DARINA MCKELVIE, MILLER & CHEVALIER, CHTD 655 15TH STREET, NW WASHINGTON DC 20005	LINCOLN SAVINGS & LOAN ASSN		
JANE PIERSON MCMICHAEL, 1325 MASSACHUSETTS AVE., NW WASHINGTON DC 20005	AMERICAN FED OF GOVERNMENT EMPLOYEES	11,748.24	17,432.72

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
MCNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, 1155 15TH STREET, NW WASHINGTON DC 20005	AIR LINE PILOTS ASSN		
Do	AIR TRANSPORT ASSN OF AMERICA		
Do	AIRCO, INC		
Do	ALASKA AIRLINES, INC		
Do	AMERICAN PETROLEUM INSTITUTE		
Do	BANKERS TRUST OF SOUTH CAROLINA		
Do	BRISTOL-MYERS CO		
Do	BUSINESS ROUNDTABLE		
Do	CBS, INC	5,858.20	273.00
Do	CHARLESTON CENTER #3, LTD		
Do	COLT INDUSTRIES, INC	1,559.00	493.88
Do	DAVIS POLK & WARDWELL	546.75	
Do	FOOD MARKETING INSTITUTE	3,850.50	460.90
Do	GENERAL MILLS	2,914.50	
Do	GENERAL TELEPHONE & ELECTRONICS	8,760.00	371.40
Do	GEORGIA PACIFIC CORP	2,794.00	295.05
Do	GTE SPRINT COMMUNICATIONS		
Do	HARRIS CORPORATION	15,648.69	208.77
Do	HOUSHOLD INTERNATIONAL	986.00	
Do	MESA PETROLEUM CO		
Do	METROPOLITAN INSURANCE	963.00	
Do	MILLIKEN MILLS		
Do	NATIONAL ASSN OF REALTORS		
Do	NATIONAL CABLE TELEVISION ASSN	12,338.00	
Do	NATIONAL FOOTBALL LEAGUE		
Do	NORFOLK SOUTHERN CORP	8,925.00	
Do	PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY		
Do	PHARMACEUTICAL MANUFACTURERS ASSN	4,968.00	
Do	RKO	2,012.00	81.07
Do	SONY CORP OF AMERICA	7,116.00	193.39
Do	WASTE MANAGEMENT, INC		
Do	WESTINGHOUSE ELECTRIC CORP	412.00	
RONALD E. MCWILLIAMS, 1700 N. MOORE ST. ROSSLYN VA 22209	BOEING MARINE SYSTEMS		
GEORGE G. MEAD, 1908 EDNOR ROAD CLOVERLY MD 20904	AMERICAN TRUCKING ASSNS, INC	6,666.66	
LESLIE S. MEAD, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES		
JOSEPH F. MEADOW, 7100 BALTIMORE AVENUE COLLEGE PARK MD 20740	UNITED ACTION FOR ANIMALS, INC	600.00	
NANINE MEIKLEJOHN, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE COUNTY & MUNICIPAL EMPLOYEES	8,031.02	79.66
JAMES T. MELVILLE, 503 QUEEN STREET EAST SAULT STE. MARIE ONTARIO CANADA P6A 5P2	ALGOMA STEEL CORP, LTD		
HOWARD H. MENAKER, 600 MARYLAND AVE., SW, #400 WASHINGTON DC 20024	AMERICAN OPTOMETRIC ASSN		
HOWARD A. MENELL, 1020 19TH ST., NW, #600 WASHINGTON DC 20036	AMERICAN EXPRESS CO		
STEPHANIE MENSH, 1101 VERMONT AVENUE, NW, #300 WASHINGTON DC 20005	AMERICAN ACADEMY OF OPHTHALMOLOGY		
HAROLD E. MESIROW, 21 DUPONT CIRCLE, NW WASHINGTON DC 20036	LILLICK MCHOSE & CHARLES (FOR: FOSS LAUNCH & TUG COMPANY; FOSS ALASKA LINE)	1,785.00	
Do	WESTERN PIONEER, INC	1,046.00	
THOMAS L. MESKAN, 777 14TH STREET, NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,250.00	660.54
JAMES G. MICHAUX, 1200 NEW HAMPSHIRE AVENUE, NW, #430 WASHINGTON DC 20036	FEDERATED DEPT STORES, INC	500.00	
FRED MILLAR, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	59.36	
MILLER & CHEVALIER, CHTD, METROPOLITAN SQUARE 655 15TH STREET, NW WASHINGTON DC 20005	NATURAL GAS SUPPLY ASSN	1,057.50	
DENNY MILLER ASSOCIATES, 203 MARYLAND AVE, NE WASHINGTON DC 20002	BOEING COMPANY	600.00	312.00
Do	MARINE ENGINEERS' BENEFICIAL ASSN	675.00	350.00
Do	PORT OF TACOMA	300.00	300.00
Do	ROCKCOR, INC	880.00	300.00
JOSEPH S. MILLER, 19 3RD ST., NE WASHINGTON DC 20002	ASSOCIATION OF AMERICAN RAILROADS	4,500.00	
Do	PORT OF PORTLAND	200.00	
Do	WESTERN FOREST INDUSTRIES ASSOCIATION	600.00	
LINDA B. MILLER, 1625 EYE ST., NW, #810 WASHINGTON DC 20006	VOLUNTEER TRUSTEES OF NOT-FOR-PROFIT HOSPITALS	5,833.00	355.46
NANCY A. MILLER, 1101 14TH STREET, NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN		
PAUL J. MILLER, 8000 SEARS TOWER CHICAGO IL 60606	INVESTMENT COUNSEL ASSN OF AMERICA, INC		
CHRISTINE TOPPING MILLIKEN, 122 C ST., NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	4,161.00	130.00
RICHARD V. MINCK, 1850 K ST., NW WASHINGTON DC 20006	AMERICAN COUNCIL OF LIFE INSURANCE, INC	600.00	
JOHN H. MINER, ROOM 1414-SOUTH BUILDING, USDA WASHINGTON DC 20250	ORGANIZATION OF PROFESSIONAL EMPLOYEES OF USDA	750.00	
MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO, P.C., 1825 I STREET, NW, #1025 WASHINGTON DC 20006	CABLEVISION SYSTEMS DEVELOPMENT CO	24,850.00	
Do	GENERAL TELEPHONE & ELECTRONICS		
Do	HOME RECORDING RIGHTS COALITION	12,675.00	
Do	HOUGHTON MIFFLIN COMPANY	2,980.00	
Do	TURNER BROADCASTING SYSTEM, INC	4,910.00	
MMB ASSOCIATES, INC, 122 C STREET, NW, #240 WASHINGTON DC 20001	COMMITTEE FOR FARMWORKER PROGRAMS		
Do	NCAF	30,000.00	
EDWARD G. MODELL, BLUM NASH & RAILSBACK 1015 18TH STREET, NW WASHINGTON DC 20036	GETTY NORTHEAST JOBBERS & DISTRIBUTORS ASSN		
JOHN V. MOLLER, 1155 15TH STREET, NW, #1010 WASHINGTON DC 20005	MANCHESTER ASSOCIATES (FOR: CORPORACION NACIONAL DEL COBRE DE CHILE (CODELCO))	1,312.00	20.00
Do	MANCHESTER ASSOCIATES, LTD (FOR: NISSAN MOTOR COMPANY, LTD)		
CHARLES A. MONFORT, 1346 CONNECTICUT AVE., NW, #1101 WASHINGTON DC 20036	UNION OF CONCERNED SCIENTISTS	5,512.50	
ELIZABETH R. MONRO, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMERICA	5,000.00	
JOHN C. MONSUL, 923 RIVA RIDGE DRIVE GREAT FALLS VA 22066			
JANIS E. MOORE, 1776 F ST., NW WASHINGTON, DC 20006	NATIONAL ASSN OF MANUFACTURERS	250.00	
POWELL A. MOORE, 8637 WINTHROP DRIVE ALEXANDRIA VA 22307	LOCKHEED CORP	1,300.00	1,001.61
GERALD D. MORRIS, 555 NEW JERSEY AVE., NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS	11,682.42	120.00
MORRISON & FOERSTER, 1920 N STREET, NW, #800 WASHINGTON DC 20036	CONSOLIDATED FREIGHTWAYS		
Do	CROCKER NATIONAL BANK	2,367.75	12.00
Do	EASTDIL EQUITY		
Do	LOCKHEED AIR TERMINALS, INC		
Do	MASTERCARD INTERNATIONAL, INC	1,615.00	171.28
Do	ROSENBERG REAL ESTATE EQUITY FUND, INC		
PHILIP D. MORRISON, 1700 PENNSYLVANIA AVENUE, NW, #600 WASHINGTON DC 20006	AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC		
Do	AMF, INC		137.90
Do	BERKELEY BIO-MEDICAL, INC		
Do	BLOUNT, INC	2,247.50	
Do	BLUE BELL, INC		
Do	BORG-WARNER CORP		
Do	CONSOLIDATED NATURAL GAS CO		
Do	DIGITAL EQUIPMENT CORP		
Do	EASTMAN KODAK CO		
Do	EATON CORP		
Do	EMPLOYEE RELOCATION COUNCIL		
Do	GENERAL SHALE PRODUCTS CORP		
Do	MERCANTILE STORES, INC		
Do	RHINECHEM CORP		
Do	ROCHESTER TAX COUNCIL		
Do	SIR JAMES GOLDSMITH		
Do	STANDARD CORP		
Do	TASTY BAKING CO		
Do	XEROX CORP		
MUDGE ROSE GUTHRIE ALEXANDER & FERNDON, 2121 K STREET, NW WASHINGTON DC 20037	AMERICAN ASSN OF EXPORTERS-IMPORTERS-TEXTILE & APPAREL GROUP		500.00
Do	HONG KONG TRADE INDUSTRY & CUSTOMS DEPT, GOV'T OF		
Do	JAPAN LUMBER IMPROTERS ASSN		
JEANNE MARIE MURPHY, 1730 RHODE ISLAND AVENUE, NW, #810 WASHINGTON DC 20036	CREDIT UNION NATIONAL ASSN, INC	300.00	46.18
KEITH MURPHY, KEMP KLEIN ENDELMEN & BEER 1320 19TH STREET, NW, #200 WASHINGTON DC 20036	M.A.N. TRUCK & BUS CORP		
ROBERT J. MUTH, 180 MAIDEN LN. NEW YORK NY 10038	ASARCO INC	400.00	
NATIONAL ASSN OF BEVERAGE IMPORTERS, 1025 VERMONT AVENUE, NW, #1205 WASHINGTON DC 20005			
NATIONAL ASSN OF ENERGY SERVICE COMPANIES, 2330 M ST., NW WASHINGTON DC 20037			
NATIONAL ASSN OF HOME BUILDERS OF THE U.S., 15TH & M STS., NW WASHINGTON DC 20005		30,069.29	60,294.09
NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES, 122 C ST., NW, #705 WASHINGTON DC 20001		23,896.00	106,230.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
NATIONAL ASSN OF MARGARINE MFGRS, 1625 I ST., NW, #1024-A WASHINGTON DC 20006			
NATIONAL ASSN OF REALTORS, 777 14TH ST., NW WASHINGTON DC 20005			78,021.25
NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES, 1533 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036		3,160.00	3,164.00
NATIONAL ASSN OF TRUCK STOP OPERATORS, INC, 1199 N. FAIRFAX STREET, #801 ALEXANDRIA VA 22314			400.00
NATIONAL CLEAN AIR COALITION, INC, 530 7TH ST., SE WASHINGTON DC 20003		28,758.47	28,291.58
NATIONAL CLUB ASSOCIATION, 1625 EYE ST., NW, #609 WASHINGTON DC 20006			
NATIONAL COALITION FOR MARINE CONSERVATION, INC., P.O. BOX 23298 SAVANNAH GA 31403		22,203.00	19,256.98
NATIONAL COALITION TO BAN HANDGUNS, 100 MARYLAND AVE., NE WASHINGTON DC 20002			
NATIONAL COMM AGAINST REPRESSIVE LEGISLATION, 201 MASSACHUSETTS AVE., NE WASHINGTON DC 20002		10,857.80	10,857.80
NATIONAL COMMUNITY ACTION FOUNDATION, INC, 2100 M STREET, NW, #604A WASHINGTON DC 20037		70,900.00	35,015.00
NATIONAL COUNCIL OF FARMER COOPERATIVES, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036		12,009.12	2,937.04
NATIONAL EDUCATION ASSN, 1201 16TH ST., NW WASHINGTON DC 20036		10,624.59	10,624.59
NATIONAL FAMILY PLANNING & REPRODUCTIVE HEALTH ASSN, INC, 122 C ST., NW, #380 WASHINGTON DC 20001		206,049.00	10.00
NATIONAL FEDERATION OF BUSINESS & PROFESSIONAL WOMEN'S CLUBS, 2012 MASSACHUSETTS AVE., NW WASHINGTON DC 20036.		171,760.00	21,326.31
NATIONAL HEALTH CARE FINANCING ASSN, P.O. BOX 946 HOLLY HILL FL 32017			
NATIONAL KNITWEAR & SPORTSWEAR ASSN, 386 PARK AVENUE SOUTH NEW YORK NY 10016			4,225.51
NATIONAL LEAGUE OF POSTMASTERS OF THE U.S., 1023 NORTH ROYAL STREET ALEXANDRIA VA 22314			35,920.00
NATIONAL LEASED HOUSING ASSN, 2300 M ST., NW, #260 WASHINGTON DC 20037		600.00	600.00
NATIONAL NEWSPAPER ASSN, 1627 K ST., NW, #400 WASHINGTON DC 20006		72,914.11	7,913.13
NATIONAL ORGANIZATION FOR WOMEN, 1401 NEW YORK AVE., NW, #800 WASHINGTON DC 20005			900.64
NATIONAL REHABILITATION ASSN, 633 S. WASHINGTON ST. ALEXANDRIA VA 22314			4,500.00
NATIONAL RESOURCE CENTER FOR CONSUMERS OF LEGAL SERVICES, 3254 JONES COURT, NW WASHINGTON DC 20007			468.00
NATIONAL RIFLE ASSN OF AMERICA, 1600 RHODE ISLAND AVE., NW WASHINGTON DC 20036		92,533.38	156,774.88
NATIONAL RIGHT TO LIFE COMMITTEE, INC, 419 7TH ST., NW, #402 WASHINGTON DC 20004		682,621.00	71,724.36
NATIONAL RURAL HOUSING COALITION, 2001 S ST., NW, #500 WASHINGTON DC 20009		13,043.91	15,706.96
NATIONAL TAX EQUALITY ASSN, 321 D ST., NE WASHINGTON DC 20002		4,008.60	4,179.59
NATIONAL TOUR ASSOCIATION, INC., 120 KENTUCKY AVE. LEXINGTON KY 40502		24,947.00	24,947.00
NATURAL GAS SUPPLY ASSN, 1730 RHODE ISLAND AVE., NW WASHINGTON DC 20036			191,887.55
NEECE CATOR & ASSOCIATES, INC, 1050 17TH STREET, NW WASHINGTON DC 20036	LATIN AMERICAN MANUFACTURERS ASSN (LAMA)		
NEIGHBORHOOD HOUSING SERVICES OF AMERICA, 1951 WEBSTER STREET OAKLAND CA 94612			
NEILL MULLENHOLZ SHAW & SEEGER, 900 17TH ST., NW, #400 WASHINGTON DC 20006	HASHEMITE KINGDOM OF JORDAN		
Do	KINGDOM OF MOROCCO		
SAMUEL B. NEMIROW, HILL BETTS & NASH 1220 19TH ST., NW, #302 WASHINGTON DC 20036	LYKES BROS. STEAMSHIP CO, INC		
NEW YORK SHIPPING ASSN, INC, 80 BROAD STREET, 12TH FL. NEW YORK NY 10004			
PETER NIXON, 503 QUEEN STREET EAST SAULT STE. MARIE ONTARIO CANADA P6A 5P2	ALGOMA STEEL CORP, LTD		
NL INDUSTRIES, INC, 1230 AVENUE OF THE AMERICAS NEW YORK NY 10020			10,756.47
NONPROFIT MAILERS FEDERATION, 2555 M STREET, NW, #405 WASHINGTON DC 20037			5,765.09
NORTH AMERICAN TELECOMMUNICATIONS ASSOCIATION, 2000 M ST., NW, #250 WASHINGTON DC 20036		30,350.00	30,350.00
NOSSAMAN GUTHNER KNOX & ELLIOTT, 1140 19TH ST., NW, #600 WASHINGTON DC 20036	AETNA LIFE & CASUALTY	1,100.00	200.00
Do	CALIFORNIA STUDENT LOAN FINANCE CORP		
Do	GENERAL ELECTRIC CO	600.00	120.00
Do	HELIONETICS, INC	600.00	200.00
Do	INSURANCE ASSOCIATION OF CONNECTICUT	1,400.00	400.00
Do	NATIONAL SHORTHAND REPORTERS ASSN		
Do	SOUTHERN CALIFORNIA EDISON	600.00	200.00
MARK J. NUZZACO, 7901 WESTPARK DR. MCLEAN VA 22102	NATIONAL MACHINE TOOL BUILDERS' ASSN		
LAWRENCE J. O'BRIEN JR., 21 DUPONT CIRCLE, NW, #801 WASHINGTON DC 20036	AT-SEA INCINERATION, INC		
O'CONNOR & HANNAN, 1919 PENNSYLVANIA AVE., NW, #800 WASHINGTON DC 20006	CAMBRIDGE REDEVELOPMENT AUTHORITY		
Do	WINE AND SPIRITS WHOLESALERS OF AMERICA, INC.		
PATRICK C. O'CONNOR, KENT & O'CONNOR, INC 1919 PENNSYLVANIA AVE., NW, #300 WASHINGTON DC 20006	AMERICAN DENTAL HYGIENISTS ASSN		
GRADY O'CUMMINGS III, 2178 ATLANTIC AVE. BROOKLYN NY 11233	NATIONAL COMMITTEE FOR POOR PEOPLE		
JOHN B. O'DAY, 1700 PENNSYLVANIA AVE., NW, #590 WASHINGTON, DC 20006	INSURANCE ECONOMICS SOCIETY OF AMERICA	2,000.00	
TERRI O'GRADY, 1600 RHODE ISLAND AVENUE, NW WASHINGTON DC 20036	NATIONAL RIFLE ASSN OF AMERICA	662.50	41.14
KATHLEEN O'LEARY, 1625 EYE ST., NW, #301 WASHINGTON DC 20006	COLUMBIA GAS DISTRIBUTION COMPANIES	3,500.00	50.61
LAW OFFICES OF JOHN O'NEAL, P.C., 600 NEW HAMPSHIRE AVENUE, NW, #626 WASHINGTON DC 20037	NATIONAL RURAL TELECOM ASSN	2,975.00	
DONALD K. O'NEILL, 1000 WILSON BLVD., #2600 ARLINGTON VA 22209	TRW, INC	1,000.00	
JACK JOHN OLIVERO, 36 W. 44 ST., #1115 NEW YORK NY 10036	OLIVERO FLORESCA ASSOCIATES		
CHARLES J. ORASIN, 1400 K STREET, NW, #500 WASHINGTON DC 20005	HANDGUN CONTROL, INC	1,411.00	
ORGANIZATION OF PROFESSIONAL EMPLOYEES OF USDA, RM. 1414 S. BUILDING U.S. DEPT OF AGRICULTURE WASHINGTON DC 20250.		8,059.97	2,019.06
OVERSEAS EDUCATION ASSOCIATION, 1201 16TH STREET, NW WASHINGTON DC 20036		1,000.00	345.00
J. ALLEN OVERTON, 1920 N ST., NW, #300 WASHINGTON DC 20006	AMERICAN MINING CONGRESS	164.70	24.50
ALLEN SCOTT PACK, 1250 ONE VALLEY SQUARE CHARLESTON WV 25301	ALGOMA STEEL CORP, LTD		
JOEL PACKER, 1201 16TH STREET, NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	1,629.50	41.50
GERI PALAST, 1313 L ST., NW WASHINGTON DC 20015	SERVICE EMPLOYEES INTL UNION, AFL-CIO, CLC	5,000.00	606.95
ANDREW PALMER, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	155.69	
JUDY E. PARK, 1533 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES	9,799.00	36.00
PRUDENCE H. PARKS, 1100 H STREET, NW WASHINGTON DC 20080	WASHINGTON GAS LIGHT CO	99.36	2,410.27
TOM E. PARO, 1735 DESALES ST., NW WASHINGTON DC 20036	ASSOCIATION OF MAXIMUM SERVICE TELECASTERS, INC	540.00	
PARRY AND ROMANI ASSOCIATES, INC, 1140 CONNECTICUT AVENUE, NW, #400 WASHINGTON DC 20036	AFFILIATED CAPITAL CORP	1,666.50	96.47
Do	AMERICAN FAMILY LIFE ASSURANCE CO	1,000.00	
Do	CARE ENTERPRISES	4,285.70	95.55
Do	GENERIC PHARMACEUTICAL INDUSTRY ASSN, INC	1,500.00	136.35
Do	INTERNATIONAL BROTHERHOOD OF TEAMSTERS	2,250.00	
Do	JOHNSON & JOHNSON	6,666.00	128.85
Do	K-MART	1,500.00	139.20
Do	LOYAL AMERICAN LIFE INSURANCE CO	450.00	
Do	MOTION PICTURE ASSN OF AMERICA, INC	2,500.00	331.28
Do	NATIONAL BEER WHOLESALERS ASSN	1,500.00	134.36
Do	NATIONAL CABLE TELEVISION ASSN	12,000.00	101.32
Do	PFIZER, INC	6,666.00	
Do	SONY CORPORATION	2,858.00	154.46
Do	WINN ENTERPRISES		
JACK PARTRIDGE, 1014 VINE ST. CINCINNATI OH 45201	KROGER COMPANY		
PATTON BOGGS & BLOW, 2550 M ST., NW, #800 WASHINGTON DC 20037	OCEAN CATCH	3,337.50	
Do	U.S. FISHERIES DEVELOPMENT ASSN		
PEACE POLITICAL ACTION COMMITTEE, 100 MARYLAND AVENUE, NE WASHINGTON DC 20002			4,022.28
FRANK PECQUEX, 5201 AUTH WAY CAMP SPRINGS MD 20746	SEAFARERS INTERNATIONAL UNION	3,000.00	45.00
ELIN PELTZ, 1511 K STREET, NW WASHINGTON DC 20005	HAWAIIAN SUGAR PLANTERS' ASSN	300.00	50.00
DON PENNY, 1045 31ST STREET, NW, #506 WASHINGTON DC 20007	AMERICAN EXPRESS	12,600.00	3,600.00
JOHN J. PESCH, 3422 STONEYBRAE DRIVE FALLS CHURCH VA 22044	NORTHROP CORP		
RUSSELL W. PETERSON, 950 THIRD AVENUE NEW YORK NY 10022	NATIONAL AUDUBON SOCIETY	1,000.00	
CAROLINE PETTI, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	204.55	120.45
JOHN D. PHILLIPS, 122 C ST., NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	7,500.00	372.00
SUSAN E. PHILLIPS, 1709 NEW YORK AVENUE, NW WASHINGTON DC 20006	BLUE CROSS & BLUE SHIELD ASSN		
PAUL J. PHOENIX, 1330 BURLINGTON STREET EAST HAMILTON ONTARIO CANADA L8N 3J5	DOFASCO, INC		
PIERSON BALL & DOWD, 1200 18TH ST., NW WASHINGTON DC 20036	AMERICAN ACADEMY OF PEDIATRICS	18,898.96	
Do	GENENTECH	10,572.33	
Do	INFECTIOUS DISEASES SOCIETY OF AMERICA	6,451.51	
PILLSBURY MADISON & SUTRO, 1667 K ST., NW, #1100 WASHINGTON DC 20006	FEDERAL JUDGES ASSN	450.00	
PINEAPPLE GROWERS ASSN OF HAWAII, P.O. BOX 3829 HONOLULU HI 96813			
LINDA PINEGAR, 1709 NEW YORK AVE., NW WASHINGTON DC 20006	AIR TRANSPORT ASSN OF AMERICA		
PLANNED PARENTHOOD FEDERATION OF AMERICA, INC, 2010 MASSACHUSETTS AVENUE, NW, 5TH FL. WASHINGTON DC 20036.		797.42	767.42
MICHAEL PODHORZER, 1300 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION		
CAROL ALICE PORTER, 1612 K ST., NW, #1101 WASHINGTON DC 20036	WILDLIFE LEGISLATIVE FUND OF AMERICA	4,309.20	
POWELL GOLDSTEIN FRAZER & MURPHY, 1110 VERMONT AVE., NW, #1050 WASHINGTON DC 20005	ALTER GROUP	10,039.85	960.15
Do	ASSOCIATION OF EXECUTIVE SEARCH CONSULTANTS, INC		
Do	BEAR STEARNS & CO	2,065.40	132.33
Do	COALITION FOR COMPETITION	38,094.00	
Do	CORNING ASSOCIATES		
Do	COUNCIL OF STATE HOUSING AGENCIES		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	DIGITAL EQUIPMENT CORP	23,167.00	81.95
Do	FEDERAL NATIONAL MORTGAGE ASSN		
Do	FLOOD CONTROL ADVISORY COMMITTEE	3,012.00	
Do	HAYES MICROCOMPUTER PRODUCT, INC		
Do	JACQUES BOREL ENTERPRISES, INC	3,500.00	45.00
Do	MARYLAND SAVINGS-SHARE INSURANCE CORP		
Do	MID-AMERICA ASSOCIATES	19,743.90	1,305.68
Do	N & F DEVELOPMENT CORP, INC		
Do	NATIONAL INVESTMENT DEVELOPMENT CORP		
Do	NATIONAL MULTI HOUSING COUNCIL	2,095.00	
Do	WESTINGHOUSE ELECTRIC CORPORATION	54,136.20	665.44
PRATHER SEEGER DOOLITTLE & FARMER, 1101 16TH ST., NW WASHINGTON DC 20036	BANKER'S ASSN FOR FOREIGN TRADE	5,000.00	
WOODRUFF M. PRICE, 1331 PENNSYLVANIA AVE., NW, #560 WASHINGTON DC 20014	CSX CORPORATION	3,000.00	439.04
JERRY C. PRITCHETT, 5410 GROSVENOR LN., #120 BETHESDA MD 20814	MECHANICAL CONTRACTORS ASSN OF AMER, INC		
STUART PROCTOR, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,583.33	218.51
PROJECT CURE, INC, 2020 K STREET, NW, #350 WASHINGTON DC 20006		40,532.36	23,062.29
PROTECT THE INNOCENT, INC, 451 SOUTH INDIANA STREET MOORESVILLE IN 46158	PROTECT THE INNOCENT, INC	240.33	36.88
PUBLIC TIMBER PURCHASERS GROUP, 714 OREGON BANK BLDG. 319 S.W. WASHINGTON ST. PORTLAND OR 97204		36,800.21	3,077.00
ARTHUR LEE QUINN, 1015 15TH STREET, NW, #200 WASHINGTON DC 20005	COOPER LABORATORIES, INC	20,000.00	44.95
Do	GOVERNMENT OF BELIZE	4,500.00	66.55
Do	GOVERNMENT OF REPUBLIC OF PANAMA	3,000.00	161.70
Do	SUGAR ASSN OF THE CARIBBEAN	4,660.00	1,601.50
QUINTANA REFINERY COMPANY, P.O. BOX 3331 HOUSTON TX 77001			
RAGAN & MASON, 900 17TH ST., NW WASHINGTON DC 20006	AMERICAN SHIP BUILDING CO	1,000.00	43.76
Do	BECHTEL CORP	22,500.00	42.28
Do	DELAWARE NORTH COMPANIES, INC		
Do	GOVERNMENT OF BERMUDA	3,000.00	152.11
Do	GULF OIL CORP	4,000.00	
Do	NATIONAL BULK CARRIERS, INC	4,500.00	
Do	R.J. REYNOLDS TOBACCO COMPANY		
Do	RJ REYNOLDS INDUSTRIES, INC		
Do	SEA-LAND INDUSTRIES, INC	20,000.00	737.09
Do	SECURITY PACIFIC LEASING CORPORATION		
Do	SECURITY PACIFIC NATL BANK		
Do	STIMSON LUMBER CO & MILLER REDWOOD CO	3,000.00	
Do	WESTERN PIONEER		
RICHARD W. RAHN, 1615 H ST., NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S.	885.00	12.00
TOM RAILSBACK, BLUM NASH & RAILSBACK 1015 18TH STREET, NW WASHINGTON DC 20005	FEDERAL JUDGES ASSN		
Do	INSURANCE ASSN OF CONNECTICUT		
Do	NATIONAL AGRICULTURAL CHEMICAL ASSN		
Do	NATIONAL ASSN OF BROADCASTERS		
Do	WALT DISNEY PRODUCTIONS	697.00	16.00
ROBERT RANDALL, P.O. BOX 23691 WASHINGTON DC 20024	ALLIANCE FOR CANNABIS THERAPEUTICS		
ROBERT A. RAPOZA, 2001 S ST., NW, #500 WASHINGTON DC 20009	NATIONAL RURAL HOUSING COALITION	8,750.00	
EILER C. RAVNHOLT, 723 INVESTMENT BLDG. WASHINGTON DC 20005	HAWAIIAN SUGAR PLANTERS' ASSN	600.00	365.00
RECORDING INDUSTRY ASSN OF AMERICA, INC, 888 SEVENTH AVENUE, 9TH FL. NEW YORK NY 10106		1,357.56	1,357.56
ROBERT E REDDING, 7315 WISCONSIN AVENUE BETHESDA MD 20814	SHIPPERS NATIONAL FREIGHT CLAIM		
JO REED, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	436.15	
REED ROBERTS TAX CREDIT ASSISTANCE CORP, 55 CHARLES LINDBERGH BLVD., #CS-101 UNIONDALE NY 11553			
ROBERT S. REESE JR., 1616 P ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSNS, INC	9,000.00	1,477.78
RONALD H. REIMANN, 3800 CONTINENTAL PLAZA 777 MAIN ST. FORT WORTH TX 76102	BURLINGTON NORTHERN RAILROAD	11,000.00	600.00
RELIGIOUS COALITION FOR ABORTION RIGHTS, INC, 100 MARYLAND AVENUE, N.E. WASHINGTON DC 20002		166,372.50	9,793.61
SARAH M. RENFROE, 2354 LAMBERT DR. TOLEDO OH 43613	BENCHMARK TECHNOLOGIES CORP		
GRACE ELLEN RICE, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	5,345.83	93.19
JEANNE RICHARDS, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE		
DOUGLAS B. RICHARDSON, 2001 WISCONSIN AVENUE, NW, #100 WASHINGTON DC 20007	GEORESEARCH, INC		
DON L. RICKETTS, 2550 M STREET, NW, #695 WASHINGTON DC 20037	BEAR STEARNS & CO	350.00	
Do	GENERAL AMERICAN LIFE INSURANCE CO		
Do	MASSACHUSETTS MUTUAL LIFE INSURANCE CO	1,350.00	
Do	NORTHWESTERN MUTUAL LIFE	1,350.00	
RIDDELL FOX HOLROYD & JACKSON, P.C., 723 WASHINGTON BLDG. WASHINGTON DC 20005	ASSOCIATES CORPORATION OF NORTH AMERICA		
Do	BENEFICIAL CORPORATION		
Do	C.I.T. FINANCIAL CORP		
Do	W. K. KELLOGG FOUNDATION		
Do	KIDDER, PEABODY & CO, INC		
SIERT F. RIEPMA, 1625 I ST., NW, #1024-A WASHINGTON DC 20006	NATIONAL ASSN OF MARGARINE MFGRS		
JAMES E. RITCHIE & ASSOCIATES, 499 S. CAPITOL ST., SW, #400 WASHINGTON DC 20003	GAMING INDUSTRY ASSN OF NEVADA, INC	4,800.00	684.00
Do	GOLDEN NUGGET, INC	20,000.00	5,044.91
Do	LIBERTY FINANCIAL		
Do	NATIONAL ASSN OF OFF-TRACK BETTING		
Do	NATIONAL ASSN OF OPTOMETRISTS & OPTICIANS, INC		
Do	NEVADA RESORT ASSN	3,200.00	1,061.02
MICHAEL A. ROBERTS, 1101 VERMONT AVENUE, NW, #300 WASHINGTON DC 20005	AMERICAN ACADEMY OF OPHTHALMOLOGY		
PERRY A. ROBERTS, 8000 FLORISSANT ST. LOUIS MO 63136	EMERSON ELECTRIC CO		
RODEY DICKASON SLOAN AKIN & ROBB, P.O. BOX 1888 ALBURQERQUE NM 87103	NAVAJO TRIBE		1,141.00
ROGERS & WELLS, 1737 H STREET, NW WASHINGTON DC 20006	PAN AMERICAN WORLD AIRWAYS, INC		
Do	PAN AMERICAN WORLD SERVICES	11,693.75	35.74
ESTELLE H. ROGERS, 1350 NEW YORK AVENUE, NW, #300 WASHINGTON DC 20005	NATURAL RESOURCES DEFENSE COUNCIL, INC	835.00	
KEITH ROGERS, 47 LAFAYETTE PLACE, APT. 6D GREENWICH CT 06830	U.S. TOBACCO COMPANY		
MARGARET ROGERS, 1730 NORTH LYNN ST. ARLINGTON VA 22209	PRINTING INDUSTRIES OF AMERICA, INC	1,000.00	
TERRENCE L. ROGERS, 1325 MASSACHUSETTS AVE., NW WASHINGTON DC 20005	AMERICAN FED OF GOVERNMENT EMPLOYEES	8,924.40	
PETER ROGOFF, 122 C STREET, NW, #750 WASHINGTON DC 20001	NATIONAL ASSN OF INDEPENDENT COLLEGES & UNIVERSITIES	2,027.00	119.00
JACK ROLLINS, 1201 16TH STREET, NW WASHINGTON DC 20036	OVERSEAS EDUCATION ASSN & NATIONAL EDUCATION ASSN		
EMIL A. ROMAGNOLI, 180 MAIDEN LANE NEW YORK NY 10038	ASARCO INC	200.00	
ALBERT B. ROSENBAUM III, 2200 MILL RD. ALEXANDRIA VA 22314	NATIONAL TANK TRUCK CARRIERS, INC		
FRANCIS C. ROSENBERGER, 6809 MELROSE DRIVE MCLEAN VA 22101	NATIONAL CONFERENCE OF BANKRUPTCY JUDGES	3,750.00	
JOE ROSS, P.O. BOX 1582 LITTLE ROCK AR 72201			
JOHN C. ROTHER, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	668.05	
EDWIN ROTHSCHILD, 1300 CONNECTICUT AVE., NW, #401 WASHINGTON DC 20036	CITIZEN/LABOR ENERGY COALITION	4,000.00	
EUGENE F. ROWAN, 1156 15TH ST., NW WASHINGTON DC 20005	J. C. PENNEY CO, INC		
ROBERT S. ROYER, ROYER & SHACKNAI 1747 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	CHRYSLER MILITARY SALES CORP		
Do	CITY OF AKRON, OHIO		
Do	HARLEY-DAVIDSON MILITARY SALES		
Do	INTERNATIONAL FUTURES EXCHANGE		
Do	MICHIGAN TRADE EXCHANGE		
ERIC M. RUBIN, RUBIN WINSTON & DIERCKS 1730 M ST., NW, #708 WASHINGTON DC 20036	COMMISSONER OF PUBLIC LANDS FOR STATE OF NEW MEXICO		
Do	OUTDOOR ADVERTISING ASSOCIATION OF AMERICA, INC	800.00	
GLORIA CATANEO RUDMAN, SUITE 801 444 N. CAPITOL ST., NW WASHINGTON DC 20001	JOINT MARITIME CONGRESS	2,077.60	
JOHN RUNYAN, 1730 NORTH LYNN STREET SUITE 409 ARLINGTON VA 22209	PRINTING INDUSTRIES OF AMERICA, INC	300.00	
ROBERT M. RUSSELL, 2170 PIEDMONT RD., NE ATLANTA GA 30324	ORKIN EXTERMINATING CO	94.00	415.70
FRANK MAX SALINGER, 1101 14TH ST., NW WASHINGTON DC 20005	AMERICAN FINANCIAL SERVICES ASSN		
SAMARITAN HEALTH SERVICE, 1410 NORTH 3RD ST. P.O. BOX 25489 PHOENIX AZ 85004			
WILLIAM SAMUEL, 1325 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20005	AMERICAN FED OF GOVERNMENT EMPLOYEES	7,035.84	
DONALD E. SANTARELLI, SUITE 700 2033 M ST., NW WASHINGTON DC 20036	EMPRESA BRASILEIRA DE AERONAUTICA, S.A	200.00	65.00
Do	SAFARI CLUB INTERNATIONAL	500.00	85.00
Do	STURM, RUGER COMPANY, INC	200.00	60.00
DANIEL SAPHIRE, 1909 K STREET, NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS		
SATELLITE SYNDICATED SYSTEMS, INC, P.O. BOX 702160 TULSA OK 74170			
SAVE OUR SECURITY, SUITE 222 1201 16TH STREET, NW WASHINGTON DC 20036		17,376.13	21,374.20
MARK L. SCHAFFER, ASHCRAFT & GEREL 2000 L STREET, NW, #700 WASHINGTON DC 20036	AMERICAN FED OF LABOR & CONGRESS OF INDUSTRIAL ORGANIZATIONS		
ROGER B. SCHAGRIN, ROGER B. SCHAGRIN, P.C. 923 15TH STREET, NW WASHINGTON DC 20005	COMMITTEE ON PIPE & TUBE IMPORTS	80,660.00	
HAROLD A. SCHAITBERGER, 1750 NEW YORK AVE. WASHINGTON DC 20006	INTERNATIONAL ASSN OF FIRE FIGHTERS	12,301.00	
RICHARD H. SCHECK, 167 PELHAM RD. NEW ROCHELLE NY 10805			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
SCHIFF HARDIN & WAITE, 1101 CONNECTICUT AVENUE, NW WASHINGTON DC 20036	CHICAGO BOARD OPTIONS EXCHANGE		
FOREST S. SCHMELING, 1515 WILSON BLVD. ARLINGTON VA 22209	AMERICAN GAS ASSN	1,000.00	310.85
MARSHA SCHRAMM, 1627 K ST., NW, #910 WASHINGTON DC 20006	DOMESTIC PETROLEUM COUNCIL, INC		
H. B. W. SCHROEDER, 1050 17TH STREET, NW, #490 WASHINGTON DC 20036	CONSUMERS POWER CO	8,000.00	1,746.00
SCHWABE WILLIAMSON WYATT MOORE & ROBERTS, SUITE 302 1000 POTOMAC ST., NW WASHINGTON DC 20007	LITCHSTREET COMPANY		
Do	MOUNTAIN STATES ENERGY, INC	2,634.00	1,987.25
Do	NATIONAL FOREST PRODUCTS ASSN		
Do	NORTHWEST INLAND WATERWAYS COMMITTEE		
Do	OTIS ELEVATOR CO	499.80	377.08
Do	PIASECKI AIRCRAFT CORPORATION	414.00	312.35
Do	STATE OF OREGON, CITY OF PORTLAND, OREGON METRO	7,252.99	5,471.22
SCHWINN BICYCLE CO, 1856 NORTH KOSTNER AVENUE CHICAGO IL 60639			950.00
THOMAS W. SCOVILLE, 444 N. CAPITOL STREET, NW, #801 WASHINGTON DC 20001	JOINT MARITIME CONGRESS	1,442.50	
MARLISSA SENCHAK, 777 14TH STREET, NW, 5TH FL. WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	1,620.50	137.70
SARAH SETTON, 1511 K ST., NW WASHINGTON DC 20005	SUGAR ASSOCIATION, INC.	150.00	8.00
SHAMROCK FOODS CO., 2228 N. BLACK CANYON PHOENIX AZ 85009			
DEBORAH L. SHANNON, 1150 17TH ST., NW, #306 WASHINGTON DC 20036	NATIONAL ASSN OF REALTORS		
RICHARD N. SHAROOD, 8TH FL. 1752 N ST., NW WASHINGTON DC 20036	CHEMICAL WASTE MANAGEMENT, INC.	5,400.00	
SHAW PITTMAN POTTS & TROWBRIDGE, 1300 M ST., NW, #900-S WASHINGTON DC 20036	ASSOCIATION FOR THE IMPROVEMENT OF THE MISSISSIPPI RIVER	63.00	
Do	EMERSON ELECTRIC CO		
Do	FARMERS FOR FAIRNESS		
Do	INVESTMENT COUNSEL ASSN OF AMERICA, INC.		
RUSSELL H. SHAY, 6014 COLLEGE AVE. OAKLAND CA 94618	SIERRA CLUB	1,061.77	
JOHN J. SHEPPARD, 267 WESTERVELT PLACE ENGLEWOOD CLIFFS NJ 07632	C. A. SHEA & COMPANY, INC.		
DALE SHERWIN, 1735 I ST., NW, #717 WASHINGTON DC 20006	A. E. STALEY MANUFACTURING CO	9,000.00	660.00
NELSON T. SHIELDS, 1400 K ST., NW WASHINGTON DC 20015	HANDGUN CONTROL, INC.	2,925.00	
SHIPLEY SMOAK HENRY & HOLDGREIWE, SUITE 820 910 17TH ST., NW WASHINGTON DC 20006	FEDERATED DEPT STORES, INC		
Do	FLANIGAN'S ENTERPRISES, INC.		
Do	NATIONAL COMMITTEE OF DISCOUNT SECURITIES BROKERS		
Do	STEADMAN MUTUAL FUNDS		
Do	STEADMAN SECURITY CORPORATION		
Do	U.S.-SOUTH WEST AFRICA/NAMIBA TRADE & CULTURAL COUNCIL		
Do	WBNO RADIO AND WLKM RADIO		
FRED B. SHIPPEE, 1611 N. KENT ST., #800 ARLINGTON VA 22209	AMERICAN APPAREL MANUFACTURERS ASSN, INC		
SHIPPERS NATIONAL FREIGHT CLAIM COUNCIL, INC, 120 MAIN STREET HUNTINGTON NY 11743			
ELAINE SHOCAS, 555 NEW JERSEY AVENUE, NW WASHINGTON DC 20001	AMERICAN FED OF TEACHERS	4,935.17	80.00
JOHN SHUEY, P.O. BOX 3151 HOUSTON TX 77253	BROWNING-FERRIS INDUSTRIES, INC.		
SIERRA CLUB, 530 BUSH ST. SAN FRANCISCO CA 94108		144,199.42	144,199.42
FRANKLIN R. SILBEY ASSOCIATES, 1919 PENNSYLVANIA AVENUE, NW, #200 WASHINGTON DC 20006	AQUA-CHEM, INC.	2,500.00	1,000.00
STEPHEN SILBIGER, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE, COUNTY & MUNICIPAL EMPLOYEES	13,321.20	125.77
HOWARD J. SILVER, 1200 17TH ST., NW, #520 WASHINGTON DC 20036	CONSORTIUM OF SOCIAL SCIENCE ASSNS	217.50	57.59
JEFFREY A. SIMERING, 5320 FIVE FINGERS WAY COLUMBIA MD 21045	CHICAGO BOARD OF EDUCATION		
TALMAGE E. SIMPKINS, 100 INDIANA AVE., NW WASHINGTON DC 20001	AFL-CIO MARITIME COMMITTEE	300.00	314.34
JEAN SINDAB, 2480 16TH ST., NW, #610 WASHINGTON DC 20009	WASHINGTON OFFICE ON AFRICA	8,235.21	
RICHARD L. SINNOTT & CO, SUITE 900 ONE THOMAS CIRCLE, NW WASHINGTON DC 20005	OAKLAND COLISEUM	6,000.00	
Do	PORT OF OAKLAND	3,000.00	
MARCUS W. SISK JR , 2828 PENNSYLVANIA AVENUE, NW, #203 WASHINGTON DC 20037	HEAVY OIL PROCESS, INC (HOPCO)	1,400.00	
Do	TOSCO CORPORATION	525.00	
ROBERT G. SLAUGHTER, 2501 M ST., NW WASHINGTON DC 20037	PACIFIC RESOURCES, INC.	500.00	
SMC INTERNATIONAL, 1820 JEFFERSON PL., NW WASHINGTON DC 20036	CAPITOL AIR, INC.		
Do	SAFECARD SERVICES, INC.		
DOUGLAS J. SMITH & ASSOCIATES, SUITE 704 1200 18TH ST., NW WASHINGTON DC 20036	AMERICAN SIGN & INDICATOR CORP		
Do	INSTITUTE OF SIGNAGE RESEARCH		
Do	NATIONAL ELECTRIC SIGN ASSN		
Do	SMALL BUSINESS ON PREMISE SIGN ASSN		
Do	SPERRY GYROSCOPE		
GRACE H. SMITH, 2000 M STREET, NW, #230 WASHINGTON DC 20036	TELOCATOR NETWORK OF AMERICA		
HUGH H. SMITH, 1700 K ST., #707 WASHINGTON DC 20036	AMERICAN EXPRESS CO		
JAMES P. SMITH, 2000 L STREET, NW, #200 WASHINGTON DC 20036	HOSPITAL CORP OF AMERICA		
VELMA SMITH, 218 D STREET, SE WASHINGTON DC 20003	ENVIRONMENTAL POLICY INSTITUTE	368.40	
PETER LEIGH SNELL, DAVID VIENNA & ASSOCIATES 510 C ST., NE WASHINGTON DC 20002	INTERNATIONAL ASSN OF AMUSEMENT PARKS & ATTRACTIONS	225.00	
Do	NATIONAL ASSN OF CREDIT MANAGEMENT		
EDWARD F. SNYDER, 245 2ND ST., NE WASHINGTON DC 20002	FRIENDS COMMITTEE ON NATIONAL LEGISLATION	4,522.75	
SOCIETY FOR NUTRITION EDUCATION, 1736 FRANKLIN STREET OAKLAND CA 94612			
SL SOMMER & ASSOCIATES, INC., 3129 WORTHINGTON ST., NW WASHINGTON DC 20015	NORTHROP CORP.		
KURT A. SOMMER, P.O. BOX 925 ALBUQUERQUE NM 87103			
CHARLES B. SONNEBORN, SUITE 300 1101 VERMONT AVE., NW WASHINGTON DC 20005	AMERICAN ACADEMY OF OPTHALMOLOGY		
SONOSKY CHAMBERS AND SACHSE, 1050 31ST ST., NW WASHINGTON DC 20007	ASSINIBOINE AND SIOUX TRIBES		
Do	MULTI-HOUSING LAUNDRY ASSOCIATION, INC.		
Do	SHOSHONE INDIAN TRIBE		
Do	STANDING ROCK SIOUX TRIBE		
SOUTHERN FOREST PRODUCTS ASSN, P.O. BOX 52468 NEW ORLEANS LA 70152		120,549.64	120,549.64
CHARLES E. SOUTHWICK, 1627 K STREET, NW, #200 WASHINGTON DC 20006	FLUOR CORPORATION	15,000.00	872.62
PHILIP SPESER, 2000 P ST., NW WASHINGTON DC 20036	FORESIGHT, INC (FOR: SOCIETY FOR AMERICAN ARCHAEOLOGY)	1,200.00	
ALAN P. SPIELMAN, 1709 NEW YORK AVENUE, NW WASHINGTON DC 20006	BLUE CROSS & BLUE SHIELD ASSN		
SPRIGGS BODE & HOLLINGSWORTH, 1015 15TH ST., NW WASHINGTON DC 20005	UNR INDUSTRIES, INC.		1,532.50
LINDA STAHELI, 100 MARYLAND AVENUE, NE WASHINGTON DC 20002	COUNCIL FOR A LIVABLE WORLD	2,339.76	
BETTE ANNE STARKEY, 1030 15TH STREET, NW, #1100 WASHINGTON DC 20005	HEALTH INDUSTRY MANUFACTURERS ASSN		
STEPTOE & JOHNSON, CHTD, 1330 CONNECTICUT AVE., NW WASHINGTON DC 20036	ASSOCIATION OF PRIVATE PENSION & WELFARE PLANS, INC	1,422.50	114.27
Do	COALITION TO PROMOTE AMERICA'S TRADE	16,360.10	1,245.84
KENNETH F. STINGER, 1616 P ST., NW WASHINGTON DC 20036	AMERICAN TRUCKING ASSNS, INC	9,000.00	185.71
DENNIS C. STOLTE, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	4,687.49	12.50
WILLIAM STONE, 4301 MASSACHUSETTS AVENUE, NW, #4012 WASHINGTON DC 20016	AMERICAN UNIVERSITY STUDENT CONFEDERATION		
STOVALL SPRADLIN ARMSTRONG & ISRAEL, 1819 H STREET, NW, #700 WASHINGTON DC 20006	COMMISSION ON FUTURE POLITICAL STATUS & TRANSITION	5,000.00	47.00
PAULA STRAUSS, 4301 MASSCHUSETTS AVENUE, NW, #4012 WASHINGTON DC 20016	AMERICAN UNIVERSITY STUDENT CONFEDERATION		
W. MELVIN STREET, SUITE 400 1627 K STREET, NW WASHINGTON DC 20006	NATIONAL NEWSPAPER ASSN		
RICHARD H. STREETER, 1729 H STREET, NW WASHINGTON DC 20006	CAST NORTH AMERICA LTD.		
GEORGE W. STRONG, 2242 BARTLETT HOUSTON TX 77098	HOUSTON NATURAL GAS CORP		
GEORGE STRUMPF, 624 9TH ST., NW, 7TH FL. WASHINGTON DC 20001	GROUP HEALTH ASSOCIATION OF AMERICA, INC.		
SULLIVAN & WORCESTER, 1025 CONNECTICUT AVE., NW WASHINGTON DC 20036	MARION LABORATORIES, INC.	5,755.00	400.00
JUDY M. SULLIVAN, 1120 20TH STREET, NW, #700 WASHINGTON DC 20036	WILLIAMS COMPANIES		
MARY BETH SULLIVAN, 923 15TH ST., N.W. WASHINGTON DC 20005	TRANSPORTATION INSTITUTE	3,000.00	
SUTHERLAND ASBILL & BRENNAN, 1666 K STREET, NW, #800 WASHINGTON DC 20006	ACACIA GROUP	14,837.50	366.29
Do	ASSOCIATION OF BUSINESSES ADVOCATING TARIFF EQUITY		
Do	ATLANTA LIFE INSURANCE COMPANY		
Do	BLANCHARD VALLEY HOSPITAL		
Do	COUNCIL OF INDUSTRIAL BOILER OWNERS		
Do	CECIL B. DAY COMPANIES		
Do	INDUSTRIAL OIL CONSUMERS GROUP		
Do	PROCESS GAS CONSUMERS GROUP		
DAVID L. SWANSON, CRAFT & RICHARDS 1050 THOMAS JEFFERSON ST., NW, 6TH FL. WASHINGTON DC 20007	ALLIS-CHALMERS ENERGY & MINERALS SYSTEMS CO		
Do	CONSUMERS UNITED FOR RAIL EQUITY (C.U.R.E.)		
ROSEMARIE SWEENEY, SUITE 770 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN ACADEMY OF FAMILY PHYSICIANS	2,218.74	1,086.87
SWIDLER BERLIN & STRELOW, CHTD, 1000 THOMAS JEFFERSON ST., NW #500 WASHINGTON DC 20007	AIRCO, INC.		
Do	AMERICAN HOECHST CORPORATION	800.00	
Do	LUCASFILM, LTD.		
Do	NATIONAL COUNCIL OF COMMUNITY HOSPITALS	1,190.00	
SCOTT R. SWIRLING, SUITE 380 122 C ST., NW WASHINGTON DC 20001	NATIONAL FAMILY PLANNING & REPRODUCTIVE HEALTH ASSN, INC		8.00
Z. MICHAEL SZAZ, 6415 FRANCONIA COURT SPRINGFIELD VA 22150	EMBASSY OF THE DEMOCRATIC REPUBLIC OF SOMALIA		
Do	OFFICE OF THE TURKISH STATE OF NORTH CYPRUS	28,890.82	1,268.02
JULIE TANG, 100 MARYLAND AVENUE, NE WASHINGTON DC 20002	PEACE POLITICAL ACTION COMM	2,487.72	
LINDA TARR-WHELAN, 1201 16TH ST., NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN	1,375.00	31.50
WILLIAM S. TAYLOR, 239 W. NEW YORK AVENUE LAS VEGAS NV 89107			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
JOSEPH L. S. TERRELL, 1800 MASSACHUSETTS AVENUE, NW, #604 WASHINGTON DC 20036	FARM CREDIT COUNCIL		
THACHER PROFFITT & WOOD, SUITE 512 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036	AMERICAN SAVINGS BANK, FSB		
Do	TOLLAND BANK		
MARY KAY THATCHER, 600 MARYLAND AVENUE, SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	3,958.33	58.19
RANDI PARKS THOMAS, 1101 17TH STREET, NW, #603 WASHINGTON DC 20036	TUNA RESEARCH FOUNDATION, INC	779.12	
BARBARA THOMPSON, 1828 L STREET, NW WASHINGTON DC 20036	COOPERATIVE LEAGUE OF THE U.S	80.00	
THOMPSON HINE & FLORY, 1920 N ST., NW, #700 WASHINGTON DC 20036	GREAT WESTERN SUGAR CO		
SAMUEL C. THOMPSON JR., SCHIFF HARDIN & WAITE 1101 CONNECTICUT AVENUE, NW, #600 WASHINGTON DC 20036	CHIAGO BOARD OPTIONS EXCHANGE, INC		
TERENCE H. THORN, SUITE 919 1700 NORTH MOORE STREET ARLINGTON VA 22209	HOUSTON NATURAL GAS CORP	163.45	
HAROLD A. THORNTON & ASSOCIATES, 1301 15TH STREET, NW, #818 WASHINGTON DC 20005	AMERICAN FED OF GOVERNMENT EMPLOYEES, LOCAL 2677		
Do	COMMITTEE TO IMPROVE PUBLIC SCHOOL LIBRARIES		
GIL THURM, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS		
GARY G. TIMMONS, 1201 16TH STREET, NW WASHINGTON DC 20036	NATIONAL EDUCATION ASSN		
DAVID R. TOLL, SUITE 1100 1111 19TH STREET, NW WASHINGTON DC 20036	WESTERN UTILITIES CLEAN AIR GROUP		
TOTAL PETROLEUM, INC, 999 18TH STREET, SUITE 2201 DENVER CO 80202			
JAY C. TOWNLEY, 1856 NORTH KOSTNER AVENUE CHICAGO IL 60639	SCHWINN BICYCLE CO		
THOMAS J. TRABUCCO, 1533 NEW HAMPSHIRE AVENUE, NW WASHINGTON DC 20036	NATIONAL ASSN OF RETIRED FEDERAL EMPLOYEES	8,324.00	10.00
RICHARD L. TRACHTMAN, SUITE 500 1101 VERMONT AVE. NW WASHINGTON DC 20005	AMERICAN SOC OF INTERNAL MEDICINE	2,384.21	261.25
TRANSPORTATION INSTITUTE, 923 15TH ST., NW WASHINGTON DC 20005			17,443.48
TRUST FOR PUBLIC LAND, 82 SECOND ST. SAN FRANCISCO CA 94105			9,328.00
TUCKER & VAUGHT, WESTERN FEDERAL SAVINGS BLDG., #1330 718 17TH ST. DENVER CO 80202	AMERICAN IRON & STEEL INSTITUTE		
JON R. TUMLER, 1110 VERMONT AVENUE, NW, #1075 WASHINGTON DC 20005	PUBLIC SECURITIES ASSN	6,875.00	11,453.72
TUNA RESEARCH FOUNDATION, INC, 1101 17TH ST., NW WASHINGTON DC 20036		1,251.66	2,440.40
WILLIAM J. TURENNE, 1901 L STREET, NW WASHINGTON DC 20036	ELI LILLY AND COMPANY	3,000.00	30.50
TURNER BROADCASTING SYSTEM, INC, 1140 CONNECTICUT AVE., NW WASHINGTON DC 20036			10,075.85
MAX TURNIPSEED, 1155 15TH STREET, NW, #611 WASHINGTON DC 20005	ETHYL CORP	2,025.00	425.61
W. GLENN TUSSEY, 600 MARYLAND AVE., SW WASHINGTON DC 20024	AMERICAN FARM BUREAU FED	8,424.99	10.80
A. RAY TYRRELL, 655 15TH ST., NW WASHINGTON DC 20005	ATLAS CORPORATION		
U.S. COMMITTEE FOR THE OCEANS, ROUTE 2 ARARAT VA 24053			
GILMAN UDELL, 1750 NEW YORK AVENUE, NW WASHINGTON DC 20006	INTERNATIONAL ASSN OF FIRE FIGHTERS	3,000.00	
LEWIS K. UHLER, 500 N. WASHINGTON ST., #201 FALLS CHURCH VA 22046	NATIONAL TAX LIMITATION COMMITTEE		
ULLMAN CONSULTANTS, INC, 1000 POTOMAC ST., N.W. SUITE 302 WASHINGTON DC 20007	MERCK & CO., INC	10,000.00	
Do	U.S. LEAGUE OF SAVINGS ASSOCIATIONS	7,500.00	
RONALD D. UTT, 1615 H STREET, NW WASHINGTON DC 20062	CHAMBER OF COMMERCE OF THE U.S	578.00	132.85
R. THOMAS VAN ARSDALL, 1800 MASSACHUSETTS AVE., NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES		
JOHN A. VANCE, 1050 17TH ST., NW, #1180 WASHINGTON DC 20036	PACIFIC GAS & ELECTRIC CO	642.50	355.23
JOHN P. VENNERS, 1899 L ST., NW, #1250 WASHINGTON DC 20036	VENNERS & CO (FOR: KOCH INDUSTRIES)		
JOSPEH T. VENTURA ENTERPRISES, INC, 1725 K STREET, NW, #401 WASHINGTON DC 20006	NATIONAL FOOTBALL LEAGUE		
VERNER LIIPFERT BERNHARD MCPHERSON & HAND, CHTD, 1660 L STREET, NW, #1000 WASHINGTON DC 20036	BROWN & ROOT, INC	1,200.00	
Do	INTERNATIONAL ANTICOUNTERFEITING COALITION		
Do	JOHN D. & CATHERINE T. MACARTHUR FOUNDATION		
Do	JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS	2,600.00	
Do	LEVI STRAUSS & CO		
Do	ORION SATELLITE CORP	1,100.00	
Do	PUERTO RICO FEDERAL AFFAIRS ADMINISTRATION	8,500.00	
Do	TRAVELERS CORP		
DAVID P. VIENNA JR., 510 C ST., NE WASHINGTON DC 20002	HORSEMEN'S BENEVOLENT & PROTECTIVE ASSN		
Do	INTERNATIONAL ASSN OF AMUSEMENT PARKS & ATTRACTIONS		
Do	NATIONAL ASSN OF CREDIT MANAGEMENT		
MICHAEL F. VIGIL JR., 900 THIRD AVENUE NEW YORK NY 10022	INTERNATIONAL GOLD CORPORATION LIMITED		
VOLUNTEERS TRUSTEES OF NOT-FOR-PROFIT HOSPITALS, 1625 EYE ST., NW WASHINGTON DC 20006		3,166.67	
VORYS SATER SEYMOUR & PEASE, 1828 L STREET, NW, #1111 WASHINGTON DC 20036	OHIO MFRS ASSN	1,875.00	1,600.51
Do	PITTSBURGH & LAKE ERIE RAILROAD CO	4,964.55	541.38
WAGNER & BARODDY, INC, 1100 17TH STREET, NW, #804 WASHINGTON DC 20036	AMERICAN BUS ASSN		
Do	CHICAGO AND NORTHWESTERN RAILROAD	4,300.00	2,121.25
Do	E-SYSTEMS		
Do	JARTRAN, INC		
Do	LANIHAU CORPORATIONS		
Do	LONG ISLAND TRUST COMPANY	500.00	364.06
Do	MOBIL CORP		
Do	NATIONAL BEER WHOLESALERS OF AMERICA	1,593.75	1,001.10
Do	NATIONAL DEBT REPAYMENT FOUNDATION	468.75	79.81
Do	UNITED NATIONS EDUCATIONAL SCIENTIFIC & CULTURAL ORGAN		
JOHN A. WAITS, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	FARM CREDIT COUNCIL		
WALD HARKRADER & ROSS, 1300 19TH ST., NW WASHINGTON DC 20036	JAPAN IRON & STEEL EXPORTERS' ASSN		
CHARLS E. WALKER ASSOCIATES, INC, 1730 PENNSYLVANIA AVE., NW WASHINGTON DC 20006	NETHERLANDS ANTILLES		
MARTIN A. WALL, 1025 VERMONT AVENUE, NW, #800 WASHINGTON DC 20005	AMERICAN OSTEOPATHIC HOSPITAL ASSN	1,725.00	470.00
R. DOUGLAS WALLIN JR , 1235 JEFFERSON DAVIS HWY. ARLINGTON VA 22202	EMERSON ELECTRIC CO		216.06
WASHINGTON GAS LIGHT CO, 1100 H ST., NW WASHINGTON DC 20080			4,519.63
WASHINGTON OFFICE ON AFRICA, 110 MARYLAND AVE., NE WASHINGTON DC 20002		54,575.64	50,570.25
KENNETH W. WATSON, 900 THIRD AVENUE NEW YORK NY 10022	INTERNATIONAL GOLD CORPORATION LIMITED		
WEBSTER CHAMBERLAIN & BEAN, 1747 PENNSYLVANIA AVE., NW, #1000 WASHINGTON DC 20006	COLT INDUSTRIES, INC		
Do	MILLER BREWING COMPANY	2,100.00	100.00
Do	MUTUAL PROTECTION TRUST	6,800.00	
Do	NATIONAL GUARD ASSN OF THE U.S		
THEODORE F. WEIHE, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	U.S. OVERSEAS COOPERATIVE DEVELOPMENT COMMITTEE		
NANCY WEINBERG, SUITE 1210 1667 K ST., NW WASHINGTON DC 20006	ROHM AND HAAS COMPANY	500.00	
WELLFORD WEGMAN GOLD & HOFF, 1775 PENNSYLVANIA AVE., NW, #450 WASHINGTON DC 20006	AMERICAN IRON & STEEL INSTITUTE	7,500.00	
WILLIAM B. WELSH, 1625 L ST., NW WASHINGTON DC 20036	AMERICAN FED OF STATE COUNTY & MUNICIPAL EMPLOYEES	17,238.90	128.39
WHITE FINE & VERVILLE, SUITE 1100 1156 15TH ST., NW WASHINGTON DC 20005	CENTRAL HUDSON GAS & ELECTRIC CORP		
WICKWIRE LEWIS GOLDMARK & SCHOOR, 500 MAYNARD BLDG. SEATTLE WA 98104	PUBLIC HEALTH HOSPITAL PRESERVATION & DEVELOPMENT AUTHORITY		
Do	STATE OF ALASKA, TRANSPORTATION SECTION		
WILKINSON BARKER KNAUER & QUINN, 1735 NEW YORK AVE., NW WASHINGTON DC 20006	BONNEVILLE INTERNATIONAL CORP	7,797.50	106.98
Do	CONFEDERATED SALISH & KOOTENAI TRIBES OF THE FLATHEAD RES		
Do	MANVILLE CORPORATION	2,908.00	1,212.96
Do	MOUNTAIN STATES TELEPHONE CO	5,782.20	96.97
Do	NANA REGIONAL CORP, INC		
Do	NORTHWESTERN BELL TELEPHONE CO	5,782.20	96.98
Do	PACIFIC NORTHWEST BELL TELEPHONE CO	5,782.20	96.97
Do	J.C. PENNEY CO, INC	18,540.00	684.08
Do	SHEE ATIKA, INC		
Do	U.S. WEST, INC	5,782.20	96.97
WILLIAMS & JENSEN, P.C., 1101 CONNECTICUT AVE., NW WASHINGTON DC 20036	ALAMO CEMENT COMPANY		
Do	AMERICAN HOME PRODUCTS	125.00	20.77
Do	AMERICAN HOSPITAL ASSN	800.00	41.52
Do	AMERICAN PHYSICAL THERAPY ASSN		
Do	BRISTOL-MYERS		20.77
Do	CENTURY 21 REAL ESTATE CORP		
Do	CIGNA		
Do	COM DISCO, INC		
Do	COMMITTEE FOR EMPLOYMENT OPPORTUNITIES		
Do	COMMITTEE FOR PRUDENT DEREGULATION		
Do	CUSATI/HEISE PARTNERSHIP		
Do	D'ANCONA & PFLAUM		
Do	DESIGN PROFESSIONALS COALITION		
Do	ESTEE LAUDER, INC		
Do	FEDERATION FOR AMERICAN IMMIGRATION REFORM		84.36
Do	FIRST BANK SYSTEMS, INC		
Do	FIRST BOSTON CORP		10.38
Do	FIRST DATA		31.14
Do	FREIGHT FORWARDERS INSTITUTE		
Do	GENERAL ELECTRIC CO		
Do	GENERAL PORTLAND, INC		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	GIFFORD-HILL & COMPANY, INC		
Do	HIGHER EDUATION ASSISTANCE FOUNDATION		
Do	HOFFMAN-LA ROCHE		20.77
Do	HOUSTON ENDOWMENT, INC		
Do	IU INTERNATIONAL MANAGEMENT CORP	285.00	103.81
Do	JOHNSON & JOHNSON		20.77
Do	KAISER CEMENT CORPORATION		
Do	KELLOGG COMPANY		
Do	KELLY, APPLEMAN, HART & HALLMAN		
Do	KRAUSE MILLING CO		
Do	MERCK & CO		20.77
Do	MONOLITH PORTLAND CEMENT COMPANY		
Do	MUSTANG FUEL CORPORATION		
Do	NATIONAL ASSN OF WATER COS	800.00	103.81
Do	NATIONAL CABLE TELEVISION ASSN, INC	145.00	31.14
Do	NATIONAL OFFICE MACHINE DEALERS ASSN		
Do	NATIONAL SOFT DRINK ASSN		
Do	NATIONWIDE INSURANCE COMPANIES	1,520.96	
Do	PARALYZED VETERANS OF AMERICA		
Do	PROCTER & GAMBLE		20.77
Do	RECORDING INDUSTRY OF AMERICA, INC	100.00	20.77
Do	SCHERING-PLOUGH CO		20.77
Do	SOUTHLAND ROYALTY CO		
Do	SOUTHWESTERN PORTLAND CEMENT COMPANY		
Do	SQUIBB CORPORATION		20.77
Do	STUDENT LOAN MARKETING ASSN	240.00	41.52
Do	TEXACO, INC		
Do	TEXAS AIR CORP	600.00	94.73
Do	U.S. TELEPHONE COMMUNICATIONS, INC		
Do	UNIVERSAL FOODS , INC		
Do	UNIVERSITY OF MICHIGAN HOSPITALS		
Do	USAA FINANCIAL SERVICE CO	2,773.20	6.49
Do	WILKIE FARR & GALLAGHER		
DAVID W. WILMOT, 1029 VERMONT AVNEUE, NW WASHINGTON DC 20005	ANHEUSER-BUSCH COS	2,653.89	91.55
H. GRAHAM WILSON, 1330 BURLINGTON STREET EAST/BOX 460 HAMILTON ONTARIO L8N 3J5 CANADA	DOFASCO, INC		
RONALD J. WILSON, 1800 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20036	NATIONAL COUNCIL OF FARMER COOPERATIVES	30.00	
WINDELS MARX DAVIES & IVES, 51 W. 51ST STREET NEW YORK NY 10019	SOLITRON DEVICES, INC		
JOSEPH B. WINKELMANN, 777 14TH ST., NW WASHINGTON DC 20005	NATIONAL ASSN OF REALTORS	2,500.00	1,002.79
JAMES W. WISE, DAVID VIENNA & ASSOCIATES 510 C STREET, NE WASHINGTON DC 20002	HORSEMEN'S BENEVOLENT & PROTECTIVE ASSN		
Do	INTERNATIONAL ASSN OF AMUSEMENT PARKS & ATTRACTIONS		
SIDNEY M. WOLFE, 2000 P ST., NW, #708 WASHINGTON DC 20036	HEALTH RESEARCH GROUP		
WOMEN AGAINST MILITARY MADNESS POLITICAL ACTION COMM (WAMM) , 3255 HENNEPIN AVENUE MINNEAPOLIS MN 55408.			
DIANE WOODRUFF, SUITE 228 1346 CONNECTICUT AVE., NW WASHINGTON DC 20036	ASSOCIATION OF URBAN UNIVERSITIES	2,077.07	
FREDERICK S. WYLE, ONE MARITIME PLAZA, #2500 SAN FRANCISCO CA 94111	FEDERATED STATES OF MICRONESIA		
WYMAN BAUTZER ROTHMAN KUCHEL & SILBERT, SUITE 580 600 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20037	AMERICAN BOILER MANUFACTURERS ASSN, INC		
Do	BRISTOL BAY NATIVE CORP		
Do	EKLUTNA, INC		
Do	FILMWAYS, INC		
DAVID V. YADEN, 1730 M STREET, NW, #904 WASHINGTON DC 20036	NERCO, INC	500.00	
NANCY FOSTER YANISH, 1750 K STREET, NW WASHINGTON DC 20006	FOOD MARKETING INSTITUTE	200.00	
STEVEN S. ZALEZNICK, 1909 K ST., NW WASHINGTON DC 20049	AMERICAN ASSN OF RETIRED PERSONS	578.85	
DONALD ZARIN, BLUM NASH & RAILSBACK 1015 18TH STREET, NW WASHINGTON DC 20036	GETTY NORTHEAST JOBBERS & DISTRIBUTORS ASSN		
DENIS R. ZEGAR, 201 PARK WASHINGTON COURT FALLS CHURCH VA 22046	NATIONAL-AMERICAN WHOLESALE GROCERS' ASSN	3,000.00	
RONALD L. ZIEGLER, 1199 N. FAIRFAX STREET, #801 ALEXANDRIA VA 22314	NATIONAL ASSN OF TRUCK STOP OPERATORS, INC	250.00	
MICHAEL J. ZIMMER, WICKWIRE, GAVIN & GIBBS 1819 L STREET, NW, #700 WASHINGTON DC 20036	CLEAN COAL COALITION, INC		
Do	CONSOLIDATED NATURAL GAS CO		
MELINDA M. ZIMMERMAN, 1730 RHODE ISLAND AVENUE, NW, #200 WASHINGTON DC 20036	NATURAL GAS SUPPLY ASSN	7,500.00	354.10
KENNETH ZINN, 1837 WYOMING AVENUE, NW WASHINGTON DC 20009	WASHINGTON OFFICE ON AFRICA	3,560.68	
ZIONTZ PIRTLE MORRISSET ERNSTOFF & CHESTNUT, METROPOLITAN PARK, 16TH FLOOR 1100 OLIVE WAY SEATTLE WA 98101.	CONFEDERATED TRIBES OF THE COLVILLE INDIAN RESERVATION		
Do	HOOPA VALLEY TRIBE		
Do	INUPIAT COMMUNITY OF THE ARCTIC SLOPE		
Do	MAKAH INDIAN TRIBE		
Do	METLAKATLA INDIAN COMMUNITY		
Do	MILLE LACS BAND OF CHIPPEWA INDIANS		
Do	NORTHERN CHEYENNE INDIAN TRIBE		
Do	TULALIP INDIAN TRIBE		
Do	UKPEAGVIK INUPIAT CORPORATION		
13TH CONGRESSIONAL DISTRICT ACTION COMM, 6714 MT. PAKRON DR. SAN JOSE CA 95120		21.00	95.38

SENATE—*Tuesday, May 7, 1985*

(Legislative day of Monday, April 15, 1985)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

The prayer this morning is a litany which I heard at a conference with great blessing:

Lord, You have told us that the poor in spirit are happy, but we think of ourselves as rich and have not turned to You with empty hands and hearts.

You have told us that those who mourn are happy, but we have rarely had even thoughts of repentance, while we shed tears over the loss of our own good fortune.

You have told us that the meek are happy, but we have grown proud of our achievements and bitter about anything that blocks our desires.

You have told us that those who are hungry and thirsty for justice are happy, but we have been more concerned about justifying ourselves and our activities.

You have told us that the merciful are happy, but we have not been able to forgive our fellow men in spite of the fact that You have forgiven all our trespasses.

You have said that the single-minded are happy, but our purposes are still divided, our thoughts and our desires mixed in all kinds of selfish ways.

You have told us that the peacemakers are happy, but we have not been agents of reconciliation because we have been at war with ourselves and with each other.

You have told us that those who are persecuted for the sake of justice are happy, but we have preferred comfort and security to justice and have made our compromises with injustice.

Lord, have mercy and forgive. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished majority leader is recognized.

SCHEDULE

Mr. DOLE. Mr. President, under the standing order, the leaders have 10 minutes each, to be followed by special orders, not to exceed 15 minutes each, for the distinguished Senator from Wisconsin [Mr. PROXMIRE] and the distinguished Senator from New York [Mr. MOYNIHAN].

Following that, there will be morning business, not to extend beyond 10 a.m., to be followed by the budget resolution. The pending amendment is No. 56, offered by Senator ABDNOR.

At 12 noon, the Senate will stand in recess until 2 p.m. Following the recess, the Senate will resume consideration of the budget resolution.

At approximately 4 p.m., it will be the intention of the majority leader to turn to the consideration of S. 484, the Saccharin Labeling Act—under a time agreement, it is hoped. Rollcall votes related to that matter can be expected to occur after 4 p.m. today.

Following S. 484, or the budget resolution, if unanimous consent cannot be granted for consideration of S. 484, the following Senators will be recognized for not to exceed 15 minutes each, for special orders: Mr. DURENBERGER, Mr. PRESSLER, Mr. COCHRAN, and Mr. ANDREWS.

Mr. President, I ask unanimous consent that those special orders be under the control of Senator DURENBERGER.

The PRESIDING OFFICER (Mr. EVANS). Without objection, it is so ordered.

Mr. DOLE. Mr. President, I am reminded that we still have 13 hours and 37 minutes on the resolution. It is hoped that we can use up at least 4 hours of that today—perhaps a bit more. Tomorrow, we will also be faced with a shorter day, and that probably would be another 4 or 4½ hours. So that by Thursday, we should be somewhere between 5 or 6 hours remaining.

It is the hope of the leadership on each side that we might dispose of this budget resolution on Thursday. It probably would be late on Thursday, if that should happen. I hope that Members will make those arrangements, if it should happen, so that there will not be any last-minute misunderstanding. It seems to me likely that we will be here late on Thursday night.

We have checked on this side, and Friday appears to be a disaster so far as doing business is concerned, because we are in the commencement season, and many Senators are scheduled to speak at commencement exercises where their children or grandchildren are involved.

At this point, it does not seem to me that we can do much business on Friday. We are continuing to check, and I will advise the minority leader as soon as I can after the policy luncheon today, and he can advise his colleagues. I understand that of 24 or 25 Senators checked, at least 10 will be participating in official business away from Washington.

I hope that today, after disposing of the Abdnor amendment, there might be a package from the other side—the Hollings amendment or the Chiles package, or whatever it might be—so that we might sort of focus on what the differences are on the Democratic side and the Republican side, so that, if at all possible, we can work out some bipartisan package that most Senators can support.

It has long been my public view that every Senator, regardless of party, is concerned about the deficit. I indicated last night that the Gallup Poll released on Sunday showed that 58 percent of the American people polled thought it was very serious, 23 percent thought it was fairly serious, 14 percent were undecided, and only 5 percent felt that the deficit did not make any difference.

I believe that is a reflection of the general attitude of the American people when they consider what happens if we do not face up to our responsibilities—whether it is higher interest rates, higher inflation, or more unemployment. The economy is in a state of flux right now where it could go either way.

It seems to me that if we are successful—and I hope it can be done in a bipartisan way as we finally dispose of this matter—then I believe we will see some positive indications reflected.

I have discussed with the distinguished minority leader my hope that we might have something from the democratic side; if not, I assume that there will be other amendments. But before we dismantle the package further, I should like to see how much strength there is in other packages.

Mr. President, I reserve the remainder of my time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. Under the previous order, the minority leader is recognized.

THE BUDGET RESOLUTION

Mr. BYRD. Mr. President, I have listened with interest to the outline of the program by the distinguished majority leader.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

I anticipate that there will be amendments coming on this afternoon, and I feel that if we make every effort, we can complete action on this measure no later than the close of business on Thursday. I hope we will not have to go too late on Thursday. After the Democratic conference today, I will be glad to talk with the majority leader about things as we see them on this side of the aisle.

The distinguished majority leader has made reference to Friday and to the beginning of the commencement season. Does the distinguished majority leader anticipate rollcall votes on Friday?

Mr. DOLE. If our check continues to hold up, I doubt that we will have anything on Friday. It seems to me that nearly a third of the Senate are engaged in official duties away from Washington, and it might not be particularly fruitful to be in session. I will apprise the minority leader of that as soon as I can.

Mr. BYRD. I thank the distinguished majority leader.

May I ask this question: Should the Senate not complete action on the budget resolution by the close of business on Thursday, would it be the intention of the distinguished majority leader to proceed on the budget resolution on Friday, or would it be his plan to wait until Monday of next week?

Mr. DOLE. Based on the number of absentees on Friday, it would be my intention to wait until Monday of next week.

As the distinguished minority leader knows better than this Senator, once you start a week there always seems to be a way of using all of it.

So it is my hope, and I know it is shared by the distinguished minority leader, that we can complete action this week, because there are a number of other bills pending. We have the foreign affairs authorization, defense authorization, clean water; and those three items alone would probably take 7 or 8 legislative days.

Mr. BYRD. Which of those items could the distinguished majority leader tell me would be the most likely to follow the action on the budget resolution?

Mr. DOLE. I would guess at this moment, the foreign affairs authorization. I have spoken with the distinguished chairman. He believes that they can work out some arrangement on each side where they could restrain the number of amendments, maybe reach a time agreement; but that would be the best bet at this time.

Mr. BYRD. I thank the distinguished majority leader. Perhaps he and I could visit briefly before our respective conferences today, and I will look forward to that.

Mr. President, I ask unanimous consent that I may reserve the remainder of my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME LIMITATION AGREEMENT—S. 484

Mr. DOLE. Mr. President, I understand we are now prepared to agree on a time agreement on Calendar No. 85, S. 484, the so-called Saccharin Study and Labeling Act.

Therefore, I ask unanimous consent that at 4 p.m. on Tuesday, May 7, 1985, the Senate turn to the consideration of Calendar No. 85, S. 484, Saccharin Study and Labeling Act, it be considered under the following time agreement:

Two hours total on the bill and amendments, to be equally divided between the chairman of the Labor Committee and the Senator from Ohio [Mr. METZENBAUM], or their designees;

That no amendments be in order with the exception of the committee reported amendment and an amendment to be offered by the Senator from Ohio [Mr. METZENBAUM], dealing with the quantitative labeling of aspartame on soft drink containers, and that the Senator from Ohio have the right to modify his amendment on the same subject;

That no motions, appeals, or points of order be in order;

And that the agreement be in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin [Mr. PROXMIRE] is recognized for not to exceed 15 minutes.

GOVERNOR DEUKMEJIAN SPEAKS OUT

Mr. PROXMIRE. Mr. President, at a press conference on April 24, George Deukmejian, the Governor of the State of California, made a moving, powerful plea for American involvement in the prevention of genocide and human rights abuses.

Governor Deukmejian, who is himself an Armenian-American, ordered all the flags over the State buildings in California be flown at half-mast to honor all victims of genocide and especially the 1.5 million Armenians who were massacred in 1915. The Governor is also a leading spokesman for the movement to declare April 24 as a "National Day of Remembrance of Man's Inhumanity to Man."

Pointing to the brutal 30-year pattern of the killing of the Armenians in 1915, the Jews in the 10 years or so preceding 1945, and the Cambodians up until 1975, Governor Deukmejian called for a National Remembrance Day. He said: "If the world had not been indifferent, if the world had not let it happen to the Armenians in 1915, perhaps we wouldn't have had these further genocides. We must remember. We must speak out."

The Governor likened the racial oppression of the blacks in South Africa and the atrocities committed by the Russians in Afghanistan to a contemporary form of genocide, and he spoke of America's responsibility to promote human rights. Deukmejian said: "As the freest and strongest nation, we must continue to be a shining example of justice and tolerance for the entire world. We cannot bury our heads in the sand or turn our backs on those who are enslaved. We must bring light and hope to even the darkest dungeons of the world."

Mr. President, this body has the ability to demonstrate and promote America's committment to fight for justice and tolerance. By ratifying the Genocide Convention, we can demonstrate the U.S. commitment to the fight for human rights. Governor Deukmejian has warned, "Without an involved America, the sorry history of this century will go on repeating itself."

It is up to the Senate to prevent his gloomy forecast from coming true. The time has come for us to ratify the convention. In the words of Governor Deukmejian, "We must speak out against terror and stand up for freedom."

ARMS CONTROL: THE LONG RANGE SOLUTION TO FEDERAL DEFICITS

Mr. PROXMIRE. Mr. President, one simple, practical appeal of arms control is that it saves money. At a time when we are running the biggest and most irresponsible Federal Government deficits in the history of our country, any policy that promises to reduce that deficit enjoys a big advantage to begin with. Arms control does that. Let us face it, we compete in military spending with only one adversary: The Soviet Union. Again and again throughout the years and through many administrations representing both political parties, the Defense Department has successfully justified increased military spending for one reason: We must not fall behind the Soviet Union. In the nearly 28 years this Senator has spent in this body, I cannot remember another consistent argument made by a President or Secretary of Defense for more military spending than to catch up with or match or stay ahead of the Russians. Of course, even the Defense Secretaries have not argued that the United

States must match the Soviet Union precisely missile for missile or fighter plane for fighter plane. But they argue that if the Soviet Union is allowed to build a decisive military advantage over this country in warmaking capability, the United States will be in danger.

The Defense Department has successfully sold Congress on the necessity for appropriating money to meet this Soviet threat. Over the past 25 years, the Soviets have certainly built up their military power. So have we. The arms race has rushed ahead. In the process our efforts to keep pace or move ahead of the Soviet Union have greatly aggravated our Federal deficits. Now we are on the brink of sharply speeding up the arms race spending by moving the military competition into defense against nuclear attack. The research for that defense, or star wars, will more than double this year if Congress agrees with the President. Spending will go to $3.7 billion in 1986. It will leap ahead in each year into the 1990's, and that is just for research. In the early 1990's the real spending for star wars will start and then, if we include the necessary look down, shoot down supplement of an ABM defense along with the production and deployment of star wars hardware we can expect spending in the hundreds of billions of dollars for years to come.

Keep in mind that U.S. spending for nuclear weapons in recent years has been about $45 billion per year. The star wars strategy will triple or quadruple this single segment of the Defense Department's budget. Meanwhile, as usual, the Russians will want to match our star wars spending by building their own antiballistic missile defense, and sharply stepping up their nuclear weapons offense.

Can any Senator be so naive as to believe that any American administration or any American Congress will permit the Russians to so easily nullify our massive nuclear deterrent? Of course not. So the hundreds of billions we will spend for nuclear weapons defense will have to be supplemented by spending billions more for new refinements in our nuclear missile offense so we overcome the Soviet defense.

Will all this spending bring us greater security, greater assurance that we can avoid nuclear war? Of course not. On the contrary, the dazzling new defensive and offensive nuclear weapons systems established by the two superpowers will create even greater instability and increased reliance on fallible computers and more complex and, therefore, more error prone command and control systems. Somewhere, someone, sometime is more than likely to make the mistake that sets off world war III.

Now, some can argue that this is all speculative. Technology may not take us down a more dangerous path. It may lead us to a more stable, safer world. Of course that is possible. No one knows. The one thing we do know for sure is that this arms race will greatly increase the problems of our national deficit and national debt. Unlike Federal spending that improves the health, training, and skill of our people or that improves the efficiency of our agriculture and industry, military spending is, as President Eisenhower warned so eloquently, a dead weight. It squanders the genius of our scientists, the sweat of our laborers, the hopes of our children. In Eisenhower's words:

> This is not a way of life . . . under the cloud of war, it is humanity hanging from a cross of iron.

And this, Mr. President, is why arms control offers the only sensible alternative. Of course, any arms control agreement with the Soviet Union is risky. We are not dealing with Mother Theresa or Mahatma Ghandi. We are dealing with tough, hardheaded Communists who have ravaged Hungary, East Germany, and now Afghanistan. But they are not suicidal. They have at least as much to gain from an arms control agreement that both superpowers abide by as the United States. Indeed the Soviet Union probably suffers even more than we do from the diversion of its resources into military spending.

Now, Mr. President, there is only one prime prerequisite for an effective arms control agreement. It is that both parties to the agreement gain from it. That is emphatically true of an agreement that stops the arms race cold—including ending star wars as well as sharply reducing offensive nuclear arsenals on both sides, and above all stops the testing of all nuclear weapons.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ABDNOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NICKLES). Without objection, it is so ordered.

VITIATION OF ORDER FOR RECOGNITION OF SENATOR MOYNIHAN

Mr. ABDNOR. Mr. President, I ask unanimous consent that Senator MOYNIHAN's 15-minute special order be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business not to extend beyond the hour of 10:25 a.m., with statements therein limited to 5 minutes each.

RECOGNITION OF HELSINKI HUMAN RIGHTS DAY

Mr. DOLE. Mr. President, the Helsinki accords, signed more than 9 years ago, were designed to enhance European security through trade, cultural exchanges and the relaxing of military tensions. But, equally important, the accords recognized our overriding concern for guaranteeing basic human rights to all the peoples of Europe.

Today, the 35 signatories of the accords—33 European nations, the United States, and Canada—will begin meeting in Ottawa, Canada to discuss what progress has been made in attaining the goals of the accords.

Those who drafted and signed the accords clearly recognized the connection between a nation's willingness to allow its civilians personal freedom and its willingness to deal openly and fairly with all the nations of the world. Unfortunately, there are still some countries that ignore that relationship. And as a result, the reality for thousands of Europeans is the denial of basic human rights.

As the former cochairman of the Commission on Security and Cooperation in Europe, I am very familiar with many Soviet infractions of the Helsinki Final Act. The Soviet Union continues to violate the accords by its ruthless actions in Afghanistan, and by its relentless abuse of those who attempt to seek human rights within its own boundaries. Members of the Moscow, Ukrainian, Lithuanian, Armenian, and Georgian Helinski Monitoring Group, for instance, are still subjected to mistreatment. And the emigration of Soviet Jews is still severely restricted.

Senator ALFONSE D'AMATO will be leaving for Ottawa later this week to participate in the meetings. It is my hope, and I'm certain the hope of everyone who cherishes the fundamental freedoms we in the United States enjoy, that this meeting will lead to a reversal of the status quo. That those who represent the 35 Helinski accord nations will be able to find means for insuring that the peoples of the world now oppressed are freed from the fear of retribution for acts we take for granted—the practice of religion, speaking or writing without constraint.

The reconvening of representatives of nations that signed the Helsinki accords is a fitting time to remember those who continue to suffer persecution. And it is a fitting time to once again, commit ourselves to the task of seeing to it that the provisions of the

Helsinki Final Act become more than just words on paper.

DRUG LINK SEEN IN DISAPPEARANCE OF TWO AMERICANS

Mrs. HAWKINS. Mr. President, I would like to know who is really in charge in Mexico. After reading a Washington Post article of April 25, entitled "Drug Link Seen in Disappearance of Two Americans," I think we can conclude that the drug dealers have complete run of the land in this troubled nation.

We are all aware of the incipient violence in the worlds of drug warloads like Rafael Caro Quintero, but the gratuitous brutality of the incident described in this article is still shocking. In January 1985, two young Americans, John Walker and Alberto Radelat, walked into a private party in a restaurant in Guadalajara, Mexico, and they have not been seen since. As the author of the Post article says, "It was the wrong party to interrupt," because a short time later, according to eyewitness accounts, the two young Americans had been mercilessly beaten by Quintero's henchmen, and then repeatedly stabbed with knives and ice picks for over half an hour by Quintero himself.

It is assumed that Quintero and his men murdered these young men because they were mistakenly thought to be informants of the U.S. Drug Enforcement Administration. Unfortunately, killing DEA agents is nothing new for Quintero. He was responsible for the kidnapping and murder of Enrique Camarena Salazar, the DEA agent whose body was found, along with that of his pilot, a part-time DEA agent, in Mexico earlier this year. Quintero has since boasted of this brutal slaying.

Obviously irritated by escalating DEA efforts to crack-down on Mexican narcotics trafficking since Camarena's abduction and murder, Quintero and his peers have most recently "acted with extreme violence against people from the United States because of investigations by the DEA."

There have been numerous disappearances of Americans living in or visiting Mexico in the recent past, and what happened to John Walker and Alberto Radelat convinces U.S. officials that narcotics traffickers are involved in more of these occurrences than previously thought. The disappearance of four Jehovah's Witnesses in Mexico last December is now considered to be a result of the work of narcotics traffickers who mistook them for DEA agents.

A near duplication of the horror of these young men's murder was the later experience of the Walker and Radelat families with Mexican law enforcement authorities. The total lack of cooperation, and effort, on the part of every official involved was a clear demonstration of the power exerted by Quintero and his fellow drug warlords.

Initial problems involved the inordinate delay involved in obtaining the statements from the eyewitnesses, who had been long willing to provide the necessary information. It had been acknowledged by a number of individuals in the area the night of the murder that the two young men had been seen entering the restaurant, but when eyewitness reports were provided, they seem to have gotten lost, permanently or temporarily, in the Mexican law enforcement system. The investigation was called, by both the victims' relatives and U.S. officials familiar with the case, "incomplete at best, and part of a cover up at worst." At one point, a Mexican state police officer virtually admitted to the widow of one of the young men that he could do little or nothing to help her. From the beginning of the investigation, which persisted only as a result of pressure from the victims' relatives, Mexican officials insinuated that the young men had been working for the DEA. Both the DEA and the victims' relatives deny such involvement.

Mr. President, Mexican drug law enforcement officials, and their Government in general, have got to recapture control of their own nation from the grip of the drug dealers, and I have said just this to numerous officials in Mexico City. The violence and fear that are a natural part of the narcotics traffickers' world are no longer limited only to them, but effect innocent citizens more each day. Enrique Camarena paid for the defense of his country's laws with his life, and John Walker and Alberto Redelat paid for their innocent mistake with theirs. The destructiveness of illicit narcotics trafficking is far-reaching, and now, because of Rafael Caro Quintero and people like him, it doesn't seem to be safe for Americans to visit the beautiful land of Mexico. Mr. President, until the Government of Mexico realizes just how much its authority has been undermined by these mass murderers, and takes the necessary corrective action, I think Americans should be warned that they, too, might be in danger from these traffickers in death and destruction.

Mr. President, I ask unanimous consent that the April 25, 1985, Washington Post article entitled "Drug Link Seen in Disappearance of Two Americans," be inserted in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TWO MISSING AMERICANS SAID TO FALL IN HANDS OF MEXICAN SUSPECT

(By Robert J. McCartney)

GUADALAJARA, MEXICO.—You can't eat at La Langosta restaurant here anymore. A seven-foot-high brick wall was erected to block the entrance last week.

But the doors were open on the night of Jan. 30, when two Americans walked in on a private dinner hosted by the restaurant's owner, according to Mexican officials who quoted recently obtained legal testimony. It was the wrong party to interrupt. The host was Rafael Caro Quintero, now imprisoned as one of Mexico's leading narcotics traffickers, and he and his gunmen apparently mistook the Americans for agents or informers of the U.S. Drug Enforcement Administration.

John Walker, 36, a would-be novelist from Minnesota, and Alberto Radelat, 32, a would-be dentist from Fort Worth, have not been seen since. Two restaurant employees have told police that the visitors were beaten, then stabbed repeatedly by Caro Quintero and his men.

Enrique Alvarez del Castillo, governor of Jalisco State, and an aide provided a description of the restaurant employees' statements, and this description was confirmed independently.

The account of what happened to Walker and Radelat has cast new light on a series of recent disappearances of U.S. citizens in this major Mexican city. Gov. Alvarez suggested that four Jehovah's Witnesses who disappeared in December also may have been abducted by narcotics traffickers who mistakenly thought they were working for the DEA.

Caro Quintero helped plan the kidnaping of a real DEA agent, Enrique Camarena Salazar, and of his Mexican pilot in Guadalajara a week after Walker and Radelat disappeared, according to Mexican police officials. Camarena and the pilot were found dead a month later, and the killings have led to a roundup of men thought to be leading narcotics dealers.

Walker, who had been living here for more than a year, was a Vietnam veteran who had been working on a novel that included information about drug smuggling. Radelat, who was visiting Walker, reportedly had boasted of his own drug use.

The restaurant manager and a waiter have told Mexican police that Caro Quintero's men first beat and kicked the two Americans in the restaurant's main dining room.

Then the Americans were dragged into a storage room, where Caro Quintero and eight of his men stabbed them with knives and ice picks for more than half an hour, the witnesses said. The restaurant's night watchman told police that he later found a large pool of blood in the storage room.

The manager and the waiter differed on how the Americans looked when they were taken from the restaurant. The manager thought that the Americans were unconscious and possibly dead when Caro Quintero and his group pulled jackets over the victims' heads, placed them in the back of a car and drove away. The waiter said instead that the Americans were led away walking, and that he heard one of them say in English, "I can't see."

In any case, relatives by now have given up hope of finding the two alive.

"At this point, we're just looking for the bodies," said Walker's wife, Eve, who returned to Mexico from Roseville, Minn., where she had been living with the couple's two daughters, because she feared the police were not seriously investigating the disappearance.

The witnesses at La Langosta said that Caro Quintero's gunmen accused Walker

and Radelat of working for the DEA after searching them and finding passports or other documents identifying them as U.S. citizens. The four Jehovah's Witnesses—one couple from Redding, Calif., and another from Ely, Nev.—were abducted Dec. 2, possibly because their house-to-house visits in search of converts were viewed as a possible cover for drug investigations, Mexican officials and some U.S. diplomats said.

The drug traffickers "have acted with extreme violence against people from the United States because of investigations by the DEA," Gov. Alvarez said in an interview.

Nevertheless, relatives of Walker and Radelat, and some U.S. officials, were cautious about accepting this explanation of the disappearances. They suggested that Mexican officials might have found it convenient to pin all the disappearances on narcotics traffickers who now are in jail, thus allowing the government to claim that the problem has been solved and that it is again safe for tourists to come to Guadalajara.

"They want to be able to say that all of the disappearances have been cleared up," Dr. Felipe Radelat, father of Alberto Radelat, said. he said he was looking for "corroboration" of the accounts given by the witnesses.

This skepticism has been fueled by the delay of more than a month in obtaining statements from the restaurant employes. It was known early in the investigation that Walker and Radelat had been in the area around La Langosta, a small establishment with a high, thatched roof, because Walker's car was found nearby. A taxi driver also said early that he saw the two Americans walking into the restaurant.

In addition, the initial investigation by the Jalisco state police was incomplete at best, and part of a cover-up at worst, according to the victims' relatives and U.S. officials familiar with the case. Agents of the state police, and of virtually every other Mexican law enforcement agency, have been implicated as paid guardians of this country's multibillion-dollar drug industry.

At one point a Jalisco state police officer virtually admitted to Eve Walker that he could do little to help her. He urged her to ask the U.S. Consulate to seek help from the Mexican federal police and from DEA, according to Walker and a Cable News Network correspondent whose crew filmed her conversation with the police officer on March 12.

From the beginning, Mexican officials insinuated to relatives of Walker and Radelat that the two victims had been working for DEA. The DEA denied that either man was working for it, but several circumstances may have led Mexican narcotics traffickers to believe that the two were informers.

Walker, a Vietnam veteran with a 50 percent disability pension, had been living in Guadalajara since November 1983 while working on a novel. The book included a subplot about smuggling cocaine from Mexico to the United States, and a folder was found among his belongings containing clippings and notes about the Mexican drug trade.

Several sources suggested that Walker, a former journalist, may have gone to La Langosta to gather information about what a reputed drug kingpin's restaurant looked like.

Radelat, who had known Walker for more than a year, was visiting Guadalajara to check out the dental school. He had attended dental school in Monterrey, Mexico, from 1980 to 1982 and was considering resuming his studies in Guadalajara. He was staying at Walker's apartment, and the two of them had made a trip to the resort of Puerto Escondido in early January.

Radelat had been working for his father, a family practitioner, as a laboratory technician since dropping out of the Monterrey dental school. He had left that school because he had run out of money to pay his tuition and would not allow his family to pay it, according to his father.

An acquaintance who asked to remain anonymous said that Radelat, who was single, had partied heavily and boasted to friends about his drug use. Radelat's father acknowledged that his son once had a drinking problem, but denied strongly that he used drugs.

If Walker had been asking questions about the drug trade around Guadalajara, and if Radelat was using narcotics, it is easy to see how the two might have been mistaken for DEA agents. They also frequented a hamburger joint called Uncle Sam's Kitchen that was a favorite of U.S. Consulate employes.

"I think that John very innocently stumbled into a set of circumstances that made him appear to be a DEA informer," Eve Walker said.

DR. BELDING SCRIBNER—FATHER OF RENAL DIALYSIS

Mr. GORTON. Mr. President, 25 years ago, Dr. Belding Scribner, head of the Division of Nephrology at the University of Washington; Dr. David Dillard, a vascular surgeon; and Mr. Wayne Quinton, a medical engineer, inserted a small length of bent Teflon tubing in the forearm of Clyde Shields of Seattle. The Teflon device, which became known as the Scribner shunt, first made possible the long-term treatment of patients with chronic kidney failure by use of the artificial kidney. Mr. Shields was the first patient in the world to be so treated, he then lived for 11 years, was able to return to work and to his family, and later was trained to do his own dialysis at home. Of the six patients who started treatment in Seattle between 1960 and 1962, three are still alive, two following transplantation after many years on dialysis, and the third is now in his 23d year on dialysis.

In 1985 artificial kidney dialysis is taken for granted throughout the Western World. In the United States the Federal Government, through the Medicare End-Stage Renal Disease Program, pays the majority of the costs of treatment for more than 90 percent of American citizens with chronic kidney failures. More than 70,000 patients are on dialysis, and more than 6,000 kidney transplants are done in the United States every year. Around the rest of the world there are another 150,000 patients alive on dialysis. It is not widely appreciated, though, how much the treatment of chronic kidney disease owes to the vision of Dr. Scribner. In addition to improving the shunt over the next few years, he and his colleagues described many of the complications of dialysis and their treatment, and developed the prototype of the single-patient automated dialysis machines which are in worldwide use today. They also developed the technique of peritoneal dialysis, and made many contributions to both the science and art of dialysis.

Treatment of chronic renal failure raised great controversy in the early 1960's. The new technology was extremely expensive, and for several years most kidney specialists remained skeptical about its usefulness. Even in Seattle there was insufficient money to treat all patients in need, and so patient selection was carried out by an anonymous committee of citizens. Because of these concerns about financing, Dr. Scribner and his coworkers established an out-of-hospital, community dialysis center in Seattle in 1962, to provide for the needs of patients with kidney failure. This center, the Northwest Kidney Center, served as a model for the development of dialysis units around the world.

Dr. Scribner and his team also promoted home dialysis as an alternative treatment, which was found to be beneficial and less costly for many patients with kidney failure. In addition, at Dr. Scribner's urging, Senators Jackson and Magnuson introduced Federal legislation to help underwrite dialysis for people with end-stage kidney disease. Their efforts led to a provision in Public Law 92-503, in 1972, which made kidney disease the only categorical disease paid for through the Medicare Program.

Few have the chance to change medical science so dramatically, and to save lives on such a wide scale as has Dr. Scribner with the development of the Scribner shunt and kidney dialysis. The Northwest Kidney Center, the Northwest Kidney Foundation, and the University of Washington are sponsoring a scientific meeting in Seattle on May 9 and 10 to celebrate 25 years of chronic dialysis, and to honor the man behind many of the developments in the field of artificial kidney treatment, Dr. Belding H. Scribner.

I join my friends back in Washington State in commending Dr. Scribner, his colleagues, and the institutions that have supported the pioneering work in long-term treatment of kidney disease. They have done a world of good, and deserve our thanks on this 25th anniversary of the development of the Scribner shunt.

TRIBUTE TO JUDITH KAPLAN—RECIPIENT OF THE STATE SMALL BUSINESSPERSON OF THE YEAR FOR FLORIDA

Mrs. HAWKINS. Mr. President, the small businesses of our Nation are a vital force in our economy. They provide jobs for our citizens and reinvest

their profits in our communities. The spirit of their operations is friendly, attentive, and efficient.

During this week, which has been proclaimed "Small Business Week", an individual from each State is being honored as the "State Small Business Person of the Year". I would like to personally congratulate and pay tribute to Florida's recipient, Judith H. Kaplan of Ocala, FL. Mrs. Kaplan is president of Action Packets, Inc. one of the country's major wholesalers of space theme-related, scientific, and education products. Mrs. Kaplan is a fine example of a successful entrepreneur. Due to her astute business sense and the savvy business course she has set for her company, Action Packets has developed from a small basement operation into a large and continually expanding business.

Mrs. Kaplan is a fine citizen of the Ocala community and has selflessly dedicated much of her time and energy to enhancing the status of women. I am extremely proud of her accomplishments and dedication and would like to express my gratitude to her for being an outstanding example to both young women and men in the State of Florida.

THE PULITZER PRIZE FOR HISTORY AWARDED TO THOMAS McCRAW

Mr. COCHRAN. Mr. President, I rise to invite the attention of my colleagues to the recent accomplishments of a very talented scholar and friend, Dr. Thomas K. McCraw. Dr. McCraw recently received the 1985 Pulitzer Prize for history for his latest book,"Prophets of Regulation."

"Prophets of Regulation" mixes political history, economic theory and biography to chronicle American regulatory policy since the middle of the 19th century. The New York Times has described the work as "sophisticated and accessible." Dr. McCraw explores in a meaningful way a number of significant issues concerning the Federal regulatory process, such as its role in serving the "public interest" and the influence that "regulated interests" have had on regulatory agencies. His emphasis on these and other issues makes his Pulitzer Prize winning book important reading for all of us.

Dr. McCraw is a graduate of the University of Mississippi. He served in the Navy for 4 years and did graduate work in history at the University of Wisconsin. In 1970, he received his doctorate, and subsequently joined the history department at the University of Texas at Austin. In 1976, he joined the faculty at Harvard, where he currently is a professor at the Graduate School of Business Administration. He is a member of the editorial board of the Harvard Business Review and the Business History Review, as well as a member of the Historical Advisory Board for NASA. Other books he has authored include "Regulation in Perspective," an essay collection, and "The Tennessee Valley Authority and the Power Fight."

Mr. President, I offer my sincerest congratulations to my friend, Tom McCraw, for this very deserved recognition of his outstanding accomplishment.

INTOLERABLE PAY CUT AT THE ICC

Mr. TRIBLE. Mr. President, today, more than 900 employees of the Interstate Commerce Commission will receive their first paychecks reflecting a 20-percent reduction in their salaries. For these workers—many of whom are Virginians, many of whom have mortgages to pay and families to care for—this pay cut is intolerable.

This drastic reduction is the result of an ongoing dispute concerning the ICC. Last year, the administration requested $5.39 million to fund the ICC. The House Appropriations Committee recommended a higher level of $54.4 million. The Senate Appropriations Committee recommended only $48 million.

The difference between these figures was not resolved until last October 12—after the fiscal year had already begun. The continuing resolution contained the Senate's recommendation of $48 million. That figure was $6 million below the administration request, and $8.5 million less than the Commission spent in fiscal 1984.

The ICC was forced to make critical budgetary decisions, and make them quickly. the Commission placed an immediate freeze on hiring, and notified a number of employees in December of last year that they were to be separated from the agency. Over the past 6 months, more than 100 workers have left the ICC.

An emergency plan went into effect at the ICC 2 weeks ago. It requires that every employee be furloughed for 1 day per week for the remainder of the fiscal year. The result is a 20-percent pay cut for every ICC worker, and the first of those reduced checks will be delivered today.

Throughout this episode, the individuals who have suffered most have been the rank-and-file employees of the ICC. They have seen coworkers released from their jobs. They have seen their own pay cut by 20 percent. They have seen all of this result from circumstances beyond their control.

Their morale cannot help but be adversely affected. Their productivity cannot help but decline, as employees work fewer days and as some seek to leave the ICC for other jobs.

Mr. President, I do not believe the employees of the ICC should be punished any further. It is my hope that the Senate Appropriations Committee will approve a supplemental request for the ICC at least equal to the $3.15 million approved by the House Appropriations Subcommittee on Transportation. If the Senate committee does not do so, it is my intention—together with the distinguished chairman of the Senate Commerce Committee, Senator DANFORTH—to amend the forthcoming supplemental appropriations bill to provide at least that amount for employees' salaries at the ICC.

This figure is less than the ICC's original supplemental request of $4.4 million, which the Office of Management and Budget has already approved. But it is the minimum necessary in order to prevent additional furloughs by the Commission.

Mr. Reese Taylor, chairman of the ICC, has made it quite clear that he cannot discontinue the furloughs without a supplemental appropriation in hand, or some clear signal on the part of Congress that enough funds will be forthcoming. In the days ahead, I will work vigorously with Senator DANFORTH to send that signal by gathering commitments from a majority of my colleagues to support payment of salaries at the ICC.

Senators DANFORTH, SARBANES, PACKWOOD, and GOLDWATER have already indicated their willingness to support this proposal, and I commend them for their efforts in behalf of the beleaguered workers at the ICC. I urge the rest of my colleagues to join me in support of this measure and to remedy this outrageous situation.

Mr. DANFORTH. Mr. President, I want to commend Senator TRIBLE for his leadership and compassion. The funding situation at the ICC is unconscionable. It is my intention to help and support Senator TRIBLE in his efforts.

We are on the floor today discussing ways to reduce the Federal deficit. I am a member of the Budget Committee and am cooperating in every way I can with the President, the majority leader and the chairman of the Budget Committee to reduce Federal spending. But, frankly, this issue—the fact that Federal employees, just like the ones who work for you and me, are being forced to make a heavy financial sacrifice that is the result of nothing over which they had any control—deeply troubles me. It is not fair to them. It is not fair to their families. These are people who have children to feed, clothe, and send to school. They have mortgages. We are playing with their lives. We have no right to expect this of them. No other agency of the Federal Government is operating this way.

It is irrelevant to me how we got where we are today. I don't want to

discuss the charges and countercharges. I have concerns with the ICC. I have criticized the Commission for its lack of responsiveness to shipper complaints. I am deeply distressed that the ICC has apparently decided to undertake a study of issues related to the Conrail sale. The Northeast Rail Services Act of 1981 [NERSA] specifically exempts the ICC from any aspect of the Conrail sale altogether, and this study will serve no other purpose than to delay and thwart the sale of Conrail. But, I do not fault the employees of the agency. To allow these furloughs to continue through congressional neglect would be reprehensible.

Moreover, not only has the furlough situation had an effect on staff morale, the ICC is also in danger of missing statutory deadlines due to staffing problems. This, too, deeply concerns me. Last year I introduced a resolution recommending that the Commission take action in a number of areas which would provide relief to shippers under the Staggers Rail Act. The Commission has set in motion proceedings to address some of my and others' concerns. However, with the Commission only 80-percent effective, there could be delays in these proceedings. This agency needs to be at full capacity, and it needs to be at full capacity now.

Senator TRIBLE wants to get this resolved. I join with him. I want the Senate to know that this is a top priority for me.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. If there is no further morning business, morning business is closed.

FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1986

Mr. DOLE. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOLE. What is the pending business?

The PRESIDING OFFICER. The clerk will state the pending business.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the United States Government for the fiscal years 1986, 1987, and 1988 and revising the congressional budget for the United States Government for the fiscal year 1985.

The Senate resumed consideration of the concurrent resolution.

Pending:

Abdnor Admendment No. 56 (to Amendment No. 43, as amended), to express the sense of the Senate that the amount of nonfarm income that can be offset by tax losses from farming should be limited and that revenues derived should be used to reduce individual tax rates.

AMENDMENT NO. 56

The PRESIDING OFFICER. The pending question is amendment No. 56, offered by the Senator from South Dakota.

Who yields time?

The Senator from South Dakota.

Mr. ABDNOR. Mr. President, I am offering this amendment to express the sense of the Senate that the amount of nonfarm income that can be offset by tax losses from farming should be limited and revenues derived should be used to reduce individual income tax rates.

As my colleagues will remember, I offered legislation to accomplish this goal in the last session of Congress and again in this session of Congress. My bill, S. 244, would accomplish the purpose which this resolution addresses. I have received overwhelming support for my proposal from farmers, ranchers, agribusinesses, soil conservation groups and districts, and other concerned citizens. Additionally, I have received strong support from Farm Bureau, Farmers Union, American Agriculture Movement, National Farmers Organization, Grange, Women Involved in Farm Economics [WIFE], and other groups both in my home State of South Dakota and from across the Nation. The National Governors Association also has endorsed the concepts embodied in my bill.

Very simply, Mr. President, my bill would close a glaring tax loophole which is aggravating our festering farm problems.

Under our current Tax Code, bona fide farmers and ranchers must compete with so-called gentlemen farmers who are more interested in farming the Tax Code than in producing food and fiber. These so-called farmers and ranchers compete with the bona fide farmers and ranchers of America for farm and ranch land, add to our surplus production problems, and sometimes farm fragile or marginal lands, thus aggravating our soil and water conservation problems.

In addition to helping bona fide farmers and ranchers, my bill would make a very significant contribution to the goal of closing a tax loophole so that individual income tax rates can be reduced and to assure that full-time, family-size farm operators will not be disadvantaged by unfair competition from high-income taxpayers with substantial nonfarm income.

The Joint Committee on Taxation has estimated a revenue gain to the Treasury of approximately $2.6 billion for the fiscal years 1985-87 from my bill. That amount is great by any calculation or analysis and should be considered carefully as we try to reduce individual income tax rates or cut the deficit in order to lower interest rates and decrease the value of the dollar. As my fellow farm State colleagues are aware, high interest rates are crippling most farmers and forcing many to enter into bankruptcy or to abandon the land which has been in their family for generations. Additionally, our huge budget deficit has forced the dollar to record-high levels, thus making our agricultural exports noncompetitive in world markets.

The current raid on the Federal Treasury by gentlemen farmers is not gentleman-like at all. It is out-and-out robbery and it should be stopped. It is a crime that our Federal tax laws allow wealthy individuals with large incomes to shelter thousands of dollars with farm losses. Furthermore, it is a social embarrassment that our tax laws encourage these investors to enter into direct competition with bona fide farmers and ranchers.

For years, politicians have stated that they are trying to save the family farm and Congress has made attempts to do so. But, in actuality, these same politicians have led to the demise of the family farm since they have created and ignored a tax loophole which has placed wealthy individuals with large amounts of off-farm income in direct competition with bona fide farmers and ranchers.

In a recent study of 1976 farm income tax returns, the Internal Revenue Service identified 12,000 returns which reported farm losses in excess of $50,000. These same returns showed an average off-farm income of over $122,000. After deducting an average of over $104,000 in farm losses, these 12,000 so-called farmers paid taxes on an average adjusted gross income of just $16,362.

IRS found another 24,000 tax returns which recorded farm losses in the range of $25,000 to $50,000. These so-called farmers had an average off-farm income of almost $52,000 and, after deducting average farm losses of $34,000, paid taxes on an average adjusted gross income of only $17,366.

Mr. President, tax abuse must be stopped and our Nation's bona fide farmers and ranchers must be relieved of the unfair and, in my opinion, the unethical competition of the tax-loss farmer. My resolution would call upon Congress to take action to relieve farmers of this burden and would contribute at least $2.6 billion in revenues which could be used to lower individual income tax rates and to assure that full-time, family-size farm operators will not be disadvantaged by unfair competition from high-income taxpayers with substantial nonfarm income.

Mr. President, I think this legislation is much, much needed. It is simply a sense-of-the-Senate resolution speaking to the problem. Hopefully at a later period as the Congress deliberates tax simplification, or some kind of tax reform, we will take action on this subject. As we stand here

today—all of us so concerned about the situation out in the Farm Belt, aware that many are on the verge of bankruptcy—my resolution would improve the farm sector in a manner different from any farm program which we might write in the Agriculture Committee. And it is just as necessary as the farm program itself. I urge my colleagues' support of this sense-of-the-Senate resolution.

Mr. BYRD. Mr. President, I yield 15 minutes to the distinguished Senator from Texas [Mr. BENTSEN] and 15 minutes to the distinguished Senator from Iowa [Mr. HARKIN].

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER (Mr. DURENBERGER). The Senator from Iowa.

Mr. HARKIN. Does the distinguished Senator from South Dakota still have the floor, or does he have the time?

The PRESIDING OFFICER. The Senator from Iowa has time under the designation of the minority leader.

Mr. HARKIN. Fifteen minutes, Mr. President?

The PRESIDING OFFICER. The Senator is correct; it is 15 minutes.

Mr. HARKIN. Thank you, Mr. President.

Mr. President, I agree with the distinguished Senator from South Dakota that in fact we do have to limit deductions of farm losses from nonfarm income. However, I have some real concerns with the manner in which the Senator from South Dakota has proposed this. I wonder if I might ask him to respond to some questions on his amendment.

I would like to know, if the Senator could tell me, what the revenue estimates are that he is assuming; how much revenue does he assume he would get for the next 3 years?

Mr. ABDNOR. The Joint Committee on Taxation estimated it would amount to $2.6 billion over a 3-year period.

Mr. HARKIN. If the Senator will yield further, does the Senator's amendment assume the specifics of S. 244, which is the Senator's bill?

Mr. ABDNOR. The amendment simply speaks to the subject matter. We cannot direct the tax committee to do any such thing other than a sense of the Congress. I could not make a minor change even if I wanted because I would be directing the tax committee to do certain things that this budget resolution does not have the right to do.

Mr. HARKIN. Do I understand the Senator's amendment to say that by limiting this, as I understand it, to about $24,800 a year there is no upper limit? In other words, no matter how much income a person made off the farm they would still be able to deduct the farm loss, is that correct?

Mr. ABDNOR. That is correct, yes.

Mr. HARKIN. I have two problems with the Senator's amendment. First of all, I do agree that we ought to close this loophole, and we attempted to close agricultural tax shelter loopholes in the 1984 Tax Act. Unfortunately, too many loopholes were left. We tightened up on some of the provisions, but we did not do it completely. I think the Senator's amendment is a step in the right direction. However, I hope that he will consider modifying his amendment so that rather than just reducing tax rates, we would take some of the revenue enhancement and put it back into function 350, which is agriculture, and function to restore 300, conservation funds.

Now, I might point out to my colleague from South Dakota that I have some preliminary estimates on his amendment, and he is correct that it would save about $2.6 billion over those 3 years.

But the average dollars saved per taxpayer per year would be about $6.10 under the Senator's amendment. The average Iowa taxpayer paid $1,751 in taxes in 1982 and the average South Dakota taxpayer paid $1,337, so the $6.10 isn't really that much. However, if this money raised under the Senator from South Dakota's proposal were dedicated to agriculture programs, it would equal $2,275 per working farm over a 3-year period of time. Now, that is a considerable sum of money. So I hope perhaps the Senator would agree to modify his amendment so as to take the savings which would result and put the funds back into functions 350 and 300, for agriculture and soil conservation.

I ask the Senator if he would consider modifying his amendment to do just that.

Mr. ABDNOR. Let me read my amendment:

* * * it is further assumed that revenues derived from enactment of such legislation be used to reduce individual income tax rates and to assure that full-time, family-size farm operators will not be disadvantaged by unfair competition from high-income taxpayers with substantial nonfarm income.

No. 1, we do not even have any dollars at this point to put into any program. This is a sense of the Senate, asking the Finance Committee to take some action on this problem.

I cannot disagree with the Senator. Originally, my intent in my bill was to place half of the revenue into the loan program for young farmers starting out.

Overall, our No. 1 concern of farmers and everyone else in this Nation is to get our fiscal house in order, which would do more good for the farmer than anything else.

Mr. HARKIN. I point out that there is no deficit reduction under either my proposal or the Senator's proposal. The Senator says that he will use it to reduce individual tax rates, so there will not be any deficit reduction under the Senator's amendment.

I am saying that inasmuch as there is no deficit reduction, let us put it into agriculture, where it is needed.

My second objection to the amendment is that it leaves a loophole big enough to drive a Mack truck through.

Let us say we have several individuals making $100,000 each, and they decide to form a syndicate or partnership. They can each take that farm loss of about $24,800 a year.

I propose to limit farm losses on nonfarm income to the same degree that the Senator has, the national median income of about $24,800, and then to phase out the deduction at a certain point. At roughly $75,000 per year, no one would be allowed to take those farm losses off their nonfarm income.

What I am concerned about is that our smaller family farmers who need some off-farm income, or people just beginning to farm, who are working in the cities and farming on the side, not be penalized, because they need the off-farm income with which to start and to stabilize their farm enterprise. So I think there should be some limit—say, around $24,000 or $25,000.

If we leave this loophole in there, doctors and lawyers and speculators a making $100,000 or more a year will still be able to form their partnerships and corporations and take this deduction off their nonfarm income, which is what we are trying to get away from. I have an amendment, which I had planned to offer to the budget resolution—and I still might, depending upon the outcome of this amendment—which would completely eliminate the loophole. While the amendment of the Senator from South Dakota would raise $2.6 billion, mine would raise $6.2 billion over the 3 years. And, rather than reducing every taxpayer's rate, my amendment would give back approximately $5,000 per farm over the 3 years, 1986–88.

What I am talking about does not reduce the deficit, but the amendment of the Senator from South Dakota does not reduce the deficit, either. So there is no deficit impact.

Again, I ask the Senator from South Dakota this question: If, in fact, the Senator is using the $2.6 billion saving he is talking about to reduce individual rates, how can there be any reduction of the deficit?

Mr. ABDNOR. We conform this to the rules. We had the expertise of the legislative counsels who put this together.

The original intent was to go to the deficit. They told us it would have to go this route.

I think we have gone far more in detail than has the Senator. He obviously is questioning the experts of the

Joint Committee on Taxation. We went into the full amount.

If the Senator is so concerned about all the little details, he can mess up our chances of addressing the issue. The committee will write it. I suggest that he go to the Finance Committee and talk about the aggregate of all the losses, and I think that will take care of it. We are trying to do the same.

I do not know what the distinguished Senator from Iowa is trying to do. Here is a loophole affecting agriculture, and he wants to close it and let the Finance Committee work out the details. Let us not try to mix it up with the budget dollars and facts that do not exist.

Mr. HARKIN. We have talked to the Joint Committee on Taxation with respect to this. The figures I have used come from that committee. In fact, many of the people we talked to recognize that there is a loophole, if we do not put an upper limit on how much people are allowed to deduct from their nonfarm income.

I agree that the Senator's amendment is a step in the right direction. However, No. 1, it leaves a tremendous loophole, in that very wealthy people can still use this kind of schedule F, farm loss to compete unfairly with our family farmers.

Second, I point out that the Senator's amendment does nothing to reduce the deficit, because it is used to reduce individual income tax rates.

On the other hand, I believe that with an amendment that would be basically along the lines of the Senator's amendment, but which would have an upper-income limit—in other words, saying that above a certain figure, twice the national median income, above about $50,000 a year nonfarm income—you would start to phase out that $24,800. It would be scaled down, the more income you had from your nonfarm income the less you could deduct. I believe that would close that loophole.

Also, since we are not reducing the deficit here, anyway, I suggest that we take that money and put it into function 350 and function 300—where the money is needed for farm programs—and not in reducing individual's tax rate by about $6.10 a year, as the Senator's amendment would do. I do not think $6 per person would have much effect, but it would have great effect if we were to take the money from this loophole and put it back into agriculture.

So again I ask the Senator if he would think about modifying his amendment, not just to reduce individual tax rates but also to take that saving—and I would be willing to compromise—and put it back into function 350, which is the agricultural function, and function 300, which includes soil conservation. Would the Senator modify his amendment to do that?

Mr. ABDNOR. I say to the Senator from Iowa that I appreciate very much his concern. I think our intent is the same: to help the farmers and to put the money to good use. I point out that at this point we do not have the money to put anywhere. This is just a concept. When the time comes, I shall be happy to work on that sort of situation.

We have the rule that the Finance Committee has the authority to take care of problems such as the Senator is suggesting, of trying to take advantage of the revenue saving. That can be handled in its appropriate time. We do not need to set that out now.

With respect to the other situation the Senator from Iowa is talking about—a young couple trying to work a farm—if they make over, say, $24,000, they cannot be spending much time on the farm, and it cannot be much of a farm to have that great a loss.

We are exaggerating the problem here. This is a sense-of-the-Senate concept, and it would do exactly what we both want to do. After adopting my amendment now, we next can go to the Finance Committee. I think the Senator from Iowa would make it more complicated and more difficult. The purpose is set out here in a simple manner. We both want the same thing. We can go to the Finance Committee together.

The main thing is to get this amendment through and then get legislation to correspond with it in the direction we want.

Mr. HARKIN. Mr. President, I yield back the remainder of my time.

Mr. BENTSEN. Mr. President, I have the pleasure of serving with my friend, Senator ABDNOR, on the Environment and Public Works Committee, and I have found him a very valuable member, and I am often in agreement with him there. But in this instance, I am in substantial disagreement.

I was born and reared on a farm, as I suppose he was, and I know that farmers are in real trouble.

I look at the number of foreclosures taking place on farms today. If you want to see a real acceleration in foreclosures, a further drop in land values for farmers, and more country banks in trouble, then you pass legislation that does this type of thing.

If you do not have the continuing input of buyers into farming, then you are going to see a further depreciation in the price of farms.

I am sympathetic at getting to what Senator ABDNOR is discussing. Full-time farmers should not have to be burdened by unfair competition brought about by the tax laws.

But we have gone a long way in the Finance Committee to strengthen the tax laws on hobby farming, and that is something that is really worked on by the IRS, they have a task force that works at that and examines it very carefully.

As a good example, last year Congress shut down some of the cattle-feeding tax shelters that we have all been reading about where we found where the promoters have been stretching the tax laws far beyond the congressional intent and had been offering investors large deductions with minimal risk. That should not have been taking place, and we put a stop to it.

But I am really troubled by a general rule that limits deductions of farm losses. As I understand that proposal, the deduction would be the median family income, about $24,000 currently. The fact of the matter is that under the tax laws as they now stand taxpayers do not make any distinction among different activities. An individual taxpayer essentially lumps all of his income together and pays a tax on that aggregate amount. That is the way it works, whether he is in farming or any other kind of activity.

This would strike out into a new area for taxpayers to have to separate different activities and deal differently with the different activities, and that is essentially what the Abdnor amendment calls for. That would introduce a whole new wrinkle of complexity into the Tax Code.

But more than that, you have to realize we are talking about a problem that cuts across every type of enterprise, every type of business. If I went out and started an electronics company, for example, you can bet that I am going to have losses those first few years; a hardware store, a restaurant, whatever you start you are not going to make any money the first year unless it is a very exceptional situation.

Now, under the rationale the Abdnor amendment, the losses of my electronics venture would be viewed as unfair competition for established electronics companies because as long as I structure my business properly I will be entitled to deduct those losses against other income. And I should be able to deduct those losses. Suppose I lost $100,000 from a restaurant venture but earned $100,000 in other income. My bank account would be bare at the end of the year. Should I have to pay a tax in that kind of a situation,

Now, the same thing goes for farming. If I start a farm, I would sure probably lose money the first year and probably the year after that. If I lose money in that venture and I earn money in another venture, why should I have to pay a tax reflecting only my successful venture?

That is not my income. My income is the net of all of my efforts, the losers as well as the winners.

I would guess that every established industry would like to limit on loss deductions for the other guy. That is a very effective barrier to entry.

Why do we not give that kind of treatment to the steel industry or to the footwear industry or to any other troubled industry? It would be a very effective anticompetitive tool.

As I said, I am sure deeply troubled about the plight of farmers today. I am still in that same boat, and I still farm, and I have all the problems with these low prices.

I have voted for the credit package that this administration opposed. But I would not like to see Congress deal with the problem by effectively erecting a barrier to entry into the industry.

What is more, as I mentioned before, we have rules in the Tax Code to deal with hobby farmer problems. Section 183 of the Tax Code specifically denies loss deductions to taxpayers who do not engage in business for profit reasons, and they police that section of the code. The IRS is tough on it, and they should be.

So if a weekend farmer tries to deduct his farm losses but does not have any real, objective profit motive, he just is not permitted to deduct his losses.

I emphasize I am talking about real, out-of-pocket losses. To the extent that losses are attributable to tax preferences, we have limits in the form of an alternative minimum tax, and I supported that, and I think we should have an alternative minimum tax on corporations, and I have introduced legislation for that purpose.

If we need to tighten that one up, that is certainly something I would be interested in looking into. I feel very strongly that tax preferences should not be used to an excess.

Not only would this measure be bad tax policy and bad for the country, but I think full-time farmers would end up getting the short end of the stick also.

What would happen if you further dry up new investment in farms? And that is where we are headed now.

That would only exacerbate the slide in farm land prices that is already occurring. More and more farm loans would go bad, and I am just not prepared to support legislation that will bring about that kind of effect. Limiting those deductions would further depress those prices.

That is a major problem that farmers and their lenders are having right now on the collateral for loans. It is very, very difficult for active farmers with no farm income to make major commitments such as purchasing land in the current economic environment.

I think restricting investments among industries is a very inefficient thing to do economically, and I urge opposition to this amendment.

Mr. President, thank you very much.

Mr. FORD. Mr. President, I rise in opposition to the amendment by the Senator from South Dakota. I do not believe it will accomplish the goal he seeks of protecting the family farmer. In fact, it will have the opposite effect.

This is not just a concept; it has very real effects. This amendment will be disastrous to my constituents. By limiting nonfarm out of pocket losses on Schedule F, this amendment will jeopardize the ability of many legitimate, capital intensive farmers.

This issue is not appropriate for the budget resolution. If there is a problem with abuse of farm tax shelters, let us address that specific abuse. But let us not throw the baby out with the bath water by assuming that any farmer which has nonfarm losses greater than the national median family income, is not in farming full time. Nor can we assume, as this amendment does, that these farmers are unfairly competing with the family farm.

Mr. President, I firmly support legislation which will protect the family farmer from unfair competition. I represent the families in Kentucky which operate over 101,000 farms. But I have serious concerns that what appears to be a good idea on its face will actually be disasterous to many farm families.

The place to address this issue is in the Finance Committee, with extensive debate. This amendment would change a basic concept in the Tax Code—that of aggregating losses and applying them against income. There are many family farmers who depend upon nonfarm losses to keep the family running. Spouses who must work to add income to the household so to hold on to that family farm will be penalized if they happen to have reached a level of income that exceeds $24,800. If we think we are seeing bankruptcies now in the family farm, just wait until family farmers are precluded from offsetting losses against nonfarm income, such as a spouse income as a schoolteacher, or a nurse.

I am also concerned that the new farmers, with large startup costs, will be discouraged from entering farming. Without the ability to write off these large costs, they will face a great disincentive to get into farming. With the numerous farm foreclosures, there can be no doubt that those farmers who watch their family farm being auctioned would hope that someone else would take that land and continue farming. I doubt that will happen if new farmers are not allowed to write off farm losses against nonfarm income in those early years.

Mr. GRASSLEY. Mr. President, I join my colleagues in support of the amendment offered by my distinguished colleague from South Dakota which limits the amount of nonfarm income that can be offset by tax losses from farming operations. Limiting the deduction of farm losses against nonfarm income to the national median family income is a necessary step in assuring that family sized farm operators will not be disadvantaged in their effort to compete with higher income taxpayers with substantial nonfarm income.

There is mounting evidence for the need to bring some coordination between tax policy and agricultural policy. It has become increasingly apparent that it may be against the best interests of American farmers to have policies that encourage further outside investment in agriculture. Many of the provisions under the current Tax Code that were enacted to benefit the farmers have increased the attractiveness of agriculture to outside investors. This increased investment in agriculture has not only increased farm production, it has increased development of marginal farmlands in order to obtain the tax benefits associated with farming. The overall health of our farm economy is seriously threatened by tax oriented incentives for nonfarm investors, resulting in excess production at a time or surpluses.

Congress has previously recognized that the impact of differential tax preferences has artificially stimulated production resulting in an overall lowering of commodity prices. As a result, Congress repealed rules allowing deduction of development costs for almond and citrus groves. My own amendment passed by the Senate as a part of the Deficit Reduction Act in 1984, and later dropped by the conference committee would have limited depreciation benefits for single purpose agricultural buildings such as dairy barns, hog facilities, and greenhouses. I continue to be concerned with the problems created by the unintended competitive advantages created by our tax laws to the detriment of family farm operations. I look forward to working with the good Senator from South Dakota in seeking a solution to these problems.

Mr. BOREN. Mr. President, I am sympathetic with the intent of the Senator from South Dakota on this amendment. In my mind, there is no question that the tax policy of the 1970's encouraged hobby farming, resulted in drastic increases in the price of land, and correspondingly increased the cost of production for legitimate farmers.

I agree that we must stop giving tax breaks to "gentlemen farmers." However, we have to do this in a manner which will not have adverse effects upon legitimate, full-time farmers.

I worry about the effect this could have on a farm family in which both the husband and wife have been forced to take full-time jobs off the farm because of depressed farm prices. Additionally, as the Senator from

Texas, Mr. BENTSEN, said earlier, this could dampen land prices. Granted, land prices may need to come down, but we cannot pull the rug out.

All these things need to be considered before we move to change tax policies affecting farming. I am in the process now of an extensive investigation.

TAX-LOSS FARMING

Mr. PRESSLER. Mr. President, I want to commend Senator ABDNOR for offering this amendment on tax-loss farming. I am a cosponsor of his legislation to limit the amount of farm losses that can be deducted from nonfarm income. The use of farming as a tax shelter has created a problem for genuine farmers and lost revenue for the U.S. Treasury.

As we are well aware, farmers and small towns are in serious financial difficulty. Many look to changes in the omnibus farm bill as the solution to the farm crisis. But we could probably do as much for the average farmer by changing other laws, such as the tax laws. Many tax law provisions have encouraged nonfarm interests to get involved in agriculture.

For example, accelerated depreciation on hog confinement buildings has attracted many nonfarm interests into hog production. The actual number of hog producers has declined, while hog production has increased.

There are other examples of tax loopholes which benefit nonfarmers who invest in farming. A nonfarm interest can buy a farm, level it off, and perhaps remove existing tree shelterbelts. The tax law allows that investor to deduct such expenses. If an irrigation system is installed, the system can be depreciated. In effect, the nonfarm farmer has accumulated three major tax writeoffs on this farm.

At the same time, the average family farmer, living on and working his operation, either could not afford to make these changes, or would not generate enough income to write off the expenses.

These tax-loss farmers have driven up land prices in the late 1970's, increased production of commodities which are already in surplus, and broken up land which should never have been plowed. The inflated land prices made land unaffordable for the average farmer and, in many cases, caused farmers to purchase land at a price which could never pay for itself. Now, with farmland values declining, many of these true farmers are in serious financial trouble. Increased production of surplus commodities has further depressed farm prices and resulted in the need for increased Federal expenditures on farm programs.

Also, the tax-loss farmers broke up large sections of fragile prairie land which should not have been plowed. Much of this ground was planted to wheat to benefit from Government programs. This practice has added greatly to the already critically serious erosion problem. Congress is now considering large land diversion programs to encourage these farmers to seed this land back to trees and grass. In effect, the government subsidized the plowing of this land—both through the tax laws and through government farm programs—and is now forced to consider additional programs and expenditures to remedy the problem it created.

For several years, many of us have been trying to change the farm programs. When we establish a land reserve program, we will be paying these farmers to return the land to the original grass. These problems in tax laws and farm programs have, and will, cost the Federal Government dearly.

Finally, tax-loss farming results in a tremendous loss of revenue for the U.S. Treasury. A study of 1976 tax returns found that 12,000 returns reported tax losses of over $50,000. Those filing these returns had an average off-farm income of $122,000. After deducting an average of $104,000 in farm losses, these tax-loss farmers paid an average income tax on only $16,362. Another study estimates that, as a result of these practices, approximately $2.6 billion in tax revenue will be lost between 1985 and 1987. It is time we closed this tax loophole and put true farmers back on a level and fair playing field.

I want to commend my colleague for his leadership on this issue and urge support for this amendment.

Mr. NICKLES. Mr. President, many individuals, whom we would call weekend farmers or venture capitalists, are using the Tax Code to shelter nonfarm income in agricultural investments. I feel strongly our bona fide farmers and ranchers should not have to compete with individuals whose primary purpose is to shelter off-farm income rather than make a living off of the land.

The measure before us today would limit the amount of off-farm income which can be sheltered by farm losses to the national median household income, approximately $24,000. Upon close examination of the amendment, I am concerned that it could have harmful repercussions on many farmers and ranchers we are trying to assist.

Many full-time Oklahoma cattlemen and farmers are incurring substantial losses from their agriculture operations. As you know, this is not a profitable time for agriculture. Some of these Oklahomans are fortunate enough to have royalty interests while others find it necessary to hold outside jobs in order to make ends meet. A farmer or rancher would be penalized under this amendment if his annual farm losses exceeded the threshold level.

Changes in agriculture tax policy may be necessary to tighten existing loopholes. One alternative would be to tighten existing regulations governing hobby losses, which are generally deductible only to the extent of hobby income. Although I support the concept of the amendment before us today, I am concerned that if enacted it could result in unsuspected hardships for Oklahoma's agricultural interests.

● Mr. McCONNELL. Mr. President, I oppose this amendment, not because the amendment is not well-intentioned but because it is unfair. It is unfair because it does nothing to solve the fundamental problem which faces American agriculture—a farm income crisis. We cannot solve this farm income crisis by excluding from agriculture those investors who have a sincere intention of perpetuating and improving their segment of the industry.

This resolution, a now-binding sense of the Senate resolution, would raise general revenues for the Treasury by limiting the amount of farm loss which could be deducted from nonfarm income for tax purposes. The income raised from the deduction limitation would be used to reduce individual income tax rates for all taxpayers. While this approach seems attractive at first glance, a more thorough review shows that the agriculture industry is singled out for a tax revision when no other industry in America is affected. Tax reform is too important a matter to be debated under these circumstances.

Mr. President, this resolution treats a symptom rather than a disease. The call for tax reform has been heard long and loud here in the Senate and there is no doubt that broad-based tax reform is certainly needed. However, by singling out agriculture as the only industry subjected to a tax revision, we can virtually write off any significant and much needed infusion of capital into agricuture. Mr. President, at a time of a farm income crisis where we're search for ways to make farming profitable again, I just don't think we can afford to do that. Close examination of two important segments of the Kentucky livestock industry show why this approach is an unacceptable way to raise tax revenue.

The purebred cattle industry is a perfect example of this concept. A purebred cattle investor is often in a financial position which enables him to purchase the very best cattle in the breed for use in his own herd. By doing so, he can genetically improve the breed as a whole, when he makes his cattle available to a small farm commercial cattle breeder. The entire cattle industry benefits because the small farmer receives the genetically superior seedstock without the accompanying expense of high initial invest-

ment. This is a direct benefit to small farmers with limited capital. I believe enactment of this amendment would lead to a decline in purebred investors, which wouldn't benefit any part of the cattle industry. The lost revenue from a declining cattle market will more than offset any income generated by passage of this amendment.

Mr. President, I also think it's worth noting that the Kentucky horse and thoroughbred industry is the second leading segment of the State's agricultural industry in terms of dollars. Over $750,000,000 is generated for the State's economy and literally thousands of jobs are dependent on a strong Kentucky equine industry. In the State of Kentucky, you'll find the world's best racehorses, Mr. President, and because of that, these thoroughbreds are in demand the world over. It takes a tremendous capital investment to develop these kind of horses. We simply cannot withdraw from Kentucky's horse breeders the financial incentives to produce the kind of racehorse for which Kentucky is famous.

Enactment of this resolution, Mr. President, would have a serious negative impact on the purebred livestock industry in Kentucky. Purebred cattle and horse breeders have traditionally been the backbone of their respective segments of the livestock industries. For the sake of the future vitality of the commercial cattle and horse industries, we must protect these purebred breeders from an unfair burden of taxation. Enactment of this resolution is not the way to do it.●

The PRESIDING OFFICER (Mrs. KASSEBAUM). Who yields time?

Mr. ABDNOR. Madam President, there is no one in this body whose judgment I respect more on taxation than the Senator from Texas, but I do have to take great issue with this.

Ironically, the Senator from Iowa thinks I am leaving a tremendous loophole and the Senator from Texas thinks I am making it too tight. So maybe I am just right somewhere in between asking the Finance Committee to use some discretion in closing this loophole.

I do not like to refer to it as a loophole. I guess it is a tax shelter. But I think it is one that is crippling farming far too much, one that has to be looked at very carefully and resolved.

I come from rural South Dakota. We have a lot of marginal land. I wish I had some aerial photos to show you the land that has been plowed up out in that country by outsiders, people who I truly do not think are that interested in the business of farming as farming really is. I think they are more interested in the advantages to be found in the Tax Code.

This does two things. Not only does it in some cases bring land under cultivation that should have never been touched, but it is also in a sense robbing our Treasury. You know, we have some preferential rules for agriculture. We have rules that say that in determining one's allotment, the acreage that he may plant in those specific crops for which support prices are attached, we should take the previous 2-year planting.

And that is land that had never come under the plow until a couple of years ago. And by continuing to farm it, after 2 years they can then end up with the largest wheat allotment of anyone in the territory because they have planted 100 percent. Regardless of all the past years' history and of others who may have been in farming for 50 years and longer through other generations in their family who are diversified and tried to farm like farming should be, the bona fide farmers are taking by far a lesser quota of their ground. But many new entrants are after the dollars only. So we then qualify for these great programs.

You will find when you check over the payments to farmers, that a very small number get a very large amount of the dollars we pay out. In the case that they show a loss, it becomes a means of reducing taxes on their outside income.

I would like to point out to the Senator from Texas a figure that I was given by the IRS. If the farm sector neither paid taxes nor took deductions, the U.S. Treasury would be better off. Farm net income reported to the IRS in 1981 amounted to $8.5 billion. Farm net losses totaled some $16.3 billion.

Who are we kidding? Farm profits are only half as much as farm losses. We are allowing nonfarmers too many generous deductions. I do not think that is very good business and I think we ought to ask why.

I cannot believe a genuine, good farmer is out there farming expecting to lose money every year. Those who do have other purposes.

It would seem only good business to me that we discourage these outside people from coming in and plowing up all their land, taking dollars out of the Treasury that should go back to the farmers as it was originally intended; The whole country would be better off. I think this sense-of-the-Senate amendment would express our concern to the Finance Committee. This panel then could do something about this drain on the Treasury and help our bona fide farmers out at the same time.

Madam President, I yield back the remainder of my time.

Mr. BENTSEN. Madam President, may I have 3 minutes?

Mr. BYRD. I yield 3 minutes to the Senator from Texas.

Mr BENTSEN. Madam President, I say to my distinguished friend from South Dakota that I think his argument would have had a lot more weight if it had been made about 5 years ago, when you saw farm prices going up and you saw speculation in farm values, some of it brought about by outsiders and some by farmers just buying the land that adjoined them. I understand that kind of motivation.

Now, we are on the other side of the curve and farm values are in a real slide. Rural banks are in real trouble. Then to put a tax barrier in the way of these people who might want to be in farming, enter into farming, willing to take 2 or 3 years of losses to go out and make that kind of investment, I think, is a serious mistake.

I think there is no question in my mind but what the farm prices would further deteriorate. I think it means further foreclosures. I think it means more rural banks in serious trouble and more of them closing their doors. I think this is the wrong kind of legislation at the wrong time. It sets farming apart from every other endeavor.

Where we, as taxpayers, have always taken all of our income and then charged all of our losses against that and paid the tax on it, we are saying, "You can't do that any more insofar as farming is concerned. You can do it in every other type of industry, but not insofar as farming is concerned."

I think, in spite of the very admirable objective of my friend from South Dakota, that the end result will be a disservice to farmers and will hurt the farmer and will be a very serious mistake.

I, frankly, hope that it does not pass, becasue we have addressed this, addressed this to the best of our ability, in the Finance Committee, trying to stop farming being used as a tax shelter, putting the kind of limitations we put on last year in the cattle feeding operations, and having the IRS seriously police this kind of situation where they have not entered into it for profit.

So I think we are doing a pretty good job of it at this point. To head in the other direction really puts some serious limitations on farm investment and would be a mistake.

Mr. DOLE. Madam President, one of the principal goals of a tax shelter promoter is to generate deductions which investors can use to offset otherwise taxable income. These tax shelters have been designed around various sectors of the economy which are especially tax favored. Real estate, for example, immediately comes to mind. However, Congress has also enacted several special tax rules for farmers that can, and do, form the basis of tax shelters.

For instance, the special cash accounting rules for farming may result in mismatching of deductions and income. Congress, nevertheless, has retained the cash method for farmers as

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an explicit incentive and because it may be simpler to apply.

Nevertheless, subject to certain farm syndicate rules, the cash method can be used by partnerships designed to take advantage of the cash method of accounting. The accounting rules enacted last year as part of the Deficit Reduction Act were designed, in part, to address the problem of premature deductions in agriculture-based tax shelters such as cattle feeding deals. The jury is still out, however, on how effective those changes will be.

Similarly, there is a special rule which provides an investment tax credit for certain, single purpose agricultural structures. Other buildings do not qualify for an investment tax credit—the special rule is an incentive for agriculture. However, tax shelter partnerships can invest in these buildings and pass along this special investment incentive to their nonfarmer investors.

There is a strong argument that, if these and others incentives are to be retained, they should be limited to the active farmers who we intend to encourage. Of course, there are technical issues which will have to be addressed by the Finance Committee, and alternate approaches to deal with the tax shelter problem without adversely affecting the family farmer should also be explored. But, certainly, further limitations on tax shelters should be seriously considered—even tax shelters based on tax incentives for farmers.

By limiting these shelters, we will be able to further reduce tax rates and, probably at least as important, help restore the faith of our citizens that the tax system fairly taxes everyone.

Mr. ABDNOR. Madam President, I ask unanimous consent for Senator ZORINSKY be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABDNOR. Madam President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. BENTSEN. I would like to ask a question of my friend. Did we have a vote on this last year?

Mr. ABDNOR. No. I withdrew it last year.

Mr. BENTSEN. I think that was a very wise thing the Senator did. Would he consider doing it again?

Mr. ABDNOR. That was on the tax bill. This is a far different situation. I am simply asking the Finance Committee at this time to look it over. It is far different from the actual legislation itself.

Mr. SYMMS. Madam President, I apologize to the Senator. I was off the floor. I just picked up some of the debate here.

Could the Senator just outline for my edification again what it is he is trying to do?

Mr. ABDNOR. We are simply saying to the Finance Committee that it is the sense of the Senate that we should limit loss for farming that could be taken off outside income. We do not deny them up to the median family income—that is the limit—which was about $24,000 last year. That would be the amount of loss you could place against nonfarm income if you are an outside farmer.

Mr. SYMMS. Does the Senator not think that will discourage capital from going into an already undercapitalized agriculture?

Mr. ABDNOR. When you see all those plowed up acres that never come under the plow not to mention the amount of dollars that go into the hands of so-called venture capitalists—I think you'd agree with me that this group is already overcapitalized.

Mr. SYMMS. Is this limited just to agriculture?

Mr. ABDNOR. Yes.

Mr. SYMMS. What would happen if you extended that principle on to, say, a real estate investment or oil drilling?

Mr. ABDNOR. If other industries were examining the adverse effect of abusive tax sheltering to the degree we are, I think the Tax Code would become fairer. And that is a reason for tax reform. My concern is agriculture and the damage being done by these so-called tax shelters.

Mr. SYMMS. In other words, what the Senator is saying is, if a person earns his living from some other source besides agriculture, then his tax liabilities in an agriculture investment are limited?

Mr. ABDNOR. Let me point this out. I think it is kind of ridiculous. In 1981, the IRS reports collections from farm taxes came to $8.5 billion, with net losses amounting to $16.3 billion. Are we not kidding ourselves then when we have $2 of loss for every dollar of profit?

We ought to ask ourselves what is happening. Farming is a very noble industry. It used to belong to the farmers.

Mr. BENTSEN. Will the Senator yield?

Mr. ABDNOR. Yes.

Mr. BENTSEN. I do not question for a moment but what we have more losses than we have had profits in farming. That is the problem. Any time you try to sell your products at what we can get at the marketplace today, with the cost of everything we buy in farming going up and the interest rates we have to pay on the loans these days, there is no question that we are losing and we are losing it in big bucks. That is one of the reasons that the farm prices are going down.

Then we take away some of the buyers for that farmland and those farm prices are going to be down even more precipitously. I think that is a deep concern.

I think you are really adding to the problems of the small banks in the rural communities, and I think you add to the farmer's problems. He has a marginal loan in the bank now and he sees a further decline in the land price and the bank is going to have to call that loan.

In spite of the good intentions of my great friend from South Dakota, I think the net result is an economic downslide in prices, and I think that hurts us.

Mr. ABDNOR. Let me answer that with one other statistic I received from the IRS.

In 1982, all tax returns with farm losses exceeding $200,000 averaged $410,000. But off-farm income averaged $567,000 for these returns.

Let us quit kidding ourselves. People are not going in there to lose $400,000 in order to help agriculture. Their motives are clear; namely, to take advantage of tax shelters, to hold down their income tax liability, and also to become proud farmers in competition with the bona fide farmers.

I am certainly in support of my amendment.

Thank you.

The PRESIDING OFFICER. Who yields time? Is all time yielded back?

Mr. ABDNOR. I yield back my time.

Mr. BYRD. I yield back all time.

The PRESIDING OFFICER. All time is yielded back. The yeas and nays have been ordered.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, if all time is yielded back, I move to table the amendment, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Iowa to lay on the table the amendment (No. 56) of the Senator from South Dakota [Mr. ABDNOR]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. BYRD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion to lay on the table the amendment of the Senator from South

Dakota. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Colorado [Mr. ARMSTRONG] is necessarily absent.

I also announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Hawaii [Mr. MATSUNAGA] and the Senator from Mississippi [Mr. STENNIS] are necessarily absent.

I also announce that the Senator from Nebraska [Mr. EXON] is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 57, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—38

Baucus	Hart	Melcher
Bentsen	Hatfield	Mitchell
Boren	Hawkins	Moynihan
Bumpers	Heflin	Nickles
Burdick	Hollings	Nunn
Byrd	Inouye	Pryor
Chiles	Johnston	Rockefeller
Dodd	Kennedy	Sarbanes
Eagleton	Kerry	Sasser
Ford	Levin	Symms
Glenn	Long	Wallop
Gore	Mathias	Warner
Harkin	McConnell	

NAYS—57

Abdnor	Garn	Murkowski
Andrews	Goldwater	Packwood
Biden	Gorton	Pell
Bingaman	Gramm	Pressler
Boschwitz	Grassley	Proxmire
Bradley	Hatch	Quayle
Chafee	Hecht	Riegle
Cochran	Heinz	Roth
Cohen	Helms	Rudman
Cranston	Humphrey	Simon
D'Amato	Kassebaum	Simpson
Danforth	Kasten	Specter
DeConcini	Lautenberg	Stafford
Denton	Laxalt	Stevens
Dixon	Leahy	Thurmond
Dole	Lugar	Trible
Domenici	Mattingly	Weicker
Durenberger	McClure	Wilson
Evans	Metzenbaum	Zorinsky

NOT VOTING—5

Armstrong	Exon	Stennis
East	Matsunaga	

So the motion to lay on the table amendment No. 56 was rejected.

Mr. DOLE. Madam President, before we take final action on the amendment, the distinguished Senator from Virginia wants to pose a question to the distinguished author of the amendment, Senator ABDNOR.

The PRESIDING OFFICER. Who yield time?

Mr. DOLE. I yield 5 minutes to the Senator.

Mr. BYRD. Madam President, will the distinguished majority leader and the distinguished Senator from Virginia [Mr. WARNER] withhold for a moment?

I wonder if the majority leader could lay out the plan for the afternoon and the evening.

Mr. DOLE. Madam President, we will have a 2-hour recess for policy luncheons, from 12 to 2. We will be back on the resolution at 2 p.m.

At 4 p.m., we will move to the Saccharin Labeling Act. There could be another rollcall vote between 2 and 4, and not more than one on the Saccharin Labeling Act, and then we will finish for the day. I assume that we will go out around 5:30 or 6.

Tomorrow morning, we may come in a bit earlier, and it is hoped that by that time there will be an amendment pending on the budget resolution.

I think I am prepared to say now that there will be no session on Friday. Too many Senators are involved in commencement exercises around the country—either they are speaking or their children or grandchildren are graduating. I know that we would have a number of absentees.

Mr. BYRD. I say to the distinguished majority leader that we are prepared to offer some amendments. We might lay down an amendment before the conferences, or does he wish to wait until after the conferences?

Mr. DOLE. It will be helpful if we are prepared to lay one down. Otherwise, we would probably lose 20 or 30 minutes after the luncheon.

Mr. BYRD. The majority leader can be assured that an amendment will be laid down immediately after the conferences, on this side, or we can do that now.

Mr. DOLE. It does not make any difference to me. It is whatever the minority leader wishes to do.

Mr. BYRD. I understand.

Mr. WARNER. Madam President, I was unable to vote with the distinguished author of this amendment on the tabling motion because I could not receive assurances from the author of the breadth of courage of the proposed amendment. At first I voted for the amendment thinking it was the intent to limit it to assisting small farmers, a goal I share with the author. In private discussion during the course of the vote he forthrightly said the amendment could well be interpreted as covering a broad range of agricultural businesses including horses, cattle, viticulture, orchards, poultry, and more.

I would like to receive further clarification from him before we vote up or down on the amendment.

I wish to inquire of the distinguished Senator whether the horse and purebred cattle industries in this Nation, both very important not only to our domestic economy but also to our balance of payments are impacted by his amendment?

Mr. ABDNOR. It does include breeding of horses. The Internal Revenue Service considers that an agricultural trade.

Let me say this: I thought we were quite generous in limiting the deductible farm loss to the median income of about $24,000. It would seem to me if I were in a business where I was losing more than $24,000 year in and year out, I would probably get out of it.

I think horse breeding is in part a kind of a status symbol and a lot of people go into it for other reasons than to operate a business and earn a profit. If it indeed is a bona fide business and it is a yearly affair of losing $24,000 or more, it may be they better get out of the business because it is not profitable.

Mr. WARNER. Madam President, so we are now clearly informed by the author, this vote covers not only the horse industry but the purebred cattle industry, and many other major segments of agriculture which require heavy capital investment.

The beef and dairy cattle export sales in 1984 from the United States totaled over $40 million, and the swine export sales in 1984 totaled nearly $8 million, according to the USDA Foreign Agricultural Service.

Of U.S. live animal exports, three-fourths are race or breeding horses. It appears to this Senator that before we precipitously begin tampering with tax laws affecting industries which export, that we consider the international economic impact and the loss of American jobs.

While I am neither involved in the horse breeding nor purebred cattle breeding business, it seems to me to be only prudent to examine carefully the contributions these industries make to our national economy as well as to our balance of trade.

I am told by the Virginia Cattleman's Association that they would expect this amendment would have a severe impact to the cattle breeding industry. I am sure there are other industries in the agricultural sector which would be affected, should legislation be enacted to implement such a sense of the Senate resolution.

The horse industry in Virginia alone contributes $25 to $30 million annually to foreign export sales. The total value of U.S. horse exports comes to over $168 million.

Horses are ranked No. 6 of 26 commodities in Virginia with respect to cash farm receipts—over $89 million in 1983.

The horse industry's total economic activity in Virginia per year is over $320 million, and the Virginia horse industry purchases or produces from other agricultural goods and services another $55 million.

Nationally, can we afford to put this entire industry aside when it is adding to our balance of trade column, in these days of raging trade deficits?

Other business owners in the nonagricultural field similarly have the

opportunity to deduct business losses—is a cap proposed to treat all businesses the same with respect to limiting the loss' deductibility? What impact would that have on our economy?

Mr. President, I also vote against this amendment for the following reasons:

This amendment is clearly and plainly intended to require the Congress to raise revenues to reduce the deficit. Our objective in this budget debate is to reduce the deficit by reducing spending. Not by raising taxes.

Further, this amendment is intended to direct the Finance Committee to make certain considerations with regard to tax reform, even before the Congress has received or had an opportunity to review the tax reform proposal expected from the administration.

We need to give the affected agricultural industries a chance for hearings before voting this amendment as the sense of the Senate. I urge my colleagues to approve this amendment.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Madam President, it was my hope we might be able to voice this amendment. But I am told if I ask unanimous consent to vitiate the yeas and nays there will be an objection.

Mr. WARNER. I object.

Mr. DOLE. I have not done it. So, therefore, I decided not to ask unanimous consent.

Mr. FORD. Madam President, as a point of information, is there any time remaining on this amendment?

The PRESIDING OFFICER. There is no time remaining on the amendment. There are 12 hours remaining on the resolution.

The question is on agreeing to the amendment of the Senator from South Dakota. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Hawaii [Mr. MATSUNAGA] and the Senator from Mississippi [Mr. STENNIS] are necessarily absent.

I also announce that the Senator from Nebraska [Mr. EXON] is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 32, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—64

Abdnor	Goldwater	Metzenbaum
Andrews	Gorton	Murkowski
Armstrong	Gramm	Packwood
Biden	Grassley	Pell
Bingaman	Harkin	Pressler
Boschwitz	Hatch	Proxmire
Bradley	Hecht	Quayle
Burdick	Heinz	Riegle
Chafee	Helms	Roth
Cochran	Hollings	Rudman
Cohen	Humphrey	Simon
Cranston	Kassebaum	Simpson
D'Amato	Kasten	Specter
Danforth	Kennedy	Stafford
DeConcini	Kerry	Stevens
Denton	Lautenberg	Thurmond
Dixon	Laxalt	Trible
Dole	Leahy	Weicker
Domenici	Lugar	Wilson
Durenberger	Mattingly	Zorinsky
Evans	McClure	
Garn	Melcher	

NAYS—32

Baucus	Hart	Moynihan
Bentsen	Hatfield	Nickles
Boren	Hawkins	Nunn
Bumpers	Heflin	Pryor
Byrd	Inouye	Rockefeller
Chiles	Johnston	Sarbanes
Dodd	Levin	Sasser
Eagleton	Long	Symms
Ford	Mathias	Wallop
Glenn	McConnell	Warner
Gore	Mitchell	

NOT VOTING—4

East	Matsunaga
Exon	Stennis

So the amendment (No. 56) was agreed to.

Mr. DOLE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ABDNOR. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS UNTIL 2 P.M.

Mr. DOLE. Madam President, I move, in accordance with the previous order, that the Senate stand in recess until the hour of 2 p.m.

Thereupon, at 12:19 p.m., the Senate recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. KASTEN].

Mr. DOLE. Mr. President, parliamentary inquiry. If there is no quorum call posed, then I understand the time is charged equally.

The PRESIDING OFFICER. The Senator is correct.

Mr. MOYNIHAN. Mr. President, in a moment I will be sending to the desk an amendment that is proposed by myself and my distinguished friend and neighbor from the State of New Jersey, the junior Senator, Mr. LAUTENBERG.

This, Mr. President, is a deficit reduction proposal of the clearest and most straightforward kind. It is a simple proposal as a pilot program. We will sell 8 billion dollars worth of Government loans for each of 3 successive years. This is not a new idea. It has been under discussion in the Office of Management and Budget for many years. It is for that reason that Senator CRANSTON, Senator EXON, Senator DODD, and Senator LEAHY have lent their distinguished presences to this proposal, and I will offer it in all their names.

For some time now in the Office of Management and Budget, the question has been discussed as to whether it is efficient for the U.S. Government to own an ever-increasing portfolio of loans. I would ask the Chamber to give a moment's thought to this—it is $245 billion. In the budget we are going to put together, if only as a continuing resolution this fiscal year, we will add another $15 billion. We will have begun to accumulate this debt at the rate of at least $15 billion a year.

Now, some of these loans are of questionable value. We acknowledge that these questionable loans are made primarily in foreign affairs. At some level of fiction it is easier to lend money to a country, a Third World country, in a sudden food crisis. Public Law 480 loans are available as such. In all truth, the prospect of imminent repayment is not great nor should we expect so.

I can say I was once our Ambassador to India. When I arrived in that country, I found that the United States was owed an equivalent of one-third of the Indian currency for the shipments of grain we made in 2 years, 1965 and 1966, when the monsoon failed in two successive events. The Canadians had given the same amount of grain, had simply given it. They owed 13 billion rupees at the time. We made settlement in the end, which India faithfully adhered to, which gave the United States $1.1 billion.

But in the main, these loans made to foreign countries are not of the highest quality. Not every country has the tradition of public integrity that India has or the experience, size, and banking system.

Now, Mr. President, my friend from New Jersey will be much more capable of explaining this matter than I, having been in corporate experience for so long. Both of us, however, find it rather unusual that the notion of selling loans seems to be rather new to the Senate. It makes persons uneasy. As my good friend from New Mexico, the chairman of the Budget Committee, said when we proposed this to the Budget Committee, "Well, is this like the proposal to sell the Grand Canyon that we had heard from the administration earlier?" I said, "No, this is not the Grand Canyon. These loans relate to things which we don't now own; don't want to own. This is simply money we have lent to other persons to buy something they want to own."

The Export-Import Bank, I might note, has a portfolio of some $18 bil-

lion in outstanding loans. Almost half of this amount are loans to support export sales by the Boeing Corp., General Electric, Westinghouse, McDonnell Douglas, and Lockheed, five companies of the Fortune 500.

The sale of such loans, discounted, is one of the oldest of all the commercial practices in our financial system. It is a practice which we, the Federal Government, became very much involved with when we established the Federal National Mortgage Association which got the nickname Fannie Mae from a chain of candy stores—confectionery stores, I suppose, is the way they would say it—here in Washington. It began as a Federal agency to provide a secondary market for housing mortgage loans made by local banks and savings and loan associations. It is a routine practice.

And now of course Fannie Mae has been made an independent private institution. It operates on its own. All over the country banks make loans for mortgage loans and those banks in turn sell their loan to the Federal National Mortgage Association. The practice is routine.

I see the distinguished Senator from Minnesota is on the floor. Any person who has been active in business is familiar with the practice of the sale of what is known as commercial paper. It is generally sold at a discount. Many of our loans will be rather heavily discounted for the simple reason they are old. They were given at times when interest rates were lower. And in just that manner, if one had bought, say, 20 years ago a 30-year bond from the State of New York Throughway Authority at 4 or 5 percent interest, today that $10,000 bond would bring you about $6,000 in the marketplace because of the change in interest rates. That is the ups and downs of finance. Most of our loans are subsidized. They are lent at a lower rate, lower than the prevailing rate of interest. So discounting loans would be made as a normal commercial practice.

Some years ago the Bureau of the Budget, then later OMB, began thinking about this began printing and publishing each year in the special analysis section of the budget an analysis of our loan portfolio. They made that quite explicit. They list where the loans are now held. And you can see the different types of organizations that hold them. The Rural Electrification Administration has been around for many years. It now, of course, lends money for telephone companies as well as electric companies. In the heart of a nostalgic Democrat, such as I, who can remember seeing Franklin D. Roosevelt driving through the streets of New York City in his last campaign, the 1936 campaign I think of rural electrification as getting farmers out of the mud.

And it is a brave and wonderful thing to bring the refrigerators to the housewives, vacuum cleaners, electric lights, and all of those things that transformed the lives of the people in rural America in the thirties.

Well, 50 years later rural electrification is rather more complex and more enterprising. Large, 400-megawatt plants are financed for the purpose of bringing industry into rural regions. Indeed, it does, and it should. And those loans are loans that are backed by a good telephone system, by a good powerplant, and by a good power grid. They can be sold in the marketplace as a normal commercial practice.

I see my friend and cosponsor, Senator CRANSTON, has risen. Would the Senator like me to yield?

Mr. CRANSTON. I would appreciate it if the Senator would yield for a question.

I think it is noteworthy that this is the first amendment to be offered on the Democratic side of the aisle. We have had a number of Republican-sponsored amendments that have been offered up to now and the net result is that we have been adding to the deficit by increasing expenditures on the amendments that have been offered from the Republican side. So many of them passed with support from the Democrats of course, but they are initiated by the Republicans.

This is the first significant amendment and the first amendment offered for this side of the aisle that is designed to reduce the deficit by a significant margin.

Would the Senator please state exactly what the effect would be in the first, second, and third year in terms of the effect on deficit from the adoption of this amendment which I am proud to be associated with?

Mr. MOYNIHAN. I can state at a minimum that each year the deficit will be reduced by $8 billion for a cumulative $24 billion for 3 years, but then you have to always calculate that every dollar you do not borrow translates into a savings in additional interest you do not incur. So I think it would not be exaggeration to say that the 3-year effect would be up in the neighborhood of $1 billion in 1986, $2 billion in 1987, then $3 billion in 1988. So that is $6 billion in interest savings just in the next 3 years. $8 billion of loan sales for each of the next 3 years, will save you an additional $24 billion. So in fact, sir, we are proposing to save $30 billion, or reduce the deficit by $30 billion over the 3 years.

May I say to my colleague and cosponsor, if this is unfamiliar to the Senate, it is only because the executive branch has not been doing its job. If we had a $200 billion surplus, sir, we ought to be selling off these loans. It is simply not efficient to manage these enormous sums of moneys through a government bureaucracy.

With the greatest respect to our career officers, I was speaking to an executive of one of the large New York brokerage houses. I said, "You know, one of the problems is we have to ask people to handle these huge sums of money on salaries of $55,000, $60,000 a year." And there was a sort of pause at the other end of the telephone. He said, "I pay all my fund managers $600,000 a year." Well, they are worth it, with the kinds of decisions when you have billions of dollars at stake. Small differences have large consequences.

I ask unanimous consent at this point to put in the RECORD letters which we have received from the First Boston Corp., Lazard Freres, and American Express Co., all saying they have examined this proposal, they think it makes great sense, and they think there would be an interest in participation.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FIRST BOSTON,
New York, NY, April 22, 1985.

Hon. DANIEL PATRICK MOYNIHAN,
Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATORS: First Boston has had the chance to review and to discuss your proposal to establish a pilot program to sell $10 billion of the federal government's loan assets, as part of a broader plan to sell a substantial portion of the federal loan portfolio. The First Boston Corporation is one of the leading investment banks in the field of packaging and selling mortgage assets; we feel highly qualified to comment on your proposed plan.

The growth of federal credit programs has contributed significantly to the federal debt. Inefficient management of various federal loan portfolios has imposed additional costs, through unscheduled subsidies and poor collection. In addition, the failure to clearly recognize the true cost of the federal government's credit programs impedes informed economic policy making.

Your proposal would begin to address these problems. The sale of a portion of the federal government's loan portfolio would reduce outstanding federal debt and lessen pressure on interest rates from federally sponsored borrowings. The sale of the loans would provide a clearer picture of the costs of federal credit programs by allowing the market to set prices for the loans. The sale of the loans could also streamline the management of federal credit programs.

We urge the Senate to give serious consideration to your proposal to implement a pilot program to secure these policy goals.

If we can be of further assistance in your development or evaluation of this program, we will be delighted to respond.

Sincerely,

H. JAMES TOFFEY,
Managing Director.

LAZARD FRERES & CO.,
New York, NY, April 23, 1985.

Hon. DANIEL PATRICK MOYNIHAN,
Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATORS: We at Lazard Freres have reviewed your loan asset sale proposal at

several stages in its development. Indeed, Lazard worked with your staff in designing it. As a result, we are pleased both to comment and to recommend serious consideration by the Senate.

As major participants in the packaging and selling of fixed income securities, we are of course concerned with the effect of burgeoning Federal deficits on interest rates and upon credit markets generally. A major component in the increasing Federal involvement in credit markets has been the dramatic expansion in recent years of Federal loan and loan guarantee programs. This largely unsupervised exercise of the Government's borrowing authority has provided a series of hidden subsidies and covert program decisions. Because these programs have been inadequately accounted for, lending judgments are often weak and collection efforts are sometimes nonexistent.

Your proposal could help solve these problems. A sale of $10 billion from the current portfolio would help focus attention on all current Federal credit programs, both in their design and in their implementation. It would clarify the extend of Federal subsidies and, we hope, improve administrative efforts throughout the Federal Government. Last, but assuredly not least, it would signal the Government's seriousness in reducing the deficit.

We should note that many program design issues remain unresolved. The Government's loan portfolio should be reviewed carefully before deciding which assets to include in the pilot program. The characteristics of loans vary widely, and thus the ease with which they can be packaged and sold varies as well. With careful attention to the design of the portfolio, however, we are confident that a pilot sale can be achieved.

For all these reasons, we hope the Senate gives most serious consideration to your proposal and we would be pleased to continue our assistance as it develops.

Sincerely,

PETER A. ROBERTS,
General Partner.

AMERICAN EXPRESS, CO.,
April 23, 1985.

Hon. DANIEL PATRICK MOYNIHAN,
Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATORS: A number of my associates at Shearson Lehman Brothers have reviewed and discussed your proposal to establish a pilot program to sell a portion of the Federal government's loan assets. Their preliminary conclusions, summarized in the attached memo, are that this loan sale program—appropriately implemented—could further a number of important policy goals.

The largest potential benefit would be improvement of management and efficiency in Federal credit programs. The program would allow policymakers and the public to clearly identify the hidden costs of Federal credit programs, enabling them to make more informed decisions about them. It could also cut federal borrowing costs by reducing Federal debt. Over the long term, these improvements in credit and debt management could raise the efficiency of capital markets and release more financial resources for productive investment.

Thus, while such a program should not be viewed as a substitute for deficit cutting measures currently being developed by the Administration and Congress, your proposal is worthy of consideration by the Senate. We applaud you for your initiative to improve credit program management and increase efficiency in capital markets.

Best regards.

Sincerely,

JAMES D. ROBINSON III.

Mr. CRANSTON. The Senator's amendment obviously deals with the deficit without any increase in taxes of any sort.

Mr. MOYNIHAN. With no increase of taxes of any sort, none whatever, and a decrease in borrowing by the Government; therefore, a decrease in interest payments.

Mr. CRANSTON. Just to recapitulate where we are up to now on the amendments that emanated from the Republican side of the aisle, the first amendment was to restore the Social Security COLA which would in effect increase the deficit by $3 billion. The second amendment was to freeze defense so that we reduced the deficit by $3 billion. That was offsetting. We were back to scratch. The next amendment was to restore other retirees' COLA's which added $1 billion; then there was the amendment to restore the Medicare-Medicaid package which added $0.4 billion; then there was the amendment to conform the Walsh-Healey fair labor standards to practice beyond the Pentagon which reduced the deficit by $300 million. So we are presently in a situation where the Republican sponsored amendments—I will state that I voted for each of them and many Democrats did, but they all started on that side. The net effect has been to add $1.1 billion to the deficit. That is where we are at this moment.

Now we have the first Democratic amendment coming up which will not increase taxes, and will not increase spending but will cut the deficit very significantly. I applaud the leadership of the Senator from New York and the Senator from New Jersey [Mr. LAUTENBERG], for coming up with this amendment.

AMENDMENT NO. 43

(Purpose: To provide for a three year program to sell loan assets)

Mr. MOYNIHAN. Mr. President, at this point the preliminary remarks having been made, I send an amendment to the desk for myself, Mr. LAUTENBERG, in the distinguished company of Senators LEAHY, DODD, EXON, and, of course, Senator CRANSTON, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New York [Mr. MOYNIHAN], for himself and Senators LAUTENBERG, LEAHY, DODD, EXON, and CRANSTON, proposes an amendment numbered 43.

On page 38, line 14, add the following: "The Committee on Banking, Housing, and Urban Affairs shall also report changes in laws within its jurisdiction to provide for a pilot program in FY 1986 for the sale without recourse of up to $10,000,000,000 of direct loans under title V of the Housing Act of 1949 to one or more federally chartered entities on an overcollateralized basis. In fiscal years 1987 and 1988, sales of loans shall be designated by the Director of the Office of Management and Budget and the Secretary of the Treasury to yield $8.0 billion in fiscal years 1987 and 1988."

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

"Overcollateralization means that the Secretary of Agriculture, in consultation with whatever investment counsel he deems necessary, shall designate a pool of Government-owned loans to serve as collateral for the loans sold under this pilot program. The amount of loans to be designated for collateralization shall be determined by the Secretary of Agriculture with whatever investment counsel he deems necessary. Loans designated to serve as collateral will be eligible for acquisition by the private sector buyer (the federally chartered entity) in the event that any loans purchased are delinquent for 30 days or more. If this occurs, the delinquent loans shall be reacquired by the appropriate Department when the Government substitutes a new loan in place of the delinquent loan. At this time all cash proceeds from the delinquent loan, including interest income and principal repayment revert to the Federal Government.

"This procedure is to be construed as a straightforward contract specifying the use of predesignated collateral. The arrangement is to be viewed by a prospective purchaser as an adequately collateralized purchase as would occur between any two private sector entities, and it is not to be construed by a prospective purchaser or other interested party as a Federal guarantee of any form.

"In consultation with whatever investment counsel deemed necessary by the Secretary of Agriculture, the Director of the Office of Management and Budget, and the Secretary of the Treasury, the value of the loans sold shall be determined by their face value discounted by an amount necessary to equate the contracted interest payments on the loan with current yields on Treasury securities of the same duration. This current rate value may be greater than the face value of the loans sold if Treasury rates prevailing at the time of the sale are lower than the loan's original rate.

"Net proceeds from the loan sale in FY 1986 will be deposited in the rural housing insurance revolving fund and may be used for funding new loans under title V of the Housing Act of 1949 pending congressional authorization.

"In all instances, the terms and conditions of the Housing Act of 1949 shall apply to the servicing of loans sold or subsequently acquired under this pilot program.".

The subsequent instructions apply to loan sales in FY 1986. In subsequent years, the Administration shall develop regulations for loan sales.

On page 45, line 12, add the following: "The Committee on Banking, Finance, and Urban Affairs shall also report changes in laws within its jurisdiction to provide for a pilot program for the sale without recourse of up to $10,000,000,000 of direct loans under title V of the Housing Act of 1949 (in FY 1986) to one or more federally chartered entities on an overcollateralized basis. Overcollateralization means that the Secretary

of Agriculture, in consultation with whatever investment counsel he deems necessary, shall designate a pool of Government-owned loans to serve as collateral for the loans sold under this pilot program. The amount of loans to be designated for collateralization shall be determined by the Secretary of Agriculture with whatever investment counsel he deems necessary. Loans designated to serve as collateral will be eligible for acquisition by the private sector buyer (the federally chartered entity) in the event that any loans purchased are delinquent for 30 days or more. If this occurs, the delinquent loans shall be reacquired by the Department of Agriculture when the Government substitutes a new loan in place of the delinquent loan. At this time all cash proceeds from the delinquent loan, including interest income and principal repayment revert to the Federal Government.

"This procedure is to be construed as a straightforward contract specifying the use of predesignated collateral. The arrangement is to be viewed by a prospective purchaser as an adequately collateralized purchase as would occur between any two private sector entities, and it is not to be construed by a prospective purchaser or other interested party as a Federal guarantee of any form.

"In consultation with whatever investment counsel deemed necessary by the Secretary of Agriculture, the value of the loans sold shall be determined by their face value discounted by an amount necessary to equate the contracted interest payments on the loan with current yields on Treasury securities of the same duration. This current rate value may be greater than the face value of the loans sold if Treasury rates prevailing at the time of the sale are lower than the loan's original rate.

"Net proceeds for the loan sale will be deposited in the rural housing insurance revolving fund and may be used for funding new loans under title V of the Housing Act of 1949 pending congressional authorization.

"In all instances, the terms and conditions of the Housing Act of 1949 shall apply to the servicing of loans sold or subsequently acquired under this pilot program.".

Mr. MOYNIHAN. Mr. President, I would like to make two points now and then perhaps my friend from New Jersey would like to join me.

The actual amendment proposes that the Committee on Banking authorize the sale of $10 billion per year for 3 years. That is a device in finance known as over-collateralization. When loans of a new kind come into the market, which the market is not familiar with and which it has not had enough experience with, it is very common to over-collateralize in such a way that if a particular loan does not seem to be performing well, it can be turned in for another loan in such a way that, in the end, the underwriters in that case can make sure that they have the full amount of sales that they contemplate.

A more attentive administration might have come forward on its own.

We are proposing a sale of $8 billion a year for 3 years. We could just as readily, Mr. President, propose $25 billion. We are only doing this to show it can be done, and it can be done. We have put into the RECORD statements of the reputable firms in America saying, "Yes, this is a perfectly normal practice. We have never done it with the Federal Government, but why not?"

If, indeed, on the $8 billion in year 1—and we are only talking about one budget, which is what we will pass this year, though we are planning for the next 2—if that works, then the next year we can make it $16 billion, and the following year $32 billion. This is a way to get some action and to avoid some interest.

I know there are some places that are anxious about this. I can imagine if I were a Senator from the great State of Washington, I would be worried that the loan associated with the Boeing Co. and the Export-Import Bank might somehow be affected in this process. I would like to make a case to the contrary, to the degree that loans made by the Export-Import Bank are rolled over and recovered by the Federal Government. Then we have a stronger case for an Export-Import Bank as against the present proposal of the administration which, I believe, is to abolish Eximbank direct loan programs altogether.

I give you the example of the Export-Import Bank, the rural electrification, including the telephone system, direct student loans—and I recall a very large sum of money in student loans which should be paid by those doctors and others who the money was loaned to. I would imagine people would make sure those loans were paid if they owned them. And then rural housing, as good as anybody else's mortgage. They can be sold in the secondary market. I would not be surprised if quite a bit would not be bought by Fannie Mae. They buy Federal mortgages and they buy private mortgages.

My friend from New Jersey is on the floor. I have spoken about matters in which he is far more versed and skilled than I.

Mr. BUMPERS. Before yielding, would the Senator entertain two or three short questions?

Mr. MOYNIHAN. I certainly will.

Mr. BUMPERS. Would the Senator from New Jersey object to that?

Mr. LAUTENBERG. Not at all.

Mr. MOYNIHAN. As long as I can make the condition that the Senator from New Jersey would be free to correct my answer, if I am in error in any way.

Mr. BUMPERS. No. 1, these loans which the Senator is proposing to sell, will they continue to be guaranteed by the Federal Government or will they be taken without recourse by the public which buys them?

Mr. MOYNIHAN. The loans carry a Federal guarantee, but I think the Senator from Arkansas is missing a point. These are not loan guarantees. These are loans. The Federal Government did not guarantee these loans. The Federal Government made these loans.

Mr. BUMPERS. I understand. These are not any loans that are going to be picked up from the banks that we normally guarantee loans for. These are loans that the United States has made directly?

Mr. MOYNIHAN. That is right.

Mr. BUMPERS. So when we sell them, will we sell them with recourse against us rather than the borrower?

Mr. MOYNIHAN. That is the technique of overcollateralization where we are providing $10 billion in the pilot program with the expectation of realizing $8 billion so that those which do not perform and have recourse provisions in them will be given back to us in return for another loan. These loans are good.

Mr. BUMPERS. It is assumed, of course, that these loans are carrying an interest rate right now, and presumably some might be disaster loans.

Mr. MOYNIHAN. I do not think we would be fooling around with disaster loans. We are talking about telephone loans, 400 megawatt generating plants, commercial paper in the Boeing Co.

Mr. BUMPERS. The Senator mentioned telephone, so let us go to the REA Telephone Loan Program. For years, the REA loaned money at 2 percent. In the past 3 or 4 years, I think we have raised the rate to about 6 percent. So let us take the latter case.

Let us take an REA loan. Let us assume you are proposing to sell an REA loan that carries a 6 percent interest rate. Obviously, if you had a 10-year loan you were going to sell at 6 percent and it was a $1 million loan, I think the Senator would agree with me he would be lucky to get $500,000 for it.

Mr. MOYNIHAN. I know the Senator used the word "lucky" in general terms, but there is an exact price, which I mentioned before the Senator arrived in the Chamber. Suppose 20 years ago you had purchsed a $10,000, 30-year bond from the New York State Thruway Authority at a face interest rate of 4¾ percent. Well, you can sell that bond in New York City, in Manhattan, on Wall Street, as they say, and it would take about 13 seconds to sell that bond and I will tell you exactly what it is worth. It is not worth $10,000. It is worth $6,159 or whatever. It is a direct function of the existing rate and the face value of the instrument.

Mr. BUMPERS. I agree with the Senator totally and I understand the science of what he has said.

So here we have, we will say, this $1 million REA loan that we are going to collect 6 percent on for the next 20 years, since it is a 30-year loan. If somebody is going to buy that loan, he

is only going to buy it at a discount so that the discount will mean that he derives a yield comparable to today's interest rates.

I would say that most of these, since they are Federal loans with recourse, would probably sell at a discount which would bring a yield to the purchaser of 12 to 13 percent interest.

My next question is this: What is the cost of the money to the U.S. Government today?

Mr. MOYNIHAN. The T-bill cost? I suppose it is about 8.5 percent.

Mr. BUMPERS. I think it is about 10 percent.

Mr. MOYNIHAN. Long-term T-bills are 11⅞.

That sounds high. If the Senator will permit me, I believe 90-day T-bills are about 8 percent and longer term bills are about 12.

Mr. BUMPERS. I think the average cost of money from all sources to the Federal Government today is between 9.5 and 10 percent.

Mr. MOYNIHAN. That is about right.

Mr. BUMPERS. That brings me to my next question, which causes me some pause about the Senator's amendment. It is simply this: No. 1, most of these are revolving funds and I shall come back to that in just a moment.

No. 2, the Federal Government is going to take a net loss between the cost of money to the Government today and the kinds of discount they are going to have to take to sell these loans. My question is: Is it a good business practice to sell these loans for a quick fix on the deficit—and God knows, I favor any kind of fix on the deficit, but I do not want to be penny wise and pound foolish. My question is, are we not probably going to lose, at today's market, between 2 and 3 percent of the value of these loans by selling them over what we would collect if we kept them?

Mr. MOYNIHAN. There are two answers to that, Mr. President. One is the technique of over-collateralization would not in any way involve that much of a drop. It would be dropped, but nothing like that. If we do not like how it is working, we do not have to do it.

Second, you do not go $4 billion deeper in debt over the 4 years paying forever 10 percent or whatever in interest. Before the Senator came on the floor, we made a simple calculation. The Senator from California asked about this: What would be the deficit reduction in 3 years with this pilot program?

We said the nominal is 3 times 8; 24. If you take the proposition of $8 million in a long-term debt, which calculates out to about $1 billion a year, you pick up $6 billion in interest with just this small program to learn if we can do it.

In normal circumstances, I would say to my friend from Arkansas that within the planning circles of the executive branch, for years they have been saying: Why have we allowed ourselves to accumulate 245 billion dollars' worth of loans? It just makes no sense.

Mr. BUMPERS. Is that the present Government portfolios?

Mr. MOYNIHAN. Yes, sir, $245 billion. It is now going up at about $15 billion a year. Some of this is commercial paper that finances sales—McDonnell Douglas and General Electric. If it were a bank loan, it would trade on Wall Street in 12 minutes. Any analyst can tell you exactly what it is worth and what it will get.

Mr. BUMPERS. Are not most of those loans revolving funds?

Mr. MOYNIHAN. No, Mr. President.

Mr. BUMPERS. They are not?

Mr. MOYNIHAN. Some are and if that meant the demise of the program, you need not use that. Let me just give you some of the points of a specific program here, the Tennessee Valley Authority. The U.S. Government has lent it $1.5 billion. $1.556 billion. Next year, by 1986, the number will be $1.7 billion.

The loans of the Tennessee Valley Authority, that commercial paper is entirely an open transaction. There is just no reason we need, short as we are of money, desperate for money, why we should hold on to $1.7 billion of TVA loans when there is a bank that can buy them from us.

Mr. BUMPERS. Mr. President, I am not sure I am going to vote for the Senator's amendment. I am trying to make up my mind about it. It simply seems to me that we should hold our existing loan portfolio if, by doing so, we collect more revenue than from making a quick fix sale at a substantial discount.

Mr. MOYNIHAN. I can say no more than this to my dear friend: Yes, over the 20-year life of the loan, you will get it, but in the meantime, if you offset that against the interest we will pay from the money we have to borrow now, I would say to the Senator, the answer is arguably and honestly—we have not tried to exaggerate. It is our conviction that even in the long term, you will save money because the interest you are not paying on the alternative of borrowing will more than offset the discount problem.

Mr. BUMPERS. If one were to assume that we were going to get out of the loan business and we were not going to have to replenish any of these loan funds, I think this would be a perfectly valid approach to deficit reduction. But some of these funds are revolving funds and will have to be replenished if we are going to continue the program. Some of them that are not revolving funds, if we continue the program, we absolutely must replenish.

So it seems to me that we are just sort of robbing Peter to pay Paul here for a quick fix. I have a little difficulty with that.

Let me just make this statement and then I shall yield and let the Senator from New Jersey speak in favor of the amendment: David Stockman has proposed to abolish the Small Business Administration. In the process, he is proposing to sell off the entire loan portfolio of SBA, which is over $12 billion.

It is now estimated that SBA will collect 96 percent of the $12 billion if the loan portfolio is left with SBA. But if David Stockman gets his way and the entire portfolio is sold, it is estimated that it will bring $7 billion. So the abolition of SBA, according to David Stockman, will cost the taxpayers of this country $5 billion. I see an analogy between that and what the Senator is proposing here.

Mr. MOYNIHAN. Obviously, I cannot persuade the Senator from Arkansas. There are two entirely different issues here. If we want to get rid of SBA, we could think of many reasons for doing so. If we want SBA to be less of a burden on the Government, make sure we are not carrying all these loans—do we have $200 billion deficits as far as the eye can see or do we not? I thought we did. I thought that is what we are here about. We have a simple proposal. We are going to lower the deficit by $30 billion for the next 3 years without cutting anybody's program or jeopardizing anybody's activities. It may be that it is too simple to be persuasive.

If anybody can be persuasive in the matter, it is my friend from New Jersey [Mr. LAUTENBERG]. I see he has risen. Before I yield to him, one thing, Mr. President: I ask unanimous consent that the amendment I sent to the desk be replaced by an amendment I now send to the desk. There was a technical error in the first amendment.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

The amendment (No. 57), as modified, is as follows:

On page 38, line 14, add the following: "The Committee on Banking, Housing, and Urban Affairs shall also report changes in laws within its jurisdiction to provide for a pilot program for the sale without recourse of up to $10 billion annually in each fiscal year 1986, 1987, the first year of which direct loans under title V of the Housing Act of 1949 to one or more federally chartered entities on an overcollateralized basis. Overcollateralization means that the Secretary of Agriculture, in consultation with whatever investment counsel he deems necessary, shall designate a pool of Government-owned loans to serve as collateral for the loans sold under this pilot program. The amount of loans to be designated for colla-

teralization shall be determined by the Secretary of Agriculture with whatever investment counsel he deems necessary. Loans designated to serve as collateral will be eligible for acquisition by the private sector buyer (the federally chartered entity) in the event that any loans purchased are delinquent for 30 days or more. If this occurs, the delinquent loans shall be reacquired by the Department of Agriculture when the Government substitutes a new loan in place of the delinquent loan. At this time all cash proceeds from the delinquent loan, including interest income and principal repayment revert to the Federal Government.

"This procedure is to be construed as a straightforward contract specifying the use of predesignated collateral. The arrangement is to be viewed by a prospective purchaser as an adequately collateralized purchase as would occur between any two private sector entities, and it is not to be construed by a prospective purchaser or other interested party as a Federal guarantee of any form.

"Net proceeds for the loan in fiscal year 1986 will be deposited in the rural housing insurance revolving fund and may be used for funding new loans under title V of the Housing Act of 1949 pending congressional authorization.

"In all instances, the terms and conditions of the Housing Act of 1949 shall apply to the servicing of loans sold or subsequently acquired under this pilot program.".

On page 45, line 12, add the following: "The Committee on Banking, Finance, and Urban Affairs shall also report changes in laws within its jurisdiction to provide for a pilot program for the sale without recourse of up to $10,000,000,000 of direct loans under title V of the Housing Act of 1949 to one or more federally chartered entities on an overcollateralized basis. Overcollateralization means that the Secretary of Agriculture, in consultation with whatever investment counsel he deems necessary, shall designate a pool of Government-owned loans to serve as collateral for the loans sold under this pilot program. The amount of loans to be designated for collateralization shall be determined by the Secretary of Agriculture with whatever investment counsel he deems necessary. Loans designated to serve as collateral will be eligible for acquisition by the private sector buyer (the federally chartered entity) in the event that any loans purchased are delinquent for 30 days or more. If this occurs, the delinquent loans shall be reacquired by the Department of Agriculture when the Government substitutes a new loan in place of the delinquent loan. At this time all cash proceeds from the delinquent loan, including interest income and principal repayment revert to the Federal Government.

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"In consultation with whatever investment counsel deemed necessary by the Secretary of Agriculture, the value of the loans sold shall be determined by their face value discounted by an amount necessary to equate the contracted interest payments on the loan with current yields on Treasury securities of the same duration. This current rate value may be greater than the face value of the loans sold if Treasury rates prevailing at the time of the sale are lower than the loan's original rate.

"Net proceeds for the loan sale will be deposited in the rural housing insurance revolving fund and may be used for funding new loans under title V of the Housing Act of 1949 pending congressional authorization.

"In all instances, the terms and conditions of the Housing Act of 1949 shall apply to the servicing of loans sold or subsequently acquired under this pilot program.".

In subsequent years, fiscal year 1987 and fiscal year 1988, the Office of Management and Budget and the Secretary of the Treasury shall design and implement the loan sale to yield at least $8 billion annually.

Mr. MOYNIHAN. I thank the Chair, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I rise to support the amendment sponsored by my colleague from New York [Mr. MOYNIHAN], myself, and others, because it is time to take a look at some innovative ways to reduce the budget deficit. What has been proposed, I remind my colleagues, is a pilot program and it is a very small pilot program. Perhaps we shall find out at the end of 3 years that things have not worked quite as they should have and we will not have realized the full benefit that we think can be achieved.

On the other hand, we do have the significant endorsement of many qualified in the financial community who think that this is a pretty good idea. It offers us a chance to reduce the deficit substantially.

While Senator MOYNIHAN should be commended for his ingenuity in developing this piece of legislation, it is not a wholly new idea. The CBO considered it in the context of exploring the appropriate budgetary treatment of Government lending in March 1984. CBO estimated that the Treasury then could secure almost $100 billion in the sale of then existing loans.

We are talking about a number that has enlarged considerably, as my distinguished colleague from New York has indicated. We see that portfolio continue to grow at over $50 billion a year.

The Banking Committee, on which I formerly served, has considered the option of selling new loans as they are made. The practice of selling Government loans has been well established in the housing market. The loan sale could reduce, at least some of the need for revenue increases, and it could yield as much as some of the draconian cuts in essential domestic spending.

It would also save the Government the expense of administering the portfolio. The private sector can do it much better, and for less. All we have to do is look at the Student Loan Program that has developed over the years and see how poorly it has been administered and how poor the collection rate has been. We see example after example of wealthy individuals, who were supported by low-cost loans through Government programs, who chose to ignore their responsibility to repay, and so did those who were responsible for collecting from them. So we know that if we turn over loans to the private sector, it will be more efficient about collections, and we will have a better chance of seeing those funds come in. Moreover, we will begin to recognize the real cost of Government credit programs. That should lead to more informed decisions about such programs.

In answer to the distinguished Senator from Arkansas [Mr. BUMPERS], who raised some interesting questions, we do not know what the discount rate will be. This has to be negotiated. There is provision in the proposal for over collateralization, which will keep the discount down. But we will never be able to tell with absolute certainty what the discount would be until we negotiate it in the marketplace.

If these loans are sold presently and the interest rates go up, which is a concern of many, then we will be far better off. If interest rates go the other way, we could be licking some wounds. But the risk is de minimis when we consider the opportunity we have to preserve some programs, and to reduce the budget deficit, which is the mission, purportedly, of everybody in this Chamber.

So I think we should get on with it and give it a try. We have endorsements. I think the Senator from New York mentioned some of the comments we had received from bankers.

I ask the Senator from New York: Did he mention the letters he had received?

Mr. MOYNIHAN. Yes, I did. I have those letters from the First Boston Corp, from American Express, and Lazard Freres.

The Senator from New Jersey cited the March 1984 CBO study entitled "New Approaches To Budgetary Treatment Of Federal Credit Assistance." The Senator from Mississippi, who has always been thoughtful and courteous, might be interested in this. The CBO, in March 1984, said that going straight out, doing not just a pilot program but doing what they estimated we could do, these transactions would produce a one-time net cash inflow to Treasury estimated at $95 billion. If Everett Dirksen were around, he would say, "You're talking real money." To that $95 billion you might add $10 billion a year forever, in interest, if you do not have to borrow it. I believe the Senator did mention that.

Mr. LAUTENBERG. Yes.

Mr. MOYNIHAN. It is on page 66.

Mr. LAUTENBERG. I did not mention the page, but I did mention that it was approximately $100 billion.

In 1984, CBO estimated that there was an opportunity to gain almost $100 billion from the sale of the portfolio. A sale today would yield over $135 billion.

What we are proposing here, relatively speaking, is small given the size of the whole portfolio. We do not intend to approach the whole portfolio at one time. That is not our intention. Our intention is to present this pilot program and give it a chance to work.

Certainly, the importance of having revenues come in and reduce the deficit without developing a new tax program is something that I think all Members of this body could agree upon.

So, I urge my colleagues to give us their support on this amendment. I think it has been demonstrated sufficiently in the discussion that has taken place that this is worth trying. I urge that we get on with it and take this important step toward reducing the deficit, one step that does not require the American taxpayer to pay.

Mr. MOYNIHAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. WEICKER). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MOYNIHAN. Mr. President, I do not mean to detain the Senate in this matter. I make two points, following the remarks of the distinguished Senator from New Jersey, who is a cosponsor.

First, the Congressional Budget Office has estimated that you could realize a one-time cash-flow of $95 billion. We are merely proposing a pilot program of $8 billion a year for 3 years. If it works out well, we can increase it next year and the year after. If it does not work out well, we have made a reasonable experiment, and it is a controlled experiment. The technique of over-collateralization is well understood and easily met.

Two other points: I do not think we have a sense of how interest is eating us alive. The deficit is compounding.

We made a simple calculation when we were asked by the Senator from California how much this would reduce the deficit in 3 years, and we said $24 billion. However, calculating the cost of borrowing, you add $6 billion—just $6 billion in 3 years.

Last, Mr. President, if anyone supposes that we are going to take this $200 billion deficit, which is now compounded—$150 billion will be borrowed next year to pay interest. That means $165 billion the year after. That means $185 billion the year after that. If we think we are going to get there by reducing the size of the Department of Education or cutting travel allowances in the Internal Revenue Service, or such, that gives a sense of the magnitude.

The interest savings of 3 years in this modest program we are proposing will pay for the Marine Corps for 1 year.

Mr. LAUTENBERG. Mr. President, will the Senator yield for a question?

Mr. MOYNIHAN. I am happy to yield.

Mr. LAUTENBERG. I think it is fair to say, is it not, that the administration of various Government programs is sometimes inefficient. Does the Senator from New York think it is possible that we might be able to reduce some of the administrative costs of managing credit programs which could be fairly significant? Also, is it not possible that if we sell loan assets and reduce Government borrowing, if we reduce some Government pressure on credit markets, we might even be able to start to see interest rates reduced as a result? Here is a proposal for Government to step out of the credit market a little and perhaps reduce the cost of borrowing money.

The PRESIDING OFFICER. The time on the proposed amendment has expired.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent to have printed in the RECORD the list of loan agencies and their outstanding loans as provided by the Office of Management and Budget.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

DIRECT LOAN TRANSACTIONS OF THE FEDERAL GOVERNMENT

[In millions of dollars]

Agency or program		Actual 1984	Estimate					
			1985	1986	1987	1988	1989	1990
Funds Appropriated to the President:								
Economic Support Fund	Obligations	288	240	396	463	503	545	592
	Loan disbursements	382	240	396	463	503	545	592
	Change in outstandings	335	192	337	303	493	545	506
	Outstandings	6,011	6,203	6,540	6,844	7,336	7,882	8,387
Foreign Military Sales Credit	Obligations	1,315	4,940	5,655	5,779	5,901	6,019	6,130
	Loan disbursements	1,060	2,802	4,863	5,646	6,059	6,248	6,514
	Change in outstandings	−86	421	1,874	2,314	2,494	2,406	2,277
	Outstandings	140	962	2,435	4,750	7,244	9,650	11,927
Foreign Military Sales Credit (loans made by FFB) [1]	Obligations	4,401						
	Loan disbursements	3,503	3,147	1,311	524	262		
	Change in outstandings	2,818	2,340	282	−693	−1,001	−1,218	−1,029
	Outstandings	17,111	19,451	19,733	19,040	18,040	16,821	15,792
Guarantee Reserve Fund (Foreign military sales defaults)	Obligations	613	683	793	824	793	793	785
	Loan disbursements	613	683	793	824	793	793	785
	Change in outstandings	248	239	278	288	278	277	275
	Outstandings	775	1,014	1,292	1,580	1,857	2,135	−2,410
Overseas Private Investment Corporation	Obligations	10	15	15	15	15	15	15
	Loan disbursements	4	10	10	10	12	13	13
	Change in outstandings	−*	4	4	4	6	7	6
	Outstandings	33	37	41	45	51	58	64
Overseas Private Investment Corporation (loans held by FFB) [2]	Change in outstandings	−5	−5	−5	−1	−*		
	Outstandings	11	6	1	*			
AID functional development assistance	Obligations	406	342	315	358	358	358	358
	Loan disbursements	330	345	342	342	344	346	347
	Change in outstandings	332	337	334	333	334	335	335
	Outstandings	2,840	3,178	3,511	3,844	4,178	4,513	4,848
AID development loans revolving fund	Obligations							
	Loans disbursements	*						
	Change in outstandings	−304	−259	−261				
	Outstandings	9,026	8,767	8,506	8,506	8,506	8,506	8,506
AID private sector revolving fund	Obligations	12	18	20				
	Loans disbursements		8	16	14	7	2	
	Change in outstandings		8	16	14	7	2	
	Outstandings		8	24	39	46	48	48
AID housing and other credit guarantees	Obligations	27	29	29	22	22	19	19
	Loans disbursements	27	29	29	22	22	19	19
	Change in outstandings	12	24	24	14	14	9	9
	Outstandings	32	56	81	94	108	117	127
AID miscellaneous appropriations	Obligations							
	Loans disbursements	48						
	Change in outstandings	42	−8	−8	−9	−10	−11	−12

DIRECT LOAN TRANSACTIONS OF THE FEDERAL GOVERNMENT—Continued

[In millions of dollars]

Agency or program		Actual 1984	Estimate					
			1985	1986	1987	1988	1989	1990
	Outstandings	181	173	165	156	146	135	123
Agriculture:								
Farmers Home Administration:								
Agricultural credit insurance fund	Obligations	4,005	3,770	435	318	294	365	19
	Loans disbursements	3,976	3,786	643	318	209	108	8
	Change in outstandings	131	1,392	−1,065	800			
	Outstandings	410	1,802	737	1,537	1,537	1,537	1,537
Agricultural credit insurance fund (loans held by FFB) [2]	Change in outstandings	1,410	1,175	−1,084	−3,177	−3,088	−2,876	−3,305
	Outstandings	25,517	26,692	25,608	22,431	19,343	16,467	13,162
Rural housing insurance fund	Obligations	2,776	3,445	168	42	170	192	34
	Loans disbursements	2,562	3,451	1,621	450	94	30	30
	Change in outstandings	90	−292	312				
	Outstandings	435	143	455	455	455	455	455
Rural housing insurance fund (loans held by FFB) [2]	Change in outstandings	1,090	2,335	−180	−1,192	−1,236	−1,446	−1,675
	Outstandings	26,766	29,101	28,921	27,729	26,493	25,047	23,372
Rural housing insurance fund	Obligations	412	511	62	5	243	90	301
	Loans disbursements	457	739	507	438	239	77	27
	Change in outstandings	−*	−5	−25	15	−10	−10	−10
	Outstandings	105	100	75	90	80	70	60
Rural housing insurance fund (loans held by FFB) [2]	Change in outstandings	320	589	360	121	183	−45	−276
	Outstandings	7,228	7,817	8,177	8,299	8,482	8,437	8,160
Commodity Credit Corporation:								
Short and medium term export loans	Obligations	147	325					
	Loans disbursements	142	325					
	Change in outstandings	83	−95	−267	−211	−172	−63	−6
	Outstandings	823	728	460	250	78	15	9
Commodity loans	Obligations	5,130	8,891	8,507	7,928	5,345	3,367	3,123
	Loans disbursements	5,130	8,891	8,507	7,928	5,345	3,367	3,123
	Change in outstandings	−6,200	1,984	−591	−2,579	−2,257	−1,523	−329
	Outstandings	7,856	9,839	9,249	6,670	4,413	2,890	21,561
Storage facility loans	Obligations	1	*					
	Loans disbursements	1	*					
	Change in outstandings	−293	−294	−264	−130	−29		
	Outstandings	716	422	159	29	*		
Rescheduled guaranteed loans	Obligations	183						
	Loans disbursements	183						
	Change in outstandings	181	−13	−45	−52	−70	−78	−39
	Outstandings	364	350	306	254	184	106	67
Public Law 480 long-term export credits	Obligations	806	1,012	922	940	958	975	964
	Loan disbursements	748	1,012	922	940	958	975	964
	Change in outstandings	468	761	647	640	638	635	604
	Outstandings	9,269	10,030	10,677	11,317	11,955	12,590	13,194
Rural electrification and telephone revolving fund	Obligations	1,079	1,122	575	435	290	145	
	Loan disbursements	780	1,200	800	700	600	500	400
	Change in outstandings	285	314	98	119	104	88	71
	Outstandings	10,163	10,477	10,575	10,694	10,798	10,886	10,957
Rural electrification and telephone revolving fund (loans made by FFB) [1]	Obligations	1,002	1,325	300	225	150	75	
	Loan disbursements	2,395	2,885	2,432	1,950	1,750	1,500	1,000
	Change in outstandings	1,648	2,685	2,222	1,700	1,490	1,230	700
	Outstandings	20,587	23,272	25,494	27,194	28,684	29,914	30,614
Rural electrification and telephone revolving fund (loans held by FFB) [2]	Change in outstandings	69	447	253	53			
	Outstandings	3,537	3,984	4,237	4,290	4,290	4,290	4,290
Rural Telephone Bank	Obligations	143	185	185	139	92	46	
	Loan disbursements	90	150	150	150	125	115	105
	Change in outstandings	74	134	133	149	104	89	75
	Outstandings	1,327	1,461	1,594	1,743	1,847	1,936	2,011
Commerce:								
Economic Development revolving fund	Obligations	13	12	10	15	15	15	15
	Loan disbursements	22	26	10	15	15	15	15
	Change in outstandings	−87	−41	−72	−15	−15	−15	−15
	Outstandings	624	582	511	496	481	466	451
EDA Miscellaneous appropriations	Obligations							
	Loan disbursements			7				
	Change in outstandings	−2	−2	12	−25	−13	−14	−14
	Outstandings	101	99	111	86	72	59	44
ITA operations and administration	Obligations	8	*					
	Loan disbursements	3	8					
	Change in outstandings	2	3	−8				
	Outstandings	5	8					
NOAA coastal energy impact fund	Obligations							
	Loan disbursements	3	1	2	2	2	2	2
	Change in outstandings	2	−1	−*	−*	−*	−*	−*
	Outstandings	96	95	95	94	94	93	93
NOAA Federal Ship Financing (fishing)	Obligations	14	10	2				
	Loan disbursements	14	10	2				
	Change in outstandings	3	1	−2				
	Outstandings	18	19	17				
Education:								
Guarantees of SLMA obligations (loans made by FFB) [1]	Obligations							
	Loan disbursements							
	Change in outstandings				−30	−30	−30	−30
	Outstandings	5,000	5,000	5,000	4,970	4,940	4,910	4,880
Guaranteed student loans	Obligations	769	937	877	885	815	781	744
	Loan disbursements	749	937	877	885	815	781	744
	Change in outstandings	552	552	344	425	292	75	41
	Outstandings	2,465	3,017	3,361	3,786	4,078	4,153	4,194
National Direct Student Loans	Obligations	169	192					
	Loan disbursements	157	169	192				
	Change in outstandings	70	102	118	−45	−40	−35	−30
	Outstandings	4,974	5,076	5,194	5,149	5,109	5,074	5,044
College housing loans	Obligations	40						
	Loan disbursements	43	70	63	36	12		
	Change in outstandings	−350	−361	−18	−14	−89	−89	−90
	Outstandings	2,676	2,314	2,296	2,222	2,134	2,044	1,954
Higher education	Obligations							
	Loan disbursements							
	Change in outstandings	−25	−22	−21	−16	−7	−6	−4
	Outstandings	86	64	43	27	20	14	10
Higher education facilities loans and insurance	Obligations							
	Loan disbursements							
	Change in outstandings	−25	−15	−15	−15	−15	−15	−15
	Outstandings	375	360	345	330	315	301	286

DIRECT LOAN TRANSACTIONS OF THE FEDERAL GOVERNMENT—Continued

[In millions of dollars]

Agency or program		Actual 1984	Estimate					
			1985	1986	1987	1988	1989	1990
Energy:								
Geothermal Resources	Obligations		16					
	Loan disbursements		16					
	Change in outstandings		14	−*				
	Outstandings		14	14	14	14	14	14
Alternative fuels (loans made by FFB) [1]	Obligations							
	Loan disbursements	404	274					
	Change in outstandings	404	274			−105	−105	−105
	Outstandings	1,290	1,564	1,564	1,564	1,459	1,354	1,250
Bonneville Power Administration	Obligations	1	20	20	20	20	20	20
	Loan disbursements	1	20	20	20	20	20	20
	Change in outstandings	*	18	15	16	16	15	14
	Outstandings	10	28	44	60	76	91	105
Health and Human Services:								
HMO's and medical facilities	Obligations	4	5	3	2	2	2	2
	Loan disbursements	3	5	3	2	2	2	2
	Change in outstandings	2	1	1	1	1	1	*
	Outstandings	31	32	32	33	34	34	35
HMO's and medical facilities (loans held by FFB) [2]	Change in outstandings	−14	−4	−10	−11	−12	−13	−14
	Outstandings	248	244	234	223	211	198	184
Health resources and services	Obligations	1	1	1	1	1	1	1
	Loan disbursements	2	2	1	1	1	1	1
	Change in outstandings	−71	−4	−4	−3	−3	−3	−3
	Outstandings	538	535	531	528	525	522	519
Rural development loan fund	Obligations	10						
	Loan disbursements	7	1					
	Change in outstandings	14	*	−2	−2	−3	−4	−5
	Outstandings	38	39	37	35	32	28	23
Housing and Urban Development:								
Low-rent public housing	Obligations	1,413	14,303	1,822	1,395	634	400	251
	Loan disbursements	1,413	14,303	1,822	1,395	634	400	251
	Change in outstandings	1,013	−1,216					
	Outstandings	1,216						
Low-rent public housing (loans made by FFB) [1]	Obligations							
	Loan disbursements	153						
	Change in outstandings	112	−32	−35	−37	−39	−42	−44
	Outstandings	2,178	2,146	2,112	2,075	2,035	1,993	1,949
Housing for the elderly or handicapped	Obligations	666	600	50	20	567	588	608
	Loan disbursements	709	592	606	667	700	735	770
	Change in outstandings	685	567	578	1,060	670	703	770
	Outstandings	5,155	5,722	6,300	7,361	8,031	8,734	9,505
GNMA special assistance functions	Obligations							
	Loan disbursements	1,268						
	Change in outstandings	−837	−2,165					
	Outstandings	2,165						
GNMA emergency mortgage purchases	Obligations							
	Loan disbursements		792	342				
	Change in outstandings	−246	1,298	−667	−360	−150	−150	−100
	Outstandings	218	1,515	849	489	339	189	89
Community development grants (loans made by FFB) [1]	Obligations	87	225					
	Loan disbursements	71	113	116	137	69		
	Change in outstandings	31	42	25	23	−59	−104	−95
	Outstandings	208	250	275	298	239	135	40
Federal Housing Administration Fund	Obligations	456	373	311	368	476	507	643
	Loan disbursements	455	351	288	334	459	491	643
	Change in outstandings	−878	21	−112	−57	−28	−22	−11
	Outstandings	4,166	4,187	4,075	4,018	3,990	3,968	3,957
Rehabilitation loan fund	Obligations	86	132					
	Loan disbursements	49	136	84				
	Change in outstandings	−8	73	22	−62	−62	−62	−62
	Outstandings	714	787	809	747	684	622	559
Interior:								
Bureau of Reclamation loan program	Obligations	44	68	40	51	12	6	1
	Loan disbursements	44	59	47	51	12	6	1
	Change in outstandings	37	52	38	42	2	−5	−10
	Outstandings	390	442	480	522	524	519	509
BIA revovling fund	Obligations	12	19	16	13	13	13	13
	Loan disbursements	12	19	17	13	13	13	13
	Change in outstandings	7	11	8	4	4	4	4
	Outstandings	93	104	112	116	120	124	129
Transportation:								
Railroad rehabilitation and improvement financing	Obligations	42	16					
	Loan disbursements	45	40	11				
	Change in outstandings	45	40	10	−14	−1	−9	−16
	Outstandings	558	598	608	595	593	585	569
Railroad rehabilitation and improvement financing (loans made by FFB) [1]	Obligations	6	2					
	Loan disbursements	1	5	2	2	1		
	Change in outstandings	−24	−5	−9	−10	−12	−14	−12
	Outstandings	160	154	145	135	124	110	97
Grants to Amtrak	Obligations	880						
	Loan disbursements	880						
	Change in outstandings							
	Outstandings							
Grants to Amtrak (loans made by FFB) [1]	Obligations							
	Loan disbursements							
	Change in outstandings	−880						
	Outstandings							
Rail service assistance	Obligations	60						
	Loan disbursements	60						
	Change in outstandings	−65						
	Outstandings							
Federal-aid highways trust fund	Obligations	27	*					
	Loan disbursements	6	10	11				
	Change in outstandings	6	10	11	−45	−27	−18	
	Outstandings	69	79	90	45	18		
Right-of-way revolving fund	Obligations	26	50	50	50	50	50	50
	Loan disbursements	20	50	50	50	50	50	50
	Change in outstandings	−18						
	Outstandings	131	131	131	131	131	131	131
Micellaneous expired accounts	Obligations							
	Loan disbursements							

DIRECT LOAN TRANSACTIONS OF THE FEDERAL GOVERNMENT—Continued

[In millions of dollars]

Agency or program		Actual 1984	Estimate					
			1985	1986	1987	1988	1989	1990
	Change in outstandings	−30	−11	−1				
	Outstandings	12	1					
Aircraft purchase loan guarantees	Obligations	22						
	Loan disbursements	22						
	Change in outstandings	−41	−41					
	Outstandings	89	48	48	48	48	48	48
MarAd Federal ship financing fund	Obligations	127	228	115	85	60	60	60
	Loan disbursements	127	228	115	85	60	60	60
	Change in outstandings	48	173	60	30	5	5	5
	Outstandings	270	443	503	533	538	543	548
Environmental Protection Agency:								
Abatement, control, and compliance	Obligations		6	11				
	Loan disbursements		6	11	6			
	Change in outstandings		6	10	6	−1	−1	−1
	Outstandings		6	16	21	20	19	18
NASA:								
Space flight, control and data communications (loans made by FFB) [1]	Obligations	142						
	Loan disbursements	142						
	Change in outstandings	7	−67	−107	−112	−98	−113	−129
	Outstandings	955	888	780	668	570	457	328
Veterans Administration:								
Vendee loans and loans repurchased from the public	Obligations	944	857	642	572	518	462	433
	Loan disbursements	944	857	642	489	444	399	380
	Change in outstandings	−430	−42	−80	−28	−35	−45	−48
	Outstandings	1,066	1,024	945	917	882	836	789
Direct loan revolving fund	Obligations	1	1	1	1	1	1	*
	Loan disbursements	1	1	1	1	1	1	*
	Change in outstandings	−33	−33	−32	−19	−20	−20	−20
	Outstandings	168	135	103	84	64	44	24
National service life insurance fund	Obligations	103	117	121	126	130	135	140
	Loan disbursements	103	117	121	126	130	135	140
	Change in outstandings	−39	−26	−28	−14	−10	−5	−*
	Outstandings	1,113	1,087	1,059	1,045	1,035	1,031	1,030
Other veterans insurance fund	Obligations	29	35	36	38	39	40	42
	Loan disbursements	29	35	36	38	39	40	42
	Change in outstandings	−9	−6	−5	−5	−5	−6	−6
	Outstandings	250	244	239	234	229	23	217
District of Columbia:								
Loans to the District of Columbia	Obligations	115						
	Loan disbursements	115						
	Change in outstandings	84	−107	−36	−39	−42	−45	−48
	Outstandings	1,883	1,776	1,7400	1,700	1,658	1,614	1,566
Export-Import Bank	Obligations	1,467	3,865					
	Loan disbursements	2,341	2,863	2,412	1,131	599	227	104
	Change in outstandings	621	993	195	−1,032	−1,787	−2,325	−2,374
	Outstandings	17,504	18,497	18,692	17,659	15,872	13,548	11,174
Federal Deposit Insurance Corporation [3]	Obligations	5,658	180	150	300	300	300	300
	Loan disbursements	5,658	180	150	300	300	300	300
	Change in outstandings	3,321	152	111	300	300	300	300
	Outstandings	3,923	4,074	4,185	4,485	4,785	5,085	5,385
Federal Savings and Loan Insurance Corporation [3]	Obligations	656	90	148	140	140	140	140
	Loan disbursements	856	90	148	140	140	140	140
	Change in outstandings	587	14	117				
	Outstandings	1,156	1,170	1,287	1,287	1,287	1,287	1,287
National Credit Union Administration:								
Share insurance fund	Obligations	14	3	13	13	13	13	13
	Loan disbursements	14	3	13	13	13	13	13
	Change in outstandings	10	3	7	1			−27
	Outstandings	20	23	29	30	30	3	
Central liquidity facility	Obligations	449	500	550	550	550	550	550
	Loan disbursements	449	500	550	550	550	550	550
	Change in outstandings	225	30	20				
	Outstandings	270	300	320	320	320	320	320
General Services Administration Federal buildings fund (loans made by FFB)	Obligations							
	Loan disbursements							
	Change in outstandings	−4	−4	−5	−5	−6	−6	−7
	Outstandings	413	409	404	399	393	387	380
Small Business Assistance [4]								
Business and investment loans	Obligations	751	726	517	424	236	115	51
	Loan disbursements	728	710	531	424	236	215	51
	Change in outstandings	20	88	−999	−924	−941	−564	
	Outstandings	3,340	3,428	2,429	1,505	564		
Business and investment loans (loans held by FFB) [2]	Change in outstandings	−8	−10	−10	−10	−10	−*	
	Outstandings	40	30	20	10	*		
Business and investment loans (loans made by FFB) [1]	Obligations	478	680					
	Loan disbursements	373	625	375				
	Change in outstandings	263	510	−1,725				
	Outstandings	1,215	1,725					
Disaster loans	Obligations	314	600	168				
	Loan disbursements	160	487	261				
	Change in outstandings	−536	−157	−1,452	−1,518	−1,329	−504	
	Outstanding	4,960	4,803	3,351	1,833	504		
Tennessee Valley Authority	Obligations	60	58	66	74	83	92	100
	Loan disbursements	60	58	66	74	83	92	100
	Change in outstandings	3	2	3	2	8	16	22
	Outstandings	264	266	269	271	279	295	317
Tennessee Valley Authority (loans made by FFB) [1]	Obligations	137	90	87	73			
	Loan disbursements	137	90	87	73			
	Change in outstandings	137	90	87	73	−40	−40	−70
	Outstandings	1,556	1,646	1,733	1,806	1,766	1,726	1,655
Payments for Conrail securities	Obligations							
	Loan disbursements							
	Change in outstandings	−4						
	Outstandings	851	851	851	851	851	851	851
United States Railway Association	Obligations							
	Loan disbursements							
	Change in outstandings	−37						
	Outstandings	1	1	1	1	1	1	1
Other agencies and programs	Obligations	37	35	36	38	45	50	51
	Loan disbursements	71	61	42	43	49	54	55
	Change in outstandings	18	−26	−11	−11	−5	−8	3

DIRECT LOAN TRANSACTIONS OF THE FEDERAL GOVERNMENT—Continued

[In millions of dollars]

Agency or program		Actual 1984	Estimate					
			1985	1986	1987	1988	1989	1990
Other agencies and programs (loans made by FFB) [1]	Outstandings	618	592	580	570	565	557	561
	Obligations							
	Loan disbursements	8	84	19	4	3		
	Change in outstandings	−37	84	17	1	−*	−3	−3
	Outstandings	108	191	208	209	209	207	203
Grand total, net direct loans	Obligations	39,093	51,904	24,240	22,745	19,856	17,345	16,568
	Loan disbursements	41,367	54,703	33,496	28,024	22,773	19,280	18,375
	Change in outstandings	6,323	15,234	−276	−3,730	−5,470	−4,964	−4,073
	Outstandings	229,301	244,535	244,259	240,512	235,042	230,079	226,006

[1] Loans made by the FFB are agency-guaranteed loans that are disbursed by the FFB as direct loans.
[2] Loans held by the FFB represent the change in outstandings and outstandings of loan assets sold by Federal agencies to the FFB. Since these are sales of prior year loans, they are not attributed as new obligations or disbursements.
[3] Direct loan obligations and disbursements for these programs represent increases in their holdings of loan assets rather than cash disbursements.
[4] Credit programs of the Small Business Administration are proposed to be terminated in 1986, and the loan portfolio transferred to the Treasury Department for administration. These data reflect the combined SBA/Treasury activity.
Source: "Special Analysis," Budget of the United States Government Fiscal Year 1986, Executive Office of the President, Office of Management and Budget.

Mr. MOYNIHAN. I thank the distinguished chairman.

Mr. COCHRAN. Mr. President, I yield so much time as he may consume to the distinguished Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, at the outset of the discussion of this proposal, the most distinguished assistant minority leader, the Senator from California, congratulated the proponents of this amendment as having come up with the first proposal from that side of the aisle to deal with huge Federal budget deficits.

I was about to begin my remarks by saying that I surely had more confidence in the opposite party than to think that the most serious proposal which it could put forward on this subject was what I would denominate, Mr. President, the flim-flam amendment of 1985.

The Senator from Arkansas, also a Democrat, has already restored my faith in the good sense of a number of Members of the other side in dealing with this amendment in that fashion.

But to put it in the most simple yet true terms, this amendment, at least as it deals with a budget deficit, is like a householder, a good citizen of this country who has been consistently spending much more than his income year after year after year, and who looks at how unpleasant it would be to cut down on vacations to Hawaii and expensive automobiles and the like and says, "Aha, I don't have to cutback on my spending habits at all. All I have to do is to sell my inheritance, and I can use that inheritance, my capital assets, in order to continue in the lifestyle to which I have become accustomed even though my income will not match it."

Taking this proposal at its broadest sense, rather than in the technical nature of this amendment, it has the following defects.

The first is that it changes no program, reduces no baselines, affects no spending programs whatsoever.

The principal newspaper in the home city of the proponent, the New York Times, on March 25 of this year observed, as I quote it:

> Indeed, by offering purely cosmetic relief to the deficit problem, it would relieve the pressure on Congress to cut actual spending or raise taxes—something that would actually free savings for private investment.

Second, Mr. President, as the Senator from Arkansas so ably pointed out, these loans would be sold at huge discounts. A $1 million loan would not sell for $1 million, but for far less than that amount of money.

Third, the sale of these loans, even to the extent of a pilot program of $8 billion or $10 billion, would reduce the pressure on interest rates in this country not even by a microscopic degree, because the loans would be sold into exactly the same market and to exactly the same kind of purchasers from whom and from which the Federal Government now borrows money; thus, the pressure on money markets would be identical after the adoption of this proposal to what it was before.

Fourth, to the extent that Federal loans are recycled into the programs from which they have been originated in the first place, this would create an immediate need for increased appropriations into those fields because now the proceeds of those loans go back into that kind of program, and we would have added spending pressures.

As a consequence, this is not a budget deficit reduction at all. It is simply a shift of money from one pocket of the Federal Government into another pocket. It is very bluntly and very simply the use of capital assets of the Federal Government to pay day-to-day expenses.

Both of the proponents so far have taken this as something which is an affirmative in the debate over the amendment. They have emphasized that this lowers the deficit without having to cut spending, without having to reduce any present expense of the Federal Government at all, and that, Mr. President, is exactly its problem.

After all the loans have been sold, after all the assets have been disposed of, we still have a Federal Government which is spending as much more as it takes in as it is today and is, in addition to that, a Federal Government without assets which it has at the present time.

I am not saying in this argument that it may not be a good idea for the Federal Government to review its loan portfolio to determine whether or not it belongs in the direct loan business at all, to determine whether or not it is better business policy for us only to guarantee loans and for that matter to sell current loans into the private market. It may very well be that that is a good policy change. But if it is a good policy change, Mr. President, it is not because it reduces the budget deficit. It is because the Federal Government does not belong in the loan business.

For the purposes of this budget resolution and this debate, this is a very bad idea, because it deliberately attempts to create in the views of the people of the United States and in the minds of other Senators the proposition that we are doing something about budget deficits when, in fact, we are on not doing so.

It is an attempt to change figures on a chart for free when changing those figures has no impact on the true balance of the Federal budget, no impact on interest rates, no impact on capital markets, and in fact will simply be taken by those capital markets as one more illustration of the proposition that Congress is not really serious about fiscal discipline or about lowering budget deficits at all, but will simply move from one attempt to do the job with mirrors to another attempt to do the job with mirrors, in order to avoid the hard choices between cutting spending or increasing

taxes, which is the true subject of this debate.

● Mr. LEVIN. Mr. President, I will vote against this amendment to sell off the Federal Government's debt portfolio because it masks the deficit rather than reducing it, and because it may jeopardize programs—such as educational loan programs—which rely on revolving funds for their financing.

All of us want to reduce the deficit, and this proposal for selling off the Federal debt at a discounted price has initial appeal. But selling this country's future income, which would result from debt repayment in the future, in an effort to reduce the deficit over the next 3 years doesn't solve the deficit problem. Instead, this amendment would lower the deficit this year at the cost of increasing deficits in the coming years since the Federal Government would no longer be the recipient of debt repayments.

Furthermore, it is unclear at this point how revolving funds would be protected. This issue should be explored further in hearings before we decide to include this proposal in the fiscal year 1986 budget plan.●

Mr. LAUTENBERG and Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. All time has expired on the proponents of the amendment.

The Senator from Mississippi is recognized.

Mr. MOYNIHAN. Mr. President, the Senator from Mississippi wishes to speak.

Mr. COCHRAN. As I understand the Chair, the proponents of the amendment consumed all the time allotted under the rules for the consideration of the resolution, is that not correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. COCHRAN. May I inquire, Mr. President, how much time remains for the opponents of the amendment?

The PRESIDING OFFICER. Twenty-two minutes remain.

Mr. MOYNIHAN. May I make an inquiry of the distinguished Senator?

The PRESIDING OFFICER. The Senator from New York

Mr. MOYNIHAN. Mr. President, I, myself, and Mr. LAUTENBERG are alone on the floor, in which event I yield myself 5 minutes off the resolution.

The PRESIDING OFFICER. The minority leader is on the floor.

Does he yield 5 minutes to the Senator from New York?

Mr. BYRD. I yield 5 minutes to the distinguished Senator.

Mr. MOYNIHAN. Mr. President, I wish to make a very direct response to my friend from the State of Washington because if you want to know why we are going to have difficulty with this, let me tell you. May I ask you to look to "Special Analysis of the Budget, Fiscal Year 1986," page F-34, table F-11. It states the subsidy values of 1984 direct loan obligations. These are not in the budget. The American people pay for them; $8,312,000,000 in subsidies in that 1 year.

Mr. President, according to Export-Import Bank, the present value of the subsidy per year in 1984 was $237 million. And where did it go? It went to Boeing. It went to McDonnell Douglas. It went to General Electric. And we call these loans our inheritance. I thought the Grand Canyon was our inheritance, Mr. President.

I yield the floor.

Does the Senator from New Jersey wish to have the remaining time?

Mr. LAUTENBERG. I thank my colleague from New York.

How much time is there remaining of that 5 minutes?

The PRESIDING OFFICER. There are 3 minutes remaining.

Mr. MOYNIHAN. Will the Senator allow me to read into the RECORD the final two sentences from the New York Times editorial my friend from Washington described? It says:

> The way to find out is to test the market with some of the higher quality obligations. Auctioning them off promises no panacea, but it could be a step toward more responsible government.

That is all we propose. We propose also to have the country know what the Fortune 500 companies get in the way of subsidies from the Export-Import Bank.

I ask unanimous consent to have the following inserted in the RECORD: An editorial of March 22, 1985, in the Journal of Commerce, an editorial of March 21, 1985, by George Will in the Washington Post, and an editorial of March 16, 1985, in Newsday.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Journal of Commerce, Mar. 22, 1985]

PORTFOLIO FOR SALE

There's nothing new under the sun, they say, and the latest deficit reduction scheme thrown on the table by Sen. Daniel Patrick Moynihan, D-N.Y., is no exception.

Sen. Moynihan, along with fellow Democrat Sen. Frank Lautenberg of Ohio, has suggested the United States solve its deficit problem by selling its $280 billion loan portfolio.

The portfolio selling plan, it turns out, has been under Office of Management and Budget consideration for some time.

That is significant, because with any kind of administration support the Moynihan plan stands a chance of really becoming law.

On first consideration, that's cause for concern. Sen. Slade Gorton, R-Wash., wisely points out that the plan could end up costing the Treasury more than it brings in, because of the steep discount the government would have to offer secondary investors in a portfolio that is admittedly high-risk.

There's also the persuasive argument that the Moynihan plan offers a temporary "gimmicky" solution to a difficult, long-term problem.

But in these desperate days, it's hard to dismiss anything that can help with the deficit outlook.

And certainly the sale of loan portfolios is a viable cash-raising mechanism that banks and other lenders use every day of the week.

Why not compromise? The initial sale of a small percentage of the federal government's loans won't balance the budget, but it won't bring down the republic (or the financial markets) either.

It could play a part—along with the more substantial spending cuts and possible tax increases—in the deficit reduction package.

[From the Washington Post, Mar. 21, 1985]

TOM SAWYER REAGAN

(By George F. Will)

A wit once defined a barometer as an ingenious instrument that reveals the kind of weather we are experiencing. If you have no barometer, you can consult the Senate Budget Committee. It, like a barometer, measures climatic pressure.

The committee has rejected the president's budget. That is "rejected" as in: Russia rejected Napoleon. The vote was 17-4 and reflected the fact that among the 535 members of Congress there probably are not 35 who would vote for the president's program of continuing the defense buildup at the pace he prefers, avoiding all tax increases and significantly cutting middle-class domestic programs.

Less than six months ago the president got a mandate to keep on keeping on—to continue the policies of the first term. That is not surprising. The public rather enjoys getting a dollar of government spending and being charged only 75 cents in taxes. Last week there was a languorous White House discussion about sending the Great Communicator back onto the campaign trail to communicate (as he forgot to do before the election) his zest for all those specific program cuts.

But his aides then thought: He would be campaigning against most Senate Republicans, 40 percent of whom face reelection in 19 months. Reagan would not be able to campaign for a "live legislative vehicle." (Sorry. They talk like that.)

What the Budget Committee approved might bring a blush to the presidential cheeks. It would cut the deficit by more than the president's budget would have done. Furthermore, the committee plan would confound skeptics by freezing Social Security benefits for a year. Of course, all this is in the subjunctive tense because the committee action binds no one. The only thing mandatory is that we pay the interest on the national debt.

The debt, without major policy changes (the likelihood of which has gone from "not very" to "are you kidding?"), will increase about $1 trillion in the next four years. If so, every year for the rest of the history of the republic, taxpayers will pay about $100 billion in interest just on this four-year addition to the debt.

Ronald Reagan is playing Tom Sawyer, who was the quintessential American, which means he was something of a sharpie. Tom, a cunning rascal, grew up about 185 miles west of Dixon, Illinois. Cunning rascals sprout like corn out there.

Not since Tom tricked the other boys into whitewashing Aunt Polly's fence for him has there been anything as nifty as Reagan's way of getting others to do his disagreeable chores. He says to Congress: Here is the division of labor: I'll look after the

Marine band, Air Force One and Camp David. You folks cut the social programs.

Sen. Pat Moynihan has a modest proposal for a one-shot cash infusion to trim the deficit without cutting any programs. His idea for slicing a substantial piece off the government's debt is: Sell it. Part of the debt, that is.

By the end of fiscal 1986, the government will have outstanding loans valued at (which does not mean "worth") $280 billion. That is three times the size of the loan portfolio of Citicorp, one of the nation's largest banks. This federal portfolio is scattered around the government and managed by bureaucrats paid less than a Citicorp branch manager.

Many loans are at far less than today's interest rates. Under Moynihan's plan, they would be sold at a discount reflecting their real market value today. Even assuming that the value of the $280 billion in paper is now just, say, $75 billion, that is the real value, no matter who holds the paper, and the government would get a cash infusion of $75 billion.

The loans were made to students, small businesses, large corporations, farmers and many other groups including foreign governments. The point was to let Congress spare those groups the torture of paying market rates for money. But selling the loans to private institutions would not change the terms. The people owing the money would just send their checks to a different address.

Moynihan's plan has an international dimension because of the doctrine of "comparative advantage." According to that, different nations do different things well and each nation should prosper by swapping goods and services according to its comparative advantage.

Japan, for example, is good at making cars and cameras and television sets and many other things. The United States, too, is gifted at making many things, but it is especially, even incomparably, gifted at making debts.

The Japanese save 20 percent of their wages, about triple the American rate. That is one reason why Japan has between $50 billion and $100 billion sloshing around the world, looking for things to buy. America has debt to sell at a discount. Call that the American advantage, comparatively speaking.

[From Newsday, Mar. 16, 1985]

MOYNIHAN'S PLAN TO RAISE CASH

The federal government, which borrows prodigious sums to finance its day-to-day operations, is a major lender as well: In 1985 it plans to lend well over $30 billion to individuals, businesses and foreign governments. Over the years, Washington has built up a portfolio of outstanding loans currently worth about $280 billion.

Now Sen. Daniel Patrick Moynihan (D-N.Y.) has come up with a novel suggestion: The United States should sell those loans to private investors and use the proceeds to reduce the huge federal deficit, which might reach $215 billion this year. Moynihan estimates that a loan sale would bring in about $150 billion.

Moynihan's proposal was rejected by the Senate Budget Committee Wednesday, but that shouldn't be the last word on it; the Reagan administration is reportedly interested in the idea, too.

Selling off its loan portfolio to investors would certainly give Washington a huge fiscal shot in the arm. But it also raises a lot of questions that must be answered first:

It's unlikely that the credit markets could handle a big infusion of new securities without pushing up interest rates, displacing other potential borrowers and depressing the price that Washington would get for its loan contracts. Could the sales be scheduled to prevent serious market dislocations?

If loan repayments stop coming in, because the loans have been sold to private investors, where will funds for new federal loans come from?

Applying the proceeds of a loan sale to help finance social programs, as Moynihan suggests, would paper over Washington's real problem; its inability to bring spending and revenues into balance. And since Congress doesn't make hard decisions unless it must, giving it a one-time injection of extra cash isn't likely to have lasting benefits. It would probably be wiser to use the proceeds of any loan sale to reduce the $1.6 trillion national debt rather than to offset the current year's deficit.

Despite all the obvious problems, though, Moynihan's idea is an innovative one and deserves careful study by Congress and the White House.

Mr. LAUTENBERG. In response to my friend from the State of Washington, first, I wish he would withdraw his characterization of this amendment. If we disagree, it is an honest disagreement about a procedure that is similar to one customarily used in business throughout this country. Many times, companies large and small will sell loans or sell receivables if they have to get cash in to work with.

I do not remember my colleague from New York nor myself suggesting that this was a way to solve the total budget deficit problem. You will find, as you examine the Budget Committee record, in vote after vote, we supported budget expenditure cuts of substantial proportion. We must restrain spending. But that is not enough. We need to reduce Government borrowing and interest costs, and the sale of loan assets will enable, us to do that.

I note that it is not unusual for the Government to sell loan assets. One can look at REA and FmHA. Their loans have been sold in the past, so the procedure is not unusual.

I would also ask my friend from Washington if he would permit me to read from a letter from the First Boston Corp., addressed to Senators MOYNIHAN and LAUTENBERG and signed by the managing director. It says:

> The sale of a portion of the Federal Government's loan portfolio would reduce outstanding Federal debt and lessen pressure on interest rates from Federally sponsored borrowings.

These sale of loans would not necessarily be made to the same market in which Treasury bills are sold. So my plea is for an open mind on this. We are not offering a panacea to the budget problem, but rather one significant way to help address the problem.

Mr. COCHRAN. Mr. President, let me make just a couple of observations, then I think we are prepared to go to a vote on the amendment. The yeas and nays have been ordered.

I would say to the proponents of the amendment that certainly this is an idea that ought to be carefully considered by the Congress. It does interest me that there could be a way that we could take advantage of this asset in a more businesslike way than is being done now by the Federal Government. But I think this would be a subject that would be properly explored in another forum, for instance in hearings before the Banking Committee. Maybe they have had hearings, but I do not know that that has taken place yet.

I think there should be, though, a careful review of the proposal by the committee that has jurisdiction over this area. And it may be that there could be a bill that would emerge that should be approved, and then this Senator certainly could consider supporting it. But I think at this point, Mr. President, it would be inappropriate for the Senate to approve the suggestion in the form of an amendment to the budget resolution.

Just looking at the figures that were cited from the CBO, I think it was suggested that there is a $95 billion receipt that we could have, a one-time receipt of funds, if we were able to find buyers for the loan portfolio. But I think we need to look at whether that is a good idea in terms of the face value of that portfolio which I understood to be over $200 billion. Now I am not sure that is a good deal. It may be. But it is less than half of the face value of the loan portfolio that we would be saying today that we ought to cash it in for. I am not sure that is a good idea.

It is a little like, Mr. President, saying "I think we ought to sell the furniture so we will have enough money to buy a new house."

We could be falling into a very bad financial trap. And I think it would be inappropriate for us to do that.

The PRESIDING OFFICER. Who yields time?

The question recurs, then, on the amendment of the Senator from New York [Mr. MOYNIHAN] and the Senator from New Jersey [Mr. LAUTENBERG]. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Dakota [Mr. ANDREWS] is necessarily absent.

I also announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Nebraska [Mr. EXON] is absent because of illness.

The PRESIDING OFFICER (Mr. TRIBLE). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 26, nays 71, as follows:

[Rollcall Vote No. 45 Leg.]

YEAS—26

Bentsen	Humphrey	Mitchell
Biden	Inouye	Moynihan
Bradley	Johnston	Pell
Byrd	Kennedy	Riegle
Cranston	Kerry	Rockefeller
Dodd	Lautenberg	Sarbanes
Eagleton	Leahy	Sasser
Gore	Matsunaga	Simon
Hart	Melcher	

NAYS—71

Abdnor	Goldwater	Murkowski
Armstrong	Gorton	Nickles
Baucus	Gramm	Nunn
Bingaman	Grassley	Packwood
Boren	Harkin	Pressler
Boschwitz	Hatch	Proxmire
Bumpers	Hatfield	Pryor
Burdick	Hawkins	Quayle
Chafee	Hecht	Roth
Chiles	Heflin	Rudman
Cochran	Heinz	Simpson
Cohen	Helms	Specter
D'Amato	Hollings	Stafford
Danforth	Kassebaum	Stennis
DeConcini	Kasten	Stevens
Denton	Laxalt	Symms
Dixon	Levin	Thurmond
Dole	Long	Trible
Domenici	Lugar	Wallop
Durenberger	Mathias	Warner
Evans	Mattingly	Weicker
Ford	McClure	Wilson
Garn	McConnell	Zorinsky
Glenn	Metzenbaum	

NOT VOTING—3

Andrews	East	Exon

So the amendment (No. 57) as modified was rejected.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. COCHRAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SYMMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. SYMMS] proposes an amendment numbered 58.

Mr. SYMMS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the pending amendment, do the following:

On page 3, decrease the amount on line 12 by $100,000,000.

On page 3, decrease the amount on line 13 by $100,000,000.

On page 3, decrease the amount on line 14 by $100,000,000.

On page 3, decrease the amount on line 18 by $100,000,000.

On page 3, decrease the amount on line 19 by $100,000,000.

On page 3, decrease the amount on line 20 by $100,000,000.

On page 3, decrease the amount on line 25 by $100,000,000.

On page 4, decrease the amount on line 1 by $100,000,000.

On page 4, decrease the amount on line 2 by $100,000,000.

On page 4, decrease the amount on line 6 by $100,000,000.

On page 4, decrease the amount on line 7 by $200,000,000.

On page 4, decrease the amount on line 8 by $300,000,000.

On page 4, decrease the amount on line 12 by $100,000,000.

On page 4, decrease the amount on line 13 by $100,000,000.

On page 4, decrease the amount on line 14 by $100,000,000.

On page 8, decrease the amount on line 1 by $200,000,000.

On page 8, decrease the amount on line 2 by $200,000,000.

On page 8, decrease the amount on line 10 by $200,000,000.

On page 8, decrease the amount on line 11 by $200,000,000.

On page 8, decrease the amount on line 19 by $200,000,000.

On page 8, decrease the amount on line 20 by $200,000,000.

On page 13, increase the amount on line 20 by $100,000,000.

On page 13, increase the amount on line 21 by $100,000,000.

On page 14, increase the amount on line 4 by $100,000,000.

On page 14, increase the amount on line 5 by $100,000,000.

On page 14, increase the amount on line 13 by $100,000,000.

On page 14, increase the amount on line 14 by $100,000,000.

On page 37, decrease the first amount on line 11 by $100,000,000.

On page 37, decrease the second amount on line 11 by $100,000,000.

On page 37, decrease the amount on line 12 by $100,000,000.

On page 37, decrease the amount on line 13 by $100,000,000.

On page 37, decrease the first amount on line 14 by $100,000,000.

On page 37, decrease the second amount on line 14 by $100,000,000.

On page 41, increase the amount on line 3 by $200,000,000.

On page 41, increase the amount on line 4 by $200,000,000.

On page 41, increase the first amount on line 5 by $200,000,000.

On page 41, increase the second amount on line 5 by $200,000,000.

On page 41, increase the amount on line 6 by $200,000,000.

On page 41, increase the amount on line 7 by $200,000,000.

On page 44, decrease the amount on line 10 by $100,000,000.

On page 44, decrease the amount on line 11 by $100,000,000.

On page 44, decrease the first amount on line 12 by $100,000,000.

On page 44, decrease the second amount on line 12 by $100,000,000.

On page 44, decrease the amount on line 13 by $100,000,000.

On page 44, decrease the amount on line 14 by $100,000,000.

On page 46, increase the amount on line 23 by $200,000,000.

On page 46, increase the amount on line 24 by $200,000,000.

On page 46, increase the first amount on line 25 by $200,000,000.

On page 46, increase the second amount on line 25 by $200,000,000.

On page 47, increase the amount on line 1 by $200,000,000.

On page 47, increase the amount on line 2 by $200,000,000.

On page 52, decrease the amount on line 1 by $100,000,000.

On page 52, decrease the amount on line 3 by $100,000,000.

On page 52, decrease the amount on line 4 by $100,000,000.

Mr. SYMMS. Mr. President, the pending amendment is very simple, very easy to understand. It will cut function 150, international affairs, by $200 million and transfer $100 million of that sum of money to function 350, agriculture. It is my intention and hope that that will be applied to agricultural research. The money we spend on foreign aid has substantially increased over the past 4 years and I think myself and most Senators in this Chamber have no objection to spending money overseas when it serves the national interest, when it goes to nations that are our strategic and tactical allies and to nations that have pressing humanitarian needs. But there is money being spent on foreign aid that does not meet those specifications. Consequently, I am simply proposing that we reduce our overall international affairs bill by a modest $200 million and direct part of those funds to a domestic area which has a much greater need for it.

Mr. President, the problems of American agriculture are known to us all. The solutions, unfortunately, are not something we all agree upon. I hope that at least a majority of my colleagues here today will agree with me that agricultural research is vital to our farmers and could benefit from some additional funding. It is our scientific and technological know-how that has helped our farmers in many instances, through the free enterprise profit and loss system, to be able to be competitive and keep a competitive edge around the world trade arena. Many of the well-intentioned farm programs of the past have hurt, not helped, the farmers and have actually reduced our ability to compete abroad.

Improving our research capabilities will enhance the profitability of American agriculture much more than commodity programs that have become removed from market incentives.

The Agricultural Research Service has historically taken only a small portion of the total USDA budget, yet it is often cited as the most beneficial area of Government involvement in agriculture.

A Federal dollar spent in research benefits the farmer an estimated seven times what direct subsidies do. Research has been responsible for increasing agricultural production per acre many times what it was only 10 years ago. We laterally grow two shoots a week where we used to grow only one. The size and quality of the famous Idaho potato owes much to ARS research.

I dare say it has been the agricultural research along with the cooperation

of the State agricultural colleges that has made our Nation a world leader in exporting agricultural technology. This is going to be a highly controversial year for the Federal agricultural policy. At the center of the debate will be the concept of aligning agriculture programs more closely with the free market and the principle of the free market, Mr. President. Unfortunately, we live in a world marketplace and the marketplace is not always fair. We find ourselves needing to be more competitive.

Mr. HARKIN. Mr. President, will the distinguished Senator yield?

Mr. SYMMS. I am happy to yield for a question.

Mr. HARKIN. As I understand it, the Senator is taking $200 million out of foreign aid. How does the Senator arrive at that $200 million figure?

Mr. SYMMS. By taking $200 million out of the foreign aid function, I thank the good Senator, and putting $100 million over in agriculture research and putting $100 million toward deficit reduction.

We have been hearing all these Senators talk about deficit reduction. Here is a chance to save $100 million.

Senator LUGAR's committee would have to make the ultimate determination where this $200 million would come out but just to give you a few suggestions: in 1983, Senator KASSEBAUM offered an amendment that was overwhelmingly approved by this body on a vote of 66 to 23 that would have reduced the United States U.N. contributions in 1984 to the level of its contributions in 1980. The savings I propose would amount to $200 million, with which the authorizing committee and ultimately the Committee on Appropriations make a decision to take half that money out of the U.N. programs; it would amount to less than a 10-percent cut to U.N. There are all kinds of examples we could go into.

I just say to my colleague one place we can save some money is from supporting the Communist government of Mozambique in Africa. I see no reason why the American taxpayer should be propping up a Marxist dictatorship in Mozambique.

Mr. HARKIN. Will the Senator yield?

Mr. SYMMS. I yield only for a question.

Mr. HARKIN. Mr. President, I am trying to see where the $200 million figure comes from. Is it a percentage of the foreign aid bill? Why is it $200 million and not $250 or $300 million? I wonder where the Senator got the figure?

Mr. SYMMS. To tell the truth, Mr. President, we could change that, and I am sure other Senators could make an offer of this amendment and they might decide $175 million or $225 million. This Senator decided the $200 million as far as budget authority goes, knowing that it would not have the impact on the budget that the Foreign Relations Committee has been dealing with. Then they would have to go work out where they are actually going to save the actual $200 million in budget outlays. I think there is plenty of room to do it without getting too specific. If you get much more than that, then we begin to get into an argument where we do have to have some specificity.

Just to tell my colleague from Iowa, in 1981, we had $13 billion in foreign aid; in 1982, $12 billion; in 1983, $11.8 billion; in 1984, $800 million; in 1985, an estimated $500 million. I think there is room to find that $200 million and let the authorizing committee be specific about it.

I would recommend that they look first to countries that are pro-Marxist, where they do enjoy the benefits of American taxpayer dollars, and the United Nations would make two places I would recommend they look first.

Let me finish and say to my colleague that ag research is an area where we all like to talk about the farm problem. If we add this $100 million—they are always left out on the short end of the stick. All this money gets sent out to farmers for various programs—not to farm and so forth—which have not worked so well, where ag research is always under pressure. I think it would be a good place to spend some money. So I therefore offer this amendment.

I hope that my colleagues will vote for it. It is very simple. I repeat again, we are suggesting that we reduce the international affairs budget function 150 by $200 million. We add $100 million into the ag function.

Mr. HARKIN. Will the Senator yield for one more question?

Mr. SYMMS. I yield just for one more question, then the Senator must seek his own time.

Mr. HARKIN. As I understand, Mr. President, this is $200 million. My observation is that it does not make that much of an impact on total foreign aid. I might agree with the Senator that perhaps we ought to have some cutbacks in our foreign aid program in some areas, but this does not seem to make that much of an impact; $100 million to agriculture does not really do enough for agriculture. I am sure my colleague knows that putting $100 million into agriculture is not going to solve all our agricultural problems but it is a start.

Mr. SYMMS. Mr. President, I would say to my colleague he knows the answer to that question or he would not have asked it. That $100 million in agriculture research certainly will not solve the problems of agriculture. That is a problem that has many, many other factors involved in it. This budget deficit has a great deal to do with American agriculture because it drives interest rates which have an impact on the international currency markets, which has an impact on the ability to market American agriculture overseas.

There are all kinds of reasons why American agriculture is in difficulty, but this is an opportunity, in the broad picture, for us to simply say that we have been adding money to the foreign affairs part of the Federal budget and we want to put a little priority back in the agriculture function for American agriculture.

I hope that all my colleagues will vote for this amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. SYMMS. Mr. President, I might say, to clarify it for my colleague from Iowa, that that is $200 million in savings each year and $100 million put into ag research. Over a period of 3 years it is $300 million, and that is a significant amount of money to put into ag research. I think it would have a positive impact.

As the Senator knows, many of these ag research programs are run frugally in terms of the way the Federal Government runs a lot of things.

I think $300 million over 3 years could go quite a ways in agricultural research. It is a worthwhile amount of money that could be very beneficial to the American farmer and would save $200 million a year for foreign aid, which amounts to $100 million a year in deficit savings. It is a $300 million saving in 3 years.

The PRESIDING OFFICER. Who yields time? If neither side yields time, the time will run equally against both sides on the amendment.

Mr. SIMPSON. Mr. President, I yield to Senator LUGAR.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. LUGAR. Mr. President, as I understand the amendment that has been offered by the distinguished Senator from Idaho, $200 million is to be subtracted from the Function 150 account, which includes all foreign assistance, with $100 million to be devoted to the reduction of the Federal deficit and $100 million reallocated to agricultural research.

The two areas to which the Senator has designated some attention are especially worthy of out attention. I can think of no two areas I support than reduction of the national debt and the Federal deficit.

The distinguished Senator from North Carolina [Mr. HELMS], the chairman of the Agriculture Committee, is in the Chamber. He and I have

fought many battles together to try to extend agricultural research, and I have no doubt that we will be doing it again this year. I think we are making some headway. We have had conferences with the Secretary of Agriculture, who understands the needs of the land grant colleges, the competitive grants.

It so happens, coincidentally, that the Subcommittee on General Legislation and Research of the Committee on Agriculture, which I have been asked to chair by the distinguished chairman, deals with this very area. So my other responsibilities in the Foreign Relations Committee intersect with the amendment of the Senator from Idaho.

I just want to assure all Members that I will be a strong advocate within the committee, and I will have many allies, including my distinguished chairman, in trying to make certain that we do the best we can for agricultural research.

I suspect that by the time we have revisited this whole budget area, the Senate as a whole may want to cut money from many accounts. The 150 account may not be the only account that is revisited. I have no idea how many freezes, additions, or reductions we may want to take a look at.

So I move up to this subject with a certain amount of caution, because the objective sought by the Senator from Idaho has a lot to be said for it. The problem with it, I think, is obvious: Once you look at foreign aid and the 150 account as a whole, there is a long list of things that Members of the Senate might suggest should be done.

I plead with my colleagues that our entire foreign policy situation is precarious. Many Members would say that we have a lot of problems here at home as well, and while we are dealing with those problems, we should not be devoting so much attention to problems in other countries or with other people.

If, in fact, the 150 accounts were purely humanitarian gifts, some Americans would be for them; but others would say, "Let's start at home," and I suppose the bulk of the Senate might join the latter group. But 150 accounts are not sentimental accounts. They deal with trying to obtain support from other nations to help defend us.

We are not giving financial assistance to the State of Israel—and Israel will be the single largest recipient of the 150 account—or to the State of Egypt, without some expectation of benefits in terms of our Middle East policy.

Greece and the Philippines have U.S. bases, and we have entered into relationships that cost more than $500 million a year. If the Senator from Idaho or other Members want to terminate one of those bases, I suppose we might debate the programs in Greece or in the Philippines. Perhaps we will revisit them when we talk about foreign aid.

We also might want to debate Irsael on the Camp David Agreement, but I doubt that. Conceivably, we might want to withdraw from the United Nations, or we might want to shut down the Grove City Bank, which has been suggested on the floor from time to time. There is no end to the possibilities.

Of course, the Senate will finally determine, when we get to the appropriation, essentially what we want to do.

I just ask my colleagues to think with me for a moment about the logic of this situation.

The Senator from Idaho has fastened upon the 150 account. At the time of our markup, we took the position within the Foreign Relations Committee—and I think we are further along than most committees—to freeze the money that was spent last year. There are no add-ons.

As a matter of fact, in the budget on the floor of the Senate, which I hope will be acted upon, if the distinguished majority leader will give us the time, we know what is in the 150 account. We have frozen it.

As a matter of fact, we were so intent in holding down the budget levels that the Secretary of State has asked us to be somewhat more liberal and has made a plea to the Budget Committee to leave a little leeway, because he is afraid that the security of our embassies and personnel abroad might not be provided for. He has to accomplish a number of things, and he is not certain that the money is there to do them. I understand that. But the members of our committee took seriously the thought that we did not have sufficient funds, and we thought the Senate as a whole would come to a freeze, and that was what was substantially adopted by the Foreign Relations Committee.

We had some difficult problems in holding down the recommended level because the requests for Israel and Egypt were higher than in fiscal year 1985 and we have recommended the administration request levels. That is one area where we have increased the funding level.

The second area is in terms of security for our embassies. We are doing more, and you know the time will come if there is an attack upon an embassy and this body has not thought about that, that there will be some finger pointing as to why there was no vision.

But in order to do more for Israel and Egypt and for improved security for our embassies, we had to cut most other accounts and we have done so already.

I have no doubt that many Members would feel that we should not spend the money at all. But, at some point there must be a sense of responsibility in this body for our foreign policy, for our military security, for the obligations we have under treaties and agreements and for the fact that we would prefer to have other nations as allies working with us than having to send U.S. forces to respond to our security interests abroad.

As I have mentioned, the administration believes this account is already too low.

To come with the off-the-top-of-the-head suggestion that you allocate this over to agricultural research and then allocate the rest of it to the general treasury does not seem to me to make good sense, given our general responsibilities.

I am hopeful that Members of this body will reject this amendment. I am hopeful that as other suggestions come forward and there have been a number made—I have seen some amendments to allocate 150 amounts to various other amounts—that Members will likewise reject those.

If we adopt this amendment, there may be no limit to the efforts of getting into the 150 money to try to accomplish objectives Members have not been able to accomplish through the normal committee procedures or through the Budget Committee.

Therefore, Mr. President, I ask for very thoughtful consideration on this amendment. I ask Members to oppose it, and I ask for Members to oppose other amendments to reallocate money from the 150 account.

Mr. COCHRAN. Mr. President, one thing that should be pointed out, I think, is that in this resolution there is a provision for agricultural research that would make available over $1 billion next fiscal year for this purpose. As a matter of fact, the specific figure is $1,159,000,000.

Let me say that that is an illustration of an increase over the years for agricultural research. Back in 1980, we appropriated $858 million for that purpose.

The point is that Congress has been responding in a generous way in the allocation of resources for agriculture research.

As chairman of the subcommittee that has jurisdiction over those appropriations, this Senator has been very interested in seeing the maximum amount of resources being allocated for that purpose, and this next year I think we are going to see the subcommittee and the Senate and the House of Representatives, as well, respond in a sensitive way to the needs in this area.

The Senator from Idaho makes a very good point, that there is a great need for a continuation of research into ways to help farmers be more productive, to operate their farms in a

more economically efficient way, and certainly that is a good cause.

I wonder, though, about the approach that is being taken here on this resolution.

I have no better friend in the Senate than the distinguished Senator from Idaho. He is one of the finest people I know. We have served together in the House of Representatives. He does a great job. He is an outstanding Senator.

But this is a little like going through the budget resolution and picking out what, of course, may not be the most popular programs and suggesting that we transfer funds from them to the more popular programs.

I am suggesting that if we did that this resolution package is going to unravel and we are not going to be able to get a majority to support it. At the end we will not have a chance. So it is a delicate balance that is reflected right now in this resolution, and while I generally support the statements made by the Senator from Idaho, I am going to have to vote against this amendment because it would be another one of those amendments that would have the effect of causing the disintegration of a resolution that I think is very important for this Senate to pass.

We have heard good arguments made by many that we have to do something about deficit reduction during this Congress, and I believe that.

So for that reason, Mr. President, I hope that the amendment can be rejected.

The PRESIDING OFFICER. Who yields time?

Who yields time?

If no one yields time the time will be assessed against all Senators.

The yeas and nays have been ordered.

Mr. CHILES. We yield back any time.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. I am prepared to yield back the time, Mr. President. I yield back the time.

The PRESIDING OFFICER. It will be necessary to determine if the Senator from Idaho is willing to yield his time.

Mr. HELMS. Mr. President, I am confident that the Senator from Idaho will be willing to yield back his time but let me check. We will advise the Presiding Officer in a minute.

On behalf of the Senator from Idaho I yield back the time on his amendment.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Idaho.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Dakota [Mr. ANDREWS] and the Senator from Connecticut [Mr. WEICKER] are necessarily absent.

I also announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Nebraska [Mr. EXON] is absent because of illness.

The PRESIDING OFFICER [Mr. DENTON]. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 40, nays 56, as follows:

[Rollcall Vote No. 46 Leg.]

YEAS—40

Abdnor	Gore	Mitchell
Baucus	Gramm	Nickles
Bentsen	Harkin	Nunn
Bingaman	Hatch	Pressler
Boren	Hawkins	Proxmire
Bumpers	Heflin	Pryor
Burdick	Helms	Sasser
Byrd	Hollings	Stennis
Chiles	Kassebaum	Symms
D'Amato	Laxalt	Thurmond
DeConcini	Long	Wallop
Denton	Mattingly	Zorinsky
Ford	McClure	
Garn	Melcher	

NAYS—56

Armstrong	Grassley	Moynihan
Biden	Hart	Murkowski
Boschwitz	Hatfield	Packwood
Bradley	Hecht	Pell
Chafee	Heinz	Quayle
Cochran	Humphrey	Riegle
Cohen	Inouye	Rockefeller
Cranston	Johnston	Roth
Danforth	Kasten	Rudman
Dixon	Kennedy	Sarbanes
Dodd	Kerry	Simon
Dole	Lautenberg	Simpson
Domenici	Leahy	Specter
Durenberger	Levin	Stafford
Eagleton	Lugar	Stevens
Evans	Mathias	Trible
Glenn	Matsunaga	Warner
Goldwater	McConnell	Wilson
Gorton	Metzenbaum	

NOT VOTING—4

Andrews	Exon
East	Weicker

So the amendment (No. 58) was rejected.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. COCHRAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE PACKWOOD AMENDMENT ON MEDICARE AND MEDICAID FUNDING

● Mr. KERRY. Mr. President, I rise today to clarify my support for the distinguished chairman of the Finance Committee's amendment concerning the Medicare and Medicaid systems. I believe that it is an amendment that is woefully inadequate but it is an amendment that I voted for because I feel that it begins, in some small measure, to address the problems that would be created if the Republican leadership budget were adopted. I hope that I will be given an opportunity soon to speak in support of an amendment that goes further than this one to protecting the health of our senior citizens and our poor.

I do not believe that this is the time to tamper with the Medicare system. Many respected researchers echo what many of us know from talking to our senior constituents; that large numbers of senior citizens are hovering dangerously near the poverty line. I believe that to further threaten senior citizens at this time would be insensitive and short sighted. The kinds of services that might be impacted by the Republican compromise are those that are of paramount importance to the elderly.

Raising the amount that senior citizens are required to pay out of their pockets for medical care is not the kind of deficit reduction that I think is responsible or efficient. We are just succeeding in increasing the burden of our States for the funding of the Medicaid system.

And while I am pleased that this amendment will eliminate the so-called Medicaid cap, I do not believe that this measure goes far enough to protect those among us who are the most needful of medical care and the least able to pay for that care.●

COMPACT OF FREE ASSOCIATION

Mr. McCLURE. Mr. President, will the distinguished chairman of the Budget Committee respond to a few questions as to where we stand under the assumptions underlying the resolution?

Mr. DOMENICI. I will be glad to respond to my distinguished friend, the chairman of the Committee on Energy and Natural Resources and chairman of the Subcommittee on Interior and Related Agencies of the Appropriations Committee.

Mr. McCLURE. As the Senator knows, one of the major legislative measures which the President has sent to the Congress for enactment is the compact of free association which has been reported by the Committee on Energy and Natural Resources. While the resolution does not specifically address any individual measure, I am concerned that we will be able to fully meet our promises contained in it.

Mr. DOMENICI. I am aware of the concern of the Senator, and as a member of the Committee on Energy and Natural Resources joined with my colleagues both last year and again this year in unanimously ordering the compact favorably reported to the Senate. As chairman of the Budget Committee, I and the other members of the committee have considered how the compact should be funded. It has been our recommendation each year that funding continue in the current account dealing with the Trust Territory of the Pacific Islands. I fully expect that upon passage of the compact, the administration will immedi-

ately transmit a supplemental to provide full funding for the compact under function 800 of the budget. I can assure the Senator of my full support in expediting passage of that supplemental in order to begin compact funding by the start of fiscal year 1986.

Mr. McCLURE. The Senator sees no reasons why passage of the resolution should in any way affect implementation of the compact by the beginning of the next fiscal year?

Mr. DOMENICI. I see no reason whatsoever. The President has twice sent the compact to the Congress and I would strongly resist any implication that he was not sincere in doing so. In the discussions with the administration leading to this resolution, the original assumption contained in the President's budget that funding would occur in function 150 in the Department of State was dropped by the administration. The assumption of this resolution is the same as has twice been agreed upon by the Budget Committee, and that is that funding for the freely associated states will continue in function 800 in the Department of the Interior. I can not conceive of the Department of the Interior, with the full support of the Office of Management and Budget, not transmitting the necessary supplemental in sufficient time for enactment prior to fiscal year 1986. I would like to commend the Senator for his strong support for the compact, and it is a tribute to him and also to the distinguished Senator from Louisiana, Senator JOHNSTON, that the compact has twice been reported unanimously to the Senate. I look forward to its early passage as reported by the committee and can assure the Senator of my full support in enactment of the necessary supplemental which the President will request.

SACCHARIN STUDY AND LABELING ACT AMENDMENTS OF 1985

The PRESIDING OFFICER. Under the previous order, the hour of 4 p.m. having arrived, the Senate will turn to the consideration of S. 484, which the clerk will state by title.

The assistant legislative clerk will read as follows:

A bill (S. 484) to amend the Saccharin Study and Labeling Act.

The Senate proceeded to consider the bill which had been reported from the Committee on Labor and Human Resources, with an amendment:

On page 2, line 3, strike "1988", and insert "1987".

So as to make the bill read:

S. 484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Saccharin Study and Labeling Act (21 U.S.C. 348 nt.) is amended by striking out "During the period beginning on the date of enactment of this Act and ending twenty-four months after the date of enactment of the Saccharin Study and Labeling Act Amendment of 1983" and inserting in lieu thereof "During the period ending May 1, 1987".

Mr. HATCH. Mr. President, I bring to the floor for final consideration S. 484, which extends the Saccharin Study and Labeling Act for 2 years. It is subject to a time agreement worked out between myself and the committee majority.

The Labor and Human Resources Committee ordered the bill reported on April 17, 1985 without opposition.

The Saccharin Study and Labeling Act was passed in 1978 in response to a proposal by the Food and Drug Administration to remove saccharin from the market. This proposal followed a study report implicating saccharin in increased bladder tumor incidence in rats. At that time saccharin had been in use as an artificial sweetner for over 80 years and had never been causally linked to any illness or death in humans. It was an important factor in the physical and emotional health of diabetics and others who need to control their weight or caloric intake.

The FDA proposal prompted considerable congressional interest. After pursuing its own inquiry, Congress felt that the evidence at that time was insufficient to conclude that saccharin was a significant health risk in humans, and found that it conferred real benefits on a significant portion of the population. Congress' response was the Saccharin Study and Labeling Act, which forbade FDA from moving against saccharin solely on the basis of data available when it was enacted. This step clearly conveyed to FDA Congress' intent that the agency have more solid and substantial evidence of a human health risk before it restricted or eliminated the use of the sweetener.

Despite the passage of 7 years, the essential conditions have not changed, thus S. 484's extension of the act is completely appropriate. Specifically, though several important studies have been completed since that time, no scientists at the hearing on the bill felt that saccharin has been demonstrated to be a significant human health risk or that the current evidence warrants its removal from the market. Additional studies are currently underway to try to determine saccharin's mechanism of action in humans. But 7 years after passage of the original act, there is still no evidence that saccharin is a carcinogen in humans, despite an unusually long marketing history. And the Commissioner of the Food and Drug Administration testified:

[A]s in the past, we still do not adequately know the answer to all of the questions and uncertainties giving rise to the original 1977 saccharin moratorium. The actual risk, if any, of saccharin to humans still appears to be slight, however.

Further, saccharin's importance to the health of diabetics and others, while somewhat diminished in several applications by the availability of aspartame, remains significant. Thus, the American Diabetes Association and the Juvenile Diabetes Foundation, among others, support the extension.

I note in conclusion that the so-called moratorium in the Saccharin Study and Labeling Act is not absolute, but simply imposes certain limitations on regulatory action against the sweetener. Should information come available during the next 2 years demonstrating a public health risk from continued use of saccharin, under S. 484 the FDA retains the authority to take regulatory action.

Thus I have no hesitation in asking my colleagues to support this bill. It is a bipartisan bill, and it is passed out of committee without an opposing vote.

We have agreed to a time agreement on this bill with one amendment.

Mr. President, I reserve the remainder of my time.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. METZENBAUM. Mr. President, I yield the Senator time.

Mr. KENNEDY. Mr. President, I support this bill to extend the Saccharin Study and Labeling Act.

Saccharin is an important part of the diets of many Americans who need to avoid sugar intake. It is particularly important for diabetics.

While some things have changed in the artificial sweetener field since the last extension of this legislation—including the development of aspartame and new studies suggesting cyclamates may not be carcinogenic—there does not appear to be a fully satisfactory substitute for saccharin currently available.

The committee hearings we held reinforced my belief that an extension of the saccharin ban moratorium is appropriate at this time.

Senator METZENBAUM will be offering an amendment to require quantity labelling of aspartame in soft drinks. While the FDA has found aspartame to be generally safe, the center for disease control has recommended that further tests of aspartame be conducted to determine whether some groups may suffer harmful effects from aspartame consumption—particularly at high dose levels.

Our committee report mandates that these tests occur. It seems to me appropriate that consumers should be able to monitor their own consumption of aspartame.

Mr. President, I hope that the Members of this body will support Senator METZENBAUM's amendment to insure that the consumers of this country

would be able to make that determination in terms of their own consumption.

Mr. President, on the bill itself, was there not time yielded to the Senator from Massachusetts?

The PRESIDING OFFICER. I did not catch the request of the Senator from Ohio.

Mr. KENNEDY. On the bill itself, is not the time divided between the Senator from Utah and the Senator from Massachusetts?

The PRESIDING OFFICER. It is divided between the Senator from Utah and the Senator from Ohio or their designee. I did not catch how much time the Senator from Ohio yielded.

Mr. KENNEDY. I thank the Chair.

Mr. METZENBAUM. Mr. President, I appreciate the support of the distinguished Senator from Massachusetts, whose record in the field of health legislation is second to none in this Congress. We have before us the bill to extend the period of exemption from the Delaney Act for the continued use of saccharin. I supported that extension because the distinguished chairman of the committee was kind enough to set a hearing not alone on the issue of saccharin but on the issue of saccharin and other sweeteners, including cyclamate and aspartame.

Out of that hearing, the committee concluded that there should be an extension of the saccharin exemption, not for 3 years but for 2 years. In addition, the committee provided that the Food and Drug Administration must report to the Congress on how the label laws for saccharin are being observed. It is a fact that some companies are complying with the law while others are not. For others it is a question of degree—some labels are in typeface so tiny that it is almost impossible to read.

The real issue that we have before us here today, Mr. President, relates to the aspartame labeling amendment which I shall shortly send to the desk. What this amendment would do is amend the Saccharin Study and Labeling Act to provide that any soft drink which contains aspartame shall state the total number of milligrams of aspartame contained in such serving of such soft drink.

I want Members of this body to understand where we stand on this issue. I shall not raise my voice during this debate. I shall not implore Senators to vote for my amendment. I shall ask them only to consider the merits of the issue. If they consider the merits of the issue, then they have to vote for the amendment because, on the merits, people have a right to know how much aspartame is in the product that they are drinking. That is all.

Nobody is saying that consumer cannot use aspartame. I point out to my colleagues that, as a matter of fact, the National Soft Drink Association, the organization that represents all of the soft drink people, at one point was prepared to take a position totally opposed to the use of aspartame in soft drinks. They never took quite that position as I shall discuss later.

Mr. President, if this amendment passes, the industry will have 18 months to implement its provisions. We are willing to give the industry adequate time to make the changes on the cans so that people may learn what is in the product that they are ingesting.

Mr. President, let me at the beginning deal with a prevalent misconception about this amendment. Lobbyists have been on the telephone, scurrying around all over the Hill, calling Members of this body, telling everyone that this amendment will, in some way, injure the bill. They have indicated that there is an urgent need for the saccharin extension and that my amendment will slow the bill down and even kill it.

I want Members of this body to understand that that claim is totally absurd. The FDA Commissioner, Dr. Young, testified at our hearing as follows:

> I must emphasize that even if the ban were not extended, it would take a period of time for FDA to evaluate its action and then proceed through preliminary and final rulemaking which would be in itself, a couple of years' process . . . with the most rapid action it is 180 days to a year.

It appears my colleague, with whom I worked very well, the chairman of the committee, wrote a letter on this subject. He indicated in that letter that the attachment of my amendment to this bill would jeopardize the bill's fate in the House. I thought that was an important statement for him to be making, so I called the distinguished chairman of the House committee having jurisdiction over this matter.

I am pleased to report to my colleagues that he does not confirm that it would cause delay. Actually, he said that until he knows what the amendment specifically provides, he is hardly in a position to make any such indication. However, there is certainly no indication that it would kill the bill.

Mr. SIMON. Would my colleague yield for 1 minute?

Mr. METZENBAUM. I do indeed yield.

Mr. SIMON. I thank him for yielding.

Mr. President, I think the point he made a moment ago needs underscoring. He mentioned lobbyists contacting Members of the Senate on his amendment. They were contacting on the basis that he had a 6-month time limitation. In fact, with that 18 months, there should be no difficulty for any bottler to accommodate to this reality. It just seems to me that the Senator's amendment can do no harm and very well may do some good in safeguarding the people of this country, particularly some who may have some very real problems with this particular ingredient.

Mr. METZENBAUM. Mr. President, I very much appreciate the comments and the support of my friend and colleague from Illinois. I have no reservation in saying that, indeed, at one point, we were contemplating 6 months.

The Senator from Illinois had indicated his concern about that being too short a period of time. I agreed with the Senator's contention, and therefore I put in the 18-months figure. However, the issue is not so much how long the industry will have to implement the amendment. The issue is can we prevail upon the industry to disclose how much aspartame is in the can or the bottle?

Mr. SIMON. I thank the Senator from Ohio.

In his leadership on this matter as in many others, I have referred to him, half in jest and half not in jest, as the tiger of the Senate. He is that. He gets hold of an issue and fights for the cause. He has been fighting for the health of the people of this country. I commend him, and I am pleased to support his amendment.

Mr. METZENBAUM. I appreciate the support of the Senator from Illinois, who has served well and with distinction in the Congress of the United States, and we are happy to have him in this body.

Mr. President, I should like now to get to address the substance of this issue.

During the committee hearing, we had an aspartame scientific panel as well expert FDA testimony on aspartame. Aspartame issues were examined in extensive detail. This amendment evolved from that hearing and I would now like to offer three basic reasons for its passage.

Reason No. 1 is the consumer's right to know. People have a right to know about the makeup of the products they consume. It is no secret that the distinguished Senator from Florida [Mrs. HAWKINS] and I have a bill pending which has to do with the labeling of products generally.

Reason No. 2, the FDA as well as doctors around the country have received hundreds of complaints from people who believe that they have had adverse physical reactions to NutraSweet.

Professor Wurtman of MIT made a very strong case at the hearing for quantity labeling, on the basis that physicians treating these complaints would at least know how much has been consumed. They will be able to take into consideration, in making their diagnosis, whether the taking or the use of aspartame was a factor.

Professor Wurtman also argued that those with symptoms who consumed large amounts of NutraSweet will be able to gauge their consumption, and those who think they have symptoms but in reality have consumed only small amounts of NutraSweet would be able to stop worrying.

Third, significant medical and safety questions have been raised about NutraSweet, and I will get into some of those questions as we proceed in the debate this afternoon.

Clearly, we need to provide people with more information about this product than they already have. With respect to the criteria of aspartame or NutraSweet safety, the food and safety law is clear. The Government does not have to prove that a particular food additive or artificial sweetner is harmful. The Government does not have that burden of proof. The manufacturer must prove that it is safe and that there is reasonable certainty that no harm will result from its use.

I should like to share with my colleagues the history of NutraSweet. In 1977, the Food and Drug Administration recommended that Searle—it is their product—be brought before a grand jury, on the basis that its testing procedures were irregular and that false statements were made. It was the FDA that made that recommendation. These tests included many of the key NutraSweet tests.

In 1980, a public board of inquiry recommended that NutraSweet not be approved until further tests on brain tumors could be dealt with. The FDA Commissioner rejected that finding and approved NutraSweet. I will return to that issue at a later point in the debate.

At the hearing, we referred to in-house FDA memos which showed that three of the six FDA scientists advising the Commissioner, the so-called Commissioner's team, recommended that NutraSweet not be approved because certain tests were still dubious. We have, in addition, the concern expressed by Dr. Wurtman about the effects on brain chemistry of aspartame, concerns which the Soft Drink Association itself cited in its draft objection to NutraSweet in 1983. I will return to that draft objection of the Soft Drink Association subsequently, as well.

Clearly, questions surround this product.

In addition to those questions having to do with the testing and approval of NutraSweet, there is also the issue of the ADI for NutraSweet, or the acceptable maximum daily intake.

I should like to quote from an FDA memorandum dated January 8, 1983:

> The Bureau of Foods had previously evaluated the results of data from an extremely comprehensive animal testing program and established the acceptable maximum daily intake, the ADI, for aspartame to be 20 milligrams per kilogram of body weight per day. This figure is based on application of a hundredfold safety factor to the no-effect dose, 2,000 milligrams per kiligram, in a chronic rat study.

What does that mean? It means that the FDA normally applies a hundredfold safety factor to regulated food additives. In the case of aspartame, they made an exception. They increased the ADI to 50 milligrams per kilogram, and they said they had the tests to prove that this could be done safely.

What does an ADI really mean,

What an ADI means is this: If you weigh 150 pounds, you would have to drink 17 cans of diet soda with 100 percent NutraSweet to hit the acceptable maximum daily intake.

I do not really believe that many people drink 17 cans of diet soda with 100 percent NutraSweet and hit the ADI. However, if you are a child weighing 25 to 30 pounds, you would hit that limit with three or four cans of soda. That is not something that is going to happen to all kids. But certainly large numbers of children are likely to consume NutraSweet at these levels.

Nobody is saying that someone is going to keel over if they exceed the ADI on a given day. But with all the concerns raised about the safety of NutraSweet, does it not make sense, is it not logical, for individuals and their physicians to know how much NutraSweet is in the diet soda?

What could be so terrible about stating the amount? How else will the user or the physician know if the person is exceeding reasonable consumption limits, particularly during the summer months?

Some would say, "Well, even if we told them the amount, they wouldn't understand." Some would. Some would not. But what in the world is so horrific? What in the world is so terrible? Why is it such a problem for the industry, within 18 months, to change their cans to indicate the amount of aspartame—that is NutraSweet—in the product?

Some would say, "Why label only soft drinks?" The answer to that is soft drinks are the major source of NutraSweet consumption.

Those who argue against the amendment on the basis that it singles out soft drinks are very quick to point out that they do not support labeling of any products containing NutraSweet.

Besides, if we mandate labeling of soft drinks, do you not think the other manufacturers will get the message and seriously consider implementing their own labeling?

Some would argue—and it has been stated—"Why don't you indicate how much sugar there is on the label?" As a matter of fact, if somebody cares to offer an amendment or to suggest such labeling, I would have no problem with that. I am one who firmly believes that the more the individual is able to know about the food he or she consumes, the better chance that individual has in seeing to it that the food ingested by him or her will be healthful and not dangerous to his or her life.

Dr. Roberts, of the National Soft Drink Association, testified at the hearing and said if a consumer wants to know how much NutraSweet is in a can of diet soda, they can write the National Soft Drink Association in Washington to find out. He said:

> We like people to have this information so we have no objection whatsoever, and, in addition, we try to provide additional information by putting our associated kinds of brochures.

So they are saying, "You can get the information, we are willing to give it to you, we might even make up a brochure, but we don't want to put it on the can."

Why? Is it that there is no room on the can? Is it that the people are just too nosy, to find that out?

I went to a can of Diet Coke to see what was on the can. Mr. President, they have enough reading material on the can to fill the CONGRESSIONAL RECORD.

On the front label they say, "100 percent NutraSweet brand sweetener." They say, "Saccharin-free, low-calorie cola; "phenylketonurics," contains "phenylalanine."

Let us take a look at the back of the Diet Coke label.

Nutrition information per serving

Serving size (ounces)	6 oz.
Servings per container	2
Calories per serving	0
Protein	0
Carbohydrate	(1)
Fat	0
Sodium (milligrams)	35

[1] Less than 1 gram.

And it continues on. They have a lot of material on the back of that label.

> Perentage of U.S. recommended daily allowances (U.S. RDA): contains less than 2 percent of the U.S. RDA of protein, vitamin A, vitamin C, thiamine, riboflavin, niacin, calcium, and iron. Contains carbonated water, caramel color, aspartame, (NutraSweet brand), phosphoric acid, potassium benzoate preservative, natural flavors, citric acid, caffeine.

That is not all. It has more on the back label. "NutraSweet and the NutraSweet symbol," says the back label, "are the trademarks of G.D. Searle & Co. Consumer information: call 1-800-GET-COKE," and then the number "438-2653."

Well, I guess it would not be too much of an imposition for the soft drink industry to indicate that there are 180 to 200 milligrams of NutraSweet in that can of Diet Coke. It would not ruin the can or its appearance.

Now, the Soft Drink Association has also said that if consumers want to

know how much aspartame is in a can of Diet Coke, they can call the number on the can; 1-800-GET-COKE.

Now, my staff did just that. At 9:09 a.m. on May 1, my staff called the Coke consumer information line, 1-800-GET-COKE, and after listening to a jingle, the operator came on the line. She was a very nice woman. Her name was Pat. My staff asked her the following question: "Can you tell me how much NutraSweet is in the can?" Her reply, "No. I'm sorry, I don't have that information." My staff then asked, "Is there any limit to the amount you should consume?"

Reply: "No. You can drink 40 cans a day." My staff asked her about kids. Could they drink that amount? Her reply, "No problem."

Now, FDA's acceptable maximum daily intake for a 150-pound person is 17 cans, and for a 25- to 30-pound person, 3 to 4 cans.

So I say that dialing 1-800 GET-COKE does not get you very far in obtaining information on how much NutraSweet is in a can of Diet Coke. Would the Chair be good enough to advise how much time the Senator from Ohio has remaining?

The PRESIDING OFFICER. The Senator has 32 minutes remaining.

Mr. METZENBAUM. I thank the Chair.

I ask my colleagues to keep in mind that the soft drink association, which is strongly opposed to letting consumers know how much NutraSweet they are consuming, is the same association which in 1983 prepared a draft legal document objecting to NutraSweet ever being allowed on the market, citing serious and unresolved questions about the public health.

Let me explain the significance of that statement. The National Soft Drink Association, along with the law firm of Patton, Boggs & Blow, prepared a document that was to be submitted before the U.S. Department of Health and Human Services, Food and Drug Administration. The document was entitled "Objections of the National Soft Drink Association to a Final Rule Permitting the Use of Aspartame in Carbonated Beverages and Carbonated Beverage Syrup Bases and a Request for a Hearing on the Objections." The issue before the Food and Drug Administration at that time, according to this draft objection was aspartame; food additives for direct addition to human food, 48 Federal Register 31376, July 8, 1983.

I want to explain to my colleagues that the draft legal document was not filed, but it was prepared and I ask unanimous consent that at the conclusion of my remarks the entire contents of that draft objection be included in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. METZENBAUM. Although it was not filed, that does not mean that it was not the position of the organization at that time. It does not mean that the findings and the conclusions reached in that document were not valid. It only indicates that for reasons best known to them, unquestionably business reasons, they decided not to file it.

But they were not objecting to labeling, which is all that my amendment would do. My amendment would only indicate the amount of aspartame that is in the product.

Their objection took the position that aspartame should not be included in soft drinks. That draft objection indicates that the organization had significant health concerns with the product before it was approved for soft drinks.

Let me direct your attention to some of the things that they said in that draft document:

G.D. Searle and Company has not demonstrated to a reasonable certainty that the use of aspartame in soft drinks, without quantitative limitation, will not adversely affect human health as a result of the changes such use is likely to cause in brain chemistry and under certain reasonable anticipated conditions of use.

For these reasons, Searle has not met its burden of demonstrating to a reasonable certainty that the unlimited use of aspartame, especially in combination with carbohydrates, will not adversely affect human health.

It went on to say that:

The questions posed by Dr. Wurtman are significant because of the seriousness of the potential effects E.G., changes in blood pressure and because of aspartame's anticipated widespread use—use that includes consumption by potentially vulnerable subgroups, such as children, pregnant women, and hyperactives.

They went on to say in that document:

Specifically, Searle has not met its burden under section 409 . . . to demonstrate that aspartame is safe and functional for use in soft drinks.

And they further stated:

Collectively, the extensive deficiencies in the stability studies conducted by Searle to demonstrate that aspartame and its degradation products are safe in soft drinks intended to be sold in the United States, render those studies inadequate and unreliable.

Now, the National Soft Drink Association in August 1983, thought that aspartame should not be used in soft drinks. But so many of my colleagues have been called recently and told that they should not vote for this amendment. Yet this amendment does not provide that the product should not be sold, only that the people who use the product have a right to know how much of it they are consuming.

Now, I think that it is important to know what occurred at the Department of Health and Human Services when aspartame was approved. I would like to share with my colleagues a memo dated May 19, 1981, from the Acting Associate Commissioner for Health Affairs on the subject of aspartame to the Commissioner of the Food and Drug Administration.

In this memo, they state the following:

The first and primary agenda item relates to the brain tumor issue. This was the point on which the Public Board of Inquiry concluded that safety had not been shown. A first draft "final decision" on this issue is attached.

They went on to say:

The major issue discussed at the hearing was the background rate for spontaneous brain tumors in the specific strain of rat used by Searle.

They talked about the conduct of the study.

The conduct of all three rat studies has been criticized by Dr. Olney. Some of the staff scientists believe the studies were adequately conducted, while others tend to agree with Dr. Olney that one or more of the studies was severely flawed. Again, the different positions are documented.

Mr. President, I ask unanimous consent that the FDA memo be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

(See exhibit 2.)

Mr. METZENBAUM. Now, Mr. President, my colleagues may go ahead and defeat this amendment. But I hope they will remember this debate in the months ahead. I do not claim children will develop brain tumors. I do not know that. I do know that the FDA was worried about it. I do know that three of the six FDA scientists advising the FDA Commissioner on final approval were sufficiently worried about it that they were not willing to approve the product. The FDA's own scientists were split on the issue.

So what we are talking about is, do we agree that there will be labeling indicating how much aspartame is in the product or do we close our minds to all the questions surrounding this product and turn our backs on the consumer's right to know.

I am frank to tell you I stand on the floor and I do not have all the answers. But I believe that this body has some responsibility to the children, grandchildren, and adults who are consuming these soft drinks. And all I am asking for here today is that which I consider to be the very minimum. To tell the people who are drinking these diet sodas how much aspartame is in the product.

Now I might note that some have said that the Diabetes Association opposes this amendment. My staff spoke with their Washington representative today. They do not oppose this amendment. Their official position is to

advise caution for pregnant women and children for both aspartame and saccharine consumption.

In conclusion, Mr. President—and I will confess that I have spoken at some length, but I speak at some length because I am concerned about what aspartame may do to people if ingested in too great quantities. I am concerned about the possibility of brain tumors and other forms of brain damage. Those who studied the issue at the FDA were concerned as well.

This amendment is basic. It is simple. It does not really ask for much, and for the life of me, I cannot understand why the Soft Drink Association has spent so much time and has done so much lobbying. What have they got to hide? All we are asking is how much aspartame is in the soft drink. And we are saying take 18 months, if you need that amount of time, in order to change your cans in order that we will not place an economic burden on your business.

My amendment is no big deal. It is not going to save the world. It is not going to solve problems in Nicaragua and it is not going to balance the budget. But it is one little step in the right direction. We will be providing people with the minimum amount of information they deserve about a substance which poses many unanswered questions about basic consumer health and safety.

Mr. President, I do not wish to delay the Senate with lengthy debate. I would like to submit for the record a number of scientific and other submissions relating to aspartame. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, April 24, 1985]

SWEETENERS FACE SCRUTINY OVER SAFETY

(By Sally Squires)

Just in time for spring dieting, three artificial sweeteners—aspartame, saccharin and cyclamates—are in the news.

Last week, a Senate panel rejected an amendment requiring labeling on soft drinks containing aspartame. This week, Congress considers whether to keep saccharin on the market. Meanwhile a National Academy of Sciences committee is reviewing the health effects of cyclamates, which were banned in 1970 because of a possible link with cancer.

Despite growing scientific evidence that aspartame causes alterations in brain chemicals and may change behavior, the Labor and Human Resources Committee defeated an amendment requiring soft drinks containing aspartame to list the amount of the chemical on the package.

Aspartame, marketed under the trade name NutraSweet by G.D. Searle and Co., is used in a variety of foods and beverages, ranging from diet soft drinks to the table sugar substitute known as Equal. Products containing NutraSweet carry a label warning people with the genetic disease phenylketonuria (PKU) to avoid these food and beverages. PKU sufferers are born lacking an important enzyme that allows them to digest the amino acid phenylalanine—a building block of protein and an important constituent of NutraSweet. PKU infants who consume phenylalanine become severely brain-damaged, and thus must be placed on a restricted diet for the rest of their lives.

Studies in humans and in animals suggest that aspartame can cause changes in neurotransmitters—the chemical substances that send messages throughout the brain. These changes are particularly pronounced when aspartame is consumed with carbohydrates. Among the health effects associated with aspartame consumption are headaches and behavioral changes.

The FDA has established guidelines that suggest limiting aspartame consumption to 50 milligrams per kilogram of body weight. A kilogram is equal to 2.2 pounds. This means that a 25-pound child (about 11 kilograms) should consume no more than 550 milligrams of aspartame a day—about the amount in four cans of diet soda.

Without labels describing how much aspartame is included in a product, "it is difficult if not impossible for the patient or his physician to know how much aspartame he has eaten or drunk," Dr. Richard Wurtman, a professor at the Massachusetts Institute of Technology, reported at a recent hearing before the Labor and Human Resources Committee. "I doubt that one consumer (or physician) in a thousand now realizes, for example, that a can of Tab provides less than one fourth as much aspartame as a can of Diet Pepsi or Diet Coke."

"Although we've made some progress with further NutraSweet and saccharin tests, we still have not fully protected the health and rights of consumers," said the amendment's sponsor, Sen. Howard M. Metzenbaum (D—Ohio).

"I believe that it is essential that companies which include aspartame in their products be required to indicate on the labels how much of the sweetener is present in each can or serving," adds Wurtman, who says he uses aspartame himself. "I think that it would be very good to have labeling of all artificial sweeteners."

A spokesman for Searle said that the company is not "against labeling if it appears on all food products. We thought it would be unfair to single out just NutraSweet."

"It is a very safe product. NutraSweet is the most tested product on the market today."

Other recent scientific evidence suggests a link between the development of nonmalignant skin lesions and the consumption of aspartame. Research also suggests headaches and perhaps even high blood pressure can result from combining aspartame with certain medications.

One study published in the Annals of Internal Medicine described how a 22-year-old woman who drank daily 36 to 44 ounces of an aspartame-sweetened diet drink developed skin lesions on her thighs. Controlled tests over a period of weeks documented that the woman's lesions disappeared and reappeared with the use of aspartame. Two other reports published earlier this year in the American Journal of Psychiatry and the British journal Lancet document behavioral changes among aspartame users.

Cyclamates could again become a choice for dieters and diabetics. A National Academy of Sciences committee is currently reviewing the scientific literature regarding the banned artificial sweetner—at the request of the Food and Drug Administration (FDA)—to help determine whether it causes cancer. The committee is expected to report its findings in June. If the scientific evidence is inconclusive, then the committee will design research that could answer the safety question of cyclamates once and for all.

Saccharin could soon be banned if Congress refuses to extend the most recent moratorium on prohibiting saccharin sales, which expired Monday. In 1977, despite evidence that saccharin caused bladder cancer in rats, Congress passed a law that allowed it to remain on the market. But FDA Commissioner Frank Young told a congressional committee recently that even if the moratorium is not renewed this week, it would take between six months and a year for saccharin to be removed from the market.

[From the Science Times, Feb. 5, 1985]

SWEETENER WORRIES SOME SCIENTISTS

(By Jane E. Brody)

As sales of aspartame, the nation's newest artificial sweetener, expand rapidly among millions of users, scientific concern is also growing among some researchers about its safety.

The researchers are alarmed by recent reports that a small percentage of users, including at least two young children, may have suffered severe adverse reactions to aspartame. Especially worrisome are reactions involving the brain, including seizures, incapacitating headaches, dizziness, behavioral changes and depression.

Although there is at present no evidence, there is concern, too, over the possibility that in some consumers, aspartame may cause subtle disruptions in the balance of brain chemicals that influence mood, alertness and hunger for certain nutrients. Animal studies have raised the issue but its investigation is only just beginning.

Two scientists, Dr. C. Keith Conners of Children's Hospital in Washington and Dr. Richard Wurtman of the Massachusetts Institute of Technology, believe that the Food and Drug Administration misled the public on aspartame's safety by understating the concern voiced in a recent official scientific analysis of consumer complaints.

"If you read the C.D.C. report," Dr. Wurtman said in an interview, referring to the national Centers for Disease Control, "it doesn't sound nearly so complacent as the F.D.A. Talk Paper that interpreted the findings for the public."

According to the C.D.C., its detailed investigation of 200 consumer complaints, out of more than 600 received, suggests the need for a systematic study of adverse effects, especially neurological and behavioral effects, which accounted for 67 percent of the complaints received.

"The number of instances of persons challenging themselves several times with aspartame-containing products and reporting symptoms with each rechallenge suggests that some individuals may be sensitive," the report states. "The only way to clearly determine this is through focused clinical studies." Citing the "subtlety and potential seriousness of some of the manifestations" reported by consumers, the disease control centers said the studies should concentrate on such symptoms as "headaches, mood alterations and behavior changes."

The manufacturer of aspartame, G.D. Searle & Company, said a proposal for a clinical study has been submitted to the F.D.A., but there are as yet no plans to ac-

tively monitor the effects of aspartame in the general population.

Searle says the C.D.C. findings are not surprising, given the fact that more than 100 million people now use aspartame. Dr. Gerald E. Gaull, vice president for nutrition and medical affairs for aspartame at Searle, said it is possible that "a few people may be allergic or sensitive to it." He added that "for those few people, the issue is not one of safety but rather of food selection."

Both the drug agency and Searle say aspartame is the most extensively studied food additive in history and that the studies clearly establish its safety. Dr. Gaull noted, "It's not just the F.D.A. that has viewed the tests as adequate, but also the World Health Organization and comparable regulatory agencies in Canada, the United Kingdom, Japan and about 37 other countries."

Dr. Sanford Miller, head of the F.D.A.'s Bureau of Foods, said: "I don't know of any substance in recent years that's been looked at with the intensity of aspartame. No one had yet come up with the slightest evidence to show we were wrong in approving it."

However, some researchers and consumer organizations assert that the studies have not been careful or far-reaching enough to establish the safety of aspartame, which is now entering the food supply at an unprecedented rate following its approval in 1983 for use in soft drinks.

For example, Dr. Walle Nauta, a Massachusetts Institute of Technology psychologist who heads a public board of inquiry that was asked by the F.D.A. in 1980 to review safety concerns about aspartame, has said that had the panel known how widely aspartame would be used, it would have issued stronger recommendations. He told Common Cause, a public affairs organization that completed a nine-month investigation of aspartame last year, that use of aspartame in soft drinks "never figured in our decision making."

Dr. Nauta's panel was also limited in its assessment to interpreting the results of safety tests. Whether the tests were properly conducted in the first place was not considered, he said.

FOUND IN WIDE VARIETY OF FOODS

Aspartame, marketed as Nutra-Sweet (when used as a food additive) and Equal (the table-top version), is now found in such foods as soft drinks, gum, breakfast cereals, mixes for hot chocolate and cold drinks and pudding mixes. Although in most products it is combined with either sugar or saccharin, a trend is already evident toward the use of aspartame as the sole sweetener in processed foods. Coca-Cola and Pepsi-cola, for—example, announced they would be using it alone in diet soft drinks, and Ralston-Purina has just introduced a new cereal, Sunflakes, sweetened only with aspartame. Several food processors have filed proposals to use the sweetener in yogurt, ice cream and flavored drinks.

Since it was approved for use in this country in 1981, worldwide sales of aspartame have grown from $74 million in 1982 to $800 million last year. It has been an enormous financial boost for a company that a decade ago was embroiled in costly controversy over the quality of its safety tests on several major drugs and aspartame.

Aspartame was originally approved for marketing in 1974, but the approval was quickly stayed when a scientist, Dr. John Olney of Washington University, and an attorney, James S. Turner, objected on the basis of Dr. Olney's findings in animals that aspartame might cause cancerous brain tumors. Dr. Olney remains a strong critic of aspartame approval. Mr. Turner, a consumer advocate with the Community Nutrition Institute in Washington, said the studies needed to clarify this risk had not yet been properly done. The institute recently petitioned the United States Court of Appeals for the District of Columbia to halt further marketing of aspartame products pending the outcome of a requested public hearing on aspartame's safety.

Nor were a number of key studies that had been called into question as scientifically lacking in design and execution ever redone, according to Common Cause and Mr. Turner. Nonetheless, in 1981, Arthur Hull Hayes, then Commissioner of Food and Drugs, approved aspartame for use in dry foods and as a table-top sweetener. Two years later Mark Novich, as acting commissioner, approved aspartame for use in soft drinks. Soon after Dr. Hayes left the agency and took a job as senior medical consultant for Burson-Marsteller, a public relations agency that represents Searle. The company says Dr. Hayes, who is also dean of New York Medical College, has never consulted on anything having to do with aspartame or any other product he ruled on at the drug agency.

MANY FACTORS IN POPULARITY

Among the reasons aspartame is so popular are that it provides the sweetening power of sugar at one-tenth the caloric cost; unlike products made with saccharin, it does not carry a warning about cancer risk and it tastes very much like sugar but, unlike saccharin, has no unpleasant aftertaste.

The drug agency has set an allowable daily intake of 50 milligrams of aspartame per kilogram of body weight, and the agency predicted that actual average use would run around eight to ten milligrams. According to Dr. Gaull of Searle, levels of use found in a national survey last spring showed that the average was then already twice that—19 milligrams—and the maximum level consumed by "aspartame abusers" was 28 milligrams. A United States attorney representing the F.D.A. said in court last month that average consumption is now 30 milligrams and that many consumers are above the 50 milligrams maximum suggested.

According to Dr. Wurtman, some consumers can easily reach consumption levels that have been linked in animal studies to adverse effects on brain chemicals. Ironically, he added, those using the sweetener to control calories may be defeating their purpose, since his studies show high levels of aspartame may trigger a craving for carbohydrates by depleting the brain of a chemical that registers carbohydrate satiety.

Dr. Conners is worried about aspartame's effects on certain highly sensitive individuals. He has studied two young children who suffer extreme agitation following doses of aspartame equivalent to the amount found in a six-ounce serving of Kool-Aid sweetened with NutraSweet. One of the children becomes so agitated he has to be restrained, Dr. Conners said. The other, who is sensitive to sugar, becomes even more aggressive when given aspartame, he said.

Aspartame is the product of two amino acids (the chemical building blocks of protein), aspartic acid and phenylalanine, which are found in rather large amounts in ordinary protein-rich foods. When digested and metabolized, aspartame breaks down into its component amino acids and methyl alcohol.

Scientific concern has focused on phenylalanine, since some people are unable to process it properly, causing a buildup in the body that can damage the developing brain. A phenylalanine buildup, should it occur in response to aspartame, could endanger an unborn child whose mother has high levels of phenylalanine in her blood in pregnancy, some scientists say. Dr. William Pardridge of the University of California at Los Angeles, for one, is worried about possible detrimental effects on I.Q. in the children of phenylalanine-intolerant women who consume large amounts of aspartame in pregnancy.

Phenylalanine is also the precursor to tyrosine, a neurotransmitter in the brain. A recent study in rats by researchers in Dr. Wurtman's laboratory showed that aspartame can cause large buildups of phenylalanine and tyrosine in the brain. However, Dr. Wurtman has noted that rats process phenylalanine differently from people. He added that a federally financed study of the behavioral effects of aspartame in animals and people was now under way in his laboratory.

[Western Union Telegram, Apr. 22, 1985]

Senator HOWARD METZENBAUM,
Capitol One DC.

With your permission I would like to amplify some of my responses to the questions that you asked me during the recent committee hearings on artificial sweeteners:

1. Many foods besides aspartame apparently cause chemical changes in the brain. Examples include virtually all carbohydrates (sugars and starches), proteins, lecithins, and caffeine. However, the particular changes that follow aspartame consumption have not been associated with other foods, and thus must be fully evaluated to determine their effects on health and behavior. This evaluation should be pursued vigorously. Hereafter it must be assumed that all new food additives will require a similar careful evaluation.

2. For the reasons that I indicated, I believe it is important that food labels should now include the quantities of aspartame that the products contain. I also believe, though, that similar information should be provided about their contents of other food additives, because this is good nutritional policy; because health questions have also been raised about other sweeteners; and because the biologic effects of combining two chemicals (like sweeteners) can sometimes be quite different from the effects of giving the individual compounds by themselves.

3. I am not proposing that the ADI for aspartame be changed at this time; I'd have difficulty justifying any specific number rigorously. Rather, I believe that the ADI should be subject to continuing review, as new information about aspartame's effects (or lack of effects) accumulates, ultimately I would like to see labels also include information about the upper limits of daily consumption for children and adults, but for the present, I believe that indicating the quantities of aspartame in each product would constitute an important and necessary first step.

4. I beleive that well designed, placebo-controlled clinical studies should be intitated, particularly on aspartame's possible involvement in headaches and in lowering seizure thresholds. These studies should also determine whether aspartame metabolism is abnormal in subjects who develop such side effects (for example, whether the plasma

amino acid pattern changes abnormally after aspartame consumption). The proposed studies should use ADI doses of aspartame, given acutely and chonically for many days, in circumstances similar to those in which people may actually use the sweetener (for example, taken along with some dietary carbohydrates and by people on weight reduction diets). I hope soon to initiate such studies at MIT's clinical research center, and understand that other institutions are also dong so.

Thank you for considering these comments.

Sincerely yours,

RICHARD WURTMAN, M.D.,
Professor, M.I.T.

UNIVERSITY OF CALIFORNIA,
LOS ANGELES,
April 22, 1985.

Statement to Senator HOWARD METZENBAUM:

Thank you for giving me the opportunity to express my views on the potential safety issues related to the effects on the brain of high dose usage of a new dipeptide sweetener, aspartame.

1. If high dose aspartame usage does have harmful effects, the sequelae are likely mediated via the phenylalanine component of aspartame, and not via the two other components of the compound, e.g., aspartate or methanol, or via the dipeptide itself. Among the tissues of the body, the brain is selectively vulnerable to large increases in blood phenylalanine. Thus, if aspartame is to have any harmful effects, it is most likely that the brain will be the target organ of aspartame-induced sequelae. Indeed, the Center for Disease Control recently concluded, "the highest priority for any in-future investigation might be in the neurologic/behavioral area".

2. A central question is, "what is a substantial increase in blood phenylalanine caused by aspartame igestion?" The 1980 Public Board of Inquiry concluded that a minimum toxic threshold of blood phenylalanine of 0.5–0.6 mM may be used in man, and blood concentrations below this critical threshold may be considered harmless. If the threshold concept is true, then I do not believe that aspartame will cause harmful effects since even high dose aspartame usage will rarely cause an increase of blood phenylalanine up to 0.5–0.6 mM. However, a review of the medical literature indicates that there is insufficient evidence to conclude that the relationship between high blood phenylalanine and brain disorders follows a threshold relationship. Recent evidence indicates that the relationship between blood phenylalanine increases and brain effects is a linear one (1,2), and that changes in brain function occur when blood phenylalanine rises in increments of 0.25 mM (1,2). For example, there is a 10.5 point drop in I.Q. in infants born of mothers with blood phenylalanine increases in the range of 0.25 mM over normal levels (1,3). Another study shows that neuropsychologic performance in children, e.g., choice reaction time, is altered when plasma phenylalanine is increased in the 0.25 mM range (2). These two studies are illustrative in that they describe effects in the two groups who are most at risk to develop high blood phenylalanine; (a) developing fetuses, owing to the ability of the placental membrane to concentrate phenylalanine inside the fetus, and (b) 7–12 year old children who, owing to their reduced body weight, consume high doses of aspartame in terms of mg/kg/day.

3. The studies showing effects on the brain in man of blood phenylalanine in the 0.25 mM range are of importance since the available data indicates that plasma phenylalanine will increase to this level in humans consuming aspartame on the order of 25 mg/kg, three times a day, particularly in heterozygotes (4) (and there is an estimated 4–20 million heterozygotes in this country) (1). Although 25 mg/kg three times per day, or 75 mg/kg/day, is nearly ten-fold greater than the expected FDA or industry projections of aspartame intake, the evidence in the literature indicates this is a likely daily intake for many consumers. For example, 7–12 year old children are found to consume up to 77 mg/kg/day (5). Normal weight adults are found to consume up to 32 mg/kg/day (6).

On the basis of the likelihood of a linear relationship between blood phenylalanine increases and brain function, I think it is essential that a case be made for labeling products with the mg of aspartame per product on the label. Thus, the physician who attempts to relate any possible neurologic/behavioral effects to aspartame intake may be able, through dietary survey, to compute the patient's average daily intake of aspartame in mg/kg. For example, if the physician determines that the daily intake is 10–20 mg/kg, then it is very unlikely that the patient's neuologic/behavioral problems are related to aspartame. On the other hand, if the daily intake is on the order of 50–75 mg/kg/day, then the physician may undertake a retrospective and prospective analysis of the possible relationship between aspartame-induced high blood phenylalanine and the patient's neurologic/behavioral problems.

Yours very truly,

WILLIAM M. PARDRIDGE, M.D.,
Associate Professor of Medicine.

REFERENCES

1. Levy, H.L. and Waisbren, S.E. (1983): Effects of untreated maternal phenylketonuria and hyperphenylalaninemia on the fetus. N. Engl. J. Med. 309:1269–1274.

2. Krause, W., Halminski, M., McDonald, L., Dembure, P., Salvo, R., Freides, D., and Elsas, L. (1985): Biochemical and neuropsychological effects of elevated plasma phenylalanine in patients with treated phenylketonuria. J. Clin. Invest. 75:40–48.

3. Kirkman, H.N. and Hicks, R.E. (1984): More on untreated maternal hyperphenylalaninemia. N. Engl. J. Med. 311:1125–1126.

4. Stegink, L.D. (1984): Aspartame metabolism in humans: acute dosing studies. In: "Aspartame Physiology and Biochemistry" (L.D. Stegink and L.J. Filer, Jr., eds.), Marcel Dekker, Inc., New York, pp. 509–553.

5. Frey, G.H. (1976): Use of aspartame by apparently healthy children and adolescents. J. Toxicology and Env. Health 2:401–415.

6. Porikos, K.P. and Van Itallie, T.B. (1984): Efficacy of low-calorie sweeteners in reducing food intake: studies with aspartame. In: "Aspartame Physiology and Biochemistry" (L.D. Stegink and L.J. Filer, Jr., eds.), Marcel Dekker, Inc., New York, pp. 273–286.

SEVERE BEHAVIORAL REACTIONS TO ASPARTAME IN A FOUR YEAR OLD BOY

(C. Keith Conners, Karen Wells, Sandra Kronsberg and Ellen Schwab)

BACKGROUND

The subject of this study is Stephen, a 4 year old boy who was referred for evaluation by his mother. During August of 1983 mother had begun providing Stephen with Sugar Free Kool-Aid with NutraSweet (Cherry artificial flavor) over a period of 3 weeks. He was thought to drink approximately 20 ounces/day in a more diluted form than called for on package instructions.

His behavior became increasingly erratic over this period (as reconstructed by the mother later). He became tearful, easily frustrated, had unprovoked angry outbursts and was extremely irritable. This culminated in a dramatic episode in which he became inconsolably and wildly emotional. He had to be isolated to his room where he repeatedly ran full force into the wall, knocking himself to the floor, crying, and repeating the performance until he was restrained.

Mother called her pediatrician who suspected that the new Kool-Aid might be responsible, and advised her to remove it. She did so and his behavior then returned to normal within 24 hours. About 2 weeks later the mother re-introduced the Kool-Aid, whereupon another violent reaction occurred within about 30 minutes. This episode subsided the same day. Suspecting the Aspartame in the drink, mother called us upon the advice of the pediatrician who had heard of our interest in sugar products and behavior. After some hesitation, she agreed to examine the problem in an experimental, double-blind fashion. An informed consent was obtained.

HISTORY

Stephen weighed 10.5 pounds at birth. Mother gained 55 pounds during pregnancy (twice the recommended amount), and delivery was 2.5 weeks late. He was described as "a great baby, a good sleeper and good eater." He had some feeding problems as an infant, exhibiting rhinitis and diarrhea following feedings of formula. He eventually tolerated formula feedings of Similac with iron (a cow's milk formula). Upon examination he was found to be a well-developed, well-nourished four year old at the 30th percentile of weight (16 kg) for his stature (105.4 cm).

Stephen is reported to be a very active boy, "going all the time". He still naps every afternoon. He is described as quite oppositional, saying 'no' to everything. Mother appears to try to manage mostly by 'yelling and screaming', though she was observed to be quite tender and solicitous of Stephen in the waiting room. He is quite a happy boy on the whole, seems very bright and precocious, but he can be quite aggressive and "beats his brother (7 years old) to a pulp". Sugar appears to make him more energetic.

There is some question of a possible milk allergy and allergy to molds. Mother says she cannot eat apples, pears, peaches or plums because of allergy to pectin. She is also allergic to jellied candies, pollen, penicillin and macrodantin.

Stephen's mother filled out a 93-item parent questionnaire (Conners Parent Questionnaire). The Restless-Impulsive factor showed an elevation of about 2 standard deviations, but was otherwise within normal range.

METHOD

Ratings. Mother was asked to fill out the 10-item Hyperactivity Scale on a daily basis. These items measure restless, impulsive, emotional behaviors. She was asked to obtain data over a 2-week period to establish Stephen's baseline.

Observations. On four occasions, about one week apart, Stephen and his mother returned to the hospital where they were observed through a one-way mirror for an hour or more. For the first half of the session mother was instructed to simply sit in

the room and let Stephen do whatever he wanted. A variety of toys were available and he was asked to play by himself while mother sat and busied herself with some work. For the second half of the hour mother was instructed to issue various commands, such as "pick up the toys", "clean up the room", "sit in the chair", etc.

The behavior was videotaped from the other side of the room and later scored blind (without knowledge of the conditions) by an experienced behavioral observer. Behavior was coded in 15-sec blocks using an interval-sampling procedure developed by Hanf and Forehand. The main category of interest is child noncompliance to commands. Other categories include "whine/cry", and "destructive".

Challenge. Just prior to each observation period Stephen was given a 6 ounce cup of Cherry Kool-Aid to drink. On two occasions this was the sugar-sweetened version and on two occasions it was the NutriSweet version. The dietician (E.S.) made the determination of order of challenge, and neither parent, child, nor other observers had knowledge of the sequence. As it turned out, the sequence chosen was ABAB, with A=Aspartame, B=Sugar.

RESULTS

The results of the Hyperactivity Ratings is shown in Figure 1. After a stable baseline there is a clear increase in deviant behavior on the Aspartame days compared with the sugar days.

Figure 2 shows the percent of scoring intervals during which noncompliance occurred. Again there is a substantial increase in this behavior during the Aspartame challenge days.

Followup. Mother has continued to restrict Stephen from Aspartame, but on several occasions he has accidentally had drinks provided at school or at friends' parties. On each and every occasion mother claims that he has become quite disturbed. On one of these occasions he became very tearful and repeatedly said something was wrong, crying "Mommy, Mommy, please help me, I can't stand it."

Conclusion. We cannot be sure at this point that the observed reactions were truly due to the Aspartame. The artificial color in the drink is another possibility. It is also possible in a child that has a high rate of deviant behavior, that occasional challenges could, by chance coincide with an episode. One cannot, of course, generalize beyond this single case.

However, we are inclined to believe that the clear results from both direct observation and home observations, obtained under strict double-blind conditions, are sufficiently compelling to conclude that Aspartame (and/or its vehicle) are causing deviant behavior of quite severe proportions in this boy. We believe that further study of this problem in children is clearly indicated.

[From the Am J Psychiatry 142:2, February 1985]

INTERACTION OF ASPARTAME AND CARBOHYDRATES IN AN EATING-DISORDERED PATIENT

SIR: Wurtman (1) has pointed out that the acute ingestion of aspartame, particularly when combined with carbohydrates, can have a marked effect on the level of tyrosine in the brain. He speculated that the resulting acute elevation of brain tyrosine level might induce behavioral or functional changes in the predisposed individual. In the following clinical case this appears to have happened.

Ms. A, a 22-year-old white woman, began to binge eat and purge soon after she developed secondary sexual characteristics at age 13. This habit evolved into a binge-purge cycle that took place an average of 15 times a day; she had a marked fear of obesity and a craving for carbohydrates. At age 21 she was placed on a regimen of fenfluramine and metoclopramide for her bulimia. Within a few weeks she stopped binge eating and vomiting. She then began to restrict her food intake excessively; her weight began to decrease and she became increasingly depressed. When her weight reached 79 lb, she was hospitalized. In addition to behavioral and psychotherapeutic treatments, she was given full therapeutic trials of impramine, desipramine, and nortriptyline for her depression, which persisted despite her regaining a normal body weight. As an outpatient, she developed the habit of chewing her food and spitting it out to enjoy the sweet taste of carbohydrates and to avoid the excess calories. Each day she used about 10 packets of an artificial sweetener that contains aspartame. She was given a trial of a monoamine oxidase inhibitor (MAOI) to treat her "tricyclic-resistant" depression.

After being on a regimen of 10 mg/day of tranylcypromine for approximately 2 weeks, the patient noticed severe headaches that coincided with times when she was eating and spitting out high-carbohydrate foods and consuming the aspartame. She described the headaches as throbbing and said she felt flushed and sweaty. On each of five occasions when she experienced these symptoms, the headaches stopped within a few hours of stopping ingestion of the sweetener.

Ms. A refused to take the artificial sweetener and have her blood pressure checked. The headache was sufficiently unpleasant and the correlation between the ingestion of the sweetener and the headache was so strong that she preferred to use saccharine, which did not produce further headaches.

In this clinical case it appears that aspartame combined with carbohydrates led to the symptoms one might expect from an elevated CNS level of tyrosine in a patient who was taking an MAOI. It is important to keep this possible interaction in mind, particularly with the increased use of MAOIs to treat patients with eating disorders and atypical depressive states.

REFERENCE

1. Wurman RJ. Neurochemical changes following high-dose aspartame with dietary carbohydrates (letter). N Engl J Med 309, 429–430, 1983.

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[From the Annals of Internal Medicine, Vol. 102, No. 2, February 1985]

ASPARTAME-INDUCED GRANULOMATOUS PANNICULITIS

(By Nelson Lee Novick, M.D.)

The low-calorie artificial sweetener, aspartame (NutraSweet; G.D. Searle & Co., Skokie, Illinois), a synthetic combination of aspartic acid and the methyl ester of phenylalanine, is currently used in many diet sodas, cereals, and chewing gums and as a substitute for granulated sugar. Although the Food and Drug Administration has approved aspartame for routine use (except in patients with phenylkentonuria), its potential for toxicity remains controversial (1–4). This report describes the first confirmed case of aspartame-induced granulomatous panniculitis.

A 22-year-old, otherwise healthy woman had numerous, bilateral, nontender, nodular lesions on both legs for 2 months. The patient denied having used any oral, systemic, or topical medications during the preceding 6 months. She also denied any history of recent infections or trauma, and she had no accompanying constitutional symptoms. For the previous 6 years, the patient had habitually consumed between 1080 and 1320 mL (36 to 44 fl. oz) daily of a popular saccharin-containing diet soft drink. Approximately 10 weeks before presenting for evaluation, she had switched to the same manufacturer's new aspartame-sweetened diet soda. She made no other changes in her diet. Two weeks later, the patient first noted the onset of several nontender, deep nodules on her left thigh. New lesions subsequently appeared elsewhere on her legs while the previous lesions slowly enlarged: none disappeared.

On examination, numerous deep nodules ranging from approximately 0.5 to 5 cm in diameter were palpated bilaterally on the thighs and calves. The overlying skin appeared normal. The nodules were firm and in some areas coalesced to form large deep plaques that were freely movable over the underlying facial tissues. No adenopathy or other cutaneous or mucous membrane lesions were present; the rest of the general physical findings were normal.

Complete blood and differential count, erythrocyte sedimentation rate, serum electrolyte and amylase levels, and urinalysis findings were normal; liver function tests, serum protein electrophoresis, direct and indirect immunofluorescence studies, tuberculin tine test, and tests for antinuclear antibody and anti-steptolysin-O were negative. The patient refused a chest roentgenogram. Histologically, a septal panniculitis with lymphocytes and histioncytes predominated within the thickened fibrotic septae. Many multinucleated histiocytic giant cells and a lymphohistiocytic infiltrate extended into the adjacent fatty lobules, consistent with erythema nodosum.

The patient was advised to stop using the recently introduced aspartame-sweetened beverage. During the next 4 weeks, no new lesions appeared and all previous lesions spontaneously resolved without residua. She was then advised to resume daily consumption of the suspected aspartame-sweetened diet drink; 10 days later, she again developed the nodular lesions on both legs, this time in greater number than before. Withdrawal of the beverage once again resulted in gradual and complete resolution of all lesions.

The patient was next challenged with pure aspartame, 50 mg four times daily, in capsule form (supplied by G.D. Searle & Co.). Ten days later, nodules reappeared on her legs. Withdrawal of aspartame resulted in spontaneous clearing of all lesions.

Widely used, aspartame is 180 times sweeter than sucrose and is metabolized primarily to aspartic acid, phenylalanine, and methanol (5). No previous reports could be found in the literature conclusively linking aspartame to any cutaneous eruptions. (6). Several unconfirmed reports of "dermal eruptions" and urticaria have been received by the manufacturer according to Robert L. Alberti, M.D., Director of Medical Communications, G.D. Searle & Co. In addition, the Adverse Drug Reaction Report System of the American Academy of Dermatology has received an unconfirmed report of a macular, erythematous, confluent pruritic eruption in a man who had consumed large

amounts of an aspartame-sweetened diet cola (Report no. 1170031284, reported 12 March 1984 and transferred to the FDA 10 April 1984).

The precise classification and pathogenetic mechanism of the panniculitis in my patient are unclear. Absence of tenderness in lesions, overlying skin changes, constitutional symptoms, and residual pigmentary changes upon resolution is inconsistent with erythema nodosum (7), whereas the histopathologic finding of septal panniculitis strongly favors that diagnosis (8).

The formation of toxic metabolites of aspartame, either during the drugs shelflife or as metabolic byproducts, offers one possible explanation for the reaction seen in this patient. Boehm and Bada (9) have recently reported that the heating of aspartame results in conversion of some of its amino acids to their racemates. Although they note that the possible toxicity of consuming large amounts of these racemates remains to be determined, they speculate that some food or beverage components may catalyze the racemization of aspartic acid and phenylalanine in aspartame at room temperature. Furthermore, despite extensive prior testing, no such reaction has yet been reported, suggesting that this phenomenon may be idiosyncratic rather than dose-related. Fortunately, in the present patient, mere discontinuation of the aspartame-containing beverage resulted in complete and relatively rapid resolution of the condition without residua.

[From the Food Chemical News, Apr. 15, 1985]

INTERNAL FDA UNCERTAINTIES ABOUT ASPARTAME SAFETY REFLECTED IN 1981 MEMO

A 1981 briefing memorandum on aspartame reflects internal Food and Drug Administration uncertainties about the safety of the artificial sweetener in the months immediately preceding the decision of then FDA Commissioner Arthur Hull Hayes to permit its use as a food additive.

The May 19, 1981 briefing memorandum which was referred to during recent hearings on the extension of the saccharin moratorium (See FOOD CHEMICAL NEWS, April 8, Page 26), reveals that statisticians in FDA were uneasy about concluding that the brain tumors observed were not statistically significant and that questions were also raised about the conduct of the studies.

"I do not concur that aspartame has been shown to be safe with respect to the induction of brain tumors," Robert J. Condon, of FDA's Center for Veterinary Medicine, wrote in a "dissenting opinion on the brain tumor issue," explaining that his opinion was "based on. . . three reasons: (1) positive results seen. . . for female rats (in one of the studies); (2) problems in the conduct (of two of the studies); and (3) power of the studies."

Similarly, a memo from Satya D. Dubey of FDA's Center for Drugs and Biologics, pointed out "certain statistical difficulties" associated with the key studies "within the framework of statistical principle, theory, method and practice."

The two statisticians were members of the Commissioner's Team on Aspartame, as was Douglas L. Park, now with the Center for Food Safety and Applied Nutrition, who noted in a memo that "the available evidence is limited and provides clear proof neither of the safety nor of lack of safety."

Appendices to the memorandum made available following the hearing reveal that FDA scientists also questioned the data on risk of aspartame ingestion in terms of amino acid imbalance, a question raised also by outside researchers, specifically MIT's Dr. Richard Wurtman.

One of these appendices cautioned that "a four-fold increase in phenylalanine might cause some adverse effects if the diet is deficient in protein."

Another, prepared by FDA's Barry N. Rosloff, of the Center for Drugs and Biologics, pointed out that conclusions on aspartame were dependent "on how well the studies performed reflect the conditions of anticipated usage, particularly regarding (1) dose levels, (2) concentration of aspartame in solution, and (3) concomitant consumption of food, particularly carbohydrates."

"The latter factor is particularly important since the presence of carbohydrates has been shown to reduce the increase in plasma glu (glutamic acid) seen with MSG feeding," Rosloff noted.

Noting the studies with aspartame were performed with orange juice or a flavored beverage base and there was no information on how much carbohydrate was present in the vehicles or when food had last been consumed by the subjects, Rosloff commented, "Hopefully these variables do not deviate in a significant way from the anticipated conditions of aspartame consumption."

[From Common Cause Magazine, July/August 1984]

HOW SAFE IS YOUR DIET SOFT DRINK?

(By Florence Graves)

(NutraSweet has been touted as the most tested food additive in history, but our investigation reveals such serious flaws in the government's approval of NutraSweet that Congress should begin its own investigation immediately.)

NutraSweet, America's newest sugar substitute, has been an overnight sensation. Low in calories, with a taste almost like sugar, NutraSweet is not only converting former saccharin users but drawing consumers away from sugar as well. Robert Shapiro, president of the NutraSweet Group at G.D. Searle & Co., which owns the patent on NutraSweet, declared at a gathering of soft drink companies last December that NutraSweet is "one of the most important developments in the history of food and beverages." In a recent interview with Common Cause Magazine, Shapiro said he realizes that NutraSweet "sounds too good to be true."

Ironically, Shapiro may be right. A Common Cause Magazine investigation based on dozens of interviews and a review of thousands of pages of documents, many obtained under the Freedom of Information Act, raises serious concerns about whether the Food and Drug Administration (FDA) established that aspartame—the scientific name for NutraSweet—is safe. The investigation shows that some scientists say tests have not resolved major health issues—including whether aspartame can cause cancerous brain tumors, and whether it can affect brain chemistry and therefore behavior. The magazine has also learned that some scientists have serious concerns about the sweetener's potential effects on children and pregnant women.

Meanwhile, the FDA acknowledges receiving at least 600 consumer complaints relating to aspartame. In these complaints—which Common Cause Magazine obtained under the Freedom of Information Act—people allege that they have suffered headaches, rashes, dizziness, menstrual problems and seizures after consuming aspartame. The complaints, most of which were received this year, are being investigated by the Centers for Disease Control in Atlanta.

Our investigation reveals such serious flaws in the FDA's approval process that Congress should begin its own investigation immediately. The investigation shows that then FDA commissioner Arthur Hull Hayes approved aspartame three months after taking office in April 1981, despite the fact that some of the FDA's own scientists had serious reservations about the validity and quality of pivotal tests used in his decision. (Hayes, through an assistant, refused to be interviewed.)

Hayes' decisions to approve aspartame for use in dry foods such as cereals in 1981 and soft drinks in 1983 does not square with the role the FDA is supposed to play. The FDA is the government agency that reviews and approves all tests submitted by companies before allowing food additives on the market. The law requires a manufacturer—in this case, Searle—to prove to the satisfaction of the FDA that there is a "reasonable certainty" that a food additive is safe. The government does not have to prove that it is harmful—an important distinction. If tests are inconclusive, an additive is not supposed to be approved by the FDA.

In deciding to allow aspartame in dry foods in 1981, Hayes ignored not only the recommendations of some FDA scientists, but also a recommendation by a 1980 scientific Public Board of Inquiry appointed by the FDA. The board said aspartame should not be approved because it had not been conclusively shown that the sweetener did not cause cancerous brain tumors. The board called for further testing to resolve the issue. In 1983, just two months before leaving office, Hayes approved aspartame for use in soft drinks, dramatically expanding its use.

Hayes defended his 1981 approval, saying, "Few compounds have withstood such detailed testing and repeated close scrutiny, and the process through which aspartame has gone should provide the public with additional confidence of its safety."

But in fact, a 1975 special FDA task force had raised serious concerns about a number of the tests that Hayes eventually relied on in his decision to approve aspartame. Despite the fact that one former FDA commissioner said what was discovered about a number of Searle's tests—including pivotal brain tumor tests—was "reprehensible," our investigation shows serious questions about the tests were never resolved and the tests eventually relied on were never repeated.

Consumer attorney James Turner, who has gone to court to try to force a public hearing on aspartame, charges that Hayes picked "his way through a mass of scientific mismanagement, improper procedures, wrong conclusions and general scientific inexactness." Turner represents the Community Nutrition Institute, a Washington, D.C.-based public interest group.

Two FDA officials have told Common Cause Magazine that Hayes was determined to push aspartame forward, in part as a signal that the Reagan administration was ushering in a new regulatory era. One official privy to some of the deliberations made at Hayes' level says the "people at the top" were not receptive to important concerns raised about the quality and validity of some of the key tests submitted in support of aspartame.

"There were real questions" about the reliability and interpretation of the data "that were glossed over" at the commissioner's

level, this official says, adding that Hayes and his close associates wanted FDA scientists to concentrate on providing rationales for overturning the 1980 Public Board of Inquiry instead of focusing on the fact that there were unresolved issues about a number of key tests.

The financial consequences of Hayes' decisions are enormous for G.D. Searle & Co. A Kidder Peabody financial analyst says Searle's U.S. sales of NutraSweet and Equal (the powdered sugar substitute) reached $74 million in 1982. By the end of 1983, following soft drink approval in the summer, sales had jumped to $336 million. Most of that increase was accounted for by soft drink use, the analyst says.

Meanwhile, a number of scientists continue to raise questions about aspartame's safety, especially with the widely expanded soft drink market.

Dr. Walle Nauta, head of the 1980 Public Board of Inquiry and an institute porofessor in the Department of Psychology and Brain Science at the Massachusetts Institute of Technology (MIT), says "extensive testing" is needed regarding a theory raised by MIT's Dr. Richard Wurtman that consuming large amounts of aspartame—especially with carbohydrates—may affect brain chemistry. In light of the consumer complaints, Nauta said in a recent interview, "I would think [the FDA] should be following [the issue] with great concern. Dr. Wurtman may be right." Aspartame "may be harmful in the long run."

In extending aspartame approval to soft drinks, Hayes dismissed Wurtman's concerns, saying his hypothesis is not supported by his data. The FDA says it is not requiring tests concerning Wurtman's theory.

Searle's Robert Shapiro agrees with the FDA, and Searle has said that "the various hypotheses suggesting a potential health risk from aspartame consumption are not supported by the scientific evidence submitted by Searle and exhaustively reviewed by FDA prior to aspartame's approval."

In an interview, Sanford Miller, chief of FDA's food safety division, defended the FDA's approval and said, "The same dead horses keep getting dragged up again and again and again."

Miller said aspartame is the most tested food additive in history, and he points to the more than 100 tests Searle submitted to the FDA.

But as one FDA scientist said in an interview, it doesn't matter how many tests are done on a food additive, the proper question is, how many of them are valid? And do they prove the additive is safe?

The key element of the controversy is that the vast majority of the tests—90 of 113 entries—were submitted by Searle in the early to mid-1970s. All aspartame tests submitted during that period by Searle and its major contractor, Hazleton Laboratories Corp., were called into question by a 1975 FDA special task force investigation. The special task force's findings were so serious that they led the FDA general counsel to request a grand jury investigation of Searle.

All aspartame tests that have been described by the FDA as "pivotal" were conducted during this period. Eighty-eight percent were done by Searle or Hazleton. Dr. Alexander Schmidt, FDA commissioner from 1972 to 1976, said in a recent interview that Searle's testing then was "incredibly sloppy science." He added, "What was discovered was reprehensible."

Schmidt says a pivotal test is one that is so important that it must be repeated if found invalid. The important question, he says, is, "Were there new pivotal experiments?" Our investigation shows that only one pivotal test was repeated. The FDA later said it was not used in the agency's safety assessment.

Despite the fundamental questions concerning the tests submitted before the end of 1975, Hayes and the Bureau of Foods relied on some or all of these tests when they made their decisions that aspartame is safe. Our investigation found no evidence in the public record that Hayes or the bureau ever successfully explained how their decisions were reconciled with the questions raised by the special task force about Searle's flawed tests.

OTHER HIGHLIGHTS OF THE INVESTIGATION

Internal FDA documents obtained by Common Cause Magazine show that a number of significant deficiencies in the three pivotal tests used to determine whether aspartame might cause cancerous brain tumors were brought by FDA scientists to the attention of those advising Hayes during his deliberations, yet he decided to approve aspartame anyway.

A draft memo to Hayes on the brain tumor issue reads, "As you know, this is a subject upon which competent, neutral scientists have differed. The [FDA] Bureau of Foods found aspartame approvable on this ground. The Public Board of Inquiry found it not approvable without further testing. Your final decision, therefore, will largely reflect a policy judgment on how certain you want to be." According to the law, if tests are inconclusive, an additive is not supposed to be approved by the FDA.

In reference to one of the pivotal brain tumor tests used to determine that aspartame is safe, Jerome Bressler, team leader of a 1977 special FDA task force investigating the test, told Common Cause Magazine that "you don't have to be brilliant to know . . . it was a lousy study; it was a sloppy study."

The Bressler team found evidence—including a photograph—that the experimental rats may not have eaten the intended doses of the test substance diketopiperazine (DKP), a breakdown product of aspartame. Bressler also recalls that there were indications that the rats found the DKP distasteful and may have avoided eating it.

Searle submitted 13 tests to try to establish that aspartame would not cause genetic damage. Memos in the public record show that the FDA scientists who initially reviewed the tests found serious deficiencies in all of them, describing three as "incomplete individually and collectively." Nevertheless, 1980 Public Board of Inquiry documents showed that although FDA officials acknowledged numerous problems with the tests, they decided that all the tests were good enough to rely upon in establishing the safety of aspartame.

Common Cause Magazine asked Dr. Marvin Legator, professor and director of environmental toxicology at the University of Texas medical branch in Galveston to review the FDA's reviews of the tests Searle submitted. Legator helped pioneer mutagenicity testing at the FDA, where he worked from 1962 to 1972. Although Legator says he has "no reasons to suspect that aspartame would be active," he says all the tests are "scientifically irresponsible" and "disgraceful."

"I'm just shocked that that kind of sloppy [work] would even be sent to FDA," and that FDA administrators accepted it, he says. Legator adds that "there is no reason why these tests couldn't have been carried out correctly. It's not that we are talking about some great scientific breakthrough in methodology."

In documents submitted to the 1980 Public Board of Inquiry, Searle said the tests were "adequate screening tests for mutagenicity." FDA would not comment on the tests because of pending litigation to get a public hearing regarding aspartame's approval.

In 1973 the FDA's Bureau of Foods asked the Bureau of Drugs to evaluate 10 tests on humans (called "clinical tests") submitted by Searle to determine "whether safety problems might be anticipated should this sweetener be marketed for general use." Memos found in the public record show that Dr. Martha Freeman, then of the FDA's Bureau of Drugs, concluded that "the information provided is inadequate to permit an evaluation of potential toxicity of aspartame."

Although the FDA does not require clinical testing for proposed food additives, Freeman recommended that "marketing for use as a sweetening agent should be contingent upon satisfactory demonstration of clinical safety of the compound," which she said would require more rigorous testing.

In an interview, Freeman said she made the recommendation because aspartame was an unknown substance whose toxicity was not known. "In general I think [unknown substances] should be more closely monitored than is currently done for food substances."

The Bureau of Foods rejected her recommendations and has continued to cite these 10 studies along with others conducted later as evidence of safety in humans.

The FDA opposed letting two critics—consumer attorney Turner and Dr. John Olney, professor of neuropathology and psychiatry at Washington School of Medicine in St. Louis—raise questions about the quality and validity of some of Searle's tests when the 1980 Public Board of Inquiry was convened.

The two critics had challenged the 1974 approval of aspartame, saying they believed that the sweetner might cause brain damage. They also questioned the validity of some key tests. In a 1977 letter to Turner, the FDA general counsel said that if Turner disagreed with the FDA's conclusions about the reliability of Searle's tests, "The Public Board of Inquiry on aspartame should provide a vehicle for a definitive resolution, at least for those studies about which you are most concerned."

Yet once the board was convened, the FDA argued that the board was not the proper forum for Turner and Olney to use to bring up their questions about the quality and validity of Searle's tests. The board agreed.

MIT's Dr. Walle Nauta, head of the 1980 scientific Public Board of Inquiry appointed by the FDA to review safety concerns about aspartame, said in an interview that scientists serving on the board had "concern about the validity of a number of the [test] data" supplied by Searle and challenged by Olney and Turner. But he continued with the board inquiry because "we had absolutely no way of knowing who was right"—the Bureau of Foods or Turner and Olney. "It was a shocking story we were told," he said, referring to the history of Searle's testing, but the board had "to take the FDA's word" that the tests in question has been properly conducted.

Nauta also said in an interview that the 1980 scientific review of aspartame "specifi-

cally excluded use in soft drinks." Soft drink use, he says, "never figured in our decision making."

Nauta also said he was surprised when the FDA approved aspartame for soft drinks three years later. He says FDA officials had told him that because aspartame breaks down in solution and when exposed to heat and loses its sweetness, its use in soft drinks would be "uneconomical." Nauta said the board "definitely" would have considered other tests and factors if he had known there were plans to eventually use the sweetener in soft drinks.

According to a draft objection obtained by Common Cause Magazine, within two weeks before aspartame was finally approved for soft drink use, the national Soft Drink Association (NSDA) appeared to have had enough concerns about the safe use of aspartame in soft drinks that it considered formally submitting an objection to the approval. NSDA science director Dr. Robert McQuate says the association didn't file the objection because all safety concerns were totally resolved. But a lengthy interview with McQuate leaves a number of troubling questions.

Searle and the FDA frequently point to the fact that aspartame has been approved in more than 30 countries and by the World Health Organization as evidence it is safe; Robert Shapiro, head of Searle's NutraSweet division, confirmed that approval in these foreign countries was based "essentially" on the controversial tests also submitted to the FDA. A financial analyst with Kidder Peabody of New York estimates that including U.S. sales, Searle will sell about $600 million of aspartame world wide in 1984.

Aspartame was discovered 19 years ago, when a scientist who was working on an ulcer drug absentmindedly licked his fingers and discovered a sweet taste. When aspartame was first approved in July 1974 for use in dry foods, such as cereal and powdered drinks, saccharin was the only low-calorie sweetener on the market. There were concerns that saccharin might cause cancer, and the serendipitous discovery of aspartame seemed to be the answer to dieters' dreams: a low-calorie sweetener made from natural products.

Aspartame, which is 180 to 220 times sweeter than sugar, is composed of two amino acids—phenylalanine and asparatic acid. But it really is a synthetic compound, because it is produced by isolating and synthesizing these two amino acids from the 20 or so usually found in a complete protein. Complete proteins are large, and take considerable time to digest. Aspartame, however, is a small molecule, and is digested quickly. Therefore, phenylalanine and aspartic acid are released quickly into the bloodstream.

It was up to Searle, as federal law requires, to establish a "reasonable certainty" that it was safe to consume this synthetic compound.

The company laid out its strategy for getting aspartame approved by the FDA in a December 1970 memo. The goal: "Bring [FDA officials] into a subconscious spirit of participation" with Searle;

The FDA said "yes" in 1974, but before aspartame could go on the market, consumer attorney Turner and Washington University scientist Olney formally objected, saying they believed that aspartame might cause brain damage. A former Nader's Raider, Turner has spent a great deal of his own money and the past 10 years fighting the approval. Both Turner and Olney were particularly worried about aspartame's potential effects on children.

Olney also believes that when aspartame-sweetened foods or drinks are consumed with foods containing monosodium glutamate (MSG), a seasoning used to enhance flavors in some processed foods and Chinese food, the chances of brain damage, particularly in children, are greater.

The FDA agreed in 1974 to hold a Public Board of Inquiry composed of scientists to consider Turner's and Olney's objections. But before the board could be convened, an FDA scientist stumbled across an irregularity in a test submitted by Searle on a drug called Flagyl, which is used to treat trichomoniasis, a sexually transmitted disease. This set off a controversy about the quality and validity of tests submitted by Searle on several drugs as well as the food additive aspartame.

The FDA's Dr. Adrian Gross, who is now with the U.S. Environmental Protection Agency, recalled at Senate hearings in 1975 that when he first noted the discrepancies in the Flagyl test, none were "in any way 'alarming' at that particular point in time; they could have been nothing more than typographical errors. . . . We had no reason to suspect anything more serious than a simple error or mistake at that time."

But it took Searle two years to respond to questions about the discrepancies in the Flagyl test, Gross told the hearing. When the company finally answered, Gross found their response only raised more questions about the company's testing in general.

This led to additional investigations, and finally in 1975, then FDA commissioner Alexander Schmidt took the unusual step of appointing a special task force to investigate about 25 key tests Searle had submitted on seven products, including the drugs Flagyl, Aldactone and Norpace, and aspartame. The task force looked at 11 tests on aspartame, more than on any other individual product.

The task force report, which concluded that there were very serious deficiencies in Searle's operations and testing practices between 1967 and 1975, still lies at the heart of the controversy over aspartame's testing.

Before the task force had completed its investigation in 1976, Searle had submitted the vast majority of the more than 100 tests it ultimately gave the FDA in an effort to get aspartame approved. These included all tests ever described as "pivotal" by the FDA. About half the pivotal tests were done at Searle; about one-third were done at Hazleton Laboratories. "Pivotal" tests include long-term (two-year) tests such as those done to determine whether aspartame might cause cancer. Former FDA commissioner Alexander Schmidt said in a recent interview that if a pivotal test is found to be unreliable, it must be repeated "Some studies are more important than others, and they have to be done impeccably," Schmidt said.

Critics such as Turner say—and indeed the public record shows—that when the FDA approved aspartame in 1981, the agency had not successfully explained how the serious problems with the tests done during this period—including some pivotal tests—were reconciled with its decision to rely on a number of these tests.

Lead investigator Philip Brodsky, described in the 1975 task force report as "one of the FDA's most experienced drug investigators," recalled in an interview that he had "never seen anything" as "bad" as Searle's testing. " I wouldn't want to rely" on those tests "for making a decision about the products," he said; there were "too many errors."

When the task force submitted its report in March 1976, it reached some very serious conclusions. The investigation brought into question all of Searle's testing between 1967 and 1975, former FDA commissioner Schmidt said in congressional hearings, including pivotal tests eventually used as the basis for the 1981 and 1983 approvals of aspartame. The task force's conclusions, which were endorsed by Schmidt in congressional hearings, included the following:

"At the heart of the FDA's regulatory process is its ability to rely upon the integrity of the basic safety data submitted by sponsors of regulated products. Our investigation clearly demonstrates that, in the G. D. Searle Co., we have no basis for such reliance now."

"We have uncovered serious deficiencies in Searle's operations and practices which undermine the basis for reliance on Searle's integrity in conducting high quality animal research to accurately determine or characterize the toxic potential of its products."

"We have noted that Searle has not submitted all the facts of experiments to FDA, retaining unto itself the unpermitted option of filtering, interpreting, and not submitting information which we would consider material to the safety evaluation of the product."

"Finally, we have found instances of irrelevant or unproductive animal research where experiments have been poorly conceived, carelessly executed or inaccurately analyzed or reported."

"While a single discrepancy, error or inconsistency in any given study may not be significant in and of itself, the cumulative findings of problems within and across the studies we investigated reveal a pattern of conduct which compromises the scientific integrity of the studies. We have attempted to analyze and characterize the problems and to determine why they are so pervasive in the studies we investigated."

Investigators who looked at four chronic (i.e., long-term exposure) toxicity studies and one acute (short-term exposure) toxicity study found numerous discrepancies and problems with each of the five pivotal tests. They concluded that in all five studies, "the housing and control of animals was not adequate to insure the validity of the studies." According to documents submitted to the 1980 Public Board of Inquiry, the FDA Bureau of Foods used two of these as the basis for its conclusion that aspartame is safe.

Searle described the report of the 1975 task force as "incomplete, inaccurate in some instances" with "prematurely drawn and misleading conclusions."

At Senate hearings in 1976, Searle defended its testing, saying that it "believes that the scientific validity of the basic conclusions of its animal studies, and thus the safety of its products, has not been affected." The testing problems of Searle and others, however, led to the establishment of the FDA's Good Laboratory Practices regulations, which are now required industrywide for tests that will be submitted to the FDA.

The FDA found errors and omissions so serious on several tests—including two aspartame tests—that in January 1977 FDA general counsel Richard Merrill wrote a 33-page letter requesting that the then Northern District of Illinois U.S. Attorney, Samuel K. Skinner, convene a grand jury. One of Merrill's charges: "Concealing material facts and making false statements in re-

ports of animal studies conducted to establish the safety" of aspartame.

What happened to the probe? Dan Reidy, of the U.S. Attorney's office, says he can't discuss the issue at all because "once we use the grand jury investigation, we are bound by law to secrecy."

A Searle spokesperson says the grand jury investigation was dropped because there was "no validity to charges" of wrongdoing. Searle was "exonerated," the spokesperson said.

Task force lead investigator Philip Brodsky was surprised Searle officials weren't indicted. "I thought surely they would prosecute them," he told Common Cause Magazine. Former FDA commissioner Schmidt said in an interview that "my understanding was that the Justice Department didn't feel there was sufficient evidence of willful wrongdoing. It's hard to bring a criminal indictment on the basis of sloppiness."

Plagued by troubles, Searle, in the spring of 1977, hired Donald Rumsfeld, a former Member of Congress and secretary of defense in the Ford administration, as its president. He was brought in, a company official told one reporter, because Searle "wants someone with a Boy Scout image and Rumsfeld certainly has that."

For his part, Rumsfeld issued a statement saying he "was mindful of the challenges" that lay ahead. Within six months after Rumsfeld had taken over, industry analysts quoted in The Wall Street Journal said that Searle, whose fortunes had been falling, was "a 'likely turn-around candidate' this year because of the new chief executive's actions so far."

"Like any good politician," the article went on to say, "Don Rumsfeld keenly understands the importance of a public image. So, he has been mending fences with the FDA by personally asking top agency officials what Searle should do to straighten out its reputation."

In fact, "Our whole relationship with the FDA has improved," Westley M. Dixon, then Searle's vice chairman, told the Journal. He added that without Rumsfeld, "We wouldn't have gotten approval of Norpace," a drug that was also investigated by the 1975 FDA task force.

But approval for aspartame, a product that Shapiro says has been an unprecedented success for Searle, was still hanging in the balance. By the end of 1978, however, the picture began to brighten. The Journal reported that the Justice Department and a federal grand jury had dropped the investigation of Searle's animal testing.

The grand jury probe, triggered by findings in the 1975 investigation, was not intended to answer questions about whether all Searle's tests on aspartame were valid. The grand jury would only have determined whether there was enough evidence that Searle officials knowingly misrepresented findings to the FDA to prosecute those officials.

While the grand jury investigation was in progress, the FDA's Bureau of Foods still had to determine whether Searle's tests were valid. At this stage, the FDA had the option of requiring Searle to repeat, at a minimum, the pivotal tests. By repeating them, Searle could have presumably resolved the debate over the validity of aspartame's safety tests.

Instead, in 1977, the FDA decided to have another special task force look at three of Searle's pivotal tests. An internal FDA memo says this decision came after Searle and the FDA reached an impasse in negotiations concerning a proposal to have a group of pathologists from the Universities Associated for Research and Education in Pathology (UAREP) review a number of pivotal tests.

The results of this second special FDA investigation, known as the "Bressler Report" after team leader Jerome Bressler, revealed a number of problems with three pivotal aspartame tests.

For example, in one pivotal long-term rat study using DKP, an aspartame breakdown product, the scientists reviewing the Bressler Report found that "the question of whether the rats' diet was homogeneous cannot be conclusively resolved. Although there is no doubt that the animals ingested the DKP, it cannot be determined with certainty whether the intended doses were in fact ingested."

There were a number of reasons to question whether the feed had been properly mixed with the DKP. The FDA team found that "no homogeneity tests were performed on any batches of diet mix" used in the study. The team also found memos on two reports which said, "These samples were not homogeneous."

More evidence of concern: The Bressler Report also says that when FDA scientists were interviewing personnel about two other tests, a former Searle employee, Raymond Schroeder, volunteered that "homogeneity may have been a problem in the DKP mixtures." In a follow-up phone call, the report says, Schroeder said he had seen the DKP mixtures and that "in his opinion, the particles of DKP were large enough to allow the rats to discriminate between the DKP" and the food.

But the third time the FDA interviewed Schroeder, "he seemed reluctant to make any positive statements," saying that after thinking about it, he was no longer sure about his previous statements to the investigators.

When contacted by Common Cause Magazine in May, Schroeder said he "hadn't really worked on" the test in question, nor did he recall volunteering information that the feed wasn't homogeneous. Relevant parts of the report were read to Schroeder to refresh his memory. Did the FDA scientists fabricate these conversations? "I'm not saying they're making it up," Schroeder replied, but "I don't recall being that emphatic."

Team leader Bressler told Common Cause Magazine recently that "you don't have to be brilliant to know" that "it was a lousy study; it was a sloppy study." Bressler also recalls there were indications that the rats may have found the DKP distasteful and therefore not eaten it.

Former FDA toxicologist Dr. Jacqueline Verrett, one of several scientists asked by the FDA to review the Bressler Report findings, also said in an interview, "There's no question about it, it was a lousy study." She agreed with Bressler that the "question about the homogeneity of the [rats'] diet was a serious one."

Some FDA officials were apparently so concerned by the findings that they recommended that the FDA ask UAREP, which eventually reviewed 12 pivotal tests, to look at this study along with two others the Bressler team had investigated and found problems with.

FDA officials refused, saying that although the suggestion had "merit," the UAREP review wasn't necessary, an internal FDA document shows.

The Bressler review marked the second time the long-term DKP pivotal study had gotten a hard look. The 1975 task force investigators also found a number of problems and discrepancies with this study. The task force concluded that in this test—as in several others—"the housing and control of animals was not adequate to insure the validity of the studies," that treatment mixtures were not tested to see whether they were homogeneous, and that there were discrepancies in the protocols.

In addition, the report of the 1975 task force also said investigators were stumped by this incident: Although one Searle scientist had submitted a written evaluation of a tissue mass supposedly found on one of the rats, a technician had reported that he couldn't find a mass in the bottle.

The investigators said they asked the pathologist whether the missing tissue mass might be in another bottle. According to the report, the pathologist said that at the time the animals were sacrificed, "you should have seen things when this study was run—there were five studies being run at one time—things were a mess!"

FDA officials and Searle defend the study, saying that although there may have been problems, the study was still valid. Both the FDA and Dr. Daniel Azarnoff, president of Searle's research and development division, say one of several indications that the rats ate the required amount of DKP is the fact that a statistically significant number of rats developed tumors in their wombs (called "uterine polyps").

FDA officials asked several outside scientists to determine whether the uterine polyps were precancerous. The scientists decided they were not; therefore, the FDA said, there was no cause for concern.

But Turner and Olney see it differently. They say the fact that the rats developed polyps—precancerous or not—is an indication that DKP may pose health concerns. "Are you going to tell the American public, 'Well, don't worry, it's not going to cause cancerous polyps, all it's going to do is cause benign polyps?'" Turner says.

Turner and Olney say the fact that the rats got uterine polyps at what could have been very low or uneven doses of DKP is even more cause for concern. They say it is not unreasonable to assume that the rats could develop cancerous polyps at higher doses.

Despite the problems found by the Bressler team with this DKP test and the two others reviewed, the FDA decided to proceed with its plan to have the group of university pathologists review 12 other pivotal studies rather than making Searle do the studies again. UAREP's mission was to examine lab notebooks, recalculate tables and look at Searle's interpretations of microscopic slides to determine whether the information corresponded to what was reported to the FDA.

Like the 1975 task force investigation, this review also lies at the heart of the current controversy over Searle's aspartame tests. And like the report of the 1975 task force, the UAREP report raised as many questions as it answered. Although the FDA has tried to use this review as evidence that the questionable studies are valid, our investigation shows that the UAREP review does not establish the Searle tests are valid.

In the words of commissioner Hayes in his 1981 decision, UAREP was to "make sure that the studies were actually conducted." The pathologists were specifically told that they were not to make a judgment about

aspartame's safety or to look at the designs of the tests. Both Olney and former FDA commissioner Schmidt said in interviews that examining the design of a test—that is, ascertaining whether it actually does what it purports to do—is one of the key factors in determining whether a test is valid.

Why did the FDA choose to have pathologists conduct an investigation when even some FDA officials acknowledged at the time that UAREP had a limited task which would only partially shed light on the validity of Searle's testing? The answer is not clear.

Dr. Kenneth Endicott, director of UAREP, said in an interview that the FDA had "reasons to suspect" that Searle's tests "were not entirely honest." Because the FDA "had doubts about [Searle's] veracity," Endicott said, officials wanted UAREP "to determine whether the reports were accurate."

FDA scientist Dr. Adrian Gross, in a letter to an FDA official, said, "speaking as a pathologist," it seemed questionable that the group could do the kind of comprehensive investigation that was required. He pointed in particular to a variety of issues that needed to be investigated. He said some of these would involve closely questioning administrators and lab technicians about their practices. Since many important issues that should be investigated "have nothing to do with pathology," he said, only trained FDA investigators were qualified to do a comprehensive evaluation of the testing.

Consumer attorney Turner also raised concerns, saying he was "unnerved" by the UAREP plan. That was when FDA general counsel Richard Merrill wrote Turner saying that if he disagreed "with FDA's conclusions on these issues, the Public Board of Inquiry on aspartame should provide a vehicle for a definitive resolution, at least for those studies about which you are most concerned."

Meanwhile, an interview with Endicott indicates that Adrian Gross was right: the pathologists couldn't—and didn't—carry out a comprehensive review. UAREP determined that Searle had not lied about the test data, but UAREP didn't do a searching investigation of how the tests were conducted.

As former FDA commissioner Alexander Schmidt put it in a recent interview, UAREP looked at the slides to determine whether they had been misrepresented, but didn't look at the conduct of the experiments in depth. The 1975 task force investigation looked at the conduct of the experiments in depth, but did not look at the slides.

In an interview, Endicott agreed that UAREP's conclusions did not mean the tests were valid. Although UAREP did comment on issues such as protocols, food consumption and the handling of data, Endicott said, "there were lots of other opportunities for error"—errors that would not have been in the record UAREP reviewed. "We could only look at what was there—the tissues," he said. In fact the 1975 task force had looked at a number of these other areas and had found Searle's testing wanting.

What other aspects of testing are important to the validity of a test?

Are laboratory practices important?

"Oh yes," Endicott said. The UAREP report said it had no way of evaluating lab practices when the studies were conducted.

But the 1975 task force investigation had revealed such serious problems with lab practices at Searle and other companies in the late '60s and early '70s that the FDA was prompted to develop detailed regulations on good laboratory practices, which all laboratories submitted tests to the FDA must now follow. Searle indirectly seemed to acknowledge its problems by developing its own laboratory practices regulations and providing a draft for the FDA to use in developing its industry-wide standards.

Is the quality of the personnel important?

"Oh, yes, very important," Endicott said, especially the credentials of the "senior people." The UAREP report said the pathologists didn't have enough information to evaluate the quality of the personnel.

The 1975 task force, however, did raise concerns about the quality and training of personnel. Pointing out that studies in reproduction and teratology (fetal damage) are an "extremely important phase in safety evaluation," the report says that "the person [at Searle] responsible for most of the reproduction studies reviewed was apparently inexperienced in conducting studies of this nature and yet given full responsibility at Searle with a title of senior research assistant in teratology. His prior experience was one year's employment with the Illinois Wildlife Service, where his work involved [the] population dynamics of the cotton tail rabbit."

The report continued: "When asked by investigators during an interview what qualifications or training he had for conducting reproduction and teratology studies, he replied that shortly after his employment he went to a meeting of the Teratology Society, and Searle provided him with any books on the subject he wanted. This individual wa also responsible for the training and supervision of a research assistant and two technicians." By the end of 1975, Searle had submitted 18 studies relating to reproduction and teratology.

Is animal care important?

"Oh yes, very important? Endicott said. "The main thing to guard against is introducing an error into the results because of improper animal care."

UAREP said it couldn't possibly evaluate animal care facilities at the time the tests were done, but noted that since 1968, Searle facilities had been approved by the American Association of the Accreditation for Laboratory Animal Care.

However, the 1975 task force said that although it also had no way of evaluating animal care facilities at the time the tests were done, the investigators found "poor practices" at Searle in October 1975. For example, they found that an exterminator hired to spray the animal rooms with insecticides twice a month used a fogging machine for two or three minutes without removing the animals from the rooms. "Evidence indicates this practice has been in effect at least since 1970," the report said. The investigators could find no evidence that treatment mixtures used in the studies had been tested for pesticide content.

Does the diet deteriorate in storage? Is it important that the test substance be uniformly mixed in the animal feed?

"That's very important. You might vary the dose," Endicott said.

The 1975 task force reported that in studies conducted by Searle and its major contractor, Hazleton Laboratories Corp., "little concern was evidenced for the need of proper quality control of homogeneity, concentration or stability of the active ingredient-diet." The report said that because of inadequate practices at both Searle and Hazleton, "there is *no* (italics theirs) way in which it can be assured that animals received the intended dosages."

UAREP reinforced these points in its report. Noting that the stability (the extent to which it deteriorates in storage) of aspartame and DKP are "obviously important to any interpretation of the results of these studies," the university scientists reported that some records indicated that the stability of aspartame was "uncertain." Furthermore, "to UAREP's knowledge, no samples were analyzed for stability of [aspartame] or DKP, or uniformity of mixing." Hazleton Laboratories told UAREP that "Searle did not request such tests."

UAREP offered to carry out "an independent analysis on the mixing characteristic," the report says, but Searle "declined" the offer.

At this point, the FDA was left with the following issues:

The 1975 task force had looked at a number of the pivotal tests and raised questions about all of Searle's tests—including the vast majority of the aspartame tests—done between 1967 and 1975.

The Bressler team had reviewed three pivotal tests and found a number of problems with those tests.

The designs of the tests apparently had not been reviewed by the Bureau of Foods since the tests have been submitted for the 1974 approval. The 1975 task force said it found problems in the designs of some aspartame tests.

UAREP had verified that 12 pivotal tests had been conducted, and that few, if any, of the discrepancies that the pathologists found would have changed the statistical results of the test. UAREP says it was told by both Searle and FDA not to evaluate the designs so "any interpretation of results applies only to the experiments as designed." UAREP also did not take responsibility for a number of aspects important to the way the studies were conducted—including animal care, lab practices and homogeneity of feed. UAREP also said its conclusions "are not necessarily representative of other Searle studies."

The FDA's Bureau of Foods relied upon a number of tests called into question by the 1975 task force investigators which were not reviewed by either the Bressler team or UAREP, according to 1980 Public Board of Inquiry documents. That leaves questions about how the FDA determined they were valid.

How did the FDA take all these factors into account when it decided that the tests were good enough to rely upon?

Our investigation found no evidence on the public record that the FDA successfully reconciled these factors.

In his 1981 decision approving aspartame for dry foods, Hayes argued that because the 1975 task force investigation "only peripherally" involved aspartame, it was "superceded" (sic) by the UAREP review of the 12 pivotal tests and the Bressler review of three other tests. In an interview, Sanford Miller, chief of the FDA's food safety division, also made this argument. But Hayes and Miller appear to be wrong. The 1975 task force investigation looked at 25 tests involving several drugs and aspartame. The task force looked at 11 pivotal aspartame tests, so it seems safe to say that aspartame was not a "peripheral" part of the investigation.

And who checked the Searle tests to see whether their designs, which are crucial to an evaluation, actually measured what they purported to measure? FDA official Dr. Anthony Brunetti says the FDA didn't need to check the designs of the tests because they

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had already been checked when the tests were first submitted for the 1974 approval of aspartame.

But Turner and Olney point out that because the conduct of Searle's tests had been seriously questioned by the 1975 task force, there is no reason that the designs of Searle's tests checked in 1974 should be considered reliable.

Asked whether he knows how the report of the 1975 task force was taken into account, Dr. Daniel Azarnoff, president of Searle's research and development division, replied, "I guess that was done by the FDA."

It seems reasonable to assume that if the FDA did resolve these questions in a deliberative fashion, there would be some written record or report. Yet the FDA has never brought forward any document to answer the questions that have been raised in various forums over the years—including the courts.

Nevertheless, the FDA decided the studies could be relied on, and then submitted them for the Public Board of Inquiry's review.

The 1980 Public Board of Inquiry was held because the FDA is required to have substantive objections to the approval of a food additive or drug reviewed. Ordinarily, public hearings are conducted by administrative law judges, but Turner and Olney had agreed with the FDA's suggestion to try something new: have scientists act in the capacity of judges. All parties—Searle, the FDA, and Turner and Olney—had a say in choosing the three scientists who served on the board.

The questions before the Public Board of Inquiry included:

Could aspartame cause cancerous brain tumors?

Could aspartame—either alone or in combination with MSG—cause brain damage resulting in mental retardation, endocrine dysfunction or both?

Turner and Olney argued that aspartame had not been proven safe. They were particularly concerned that the sweetener could expose people—especially unborn children and infants—to a considerable risk of brain damage leading to either mental retardation or endocrine dysfunction or both. Searle and the FDA's Bureau of Foods argued that aspartame had been proven safe.

Although Turner and Olney participated in the 1980 Public Board of Inquiry, they were not allowed to present their concerns about the quality and validity of the tests, including the pivotal tests.

Even though the FDA general counsel had said in 1977 that this should be the appropriate forum in which to raise these questions, Dr. Walle Nauta, head of the board, refused to allow questions about how the tests were conducted.

Nauta said he believed the board's job was to interpret the results of tests. He said the board had to assume that the tests had been well-conducted. Although Turner and Olney maintained that there were still major questions about the validity of the tests, the FDA and Searle argued at the Public Board of Inquiry that UAREP's review had validated the tests.

In an appeal to the FDA commissioner following the report of the 1980 Public Board of Inquiry, Turner wrote, "The entire argument that since the studies are no longer considered fraudulent by FDA they are therefore scientifically valid is an example of a rhetorical shell game that, if successful, can only bring discredit and ridicule on the FDA."

Was Nauta concerned about the questions Turner and Olney raised about the testing? In an interview in April with Common Cause Magazine, Nauta acknowledged that he was. He said the "general tenor" among board members was "one of worry" about the validity of the test data. "There was considerable concern," he said. "It was a shocking story we were told," about the history of Searle's testing, but "there was no way we could go after it. We had absolutely no way of knowing who was right. We had to take the FDA's word." So Nauta allowed the scientific inquiry to continue, based on an assumption that the tests were valid.

Olney tried to tell the board that he believed there were serious, unresolved questions about some of the pivotal tests—especially three brain tumor tests later used by commissioner Hayes in his decision that aspartame is safe. Tipped off by an FDA employee, Olney had filed under the Freedom of Information Act for a copy of the Bressler Report, done by the special team of FDA investigators and scientists. The team had reviewed three pivotal tests in 1977, before UAREP began its study. The Bressler Report raised questions about whether the rats in one key test—a test supposedly helping to prove aspartame does not cause brain tumors—had been fed sufficient amounts of the test substance, DKP, a breakdown product of aspartame.

Olney was incredulous when he found out that the FDA had never made this report part of the record to be reviewed by the board. In trying to make his case that the quality of the tests should be reviewed, he told the board there are "a number of disturbing irregularities and research deficiencies revealed in the Bressler Report, but I shall focus on a single item, a Polaroid picture of a feed mixture in which the test compound was so poorly integrated into the feed that a chemistry technician at Searle had to re-grind the feed mixture herself every time it was brought to her for assay [measuring]." Both Searle and the FDA say the photograph is evidence the problem was discovered and corrected.

Olney also told the 1980 Board of Inquiry that there were—among other concerns—serious questions about two other studies done to determine whether aspartame might cause brain tumors. These studies were later used in commissioner Hayes' decision that aspartame is safe. The first test, Olney says, "revealed a very high incidence of brain tumors, all confined to animals who were fed aspartame." A second test, "known to have been conducted under conditions considered 'sloppy at best,' continued to reveal exceedingly high brain tumor rates, but with the incidence perfectly balanced between experimentals [rats that consumed aspartame] and the controls [rats that didn't eat aspartame]."

Olney said it is unusual for the strain of rat used in the experiments to develop spontaneous tumors (that is, to have tumors develop without being exposed to a test substance). That's why Olney was surprised to find that the control rats in the second group experienced a high number of brain tumors. He suggested that there was evidence in the UAREP report that the controls in the second test may have been accidently exposed to aspartame, thus invalidating the test.

"Because there is reasonable basis for suspecting that such mixups could have occurred in the Searle tumor studies," Olney said, "these studies should be repeated."

The Public Board of Inquiry agreed that the tests results were "bizarre," and recommended that another long-term test be conducted. But in his 1981 decision overruling the board, Hayes said he believed both the board and Olney were wrong about the incidence of spontaneous brain turmors in the strain of rats used. Olney said in a recent interview that Hayes' reasoning was "aribitrary" and "irresponsible."

Hayes also said Olney's theory that both groups of animals in the second test may have been fed aspartame was "speculation."

Our investigation also turned up questions about the second test, in which both control and experimental groups got high incidences of brain tumors.

A Dec. 8, 1975 task force memo obtained by Common Cause Magazine states that this lifetime toxicity study in rats was "the most pivotal" of the tests being investigated by the 1975 task force because "it was designed to show the no-effect level" of aspartame. According to the memo, Richard Ronk, deputy director of the FDA's food safety division, said that if we were not possible to "reconstruct the tables from the raw data on the key study," then the FDA "would recommend revocation of the [Searle] petition" that aspartame be approved.

When UAREP reviewed the study, its report said that it has been "difficult to reconstruct and document the progression of the changes of the experiment. . . . This task was complicated by the fact that written instuctions requested all earlier versions of protocols [research plans] be destroyed as they were updated."

When these comments were read to Ronk recently, he noted that UAREP said it was "difficult" not "impossible" to reconstruct the test. Asked how UAREP's difficulties were reconciled, Ronk said, "I'm not going to express an opinion" because questions about aspartame's approval are now in the courts.

Without considering questions raised by Turner and Olney about the validity of the tests, the Public Board of Inquiry reached a decision. The board determined that aspartame—either alone or in combination with MSG—wouldn't cause brain damage or neuroendocrine regulatory dysfunction. Both Turner and Olney disageed with this finding. But the board decided that there were too many unresolved questions about brain tumors, and recommended that another long-term test be conducted before aspartame was approved.

Both the FDA Bureau of Foods and Searle disagreed with the board's findings on brain tumors and concluded that aspartame was safe and should be approved. The final decision was in the hands of the FDA commissioner. In the fall of 1980, Searle filed suit in federal court in Washington, demanding that the FDA commissioner, then Dr. Jere Goyan, speed up the final decision.

And on January 16, 1981, just days before Reagan's inauguration, Searle wrote Goyan, President Carter's FDA commissioner, asking him to make a decision on aspartame before leaving office. "The aspartame proceeding has dragged on for more than six years. Searle has on numerous occasions expressed its concern over the inordinate delay and has pointed out the substantial expenses and erosion of our patent protection associated with the dalays." (In December 1982, Congress passed a law permitting Searle to extend its patent, which is now scheduled to expire in 1992.)

Goyan left office without deciding, and Arthur Hull Hayes took over as commissioner in April 1981. A group of FDA scientist had been assembled to review the aspartame

data and to make recommendations. Two FDA officials have told Common Cause Magazine that Hayes made it clear from the beginning that he wanted to push aspartame forward, in part as a signal that the Reagan administration was ushering in a new era of regulatory reform. Hayes refused to be interviewed for this story.

Hayes adopted the Public Board of Inquiry's decision that aspartame wouldn't cause brain damage.

But the brain tumor issue was a different story. An FDA source says questions regarding the validity of some of the tests being relied upon, especially brain tumor tests, brought to the attention of those close to Hayes, but "the people at the top were not receptive."

Instead, a source says, the scientists advising Hayes were encouraged to concentrate on arguments that could be used to overturn the Public Board of Inquiry's recommendation that aspartame not be approved because the brain tumor issue had not been resolved.

Despite what one FDA official described as "very serious" questions about some of the key brain tumor tests discussed at the time, Hayes overruled the board in July 1981 and approved the use of aspartame in dry foods. Accepting the Searle tests as having been conducted properly, he said he disagreed with some of the board's analysis on the brain tumor issue and he believed the board had made some erroneous statistical assumptions that change the interpretation of some test results.

The board had recommended that another long-term study on brain tumors be conducted, and Hayes pointed to a test that had just been completed by an aspartame manufacturer in Japan. However, Hayes acknowledged in his 1981 decision that he had only a "preliminary report" of the test and that it had not been reviewed in depth by the FDA. "Taking the available information at face value," he wrote, "this [test] appears to be negative in terms of brain tumors." He described the test as "additional evidence" which did not serve "as a central basis for my decision."

But an FDA source said that in fact the Japanese study figured prominently in Hayes' decision-making process, even though he claimed it had not.

This source says FDA lawyers assigned to write Hayes' decision phrased Hayes' comments on the Japanese study very carefully. Legally, Hayes could not use this test as a basis for his decision because it had not been reviewed in detail by the board or the FDA. One FDA source says that even though Hayes could not say the Japanese study was a basis for his decision, he wanted to hold it out as satisfying the call by the Public Board of Inquiry for another long-term test.

It appears that the strategy has worked. When Common Cause Magazine asked two members of the Public Board of Inquiry why, as reported in the press, they had agreed with Hayes' decision to overrule them, they both initially answered it was because of the additional evidence—the Japanese study. In interviews, Dr. Walle Nauta and Dr. Vernon Young, both of MIT, seemed to be under the impression the Japanese study figured prominently in Hayes' formal decision to approve aspartame. When Nauta was told that Hayes wrote in his decision that the Japanese study was not the basis of his decision, Nauta replied, "That's news to me." Young said, "If that's the case, I've been somewhat misled."

Nauta, who was chosen by the FDA to serve on the board, then said the statistical errors "should have been enough" for Hayes to overrule the board. Young then said he nevertheless agreed with Hayes' decision because of the additional study and the powerful arguments made by Searle in response to the Public Board of Inquiry decision. Young, who had been recommended by Searle as one of the board members, said his views are based on the assumption the tests were conducted properly.

The third board member, Dr. Peter Lampert, professor and chairman of the Department of Pathology at the University of California, San Diego, was out of the country, but an assistant said Lampert did not agree with Hayes' decision. Lampert had been chosen to serve on the board by Turner and Olney.

Two years after Hayes approved aspartame for use in dry foods and two months before he left office, he approved aspartame for use in soft drinks, again citing some of the same controversial tests done before the end of 1975.

Nauta told Common Cause Magazine he was surprised. He said the Public Board of Inquiry's decision "specifically excluded use in soft drinks." He "definitely" would have wanted to look more closely at other tests and factors if he had known soft drink use was being anticipated. But he says that at the time of the 1980 Public Board of Inquiry, FDA officials led him to believe that soft drink use was unlikely because aspartame breaks down in solution and loses its sweetness when exposed to heat, so use in soft drinks would be "uneconomical."

Aspartame breaks down into chemicals such as DKP and methyl alcohol. The FDA says this poses no safety concerns. Turner and Olney and others disagree. (See page 32.)

Nauta also said questions raised by MIT's Dr. Richard Wurtman after the 1981 Public Board of Inquiry and prior to soft drink approval should not be dismissed without "extensive testing." Wurtman says his preliminary tests indicate that large amounts of aspartame, especially when consumed with carbohydrates, may affect brain chemistry and therefore behavior. Given consumer complaints, Nauta said, "Dr. Wurtman may be right;" aspartame "may be harmful in the long run."

Hayes and the FDA's Bureau of Foods disagreed, saying Wurtman's hypothesis is not supported by his data. The FDA is not requiring testing of Wurtman's hypothesis.

Given the questions surrounding the validity and interpretations of a number of key tests, did Hayes' decision to approve aspartame meet the legal test that a food additive is safe if there is "reasonable certainty of no harm?"

An internal FDA document says, "The statute is quite clear: The proponent of a food additive petition must prove safety. This is very important because it is quite possible that the data may fall in the 'grey area' where the food additive has not been shown conclusively to be either safe or harmful."

As a precedent, the document goes on to point out that in the case of another sweetener, cyclamates, former FDA commissioner Jere Goyan concluded that because "the data were 'suggestive' of a carcinogenic effect, though admittedly inconclusive," he could not approve cyclamates. "It is in this same 'grey' area that Dr. Olney, Mr. Turner and the Board [of Inquiry] believe aspartame falls into," the document pointed out.

Internal FDA documents reveal that some scientists advising Hayes raised serious questions that the tests did not establish a "reasonable certainty" that aspartame was proven safe.

But Hayes, as the record shows, decided that the Searle tests were good enough.

Soft Drink Use—A Continuing Controversy

When the FDA approved the use of aspartame in soft drinks last July, Dr. Walle Nauta was surprised.

An institute professor in the Department of Psychology and Brain Science at the Massachusetts Institute of Technology (MIT), Nauta had chaired a 1980 Public Board of Inquiry convened by the FDA to examine concerns that aspartame might cause brain damage or brain tumors. The board members agreed that brain damage wasn't a concern. But the board believed that it had not been established that aspartame wouldn't cause brain tumors, and therefore recommended that aspartame not be approved. The board was overruled by then FDA commissioner Arthur Hull Hayes.

In an interview in April with *Common Cause Magazine*, Nauta said the 1980 scientific review "specifically excluded use in soft drinks. We were told by the FDA that aspartame in solution has limited life. . . . We took the whole conversation to mean it was unlikely [to be considered as a sweetner] in bottles or cans."

If he had known there were plans to add aspartame to soft drinks, would Nauta have conducted the Public Board of Inquiry differently? "Definitely, yes," he said. "We certainly would have had to look at other things," such as "what happens in the breakdown process."

Nauta also said he is concerned with the issue raised by Dr. Richard Wurtman that large amounts of aspartame, especially when consumed with carbohydrates, may affect brain chemistry and therefore behavior. Wurtman is professor of neuroendocrine regulation at MIT. Nauta said Wurtman's theory, which was raised after the Public Board of Inquiry met, needs "extensive testing."

"I would think [the FDA] should be following [the issue] with great concern," Nauta said. "Dr. Wurtman may be right;" aspartame "may be harmful in the long run." The FDA has said Wurtman's hypothesis isn't supported by his data.

The FDA's approval of aspartame (marketed as NurtraSweet) for use in soft drinks last summer dramatically expanded sales. The approval has been "incredibly important," says one industry analyst, who points to a jump in U.S. sales of aspartame from $74 million in 1982 to $336 million in 1983. He says much of the dramatic increase can be attributed to soft drink use.

In light of the expanded use of aspartame with the approval for is use in soft drinks, three major concerns have arisen. There is sharp scientific controversy concerning these issues, but critics charge that the FDA:

Failed to recognize the possibility that large amounts of aspartame, especially when consumed with carbohydrates, may affect brain chemistry and therefore behavior;

Significantly underestimated aspartame consumption levels;

Failed to adequately address questions of safety raised by aspartame's decomposition products, among them diketopiperazine

(DKP) and methyl alcohol (methanol). Aspartame decomposes to these and other chemicals after sitting in liquids, particularly acidic liquids, and when exposed to heat.

WILL NUTRASWEET AFFECT BRAIN CHEMISTRY?

Those who had raised questions include the National Soft Drink Association (NSDA), which wrote a letter to the FDA in June of last year. Common Cause Magazine has also learned that NSDA considered filing an objection to FDA's approval of aspartame use in soft drinks. A draft of the objections spells out in detail several of these safety concerns, in addition to others (see related story, page 30). An NSDA official says the objection wasn't filed because all the safety concerns were resolved in the minds of NSDA officials.

But NSDA does agree with several scientists and consumer groups who believe additional research should be done to answer questions raised by Wurtman.

Wurtman, who testified in favor of aspartame before the 1980 Public Board of Inquiry—and who says he occasionally sprinkles Equal on his strawberries—does not believe aspartame should be banned. But he's worried about the significantly increased consumption posed by approval in soft drinks. As he explained in a letter to the editor in The New England Journal of Medicine last August, his "pilot studies" suggest that an increase in aspartame's use—i.e., in soft drinks—may cause "neurochemical changes that could affect behavior." Moreover, he said he found that the combination of aspartame and carbohydrates, which are found in foods such as sandwiches and cookies, increases the "sweetener's effect on brain composition."

In a June 1983 letter to the FDA, Wurtman suggested that approval of aspartame for use in soft drinks he withheld pending further tests. He pointed out that Searle "has nothing to gain from receiving FDA approval now and then finding out six months from now that the aspartame-carbohydrate combination seriously alters brain neurotransmitters in rats, or behavior in humans."

With final FDA approval imminent, Wurtman wrote the FDA in August 1983, saying while he felt "moderate levels of aspartame in the diet are likely to be safe . . .," he would feel more comfortable if the FDA would place a limit on the amount of aspartame soft drinks could contain. While most soft drinks companies are using a combination of aspartame and saccharin, they are doing so primarily because aspartame is so expensive (about $90 a pound, to saccharin's less than $4 a pound) and because it decomposes after sitting in solution or at high temperatures. There's nothing to stop companies from using 100 percent aspartame. And indeed a few products such as Squirt, Sugar-Free Hires Root Beer and Sugar-Free Orange Crush, probably are using 100 percent aspartame to take advantage of its image as a safe, low calorie sweetener, according to Dr. Robert McQuate of the USDA.

Last summer the Center for Science in the Public Interest, a Washington, DC.-based health group, echoed Wurtman's concerns in a letter to the FDA which noted, "Our organization would like nothing more than to see saccharin, a carcinogen, replaced as quickly as possible. However, it would be most unfortunate if the replacement(s) had undesirable side effects." The center recommended that Searle be "required to submit to FDA thorough studies of aspartame's effects on neurotransmitter levels and human behavior immediately."

The FDA, however, dismissed Wurtman's concerns, concluding in a 13-page letter to him that it didn't believe "additional behavioral testing in animals or man was required prior to approving its use in soft drinks." The FDA has said Wurtman's "data do not support [his] hypothesis."

Searle's Robert Shapiro also argues that Wurtman's research is insuffient evidence that aspartame alone, or when consumed in combination with carbohydrates, may cause health risks. Dr. L.D. Stegnik, professor of pediatrics at the University of Iowa, who carried out a number of studies "with humans for Searle prior to FDA approval, adds, "There's a possibility Wurtman is right, but the probability is low."

But since the law says the burden of proof is on Searle to prove to a reasonable certainty that aspartame is safe, why not wait until Wurtman's hypothesis is tested? After all, the National Soft Drink Association stated in its draft objection to soft drink approval—which was never filed—that Wurtman's hypotheses could be "resolved conclusively' in "approximately six months."

"You can always ask one additional question," Shapiro said. "Has it been tested on left-handed shorstops on Thursday afternoons in the Tropic of Capricorn after midnight?"

He says Wurtman had an opportunity to make his case; the FDA concluded he was wrong. Shapiro says he has talked to "a hell of a lot of people—doctors, scientists, whom I respect"—who believe there was no valid reason to delay approval.

Wurtman told Common Cause Magazine that before aspartame was approved for soft drinks last summer, he discussed his concerns at an NSDA meeting. He also recalls running into Howard Roberts, the NSDA vice president for science and technology, at Washington's National Airport and telling Roberts that "if you and your constituents listen to the FDA, they'll be in a pack of trouble."

Wurtman says he has recently received funding to conduct further tests.

WILL AMERICANS CONSUME MORE THAN THE FDA ESTIMATES?

The second major controversy involves questions about consumption levels. Use in soft drinks dramatically expands the availability of aspartame in the food supply. Several months after the FDA gave approval for aspartame use in soft drinks, Dr. William Pardridge, associate professor of medicine at the University of California, Los Angeles, wrote to the FDA, saying he believed it had "considerably" underestimated the consumption of aspartame.

The Community Nutrition Institute (CNI), represented by attorney James Turner, agrees and has gone to court seeking a hearing on the basis of this as well as other issues. Turner believes the FDA's underestimation of consumption levels "is going to be at the core of any problems that emerge from now on."

The FDA agrees that "the projected estimates of aspartame consumption are central to the safety evaluation." In fact, in his 1981 decision approving aspartame for use in dry foods, former Commissioner Hayes stated that "the safety assessment on the brain damage issues is tied closely to projected aspartame consumption levels."

In his decision, Hayes said the maximum projected consumption of aspartame is 34 milligrams a day per kilogram of body weight.

However, the National Soft Drink Association pointed out in a draft paper on aspartame use in soft drinks written last summer that a child weighing about 66 pounds would consume 23 milligrams of aspartame per kilogram of body weight by drinking 45 ounces of a drink flavored exclusively with aspartame. That means that a child who drank four cans of the soft drink in a day could be well on the way to hitting the FDA's maximum projected consumption.

Pardridge also believes it wouldn't be at all unusual for a person, particularly a child, to consume significantly more aspartame than the FDA estimates. In his letter to the FDA, he cites the hypothetical case of a 45-pound boy who eats a variety of aspartame-sweetened foods throughout day—cereal and orange drink for breakfast, another drink plus chocolate pudding for lunch. In the afternoon the child snacks on a soft drink and five sticks of chewing gum—all sweetened with aspartame.

Pardridge points out that the child will have consumed 31 milligrams of aspartame per kilogram before dinner, "where he might be confronted with aspartame-containing iced tea, chocolate milk, milk shakes, chocolate pudding pie, Jello, ice cream and numerous other products that will, no doubt, be created by an inventive aspartame cookery." He says it wouldn't be surprising if a child consumed 50 milligrams per kilogram of body weight in one day.

Therefore, "my question to the FDA is, what is the allowable daily intake of aspartame in milligrams per kilogram per day?"

Common Cause Magazine put that question to Sanford Miller, chief of the FDA's food safety division. He replied, "Oh, probably over 100 milligrams per kilogram. . . . I suppose we could go up to 100 milligrams per kilogram and still not have any of the faintest worries at all about what the consumption is. It's hard to pick a number and we picked a conservative one [34 milligrams per kilogram]."

He points out that the Joint Expert Committee on Food Additives, an advisory group to the World Health Organization, has recommended a higher maximum level, which is 40 milligrams per kilogram.

In his 1981 decision, Hayes said, "the available data establish" that the maximum projected consumption of 34 milligrams per kilogram is "still far, far below any level even suspected of being toxic."

So what is the toxic level? "That's hard to say," Miller observed. "In all the experiments that were done so far, including the short term human studies, no one's been able to find anything of significance except some reduction in weight gain, which isn't surprising. . . . So a no effect level can be established at a variety of different levels. To answer your question, 'What's a toxic level?' that's hard to say."

But again, Hayes' decision stated that the "safety assessment on the brain damage issues is tied closely to projected aspartame consumption levels." So what's the level at which aspartame causes brain damage?

Miller says animal studies by Dr. John Olney, a critic of aspartame, didn't show brain lesions "until you get to very high levels," which he implied humans couldn't possibly reach.

While the FDA has said repeatedly it does not believe aspartame at projected levels of consumption could cause brain damage, Pardridge says "that is not the proper question." Instead, he says the FDA should have asked if high dose aspartame use would "cause subtile changes in brain develop-

ment." He points to the possibility that women with a phenylalanine intolerance who consumed large quantities of aspartame while pregnant might give birth to infants with "a 10 to 15 percent drop" in expected IQ levels. He believes there "are 20 million individuals in the country with phenylalanine intolerance," many of whom may be unaware of their condition.

Pardridge recommended that the FDA restrict new products containing aspartame from entering the food supply "as soon as possible, until clinical and basic research allows for the reevaluation of the intended dosage and the norms for what constitutes a harmful effect of aspartame in humans."

ARE BREAKDOWN CHEMICALS SAFE?

The third controversy surrounds the decomposition of aspartame. When exposed to heat and acidic solutions, aspartame breaks down more rapidly and decomposes to chemicals such as DKP and methanol. The FDA has said that while aspartame loses some of its sweetness, there are no safety concerns.

But others, such as the Community Nutrition Institute (CNI), aren't as sure. The FDA acknowledges that aspartame breaks down in heat and/or acidic solutions but says, "any concern over possible toxic effects from DKP has been eliminated as a result of long term animal studies conducted using DKP itself as the test compound."

One of these studies, it's important to note, is the subject of a controversy of its own: A long term study to determine whether DKP causes brain tumors in rats was investigated by a 1977 FDA task force which concluded it was not certain that the rats ate the required amounts of DKP, thus possibly invalidating the test. Other FDA officials disagree, saying other evidence indicates the diet was homogeneous. This controversial long term test was one of the three tests examined at the 1980 Public Board of Inquiry to determine whether aspartame might cause cancer. (See main story for more on this controversy.)

Meanwhile, CNI and Dr. Woodrow Monte, director of the Food Science and Nutrition Laboratories at Arizona State University, charge that methyl alcohol, another breakdown product, may pose safety concerns for consumers. Monte says methyl alcohol's "chronic toxicity and carcinogenicity . . . have not been thoroughly investigated." Monte's criticisms, dismissed by Shapio as the equivalent of saying "the world is flat," have been widely reported, but Monte's outspoken criticisms of aspartame were undermined when it was revealed in The Wall Street Journal earlier this year that he and his lawyer allegedly had purchased "put" options on Searle stock shortly before Monte appeared on The CBS Evening News expressing his views. A "put" option enables the investor to profit if the stock value goes down.

DID THE SOFT DRINK INDUSTRY RESOLVE ITS SAFETY QUESTIONS?

According to a draft document obtained by Common Cause Magazine, the National Soft Drink Association (NSDA) considered filing an objection to the Food and Drug Administration's proposed approval of the use of aspartame in carbonated beverages. The draft objection was dated July 28, 1983, just two weeks before the deadline for filing formal objections.

In an interview, Dr. Robert McQuate, science director for the trade group, which represents franchise companies such as Coca-Cola and Pepsi as well as hundreds of individual bottlers, described the document as an "internal draft." He said the fact that the NSDA never filed the objection means the association resolved all the concerns it had raised in the draft objection about aspartame's safety. "I don't think it warrants a detailed defense," he said in response to questions about the document.

"The bottom line," McQuate says, "is that one, FDA approved the use of aspartame in carbonated beverages; and two, the soft drink industry has incorporated NutraSweet in about 70 percent of the diet soft drinks."

Nevertheless, the interview seemed to raise as many questions as it answered.

Neither McQuate nor Robert Shapiro, head of Searle's NutraSweet Group, who was also interviewed by Common Cause Magazine, fully explained what happened behind the scenes to turn the NSDA around. Both, however, hinted at significant maneuvering in the soft drink industry before NutraSweet was added to the soft drinks.

Shapiro, for example, scoffs at the suggestion that the industry ever had serious safety concerns. He and others suggest instead that the trade group was using the draft objection as a weapon during intense negotiations with Searle over, among other things, NutraSweet's cost. (Industry sources say Searle sells the sweetener for approximately $90 a pound, in contrast with saccharin, which costs less than $4 a pound.) As evidence, he points out that Searle and Coca-Cola thrashed out a "breakthrough agreement that defined the ground rules for NutraSweet use" close to the deadline for filing objections.

The NSDA draft petition outlines several concerns that echo criticisms made by others who think aspartame should not have been approved for soft drinks. The draft objection focuses primarily on two concerns: the instability of aspartame, which decomposes to chemicals such as DKP and methyl alcohol when in solution or exposed to heat; and concerns raised by Dr. Richard Wurtman, a professor of neuroendocrine regulation at the Massachusetts Institute of Technology (MIT). Wurtman says preliminary experiments indicate that large amounts of aspartame, especially when consumed with carbohydrates, may affect the brain's neurotransmitters and therefore behavior. The FDA and Searle disagree.

The draft objection states that Wurtman's questions are "significant because of the seriousness of the potential effects" and "because of aspartame's anticipated widespread use—use that includes consumption by potentially vulnerable sub-groups, such as children, pregnant women and hypertensives. Dr. Wurtman's concerns are shared by other distinguished scientists expert in this field." The draft objection also says the legal burden is on Searle to prove that there is a "reasonable certainty that no harm to human health will result form aspartame," and points out that it would be possible to resolve Wurtman's hypothesis "conclusively" within "approximately six months." The NSDA draft objection also says the FDA underestimated consumption of aspartame in soft drinks.

Why didn't the NSDA go forward with its objection based on the concerns raised by Wurtman?

McQuate says the issue was resolved by a 13-page response from the FDA to Wurtman saying his data didn't support his hypothesis.

Also during the interview, however, McQuate said the NSDA takes Wurtman's concerns "seriously." "I think there's a legitimate basis for his hypothesis. . . . I think it's worthy of further investigation."

Regarding the decomposition question, the draft objection states that Searle used an "inferior" analytical technique that "resulted in inadequate characterization of aspartame's decomposition products" and that there were "extensive deficiencies" in the stability studies. The draft objection also states that "under moderate conditions, extensive decomposition of aspartame may occur in soft drinks." yet Searle is unable to account for more than one third of the chemicals to which aspartame decomposes. Therefore, "judgments about the safety of aspartame in soft drinks cannot be made confidently."

How did NSDA resolve the decomposition question?

McQuate says the decomposition question was resolved when one or more of the soft drink companies did their own studies last summer that demonstrated "the breakdown would not be hazardous."

McQuate acknowledges that the studies were short term. Long term studies that might shed light on the potential effects of long term exposure to aspartame's unidentified breakdown products were not done "because that obviously would take two years just to conduct, let alone evaluate the results," McQuate says.

Have the soft drink companies made the short term studies available to the public? No, McQuate says, adding he doubts these studies would satisfy critics such as consumer attorney James Turner, who he suggests would never be satisfied with any study. Why provide "fodder" for critics? he asked. "I don't think it's in our best interest [to make the studies public]. It becomes another issue we have to defend."

If NutraSweet is safe, why aren't all the soft drink companies using 100 percent NutraSweet instead of a blend of NutraSweet and saccharin, since saccharin is known to cause cancer in rats?

McQuate says there are two reasons. First, aspartame is much more expensive than saccharin. Second, NutraSweet is known to lose its sweetness when exposed to high temperatures. Therefore, soft drinks which aren't sold expeditiously could lose sweetness and "you will have an unacceptable product."

He says he believes that companies which are using 100 percent NutraSweet—such as Squirt—are doing so as a marketing strategy that takes advantage of a public perception that saccharin isn't safe. So how has Squirt resolved the concern that aspartame breaks down in heat and loses sweetness? Squirt representatives refused to return phone calls.

Finally, McQuate won't acknowledge that saccharin isn't safe, only that it "has been shown to produce bladder cancer in male rats at high [dosage] levels."

(In 1977 the FDA proposed banning the use of saccharin in food and beverages. In response to public pressure, however, Congress said it could be used.)

Why haven't studies been done to determine the synergistic (combined) effects, if any, of blending saccharin and aspartame?

"It's a good question," McQuate answered. "I am not sure that the technology is there to do that . . . . Maybe it could be done, but I don't think it would be a simple design of an experiment. I guess, in general, you've got me thinking it's a good question."

Has Searle conducted such studies? "That's an interesting question," Shapiro

said. "I don't think so. In fact, it's the first time I've ever heard that question raised."

Notwithstanding the draft objection, Shapiro insists that NSDA never had serious concerns about safety. Instead, he says, the soft drink companies were worried about the high price of aspartame and the fact that its instability might cause some drinks to lose sweetness before they were sold. The instability "poses no safety issue whatever, but it does pose a product quality issue," Shapiro says.

He also acknowledges that Searle, which owns the patent on both NutraSweet and the NutraSweet-saccharin blend, was reluctant to let companies use the blend in part because of fears that consumers who first tested the blend would decide, "'Hey, I don't like NutraSweet,' when in fact they really would like NutraSweet—it's the saccharin they don't like."

A high level FDA official says Searle was trying to force the soft drink companies to use 100 percent NutraSweet, and in additon Searle wanted the companies to sign ling term contracts that featured regular price escalations.

So, would it be accurate to say that Searle wanted the soft drink companies to use 100 percent NutraSweet, but they balked because of the cost, and therefore used the threat of filing an objection to stop the approval as leverage in negotiatons?

"You're inferring to much," Shapiro says. "I can only say that if you were to ask people in the soft drink industry whether they have concerns as to the safety of NutraSweet as used in their product, I think the answer very clearly is no.' They have been through that kind of agony in the past," he says, referring to cyclamates, which the FDA banned in 1970, and saccharin, which FDA proposed banning in 1977. "They are not eager to go through that process again."

Does NutraSweet Cause Adverse Reactions?

In an affidavit filed in a U.S. district court last January, a woman named "Jacqueline" stated that her four-year-old son Stephen had had numerous adverse reactions to aspartame (NutraSweet)—among them headaches, uncontrollable behavior and slurred speech. The woman, whose full name was deleted in the affidavit to protect her privacy, said she had given Stephen various aspartame-sweetened products, among them Kool-Aid and Wyler's Lemonade.

Her affidavit stated that her doctor concurred that aspartame was the cause of Stephen's "aberrational behavior and symptoms," and she concluded by expressing her concern that it would be hard for Stephen, "and other children who cannot read labels for contents," to avoid exposure to aspartame in the future.

As of June the FDA acknowledged receiving about 600 complaints (most of them this year) from consumers across the country who believe they have had adverse reactions to aspartame. These complaints, which experts refer to as "anecdotal," did not follow a pattern, the FDA maintained. However, taking a step it describes as "unusual," the FDA forwarded the complaints to the Centers for Disease Control (CDC) in Atlanta, which carries out epidemiological research for the federal government. The FDA says it "hopes" the CDC's investigation will be completed this July. "We are looking at this very, very carefully," says Sanford Miller, who heads the FDA's food safety division. "We take these [complaints] very seriously.

Copies of many of the complaints, along with complaints received by Searle and by MIT scientist Dr. Richard Wurtman, were obtained from FDA by Common Cause Magazine under the Freedom of Information Act. They cite symptoms ranging from headaches, dizziness and insomnia to numbness, rashes, menstrual problems and nausea.

It is obviously harder for a person to detect a reaction to a food additive than to a prescription drug, but a number of people filing complaints said that to be certain in their own minds, they had tested their reactions by stopping their consumption and then starting it again to see whether the symptoms reappeared.

An August 1983 letter to Wurtman stated that about a half-hour after consuming an aspartame-sweetened drink made from a powdered mix, the writer "suddenly felt slightly dizzy and could not concentrate on what I was reading. The skin on my face felt itchy and my ears began to ring. . . . My heart was beating quite rapidly and I had a burning sensation in my chest. This episode lasted for about one hour." The consumer acknowledged also taking a medication called Dyazide, but said the adverse reaction had "never happened to me before, nor has it happened since" last consuming aspartame.

A mother wrote that her son broke out in hives two hours after drinking aspartame-sweentened Kool-Aid . . . A man reported that he experienced headaches, dizziness and irritability after drinking five to six bottles a day of diet soda. . . . A diabetic reported that after using four packets of Equal powder he "broke out in quarter-sized, red blotches on chest, arms and hips." . . . And another person wrote that after using Equal "I started to have waves of numbness and tingly feelings in my head." After discontinuing use of the product, the person wrote, the symptoms disappeared.

People started to write to MIT's Wurtman after he began to appear in various media reports on aspartame. Wurtman, who told the FDA in February he had received "well over 1,000" letters and "related communications" from consumers, pointed out that "most of these letters have lacked creditibility and have been discarded. However, an important number have described symptoms which seemed to bear a relationship to aspartame consumption, and which were compatible with what might be expected after an increase in brain phenylalanine levels." Phenylalanine, an amino acid, is one of the major components of aspartame. Wurtman had done some experiments which he believes indicate that large amounts of aspartame—especially when consumed with foods containing carbohydrates—may affect behavior.

Consumer attorney James Turner, who represents the Community Nutrition Institute, a public interest group, points out that a number of complaints correspond to symptoms reported in one Searle test on humans. He says the study "reported five times as many complaints by aspartame users than by the control group, including complaints of menstrual cramps, vaginal spotting, depression, alteration of menses, headaches, appetite increase and weight gain."

But the FDA says Turner is taking the study's results out of context: "The clinical study referred to . . . was only one of several clinical studies, which included normal adults and children, as well as obese and diabetic adults, conducted by [Searle] and submitted to the agency in support of its petition on dry uses of aspartame," the agency stated in turning down one of Turner's requests for a public hearing on aspartame's safety. If added, "based on an analysis of the results from all these studies, FDA concluded that there was no evidence of any consistent or obvious pattern of specific complaints from aspartame use."

Searle executive Robert Shapiro agrees with the FDA that the results of that test were not statistically significant and says he doesn't believe the complaints were related to aspartame use. Both Shapiro and the FDA's Miller point out that it's worth noting that in Canada, where aspartame has been used for three years, few people have complained to Canada's health officials. They both say that Searle's mass advertising campaign promoting NutraSweet and the media attention regarding the product and its alleged problems may have led people to believe their symptoms were associated with NutraSweet. In an interview Shapiro remarked, "I believe if we were to introduce lettuce to the market tomorrow with a big national publicity campaign, and nobody had ever seen lettuce before, and people started eating lettuce, my guess is you would get exactly the same kinds of complaints."

Shapiro readily acknowledges, however, that if there were a problem with a food product, an individual probably wouldn't know to associate a given symptom with it unless made aware of the possible connection.

By December 1983, Wurtman wrote to the FDA saying he had "received enough letters describing what may be seizures after a high dose aspartame consumption that I think you all ought to look into it systematically."

Consumer attorney Turner points out that in an experiment submitted by Searle in the early 1970s, all monkeys receiving aspartame in medium and high doses experienced grand mal seizures. FDA scientists reviewing the study in 1973 said in documents obtained by Common Cause Magazine that it was unfortunate the monkeys had not been purchased by Searle so that they could be killed and their nervous systems examined in order to learn more about the seizures. Although Searle had implied in its report to the FDA that the monkeys were unavailable for purchase, a team of FDA investigators later said this was untrue. The monkeys had been available; Searle chose not to buy them.

FDA officials were so concerned about this omission that it helped form the basis of a 1977 FDA request for a grand jury investigation of Searle. The letter requesting a grand jury stated that Searle used "very great literary license in drafting its report" on the monkey study and alleged that Searle had made "four false statements and entries" in the report.

The letter also alleged that it was "more likely" that Searle didn't buy the animals because "no post-mortem comparative data" were available, saying, "if Searle had found adverse effects, it would have had no way to show that the consequences were not attributable to aspartame. Searle did not want to take this chance." The grand jury probe was later dropped.

Searle and the FDA now agree that the monkey study was poorly designed and run and therefore invalid. In documents submitted to the 1980 Public Board of Inquiry, which reviewed aspartame, the FDA said it did not need to rely on the monkey study, which it had described in 1975 as "pivotal," in its safety evaluation. Meanwhile Searle

had commissioned another monkey study; these monkeys did not have seizures. While the FDA acknowledged at the Public Board of Inquiry that it had not subjected this study "to detailed review," it nevertheless concluded, "none of the experimental animals showed abnormal EEGs [readings of electrical activity in the brain] or seizures."

But Turner is still not satisfied. He believes the second test did not fully account for seizures in the first test and that a third test should have been done for assurance. He has argued that even if you granted that the study was poorly run, the fact that the monkeys had seizures is reason for concern. The FDA and Searle disagree.

Wurtman also believes a third study should have been done before resolving the question, although, "its sort of academic now. It's getting warm again and consumption is much greater on a hot day in August than a cold day in January." Given the increased consumption this summer, Wurtman says if there is a correlation between aspartame consumption and various complaints, "we'll know." How will we know? "If relatively large numbers of people have unpleasant experiences with neurologic functions," Wurtman responds.

Wurtman hastens to add, "I can't say if there is a problem; I can't say there isn't. But it's unfortunate to experiment on people."

He says he hopes doctors will ask patients about their aspartame consumption. Searle sent out information kits to 200,000 doctors assuring them of aspartame's safety.

Shapiro says he is "not prepared to say . . . in the absence of examining people" that a product containing aspartame might have caused a certain symptom, and "I'm certainly not prepared to say it was caused by the aspartame." (In other words, the symptom may have been caused by something else in the product.)

However, Shapiro says, "In the case of any serious complaints, you would want to do a medical workup. I am prepared to pick an independent outside science center and pay the cost of somebody getting examined to find out in fact if there is some population group which has some reactions I'd want to know about."

[Committee Report]

XII. Additional Views of Senator Howard M. Metzenbaum on S. 484

On April 2, the Labor Committee held an extensive hearing on three low-calorie, nonnutritive sweeteners: saccharin, aspartame (NutraSweet) and cyclamate. The hearing was held to assist the Committee in its deliberations on S. 484, a bill to amend the Saccharin Study and Labeling Act.

It was clear from the outset that the issues of science and safety surrounding the three sweeteners were inextricably entwined. The justification for the moratorium on the saccharin ban proposed by the FDA in 1977 had always been the fact that there were no substitutes for saccharin's principal uses. Since the introduction of aspartame (NutraSweet) in 1981, and its approval for use in soft drinks in 1983, that situation has clearly changed. The FDA's current review of cyclamate is also a key component of the artificial sweetener "equation" and one more reason that it is impossible to consider in isolation the issues of health and safety surrounding these substances.

As a result of the hearing, a number of issues became clear. First, regarding saccharin:

In 1977, the FDA estimated that saccharin could cause up to 1,200 additional cases of bladder cancer a year, assuming everyone in the U.S. consumed the saccharin equivalent of one diet soda a day. The FDA still stands by that assessment.

Two recent studies on saccharin as a carcinogen and a co-carcinogen (or cancer promoter) show the substance produces tumors in the rat at lower doses than those in the 1977 tests. The FDA used these 1977 tests to justify its proposed ban on saccharin as a food additive.

The Canadian government has seen no new evidence to cause it to reconsider its decision in 1977 to ban saccharin as a food additive in foods and soft drinks.

If the current saccharin legislation lapsed for a period of time, the product would remain on the market. The FDA Commissioner testified that, "with the most rapid action, it is 180 days to a year" before any action would be taken to remove saccharin from the market.

The original Saccharin Information and Labeling Act required warnings on products containing saccharin. These warnings cite the link between saccharin and cancer in laboratory animals. The law states:

Such statement shall be located in a conspicuous place on such label, and labeling as proximate as possible to the name of such food shall appear in conspicuous and legible type in contrast by typography, layout, and color with other printed matter.

It is clear that this provision of the law is being ignored. Report language acompanying this bill directs the FDA to examine the efficacy of these warnings and report to Congress on how the law is being obeyed.

Regarding cyclamate, the FDA is currently undertaking a review of the carcinogenicity of this substance. Concern had been expressed that the FDA was not going to give full consideration to other problems associated with cyclamate, i.e., testicular atrophy and genetic damage. The FDA Commissioner testified that the FDA intends to examine these issues fully and that it could be up to three years before any decision is made.

In addition, a number of concerns regarding aspartame (NutraSweet) were raised at the hearing on April 2. In July, 1984, Common Cause published an extensive investigative report on the manner in which the FDA approved aspartame. The highlights of that report include the following:

In 1977, the FDA recommended that Searle be brought before a grand jury for fraudulent tests including tests on aspartame.

The FDA Commissioner in office when aspartame was approved rejected the findings of a Scientific Board of Inquiry that recommended that aspartame not be approved pending further tests on brain tumors.

The FDA Commissioner's own in-house team of scientists split on the issue of aspartame approval. Three of the six scientists recommended against approval.

Those who say there is no reason to be concerned about the safety of NutraSweet point to a recent study of consumer complaints carried out by the Center for Disease Control. Though the CDC concluded that the consumer complaints provided no cause for removing NutraSweet from the market, they did suggest further studies in their report:

"The number of instances of persons challenging themselves several times with aspartame-containing products and reporting symptoms with each rechallenge suggests that some individuals may be sensitive. The only way to clearly determine this is through focused clinical studies. Because of the numbers of reports, the subtlety and potential seriousness of some of the manifestations, the concerns of some scientists, and the possibility that one complainant has had his symptoms of hyperactivity verified on independent exam, it would seem that the highest priority for any future investigations might be in the neurological/behavioral area, focusing on such symptoms as headaches, mood alterations, and behavior changes."

The report language accompanying this bill directs the FDA to ensure that these tests are undertaken.

At mark up, I proposed an amendment which would require the manufacturers of diet soft drinks to include on their label how much aspartame (NutraSweet) each serving contains.

I believe consumers have a right to this information given the questions which have been raised about NutraSweet and the extraordinary increase in consumption levels of this product since its introduction in 1981 (last year per capita consumption increased 66%).

The National Soft Drink Association has lobbied strongly against this proposal. However, this is the same association which, in 1983, prepared a draft legal document objecting to NutraSweet's being allowed on the market, citing serious and unresolved questions about the public health. Though that document was not filed, it indicates the organization had significant health concerns relating to the amount of aspartame consumed before this product was approved for soft drinks. The following quotes are from a document entitled "Objections of the National Soft Drink Association to a Final Rule Permitting the Use of Aspartame in Carbonated Beverages and Carbonated Beverage Syrup Bases and a Request for a Hearing on the Objections." The document is dated August 8, 1983, and was prepared by Patton, Boggs and Blow and the General Counsel for the National Soft Drink Association:

"G. D. Searle and Company has not demonstrated to a reasonable certainty that the use of aspartame in soft drinks, without quantitative limitation, will not adversely affect human health as a result of the changes such use is likely to cause in brain chemistry and under certain reasonably anticipated conditions of use."

"For these reasons, Searle has not met its burden of demonstrating to a reasonable certainty that the unlimited use of aspartame, especially in combination with carbohydrates, will not adversely affect human health. The questions posed by Dr. Wurtman are significant because of the seriousness of the potential effects (e.g., changes in blood pressure) and because of aspartame's anticipated widespread use—use that includes consumption by potentially vulnerable sub-groups, such as children, pregnant women, and hypertensives."

"Specifically, Searle has not met its burdens under section 409 . . . to demonstrate that aspartame is safe and functional for use in soft drinks."

"Collectively, the extensive deficiencies in the stability studies conducted by Searle to demonstrate that aspartame and its degradation products are safe in soft drinks intended to be sold in the United States, render those studies inadequate and unreliable."

There have been hundreds of reports from consumers around the country suggesting a possible relationship between their consumption of NutraSweet and subsequent symptoms including headaches, aberrational behavior, slurred speech, etc.

During the Labor Committee hearing on saccharin, NutraSweet, and cyclamate held on April 2, Dr. Richard Wurtman of M.I.T., testified as follows:

"The problem at present is that it is difficult if not impossible for the patient or his physician to know how much aspartame it contains . . . I believe it is essential that companies which include aspartame in their products be required to indicate on the labels (in readable print) how much of the sweetener is present in each can or serving. This simple change in labeling practice would, I believe, sharply reduce the number of consumers who believe without probable foundation that they have suffered aspartame-related side-effects. Perhaps more importantly, it would also enable physicians to identify those patients who might really have had such responses, so that such people might then undergo controlled clinical testing."

Since 1981, the FDA has attached an ADI (acceptable maximum daily intake) to NutraSweet. That ADI is currently 50 milligrams per kilogram of body weight. While an adult weighing 154 pounds would not meet that limit before he consumed 5 liters of diet soft drink, a four-year-old weighing 25 pounds would hit that limit at three cans of diet soda. Consumers have no way of knowing if they have reached the FDA limit without knowing how much is in the can. Ideally, we should have the ADI on the can as well, but it will take some time to figure out how that could be done effectively. In the meantime we should ensure that the quantity is on the label. We must start somewhere, and this is an important first step.

Many questions must be resolved concerning aspartame. The FDA should take an active role to ensure that tests are conducted to determine whether individuals, particularly children, are likely to experience side-effects from NutraSweet at current and projected consumption levels. The FDA should also run tests on how NutraSweet affects those who might be taking different types of medication.

Finally, given the serious questions which remain regarding the FDA approval process for NutraSweet, the FDA should ensure that certain key pivotal animal tests are repeated. Only when all of these questions are resolved can consumers be certain that they are receiving the full protection provided by our food and drug laws.

EXHIBIT 1

OBJECTIONS OF THE NATIONAL SOFT DRINK ASSOCIATION TO A FINAL RULE PERMITTING THE USE OF ASPARTAME IN CARBONATED BEVERAGES AND CARBONATED BEVERAGE SYRUP BASES AND A REQUEST FOR A HEARING ON THE OBJECTIONS.

(Docket No. 82F-0305]

DRAFT: JULY 28, 1983

Objection One: Searle has not demonstrated to a reasonable certainty that aspartame and its degradation products are safe for use in soft drinks. Without quantitative limitation, under temperature conditions likely to prevail in the United States.

SUMMARY OF BASIS FOR OBJECTION

Aspartame is inherently, markedly and uniquely unstable in aqueous media. In a liquid, such as a soft drink, APM will degrade as a function of temperature and pH. Higher temperatures and more acidic liquids increase the rate of degradation. Higher temperatures may also affect the degradation products which are formed. Given the circumstance of APM's unusual instability, reliable and comprehensive analyses of APM's degradation in soft drinks—both as to the rate of degradation (and the subsequent loss of sweetness) and to the confirmed identification of the major degradation products—is crucial to establish the safety of the use of APM. Without adequate identification of AMP's significant decomposition products, it is not possible to find, to a reasonable certainty, that APM is safe. The data and information submitted by Searle in support of its petition to amend 21 C.F.R. § 172.804 to permit APM use in soft drinks, however, do not demonstrate that APM is safe for use in soft drinks. These data are insufficient to establish safety because the petition lacks comprehensive, reliable and accurate analytical data on APM and the products "adversely affected" by the issuance of the regulation authorizing the use of aspartame ("APM") in soft drinks. As the national trade association representing the soft drink industry in this country, NSDA's member soft drink manufacturers and soft drink franchisers are directly and immediately affected by the issuance of a regulation which authorizes the use of a new sweetener in its products. Approximately seventy-six percent of the nation's 1600 soft drink manufacturers are active members of the Association. These members account for more than ninety percent of the soft drink production in this country. In addition, the vast majority of soft drink franchisers which manufacturer the concentrates and syrups from which soft drinks are made are associate members of the Association.

II. SUMMARY OF BASIS FOR THE OBJECTIONS

[To be added].

OBJECTIONS OF THE NATIONAL SOFT DRINK ASSOCIATION TO THE ISSUANCE BY THE FOOD AND DRUG ADMINISTRATION OF A REGULATION (21 C.F.R. § 172.804) TO AUTHORIZE THE USE OF ASPARTAME IN CARBONATED BEVERAGES AND CARBONATED BEVERAGE BASES

In the Federal Register of July 8, 1983 (48 Fed. Reg. 31376), the Food and Drug Administration ("FDA") issued a regulation amending section 172.804 of its regulations, 21 C.F.R. § 172.804, to authorize the use of aspartame in carbonated beverages and carbonated beverage bases (collectively referred to as "soft drinks"). This action was taken in response to a food additive petition (FAP 2A3661) filed on October 15, 1982 by the Searle Research and Development Division of the G.D. Searle Co. ("Searle").

In these objections, NSDA demonstrates that there exist genuine and substantial issues of fact material to FDA's amendment of its regulations to permit aspartame use in soft drinks. Specifically, Searle has not met its burdens under section 409 of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. § 348 ("FDC Act") to demonstrate that aspartame is safe and functional for use in soft drinks. NSDA therefore objects to the Commissioner's order amending 21 C.F.R. § 172.804 and requests that a hearing as provided under section 409(f) of the FDC Act, 21 U.S.C. § 348(f) be convened.

NSDA is a party that is, within the meaning of section 409(f)(1) of the FDC Act, 21 U.S.C. § 348(f)(1), methyl ester (PM) and beta-aspartame (beta-APM).[1] (Searle FAP at 13) Only in the cases of APM and DKP did Searle use high pressure liquid chromotography (HPLC). For the other four known principal breakdown products, Searle used thin-layer chromotography (TLC).

HPLC is a far superior analytical method relative to TLC (cites) and numerous HPLC methods exist for the detection and quantification of amino acids (cites. Searle's choice of TLC over HPLC adversely affected the quality and type of analytical data generated on APM and its decomposition products in soft drinks. The unfortunate and inexplicable choice[2] of an inferior analytical technique, when superior and recognized methods are available, has resulted in inadequate characterization of APM's decomposition products.

HPLC is a practicable, well-accepted analytical method[3] which is commonly-employed by FDA. When the safety and suitability for use of a food additive such as APM with an acknowledged degradation problem (and anticipated high consumption) is under evaluation, HPLC is clearly the analytical method of choice.

TLC, on the other hand, produces good qualitative results, but is, at best, only semi-quantitative, since the quantification used is based on visual comparisons of spot sizes and intensities. (cite) Indeed, Searle itself has acknowledged the inadequacy of the analytical method that it chose, when it described, in the petition, the quantity of degradation products identified using TLC as "estimates." (cite)

The inappropriateness of using TLC as a principal analytical method is compounded by the fact that the values of APM degradation products being measured are close to the limits of detection of the method (cite).[4] Thus, the values purportedly obtained by the TLC method cannot be considered to be very precise. Finally, an important decomposition product of APM, aspartic acid (AA) cannot be detected at all using TLC.

In short, for reasons which are not apparent, the petitioner chose to use a semi-quantitative analytical method to analyze for numerous major APM breakdown products close to the limits of detection, when that method is not the best method available. The quality of the analytical data presented are, therefore, substantially inferior to those which could have reasonably been obtained.

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[1] The importance of comprehensive and reliable analyses of APM's decomposition products is demonstrated by the fact that based on the chemical structure of APM, one would not expect PM or beta-APM to be degradation products. Indeed, initially Searle did not look for either one. Other unexpected decomposition products of unproven safety could, of course, also be present when APM degrades.

[2] The availability of HPLC to detect and quantify APM's decomposition products is demonstrated by, among other things, a paper presented by three representatives of Searle. (LeVon, Mazur and Ripper, "Aspartame (APM) as a Sweetener In Carbonated Soft Drinks") (Appendix). In that paper, Searle stated that HPLC was currently used to detect APM, DKP and AP and PHE. Nevertheless, the petition does not contain HPLC-generated data for AP or PHE.

[3] Section 171.1(c) of the agency's regulations, 21 C.F.R. § 171.1(c), requires that an analytical method for detection of a food additive and substances formed in or on food because of its use be practicable and one which "can be applied with consistent results by any properly equipped and trained laboratory personnel. HPLC is clearly such a method.

[4] FN w/examples.

(b) The Searle Analyses for APM Decomposition Products are Deficient.

Aside from its choice of TLC over HPLC, the analyses conducted by the petitioner to identify and quantify the breakdown products of APM in soft drinks are plagued by numerous significant deficiencies which result in clear and unmistakeable inadequacies in the detection and quantification of the major decomposition products of APM in soft drinks. In the face of these deficiencies, Searle has not reasonably identified substances formed in soft drinks because of the use of APM, as required under section 409(c)(5)(A) of the FDC Act, 21 U.S.C. § 348(c)(5)(A). The safety of this use of APM cannot be said to have been shown to a reasonable certainty in the face of these inadequacies.

There are at least six significant deficiencies in the HPLC analyses undertaken by Searle to identify and quantify APM and DKP in soft drinks:

(a) The standards for use of HPLC to detect APM and DKP were prepared in buffered aqueous solutions. A far better technique would have been to prepare the standards using beverage matrices. The use of beverage matrices would have reduced the danger of interfering compounds coeluting with the compound of interest.

(b) Searle does not appear to have submitted to FDA to HPLC chromatograms of the blanks (unsweetened beverages); without these chromatograms, the results obtained in sweetened beverages cannot be evaluated.

(c) The chromatograms of the beverages which were submitted by Searle contain peaks which can cause difficulties with quantification. For example, the DKP in the root beer chromatograms is badly overlapped by another peak.

(d) No recovery data for DKP were presented and the precision of the DKP concentrations was only determined for standard solutions.

(e) The purity of the initial APM was not established, although it can contain at least five percent impurities, as calculated from the zero time values in Searle's studies.

(f) Searle analyzed only single bottles at any given time and temperature. This aspect of the study design fails to account for anticipated bottle-to-bottle variations. Single bottle analytical data cannot, under any circumstances, amount to a comprehensive and reliable characterization of the decomposition products of an additive with a well-known instability problem.

Likewise, the TLC analyses are deficient (these deficiencies are in addition to the inherent limitations of the TLC method):

(a) Standards for the TLC analyses were prepared in distilled water. As in the case of the HPLC analyses, the better technique would have been to prepare them in beverage matrices.

(b) Searle did not submit (and apparently did not attempt) any recovery or precision data for its TLC analyses.

(c) In the TLC analyses, only single aliquots of single bottles were analyzed at any given time and temperature, thus rendering the putative quantitative results inherently unreliable.

(d) Measurable levels of beta-APM and PM may have existed in the starting material, but were not quantified at the beginning of the analyses (presumably because they were unexpected decomposition products). Moreover, it is unclear from Searle's data how the spots on the TLC plates were identified. If, as appears to be the case, identification was based solely on the comparison of Rf values, the identifications can only be called tentative. Confirmation of the identifications by spectroscopic methods should have been undertaken. The failure to confirm these identifications undermines many of the major assumptions made by Searle throughout its analytical studies.

Collectively, the extensive deficiencies in the stability studies conducted by Searle to demonstrate that APM and its degradation products are safe in soft drinks intended to be sold in the United States, render those studies inadequate and unreliable. It is not possible on the basis of these studies to conclude that the petitioner has demonstrated that, notwithstanding its inherent instability, APM is safe for use in soft drinks. The failure of proof by Searle is even more evident, as is shown in the following section of these objections, when one considers the extent to which the decomposition products of APM in soft drinks are not known or identified.

(c) APM Decomposes Extensively in Soft Drinks Under Moderate Conditions, But Searle's Data Fail to Identify Adequately the Decomposition Products.

Notwithstanding the multiple and serious deficiencies in the stability studies conducted on APM in soft drinks, one conclusion does emerge: under moderate conditions, extensive decomposition of APM may occur in soft drinks. Moreover, a substantial portion of the decomposition products are not known. APM cannot be considered to be shown to be safe for use in soft drinks when the results of its known decomposition phenomenon—marked breakdown in liquid beverages—are not well identified.

For example, in the Searle studies, a cola beverage was kept at 30°C (86°F) for 40 weeks. (cite) In analyses conducted at that time, only fifty (50) percent (weight basis) of the original starting material was found.[5] Even if one accepts one of Searle's main assumptions about APM decomposition in soft drinks—that is, that aspartic acid (AA) is formed in amounts equal to the PHE and PM (mole basis) and that methanol is formed in amounts equal to the DKP, AP and PHE (mole basis) (cite)—the percent recovery of the original material is only increased to sixty-four (64) percent.[6] Thus, even when viewed most favorably, the analyses fail to account for over one-third of the original material.

This startling deficiency in the stability studies is further demonstrated by this table, also drawn from Searle data of beverages stored at 30°C (86°F), which illustrates the material balances obtained: [7]

* * * * *

The inability to account for as much as thirty-nine (39) percent of APM's decomposition products is significant. With such a high unknown factor, judgments about the safety of APM in soft drinks cannot be made confidently. Possible explanations for, and speculation about, the material balance discrepancies abound: secondary reactions may be occurring (possibly with the flavor components in the beverages); additional, but unidentified decomposition products may exist (as occurred in the case of Pm and beta-APM); or the inaccuracy and inadequacies of the analytical methods may account for the gaps in the data. No explanation for the discrepencies in material balances—that is, for the high percentage of unknown material—can, however, be supported on the basis of the data submitted by Searle. The significance of the unknown decomposition products simply cannot be determined in the absence of complete, careful and reliable analyses—analyses which are not currently available because the petitioner failed to conduct or submit them.[8]

2. Searle Has Not Characterized The Decomposition Products of APM in Soft Drinks Under Temperature Conditions To Which The Beverages Are Likely To Be Exposed In the United States.

A suitable assessment of the stability of APM in soft drinks can be conducted. Such an assessment would necessarily involve the use of sample beverages in a variety of flavors and varying pH, and, most importantly, involve exposure of the beverages to temperature conditions which approximate those which are reasonably expected to occur in practice (or under conditions which permit reasonable projections to be made to actual conditions).[9] Unless the sample APM-sweetened beverages are exposed to realistic temperature conditions, the temperature-sensitive degradation characteristics of APM, and in particular its potentially significant decomposition products, cannot be known. The data submitted by Searle are not derived from appropriate test conditions. Judgments about the extent of APM instability and its degradation products in soft drinks under actual conditions of use cannot, therefore, be inferred from the limited laboratory data.

To assess APM's instability in soft drinks, Searle exposed bottles of ready-to-drink beverages in four flavors (cola, root beer, lemon-lime and orange) to consistent temperatures of 55°, 40, 30, 20 and 5°C.[10] According to Searle's petition, "[I]n each flavor a loss of APM occurred with the rate of degradation directly related to the storage temperature for the carbonated beverages. The rate of APM loss from beverages was pH dependent." Moreover, Searle noted that "as the temperature increases, the rate of degradation becomes more pronounced." [11] Some of the effects on APM

[5] This figure is derived as follows from Searle data: 13 percent AOM, 21 percent DKP, 3 percent AP, 8 percent PHE, and 5 percent PM.

[6] The increase comes from 10 percent AA and 4 percent methanol.

[7] A material balance accounts for the quality of the starting material, the quantity of identified decomposition products (or by-products, reaction products etc.) and the quantity of unknown material. Because of the inadequacies in the analyses documented in section — above, the figures in this table may be inaccurate. Nevertheless, the discrepancies in the material balance raise the possibility of significant unknown decomposition products.

[8] A tempting, but unsatisfactory, resolution of the material balance discrepancy is to assume that the safety of the decomposition products were determined in the chronic studies in laboratory animals which Searle conducted. This putative resolution does not hold, however, because these degradation products would not have undergone testing, since the APM in the feeding regimen was in freshly prepared doses.

[9] The use of exaggerated, but realistic, test conditions is a routine facet of testing to establish the safety of food additives. For example, pursuant to FDA guidelines, extraction testing to detect and quantify migrants from packaging materials is required to be conducted under temperatures and for time periods which are known to exceed actual conditions of use.

[10] Similar, but equally limited studies were conducted using carbonated beverage bases (syrups).

[11] In the preamble to the regulation authorizing APM use in soft drinks, FDA itself acknowledged this phenomenon: "At temperatures above 30°C (86°F) the stability drops off markedly." 48 *Fed. Reg.* at 31377. As shown below, soft drinks are frequently exposed to temperatures well in excess of 30°C (86°F).

degradation in soft drinks are illustrated in a table in the Searle petition.[12] In that table, for example, after 20 weeks at 30°C (86°F), a beverage with a pH between 2.5 and 3.0, contained less than 40 percent of the original amount of APM. For beverages with similar pH, but kept at 40°C (104°F) for 20 weeks, less than ten percent of the original APM remained. Less pronounced degradation is seen at higher pH and/or at lower temperatures.

Although these stability tests shown significant degradation of APM at consistent temperatures over relatively short time periods, they shed virtually no light on the probable degradation rate and products for soft drinks exposed to a variety of temperatures—including temperatures higher than any used in Searle's studies—during storage, handling, sale and use, temperatures which are known to occur and to which soft drinks are known to be exposed. Without stability studies conducted under such conditions, APM cannot be said to be appropriately stable in soft drinks, nor can its degradation products be considered to be adequately identified (assuming that analytical techniques were used which would yield complete and reliable results) nor can it be considered to have been shown to be safe.

The range of temperature conditions to which soft drinks are exposed during the summer months in the southern United States[13] is illustrated by a study conducted by the Coca-Cola Company's Corporate Packaging Department in 1976 and submitted to the Consumer Product Safety Commission.[14] That study shows that during the summer months, soft drinks are often exposed to relatively high temperatures for certain time periods in the course of distribution from the bottling plant to the consumer. High temperatures do, of course, routinely occur in much of the United States, including the southern regions; conditions of storage and distribution for soft drinks can elevate these temperatures significantly.

In summary, the study assessed: (1) warehouse temperatures in Marietta, Georgia and Wichita Falls, Texas; (2) route truck temperatures in Wichita Falls; (3) full sun and outside ambient temperatures in Wichita Falls;[15] and (4) parked car temperatures in Atlanta, Georgia and Wichita Falls. Each of these test environments is known to occur in practice and the tests were performed under actual, as opposed to laboratory, conditions.

Several significant conclusions can be drawn from this study. First, in those situations where the bottled beverage is heated only by conduction from the surrounding air (shaded location in a warehouse or in an automobile trunk parked indoors) the ratio of product temperature to the temperature of the surrounding air would be 0.92 to 0.94. In enclosed environments exposed to sunlight, however, ratios much greater than one would be expected. For example, a ratio of product temperature to air temperature of 1.45 was found for a test car parked in full sunlight. In other situations where sunlight was a direct heating factor (e.g., open air service station promotions or open bay delivery trucks) typical ratios were 1.10 to 1.15.

The effects of these ratios on product temperature are demonstrated by using summer temperatures for Phoenix, Arizona, where the average daily high in July is 40°C (104°F). During July in Phoenix, a soft drink in full sunlight could reach a temperature of 49°C (120°F) (104° x 1.15). The same product in a car parked in full sunlight could reach 66°C (151°F) (104°F x 1.45)[16]; soft drinks in a warehouse with an ambient temperature of 110° could reach temperatures of 38°C (101°F) to 39°C (103°F) (0.92-0.94 x. 110°F).

Overall, the study, considered together with representative historical temperature data (Appendix ——) show that soft drinks will frequently be exposed to temperatures of 32°C (90°F) to 49°C (120°F). In some cases product temperatures as high as 66°C (151°F) (especially in the southwestern United States) can be reached.

The effects of these high product temperatures on APM degradation and the formation of degradation products, and the effects of temperature variation (for example, soft drinks displayed at a service station may reach temperatures of 49°C (120°F) for most of the afternoon, drop in temperature overnight, and heat up again during the following day) cannot be determined from the data submitted by Searle to the FDA.

What those data do suggest, however, is that significant APM degradation at high temperatures occurs within a short period of time. For example, in Searle's stability tests, an orange beverage held at 40 °C (104 °F) (average daily high for Phoenix during July) for eight weeks, contained only fifty (50) percent of the original amount of APM. A cola beverage held under the same conditions contained only forty (40) percent of the original APM amount. And beverages exposed to higher temperatures degrade even more rapidly. And, of course, because of the temperature elevation ratios, product temperatures could easily be much higher during actual conditions than the stable temperatures used in the Searle laboratory studies.

Thus, it is known that APM will degrade rapidly at high temperatures, including temperatures to which soft drinks are known to be exposed intermittently during the summer. What is now known, although the FDC Act requires the proponent of use to demonstrate it, is what effects of degradation occur by virtue of exposure to these temperatures. More specifically, to demonstrate that APM is safe for use in soft drinks, the petitioner must reasonably identify what degradation products are formed under those conditions. Ultimately, of course, the safety of the major degradation products must be determined. Under the FDC Act, the data needed to make that determination—reliable and competent data—must be provided by the petitioner.

Objection Two: Searle has not demonstrated that APM use in soft drinks will not adulterate the beverages under Section 402(a)(3) of the FDC Act.

SUMMARY OF BASIS FOR OBJECTION

As discussed above, it is well established that the petitioner for issuance of a regulation authorizing the use of a food additive bears the burden of proving, through reliable and competent data, each element of the criteria set forth in section 409 of the FDC Act, 21 U.S.C. § 348, for issuance of a food additive regulation. The present record does not contain data which demonstrate that the use of APM in soft drinks will not result in the adulteration of the beverages under section 402(a)(3) of the FDC Act, 21 U.S.C. § 342(a)(3), which provides that a food is adulterated if it contains, in whole or in part, ". . . a decomposed substance or if it is otherwise unfit for food." Indeed, the present record strongly suggests that the rapid degradation of APM in soft drinks and the consequent loss of sweetness may well result, under certain actual time and temperature conditions, in products which would be adulterated under section 402. Without data which demonstrate that APM-sweetened beverages will not be adulterated under section 402(a)(3), Searle has not met its burden of proof under section 409(c)(3)(B) of the FDC Act, 21 U.S.C. § 348(c)(3)(B).

FACTUAL BASIS FOR OBJECTION TWO

The marked and rapid decomposition of APM in soft drinks under temperatures known to prevail is apparent from data in the present record and discussed above in these objections. Those data show that it is reasonable to expect APM to decompose in soft drinks sufficiently rapidly under current handling and distribution procedures to adversely affect product quality and taste.[17]

It is well-established under section 402(a)(3), that a food which contains a decomposed substance (i.e., the decomposition products of APM which, Searle's data show, can readily exceed the quantity of APM itself in a short time)—especially where the decomposition has adversely affected product quality or made the product unpalatable—is adulterated and subject to seizure. (cites). It is quite clear, for example, that FDA would consider beverages which had lost substantial sweetness because of APM decomposition and which were therefore not palatable, to be adulterated under section 402(a)(3). The record is devoid, however, of evidence which demonstrate that APM used to sweeten soft drinks will not, under reasonably anticipated conditions of use, in fact cause the products to be adulterated. Without such evidence Searle has not met the burden imposed under section 409(c)(3)(B).

[This objection will be expanded.]

Objection three: Searle has not demonstrated that APM is functional for use in soft drinks under temperature conditions likely to prevail in the United States.

SUMMARY OF BASIS FOR OBJECTION

In addition to data intended to assess the stability of APM in soft drinks, Searle's petition for use of APM in soft drinks contains data intended to show that APM is functional in the beverages, i.e., that it achieves and retains the intended technical effect

[12] Searle FAP at 14, Fig. 3.

[13] High summer temperatures are by no means limited to the southern states. During the period July 10 to July 24, 1983, for example, St. Louis, Missouri experienced 14 consecutive days of temperatures over 90°F, and 10 days of temperatures of 95°F or greater. During the same period, Louisville, Kentucky experienced similar temperatures.

[14] Study cite. A full description of this study is contained in Appendix ——.

[15] Full sun exposure occurs, for example, when a service station runs a promotion in which cases of the beverages are stacked in front of the station in full view of passing motorists and therefore often in direct sunlight.

[16] This temperature exceeds by 11°C (20°F) the highest temperature used in Searle's stability studies. In those studies, after less than four weeks, beverages stored at 55°C (131°F) contained less than twenty (20) percent of the original amount of APM. (Searle FAP at ??)

[17] FDA acknowledges this distinct possibility when it states its "belief" that changes in these procedures will avoid the problem. Section 409(c)(3)(B) does not contemplate that a "belief" in unspecified, but fundamental, changes in industry practice are adequate to assure that widespread use of a food additive will not adulterate the food.

(sweetening) under the conditions of use reasonably anticipated to occur. Searle has not demonstrated that APM is functional in soft drinks because its data show a significant loss of sweetness at temperatures to which soft drinks are known to be exposed and within the range of time periods between bottling and projected consumption. The functionality of an additive cannot be considered to have been demonstrated if significant loss of its intended technical effect (because of temperature and pH dependent degradation) may occur under reasonably anticipated conditions of handling, storage and use.

FACTUAL BASIS FOR OBJECTION THREE

To evaluate the functionality of APM, Searle conducted "sensory evaluation" tests which used consumer taste panels to assess "perceived sweetness" (cola, beverages only) and "overall liking" (or "acceptance") (all flavors) over time periods up to 52 weeks and at three temperatures: 5°C (41°F), 20°C (68°F) and 30°C (86°F). Beverages sweetened with APM only (5, 20 and 30°C) and APM with saccharin (20°C) were tested; beverages sweetened with sucrose (——°C) and saccharin (——°C) were used as references. The beverages were rated at different time periods by the panelists.[18]

Although no temperature used in Searle's sensory evaluation tests approached the actual product temperatures which soft drinks will reach (see section —— above), significant loss of sweetening and overall liking occurred for beverages sweetened with APM only within extraordinarily short time periods. For example, APM-sweetened cola beverages stored at 30°C (86°F) received an overall liking score of less than 20 on a 0–100 scale after only 20 weeks (after 20 weeks the product was apparently unpalatable, since Searle did not present sensory evaluation data beyond this time). For an orange beverage, overall likeness after 20 weeks at 30°C (86°F) approached 5 (on a nine point hedonic scale), the "neither like nor dislike" or mean rating. Again, sensory evaluations were apparently not conducted beyond 20 weeks.

Searle's characterization of the results of the sensory evaluation tests avoids the clear implication of those tests: That APM has not been shown to retain sufficient sweetness at temperatures which are known to occur for APM-sweetened beverages to retain an acceptable "overall liking" rating. Instead, Searle emphasizes an interesting, but legally irrelevant finding: That APM sweetened beverages tested after holding at relatively low temperatures were preferred to beverages sweetened with alternative sweeteners. This characterization misses the statutory purpose for which the studies were undertaken, that is, to demonstrate that APM is a functional sweetener in soft drinks.

Of particular importance is the fact that Searle's sensory evaluation tests do not explore the effects on either sweetness or overall likness of APM-sweetened beverages exposed, either consistently or intermittently, to the higher temperatures which prevail in much of the United States. What is the effect on these two measures, for example, of product temperatures of 100 to 120°F? Is the degradation greatly accelerated and the overall liking therefore diminished in even shorter time periods? Will APM-sweetened beverages stored in warehouses and carried on open route trucks or stored in warehouses and displayed in open air service station promotions in the southern states be acceptable when the consumer attempts to consume them several weeks later? Is APM a functional sweetner for soft drinks if APM-sweetened beverages in certain parts of the country would, during the summer months, have to be treated as if they were perishable commodities? [19]

[To be expanded with age distribution data.]

Ojection No. Four: G.D. Searle and Company Has Not Demonstrated To A Reasonable Certainty That The Use of Aspartame In Soft Drinks, Without Quantitative Limitation, Will Not Adversely Affect Human Health As A Result Of The Changes Such Use Is Likely To Cause In Brain Chemistry And Function Under Certain Reasonably Anticipated Conditions Of Use.

SUMMARY OF BASIS FOR OBJECTION

In its July 8 Federal Register notice, FDA acknowleded receiving a comment expressing concern about the effect on plasma and brain phenylalanine (PHE) and tyrosine (TYR) levels when aspartame is fed in combination with a carbohydrate. 48 Fed. Reg. at 31379. The comment included data demonstrating that in both rats and humans the feeding of a carbohydrate with aspartame significantly enhances aspartame's positive effect on the ratio of PHE and TYR to other large neutral amino acids (LNAA) in the blood. The data submitted with the comment also demonstrate that brain PHE and TYR levels in the rat are significantly increased by the aspartame/carbohydrate combination.

The concern of the commenter, Dr. Richard J. Wurtman, Professor of Neuroendocrine Regulation at the Massachusetts Institute of Technlogy, was that increased brain levels of PHE and TYR are likely to affect the synthesis of certain neurotransmitters—substances vital to the regulation of brain function—and that changes in the levels of neurotransmitters could in turn cause adverse physiological effects (by, for example, modifying the function of the autonomic nervous system) and/or behavioral effects.

FDA responded to Dr. Wurtman's comments by stating that it ". . . believes that the comment's conclusion regarding potential phenylalanine induced changes in neurotransmitter function appear to be unwarranted extrapolations . . ." (48 Fed. Reg. at 31379; emphasis added) and by concluding that ". . . the data supplied with this comment do not provide support for its hypothesis that the ingestion of aspartame and carbohydrate will alter the brain levels of neurotransmitters and thereby produce behavioral modifications." 48 Fed. Reg. at 31380. FDA cited as support for its conclusion several studies submitted by Searle; FDA did not discuss, however, much of the data submitted by Dr. Wurtman (including those demonstrating significantly elevated brain levels of PHE and TYR), and it apparently overlooked the significance of aspartame's demonstrated blocking effect on glucose-induced elevation of brain serotonin levels.

In light of the allocation of the burden of proof and the nature of the safety standard in food additive proceedings (discussed above), FDA's handling of Dr. Wurtman's concerns was unusual. The tone of the July 8 notice suggested that the burden was on Dr. Wurtman to demonstrate that aspartame is harmful and that, absent affirmative demonstration of harm (which obviously is lacking at this point), aspartame must be approved. To the contrary, however, the burden is on Searle to prove to a reasonable certainty that no harm to human health will result from aspartame. Thus, the question for FDA in evaluating Dr. Wurtman's concern is whether, in the minds of competent scientists, the questions posed by Dr. Wurtman and his data are sufficiently significant from a safety standpoint that they should be more thoroughly addressed by Searle in order to provide the statutorily required "reasonable certainty" that no harm will result from aspartame's use.

We object to the approval of aspartame for unrestricted use in soft drinks (which could be as high as 550 mg/liter, or higher) on the ground that Searle has not made the required showing. This objection is supported by the following points, which are discussed further below and supported by the accompanying affidavits: (1) available evidence demonstrates that the consumption of aspartame/carbohydrate combinations by rats in amounts comparable to those likely to be encountered by humans under certain reasonable anticipated conditions of use elevates plasma ratios of PHE and TYR significantly and brain PHE and TYR levels by factors of 3.0 and 3.5, respectively; (2) available evidence from human studies demonstrates that consumption of aspartame/carbohydrate combinations in amounts likely to be encountered under certain reasonable anticipated conditions of use elevates human plasma levels of PHE significantly beyond the normal range; (3) there are sound scientific reasons to believe that human brain levels of PHE and TYR will respond to aspartame consumption in a manner similar to rats; (4) there are sound scientific reasons to believe that increased brain levels of PHE and TYR could affect the synthesis of neurotransmitters and in turn various physiological functions and/or behavior; for example, TYR is a known precursor of the catecholamine neurotransmitters, and tryosine levels have been shown to affect several bodily functions controlled by the autonomic nervous system (including regulation of blood pressure); and (5) the demonstrated ability of aspartame to inhibit the glucose-induced release of serotonim has the potential to affect important serotonin-mediated behaviors, such as satiety, food choice, and sleep.

Despite the potential effects of aspartame/carbohydrate combinations, the present record is devoid of readily obtainable evidence that could resolve whether

[18] Fn. stating rating periods.

[19] In the preamble to the APM regulation, FDA dismissed summarily the concern about the functionality of APM in soft drinks at temperatures above 30°C (86°F): "The agency believes, however, that storage at these times and temperatures can be avoided by attention to handling and distribution." (48 *Fed. Reg.* at 31377). This summary resolution of the functionality issued is inconsistent with the FDC Act for two reasons. First, it is based on the agency's "belief" and not on any objective evidence. The Act requires the agency to resolve material issues based on facts, not on beliefs. Moreover, the facts—actual temperature conditions to which the beverages are exposed and actual beverage temperatures—suggest that degradation and consequent loss of sweetness and overall liking (and hence functionality) may occur within even shorter periods than the agency appeared to find acceptable.

Second, the purported resolution of the functionality issue by *assuming* that significant loss of sweetness "can be avoided by attention to handling and distribution" is an assumption unsupported by any evidence in the present record (none is cited by the agency). In all likelihood, the agency's "resolution" is entirely impracticable. To *assume* that fundamental changes in handling and distribution will occur to avoid an acknowledged functionality problem turns the FDC Act on its head.

the effects are in fact likely to occur. As will be demonstrated, the data cited by FDA in its July 8 notice are not sufficient to resolve the issue. It would be possible, however, to perform within approximately six months studies in rats that would resolve conclusively whether levels of aspartame and carbohydrate corresponding to those likely to be consumed by humans would affect the synthesis of neurotransmitters and in turn cause detectible physiological and behavioral effects. It also would be possible to perform additional short-term studies in humans to determine whether aspartame/carbohydrate combinations have observable effects on physiological parameters (such as blood pressure) or behavior.

For these reasons, Searle has not met its burden of demonstrating to a reasonable certainty that the unlimited use of aspartame, especially in combination with carbohydrates, will not adversely affect human health. The questions posed by Dr. Wurtman are significant because of the seriousness of the potential effects (e.g., changes in blood pressure) and because of aspartame's anticipated widespread use—use that includes consumption by potentially vulnerable sub-groups, such as children, pregnant women, and hypertensives. Dr. Wurtman's concerns are shared by other distinguished scientists expert in this field (affidavits attached). It is Searle's legal burden to submit data sufficient to resolve the concerns.

FACTUAL INFORMATION SUPPORTING OBJECTION FOUR

1. FDA has underestimated the amount of aspartame that can be consumed through its use in soft drinks because the agency has focused on adult users (assumed to average 60 kilograms in weight). FDA relied upon an intake value of 34 mg/kg/day in assessing the possible risks of aspartame, describing that level as the ". . . highest obtained from any estimate of potential consumption and exceed[ing] the 99th percentile consumption (25 mg/kg) for all age groups . . . " 48 Fed. Reg. at 31377. For a 30 kg child, however, it would not be unusual for that level to be achieved or, in terms of the effect on plasma PHE levels, even exceeded. For example, if a 30 kg child consumed on a warm day after exercise approximately two-thirds of a two-liter bottle of soft drink sweetened solely with aspartame, that child would be consuming approximately 700 mg of aspartame, or approximately 23 mg/kg. This alone roughly equals what FDA considered the 99th percentile consumption level. If during the day this child consumed other aspartame-sweetened products, the exposure level could quickly approximately FDA's so called "loading dose" of 34 mg/kg. 48 Fed. Reg. at 31377. In addition, however, data derived from rats and humans demonstrate that concurrent consumption of a modest amount of carbohydrate (approximately 3 grams per kg, or, for a 30 kg child, perhaps several cookies) approximately doubles the effect of the aspartame on the ratio of plasma PHE to other large neutral amino acids (LNAA) (Wurtman affidavit). Thus, in terms of effect on the PHE/LNAA ratio in the blood, the above-described concurrent consumption of aspartame and a carbohydrate is equivalent to an aspartame dose of as much as 50 to 60 mg/kg.

2. Aspartame has been tested in rats to determine the effect of aspartame and aspartame/carbohydrate combinations on the plasma ratios and brain levels of various amino acids (Wurtman affidavit). In rats fed 200 mg/kg aspartame, the plasma PHE/LNAA ratio increased to 0.185 from 0.110 in the controls, and the brain PHE level increased from 52 n-moles/g in the controls to 110 in the treated animals. When the same amount of aspartame was fed with 3 g/kg glucose, however, the plasma PHE/LNAA ratio increased sharply again to 0.240, while the brain PHE level increased to 143 n-moles/g. In addition, there was a 3.5-fold increase in brain TYR levels.

3. Aspartame and aspartame/carbohydrate combinations have also been tested in humans by Searle and Dr. Wurtman (cite to Searle petition and Wurtman affidavit). An aspartame dose of 34 mg/kg significantly elevated the plasma PHE/LNAA ratio, an effect that is almost doubled by the addition of 30 g of carbohydrate (equivalent to 4 or 5 cookies).

4. It is not posssible to measure in vivo human brain levels of amino acids resulting from consumption of aspartame or subsequent effects on neurotransmitter synthesis. There are sound theoretical reasons, however, for considering the rat to be an appropriate model for assessing possible human effects (Wurtman affidavit). Moreover, there is empirical evidence to support the use of the rat as a model for evaluating possible effects of aspartame on human brain chemistry (Wurtman affidavit).

5. There is scientific evidence suggesting that increases in brain PHE and TYR levels on the order seen in the rat studies can effect synthesis of neurotransmitters, which themselves can effect important physiological functions and potentially behavior. [Wurtman affidavit should catalogue this evidence.] Readily available tests could determine whether aspartame has such neurotransmitter effects in rats or effects the rat's physiological functions or behavior. [Wurtman affidavit should describe tests.]

6. Aspartame has been demonstrated to inhibit the carbohydrate-induced-synthesis of the neurotransmitter serotonin (Wurtman affidavit). Serotonin blunts the sensation of craving carbohydrates and thus is part of the body's feedback system that helps limit consumption of carbohydrate to appropriate levels. Its inhibition by aspartame could lead to the anomalous result of a diet product causing increased consumption of carbohydrates.

EXHIBIT 2

MEMORANDUM

DEPARTMENT OF HEALTH AND HUMAN SERVICES,
May 19, 1981.

To: The Commissioner through the Acting Deputy Commissioner.
From: Acting Associate Commissioner for Health Affairs.
Subject: Aspartame.

Attached is an agenda for Thursday's 3:00 p.m. meeting on aspartame. We plan to present a scientific briefing on the safety issues and, therefore, the staff scientists involved will be present also. I have asked Joe Levitt, Office of General Counsel, as team leader, to coordinate the discussion. We also need to discuss our timetable for issuance of a final decision.

The first and primary agenda item relates to the brain tumor issue. This was the point on which the Public Board of Inquiry concluded that safety had not been shown. A first draft "final decision" or this issue is attached.

As mentioned in our last meeting; the team is not unanimous in its recommendations. The draft disagrees with the Board and concludes that safety has been shown on this issue. Those not in agreement, principally the statisticians, have prepared their views separately (Tabs A, B, and C) so as to give you a balanced picture.[1]

The major issue discussed at the hearing was the background rate for spontaneous brain tumors in the specific strain of rat used by Searle. The team is in the general agreement that the Board adopted too low a figure. This issue is discussed in detail in Section B of the attached draft.

The major issues of disagreement among the team members are as follows:

1. *Power (or Sensitivity) of the Studies:*

Searle has complied with the old Bureau of Foods standard of 40 animals per sex per group, applicable in the early 1970's when the studies were conducted. The current standard is 50 animals, although studies with 40 per group are considered "very useful" (Bureau of Foods testimony) for "cyclic review" purposes. Cyclic review is the process by which the Bureau of Foods re-evaluates substances on the GRAS list, usually based on older studies. The threshold question, then, is whether 40 animals per group are sufficient for the aspartame studies.

Assuming that 40 animals will be deemed sufficient in this case, the team is in agreement that if the data, raise a suspicion of carcinogenicity, additional studies of considerably larger power will be necessary. The disagreement here is whether the data raise that suspicion.

The Board did not need to reach this issue, but at one point noted that one study (E-70) should have included more animals.

2. *Dose Response in Females, Study E-33/34:*

In the major rat study (E-33/34) a statistically significant dose response was found for the females using the Cox (P=.04) and Breslow (P=.02) tests. Both take into account time of death of the test animals, and the Breslow test gives extra weight to early occurring tumors. However, the significance of these findings is heavily dependent on a medulloblastoma found in a high dose female at 12 weeks, which the Bureau and Searle argue was not aspartame related. By deleting the medulloblastoma, the statistical results change dramatically (P=.15 for the Cox test and P=.13 for the Breslow test). The biological scientists agree with Searle and the Bureau that this tumor may not have been caused by aspartame, and, therefore do not consider these findings to be of biological significance. The statisticians disagree. Both positions are detailed in the attached materials.

The Board also discussed dose response in this study, but in a slightly different fashion.

3. *Types of Statistical Analyses Used:*

Searle used certain statistical tests to analyze the data, and the Bureau of Foods different tests. Dr. Dubey has applied additional tests, not employed by either party, which he believes give a more appropriate interpretation of the data (see Tab B). For example, one test called the significant risk analysis is especially important to Dr. Dubey's position. We will, therefore, need to

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[1] As additional background material, enclosed is a summary of the legal and scientific framework for approval of a food additive petition (Tab D), and summaries of the evidence in the Cyclamate and Red No. 2 decisions, for comparison purposes (Tab E). The Board's Decision, the Cyclamate Decision, and a historical chronolgy on aspartame were attached to my previous memorandum dated April 24, 1981.

decide which statistical tests are to be employed. While deviating from the tests used by the parties creates certain legal and policy problems, these are not unresolvable. The Board did not discuss any of these statistical techniques.

4. *Conduct of the Studies:*

The conduct of all three rat studies has been criticized by Dr. Olney. Some of the staff scientists believe the studies were adequately conducted, while others tend to agree with Dr. Olney that one or more of the studies was severely flawed. Again, the different positions are documented.[2]

I anticipate that discussion of these issues will take up most of Thursday's meeting.

The second agenda item is a status report on the other safety issues raised, involving increased levels of phenylalanine and aspartic acid consumption. In general, we anticipate agreeing with the Board that safety has been shown on these issues, although parts of the Board's decision will need to be corrected. Materials on these issues are contained at Tabs G and H.

The final agenda item is the status conference scheduled in federal court on Wednesday, May 27, when the Agency will be called upon to project a date when the final aspartame decision will be made. We will be prepared to discuss this timetable with you at Thursday's meeting.

ALLAN B. DUNCAN
(For Stuart L. Nightingale, M.D.).

AGENDA

I. Brain Tumor Issue:
A. General Overview—Mr. Levitt.
B. Background Spontaneous Rate—Dr. Jackson; Dr. Cameron.
C. Review of Aspartame Studies:
1. Power—Dr. Condon.
2. Dose Response—Study E-33/34—Dr. Condon.
3. Statistical Analyses—Dr. Dubey.
4. Conduct of the Studies—Dr. Dubey.
II. Brain Damage Issues:
A. Phenylalanine—Dr. Gryder.
B. Aspartic Acid-Glutamic Acid—Dr. Rosloff.
III. Timetable for Final Decision.

APPENDICES

TAB A—Comments on Brain Tumor Issue—Dr. Condon..
TAB B—Comments on Brain Tumor Issue—Dr. Dubey.
TAB C—Comments on Brain Tumor Issue—Dr. Park.
TAB D—Legal and Scientific Framework.
TAB E—Cyclamate Evidence; Red No. 2 Evidence.
TAB F—Mr. Turner's Appeal.
TAB G—Brain Damage (Phenylalamine).
TAB H—Focal Brain Lesions (Aspartic Acid).

Mr. METZENBAUM. Mr. President, I now send my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator is reminded that the pending business is the committee amendment which must be disposed of before the amendment of the Senator from Ohio is considered.

Mr. HATCH. Mr. President, if the Senator will withhold, I will get the committee amendment passed, and then we can take up his amendment.

Mr. President, the committee adopted an amendment changing the term of the bill from 3 years to 2. Therefore, I move the committee amendment be adopted.

The PRESIDING OFFICER. If there is no further debate on the committee amendment, the question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. HATCH. Mr. President, I move to reconsider the vote by which the committee amendment was agreed to.

Mr. METZENBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President. I rise in support of S. 484, the Saccharin Study and Labeling Act and urge its passage without further amendment. This bill would extend for an additional period of 2 years the original saccharin moratorium that was enacted in 1978 and later extended.

This extension would prohibit the Secretary of Health and Human Services from restricting the sale or distribution of saccharin solely on the basis of research available to the Secretary on the date of the original enactment of this moratorium. The original moratorium legislation provided for continued research as to any causal relationship between saccharin consumption and human cancer. This bill would maintain this requirement of continued research.

Dr. Frank Young, Commissioner of the Food and Drug Administration, in his testimony last month before the Labor and Human Resources Committee stated that a link between saccharin consumption and human cancer has not yet been proven, despite years of intensive research. The research to date indicates that saccharin, when consumed in high doses, may cause bladder cancer in rats, but not in mice. Since there has never been definitive scientific proof that saccharin causes cancer in humans, further research efforts as outlined by officials of the Food and Drug Administration should continue. In the meantime, the millions of Americans, including diabetics, who rely on saccharin as a sugar substitute should not be deprived of its availability.

The amendment which I understand the Senator from Ohio, Mr. METZENBAUM, will propose would require the manufacturers of diet soft drinks to include on their label how much aspartame each serving contains. Aspartame, or its commercial name "NutraSweet," is a chemical combination of two naturally occurring amino acids found in foods that we eat daily. In 1980, the FDA approved aspartame for certain purposes after subjecting it to years of study. There has never been any evidence that aspartame causes cancer. When it was approved, the Commissioner of the FDA at the time, Dr. Arthur Hayes, noted:

> Few compounds have withstood such detailed testing and repeated, close scrutiny, and the process through which aspartame has gone should provide the public with additional confidence of its safety".

Unfortunately, aspartame cannot be used as a sweetener in cooking because it loses its sweetness when heated. Therefore, it cannot be a complete saccharin substitute.

Currently, the Food and Drug Administration has sufficient statutory authority to require the labeling suggested by my distinguished colleague from Ohio. If the FDA, based on their continued research and expertise, determines that such label requirements are necessary, then Congress should defer to the Agency's judgment. Otherwise, mandating the quantitative labeling of a product which has proven to be safe would be one more unnecessary Federal burden placed on the private sector.

Mr. GRASSLEY. Mr. President, I am a cosponsor of this bill, S. 484, the Saccharin Study and Labeling Act, and I intend to vote for the bill as it was reported from the Committee on Labor and Human Resources of which I am a member.

With respect to the continuation of the moratorium on the ban on saccharin, which this bill provides, it is clear that this moratorium should be continued. As is clear from the testimony the committee received at our hearing on April 2, 1985, the jury is still out on saccharin. No clear verdict emerges from the considerable research effort which has been directed to finding out whether this sweetener does indeed cause cancer in humans when consumed in normal amounts.

Although it is clear that we should satisfy ourselves that there is no health hazard from use of saccharin, we also do not want to rush forward to ban this product on the basis of inconclusive evidence. We have had enough experience with hasty judgments, based on flimsy evidence, about products on which many people depend, both consumers and producers.

It is appropriate, therefore, that we extend this moratorium until the Food and Drug Administration can demonstrate conclusively that this product causes cancer. In any case, the Food and Drug Administration does have the authority to withdraw saccharin from the market at any time if research findings indicate conclusively that it is dangerous to human health.

With respect to aspartame labeling, which is also at issue here today, it seems to me to be premature to require this since the burden of testimony at the April 2 hearing was that

[2] The Board refused to hear evidence on the conduct of the studies. For that reason, Mr. Turner has appealed for a new hearing. That issue is addressed in Tab F.

aspartame is safe at normal consumption levels. Dr. Lewis Stegnick, an expert from the University of Iowa, testified on April 2 that:

> In conclusion, based on our research, I concur with the findings of the FDA and regulatory authorities around the world that aspartame is safe at expected levels of consumption.

Therefore, I will support the bill as it was reported from the committee and will not support the amendment offered here today with respect to aspartame labeling.

Mr. NUNN. Mr. President, today we are considering the continued availability of saccharin, one of the two nonnutritive sweeteners on the market today. Saccharin has undergone more scrutiny and scientific research than any other substance in the food supply. Since 1977, when the FDA proposed to ban saccharin, the Congress intervened on three occasions and provided a moratorium on such action by the FDA.

Saccharin is a sweetener that has been used worldwide for more than 80 years. Recently, many significant new studies have expanded our understanding of the safety issues surrounding saccharin and its appropriate use as a food additive. Last year the largest study ever conducted on saccharin was completed. The expert panel which evaluated the scientific findings along with other current studies concluded that "the present exposure of humans to saccharin through its use as a food additive presents an insignificant cancer risk." It is my understanding that the many studies on human groups consuming large quantities of saccharin, such as diabetics, have never shown a correlation between human cancer and saccharin consumption. The only problems to have ever surfaced occurred when male rats were force fed the equivalent of several hundred cans of diet soda containing saccharin per day.

In addition to considering the absence of a relationship between saccharin consumption and human cancer, we must also consider the tremendous benefit that saccharin affords diabetics and others who for health reasons should not consume sugar. Diabetes is the No. 3 cause of death by disease in the United States and the No. 1 cause of new cases of blindness in adults over 20. People with diabetes are at high risk from heart disease, stroke, kidney failure, and severe nerve damage.

Unlike previous congressional consideration of the saccharin situation, we have a new sweetener on the market now, named aspartame. Consumer acceptance of this product in diet beverages and table top sweetener use has been rapid. Aspartame, however, is not a substitute for saccharin as it cannot be used in cooking, or baking, or in heat processed foods. Also, saccharin is the only approved low-calorie sweetener for many cosmetic and pharmaceutical products.

Americans should have a variety of sweeteners available to them. The Congress needs to extend the moratorium on saccharin and proceed with a comprehensive evaluation of food safety, labeling, and all other scientific aspects of the American food supply. I hope you will join me in voting for this legislation which would extend the moratorium on saccharin.

Mrs. HAWKINS. Mr. President, I am a cosponsor of S. 484, the Saccharin Study and Labeling Act, and I plan to vote for its passage today. I also plan to vote against the amendment offered by the distinguished Senator from Ohio, Senator METZENBAUM, regarding quantitative labeling of aspartame. Since I am a strong supporter of the consumer's right to know about the products they are consuming and an original cosponsor, with Senator METZENBAUM of the Dietary Information Act of 1985, I want to explain my reasoning for voting against this amendment.

Mr. President, I believe that quantitative labeling of products and additives is extremely useful to consumers with certain dietary restrictions. In the case of sodium and fat content, the correct labeling of products may make a major difference in the health of an individual who suffers from high blood pressure or a heart condition. But this quantitative labeling is useful because countless studies and reports have documented the link between sodium and fat intake and certain cardiovascular conditions. Quantitative labeling of aspartame or NutraSweet would not be useful because so far, there has been no medical or scientific studies demonstrating a health risk associated with consumption of aspartame in any quantity. Therefore, what difference will it make to a health conscious consumer whether there is 50 milligrams of NutraSweet or 500 milligrams of NutraSweet in the product?

I realize that some scientists and organizations have expressed concern about the validity of the testing procedures used to gain FDA approval of aspartame. While I do not feel that they have presented enough evidence to justify removing the product from the market pending these tests, I do agree that the concerns that they have raised regarding the long-term effects on the health of children justifies requiring additional tests to be done on this product. The Senate Labor and Human Resources Committee report accompaning S. 484 directs the Food and Drug Administration to carry out further testing of that product. If the additional testing of aspartame indicates a health risk associated with consumption of aspartame in certain quantities, then my views regarding quantitative labeling of aspartame would change. But until medical and scientific evidence indicates such a health risk, then I believe quantitative labeling of aspartame would be of little of no value to the consumer.

Mr. D'AMATO. Mr. President, I rise today on behalf of S. 484, introduced by my good friend, the junior Senator from Utah and the distinguished chairman of the Labor and Human Resources Committee. I commend the Senator from Utah for his introduction of this legislation to extend for 2 years the moratorium on the ban of saccharin.

As we all are aware, Americans have come to rely on low-calorie sweeteners to control their diets. Of the nearly 70 million people who use sugar substitutes, about 50 million depend on saccharin. We should not delay or impede the access of saccharin to these people, a good portion of whom are diabetic.

The main reasons for this extension are simple. There is no evidence that the use of saccharin has an adverse effect on our Nation's health. Saccharin is one of the most tested food substances. Because of its 80 years of use without being linked to cancer, it has passed the all important test of time. Twenty human studies on saccharin support its safety. In fact, the absence of saccharin would be harmful to millions who must avoid sugar to avoid medical problems associated with being diabetic or overweight. Test after test has shown that saccharin does not cause cancer in animals other than rats or at sites other than the bladder. I am not aware of any study which shows an association between saccharin intake and bladder cancer in humans. One study indicated that saccharin caused bladder tumors in rats when applied in 3 percent doses. This would equal 750 cans of diet soda consumed on a daily bases for a human lifetime.

Another important reason to keep saccharin on the market is lack of another complete sugar substitute. Although aspartame is used as the sugar substitute, its use is not as universal as saccharin's. Unlike saccharin, aspartame cannot be used in most cooking or baking because of sweetener loss. A gradual sweetening loss also occurs when aspartame is used in liquids. Although the FDA supports its use, many scientists continue to fear the health effects of aspartame.

Cyclamates, which are being reconsidered to be let back on the market, are not a complete sugar substitute either. Its sweetner intensity is too low, and for many instances would require its use in combination with other substitute sweeteners. Also, its effects are still suspect. Some experts fear that it may cause chromosome breakage and could cause testicle atrophy. Even if the ban on cyclamates was re-

versed, the product could not be available until late this year at the earliest.

The ideal low-calorie sweetener which could meet the growing consumer demand for a greater variety of reduced calorie products does not exist. Neither saccharin, aspartame, nor any other sweetener is perfect on all accounts. The answer for meeting this demand seems to be a multiplicity of sweeteners, each allowed to find its most effective role in the marketplace. The net result of a variety of sweeteners will be better-tasting products that have adequate shelf life, extended safety margins, lower production costs for industry, and more product choices for the consumer.

Because of the use of other sweeteners is limited, it is only reasonable to continue to allow saccharin on the market. Saccharin is the least expensive sugar substitute available. It is important to millions of people dependent on saccharin that its availability not be disrupted.

The public outcry in 1977 when the FDA first decided to ban saccharin should not be forgotten. The use of saccharin was important to the public in 1977 and it continues to be important today.

The current moratorium ended last month. I support the continuation of studies on saccharin, but we must let the millions of Americans who depend on saccharin for their restricted diets know that they will continue to be able to use saccharin until at least May of 1987 or until another all purpose sugar substitute is found. I support passage of S. 484.

Thank you, Mr. President.

AMENDMENT NO. 60

(Purpose: To provide that any soft drink which contains aspartame shall be considered to be misbranded unless the label or labeling of such product states the total number of milligrams of aspartame contained in such serving of such soft drink)

The PRESIDING OFFICER. The clerk will report the amendment of the Senator from Ohio.

The legislative clerk read as follows:

The Senator from Ohio [Mr. METZENBAUM] proposes an amendment numbered 60.

Mr. METZENBAUM. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment reads as follows:

At the end of the bill, add the following:

SEC. 2. (a) Section 403 of the Federal Food, Drug, and Cosmetic Act is amended by adding at the end thereof the following new paragraph:

"(q) If it is a soft drink which contains aspartame, unless its label or labeling states the total number of milligrams of aspartame contained in each serving of such soft drink.".

(b) The provisions of section 403(q) of the Federal Food, Drug, and Cosmetic Act (as amended by subsection (a) of this section) shall take effect no later than eighteen months after the date of enactment of this Act.

Mr. METZENBAUM. Mr. President, I wish to point out to my colleague from Utah, in case he missed it earlier, at one point we talked about there being a 6-month lag period for the soft drink companies to comply. We made that 18 months in the amendment.

Mr. President, I reserve the balance of my time.

Mr. HATCH. Mr. President, I must oppose the amendment by the Senator from Ohio for several reasons. First, this bill addresses saccharin. It is one sentence long and in its present form it is uncontroversial. If it passes the Senate "as is," it will be taken up immediately in the House, where favorable consideration is expected. At least that is what the House leadership has indicated to me. If it is amended to include aspartame labeling, the House leadership has informed us it will be derailed over there.

Now, I heard the distinguished Senator from Ohio and I was interested in his comments on that point. But, be that as it may, I still would have to oppose the amendment.

Second, this issue, which the Senator would have us believe is so simple, is actually complex and uncertain.

As an example, in his "Dear Colleague" addressed to this amendment, the Senator states that labeling is advised, among other reasons, because "a four-year-old weighing 30 pounds would hit that limit (the acceptable daily intake of aspartame) at three cans of diet soda." Yet FDA has furnished us with actual consumption data showing that a 2- to 5-year-old child at the 99th percentile of aspartame consumption ingested scarcely one-third of the acceptable daily intake, for the period July–September of 1984. Now I am not sure what these different statements imply, if indeed both are correct, but I do know that we are not well equipped to resolve them in this bill.

And this is my point: We have set up the Food and Drug Administration, and a careful set of procedures for the examination and resolution of these sorts of issues, for obtaining public comment, for obtaining outside scientific review, for the conduct of surveys and the weighing of implications. The Food and Drug Administration has the authority to require quantitative aspartame labeling right now. But it has never been petitioned to do so.

At FDA is where this issue should be resolved, not in this bill. FDA is the body that can reasonably determine whether there is an actual, as opposed to a speculative, need for quantity data. FDA is the body that can determine what usage patterns are, what the acceptable daily intake is, how it should be disclosed, and so forth. And I note here that the Senator rightly observes, "It will take some time to figure out," how to effectively put the ADI data on the can, if at all. He is not proposing that now, but what good does it do the consumer to know how much is in the can unless he knows what standard to measure it against?

No, we make a real mistake if we preempt FDA's consideration of the issue by adopting this amendment. And FDA has testified it would seriously and promptly address any request for quantitative labeling. That is the process we have set up and we should follow it. The hearing record is absolutely empty of any evidence of a substantiated public health crisis that would compel us to disregard the administrative process.

Finally, I would briefly like to make three other points which we dwell on at more length in the committee report:

First, because 99th percentile usage levels of aspartame remain well below the ADI, consumers do not need to monitor precisely their levels of the sweetner. For those who for one reason or another have a particular interest, such as researchers, content information is freely available from the manufacturers.

Second, the hypothesis that persons in the general population may be subject to a yet unidentified sensitivity to aspartame is so far unsupported by any published scientific data. The Centers for Disease Control studied some 600 consumer complaints in which aspartame was a potential factor, attempting to find some pattern. The conclusion: "We found, in summary, that no scientific constellation of symptoms clearly related to aspartame consumption was clearly identified."

While the committee report directs FDA to see that followup studies are done to try to determine if an unknown sensitivity exists, it remains only an unverified possibility and does not justify an act of Congress at this time.

Third, the hypothesis that aspartame may alter brain chemistry in such a way as to alter mood, cause headaches, et cetera, has been considered by FDA and numerous foreign agencies which have approved aspartame, and has not been confirmed in studies completed to date. Further studies are to begin soon, but the hypothesis is still speculative at this point and does not give us any reason to preempt FDA on the labeling issue.

Finally, let us recognize that this is not a label or no label question. Soft drink cans are currently required to declare in their labeling that they contain aspartame. Thus those who cannot metabolize aspartame's common amino acids, and those who desire not to consume it for whatever

reason, are perfectly able to avoid it completely. This is the labeling step that makes some sense, and we are already doing it.

I am as sympathetic to disclosure of important information to the consumer as anyone.

In fact, I think we will hold hearings on labeling in general, not on a product-by-product basis but in general, later in the year. I think that will please the distinguished Senator from Ohio.

But we could literally wrap a can or box in a long list of unpronounceable ingredients and quantities which would benefit no one.

It is for exactly this reason that FDA should be the forum where the quantity issue is initially judged, openly and with the benefit of continuing scientific input.

I would also like to address three points made by the Senator from Ohio in his remarks.

First, the Common Cause charges of irregularities in the approval of aspartame have been raised again today, as they have in several fora in the past. They have not held up under scrutiny.

The bottom line is this: the studies supporting aspartame's approval have been examined and reexamined. More than enough sound, valid studies exist to demonstrate aspartame's safety. FDA's approval procedure has also been thoroughly reviewed on a number of occasions, and the agency, both in briefings for my office and Senator METZENBAUM'S and publicly, has given good, credible reasons why the decisions were made which are now being portrayed as unusual or improper. This substance has been under review for 10 years, and at our hearings on the bill no one suggested that it be taken off the market.

Further, the acceptable daily intake for a substance is based on an evaluation of studies in animals and when available, in humans as well. In the case of aspartame, both extensive animal testing and human clinical studies were used to calculate the ADI. The ADI is a conservative upper limit on the amount of a substance that can safely be consumed on a chronic or lifetime basis. It is not unusual nor unsafe for a person to consume more than the ADI on occasion.

The ADI for aspartame set by FDA and reevaluated and reaffirmed several times is 50 milligrams per kilogram of body weight. This ADI is based on a broad array of data, including clinical studies in which human volunteers received, with no ill effect, up to 200 mg./kg./day of aspartame, which is equivalent to approximately 5 pounds of sugar per day.

FDA estimated that if aspartame replaced all the sugar and saccharin in the diet, the 99th percentile of projected consumption of aspartame would be 34 mg./kg./day. Aspartame is judged to be safe because this estimate of maximum daily intake, 34 mg./kg./day, is substantially below the acceptable daily intake of 50 mg./kg./day. Indeed, the actual consumption figures themselves are even lower.

Finally, I would like to make a couple of comments concerning this draft National Soft Drink Association document. The Senator continues to make a mountain out of this molehill. The draft was placed in context both in the hearing and in the markup on this bill. Far from being a source of suspicion about either the safety of aspartame or the good faith motives of the association, it is instead a confirmation of both.

The soft drink manufacturers have had experience with having a sweetener in wide use pulled from the market, with all the fear, adverse publicity, and expense such an event generates, the cyclamate case in the late sixties.

It was also clear to them that if aspartame were approved in soft drinks, public demand would quickly lead to its widespread use in the industry.

Thus, from a basic concern for the safety of their customers, and to avoid the expense and mistrust generated by a later FDA mandated withdrawal, the industry had every reason to critically scrutinize this new sweetener and to satisfy itself there were no weaknesses in its record. This it did.

As an important aid in its examination of both the pros and cons of aspartame licensing in soft drinks, the National Soft Drink Association commissioned from an outside law firm a memo focusing on possible objections to licensing. This memo, because of the shortness of time allowed for comment on the licensing, was cast as a formal objection on the part of NSDA.

The association consciously investigated each of the points in the document and satisfied itself that FDA and Searle had good and valid answers to them before supporting the licensing of aspartame.

The NSDA Board of Directors never adopted these positions and the document was never filed. It remained simply an aid to discussion and analysis.

It's no different from memos which any of our staffs might submit to us as an option, options we find without merit and do not act on. Saying this draft document shows NSDA's secret intent is like obtaining a copy of one of these rejected internal Senate staff memos and claiming it represents the Members' real thoughts on the issue.

In conclusion I want to make clear just what we are being asked to do in this amendment. We are asked to require the labeling of the quantity of aspartame present—and only aspartame—because it might cause side effects through some as-yet-unknown and unidentified sensitivity. Let me quote the testimony of Dr. Wurtman, the originator of this suggestion, to demonstrate how speculative it is:

> If aspartame does produce side-effects involving the brain, and if these side-effects result from the sweetner's phenylalanine content, then their production almost certainly requires that large amounts of aspartame—probably several grams—be consumed.

Thus it is claimed that consumers would need to know how much their intake is on a can-by-can basis.

Dr. Wurtman elsewhere in his testimony forthrightly admits that there is "an absence of positive evidence that aspartame produces deleterious effects." Thus what we have here is one "if" stacked on another "if". It reminds me of the old line:

> If we had some ham, we could have some ham and eggs, if we had some eggs.

If we are going to let this kind of compounded speculation stampede us into requiring quantitative aspartame labeling, where will we stop? This type of reasoning would as well justify us in requiring quantitative labeling of every possible ingredient because it might—you never can tell—produce a side effect in someone. I really do not think this approach serves the consumer well or reflects well upon our own deliberative abilities. It may be that FDA, after obtaining and reviewing the data it feels relevant, taking public comments, and weighing the matter under the laws as they exist, would require quantitative labeling of aspartame. Fine and good.

It may very well be that they may not require labeling of aspartame. If they do not, it will be for good and sufficient reasons. Thus far, they have not. But it is FDA that ought to be petitioned on issues like this, not Congress.

For these reasons I must oppose this amendment and ask my colleagues to oppose it as well.

Mr. HATCH. Mr. President, I reserve the remainder of my time.

Mr. MITCHELL. Mr. President, I rise today in opposition to Senator METZENBAUM'S amendment to S. 484. That amendment would require quantitative labeling of aspartame, or NutraSweet, on soft drink containers.

I am not opposed to quantitative labeling in principle. But because this is an extremely complex and controversial issue, I believe it deserves a more complete hearing before the Senate Committee on Labor and Human Resources before it is brought before the full Senate for a vote. I am also concerned that this amendment may jeopardize the passage of the saccharin legislation which is supported by a majority of both Houses of Congress.

Serious questions about the safety of aspartame use remain unanswered. It is generally acknowledged that the FDA's initial testing of aspartame was

inadequate; in 1980 an inhouse Scientific Board of Inquiry at the FDA issued a split decision on the question of aspartame approval.

The Centers for Disease Control [CDC] in Atlanta has been conducting a study of consumer complaints associated with the consumption of aspartame. The CDC concluded that the consumer complaints did not provide enough cause for removing NutraSweet from the market, but they did suggest further studies. I support this recommendation.

There is evidence that the unlimited use of aspartame may be harmful to certain people under specific conditions. For that reason, I urge Senator HATCH to schedule additional hearings in the Senate Labor and Human Resources Committee on the issue of quantitative labeling of NutraSweet for soft drinks. I also encourage the FDA to continue to test this additive to determine whether individuals are likely to experience side effects from NutraSweet.

I look forward to the results of additional examination of this issue by the Congress, the FDA and the Centers for Disease Control.

● Mr. LEVIN. Mr. President, because there is an opportunity for the FDA to administratively require quantitative labeling of aspartame and this amendment will establish an important precedent without adequate purpose, I will vote against the Metzenbaum amendment.

The Food and Drug Administration is the better forum to first consider whether quantitative labeling is necessary after hearings and public comment. Furthermore, unless American consumers know what the "acceptable daily intake [ADI] of aspartame is, quantitative labeling is not widely useful.

While I am voting against the amendment proposed by Senator METZENBAUM for the above-mentioned reasons, I am open to considering some action similar to this in the future, particularly if the administrative process becomes bogged down or if such process shows that action such as this is needed.●

Mr. METZENBAUM. Mr. President, how much time remains?

The PRESIDING OFFICER. Seventeen minutes, 20 seconds remain to the Senator from Ohio.

Mr. METZENBAUM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. METZENBAUM. The Senator from Ohio is not saying, "Do not use aspartame."

I am saying I do not know enough to make that kind of an assertion.

I do know enough to know that serious questions have been raised regarding this product.

Mr. President, I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, I have not discussed this matter with the Senator previously, but I have received a letter recently from a person who is well known to me and whose word is impeccable, as far as I am concerned.

This person told me that she had been dieting and she had been using diet drinks with aspartame in it.

She said she found her memory was going. She seemed to be completely losing her memory. When she would meet people whom she knew intimately, she could not recall what their name was, or even who they were.

She could not recall a good bit of that which was going on about her to the extent that she was afraid she was losing her mind and was going to have to go to a mental institution. In due course, someone suggested that it might be this NutraSweet, so she stopped using it and her memory came back and her mind was restored.

Mr. President, that is a story I know to be completely true. This person enclosed some clippings from the New York Times which reported complaints from other people having similar types of experiences.

So, while I am sure that story might not be typical of the use of this product, it is a true story that I know about.

Mr. METZENBAUM. As a matter of fact, Mr. President, I would like to respond to the distinguished Senator from Louisiana that it is not atypical. As a matter of fact, we have received a number of letters from doctors reporting similar developments. We are aware that there are many other reports that have come into the Food and Drug Administration along the same line.

Nobody has conclusive evidence, but there is no question that there have been hundreds of instances of people who have suffered loss of memory, headaches, dizziness, and other neurological symptoms which they feel are related to aspartame. More studies are necessary. We hope to see that they get done.

But on this amendment, I am saying to the Senator openly that there are enough cases of this kind that it certainly seems to this Senator that we are not doing too much if we just say, "Tell the people at least how much is in the can."

Mr. LONG. Mr. President, if the Senator will yield further.

Mr. METZENBAUM. I certainly do yield.

Mr. LONG. The revelations about smoking and cancer came only after people had been smoking a long time. The Senator from Louisiana gained the impression that a young person starting smoking had no immediate indication of cancer connected with it. It was only when such a person had been smoking about 20 years that he began to come down with lung cancer, heart disease, and various other health problems resulting from smoking. No one can predict what this drug is going to do to people over a period of time.

There it is out on the market and people are consuming it by the tons. We know from reliable testimony of people who have used the product that there are many situations where people have had their health very adversely affected.

As the Senator indicates, only the good Lord knows what this thing is going to show over a period of time. It may well be that we may see many brain tumors and goodness knows what else associated with the product. I believe the Senator is only trying to say that at least we ought to have records to show what these people are consuming.

Mr. METZENBAUM. That is all. Put it on the can. There are a thousand-and-one other things on the can. We give them 18 months to modify the can. I cannot see any reason for opposition to this amendment. If I were coming in here and proposing that they not be permitted to use it, I could understand a battle on that. I am not saying that. I am just saying tell the people how much is in the can. What is so terrible about that and why so much lobbying is taking place against it is beyond my comprehension.

Mr. LONG. Mr. President, I appreciate the Senator's argument. The Senator has an amendment?

Mr. METZENBAUM. I do have an amendment.

Mr. LONG. I shall vote for the Senator's amendment. I think he is right.

Mr. METZENBAUM. Mr. President, I am very grateful to the Senator.

Mr. President, I say to the Senate that the FDA in 1981 placed a limitation of 20 milligrams of aspartame per kilogram of body weight. But the consumption was increasing so fast that the FDA put it up to 50 milligrams.

I do not know the right answer. I cannot give the answer to that. I know this: when they were originally talking about using aspartame, they were not talking about using it in soft drinks; they were talking about using it in other products, not liquid products of that kind. The amount they were talking about using was a small amount. It took many people by surprise when it was learned that they were going to use it in soft drinks and the consumption was significantly increased by including it in soft drinks.

There is no secret about the fact that many people who are on diets find that it is easier to drink a soft drink—it satisfies their appetite—rather than eat food. And they drink

diet drinks. I cannot tell you how many, but I have been in the presence of people who, at one meal, have taken three or four cans of a soft drink, a diet drink, and what else they consume during the day, I do not know.

I say to my colleagues, Mr. President, we do not have anything to lose, the soft drink industry does not have anything to lose. But there is a chance that there is very much to be gained if we adopt this amendment. I sincerely hope that we do so, but my guess is that the lobbyists have done their job and done it well.

Mr. NICKLES. Will the Senator yield for a couple of quick questions?

Mr. METZENBAUM. Absolutely.

Mr. NICKLES. Am I correct in saying that the Senator's amendment basically would require labeling for NutraSweet and aspartame?

Mr. METZENBAUM. That is correct.

Mr. NICKLES. And it would require what, the number of milligrams per can or bottle, whatever?

Mr. METZENBAUM. That is correct, Mr. President. As a matter of fact, it does not require the labeling, because they are already doing the labeling. During my remarks, I indicated that they not only indicate that aspartame is in the product, they indicate who makes the product and they indicate if you want to find out information about it, you can call a number, 1-800 and so on, and find out the facts. We called that number and were unable to find the facts.

Mr. NICKLES. How many milligrams of aspartame are in, say, a 12-ounce can?

Mr. METZENBAUM. About 180 to 200, I am informed by my staff.

Mr. NICKLES. Has there been any concrete evidence whatsoever that this causes health hazards in any way, shape, or form, to humans?

Mr. METZENBAUM. As I tried to indicate in responding to the distinguished Senator from Florida, there is no conclusive evidence that aspartame does indeed produce a health hazard. But I am advised that a Dr. Keith Conners at Childrens Hospital in the District of Columbia has performed studies which indicate that aspartame had indeed affected a child who was under his observation. From the New York Times, I read this to the Senator.

> Dr. Conners is worried about aspartame's effects on certain highly sensitive individuals. He has studied two young children who suffer extreme agitation following doses of aspartame equivalent to the amount found in a six-ounce serving of Kool-Aid sweetened with NutraSweet. One of the children becomes so agitated he has to be restrained, Dr. Conners said. The other, who is sensitive to sugar, becomes even more aggressive when given aspartame, he said.

I also want to point out that of the six FDA scientists who were advising the Commissioner on final approval, three of those scientists believed that aspartame should not be approved.

I have here another article from the Washington Post the staff has just handed me, dated April 24, 1985:

> Other recent scientific evidence suggests a link between the development of nonmalignant skin lesions and the consumption of aspartame. Research also suggests headaches and perhaps even high blood pressure can result from combining aspartame with certain medications.
>
> One study published in the Annals of Internal Medicine described how a 22-year-old woman who drank daily 36 to 44 ounces of an aspartame-sweetened diet drink developed skin lesions on her thighs. Controlled tests over a period of weeks documented that the woman's lesions disappeared and reappeared with the use of aspartame. Two other reports published earlier this year in the American Journal of Psychiatry and the British journal Lancet document behavioral changes among aspartame users.

What I am saying is that I cannot come here and say to my colleagues, "Don't use aspartame." I can say there is enough evidence that I think we ought to have concern about it, and I am positive that there is nothing to be lost and an awful lot to be gained by indicating the amount of aspartame that is contained in a can or bottle.

Mr. NICKLES. I appreciate my good friend from Ohio answering my question.

As a consumer and as a person who drinks some of these diet colas, I heard Senator LONG mention that he had a friend who lost a memory. I think some people have lost their memory after drinking a variety of things. I do not know whether it was diet colas or whatever.

With respect to the Senator's labeling amendment, I am concerned that by saying it has x number of milligrams of aspartame, I do not know that that means anything to hardly anybody. If there is no conclusive proof that 200, 400, 600, or 1,000 milligrams of aspartame per day would do any damage whatsoever, I do not know what good it would do to have that labeling requirement.

I appreciate the Senator's response.

Mr. METZENBAUM. In this instance, an ounce of prevention is worth a pound of cure.

Mr. NICKLES. Mr. President, I have listened very carefully to the Senator from Ohio. The position he is taking in proposing this amendment is somewhat perplexing.

First, as many times as the saccharin bill has come up in the Senate, we have talked in this body about the need for a new artificial sweetener that did not have the health problems that had been projected scientifically with respect to cyclamate and saccharin. The potential of these food additives to cause cancer in laboratory animals is well known and documented. Obviously, it would be of great benefit to those in the population who need alternatives to sugar, such as diabetics who physically cannot tolerate sugar as well as individuals who must restrict their caloric intake and those for whom the threat of dental care suggests an alternative may be in order. For science to have developed such an alternative sweetener would certainly be welcome in this body as well as in the public that we all serve.

Now, after a chance discovery some 18 years ago and a period of testing and regulatory scrutiny that stretches back over the last 17 years, such a sweetener is available. While aspartame does not completely replace saccharin in those uses for which extreme heat over long periods is required, it provides a welcome alternative in many sweetening applications. It would seem to me more appropriate to welcome and encourage this salutory development rather than, as the Senator from Ohio attempts to do, raise questions about aspartame by suggesting a need for labeling on the basis of extremely tenuous or nonexistent evidence. We will not encourage scientists and industry to act responsively in meeting these public needs if we ourselves do not act responsibly.

The second curious aspect of this amendment is that there appears to be a pronounced lack of solid, scientific evidence in the record for the action the Senator wishes the Senate to take. In the recent hearing on the saccharin bill, a single scientist expressed a theory for danger of aspartame, which apparently is a distinctly minority view. The record shows that another scientist testified in disagreement with this theory and in fact cited scientific evidence that would prove the theory incorrect.

Most significant, however, is the fact that both of these scientists agreed that at current levels of consumption, there is no danger to the public from aspartame. The FDA has rejected these and other allegations and has at least twice pronounced aspartame safe and so testified in the hearings.

Despite this lack of evidence in the record, we are asked to require by law the labeling of the amount of aspartame in soft drinks. If the Senate has already thoroughly reviewed the need for labeling and required the marking of foodstuffs in general for the large quantity of actually or potentially troublesome food additives, the amendment might be understandable. However, the Senate should not single out a product in this fashion for a pejorative labeling requirement based only on the assertion of a single scientist's theory that it is dangerous. We are being asked to ignore the evidence of record that aspartame is safe in quantities far above the amounts that will be consumed by the public. We are being asked to ignore the experi-

ence in Canada where aspartame has been authorized as an ingredient in soft drinks for the last 4 years and no problems have arisen with its use by the population there. We are being asked to ignore the fact that the FDA and the similar agencies of 40 other countries and health organizations have approved aspartame after specifically rejecting the theories on which this amendment is based.

There is a third difficulty with this amendment. It is my understanding that the Senator from Utah has indicated in the course of the markup of the bill and thereafter a willingness to conduct hearing on the labeling of foods. Presumably such a hearing would include testimony on a number of food ingredients so that we might have in our deliberations the benefit of a record that places the desirability of labeling aspartame in some reasonable perspective. I further understand that the Senator from Florida, who has a well known interest in labeling legislation, does not feel that this amendment is desirable and is confident that such hearing on the broader concerns of labeling can be held in this Congress. Thus, it is peculiar that the Senator from Ohio feels that we should act in haste now, particularly since the Senator has indicated that he would be willing to toll the effectiveness of his amendment for upwards of 1 year.

Mr. President, the adoption of this amendment will do a disservice to science in my judgment as well as a disservice to a product that has evidenced few if any real problems after 15 years of exacting scrutiny. We will not encourage discipline in either science on our regulatory agencies by legislating on such an incomplete and faulty record.

Mr. METZENBAUM. Mr. President, my time has expired, and I am prepared to vote, if the Senator from Utah is ready to do so.

Mr. HATCH. We are prepared to vote on this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment. On this queston the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Dakota [Mr. ANDREWS] and the Senator from Connecticut [Mr. WEICKER] are necessarily absent.

I also announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Nebraska [Mr. EXON] is absent due to illness.

I further announce that the Senator from Mississippi [Mr. STENNIS] is necessarily absent.

The PRESIDING OFFICER (Mr. GRAMM). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 27, nays 68, as follows:

[Rollcall Vote No. 47 Leg.]

YEAS—27

Burdick	Hart	Melcher
Byrd	Hatfield	Metzenbaum
Chafee	Johnston	Moynihan
Chiles	Kennedy	Pell
Cranston	Kerry	Proxmire
Dodd	Lautenberg	Rockefeller
Eagleton	Long	Sarbanes
Glenn	Mathias	Simon
Harkin	Matsunaga	Specter

NAYS—68

Abdnor	Goldwater	Mitchell
Armstrong	Gore	Murkowski
Baucus	Gorton	Nickles
Bentsen	Gramm	Nunn
Biden	Grassley	Packwood
Bingaman	Hatch	Pressler
Boren	Hawkins	Pryor
Boschwitz	Hecht	Quayle
Bradley	Heflin	Riegle
Bumpers	Heinz	Roth
Cochran	Helms	Rudman
Cohen	Hollings	Sasser
D'Amato	Humphrey	Simpson
Danforth	Inouye	Stafford
DeConcini	Kassebaum	Stevens
Denton	Kasten	Symms
Dixon	Laxalt	Thurmond
Dole	Leahy	Trible
Domenici	Levin	Wallop
Durenberger	Lugar	Warner
Evans	Mattingly	Wilson
Ford	McClure	Zorinsky
Garn	McConnell	

NOT VOTING—5

Andrews	Exon	Weicker
East	Stennis	

So the amendment (No. 60) was rejected.

Mr. HATCH. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KENNEDY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 45 minutes and 16 seconds remaining.

Mr. HATCH. Mr. President, I am prepared to yield back the remainder of my time.

Is there any desire to have a rollcall vote on this?

The PRESIDING OFFICER. The Senator yields back the remainder of his time.

Mr. METZENBAUM. I do not think I have any more time, do I?

The PRESIDING OFFICER. The Senator from Ohio has no more time.

Mr. HATCH. I move the bill.

Mr. METZENBAUM. Mr. President, I ask for the yeas and nays, but before doing so I wish to say that I have indicated to some I was not going to ask for the yeas and nays, and I had indicated previously I was not going to ask for the yeas and nays.

The PRESIDING OFFICER. If the Senator will suspend, will the Senate be in order? Will Members clear the well?

The Senator from Ohio.

Mr. METZENBAUM. Mr. President, I ask for the yeas and nays, but before doing so I wish to explain my position.

I indicated to a number of Members that I was not going to ask for the yeas and nays and Senator HATCH was not going to ask for the yeas and nays. Some Members may have left.

I thereafter learned that a number of Members did indeed want to vote on the proposal as amended.

So on their behalf, I am asking for the yeas and nays.

I then was told by some Members on the majority side that they may want to vote tomorrow on the issue. I believe that there will probably be 100 percent vote in favor.

If that be the inclination of the leadership, the Senator from Ohio has no objection whatsoever.

But I do ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

SEVERAL SENATORS. Vote!

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, as far as we know on this side everyone is still around. It would be my hope we could dispose of this this evening if we could do it.

Mr. BYRD. Yes.

SEVERAL SENATORS. Vote!

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Dakota [Mr. ANDREWS] and the Senator from Connecticut [Mr. WEICKER] are necessarily absent.

I also announce that the Senator from North Carolina [Mr. EAST] is absent due to illness.

Mr. CRANSTON. I announce that the Senator from Mississippi [Mr. STENNIS] is necessarily absent.

I also announce that the Senator from Nebraska [Mr. EXON] is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 94, nays 1, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—94

Abdnor	Gore	Melcher
Armstrong	Gorton	Metzenbaum
Baucus	Gramm	Mitchell
Bentsen	Grassley	Moynihan
Biden	Harkin	Murkowski
Bingaman	Hart	Nickles
Boren	Hatch	Nunn
Boschwitz	Hatfield	Packwood
Bradley	Hawkins	Pell
Bumpers	Hecht	Pressler
Burdick	Heflin	Pryor
Byrd	Heinz	Quayle
Chafee	Helms	Riegle
Chiles	Hollings	Rockefeller
Cochran	Humphrey	Roth
Cohen	Inouye	Rudman
Cranston	Johnston	Sarbanes
D'Amato	Kassebaum	Sasser
Danforth	Kasten	Simon
DeConcini	Kennedy	Simpson
Denton	Kerry	Specter
Dixon	Lautenberg	Stafford
Dodd	Laxalt	Stevens
Dole	Leahy	Symms
Domenici	Levin	Thurmond
Durenberger	Long	Trible
Eagleton	Lugar	Wallop
Evans	Mathias	Warner
Ford	Matsunaga	Wilson
Garn	Mattingly	Zorinsky
Glenn	McClure	
Goldwater	McConnell	

NAYS—1

Proxmire

NOT VOTING—5

Andrews	Exon	Weicker
East	Stennis	

So the bill (S. 484), as amended, was passed as follows:

S. 484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Saccharin Study and Labeling Act (21 U.S.C. 348 nt.) is amended by striking out "During the period beginning on the date of enactment of this Act and ending twenty-four months after the date of enactment of the Saccharin Study and Labeling Act Amendment of 1983" and inserting in lieu thereof "During the period ending May 1, 1987".

Mr. DOLE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. McCLURE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent there now be a period for the transaction of routine morning business not to extend beyond 7 o'clock with statements therein limited to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIRTHDAY GREETINGS TO SENATOR PETE DOMENICI

Mr. DOLE. Mr. President, since the middle of January the Senate Republican leadership has been working doggedly to find a way to reduce the Federal deficit. And for more than a week now, my colleagues and I have spent the better part of our working days either in meetings or on the Senate floor, striving toward the same goal.

So it is a special pleasure for me today to have the opportunity to celebrate the addition of a number, the marking of another year in the life of Senator PETE DOMENICI.

PETE might say that he already has a surplus of years. But for those of us fortunate enough to work closely with him, and for me especially, as someone who has relied on PETE's many talents and skills, his birthday surplus could not be too big.

PETE is one of the most dedicated and hard working Members of the Senate. And I know, more clearly than ever, just how monumental his job as Budget Committee chairman is.

Despite the enormity of his task, however, PETE has always maintained his sense of humor, and his perspective on family and friends.

I thank PETE for all his help and wish him health and happiness in the coming year.

MESSAGES FROM THE HOUSE

At 12:05 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 597. An act to amend subtitle II of title 46, United States Code, "Shipping", making technical and conforming changes, and for other purposes.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 664. An act to amend the Panama Canal Act of 1979 with respect to the payment of interest on the investment of the United States.

At 3:32 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following joint resolutions, each without amendment:

S.J. Res. 53. Joint resolution to authorize and request the President to designate the month of June 1985 as "Youth Suicide Prevention Month";

S.J. Res. 60. Joint resolution to designate the week of May 12, 1985, through May 18, 1985, as "Senior Center Week";

S.J. Res. 64. Joint resolution to designate the week beginning May 5, 1985, as "National Correctional Officers Week";

S.J. Res. 65. Joint resolution designating the month of November 1985 as "National Alzheimer's Disease Month";

S.J. Res. 83. Joint resolution to designate the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week";

S.J. Res. 94. Joint resolution to designate the week beginning May 12, 1985, as "National Digestive Diseases Awareness Week"; and

S.J. Res. 128. Joint resolution to designate May 7, 1985, as "Vietnam Veterans Recognition Day".

ENROLLED BILL AND JOINT RESOLUTION SIGNED

At 5:36 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolution:

S. 597. An act to amend subtitle II of title 46, United States Code, "Shipping", making technical and conforming changes, and for other purposes; and

S.J. Res. 128. Joint resolution to designate May 7, 1985, as "Vietnam Veterans Recognition Day".

The enrolled bill and joint resolution were subsequently signed by the President pro tempore [Mr. THURMOND].

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 664. An act to amend the Panama Canal Act of 1979 with respect to the payment of interest on the investment of the United States; to the Committee on Armed Services.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 7, 1985, she had presented to the President of the United States the following enrolled bill and joint resolution:

S. 597. An act to amend subtitle II of title 46, United States Code, "Shipping", and making technical and conforming changes, and for other purposes; and

S.J. Res. 128. Joint resolution to designate May 7, 1985, as "Vietnam Veterans Recognition Day".

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1065. A communication from the General Counsel of the Department of Defense transmitting, pursuant to law, a request for the authorization of certain construction at Fort Drum, New York; to the Committee on Armed Services.

EC-1066. A communication from the Assistant Secretary of the Army (Installations and Logistics) transmitting, pursuant to law, notice of the conversion of the commissary shelf stocking function at Dugway Proving Ground, Utah to performance by contract; to the Committee on Armed Services.

EC-1067. A communication from the Secretary of Health and Human Services transmitting a draft of proposed legislation to amend the Social Security Act to make certain program and fiscal improvements in the program of aid to families to dependent children; to the Committee on Finance.

EC-1068. A communication from the Assistant Secretary of State (Legislative and

Intergovernmental Affairs) transmitting, pursuant to law, the text of the International Labor Organization recommendation concerning employment policy; to the Committee on Foreign Relations.

EC-1069. A communication from the Acting Secretary of State transmitting, pursuant to law, a report on the situation in El Salvador; to the Committee on Foreign Relations.

EC-1070. A communication from the Inspector General of the Department of Health and Human Services transmitting, pursuant to law, notice of a matching program; to the Committee on Governmental Affairs.

EC-1071. A communication from the Executive Secretary of the National Mediation Board transmitting, pursuant to law, the annual report of the Board under the Government in the Sunshine Act for calendar year 1984; to the Committee on Governmental Affairs.

EC-1072. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice transmitting, pursuant to law, copies of orders granting defector status to certain aliens under section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

EC-1073. A communication from the Secretary of Education transmitting a draft of proposed legislation to amend titles VI and VII of the Education for Economic Security Act in order to clarify certain of their provisions and to improve the operation of the Excellence in Education programs and Magnet School programs they authorize, and for other purposes; to the Committee on Labor and Human Resources.

EC-1074. A communication from the Under Secretary of State (Security Assistance, Science, and Technology) transmitting, pursuant to law, notice of the implementation of the FY 1985 Peacekeeping Operations programs and the necessity for a revision to the allocation of funds allocated for the Caribbean Peacekeeping Force; to the Committee on Appropriations.

EC-1075. A communication from the Executive Associate Director for Budget, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report stating that the appropriation to the Department of Justice for the United States attorneys and marshals for fiscal year 1985 has been reapportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

EC-1076. A communication from the General Counsel of the Department of Defense transmitting a draft of proposed legislation to amend title 10, United States Code, to revise and standardize the provisions of law relating to the distribution, appointment and assignment of flag and general officers of the Army, Navy, Air Force, and Marine Corps; to the Committee on Armed Services.

EC-1077. A communication from the Secretary of Energy transmitting a draft of proposed legislation to provide for distribution to the States of certain amounts resulting from enforcement of the Emergency Petroleum Allocation Act of 1973, and for other purposes; to the Committee on Energy and Natural Resources.

EC-1078. A communication from the Acting General Counsel of the Department of Energy transmitting, pursuant to law, notice of a meeting related to the International Energy Program; to the Committee on Energy and Natural Resources.

EC-1079. A communication from the Acting General Counsel of the Department of the Treasury transmitting a draft of proposed legislation to amend sections 5315 and 5316 of title 5, United States Code, to change the position of Chief Counsel for the Internal Revenue Service, Department of the Treasury, from Level V to Level IV of the Executive Schedule; to the Committee on Finance.

EC-1080. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements, other than treaties, entered into by the United States in the sixty day period prior to May 2, 1985, to the Committee on Foreign Relations.

EC-1081. A communication from the Acting General Counsel of the Treasury transmitting a draft of proposed legislation to raise the maximum annual uniform allowance for uniformed employees of the Federal Law Enforcement Training Center, Department of the Treasury; to the Committee on Governmental Affairs.

EC-1082. A communication from the Acting General Counsel of the Treasury transmitting a draft of proposed legislation to raise the authorized pay level of the Treasury of the United States to Executive Level IV; to the Committee on Governmental Affairs.

EC-1083. A communication from the Attorney General of U.S., transmitting, pursuant to law, notice that the U.S. will not appeal a decision of the U.S. Court of Appeals holding that the felony penalty provisions of the Migratory Bird Treaty Act are unconstitutional; to the Committee on the Judiciary.

EC-1084. A communication from the Secretary of Health and Human Services transmitting a draft of proposed legislation to extend various health service authorities: to the Committee on Labor and Human Resources.

EC-1085. A communication from the Chairman of the Railroad Retirement Board transmitting, pursuant to law, the 16th actuarial valuation of the railroad retirement system; to the Committee on Labor and Human Resources.

EC-1086. A communication from the Director of the Office of Management and Budget transmitting a draft of proposed legislation to increase the dollar threshold for publicizing procurement notices in the Commerce Business Daily; to the Committee on Small Business.

EC-1087. A communication from the Acting Secretary of the Air Force transmitting, pursuant to law, a report indicating that the unit cost of the MX Missile has increased by 50 percent in fiscal year 1985; to the Committee on Armed Services.

EC-1088. A communication from the Chairman of the Federal Home Loan Bank Board transmitting, pursuant to law; the Annual Report of the Depository Institutions Deregulation Committee; to the Committee on Banking, Housing, and Urban Affairs.

EC-1089. A communication from the Secretary of Transportation transmitting, pursuant to law, the annual report on Highway Safety Improvement Programs; to the Committee on Commerce, Science, and Transportation.

EC-1090. A communication from the Secretary of Transportation transmitting, pursuant to law, a report entitled "The Transport of Methanol by Pipeline"; to the Committee on Commerce, Science, and Transportation.

EC-1091. A communication from the Under Secretary of Labor transmitting, pursuant to law, a report on the expenditure and need for Worker Adjustment Assistance Training Funds under the Trade Act; to the Committee on Finance.

EC-1092. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report on the payment of unemployment claims to public school cafeteria employees; to the Committee on Governmental Affairs.

EC-1093. A communication from the Director of the Information Security Oversight Office of GSA transmitting, pursuant to law, the annual report on the Government's information security program for 1984; to the Committee on Governmental Affairs.

EC-1094. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report on HFA Executive Director American Express Charges; to the Committee on Governmental Affairs.

EC-1095. A communication from the Acting Administrator of GSA transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-1096. A communication from the Acting Assistant Attorney General transmitting, pursuant to law, the Department of Justice's 1984 Freedom of Information Act report; to the Committee on the Judiciary.

EC-1097 A communication from the Secretary of the Interstate Commerce Commission transmitting, pursuant to law, notice of the decision to extend the time for acting on the appeal in Newell Recycling Co., Inc. v. Norfolk Southern Corp., et al.; to the Committee on Commerce, Science, and Transportation.

EC-1098. A communication from the Assistant Secretary of State transmitting, pursuant to law, notice of a determination by the President to furnish up to $300,000 worth of military assistance to Haiti; to the Committee on Foreign Relations.

EC-1099. A communication from the Administrator of the Veterans Administration transmitting a draft of proposed legislation to require formal advertising for certain VA contracts if the amount exceeds $25,000; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STAFFORD, from the Committee on Environment and Public Works, with amendments:

S. 709: A bill to amend the Public Buildings Act of 1959 and for other purposes (Rept. No. 99-42).

By Mr. STAFFORD, from the Committee on Environment and Public Works, without amendment:

H.R. 14: A bill to designate the Federal Building and U.S. Courthouse in Ashland, KY, as the "Carl D. Perkins Federal Building and U.S. Courthouse".

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

H.R. 47: A bill to provide for the minting of coins in commemoration of the centennial of the Statue of Liberty.

By Mr. GOLDWATER: from the Committee on Armed Services, without amendment:

S. Res. 156: An original resolution waving section 303(a) of the Congressional Budget

Act of 1974 with respect to the consideration of S. 1029.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HELMS, from the Committee on Agriculture, Nutrition, and Forestry:

Peter C. Myers, of Missouri, to be an Assistant Secretary of Agriculture; and

Robert L. Thompson, of Indiana, to be an Assistant Secretary of Agriculture.

(The above nominations were reported from the Committee on Agriculture, Nutrition, and Forestry with the recommendations that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. GOLDWATER, from the Committee on Armed Services:

Mr. GOLDWATER. Mr. President, from the Committee on Armed Services, I report favorably the attached listings on nominations.

Those identified with a single asterisk (*) are to be placed on the Executive Calendar. Those identified with a double asterisk (**) are to lie on the Secretary's desk for the information of any Senator since these names have already appeared in the CONGRESSIONAL RECORD and to save the expense of printing again.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The nominations ordered to lie on the Secretary's desk appeared in the RECORD of April 29, 1985, at the end of the Senate proceedings.)

ROUTINE MILITARY NOMINATIONS WHICH HAVE BEEN PENDING WITH THE SENATE ARMED SERVICES COMMITTEE THE REQUIRED LENGTH OF TIME AND TO WHICH NO OBJECTIONS HAVE BEEN RAISED—MAY 7, 1985

*1. Lt. Gen. John B. Blount, U.S. Army, (age 56) to be placed on the retired list; and Maj. Gen. Thomas F. Healy, U.S. Army, to be lieutenant general. (Ref. #235)

*2. Lt. Gen. Howard F. Stone, U.S. Army, (age 53) to be placed on the retired list; and Maj. Gen. Howard G. Crowell, Jr., U.S. Army, to be lieutenant general. (Ref. #236)

*3. Col. Frank Torres, Jr., U.S. Army Natinal Guard, to be brigadier general. (Ref. #237)

*4. Lt. Gen. Charles G. Cooper, U.S. Marine Corps, (age 57) to be placed on the retired list. (Ref. #238)

*5. Lt. Gen. William R. Maloney, U.S. Marine Corps, (age 55) to be placed on the retired list. (Ref. #239)

*6. Lt. Gen. Bernard E. Trainor, U.S. Marine Corps, (age 56), to be placed on the retired list. (Ref. #240)

*7. Lt. Gen. George B. Crist, U.S. Marine Corps, to be reassigned. (Ref. #241)

*8. Maj. Gen. Ernest C. Cheatham, Jr., U.S. Marine Corps, to be lieutenant general. (Ref. #245)

*9. Maj. Gen. Thomas R. Morgan, U.S. Marine Corps, to be lieutenant general. (Ref. #246)

*10. Maj. Gen. Joseph J. Went, U.S. Marine Corps, to be lieutenant general. (Ref. #247)

*11. Brig. Gen. Constantine Sangalis, U.S. Marine Corps, to be major general. (Ref. #248)

*12. Col. George R. Omrod, U.S. Marine Corps Reserve, to be brigadier general. (Ref. #249)

**13. In the Air National Guard there are 30 promotions to the grade of lieutenant colonel (list begins with James H. Applegate, Jr.). (Ref. #250)

**14. In the Air Force Reserve there are 51 promotions to the grade of colonel (list begins with John H. Barnhart). (Ref. #251)

*15. Vice Admiral John M. Poindexter, U.S. Navy, to be reassigned. (Ref. #256)

Total 96.

By Mr. PACKWOOD, from the Committee on Finance:

John F. W. Rogers, of New York, to be an Assistant Secretary of the Treasury;

Margaret DeBardeleben Tutwiler, of Alabama, to be an Assistant Secretary of the Treasury; and

Samuel B. Sterrett, of Maryland, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

(The above nominations were reported from the Committee on Finance with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. LUGAR, from the Committee on Foreign Relations:

Vernon A. Walters, of Florida, to be the Representatives of the United States to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary and the Representative of the United States in the Security Council of the United Nations.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Vernon A. Walters.

Post: Permanent Representative to the United Nations.

Nominated: February 8, 1985.

Contributions, amount, date, donee.

1. Self.

National Right to Life Committee, January 26, 1985, $200.

Republican Majority Fund, January 18, 1984, $150.

Helms for Senate, March 12, 1984, $200.

National Right to Life Committee, March 26, 1984, $100.

National Congressional Club, April 19, 1984, $75.

National Right to Life Committee, August 3, 1984, $100.

Helms for Senate, September 10, 1984, $100.

Republican Majority Fund, September 7, 1984, $100.

Helms for Senate, November 19, 1984, $100.

Arlington County Republican Committee, February 14, 1983, $25.

National Right to Life Committee, March 25, 1983, $250.

Republican Majority Fund, June 13, 1983, $100.

Arlington County Republican Committee, August 2, 1983, $100.

Jesse Helms for United States Senate, August 3, 1983, $40.

Helms for Senate, November 2, 1983, $100.

National Right to Life Committee, March 3, 1982, $100.

McNamara for Congress, May 27, 1982, $150.

Reid Moore Congressional Committee, August 29, 1982, $150.

National Right to Life—Political Action Committee, September 27, 1982, $100.

McNamara for Congress, October 1, 1982, $100.

National Right to Life Committee, December 7, 1982, $150.

Total contributions 1981–85, $2310.

2. Spouse: None.

3. Children and spouses names: None.

4. Parents names: None.

5. Grandparents names: None.

6. Brothers and spouses names: Vincent and Sheri Walters: None.

7. Sisters and spouses names: Laureen and Franco Masini: None.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ROTH:

S. 1081. A bill to amend the Social Security Act to make certain program and fiscal improvements in the program of aid to families with dependent children, and for other purposes; to the Committee on Finance.

By Mr. COCHRAN (for himself, Mr. STENNIS, Mr. BUMPERS, and Mr. PRYOR):

S. 1082. A bill granting the consent of Congress to the Arkansas-Mississippi Great River Bridge Construction Compact; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. ZORINSKY, Mr. EXON, and Mr. SASSER):

S. 1083. A bill to provide price and income protection to family farmers through the management of the supply of the 1986 through 1999 crops of certain agricultural commodities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GOLDWATER:

S. 1084. A bill to authorize appropriations of funds for activities of the Corporation for Public Broadcasting, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KASTEN:

S. 1085. A bill to amend the Internal Revenue Code of 1954 and titles 5 and 44 of the United States Code, to provide further incentives for small businesses, and for other purposes; to the Committee on Finance.

By Mr. D'AMATO:

S. 1086. A bill to require disclosure by the Secretary of the Army, acting through the Chief of Engineers, of certain information relating to petroleum products transported on vessels to State taxing agencies requesting such information, and for other purposes; to the Committee on Environment and Public Works.

S. 1087. A bill to amend title 18, United States Code, to prevent evasion of State taxes on gasoline; to the Committee on the Judiciary.

By Mr. QUAYLE (for himself and Mr. TRIBLE):

S. 1088. A bill to require the Secretary of the Treasury to issue a certain percentage of Treasury obligations in the form of obligations indexed for inflation; to the Com-

mittee on Banking, Housing, and Urban Affairs.

By Mr. CHAFEE:

S. 1089. A bill to suspend temporarily the duty of stuffed dolls and toy figures; to the Committee on Finance.

By Mr. HELMS (for himself, Mr. EAST and Mr. DENTON):

S. 1090. A bill to amend section 1464 of title 18, United States Code, relating to broadcasting obscene language, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAFEE:

S. 1091. A bill to amend title X of the Public Health Service Act to provide for contraceptive development and evaluation; to the Committee on Labor and Human Resources.

By Mr. GARN (by request):

S. 1092. A bill to authorize appropriations for the United States Mint for fiscal year 1986 and 1987; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MATHIAS (for himself, Mr. THURMOND, Mr. BIDEN, Mr. DOLE, Mr. DECONCINI, Mr. HEFLIN, Mr. DENTON, and Mr. SPECTER):

S. 1093. A bill to amend the patent law to restore the term of the patent grant in the case of certain products for the time of the regulatory review period preventing the marketing of the product claimed in a patent; to the Committee on the Judiciary.

By Mr. GARN (by request):

S. 1094. A bill to authorize printing of the back side of United States paper money of the denomination of $1 by a method other than the intaglio process; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DOLE (for himself, Mr. ANDREWS, Mr. BOSCHWITZ, Mr. BURDICK, Mr. COCHRAN, Mr. COHEN, Mr. D'AMATO, Mr. EAGLETON, Mr. HEFLIN, Mr. HELMS, Mr. HOLLINGS, Mr. HUMPHREY, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KASTEN, Mr. KENNEDY, Mr. LEAHY, Mr. LUGAR, Mr. MOYNIHAN, Mr. NUNN, Mr. PRYOR, Mr. STAFFORD, Mr. STENNIS, Mr. WILSON, and Mr. ZORINSKY):

S.J. Res. 133. Joint resolution to designate May 25, 1985, as "National Holstein Day"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GOLDWATER, from the Committee on Armed Services:

S. Res. 156. An original resolution waiving section 303(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1029; to the Committee on the Budget.

By Mr. EVANS (for himself, Mr. QUAYLE, and Mr. MATTINGLY):

S. Res. 157. Resolution to establish a temporary select committee to study the Congressional budget process, including proposals for a two-year budget and other aspects of the Congressional budget process; to the Committee on Rules and Administration.

By Mr. HEINZ (for himself, Mr. GLENN, Mr. PACKWOOD, Mr. PRYOR, Mr. CHILES, Mr. GORTON, Mr. BENTSEN, Mr. ROTH, Mr. WALLOP, Mr. METZENBAUM, Mr. DOMENICI, Mr. CRANSTON, Mr. GRASSLEY, Mr. PROXMIRE, Mr. ANDREWS, Mr. DODD, Mr. BRADLEY, Mr. BURDICK, Mr. MELCHER, Mr. SIMON, Mr. DENTON, Mr. JOHNSTON, Mrs. HAWKINS, Mr. PRESSLER, Mr. COCHRAN, Mr. LUGAR, Mr. HARKIN, and Mr. SARBANES):

S. Con. Res. 47. Concurrent resolution observing the 20th anniversary of the enactment of the Older Americans Act of 1965; to the Committee on Labor and Human Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROTH:

S. 1081. A bill to amend the Social Security Act to make certain program and fiscal improvements in the program of aid to families with dependent children, and for other purposes; to the Committee on Finance.

SOCIAL WELFARE AMENDMENTS

● Mr. ROTH. Mr. President, I am pleased to introduce today the administration's proposals to amend the Social Security Act to make several program and fiscal improvements in the Aid to Families with Dependent Children Program. This legislation carries out the AFDC recommendations included in the President's budget for fiscal year 1986.

Since the beginning of my career, I have introduced several bills and consistently supported the concept of assisting AFDC recipients to become self-reliant by involving them in work activities. All Americans want to work, support their families, and be self-sufficient. Welfare recipients feel this need as strongly as anyone, and we here in Congress have a responsibility to help welfare recipients achieve this self-sufficiency.

That is why I am particularly excited about this bill, which includes an innovative approach to assisting AFDC applicants and recipients in obtaining employment. For the first time, all States will be required to establish some type of work activity for AFDC applicants and recipients. Participants will gain a sense of dignity, self-worth and confidence that welfare dependency can never provide. Furthermore, the proposal gives States the flexibility they need to design work programs which meet their local needs and constraints and provide the maximum help to their AFDC population.

Under this innovative alternative to the existing work incentive program, AFDC applicants must look for a job while their applications are pending. If they are unsuccessful in finding a job, they would be required to either continue looking for work or participate in some type of work activity while receiving their AFDC grant.

To support State efforts in this area, the bill would authorize $145 million in Federal funds for fiscal year 1986. Additional money, as necessary, can be provided in future years as States expand their efforts.

I am well aware of the budget deficit problem that we all are wrestling with at this time. This proposal will result in a net savings of $52 million in fiscal year 1986. The bulk of these welfare savings will not be derived from cuts in welfare benefits, but rather result from the success of individuals becoming self-sufficient.

The bill includes three other provisions to target AFDC benefits and improve administration.

Employable parents or caretakers will have their needs excluded from the AFDC assistance unit when the youngest child reaches age 16. This proposal allows assistance to be phased out gradually, when the caretaker is sufficiently free from child care responsibilities in order to pursue employment opportunities.

The bill also requires, with certain exceptions, that minor caretaker relatives live with their parents in order to receive AFDC assistance. The intent of this provision, which complements legislation enacted by Congress last year, is to ensure that parents exert influence over their minor children and that AFDC is not used to provide minors with economic independence.

Finally, the bill would provide fixed amounts to each State for AFDC administrative costs based on their 1984 administrative expenditures, and adjusted by the GNP deflator. Work program related administrative expenditures would be excluded, and a separate amount would be allocated to States for these costs.

I urge support of these proposals by my colleagues.●

By Mr. COCHRAN (for himself, Mr. STENNIS, Mr. BUMPERS, and Mr. PRYOR):

S. 1082. A bill granting the consent of Congress to the Arkansas-Mississippi Great River Bridge Construction Compact; to the Committee on the Judiciary.

CONSENT OF CONGRESS TO THE ARKANSAS-MISSISSIPPI GREAT RIVER BRIDGE CONSTRUCTION COMPACT

● Mr. COCHRAN. Mr. President, today I am introducing, with my colleagues, Mr. STENNIS, Mr. BUMPERS, and Mr. PRYOR, legislation granting the consent of Congress to the States of Mississippi and Arkansas to enter into the Arkansas-Mississippi Great River Bridge Construction Compact.

This compact is an agreement between the States of Mississippi and Arkansas to cooperate in promoting the construction of a highway bridge or a combined highway-railroad bridge connecting the two States between Rosedale, MS, and McGehee and Dumas, AR.

The compact creates a joint interstate authority, the Arkansas-Mississippi Great River Bridge Authority, to oversee the project. Its membership

shall consist of the Governor of the State of Mississippi, a representative of the Mississippi Highway Department, three Mississippi citizens, and the five members of the Arkansas State Highway Commission.

The authority is specifically empowered to conduct feasibility studies and surveys, seek funding from local, Federal, and private sources, formulate and execute plans and policies, and negotiate contracts for the development of the bridge project.

Mr. President, I urge my colleagues to consider this bill favorably.●

By Mr. HARKIN (for himself, Mr. ZORINSKY, Mr. EXON, and Mr. SASSER):

S. 1083. A bill to provide price and income protection to family farmers through the management of the supply of the 1986 through 1999 crops of certain agricultural commodities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

FARM POLICY REFORM ACT

Mr. HARKIN. Mr. President, today I am introducing, along with Senators ZORINSKY, EXON, and SASSER, the Farm Policy Reform Act of 1985, which is a populist farm bill which will increase farm income while reducing the cost of farm programs to the Government.

The central feature of the Farm Policy Reform Act of 1985 is a mandatory Supply Management Commodity Program based on strong conservation measures which is subject to a producer referendum every 4 years.

This bill addresses the real problem in agriculture—declining net farm income—by bringing supply in line with demand. With supply and demand in balance, the marketplace will put profitability back into agriculture. At the same time, this bill provides populist reforms that will restore consistency to the Nation's farm policy while potentially eliminating subsidy payments altogether.

The Farm Policy Reform Act addresses the farm debt crisis by allowing troubled Farmers Home Administration borrowers to restructure their repayment schedules if they can project a positive cash-flow and resume full payments by the fifth year of the program.

The credit provisions of the bill would also reorient FmHA loan programs to family size farms, expand the Limited Resource Loan Program, and revise the appeals process for FmHA.

A new Intermediate Credit Program for commercial exports would be funded by the bill. The bill would also substantially increase U.S. commitment to the Public Law 480—Food for Peace Program, as well as domestic food assistance programs.

The Populist Farm Program embodied in the Farm Policy Reform Act of 1985 will meet farmers' immediate need for fair prices and a decent profit, and in the long run will stem the erosion of both our national resources and our export markets.

I ask unanimous consent that a section-by-section summary of the Farm Policy Reform Act of 1985 and the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1083

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Farm Policy Reform Act of 1985".

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TITLE I—AGRICULTURAL COMMODITY SUPPLY MANAGEMENT

AGRICULTURAL COMMODITY SUPPLY MANAGEMENT

SEC. 101. Effective only for the 1986 through 1999 crops, title V of the Agricultural Act of 1949 (7 U.S.C. 1461 et seq.) is amended to read as follows:

"TITLE V—AGRICULTURAL COMMODITY SUPPLY MANAGEMENT

"DEFINITIONS

"SEC. 501. As used in this title:

"(1) The term 'acreage allotment percentage' means a percentage obtained by dividing $200,000 by the projected annual income of a producer during a calendar year in which a commodity will be harvested, except that such percentage may not exceed 100 per centum.

"(2) The term 'commodity' means wheat, corn, grain sorghums, barley, oats, rye, upland cotton, rice, and soybeans.

"(3) The term 'eligible crop acres' means the number of acres a producer may cultivate for the production of a commodity during a crop year determined under section 506(b)(2).

"(4) The term 'normal crop acres' means the number of acres cultivated for the production of a commodity, or reduced, setaside, or diverted under a program administered by the Secretary, during any of the four preceding crop years.

"(5) The term 'program period' means the—

"(A) 1986 through 1989 crop years;

"(B) 1990 through 1993 crop years;

"(C) 1994 through 1997 crop years; and

"(D) 1998 and 1999 crop years.

"(6) The term 'reserve' means the farmers disaster reserve established under section 510.

"REFERENDUM

"SEC. 502. (a) No later than August 1, 1985 (or as soon as practicable after the date of enactment of the Farm Policy Reform Act of 1985), August 1, 1989, August 1, 1993, and August 1, 1997, in order to determine whether the program established by this title shall be implemented during the succeeding program period, the Secretary shall conduct a referendum among producers who, during a representative period (as determined by the Secretary), have been engaged in the production of a commodity for commercial use.

"(b) If the program established by this title is approved by at least one-half of the eligible producers voting in a referendum, the Secretary shall implement such program during the succeeding program period.

"(c) If such program is not approved by at least one-half of the eligible producers voting in a referendum, during the succeeding program period, in lieu of such program, the Secretary shall provide such loans, purchases, payments, and other assistance to producers of commodities as the Secretary considers appropriate.

"LOAN RATES

"SEC. 503. (a) The Secretary shall make available to producers loans and purchases for each crop of a commodity produced during a program period at such level, not less than the minimum support level for a commodity established under subsection (b), as the Secretary determines taking into consideration the actual cost of production of the commodity throughout the United States.

"(b) The minimum support level for a commodity during a crop year established under this subsection shall equal a specified per centum of the parity price of the commodity as provided in the following table:

"The minimum support level for a commodity during the:	Shall equal the following per centum of the parity price of the commodity:
1986 crop year	70 per centum
1987 crop year	72 per centum
1988 crop year	74 per centum
1989 crop year	76 per centum
1990 crop year	78 per centum
1991 crop year	80 per centum
1992 crop year	82 per centum
1993 crop year	84 per centum
1994 crop year	86 per centum
1995 crop year	88 per centum
1996 through 1999 crop years	90 per centum.

"(c) The term of a loan made under this section shall be thirty-six months.

"NATIONAL MARKETING QUOTAS

"SEC. 504. (a) The Secretary shall proclaim a national marketing quota for each commodity for each marketing year of the 1986 through 1999 crops of commodities. The proclamation shall be made as soon as practicable during each calendar year preceding the year in which the marketing year for the crop begins.

"(b) The amount of the national marketing quota for a commodity for a marketing year shall be an amount of the commodity (less imports) that the Secretary estimates will be utilized during the marketing year to meet (1) domestic demand, (2) export demand, (3) food aid requirements, and (4) carryover requirements.

"(c) The Secretary may revise the national marketing quota first proclaimed for any marketing year for the purpose of determining national acreage allotments under section 505 if the Secretary determines it necessary based on the latest information. The Secretary shall proclaim such revised national production requirement as soon as it is made.

"(d) If the Secretary determines that domestic carryover stocks of a commodity are excessive or an increase in stocks is needed to assure desirable carryover, the Secretary may adjust the national marketing quota by the amount the Secretary determines will accomplish the desired increase or decrease in carryover stocks.

"NATIONAL ACREAGE ALLOTMENTS

"SEC. 505. (a) The Secretary shall proclaim a national acreage allotment for each commodity for each of the 1986 through 1999 crop years.

"(b) The amount of the national acreage allotment for any crop of a commodity shall be the number of acres which the Secretary determines on the basis of the projected national yield and expected underplantings (acreage other than acreage not harvested because of program incentives) of farm acreage allotments will produce an amount of the commodity equal to the national marketing quota for the commodity for the marketing year for such crop.

"FARM ACREAGE ALLOTMENTS

"SEC. 506. (a) The national acreage allotment for a commodity shall be apportioned by the Secretary among farms, through local committees, in accordance with this section.

"(b)(1) To be eligible to receive a farm acreage allotment for a commodity for any crop year, a producer must complete and submit to the Secretary an application which contains—

"(A) the eligible crop acres of the producer, as determined under paragraph (2);

"(B) the projected annual income of the producer during the calendar year in which such commodity will be harvested, as determined under paragraph (3); and

"(C) the number of any bonus acres the producer requests to be awarded under subsection (f) for the production of each commodity during the crop year.

"(2)(A) Except as provided in subparagraphs (B), (C), and (D), the eligible crop acres of a producer shall equal the number of acres a producer requests to cultivate for the production of commodities during a crop year.

"(B) The total number of eligible crop acres of a producer during a crop year may not exceed the product obtained by multiplying—

"(i) the normal crop acres of the producer; by

"(ii) 85 per centum.

"(C) If a producer earns less than 50 per centum of the taxable income of the producer from farming operations, the total number of eligible crop acres of the producer during a crop year shall, after application of subparagraph (B), be reduced by an additional 10 per centum of the total number of acres determined under subparagraph (B).

"(D) For purposes of subparagraph (B)(i), if a producer places acreage in the conservation reserve program established under section 16B of the Soil Conservation and Domestic Allotment Act, such acreage shall be added to the normal crop acres of the producer.

"(3) For purposes of this title, income shall—

"(A) include all farm and nonfarm income from whatever source;

"(B) be determined jointly for married couples; and

"(C) be determined separately for unmarried individuals living on a farm who—

"(i) are related by blood or marriage;

"(ii) are actively involved in the farming operation; and

"(iii) earn more than 50 per centum of their taxable income from farming operations.

"(c) The total farm acreage allotment of a producer for all commodities produced during a crop year under this section shall consist of the sum of—

"(1) the base acreage allotment for each commodity determined under subsection (d);

"(2) any supplemental acreage allotment for each commodity determined under subsection (e); and

"(3) any bonus acres for each commodity awarded under subsection (f).

"(d) The base acreage allotment of a producer for a commodity for a crop year shall equal the number of acres obtained by multiplying—

"(1) eligible crop acres of the producer; by

"(2) acreage allotment percentage of the producer.

"(e)(1) The Secretary shall determine the amount of any national supplemental acreage allotment for each commodity for each of the 1986 through 1999 crop years.

"(2) The amount of the national supplemental acreage allotment for a commodity for each crop year shall equal the difference between—

"(A) the amount of the national acreage allotment for such commodity for the crop year determined under section 505; less

"(B) the sum of the base acreage allotments of all producers for such commodity determined under subsection (d).

"(3) The supplemental acreage allotment of a producer for a commodity produced during a crop year shall equal the number of acres obtained by multiplying—

"(A) the difference between the eligible crop acres of the producer for such commodity and the base acreage allotment of the producer for such commodity; and

"(B) the percentage obtained by dividing—

"(i) the amount of the national supplemental acreage allotment for such commodity determined under paragraph (2); by

"(ii) the total of all supplemental acreage requests for such commodity determined under clause (A).

"(f) If the Secretary determines that the total amount of base and supplemental acreage allotments for a commodity for a crop year determined under subsections (d) and

(e) would not produce an amount of the commodity equal to the national marketing quota for the commodity for the crop year determined under section 505, the Secretary shall award to each producer who requested bonus acres under subsection (b)(1)(C), in equal amounts, bonus acres for the production of such commodity which, in the aggregate and in conjunction with such allotments, would result in the production of an amount of such commodity equal to such national marketing quota.

"(g)(1) Except as provided in paragraph (2), a producer may plant one or more commodities (in the producer's discretion) on acreage permitted to be cultivated under a farm acreage allotment issued under this section for a crop year.

"(2) A producer may not increase the amount of acreage used for the production of a commodity during a crop year by more than 20 per centum over the amount of acreage used for the production of such commodity during the preceding crop year.

"(3) In order to permit the Secretary to issue marketing certificates under section 507, a producer shall inform the Secretary of the number of acres the producer will use for the production of each commodity during each crop year.

"(h) If the normal crop acres of a producer becomes available for any reason, such normal crop acres shall revert to the Secretary and be reapportioned by the Secretary to the next operator of the farm.

"MARKETING CERTIFICATES

"SEC. 507. (a) At the time a producer is assigned a farm acreage allotment under section 506 for any crop year, the Secretary shall issue marketing certificates to such producer for each commodity to be produced during such crop year.

"(b) Except as provided in subsections (c) and (d), a marketing certificate issued to a producer for any commodity for any crop year shall authorize such producer to market, barter, or donate an amount of such commodity determined by multiplying—

"(1) the number of acres the producer informed the Secretary the producer will use for the production of such commodity during such crop year under section 506(g)(3); by

"(2) the higher of—

"(A) the county average yield per acre for such commodity; or

"(B) the farm program yield of the producer for such commodity (as provided in section 508).

"(c) The Secretary may adjust the amount of a commodity which may be marketed, bartered, or donated under a marketing certificate to reflect the amount of such commodity which may be used for feed, human consumption, or other purposes on the farm of the producer.

"(d) If the amount of a commodity produced in a crop year exceeds the amount of the commodity which may be marketed, bartered, or donated under a marketing certificate, the surplus amount of such commodity may be—

"(1) used for feed, human consumption, or other purposes on the farm of the producer;

"(2) stored during the current marketing year and marketed under a marketing certificate issued for the subsequent marketing year;

"(3) donated to the Commodity Credit Corporation in order to be made available to provide famine relief and assistance to other foreign countries under title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.); or

"(4) sold to the Commodity Credit Corporation, at no more than 50 per centum of the loan level for such commodity determined under section 503, in order to be made available to provide such famine relief and assistance.

"(e) A person may not purchase or otherwise acquire an amount of a commodity from a producer in excess of the amount of the commodity which may be marketed, bartered, or donated by such producer under a marketing certificate.

"FARM PROGRAM YIELDS

"SEC. 508. (a)(1) The farm program yield for each crop of a commodity shall be equal to the sum of—

"(A) the average yield established for the farm for the five most recent crop years, excluding the year in which the yield was the highest and the year in which the yield was the lowest, adjusted by the Secretary to provide a fair and equitable yield; and

"(B) the average amount of such commodity received from the farmers disaster reserve established under section 510 during the three crop years used to determine the average yield for the farm under clause (A).

"(2) If no payment yield for such commodity was established for the farm in the five most recent crop years, the Secretary may determine such yield as the Secretary determines fair and reasonable.

"(b) Notwithstanding subsection (a):

"(1) In the determination of yields, the Secretary shall take into account the actual yields demonstrated by the producer to the satisfaction of the Secretary.

"(2) Neither such yields established for a commodity nor the farm program yield established on the basis of such yields shall be reduced under other provisions of this section.

"(c) If the Secretary determines it necessary, the Secretary may establish national, State, or county program payment yields on the basis of—

"(A) historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the base period, or

"(B) if such data are not available, the Secretary's estimate of actual yields for the crop year concerned.

"(d) If national, State, or county program payment yields are established, the total farm program yields shall balance to the national, State or county program payment yields, respectively.

"CONSERVATION OF SET-ASIDE ACREAGE

"SEC. 509. (a) A producer of a commodity shall devote to approved conservation uses all acreage of the producer which the producer is required to set-aside under section 506.

"(b) The Secretary may make such adjustments in the amount of acreage the producer is required to set-aside under section 506 as the Secretary determines necessary to correct for abnormal factors affecting production and to give due consideration to tillable acreage, crop-rotation practices, types of soil, soil and water conservation measures, topography, and such other factors as the Secretary determines appropriate.

"(c)(1) Regulations issued by the Secretary under this section with respect to acreage required to be devoted to conservation uses shall require appropriate measures to protect such acreage against noxious weeds and wind and water erosion.

"(2) The Secretary may permit, subject to such terms and conditions as the Secretary may prescribe, all or any part of such acreage to be devoted to hay and grazing if the Secretary determines that such production is needed to provide an adequate supply of such commodities, is not likely to increase the cost of the price support program, and will not affect farm income adversely.

"(d)(1) Any set-aside acreage may be devoted to wildlife food plots or wildlife habitats in conformity with standards established by the Secretary in consultation with wildlife agencies.

"(2) The Secretary may pay such amount as the Secretary considers appropriate of the cost of practices designed to carry out the purposes of paragraph (1).

"(3) The Secretary may provide for an additional payment on such acreage in an amount determined by the Secretary to be appropriate in relation to the benefit to the general public if the producer agrees to permit, without other compensation, access to all or such portion of the farm, as the Secretary may prescribe, by the general public, for hunting, trapping, fishing, and hiking, subject to applicable State and Federal regulations.

"(e)(1) A producer of a commodity shall execute an agreement with the Secretary which describes the means the producer will use to comply with this section not later than such date as the Secretary may prescribe.

"(2) The Secretary may, by mutual agreement with such producer, terminate or modify any such agreement if the Secretary determines such action necessary because of an emergency created by drought or other disaster or to prevent or alleviate a shortage in the supply of agricultural commodities.

"FARMERS DISASTER RESERVE

"SEC. 510. (a) The Secretary shall establish a farmers disaster reserve for each commodity for the 1986 through 1999 crop years.

"(b)(1) Each producer of a commodity shall contribute to the reserve each crop year a portion of the total amount of each commodity produced in the United States during the crop year.

"(2) The portion of commodities required to be contributed by a producer under paragraph (1) shall be determined by the Secretary on an actuarially sound basis at a level which will enable the Secretary to compensate producers with commodities from the reserve in accordance with this section in the event producers suffer crop losses as the result of natural disasters or other conditions beyond the control of producers.

"(3) To the extent practicable, the Secretary shall store commodities received from a producer under paragraph (1) in warehouses located in the area in which the producer is located.

"(c) The Secretary shall compensate a producer with commodities from the reserve if the Secretary determines that as a result of drought, flood, or other natural disaster, or other condition beyond the control of the producer, the total quantity of a commodity the producer is able to harvest on any farm is less than the quantity determined by multiplying 90 per centum of the quantity of the commodity the producer is authorized to market, barter, or donate under a marketing certificate issued under section 507.

"(d)(1) Except as provided in paragraph (2), the quantity of a commodity a producer is entitled to receive as compensation for a loss sustained during a crop year under subsection (c) shall equal the difference between—

"(A) 90 per centum of the quantity of the commodity the producer is authorized to

market, barter, or donate under a marketing certificate issued under section 507; and

"(B) the actual amount of such commodity produced during such crop year.

"(2) The total value of commodities a producer may receive as compensation for any loss under subsection (c) may not exceed $360,000.

"(e) If the quantity of commodities contained in the reserve is not sufficient to compensate producers with commodities in accordance with this section, the Secretary may use stocks of commodities owned by the Commodity Credit Corporation to maintain the reserve at a level which is sufficient to compensate producers with such commodities in accordance with this section.

"SOIL CONSERVATION

"SEC. 511. (a) Notwithstanding any other provision of law, the Secretary shall require that producers on a farm in any area follow the conservation practices prescribed by the appropriate local soil conservation district for the area.

"(b) In areas in which no soil conservation district exists, the county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) shall determine appropriate conservation practices.

"PENALTIES

"SEC. 512. (a)(1) Except as provided in subsection (b), if a producer fails to comply with any term or condition of the program conducted under this title, the producer shall be ineligible for any farm acreage allotment, loan, purchase, or payment authorized under this title.

"(2) Except as provided in subsection (c), if a producer markets, barters, or donates a commodity without a marketing certificate required under section 507 or markets, barters, or donates an amount of a commodity for commercial use in excess of the amount of the commodity the producer is permitted to market, barter, or donate under such certificate, the Secretary shall—

"(A) assess a fine against such producer in an amount equal to three times the value of the commodities so marketed; or

"(B) increase the number of acres such producer is required to set-aside under section 506 during the suceeding crop year by a number of acres which, if planted, would result in the production of a quantity sufficient to satisfy the fine referred to in clause (A).

"(3) If a person purchases or otherwise acquires an amount of a commodity from a producer in excess of the amount of the commodity which may be marketed, bartered, or donated by such producer under a marketing certificate issued under section 507, the Secretary shall assess a fine against such person in an amount equal to three times the value of the commodities so purchased or acquired.

"(b)(1) If a producer fails to comply fully with the terms and conditions of the program conducted under this section and the Secretary believes the failure should not preclude the making of a farm acreage allotment, or loans, purchases, or payments to the producer, the Secretary may make an allotment or loans, purchases, and payments in such amounts as the Secretary determines to be equitable in relation to the seriousness of the failure of the producer.

"(2) The Secretary may authorize the county and State committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) to waive or modify deadlines and other program requirements in cases in which lateness or failure to meet such other requirements does not affect adversely the operation of the program.

"REGULATIONS

"SEC. 513. The Secretary may issue such regulations as the Secretary determines necessary to carry out this title.

"COMMODITY CREDIT CORPORATION

"SEC. 514. The Secretary shall carry out the program authorized by this title through the Commodity Credit Corporation.

"PAYMENTS

"SEC. 515. (a) The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)) (relating to assignment of payments) shall apply to payments under this title.

"(b) The Secretary shall provide for the sharing of payments made under this title for any farm among the producers on the farm on a fair and equitable basis.".

EXTENSION OF WOOL AND MOHAIR PROGRAM

SEC. 102. Section 703 of the National Wool Act of 1954 (7 U.S.C. 1782) is amended by striking out "1985" each place it appears in subsections (a) and (b) and inserting in lieu thereof "1990".

SUSPENSION OF PERMANENT PROGRAM

SEC. 103. (a)(1) Sections 379d, 379e, 379f, 379g, 379h, 379i, and 379j of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1379d-1379j) (which deal with marketing certificate requirements for processors and exporters) shall not be applicable to wheat processors or exporters during the period June 1, 1986, through May 31, 2000.

(2) Sections 331, 332, 333, 334, 335, 336, 338, 339, 379b, and 379c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1331-1336, 1338, 1339, 1379b, and 1379c) shall not be applicable to the 1986 through 1999 crops of wheat.

(3) The joint resolution entitled "A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended", approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 1986 through 1999.

(4) Section 107 of the Agricultural Act of 1949 (7 U.S.C. 1445a) shall not be applicable to the 1986 through 1999 crops of wheat.

(b) Section 105 of the Agricultural Act of 1949 (7 U.S.C. 1444b) shall not be applicable to the 1986 through 1999 crops of feed grains.

(c)(1) Sections 342, 343, 344, 345, 346, and 377 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1342-1346 and 1377) shall not be applicable to upland cotton of the 1986 through 1999 crops.

(2) Effective only with respect to the period beginning August 1, 1987, and ending July 31, 2000, the tenth sentence of section 407 of the Agricultural Act of 1949 (7 U.S.C. 1427) is amended by striking out all through "110 per centum of the loan rate, and (2)" and inserting in lieu thereof the following: "Notwithstanding any other provision of law, (1) the Commodity Credit Corporation shall sell upland cotton for unrestricted use at the same prices as it sells upland cotton for export, in no event, however, at less than 115 per centum of the loan rate for Strict Low Middling one and one-sixteenth inch upland cotton (micronaire 3.5 through 4.9) adjusted for such current market differentials reflecting grade, quality, location, and other value factors as the Secretary determines appropriate plus reasonable carrying charges, and (2)".

(3) Sections 103(a) and 203 of the Agricultural Act of 1949 (7 U.S.C. 1444(a) and 1446d) shall not be applicable to the 1986 through 1999 crops.

(4) Notwithstanding any other provision of law, the permanent State, county, and farm base acreage allotments for the 1977 crop of upland cotton, adjusted for any underplantings in 1977 and reconstituted as provided in section 379 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1379) shall be the preliminary allotments for the 2000 crop.

TITLE II—AGRICULTURAL CREDIT

GUARANTEED LOANS

SEC. 201. Section 309(h) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929(h)) is amended by inserting before the period at the end thereof the following: ", except that the total amount of loans guaranteed under this title may not exceed 10 per centum of the total amount of loans made or insured under this title".

LIMITED RESOURCE REAL ESTATE LOANS

SEC. 202. (a) Section 310D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1934) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by designating the first and second sentences of subsection (a) as subsections (a) and (b), respectively; and

(3) by amending subsection (a) (as designated by clause (2) of this subsection) to read as follows:

"(a) The Secretary is authorized to make and insure a limited resource loan for any of the purposes referred to in clauses (1) through (5) of section 303(a) to a farmer or rancher in the United States who, as determined by the county committee—

"(1) is a citizen of the United States;

"(2) meets the requirements of clauses (2) through (4) of section 302;

"(3) is unable to repay loans under this subtitle at the interest rates prescribed under section 307(a)(2);

"(4) needs such limited resource loan—

"(A) in the case of a beginning farmer or rancher, to commence farming or ranching operations;

"(B) in the case of a tenant farmer or rancher, to purchase the first farm or ranch property of the farmer or rancher; or

"(C) in the case of an established farmer or rancher, to maintain an adequate minimum standard of living for the area of the farmer or rancher;

"(5) has demonstrated an ability to maintain adequate records of farming and ranching operations or is willing to participate in an approved record keeping training program; and

"(6)(A) does not have family support (including any inheritance benefits and other future interests) which would enable the farmer or rancher to repay loans under this subtitle at the interest rates prescribed under section 307(a)(2);

"(B) does not need such limited resource loan as the result of excessive payments on nonessential farm or household items (including any homes, buildings, and vehicles of the farmer or rancher); and

"(C) does not have total credit needs from all sources in excess of $400,000.".

(b) Section 310D(c) of such Act (as redesignated by subsection (a)(1) of this section) is amended by striking out "the preceding

sentence" and inserting in lieu thereof "subsection (a)".

FARM RECORD KEEPING TRAINING FOR LIMITED RESOURCE BORROWERS

SEC. 203. The first sentence of section 312(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1942(a)) is amended—

(1) by striking out "and" at the end of clause (10); and

(2) by inserting before the period at the end thereof the following new clause: ", and (12) providing training to limited resource borrowers receiving loans under section 310D or 318 in maintaining records of farming and ranching operations".

LIMITATIONS ON TOTAL INDEBTEDNESS FOR OPERATING LOANS

SEC. 204. Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended to read as follows:

"SEC. 313. The Secretary shall make or insure no loan under this subtitle—

"(1) that would cause the total principal indebtedness outstanding at any one time for loans under this subtitle to exceed—

"(A) in the case of a loan other than a loan guaranteed by the Secretary, $200,000, except that no more than 25 per centum of the funds made available to make or insure loans under this subtitle may be used to make or insure loans that would cause the insured indebtedness of a borrower to exceed $100,000;

"(B) in the case of a loan guaranteed by the Secretary, $400,000, except that no more than 25 per centum of the funds made available to guarantee loans under this subtitle may be used to guarantee loans that would cause the combined insured and guaranteed indebtedness of a borrower to exceed $200,000; and

"(C) in the case of a loan made, insured, or guaranteeed, $500,000.

"(2) for the purchasing or leasing of land other than for cash rent, or for carrying on any land leasing or land purchasing program.".

LIMITED RESOURCE OPERATING LOANS

SEC. 205. Subtitle B of the Consolidated Farm and Rural Development Act is amended by inserting after section 317 (7 U.S.C. 1947) the following new section:

"SEC. 318. (a) The Secretary is authorized to make and insure a limited resource loan for any of the purposes referred to in section 312 to a farmer or rancher in the United States who, as determined by the county committee—

"(1) is a citizen of the United States;

"(2) meets the requirements of clauses (2) through (4) of section 311;

"(3) is unable to repay loans under this subtitle at the interest rates prescribed under section 316(a)(1);

"(4) needs such limited resource loan—

"(A) in the case of a beginning farmer or rancher, to commence farming or ranching operations;

"(B) in the case of a tenant farmer or rancher, to purchase the first farm or ranch property of the farmer or rancher; or

"(C) in the case of an established farmer or rancher, to maintain an adequate minimum standard of living for the area of the farmer or rancher;

"(5) has demonstrated an ability to maintain adequate records of farming and ranching operations or is willing to participate in an approved record keeping training program; and

"(6)(A) does not have family support (including any inheritance benefits and other future interests) which would enable the farmer or rancher to repay loans under this subtitle at the interest rates prescribed under section 307(a)(2);

"(B) does not need such limited resource loan as the result of excessive payments on nonessential farm or household items (including any homes, buildings, and vehicles of the farmer or rancher); and

"(C) does not have total credit needs from all sources in excess of $400,000.

"(b) The Secretary is also authorized to make such limited resource loans to any farm cooperative or private domestic corporation or partnership that is controlled by farmers and ranchers and engaged primarily and directly in farming or ranching in the United States if all of its members, stockholders, or partners, as applicable, are citizens of the United States and the entity and all such members, stockholders, or partners meet the requirements of clauses (2) through (6) of subsection (a).".

ELIGIBILITY FOR EMERGENCY LOANS

SEC. 206. (a) The first sentence of section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—

(1) by striking out "established farmers, ranchers, or persons engaged in aquaculture, who are citizens of the United States" in clause (1) and inserting in lieu thereof "farmers, ranchers, or persons engaged in acquaculture, who meet the eligibility requirements prescribed in section 302 or 311(a)"; and

(2) by striking out "are citizens of the United States" in clause (2) and inserting in lieu thereof "meet the eligibility requirements prescribed in section 302 or 311(a)".

(b)(1) Section 321 of such Act is amended—

(A) by striking out subsection (b); and

(B) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(2) Subsection (c) of section 321 of such Act (as redesignated by paragraph (1)(B) of this subsection) is amended to read as follows:

"(c) For purposes of this subtitle, the term 'acquaculture' means the husbandry of acquatic organisms under a controlled or selected environment.".

WRITTEN CREDIT DECLINATIONS FOR EMERGENCY LOANS

SEC. 207. Section 322(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1962(b)) is amended by striking out ": *Provided,*" and all that follows through the period at the end thereof and inserting in lieu thereof a period.

PURPOSE AND EXTENT OF EMERGENCY LOANS

SEC. 208. Section 323 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1963) is amended to read as follows:

"SEC. 323. Loans may be made or insured to farmers, ranchers, or persons engaged in acquaculture under this subtitle only to compensate such farmers, ranchers, or persons for the actual amount of losses in farming, ranching, or acquaculture operations caused by the disaster.".

EMERGENCY LOAN LIMITATIONS AND REPAYMENT

SEC. 209. (a) Subsections (a) and (b) of section 324 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1964 (a) and (b)) are amended to read as follows:

"(a)(1) No loan made or insured under this subtitle may exceed the amount of the actual loss caused by the disaster or $200,000, whichever is less, for each disaster.

"(2) The total principal indebtedness outstanding at any one time for loans made or insured to a borrower under this subtitle may not exceed $400,000.

"(b) The interest rates on loans under this subtitle shall be such rates as are prescribed by the Secretary.".

(b) Section 324 of such Act is amended—

(1) by striking out subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(c) The first sentence of section 324(c) of such Act (as redesignated by subsection (b)(2) of this section) is amended by striking out ": *Provided further,* That for any direct" and all that follows through the period at the end thereof and inserting in lieu thereof a period.

SUBSEQUENT EMERGENCY LOANS

SEC. 210. Section 330 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1971) is repealed.

LOAN MORATORIUM

SEC. 211. (a) Effective only for the 1986 through 1999 crops, section 331A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981a) is amended to read as follows:

"SEC. 331A. (a) For purposes of this section, the term 'circumstances beyond the control of the borrower' includes, but is not limited to—

"(1) a reduction of the income of a borrower occurring after August 4, 1978, as a result of—

"(A) the unemployment, illness, or injury of the borrower;

"(B) the death of a member of the family of the borrower; or

"(C) the occurrence of a natural disaster, crop or livestock disease, insect damage, or adverse conditions in the farm economy (such as high interest rates, declining farm equity, or high cost of production relative to the market price for farm products); and

"(2) the occurrence of unplanned, essential farm and home operating expenses as a result of—

"(A) the illness or injury of the borrower;

"(B) the death of a member of the family of the borrower; or

"(C) the cost of repair, or uninsured loss, of property used to secure a loan made under this title.".

"(b) In addition to any other authority that the Secretary may have to defer principal and forego foreclosure, the Secretary shall, at the request of an eligible borrower described in subsection (c), defer principal and interest (in an amount determined under subsection (d)) on any outstanding loan made, insured, or held by the Secretary under this Act, or under any other law administered by the Farmers Home Administration, and shall forego foreclosure of any such loan, for the period described in subsection (e).

"(c) To be eligible to receive assistance under this section, a borrower of a loan must demonstrate that—

"(1) due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of principal and interest due on such loan without unduly impairing the standard of living of the borrower; and

"(2) the borrower is able to project a positive cash flow in accordance with the loan rate schedule established under section 503(b) of the Agricultural Act of 1949 within the five year period beginning on the date of deferral.

"(d) The Secretary shall defer principal and interest on a loan under this section in an amount which the Secretary determines

will permit the borrower of the loan to maintain an adequate minimum standard of living for the area of the borrower.

"(e) The Secretary shall continue to defer principal and interest, and forego foreclosure, in accordance with subsection (b) on a loan made to a borrower until the date on which a positive cash flow can be projected for the borrower in accordance with the loan rate schedule established under section 503(b) of the Agricultural Act of 1949.

"(f) The Secretary may permit interest that accrues during the deferral period on any loan deferred under this section to bear no interest during or after such period, except that if the security instrument securing such loan is foreclosed such interest as is included in the purchase price at such foreclosure shall become part of the principal and draw interest from the date of foreclosure at the rate prescribed by law.

"(g) If a borrower conveys property to the Secretary in connection with a loan made under this title, the Secretary shall permit the borrower to redeem the rights of the borrower in the property at any time during the five year period beginning on the date of such conveyance.".

(b) To the extent practicable, the Secretary of Agriculture shall implement the amendment made by subsection (a) of this section no later than sixty days after the date of enactment of this Act.

LOAN DEFAULTS

SEC. 212. Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 331B (7 U.S.C. 1981b) the following new section:

"SEC. 331C. (a) If a borrower defaults on a loan made or insured under this title, at least one hundred and twenty days before the commencement of any judicial or regulatory action or proceeding to accelerate indebtedness, foreclose, repossess, or otherwise execute upon such loan, the Secretary shall provide to the borrower of such loan by certified mail a written statement described in subsection (b).

"(b) The statement of default on a loan required under subsection (a) shall include a description of—

"(1) each default on such loan committed by the borrower;

"(2) in the case of a monetary default—

"(A) the delinquent amount of principal and interest due on such loan; and

"(B) the amount the Secretary would accept to make such loan current;

"(3) in the case of a nonmonetary default, actions which the borrower may take to remove such default; and

"(4) in the case of acceleration, a statement of the financial implications of acceleration and the right of the borrower under this section to remove the default and prevent acceleration.

"(c) If a borrower believes an error exists in the statement provided under subsection (a), the borrower may appeal the accuracy of such statement to the Secretary.

"(d) If within one hundred and twenty days of the date of issuance of a statement required by subsection (a) a borrower submits the full amount referred to in subsection (b)(2)(B) to remove any monetary default and performs the actions referred to in subsection (b)(3) to remove any nonmonetary default, the Secretary—

"(1) may not initiate any action or proceeding described in subsection (a) with respect to such default; and

"(2) shall reinstate the status the borrower held before such default occurred.".

COUNTY COMMITTEES

SEC. 213. Subsection (a) of section 332 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1982(a)) is amended to read as follows:

"(a)(1) A county committee is established in each county or area in which activities are carried out under this title.

"(2) A committee shall consist of—

"(A) three members elected by farm operators residing in the county or area;

"(B) one member who represents the financial community in the county or area, appointed by the three elected members of the committee; and

"(C) one elected official in the county or area, appointed by the three elected members of the committee.

"(3) The term of office of a member of a committee shall be five years, except that the terms of office of the first members of a committee shall be for one-, two-, three-, four-, and five-year periods, respectively, as determined by the Secretary.

"(4) Vacancies on a committee shall be filled in the same manner as original appointment to the committee.

"(5) Members of the committee are removable by the Secretary only for cause.".

PROMPT APPROVAL OF LOANS AND LOAN GUARANTEES

SEC. 214. (a) Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 333 (7 U.S.C. 1983) the following new section:

"SEC. 333A. (a)(1) The Secretary shall approve or disapprove the application for a loan or loan guarantee made under this title, and notify the applicant of such action, within forty-five days after the Secretary has received a completed application for such loan or guarantee.

"(2) If an application for a loan or loan guarantee under this title is incomplete, the Secretary shall inform the applicant of the reasons such application is incomplete within five days after the Secretary has received such application.

"(3) If an application for a loan or loan guarantee under this title is disapproved by the Secretary, the Secretary shall state the reasons for the disapproval in the notice required under paragraph (1).

"(b) If an application for an insured loan under this title is approved by the Secretary, the Secretary shall provide the loan proceeds to the applicant within five days (or such longer period as the applicant may approve) after the application for the loan is approved by the Secretary, except that, if the Secretary is unable to provide the loan proceeds to the applicant within such five-day period because sufficient funds are not available to the Secretary for such purpose, the Secretary shall provide the loan proceeds to the applicant as soon as practicable (but in no event five days unless the applicant agrees to a longer period) after sufficient funds for that purpose become available to the Secretary.

"(c) If an application for a loan or loan guarantee under this title is disapproved by the Secretary, but such action is subsequently reversed or revised as the result of an appeal within the Department of Agriculture or to the courts of the United States and the application is returned to the Secretary for further consideration, the Secretary shall act on the application and provide the applicant with notice of the action within five days after return of the application to the Secretary.

"(d) If the Secretary fails to comply with subsection (a), (b), or (c) on an application for a loan or loan guarantee that is approved by the Secretary, the Secretary shall—

"(1) for insured loans, reduce the interest payments due on the loan, or

"(2) for loan guarantees, make payments on behalf of the borrower to cover interest due to the lender on the loan,

in an amount calculated by multiplying the outstanding principal of the loan by that part of the annual rate of interest being charged for the loan that bears the same proportion to the full annual rate of interest as the period during which the Secretary was not in compliance with such subsection bears to a full year.

"(e) Upon receipt of an application for a loan or loan guarantee under this title, the Secretary shall inform the applicant of the requirements of this section.".

(b) The amendment made by subsection (a) shall be effective with respect to applications for loans or loan guarantees under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) received by the Secretary of Agriculture after the date of enactment of this Act.

FARM PROGRAM APPEALS

SEC. 215. Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 333A (as added by section 214(a) of this Act) the following new section:

"SEC. 333B. (a) The Secretary shall provide an applicant for or borrower of a loan or loan guarantee under this title who has been directly and adversely affected by a decision of the Secretary taken under this Act (hereinafter in the section referred to as the 'appellant') with the right to written notice, an opportunity for an informal meeting, and an opportunity for a hearing on the record, with respect to such decision, in accordance with regulations promulgated by the Secretary consistent with this section.

"(b) Within ten days of such adverse decision, the Secretary shall provide the appellant with written notice of the decision, the opportunity for an informal meeting and formal hearing, and the procedure to appeal such decision (including any deadlines for filing appeals).

"(c)(1) An appellant shall have the right to—

"(A) access to the personal file of the appellant maintained by the Secretary, including a reasonable opportunity to inspect and reproduce the file at an office of the Farmers Home Administration located in the area of the appellant; and

"(B) representation by an attorney or nonattorney at an inspection and reproduction of files under clause (A), an informal meeting under subsection (d), and a formal hearing under subsection (e).

"(2) The Secretary may charge an appellant for any reasonable costs incurred in reproducing files under paragraph (1)(A).

"(d)(1) In order to provide an opportunity for parties to reconsider and resolve differences over decisions referred to in subsection (a) and to minimize the need for formal appeals of such decisions, the Secretary shall establish procedures for informal meetings between appellants and officials of the Farmers Home Administration to discuss such decisions.

"(2) In establishing procedures for an informal meeting between an appellant and official concerning a decision of the Secretary, the Secretary shall—

"(A) require the appellant and official to conduct an informal meeting, or to waive

such meeting in accordance with clause (E), before a formal hearing may be conducted under subsection (e) on such decision;

"(B) preserve the rights of the appellant to further review under this section;

"(C) require completion of the informal meeting process (including notice of any reconsidered decision required under clause (F)) within thirty days after notice of the original adverse decision provided to the appellant under subsection (b);

"(D) provide for the direct involvement in the informal meeting of the official who originally made the decision and, if such official is a county supervisor of an office, the district director of the office;

"(E) permit a waiver of the informal meeting if the appellant and official agree that such process would likely not avoid a formal appeal under subsection (e); and

"(F) require the Secretary to provide the appellant with written notice of any reconsidered decision of the Secretary reached after such informal meeting or waiver and, in the case of an adverse reconsidered decision, the reasons therefor.

"(3) If an appellant and official agree to waive an informal meeting under paragraph (2)(E) with respect to a decision of the Secretary, the Secretary shall notify the appellant of the right of the appellant to a formal hearing on the decision under subsection (e).

"(4) For the purpose of an appeal, a reconsidered decision reached by the Secretary under paragraph (2)(E) shall become the record of the Secretary with respect to the original decision made by the Secretary.

"(e)(1) If an informal meeting is conducted or waived under subsection (d) with respect to the decision of the Secretary under this title and the reconsidered decision reached under subsection (d)(2)(E) remains adverse to the appellant, the appellant may request a hearing on such reconsidered decision before an administrative law judge appointed under section 3105 of title 5, United States Code, by filing a complaint with the Secretary within twenty days of notice of such reconsidered decision.

"(2) The Secretary may submit an answer to a complaint filed under paragraph (1).

"(3)(A) A hearing under this subsection shall take place within thirty days of the filing of the complaint of the appellant.

"(B) Such hearing shall be held at a Farmers Home Administration office located in—

"(i) the State in which the appellant resides or in which the farmland of the appellant is located; or

"(ii) an adjacent State if the office in the adjacent State is no more than five hundred miles from the location at which the appellant resides or the farmland of the appellant is located.

"(C) Evidence at such hearing may include the complaint of the appellant, the answer of the Secretary, the notice of any reconsidered decision, and any testimony by any official of the Farmers Home Administration, the appellant, and any relevant expert, except that affidavits by such official, appellant, and expert may be substituted for direct testimony when agreed to by the parties or allowed by the administrative law judge.

"(D) Such hearing shall be tape recorded and a transcript of such hearing shall be made available at cost upon the request of any party to the proceeding.

"(4)(A) The administrative law judge shall decide all questions of fact and law in a proceeding brought under this subsection and shall uphold, reverse, or modify the reconsidered decision of the Secretary.

"(B) The decision of the administrative law judge shall be final unless appealed pursuant to subsection (f).

"(5) Within ten days of the hearing, both parties to the proceeding shall be provided with a copy of the decision of the administrative law judge setting forth all findings of fact and reasons for the decision.

"(6) The Secretary shall report and make available to the public—

"(A) a decision of an administrative law judge reached under this subsection; and

"(B) a description of any subsequent action taken by the Secretary pursuant to subsection (f).

"(f)(1) If a party is aggrieved by the decision of an administrative law judge under subsection (e), such aggrieved party may request a review of the decision within ten days of the issuance of such decision.

"(2) Upon such request, the Secretary shall review the decision of the administrative law judge and make a determination on the record to modify, uphold, or reverse such decision.

"(3) The Secretary shall make such review and determination within twenty days of the request for review.

"(4) Such determination shall be the final administrative determination subject to judicial review.".

DISPOSITION AND LEASING OF FARMLAND

SEC. 216. (a) Section 335 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985) is amended—

(1) by inserting ", other than farmland," after "title" each place it appears in subsection (b) and the first sentence of subsection (c); and

(2) by adding at the end thereof the following new subsection:

"(e)(1) The Secretary shall to the extent practicable dispose or lease farmland administered under this title in the following order of priority:

"(A) Disposal of such farmland to limited resource borrowers who meet the eligibility criteria prescribed in section 310D(a).

"(B) Lease with an option to buy such farmland to such limited resource borrowers.

"(C) Disposal of such farmland to regular borrowers who meet the eligibility criteria prescribed in section 302.

"(D) Lease of such farmland to such limited resource borrowers.

"(E) Lease of such farmland to such regular borrowers.

"(F) Disposal of such farmland to owners or operators of family farms who do not meet the eligibility criteria prescribed in section 302.

"(2)(A) In carrying out paragraph (1)(A), the Secretary shall sell farmland to a qualified limited resource borrower at a price which reflects the average expected income of the borrower from the farmland.

"(B) If two or more qualified limited resource borrowers desire to purchase such farmland, the county committee shall by record vote select the borrower who may obtain such farmland.

"(C) For each of the fiscal years 1985, 1986, and 1987, in addition to any funds required to be expended under section 346(c)(1), not less than 20 per centum of the funds provided to carry out subtitle (A) shall be used to dispose of such farmland to qualified limited resource borrowers in accordance with this subsection.

"(3) In carrying out paragraph (1)(B), the Secretary may not charge an interest rate on a lease or option provided under such paragraph which exceeds the interest rate charged on a similiar loan made or insured to a limited resource borrower under this title.

"(4)(A) In carrying out paragraph (1)(C), the Secretary may not dispose of farmland to a regular borrower who meets the eligibility criteria requirements prescribed in section 302 unless the Secretary—

"(i) has leased such farmland to a limited resource borrower under paragraph (1)(B) for a period of at least five years and is not able to dispose of such farmland to a qualified limited resource borrower under paragraph (1)(A);

"(ii) has provided a lease with an option to buy such farmland to a limited resource borrower under paragraph (1)(B) and the borrower has declined to exercise such option; or

"(iii) is unable to otherwise dispose or lease such property to a qualified limited resource borrower.

"(B) If a borrower cannot obtain sufficient credit elsewhere to finance the purchase of farmland under subparagraph (A), the Secretary shall make or insure a loan to the borrower to finance such purchase.

"(C) The interest rate on a loan made or insured under subparagraph (B) may not exceed the interest rate charged on a similiar loan made or insured under this title, plus 1 per centum per annum.

"(5) In selecting tenants for leases of farmland under paragraph (1), the Secretary shall give special consideration to any previous owner or operator of such farmland who meets the eligibility criteria prescribed in section 302.

"(6) If the Secretary determines that a tract of farmland administered under this title is not suitable for disposition or lease to eligible farm borrowers under subtitle A or B because such tract is larger than is necessary for family farm operations, the Secretary shall subdivide such tract into tracts suitable for family farm operations and dispose or lease such subdivided tracts in accordance with this subsection.

"(7)(A) If a borrower defaults on a loan made or insured under this title and secured with farmland and conveys the farmland to a purchaser who the county committee determines does not meet the eligibility requirements for a loan under this title, such purchaser may not assume any of the terms and conditions of the original loan.

"(B) If a borrower defaults on a loan made or insured under this title and secured with farmland and conveys the farmland to a purchaser who the county committee determines meets the eligibility requirements for a loan under this title, such purchaser may assume any of the terms and conditions of the original loan.

"(C) The Secretary shall take all reasonable steps to assure that borrowers who meet the eligibility requirements for a loan under this title are given the maximum opportunity to purchase farmland described in subparagraph (B), including the refinancing of the original loan.

"(8) The Secretary shall—

"(A) conduct an ongoing search to identify limited resource borrowers and other borrowers who are eligible for the disposition of farmland administered under this title; and

"(B) sell or otherwise transfer such farmland to such borrowers as expeditiously as possible.

"(9) The Secretary shall—

"(A) publicize the availability of suitable farmland available under this title in local newspapers widely circulated in the county in which such farmland is located and in a prominent location at the local office of the Farmers Home Administration which serves such county; and

"(B) notify qualified limited resource borrowers and other borrowers under this title who might be interested in purchasing such farmland of the availability of such farmland.".

(b) The Secretary of Agriculture shall adopt—

(1) interim regulations to implement the amendment made by subsection (a) of this section no later than sixty days after the date of enactment of this Act; and

(2) final regulations to implement such amendment as soon as practicable thereafter.

RELEASE OF NORMAL INCOME SECURITY

SEC. 217. Section 335 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985) (as amended by section 216(a)(2) of this Act) is amended by adding at the end thereof the following new subsection:

"(f)(1) As used in this subsection:

"(A) The term 'normal income security' has the same meaning given such term in section 1962.17(b) of title 7, Code of Federal Regulations (as of January 1, 1984).

"(B) The term 'poverty line' has the same meaning given such term in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

"(2) The Secretary shall release from normal income security provided for a loan made or insured under this title amounts sufficient—

"(A) to assure that the income of the household of the borrower of such loan exceeds the poverty line by at least 50 per centum; and

"(B) to permit such borrower to pay necessary farm operating expenses incurred in the production, harvesting, or marketing of crops, livestock, poultry, or products, as determined by the Secretary.

"(3) To assist in the determination of necessary farm operating expenses under paragraph (2)(B), the Secretary shall publish a schedule of necessary annual production costs for each State or region.".

LOAN SUMMARY STATEMENTS

SEC. 218. Section 337 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1987) is amended—

(1) by inserting "(a)" after the section designation; and

(2) by adding at the end thereof the following new subsection:

"(b)(1) As used in this subsection, the term 'summary period' means—

"(A) the period beginning on the date of enactment of the Farm Policy Reform Act of 1985 and ending on the date on which the first loan summary statement is issued after such date of enactment; or

"(B) the period beginning on the date of issuance of the preceding loan summary statement and ending on the date of issuance of the current loan summary statement.

"(2) The Secretary shall issue at least annually to each borrower of a loan made or insured under this title a loan summary statement which describes the status during the summary period of each such loan made or insured under this title to such borrower, including a description of—

"(A) the outstanding amount of principal due on each such loan at the beginning of the summary period;

"(B) the interest rate charged on each such loan;

"(C) the amount of payments made on each such loan during the summary period;

"(D) the amount of principal and interest due on each such loan at the end of the summary period;

"(E) the allocation of the total amount of payments made on all such loans by the Secretary between each such loan and between principal and interest due on such loans, including a description of the system used by the Secretary to make such allocation;

"(F) the total outstanding amount of principal and interest due on all such loans at the end of the summary period;

"(G) any delinquency in the repayment of any such loan;

"(H) a schedule of the amount and date of payments due on each such loan; and

"(I) the procedure the borrower may use to obtain more information concerning the status of such loans.".

FAMILY FARM DEFINITION

SEC. 219. Section 343 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991) is amended—

(1) by striking out "and" at the end of clause (5); and

(2) by inserting before the period at the end thereof the following new clause: ", and (7) the term 'family farm' means a farm or ranch which is owned or operated by individuals (or in the case of cooperatives, corporations, and partnerships, by a majority of members, stockholders, or partners) who as determined by the county committee (A) manage such farm, (B) provide the majority of labor on such farm or ranch, and (C) meet such other criteria as are prescribed by the Secretary".

AUTHORIZATION OF LIMITED RESOURCE LOAN AMOUNTS

SEC. 220. (a) Section 346 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994) is amended—

(1) by striking out subsections (b) and (d); and

(2) by redesignating subsections (c) and (e) and subsections (b) and (c), respectively.

(b) Section 346(c)(1) of such Act (as redesignated by subsection (a)(2) of this section) is amended—

(1) by striking out "20" each place it appears and inserting in lieu thereof "25"; and

(2) by striking out "fiscal year 1984" and inserting in lieu thereof "each fiscal year".

FARM AND HOME PLAN STUDY

SEC. 221. (a) The Secretary of Agriculture shall conduct a study of the appropriateness of the Farm and Home Plan (Form FmHA 431-2) used by the Farmers Home Administration in connection with loans made or insured under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.).

(b) In carrying out such study, if the Secretary finds the plan to be inappropriate, the Secretary shall—

(1) evaluate other available alternative farm plan forms for use in connection with such loans;

(2) evaluate the need to develop a new farm plan form for such use; and

(3) examine the steps which should be taken to improve or replace the current form.

(c) No later than one hundred and twenty days after the date of enactment of this Act, the Secretary shall report the results of the study required under this section to the Committee on Agriculture of the House of Representatives and the Committee on Agriculure, Nutrition, and Forestry of the Senate.

TITLE III—AGRICULTURAL EXPORTS AND IMPORTS

SUBTITLE A—AGRICULTURAL EXPORTS

SALES TO DEVELOPING COUNTRIES FOR FOREIGN CURRENCIES

SEC. 301. (a) Section 101 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701) is amended to read as follows:

"SEC. 101. In order to carry out the policies and accomplish the objectives set forth in section 2 of this Act, the President is authorized to negotiate and carry out agreements with friendly countries to provide for the sale of agricultural commodities—

"(1) for dollars on credit terms;

"(2) in the case of developing countries with a per capita gross national product of $500 or less, for foreign currencies on credit terms at an annual level which, to the extent practicable, is at least the higher of—

"(A) the level of such sales for foreign currencies provided during fiscal year 1985; or

"(B) 500,000 metric tons; or

"(3) in the case of other countries, to the extent that sales for dollars under the terms applicable to such sales are not possible, for foreign currencies on credit terms and on terms which permit conversion to dollars at the exchange rate applicable to the sales agreement.".

(b) Section 103 of such Act (7 U.S.C. 1703) is amended—

(1) by striking out "in dollars or in the types or kinds of currencies which can be converted into dollars" in subsection (k);

(2) by striking out subsection (m);

(3) by redesignating subsections (n) through (q) as subsections (m) through (p) respectively; and

(4) by inserting "pursuant to paragraph (3) of section 101" after "agreement" in subsection (o) (as redesignated by clause (3) of this subsection).

(c) Section 104 of such Act (7 U.S.C. 1704) is amended by inserting "or entered into pursuant to paragraph (2) of section 101," after "January 1, 1972," in the matter preceding subsection (a).

(d) Section 106(a)(2) of such Act (7 U.S.C. 1706(a)(2)) is amended by striking out "and on terms which permit conversion to dollars" and inserting in lieu thereof "pursuant to paragraph (2) or (3) of section 101".

USE OF FOREIGN CURRENCY RECEIPTS FOR DEVELOPMENT ASSISTANCE PROGRAMS

SEC. 302. Section 104(h) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(h)) is amended by striking out ", at the request of such country," and inserting in lieu thereof "development assistance programs under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2251 et seq.), including".

USE OF PRIVATE TRADE ENTITIES TO EXPAND PRIVATE ECONOMIC ENTERPRISE

SEC. 303. (a) Section 104 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704) is amended—

(1) by striking out "and" at the end of subsection (j);

(2) by inserting "and" after the semicolon at the end of subsection (k); and

(3) by adding at the end thereof the following new subsection:

"(l) For grants to private trade entities for use in the development and execution of projects which will result in the establishment of facilities designed to improve the

storage or marketing of agricultural commodities or which will otherwise stimulate and expand private economic enterprise in a friendly country;".

(b) Section 103(b) of such Act (7 U.S.C. 1703(b)) is amended by striking out "and (h)" and inserting in lieu thereof "(h), and (l)".

INTERMEDIATE CREDIT

SEC. 304. (a) Section 4(b) of the Food for Peace Act of 1966 (7 U.S.C. 1707a(b)) is amended—

(1) by adding at the end of paragraph (1) the following new sentence: "In addition, the Corporation may guarantee credits made to finance such sales.";

(2) by inserting ", and no credit may be guaranteed," after "financed" in paragraph (2);

(3) in paragraph (3)—

(A) by striking out "and" at the end of subparagraph (C);

(B) by striking out the period at the end of such paragraph and inserting in lieu thereof "; and"; and

(C) by adding at the end thereof the following new subparagraph:

"(E) otherwise to promote the export sales of agricultural commodities.";

(4) by striking out paragraphs (5), (6), and (7); and

(5) by redesignating paragraphs (8) and (9) as paragraphs (5) and (6), respectively.

(b) To the extent practicable, the Secretary shall carry out section 4(b) of such Act using not less than $500,000,000 for each of the fiscal years 1985 through 1988.

MINIMUM QUANTITY OF AGRICULTURAL COMMODITIES DISTRIBUTED FOR FAMINE RELIEF

SEC. 305. Section 201(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721(b)) is amended by striking out clauses (1) through (3) and inserting in lieu thereof the following new clauses:

"(1) for fiscal year 1985 shall be 2,000,000 metric tons, of which not less than 1,400,000 metric tons shall be distributed through nonprofit voluntary agencies, cooperatives, and the World Food Program;

"(2) for fiscal year 1986 shall be 2,250,000 metric tons, of which not less than 1,575,000 metric tons shall be distributed through nonprofit voluntary agencies, cooperatives, and the World Food Program;

"(3) for fiscal year 1987 shall be 2,500,000 metric tons, of which not less than 1,750,000 metric tons shall be distributed through nonprofit voluntary agencies, cooperatives, and the World Food Programs;

"(4) for fiscal year 1988 shall be 2,750,000 metric tons, or which not less than 1,925,000 metric tons shall be distributed through nonprofit voluntary agencies, cooperatives, and the World Food Program;

"(5) for fiscal year 1989 shall be 3,000,000 metric tons, of which not less than 2,100,000 metric tons shall be distributed through nonprofit voluntary agencies, cooperatives, and the World Food Program; and

"(6) for fiscal year 1990 and each fiscal year thereafter shall be 3,250,000 metric tons, of which not less than 2,275,000 metric tons shall be distributed through nonprofit voluntary agencies, cooperatives, and the World Food Program;".

(b) Section 201 of such Act is amended by adding at the end thereof the following new subsection:

"(c) No less than 60 percent of the minimum tonnage required under subsection (b) shall be in the form of processed and fortified foods.".

MULTIYEAR AGREEMENTS WITH NONPROFIT VOLUNTARY AGENCIES AND COOPERATIVES

SEC. 306. Section 202 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1722) is amended by adding at the end thereof the following new subsection:

"(c)(1) Except as provided in paragraph (2) and subject to the availability of appropriated funds and agricultural commodities, the President shall, to the extent practicable, enter into multiyear agreements with nonprofit voluntary agencies, cooperatives, and international organizations to make agricultural commodities available for distribution on a nonemergency basis under this section.

"(2) Paragraph (1) shall not apply to an agreement which the President determines should be limited to a single year because the agreement involves a new program of assistance.

"(3) In carrying out a multiyear agreement entered into under this subsection, a nonprofit voluntary agency, cooperative, and international organization shall not be required to obtain periodic approval from the United States Government in order to continue to conduct an assistance program under such agreement.".

DISASTER RESERVE

SEC. 307. Section 202 of the Agricultural Trade Development and Assistance Act of 1954 (as amended by section 306 of this Act) is amended by adding at the end thereof the following new subsection:

"(d) A nonprofit voluntary agency which enters into an agreement under this title shall maintain an operating reserve of at least 15 percent in order to provide assistance to areas which suffer from chronic drought or other natural disasters.".

PROCESSED PRODUCT AND FORTIFIED GRAIN RESERVE

SEC. 308. Section 202 of the Agricultural Trade Development and Assistance Act of 1954 (as amended by section 307 of this Act) is amended by adding at the end thereof the following new subsection:

"(e) The Secretary of Agriculture shall maintain a reserve containing processed products and fortified grain in order to provide urgent relief to people in other countries in the event of an emergency.".

AUTHORIZATION OF APPROPRIATIONS TO REIMBURSE COMMODITY CREDIT CORPORATION FOR FAMINE RELIEF

SEC. 309. The first sentence of section 204 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724) is amended by striking out "$1,000,000,000" and inserting in lieu thereof "$1,900,000,000".

AUTHORIZATION OF APPROPRIATIONS TO PURCHASE FOREIGN CURRENCIES FOR FAMINE RELIEF

SEC. 310. (a) The second sentence of section 204 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724) is amended by striking out "$7,500,000" and inserting in lieu thereof "$95,000,000".

(b) Section 103(b) of such Act (7 U.S.C. 1703(b)) is amended by inserting ", the second sentence of section 204," after "section 104".

MULTILATERAL AGREEMENTS FOR FAMINE RELIEF

SEC. 311. Title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 207. (a) To the maximum extent practicable, the President shall enter into multilateral agreements with other food exporting nations in order to fulfill the food aid requirements of needy nations.

"(b) To the maximum extent practicable, the President shall include such provisions in such agreements as are necessary to assure that recipient nations become self-sufficient in meeting their food requirements, including a requirement that food exporting nations provide cash and other resources to recipient nations for such purpose.

"(c) The Commodity Credit Corporation may use any surplus stocks of the Corporation to carry out this section and title I of this Act.".

SUBTITLE B—AGRICULTURAL IMPORTS

AGRICULTURAL IMPORTS

SEC. 320. The Secretary of Agriculture shall, to the maximum extent practicable, exercise the authority provided to the Secretary under section 22 of the Agricultural Adjustment Act (7 U.S.C. 624) to examine and report to the President with respect to any imported articles which interfere with any program or operation undertaken by the Department of Agriculture or reduce the amount of products processed from agricultural commodities in the United States.

LABELING IMPORTED MEAT

SEC. 321. Section 1(n) of the Federal Meat Inspection Act (21 U.S.C. 601(n)) is amended—

(1) by striking out "or" at the end of paragraph (11);

(2) by striking out the period at the end of paragraph (12) and inserting in lieu thereof a semicolon and "or"; and

(3) by adding at the end the following new paragraph:

"(13) If it is or was imported and if its labeling fails to bear the words 'imported', 'may have been imported', 'this product contains imported meat', 'this product may contain imported meat', 'this container contains imported meat', or 'this container may contain imported meat', as the case may be, or words to indicate its country of origin.".

(b) The amendments made by this section shall become effective one year after the date of enactment of this Act.

SERVING IMPORTED MEAT

SEC. 322. (a) For purposes of this section:

(1) The term "eating establishment" means any restaurant, cafeteria, lunch counter, lunchroom, soda fountain, food stand, saloon, tavern, bar, lounge, vending machine, or other similar facility (including any such facility located on the premises of any retail or recreational establishment), operated as a commercial enterprise engaged in the business of selling food to the public.

(2) The term "meat food product" shall have the meaning given to such term by section 1(j) of the Federal Meat Inspection Act (21 U.S.C. 601(j)).

(3) The term "Secretary" means the Secretary of Agriculture.

(b) Whoever—

(1) owns or operates an eating establishment;

(2) sells in such eating establishment a significant amount of meat or meat food products imported into the United States, or meat food products that, in the aggregate, contain a significant amount of meat imported into the United States; and

(3) knowingly fails, or knowingly permits any employee or agent to fail, to inform individuals purchasing food from such eating

establishment of the fact that such meat or meat food products are sold therein—

(A) by displaying, in a conspicuous place in or on such eating establishment, a sign indicating such fact; or

(B) by indicating such fact on menus offered, posted, or otherwise made available to such individuals,

shall be issued a warning on the first occasion on which it is discovered that any such failure may have occurred and shall be fined an amount not to exceed $500 for each day on which any such failure occurs after receipt of such warning.

(c) No later than thirty days after the date of enactment of this Act, the Secretary shall issue regulations defining the term "signficant amount", as used in subsection (b)(2).

(d) Except as provided in subsection (c), this section shall become effective one year after the date of enactment of this Act.

TITLE IV—SOIL AND WATER CONSERVATION

Subtitle A—Soil and Water Conservation

TRAINING OF SOIL CONSERVATION SERVICE PERSONNEL

Sec. 401. Section 5 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590e) is amended—

(1) by inserting "(a)" after the section designation; and

(2) by adding at the end thereof the following new subsection:

"(b) The Secretary of Agriculture shall establish and carry out a program to improve, to the maximum extent practicable, the training of officers and employees of the service in carrying out the duties of the service.".

DRY LAND FARMING

Sec. 402. The first sentence of section 7(a) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590g(b)) is amended—

(1) by striking out "and" at the end of clause (5); and

(2) by inserting before the period the following:

", and (7) the promotion of energy and water conservation through dry land farming".

LOCAL AND STATE COMMITTEES

Sec. 403. The fifth paragraph of section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) is amended by adding at the end thereof the following new sentence: "To the maximum extent practicable, the Secretary of Agriculture shall take such actions as are necessary to strengthen the role of local and State committees in carrying out this Act.".

AGRICULTURAL CONSERVATION PROGRAM

Sec. 404. Section 8(d) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(d)) is amended by adding at the end thereof the following new paragraph:

"In order to be eligible to receive a payment or grant of aid made under the agricultural conservation program authorized by sections 7 through 15, 16(a), 16(f), and 17 of this Act and sections 1001 through 1008 and 1010 of the Agricultural Act of 1970 (16 U.S.C. 1501 through 1508 and 1510), a producer must use such payment or grant in accordance with a conservation plan approved by (1) the soil and water conservation district or districts in which the land described in the plan is situated, or (2) in areas where such district or districts does not exist or fails to act on the approval of such plan, the Secretary of Agriculture. In order to receive such approval, such plan must assure that soil loss levels on lands subject to such plan do not exceed the soil loss tolerance levels determined by the Secretary of Agriculture. The Secretary of Agriculture shall provide technical assistance to producers to assist producers in preparing such plans.".

CONSERVATION RESERVE PROGRAM

Sec. 405. The Soil Conservation and Domestic Allotment Act is amended by inserting after section 16A of such Act (16 U.S.C. 590p-1) the following new section:

"CONSERVATION RESERVE PROGRAM

"Sec. 16B. (a) In order to promote soil and water conservation practices on up to thirty million acres of erosion-prone land, the Secretary of Agriculture shall enter into contracts for a term of ten years with producers determined by the Secretary to have control for the contract period of the farms covered by the contract.

"(b) Under the terms of such contract, the producer must agree—

"(1) to establish and maintain for the contract period protective vegetative cover, or other soil-, water-, wildlife-, or forest-conserving uses, on a specifically designated acreage on erosion-prone land on the farm regularly used in the production of crops;

"(2) not to devote such acreage to the production of agricultural commodities; and

"(3) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of this section and to facilitate the practical administration of the conservation reserve program.

"(c)(1) In return for such agreement by the producer, the Secretary shall agree—

"(A) to bear such part of the cost of establishing and maintaining vegetative cover, water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses, on the designated acreage as the Secretary determines to be necessary to effectuate the purposes of this section, but not to exceed a maximum amount per acre or facility prescribed by the Secretary for the county or area in which the farm is situated; and

"(B) to make an annual payment to the producer for the term of the contract (in an amount determined by the Secretary in accordance with paragraph (2)) upon a determination that the producer has fulfilled the provisions of the contract entitling the producer to such payment.

"(2) The Secretary shall determine the amount of annual payments under paragraph (1)(B) on such basis as the Secretary determines will provide producers with a fair and reasonable return on the land diverted to conservation purposes, taking into consideration—

"(A) the productivity of the diverted land, as determined on the basis of farm program yields established by the Secretary;

"(B) the prevailing rates for cash rentals for similiar land in the same county or area;

"(C) the incentive necessary to obtain contracts covering sufficient acreage for the substantial accomplishment of the purposes of the conservation reserve program;

"(D) the erosiveness of the diverted land;

"(E) the extent to which the diverted land contributes to off-farm pollution of the environment; and

"(F) such other factors as the Secretary considers appropriate.

"(d) The Secretary shall permit, subject to such terms and conditions as the Secretary may prescribe, all or any part of acreage designated under an agreement entered into under this section to be devoted to hay and grazing.

"(e) The total amount of payments made to a producer under this section during a year may not exceed $50,000.

"(f) The Secretary shall limit the total acreage placed under contracts under this section in any State, county, or local community, so as not to affect adversely the economy of such State, county, or local community.

"(g) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.".

WATER CONSERVATION PROGRAM

Sec. 406. The Soil Conservation and Domestic Allotment Act (as amended by section 405 of this Act) is further amended by inserting after section 16B of such Act the following new section:

"WATER CONSERVATION PROGRAM

"Sec. 16C. (a) In order to reduce the use of water from underground acquifers to irrigate land, the Secretary of Agriculture may enter into contracts for a term of five years with producers determined by the Secretary to have control for the contract period (and the additional period referred to in subsection (b)(1)) of the farms covered by the contract.

"(b) Under the terms of such contract, the producer must agree—

"(1) during the contract period and an additional period specified in the contract of not less than five years, to not use water from underground acquifers under the farm to irrigate specifically designated acreage on land on the farm regularly used in the production of crops; and

"(2) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of this section and to facilitate the practical administration of the water conservation program.

"(c)(1) In return for such agreement by the producer, the Secretary shall agree to make an annual payment to the producer for the term of the contract (in an amount determined by the Secretary in accordance with paragraph (2)) upon a determination that the producer has fulfilled the provisions of the contract entitling the producer to such payment.

"(2) The amount of an annual payment made under paragraph (2) shall be an amount equal to the product obtained by multiplying 50 per centum by the difference between—

"(A) the productivity of the land under contract without the use of water from underground acquifers under the farm; and

"(B) the productivity of such land with the use of such water.

"(3) The determination of the productivity of land under paragraph (2) shall be based on farm program yields established by the Secretary.

"(d) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.".

Subtitle B—Highly Erodible Land Conservation

DEFINITIONS

Sec. 410. For purposes of this subtitle:

(1) The term "agricultural commodity" means any agricultural product planted and produced by annual tilling of the soil, including one-trip planters.

(2) The term "highly erodible land" means land that has, or if used to produce an agricultural commodity would have, an excessive rate of erosion, as determined by the Secretary, in relation to—

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(A) the soil loss tolerance level determined by the Secretary; and

(B) factors of the universal soil loss equation and the wind erosion equation used by the Secretary, including climate, soil erodibility, and field slope.

(3) The term "Secretary" means the Secretary of Agriculture.

PROGRAM INELIGIBILITY

SEC. 411. Except as provided in section 412 and notwithstanding any other provision of law, following the date of enactment of this Act, any person who produces an agricultural commodity on highly erodible land shall be ineligible, as to any agricultural commodity produced during that crop year, and the four succeeding crop years, by such person, for—

(1) any type of price support, marketing certificates, income assistance, or production adjustment payments for such commodity made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), or any other Act;

(2) a loan for the construction or purchase of a facility for the storage of such commodity made under section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h));

(3) crop insurance for such commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(4) a disaster payment for such commodity made under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.); or

(5) a new loan made, insured, or guaranteed under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.), or any other provision of law administered by the Farmers Home Administration.

EXCEPTIONS

SEC. 412. (a) Except as provided in subsection (b), section 411 shall not apply to any of the following:

(1) Any land that was cultivated by a person to produce any of the 1981 through 1985 crops of agricultural commodities.

(2) Any crop of an agricultural commodity planted by a person before the date of enactment of this Act.

(3) Any crop of an agricultural commodity planted by a person during any crop year beginning before the date of enactment of this Act.

(4) Any loan described in section 411 made before the date of enactment of this Act.

(5) Any crop of an agricultural commodity produced using a conservation system that has been approved by—

(A) a soil conservation district, based on technical standards set forth in the Soil Conservation Service technical guide for that soil conservation district; or

(B) in areas where a soil conservation district does not exist or fails to act on the approval of such system, the Secretary.

(b) Clauses (1), (2), and (3) of subsection (a) shall not apply to land which was at any time subject to a contract entered into under section 16B of the Soil Conservation and Domestic Allotment Act (as added by section 405 of this Act).

USE OF AGRICULTURAL STABILIZATION AND CONSERVATION COUNTY COMMITTEES IN ADMINISTRATION

SEC. 413. To ensure compliance with the provisions of this subtitle on the part of those persons participating in the programs described in section 411, as well as fair and equitable treatment in the application of this subtitle, the Secretary shall use the county committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) in the administration of this subtitle.

APPEAL OF LAND CLASSIFICATION

SEC. 414. The Secretary shall establish, by regulation, an appeal procedure under which a person who produces an agricultural commodity on land classified as highly erodible land may seek review of such classification.

COMPLETION OF SOIL SURVEYS

SEC. 415. (a) The Secretary shall, as soon as is practicable after the date of enactment of this Act, complete soil surveys on those private lands that do not have a soil survey suitable for use in determining whether such lands should be considered highly erodible lands for purposes of this subtitle.

(b) In carrying out subsection (a), the Secretary shall, insofar as possible, concentrate on those localities where significant amounts of highly erodible land are being converted to the production of agricultural commodities.

TITLE V—FOOD ASSISTANCE PROGRAMS

SUBTITLE A—FOOD STAMP PROGRAM

ADJUSTMENT OF THRIFTY FOOD PLAN

SEC. 501. Clause (8) of section 3(o) of the Food Stamp Act of 1977 (7 U.S.C. 2012(o)(8)) is amended to read as follows: "(8) on October 1, 1985, and each October 1 thereafter, adjust the cost of such diet to reflect the average cost of the thrifty food plan for the fiscal year beginning on such date, as projected by the Secretary on the basis of the best data available, and round the result to the nearest lower increment for each household size;".

EARNED INCOME DEDUCTION

SEC. 502. The third sentence of section 5(e) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)) is amended by striking out "18 per centum" and inserting in lieu thereof "20 per centum".

DEPENDENT CARE AND EXCESS SHELTER DEDUCTIONS

SEC. 503. The fourth sentence of section 5(e) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)) is amended—

(1) by striking out "the same as that for the excess shelter expense deduction contained in clause (2) of this subsection," in clause (1) and inserting in lieu thereof "$160";

(2) by striking out ", or (2)" and inserting in lieu thereof "and (2)";

(3) in the proviso of clause (2)—

(A) by striking out "$115" and inserting in lieu thereof "$175"; and

(B) by striking out "$200, $165, $140, and $85" and inserting in lieu thereof "$260, $225, $200, and $145"; and

(4) by striking out ", or (3)" and all that follows through the period and inserting in lieu thereof a period.

CALCULATION OF INCOME

SEC. 504. (a) Section 5(f)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(f)(2)) is amended—

(1) by striking out subparagraph (B) and inserting in lieu thereof the following new subparagraph:

"(B) Household income for all other households shall be calculated either on a prospective basis as provided in paragraph (3)(A) or on a retrospective basis as provided in paragraph (3)(B), as elected by the State agency under regulations prescribed by the Secretary."; and

(2) by striking out subparagraph (C).

(b) The first sentence of section 6(c)(1) such Act (7 U.S.C. 2015(c)(1)) is amended by inserting "that elect to use a system of retrospective accounting in accordance with section 5(f) of this Act" after "State agencies".

SUPPLEMENTATION OF ALLOTMENTS

SEC. 505. The third sentence of section 5(f)(3)(B) of the Food Stamp Act of 1977 (7 U.S.C. 2014(f)(3)(B)) is amended by inserting "and for supplementing the allotments of households that experience during a month sudden and significant losses of income of more than $100" before the period at the end thereof.

RESOURCE LIMITATIONS

SEC. 506. Section 5(g) of the Food Stamp Act of 1977 (7 U.S.C. 2014(g)) is amended—

(1) by striking out "$1,500" and "$3,000" in the first sentence and inserting in lieu thereof "$2,250" and "$3,500", respectively; and

(2) by striking out "$4,500" in the second sentence and inserting in lieu thereof "$5,500".

PERSONAL PROPERTY LIMITATIONS

SEC. 507. Section 5 of the Food Stamp Act of 1977 (7 U.S.C. 2014) is amended by adding at the end thereof the following new subsection:

"(k)(1) For the purposes of this subsection:

"(A) The term 'civil jurisdiction' means—

"(i) a city with a population of fifty thousand or more people, based on the most recently available estimates of the Bureau of the Census;

"(ii) a town or township in the State of New Jersey, New York, Michigan, or Pennsylvania with a population of fifty thousand or more people, based on the most recently available estimates of the Bureau of the Census, that possesses powers and functions similar to those of cities;

"(iii) a county or parish, except those counties or parishes that contain any civil jurisdiction included in clause (i) or (ii);

"(iv) the balance of a county or parish consisting of a county or parish less any component civil jurisdiction included in clause (i) or (ii); or

"(v) a county equivalent that is a town in the State of Massachusetts, Rhode Island, or Connecticut.

"(B) The term 'high unemployment area' means—

"(i) an area classified as a surplus labor area by the Secretary of Labor; or

"(ii) a civil jurisdiction in which the unadjusted unemployment rate, as determined monthly by the Bureau of Labor Statistics of the Department of Labor, has not been less than 10 per centum during the most recent six-month period for which information is available.

"(2) Notwithstanding subsection (g), if a household is located in a high unemployment area or an area experiencing a high rate of farm foreclosures (as determined by the Secretary), the personal property held by such household that is excluded from the resource limitations imposed for nonliquid assets under subsection (g) shall be included in the resources of such household for purposes of determining the eligibility of the household for participation in the food stamp program unless the household disposes of such property in the manner, and within the period of time (not to exceed four months), prescribed by the Secretary.

"(3) Any coupons issued to a household during the period for which disposal of

property is required under paragraph (2) shall be—

"(A) conditioned on the disposal of the property; and

"(B) considered an overissuance of coupons if—

"(i) at the time of the disposal, the Secretary determines that the coupons would not have been issued if the disposal had occurred at the beginning of the period for which such coupons were issued; or

"(ii) at the end of the authorized disposal period, the property is not disposed of by the household.

"(4) To carry out this subsection, the Secretary shall—

"(A) obtain from the Secretary of Labor information necessary to determine which areas and civil jurisdictions in each State are high unemployment areas;

"(B) determine which areas and civil jurisdictions in each State are experiencing a high rate of farm foreclosures; and

"(C) supply relevant information referred to in clause (A) and (B) to State agencies.".

FOOD STAMP INFORMATION

SEC. 508. Clause (A) of section 11(e)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(1)(A)) is amended to read as follows: "(A) conduct public information activities reasonably designed to inform low-income households about the availability, eligibility requirements, and benefits of the food stamp program; and".

AUTHORIZATION FOR APPROPRIATIONS

SEC. 509. The first sentence of section 18(a)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2027(a)(1)) is amended to read as follows: "To carry out this Act, there are authorized to be appropriated such sums as may be necessary for the fiscal year ending September 30, 1986, and each fiscal year thereafter through the fiscal year ending September 30, 1989.".

SUBTITLE B—CHILD NUTRITION PROGRAMS

SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

SEC. 520. (a) The second sentence of section 13(a)(1) of the National School Lunch Act (42 U.S.C. 1761(a)(1)) is amended—

(1) by inserting ", private nonprofit organizations," after "governments" in clause (B);

(2) by striking out "50 percent" in clause (C) and inserting in lieu thereof "33⅓ percent";

(3) by striking out "and" at the end of clause (D); and

(4) by inserting before the period at the end thereof the following: ", and (F) 'private nonprofit organizations' means organizations (including summer camps) that (i) operate at not more than fifteen sites (or, if a waiver under subsection (i)(2) is granted, at not more than twenty sites); (ii) use self-preparation facilities to prepare meals or obtain meals from a public facility (such as a school district, public hospital, or State university); and (iii) meet the requirements of subsection (i)".

(b) Section 13 of such Act is amended by inserting after subsection (h) the following new subsection:

"(i)(1) A private nonprofit organization shall be eligible to provide services under a program authorized by this section during a year only if the organization—

"(A) operates in an area where a school food authority or the local, municipal, or county government has not indicated by March 1 of such year that such authority or such unit of government will operate such program in such year;

"(B) exercises full control and authority over the operation of such program at all sites under its sponsorship;

"(C) provides ongoing year-round activities for children;

"(D) demonstrates adequate management and fiscal capacity to operate such program; and

"(E) meets applicable State and local health, safety, and sanitation standards.

"(2) The Secretary may waive the limitation of fifteen sites imposed under subsection (a)(1)(F) for participation in the program authorized by this section, and permit a private nonprofit organization to operate up to twenty sites and maintain eligibility to participate in such program, if such organization demonstrates to the satisfaction of the Secretary that a need for such additional sites exists and that such organization has the capability to serve such additional sites.".

SCHOOL BREAKFASTS

SEC. 521. (a) Section 4(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(b)) is amended by adding at the end thereof the following new paragraph:

"(3)(A) To the extent practicable, the Secretary shall increase by 6 cents the annually adjusted level of payments authorized for each breakfast served under this Act and section 17 of the National School Lunch Act (42 U.S.C. 1766) in order to assist States in improving the nutritional quality of such breakfasts.

"(B) A State or local source may not diminish the amount of funds expended to provide such breakfasts as a result of funds received under this paragraph.".

(b)(1) The Secretary of Agriculture shall review and revise the nutrition requirements for meals served under the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) in order to improve the nutritional quality of such meals, taking into consideration—

(A) the findings of the National Evaluation of School Nutrition Programs; and

(B) the need to provide increased flexibility in meal planning to local school food authorities.

(2) No later than one hundred and eighty days after the date of enactment of this Act, the Secretary of Agriculture shall promulgate regulations to implement the revisions referred to in paragraph (1).

SUBTITLE C—FOOD DISTRIBUTION PROGRAMS

COMMODITY SUPPLEMENTAL FOOD PROGRAM

SEC. 530. Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) is amended by striking out "during fiscal years 1982, 1983, 1984, and 1985" and inserting in lieu thereof "during the period beginning October 1, 1985, and ending September 30, 1989".

TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM

SEC. 531. (a) Section 212 of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by striking out "1985" and inserting in lieu thereof "1989".

(b) The first sentence of section 1114(a) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e) is amended by inserting "to eligible recipient agencies for distribution under the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note)," after "food service,".

SUBTITLE D—EFFECTIVE DATE

EFFECTIVE DATE

SEC. 540. This title and the amendments made by this title shall become effective on October 1, 1985.

TITLE VI—EFFECTIVE DATE

EFFECTIVE DATE

SEC. 601. Except as otherwise provided in this Act, this Act and the amendments made by this Act shall become effective on the date of enactment of this Act.

SUMMARY: FARM POLICY REFORM ACT OF 1985

TITLE I. AGRICULTURAL COMMODITY SUPPLY MANAGEMENT

Section 101—Supply Management Program: A producer referendum is mandated on August 1, 1985, 1989, 1993, and 1997 to determine by majority vote if a mandatory supply management program will be in effect for the succeeding four-year period for the commodities wheat, corn, grain sorghums, barley, oats, rye, upland cotton, rice, and soybeans. If the referendum fails, the farm program will be established at the discretion of the Secretary.

If a referendum is approved, each producer will be assigned a normal crop acreage (NCA) equivalent to the average number of acres cultivated, including farm program acres retired, during the four preceding years. Each producer must set aside 15% of his NCA. This determines eligible crop acres. Each producer will submit planting intentions to USDA. If the producer's total farm and nonfarm income is less than $200,000, the producer will receive acreage allotments in accordance with that requested. Producers with gross incomes in excess of $200,000 must request supplemental acreage allotments for each commodity.

The Secretary, after determining a national marketing quota for each commodity, by totaling estimated domestic demand, export demand, food aid requirements, and reserve requirements, will prorate the remaining needed production to all producers requesting supplemental allotments through a formula which requires an increasingly greater set-aside percentage as producer gross income increases. Producers who earn more than 50% of their gross income from nonfarm sources will be required to set aside an additional 10% of their eligible crop acres.

The Secretary may award bonus acres to all producers if the total of all allotment requests does not exceed the national marketing quota.

Nonrecourse loans will be made available for a period of 36 months and the loan rates shall equal 70% of parity for the 1986 crop year and will increase by 2% each year thereafter until 1996. Target price programs are eliminated.

At the time acreage allotments are assigned, the Secretary shall issue marketing certificates for each commodity based on county average yield or proven farm yield, whichever is higher. The certificate may be adjusted by the Secretary to reflect on-farm use. If production exceeds the amount in the marketing certificate, the surplus may be used for on-farm use, applied to the subsequent year's marketing certificate, donated for Title II, P.L. 480 use, or sold to the Commodity Credit Corporation for 50 percent of the loan rate.

Producers must apply approved conservation measures to set-aside acres. The Secretary may permit haying and grazing set-aside acres and may make a payment for land used for wildlife use.

A farmer disaster reserve is created to replace crop insurance. Each producer must contribute a portion of his production, determined on an actuarially sound basis, to the reserve. In the event of a disaster, the producer will receive commodities from the reserve equivalent to 90 percent of his marketing certificate less the amount actually produced. However, the value of commodities received under this program may not exceed $360,000 annually.

Section 102—Wool and Mohair: The National Wool Act of 1954 is extended for five years.

Section 103—Suspension of Permanent Program: Sections of current law which would conflict with this program are suspended.

TITLE II. AGRICULTURAL CREDIT

Section 201—Guaranteed Loans: Limits FmHA guaranteed from operating and farm real estate loans to 10 percent of loans made in those categories.

Section 202—Limited Resource Real Estate Loans: Clarifies authority for FmHA to make limited resource real estate loans.

Section 203—Record Keeping Training: Requires record keeping training for limited resource borrowers.

Section 204—Limits on Operating Loans: Establishes a two-tiered debt ceiling on operating loans. For direct loans, the limit would be $200,000, except that no more than 25 percent of the funds could be used for loans above $100,000. For guaranteed loans, the limit would be $400,000, except that no more than 25 percent of the guarantee authority could be for loans above $200,000. Total FmHA indebtedness could not exceed $500,000 per farmer.

Section 205—Limited Resource Operating Loans: Clarifies authority for FmHA to make limited resource operating loans.

Sections 206-210—Emergency Loans: Reforms the FmHA emergency loan program by redirecting toward family-sized farms. The reforms include limiting loans to family-size farms, limiting loans to farmers who cannot get credit elsewhere, and reducing the individual loan ceiling from $500,000 to $200,000.

Section 211—Loan Deferrals: Expands authority for the deferral of principal and interest for up to 5 years as long as the producer can project a positive cash flow under the support price schedule in Title I.

Section 212—Loan Defaults: Clarifies FmHA Procedures for handling loan defaults.

Section 213—County Committees: Expands FmHA county committees to 5 members of which three must be farmer-elected.

Section 214—Prompt Approval of Loans: Establishes definite time limits for approval of FmHA loans.

Section 215—Farm Program Appeals: Establishes a new procedure for the appeal of FmHA loan applications. The major components include informal meetings to facilitate resolution of disputes at local level, one formal hearing where informal meetings are unsuccessful, and the availability of an administrative law judge at the state level to conduct the formal hearing and provide independent resolution.

Section 216—Disposition and Leasing of Farmland: Clarifies procedures for disposton of farmland held in inventory by FmHA. Limits the leasing or sale of land to farmers who are eligible for FmHA operating or real estate loans, with first priority going to limited resource farmers.

Section 217—Release of Normal Income Security: Provides for minimum standards for the release of income security for family living and operating expenses.

Section 218—Loan Summary Statements: Requires FmHA to provide each borrower with a loan status report to provide farmers with necessary information to better manage their debts.

Section 219—Family Farm Definition: Clarifies definition of a "family farm" specifying that individuals owning farm must provide a majority of the labor.

Section 220—Limited Resource Loan Amounts: Restores the original minimum quota to require that at least 25 percent of FmHA operating and real estate loans go to limited resource borrowers.

Section 221—Farm and Home Plan Study: Provides for a study of the appropriateness of FmHA's "Farm and Home Plan" and proposed substitutes.

TITLE III. AGRICULTURAL EXPORTS AND IMPORTS

Subtitle A

Sections 301-302—Sales for Foreign Currencies: Authorized Title I, P.L. 480 sales for local currencies to developing countries with a per capita GNP of $500 or below.

Section 303—Use of Private Entities: Grants may be made to private entities for projects designed to improve storage and marketing or to stimulate or expand private enterprise in friendly countries.

Section 304—Intermediate Credit: Requires using not less than $500 million annually for an intermediate export credit program.

Section 305—Quantities for Famine Relief: Minimum tonnage under Title II, P.L. 480 is increased from 1.7 to 3.25 million metric tons grain equivalent over a six year period.

Section 306—Multiyear Agreements: Title II, P.L. 480 amended to permit multi-year agreements with nonprofit organizations.

Section 307—Disaster Reserve: Voluntary agencies authorized to maintain an operating reserve of no less than 15 percent of approved levels in drought and disaster prone counties.

Section 308—Processed Product and Fortified Grain Reserve: Processed and fortified foods will be prepositioned in the United States to ensure timely delivery of commodities.

Section 309—Authorization: Title II, P.L. 480 funding increased from $1.0 billion to $1.9 billion.

Section 310—Authorization to Purchase Foreign Currencies: Funding for Title II sponsors to utilize local currencies generated from Title I is increased from $7.5 million to $9.5 million.

Section 311—Multilateral Agreements: Encourages multilateral agreements with other food exporting nations to fulfill food aid requirements of needy nations.

Subtitle B. Agricultural Imports

Section 320—Agricultural Imports: Instructs the Secretary of Agriculture to utilize existing law to the maximum extent practicable to minimize food imports.

Section 321—Labeling Imported Meat: Requires imported meat to be so labeled with words to indicate its country of origin.

Section 322—Serving Imported Meat: Requires that eating establishments inform individuals purchasing food of the fact that such food products are imported.

TITLE IV. SOIL AND WATER CONSERVATION

Subtitle A. Soil and Water Conservation

Section 401—Training of Soil Conservation Personnel: Instructs the Secretary of Agriculture to establish and carry out a training program for soil conservation service employees.

Section 402—Dry Land Farming: Instructs the Secretary of Agriculture to promote energy and water conservation through dry land farming.

Section 403—Local and State Committees: Instructs the Secretary to take the needed actions to strengthen the role of local and state committees.

Section 404—Agricultural Conservation Program: Instructs the Secretary of Agriculture to require all producers to use Agricultural Conservation Program payments, grants and aid in accordance with a conservation plan approved by the local soil and water conservation district.

Section 405—Conservation Reserve Program: Authorizes the Secretary of Agriculture to enter into contracts of 10 years in order to promote soil and water conservation on erosion prone land.

Section 406—Water Conservation Program: Authorizes the Secretary of Agriculture to enter into contracts of 5 years in order to reduce the use of water from underground aquifers to irrigate land.

Subtitle B. Highly Erodible Land Conservation

Sections 410-415: Instructs the Secretary of Agriculture to make any person or producer who plows out new highly erodible land ineligible for agricultural programs for that year. Producers would be ineligible for price supports, loans and guarantees, crop insurance, or disaster payments. Local agricultural stabilization and Conservation County Committees are to be used to administer the program.

TITLE V. FOOD ASSISTANCE PROGRAM

Subtitle A. Food Stamp Program

Section 501—Adjustment of Thrifty Food Plan: Increases the Thrifty Food Plan (TFP) to reflect actual food prices. Bases the food stamp allotment on the projected average cost of the TFP in the coming year. Food stamp recipients would receive a benefit reflecting the tue cost of purchasing the TFP.

Section 502—Earned Income Deduction: Adjusts income deductions to enhance work incentives and better reflect actual excess shelter and dependent care costs.

In order to recognize the taxes and work related expenses and provide a work incentive for food stamp recipients, current law requires that 18 percent of any earned income be disregarded in establishing a recipient household Food Stamp eligibility and benefit level. Prior to amendment in 1981, the disregard for earning was 20 percent.

Section 503—Dependent Care and Excess Shelter Deductions: Separates and raises the maximum dependent care deduction to $160 per month for all child care costs incurred, and the excess shelter deduction to $175 per month.

Section 504—Calculation of Income: Permits uneven proration of family income to be calculated either on a prospective or retrospective basis.

Section 505—Supplementation of Allotments: Permits supplementing the allotments of households that experience an income loss of $100 or more during a given month.

Section 506—Resource Limitations. Increases asset limits and changes the treatment of financial resources to reflect actual availability.

These provisions would raise the liquid asset limit applied to individuals and households to two or more without elderly mem-

bers from $1,500 to $2,250. Similarly, it would raise the limit applied to households of two or more with an elderly member from $3,000 to $3,500. The exempt value of a non-excluded vehicle would be increased from $4,500 to $5,500.

Section 507—Personal Property Limitations: Non-liquid asset requirements would be waived for up to four months in areas of high unemployment and high farm foreclosures.

Section 508—Food Stamp Information: Requires states to provide reasonable program information to potential recipient populations and matches dollar for dollar state expenditures for this purpose.

Section 509—Authorization and Appropriations: Authorizes the appropriations of such sums as necessary for fiscal years ending September 30, 1986 through September 30, 1989.

Subtitle B.—Child Nutrition Program

Section 520—Summer Food Service Program for Children: Permits private nonprofit agencies to sponsor summer food service program and reduces restrictions for participation.

Section 521—School Breakfast: Increases subsidy to school breakfast program by 6¢ per meal.

Subtitle C. Food Distribution Programs

Section 530—Commodity Supplemental Food: Extends for four years the authorization for the Commodity Supplemental Food Program.

Section 531—Temporary Emergency Food Assistance Program: Extends Temporary Emergency Food Assistance Program (TEFPA) through 1989.

Subtitle D. Effective Date

Section 540—Effective Date: Title V shall be effective on October 1, 1985.

(NOTE: This bill does not address the dairy program and in the absence of legislative action, the support price for milk will revert to a minimum support level of 75 percent of parity on October 1, 1985. However, it is the intent of the author to include a dairy program consistent with the commodity provisions of Title I.)

Mr. ZORINSKY. Mr. President, I am pleased to join the distinguished Senator from Iowa [Mr. HARKIN] in introducing the Farm Policy Reform Act of 1985.

This bill is one of several major farm bills that have been introduced—including the Food and Agriculture Act of 1985 (S. 1051), legislation I introduced on May 1. Next Tuesday, the Senate Committee on Agriculture, Nutrition, and Forestry is scheduled to begin markup of the 1985 farm bill.

The 1985 farm bill may prove to be the single most important legislative measure enacted by the 99th Congress. The severity of the agricultural depression requires bold and innovative action. Such action is provided in the Farm Policy Reform Act through mandatory production controls, reform of the Farmers Home Administration credit programs, aggressive export promotion programs, and sensible soil and water resource conservation programs.

As the ranking Democrat on the Senate Agriculture Committee, I want to make certain that every viable option is considered by the committee. For that reason, I introduced S. 1051 and have joined the Senator from Iowa in introducing the Farm Policy Reform Act.

I know that some officials in the administration have expressed serious reservations about mandatory production controls. However, I believe that approach merits serious consideration; it will reduce the cost of farm programs and improve farm income.

I commend the Senator from Iowa for his efforts in drafting the Farm Policy Reform Act. I look forward to working with him in developing the 1985 farm bill.

By Mr. KASTEN:

S. 1085. A bill to amend the Internal Revenue Code of 1954 and titles 5 and 44 of the United States Code, to provide further incentives for small businesses, and for other purposes; to the Committee on Finance.

SMALL BUSINESS INCENTIVES ACT

Mr. KASTEN. Mr. President, today I am introducing the Small Business Incentive Act of 1985. My bill is timely, in that the President of the United States has proclaimed this week of May 5 through May 11, 1985, as small business week. I know of no better way to pay tribute to the thousands of small business men and women across this Nation than to honor them with such a proclamation. America is back to work, and never has the future of our Nation depended so much on those who keep Americans working.

But more work must be done before we can rest. Merely recognizing the heroic efforts of those who have helped make America what it is today is not enough. Small business men and women have provided the foundation for a growing and prosperous America, build on individual initiative, a competitive spirit, and an intense pride in the opportunities that freedom can bring.

If we grow self-satisfied, however, we will stagnate; 100 years from now, we will be judged by what we do, not by what we say. It is up to us now to provide the right incentives to encourage the young to take calculated risks of both their time and energy, and to enable those with a dream to build for the future.

America is truly a land of opportunity for the small business man or woman. America's creative strength lies in the independence of its businesses from unnecessary Government intrusion. America's best resources lie in the independence of its people and their inherent entrepreneuralism.

The bill I introduce today has one purpose only: to keep small business prosperous and growing. My intent is to provide more incentives and fairer treatment of small business men and women, the backbone of our communities, our towns, villages and cities.

As a former businessman myself, I am particularly sensitive to the needs and concerns of small businesses. My bill is expressly tailored to correct the inequities confronting the local druggist, the gas station owner, the family farmer, and the entrepreneur.

The Small Business Incentives Act of 1985 is designed to reduce the regulatory burden on small business, to provide equitable tax treatment for small companies, and to increase the incentives for investing in small business.

REDUCE THE REGULATORY BURDEN ON SMALL BUSINESS

To help the small business man or woman cut down on paperwork and recordkeeping, my bill would require that small business records need only be retained for a total of 3 years. After that time period, a small business would no longer be held responsible for documenting Federal regulations and requirements. On the other hand, records relating to health and medical records, the location of hazardous waste materials, and tax records would be exempt from this statutory 3-year period.

Another similar provision would reauthorize the Paperwork Reduction Act and give new authority to the Office of Information and Regulatory Affairs. It was never Congress' intent under the act to eliminate excessive requirements for information from some agencies and to ignore others.

Presently, most of the independent agencies like the Federal Reserve, the Interstate Commerce Commission, and the Federal Trade Commission have the power to override reductions in paperwork demands made by the act. Small business usually suffers the most from the unwieldly demands of these bureaucracies. My bill would bring these agencies in under the Paperwork Reduction Act.

My bill would also strengthen the Regulatory Flexibility Act. The Regulatory Flexibility Act requires Federal departments and agencies to analyze the impact of proposed regulatory activities on small business, and to provide, whenever possible, less regulatory and paperwork requirements for small firms.

Most Federal agencies have made progress in complying with the law. But two agencies—the Internal Revenue Service and the Department of Defense—that heavily regulate small businesses, have refused to comply. In fact, they have claimed outright exemptions from the provisions of the act. This is unacceptable and must be changed. The wide jurisdictions of these powerful Federal agencies does not justify squeezing the lifeblood out of small business through overregulation.

The IRS—the only Federal agency that directly affects all small business-

es—claims exemption from the Regulatory Flexibility Act on technical omissions in the original bill. The Defense Department, which issues thousands of procurement regulations affecting small business contractors, has historically claimed to be exempt from normal rulemaking procedures, including the Regulatory Flexibility Act. My bill would ensure that regulatory reform within the Federal Government be comprehensive, with no exceptions for the IRS and the DOD. My intent is to relieve as much pressure as possible on small businesses from Federal regulations.

PROVIDE EQUITABLE TAX TREATMENT FOR SMALL BUSINESS

To ensure tax equity, this legislation would reduce unintentional biases against small business in the areas of Social Security taxes, unemployment compensation, and fringe benefits.

Federal laws allow corporations to deduct statutory fringe benefits—those recognized by the Internal Revenue Service—but do not allow similar tax deductions to the owners of unincorporated businesses. In addition to allowing these deductions, the IRS Code provides that employees do not have to report the value of these fringe benefits as taxable income. Thus, employees of corporations—including owner-employees—governments, and nonprofit entities receive fringe benefits tax free.

Although employees of unincorporated businesses also may receive these fringe benefits tax free, the self-employed—partners and proprietors—gas station owner or local druggist are taxed on these benefits because the Tax Code does not treat them as employees. There is no compelling reason why fringe benefits are tax free and unlimited in one case, and taxable or limited in the other. My bill would provide fringe-benefit equity for the self-employed and eliminate this discrimination against the small business man and woman.

My bill would allow a self-employed owner of a small business to deduct for business purposes half of his 1985 Social Security contribution, as compared to the scheduled change in the Tax Code by 1989. Under current law, an owner-employer of a small corporation pays half of the Social Security tax and the business pays the other half. For tax purposes, the business can deduct as an expense the portion it pays.

The self-employed owner of a business, on the other hand, must pay a self-employed tax to Social Security, receiving only a tax credit over 2 percent of his taxable income. Thus, half the corporation contribution is deductible, while the self-employed business owner will receive no similar tax benefit until 1989. This discriminatory tax treatment adversely affects small business men and women up and down Main Street and all across America, and must be corrected now.

Likewise, there is a double standard in unemployment compensation for owner-employees as compared to corporate officers. In some States such as Massachusetts, business owners are not allowed to collect unemployment compensation even though they have paid taxes as an owner who is legally considered to be an employee.

Although Federal or State rules do not explicitly prohibit business owners from collecting, administrative rules in practice often preclude owners from receiving any benefits. Most often, State agencies that regulate benefit payments informally establish rules that make it impossible for a business owner to qualify for benefits. This legislation would ensure that an owner-employee who contributes unemployment taxes is eligible to receive full benefits. It also stops the unfair treatment of a small business owner who is forced to close his business, yet can't collect unemployment compensation like his corporate brothers.

Since 1978, farm employers must pay Federal unemployment compensation taxes when they employ 10 or more individuals for 20 weeks or maintain a payroll of $20,000 in any one quarter. Because of the highly seasonal nature of agricultural work, this requirement presents a special problem for the small farmer.

Most farmers maintain a small year-round crew. At peak times during the season, their work forces may double, triple, or even quadruple. Though hiring larger numbers of workers may not trigger the first threshold provision for paying unemployment compensation taxes, the family farmer frequently will pay wages in excess of $20,000 quarterly. By triggering the second threshold, the farmer ends up paying unemployment compensation taxes for employees who have worked too few weeks to collect.

My bill recognizes that 7 years have passed since Congress authorized the $20,000 limit in quarterly wages as a threshold for unemployment compensation taxes. Since that time, the Nation has undergone a period of high inflation. A provision in my bill would raise the wage-base threshold for payment of unemployment compensation tax to $30,000 to match the rate of inflation since 1978, along with a provision for indexing the threshold for future inflation. This will allow farmers to have some additional breathing space before paying an unemployment tax on seasonal workers.

INCREASE INCENTIVES FOR INVESTING IN SMALL BUSINESS

For new businesses to grow, capital and expansion funds are vital to the health of the compnay. My bill includes a provision to give outside investors an incentive to put their money in a small business enterprise.

Any stock investment up to $100,000 in a small buisness—with a net worth of less than $2 million and with at least 80 percent of the gross receipts within a taxable year attributable to the active conduct or trade of the business—may be written off by the investor. Any taxes on the investment are deferred until the stock is sold. This provides a strong incentive to keep the capital invested in the small business.

In America, every person is free to start a business, and a surprising number take advantage of that opportunity This is reflected in the great number of new firms started every year. For the person starting a business, the decision can represent a major commitment. These new businesses, in turn, provide many benefits to our economy. My bill provides some specific incentives for the entrepreneur in hiring new workers and maintaining adequate cash flow.

The small business sector has been largely responsible for the economy's turnaround and its current level of expansion. To promote continued growth and expansion of small businesses, I have included in my bill a 10-percent tax credit on wages paid by employers employing 20 employees or less.

In addition, a provision in my bill would allow small businesses to expense or write-off up to $10,000 of business property and equipment within the tax year. Present law does not allow full expensing until 1990. I think that's too long to wait to help small business. There is no time like the present to improve cash flow incentives.

Over the past several years we have seen massive fluctuations in the number of people employed in America's basic industries. Through all of this change, one fact remains clear—the ability of small business to generate millions of jobs.

It is equally clear, however, that very little attention has been paid to the needs of small business. According to the National Federation of Independent Business [NFIB], the most important distinction to keep in mind is that small business is labor-intensive as compared to capital-intensive. Most of the costs involved in running a small business are associated with keeping workers on the payroll. In fact, payroll taxes—such as social security and unemployment compensation—represent almost 70 percent of the average small employer's tax burden.

Imagine the potential for job creation if small businesses were provided the proper tools to correct the inequities I have pinpointed in my bill. The Federal Government's role is not to create jobs, but to help small business do what it does best—to put people to work.

As President Reagan recently said to the students at St. John University, "we have lived through the age of big industry and the age of the giant corporation, but I believe that this is the age of the entrepreneur, the age of the individual. That's where American prosperity is coming from now, and that's where it's going to come from in the future."

We must continue to enhance economic opportunities for thousands of new business men and women who will play a major role in America's ongoing success story. In recognition of this important week, I salute the small businesses all across this great land and pledge to you our continued support and perseverance. By designating Small Business Week, the President has honored you for a job well done. Let us remember that it is a job not yet completed. That's a task that we must all shoulder in the days and months ahead.

Mr. President, I ask unanimous consent to include the bill in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Small Business Incentives Act".

SEC. 101. UNEMPLOYMENT COMPENSATION FOR EMPLOYEE OWNERS OF BUSINESSES WHICH CLOSE.

(a) IN GENERAL.—Subsection (a) of section 3304 of the Internal Revenue Code of 1954 (relating to approval of State laws) is amended—

(1) by striking out "and" at the end of paragraph (17);

(2) by redesignating paragraph (18) as paragraph (19); and

(3) by inserting after paragraph (17) the following new paragraph:

"(18) compensation shall not be denied to any individual solely on the grounds that such individual's unemployment is the result of the closing of a business establishment or other entity in which such individual had an ownership interest; and".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 102. DEDUCTION OF SOCIAL SECURITY TAXES PAID ON SELF EMPLOYMENT INCOME.

(a) DEDUCTION AFTER 1985.—Section 124(d)(2) of the Social Security Amendments of 1983 is amended by striking out "1989" and inserting in lieu thereof "1985".

(b) CREDIT BEFORE 1986.—

(1) IN GENERAL.—Paragraph (1) of section 1401(c) of the Internal Revenue Code of 1954 (relating to credit against taxes on self-employment income) is amended by striking out "1990" and inserting in lieu thereof "1986".

(2) CONFORMING AMENDMENT.—The table appearing in section 1401(c)(2) of such Code is amended by striking out the following:

"1986, 1987, 1988, or 1989 ..... 2.0.".

SEC. 103. INDEXING OF THRESHOLD AMOUNT WHICH MUST BE PAID TO AGRICULTURAL WORKERS BEFORE AN EMPLOYER BECOMES SUBJECT TO THE FEDERAL UNEMPLOYMENT TAX ACT.

(a) IN GENERAL.—Paragraph (2) of section 3306(a)(2) of the Internal Revenue Code of 1954 (relating to agricultural labor) is amended—

(1) by inserting "(A)" after "AGRICULTURAL LABOR.—";

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii);

(3) by striking out "$20,000 or more" and inserting in lieu thereof "the amount specified in subparagraph (B), or more,"; and

(4) by adding at the end thereof the following new subparagraph:

"(B) The amount specified—

"(i) is $30,000 for calendar year 1986, and

"(ii) for any calendar year thereafter, is an amount equal to the amount specified for the preceding calendar year, increased or decreased by the percentage increase or decrease (rounded to the nearest one-tenth of one percent) in the Consumer Price Index (prepared by the Department of Labor) from the third quarter of the second preceding calendar year to the third quarter of the last preceding calendar year, rounded to the nearest multiple of $100.".

(b) CONFORMING AMENDMENT.—Section 3306(c)(1)(A)(i) of the Internal Revenue Code of 1954 is amended by striking out "$20,000 or more" and inserting in lieu thereof "the amount specified in subsection (a)(2)(B), or more,".

TITLE II—REGULATORY REFORM

SEC. 201. PAPERWORK REDUCTION ACT REAUTHORIZED AND STRENGTHENED.

(a) REAUTHORIZATION.—Section 3520 of title 44, United States Code, is amended to read as follows: "There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this chapter.".

(b) REVIEW BY OFFICE OF INFORMATION AND REGULATORY AFFAIRS STRENGTHENED.—

(1) IN GENERAL.—Subsection (c) of section 3507 of title 44, United States Code, is hereby repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 3504(h) of such title is amended by striking out paragraph (7) and redesignating paragraphs (8) and (9) as paragraphs (7) and (8), respectively.

(B) Section 3509 of such title is amended by striking out the last sentence.

SEC. 202. THREE-YEAR LIMIT ON RECORD RETENTION.

(a) IN GENERAL.—Notwithstanding any other provision of law, no agency may require, or enforce any law or regulation to the extent such law or regulation requires, that any person maintain, prepare, or produce any record after the expiration of 3 years after the date of the transaction or event which is or is to be the subject of such record.

(b) EXCEPTIONS.—Subsection (a) shall not apply with respect to—

(1) records relating to dangerous material,

(2) health and medical records, and

(3) records required under the Internal Revenue Code of 1954 and any regulation promulgated under such Code.

(c) DEFINITIONS.—For purposes of this section—

(1) the term "agency" has the meaning given such term in section 551(1) of title 5, United States Code;

(2) the term "dangerous material" means—

(A) hazardous waste, as defined in section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6903), and

(B) byproduct, source, or special nuclear material, as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014);

(3) the term "person" includes an individual, corporation, partnership, and an association.

SEC. 203. DEPARTMENT OF THE TREASURY AND DEPARTMENT OF DEFENSE SUBJECT TO REGULATORY FLEXIBILITY ACT.

Paragraph (2) of section 601 of title 5, United States Code is amended to read as follows:

"(2) the term 'rule' means—

"(A) any rule for which the agency publishes a general notice of proposed rulemaking pursuant to section 553(b) of this title, or any other law, including any rule of general applicability governing Federal grants to State and local governments for which the agency provides an opportunity for notice and public comment, except that the term 'rule' does not include a rule of particular applicability relating to rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances therefor or to valuations, costs or accounting, or practices relating to such rates, wages, structures, prices, appliances, services, or allowances; and

"(B) any rule issued by the Department of Defense and the Department of the Treasury.".

TITLE III—TAX PROVISIONS

SEC. 301. CERTAIN EXCLUSIONS MADE AVAILABLE TO SELF-EMPLOYED INDIVIDUALS.

(a) GROUP-TERM LIFE INSURANCE.—Section 79(e) of the Internal Revenue Code of 1954 (relating to employees) is amended to read as follows:

"(e) SPECIAL RULES FOR EMPLOYEES AND EMPLOYERS.—For purposes of this section—

"(1) EMPLOYEE INCLUDES FORMER EMPLOYEE.—The term 'employee' includes any former employee.

"(2) EMPLOYEE INCLUDES SELF-EMPLOYED INDIVIDUAL.—The term 'employee' includes, for any year, an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(3) EMPLOYER.—An individual who owns the entire interest in an unincorporated trade or business shall be treated as his own employer. A partnership shall be treated as the employer of each partner who is an employee within the meaning of paragraph (2).".

(b) EMPLOYEE DEATH BENEFITS.—Section 101(b)(3) of the Internal Revenue Code of 1954 (relating to treatment of self-employed individuals) is amended to read as follows:

"(3) EMPLOYEE INCLUDES SELF-EMPLOYED INDIVIDUAL.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'employee' includes, for any year, an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(B) EMPLOYER.—An individual who owns the entire interest in an unincorporated trade or business shall be treated as his own employer. A partnership shall be treated as the employer of each partner who is an employee within the meaning of subparagraph (A).".

(c) ACCIDENT AND HEALTH BENEFITS.—Section 105(g) of the Internal Revenue Code of 1954 (relating to self-employed individuals not considered employees) is amended to read as follows:

"(g) EMPLOYEE INCLUDES SELF-EMPLOYED INDIVIDUAL.—For purposes of this section—

"(1) IN GENERAL.—The term 'employee' includes, for any year, an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(2) EMPLOYER.—An individual who owns the entire interest in an unincorporated trade or business shall be treated as his own employer. A partnership shall be treated as the employer of each partner who is an employee within the meaning of paragraph (1).".

(d) MEALS AND LODGING.—Section 119 of the Internal Revenue Code of 1954 (relating to meals or lodging furnished for the convenience of the employer) is amended by adding at the end thereof the following new subsection:

"(d) EMPLOYEE INCLUDES SELF-EMPLOYED INDIVIDUAL.—For purposes of this section—

"(1) IN GENERAL.—The term 'employee' includes, for any year, an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(2) EMPLOYER.—An individual who owns the entire interest in an unincorporated trade or business shall be treated as his own employer. A partnership shall be treated as the employer of each partner who is an employee within the meaning of paragraph (1).".

(e) TRANSPORTATION.—Paragraph (2) of section 124(d) of the Internal Revenue Code of 1954 (defining employee) is amended to read as follows:

"(2) EMPLOYEE INCLUDES SELF-EMPLOYED INDIVIDUAL.—

"(A) IN GENERAL.—The term 'employee' includes, for any year, an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(B) EMPLOYER.—An individual who owns the entire interest in an unincorporated trade or business shall be treated as his own employer. A partnership shall be treated as the employer of each partner who is an employee within the meaning of subparagraph (A).".

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1985.

SEC. 302. CERTAIN UTILIZATION TESTS FOR FRINGE BENEFITS NOT TO APPLY TO SMALL EMPLOYERS.

(a) GROUP-TERM LIFE INSURANCE.—Clause (ii) of section 79(d)(3)(A) of the Internal Revenue Code of 1954 (relating to nondiscriminatory eligibility classification) is amended by inserting "except in the case of an employer with less than 20 employees at all times during the year," before "at least".

(b) GROUP LEGAL SERVICES.—Paragraph (3) of section 120(c) of the Internal Revenue Code of 1954 (relating to contribution limitation) is amended by adding at the end thereof the following new sentence: "This paragraph shall not apply in the case of an employer with less than 20 employees at all times during the year.".

(c) EDUCATIONAL ASSISTANCE.—Paragraph (3) of section 127(b) of the Internal Revenue Code of 1954 (relating to principal shareholders and owners) is amended by adding at the end thereof the following new sentence: "This paragraph shall not apply in the case of an employer with less than 20 employees at all times during the year.".

(d) DEPENDENT CARE ASSISTANCE.—Paragraph (4) of section 129(d) of the Internal Revenue Code of 1954 (relating to principal shareholders and owners) is amended by adding at the end thereof the following new sentence: "This paragraph shall not apply in the case of an employer with less than 20 employees at all times during the year.".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 1985.

SEC. 303. HEALTH INSURED COSTS OF SELF-EMPLOYED INDIVIDUALS MADE DEDUCTIBLE.

(a) IN GENERAL.—Section 213 of the Internal Revenue Code of 1954 (relating to deduction for medical, dental, etc. expenses) is amended by adding at the end thereof the following new subsection:

"(f) SPECIAL RULE FOR SELF-EMPLOYED INDIVIDUALS OF UNINCORPORATED TRADES OR BUSINESSES.—In the case of an individual who is a self-employed individual (within the meaning of section 401(c)(1)) who owns the entire interest in an unincorporated trade or business—

"(1) there shall be allowable as a deduction for any taxable year an amount equal to the expenses paid during such taxable year for insurance which constitutes medical care for the individual, his spouse, or dependents,

"(2) no other deduction shall be allowable under this chapter with respect to such amount, and

"(3) such amount shall not be taken into account under subsection (a).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 1985.

SEC. 304. INCREASE IN ELECTION TO EXPENSE CERTAIN DEPRECIABLE BUSINESS ASSETS.

(a) IN GENERAL.—Paragraph (1) of section 179(b) of the Internal Revenue Code of 1954 (relating to dollar limitation) is amended by striking out the table contained therein and inserting in lieu thereof the following:

"If the taxable year begins in:	The applicable amount is:
1983, 1984, or 1985	$5,000
1986 or thereafter	10,000".

(b) Effective Date.—The amendment made by this section shall apply to taxable years beginning after December 31, 1985.

SEC. 305. CREDIT FOR SMALL BUSINESS EMPLOYERS.

(a) CREDIT FOR INCREASED SMALL BUSINESS EMPLOYMENT.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to business related credits) is amended by adding at the end thereof the following new section:

"SEC. 42. CREDIT FOR SMALL BUSINESS EMPLOYMENT.

"(a) IN GENERAL.—For purposes of section 38, the amount of the small business employment credit determined under this section for any taxable year shall be an amount equal to 10 percent of the qualified increased employment expenditures of the small business employer for the taxable year.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 1985.

SEC. 305. CREDIT FOR SMALL BUSINESS EMPLOYERS.

(a) CREDIT FOR INCREASED SMALL BUSINESS EMPLOYMENT.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to business related credits) is amended by adding at the end thereof the following new section:

"SEC. 42. CREDIT FOR SMALL BUSINESS EMPLOYMENT.

"(a) IN GENERAL.— For purposes of section 38, the amount of the small business employment credit determined under this section for any taxable year shall be an amount equal to 10 percent of the qualified increased employment expenditures of the small business employer for the taxable year.

"(b) SMALL BUSINESS EMPLOYER.—For purposes of this section the term 'small business employer' means any taxpayer employing 20 or less employees at any time during the taxable year.

"(c) QUALIFIED INCREASED EMPLOYMENT EXPENDITURES DEFINED.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified increased employment expenditures' means the excess of—

"(A) the qualified wages paid or incurred by the small business employer during the taxable year to qualified employees, over

"(B) the base period wages of such employer.

"(2) DOLLAR LIMITATION AS TO QUALIFIED WAGES TAKEN INTO ACCOUNT.—The amount of any qualified wages taken into account under paragraph (1) for any taxable year with respect to any qualified employee may not exceed 2.5 times the dollar limitation in effect under section 3306(b)(1) for the calendar year with or within which such taxable year ends.

"(3) BASE PERIOD WAGES.—

"(A) IN GENERAL.—The term 'base period wages' means the amount of wages paid to employees during the 12-month period preceding the latter of—

"(i) January 1, 1986, or

"(ii) the date on which the small business employer completes his first calendar year of employment,

which would have been qualified wages paid to qualified employees if this section had been in effect for such period.

"(B) RULES OF SPECIAL APPLICATION.—For purposes of subparagraph (A)—

"(i) subsection (e)(1) shall be applied by substituting '12-month period' for 'taxable year' each place it appears, and

"(ii) the dollar limitation taken into account under paragraph (2) in computing qualified wages shall be the amount in effect under section 3306(b)(1) for the calendar year with or within which the taxable year for which the amount of the credit under subsection (a) is being computed ends.

"(d) QUALIFIED WAGES DEFINED.—For purposes of this section—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, the term 'qualified wages' has the meaning given to the term 'wages' by subsection (b) of section 3306 (determined without regard to any dollar limitation contained in such section).

"(2) REDUCTION FOR CERTAIN FEDERALLY FUNDED PAYMENTS.—For purposes of this section, the wages paid or incurred by any small business employer for any period shall not include the amount of any federally funded payments such employer receives or is entitled to receive for on-the-job training of such individual for such period.

"(3) SPECIAL RULES FOR AGRICULTURAL AND RAILWAY LABOR.—Under regulations prescribed by the Secretary, rules similar to the rules of section 51(h) shall apply with respect to services described in subparagraphs (A) and (B) of section 51(h)(1).

"(e) QUALIFIED EMPLOYEE DEFINED.—

"(1) IN GENERAL.—For purposes of this section, the term 'qualified employee' means an individual at least 90 percent of whose services for the small business employer during the taxable year are directly related to the conduct of such employer's trade or business.

"(2) EXCEPTION FOR INDIVIDUALS WITH RESPECT TO WHOM TARGETED JOBS CREDIT IS ALLOWED.—The term 'qualified employee' shall not include an individual any portion of whose wages is taken into account by the small business employer for the taxable year in computing the amount of the targeted jobs credit under section 51(a).

"(3) EXCEPTION FOR INDIVIDUALS PREVIOUSLY EMPLOYED BY THE TAXPAYER OR RELATED TAXPAYERS.—The term 'qualified employee' shall not include an employee of the taxpayer who has previously been employed by the taxpayer (or by a related taxpayer as defined in section 267(b)) unless the Secretary determines that the taxpayer's primary purpose for employing such an employee is not the evasion or avoidance of Federal income tax.

"(f) APPLICATION TO CERTAIN ENTITIES, ETC.—For purposes of this section, under regulations prescribed by the Secretary, rules similar to the rules of subsections (f) and (i) of section 51, section 52, and section 30(f)(3) shall apply.

"(g) PHASEOUT OF CREDIT.—In determining the amount of the credit for a taxable year under subsection (a) with respect to qualified wages paid or incurred for services performed—

"(1) the following percentages shall be substituted for '10 percent' in subsection (a)(1):

"(A) 7.5 percent in the taxable year beginning after December 31, 2006, or

"(B) 5 percent in the next succeeding taxable year,

"(C) 2.5 percent in the second next succeeding taxable year, and

"(D) zero thereafter, and

"(2) the amount determined under subsection (a)(2) shall be reduced by—

"(A) 25 percent in the case of the taxable year described in paragraph (1)(A),

"(B) 50 percent in the next succeeding taxable year,

"(C) 75 percent in the second next succeeding taxable year, and

"(D) 100 percent thereafter.".

(b) ALLOWANCE OF CREDIT.—Section 38(b) of the Internal Revenue Code of 1954 (defining current year business credit) is amended by striking out "plus" at the end of paragraph (3), by striking out the period at the end of paragraph (4) and inserting in lieu thereof ", plus", and by adding at the end thereof the following new paragraph:

"(5) the small business employment credit determined under section 42(a).".

(c) NO DEDUCTION ALLOWED.—Section 280C of the Internal Revenue Code of 1954 (relating to disallowance of deductions for certain expenses for which credits are allowable is amended by adding at the end thereof the following new subsection:

"(c) RULE FOR SMALL BUSINESS EMPLOYMENT CREDITS.—No deduction shall be allowed for that portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit determined under section 42. This subsection shall be applied under a rule similar to the rule of the last sentence of subsection (a).".

(d) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by inserting at the end thereof the following new item:

"Sec. 42. Credit for small business employment.".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1985.

SEC. 306. DEDUCTION FOR PURCHASES OF SMALL BUSINESS STOCK.

(a) IN GENERAL.—Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by redesignating section 223 as section 224 and by inserting after section 222 the following new section:

"SEC. 223. PURCHASES OF SMALL BUSINESS STOCK.

"(a) IN GENERAL.—At the election of an individual, there shall be allowed as a deduction the amount paid or incurred by such individual during the taxable year for the purchase of small business stock.

"(b) LIMITATIONS.—

"(1) MAXIMUM DOLLAR AMOUNT.—The aggregate amount allowable to the taxpayer as a deduction under subsection (a) for any taxable year shall not exceed $100,000.

"(2) INCREASE OF EQUITY INTEREST IN THE CORPORATION.—A deduction may be allowed under subsection (a) with respect to the purchase of any share of small business stock of a corporation only if the taxpayer's percentage ownership of such corporation after the purchase of such share is greater than the taxpayer's percentage ownership of such corporation (or a predecessor corporation) on the date of enactment of the Small Business Incentives Act.

"(3) AGGREGATION OF EXPENDITURES.—For purposes of this subsection, any individual and any person related to such individual shall be treated as a single taxpayer.

"(c) SMALL BUSINESS STOCK.—For purposes of this section—

"(1) IN GENERAL.—The term 'small business stock' means any share of common stock of a qualified issuer—

"(A) which is purchased from such qualified issuer or a selling agent of such qualified issuer, and

"(B) the proceeds from the issuance of which are used by the qualified issuer in the active conduct of a trade or business.

"(2) QUALIFIED ISSUER.—

"(A) IN GENERAL.—The term 'qualified issuer' means any corporation which—

"(i) is a qualifying business—

"(I) on the date on which the taxpayer purchases the small business stock of the corporation, or

"(II) within the 1-year period beginning on such date,

"(ii) during the 5 taxable years of the corporation preceding such date, derived more than 50 percent of its aggregate gross receipts from sources other than royalties, rents, dividends, interest, annuities, and sales and exchanges of stocks or securities,

"(iii) on such date, has a net worth that does not exceed $2,000,000,

"(iv) immediately after receipt of payment for the small business stock issued, will not have a net worth that exceeds $2,000,000, and

"(v) on such date and the 5-year period preceding such date, has no securities outstanding that are—

"(I) registered on a national securities exchange under section 12(b) of the Securities Exchange Act of 1934, or

"(II) registered or required to be registered under section 12(g) of such Act (or which would be required to be so registered except for the exemptions provided in section 12(g)(2) of such Act).

"(B) AGGREGATION.—For purposes of this paragraph—

"(i) the net worth of any person who is related to a corporation shall be included in determining the net worth of such corporation, and

"(ii) any securities of a person related to a corporation shall be treated as the securities of such corporation.

"(3) QUALIFYING BUSINESS.—The term 'qualifying business' means any corporation at least 80 percent of the gross receipts of which for the taxable year are attributable to the active conduct of a trade or business.

"(d) DISPOSITION OF SMALL BUSINESS STOCK.—

"(1) GAIN TREATED AS ORDINARY INCOME.—Notwithstanding any other provision of this title, any gain from the disposition of small business stock shall be recognized and treated as ordinary income to the extent such gain does not exceed the amount of the reduction made to the basis of the taxpayer in such stock by reason of paragraph (2).

"(2) ADJUSTMENT OF BASIS IN STOCK.—

"(A) IN GENERAL.—For purposes of this title, the basis of the taxpayer in any small business stock shall be reduced by the amount of any deduction allowed the taxpayer under subsection (a) with respect to the purchase of such stock.

"(B) ALLOCATION OF BASIS ADJUSTMENT.—If the aggregate amount paid or incurred during the taxable year for the purchase of small business stock exceeds the limitation imposed by subsection (b), the reduction in the basis of such stock required under subparagraph (A) shall be allocated among the shares of such stock in proportion to the respective costs of each share of such stock.

"(e) RECAPTURE OF TAX BENEFIT.—

"(1) IMPOSITION OF ADDITIONAL TAX.—If—

"(A) at any time during the 3 taxable years succeeding the taxable year for which the taxpayer is allowed a deduction under subsection (a) with respect to the purchase of small business stock, the taxpayer disposes of such stock, or

"(B) the corporation issuing such stock—

"(i) fails to conduct a qualifying business before the date that is 1 year after the latest date on which such small business stock was purchased by the taxpayer, or

"(ii) at any time during the 4 taxable years of the taxpayer succeeding the taxable year for which such a deduction was allowed—

"(I) ceases to be a qualifying business, or

"(II) fails to meet the requirements of clause (ii) or (v) of subsection (c)(2)(A),

then there is hereby imposed an additional tax on the income of the taxpayer which shall be in an amount determined with respect to such small business stock.

"(2) AMOUNT OF ADDITIONAL TAX.—

"(A) IN GENERAL.—The amount of the additional tax imposed by paragraph (1) with respect to any small business stock shall be equal to the interest on the excess of—

"(i) the income tax liability of the taxpayer for the taxable year in which the deduction under subsection (a) was allowed with respect to the purchase of such stock (determined without regard to the portion of such deduction attributable to such stock), over

"(ii) the income tax liability of the taxpayer for such taxable year,

at the annual rate established under section 6621 for the period beginning on the date on which the return of the tax imposed by this chapter for such taxable year was required

to be made and ending on the date on which payment of such additional tax is made.

"(B) INCOME TAX LIABILITY.—For purposes of this paragraph, the term 'income tax liability' means the tax imposed by this chapter reduced by any credit allowable against such tax.

"(3) ONLY 1 ADDITIONAL TAX IMPOSED ON ANY SHARE OF STOCK.—No additional tax shall be imposed by paragraph (1) with respect to any share of stock if an additional tax has previously been imposed by paragraph (1) with respect to such share of stock.

"(4) DUE DATE.—The additional tax imposed by paragraph (1) shall become due and payable on the date which is 90 days after the date such tax is imposed.

"(5) ADDITIONAL AMOUNT INCLUDED IN GROSS INCOME.—

"(A) IN GENERAL.—If the corporation issuing small business stock—

"(i) fails to conduct a qualifying business before the date that is 1 year after the latest date on which such stock was purchased by the taxpayer, or

"(ii) at any time during the 4 taxable years of the taxpayer succeeding the taxable year for which a deduction was allowed under subsection (a) with respect to such stock—

"(I) ceases to be a qualifying business, or

"(II) fails to meet the requirements of clause (ii) or (v) of subsection (c)(2)(A),

then the taxpayer shall include in gross income for the taxable year in which the failure or cessation described in clause (i) or (ii) occurs an amount equal to the aggregate reduction made under subsection (d)(2) to the bases of the taxpayer in such stock that is held by the taxpayer at the end of such taxable year.

"(B) ADJUSTMENT TO BASIS.—For purposes of this title, the basis of the taxpayer in any small business stock with respect to which an amount is included in the gross income of the taxpayer by reason of subparagraph (A) shall be increased by such amount.

"(6) STATUTE OF LIMITATIONS.—If an additional tax is imposed under paragraph (1)—

"(A) the statutory period for the assessment of—

"(i) such additional tax, and

"(ii) any deficiency with respect to the tax imposed by this chapter for any taxable year that arises by reason of paragraph (5),

shall not expire before the expiration of 3 years from the date the Secretary is notified (in such manner as the Secretary may by regulations prescribe) of the occurrence which gives rise to the imposition of such additional tax; and

"(B) such additional tax and deficiency may be assessed before the expiration of such 3-year period notwithstanding the provisions of any other law or rule of law which would otherwise prevent such assessment.

"(f) DEFINITIONS; SPECIAL RULES.—For purposes of this section—

"(1) AMOUNTS PAID BEFORE RETURN.—Any amount paid—

"(A) after the close of a taxable year and before the date on which the return of the tax imposed by this chapter for such taxable year is required to be made (including any extensions), and

"(B) pursuant to a written contract entered into prior to the close of such taxable year for the purchase of small business stock,

shall be treated as having been paid during such taxable year.

"(2) RELATED PERSONS.—A person is related to another person if—

"(A) a relationship described in section 267(b) exists between such persons, or

"(B) such persons would be treated as a single employer under section 50B(g).

"(3) PURCHASE.—The term 'purchase' does not include any transaction in which small business stock is acquired by a taxpayer in a transaction described in sections 351, 361, or 371(a) to the extent that the basis of the small business stock received by the taxpayer is determined by reference to the basis of the property exchanged.".

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 1016 of the Internal Revenue Code of 1954 (relating to adjustments to basis) is amended—

(A) by striking out "and" at the end of paragraph (26),

(B) by striking out the period at the end of paragraph (27) and inserting in lieu thereof ", and", and

(C) by adding at the end thereof the following new paragraph:

"(28) to the extent provided in subsections (d)(2) and (f)(5) of section 223, in the case of stock with respect to the purchase of which a deduction has been allowed under section 223.".

(2) The table of sections for part VII of subchapter B of chapter 1 of such Code is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 223. Purchases of small business stock.
"Sec. 224. Cross references.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to purchases made after the date of enactment of this Act in taxable years ending after such date.

By Mr. D'AMATO:

S. 1086. A bill to require disclosure by the Secretary of the Army, acting through the Chief of Engineers, of certain information relating to petroleum products transported on vessels to State taxing agencies requesting such information, and for other purposes; to the Committee on Environment and Public Works.

S. 1087. A bill to amend title 18, United States Code, to prevent evasion of State taxes on gasoline; to the Committee on the Judiciary.

GASOLINE TAX EVASION

● Mr. D'AMATO. Mr. President, I rise today to introduce two bills designed to crack down on a major problem in New York and throughout the Nation: gasoline tax evasion. Bootlegging—the importation or sale of motor fuel within a State without the payment of appropriate State taxes—costs States huge amounts of revenue. In New York, for example, National Economic Research Associates has estimated that the State will lose between $173.5 million and $245.5 million in 1985 alone as a result of this problem.

This criminal activity creates unfair competition for those establishments which are abiding by the law and paying their fair share of taxes. How can an honest businessman expect to compete with someone who is illegally cutting his costs by avoiding State taxes?

The two bills I am introducing today, the Gas Tax Collection Act and the Anti-Gasoline Bootlegging Act, will provide much needed tools to crack down on this problem. They are similar to bills introduced in the House of Representatives by my good friend, Congressman ADDABBO, and I commend him for his leadership on this issue.

The first bill, the Gas Tax Collection Act, will require the Secretary of the Army, through the Chief of Engineers, to disclose information to the State taxing agencies regarding barge movements of petroleum products in the Nation's rivers and harbors. This disclosure would be limited to the State taxing agencies, and confidentiality would be assured. Once this information is available, the States will be in a position to determine whether proper taxes have been paid on these products.

The second bill, the Anti-Gasoline Bootlegging Act, will make the evasion of taxes on petroleum products a crime under the Racketeer Influenced and Corrupt Organizations [RICO] statute. It provides for fines of not more than $250,000 and/or imprisonment of up to 5 years for the knowing shipment, receipt, possession, sale, distribution, or purchase of contraband gasoline. A fine of up to $250,000 and/or imprisonment could be imposed for falsifying records required by the proposed new chapter or for violating regulations issued by the Secretary of the Treasury pursuant to authority granted by this proposal. Persons selling gasoline in quantitites of more than 100 gallons will be required to maintain records and to issue buyer invoices showing the name and address of the buyer and seller, the type and quantity of gasoline sold, the price per gallon, and the amount of any state tax paid on that sale or any prior sale of the gasoline. Gasoline sold in violation of the provisions of the proposed new chapter would be subject to seizure and forfeiture, as would vehicles used in this type of activity.

Mr. President, I believe this is a commonsense approach to a problem which is hurting State revenues and honest businesses. The Congress has made significant progress in cracking down on other types of criminal activities, such as enactment of the Cigarette Contraband Act, and I believe it is time we addressed the issue of gasoline bootlegging. I urge my colleagues to join me in cosponsoring these bills.●

By Mr. QUAYLE (for himself and Mr. TRIBLE):

S. 1088. A bill to require the Secretary of the Treasury to issue a certain percentage of Treasury obligations in the form of obligations indexed for inflation; to the Committee on Banking, Housing, and Urban Affairs.

INDEXED TREASURY OBLIGATIONS ACT

● Mr. QUAYLE. Mr. President, today Mr. TRIBLE and I are introducing the Price-Indexed Bonds Act of 1985. A similar bill, H.R. 1773, was introduced in the House March 27 by Congressman DAN LUNGREN. The Price-Indexed Bonds Act of 1985 would obligate the Department of the Treasury to issue, within 90 days of enactment, a series of Treasury securities indexed to the consumer price index.

Given the technical nature of this issue I probably should explain the mechanics of price-indexed bonds. To do that let me review briefly how a conventional bond works. If Treasury issues a $1,000 conventional 20-year bond paying 12 percent per year then the investor receives $120 in interest every year until the bond matures, when he also receives the face value of $1,000. With price indexed bonds though, the Government would issue bonds that would promise to adjust the principal value of the bond for inflation periodically, so that the interest paid would equal the product of this underlying inflation adjusted value and the coupon rate. At maturity the full inflation adjusted value would be redeemed. As a result, the investor is guaranteed that he will always receive a fixed real return on his investment. This guarantee reduces the greatest element of risk or uncertainty in a Government bond. Consequently, the investor is willing to receive a much lower interest rate; probably in the range of 2 to 5 percent. So, consider the mechanics if Treasury issued a $1,000 20-year price indexed bond with an interest rate of 3 percent. If inflation was 10 percent during the first year, at the end of the year the underlying value of the bond would be $1,100. The interest payable would equal $1,100 multiplied by the 3-percent interest rate or $33. If the price level trebled over the 20 years the Treasury would redeem $3,000. This does not represent merely deferred payment. Because the risk of inflation associated with uncertain expectations is eliminated from the interest rate the Treasury will actually reduce interest payments over the period—assuming of course that the average rate of inflation over the period is not much higher than the market's expectation.

Price-indexed bonds are an idea that has been supported for years by many prominent economists such as Milton Friedman and Richard Musgrave. Unfortunately, until recently, the efficacy of price-indexed bonds remained a largely academic discussion. Since the inflation risk premium was not a major component of the interest rate the bonds have been of little pecuniary value to the Treasury. There was also no practical experience for the bond. These barriers to implementation have been eliminated. Inflation skyrocketed in the late 1970's and plummeted again in the 1980's. Federal deficits are projected to be 4 percent of GNP into the indefinite future. As a result the investor uncertainty about the rate of future inflation has added as much as 6 percentage points to the real rate of interest. Moreover, in 1981, the British Treasury boldly took the step of issuing in their country price-indexed bonds, very similar to those envisioned in this bill. The recent experience of British price-indexed bonds has supported the propositions of economists and provided the practical experience to demonstrate that the bonds do work.

Mr. President, in the context of the Congress' struggle to find ways to cut Federal spending I am tempted to advocate this bill solely as a means of reducing Federal spending with no offsetting pain. Depending on your assumptions regarding the market determined interest rate on the bonds, what future inflation is going to be, and how many bonds are actually indexed, economists have estimated that price-indexed bonds could save up to $30 billion per year. I will not make such promising claims today, but I will note that almost all projections assume at least several billion dollars in savings. The bottom line is that we can expect that the interest costs associated with price-indexed bonds to be about 20 to 40 percent less than under conventional bonds. Moreover, this savings is practically a free lunch. In fact, most of the savings would come out of the pockets of the richest 10 percent of the country, who are the predominant buyers of Treasury securities. It doesn't cut a single Federal program. It merely allows investors to accept voluntarily a lower interest rate from Treasury in exchange for the Federal Government assuming the risk of future inflation—an event over which they have unique and pervasive control.

Even if price-indexed bonds did not save Treasury billions, as I contend they probably would, there are other salient reasons for this bill.

Price-indexed bonds will be a valuable new financial instrument—of especially great service to and in great demand by the elderly and others looking for a peace to safeguard their real earnings against the ravages of inflation. For the first time, it would provide persons of modest wealth a safe and effective way to hedge against the devastating effects of inflation. The financial markets currently do not provide, at any price, a riskless means of accumulating savings, or hoarding purchasing power, for future consumption. In fact, all current financial instruments force savers to internalize the risk of inflation when many would be willing to pay a price to avoid that risk. An investment instrument that minimized purchasing power risk and thus guaranteed a real rate of return would be ideally suited to many savers. For instance, the young couple saving for their child's education might prefer an inflation proof asset over a more inflation sensitive risk, such as conventional bonds, even if the former paid a lower yield. Likewise, the middle-aged couple usually saves prudently, rather than invests speculatively, for retirement.

Can one doubt that senior citizens whose retirement savings were ravaged by inflation in the 1970's, would not accept a lower yield in return for a guarantee that their savings would not be ravaged by inflation again? Also, any institution that had long-term liabilities that are defined in real terms, such as pension funds or life insurance companies, could reduce the uncertainty in the management of their portfolios by investing in indexed bonds.

In sum, these bonds would be a popular instrument with savers who now invest billions of dollars per year in retirement accounts: whether it is IRA's, mutual funds, life insurance, or pensions; with an emphasis on preserving their savings, rather than speculating for investment profits.

Price-indexed bonds could also maintain the level of financial savings and the flow of funds in times of expected inflation, thus adding to the financial stability and efficiency of the financial markets. You may remember that when inflation expectations skyrocketed in the late 1970's many investors, seeking an inflation hedge, fled the bond and equity markets to invest in real estate and other tangible assets such as art, silver, and gold. These massive movements from intangible to tangible assests reduced the liquidity of the financial markets and drove interest rates even higher. If these investors had the option of purchasing price indexed securities their money would stay as financial assets thus keeping interest rates low and productive investment high.

Price-indexed bonds would eliminate one of the greatest incentives to the Federal Government to increase inflation. With conventional debt the Government actually has a vested interest in encouraging inflation because inflation debases the value of its existing debt thus reducing the need for future tax increases. In effect, the Government expropriated billions of dollars from investors in the sixties and seventies by selling bonds with nominal fixed rates and then debasing the debt by inflating the currency. This is the utmost in moral hazard. Indexing the debt base removes this potential profit and hazard because debt has to be paid back with the same, not cheaper dollars. Thus instead of being disposed toward inflation the Federal Government would at least be only neutral. It

is likely that by just issuing price-indexed bonds investors would see Treasury's stake in low inflation and thus immediately reduce the inflation premium in interest rates.

The price protection of indexed bonds would affect only a small portion of the Nation's financial assets. Bondholders would have considerable inflation sensitive assets, such as stocks, bonds, and wages in their portfolio and are therefore not likely to weaken their resolve, let alone the national resolve, to minimize inflation. Taking away the inflation gains from the government weakens the incentive of what may be the most important constituent of inflation.

It is my contention that under reasonable economic assumptions price indexed bond bills will be less expensive than conventional bonds because they will eliminate the current risk premium of 3 to 6 percent. Current Treasury bonds are yielding about 11.5 percent. Expected inflation over the next 10 years is about 5.5 percent. So these bonds are earning real returns of 6 percentage points, far surpassing the historical yield of about 2 percent. This premium is largely a result of investor's uncertainty of inflation, which is to say, the uncertainty of the real inflation adjusted yield of their assets. Because price indexed bonds are issued in real and not nominal terms they completely eliminate this purchasing power premium.

Mr. President, I admit that this talk of purchasing power premiums and investor uncertainty and the notion that Treasury can sell their bonds for less interest does involve an intellectual exercise. But as I said earlier the British have done us a great service by testing this theory in their own markets. The record shows that the assumptions I have made above hold. What needs to be done now is for the Senate and the Treasury Department to work together to conduct hearings on the efficacy of the bonds. In short, we need to establish that the market for these bonds does exist.●

By Mr. CHAFEE:

S. 1089. A bill to suspend temporarily the duty on stuffed dolls and toy figures; to the Committee on Finance.

SUSPENSION OF DUTY ON STUFFED DOLLS AND TOY FIGURES

Mr. CHAFEE. Mr. President, I am pleased to offer legislation today that would extend for 5 years the existing suspension of duty on stuffed dolls, certain toy figures, and the outer covering or skins of such dolls and figures.

The present duty-free treatment for these items which was enacted in January 1983 is due to expire at the end of 1985. My bill would simply extend the suspension for another 5 years.

Major toy companies in the United States import their line of stuffed dolls, toy figures, and outer skins because there is no significant domestic manufactuer of these items. The outer skins that are imported are then filled and assembled here, providing jobs for U.S. workers.

Since there are no significant domestic manufacturers of these items, no domestic interests would be adversely affected by this bill. In addition, elimination of duty on stuffed dolls, toy figures, and the outer covering of dolls will result in lower consumer prices for children's toys.

Mr. President, I ask unanimous consent that this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1089

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That items 912.30, 912.34, and 912.36 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) are each amended by striking out "12/31/85" and inserting in lieu thereof "12/31/90".

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1985.

By Mr. CHAFEE:

S. 1091. A bill to amend title X of the Public Health Service Act to provide for contraceptive development and evaluation; to the Committee on Labor and Human Resources.

CONTRACEPTIVE RESEARCH

Mr. CHAFEE. Mr. President, I am pleased to offer legislation today that would provide additional funds, over the next 5 years, to the National Institutes of Health to conduct research on and develop better means of contraception.

The disadvantages inherent in available birth control methods are the primary reason why many millions of American couples have difficulty avoiding unintended pregnancies. Effectiveness, convenience, and freedom from adverse health effects are all lacking in contraceptives on the market today. The result is that over 3 million unplanned pregnancies occur annually.

The most common form of contraception in the U.S. today is sterilization. A total of 11.6 million American women have chosen sterilization, an irreversible procedure, as their means of birth control. This is not a reasonable alternative for those who are the most vulnerable to unwanted pregnancies—the 21 million young women between the ages of 16 and 19, more than half of whom are estimated to have had sexual intercourse. More than 8 million U.S. women use oral contraceptives. The most serious side effect attributed to this method involves the cardiovascular system specifically thromboembolism, stroke, and heart attack. Women at higher risk are those who smoke, have diabetes, or a family history of it, and high blood pressure or hypertension.

Another popular form of contraception is the intrauterine device [IUD]. An estimated 2.3 million women in the United States use this device. The most serious drawback of IUD's is the risk of infection, and with each infection a women's risk of infertility increases.

I am especially concerned about the approximately 1 million teenage women who experience an unplanned pregnancy. Tragically, 29 percent of teenage pregnancies end in abortion.

The Federal Government is the largest single sponsor of reproductive and contraceptive research in the United States. According to Malcolm Potts, president of Family Health International, we spend approximately "the cost of a small order of McDonald's french fries per person per year" on all aspects of reproductive research. I believe this is grossly inadequate.

As recently as 30 years ago, there was no research on contraception. It was not until 1968 that the Center for Population Research was created within the National Institutes of Health. In 1972 funding for the Center was $85 million; in 1983 it was $86 million. Only $8.6 million of these funds are actually used in contraceptive development, the remaining funds are spent on basic research in reproductive sciences. This amount is particularly inadequate when one considers that, according to Mr. Potts, it can cost up to $50 million and take more than 10 years of research to bring a new contraceptive to the market.

In the past, the pharmaceutical industry was largely responsible for the research and development of many currently available contraceptives. Unfortunately, many of these companies do not find this type of product to be worth the time and money involved in obtaining approval by the FDA. Pharmaceutical companies would rather concentrate on developing drugs to treat disease than drugs and devices to prevent pregnancies given the cost and time.

The future of contraceptive research is not bright, despite the need to make it a priority. That is why I am introducing this legislation today. Every child has a right to be wanted. Women and men need safe and effective methods of birth control. A large number of the millions of unwanted pregnancies that occur each year can be prevented with new and improved methods of contraception.

By Mr. HELMS (for himself, Mr. EAST, and Mr. DENTON):

S. 1090. A bill to amend section 1464 of title 18, United States Code, relating to broadcasting obscene language,

and for other purposes; to the Committee on the Judiciary.

CABLE-PORN AND DIAL-A-PORN CONTROL ACT

Mr. HELMS. Mr. President, I am today introducing the Cable-Porn and Dial-a-Porn Control Act, which is similar but not identical to S. 2769 from the 98th Congress. The purpose of this bill is to eliminate the use of cable television and interstate telephone service for the transmission of obscene and otherwise indecent material. The legislation expands existing law to cover areas that have become problems because of new technology.

Mr. President, I was gratified this past October when Congress passed and the President signed into law my amendment to crack down on the pornography trade by organized crime. That amendment, as part of the Comprehensive Crime Control Act of 1984, enlarged the provisions of the Federal racketeering statute, known as RICO, to include "dealing in obscene matter" and the obscenity offenses in chapter 71 of title 18 of the United States Code. This change represents a major step toward stopping the big time porn trade by empowering the Federal Government to seize the profits of the smut peddlers.

But this pornography trafficking legislation is only a single step in the battle to curb the explosion in pornography this Nation has experienced in recent years. Further amendments in current law are needed to deal with innovations in the distribution of pornography, particularly in the areas of cable television and interstate telephone service. That is why I am introducing the Cable-Porn and Dial-a-Porn Control Act today.

Mr. President, we all recognize that the purpose of government is to secure justice for its citizens. We normally think of this as the duty to protect life, liberty, and property, to enforce contracts, to provide assistance to the needy in certain cases, and to promote the common good.

While these are the things usually associated with justice—or more precisely with what is called social justice—there is also the responsibility to secure public morality. Government is obligated, for the protection of young and old alike, to remove as far as may be possible public vice and the cultivation of vice for profit. That is what pornography is, and in order to secure social justice, government must never condone it.

Mr. President, I make these comments because so many people think of social justice only in the distorted terms of redistribution of wealth and extending special legal immunities to particular interest groups. It is worth noting that in the outpouring of media commentary on social justice, there is rarely any mention of the palpable social injustice done by massive and increasing amounts of pornography in society. Frankly, we in Congress make the same mistake when we spend inordinate time enacting all manner of social programs while ignoring a root cause of social malaise such as insidious pornography.

Can we expect to have well adjusted and responsible citizens when the exploitation of sex has become a multibillion dollar industry permeating all the media and thus exposure to pornography is nearly unavoidable? Can we expect to encourage happy and peaceful family life when adultery and fornication and violence are the dominant themes in the popular arts? Can we expect to conquer the social pathologies of venereal disease, adolescent pregnancy, child abuse, homosexuality, and pedophilia when vile and degrading depictions of illicit sex acts are no farther away than the TV set, the telephone, the mail box, and the local movie theater?

Of course not, Mr. President, and I do not think any of us has to look very far to see the victims of the social injustice of widespread pornography. That is why it is imperative for the sake of justice and the moral and physical health of our society that the Government do a better job in restricting the circulation of obscene materials.

The essential problem with pornography is that it degrades the dignity and worth of human beings by presenting a false picture of human sexuality. It portrays sexuality as an end in itself, totally removed from its proper and normal place as a means in marriage for conjugal love and the protection of children. Pornography demeans because it rejects the true meaning of sexuality.

That true meaning is the one reflected in our most ancient cultural tradition—the tradition which binds human sexuality inseparably to marriage and sees its fruit in the family. This is the proper context for sexuality, and when it is removed from such context, injury is invariably done both to the individuals involved and to society at large.

Mr. President, in recent times pornography has been condemned as a particular offense against women. It has been said that pornography is nothing less than the rank exploitation of women and femininity for the illegitimate pleasure of men. I totally agree with this charge.

But, Mr. President, it contains only part of the truth. The whole truth is that pornography not only offends against women, but it also constitutes an offense against men and children and human dignity and common decency as well. In short, it is a scourge to all of society.

Mr. President, the bill I am introducing today accomplishes two major goals. First, it expands section 1464 of title 18 of the United States Code to cover the transmission of obscene, indecent, or profane material on television and cable television in addition to the section's current coverage of such material on radio. Second, it amends section 223 of the Communications Act of 1934 to prohibit the use of interstate telephone service for the transmission of obscene messages and establishes heavy penalties for transmitting such messages for commercial purposes. Let me now explain in detail some of the major problems and how these provisions will help remedy them.

CABLE TELEVISION

Mr. President, it is no secret that the illicit sex industry has in recent years invaded American living rooms through cable television. While some communities have sought to restrict cable-porn, legal restraints on such material have been few and generally ineffective.

For example, my office has received reports that in New York City the vilest type of pornography is exhibited on public access cable channels. Depictions of nudity and sexual intercourse, I am told, are commonplace. Violent rape, explicit homosexual activity, actual violence toward animals, and other degrading scenes have also been shown.

The Federal statute that has been used to restrict the uttering of obscene language by radio communication is section 1464 of title 18 of the United States Code. It has been interpreted to apply to both radio and television, and it states:

> Whoever utters any obscene, indecent, or profane language by means of radio communication shall be fined not more than $10,000 or imprisoned not more than two years, or both.

According to correspondence I received from the Justice Department last year, this statute is not understood to apply to the transmission of obscene material over cable television. The Department has also expressed uncertainty over whether other provisions of title 18 of the United States Code, specifically sections 1462 and 1465 relating to interstate transportation of obscene material, apply as well. Thus, although there are Federal criminal penalties for uttering obscene language by radio transmission, there is serious doubt as to whether this provision can be applied to cable television.

Mr. President, I ask unanimous consent that corrrespondence from the Justice Department, dated May 24, 1984, be printed in the RECORD at this point.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
CRIMINAL DIVISION,
Washington, DC, May 24, 1984.

Hon. JESSE HELMS
U.S. Senate,
Washington, DC.

DEAR SENATOR HELMS: This is in response to your letter of April 26, 1984, to Robert A. McConnell, Assistant Attorney General, Office of Legislative Affairs, concerning the applicability of 18 U.S.C. 1464 to cable television.

Section 1464 provides: "Whoever utters any obscene, indecent, or profane language by means of radio communication shall be fined not more than $10,000 or imprisoned not more than two years or both." This provision was taken from sections 326 and 501 of the Communications Act of 1934 (47 U.S.C. 326, 501). The Communications Act created the Federal Communications Commission and gave it jurisdiction over all forms of "wire communication" and "radio communication." These terms are defined in 47 U.S.C. 153 as follows:

(a) "Wire communication" or "communication by wire" means the transmission of writing, signs, signals, pictures, and sounds of all kinds by aid of wire, cable, or other like connection between the points of origin and reception of such transmission, including all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to such transmission.

(b) "Radio communication" or "communication by radio" means the transmission by radio of writing, signs, signals, pictures, and sounds of all kinds, including all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to such transmission.

By its terms 18 U.S.C. 1464 is limited to broadcasting by means of "radio communication." It seems clear that a cable-caster which originates programming in its own studio and transmits wholly through a closed cable system would not be covered by 18 U.S.C. 1464. Furthermore, the statute penalizes only one who "utters any obscene, indecent, or profane language." On its face the statute would not cover the transmission of pictures.

The issue of whether the government can regulate under present law the content of communications by means of this relatively new technology is far from clear, and we have undertaken a study of the matter. For instance, the fact that cablecasters receive signals from satellites by way of antennas before transmitting them by cable (or, for that matter, the fact that individual subscribers may now receive signals directly at their homes by means of privately purchased dish antennas) suggests that the "radio communication" definition may apply to this aspect of the industry. It may also be that 18 U.S.C. 1462 or 1465, which prohibit the interstate transportation of obscene material, may apply. Certainly we are in need of a better understanding of the technology of this industry before these questions can be resolved, and, as stated above, we are in the process of acquiring this information.

We shall be pleased to advise you of the results of our study after it has been concluded.

Sincerely,

STEPHEN S. TROTT,
Assistant Attorney General, Criminal Division.

By: VICTORIA TOENSING,
Deputy Assistant Attorney General.

Mr. HELMS. Mr. President, an attempt was made last year in the Cable Communications Policy Act, Public Law 98-549, to cure some of the problems of title 18, United States Code, section 1464 in not covering pornography on cable television. That act added the following new section to the Communications Act of 1934:

SEC. 639. Whoever transmits over any cable system any matter which is obscene or otherwise unprotected by the Constitution of the United States shall be fined not more than $10,000 or imprisoned not more than 2 years, or both.

This provision is fine as far as it goes, but prosecutors with whom my office has been in contact voice concerns over the constitutionality of making criminal the cable casting of matter "otherwise unprotected by the Constitution of the United States." Some believe that there is a vagueness problem here, and this concern is apparently inhibiting the initiation of prosecutions under the new provision.

Mr. President, my bill will render moot any problem in this section of the Communications Act of 1934 by simply expanding the existing criminal law in title 18 prohibiting the transmission of obscene, indecent, or profane material, as well as language, over both broadcast television and cable television.

Mr. President, there is no reason to have one set of laws for broadcasting obscene language and another set for cable-casting obscene materials and no explicit law on broadcasting obscene language or materials over ordinary television. My bill will simply expand title 18, United States Code, section 1464 to cover all these cases with the same penalty.

Further, the bill leaves the maximum prison term of 2 years in place but increases the current maximum fine of $10,000 to $50,000. This new maximum fine of $50,000 will make section 1464 consistent with the fine stipulated in section 223 of the Communications Act of 1934, as amended in 1983, for obscene and harassing telephone calls. It will also reflect the seriousness of Congress to deal with the pornography program, particularly in light of the fact that the fine in section 1464 has not been increased since the section was enacted in 1948.

In addition, my bill adds a new subsection to section 1464 specifically preserving the powers of the States to regulate in this area in a manner not inconsistent with its provisions.

Mr. President, the provisions of my bill amending section 1464 should effectively remove radio, broadcast television, and cable television as a means for the communication of obscene, indecent, or profane materials. These provisions are also meant to include future developments in technology that involve radio or television in any manner, including the use of satellite transmission.

INTERSTATE TELEPHONE SERVICE

Mr. President, late in 1983 Congress passed a new authorization act for the Federal Communications Commission. That legislation amended section 223 of the Communications Act of 1934 which prohibits obscene and harassing telephone calls in interstate communications.

Such amendments were directed at the so-called dial-a-porn situation in which businesses lease telephone services for the purpose of making pornographic messages available for a fee to any caller—local or long distance. Pornographic magazines such as Penthouse and High Society have sponsored this type enterprise, and countless children throughout the country have used it.

In response to such exploitation of children, many public officials and others sought to have the FCC enforce the former section 223. When the FCC failed or was unable to respond under the prior law, Congress passed the 1983 amendments to section 233.

Mr. President, these amendments were made in hopes of clarifying the section's application to the dial-a-porn situation. Unfortunately, the amendments were hastily drafted and passed, and they have made section 233 all but useless in getting rid of the dial-a-porn problem.

The main flaw in the amendment is the "safe-harbor" provision that effectively sanctions commercial telephone pornography and that does not really protect children from this scourge. Subsection (b)(2) provides:

It is a defense to a prosecution under this subsection that the defendant restricted access to the prohibited communication to persons eighteen years of age or older in accordance with procedures which the Commission shall prescribe by regulation.

This provision has proved in practice a gaping loophole in the law and has rendered the statute ineffective in providing sufficient protection for children.

The 1983 amendments have managed to produce the following disastrous effects:

First, for the first time in American history the dissemination of obscenity is legalized and sanctioned. The statute explicitly legalizes the transmission of obscene or indecent remarks to adults who consent to hear the message. To base obscenity law on a consenting adult theory completely contradicts the philosophy of other Federal laws prohibiting the importation, mailing, broadcasting, and interstate transportation of obscene matter. The traditional idea has been that, in order to serve the common good, the chan-

nels of commerce should not be open to breaches of public morality.

Second, even when minors take advantage of a dial-a-porn enterprise, there is a complete defense to the criminal penalties for the provider if he followed the FCC guidelines designed to restrict access for minors. Instead of working to protect the minors, this aspect of current law immunizes the smut peddler. As a practical matter, it is virtually impossible to prevent minors from calling or to distinguish a minor from an adult caller, and the law ought to recognize this reality.

Third, obscene recordings and telephone calls are legalized as long as they are made for noncommercial purposes. Thus, an individual who offers obscene calls as a hobby would be exempt from prosecution in many situations.

The purpose of my bill's amendments to section 233 is to cure these defects. It eliminates the "safe-harbor" provision so that obscene material may not be transmitted by telephone to minors or adults, consenting or unconsenting.

Mr. President, I ask unanimous consent that the full text of this bill be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Cable-Porn and Dial-a-Porn Control Act".

SEC. 2. (a) Section 1464 of title 18, United States Code, is amended to read as follows:

"§ 1464. Distributing obscene material by radio or television

"(a) Whoever utters any obscene, indecent, or profane language, or distributes any obscene, indecent, or profane material, by means of radio or television, including cable television, shall be fined not more than $50,000 or imprisoned not more than two years, or both.

"(b) As used in this section, the term 'distributes' means to send, transmit, retransmit, telecast, broadcast, or cablecast, including by wire or satellite, or produce or provide such material for distribution.

"(c) Nothing in this section is intended to interfere with or preempt the power of the States, including the political subdivisions thereof, to regulate obscene, indecent, or profane language or material, of any sort, in a manner which is not inconsistent with this section."

(b) The analysis of chapter 71 of title 18, United States Code, is amended by deleting "1464. Broadcasting obscene language." and inserting in lieu thereof "1464. Distributing obscene material by radio or television.".

SEC. 3. (a) Subsection (b) of section 223 of the Communications Act of 1934 (47 U.S.C. 223) is amended to read as follows:

"(b)(1) Whoever—

"(A) in the District of Columbia or in interstate or foreign communication, by means or telephone, makes (directly or by recording device) any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent, regardless of whether the maker of such comments placed the call, or

"(B) knowingly permits any telephone facility under such person's control to be used for any purpose prohibited by subparagraph (A),

shall be fined not more than $50,000 or imprisoned not more than six months, or both.

"(2)(A) In addition to the criminal penalties under paragrpah (b)(1), whoever, in the District of Columbia or in interstate or foreign communication, violates paragraph (b)(1)(A) or (b)(1)(B) for commercial purposes shall be subject to a civil fine of not more than $50,000 for each violation. For purposes of this paragraph, each day of violation shall constitute a separate violation.

"(B) A fine under this paragraph may be assessed either—

"(i) by a court, pursuant to a civil action by the Commission or any attorney employed by the Commission, who is designated by the Commission for such purpose, or

"(ii) by the Commission, after appropriate administrative proceedings.

"(3)(A) Either the Attorney General or the Commission, or any attorney employed by the Commission who is designated by the Commission for such purpose, may bring suit in a district court of the United States to enjoin any act or practice which allegedly violates paragraph (b)(1), or (b)(2).

"(a)(B) Upon a proper showing that, weighing the equities and considering the likelihood of ultimate success, a preliminary injuction would be in the public interest, and after notice to the defendant, such preliminary injuction may be granted. If a full trial on the merits is not scheduled within such period, not exceedding 20 days, as may be specified by the court after issuance of the preliminary injunction, the injunction shall be dissolved by the court.".

(b) Subparagraph (A) of paragraph (1) of subsection (a) of section 223 of the Communications Act of 1934 is repealed.

(c) Subsection (c) of section 8 of the Federal Communications Commission Authorization Act of 1983 is repealed.

Mr. DENTON. Mr. President, first, I would like to compliment the gentleman from North Carolina, Senator HELMS, for his outstanding leadership in introducing S. 1090, which addresses a very serious problem facing this Nation: the dangerous intrusion of pornography into the American home, via the public channels of communication. This proposed legislation has as its purpose the elimination of the use of cable television and interstate telephone service for the transmission of obscene, indecent, and profane material. It accomplishes two major goals. First, it makes it clear that section 1464 of title 18 of the United States Code includes the transmission of obscene or indecent material on cable television, in addition to the section's current coverage of radio and broadcast television. Second, it amends section 223 of the Communications Act of 1934 to clearly prohibit the use of interstate telephone service for the transmission of obscene messages and establishes heavy penalties for transmitting such messages.

Pornography is a vice that destroys values and contributes to the breakdown of the family. It has a negative effect on all of society—men, women, and children. The sexual exploitation of any human being, especially those who are young and impressionable, or in a vulnerable position, is reprehensible. Many recent studies substantiate the harmful effects of pornographic matter. Studies have shown that even in its mild forms, pornography is harmful because it fosters the mentality which considers the human being not as a person, but as an object which exists to gratify the selfish interest of someone else. According to commentaries, there is a positive correlation between pornography and wife beating, rape, and incest.

When I served as chairman of the Subcommittee on Family and Human Services of the Senate Committee on Labor and Human Resources, I had the opportunity to hear testimony that documented the terrible consequences of widespread and growing breakdown in values. At oversight hearings on broken families, and at a series of hearings on the reauthorization legislation for the Child Abuse Prevention and Treatment and Adoption Reform Act, the evidence was clear that the breakdown in values is a sensitive and complex social problem, one that is a true crisis for our country and for us as individuals, and pornography clearly contributes to it.

In my capacity as a member of the Subcommittee on Juvenile Justice of the Senate Committee on the Judiciary, I heard testimony that indicated that sexually exploited persons are unable to develop healthy affectionate relationships in later life, that they may have sexual dysfunction, and that they become victims in a continuous cycle of abuse.

As a member of the Committee on the Judiciary, I presided over hearings on the subject of organized crime's influence in the pornography industry, and am familiar with the economic motivation behind the sexual exploitation industry, as well as its impact upon society. There are reports which indicate that organized crime dominates distribution of pornography in the United States, and invests those profits in other criminal activities such as loansharking and narcotics. A report issued by the attorney general of the State of California, entitled: "Organized Crime in California 1982-83" states that pornographers with firm links to organized crime have entered the cable television and subscription television industry, and, by early 1984, had become major suppliers of pornographic material to that industry. I ask unanimous consent that a copy of the applicable portions of that report, pages 14 and 15, be placed in the RECORD at the conclusion of my remarks.

In a long line of cases, the U.S. Supreme Court has consistently held that obscene material is not protected by the first amendment. See, for example, *Paris Adult Theatre I* v. *Slaton*, 413 U.S. 49 (1973); *Miller* v. *California*, 413 U.S. at 23-25 (1973); *Kois* v. *Wisconsin*, 408 U.S. 229 (1972); *United States* v. *Reidel*, 402 U.S. at 354 (19—); and *Roth* v. *United States*, 354 U.S. 476 (1957).

Moreover, the U.S. Supreme Court has held that there is a species of speech which, as a matter of constitutional law, is subject to regulation under certain circumstances even though the speech is nonobscene—that is, it does not meet the full "Miller" test. In this regard, see *FCC* v. *Pacifica Foundation*, 438 U.S.C 726 (1976).

Commerce in obscene material is unprotected by any constitutional doctrine of privacy. Cable Television and Dial-It Sex Services are commercial enterprises, operating in the public sphere, using a public means of communication. *Stanley* v. *Georgia*, 394 U.S. 557, does not authorize a commercial purveyor of obscene magazines to use the U.S. mail to send pornography "into the home." Similarly, the Stanley case does not authorize or protect the cable television and Dial-It Sex Services or insulate them from Federal regulation. The U.S. Supreme Court has specfically declined to equate the "privacy" of the home in Stanley, with a "zone" of "privacy" that follows a distributor or a consumer of obscene materials wherever he goes. In this regard, see *Paris Adult Theater I* v. *Slaton*, 413 U.S. 49, at 66-67 (1973); *U.S.* v. *Orito*, 413 U.S. at 141-143; *U.S.* v. *12-200 Foot Reels of Film*, 413 U.S. at 126-129; *U.S.* v. *Thirty-Seven Photographs*, 402 U.S. at 376-377; *U.S.* v. *Reidel*, 402 U.S. at 355.

The crass commercial exploitation of human sexuality by the multibillion-dollar pornography business is an affront to every individual and to every community that strives to maintain a decent society and to protect its citizens and their fundamental freedoms.

Innovations in the methods of distributing pornography, particularly in the areas of cable television and interstate telephone service, make it imperative that Congress act quickly in support of S. 1090.

In view of the seriousness of the factors involved, no amount of institutional "fatigue" justifies abdication of Government supervision over the public channels of communication. See *Miller* v. *California*, 413 U.S. 15, at 29-30 (1973).

The ease with which children may obtain access to pornography via television and the Dial-It Sex Services, is well documented. News articles list story after story of how children as young as 6 years old have been indiscriminantly exposed to pornographic messages and images, against the will of and without the consent of their parents. I ask unanimous consent that a copy of several representative news articles be placed in the RECORD at the conclusion of my remarks.

The U.S. Supreme Court has recognized Government's interest in both the well-being of its youth, and in supporting parents' claim to authority in their own household. See *Ginzburg* v. *New York*, 390 U.S. 629 (1968), and *FCC* v. *Pacifica Foundation*, 438 U.S. 726 (1976). These concerns were underscored by the Ginzburg court, which stated:

> It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder.* * * Parents * * * who have this primary responsibility for children's well-being are entitled to the support of laws designed to aid discharge of that responsibility.

This is an important point: Parents are entitled to the support of laws designed to aid discharge of their responsibilities. This thought is echoed by one newspaper editorial, speaking on the subject of Dial-Porn, which observed:

> We believe in a free press, the free exchange of ideas and opinions and every man's right to personal expression, but we do not believe that such freedoms carry with them the license to maim the minds of children.

Effective action must be taken immediately against the offending commercial enterprises. I urge support of S. 1090.

There being no objection, the material mentioned earlier was ordered to be printed in the RECORD, as follows:

ORGANIZED CRIME IN CALIFORNIA 1982-83

(Annual Report to the California Legislature)

ORGANIZED CRIME AND PORNOGRAPHY

East Coast organized crime families currently own and control key national distribution companies and therefore regulate much of the availability of pornographic material for sale in California. By dictating the terms of product distribution, organized crime figures ultimately control many California pornography businesses. With this control and the millions of dollars in profits derived, organized crime is able to further its illegal activities by investing in narcotics trafficking, loansharking, and infiltrating legitimate businesses.

During the 1970s, organized crime engaged in extortion and violence in an effort to gain control over the independent pornographers in California. Now, firmly established in national distribution and involved in almost all aspects of pornography, organized crime exerts strong control over California pornographers. These crime families appear to have recognized the economic benefits of this business and now give greater attention to their pornography interests.

Previously, the Bonanno, Colombo, Gambino, and DeCavalcante organized crime families of the East Coast were active in pornography in California. The Bonanno and Colombo families have lessened their involvement in pornography due to continued deterioration of their organizational structure and strength. The DeCavalcante and Gambino families appear to have consolidated their pornography interests and now dominate the industry throughout the nation.

A key figure who seems to represent the latter two organizations in pornography is Robert DeBernardo, a top member of the DeCavalcante Crime Family of Northern New Jersey. He is the operator of the largest East Coast pornography distribution company, Star Distributor of New York. DeBernardo is a close associate of Ettore Zappi, underboss of the Gambino Crime Family. In 1973 grand jury testimony alleged that Zappi received large amounts of cash from California pornography operators.

Much of the influence of these two crime figures is believed to be exerted on California pornographers through Reuben Sturman of Cleveland, Ohio. Sturman is one of the largest pornography distributors in the nation and maintains a financial interest in numerous pornography businesses in California and throughout the world. Many California pornographers depend on Sturman's vast distribution network and are therefore subject to his influence.

The arrival of home video cassette recorders on the market in 1979 was accompanied by a growing demand for adult videotapes. California pornographers, many linked to organized crime, quickly entered this market by forming companies involved in the manufacturing, production, duplication, distribution, and sale of adult videotapes. The annual gross of the adult videotape industry in the Los Angeles area alone was estimated by Southern California law enforcement authorities to be well over $200 million in 1982 and to have exceeded that figure in 1983.

TRENDS AND PROJECTIONS

Organized crime continues to dominate California pornography operations and is extending its involvement in all aspects of the industry including the growing adult videotape market. Pornographers with firm links to organized crime have also entered the cable and subscription television industry and, by early 1984, had become major suppliers of pornographic material to that industry.

CUT THE PROFITS OF THE KIDPORN TRADE

We believe in a free press, the free exchange of ideas and opinions and every man's right to personal expression, but we do not believe that such freedoms carry with them the license to maim the minds of children.

Congress has been playing around for months with three bills that would give federal authorities the tools they need to go after the producers and purveyors of filth who prey upon children. We don't think they should wait any longer.

During the past week the mother of a young Las Vegas boy found herself frustrated and frightened because local authorities and the phone company are powerless to do anything about companies selling pornographic messages on long-distance telephone lines to anyone who will call up and give them a credit card number to bill.

STIFF FINES SUGGESTED

Senate Bill 1469 passed the Senate July 16, but Sen. Strom Thurmond, R.S.C., wants to add an amendment that would allow federal wiretapping in child pornography cases.

A similar provision is already in a bill approved July 14 by the House Judiciary Subcommittee on Crime.

The bills would raise from 16 to 18 the maximum age of children who are protected, remove the existing requirement that sexually explicit materials depicting children be "obscene" before they are banned and stop production of child pornography, regardless of whether it is commercially disseminated.

Senate Bill 1469 would also fine organizations up to $250,000. Neither existing law nor the House bill provides for the fine, which we think is a good idea. The Senate bill would also require anyone convicted of sexually exploiting children to forfeit the assets used in producing the pornographic material and the profits accumulated from it.

STOP THE FILTH MERCHANTS

We think that last provision is the way to get at the latest scheme of the filth merchants, the long-distance peddling of phone fantasies.

House Resolution 3062 also makes it an offense to reproduce the pornographic materials of children. Authors of the resolution say they want to make it easier to prosecute those who reproduce the materials, but may not have taken the original pictures.

We support these efforts and hope the politicians resist pandering to the weak-kneed who have the gall to suggest that children of any age have the maturity to decide whether or not they want to allow themselves to be used by adult hustlers who have no commitment to anything but their own rapacious desires.

The House members have a special obligation, we think, considering that two of their members have just been censured as men who seduced two children serving as pages in the House.

Taking the profit out of child pornography is a laudable goal. It would effectively kill this lecherous business. It has existed far too long. Period.

[From the Daily News, June 9, 1983]

PORNO PHONE NUMBER HAS 10-YEAR-OLD'S MOM MAD

(By Karen Adams)

A phone number for a pornographic recording service in New York City is circulating among Longview students and, as School Superintendent Grant Hendrickson says, "there's no simple solution" to the problem.

The recordings are offered by High Society, a girlie magazine, to boost sales. They feature messages by women whose pictures appear in the magazine.

"Apparently (the number) is pretty widespread," Hendrickson said. "These things probably spread like wildfire."

Carrie Shupe, a mother incensed by the recordings, told The Daily News she called a number of city, state and federal officials to see what parents can do to stop them.

She says the U.S. attorney in Seattle recommended that she and other concerned parents write the United States Department of Justice in Washington, D.C., to request action against the recordings, but apparently nothing more can be done.

Mrs. Shupe became incensed about the recording when her 10-year-old daughter dialed a number she had been given by another student at her grade school.

"She wasn't told she was going to hear that kind of message," Mrs Shupe said. When her daughter told her about it she called the number herself.

"It was really raw," she said, and consisted of explicit "how to's" of sexual activities. "I was so mad that my little girl had gotten that message in grade school," she added.

Hendrickson says there is nothing the schools can do to stop it.

"To tell the students there's this number for a porno phone line that they shouldn't call would just stir things up more," he said.

Dale Vincent, community affairs manager for Pacific Northwest Bell, says the telephone company has no legal basis for denying phone service to High Society for its recordings.

"Presumably they're operating within the law," he said. Lawsuits have been undertaken in New York against the porno service and complaints have been made by members of Congress. But there is no existing law that prevents obscene calls to which the calling party voluntarily subjects himself.

Mrs. Shupe urged parents with complaints about the phone numbers to write to the United States Department of Justice, Criminal Division, General Crimes Section, Washington, D.C. 20530.

[From the Advertiser & Journal, Montgomery, AL, June 5, 1983]

PORNO HOTLINE REACHES OUT AND TOUCHES KIDS

(By David McFarland)

"III, I'm Susie from High Society," the voice on the other end of the telephone seductively purred into the ear of the listener who dialed a New York porno hotline. "You must be the TV repairman. . ."

The listener wasn't the TV repairman. He was a 6-year-old Montgomery boy.

He and any other child in the United States can call High Society magazine's special telephone numbers and receive erotic messages. Many are doing just that.

What they are hearing are recorded messages that sound much like an X-rated movie soundtrack without the four-letter words.

The "hotline" offers nine messages each day to supplement the adult magazine's monthly nude photographs, according to Gloria Leonard, publisher of High Society.

More than half a million people call the 57-second "hotline" every day—including many children, she says.

The hotline stays within the limit of the law by avoiding profanities and obscene language—words that are forbidden by federal regulations.

But according to Jack Hornady, director of the Alabama Public Service Commission's Consumer Service's Division, highly suggestive language and moans, groans, oohs and aahs are not against the law.

Hornady said his office has been swamped with numerous complaints from Alabamians who have suddenly found their telephone bills filled with one-minute calls to New York City.

The complainant is usually the parent of a teen-aged boy.

Lisa Long, an employee in the consumer division, said she has received about 10 complaints a day for the past month from Alabama customers who have been charged with calls to New York.

Reports of these one-minute charges have been reported from virtually every area of the state.

"There is nothing we can do about it," Mrs. Long said. "We don't have the authority to stop the phone service because they aren't doing anything against the law."

Phone companies find themselves in a similar position.

New York Telephone, which provides the equipment High Society uses to operate the service, says it cannot stop the service.

"We are not permitted to be censors," said John Quinn, a spokesman with the company. Quinn said his office has received complaints about the hotlines from all over the country.

Tom Somerville, a South Central Bell spokesman, said his office in Montgomery also has received several complaints about the billings.

But, he said, his company can do nothing about the calls.

"They are definitely being made from those phones," Somerville said and parents are responsible for all calls their children make.

School phones also have been used to call the hotlines, according to Montgomery School Superintendent Henry Adair.

Adair said he is certain the calls were made by students. The calls, placed from Carver and Lanter high schools, will have to be absorbed by the schools, Adair said.

"It's a natural place for the telephone numbers to be exchanged," he said. The city's principals were made aware of the problem earlier this year, and they were asked to tighten student use of school phones, he said.

Such monitoring measures also are advocated by the woman who runs the hotline service from New York.

"It's the parent's responsibility to monitor their children's telephone habits," Ms. Leonard said.

"The magazine is not supposed to be sold to anyone under 18 years of age," she said. "But it's an old tradition for the children to get a hold of daddy's magazine or big brother's magazine." The hotline numbers are advertised in the magazine.

Her magazine began the hotline service in February with its "free phone sex," as it is billed on the July cover.

A full-page advertisement, including the three hotline numbers, are on the inside front cover.

Ms. Leonard, who claims to be the only woman publisher in the men's magazine industry, is proud of her idea's success. "We have more than 15 million people calling every month. That's what I call encouraging."

One reason Ms. Leonard is encouraged by the response to the service is that her magazine is making about $10,000 a day from the calls.

Costs of the one-minute calls from Alabama range from 25 cents to $1.05, depending on what time of day they are place.

Because of a special New York state telephone tariff, the magazine receives two cents per phone call: New York Telephone gets 13 cents per call for renting the service.

Such a hotline in Alabama would not be profitable, Hornady said, because Alabama has no law that would allow a company to collect money for a similar service.

But he said there is no law in Alabama prohibiting a person from starting a hotline.

The complaints have not fallen on deaf ears, however. The U.S. Justice Department is researching a way to stop the hotline.

John Russell, a spokesman with the department's Washington office, said staff attorneys may try to stop the hotline through civil litigation.

He said the service violates no criminal laws.

Ms. Leonard balks at the suggestion that the line should or could be cut off.

"The government is just passing the buck because it doen't want to tangle with us."

[From the Chicago Tribune, Jan. 20, 1985]

INVADING TV PORN TROUBLES A CHILD

(By Bob Greene)

The 9-year-old girl had been at a Saturday-night slumber party. She and another 9-year-old friend had slept over at the house of another friend, this one 11.

The next day she returned home, and her parents took her to church. When the family had come back from the worship services, the little girl became strangely quiet. Then she told her mother there was something she wanted to talk about.

"At the slumber party last night I saw a movie . . ." the girl began. Then she started to cry.

Her mother talked with her about what had happened, and this is what the girl said:

She and her friends had played all evening, and then had been sent to bed. The girls were all in one bedroom when—as children will—they decided that they wanted to stay up later than their parents thought they should.

So they turned on the television set and started switching channels. They went from one program to the next—and when they got to Channel 44 they stopped. They couldn't believe what they were seeing.

A nude man and woman were on the screen. The man and the woman were having sex.

Now, Channel 44 is the channel that pay TV operation known as ON-TV uses to send out its signals. The way it works is that every house in the Chicago area receives a scrambled signal on Channel 44; if the homeowners subscribe to ON-TV the signal is unscrambled, and the movies come in clearly. Late each night, "adult" movies are shown on the channel: these, too, are scrambled, and homeowners have to pay a special premium charge to unscramble them.

At this particular house—the house where the slumber party was underway—the parents were not subscribers to ON-TV. This was just a regular television set without pay-TV accessories.

And yet here was the movie—it was called "Dirty Lilly"—being broadcast clearly onto the screen.

There was no sound: the video signal was being broadcast, but not the audio signal. The girls has never seen anything like this before; they sat and watched. Finally the mother of the girl who was giving the slumber party heard them talking, and told them to go to bed. They turned off the movie.

And now, the next day, the 9-year-old was crying to her mother.

"She was extremely upset," the mother said. "This was her first contact with anything that has explicit sexual content. It took me a long time to get her to tell me what she saw. She said that there were men and women with no clothes on crawling all over each other. She said that there were women with no clothes on kissing other women. She asked me why they were doing those things."

The more the mother heard, the more furious she became. "It's hard enough bringing a child up in today's social environment," she said. "We have told our daughter the basic facts about sex—that it's something beautiful that happens between a man and a woman, and that it is an expression of love and happiness. But we haven't gone into any details of how all of this takes place.

"And now my daughter's first view of what sex is comes from some filthy, perverted porno movie. It just makes me sick."

The mother called the mother of the girl who had hosted the slumber party. The other mother confirmed that her family did not subscribe to ON-TV; she couldn't imagine how this could have happened. She was equally upset.

The mother of the 9-year-old called the ON-TV business offices. "I got a runaround," she said. "They told me that in certain weather conditions the signal sometimes becomes unscrambled, but that there was nothing they could do about it. They said it's just something that sometimes happens."

[I called Kent Hauver, the general manager of ON-TV. "We've had enough complaints that I have to say it probably did happen on the night in question," he said. "Technically, we don't know why. Something must have broken down electronically. It shouldn't have happened, and it won't happen again."]

The mother next called the Federal Communications Commission. "I asked if something couldn't be done about this," she said. "Basically they were very sympathetic—but they told me that there wasn't much they could do."

Now the mother is trying to explain to her daughter that sex is something that grown-ups who love each other do to express that love. Her daughter, she said, is confused.

"I don't blame her," she said. "I would never allow these kinds of movies in our house; I don't approve of them. Now my child's first view of sex was a dirty, snickering movie that cheapens sex and sells it for cheap thrills. The fact that she told me she had seen the women having sex together especially bothers me; when you're trying to explain to your child what sex is, how do you explain a lesbian scene in a porno movie? I know we're supposed to be living in a world where everything is permissible, but I don't know what you're supposed to tell a 9-year old about that."

She said that she is thinking about telling the staff psychologist at her daughter's school about what happened, and seeking his advice.

"I just don't know what the proper course to take is," she said. "But it repulses me and sickens me that a family can do everything in its power to bring up its children in a wholesome way—and then some pay-TV operation can send porno movies into houses that don't want them, and get away with just saying, 'Oh, we're sorry.' "

By Mr. MATHIAS (for himself, Mr. THURMOND, Mr. BIDEN, Mr. DOLE, Mr. DECONCINI, Mr. HEFLIN, Mr. DENTON, and Mr. SPECTER):

S. 1093. A bill to amend the patent law to restore the term of the patent grant in the case of certain products for the time of the regulatory review period preventing the marketing of the product claimed in a patent; to the Committee on the Judiciary.

AGRICULTURAL PATENT REFORM ACT

● Mr. MATHIAS. Mr. President, one of the signal accomplishments of the 98th Congress was the passage of the pharmaceutical patent term restoration bill, now Public Law 98-417. This measure restores equity to inventors by extending patents on medical drugs for the time lost on the patent because of Federal testing requirements. This process consumes on average more than half of the 17-year patent.

In the earlier versions of this bill, which I introduced at the beginning of the 98th and 97th Congresses (S. 1306 and S. 255, respectively), the coverage included both pharmaceutical drugs and agricultural chemicals such as pesticides and fertilizers. These agrichemicals also lose an average of 5 to 7 years of their patents because of premarket regulatory review requirements imposed by the EPA. Last year we separated the agrichemical portion of the bill from the pharmaceutical bill because the latter became coupled with amendments on generic drugs, and the agrichemical provisions no longer fit neatly into the package. A separate bill was introduced late in the session last year in the House and Senate, but we ran out of time. A solid legislative record has been built for agrichemical patent restoration in hearings over the past two Congresses, and I would hope to hold an early hearing this year to bring the record up to date.

Fairness is the primary goal of this bill. The inventor of an agrichemical product should get the same treatment under our patent laws as any other invention. But it is important to remember the reason for the patent laws in the first place: the principle that exclusive rights for limited times is the best way to promote scientific progress in the useful arts, the principle embodied in Article I, Section 8 of our Constitution. Giving fuller patent life to inventions in the agricultural field will stimulate greater research and innovation. As reports of famine and malnutrition crowd in on us from many quarters, we all know the importance of increased agricultural productivity. Three percent of the American population feeds our country and much of the rest of the world. But our food production must double by the year 2030 to feed the projected world population at that time. In facing this challenge, the chemicals that we use to fight insects, weeds, and diseases to protect our crops and the world's crops have an essential role to play in the battle against hunger. We must insure that the system of incentives that has worked in the past remains intact to fuel inventive genius in the future.

The text of the bill I am introducing today is nearly identical to that passed by the House Judiciary Committee last year. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1093

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act be cited as the "Agricultural Patent Reform Act of 1985".

SEC. 2. (a) Title 35 of the United States Code is amended by adding the following new section immediately after section 156:

"§ 157. Restoration of patent term for certain agricultural and chemical products.

"(a)(1) The term of a patent which claims a product subject to a regulatory review period or a method for using such a product or a method for manufacturing such a product shall be extended, in accordance with this section, from the original expiration date of the patent if—

"(A) the product sponsor gives notice to the Commissioner in compliance with the provisions of subsection (b)(1):

"(B) the product has been subject to a regulatory review period pursuant to statute before its commercial marketing or use;

"(C) the patent to be extended has not expired prior to notice to the Commissioner under subsection (b)(1);

"(D)(i) in the case of a patent which claims a method of manufacturing the product which does not primarily use recombinant DNA technology in the manufacture of the product—

"(I) no other patent has been issued to the patent owner which claims the product or a method of using the product; and

"(II) no other method of manufacturing the product which does not primarily use DNA technology in the manufacture of the product is covered by a claim in a patent issued to the patent owner having an earlier issuance date;

"(ii) in the case of a patent which claims a method of manufacturing the product which primarily uses recombinant DNA technology in the manufacture of the product—

"(I) the holder of the patent for a method of manufacturing the product is not the holder of a patent for the product or for a method of using the product;

"(II) no other method of manufacturing the product primarily using recombinant DNA technology is covered by a claim in a patent having an earlier issuance date; and

"(III) the holder of the patent for a method of manufacturing is not owned or controlled by a holder of a patent for the product or for a method of using the product or by a person who owns or controls a holder of such a patent, and does not own or control the holder of such a patent or a person who owns or controls a holder of such a patent; and

"(E) except in the case of a patent which claims a method of manufacturing the product which primarily uses recombinant DNA technology in the manufacture of the product, the permission for the commercial marketing or use of the product after such regulatory review period is the first permitted commercial marketing or use of the product under the provision of law under which such regulatory review period occurred.

"(2) The rights derived from any claim of any patent extended under paragraph (1) shall be limited in scope during the period of any extension as follows:

"(A) In the case of any patent, to the scope of such claim which relates to the product subject to regulatory review.

"(B) In the case of a patent which claims a product or a method of using a product—

"(i) which is subject to regulatory review under the Federal Food, Drug, and Cosmetic Act, to the uses of the product which may be regulated by the chapter of such Act under which the regulatory review occurred, or

"(ii) which is subject to regulatory review under any other statute, to the uses of the product which may be regulated by the statute under which the regulatory review occurred.

"(C) In the case of a patent which claims a method of manufacturing a product, to the method of manufacturing as used to make the approved product.

"(3)(A) Subject to subparagraph (B), the term of a patent shall be extended by the time equal to the regulatory review period which occurred during the period up to ten years after the date of filing of the earliest application for such patent and the time equal to one-half the regulatory review period which occurred during the period between ten and twenty years from the filing date of the earliest patent application for such patent.

"(B)(i) In determining a regulatory review period for purposes of subparagraph (A), if an application or notice described in paragraph (5)(B)(ii) or (5)(C)(ii) of subsection (c) was rejected and returned to the product sponsor because of insufficiency of data, the period beginning on the date the application was rejected for insufficiency of data and ending on the date the application was subsequently accepted shall be excluded, except that if during such period the product sponsor conducts a major health or environment effects test, the period during which such test is conducted shall not be excluded. In determining the regulatory review period for purposes of subparagraph (A) with respect to a new animal drug, if the Secretary of Health and Human Services refuses to approve an application submitted under section 512 of the Federal Food, Drug, and Cosmetic Act on the grounds that the application contains insufficient information, the period beginning on the date the Secretary issues an order under subsection (d)(1) of such section refusing to approve such application and ending on the date a subsequent application is approved shall be excluded.

"(ii) In determining a regulatory review period for purposes of subparagraph (A), the regulatory review period shall be reduced by any period determined under subsection (b)(2) during which the applicant for the patent extension did not act with due diligence.

"(iii) In no event shall the term of any patent be extended for more than five years. No term of any extended patent may exceed twenty-five years from the date of filing of the earliest United States patent application which provides support under section 120 of this title for any claim of the patent to be extended. If the regulatory review period for a product began before the date of enactment of this section and if on such date the regulatory review period has not ended, the period of patent extension for the patent which claims the product or a method of using or manufacturing the product shall be measured from the date of enactment and shall not exceed three years.

"(C) In no event shall more than one patent be extended for the same regulatory review for any product.

"(D) In the case of a pesticide, all formulations of such pesticide containing the identical active ingredient shall be considered the same pesticide and no pesticide may be the subject of more than one patent extension.

"(b)(1) To obtain an extension of the term of a patent under subsection (a), the product sponsor shall notify the Commissioner under oath, within ninety days after the termination of the regulatory review period for the product to which the patent relates, that the regulatory review period has ended. If the product sponsor is not the owner of record of the patent, the notification shall include the written consent of the owner of record of the patent to the extension. Such notification shall be in writing and shall—

"(A) identify the Federal statute under which regulatory review occurred or, if the regulatory review occurred under the Federal Food, Drug, and Cosmetic Act, the chapter of the Act under which the review occurred;

"(B) state the dates on which the regulatory review period commenced and ended;

"(C) identify the product for which regulatory review was required;

"(D) state that the requirements of the statute under which the regulatory review referred to in subsection (a)(1)(B) occurred have been satisfied and commercial marketing or use of the product is not prohibited; and

"(E) identify the patent and any claim thereof to which the extension is applicable; the date of filing of the earliest application for the patent; and the length of time of the regulatory review period for which the term of such patent is to be extended; and state that no other patent has been extended for the regulatory review period for the product.

"(2)(A) Within 60 days of the submittal of the extension notice under paragraph (1), the Commissioner shall notify—

"(i) the Secretary of Agriculture if the patent claims a veterinary biological product subject to the Virus-Serum-Toxin Act or a method of using or manufacturing such a product,

"(ii) the Secretary of Health and Human Services if the patent claims an animal drug product or animal antibiotic product subject to the Federal Food, Drug, and Cosmetic Act or a method of using or manufacturing such a product,

"(iii) the Administrator of the Environmental Protection Agency if the patent claims a pesticide subject to the Federal Insecticide, Fungicide, and Rodenticide Act, a chemical substance or mixture subject to the Toxic Substances Control Act, or a method of using or manufacturing such a pesticide, substance, or mixture,

of the extension notice and shall submit to the Secretary or Administrator who is so notified a copy of the extension notice. Not later than thirty days after the receipt of the extension notice from the Commissioner, the Secretary or Administrator receiving the extension notice shall review the dates contained in such notice pursuant to paragraph (1)(B) and determine the applicable regulatory review period, shall notify the Commissioner of the determination, and shall publish in the Federal Register a notice of such determination.

"(B) If a petition is submitted to the Secretary or Administrator making the determination under subparagraph (A), not later than one hundred and eighty days after the publication of the determination under subparagraph (A), upon which it may reasonably be determined that the product sponsor did not act with due diligence during the applicable regulatory review period, the Secretary or Administrator making the determination shall, in accordance with regulations promulgated by such Secretary or Administrator, determine if the product sponsor acted with due diligence during the ap-

plicable regulatory review period. The Secretary or Administrator shall make such determination not later than 90 days after the receipt of such a petition. The Secretary of Health and Human Services may not delegate such authority to make the determination prescribed by this subparagraph to an office below the Office of the Commissioner of Food and Drugs, the Secretary of Agriculture may not delegate such authority to an office below the Deputy Administrator of Veterinary Services, and the Administrator of the Environmental Protection Agency may not delegate such authority to an office below the Assistant Administrator for Pesticides and Toxic Substances.

"(C) The Secretary or Administrator making a determination under subparagraph (B) shall notify the Commissioner of the determination and shall publish in the Federal Register a notice of such determination, together with the factual and legal basis for such determination. Any interested person may request, within the 60-day period beginning on the publication of a determination, the Secretary or Administrator making the determination to hold a hearing on the determination. Such a hearing shall be an informal hearing which is not subject to section 554, 556, or 557 of title 5, United States Code. If such a request is made within such period, such Secretary or Administrator shall hold such hearing not later than thirty days after the date of the request, or at the request of the person making the request, not later than sixty days after such date. The Secretary or Administrator who is holding the hearing shall provide notice of the hearing to the product sponsor and to any interested person and provide the owner and any interested person an opportunity to participate in the hearing. Within thirty days after the completion of the hearing, such Secretary or Administrator shall affirm or revise the determination which was the subject of the hearing and notify the Commissioner of such affirmation or any revision of the determination and shall publish such affirmation or revision in the Federal Register.

"(D) Failure of a product sponsor to act with due diligence during a regulatory review period shall not be a defense in any action involving the infringement of a patent.

"(E) For purposes of this paragraph, the term 'due diligence' means that degree of attention, sustained directed effort, and timeliness as may reasonably be expected from, and are ordinarily exercised by, a person during a regulatory review period.

"(F) In a proceeding under this paragraph, the Secretary or Administrator may take into consideration the failure of a product sponsor to submit data which the product sponsor knew or reasonably should have known was necessary to support an application or notice described in paragraph (5) of subsection (c).

"(G) The Secretary and the Administrator may establish such fees as the Secretary and Administrator determine appropriate to cover the costs to the Secretary and the Administrator of making the review under subparagraph (A), receiving and acting upon petitions under subparagraph (B), and holding hearings under subparagraph (C).

"(3) Upon receipt of a final determination of the applicable regulatory review period under paragraph (2), the Commissioner shall issue to the owner of record of the patent a certificate of extension, under seal, stating the fact and length of the extension, identifying the product and the statute under which regulatory review occurred, and specifying any claim to which such extension is applicable. Such certificate shall be recorded in the official file of the patent so extended and shall be considered as part of the original patent. The Commissioner shall publish in the Official Gazette of the Patent and Trademark Office a notice of such extension.

"(4) If information submitted by a product sponsor during a regulatory review period is considered as trade secret or confidential commercial or financial information under the law under which such regulatory review occurred, such information may only be disclosed under this section in accordance with such law.

"(c) As used in this section:

"(1) The term 'product' means any machine manufacture, or composition of matter for which a patent may be obtained and is limited to the following:

"(A) Any new animal drug or animal antibiotic subject to regulation under the Federal Food, Drug, and Cosmetic Act.

"(B) Any veterinary biological product subject to regulation under the Virus-Serum-Toxin Act.

"(C) Any pesticide subject to regulation under the Federal Insecticide, Fungicide, and Rodenticide Act.

"(D) Any chemical substance or mixture subject to regulation under the Toxic Substances Control Act.

"(2) The term 'major health or environmental effects test' means an experiment or study to determine or evaluate health or environmental effects which requires at least six months to conduct, not including any period for analysis or conclusions, and the data from which is submitted to recieve permission for commerical marketing or use.

"(3) The term 'earliest application for the patent' means the patent application providing the earliest benefit of a filing date to the patent and includes patent applications under section 120.

"(4) The term 'product sponsor' means any person who, with the consent of the patent owner, initiates testing or investigations, claims an exemption, or submits an application, petition, protocol, request, or notice described in paragraph (5) of this subsection.

"(5) The term 'regulatory review period' has the following meaning:

"(A) With respect to a product which is a new animal drug, animal antibiotic, or veterinary biological product, the regulatory review period is the sum of—

"(i) the period beginning on the date—

"(I) an exemption under subsection (j) of section 512 of the Federal Food, Drug, and Cosmetic Act, or

"(II) the authority to prepare an experimental biological product under the Virus-Serum-Toxin Act,

became effective for the approved product and ending on the date an application was submitted for such product under section 512 of the Federal Food, Drug, and Cosmetic Act or the Virus-Serum-Toxin Act, and

"(ii) the period beginning on the date the application was submitted for the approved product under section 512 of the Federal Food, Drug, and Cosmetic Act or the Virus-Serum-Toxin Act and ending on the date such an application was approved.

"(B) With respect to a product which is a pesticide, the term means the sum of—

"(i) the period beginning on the earlier of the date the product sponsor (I) initiates a major health or environmental effects test on such pesticide, or (II) requests, in accordance with regulations issued by the Administrator, the grant of an experimental use permit for the pesticide under setion 5 of the Federal Insecticide, Fungicide, and Rodenticide Act, and ending on the date an application is submitted for registration of such pesticide pursuant to section 3 of such Act, and

"(ii) the period beginning on the date an application is submitted, in accordance with regulations by the Administrator, for registration of such pesticide pursuant to section 3 of such Act and ending on the date such pesticide is first registered, either conditionally or fully, under such section.

"(C) With respect to a product which is a chemical substance for which notice is required under section 5 of the Toxic Substance Control Act or which is a mixture which contains a substance for which such notice is required and—

"(i) which is subject to a rule requiring testing under section 4(a) of such Act, the term means a period commencing on the date the product sponsor has initiated the testing required in such rule and ending on the expiration of the notice period for such chemical substance or mixture under section 5 of such Act, or if an order or injunction is issued under section 5(e) or 5(f) of such Act, the date on which such order or injunction is dissolved or set aside; or

"(ii) which is not subject to a testing rule under section 4 of such Act, the term means a period commencing on the earlier of the dae the product sponsor—

"(I) submits, in accordance with regulations issued by the Administrator, a notice under section 5 of such Act, or

"(II) initiates a major health or environmental effects test on such chemical substance or mixture,

and ending on the expiration of the notice period for such substance under section 5 of such Act or if an order or injunction is issued under section 5(e) or 5(f) of such Act, the date on which such order or such injunction is dissolved or set aside.

No regulatory review period shall be deemed to have commenced until a patent has been granted for the product which is subject to regulatory review, for the method for using such product, or for the method for producing such product.

"(6) The term 'Virus-Serum-Toxin Act' means the Act of March 4, 1913 (21 U.S.C. 151–158).".

(b) The analysis for chapter 14 of title 35 of the United States Code is amended by adding at the end the following:

"157. Restoration of patent term of certain agricultural and chemical products.".●

By Mr. DOLE (for himself, Mr. ANDREWS, Mr. BOSCHWITZ, Mr. BURDICK, Mr. COCHRAN, Mr. COHEN, Mr. D'AMATO, Mr. EAGLETON, Mr. HEFLIN, Mr. HELMS, Mr. HOLLINGS, Mr. HUMPHREY, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KASTEN, Mr. KENNEDY, Mr. LEAHY, Mr. LUGAR, Mr. MOYNIHAN, Mr. NUNN, Mr. PRYOR, Mr. STAFFORD, Mr. STENNIS, Mr. WILSON, and Mr. ZORINSKY):

S.J. Res. 133. Joint resolution to designate May 25, 1985, as "National Holstein Day"; to the Committee on the Judiciary.

NATIONAL HOLSTEIN DAY

Mr. DOLE. Mr. President, it is my pleasure today to introduce a joint resolution proclaiming May 25, 1985, as "National Holstein Day" and to be joined as original cosponsors by my distinguished colleagues, Senators ANDREWS, BOSCHWITZ, BURDICK, COCHRAN, COHEN, D'AMATO, EAGLETON, HEFLIN, HELMS, HOLLINGS, HUMPHREY, JOHNSTON, KASSEBAUM, KASTEN, KENNEDY, LEAHY, LUGAR, MOYNIHAN, NUNN, PRYOR, STAFFORD, STENNIS, WILSON, and ZORINSKY.

Mr. President, 1985 marks the 100th anniversary of the Holstein-Friesian Association of America, the largest dairy cattle breed association. From a beginning membership of 284 at the time of its incorporation in 1885, the association has grown to over 44,000 breeders of purebred, registered Holstein dairy cattle.

ASSOCIATION PURPOSE

As expressed in its original charter, the purpose of the association was to improve the breed of Holstein-Friesian cattle; ascertaining, preserving, and disseminating all useful information and facts as to their pedigrees and desirable qualities, and the distinguishing characteristics of the best specimens, and preparing, publishing, and supplying all necessary volumes of the Holstein-Friesian herd book; and, generally, for promoting and securing the best interests of the importers, breeders, and owners of Holstein cattle, and thereby the public generally.

Mr. President, this has been a worthy and admirable aim of the Holstein-Friesian Association of America. The association can be proud of its role in developing the quality of the Holstein dairy cattle breed throughout the United States and the world. U.S. Holsteins account for upward of 90 percent of the Nation's milk supply as well as being a primary source of genetic material used for development and improvement of dairy cattle throughout the world.

Mr. President, "National Holstein Day" is indeed a fitting and appropriate way to recognize the 100th anniversary of the Holstein-Friesian Association of America. We all owe a debt to their efforts in developing the Holstein dairy breed which provides a nutritious, wholesome, and abundant supply of dairy products to our Nation's consumers.

Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 133

Whereas the Holstein-Friesian Association of America is the premier dairy cattle breed organization of the world;

Whereas the Holstein breed of dairy cattle produces nearly 90 percent of the Nation's milk supply;

Whereas the Holstein-Friesian Association maintains the only official, complete genetic data bank and lineage record for all purebred, registered Holstein dairy cattle in the United States;

Whereas the Holstein-Friesian Association through its many programs and services to the dairy industry has provided and continues to provide an environment, incentives, and genetic data for the continued improvement of the Holstein breed;

Whereas the United States Holsteins are recognized worldwide as being the superior strain of Holstein breeding stock;

Whereas the genetic pool of the Holstein breed in the United States has become the primary source of genetic material for the development and improvement of dairy cattle throughout the world; and

Whereas the Holstein-Friesian Association of America, a nonprofit membership organization of more than forty-four thousand breeders of purebred, registered Holstein dairy cattle, was organized on May 25, 1985, and chartered by the legislature of the State of New York as a union of two predecessor organizations of a similar nature dating back to 1871; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 25, 1985, is hereby designated as "National Holstein Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to recognize May 25, 1985, as "National Holstein Day".

ADDITIONAL COSPONSORS

S. 140

At the request of Mrs. HAWKINS, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of S. 140, a bill to amend the Child Abuse Amendments of 1984 to encourage States to enact child protection reforms which are designed to improve legal and administrative proceedings regarding the investigation and prosecution of sexual child abuse cases.

S. 377

At the request of Mr. DECONCINI, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 377, a bill to provide for a General Accounting Office investigation and report on conditions of displaced Salvadorans, to provide certain rules of the House of Representatives and of the Senate with respect to review of the report, to provide for the temporary stay of detention and deportation of certain Salvadorans, and for other purposes.

S. 625

At the request of Mrs. HAWKINS, the names of the Senator from New Jersey [Mr. BRADLEY] and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 625, a bill to include the offenses relating to sexual exploitation of children under the provisions of RICO and authorize civil suits on behalf of victims of child pornography and prostitution.

S. 838

At the request of Mr. CHAFEE, the name of the Senator from Minnesota [Mr. BOSCHWITZ] was added as a cosponsor of S. 838, a bill to repeal title VIII of the Education for Economic Security Act, relating to equal access to public secondary schools.

S. 961

At the request of Mr. SARBANES, the names of the Senator from Ohio [Mr. METZENBAUM] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 961, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia.

S. 1018

At the request of Mr. GORTON, the name of the Senator from Colorado [Mr. HART] was added as a cosponsor of S. 1018, a bill to amend the National Labor Relations Act to clarify the meaning of the term "guard" for the purpose of permitting certain labor organizations to be certified by the National Labor Relations Board as representatives of employees other than plant guards.

S. 1025

At the request of Mr. PRESSLER, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 1025, a bill to require the U.S. International Trade Commission to investigate and report on the effects of honey imports and to require the President under certain conditions to take action based on such report.

S. 1047

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 1047, a bill to reform the laws relating to former Presidents.

At the request of Mr. CHILES, the names of the Senator from Iowa [Mr. GRASSLEY], and the Senator from Arizona [Mr. GOLDWATER] were added as cosponsors of S. 1047, supra.

S. 1051

At the request of Mr. ZORINSKY, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 1051, a bill to provide price and income protection for farmers and to ensure consumers an abundance of food and fiber at reasonable prices, and for other purposes.

SENATE JOINT RESOLUTION 43

At the request of Mr. THURMOND, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of Senate Joint Resolution 43, a joint resolution to authorize the Armored Force Monument Committee, the U.S. Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th,

and 16th Armored Division Associations, and the Council of Armored Division Associations, jointly to erect a memorial to the "American Armored Force" on U.S. Government property in Arlington, VA, and for other purposes.

SENATE JOINT RESOLUTION 55

At the request of Mr. COCHRAN, the names of the Senator from Nevada [Mr. LAXALT], the Senator from Michigan [Mr. LEVIN], and the Senator from Hawaii [Mr. MATSUNAGA] were added as cosponsors of Senate Joint Resolution 55, a joint resolution to designate May 24, 1985, as "National Self-Help Housing Day."

SENATE JOINT RESOLUTION 57

At the request of Mr. CHILES, the name of the Senator from Tennessee [Mr. SASSER], was added as a cosponsor of Senate Joint Resolution 57, a joint resolution to designate the week of October 20, 1985, through October 26, 1985, as "Lupus Awareness Week."

SENATE JOINT RESOLUTION 66

At the request of Mr. D'AMATO, the name of the Senator from Minnesota [Mr. DURENBERGER], was added as a cosponsor of Senate Joint Resolution 66, a joint resolution designating June 14, 1985, as "Baltic Freedom Day."

SENATE JOINT RESOLUTION 87

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of Senate Joint Resolution 87, a joint resolution to provide for the designation of July 19, 1985, as "National P.O.W./M.I.A. Recognition Day."

SENATE JOINT RESOLUTION 117

At the request of Mr. LEVIN, the names of the Senator from Ohio [Mr. METZENBAUM], and the Senator from Hawaii [Mr. MATSUNAGA] were added as cosponsors of Senate Joint Resolution 117, a joint resolution designating the week beginning September 22, 1985, as "National Adult Day Care Center Week."

SENATE JOINT RESOLUTION 122

At the request of Mr. BRADLEY, the names of the Senator from New Hampshire [Mr. RUDMAN], and the Senator from Idaho [Mr. SYMMS] were added as cosponsors of Senate Joint Resolution 122, a joint resolution to authorize the President to proclaim the last Friday of April each year as "National Arbor Day."

SENATE JOINT RESOLUTION 125

At the request of Mr. LEAHY, the names of the Senator from New Jersey [Mr. BRADLEY], the Senator from North Dakota [Mr. BURDICK], the Senator from North Dakota [Mr. ANDREWS], the Senator from North Carolina [Mr. EAST], the Senator from Georgia [Mr. NUNN], the Senator from Massachusetts [Mr. KERRY], the Senator from Louisiana [Mr. JOHNSTON], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Georgia [Mr. MATTINGLY], the Senator from Nevada [Mr. LAXALT], the Senator from Idaho [Mr. MCCLURE], and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of Senate Joint Resolution 125, a joint resolution designating the week of June 23, 1985, through June 29, 1985, as "Helen Keller Deaf-Blind Awareness Week."

SENATE JOINT RESOLUTION 129

At the request of Mr. NUNN, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of Senate Joint Resolution 129, a joint resolution to promote internal reconciliation within Nicaragua, on the basis of democratic principles, in furtherance of a peaceful resolution of the conflict in Central America.

SENATE JOINT RESOLUTION 131

At the request of Mr. GRASSLEY the names of the Senator from Texas [Mr. GRAMM], and the Senator from Washington [Mr. GORTON] were added as cosponsors of Senate Joint Resolution 131, a joint resolution to designate the week of June 2, 1985, through June 8, 1985, as "Future Problem Solving Program Week."

SENATE CONCURRENT RESOLUTION 6

At the request of Mr. GLENN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of Senate Concurrent Resolution 6, a concurrent resolution expressing the sense of the Congress that the policy of separate development and the forced relocation of South African blacks to designated "homelands" is inconsistent with fundamental American values and internationally recognized principles of human rights and should be discontinued.

SENATE CONCURRENT RESOLUTION 20

At the request of Mr. CRANSTON, the names of the Senator from New Jersey [Mr. BRADLEY], the Senator from Oklahoma [Mr. NICKLES], the Senator from Nebraska [Mr. ZORINSKY], and the Senator from Illinois [Mr. SIMON] were added as cosponsors of Senate Concurrent Resolution 20, a concurrent resolution expressing the sense of the Congress that payments by the Veterans' Administration to veterans as compensation for service-connected disabilities should remain exempt from Federal income taxation.

SENATE CONCURRENT RESOLUTION 36

At the request of Mr. PROXMIRE, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of Senate Concurrent Resolution 36, a concurrent resolution expressing the sense of the Congress regarding the establishment of a joint commission between the United States and the Soviet Union to study the concept of "nuclear winter" and its impact for the national security of both nations.

SENATE CONCURRENT RESOLUTION 40

At the request of Mr. COCHRAN, the name of the Senator from Mississippi [Mr. STENNIS] was added as a cosponsor of Senate Concurrent Resolution 40, a concurrent resolution to express the sense of the Congress that the President appoint a bipartisan Commission to study the trade deficit and related problems.

SENATE RESOLUTION 101

At the request of Mr. WILSON, the names of the Senator from Iowa [Mr. GRASSLEY], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of Senate Resolution 101, a resolution to preseve the tax deduction for charitable contributions.

SENATE RESOLUTION 112

At the request of Mr. COHEN, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Utah [Mr. GARN], and the Senator from Wisconsin [Mr. PROXMIRE] were added as cosponsors of Senate Resolution 112, a resolution relating to bilateral discussions between the United States and the Soviet Union to ban chemical weapons.

SENATE RESOLUTION 148

At the request of Mr. HELMS, the names of the Senator from Montana [Mr. BAUCUS], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from North Dakota [Mr. BURDICK], the Senator from Florida [Mr. CHILES], the Senator from New Mexico [Mr. DOMENICI], the Senator from North Carolina [Mr. EAST], the Senator from Tennessee [Mr. GORE], the Senator from Wisconsin [Mr. KASTEN], the Senator from Georgia [Mr. MATTINGLY], the Senator from South Dakota [Mr. PRESSLER], the Senator from Arkansas [Mr. PRYOR], the Senator from South Carolina [Mr. THURMOND], the Senator from Arizona [Mr. DECONCINI], the Senator from Illinois [Mr. DIXON], the Senator from Vermont [Mr. LEAHY], the Senator from Georgia [Mr. NUNN], the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of Senate Resolution 148, a resolution commemorating the 50th anniversary of the Rural Electrification Administration.

SENATE RESOLUTION 154

At the request of Mr. LAUTENBERG, the names of the Senator from Maine [Mr. COHEN], the Senator from Maine [Mr. MITCHELL], the Senator from Texas [Mr. BENTSEN], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Nevada [Mr. LAXALT], the Senator from Missouri [Mr. DANFORTH], the Senator from Missouri [Mr. EAGLETON], the Senator from New Hampshire [Mr. HUMPHREY], and the Senator from Alabama [Mr. DENTON] were added as cosponsors of Senate Resolution 154, a resolution to pay tribute to the American Veterans of World War II on the 40th anniversary of V-E Day.

AMENDMENT NO. 24

At the request of Mr. CRANSTON, the name of the Senator from Nebraska [Mr. ZORINSKY] was added as a cosponsor of amendment No. 24 intended to be proposed to Senate Concurrent Resolution 32, an original concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1986, 1987, and 1988, and revising the congressional budget for the U.S. Government for the fiscal year 1985.

AMENDMENT NO. 56

At the request of Mr. NICKLES, his name was withdrawn as a cosponsor of amendment No. 56 proposed to Senate Concurrent Resolution 32, an original concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1986, 1987, and 1988, and revising the congressional budget for the U.S. Government for the fiscal year 1985.

SENATE CONCURRENT RESOLUTION 47—COMMEMORATING THE 20TH ANNIVERSARY OF THE ENACTMENT OF THE OLDER AMERICANS ACT

Mr. HEINZ (for himself, Mr. GLENN, Mr. PACKWOOD, Mr. PRYOR, Mr. CHILES, Mr. GORTON, Mr. BENTSEN, Mr. ROTH, Mr. WALLOP, Mr. METZENBAUM, Mr. DOMENICI, Mr. CRANSTON, Mr. GRASSLEY, Mr. PROXMIRE, Mr. ANDREWS, Mr. DODD, Mr. BRADLEY, Mr. BURDICK, Mr. MELCHER, Mr. SIMON, Mr. DENTON, Mr. JOHNSTON, Mrs. HAWKINS, Mr. PRESSLER, Mr. COCHRAN, Mr. LUGAR, Mr. HARKIN, and Mr. SARBANES) submitted the following concurrent resolution; which was referred to the Committee on Labor and Human Resources:

S. CON. RES. 47

Whereas 1985 marks the 20th anniversary of the enactment of the Older Americans Act of 1965;

Whereas over its 20-year history, the Older Americans Act of 1965 has provided important social and human services to tens of millions of older individuals in their communities helping to promote greater independence for them and maintaining their dignity;

Whereas one of the key elements contributing to the successful implementation of the Older Americans Act of 1965 during this 20-year period was the establishment of the "aging network" which consists of State and area agencies on aging, as well as congregate and home delivered nutrition providers and other supportive service providers;

Whereas the Administration on Aging, created by the Act, has served as a purposeful advocate for the concerns and needs of older individuals;

Whereas the Act has provided important funds for research, training, and demonstration programs to improve, expand, and enhance services to older individuals;

Whereas the Act has provided important part-time community service employment opportunities for low-income older individuals, many of whom work in providing services to other older individuals;

Whereas the Act has sought to address the special needs of older American Indians through grants to Indian tribes;

Whereas the programs and services provided under the Act have been more successful because of the contributing role of volunteers;

Whereas the Act has periodically been amended by Congress in recognition of the changing needs of our rapidly aging society; and

Whereas the Older Americans Act of 1965 serves as a model for the development of community-based services which provide alternatives to institutionalization of older individuals:

Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) recognizes the 20th anniversary of the enactment of the Older Americans Act of 1965 and the successful implementation of such Act;

(2) acknowledges the many and varied contributions by all levels of the aging network and recognizes that the Act has achieved its mandate to the extent that it has because of the day-to-day work performed by the aging network; and

(3) reaffirms its support for the Older Americans Act of 1965 and its primary goal of providing services to maintain the dignity and promote the independence of older individuals in the United States.

● Mr. HEINZ. Mr. President, this year marks the 20th anniversary of the enactment of the Older Americans Act of 1965. To commemorate this occasion, I am pleased to submit today a concurrent resolution that pays special tribute to the many and varied contributions by all levels of the aging network, and recognizes the tremendous achievements of the Older Americans Act.

Since 1965, we have seen sweeping changes and expansion of services provided in response to dramatic shifts in the needs of our older citizens, as well as changes in our national policy on aging. The programs under the Older Americans Act have grown in both size and scope. Today, a complex network of 57 State and territorial units on aging, over 660 locally based area agencies on aging, and thousands of senior centers form the foundation for the provision of a wide array of community services to older people. While the budget for these programs in 1966 was $5.7 million, more than $1 billion has been committed to support them in the current fiscal year.

Mr. President, the Older Americans Act is an extraordinary legislative document. It is a comprehensive declaration of the long-term goals of American society with regard to our elderly citizens. The act commits us as a nation to actively work to enhance the quality of life of older Americans. This legislation continues to achieve its objectives of promoting greater independence and providing services designed to maintain the dignity of millions of older individuals.

The coordinated system of services mandated under the act reach into every community in this Nation, making possible a broad range of programs including nutrition, transportation, counseling, and the more intensive home health and social services provided to the frail elderly. Millions of older Americans have benefited from such services. In my own home State of Pennsylvania, I am pleased to say that over $90 million will be expended this year in support of programs initiated under the Older Americans Act. These funds have supported a broad array of services provided by 50 area agencies on aging and more than 520 senior centers throughout the Commonwealth. The social, economic, and emotional benefit derived by over one-half million older Pennsylvanians who participate in these programs annually is immeasurable.

As chairman of the Special Committee on Aging, I have a deep concern for the utility and efficacy of these programs. In case after case, examples abound of hungry individuals being fed, loneliness being met with compassion and caring, and chronic health problems being ameliorated through concerted community efforts. In short, over the past two decades, the Older Americans Act has been an unqualified success story—one that deserves special recognition by Congress.

Mr. President, the month of May has been proclaimed by President Reagan as Older American Month with the theme: "Help Yourself to Independence." The theme and activities being planned during this month are designed to focus public awareness on the needs of older Americans, their abilities, and their rich potential. To pay tribute to the 20th anniversary of the Older Americans Act, the Senate Special Committee on Aging will join with the House Select Committee on Aging and the Federal Council on Aging in presenting a salute to the aging network and the programs under the act. This event is scheduled on May 15, and will be held in the Dirksen Senate Office Building Auditorium. It would indeed be appropriate for both the Senate and the House to adopt this concurrent resolution prior to this occasion. I urge my colleagues who have yet to cosponsor this resolution to join with me and the 27 other cosponsors in acknowledging the immense contributions of the Older Americans Act.●

● Mr. GLENN. Mr. President, I am pleased to cosponsor this concurrent resolution to observe the 20th anniversary of the enactment of the Older Americans Act of 1965—a law that is truly working.

We all remember the 1960's as a tumultuous time in American social history—and as an extraordinarily active time in our country's legislative history; a time when the Civil Rights Act, Medicare, the War on Poverty, and

many other Federal programs were established. For older Americans, the 1960's was especially significant, and one of the programs which emerged during that decade was the Older Americans Act of 1965—the first Federal program specifically designed to meet the social service needs of older persons. Amended again last year—and nine other times since 1965—the Older Americans Act has grown from an original program of small grants into one which now supports an organized network of 57 State units on aging, 662 area agencies on aging, and 25,000 local nutrition and supportive service providers. As the number of valuable services provided under the act multiplied, so did the budget—from $7.5 million in 1966 to over $1 billion in 1985.

The purpose of the act is simple: to increase opportunities for older Americans and to improve the quality of their lives—especially in the areas of income, health, housing, employment, retirement, cultural and community services, and gerontological research. But it is not designed to run their lives—or to infringe on their independence. In fact, one of the act's stated objectives is to help promote older citizens' "freedom, independence, and the free exercise of individual initiative in planning and managing their own lives." And over the past 20 years, the act has largely succeeded in creating a comprehensive service delivery system that helps older Americans remain self-sufficient and independent.

The many successes of the Older Americans Act are especially visible in Ohio. Each day, thousands of older Ohioans gather in 413 senior centers for recreational and social activities; 19,000 meals are served in 456 nutrition sites across the State; and 8,240 meals are delivered to homebound elderly. But that's not all. In addition to providing for basic social and nutritional needs, the Older Americans Act also supports a number of other important services, including employment, counseling, home health care, transportation, adult day care, information and referral, and legal services. All told, over 1 million older Ohioans are served annually.

In 1984, Congress extended the Older Americans Act for an additional 3 years and added several new provisions to benefit older Americans, their families, and their communities. Health education and training programs will be established in senior centers to address various aspects of health awareness and disease prevention. Special priority will be given to the training of people who care for Alzheimer's disease victims and their families. Funding for the Senior Community Service Employment Program—title V—has been increased so that additional low-income elderly citizens can be employed in hospitals, senior centers, and schools.

It is especially fitting that we celebrate the 20th anniversary of the Older Americans Act during May, which is older Americans month. The theme for this year's celebration is "Help Yourself to Independence." Events planned for millions of older Americans will emphasize the roles of the individual, the family, the community, and technology in helping older people enhance their independence.

One of the key elements contributing to the success of the Older Americans Act has been the establishment of the aging network across America. This includes State and area agencies on aging, as well as congregate and home-delivered nutrition providers and other supportive service providers. The staff, volunteers, and participants in the Older Americans Act programs deserve a large round of applause for their efforts and achievements.

I urge my colleagues to join me in reaffirming our support for the Older Americans Act and for its primary goal of providing services to maintain the dignity and promote the independence of senior citizens.●

● Mr. CHILES. Mr. President, I am pleased to join in submitting this concurrent resolution which observes the 20th anniversary of the enactment of a very important piece of legislation for the elderly of our country, the Older Americans Act of 1965.

The Older Americans Act of 1965 is the major Federal vehicle for the coordination and delivery of social services to the elderly. This act grew out of congressional concern for the large percentage of older Americans who were impoverished, and a belief that greater Federal involvement was needed beyond income and health programs. The act became part of a major thrust to improve the life and health of senior citizens. These initiatives brought much of our Nation's elderly population out from under the heavy load of poverty. The act established a structure through which Congress has continually improved aging services.

The Older Americans Act of 1965 was limited in scope and funding. It provided for a Federal Administration on Aging and made minimal grants to state units on aging. The act was identified as a new design in service programs because its chief functions was to act as a coordinator of existing services and programs for the elderly. Thus, the emphasis was on coordinating rather than service providing.

The act grew slowly in the late 1960's, but in the 1970's following the White House Conference on Aging, Congress legislated significant expansions in services for the elderly. I remember that time well. I was a new Senator who listened to thousands of older Floridians who knew we had to do more to care for our elderly. I learned from them then and am still learning from them today, in growing numbers. Many of my colleagues listened also and we followed up on the White House Conference by establishing the nutrition program for the elderly which includes the very popular congregate meals programs and the home delivered meals service. Later, the act was amended to include the area agencies on aging which were intended as the major focal points for aging services in a community. These features of the act have become integral to its tremendous success. With growing support and demand, the appropriations for Older Americans Act programs have increased from $6.5 million in fiscal year 1966 to over $1 billion in fiscal year 1984.

The essential mission of the Older Americans Act has remained the same since its inception—to provide a wide array of social and community services to those older persons in greatest need in order to foster maximum independence. One of the prime features of the act is its decentralized framework which allows more local control over policy decisions to make a very responsive service system in the community. Senior citizens, service providers, and local officials make up advisory councils which direct the local agencies. The Older Americans Act has now evolved into a network of 57 State units of aging, over 660 area agencies on aging, and over 15,000 community organizations providing support services for the elderly. This network incorporates State and local agencies on aging, community volunteers, older citizens, and the public at large into a protective blanket for the elderly. The programs to assist the elderly have become so effective because of those people who have been willing to give their time and energy to those in need.

In my own State, almost 18 percent of the entire population is age 65 or over. The Older Americans Act of 1965 certainly has provided these individuals needed services to improve nutrition, living conditions, and employment possibilities. Florida's seniors and service providers have participated enthusiastically in all of the programs providing for an effective array of services for those in need. Many of my elderly constituents have taken advantage of the Senior Community Service Employment Program which provides for jobs for persons 55 years and older. Also, as the home to 11 million Older Americans, my State has been the recipient of many research and demonstration projects under the Older Americans Act including a grant to design a model program for housing of the elderly, a demonstration for more effective long term care programs, and funding to study Alzheimer's disease day care programs.

It is true that many senior citizens cannot identify an Older Americans Act. But, ask them about their senior center, the home-delivered meal they receive daily, or the ombudsman who visits them in the nursing home, and watch their eyes light up. These programs have not only provided a basic service to millions of our elderly but have also meant far, far more.

Senior centers have become the hub in many communities where a senior knows he or she can find friendship, information and an attentive ear.

A meal delivered to a senior's home and a visit from the home health aide can often allow the resident to remain at home and avoid premature placement in a nursing home.

The visit by the nursing home ombudsman is often the only link with the community the senior resident might have. I am proud to have played a key role in assuring that seniors receive adequate care and attention in nursing homes by establishing this ombudsman program which protects the rights of nursing home patients.

And, may be most importantly, these Older Americans Act programs have given many of our older citizens what they desire most—to feel needed. Most of the programs are operated with thousands of elderly employees and volunteers. The programs really are "their program."

The success of the Older Americans Act programs can best be reflected in a letter I received from an elderly person in my State. She says: "These programs help me so very much. I am proud of myself to know I can earn a few dollars beyond my social security check which is very small. I can buy food and clothes once in a while. Without these programs, I don't know what I and a lot of other elderly people would do."

However with all these successes of the Older Americans Act programs, it still remains a fact in Florida that 12 percent of the elderly had below-poverty incomes in 1979. Obviously, there is much more progress to be made in alleviating the problems of the elderly in our society. The Older Americans Act of 1965 was critical when passed by Congress, and with our elderly population predicted to increase to 21.2 percent by the year 2030, I feel that this act will be utilized even more in the future.●

● Mr. GRASSLEY. Mr. President, I am a cosponsor of this concurrent resolution and rise to urge that my colleagues give it their support. This concurrent resolution is an appropriate acknowledgment of the Older Americans Act which, with the Social Security Act of 1935, is one of the two most important pieces of legislation designed to assist our older citizens which the Congress has passed.

Based on my experience as a charter member of the House Select Committee on Aging, as a member of the Special Committee on Aging from the time I joined the Senate, and as the chairman of the Subcommittee on Aging of the Senate Committee on Labor and Human Resources, I think I can say with confidence that, since its passage in 1965, the Older Americans Act has deservedly enjoyed broad and deep support, both in the Congress and among the general public. The services it authorizes—social and nutrition services, multipurpose senior centers, health education and training programs, and training, research, and demonstration activities, and community service employment programs—have made, and are making, a major difference in the lives of millions of older people. The Older Americans Act network, which includes 57 State and territorial units on aging, over 670 area agencies on aging, and thousands of senior centers and nutrition sites, is now active in every community in the land and has been, and is, the effective administrator of the programs authorized under the act.

Mr. President, the Older Americans Act programs have grown manyfold since the act's passage in 1965, from approximately $6 million to approximately $1 billion. It is part of the genius of the Older Americans Act that it has been able to grow incrementally over the years and has been able to closely conform to the needs of our States and localities. Perhaps the main reason for this is that the Older Americans Act has been decentralized both in spirit and in administration, and thus has allowed the State units on aging and the area agencies on aging in each State to develop programs best suited to the needs of their constituents. It is this strong orientation toward local needs that has contributed to the broad and deep support enjoyed by the act and the network it has created. It is also this flexible, decentralized structure which has allowed the Congress to amend the Older Americans Act from time to time in light of national needs, and yet feel confident that the State and area agencies on aging will adapt national dictates made through amendments to the act to the specific circumstances faced by their constituents.

I think we can feel confident, Mr. President, that the Older Americans Act is well designed to continue contributing to the well-being of our older citizens and that the network it establishes will be able to adapt to the challenges we know the future is going to bring.●

SENATE RESOLUTION 156—ORIGINAL RESOLUTION REPORTED WAIVING CONGRESSIONAL BUDGET ACT

Mr. GOLDWATER, from the Committee on Armed Services, reported the following original resolution; which was referred to the Committee on the Budget:

S. RES. 156

Resolved, That pursuant to section 303(c) of the Congressional Budget Act of 1974, the provisions of section 303(a) of such Act are waived with respect to the consideration of S. 1029, a bill to authorize appropriations for the military functions of the Department of Defense and to prescribe personnel levels for the Department of Defense for fiscal year 1986, and for other purposes.

Such a waiver is necessary because section 303(a) of the Congressional Budget Act of 1974 provides that it shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution (or amendment thereto) which provides new spending authority described in section 401(c)(2)(C) of such Act to become effective during a fiscal year until the first concurrent resolution on the budget for such year has been agreed to pursuant to section 301 of such Act.

For the foregoing reasons, pursuant to section 303(c) of the Congressional Budget Act of 1974, the provisions of section 303(a) of such Act are waived with respect to S. 1029, as reported by the Senate Armed Services Committee.

SENATE RESOLUTION 157—ESTABLISHING A TEMPORARY SELECT COMMITTEE TO STUDY THE CONGRESSIONAL BUDGET PROCESS

Mr. EVANS (for himself, Mr. QUAYLE, and Mr. MATTINGLY) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 157

To establish a temporary select committee to study the congressional budget process, including proposals for a two-year budget and other aspects of the congressional budget process.

SEC. 1. (a)(1) There is established, for the duration of the first session of the 99th Congress, a select committee of the Senate to be known as the Select Committee on the Two Year Budget (hereafter in this section referred to as the "select committee"). The select committee shall be composed of twelve members of the Senate, six from the majority party and six from the minority party to be appointed by the President of the Senate upon the recommendation of the majority leader and the minority leader.

(2) Of the twelve members—

(A) two members shall be from the Committee on the Budget;

(B) two members shall be from the Committee on Rules and Administration;

(C) two members shall be from the Committee on Governmental Affairs;

(D) two members shall be from the Committee on Appropriations;

(E) two members shall be from the Committee on Finance; and

(F) two members shall be from the Senate at large.

(3) The majority leader shall select a chairman from among its majority members and the minority leader shall select a cochairman from among its minority members.

(b)(1) A majority of the members of the select committee shall constitute a quorum

for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(2) Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments are made.

(3) The select committee shall adopt rules of procedure not inconsistent with the rules of the Senate governing standing committees of the Senate.

(4) Service of a Senator as a member or as chairman of the select committee shall not be taken into account for the purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate.

(c)(1) It shall be the duty of the select committee to—

(A) study and review legislative proposals to improve the operation of the congressional budget process, including proposals for the two-year budget; and

(B) recommend specific legislation to improve the operation and enforcement of the congressional budget process, including the components of the two-year budgeting.

In carrying out clause (A) of this paragraph the select committee shall pay particular attention to the need to free the time of Senators from unnecessary repetitive operations, to encourage oversight of enacted legislation by committees, to provide better financial and management information by determining the feasibility of proposals found in the U.S. General Accounting Office study entitled, "Managing the Cost of Government: Building an Effective Financial Management Structure," to provide stable funding expectations to State and local governments, and to maintain accurate budgetary estimates and assessments of national needs and priorities.

In further carrying out clause (A) of this paragraph the select committee shall pay particular attention to establish a two-fiscal-year budget cycle; to change the fiscal year to coincide with the calendar year; to require all program budget authority and outlays to be accounted for on-budget; to provide for (i) reconciliation pursuant to the first concurrent resolution on the budget for a fiscal year, (ii) enforcement of the first concurrent resolution on the budget pursuant to section 311 of the Congressional Budget and Impounding Act of 1974, and (iii) elimination of the requirement that a second concurrent resolution be adopted for each fiscal year; to require an affirmative vote by two-thirds of all Members duly chosen and sworn to override a point of order raised under section 31 of such Act; to establish a budget that sets forth separately the budget authority and outlays provided for the acquisition of capital assets by the Federal Government; and to require periodic submission by the President a financial statement setting forth the assets and liabilities of the Federal Government in accordance with generally accepted auditing standards.

(2) The select committee shall report and make recommendations to the Senate within 180 days after the adoption of this resolution.

(d)(1) The select committee is authorized (A) to employ personnel, (B) to make expenditures from the contingent fund of the Senate, (C) to hold hearings, and (D) to sit and act at any time or place.

(2) With the consent of the chairman and ranking minority member of any other committee of the Senate, the select committee may utilize the facilities and the services of the staff of such other committee of the Senate, or any subcommittee thereof, whenever the chairman and the cochairman of the select committee determines that such action is necessary and appropriate.

(e) Expenses of the select committee under this section shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the select committee.

Mr. EVANS. Mr. President, I am introducing today a resolution to establish a temporary select committee to study the congressional budget process. Reform is needed and analysis is required in order to proceed.

This resolution parallels the recommendation offered by the Quayle committee. It calls for the establishment of a select committee to study the congressional budget process and directs the majority and minority leaders to select a chairman and cochairman from its members.

The temporary committee is composed of 12 members, half from the majority and half from the minority. Of the 12 members, 2 will be appointed from each of the Committees on the Budget, Rules and Administration, Government Affairs, Appropriations, and Finance and 2 members from the Senate at large.

It is the duty of the select committee to study and review ways to improve the operation of the congressional budget process. Beyond the Quayle proposal, this resolution asks for a review of the proposals found in the GAO study entitled, "Managing the Cost of Government: Building an Effective Management Structure," questions the establishment of a binding first concurrent budget resolution, and examines the feasibility to require periodic submission by the President a financial statement setting forth the assets and liabilities of the Federal Government in accordance with generally accepted auditing standards.

The splendid job performed by the Quayle committee and the recommendations presented have not produced the results many of us had anticipated. But if we narrow our focus and if we take one issue at a time, we can move ahead slowly and tackle the budget process—a process which appears to encompass many of our frustrations.

Let me point out a few of these frustrations.

First, deadlines missed and continuing resolutions accepted have become the standard, not the exception. The unpleasant experience of last October, presented this Nation with a continuing resolution which included 8 of 13 funding bills and $500 billion of Government spending and, in addition, was delayed to the extent that 500,000 Government workers were placed on furlough.

It should be noted, however, that Senators DOMENICI and HATFIELD, as chairmen of the Budget and Appropriations Committees, have performed yeoman's work given the budget process within which they must operate.

Second, the complex procedures and numerous stages of the budget process lead to conflict rather than consensus, while continuous duplication replaces resolution.

For example, since President Reagan took office in 1981, the House and the Senate have recorded 40 separate votes on the MX missile, most of them necessitated by the cumbersome budget process. Furthermore, 25 votes were recorded in the Senate on a 1981 budget bill and 55 votes for a tax-cut bill during the same year. During a 3-month period in 1983, the House staged 27 votes on the nuclear freeze, including 11 in 1 week. Many more examples can be recited, with frustration growing with each reference.

Congress cannot continue to support a process of annual budgets that dictate the impossible, rather than reflect the necessary; misinform the public; and confuse the Members themselves.

Mr. President, 21 States now adopt 2-year budget. It has worked. And we can learn from their experience.

I found as Governor of Washington State the 2-year budget cycle a remarkably better system than any type of annual budget process. The 2-year process in the State of Washington effectively reduced the demand for budget increases and provided an opportunity for enhanced planning and program oversight. We were able to ensure moneys appropriated in the first year were being properly used in the second. And, if emergencies arose, we responded with supplemental budgets in the second year of the cycle. It should be noted, however, that second-year budget additions remained low or nonexistent as a result of executive, legislative, and public pressure to control Government spending.

Finally, a 2-year approportions would be linked with the first nonelection year of the 2-year period. This effectively removes the many political pressures from the budget or, at least, substantially reduces their influence. The second year should focus on detailed program oversight and evaluation.

I was pleased to read that the Senate Armed Services Committee has recommended in its fiscal year 1986 defense authorization bill that the Defense Department move toward a 2-year budget cycle. The Secretary of Defense also endorsed the concept and indicated his willingness to cooperate. What about the numerous Senators who testified in support? So there is a growing consensus on the desirability of achieving a 2-year budget to provide more oversight and stability to our

system of budgeting for this Nation's needs.

Mr. President, we must reach a consensus on a budget process to which a commitment of control can be made. The select committee provides us with a foundation for change and an opportunity to build a process that we can all live within.

Mr. QUAYLE. Mr. President, I am pleased to cosponsor this resolution to establish a committee with jurisdiction to examine the budget process offered by Senator EVANS. I am confident that the committee will recommend a 2-year budget process which I have long advocated. At present, three different committees have jurisdiction over the Budget Act making it almost impossible to enact any changes. By consolidating jurisdiction, action becomes possible—and we all know that action is necessary.

This resolution is in essence the same as section 7 of the resolution unanimously reported by the Temporary Select Committee to Study the Senate Committee System which I had the honor to chair in the last Congress. That resolution, introduced as Senate Resolution 31 and cosponsored by my distinguished cochairman, Senator FORD from Kentucky, currently languishes in the Committee on Rules.

Many of us hoped that the beginning of the 99th Congress would see a significant effort toward reform of the Senate as an institution along the lines recommended by the select committee. I know the Senator from Washington was one of those who shared that hope. However, there is a time for realism as well as for idealism. If we cannot get broad scale reform, let us at least begin to try to tackle one of our most pressing problems by establishing a workable mechanism to reform the budget process.

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET

MOYNIHAN (AND LAUTENBERG) AMENDMENT NO. 57

Mr. MOYNIHAN (for himself and Mr. LAUTENBERG) proposed an amendment which was subsequently modified to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) to the motion to recommit with instructions, the concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the U.S. Government for fiscal years 1986, 1987, and 1988 and revising the congressional budget for the U.S. Government for the fiscal year 1985; as follows:

On page 38, line 14, add the following: "The Committee on Banking, Housing, and Urban Affairs shall also report changes in laws within its jurisdiction to provide for a pilot program for the sale without recourse of up to $10 billion annually in each fiscal year 1986, 1987, 1988, the first year of which direct loans under title V of the Housing Act of 1949 to one or more federally chartered entities on an overcollateralized basis. Overcollateralization means that the Secretary of Agriculture, in consultation with whatever investment counsel he deems necessary, shall designate a pool of Government-owned loans to serve as collateral for the loans sold under this pilot program. The amount of loans to be designated for collateralization shall be determined by the Secretary of Agriculture with whatever investment counsel he deems necessary. Loans designated to serve as collateral will be eligible for acquisition by the private sector buyer (the federally chartered entity) in the event that any loans purchased are delinquent for 30 days or more. If this occurs, the delinquent loans shall be reacquired by the Department of Agriculture when the Government substitutes a new loan in place of the delinquent loan. At this time all cash proceeds from the delinquent loan, including interest income and principal repayment revert to the Federal Government.

"This procedure is to be construed as a straightforward contract specifying the use of predesignated collateral. The arrangement is to be viewed by a prospective purchaser as an adequately collateralized purchase as would occur between any two private sector entities, and it is not to be construed by a prospective purchaser or other interested party as a Federal guarantee of any form.

"Net proceeds for the loan sale in FY 1986 will be deposited in the rural housing insurance revolving fund and may be used for funding new loans under title V of the Housing Act of 1949 pending congressional authorization.

"In all instances, the terms and conditions of the Housing Act of 1949 shall apply to the servicing of loans sold or subsequently acquired under this pilot program.".

On page 45, line 12, and the following: "The Committee on Banking, Finance, and Urban Affairs shall also report changes in laws within its jurisdiction to provide for a pilot program for the sale without recourse of up to $10,000,000,000 of direct loans under title V of the Housing Act of 1949 to one or more federally chartered entities on an overcollateralized basis. Overcollateralization means that the Secretary of Agriculture, in consultation with whatever investment counsel he deems necessary, shall designate a pool of Government-owned loans to serve as collateral for the loans sold under this pilot program. The amount of loans to be designated for collateralization shall be determined by the Secretary of Agriculture with whatever investment counsel he deems necessary. Loans designated to serve as collateral will be eligible for acquisition by the private sector buyer (the federally chartered entity) in the event that any loans purchased are delinquent for 30 days or more. If this occurs, the delinquent loans shall be reacquired by the Department of Agriculture when the Government substitutes a new loan in place of the delinquent loan. At this time all cash proceeds from the delinquent loan, including interest income and principal repayment revert to the Federal Government.

"This procedure is to be construed as a straightforward contract specifying the use of predesignated collateral. The arrangement is to be viewed by a prospective purchaser as an adequately collateralized purchase as would occur between any two private sector entities, and it is not to be construed by a prospective purchaser or other interested party as a Federal guarantee of any form.

"In consultation with whatever investment counsel deemed necessary by the Secretary of Agriculture, the value of the loans sold shall be determined by their face value discounted by an amount necessary to equate the contracted interest payments on the loan with current yields on Treasury securities of the same duration. This current rate value may be greater than the face value of the loans sold if Treasury rates prevailing at the time of the sale are lower than the loan's original rate.

"Net proceeds for the loan sale will be deposited in the rural housing insurance revolving fund and may be used for funding new loans under title V of the Housing Act of 1949 pending congressional authorization.

"In all instances, the terms and conditions of the Housing Act of 1949 shall apply to the servicing of loans sold or subsequently acquired under this pilot program.".

In subsequent years, FY1987 and FY1988, the Office of Management and Budget and the Secretary of the Treasury shall design and implement the loan sale to yield at least $8 billion annually.

SYMMS AMENDMENT NO. 58

Mr. SYMMS proposed an amendment to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) to the motion to recommit with instructions the concurrent resolution Senate Concurrent Resolution 32, supra; as follows:

In the pending amendment, do the following:

On page 3, decrease the amount on line 12 by $100,000,000.

On page 3, decrease the amount on line 13 by $100,000,000.

On page 3, decrease the amount on line 14 by $100,000,000.

On page 3, decrease the amount on line 18 by $100,000,000.

On page 3, decrease the amount on line 19 by $100,000,000.

On page 3, decrease the amount on line 20 by $100,000,000.

On page 3, decrease the amount on line 25 by $100,000,000.

On page 4, decrease the amount on line 1 by $100,000,000.

On page 4, decrease the amount on line 2 by $100,000,000.

On page 4, decrease the amount on line 6 by $100,000,000.

On page 4, decrease the amount on line 7 by $200,000,000.

On page 4, decrease the amount on line 8 by $300,000,000.

On page 4, decrease the amount on line 12 by $100,000,000.

On page 4, decrease the amount on line 13 by $100,000,000.

On page 4, decrease the amount on line 14 by $100,000,000.

On page 8, decrease the amount on line 1 by $200,000,000.

On page 8, decrease the amount on line 2 by $200,000,000.

On page 8, decrease the amount on line 10 by $200,000,000.

On page 8, decrease the amount on line 11 by $200,000,000.

On page 8, decrease the amount on line 19 by $200,000,000.
On page 8, decrease the amount on line 20 by $200,000,000.
On page 13, increase the amount on line 20 by $100,000,000.
On page 13, increase the amount on line 21 by $100,000,000.
On page 14, increase the amount on line 4 by $100,000,000.
On page 14, increase the amount on line 5 by $100,000,000.
On page 14, increase the amount on line 13 by $100,000,000.
On page 14, increase the amount on line 14 by $100,000,000.
On page 37, decrease the first amount on line 11 by $100,000,000.
On page 37, decrease the second amount on line 11 by $100,000,000.
On page 37, decrease the amount on line 12 by $100,000,000.
On page 37, decrease the amount on line 13 by $100,000,000.
On page 37, decrease the first amount on line 14 by $100,000,000.
On page 37, decrease the second amount on line 14 by $100,000,000.
On page 41, increase the amount on line 3 by $200,000,000.
On page 41, increase the amount on line 4 by $200,000,000.
On page 41, increase the first amount on line 5 by $200,000,000.
On page 41, increase the second amount on line 5 by $200,000,000.
On page 41, increase the amount on line 6 by $200,000,000.
On page 41, increase the amount on line 7 by $200,000,000.
On page 44, decrease the amount on line 10 by $100,000,000.
On page 44, decrease the amount on line 11 by $100,000,000.
On page 44, decrease the first amount on line 12 by $100,000,000.
On page 44, decrease the second amount on line 12 by $100,000,000.
On page 44, decrease the amount on line 13 by $100,000,000.
On page 44, decrease the amount on line 14 by $100,000,000.
On page 46, increase the amount on line 23 by $200,000,000.
On page 46, increase the amount on line 24 by $200,000,000.
On page 46, increase the first amount on line 25 by $200,000,000.
On page 46, increase the second amount on line 25 by $200,000,000.
On page 47, increase the amount on line 1 by $200,000,000.
On page 47, increase the amount on line 2 by $200,000,000.
On page 52, decrease the amount on line 1 by $100,000,000.
On page 52, decrease the amount on line 3 by $100,000,000.
On page 52, decrease the amount on line 4 by $100,000,000.

SPECTER AMENDMENT NO. 59

(Ordered to lie on the table.)

Mr. SPECTER submitted an amendment intended to be proposed by him to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) to the motion to recommit with instructions the concurrent resolution S. Con. Res. 32, supra; as follows:

On page 3, increase the amount on line 12 by $600,000,000.
On page 3, increase the amount on line 13 by $700,000,000.
On page 3, increase the amount on line 14 by $700,000,000.
On page 3, increase the amount on line 18 by $500,000,000.
On page 3, increase the amount on line 19 by $700,000,000.
On page 3, increase the amount on line 20 by $700,000,000.
On page 3, increase the amount on line 25 by $500,000,000.
On page 4, increase the amount on line 1 by $700,000,000.
On page 4, increase the amount on line 2 by $700,000,000.
On page 4, increase the amount on line 6 by $500,000,000.
On page 4, increase the amount on line 7 by $1,200,000,000.
On page 4, increase the amount on line 8 by $1,900,000,000.
On page 4, increase the amount on line 12 by $500,000,000.
On page 4, increase the amount on line 13 by $700,000,000.
On page 4, increase the amount on line 14 by $700,000,000.
On page 16, increase the amount on line 20 by $600,000,000.
On page 16, increase the amount on line 21 by $500,000,000.
On page 17, increase the amount on line 4 by $600,000,000.
On page 17, increase the amount on line 5 by $600,000,000.
On page 17, increase the amount on line 13 by $600,000,000.
On page 17, increase the amount on line 14 by $600,000,000.
On page 33, increase the amount on line 2 by $100,000,000.
On page 33, increase the amount on line 3 by $100,000,000.
On page 33, increase the amount on line 11 by $100,000,000.
On page 33, increase the amount on line 12 by $100,000,000.
On page 38, decrease the first amount on line 24 by $616,000,000.
On page 38, decrease the second amount on line 24 by $536,000,000.
On page 38, decrease the amount on line 25 by $616,000,000.
On page 39, decrease the amount on line 1 by $577,000,000.
On page 39, decrease the first amount on line 2 by $616,000,000.
On page 39, decrease the second amount on line 2 by $616,000,000.
On page 46, decrease the amount on line 9 by $616,000,000.
On page 46, decrease the amount on line 10 by $536,000,000.
On page 46, decrease the first amount on line 11 by $616,000,000.
On page 46, decrease the second amount on line 11 by $577,000,000.
On page 46, decrease the amount on line 12 by $616,000,000.
On page 46, decrease the amount on line 13 by $616,000,000.
On page 52, increase the amount on line 1 by $600,000,000.
On page 52, increase the amount on line 3 by $600,000,000.
On page 52, increase the amount on line 4 by $600,000,000.

SACCHARINE STUDY AND LABELING ACT AMENDMENTS

METZENBAUM AMENDMENT NO. 60

Mr. METZENBAUM proposed an amendment to the bill (S. 484) to amend the Saccharine Study and Labeling Act; as follows:

At the end of the bill, add the following:

SEC. 2. (a) Section 403 of the Federal Food, Drug, and Cosmetic Act is amended by adding at the end thereof the following new paragraph:

"(q) If it is a soft drink which contains aspartame, unless its label or labeling states the total number of milligrams of aspartame contained in each serving of such soft drink.".

(b) The provisions of section 403(q) of the Federal Food, Drug, and Cosmetic Act (as added by subsection (a) of this section) shall take effect no later than eighteen months after the date of enactment of this Act.

ADDITIONAL STATEMENTS

GENE CHEATHAM: TENNESSEE'S SMALL BUSINESS PERSON OF THE YEAR

● Mr. SASSER. Mr. President, this week we are honoring the men and women who make up perhaps the most important segment of our economy, small business. May 5-11 has been proclaimed "Small Business Week." This allows us an opportunity to take time to call attention to small business owners and operators from across the country who best exemplify the contributions small firms make to this Nation.

This year, Tennessee's Small Business Person of the Year is Eugene Cheatham III, the president of Advanced Integrated Technology headquartered in Columbia, TN. Gene's story of success with AIT is one worthy of the honors bestowed upon him this week and stands as a fine example of what dedication and commitment to an idea can bring to a budding small business.

Gene opened AIT for business in Tennessee in 1979. He recognized the favorable business trends surrounding the computer and computer-related industries and jumped into this highly competitive field. AIT, with its three employees, specialized in hardware and software minicomputer applications. In addition, Gene was able to secure a distributorship with Digital Equipment Corp.

In that first year of business, Gene's sales totaled $250,000. Thanks to Gene's vision and energy, that figure has grown steadily year after year. By 1984, sales totaled about $4 million. Over that same period, AIT's work force has grown from 3 to 15. The list of clients who have come to rely on the services of Gene Cheatham and

AIT are quite impressive indeed: Westinghouse, DuPont, Union Carbide, Bendix, and General Electric to name a few. In addition to extensive client growth in the private sector, Gene has sought to expand his client base by doing business with the Federal Government.

What all these clients, including the Government, have found in Gene Cheatham is an articulate, thoughtful small business owner. I base these observations on my own dealings with Gene, Mr. President.

In October of 1983, I chaired field hearings of the Senate Small Business Committee in Nashville, TN, to explore barriers facing small businesses which desired to do business with the Federal Government. I was fortunate enough to have Gene testify before the committee at that hearing. I came away from that hearing impressed with what I heard from Gene. He provided keen insight and constructive criticism of the procurement system and suggested steps we could take to aid those small firms who want nothing but a fighting chance on a Government contract. I believe we have started down the road of improvements which Gene and others help point out.

Since that time, my office has had the good fortune of working with Gene on a number of projects. And I am grateful that I have found in Gene a voice for small business concerns in Tennessee. Moreover, Gene has not limited himself to concerns that directly affect the day-to-day operations of AIT.

Indeed, Gene exemplifies a trait shared by many successful small business owners, a willingness to share their knowledge and experience with others.

One can see the lending hand Gene has extended through his association with several organizations in Tennessee. He serves on the advisory boards to the Tennessee State Employment Securities Commission, the TVA-Tennessee State University Private Enterprises Incubation Center and the Tennessee State University Business School among others. And lest one think Gene confines himself to the interests of the business community, he has been active in community affairs as well, especially those pertaining to soccer.

This mixing of business success with community concern helps explain success stories such as Gene Cheatham and AIT. It also explains the importance that myself and others attach to the small business community. Therefore, I am pleased that we have chosen to honor these business leaders this week and I am proud that Gene Cheatham has been selected as Tennessee's "Small Business Person of the Year" for 1985. In conclusion, I again congratulate Gene on this achievement.●

OUTSTANDING SOUTH DAKOTA SMALL BUSINESS LEADERS

● Mr. PRESSLER. Mr. President, as we begin Small Business Week 1985, I rise to congratulate several individuals from my home State of South Dakota who have distinguished themselves as small business leaders.

Tony Bour, vice president and general manager of Starmark, Inc., of Sioux Falls, SD, has been named our State's Small Business Person of the Year. Tony formed Starmark in 1979 with only three employees. He has built the corporation to its current level of 135 employees, nearly doubled its manufacturing area in the past year alone, and is still very much on the grow. What started as a small firm with its roots planted in the philosophy of a people-oriented business now has dealers in 29 States.

Tim Giago, editor of the Lakota Times, published in Martin, SD, on the Pine Ridge Indian Reservation is this year's Media Advocate of the Year. Tim, a native of Pine Ridge, started the Lakota Times in 1981 and has built his quality publication into the largest privately owned and operated Indian newspaper in the United States, with a weekly circulation of over 6,000 copies.

Herb Bowden of Sencore, Inc., in Sioux Falls, SD, was selected as the Small Business Exporter of the Year. Sencore has become one of the world's leading manufacturers of electronic testing equipment with 20 production lines. The corporation has been exporting to Japan, England, Austria, West Germany, and recently established distributorships in Taiwan, India, and New Zealand. Sencore's spirit of excellence continues as it strives to combine into one machine all diagnostic features that electronic repairmen require.

Finally, Gene Murphy has been selected as the Veteran Advocate of the Year. He is a fellow Vietnam veteran and is combat disabled. Gene's handicap has not prevented him from aggressive leadership. He was one of the prime organizers and promoters of a Small Business Veterans Conference held in Sioux Falls, SD, last fall. His numerous activities were also recognized when he was named the U.S. Outstanding Disabled Veteran of 1984 by the National Disabled Veterans Organization.

As a member of the Senate Small Business Committee, I know how vitally important small businesses are to our country's economy. Most of the new jobs created, even during times of economic recession, come from the small business sector. Each of these individuals has reason to be proud of his leadership in building a stronger economy. Each of us should take a moment to commend them for their entrepreneurial spirit.●

THE PEABODY AWARD FOR DICK KAY

● Mr. DIXON. Mr. President, I rise to recognize the accomplishments of one of our country's finest journalists, Mr. Dick Kay, who is political editor and commentator at WMAQ-TV in Chicago.

Dick Kay, has recently been awarded the prestigious George Foster Peabody Award for a series of investigative reports and commentaries probing widespread financial waste and corruption within the Illinois legislative commission system.

As a result of the series, legislation was enacted in Illinois that will save the taxpayers of my State several millions of dollars.

The Peabody awards are presented annually by the Henry W. Grady School of Journalism and Mass Communications at the University of Georgia.

Since their inception in 1939, the awards have sought to emphasize quality and distinguished service, and are one of the industry's most highly valued honors, representing the achievement of excellence in broadcast journalism.

In addition, Dick Kay, and his able producers for this series, Katy Smyser and V.J. McAleer, were awarded the Illinois Associated Press Award, the Jacob Scher Award from women in communications and the National Headliner Award from the Atlantic City Press Club.

Mr. President, the State of Illinois and the city of Chicago are proud of their native son, Dick Kay. He began his career in Peoria, a town where so many great broadcasters got their start. He has spent 25 years in broadcasting, the last 17 of them at WMAQ in Chicago.

The Peabody Award is another tribute to Dick Kay's fine reporting. He has also been the recipient of six Chicago Emmy Awards for excellence in broadcasting and investigative journalism.

To Dick Kay, and to all concerned with the production of his reports, my congratulations.●

REV. BENJAMIN WEIR

● Mr. GLENN. Mr. President, today marks a special anniversary—40 years ago the war in Europe ended. I add my best wishes to those expressed by my colleagues on the 40th anniversary of V-E Day. As a veteran of World War II, I remember the joy and relief that V-E Day brought to me. The passage of 40 years has not diminished those feelings.

I rise today, however, to observe another anniversary. This one is not so joyful. Today is the first anniversary of the kidnaping of the Reverend Benjamin Weir in Lebanon. Few Ameri-

cans are aware of the plight of Reverend Weir. The interest generated by his kidnaping waned rapidly after his abduction. During the course of his year of captivity, he has virtually become a forgotten man.

The Reverend Weir is not alone in his captivity. Four other Americans are also being held: William Buckley, an official of the U.S. Embassy in Beirut, kidnaped in March 1984; Peter Kilburn, a librarian at the American University in Beirut, reported missing in December 1984; Father Lawrence Jenco, a Catholic priest, kidnaped in January 1985; and Terry Anderson, an employee of the Associated Press, kidnaped in March 1985. The families of these men should not be made to endure the uncertainties and heartbreak of being separated from loved ones.

Unfortunately, the possibility of similar terrorist-inspired incidents is real and will undoubtedly persist. The threat that terrorists pose to Americans everywhere in the world is growing dramatically. I am disturbed by the increases in international terrorism over the past three decades, and the level of terrorism directed against U.S. personnel and property in recent years has been particularly alarming. The recent tragedies in Lebanon have been painful reminders of this trend.

I have recently contacted Secretary of State George Shultz to express my concern about the Reverend Weir. I have been assured that the Department of State is doing all it can to effect the release of Reverend Weir and the four other American hostages. As the situation in Lebanon becomes more and more desperate, however, I urge the Department of State to redouble its efforts so that these hostages may be safely and expeditiously reunited with their families. I also call upon my colleagues in the Congress not to forget the plight of these hostages, and I encourage them to offer their support to those responsible for gaining their release.●

THE FOREIGN SERVICE

● Mr. MATHIAS. Mr. President, few Americans know of or appreciate fully the contributions being made by our career diplomats stationed abroad. These men and women serve their country under conditions that frequently are difficult and dangerous. They are asked to do much but receive little recognition of their sacrifices.

It was heartening, therefore, for me to come upon an eloquent tribute to our career diplomats written by a U.S. Ambassador who is not a member of the career service.

Joseph Verner Reed has served as U.S. Ambassador to Morocco since 1981. Prior to that, he was an international banker.

In the March 26, 1985, issue of the Wall Street Journal, in an article entitled "Diplomats Abroad: Time To Restore Morale," Ambassador Reed writes of "those unsung, underpaid, and undervalued" American diplomats with whom he has worked for the last 4 years. His article is an important contribution to setting the record straight with respect to our representatives abroad. It deserves to be widely read. I ask that Ambassador Reed's article be printed in the RECORD.

The article follows:

[From the Wall Street Journal, Mar. 26, 1985]

DIPLOMATS ABROAD: TIME TO RESTORE MORALE

(By Joseph Verner Reed)

How relevant are career diplomats, the proverbial boys in striped pants, in a profession where the vital interests and rules of play of U.S. foreign policy are often ill defined, even murky? As a non-career diplomat now serving as U.S. ambassador to Morocco, I have come to believe they are vitally important.

While serving abroad I have found many parallels with my previous experience as an executive in a bank comparable with the State Department in size and world-wide interests. Yet, there are many differences. In banking or business, management by objective and therefore achievement is far more measurable; motivation more clear-cut. In government, responsibility is diffuse, hiring and firing almost impossible, and the buck rarely stops anywhere.

The Foreign Service has been maligned, even called "gutless" by another ambassador, yet it is often a more dangerous occupation than serving in our armed forces. Far more ambassadors than generals are shot at each year. In the past two years, three embassies have been obliterated, 19 U.S. diplomats assassinated and 59 others have been the victims of terrorist attack. One needs to be continually alert to security threats. Few in the medium-sized embassy head have not had close friends murdered in "peacetime" in the line of duty. And yet there is little public support for our professional diplomats.

Nor is "daily life" especially easy, even in a welcoming environment like Morocco. For example, secretaries, usually without training in the local language, are isolated here in a foreign, male-oriented culture. Elsewhere—in Kabul, Afghanistan; Beirut, Lebanon, or Bogota, Colombia, for example—day-to-day survival is uppermost. At all posts, code clerks and others work long hours in windowless vaults and everyone is on active call 24 hours a day, seven days a week.

Among our diplomats, decades of haphazard reform and contradictory plans have undercut morale and confidence in promotion for merit. The 1980 Foreign Service Act required the restructuring of our diplomatic corps so as to reduce a then-existing surplus of senior officers. But it has also resulted in the promotion of only a tiny fraction of midcareer officers. If not promoted into the Senior Service within a fixed number of years, many of these officers face forced retirement in their 40s at the taxpayer's expense. The result of this gross inequity is resignation by those with other options or a "take what you can get" attitude by many who stay.

As ambassador, I have found in our Morocco mission loyalty and teamwork, as well as drive, inventiveness and a willingness to go the extra mile. The professional staff in our embassies is clearly on a par with the best in industry, but unsung, underpaid and undervalued at home. the individual officers are, in short, far better than the system they serve.

The department cries out for long-term, enlightened management to motivate and lead our diplomats. The last years of the 20th century will not be easy. We face a new generation of Soviet leaders, the most crucial disarmament talks in history and widespread famines. To cope with these challenges we should take pride in our career diplomats and build up their morale. Ours is still the best diplomatic corps in the world, and as a nation we neglect this wasting asset at our peril.●

I'LL NEVER SAY I TOLD YOU SO—PART 3

● Mr. JOHNSTON. Mr. President, on Sunday, May 5, 1985, the Washington Post business section carried a very interesting article by staff writer Mark Potts entitled "Does Another Oil Shock Lie Ahead?" I ask that this article be printed in the RECORD at the conclusion of my remarks.

These remarks will be brief. The restructuring of the oil industry that is taking place in response to the corporate raids of T. Boone Pickens and his immitators is leaving us far weaker in terms of our industrial capacity and weaker as a nation as a whole.

Our oil companies cannot take the actions they must take to fend off unfriendly takeovers that Pickens has led and is inspiring without reducing efforts to explore for new supplies of oil.

These reductions in exploration will inevitably lead to much lower U.S. oil production in the 1990's as companies increasingly concentrate their scarce exploration dollars overseas. As Bruce Lazier, oil-industry analyst for the Wall Street firm of Prescott, Ball & Turben says in the article:

> The companies are acting rationally individually, but they're setting us up for another price trap by the Persian Gulf countries in the 1990's.

For the foreseeable future, Persian Gulf producers will be conserving their supply relative to the rest of the world. Reserve to production ratios in the Persian Gulf are 100 years or more. In the United States the ratio is 8 years.

In the United States our reserves are dropping steadily while production inches upwards. Collectively, we are producing fast to get rich now. We are borrowing from the future.

Our exploration efforts have been finding about one-third as much oil as we produce each year. Because of the actions of the corporate raiders the U.S. oil industry will be finding even less in the future.

One of the biggest reasons for the current oil glut is the price spike that took place in 1979. The reaction of world economies in reducing demand to respond to that price spike has put severe pressure on OPEC. As a result, the price is coming down. This is the conventional wisdom.

However, certainly at least as important has been the fact that during the 1970's the Alaskan North Slope, the United Kingdom, and Mexico added about 7.6 million barrels per day to world oil supplies that was not there in 1974. The first two of these sources have now peaked and will enter their decline phases by 1990. The last, Mexico, will use most of any production increases it can manage internally.

The geologists tell us that nothing remotely resembling these supply sources is likely to be found outside the Persian Gulf. Thus there is a real danger that world oil importers could once again find themselves dependent on the Persian Gulf for the marginal supply of oil. This is exactly what led to the 1973 and 1979 price shocks.

In the meantime, in the United States we are indulging in the luxury of allowing speculators to feed on the very oil companies whose exploration efforts could buy time for us. In our collective fascination with getting rich quick from a windfall we are hastening the time when, because of the nature-given imbalance in the distribution of crude oil reserves in the world, the United States of America, considered by some the most powerful nation in existence, will once again be forced to alter its foreign and domestic policies, helplessly contemplate the discomfort of its citizens, and postpone a decade of worthwhile investments that might bring real progress for the species while we pay exorbitant prices to a handful of oil producers in the Persian Gulf.

I'll never say I told you so.

The article follows:

DOES ANOTHER OIL SHOCK LIE AHEAD?

(By Mark Potts)

The dramatic financial restructuring of the oil industry through two years of mergers and hostile takeovers may be setting the stage for an oil shock in the early part of the next decade, some analysts warn.

"Everything that's going on just points to . . . a reversal of the oil glut in the 1990s," said Bruce Lazier, an oil-industry analyst for the Wall Street firm of Prescott Ball & Turben. "The companies are acting rationally individually, but they're setting us up for another price trap by the Persian Gulf countries in the 1990s."

As oil companies go heavily into debt to buy their own stock and as they roll back exploration and production efforts to cut costs, they may be jeopardizing the development of new sources of oil, some experts fear. In time, that could make the United States seriously vulnerable once again to interruptions in politically sensitive Middle Eastern petroleum shipments, these experts warn. "The exploration they're cutting back, given the lead time for exploration, is exploration that would have brought in oil for the 1990s," Lazier said.

But advocates of the industry shakeup, notably corporate raider T. Boone Pickens Jr., chairman of Mesa Petroleum Co., argue that the financial recognizations merely recognize the new realities of the oil industry—an oil glut, slumping prices, dwindling prospects for new sources of oil, rising exploration costs and undervalved stock prices.

"You now have an industry in decline," said Pickens, whose raids on companies such as Gulf Corp. and Phillips Petroleum Co. have prompted many of the recent changes in the industry.

"The primary asset for those companies is the reserve base of oil and gas in the United States, and they cannot protect it any longer," Pickens said in an interview last week. "There are not that many prospects. There are not that many opportunities. . . . The reserves are going down." Depressed oil prices mean those reserves are a relatively poor investment for shareholders—they also mean that companies can't justify the costs of new exploration, he said. "You're never going to attain the real value of these companies for the stockholders," he asserted.

Therefore, oil companies are better off spending their money to repurchase their stock, selling U.S. reserves or exploring for oil overseas, where prospects are better, Pickens and others say.

"Clearly, it's going to mean a downturn in U.S. exploration and production, but frankly that's just a continuation of a trend that's gone on for some time," said John Sawhill, former deputy secretary of Energy and now a consultant for McKinsey & Co. "It probably means we'll be more dependent on imports, but the real question is, 'Is it going to affect our national security?' . . . As long as we maintain diversified sources of supply and maintain a strategic petroleum reserve, these will compensate."

The makeover of the oil industry has taken a variety of forms: gargantuan mergers such as Chevron Inc.'s takeover of Gulf and Texaco Inc.'s purchase of Getty Oil Co. last year; fine-tuning adjustments such as write-offs or sales of unprofitable operations or cutbacks in drilling programs; or out-and-out financial reorganizations such as those being undertaken by Phillips and Atlantic Richfield Co.

Arco said last week it would go heavily into debt to buy back $4 billion worth of its stock (more than half the amount outstanding); wrote off $1.3 billion worth of operations; announced plans to close or sell a variety of business, including all of its gasoline refining and marketing operations east of the Mississippi; and said it would reduce its capital spending on petroleum exploration and other ventures to $2.8 billion annually from the current $3.6 billion.

The effects of Arco's actions will be to leave it a much leaner, more efficient company, temporarily heavy with debt, and to give its stock owners increased value for their holdings. The stock market thought so: The price of Arco shares jumped by nearly $10 in the days after the announcement.

But while some Wall Street analysts applauded the plan as innovative and even overdue, many others said Arco seemed to be playing for short-term gain at the expense of long-term energy needs. And they warned that such changes increase the chances of short supplies and higher prices of oil in the years ahead.

"If everybody does what they're doing, everybody's going to cut back on exploration and, inevitably, prices are going to get higher," Lazier said.

Many observers blame the oil industry's upheaval on a somewhat cynical view of the future of the oil industry that is advocated primarily by Pickens—a theory, simply put, that the oil industry is doomed in the long run, so investors might as well make a killing now.

"There is such a thing that I would call the Boone Pickens factor in the oil industry. . . . He started it. It's an emphasis on the short term," said John Lichtblau, executive director of the Petroleum Industry Research Foundation, a New York-based analysis group partly funded by the oil industry. "There's a shift now to emphasize the shareholders' interests by raising the dividend, by buying up the stock. . . . which inevitably means they're going to have less money available for exploration."

What makes the "Pickens factor" possible is the relatively depressed prices of oil company stocks. Years removed from the spiraling oil-product prices of the 1970s—and the gushing profits that went along with them—oil company stocks have dropped, in many cases to roughly half the level of a company's underlying asset value. That is, a company whose petroleum and other holdings have a theoretical value of $100 a share may be trading at about $50 a share.

Oil companies have coped with—or taken advantage of—this undervaluation in various ways. At first, it spurred a wave of mergers in the industry. "The best place to drill for oil is the floor of the New York Stock Exchange," went the saying and, indeed, oil companies bought other oil companies because it was cheaper to purchase additional cash-producing oil reserves than it was to drill for new oil.

The same philosophy turned the oil companies in on themselves. Oil companies generate huge amounts of cash, and rather than spend it on drilling for marginal or high-risk prospects or trying to diversify into new businesses—the cause of some of the industry's biggest recent fiascos—companies began buying their own stock on the open market. Exxon Corp., Amoco Corp. (the former Standard Oil Co. of Indiana), Arco and others have used excess cash in recent years to purchase their own shares, thus pushing the stock prices up closer to the companies' theoretical values.

The massive restructurings undertaken by Arco and Phillips are the latest manifestation of these philosophies, but all of these strategies bother many analysts as diverting attention—and money—from long-range oil-drilling needs. They believe that mergers, handcuff the involved companies' finances while they work off the debt incurred taking each other over. At the same time, combined companies spend less looking for oil than they might have separately, analysts say. "If you go to Texaco, sure, they're doing exploration, but I'm sure it's not what the level would have been for Texaco and Getty," Lazier said.

"It's hard to see how you could be a super-aggressive exploration company when you've got 75 percent debt," said Ted Eck, Amoco's chief economist.

"Some of the money that would have been used to search for hydrocarbons in the United States and elsewhere is going to be diverted to paying off the debt," said Sanford Margoshes, an analyst at Shearson/Lehman Brothers.

Proponents of restructuring say it just doesn't make any sense to spend much more than the minimum for oil exploration and

development these days, especially in the United States. More holes have been poked in this country in the search for oil than anywhere else in the world, and there may not be much left here to find.

There's still plenty of oil overseas. But most of it is in the Middle East. "We'll still have plenty of oil," Lazier said. "The problem is that all the incremental oil will be out of the Persian Gulf, and that puts us back where we were in 1973."

Many experts say the solution is to concentrate on increasing imports from more politically secure areas, and to diversify supply sources as much as possible. To this end, many American oil companies are directing increasing percentages of their oil and gas drilling budgets away from U.S. prospects and into exploration overseas.

"I think it's sort of rational, given the resource endowment overseas," said Amoco's Eck, whose company has shifted much of its exploration effort overseas in recent years. "The only responsible thing to say about American imports is, if we have to import it, we might as well import it from some place where we have some confidence in security of access."

"If we begin getting oil from Colombia and Canada and Indonesia and China, it seems to me that gives us the kind of diversity so that we're not dependent on just one area," Sawhill said. Mexico is another important source removed from the Middle East.

But other experts believe the U.S. oil industry is still better off looking for its oil at home—even if it is less economical to do so. "From the national-interest standpoint, to the extent that we replenish as much oil as possible, we strengthen ourself as much as possible in trying to avoid confrontations with other nations in trying to get to politically insecure oil," Margoshes said. "The way we're headed is toward a more destabilized world if we just sit back and deplete our resources instead of fighting the hard fight to replace what we consume."

There is also concern that oil companies are taking on so much debt in these restructurings and takeovers that their corporate financial structures could be rocked should oil prices fall. "If there's a huge drop in oil prices, . . . the companies with huge debts are much more vulnerable," Eck said. "I don't like that. This has always been a risky business, and it's not getting any less risky—if anything, it's getting more risky."

"Companies are substituting debt for equity to the point where they're making themselves vulnerable if we enter an era of lower oil prices," Margoshes said. "We're weakening the financial strength of the American oil industry."

Traditionally, American oil companies have operated with much less debt than most other industrial companies. That's changing. Arco's restructuring will leave its debt-to-equity ratio at about 55 percent, twice the previous level.

The companies believe that their massive cash flows will give them the wherewithal to pay down the debt—albeit partially at the expense of exploration spending.

Nevertheless, critics fear that the higher debt loads will strip the companies of flexibility, slowing their ability to react to changes in the industry.

"In the aggregate, it's weakening the oil companies because it's reducing their resiliency in a time of increasingly competitive conditions," Margoshes said.

Other experts disagree, however. "If it becomes attractive to drill for oil because the price [of oil] begins to go up, I think you will find the capital," Lichtblau said. "If the price of oil will strengthen again, I think the financing system, the banking system, will find the money to drill."●

TEACHER DAY, U.S.A.

● Mr. SIMON. Mr. President, today is a special day for some special—but often unheralded—people. That day is Teacher Day, U.S.A. This is the one day of the year that local businesses, public officials, parents, and just about everybody in the country can take time to thank teachers for their contributions to our Nation.

Teacher Day is being celebrated this week in school districts all across the Nation as part of a State and national program developed by the National Education Association and the local groups nationwide.

This is a special day which has been set aside to honor our community's teachers, the men and women who have devoted their professional lives to our children. It is a time when we can say thanks for the important contributions teachers make to our community. It is also a time when we can encourage more of the better students in our Nation to consider teaching as a possible career for themselves—a career filled with community service and the reward of seeing young people reach their potential.

Let us also remind ourselves that democracy cannot survive without quality education, the cornerstone of every community that builds an informed electorate.

The National Parents and Teachers Association has set the week of May 5 to 11 as National Teacher Appreciation Week. They have joined in their support and recognition of our Nation's teachers.

Various teacher groups around Illinois have designed special events to mark the observance of Teacher Day, U.S.A., in their communities: Several mayors have signed proclamations creating teacher-recognition days; students are making and wearing buttons to show their respect and appreciation for their teachers; parent-teacher organizations are holding teas for the district's teachers; business establishments are proudly displaying marquees thanking the educators of the community; and newspaper ads are being run spotlighting teachers' contributions to their communities.

I would especially like to congratulate the teacher of the year, Ms. Terry Dozier of South Carolina, and the recipients of the Illinois Education Association 1985 Human Services and Relations Awards—Jerry and Larry Greer, counselors from East Moline, IL; and the Hinsdale High School Teachers' Association from Hinsdale, IL. These fine educators have all served their profession well—as well as their students, their schools, and their communities.

Mr. President, I would like to add my voice to those of my colleagues thanking the teachers of our Nation for their dedication and commitment to the young people in our Nation.●

DEE SCOFIELD AWARENESS PROGRAM

● Mrs. HAWKINS. Mr. President, during the rollcall of missing children and pictures and posters of missing children there is one picture which is different from all of the others. This picture differs because rather than a photo it is a computerized depiction of Dee Scofield, a 12-year-old Florida child who vanished on July 22, 1976, from Ocsala, FL. This computerized version is needed because Dee Scofield, if she has survived her abduction would be a woman of 21 years now and her smiling photograph of 12 would no longer be applicable.

The Dee Scofield Awareness Program, Inc. was founded by Betty DeNova, Dee's relative. I would like to commend this program for its intense efforts on behalf of missing children. The program was established in 1976, its initial goal being to create public awareness of the problem of vanishing children and to spur greater FBI involvement in these cases. Since this time, however, the Dee Scofield Program has expanded it services to include search guidance, counseling, media photo publicity, and compassionate support to families of missing nonparentally kidnaped children. It has also produced educational literature on such issues as safety/prevention/ID programs; lessons learned from specific cases; legislation; performance reports on police and other public officials; and guidance on citizen involvement. The program has also created an educational photo exhibit of flyer-type photos with case histories designed for study. These flyers are available to civic groups for awareness projects.

One such group which benefits from this program is the Palm Spring Mile Shopping Mall. One such campaign to aid in the search of missing children was organized by the Palm Springs Mile Shopping Complex in Hialeah, FL. In this mall, each of its 115 merchants has displayed posters of missing children in their stores. To help advertise this campaign, the posters were featured in the center spread of their shopper and was mailed to 81,000 homes in the market area. In addition, the posters were also distributed to the local police, fire and parks/recreation departments.

I'd like to thank Jerry Kaye, the managing/marketing director as well as each member of the 115 stores in the Palm Spring Mile Shopping Com-

plex for helping in this effort to locate missing children from across the United States.●

A DEMOCRATIC DEFENSE POLICY: DEFENSE WITHOUT NONSENSE

● Mr. BOREN. Mr. President, recently our colleague, Congressman LES ASPIN, the chairman of the House Committee on Armed Services, delivered a speech on defense policy to the Committee for a Democratic Majority. While the speech is directed to this specific Democratic audience, it reflects a solid commonsense approach to defense policy that should be heard and thoughtfully considered by all Members of the Congress in both parties. I commend him for it.

In short, he counsels us to spend what we need on defense, but not to spend more than we have to spend to get the job done. More importantly, while addressing a political audience, he rejects playing partisan politics with national security and places the emphasis on doing what is right for America. I ask that the text of his remarks be placed in the RECORD following my comments.

The text of the remarks follow:

A DEMOCRATIC DEFENSE POLICY: DEFENSE WITHOUT NONSENSE

(By Les Aspin)

The Democratic party is going through a period of painful soul-searching. We read a great deal about the pain, but the most important thing is the outcome of the soul-searching.

One element of this self-examination is the party outlook on defense. We have commonly been attacked from the right for being soft on defense. That's nothing new. But in recent years, we have come under attack from the middle for being soft on defense. That is new—and harmful.

Speaker O'Neill has been showing around a poll indicating that by a margin of more than three-to-one, America's voters believe the GOP will do a better job than the Democratic party in keeping U.S. defenses as strong as needed. The voters aren't wild reactionaries. The same poll shows overwhelming pluralities favoring lower defense budgets than President Reagan's, and opposing any drive for superiority over the Russians. In other words, the voters are rational on defense—and their positions on spending and superiority are our positions. Yet, they see the Democratic party as incapable of giving us a strong defense. In fact, of 14 issues listed in this poll, the difference between Republicans and Democrats is starker on defense than any other issue. Our weak point is our perceived weak stand on defense.

To a large extent, this is, of course, a bad rap. Most Americans—even most Democrats—might be surprised to learn how much defense Democrats do support. Take spending. Last year, the Republican-controlled Senate voted for 95 percent of President Reagan's defense request. The Democratic-controlled House voted for 91 percent—a difference of 4 percentage points.

The Democratic defense glass is almost entirely full. But a huge proportion of the public magnifies this difference of 4 percentage points and perceives that there is nothing in the Democratic glass at all.

Yes, this is a problem of perceptions. But in politics, perceptions this stark can be devastating.

Why are these perceptions about Democrats so negative? Mainly, I believe, because the public debate on defense has focused heavily on specific weapons. And on specific weapons, Democrats have stood for negatives. Look back over the last 15 years. The big issues have been successively: the ABM, the B-1, the neutron bomb, the MX, and now SDI or Star Wars. Throughout those 15 years, Democrats have been cast consistently in the roll of chief "anti." Anti-ABM. Anti-B-1. Anti-neutron bomb. Anti-MK. Anti-SDI. And, thus, in the public mind: anti-defense.

It hasn't always been this way. John F. Kennedy was elected on a pledge to rebuild America's defenses. Robert McNamara became secretary of defense and Democrats were identified as the party that stood for a stronger and a cost-effective defense. Don't spend more than you have to, but spend all you need. Efficient management, and get the job done. But now, that's history.

Today, the American people see a profligate Pentagon—truly a vast wasteland—home of the $700 pliers and the $8,000 coffee pot. Are Democrats identified today as the party that will do away with the waste, as the party of John F. Kennedy that will give us our dollar's worth? No, we're identified as the party that is anti-defense, the party that will cut defense—muscle as well as fat.

A detached analysis will show that Democrats do not oppose all weapons. The Trident missile sub, the F-15 Eagle, the Spruance-class destroyer, the Blackhawk helicopter are among the many examples of weapons that have been supported by a majority of Democrats. But two points penetrate the public's mind. First, whatever opposition there is to these weapons has come from Democrats. Second, what support we do give seems almost reluctant. We don't appear to support any weapon; we merely acquiesce in some.

Many of our positions opposing particular weapons have been quite reasonable. I don't want to suggest that we should mindlessly support whatever gold-plated gizmo the inventive brain of defense industry can come up with. The B-1 should have been canceled in favor of Stealth. The President's Star Wars program is riddled with holes. And I would be the first to admit that there are fair and reasonable grounds for questioning the MX. But that isn't the point.

The point is that we don't seem to stand for anything anymore. If Democrats want to spend the rest of their careers writing op-ed pieces and giving lectures at universities, then we can continue to stroke our anti-defense image. But if we want to make defense policy in the White House and the Pentagon, then we had better stand for something. The voters are not attracted to national security nay-sayers.

In the debate that goes on daily in the newspapers and on the television screens, Democrats are not shown being for anything in the defense arena. We are always against. We are the Doctor No of the defense debate. That must change.

It's appropriate then to ask, what should we be for? I don't pretend to have all the answers wrapped up neatly here. But I would like to outline some thoughts and some approaches that could help. At least, I hope they can get Democrats thinking about what they are for in the defense arena.

I think we need to break the issue into two topics. One is the philosophical question of how Democrats ought to approach defense issues. The other is the important political question of tactics. Let me take up tactics first.

TACTICS

I see three tactical propositions that I would suggest Democrats adopt.

First, the Democratic party should not simply oppose a weapon; it should stand for an alternative.

Second, the Democratic party should support additions to the defense budget—though the net of our deletions and additions would still put the Democratic defense budget under the Reagan alternative.

Third, the Democratic party should accentuate the positive—speaking loudly and often of things we stand for.

Let me go through these propositions in more detail.

ALTERNATIVES

First, the Democratic party should not simply oppose a weapon; it should stand for an alternative.

This wasn't so important in past decades. It is important now simply because we have saddled ourselves with the reputation of being against every new weapon proposed.

Let's take the example of the B-1 bomber. The problem there was the increasing age of the B-52s. The Republicans offered the B-1 as the solution. Our solution was no B-1. We could have offered a major life extension progrm for the B-52. And in recent years, we could have offered the Stealth as an alternative. But basically, we just offered the public no B-1.

Another example is the MX. The problem is the vulnerability of our land-based missiles. The Republicans offered the MX as part of a solution package put together by the Scowcroft Commission. Democrats ignored the package and concentrated on the MX. We didn't ever offer an alternative solution to the problem of land-based missile vulnerability. We simply offered no MX.

Democrats need not be put in this Doctor No role. We control the House of Representatives and can therefore lay out the legislative agenda was we choose. We can structure votes so they present alternatives—not just yes or no votes. We can and should structure the votes on weapons so they are choices between alternative ways of meeting a defense need.

ADDITIONS

The second proposition is that the Democratic party should support some additions to the defense budget—though the net of our deletions and additions would still put the Democratic defense budget under the Reagan alternative.

In other words, while cutting several billion from the Reagan request, we ought to consider adding a few billions back for programs Reagan has ignored—for defense programs Democrats can support.

Let me give you a few examples of where to look. Clearly, we don't want to add money just for the sake of adding money. But in any defense budget, some areas are likely to be underfunded. That's true even in budgets as large as Reagan's. That's especially true in budgets, like Reagan's, that are basically the bolted-together wish-lists of the services.

First, there are programs that fall between the stools of the services. This Ad-

ministration defers much decision-making to the individual services. The services, however, tend to slight spending that helps another service. For example, the Air Force thinks close air support is a bore—though the Army needs close air support to protect its infantrymen. Democrats can stand up for programs the service bureaucracies neglect.

Second, the Reagan budget gives its highest priority to modernization—that is, buying sophisticated new planes and missiles to replace older planes and missiles. It gives a much lower priority to sustainability—that is, the stocks of supplies needed if we are to fight a conventional war beyond a few weeks. One way to avoid a resort to nuclear arms is to make sure our troops have the supplies needed to remain in a conventional mode.

Third, we can look to innovative new approaches to old problems that may not be getting enough dollars. Smart conventional munitions are a major opportunity for avoiding recourse to battlefield nuclear weapons. Smart munitions are the kind of weapons Democrats ought to be pleased to back. A few years ago, the Israelis showed how to use cheap drones and electronic warfare to win a major battle over the Biqa valley. This Administration has been slow to learn those lessons.

Those are just three examples of the kinds of programs Democrats ought to be able to back enthusiastically. There are others. The point is that Democrats should not just cut the Reagan defense budget. Democrats should reshape the defense budget by cutting in some places and adding in others. The result would be a defense budget we could support—not just give grudging acquiescence to.

It's a common sense approach I'm suggesting—Democrats should stand for dee-fense without nonsense.

If we expect the public once again to give us stewardship of the nation, we must be prepared to be responsible stewards—to give the nation a strong defense. We must offer a better defense, not merely a leaner defense.

It will take considerable discussion and debate to nail down a specific agenda. I realize I just may be in the minority when I say that my defense package would include money for the MX and cut money for military retirement.

ACCENTUATE THE POSITIVE

The third proposition is that the Democratic party should accentuate the positive—speaking loudly and often of things we stand for.

Many of these are non-budget issues. There's a lot more to defense than what appears in the annual budget. In fact, many of the more important defense issues don't even appear in the budget. Take, for example, the procurement system, the defense decision-making structure, and attitudes toward people in uniform.

The public perceives the procurement system to be a mess. It may well have been a mess before, but it's now a mess on Ronald Reagan's watch. This Administration let the procurement issue get away from it politically. Ronald Reagan and Caspar Weinberger are in no position to deal with it with any credibility.

Democrats, therefore, have an opportunity here to confront a core defense issue in a creative and rational way. Perhaps the public is so cynical that it won't believe anything we propose. But I believe the majority is willing to listen—not to flippant or arrogant attacks on Caspar Weinberger—but to rational proposals for reform. This is a real Democratic opportunity. We must not let it pass us by.

A second Democratic opportunity lies in the area of Pentagon reform.

We have an Army policy, and a Navy policy, and an Air Force policy. We don't have much of a defense policy, however. One problem is that the Joint Chiefs of Staff essentially bolt together the individual service policies. The process just doesn't work well—as any number of people in uniform have made clear in speeches and articles.

The Weinberger Pentagon, however, has come down firmly against any change. It argues that the Defense Department is humming along just fine, thank you. But even strong supporters of the military on the right say that's crazy.

The Democratic party should be out front beating the drum for change, to give the chairman of the JCS and the Joint Staff more authority so they won't always be pushed around by the services. It makes sense politically, because the public is eager for proposals to cut down on service bickering. And it's the right thing to do. It's good defense policy. And it's standing for something positive—not just being anti-this or anti-that.

Reforming the decision-making process involves more than the Joint Chiefs. It involves the civilians in the Pentagon. And, frankly, Congress contributes to the problem. As one example, Congress has completed action on the defense budget before the beginning of the fiscal year only six times in the 35 years since. 1950. How can we demand efficiency of the military institution when it is common practice for Congress to play hide and seek with their budget? Congress needs to clean up its own act, and Democrats should call for that as well.

Third, Democrats should do more to identify with our people in uniform. Many Democrats wallow in an attitude that treats military careerists as Irish immigrants were treated in the 19th Century. It's as if we put up a sign on the party's front door: No military need apply. Democrats are against militarism; but we must not be against our own military. It should be a Democrat standing on the Normandy bluff bringing tears to the nation with praise for the courage of our fighting men. Today, many brilliant young men and women are donning the uniforms of our services. We ought to be encouraging the best to join—including the best of our young Democrats.

The Democratic party's major opportunities for improving the national defense come in standing for something. We can—and should—take the initiative to clean out the Augean stable of Pentagon procurement. We can—and should—take the initiative to reform the Pentagon decision-making muddle. We can—and should—embrace the uniforms that stand for defense and deterrence.

PHILOSOPHY

As I said earlier, we need to divide this issue into two parts—the tactical and the philosophical. So far, I have spoken of tactics. Let me turn briefly to philosophy.

Our philosophical debate is dominated by two contrasting world views of the Soviet threat and the nuclear threat.

On the right, we see those who take the Soviet threat very seriously. Their view is epitomized by the President's "evil empire" speech. The Soviet Union is seen as a major military machine driven by ideologues whose principal goal is our defeat. But those same people on the right often take almost a casual view of the threat of nuclear war. To be sure, they don't advocate embracing nuclear war, but they don't quake in their boots at the thought of it either. In the extreme, their outlook is epitomized by T.K. Jones' statement some years ago that we could survive a nuclear war, quote, "with enough shovels."

At the other end of the political spectrum, we see the opposite view. The threat posed by nuclear war is taken very seriously. Nuclear war means the end of civilization. But the threat posed by the Soviet system and its military machine is treated almost casually. No one any longer embraces the Politburo as good ole boys, as some once embraced "Uncle Joe," but excuses are commonly made for the Soviet Union's more despicable acts, and their propaganda hokum too often is given serious treatment. The Reagan Administration's arms control proposals—whether sound or outlandish—are dismissed on the grounds that they were designed to be rejected by the Russians; on the other hand, Moscow's most outlandish proposals are often said to contain a number of elements that could serve as the seeds for true arms control.

The right fears Moscow—and is too casual about nuclear war.

The left fears nuclear war—and is too casual about Soviet goals.

I would suggest that the current approach for all Americans—and especially for the Democratic party—would be to start with a healthy respect for the dangers of nuclear war, and a healthy respect for the dangers posed by Soviet ambitions. We ought not be paranoid about either. But we ought not be casual about either.

Scoop Jackson had a healthy view of what the Soviet Union was all about. He was neither paranoid, nor prone to excuse their excesses. Scoop's passing meant the loss of an important perspective to our party.

The response of Democrats is that they do not excuse Soviet oppression or expansionism. Most liberals say, in all honesty, "It goes without saying that a liberal Democrat seethes with opposition to the illiberal and anti-democratic practices of Moscow. It goes without saying.

My friends, it doesn't go without saying."

Democrats express our deep feeling about nuclear war day-in and day-out. Doesn't that go without saying? But we say it.

Let's start saying a few things about the Soviet system, too.

I'm not suggesting we imitate the extreme right. I'm not suggesting we try to exploit fear of the Russians. I am suggesting that we not abandon the ideological high ground of liberal democracy to the GOP with a simple flip of the hand and a dismissing comment that "it goes without saying." In politics, that which is unsaid doesn't count.

As my friends, Jim Woolsey and Walt Slocombe, have pointed out, World War II bequeathed us two insights into a possibly horrifying future, both named after two medium-sized cities. One is Hiroshima and the other is Auschwitz—Hiroshima symbolizing the worst of warfare, and Auschwitz symbolizing the worst of the modern nation state.

Anyone who tells you that only one of these problems confronts us is simply wrong. There is no difficulty averting Hiroshima—so long as you can stomach totalitarianism. Better Red than dead. There is also no trick to avoiding totalitarianism—so long as you aren't worried about total war.

There are no commies on a lifeless planet. The challenge to America is to build toward a future that avoids both Hiroshima and Auschwitz.

Hiroshima and Auschwitz are the pitfalls presented by modern science and by the powers available to the modern bureaucratic state. They are the cities to be avoided. But there is another city. The City on the Hill. The vision held up to our Pilgrim fathers. It is the vision of the future that America has always stood for—always striven for. It is the essence of the Democratic party. Ronald Reagan recently sought to appropriate the City on the Hill to himself. Ronald Reagan campaigned on the quotations of Roosevelt, Truman, and Kennedy. We must not stand silently by while he steals the visions and the heroes of the Democratic party.

Americans are always seeking a better future—fuller, fairer, cleaner, richer, safer. The voters will follow those with a clear vision of how to get there from here.

In defense, that means several things:

We must shed our Doctor No image.

We must offer dee-fense without nonsense.

We must speak of weapons we are for, not just weapons we're against.

We must respect the uniform, not debase the uniform.

We must speak of the Soviet threat, not just the nuclear threat.

We must offer a better defense, not just a leaner defense.

When we do that, we will win elections.

And, more important, we'll be doing what's right for America.●

IRELAND'S POET—SEAMUS HEANEY

● Mr. KENNEDY. Mr. President, I had the pleasure last week of meeting here in Washington with Seamus Heaney, the acclaimed Irish poet. Mr. Heaney has just completed a semester of teaching at Harvard, and was here in Washington for a series of lectures and readings of his poetry at the Library of Congress and the Folger Library.

Robert Lowell has called Seamus Heaney a worthy successor to Yeats in the great tradition of Irish poetry. And today, as with Yeats in the past, Heaney's poetry brings into focus the tragic struggles and conflicts of the Irish nation.

Seamus Heaney's eloquent poems delight audiences and critics. He is a national treasure in his homeland and a welcome guest in the United States. I commend his poetry to my colleagues in the Senate, particularly his recently published work, "Station Island," and I ask that an interview with Mr. Heaney from the Washington Post of May 3 may be printed in the RECORD.

[From the Washington Post, May 3, 1985]

THE BARD FROM THE BOG LAND—SEAMUS HEANEY AND HIS PASSION FOR PEACE

(By David Remnick)

Seamus Heaney, Ireland's best-known living poet, is a reluctant guest in an airless chamber. He opens the door, flips a single key on the table and inhales the cool hotel-smell of the room, the merciless universality of it, the dead, disinfected odor that settles on the tongue like a lump of nickel.

Heaney smiles at the strangeness of such an otherworldly fragrance. His eyes narrow to slits of delight, his wide throat reddens to rose. His woolly tie, like a strip of moss brought from home gives life to the sort of suit that all poets seem to own—forgettably academic, a herringboned "utility" garment. The odd delight of the hotel hits him: "It's a strange flavor, isn't it?"

He remembers the same smell from a Las Vegas hotel: "I was there for a rather odd occasion. It was New Year's Eve and my priest, who had baptized my eldest child, was getting married. It was a strange evening."

Stately plump Seamus Heaney settles into a chair and stares out the window at the ice-white panorama of Southwest Washington in spring light, the nonstop brightness of it. "I got here last night and I wondered where you could possibly get a drink," he says. "Where was everybody? I never did figure it out."

More often his visits are a rush of readings and classes and urban activity. "I love the energy of being in America," he says, "but by the end of four months, I'm quite ready for the indolence of Ireland."

Heaney is here on a poetry swing: last Monday night's memorial service for poet and translator Robert Fitzgerald, last night's lecture on the poets of Northern Ireland and tonight's reading of his own poems at the Folger. He has just finished teaching three spring semester courses at Harvard and will return soon to his waterside house in Dublin where he lives with his wife Marie and their three teenaged children.

Heaney is 46, the son of Catholic farmers from County Derry in Northern Ireland. He has published six volumes of verse—most recently, "Station Island"—a translation of the medieval Irish work "Sweeney Astray" and a book of remarkable essays on poetry and his "bogbound" roots, "Preoccupations." He has won countless awards and grants, critical acclaim, a tenured position at Harvard that "provides just about enough money, a base for the whole year" and, occasionally, the dubius pleasure of appearing before American audiences in the role of "Irish poet."

"Oh, there's the expectation that I'll play the jovial, voluble Celt," Heaney says. "Sometimes I get the sense that audiences at my readings would accept anything from me, even if I didn't bother to prepare or bring along my poems. In fact they might prefer it if I weren't prepared and just told stories. When my students in Cambridge ask me to go out, it's always to The Plough and the Stars, an Irish pub. And that's all fine. I'm probably more secure about my ethnicity than, say, an Irish-American might be. But for me the idea is not to punt the current offered you. I see it as my position to subvert it all by being a strict and serious poet."

He is skeptical of the "poetry scene" in America, the pervasive professionalism of poets here, the horse-trading and logrolling. "There is a lot of poetry here that seems unnecessary," he says. "Unnecessary to the poet." He is grateful to Ireland not only for the life and resources it has provided for poems, but also for its kind of readership.

"If I publish a poem in The Irish Times on a Saturday morning I can be sure that members of the government will read it," he says. "Perhaps not with a sense of panting discovery, but they read it. And the auctioneer may not read it, but he'll note it. In Ireland I'm part of a life rather than a literary salon."

Heaney's voice and accent are informed by the historical ambiguity of Ulster, its Gaelic roots and the centuries of British occupation.

Or as he writes in "Traditions":

Our gutteral muse
Was bulled long ago
by the alliterative tradition . . .

"My accent really hasn't changed much over the years," he says. "It may have softened a bit. If you were to talk to my brother—he works on building sites—you might find he talks a little faster, a little more from the back of the throat. But it's mainly the same sound, the same voice of home in the north."

In September 1938 William Butler Yeats wrote "Under Ben Bulben," a valedictory poem that included a directive for future generations: "Irish poets, learn your trade." A year later, Seamus Justin Heaney, the eldest of nine children, was born at the family farm of Mossbawn between the villages of Castledawson and Toome.

"I try very hard not to take that line from Yeats as a direct address," Heaney says through laughter. "I take it as an easy handle for book reviewers." Ireland has a number of fine poets writing today—Derek Mahon, Seamus Deane and Paul Muldoon among them—but Heaney has received the most notice and Robert Lowell's thorny blessing—that he is the successor to Yeats.

"I didn't grow up in a literary household, but it was not illiterate," Heaney says. The most prized reading materials in the house when he was a child were World War II ration books (pink for clothes, green for groceries), the Irish Weekly and the auction pages of the Northern Constitution. The one serious reader in the area was a solitary, bachelor farmer named Pat McGuckin "about whom stories were told."

After a few years of enhancement with cartoons—Keyhole Kate, Julius Sneezer, Lord Snooty and Hungry Horace—Heaney says he had his first "literary frisson" reading an illustrated textbook on Celtic mythology. It was Yeats who had implored Ireland to know its own history and mythology, and Heaney followed the order in innocence. He was absorbed in the "story of Dagda, a dream of harp music and light, confronting and defeating Balor of the Evil Eye on the dark fortress of Tory Island."

Heaney's imagination was also made shapely by the bogs surrounding his home, the "wide low apron of swamp on the west bank of the River Bann," the fields of peadrills, Sweet William and elderflower. The bog became both fact and symbol, the landscape of his youth and a sign of history and memory—the bottomless mud full of mythic skeletons, bogey men, mosscheepers, mankeepers.

Heaney also learned to adore the hard, glottal accents of Ireland, the wind-quick voices, the litany of place names in sight of that childhood home; Lough Beg, Slieve Gallon, Sandy Loaning, Bell's Hill, Brian's Field—each name "a kind of love made to each acre."

His ear was stunned by words the way we imagine a young artist's eye is stunned by color, shape and size. He listened to his mother recite lists of affixes and Latin roots. Or it may be that the fascination began, Heaney writes, "with the exotic listing on the wireless dial: Stuttgart, Leipzig, Oslo, Hilversum. Maybe it was stirred by the beautiful sprung rhythms of the old BBC

weather forecast: Dogger, Rockall, Malin, Shetland, Faroes, Finisterre; or with the gorgeous and inane phraseology of the catechism; or with the litany of the Blessed Virgin that was part of the enforced poetry of our household: Tower of Gold, Ark of the Covenant, Gate of Heaven, Morning Star, Health of the Sick, Refuge of Sinners, Comforter of the Afflicted."

With the help of a scholarship, Heaney left Mossbawn in 1951 to study at St. Columb's, College a boarding school in Londonderry, and later at Queen's College in Belfast, where he became absorbed in Gaelic literature and poetry, especially the spectacular rhythms of Gerard Manley Hopkins. After graduating Queen's with first-class honors in 1961, Heaney studied at St. Joseph's College of Education in Belfast for a year.

While teaching high school in Belfast, Heaney began writing his first serious poems and learned to trust his past and delve into Mossbawn and the resonant bog. Heaney wrote "Digging" in the summer of 1964 and published it in The New Statesman. He thinks of it as his first real poem. It is an assertive ars poetica, a clear declaration of purpose and dedication to an exalted form of parochialism. Here are the final lines:

The cold smell of potato mould,
the squelch and slap
Of soggy peat, the curt cuts of an edge
Through living roots awaken in my head.
But I've no spade to follow men like them.
Between my finger and my thumb
The squat pen rests.
I'll dig with that.

In 1972, Heaney and his family moved from their home in Belfast to a cottage in County Wicklow:

"I was leading the generic life of my generation of Irish writers: the scholarship, the study, the first book, the marriage and the mortgage, the trip over to the United States. I left Belfast as a somnambulist, acting out of some inner command. I didn't leave because of 'the troubles.' It had to do with going into silence and wilderness. It was the first real move I had made that stepped away from the generic life."

Because he had rapidly become the most celebrated living poet in a country that honors its poets, Heaney's move from the British-occupied north to the independent Republic of Ireland was a move fraught with political implication. But Heaney insists it was a decision made for personal, artistic reasons:

"By leaving the north I didn't feel I was betraying anyone," he says, "but I did sense the pressure. The people you leave often feel they've been deserted somehow. There were even editorials in The Irish Times. But I suppose the submerged politics of leaving was that I did not want to be just an Ulster poet. I wanted to be an Irish poet."

Much of Heaney's work can be viewed as an extension of Yeats' project, the desire to explore and celebrate the history of a place and its particulars. His reading of P.V. Glob's "The Bog People," coupled with his personal experience of that landscape, helped produce many of the remarkable poems of the 1970s, including "Bone Dreams," "Bogland," "The Grauballe Man" and "Kinship": "earth pantry, bone-vault . . . /Ground that will strip/its dark side,/nesting ground,/outback of my mind."

But to be an Irish poet means to be, at least in part, an explicitly political poet. Heaney says he is not a follower of any of the country's myriad political parties and factions. In a new poem, "Chekhov on Sakhalin," he aligns himself with a political poetry that is "not tract, not theses," but rather a personal account of experience, something more like song than slogan.

"I wrote the poem during the hunger strikes in 1981 when the IRA was making demands for political status," he says. "I was haunted by that dirty protest and did not want to write something that merely became part of a violent propaganda campaign.

"Chekhov was exemplary to me, the way he is determined to be cool, to record, not preach," Heaney says. "When he was 30 he spent the summer of 1890 interviewing and ministering to the prisoners on the island of Sakhalin. You could say that he took a year off for politics, although it was much more serious than the modern version of getting a foundation grant or of Joan Didion spending two weeks in El Salvador. He was distraught about the conditions, the brutality there. Before he left for Sakhalin, his friends gave him a bottle of cognac. He drank it when he got there and the luxury and pleasure of drinking brandy on a prison island became an emblem to me, an emblem of a right to practice lyric art in the face of public horror and indifference."

Heaney and his family moved from the country cottage in County Wicklow to Dublin recently "for reasons of practicality, schools for the children and the rest." For four months of the year, Heaney teaches two poetry workshops and a course on modern poetry at Harvard. The rest of the time "I live a strange combination of a family and literary life" in Dublin.

He has tried to navigate a steady course between the instructions offered by the Scylla and Charybdis of modern Irish literature and the distinctive ways of life and literature they offer:

"Yeats says take everything into yourself, make for yourself the heroic role. While Joyce is the opposite, you get on with your secret vision, withdrawing from the world to write for the sake of writing."

Heaney's life keeps shifting, between the public and private, the Harvard lectern and the secluded countryside. "And as soon as I feel myself settling into some extreme, it might be time to shift the balance."

Poetry is the constant, the way of understanding history and Ireland. The poems Heaney writes are the way he defines himself. Or as he says in an elegy dedicated to his friend and predecessor at Harvard, Robert Lowell:

The way we are living,
timorous or bold,
will have been our life . . .

"DOCKER"

(By Seamus Heaney)

There, in the corner, staring at his drink,
The cap juts like a gantry's crossbeam,
Cowling plated forehead and sledgehead
jaw,
Speech is clamped in the lips' vice.
That fist would drop a hammer on a Catholic—
Oh yes, that kind of thing could start again;
The only Roman collar he tolerates
Smiles all around his sleek pint of porter.
Mosaic imperatives bang home like rivits;
God is a foreman with certain definite views
Who orders life in shifts of work and leisure.
A factory horn will blare Resurrection.
He sits, strong and blunt as a Celtic cross,
Clearly used to silence and an armchair:
Tonight the wife and children will be quiet
At slammed door and smoker's cough in the
hall.●

EVGENY MATSKIN

● Mr. METZENBAUM. Mr. President, I bring to the attention of the Senate the outrageous and demeaning treatment inflicted by the Soviet authorities upon Evgeny Matskin and his family of Leningrad, whose only offense against the Soviet State is their desire to leave it.

In 1979, when he applied for permission to emigrate to Israel, Evgeny Matskin was a Ph.D. in electrical communications with 10 years of experience in computer design. He was fired immediately from his professional position and required to take a job as a stoker in a boiler room.

Mr. Matskin did not give up.

He applied again in 1981 for an exit visa.

This time, he was taken from the boiler room job and made the assistant administrator of a public bathroom. His income dropped from 250 rubles a month to 85.

But the Matskin family persists—and so does the stubborn refusal of the Soviet authorities to grant them permission to emigrate.

That Soviet attitude is something I find incomprehensible.

Do the Soviet authorities fear that as a computer designer, Mr. Matskin may know state secrets?

Not likely.

Anything that was happening in the computer field in 1979 is ancient history today.

No, Mr. President, I think it is clear that Soviet policy is to hold hostage the Matskin family and thousands like them to be used coldly and callously as bargaining chips in future talks with this and other Western countries.

The Soviet position is an outrage—a mockery of the Helsinki accords, of the Universal Declaration of Human Rights and even of the Soviet Constitution itself.

Mr. President, during my 1983 visit to the Soviet Union, I raised the Matskin case directly with Soviet officials.

I have asked our State Department to do the same.

I have written to the Matskin's to assure them that they are not forgotten.

And on April 28, 1985, I telephoned the Matskin's in order to let them know that efforts on their behalf will continue until they are free to leave the Soviet Union.

I repeat that statement here on the Senate floor and invite my colleagues to join me in these efforts.●

HONORING THE FLINT BOARD OF EDUCATION AND THE C.S. MOTT FOUNDATION ON 50TH ANNIVERSARY OF COMMUNITY EDUCATION

● Mr. RIEGLE. Mr. President, I am very pleased to be able to join in the tribute to community education on the occasion of the dedication of the Freeman Elementary School gymnasium in honor of William Minardo, Flint's first community school director, and in the commemoration of the 50th anniversary of community education in Flint. I had the opportunity to attend community schools in Flint where this concept originated 50 years ago, and I am particularly proud of the success of this program in my home community. The C.S. Mott Foundation and the Flint Board of Education together with hundreds of dedicated individuals have shown that citizen involvement can do a great deal to improve the quality of life in our communities.

What began as a small recreation program in 1935 has now become a strong, positive force not only in Flint but in many other communities across the country. The community education programs now provide needed recreational, educational, cultural, social, and medical services in some 3,500 school districts across the country.

Strengthening community involvement through this concept has helped to improve the classroom performance of our younger students and to open up classrooms for adult education programs to fight illiteracy and help people gain the skills they need to participate fully in our increasingly technical workplace and society. The program has also helped reach alienated and isolated groups in our society, such as delinquent youth and seniors who need special assistance. One of the greatest values of community schools is that they help to reestablish a sense of community, to give people a sense of connection and of shared purpose.

As the original sponsor of legislation to provide Federal support for the community schools program, I am pleased to find this concept thriving across the country. This is a tribute to local school districts including the fine school board in Flint and to the foresight of the Mott Foundation which has worked so hard through the years to spread this idea to other communities.●

NEW YORK'S SALUTE TO VIETNAM VETERANS

● Mr. MOYNIHAN. Mr. President, on the 10th anniversary of the end of the Vietnam war, New York is hosting a welcome home party. For the last 2 days, the people of New York have been paying homage to all the men and women of the Empire State who served in the Vietnam war, and especially those 4,108 New Yorkers who lost their lives in Vietnam during the war.

The commemoration began last night, with the dedication of New York's Vietnam Veterans Memorial in lower Manhattan. The memorial, a transluscent glass-block wall, 70 feet long and 16 feet high, is etched with excerpts from 83 letters that were written by or to the soldiers who served in the Vietnam war. This striking monument was designed by William Fellows, Peter Wormser, and Joseph Ferrandino. This ceremony was followed by a massive fireworks display over the East River.

The celebration continued today with one of New York's legendary ticker tape parades from Brooklyn to the Battery—a parade which included more than 13,000 Vietnam veterans. Festivities were to conclude with a reunion for veterans aboard the aircraft carrier U.S.S. *Intrepid.*

Mr. President, this commemoration was the culmination of more than 2½ years of planning and fundraising by the New York Vietnam Veterans Commission, which was appointed by Mayor Edward I. Koch in November 1982. Composed of over 100 citizens of New York—half of whom are Vietnam era veterans—the commission was ably guided by cochairmen H. Scott Higgins and Donald J. Trump and Executive Director James M. Hebron. More than raising funds for a memorial for Vietnam veterans, the commission has raised funds for a living memorial—a job program to help alleviate the unemployment and underemployment of New York's Vietnam veterans. Money was raised from New Yorkers in all walks of life and all parts of the country. As Scott Higgins said:

> This will be a people's memorial, so that the men who fought, and their families, will know that at last the healing has begun.

The New York salute to its Vietnam veterans should emphasize how very important it is to express to all Vietnam veterans just how grateful this Nation is to them for the courage they showed and the sacrifices they made.

For too long, we as a people have forgotten, or neglected to say aloud to these veterans what we have always known in our hearts: Those who have not been sent into combat, and who have sought to serve their country in other ways, are eternally in the debt of those who have taken the more fearsome risk, and especially to those who have made the supreme sacrifice.

It is important not least because the respect and recognition we accord to our military veterans teaches our children what are honorable callings in life—and we would always hope to have the most perceptive of our young people choose careers in uniform.

America's treatment of its veterans also tells the world something illuminating about the character of our people—whether ours is a nation which respects and reveres those individuals who accept society's most difficult mandate, and fulfill it honorably.

It has been long in coming, too long certainly, but yesterday and today, New York is welcoming its veterans home. This Senator is proud again to be a New Yorker this week. Mr. President, I hope everyone everywhere can join New York in saying "Welcome Home."●

BALTIMORE: "WHERE THE WHIZ KIDS ARE"

● Mr. MATHIAS. Mr. President, front-page stories in today's editions of the Baltimore Sun and New York Times give the city of Baltimore and all Marylanders much to be proud of. In the words of Thomas H. Sherlock, executive vice president of Blue Cross and Blue Shield of Maryland, "that's where the whiz kids are."

Mr. Sherlock was referring in one of the articles to three young Baltimoreans who have developed a process for packing 800 pages of information onto a single card about the size of a credit card. The system will be used by Blue Cross and Blue Shield of Maryland to manage vital information about the medical histories of over 1.6 million Marylanders.

The young scientists who have succeeded in making the "smart card" even smarter are Douglas L. Becker, 19; his brother, Eric Becker, 23; and Christopher Hoehn-Seric, also 23, all of Baltimore. Also contributing were Steven Taslitz, 26, and Dr. Frederik Hansen, 58. Their adaptation of laser optics technology will enable each subscriber to carry on a card his or her own complete medical history, including a digitalized photograph of the carrier, copies of electrocardiograms or x rays, a complete list of medications prescribed, and other data. According to the reports, each card will cost only $1.25 to $1.75 to manufacture and encode.

The two articles give further details about this new development in information storage. I ask that the text of the articles from the May 7 New York Times, "Insurance Cards to Detail Medical Histories," and from the May 7 Baltimore Sun, "Blue Cross will put your records in your wallet," be printed in the RECORD at the conclusion of my remarks.

Mr. President, I know that my colleagues join me in commending the remarkable achievement of these three young Marylanders. Their work illustrates the astounding potential of today's information technology. It also underscores the challenges that face the Congress as we strive to keep our laws up-to-date with the rapid developments in this field. Almost daily we learn of new breakthroughs in the

ability to collect, store, and use electronically encoded information. As Baltimore's "Whiz Kids" well know, these advances are the result of both ingenuity and hard work. We will need plenty of both if we are to succeed in our efforts to give further encouragement to technological progress, to provide appropriate legal protection for the fruits of creative and inventive activities, and to protect the privacy of Americans in the new information age.

The articles follow:

BLUE CROSS WILL PUT YOUR RECORDS IN YOUR WALLET

(By Mary Knudson)

A 19-year-old Baltimore computer jock got the idea.

And within 8 months, he and his 23-year-old brother and three friends had sold Maryland's largest health insurer a technique for storing huge amounts of medical history and insurance data on members' wallet-size insurance cards.

Blue Cross and Blue Shield of Maryland threw its support behind development of the technique, and as a result, 1.6 million Maryland subscribers will be carrying the new cards within the next two years. Thomas H. Sherlock, the company's president, announced yesterday.

Known as LifeCard, the card would provide emergency room doctors instant access to a patient's medical history, including allergies, operations he has had, drugs he is taking, pictures of X-rays and results of any other tests. In an emergency outside a patients hometown, that could save lives, Mr. Sherlock suggested.

The card will be designed with a wide laser optic memory strip, like the material on video discs and compact audio discs, capable of storing up to 800 pages of data.

After a Blue Cross-Blue Shield subsidiary tests the card and information retrieval system, the company will begin issuing cards in November to plan members free of charge. Hospitals will need to spend some $6,600 for computer equipment to use the cards.

Hospitals will benefit because the insurance card will carry more complete identification of the member's coverage for specific health services than present Blue Cross-Blue Shield cards have. And by carrying the member's photograph and signature, the card will reduce the chances of its unauthorized use, Mr. Sherlock said.

"Medicaid [the state's insurance program for the poor] is extremely interested in using this technology because of their higher incidence of fraud," said James Thornton, president of the new Blue Cross-Blue Shield subsidiary, Health Management Systems, Inc., which will oversee the implementation and marketing of LifeCard.

Maryland Blue Cross-Blue Shield plans soon to begin offering the license to use the LifeCard technology to other Blue Cross-Blue Shield plans throughout the United States, Mr. Sherlock said.

The five who invented the technique were on hand yesterday when Blue Cross announced the development at the Baltimore Plaza Hotel.

Douglas Becker, 19, was a senior at Gilman High School and worked part-time at a Baltimore computer store when he became aware that the technology exists to develop this type of card. Christopher Hoehn-Saric, 23, was working at the same store and became an instant ally.

Mr. Becker was also a volunteer in the microsurgery laboratory of the hand surgery center at Union Memorial Hospital, where he got to know Dr. Frederik Hansen, a plastic surgeon. As the idea began to jell, Mr. Becker and Mr. Hoehn-Saric talked it out with Dr. Hansen, who shot down some early suggestions as unworkable and provided the direction for what medical use could be made of the card.

Dr. Hansen also organized an advisory board of doctors, hospital administrators and medical records technicians, who set up guidelines for what information would appear on the card and who would have access to it.

The card is designed with built-in security access codes so that a pharmacist would have access only to drug information, for instance. Blue Cross-Blue Shield would not have access to its members' medical information, nor would a non-health provider such as a member's employer, Mr. Hoehn-Saric said.

Early on in the card's development, Douglas Becker called his brother, Eric Becker, 23, who was working in Chicago in business finance and real estate, about the project. Eric Becker and Steven Taslitz, 26, who was working with him, left their jobs to join in the medical card venture.

The young inventors have traveled to California and to Japan to interest companies in developing the technique for manufacturing the cards. Doctors and hospitals who want to be able to use the card will be able to buy the required computer hardware and software from Blue Cross-Blue Shield. The five inventors have become paid consultants to Blue Cross-Blue Shield and will be minor stockholders in the subsidiary company that markets the card.

[From the New York Times, May 7, 1985]

INSURANCE CARDS TO DETAIL MEDICAL HISTORIES

(BY IRVIN MOLOTSKY)

WASHINGTON, May 6.—Blue Cross and Blue Shield of Maryland annouced today that subscribers would receive membership cards that can contain the equivalent of 800 pages of information on their medical history. Nationwide adoption, the insurer said, is expected in a few years.

The card, which health-care providers like hospitals would use in determining treatment, was developed by a group whose leaders were a 19-year-old youth who put off entering college and two 23-years-olds who dropped out of college in their senior year to work on the card.

"I feel like a chaperone some of the time," said Thomas H. Sherlock, executive vice prsident of Blue Cross and Blue Shield of Maryland and chairman of Health Management Systems, a subsidiary formed by the health insurer to develop the card with the young scientists.

The 19-year-old, Douglas L. Becker, had the idea of using the laser optics technology used in video disks and compact audio disks.

The information can include a digitalized photograph of the carrier, a facsimile of his or her signature, the extent of the health insurance, a copy of an electrocardiogram, a chest X-ray, a list of medicines being taken, the names of physicians who have provided treatment and other elements.

The information, retrived by way of personal computers and laser optics technology, could prove life-saving in an emergency, Blue Cross said, or it could allow a hospital to avoid unnecessary procedures, saving money and perhaps avoiding unnecessary risks.

Mr. Sherlock said the card would be distributed to Blue Cross and Blue Shield's 1.6 million members in Maryland at no cost to them. He said doctors, hospitals and other health-care providers had indicated that they would update information on the subscribers' cards without cost, as well.

Full distribution is expected next year after further testing this fall, Mr. Sherlock said, with availability to the rest of the country expected in 1987.

The laser technology is copyrighted by Drexler Industries, he said, while the software to run the medical programs is owned by Health Management Systems. "That's where the whiz kids are," Mr. Sherlock.

CHEAPER THAN PHONE LINKS

Development of the card was announced at the health insurer's headquarters in suburban Bethesda and at a news conference in Baltimore, the hometown of the developers of the card, which they are calling the LifeCard.

The principal developers were Mr. Becker, who won a deferral from the University of Pennsylvania to put off entering the college's premedical program; his brother, Eric, 23, who left school in his last semester as a University of Chicago economics student, and Christopher Hoehn-Saric, also 23, who dropped out of John Hopkins University, where he was pursuing a degree in electrical engineering. Also involved were Stephen Taslitz, 26, and Dr. Frederik Hansen, 58.

Douglas Becker said the system would be less costly than using expensive telephone connections to link the Blue Cross and Blue Shield computer with, say, a hospital. Instead, a person would carry the health-care record directly to the hospital.

INCREASED PRIVACY SEEN

In addition, some people concerned with privacy in the computer age have advocated such a personal card as a way of increasing confidentiality. Constitutional protections on privacy extend to a person or to the home, but not to records kept by a third party like a bank or insurance company.

A card encoded with medical history and carried by a person could restrict access by others to such information.

The information could not be retrieved without a laser optical scanner, along with an I.B.M. or compatible personal computer and the software. In addition, Blue Cross said access codes would prevent unauthorized use even by people with the equipment.

The card costs $1.25 to $1.75 to make and encode, Douglas Becker said. He said a health-care provider would need to spend less than $1,000 for the equipment to read and encode the card.

"I had been following the technology," he said. "I was reading the technical journals and had the idea of applying optical technology to medical records."

Mr. Sherlock said Blue Cross had spent $1 million to develop the technology with the young Baltimoreans.●

EQUAL ACCESS TO JUSTICE ACT: A HELP TO OUR NATION'S 14 MILLION SMALL BUSINESSES

● Mr. DOMENICI. Mr. President, I am pleased to cosponsor legislation introduced by my esteemed colleague, Senator GRASSLEY, on the Equal Access to Justice Act [EAJA]. I have

been trying ever since I arrived in Washington to find a way for individuals and small businesses to fight against unjustified Federal Government action. Some of the greatest injustices in this country occur through regulators out in the field who can walk into a small business and charge the company with a fine just because they violated some technicality of an arbitrary Federal regulation. I perceive this to be an administrative and bureaucratic denial of equal justice.

Senator GRASSLEY's bill will equalize the balance between the Federal Government's corps of lawyers and regulators and the individuals and small businesses who pay the taxes to fund the Federal regulatory agencies. The legislation will send a warning signal to the Federal bureaucracy that arbitrary and capricious regulations may not continue without challenge from private citizens. An estimated $100 billion of the U.S. annual deficit may come directly and indirectly from errors in Government contracting. EAJA will help to correct these mistakes.

The Equal Access to Justice Act expired in 1984 when the President vetoed reauthorizing legislation. I am confident that this new bill, which has the support of the White House, will benefit both citizens and the Government, and I urge my colleagues to support its swift enactment.●

PRAISE FOR THE FOREIGN SERVICE

● Mr. PELL. Mr. President, our career Foreign Service, of which I am proud to have been a member prior to my political career, often comes under attack. One departing noncareer ambassador recently accused the Foreign Service of being "gutless." Another noncareer ambassador has challenged that characterization; and he correctly pointed out that far from being gutless, the men and women of our Foreign Service have performed heroically in the face of security threats and heavy work demands.

This noncareer admirer of the Foreign Service is Joseph Verner Reed, who serves as Ambassador to Morocco. He stated in a recent op-ed article in the Wall Street Journal that, "The professional staff in our embassies is clearly on par with the best in industry, but unsung, underpaid, and undervalued at home."

I agree wholeheartedly with this assessment, and I ask that the full text of Ambassador Reed's article be printed at this point in the RECORD.

The article follows:

[From the Wall Street Journal, Mar. 26, 1985]

DIPLOMATS ABROAD: TIME TO RESTORE MORALE

(By Joseph Verner Reed)

How relevant are career diplomats, the proverbial boys in striped pants, in a profession where the vital interests and rules of play of U.S. foreign policy are often ill-defined, even murky? As a non-career diplomat now serving as U.S. ambassador to Morocco, I have come to believe they are vitally important.

While serving abroad I have found many parallels with my previous experience as an executive in a bank comparable with the State Department in size and world-wide interests. Yet, there are many differences. In banking or business, management by objective and therefore achievement is far more measurable; motivation more clear-cut. In government, responsibility is diffuse, hiring and firing almost impossible, and the buck rarely stops anywhere.

The Foreign Service has been maligned, even called "gutless" by another ambassador, yet it is often a more dangerous occupation than serving in our armed forces. Far more ambassadors than generals are shot at each year. In the past two years, three embassies have been obliterated, 19 U.S. diplomats assassinated and 59 others have been the victims of terrorist attack. One needs to be continually alert to security threats. Few in the medium-sized embassy I head have not had close friends murdered in "peacetime" in the line of duty. And yet there is little public support for our professional diplomats.

Nor is "daily life" especially easy, even in a welcoming environment like Morocco. For example, secretaries, usually without training in the local language, are isolated here in a foreign, male-oriented culture. Elsewhere—in Kabul, Afghanistan, Beirut, Lebanon, or Bogota, Colombia, for example—day-to-day survival is uppermost. At all posts, code clerks and others work long hours in windowless vaults and everyone is on active call 24 hours a day, seven days a week.

Among our diplomats, decades of haphazard reform and contradictory plans have undercut morale and confidence in promotion for merit. The 1980 Foreign Service Act required the restructuring of our diplomatic corps so as to reduce a then-existing surplus of senior officers. But it has also resulted in the promotion of only a tiny fraction of midcareer officers. If not promoted into the Senior Service within a fixed number of years, many of these officers face forced retirement in their 40s at the taxpayer's expense. The result of this gross inequity is resignation by those with other options or a "take what you can get" attitude by many who stay.

As ambassador, I have found in our Morocco mission loyalty and teamwork, as well as drive, inventiveness and a willingness to go the extra mile. The professional staff in our embassies is clearly on a par with the best in industry, but unsung, underpaid and undervalued at home. The individual officers are, in short, far better than the system they serve.

The department cries out for long-term, enlightened management to motivate and lead our diplomats. The last years of the 20th century will not be easy. We face a new generation of Soviet leaders, the most crucial disarmament talks in history and widespread famines. To cope with these challenges we should take pride in our career diplomats and build up their morale. Ours is still the best diplomatic corps in the world, and as a nation we neglect this wasting asset at our peril.●

PUBLIC'S CONCERN ABOUT TAKEOVER OF MEDIA OUTLETS

● Mr. EAGLETON. Mr. President, I would like to bring to my colleagues' attention the cover story in the May 13, 1985 issue of U.S. News & World Report entitled "Who Will Control TV?" As my colleagues may recall that on April 29 of this year, six members, including myself, wrote a letter to Chairman Fowler of the FCC urging him to take a careful look at the recent bid by Ted Turner to purchase CBS. I was pleased to read the aforementioned article which documents the public's concern about hostile takeovers of media outlets.

A poll conducted for U.S. News & World Report found that when the public was asked to choose between having the network stay in control of present owners and having it taken over by Ted Turner, only 15 percent supported the Turner takeover. The poll also shows that the overwhelming majority of Americans trust the news coverage they get—and most of the people who deliver it.

Mr. President, I ask that the cover article of the May 13, 1985, issue of U.S. News & World Report be inserted in the RECORD.

To supplement the article's conclusions and the poll data cited in the article regarding the public's concerns about hostile takeovers of the media, the following additional information was provided by Lawrence Maloney, deputy editor of U.S. News & World Report. I ask that this material also be included in the RECORD.

The material follows:

WHO WILL CONTROL TV?

This battle has it all—power, money, politics. On the outcome rides the future of America's most pervasive medium and the programs it brings into homes.

Once just the name of a TV show, "Let's Make a Deal" is fast becoming the motto of the entire television industry.

Since mid-March, the world of TV has resembled a giant auction block, with bidders for networks and station groups striding forward with bold offers that have stunned—and sometimes angered—what used to be a fairly exclusive club.

The frantic action is sending prices of television stocks zooming. Seemingly overnight, Wall Street has discovered that ownership of TV stations is tantamount to running a money machine that churns out profits in good times and bad. Helping to fuel the frenzy is the laissez-faire stance of the Federal Communications Commission, which, under Chairman Mark Fowler, has opened the door to a video revolution on two levels—the rapid turnover of local stations and hostile takeovers of powerful networks, including Ted Turner's recent bid for CBS.

While major broadcasters gobble up still more stations, newcomers to the field, in-

cluding former Treasury Secretary William Simon, are being lured by the hope of huge payoffs. Controversial Australian publisher Rupert Murdoch, who owns a European cable network, also wants to get into U.S. television. Already this year, six transactions have been proposed worth nearly 12 billion dollars, more than four times the value of all deals in 1984. The profits are almost unbelievable. The Gulf Broadcast Group is selling a Tampa TV station to Taft Broadcasting of Cincinnati for 197.5 million dollars. Its purchase price for the same station just six years ago: 17.6 million.

Properties change hands with lightning speed, now that the FCC no longer requires new owners to hold stations for at least three years. Stations in Dallas and Houston will soon have their third owner in less than a year. The rule change "encourages people to trade in broadcast licenses as if they were pork bellies or bushels of wheat," says Andrew Schwartzman of the Media Access Project, a public-interest group.

Notes Grant Tinker, chairman of NBC: "To the extent television gets into the hands of people just in it for an investment, that does not augur well."

When all the wheeling and dealing is sorted out, who will control television and the type of news and entertainment that comes into American homes?

"Oldest maxim." One scenario has those with a conservative political bent, such as Senator Jesse Helms (R-NC) and the Fairness in Media group, gaining control of CBS and riding herd on Dan Rather and his colleagues. It's a prospect that alarms many media watchers. "They would violate the oldest maxim in the business: You don't rewrite a hit," says Les Brown, editor of Channels of Communications magazine.

The public agrees. A poll for U.S. News & World Report (page 67) probing attitudes on TV finds Americans overwhelmingly pefer that CBS stay in the hands of its current management.

Another scenario holds out the real possibility of a fourth network to rival the present Big Three. "If you have a company that has a whole lot of stations and can afford to put up money for programing that could open up a new marketplace," notes Stephen J. Cannell, producer of such popular shows as "The A-Team" and "Hardcastle and McCormick." Adds Dick Block, executive vice president of Metromedia Television: "There will be more networks, more music, even prime-time news."

Just who is right, no one can say, not when television is still trying to digest a plateful of new acquisitions. Yet few doubt that the industry—and TV viewers—are in for some interesting times as televison works through its midlife crisis.

TURNER VS. CBS

What makes the current climate particularly unusual is the eruption of hostile-takeover deals. The greatest controversy is being generated by Turner's offer for CBS, Inc., owner of the nation's most watched network.

Turner's bid for 67 percent of CBS stock has been roundly criticized by most financial analysts, who value the offer at between $120 and $150 a share, or about 3 billion dollars. That is well below what CBS holdings would bring if the company sold off its TV, radio, record and publishing properties piece by piece.

Media analyst R. Joesph Fuchs of the Kidder Peabody brokerage firm says that Turner's no-money-down proposal, which relies heavily on high-yield, high-risk "junk bonds," is "the ultimate in financial mirrors." Others argue that the only way the offer would work is if Turner liquidated most of the company. He plans to do precisely that, keeping the network and most of its lucrative television stations.

CBS directors have rebuffed Turner, who is supported by Helms and Fairness in Media, and have filed suit against him for allegedly violating insider-trading and securities-registration laws. They also will urge the FCC to block him.

The conflict goes beyond pure dollars and cents. While CBS Chairman Thomas Wyman has said that the Atlanta entrepreneur "doesn't have the conscience" to run a network, Turner has called the networks "the greatest enemies America has ever had." CBS founder William Paley said that to change the management or structure of the company through a hostile takeover "would be a tragedy."

One observer of the fray, Ben Bagdikian, professor of journalism at the University of California at Berkeley, says a Turner takeover "would be disastrous journalistically. If one believes what Turner and his friends have said in the past, they see it as their religious and political responsibility to change news in the direction of their politics." Yet journalists formerly at Turner's Cable News Network say that he generally followed a handsoff policy on program content.

CBS staff members have been keeping a low profile during the battle, but any fears are tempered by the belief that a Turner victory seems unlikely. But anyone who has ever dealt with Turner has learned that he is tenacious and takes pleasure in thumbing his nose at the broadcast establishment, which scoffed when he started CNN.

If it looks as if he has a chance of winning, CBS could be forced, among other options, to find a friendly suitor, repurchase much of its stock above the market price or buy a large stake in another company, a move that would complicate Turner's acquisition. Although denied by company officials, rumors are now circulating that General Electric might buy the network or that CBS and Time, Inc., might each buy a large block of one another's stock to give both leverage against unfriendly bidders.

RAIDERS, WHITE KNIGHTS

CBS is not alone in fending off a hostile attack. The New York investment firm of Coniston Partners wants to buy Storer Communications, contending that the firm's 1.2 billion dollars in assets—seven TV stations and cable systems in 18 states—are worth far more if split up and sold.

Such bust-up strategies could have dangerous effects. Says media analyst Ed Atorino of the Smith Barney brokerage firm: "What investors seem to be saying in their infinite quest for maximum value is that all that counts is the buck and, if they destroy the business in the process, too bad."

To protect itself, Storer, preparing for a key stockholders meeting on May 7, has joined hands with Kohlberg Kravis Roberts & Company, a New York firm specializing in "leveraged buyouts." Under the concept, a publicly held company borrows the funds to purchase its own stock, then takes the firm private. The cash flow from TV stations—a rough measure of profitability—is normally so great that companies can count on it to pay off what they have borrowed. Cox Enterprises, a nonpublic newspaper-publishing company, is using a similar method in attempting to take Cox Communications of Atlanta private.

But such buyouts are not always the final answer. Metromedia, which owns seven television stations in major markets such as New York, Los Angeles and Chicago, went private in a 1.6-billion-dollar transaction last year but now is considering selling stations to Twentieth Century Fox, owned in part by publisher Murdoch.

"If this deal comes to pass," says media analyst John Reidy, "you could have an interesting new television force."

In another deal, a financial brawl broke out after Multimedia, which owns five TV stations and 13 daily newspapers and which syndicates "The Phil Donahue Show," proposed an 825-million-dollar buyout. In short order, William Simon, Lorimar Productions and Washington Redskins owner Jack Kent Cooke offered bids that were turned down. Multimedia's controlling families now propose an 890-million-dollar package to retain control.

In this unstable environment, the March announcement of a 3.5-billion-dollar acquisition of ABC by Capital Cities Communications seems positively tame. The friendly takeover, which will take months to consummate, marks the first sale of a network.

The transaction will link troubled ABC, which has sunk to third place in viewer ratings, with a company many analysts consider the best managed in broadcasting. Some at ABC are putting together résumés in fear that the tough-minded and highly profitable Capital Cities will trim jobs, but others are upbeat about the prospect of working for a company that is said to have a keen interest in news and public affairs. Says broadcasting consultant John Bowen: "They don't spare money for investigative reporting."

In a deal that Roone Arledge, president of ABC News, describes as akin to "the canary eating the cat," Capital Cities, which also publishes 10 daily papers, is buying a company with almost four times its revenue. To do that, it must borrow 2.2 billion dollars but is expected to have no trouble paying off the debt. The company is likely to reap at least 1 billion dollars from media properties that have to be sold to satisfy FCC requirements, including a prohibition on any company's owning stations that reach more than 25 percent of the national television audience.

Among the three networks, only NBC seems immune to the takeover mania. RCA, its powerful parent, has no intention of selling the network and has made bylaw changes to thwart unfriendly bidders.

MILKING THE CASH COWS

Behind all these transactions is a sea change in the attitudes of Wall Street, which once evaluated the stocks of television companies purely on the basis of a firm's profitability. In the past year, the financial community began to consider the eye-popping prices that broadcast properties bring when they are sold as well as the industry's reputation for generating an uncommonly high level of cash flow. Investors also realized that broadcasters turn a profit that is not only substantial and predictable but also keeps well ahead of inflation.

The growth in income of the companies that make up Standard & Poor's TV-broadcasting stock group rose 132 percent between 1976 and 1984, compared with 68 percent for all industrial companies the S&P 400-Stock Index.

The values in broadcasting not only lured investors but also speculators, who saw that stocks were undervalued and began to smell

takeover potential. Since the end of 1984, the S&P TV group jumped a phenomenal 51.5 percent, compared with the 6.6 percent rise in the S&P 500 Stock Index.

Meanwhile, the Federal Communications Commission is smoothing the way for more investor action. Under Chairman Fowler, a strong believer in the free market, the FCC has expanded the number of TV stations one company can own from seven to 12. The change has stimulated the market for properties as companies whose growth was stymied under the old limit seek to expand. Taft Broadcasting in buying a total of five stations from the Gulf Broadcast Group, has in one swoop made a deal that will bring it up to 12 stations, and others are expected to follow suit. Such firms as Gannett, the Times Mirror Company and Media General reportedly are all in the market.

The FCC's moves are igniting controversy, even on the commission itself. When a majority headed by Fowler said it would not stand in the way of hostile takeovers, Commissioner James Quello vigorously dissented. Said Quello: "I'm afraid the FCC is promoting bust-up liquidations promoted by professional raiders and causing potential anarchy throughout the communications industry."

With only a limited number of properties for sale, prices are ratcheting up. Stations that once sold for 10 times cash flow are now going for as much as 40 times that. Says Washington, D.C., media broker Ron Ninowski: "You can run a station into the ground and still sell it for more than what you paid."

Investor Warren Buffett, who has made a fortune buying media stocks and has a 518-million-dollar stake in the merged ABC-Capital Cities company, likens the bidding for a limited number of stations to the market for rare art. "If you collect Rembrandts and there aren't any more, what are you going to do?" he asks.

NEW CAST OF CHARACTERS

Deregulation is helping to attract new people into the business. In addition to bidding for Multimedia, William Simon has purchased Forward Communications, which has six stations in the Midwest and South. Financier Ivan Boesky, whose usual stock in trade is making a quick profit on potential takeovers, has acquired a substantial interest in a station in Minneapolis. Boesky, who for a time last month was the single largest stockholder in CBS, already has a stake in stations in Oklahoma City and Schenectady.

Kohlberg Kravis Roberts, the leveraged-buyout specialist, has stations in several cities, including Los Angeles and Miami. It also owned WZZM in Grand Rapids, Mich., which it sold on April 29 for 62 million dollars, almost double what the city's other network affiliate brought when it changed hands in 1983.

Increasingly, limited partnerships, with investments of as little as $50,000, are being established to purchase stations. There is some tax-shelter advantage, but the primary attraction is the money-to-be-made when the station is turned over to those anxious to get into broadcasting. This trend worries industry veterans who fear the entry of business people less likely to take seriously the notion that ownership of a license is a public trust. "We're drifting away from the kinds of people who have run broadcasting enterprises and understand the special relationships between TV stations and the communities they serve," says Peter Kizer, executive vice president of the broadcast division of the Evening News Association in Detroit.

Analysts draw an analogy with the book industry, which was invaded by conglomerates two decades ago, tipping the balance heavily toward the economic side and away from the literary. Some experts worry about cutbacks in news and public-affairs shows by fast-buck artists anxious to turn a speedy profit. Others are concerned about fledgling entrepreneurs' getting into the business with debts that are so high that they must skimp on quality to pay off their bills. Les Brown of Channels of Communications says that government regulators are no longer standing in the way of "the rape of the airwaves."

"That's all baloney," counters John Massey, president of Gulf Broadcast Company, who contends that broadcast people are critical of new entrants because "they have been sitting on a gold mine and want to keep others out." Others insist that station owners dare not skimp on news and public affairs, which can be big moneymakers for those who attract the largest number of viewers.

All of this controversy has generated little reaction on Capitol Hill. "I do not think Congress should be in the act of deciding who should own a TV station.' says Representative Tim Wirth (D-Colo.), chairman of the House Telecommunications Subcommittee. Wirth may hold hearings that focus on hostile takeovers, although little is expected to result because Turner's CNN is generally well regarded by Congress, while CBS and the other networks are viewed by some as arrogant and biased. The only thing that might energize Congress is a serious move by Senator Helms and his supporters for CBS, which most experts say is implausible.

MORE CHOICES FOR TV VIEWERS?

Changes now afoot inevitably point to even tighter control of television by ever more powerful firms. While some media experts deplore that trend, others predict that the result will be a wider selection of programs for TV watchers.

"There will be less reliance on the three major networks and more creativity," predicts Don Curran, a San Francisco broadcasting consultant. Metromedia, which can reach more than 24 percent of the nation with its stations, is moving ahead with plans for a national evening newscast in prime time as well as daily medical and travel shows, though sale of its stations could change that. In combination with Taft, Storer, Hearst and Gannett, Metromedia is producing a half-hour situation comedy.

The new breed of local-station owners may also be less willing to follow the lead of the networks. Already, such network suggestions as hour-long evening news shows consistently are snubbled by affiliates in favor of quiz programs popular with local viewers and profitable for the stations.

Still, no one is saying that the networks are ready to retreat, although their share of the prime-time audience has fallen from 91 percent in 1977 to 74 percent last year in the wake of expansion by independent stations and cable TV.

But with a new owner at ABC and a change possible at CBS, there may be some shifts at the top of the programming mountain. Because of Capital Cities' reputation for stressing the bottom line, the joke now is that Joan Collins will be wearing hand-me-downs on "Dynasty."

Special shows. A glimpse of what may lie in store can be discerned in Capital Cities' relationship with Paulist Productions, a Catholic nonprofit company that since 1977 has supplied the broadcaster with a series of teenage dramas that treat such issues as drugs and alcohol.

The Rev. Elwood Kieser, president of the Paulist firm, says that top executives of Capital Cities "feel a keen obligation to the viewing public." Although he is not sure that the company will continue to buy his products once it officially acquires ABC, Kieser says that the Paulist group will be trying to sell such offerings as movies about Dorothy Day, founder of the Catholic worker movement, and Archbishop Oscar Romero of El Salvador, killed in 1980, allegedly by rightist death squads.

As for what Ted Turner might do at the network he claims has been "taken over by the sleaze artists," longtime observers say that he just might transform some of his rhetoric into reality and put on the air more profamily shows in the style of "The Waltons," a Turner favorite. Two situation comedies that appear on WTBS, his Atlanta-based superstation, are considered "very clean" by TV standards.

Whatever the personal philosophies of television's changing lineup of owners, media analysts agree that, in the end, economics will dictate what people see. "The consumer will not allow owners to get too far out of line," says Fuchs of Kidder Peabody. "The Nielsen meter will tell them, 'Wait a minute, nobody's watching,' "—(By Alvin P. Sanoff with Clemens P. Work, Manuel Schiffres, Kenneth T. Walsh, Linda K. Lanier, Ronald A. Taylor, Robert J. Morse of the Economic Unit and the magazine's domestic bureaus).

WHAT THEY MAKE—REVENUES AND PROFITS OF MAJOR BROADCASTING COMPANIES IN 1984

[Dollar amounts in millions]

	Revenue	Profit or loss	Profit as share of revenue (percent)	Current status
CBS	$4,925	$212	4.3	Fighting Ted Turner takeover bid.
ABC	3,708	195	5.3	Merging with Capital Cities.
NBC Broadcasting Group.	2,371	[1] 218		Improving ratings.
Westinghouse Broadcast & Cable.	985	[1] 71		Considering expanding.
Capital Cities Communications.	940	135	14.4	Acquiring ABC.
Cox Communications	743	87	11.8	Trying to go private.
Metromedia	656			Selling stations to 20th Century Fox?
Storer Communications	537	17		Trying to go private.
Taft Broadcasting	454	39	8.6	Buying Gulf Broadcast.
A.H. Belo	354	54	15.3	Consolidating 1984 TV purchases.

[1] Figures for NBC and Westinghouse Broadcast are profits before taxes for parent corporations USN&WR—Basic data: Corporate annual reports.

WHEN LOCAL STATIONS CHANGE HANDS

Talk of network takeovers grabs the headlines, but what makes the average viewer applaud or jeer is the impact of musical chairs at the local level.

When Capital Cities bought WFTS in Tampa-St. Petersburg last August, it took preachers, who accounted for about 10 percent of programing, off the screen and put on 30 New York Yankee games. Another addition: Elvira, mistress of the macabre movie. Now, it's the fastest-growing station in its market.

In Madison, Wis., Tak Communications of Maryland bought station WKOW in March

and promptly scrapped Saturday-night wrestling for movies and substituted documentaries for Sunday religious programs.

Lin Broadcasting's purchase of WOTV in Grand Rapids, Mich., in 1983 led to the firing of several veteran news people. To blunt the uproar that followed, management expanded the news staff and added an early-morning newscast and more public-affairs shows.

PROGRAM SHIFTS

When George Lilly purchased the four-station Montana Television Network last year, he shifted the site of its nightly statewide report from Great Falls to Billings, generating some ill will in Great Falls. Evening newscasts, which used to start with the statewide segment, now begin with local reports.

After the Dallas-based A. H. Belo Corporation purchased KHOU-TV in Houston last year, it imported anchors from Dallas and New York and designed a new set. The aim: To bolster ratings of a station that had fallen to last place in local news after leading the pack in the '60s when it spawned stars such as Dan Rather. So far, however, the audience is not watching in greater numbers. Says Prof. William Hawes of the University of Houston School of Communications: "Mostly, there has been a change in personalities, and that won't do it."

IS A VIDEO REVOLUTION BREWING? HOW HOLLYWOOD SEES TV'S FUTURE

Will the shake-up in TV ownership change what's on the air? From the people who create the shows—

Larry Gelbart, creator of "M*A*S*H": "Somebody once said: 'An organization is the death of fun.' I think a giant organization can be deadening to entertainment. I'm just afraid that big business will try to appeal to more and more people as consumers, and the sure way to do that is to put out the least offensive product or do the least amount of risk taking. I'm afraid of less color in our shows, if that's possible."

Stephen J. Cannell, president, Stephen J. Cannell Productions ("The A-Team," "Riptide"): "My hope is that the new owners aren't going to come in with a broom and change everything. Given the horrendous production schedules—22 to 25 hours of a show in eight months—the quality is remarkably good. TV tends to be attacked by intellectual, college-educated people. They say we're not doing enough Faulkner, but networks have the responsibility to program for a huge population."

Glenn Padnick, president, Embassy TV ("The Jeffersons," "The Facts of Life"): "If I were a CBS stockholder and I thought Ted Turner was going to impose his personal, creative judgments on the television network along the lines of his speeches, then I would be very scared about him taking over that network. It would not be artistically or commercially a very successful enterprise."

Dick Clark, president, Dick Clark Productions ("TV's Bloopers & Practical Jokes," "American Bandstand"): "There'll be more alternatives to network programs, but networks aren't going away. They are still going to reach the masses and continue to be the best buy there is. Money is the driving force. When somebody makes a lot of money making Westerns, you'll find a lot of Westerns."

Mel Blumenthal, executive vice president, MTM Productions ("Hill Street Blues," "Newhart"): "Hypothetically, if you have one network that had a philosophical viewpoint based upon an individual's outlook of the world, and he programed his network along those lines, I'd guess a lot of people would watch. But I would side with a diverse plate."

Lee Rich, president, Lorimar Productions ("Dallas," "Knots Landing," "Falcon Crest"): "If you have personal tastes in running a network, you have problems. You can come into the job with prejudices, but you'd better get rid of them in a hurry. Turner doesn't like 'Dallas,' but he loves 'The Waltons.' If he's going to be a responsible broadcaster and a businessman responsible to stockholders, to cancel 'Dallas,' the No. 1 show on the air, would be inappropriate."

Steven Goldman, senior vice president, Paramount Domestic Television ("Cheers," "Webster"): In spite of mergers and greater concentration of power, you have greater demand for products than ever before, and the public has much more choice."—By Steve L. Hawkins in Los Angeles.

DOES TELEVISION NEWS TILT TO THE LEFT—TWO VIEWS

INTERVIEW WITH REPRESENTATIVE PHILIP CRANE (R-ILL.) AND SPOKESMAN FOR FAIRNESS IN MEDIA

Q. Representative Crane, how do you justify claims that TV news is too liberal?

A. Any number of independent studies that go back for better than a decade show a liberal bias, especially with regard to CBS. Its coverage in Vietnam leaned disproportionately toward critics of our policy. In 1972 and '73, the Institute for American Strategy found that CBS quoted the statements of critics 842 times, while those partial to our policy were quoted only 23 times.

CBS News has also been much more critical of President Reagan than the other networks. In 1983, TV Guide looked at pro-Reagan vs. anti-Reagan coverage and found that while NBC was critical 10 percent of the time and ABC 12 percent, CBS stood out because it was critical 52 percent of the time.

Then, if you look at CBS and NBC coverage of the political conventions last summer, they used such terms as "right wing" and "hard right" for the Republicans, but rarely used the word "liberal" for the Democrats and never used the term "left wing," which apparently isn't in their vocabulary.

Q. Are you arguing that CBS is the worst offender and the rest aren't too bad?

A. I'm focusing on CBS because I've really looked into that situation more than the other networks. But let me point out that a study of 240 top print and broadcast journalists found that, at the most, 19 percent of them voted for a Republican presidential candidate from 1964 through 1976. And when asked their views on social issues, about 90 percent were pro-abortion. That is at considerable variance with the views of the public at large.

It's always been a source of curiosity to me that the media attract people who are left of center. You find fewer conservatives who tend to gravitate into journalism. Probably someone could give a psychological explanation as to why this has happened.

Q. Whatever the voting pattern of journalists, doesn't the President's landslide win suggest media coverage is objective?

A. What it indicates is that the American people are willing to rise above some of the misinformation that comes across on the news.

Q. If Jesse Helms were to become Dan Rather's boss, wouldn't conservative bias creep into news coverage?

A. The imbalance at CBS can be redressed without making the news biased. Fred Friendly, former president of CBS News, said that the network should absolutely guarantee equal time to someone attacked in the way General Westmoreland was. The problem with CBS is the lack of opportunity to reply and the absence of a differing viewpoint. Unlike ABC, they don't have a George Will juxtaposed with a Sam Donaldson. Trying to get someone balanced against Bill Moyers would really improve the editorial commentary coming out of CBS.

Q. Could you work with a Dan Rather?

A. Rather has marketable qualities, or CBS wouldn't have the ratings it has. He has demonstrable show-biz, starlike qualities. To that extent, I wouldn't have trouble, if I were owner of CBS, in keeping Rather in his position. My concern is guaranteeing that there is more rigid supervision of what is defined as news and avoiding the kind of imbalanced reporting I have referred to. Fair is fair. Let's treat both sides equally.

Q. Hasn't the public indicated that it would be uneasy if a conservative group took over a network?

A. Yes, because there has been the implication that they would turn it into a conservative network. My question is: Would the public not be equally uneasy if liberals took over a network? And I think the American people do not realize the degree to which liberals have a monopoly at CBS.

Q. Do you support Ted Turner's bid for CBS?

A. I find him infinitely preferable to the current management.

Q. Do you agree with Ted Turner that television news is tearing down the fabric of America?

A. To the degree that TV inordinately focuses on negatives, that's a source of some despair to me. The overall impact is demoralizing. The media say, "Well, that's news." But there are times when a healthy balance would dictate accentuating the positive.

INTERVIEW WITH DON HEWITT, EXECUTIVE PRODUCER, CBS NEWS "60 MINUTES"

Q. Mr. Hewitt, does network news have a liberal bias?

A. I would suggest that critics try that out on Geraldine Ferraro. If we had the liberal bias Jesse Helms says we have, and we were as influential as he says we are, how did Ronald Reagan end up in the White House? Why aren't Mondale and Ferrarro in the White House?

CBS News is neither liberal nor conservative. CBS News is an observer of liberals and conservatives, and sometimes we find them both wanting. We once had a guy on "60 Minutes" who runs a halfway house for drug addicts and criminals who said the underprivileged are "caught in a bind between right-wing nuts who want to hit everybody in the head, and radical-chic creepos who want to kiss everybody's backside." I believe that. I defy anybody to tag "60 Minutes" as left or right, liberal or conservative. A good story is a good story.

Q. What about studies that show journalists are liberal in the way they vote?

A. I've never seen any evidence of that. But let me tell you about myself. I lost my left-wing bias when I turned 21. I'm a big fan of both conservative columnist George Will and liberal writer Izzy Stone. I look at 1988, and I'm torn between New York Democratic Governor Mario Cuomo and Senate Republican Leader Bob Dole. Now, what kind of liberal bias is that?

Q. Doesn't TV news tend to distort or exaggerate often with a liberal bent?

A. If I detect a left-wing bent around here, that person's out the door—and I haven't detected it. I don't like left-wingers any more than I like right-wingers. I love the middle. I broadcast for cops and firemen and Lions, Rotarians and Kiwanians—hardly people who would take to a left-wing bent. The left think we're right, and the right think we're left. The National Council of Churches thinks we're all a bunch of fascists, and the National Rifle Association thinks we're all a bunch of Communists. We like it that way.

Q. If television news is doing such a good job, why is its credibility slipping?

A. I don't believe that for a minute. But if the public isn't too crazy about us, that's very understandable. We sell murders and rapes, starvation and cruelty. You name it, we peddle it. I don't think we've changed. The nature of the product has changed. Stories about opium dens and hashish made great reading when the dateline was Tangier. It's not so great when the dateline is the empty building around the corner from the high school. When you deliver that kind of news to people's homes, don't expect to be liked.

Being believed is quite another matter. If we're not believed, why are the networks doing so well? The highest-rated show in television, which gets a blockbuster 60 percent share of the audience every night, is a show called "The Evening News." Some people watch it on ABC, some watch it on NBC, more watch it on CBS. If so many people are turned off, how come so many people are tuned in?

Q. Are you suggesting there's nothing wrong with TV news?

A. Absolutely not. Tell me anything there's nothing wrong with.

Just look at the poll your own magazine did about who are the heroes of American young people. It was an excuse to put Eddie Murphy and Clint Eastwood on your cover. If we did that on "60 Minutes," we'd get laughed off the air. I'll tell you something else that would have gotten us laughed off the air. If Dan Rather went on during Watergate and said: "There's this guy named Deep Throat, and I meet him every night down in this garage. The way I know he's there is I look for flowerpots on a terrace." If he did that, the TV critics would have had a field day.

Q. Isn't there a need for television to give people more opportunity to respond to programs?

A. That's the one place we fall down badly. I've suggested that we take 12 of our documentary hours and give six of them to the public—not only give them the time, but also the producers, director, cameras, videotape, editors, so they can do as slick a job answering as we do in our pieces.

We've got a big public-relations problem on this and need to do something about making time and facilities available for counterattacks.

A Look at FCC's Fowler: Apostle of the Free Market

Mark Fowler insists he is not the king of the air-waves, but he'll get an argument from many who call him the most powerful figure in broadcasting today.

In four years as chairman of the Federal Communications Commission, the former Florida disc jockey turned lawyer has doggedly worked to make freedom the watchword in an industry used to federal fetters.

His goal: "The elimination of pervasive government control over the lives and commerce of the American people." To that end, Fowler, 43, has sparked a rapid-fire series of actions designed to give broadcasters their head. The five-member FCC has eased investors' entry into the broadcasting market and has cleared the way for new technologies, such as low-power TV.

The free-market views of "Madman Mark," Fowler's DJ name in the late '60s, arose in part from his frustrations at the minutiae of FCC regulations. Now, as head of the agency that once made him jump through hoops, Fowler is moving swiftly to erase what he says is Washington's all-too-visible hand. He calls broadcasting regulators censors who "have no place in a democratic, free society." The best regulator, he adds, is the dial on the television set.

"Good" programing, by Fowler's lights, is what viewers want to see. Yet he criticizes networks for "confrontation, not coverage." He also would like to see less worry about ratings, which he says have "become the master, instead of the servant, of broadcasting." While conceding that ratings reflect what most people watch, he wishes television would try harder to show fresh ideas. "Why don't we have a 'risk hour' where networks don't worry about ratings?"

Another concern is children's TV, which, Fowler thinks, deserves special support with public dollars. Market forces are not yet able, he says, to spur enough privately funded programs of "Sesame Street" quality.

The chairman's zeal and combative style often backfire on Capitol Hill. Efforts to cut networks in on the Hollywood-dominated syndication market, for example, were rebuffed. Congress may bar any move to kill the Fairness Doctrine, which makes stations air opposing views. "He has a wonderful talent for the absurd and the extreme," says Sam Simon of the Telecommunications Research and Action Committee.

Despite critics, the Fowler-led FCC clearly has become one of the more exciting agencies in Washington.—(By Clemens P. Work.)

What America Thinks of TV

They may grumble about the quality of entertainment on television, but an overwhelming majority of Americans trust the news coverage they get—and most of the people who deliver it.

That is one of the principal findings of a wide-ranging survey of public attitudes toward television conducted exclusively for the magazine by the Roper Organization.

Over all, the 1,051 persons sampled across the country strongly supported the networks and felt that CBS should remain under it present ownership.

Asked to choose between having the network stay in control of present owners and having it taken over by Ted Turner, only 15 percent opted for the Atlanta businessman. Other possible suitors, Senator Jesse Helms (R-N.C.) and General Electric, fared even worse. "General Electric? That's Reagan's old company," said a Maryland man. "I don't think they should take it over."

Perfering status quo. Even among those who described themselves as conservative, a clear majority preferred the status quo at CBS. Despite persistent criticism by conservatives of TV's "liberal bias," 58 percent of those surveyed characterized coverage as neutral and objective.

Twenty-two percent said that they detected a tilt to the left, while 10 percent said that if any bias existed it seemed to favor the conservative point of view. "I think the networks do a decent job on the news," offered a New England man. "They are believable most of the time."

The evening news shows of all three networks were judged roughly the same on fairness and balance. Yet viewers seemed less familiar with "NBC Nightly News." Fifty-four percent knew too little about the show to comment, a fact that may also explain why, among news personalities, NBC anchor Tom Brokaw ranked fifth in job performance.

Even more unknown to viewers were broadcast journalists Robert MacNeil and Jim Lehrer, who appear on Public TV. Also unfamiliar to many were those on morning shows, such as Bryant Gumbel and Diane Sawyer, who now appears on "60 Minutes," and late-night newsman Ted Koppel, host of "Nightline." Yet among those who recognized him, the ABC journalist scored high. "You can stop right there," exclaimed one women. "Ted Koppel is terrific."

By far the biggest winner in the ratings turned out to be a gray-haired veteran who is semiretired, Walter Cronkite of CBS. "Walter was, is and always will be the best," said one admirer. CBS's Dan Rather and Mike Wallace followed, with Wallace just ahead of ABC's Peter Jennings. Barbara Walters of ABC drew the largest number of negative marks—as well as the harshest criticism. But she tied Rather as the second-most-recognized news person after Cronkite.

In general, CBS news people, despite the conservative attacks on them, got the best ratings. ABC edged out NBC for second place. "CBS, the network that conservatives love to hate, seems to be viewed quite positively by the general public," said Roper of the results.

While the poll made no attempt to gauge television's credibility against other news media, earlier surveys have consistently shown the networks out front. In one recent sampling, TV news commanded a 2-to-1 margin over print.

Too powerful? On the question of power, television comes off far better in the public mind than other large American institutions. Only 41 percent said that they felt the medium had too much influence, compared with 53 percent for big business, 52 percent of government and 49 percent for organized labor.

"I wouldn't say the networks have too much power, because it would have shown up in the election of Reagan, reasoned an elderly New Yorker. But a Maryland viewer disagreed, saying: "They all have too much power. The little guy always gets the short end of the stick."

Television earned its worst marks for what many saw as mediocre entertainment programming. Just 8 percent claimed complete happiness with what they saw, and 43 percent said that they were only "moderately satisfied."Nearly half reflected some degree of disappointment.

"TV bores me to tears," said a Pennsylvanian, echoing the comments of many. Others disliked what they saw as a trend toward sex, violence and profanity on TV. "I disagree with the smut they shove down your throat," said an Ohio man.

The results, however, would probably have been more positive, said Roper, if viewers had been asked about specific programs, such as "Dallas." An elderly New York woman seemed to back him up: "I like to watch my favorite shows," she noted. "The TV is kind of a companion."

That's entertainment. Roper also reasoned that NBC's entertainment lineup—not its news—accounted for the fact that 74 percent of respondents rated that network as highly favorable or moderately favorable, compared with a favorable rating of 71 percent each for its competitors.

The lukewarm response to TV entertainment squares with earlier surveys. In a poll taken last fall, 21 percent said they considered television about as boring as raking a yard. What is TV's overall grade with the public? The results of the USN & WR poll might indicate a respectable B.—(By William L. Chaze with Daniel Collins and Ron Scherer in New York.)

WHAT VIEWERS SAY

Questions and answers in the Roper Poll of 1,051 homes taken on April 30 and May 1*

Q. Do you think the following institutions have too much power in our society, not enough or about the right amount?

[In percent]

	Too much	Not enough	About right	Don't know
Big business	53	4	33	10
Government	52	9	33	6
Labor unions	49	19	23	9
TV networks	41	5	47	7

Q. How would you describe your opinion of the three television networks?

[In percent]

	Highly favorable	Moderately favorable	Not too favorable	Not at all favorable	Don't know
ABC	17	54	14	4	10
CBS	16	55	15	5	9
NBC	18	56	13	4	9

Q. In terms of your values, how satisfied are you with the entertainment shows on television?

	Percent
Very satisfied	8
Moderately satisfied	43
Not too satisfied	31
Not at all satisfied	16
Don't know	2

Q. In coverage of political and social issues, do you think television news—

	Percent
Favors liberals and leans to the left?	22
Favors conservatives and leans to the right?	10
Is neutral, objective and middle of the road?	58
Don't know	10

Q. How would you rate the job performance of the following individuals on television?

* Some totals are less than 100 percent because of roundings.

[In percent]

	Excellent or good	Only fair or poor	Don't know
Walter Cronkite, CBS	84	10	6
Dan Rather, CBS	72	18	10
Mike Wallace, CBS	59	22	19
Peter Jennings, ABC	58	14	28
Tom Brokaw, NBC	54	18	28
Roger Mudd, NBC	54	17	29
Barbara Walters, ABC	53	37	10
Ted Koppel, ABC	46	10	43
Diane Sawyer, CBS	40	18	42
Bryant Gumbel, NBC	36	16	48
Robert MacNeil, PBS	24	10	66
Jim Lehrer, PBS	18	9	73

Q. If 10 means completely fair and balanced and 1 means totally unfair and biased, how would you rate the following shows?

	Percent
"ABC World News Tonight" with Peter Jennings?	8.32
"CBS Evening News" with Dan Rather?	8.27
"NBC Nightly News" with Tom Brokaw?	7.97

Note—Answering "don't know" were 35 percent on ABC, 32 percent on CBS and 54 percent on NBC.

*Some totals are less than 100 percent because of rounding.

U.S. NEWS & WORLD REPORT—ROPER POLL

On April 30 and May 1, on behalf of U.S. News & World Report, the Roper Organization conducted a nationwide poll of 1,051 households on public attitudes toward television. Overall, those sampled strongly supported the television networks in general, and overwhelmingly believed CBS should remain under its current ownership. When asked to choose between CBS's present ownership and a takeover by Ted Turner, General Electric or Senator Jesse Helms, the public responded as follows:

Question: Ted Turner is interested in taking over CBS. Do you think this would be in the public interest?

Answer by all respondents: 15% favor a Turner takeover; 69% favor present ownership; 16% don't know.

Answer by respondents calling themsevles conservatives: 22% favor a Turner takeover; 58 favor present ownership; 20% don't know.

Answer by respondents who believe the news "leans to the left": 28% favor a Turner takeover; 55% favor present ownership; 17% don't know.

Question: Would it be in the public interest if Senator Helms' group took over the CBS?

Answer by all respondents: 7% favor a Helms' group takeover; 78% favor present ownership; 15% don't know.

Answer by respondents calling themselves conservatives: 15% favor a Helms' group takeover; 66% favor present ownership; 13% don't know.

Answer by respondents who believe the news "leans to the left": 22% favor a Helms' takeover; 65% favor present ownership; 13% don't know.

Question: General Electric has been talked about as a potential purchaser of CBS. Would such a takeover serve the public interest?

Answer by all respondents: 7% favor GE; 74% favor present ownership; 19% don't know.

Answer by respondents calling themselves conservatives: 10% favor GE; 67% favor present ownership; 23% don't know.

Answer by respondents who believe the news "leans to the left": 12% favor GE; 68% favor present ownership; 20% don't know.

These results were carried, along with other findings, in today's *U.S. News & World Report* cover story (attached).

The population surveyed was divided along the following regional breakdown: 23% Northeast; 27% Midwest; 32% South; 18% Far West.●

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

THE 50TH ANNIVERSARY OF REA

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota [Mr. DURENBERGER] is recognized for not to exceed 1 hour.

Mr. DURENBERGER. Mr. President, I rise today to acknowledge, honor, and join in the 50th anniversary celebration of the Rural Electrification Administration.

The REA was created on May 11, 1935 by Executive Order 7037 by President Roosevelt. REA was made a permanent agency of the Federal Government 1 year later with the passage of the Rural Electrification Act.

The creation of that Agency, the REA, made possible a partnership that literally lit up the rural countryside of this Nation.

In this time of changing roles of government, we must not forget that there is and always will be a role for government in regulating and assisting a free enterprise economy. The marketplace by itself does not always produce a socially efficient allocation of benefits and costs.

The 50-year history of the REA is a case in point. In the 1930's it became clear that the private sector alone could not raise the capital necessary to deliver electricity to the rural parts of this Nation. So the President, and then Congress, created the REA. This Government program was and is one of the real success stories in our history. Today 99 percent of rural America is served by the REA-financed electric cooperative system.

The history of the telephone and electrification programs of the REA cannot be read as government excess. Without the power and telephone lines reaching virtually every American, the economic and social cleavage between urban and rural America would be deep and difficult to bridge. And we would be without the strength that our farms and small towns provide.

Bringing light to the countryside is an obvious and appropriate symbol of

what this program has accomplished in its first 50 years. But the effects of rural electrification extend far beyond the simple phenomenon of having light after the sun goes down. As a result of reliable electric power in rural America, this country has developed one of the most productive agricultural industry in the world. The rural economy is more diverse. There are more Main Street businesses, and some manufacturers have begun to appreciate the economic value of locating in rural America.

Beyond the irrefutable quantum leap in the productivity of business, agriculture and other industry in rural America, is the remarkable improvement in the quality of life available to people in rural areas. With electricity came progress in education, health care, communication and a myraid of other benefits we take for granted today.

We now have 48 rural electric cooperatives in Minnesota, bringing reliable light and power to more than 433,000 consumers—homes and churches, cottages and farmsteads, businesses and industries. And the job of rural electrification in Minnesota is far from finished. Last year alone, more than 7,000 new consumers moved onto rural electric lines. While more of the areas served by REA are small, rural communities, Minnesota is a microcosm of the entire country.

In some of the more rural areas, there is an average of only one and one-half consumers per mile of line. In the more urban areas where there are more consumers per square mile, the challenge is to keep up with the demand brought on by new consumers. The average across the State is 4.3 consumers per square mile, an average not substantially different from what it was in the early days, when farmers and other rural families banded together to form that partnership with REA.

Across the Nation, the figures are about the same. Only about five families live along each mile of rural electric line, and across the country, as in Minnesota, co-ops must invest about one and a half times the capital of an urban utility invests to serve each consumer.

Under these conditions, it has been a challenge to contain costs. A challenge which was compounded by the need some years ago for cooperatives to form their own power supply systems to assure their consumers of a continuing reliable source of power. The co-ops undertook these expensive projects at a time of high inflation and punishing interest rates. There is no question that this requirement for power supply affected the rates consumers pay for co-op electricity.

Yet it appears that the cooperatives in Minnesota are beginning to meet this challenge as well. I think it is significant that the wholesale power costs decreased by 1 percent during the last year. A number of things have contributed to this: efficient operation of plants like Coal Creek, new transmission lines, to some extent the advent of new consumers. An important factor, though, is the strong effort of the cooperatives to promote energy conservation, an effort that rural electric consumers have undertaken with enthusiasm.

Certainly, I am proud of those efforts in Minnesota. I have personally been associated with those efforts for exactly 26 years from this date, when I attended my first meeting of a rural electric distribution cooperative in the State of Minnesota, as their counsel. But such efforts are by no means unique to my home State. This is a story that is repeated throughout the 46 States and among the 25 million people served by rural electric systems in the United States.

These kinds of efforts reflect the energetic cooperative spirit that those pioneers of some 50 years ago brought to the first organizational efforts to bring electricity to rural people, when farmers went from house to house to sign up people for electricity. Despite the dismal outlook of the Great Depression, those pioneers had the faith and confidence that they could prevail, that it was worth $5 to sign up for electricity, that the lights would go on in rural America.

The accomplishments of rural electrification are truly unrivaled, and it is appropriate that we take not of this great achievement. The REA is an ongoing success story, it is a vital partnership between the people and the Government that has literally transformed the countryside. At the same time, it is appropriate to acknowledge the great task that remains before us—the restoration of rural America to full economic and spiritual health—and to acknowledge the critical role of rural electrification in the achievement of that objective.

We should resolve here, today, that the celebration of Rural Electrification's first 50 years marks the beginning of a productive, progressive new era, that our energies shall be renewed to assure the continued achievements of this remarkable partnership between the people and their Government.

Mr. DOLE. Mr. President, it is a pleasure to join my colleagues today in commemorating the 50th anniversary of the Rural Electrification Administration [REA], and in honoring REA's contribution to the growth and vitality of rural America.

REA NATIONWIDE

In 1935, only 11 percent of U.S. farms were receiving electrical power. That fact would change dramatically after President Franklin D. Roosevelt signed an executive order on May 11, 1935, creating the REA under authority of the Emergency Relief Appropriations Act.

In the ensuing 50 years, Mr. President, more than $15 billion has been loaned through REA's revolving fund, with no defaults on repayments. The percentage of farms receiving electricity has risen to 99 percent. More than 25 million rural Americans are served today by 1,000 rural electric systems nationwide in 2,600 of approximately 3,100 counties.

REA IN KANSAS

Mr. President, the record of accomplishment of the Rural Electrification Administration in the development of economic and social life in Kansas has been just as prominent as its role nationwide. The first REA loan in my State was made to the Brown-Atchison Electric Cooperative Association of Horton in May 1936. Since then, $474 million in loans and $787 million in loan guarantees have been advanced to the 38 Kansas REA borrowers.

These borrowers today are providing service to 189,000 rural customers over more than 71,000 miles of line. Where only 7.6 percent of Kansas farms had power in 1935, today nearly all of the 74,000 farms in the State receive REA-generated electricity. These services cover fully 80 percent of the State's area and 20 percent of our population.

A PROUD RECORD

Clearly, the Rural Electrification Administration can point to a proud record of achievement at both the State and National levels over the past 50 years. It has been a crucial link in the development of our Nation's infrastructure during a period which saw frontier life transformed into an integrated and modern society and economy.

And REA did more for rural America than just "turning on the lights." It has contributed to our unparalled growth in agricultural productivity, making the United States the foremost supplier of food and fiber and the envy of the world.

Mr. President, I commend all those Americans whose lives have been associated with this remarkable program, and whose efforts have enriched the lives of so many of their countrymen and women.

Mr. PRESSLER. Mr. President, I join several of our colleagues today in paying tribute to the Rural Electrification Administration on its 50th birthday. On May 11, 1935, President Franklin Roosevelt issued an executive order establishing the REA Program. Since that day, the REA Program has been one of our most successful and productive programs. Without the REA, many areas of this great country would be without affordable electric power and telephone services.

Fifty years ago, the REA Program started with an appropriation of $100

million. The program was first intended to provide unemployment relief. However, on May 20, 1936, the Rural Electrification Act was passed. This act established a permanent program. In 1949 the program was expanded to include funding for rural telephone services. As the financial needs of rural electric and telephone cooperatives grew, the program continued to expand. During the late 1960's and 1970's, the Rural Telephone Bank and the Rural Electrification and Telephone Revolving Fund were established.

During the 50-year history of the REA Program, electric and telephone service has been delivered to nearly all rural residents. When the program began, 89 percent of the farms in the United States were without electricity. Most of the farms served were along major roads and the cost of hooking up to utility lines was very expensive. Hookup fees then ranged from $200 to $3,000. It soon became clear that the public utilities were not going to serve rural areas. Thus, farmers joined together to form rural electric cooperatives.

The first rural electric cooperative in South Dakota was formed in 1935 near Vermillion. The Farmview Rural Electric System was formed in 1935 but it was determined to be too small to be eligible for a loan. The farmers expanded the cooperative and, on May 21, 1936, the Clay-Union Electric Cooperative was formed. By 1955, 33 distribution and 2 transmission cooperatives had been formed throughout South Dakota.

Nearly every farm family had a unique experience when electricity was first delivered to their farms. I can remember well when our farm near Humboldt, SD, first received electricity from the Sioux Valley Electric Cooperative. Electricity brought many new conveniences to the family farm. But what stands out most in my memory is not having to carry the old lantern to do chores early in the morning. Electricity certainly made milking the cows much more enjoyable.

After 50 years, the job of the REA Program is not completed. Some rural areas are still not provided electricity and telephone services. Many of the rural electric and telephone systems are outdated and need to be modernized. Many telephone cooperatives are using equipment that is 25 and 30 years old. Parts are no longer made for this equipment. Without the REA Program, these systems cannot be modernized.

Also, with the current financial troubles in rural America, few farmers and ranchers can afford to pay substantially higher utility costs. On the average, rural residents are already paying higher utility rates than are urban consumers. In South Dakota, only 17 percent of the rural residents pay lower utility rates than do urban consumers in the State.

In recent years the REA Program has come under fire as having completed its job, and some say it is no longer needed. It is clear that the job of providing electric and telephone service to rural areas is not finished. If we are to properly maintain these systems, there will always be a need for the REA Program. I, for one, will continue to fight to maintain an effective REA Program and urge my colleagues to join me in this effort.

Mr. WARNER. Mr. President; one of the greatest success stories in the history of the development of the United States of America has been the electrification of our rural areas.

The partnership of the Federal Government and local leaders through a system of local cooperatives has been responsible for the installation and continued availability of electric and telephone service in rural America.

In the 53-year period from 1881, when the first central generating system went into service, to 1936 when the Rural Electrification Administration was created, only 10 percent of all farms in the United States were receiving electric service.

In its half century of existence, REA has provided technical assistance and long-term financing to rural electric and telephone systems throughout the Nation, and has played a vital role in bringing the rural areas of our Nation into the mainstream of modern life.

The success of this effort is well established in the fact that some 99 percent of the Nation's farms now have access to electric service and 95 percent have basic telephone service available to them.

Electric power encourages industrial and economic development in rural areas, and results in a rural market for electrical appliances and equipment valued at over $1 billion a year.

Rural electric cooperatives are operating in areas where other utilities cannot or will not service, as was the case when the REA program was created 50 years ago.

Co-ops by and large serve thinly populated territories.

They have built and maintained 50 percent of the Nation's electric lines but account for less than 10 percent of total electricity sales.

The REA telephone loan program has also been an unqualified success. It has brought modern telephone service to rural America equal to that rendered in urban areas.

The program has been instrumental in developing and maintaining the Nation's universal telephone network. It has made modern, affordable telephone service possible for some 11 million Americans.

The achievements of the REA program go beyond its role in bringing basic electric and telephone services to rural areas.

REA and the rural electric and telephone systems, which it has helped to create and nurture, deserve much credit for the growth in agricultural productivity that has made America the world's leading supplier of food and fiber, and for the overall improvements in the quality of life in rural America that reversed the longstanding trend of rural to urban migration.

Mr. President, with the budget problems we are facing today, we must make difficult choices with respect to where we spend Federal dollars.

I hope that all of my colleagues will carefully examine the history and impressive accomplishments of the Rural Electrification Administration and the Rural Electric Cooperatives as they make these choices.

Mr. HOLLINGS. Mr. President, it is with great pleasure that I rise today to join my colleagues in celebration of the golden anniversary of the REA. The REA came to South Carolina in July 1937 with the Greenwood County rural electric system. Since that time we have expanded to 22 rural electric systems with 46,599 miles of line that provide 900,000 of South Carolina's citizens with power. Nationally, over 25 million people get electricity from the rural electric cooperatives.

Now, Mr. President, these are impressive statistics that should indicate to anyone how valuable the co-ops are to our people, but the real story is not the miles of line strung. The real story is what these lines provided to the individual, to the community, and to the Nation.

In the 1930's REA lines carried two things every where they went, electricity and opportunity. Rural America, which many people remember fondly as a Norman Rockwell painting and an example of a time when things were simpler, was actually a very harsh place. Oh, sure, things were simpler. Either you chopped wood and put it in the stove or you went cold and hungry; you went and pumped water by hand or you had none. The REA gave the farmer an opportunity to have an electric pump to provide water for his family and his farm. It gave his wife an opportunity to get out from under backbreaking labor with an electric stove and an electric refrigerator. It gave their children a chance to read at night. Mr. President, the REA literally and figuratively brought light to the darkness.

The current state of U.S. agriculture, the greatest food producing machine ever imagined, would hae been impossible without REA. And where would our economy be without the positive impact agriculture has had on our balance of payments.

Tell me, Mr. President, what industry would consider moving to a rural

area and providing desperately needed jobs if there were no electricity? None. REA paved the way for industrial development.

Further, Mr. President, the REA provided these services when no one else would. The private power companies would not run the lines because they said it wasn't profitable, that there would not be enough people per mile of line to make it worth their while. Today, the rural electric systems still average only about five consumers per mile while public and investor owned power companies average 7 and 10 times this number respectively. So, there is no question that the need for the REA is still there. There only question is whether we in the Congress have the commitment to the REA. I can tell you that this Senator has always had this commitment and always will.

In closing, I would like to commend the electric cooperatives of South Carolina for the fine work they do, and congratulate them on an outstanding commemoration of the 50th anniversary of the REA. They have commissioned Jim Harrison, a fine artist from South Carolina, to create a print which will remind us of life when the REA was created.

Mr. DURENBERGER. Mr. President, I yield at this time to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am very pleased to be able to join my dear friend and distinguished colleague from Minnesota [Mr. DURENBERGER] in honoring the rural electrification program, which has been a great success story nationally and particularly in Mississippi on the occassion of its 50th anniversary

Millions of Americans receive their electric service from what some people still call the REA. What they are referring to is a locally owned institution that borrows a portion of its funds with assistance from the Federal Government in order to extend electric service to its members. These organizations, depending on the State in which they are located are known sometimes as: Electric Power Associations, Rural Electric Cooperatives, Electric Membership Corp., or just plain Electric Co-Ops. What they all have in common is that they are owned by the people who use the service, and they obtain a portion of their capital financing from the Rural Electrification Administration.

To understand why these rural electric systems and their milestone of service are special, we need to look to the rural America of 50 years ago. In 1935, 50 years after residents of the Nation's large cities had begun to enjoy the benefits of electricity, less than 10 percent of America's rural farms and homes had access to electricity. In Mississippi, the picture was even more bleak, with less than 1 percent of all rural homes receiving electric service.

However, by the time President Roosevelt signed the Executive order in May 1935 that created the REA, Congressman John E. Rankin and his constituents in northeast Mississippi were already making historic strides to bring electric power to that area of our State. The Alcorn County Electric Power Association, in Corinth, MS, had become the Nation's first rural electric cooperative. Chartered in January of 1934, the cooperative was first organized as a nonprofit civic improvement corporation under the newly created Tennessee Valley Authority and was a model for the REA cooperative corporation that followed. The Alcorn County cooperative became an REA borrower in February of 1949, and was one of the first in the Nation to repay its loan in full. That account is found in a well-researched and recently published book by Winnie Ellis Phillips, entitled "Rural Electrification in Mississippi 1934–1970."

Ten months after the creation of the REA, and 3 months before the Rural Electrification Act was signed into law, the Monroe County Electric Power Association, in Amory, MS, became the Nation's first REA cooperative to energize its system. Mrs. Lois Faulkner, whose family was a member of that cooperative, described what happened on that day:

> When the day came, the lines were up, the house was wired, the connections were made. * * * Daddy reached up to the hanging bulb and turned the switch. Blinding light! It hurt our eyes. We'd have to get smaller sized bulbs, we thought. We could never stand 100 watts! But Mama devised some shades and we eventually became accustomed to the brightness. We put the coal oil lamps away. We paid $2.98 for an electric iron and $6.98 for a little radio—an outrageous expense, but how happily we skimped to pay for them. * * * For a few nights, every room in every house in the neighborhood was lit up, needed or not. We all wanted the world to know that we had electricity.

Mr. President, as I noted earlier, REA involvement in Mississippi has been a great success. REA funds have helped finance distribution and power supply facilities that currently serve well over a quarter of a million rural customers in Mississippi. Their repayment record is outstanding. To date, REA borrowers in Mississippi have repaid nearly $275 million in principal and interest on their REA loans, some of it ahead of schedule. Finally, of the 50,000 farms in the State, nearly all are receiving electric service: a much different situation than we had 50 years ago.

I take great pride in having been a strong supporter of REA. For the rural people of my State, the program has been immeasurably helpful in providing them with affordable electric service.

The rural electric leaders from my State and from throughout the Nation are to be commended on this occasion for their significant and important contributions to the well-being of this country. Happy 50th anniversary to REA!

Mr. DURENBERGER. Mr. President, I ask unanimous consent that under the order the RECORD remain open for a couple hours so that Senators who were confused by the hour of the special order might have an opportunity to insert in the RECORD birthday statements such as the excellent statement just made here on the floor by our colleague from Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURENBERGER. Mr. President, I yield back my time on the order..

Mr. THURMOND. Mr. President, I rise to commemorate the 50th birthday of the Rural Electric Administration. In May 1935, in the midst of the worst economic times this country has ever seen, President Roosevelt created the Rural Electric Administration. One year later the Rural Electric Administration was made an official Government agency with the passage of the Rural Electrification Act. Since those troubled times, the Rural Electric Administration [REA] has served to bring light and warmth and the sounds of far-away voices into the homes of rural America.

HISTORY

Mr. President, on the anniversary of this auspicious occasion, I would like to briefly examine the forces behind the creation of, and the early development, of, the REA. I personally have been involved with rural electrification since the REA was created. As a South Carolina State Senator, I coauthored the State Rural Electrification Authority Act in 1935 and also the Santee-Cooper project. Later, as Governor of South Carolina, I continued to support the projects of the South Carolina Public Service Authority (Santee-Cooper), which was and is involved with activities that improve rural electrical power in my home State. I have supported the REA throughout my Senate career and will continue to do so in the future.

In 1935, electrical power and telephone service was provided in many urban centers, but the private sector was not willing and did not have the capital necessary to build the wires and towers needed to bring these services into the rural areas. Even with the promise of REA loans, the Agency's stipulations of area-wide service prevented companies, which needed guaranteed higher profits, from investing in rural America. Ultimately, it was the farmers and other rural residents

themselves who took the initative of forming rural cooperatives to bring electricity out of the city and into the country. The REA aided these farmers' groups not only by providing start-up loans, but also by standardizing procedures and hardware. With these assembly line techniques, the costs of providing services in sparsely populated areas dropped, making power available to more people. As more and more people joined cooperatives, costs of service decreased even further.

With these valuable services made available by the REA, farmers benefit from electric-powered, work-saving machinery, and are no longer constrained in their work schedules to daylight hours. Rural citizens can telephone others in case of emergency, and generally enjoy a higher standard of living with their families.

ACCOMPLISHMENTS

In 1935, only 12 percent of all U.S. farms had electricity. Thanks to the REA, by 1952, more than 88 percent of American farms were electrified. These co-ops have received no operating subsidies from the Federal Government, and virtually all have repaid their loans on or ahead of schedule at rates often higher than the Treasury paid to borrow.

The impact that electrification has had on rural America, and particularly the agricultural sector, is astounding. Can any of us imagine operating an economic-sized farm today without electricity? Power has brought efficiency and the highest possible level of productivity to the typical American farm. In addition to all the modern onfarm technology, electrification of the typical rural home has eased the lives of those who live there, freeing them to pursue other productive or leisure-time activities.

Another component of the REA system, the Rural Telephone Bank, has brought the means and magic of voice communication to the countryside. The telephone not only brings together distant neighbors and friends, but its use improves the organization of economic activity, thereby contributing to economic efficiency. Experience has shown that adding one telephone per 100 people, of whom 80 already have telephones, will lead to a 0.01-percent increase in the gross domestic product the following year. Increased usage of the telephone has contributed to the growth of this Nation's economy by allowing scarce resources to be utilized more efficiently.

PRESENT NEEDS

Today, the rate of telephones to main stations in REA areas is 23 percent lower than the national average. Today, there are still areas of this country that do not have electricity. The REA continues to be a vital force in rural areas of this country, and many of these local cooperatives cannot realistically be expected to survive without its help. Now, more than ever before, our farmers must be as efficient as possible to survive in this difficult and increasingly competitive agricultural economy. Farmers increasingly must use new technology and must communicate frequently with information sources in order to produce efficiently and compete in world markets. The REA helps our Nation's farmers and other rural citizens to have these electrical and communication capabilities.

REA loans increase efficiency and communications, which in turn contribute to the economy as a whole. This means more jobs and higher standards of living for all Americans.

Mr. President, the REA's plans have worked because the rural people of this Nation looked to the future with vision and did what had to be done. The people, with the aid and guidance of their Government, have worked together to bring the wonders of electricity and communication into rural America. On this auspicious occasion of the 50th anniversary of the REA system, it is appropriate to mark the tremendous progress that has occurred because of this successful program. More importantly, it is important to plan for the future and to take steps to see that cost-effective REA electric and telephone programs will continue.

Mr. BAUCUS. Mr. President, from the day the first electric cooperative lines was energized on December 5, 1937, life in rural America was changed. Electrification has been critically important to the development of Montana, and to all rural America.

It has created jobs.

It has removed much of the drudgery that consumed many farmers' waking hours.

It has enhanced rural life. And it has been instrumental in making America the most productive agricultural economy in the world.

Since its creation, the Rural Electrification Program has provided reliable, dependable central-station electric service to rural America. Today, there are 25 rural electric cooperative systems in Montana serving some 300,000 consumers throughout the State.

Today we offer congratulations on the 50th anniversary of the Rural Electrification Administration and what is one of the most successful partnerships ever formed between this Nation's citizens and its Government—the Rural Electrification Program.

Yet, in order for the Rural Electric Program to continue on a solid foundation, it is necessary that the cooperative systems have access to the capital required to build and operate powerplants, distribute the electricity and to maintain their lines.

INVESTMENT OF FUNDS BY RURAL ELECTRIC SYSTEMS

However, some critics of REA want to weaken REA by raising false charges. I want to address my remarks to those critics of the REA who frequently contend that some borrowers are abusing access to the agency's lending program by borrowing funds—which aren't really needed—at REA's favorable interest rate. Then, according to these critics, they invest those funds in high-yield instruments such as certificates of deposit or commercial paper.

This has been an attractive argument for those who want to discredit REA and the rural electric borrowers.

It's simple. It's easily understood. Unfortunately, however, it's also dead wrong.

Every loan application approved by REA is done so after scrutiny of what is to be done with these funds. These tasks might include expanding service to new consumers or increasing capacity to meet the growing power needs of existing consumers.

No loan is approved, nor are funds advanced, for any purpose which is not consistent with the goals and purposes set forth in the Rural Electrification Act.

Borrowers are required to provide hard evidence that every loan dollar received is spent for the purposes for which it was approved. Because of this, the idea that a rural electric system can borrow money simply to invest it at a higher rate of interest, is outrageous.

This is not to say that REA borrowers do not or should not have money in secure, interest-bearing accounts and investments. Like any other business, a rural electric system must maintain a reasonable reserve of ready funds to meet unforeseen expenses such as natural disasters. Borrowers have been strongly encouraged by REA and other lenders to develop stronger balance sheets. If the managers and directors of these systems did not seek the best possible return on their funds, they would be subject to just criticism for failing to practice sound financial management.

Throughout its 50-year history, REA has always had its detractors. But I am confident that, as in the past, the merits of REA will help to guarantee its future success.

● Mr. ANDREWS. Mr. President, I am delighted to make brief remarks today on the eve of the 50th anniversary of the signing of the Executive order creating the Rural Electrification Administration. When President Franklin Delano Roosevelt signed Executive Order 7037 on May 11, 1935, less than 10 percent of the countryside was electrified. In my own State of North Dakota even a smaller percentage of the farms were electrified. Those that

were able to enjoy the benefits of electricity, obtained power from either a wind charger unit, or a few, fortunate enough to live near town, from local power companies. The small number of farmers not served by the local municipalities found the noncentralized station electricity to be expensive and not particularly reliable.

In North Dakota, a few rural systems, cooperatively owned, were formed in 1937. An additional 20 distribution cooperatives were later established followed by generation and transmission systems to utilize the abundant lignite resources located in my State.

North Dakota by any definition is still a rural State. North Dakota farms, compared with those in other States, are few and far between. The majority of the State's rural electric systems still serve less than two consumers per mile of distribution lines. By contrast, investor owned and municipals serve over 35 consumers for every mile of line. That fact alone shows how important rural electrification is to a State like mine. The return per line mile simply does not justify the infusion of ordinary investment capital. It is an undeniable fact, that without REA, many North Dakota farm families would not have had access to electricity until much later in this century if at all.

One cannot imagine what the rural American landscape would look like today had it not been for the REA, let alone the likely state of our agricultural production capacity without REC power. America's agricultural abundance owes much to electrification; power made available through REA financed cooperatives.

The home owned—home operated cooperatives, which are governed by a local board of directors and elected by those they served, are responsible for adopting a rate structure that will cover the costs of operating a small utility, and meet the needs of the community. As members of the systems themselves, cooperatives have a vested interest in keeping power rates as low as possible. However, given the disparity in costs per mile, prudently managed REA cooperatives must charge higher rates than those of neighboring investor-owned utilities.

It is for that reason, that REA is so important. REA has allowed "country cousins" to enjoy the benefits that only dependable electricity can provide. During the past few years, attacks have been made on the rural electric system by those who oppose the continuation of this strong, vital function.

Opponents of REA erroneously state that rural electric systems have rates which are 12 percent lower than rates charged by investor owned utilities. Nothing could be further from the truth. Currently, 75 percent of all rural electric systems have rates that are higher and increasing faster than those of their urban counterparts. Rising rates coupled with the substantially lower incomes in rural America make the economic advantage argument indefensable.

In addition, Mr. President, I see a rather disturbing trend occurring as a result of continual threats to shut down the REA by those opposed to it as an institution. I am disturbed by the impact of these threats on REA employees. Over the years, rural America has been blessed with aggressive, competent, and imaginative Federal employees with a sense of mission and genuine commitment to REA programs. We must nurture that feeling and take special care to ensure that we never lose it. Our REA employees are the sinew behind the REA success story. By attracting and keeping this type of employee, REA's future will be as bright as its past.

As we near the 50th anniversary celebration of REA, I want to join my colleagues in the Senate saluting REA and the REC's it supports for a job well done, and to pledge my continued support to the 1,000 systems across this Nation for their fine work. I also would like to offer my best wishes to those REC members who are celebrating this occasion throughout the country, especially back in North Dakota.

One should never forget that the REC's represent the true democratic spirit of American institutions—in mutual cooperation for the common good. In their great successes, they stand without peer, as a real symbol of that spirit.

● Mrs. KASSEBAUM. Mr. President, I want to offer a few comments today in honor of the 50th anniversary of rural electrification. When President Roosevelt turned on the lights for rural America by creating the Rural Electrification Administration, our farms and ranches took a major step forward.

In 1935, those who lived on farms were doing everything by hand and using virtually the same methods employed generations before. The Federal Government saw the need and undertook the task of assuring farmers, ranchers, and other rural residents that they would enjoy the benefits of reliable electric service at rates comparable to those available in urban areas.

The proof of the huge success of this program is in the numbers, in 1935 only 11.6 percent of all U.S. farms enjoyed electrical service, by 1962 it had increased to over 97 percent. In Kansas during 1935 only 7.6 percent of farms had central station service, now over 170,000 homes and businesses are served by the rural electrical distribution cooperatives.

I would like to repeat what two Kansans remembered as their homes were connected to electricity. Maxine Brown of Liberal, KS, wrote:

What a happy change from carrying the gasoline lamp from room to room, buying mantles and generators, and being able to see the things we were doing. At first, we were sure we would not use very much—just for lights—but soon, electricity was doing so many things for us. We even purchased an electric incubator and used it instead of letting the old hens set.

According to Eva Reese of Mt. Hope:

Mother and our nearest neighbor lady had been writing, calling, traveling back and forth between Caney and Fredonia, trying to get one of the companies to set poles, run lines, etc. We lived there at least 5 years before rural electric was ready to serve our no-man land with electricity. Now, on the rare occasions when the electricity goes off for an hour or so, I get out my lamp and wonder how in the world did Mother manage?●

● Mr. GLENN. Mr. President, I rise today to join my colleagues in celebrating the 50th anniversary of the creation of the Rural Electrification Administration. I take a lot of pride that it was in Piqua, OH, that one of the first REA poles was planted in 1935. Back in those days only about 11 percent of Ohio's farms were electrified. They were the ones close to towns.

The labor was hard, backbreaking, muscle labor. It was hard for the whole family. Women, men, and children worked on the farm. I know that from my own experience visiting the farms that were just outside of our home town of New Concord. But of course that kind of labor has changed over the years. Today about 99 percent of our farms in Ohio have access to electricity, and that accounts for the change.

We have 28 electric cooperatives in Ohio and we are very proud of that. Although they serve a fairly small percentage of the State's population, their importance in the whole agricultural community has been tremendous. They remain important for farms today. Privately owned electric utilities have an average of 33 customers on a mile of distribution line in town or in the city. But on REA lines, the rural co-ops average only about six customers per mile. So that's a little different basis on which to gain revenues. It makes it more difficult. And that's the reason why there has been support for REA all through the years. REA and the co-ops, through favorable financing, have been able to bring lights, and pumps, and water, and television sets, and all the other things that electrical energy provides, onto the farms of Ohio and indeed all across our whole country. They do it even though it's not as profitable as the city lines are for the private companies.

The success of REA and what it has done through the years, beyond any question, has literally revolutionized the agricultural community and the

farm, and the way rural people live. So it has been a 50-year success story.

The role of REA in the future, is every bit as important as in the past. Certainly REA has played a very vital role and will continue to play a vital role. The 50th anniversary of Franklin D. Roosevelt's Executive order is a good time to restate the commitment to modernize our whole American countryside. The irony is that the rural electric cooperative movement is in someways endangered by its own success. Some people feel that the job has been finished, but I don't think it ever will be, as long as there is a need to modernize and maintain the system. We must ensure our capability of providing high-quality, affordable service to consumers in rural America. And that's true not just in Ohio, but all across our Nation.●

● Mr. ZORINSKY. Mr. President, I am pleased to join my colleagues in commemorating the 50th anniversary of the rural electrification movement.

The Rural Electrification Administration programs are vitally important to Nebraska. Without the credit assistance provided under the REA programs, many of the sparsely populated areas of Nebraska would still be without dependable electric and telephone service.

It is difficult for many of us to imagine what it was like in the years before 1935, when there was no Rural Electrification Administration and little prospect for bringing electricity or telephone service to rural America.

Because we take the convenience of electricity for granted, it is difficult to appreciate the joy felt by a farmer who, while still amazed by the novel experience of having electricity on his farm, said "The greatest thing on Earth is to have the love of God in your heart, and the next greatest thing is to have electricity in your house."

Rural America had little access to electricity prior to 1935 and the creation of the Rural Electrification Administration.

That was all changed by the Rural Electrification Administration programs—programs fathered by Nebraska's own Senator George Norris. By providing loans to finance distribution, generation, transmission of power, and—more recently—telephone service in rural areas, REA brought about a tremendous increase in productivity and in the quality of life for rural citizens.

In a half century, more than $20 billion in REA loans helped finance construction of rural utility systems that today serve more than 34 million people in 47 States.

The REA programs are some of the most successful, if not the most successful, Government programs. The Rural Electrification Administration programs have made it possible for nearly everyone to enjoy the benefits of electric and telephone service. That accomplishment was achieved not with handouts or grants but with loans repaid with interest.

After having met its original objective, REA continues to make it possible for rural utilities to keep up with changes in technology and provide rural consumers a level of service comparable to that available in urban areas. This being accomplished with a credit performance by borrowers that is outstanding. The Government's investment is safe and sound.

There has been an additional benefit of the REA programs—a social and political consequence of tremendous value to the strength of our democracy. The REA programs foster local ownership and control. They encourage local management, local initiative, and the development of local leadership.

The member-owners of the rural electric and telephone cooperatives are not functionaries of some colossal, impersonal corporate giant. They are responsible leaders of an enterprise they own and control. This independence provides an opportunity for unlimited development and achievement and for initiative and experimentation. This is a unique and vital byproduct of the REA programs.

Although the challenge of bringing electricity and telephone service to rural areas has been successfully met by the Rural Electrification Administration programs, the job of the agency is not done. Like the utility systems in large cities where utility services have been available for decades, rural utility systems continue to need financing to replace obsolete facilities and equipment, extend service to new customers, and repair damaged equipment.

Without viable REA programs, for many rural utilities there would be no investment for the future and utility rates would be increased to prohibitively high levels. In addition, without viable REA programs, high quality affordable electric and telephone service would once again become a luxury not available to our rural citizens.

I commend the members of our Nation's rural electric and telephone cooperatives who have made the REA programs so successful. Those member-owners understand the significance of the achievements made possible by the REA programs during the past 50 years.

In addition, they possess the vision needed to anticipate the problems of tomorrow. In the tradition of the rural electrification movement, those problems will be addressed by developing responsible solutions so that future generations of rural Americans will enjoy the benefits of reliable electric and telephone service at affordable rates.

In recognition of these efforts, I have joined Senator HELMS in introducing Senate Resolution 148. That measure will place the Senate on record as firmly supporting the REA programs.

I urge my colleagues to join us in sponsoring that resolution.●

● Mr. GORE. Mr. President, as we commemorate the 50th anniversary of the creation of the Rural Electrification Administration, I want to join my colleagues today in citing the extraordinary achievements of this example of a can-do attitude by an entire nation and its government.

I grew up in an area of the South, in the Upper Cumberland region of Tennessee, where, until REA, electricity and telephone service were only dreams. Turning on the lights and picking up the phone are not simply footnotes of economic development to my part of the country—it was the beginning of a new era.

And so it was for millions of other Americans throughout rural America in the thirties and forties. Interconnected electric and telephone systems had been kept to the cities, by private utilities determined to exploit the advantages of their natural monoplies. The money is not in rural America, they said, so why go there?

Mr. President, I think it is safe to say that, without the kind of New Deal optimism and determination that characterized the creation of the Rural Electrification Administration, the lights would have stayed off, the telephone lines would have not gone up for many more years.

Instead, we can stand here today and salute the remarkable achievement of rural electrification and rural telephone programs that have given much of this country a chance to survive, to grow, and prosper. The statistic speaks for itself—from only 10 percent of the Nation's rural residents wired for electricity and telephone service 50 years ago, we now have more than 99 percent with access to readily available, affordable service. As an engineering feat alone, that is a success story.

But Mr. President, the story of REA is also a story of political courage, of men and women fighting the entrenched utilities, of a President faced with a nation in deep economic crises, of members of Congress attempting to balance the critical needs of many constituencies in trouble. But courage was the watchword of the Great Depression, and courage was what they called up to lead this country back to prosperity. The creation of REA is a lasting tribute to those who bucked the tide to get the job done.

Certainly, REA joins Social Security as great public achievements of the New Deal, actions which would not have occurred without foresight and

political courage. And whether you come from an area served by public power or private power, by cooperative telephone companies or private phone companies, you can appreciate the enormous contribution REA programs have made in bringing the basic elements of economic growth to all of America.

As the institutional focus of rural electrification and universal telephone service, the REA is far more than simply another Federal office dispensing resources to meet a need. REA represents our fundamental national commitment to these services as a right of every family, every farm or small business, wherever it exists.

And the job is not done. While we have wired almost all of rural America, it still costs much more to maintain these systems than in urban areas. And, contrary to what OMB would have us believe, electricity and telephone rates in rural areas are not lower than everywhere else, indeed they are often higher, reflecting the greater costs involved in serving rural areas.

Anyone of us who regularly visits our constituents in small towns and farm communities knows that, in most cases, the economic recovery has been slow coming to rural America. Unemployment is still too high, incomes still lag, health problems persist, educational resources are still limited in contrast to our cities.

Yet this administration persists in characterizing REA as little more than—and I quote from one of their recent budget documents—"a subsidy for those fortunate enough to live in REA-eligible areas." Fortunately, the wisdom of the leadership on both sides of the Senate aisle has apparently prevailed, and a good compromise has been reached. This is a clear and strong signal to the administration that the Congress believes in REA, and that—"if it ain't broke, don't fix it!"

Mr. President, while we cannot ignore the timeliness of the REA budget implications today, we are really here this afternoon to praise the extraordinary, consistent achievements of the Rural Electrification Administration. I believe there can be no better time to show the historical evidence of this Agency in fulfilling an ongoing public need, and I appreciate the opportunity to join my colleagues in doing so today.●

Mr. BURDICK. Mr. President, this week we are celebrating the 50th anniversary of the Rural Electrification Administration. It is truly a cause for a grand celebration, for without the Rural Electrification Administration [REA], this country would have a drastically different face today.

When the REA was created 50 years ago, the rural residents of this Nation by and large did not have electricity. For many of us in this modern day of electrical convenience, it is difficult to imagine what it would be like without electricity, because we use it, not only many times a day, but continuously all day and night. However, if we go out into the country, and even into our cities, and talk to those people who lived in the country not so many years ago, they will be able to tell you what it was like without electricity.

They will tell you stories about pumping water by hand for their cattle, about doing all of their laundry by hand, about keeping their milk and cream in a hole in the ground to keep it cool, about being at the mercy of the wind which charged their batteries for the few electrical uses they had developed, and about heating their food and houses with wood stoves. And, of course, they didn't even dream about air-conditioning which people in Washington think is so essential to their livelihood. These people will also tell you that because of the Rural Electrification Administration and the rural electric cooperatives, electricity was brought to their houses and farms and changed their lives in such a way that not even they can imagine going back to the days before electricity.

These are the people who truly understand and have reason to celebrate the 50th anniversary of the REA.

However, this year's celebration is marred. It is marred by a President who believes that the REA is no longer needed. It is marred by a President whose eyes see the REA Program as a subsidy which constitutes an unnecesary windfall to those people it serves. Such beliefs could not be further from the truth. When the President talks about an economic recovery, he is talking about the urban areas. Our rural people are facing the worst economic situation in decades. To propose the elimination of REA financing for our rural communities at this time is the most insensitive gesture the President can make.

I first want to make clear that the REA Program does not provide a subsidy to cooperatives through its lending program. About four-fifths of the loan commitments which have gone to rural communities have been made at the Government's cost of funds plus one-eighth of 1 percent. Therefore, the great bulk of REA financing is at market rates and involves no subsidy. To label the program a subsidy in the hope of turning the public against it is outrageous and irresponsible.

Second, the need for REA remains substantial. This administration has stated that consumers served by REA pay lower electric rates than non-REA consumers. This simply is not true. The REA's analysis itself concludes that in 1984 almost three-fourths of all rural electric systems had rates higher than comparable investor-owned utilities. Furthermore, in 1982, about half of the rural systems had rates higher than the investor-owned utilities. So the situation is growing worse.

Fifty years ago, the REA was established because the utilities could not afford to provide electricity to rural areas. Because of the sparse population, the utilities did not find it cost efficient to wire all those miles for so few farmsteads. So the REA stepped in and saved the day.

The facts speak for themselves. The average investor-owned utility serves 40 consumers per mile of line, while the average rural cooperative serves only four consumers per mile of line. Similarly, rural telephone systems, which also receive REA loans, serve about 5.6 customers, per route mile of line compared with 50 customers served by nonrural systems.

The sparse population has not changed. You can still drive for miles in my State of North Dakota without seeing anyone. Those utilities which did not find it economical to serve rural America 50 years ago will not find it suitable now.

Therefore, it is easy to see that without the REA financing, electric and telephone rates for rural consumers—already higher than for their urban counterparts—would skyrocket. Such a result is not fair; it is not tolerable; it is not affordable.

The past 50 years represent a tremendous success story for the Rural Electrification Administration. I look ahead to the next 50 years and want to see a continuing success unfold. So let us honor the past with appropriate celebration. And let us guarantee the future with determined resolve.

● Mr. CHILES. Mr. President, I am very pleased to add my voice to my colleagues today and celebrate 50 years of dedicated service by the Rural Electrification Administration.

It has been 50 years since President Franklin Roosevelt signed the Executive order which transformed life in rural America. With the establishment of REA, the millions of residents of rural United States were awed by the miracle of electricity. It is an understatement to say it changed their lives overnight.

In this day of computer wizardry, it is difficult for us to remember life without electricity. But it wasn't that long ago in rural Florida that the chief means of light was the kerosene lamp. I can still recall the smell of burning kerosene. So when the REA lines were constructed throughout Florida, a celebration took place from north to south, from coast to coast. Not only did rural residents have lights at the touch of a switch, but they had the means to share in some of the luxuries city folks had enjoyed for years.

REA meant that rural folks could be linked to the world through the miracle of radio. To have news hourly instead of waiting to read the weekly newspaper was the talk of the town.

And, who can forget the excitement in town when each new appliance was delivered to a lucky household. A new form of entertainment emerged as people sat and watched the wonders of a washing machine, a refrigerator or the vacuum cleaner.

In Florida, farmers found out REA was not limited to making work easier for the housewives when they discovered that electricity meant they could pump water, heat citrus groves and chicken coops and power all farm machinery.

Yes, REA brought light and power to rural America. But it also was the catalyst to a cooperative movement between Government and people that has yet to be matched in America. In Florida we have 18 of the most successful rural cooperatives who provide service to more than 400,000 families and businesses. The Florida Rural Electric Cooperatives still stand today as they did 50 years ago as cooperatives which work for and with people.

Mr. President, I think it is especially important for us to remember this cooperative spirit today as we celebrate REA. Lately, it seems that we have been bogged down with the REA budget cuts, REA trust funds, and so forth. Yes, there is a need to update some of these financial structures and we'll continue to work with the rural cooperatives toward this goal. REA will survive.

So, let us celebrate REA. Yes, there will be a commemorative stamp, a celebration by the Smithsonian and resolutions by both the House and the Senate. But to me the true symbol of REA's success is the cooperative spirit it brought to rural America. With the light bulb, that spirit lit up rural America and continues to shine. Happy anniversary REA.●

Mr. SPECTER. Mr. President, today we celebrate the 50th anniversary of the establishment of the Rural Electrification Administration. I believe it is important that we do more than just remember a Government agency and its programs. Cooperative rural electrification, since its beginning, has been a partnership between the people and their Government. The Government provided the tools, but the people did the work.

It is hard to imagine a life without electricity. Today, we consider electricity to be a necessity of life, just like air and water. But just 50 years ago, only 1 rural resident in 10 in our Nation enjoyed the benefits of central station electric service. Even in my densely populated Commonwealth of Pennsylvania, most rural people lived without electricity; more than 75 percent of all farms and rural residences had no electric over 50 years ago in Pennsylvania.

Efforts had been made to extend electric service into the countryside, but little progress was made. In Pennsylvania in the 1920's, Governor Gifford Pinchot's giant power survey proposed wide-scale rural electrification by the Commonwealth's private power companies. While many companies did extend service between the towns they served, the truly rural areas off the main highways still lacked central station electric service.

The farmers and other people who resided in these areas lived much like their ancestors who opened the wilds of Pennsylvania to settlement a century and a half before. Theirs were lives of darkness and drudgery. The length of their workday was determined by the Sun. Work was done by muscle power. Women, who had to pump water by hand and cook over hot woodburning stoves, grew old before their time. Although these people lived in the heart of the great industrial Northeast, they might as well have lived on the Moon because they lacked radios and telephones, the vital communications links that tied the society together. By any measure, rural people were second-class citizens because they lacked the wires that carried light, power, music, and news.

It was a Pennsylvanian, Governor Gifford Pinchot, who dreamed that someday everyone would have central station electric service. It was another Pennsylvanian, Morris Llewellyn Cooke, who turned the dream into reality. Cook, Philadelphia's progressive city engineer, headed Pinchot's giant power survey. He carefully studied the cost of building distribution lines and concluded that, through careful planning and uniform construction standards, electric service could be provided economically to everyone who wanted it.

When Franklin Roosevelt signed the Executive order that established the Rural Electrification Administration, he called on Morris Cooke to serve as the first Administrator of the new agency. Finally, after a decade of study and thought, Cooke was in a position to do what he knew in his heart could be done. At first, the emphasis was placed on attempting to encourage private power companies to run lines into the countryside. A few did, but most believed that there was not enough profit in the enterprise, even with low interest Government loans; they believed the land was too rugged, remote, and sparsely populated and that, even if the lines were run, farmers wouldn't use enough electricity to cover the investment in the distribution facilities.

Faced with failure, Cooke turned to a form of business enterprise that had served farmers well; nonprofit, consumer-owned cooperatives. Farmers used cooperatives extensively. They bought their seed and equipment from supply cooperatives. They borrowed from mutual savings banks and bought their insurance from mutual insurance companies. And, when the growing season was ended, they sold the fruits of their labors through marketing cooperatives. Farmers knew that, as individuals, they were powerless. But, that when they banded together, their strength exceeded their numbers.

Initially, farmers and other rural residents were suspicious of the new rural electric cooperatives because of their link to the REA; of their link to the Government. They were afraid the Government would take their farms if the cooperatives failed. But soon, they saw that the partnership that was forged between their locally owned and controlled, rural electric cooperative, and the Federal Government represented the best expression of the belief that Government should do only those things that the people cannot do by themselves. They could not provide themselves with electric service individually. They could not do so even when they joined together in cooperatives. But, with the help of their Government, they could get the job done. The Government provided the tools, the people provided the work.

Today, 50 years after the establishment of the Rural Electrification Administration, some voices suggest that REA is no longer needed. The facts, however, indicate that just the opposite is true. Although virtually every American farm and rural residence has central station electric service, the job of rural electrification is not done. Each year, there are new consumers to be served and facilities serving existing consumers must be upgraded to meet the needs of today's generation of electric users. Because they continue to face many of the challenges they faced originally—such as low population density and high costs caused by rugged service territories—cooperatives continue to need the REA's financing programs. And the technical and engineering standards of REA that assure system uniformity and the lowest possible construction and maintenance costs still are in the best interest of consumers.

We continue to need REA and rural electric cooperatives for all of these reasons. But, there is another reason which is possibly more important. America's experience with cooperative rural electrification is an excellent example of a responsible, progressive partnership between a people and their Government. By providing loans, repaid with interest, the Government provides locally owned and controlled cooperatives with the tools they need to provide their consumer-owners with

the necessity of electricity. On their side of the ledger, cooperative members provide the leadership, the talent, and the plain hard work to do what most people thought was impossible.

Today it is fitting and refreshing to remember our continuing positive experience with cooperative rural electrification. It is possible for the people and their Government, working together, to do what needs to be done, to turn dreams into reality.

Mr. ABDNOR. Mr. President, I am pleased to join in this special order celebrating the 50th anniversary of the Rural Electrification Administration [REA].

"It was the best and the worst of times." These words, written by the great author Charles Dickens in his "A Tale of Two Cities," could describe rural electrification today.

It is the best of times. Today we are celebrating 50 years of rural electrification. It as been 50 years since President Franklin Roosevelt signed the Executive order establishing the Rural Electrification Administration. REA was created to bring needed electrical power to the rural and isolated areas of our Nation that the big power companies refused to serve. These companies said that there weren't enough people in rural America to bother with—that rural folks, or, in their minds country hicks, didn't need electrical lighting or the other luxuries enjoyed by their city brethren.

Thankfully, enough men and women had the foresight, the courage, and the ambition to attempt what seemed like the impossible; to bring electricity to every farm, ranch, school, business, and community in rural America.

Today we are honoring the system that these men and women developed and that current rural electric leaders have nurtured throughout the past 50 years. It is a great honor to have led the recent budget negotiations in which the REA program was saved.

To me, South Dakota's rural families who dot our prairies and hills symbolize why REA was created—to bring needed electric power to the rural and sparsely populated areas of America. Even today, South Dakota's rural electric cooperatives provide economical electric power to families who live in areas with fewer than one customer per mile of line. I don't believe that there is a service area in South Dakota which has more than four customers per mile of line. Truly this is REA country. Surely this is why REA was needed 50 years ago and why it is needed today.

The rich heritage of REA make this the best of times. There is no doubt in my mind that rural electrification has enabled us in South Dakota and throughout rural America to enjoy and lavish the "best of times."

I would be remiss and not totally honest with you if I didn't also tell you that these are, as Charles Dickens put it, "the worst of times."

Today, as we celebrate 50 years of rural electrification, some Members of Congress and the Reagan administration are saying that 50 years of rural electrification is enough. The REA system, which has served South Dakota and our Nation so well, has been besieged at all fronts. The administration has made attempts to raise the hydroelectric power rates that rural electric cooperatives depend upon. The administration has attempted to raise the interest rates on loan funds that rural electric cooperatives depend upon to improve their plants, repair electrical distribution facilities, and serve new customers. Some even say the administration hopes to totally "phase-out" REA in a short time.

These are the things that make this the most trying and the worst of times for all of us who believe in and have fought for the rural electrification system. But I don't want to leave my colleagues with such a gloomy outlook. I've always been an optimist and have believed that if you know that you are right, that if you have faith in a program, that if you fight hard enough, and if you have the support of good, decent, hard-working people like those in rural America, that you can succeed.

Just recently, I successfully negotiated a compromise with Majority Leader DOLE, Budget Committee Chairman DOMENICI, Budget Director Stockman, and the National Rural Electric Cooperative Association under which the REA Program will be saved. Under the terms of my agreement, the budget assumption that REA loans would be phased out over a period of 8 years has been dropped. Additionally, the assumption that interest rates on REA loans would be increased from the current rate of 5 percent to the Treasury's cost of borrowing plus 1⅛ percent has been dropped. In essence, none of the budget savings are assumed to come from either of these two devastating proposals.

In exchange for these concessions, Bob Bergland and the National Rural Electric Cooperative Association have agreed to accept a reduction in loan levels in fiscal year 1985 and in fiscal years 1986–88. This is a compromise which our Nation's rural electric cooperatives can readily accept and is a compromise which the administration and Senate leadership can accept.

The job of REA is not done. Fifty years of rural electrification has transformed rural America and I am confident that the next 50 years will be just as magnificent. Hats off to REA on its 50th birthday, and I pray that our children and grandchildren will celebrate the 100th birthday of REA in another 50 years.

Mr. GORTON. Mr. President, these days one seldom hears talk of rural America that is not fraught with references to the crisis that is griping America's farm economy. The nightly news is filled with scenes of bankrupt farmers selling their equipment and their land at auction. Farm leaders have marched on Washington, DC, seeking assistance in their plight. America has witnessed the heart-wrenching problems that threaten to change the face of American agriculture and we, as the elected representatives of the people, struggle to help find solutions to the problem.

Through all of the debate that has risen, fallen and risen again about the problems facing rural America one fact has shown clear: we have faith, farmers and city dwellers alike, that a solution will be found. The problem will be solved. We can be optimistic because rural America has never accepted failure and never will. In fact rural America has been a guiding light of innovation and determination for the rest of the Nation throughout our history. Perhaps the greatest example of this heritage—this desire and determination to accomplish great things against great odds—is the success of the Rural Electrification Administration whose golden anniversary we celebrate this month.

By Executive order on May, 11, 1985, at the depth of the darkest depression our Nation has ever experienced, President Franklin Roosevelt created the Rural Electrification Administration under emergency conditions. So began one of the boldest cooperative movements the world has seen. The Federal Government and local cooperative associations worked hand in hand to bring the goals of the REA to fruition. Our success has helped make the United States the most productive agricultural nation in the world. Our success has lifted the twin drudgeries of darkness and backbreaking, life-shortening toil from the lives of farm families. Our success continues to prove that no task is too great when we have the will power and the people power to carry it out.

I am proud to say that my own State of Washington was among the first to jump onboard the REA Program. At least 18 co-ops were formed across the frontier of the Evergreen State early in 1937. These original co-ops have since consolidated into nine strong organizations which serve 72,440 consumers through 17,200 miles of line.

The success of the REA cannot be exaggerated. Simply put, there has not been a more revolutionary movement in the history of the United States. The challenge facing the nation in 1935 was a countryside nearly void of electricity and all the benefits it offers. Today, the electric glow of light fills milking barns where

highly flammable kerosene lamps once hung and the power of electricity drives irrigation pumps and feedgrinders and washing machines where manual exertion was once required. America has moved into the 20th century thanks to REA and it is only fitting that we pay tribute to the men and women of the past 50 years who have made the dream of rural electrification come true.

ORDERS FOR WEDNESDAY

ORDER FOR RECESS UNTIL 9:30 A.M. TOMORROW

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Wednesday, May 8.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS HUMPHREY AND PROXMIRE TOMORROW

Mr. DOLE. Mr. President, I ask unanimous consent that, following the recognition of the two leaders under the standing order, there be special orders in favor of the distinguished Senator from New Hampshire [Mr. HUMPHREY] and the distinguished Senator from Wisconsin [Mr. PROXMIRE] for not to exceed 15 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. DOLE. Mr. President, I ask unanimous consent that, following the special orders, there be a period for the transaction of routine morning business not to extend beyond the hour of 10:30 a.m., with statements limited therein to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESUMPTION OF CONSIDERATION OF SENATE CONCURRENT RESOLUTION 32 TOMORROW

Mr. DOLE. Mr. President, following the special orders, the Senate will resume consideration of Senate Concurrent Resolution 32, the budget resolution. The time remaining on the resolution as of 4 p.m. today is for the distinguished minority leader, 7 hours, 22 minutes, for the majority leader, 3 hours 46 minutes, bringing the total to 11 hours, 8 minutes.

Mr. President, it is my hope that tomorrow morning at 10:30 a.m. we will recognize the distinguished Senator from Massachusetts [Mr. KERRY] to offer an amendment on tax compliance and that, following the disposition of that amendment, the distinguished Senator from Georgia [Mr. MATTINGLY] be recognized to offer an amendment on Social Security.

TIME LIMITATION AGREEMENT ON AMENDMENTS

Mr. President, I would guess that will take us until about 1 o'clock tomorrow.

At that time, I ask unanimous consent that the distinguished Senator from Florida [Mr. CHILES] and the distinguished Senator from South Carolina [Mr. HOLLINGS] be recognized to offer a package amendment; that the time on that amendment be limited to 90 minutes—1 hour for the proponents and 30 minutes for the opponents of that package.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object, I wonder if we could have the rest of the package, please.

Mr. DOLE. Following the disposition of that amendment, and I assume there will be a rollcall vote, I ask unanimous consent that the distinguished minority leader [Mr. BYRD] be recognized to offer an amendment and that the time be limited to 90 minutes—1 hour for the proponents, 30 minutes for the opponents of the amendment.

Mr. BYRD. Mr. President, I thank the distinguished majority leader for presenting this request.

Would the distinguished majority leader mind including in his request a time limit on the amendment that is to be offered by Mr. KERRY and a time limit on the amendment to be offered by Mr. MATTINGLY and set a specific time for the calling up of the Chiles amendment and a specific time for the calling up of the Byrd amendment?

Mr. DOLE. Mr. President, the time limit under the statute would be 1 hour for Senator KERRY's amendment, 1 hour for Senator MATTINGLY's, which would take us to about 1 o'clock; at which time I think I indicated that, at 1 o'clock, the distinguished Senator from Florida and the distinguished Senator from South Carolina be recognized to call up their amendment. With reference to the amendment of the distinguished minority leader, it would be 3 o'clock.

Mr. BYRD. Three o'clock right on the nose.

The reason I referred to the amendment by Mr. KERRY is he had indicated to me a little earlier that he would be willing to make it a half-hour, but he is not here now and I would like to clarify that.

Mr. DOLE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOLE. Mr. President, I think I stated that the Chiles-Hollings amendment would be at 1 o'clock and that the amendment of the distinguished minority leader be at 3 o'clock.

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. Mr. President, I have no objection. I thank the majority leader.

ORDER OF PROCEDURE TOMORROW ON CERTAIN AMENDMENTS

Mr. DOLE. Mr. President, it would be my hope that following that disposition of the amendment of the distinguished minority leader and others, if there be no objection, we then would recognize either the distinguished Senator from Delaware [Mr. BIDEN] or the distinguished Senator from Kansas [Mrs. KASSEBAUM] to lay down the so-called KGB amendment and maybe have some debate, but not dispose of that until Thursday morning.

Mr. BYRD. Mr. President, that is agreeable on this side.

Mr. DOLE. Mr. President, I am not prepared to ask unanimous consent at this time, because it is my understanding that the distinguished Senator from Delaware [Mr. BIDEN] needed to check to see if that is agreeable with other Senators interested in that amendment, but it would be our intention that that would happen following the disposition of the amendment or the package of the distinguished minority leader; that we would then turn to consideration of the so-called KGB amendment and, following that, it would be my hope that we then would recognize the distinguished Senator from Pennsylvania [Mr. SPECTER] for an amendment.

It is still my hope that that would permit us to complete action on the budget resolution, hopefully on Thursday. But I indicate that there will still be about 6 or 7 hours remaining on the resolution Thursday morning.

UNANIMOUS CONSENT AGREEMENT ON BYRD AND CHILES AMENDMENT

Mr. BYRD. Mr. President, if the distinguished majority leader would yield, could we have an understanding that there will be no amendments to the Chiles amendment and the Byrd amendment and that we could have an up-or-down vote on both?

Mr. DOLE. Yes, we can have that understanding, Mr. President.

Mr. BYRD. In my case, anyhow, it is a perfecting amendment, so there could not be any amendment to mine. But could the distinguished majority leader say that?

Mr. DOLE. That would be satisfactory. I am certain the manager would have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the agreement follows:

Ordered, That on Wednesday, May 8, 1985, when the Senate resumes consideration of S. Con. Res. 32, a concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1986, 1987, and 1988 and revising the congressional budget for the U.S. Government for the fiscal year 1985, the Senator from Massachusetts (Mr. Kerry) be recognized to offer an amendment.

Ordered further, That upon the disposition of the Kerry amendment, the Senator from Georgia (Mr. Mattingly) be recognized to offer an amendment.

Ordered further, That at the hour of 1:00 p.m., the Senator from Florida (Mr. Chiles) be recognized to offer an amendment on behalf of himself and the Senator from South Carolina (Mr. Hollings), on which there shall be 90 minutes, with 60 minutes

under the control of the proponents and 30 minutes under the control of the opponents.

Ordered further, That at the hour of 3:00 p.m., the Senator from West Virginia (Mr. Byrd) be recognized to offer an amendment, on which there shall be 90 minutes, with 60 minutes under the control of the proponents and 30 minutes under the control of the opponents.

Ordered further, That no amendments to the Byrd and Chiles amendments and no motions to table those amendments shall be in order.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. DURENBERGER. Mr. President, there being no further business to come before the Senate, I move that the Senate now stand in recess, in accordance with previous order, until 9:30 a.m. on Wednesday, May 8, 1985.

The motion was agreed to; and, at 6:51 p.m., the Senate recessed until Wednesday, May 8, 1985, at 9:30 a.m.

EXTENSIONS OF REMARKS

IMPROPER PRACTICES

HON. DAVID DREIER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. DREIER of California. Mr. Speaker, this week, Newsday, a daily newspaper on Long Island, NY, is running a five-part investigative series on improper loan practices involving Long Island businesses which were financed by the Federal Small Business Administration. While I want to point out that the illegal practices outlined in this series are not prevalent throughout the United States, they do highlight some of the problems that consistently plague the SBA and create questions about the agency's real impact on the overall small business economy.

I would like to submit for today's RECORD the first part of this five-part series published in the May 5 issue of Newsday. I will then submit the remaining four parts in future printings of this RECORD.

IMPROPER PRACTICES UNCOVERED IN LI SMALL-BUSINESS LOANS

A Newsday investigation of government loans to Long Island businesses has uncovered conflicts of interest, loans to companies with organized-crime connections and sloppy lending practices that have wasted millions of dollars in public funds.

Both the federal Small Business Administration and the state Job Development Authority play active roles in Long Island's economic development, granting companies loans at more favorable terms than they could otherwise get. Most of the loans are repaid, and the agencies properly take credit for creating or saving thousands of jobs for Long Islanders.

For some loans, however, the system has a hidden underside. This is a world where officials with authority over loans make private business deals with borrowers. It is a world where the SBA has subsidized alleged organized crime figures whose businesses then collapsed. It is a world of undisclosed, possibly illegal consulting payments; of improper gratuities; of private interests gaining effective control over the lending of government funds.

Newsday's investigation found that the SBA program on Long Island is troubled by some of the same problems that figure in the current national debate over the future of the SBA: failure to secure some loans with adequate collateral; failure to prevent collateral from disappearing when some loans go bad; and failure to prevent criminals from exploiting the program.

The Reagan administration has proposed drastic cuts in the SBA's budget. The debate over the agency's future centers on whether the agency's lending programs are fair and whether their impact on the nation's economy is worth the money.

Both the SBA and JDA delegate a significant amount of their decision making in granting loans to local development corporations—quasi-governmental community organizations that function as official arms of the lending agencies. Three of the state's most active development corporations have operated on Long Island: the Long Island Economic Development Corp. and the Bi-County Development Corp.

Newsday's yearlong investigation centered on those three agencies as well as SBA and JDA. In many instances, SBA officials refused reporters access to key records, claiming confidentiality. One local development corporation offered to produce all of its records, then claimed most of them were missing. In all, it took 22 formal requests under the Freedom of Information Act for Newsday to obtain the records on which these stories are partially based. Many other records still are being withheld.

Nevertheless, the Newsday investigation found that:

The Long Island Development Corp.'s top official, Steven D. Gurian, admits he has had consulting deals, undisclosed ownership interests or other business deals with seven companies that got $5,716,000 in government loans with his help. One loan recipient, Gurian said, gave him timeshare units for four weeks each year in a luxury resort. Gurian denied any wrongdoing but acknowledged that his deals did represent "an apparent conflict of interest.

Long Island businesses with ties to organized crime have obtained at least $1,635,000 in SBA loans, and all those loans have gone bad. Those who have benefited include Salvatore Avellino and Michael Franzese, both identified by athorities as important figures in organized crime. Franzese denies involvement in organized crime. Avellino did not respond to several requests for an interview.

JDA officials said Donald Gallagher, Bi-County's former chief operating officer, did not disclose to the JDA his financial connection to seven projects that received JDA loans totaling $5,031,001 on Bi-County's recommendation. Gallagher was a paid consultant to the borrowers or their contractors on those projects. After Newsday questioned Gallagher's role, he was removed from Bi-County's top post but remains on its board, which includes a broker and a lawyer who also have represented Bi-County borrowers. Gallagher refused to comment.

As a Bi-County director, Suffolk County's commissioner of economic development, Joseph Giacalone, voted to approve a $304,000 loan to a company for land and a new building without disclosing that he was a partner in the firm selling the company the land. Giacalone at first called his action "an error on my part" but later denied any conflict.

Local SBA officials overruled one of their own loan officers and loaned $500,000 to a financially troubled company after getting a phone call from Peter Neglia, then regional SBA director. Neglia has acknowledged that he made the call at the request of former Suffolk GOP Leader Robert Curcio, Sr., who was a consultant to the company seeking the loan. Newsday has traced $28,000 in checks from the company to Curcio—never disclosed to the SBA as required by law. Neglia has since been promoted to acting SBA chief of staff in Washington. The loan went bad after five months.

The questioned SBA lending practices found by Newsday create extra costs for the taxpayers beyond just the dollar amount of the bad loans. When the government subsidizes a business that fails, there is a ripple effect: unpaid bills to other businesses, unpaid state and local taxes, unpaid utility and workers compensation bills, unemployment insurance for workers who lost jobs. Ultimately, the public absorbs all those costs.

And the ethical questions in both the SBA and JDA programs pose the danger of another kind of loss to the public—failure of these loan programs to reach their full economic potential. That these loans have brought increased employment and prosperity to Long Island is unquestioned. But critics ask whether there would be even more jobs and greater prosperity on the Island if more government loans went to companies with the best potential for creating employment and fewer went to firms with the best private connections to lending officials.

THE ISLAND'S LOAN MASTER

Steven D. Gurian has spent most of his adult life mastering the intricacies of the federal Small Business Administration, and the morning of June 25, 1984, marked a proud point in his multifaceted career.

At a banquet room in the Smithtown Sheraton, several dozen politicians, bankers, brokers and SBA officials gathered over a breakfast of scrambled eggs, sausage and Danish pastries for ceremonies honoring Gurian as an important force in Long Island's economic development.

At a dais decorated with a large banner that read "Long Island Development Corp.," officials from state, county and federal agencies praised Gurian, who heads the LIDC, for his government expertise, his business acumen, his hard work. The SBA's then-regional director, Peter Neglia, gave him a large plaque.

The plaque was an award to the LIDC for becoming the most active development corporation of its kind in the country, processing more than $15 million in SBA loans during the previous year. Although little known to the general public, SBA-certified development corporations such as Gurian's play an influential role in today's world of industrial finance.

Gurian has his board of directors—a group of public officials, bankers, brokers and lawyers—review and vote on millions of dollars a year in loan applications from companies seeking financing from the SBA and its counterpart in state government, the Job Development Authority. Both Nassau and Suffolk counties give the LIDC financial support.

LIDC is one of a network of quasi-public development firms and agencies on Long Island and elsewhere that have resulted from governmental decisions to farm out the processing of small business loan applications. The SBA and JDA have the final word on these applications, but they generally follow the recommendations of the LIDC and similar agencies.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

Since Gurian is the LIDC's full-time executive director, he said his own recommendation usually determines how the board votes. "I have a pretty big input on the way the board reacts primarily because I'm preparing the piece of paper that we see," Gurian said. "They only see what I give them to see."

The Newsday investigation found that Gurian has used his position with the LIDC and two other local development agencies for his own financial gain. He has done this in several ways, including acting as a paid financial consultant to loan applicants, engaging in private business deals with other borrowers, and steering at least two others to a finance company that he headed.

Gurian maintains he has done nothing wrong. And regulations covering such activity are fuzzy or nonexistent. But Gurian's industry peers and senior officials from the county, SBA and JDA contacted by Newsday say he has acted improperly. "If you check the industry, you'll find it's not a standard practice," said SBA official Wayne Foren. "It's one of those things you just don't expect people to do."

Gurian runs a private consulting business, Gurian Consultants Inc., that operates from a small one-room office at 300 Old Country Rd., Mineola. There is no sign on the door and no phone listing.

In a series of interviews, Gurian acknowledged that he has had consulting deals, undisclosed ownership interests or other business ties with at least seven companies. Those companies got government loans totaling $5,716,000 with his help. He said he has worked as a private consultant to six of the companies and holds an option for a 10 percent share of the seventh.

He also has been a paid financial adviser to one of those companies, Gurney's Inn, while helping the luxurious Montauk resort get government loans through one of his local development corporations. Gurney's president, Gurian said, also has given him time-share apartment units at the resort for four weeks each year.

Two more of Gurian's business deals with SBA borrowers involve a Mexican auto parts company in which he owns stock. Until a few years ago, he said, he served as that company's U.S. purchasing agent, collecting a percentage of sales. Gurian said he obtained sales contracts for the Mexican company from two companies that got SBA loans through another development corporation that he controls, the Long Island Economic Development Corp. (LIEDC). "It was a sizeable amount of business, and it was very, very profitable," Gurian said.

A car dealer who got a $500,000 SBA loan through Gurian said Gurian solicited him, while discussing a possible second loan, to buy parts from the Mexican company. "He insinuated that if I did some business with him, there would be no problem with the loan," said Walter Donor, proprietor of the now-defunct Rumplik Chevrolet in East Islip, who was recently indicted on tax evasion charges. "There was a conversation about how we could make a lot of money on overseas parts, but it never materialized."

Gurian said he always discloses to the government agencies and his board when he has a financial involvement with a loan applicant. "It's a full disclosure," he said. LIDC minutes show that he did disclose at least two consulting relationships and abstained from the votes. And since Gurian said he couldn't find most of the records for two of his other local development corporations, it was impossible to determine whether he had made similar disclosures to those boards.

But local government, SBA and JDA officials said that Gurian had never advised them of the extent to which he was involved with loan recipients. They said that they considered his activities improper and that he should have disclosed them.

"It is something that flies in the face of what we're trying to do, which is to get full disclosure of any kind of interest by any of the parties," said Robert Dormer, president of JDA. Foren of the SBA said: "That's something we would not permit, and I would have to look into it." Roy Cacciatore, Nassau County's commissioner of commerce and industry, who sits on the LIDC board, commented: "Gurian can be replaced."

Top officials of four of the nation's largest development corporations said they considered side deals with loan recipients wrong. Their attitude was voiced by Marshall Lustig, executive director of the New York Business Development Corporation, who said: "If we had a director taking part in such an activity we would ask that person to cease and desist from that role or to resign from the board."

Gurian founded his first SBS-certified development corporation, the Long Island Economic Development Corp., in 1969. The LIEDC started as a shoestring operation, Gurian said, "something I ran from my briefcase," and grew to be one of the state's most active development corporations.

In 1980, Congress created another SBA program to help expanding businesses buy land and buildings. To participate, communities had to form development corporations. Nassau and Suffolk counties created the LIDC, choosing Gurian as executive director. Gurian said he was the logical choice because of his SBA expertise.

The counties contributed $30,000 in start-up money, and each assigned one of its economic development officials to the LIDC staff. LIDC stationery carries the official seal of both counties and lists their economic development departments as branch offices of LIDC. And in 1983 the state JDA designated the LIDC as a JDA "branch bank," accepting loan applications directly from the LIDC without independent staff review.

The creation of LIDC has put Gurian into an unusual position. He performs in an official capacity for four different government entities: Nassau County, Suffolk County, the JDA and the SBA. But since he draws a salary from none of them, he is technically not a government employee. He said that he recently began drawing a salary of $286 a week from LIDC but added that he is independently well-off.

CONSULTING DEALS

Two companies that Gurian said were his consulting clients got loans after a 1982 SBA regulation prohibiting management consulting relationships. They were Allied Bakers Co. Inc. of Westbury and Aluminum Louvre Corp. of Old Bethpage. Although Gurian abstained from LIDC votes on both companies, documents examined by Newsday show that he had a personal role in both loan applications.

Officials of these companies and other firms that used Gurian as a consultant refused to say how much they paid him, and Gurian also has declined to disclose his fees.

Records show that Gurian made the required field visit to Allied Bakers before the LDIC approved a $230,000 SBA loan last year. Gurian wrote a report concluding: "results of interview: positive." He also wrote to Long Island Trust Co. about its share of the financing package, saying "we should be able to complete an irrevocable commitment within 45 days . . ." At that point the LIDC board had not voted on the loan.

That was Allied Bakers' third SBA loan—two through Gurian development corporations—bringing the total to $1,130,000. Gurian said he has been a consultant to Allied since the early 1970's. Allied's president, Nelson Wolther, praised Gurian's assistance to his company and said there was nothing improper in his role.

Last year, Aluminum Louvre got a $255,000 SBA loan and a $220,000 JDA loan through LIDC to buy the Old Bethpage building it had been renting. Gurian abstained on the vote, but the JDA's file includes a letter to Gurian at LIDC from Melvin Greenberg, a partner in the company. "Thank you for all your efforts on behalf of Aluminum Louvre Corporation relative to the SBA and JDA loans," Greenberg said. Greenberg has denied paying Gurian as a consultant.

Four other companies that Gurian said he represented as a consultant got loans through his earlier development corporations, the LIEDC or a sister corporation, the Second Long Island Development Corp. He identified the companies as Gurney's Inn of Montauk, Ajac Transmission Parts Inc. of Elmont, Waltron Automotive Products Inc. of Port Jefferson and Allison Audio Products Inc. of Hauppauge. But he told reporters that nearly all records of LIEDC and Second LIEDC loans had been lost.

Gurian said he was "on retainer with Ajac for seven, eight years, maybe more." Gurian holds an insurance license and said he also sold a pension plan to the company's owner, Jerry Jacoby. Ajac got five SBA loans totaling $948,000. Gurian said he negotiated a sales contract between Ajac and the Mexican company, Servico GM Afinaciones Frenos Y Servicio S.A., that employed him as its purchasing agent. "I would get a percentage from the total purchase," Gurian said. Ajac's president, Jerry Jacoby, said Gurian's consulting "had nothing to do with the loans."

Another consulting client that made a sales deal with Gurian's Mexican company was Waltron, which got a $40,000 SBA loan through LIEDC in 1969. One principal, Reinhold Stoll, said Gurian became a consultant as soon as the company was formed. "He was on the staff, more or less," Stoll said. Gurian conceded that he sold insurance to Waltron, helped one of its principals get his house removed as collateral on the loan and entered into a consulting agreement to go to Mexico for Waltron to look into an investment there.

Gurian said he also approached another borrower, Barad Auto Industries Corp. of Hauppauge, which got a $388,000 SBA loan through LIEDC in 1980, about buying parts from the Mexican company. "We tried, but they already had a source of supply from Texas for the same product," Gurian said.

Still another Gurian tie with an SBA borrower involves MGW Manufacturing Corp. of Bohemia, which makes transmission parts. When the company was formed in 1975, Gurian said, one investor wanted to keep his identity confidential. Gurian said the investor hired him to set up a blind trust through which the investor loaned money to MGW. As part of the deal, Gurian said he got an option on 10 percent of MGW's stock and still holds the option.

In 1977, MGW got two SBA loans totaling $460,000. Gurian said he gave the company

some advice on how to get the loans but did not feel he should have been disclosed to the SBA as a consultant. "Since I have knowledge, I told them how to proceed, and they proceeded completely on their own."

Another Gurian consulting client, Allison Audio Products, got a $63,000 SBA loan through the LIEDC in 1973. The company's founder, Louis Ligator, said Gurian also helped him get a $193,000 JDA loan the same year to acquire a building in Hauppauge. Ligator said Gurian's consulting work was not related to the government loans. "I asked him about other businesses that I was involved in," Ligator said. "Steve Gurian in his position has done a lot for the Island in my personal opinion. He's a hard-working man and has helped a lot of businesses."

GURNEY'S INN

During the mid-1970's, when rising gasoline prices were threatening East End tourism, Gurian and his Second Long Island Development Corp. won favorable publicity for arranging a financing package to expand Gurney's Inn in Montauk. The oceanfront resort is one of the largest employers in the East End, an area troubled by unemployment and a seasonal economy.

The initial package was $984,000 in SBA loans and $615,000 loan from another federal agency, the Economic Development Administration. Gurney's proprietor, Nick Monte, said of Gurian and the development corporation: "They helped put all this together, and they have been very, very helpful. I think he's been a boon to eastern Long Island and all of Long Island."

What was not disclosed, either to the public or to the lending agencies, was that Gurian has been a paid financial consultant to Gurney's—by his own account—for the past 15 years. "I was their chief financial adviser," Gurian said. "I got them all their financing."

The EDA, like the SBA, requires borrowers to disclose on their loan applications anyone who provided services in getting the loan and the fees paid. By 1978, Gurney's needed more financing, and the EDA agreed to guarantee another $600,000 loan. The resort also received another SBA loan for $106,000 in 1978. By then, Gurian was not only Gurney's financial consultant, but also a director and stockholder.

The application, however, did not list Gurian's connections with the company. Instead, Gurian's name appeared in a different role. He signed the form giving the required local endorsement of the project as the president of the LIEDC. Each EDA loan application must carry the favorable recommendation of a local economic development official.

Gurian said much of his work for Gurney's was done free of charge. "I think if you took the sum total of all remunerations from Nick for the past 15 years, I doubt if it's three or four thousand dollars," Gurian said. He added, however, that in 1982 he was given four one-week time-share units in a new section of the inn. His shares are valued at $31,000.

Monte said Gurian paid for the units, and Suffolk real estate records list Gurian among the debtors to the bank that financed the time payments for the units. But Gurian said the units were a gift to him from Monte. He added: "I did an awful lot for Nick Monte personally . . . I was at his side constantly, with attorneys, with accountants, real estate. I would say that he would say that he has a debt that can't be repaid. So when the units came up, he bought a number of them, I know, and he acquired it for family members and I'm just family."

Gurian said that Monte recently began paying him $500 a month to try to arrange a complete refinancing of the business, which he said "has a very serious problem on the financing." Although most of the SBA loans are still pending (the SBA would not release the balances), Gurian said this work will not involve dealings with the SBA but only with private financial institutions.

THE MONEY STORE

Gurian has worn another financial hat seemingly as interchangeable as those he wears as proprietor of Gurian Consultants Inc. and executive director of LIDC and LIEDC. When he was named to the LIDC post, Gurian remained in his private job as president of the Money Store of New York, a branch of the New Jersey-based finance company best known for its Phil Rizzuto television commercials.

The Money Store has become the nation's largest lender in the SBA's guaranteed-loans program, and the subsidiary that Gurian headed handles that loan business in New York. The LIDC's offices are in the Money Store's building at 265 Glen Cove Rd., Carle Place.

Joseph Giacalone, Suffolk's Commissioner of Economic Development and a member of the LIDC board, said that at the inception of LIDC he and other board members were worried about Gurian's dual role with the agency and the Money Store of New York. As a certified SBA lender, the Money Store issues loans that are 90 percent guaranteed by the SBA. Since both counties refer prospective borrowers to Gurian at the LIDC, Giacalone said there was concern it would appear that the counties were steering business to the Money Store if prospective borrowers wound up getting their loans there instead of through LIDC. He said Gurian assured him that this would not happen.

Gurian told Newsday, however, that he did refer some borrowers from LIDC to the Money Store, but only because he felt their business needs would be better served there. SBA loans from LIDC are restricted mainly to real estate and construction, while the Money Store operates under an SBA program that allows working capital loans.

"I don't believe that there were maybe more than two instances in the past four years—if it was three it would have been a lot—where people came to the development corporation and they were not eligible and I recommended and they chose to go to the Money Store," he said.

A few days after Newsday first interviewed Gurian last June about his business activities, he retired as president of the Money Store of New York and said he had become a consultant to the parent company. He first explained that he was retiring because his Money Store position "could be an embarrassment" and "could be an apparent conflict of interest" that "might look bad for the LIDC." Later, however, he said the retirement was solely because the two jobs put too much demand on his time.

Walter Leavitt, head of the SBA's Long Island office in Melville, said whenever Gurian called or visited his office to discuss loans, he assumed Gurian was acting as head of the LIDC or the Money Store. He said that Gurian never told him about his private deals the SBA borrowers. "He should have given some indication." said Leavitt. The SBA requires loan applicants to disclose the names and fees of consultants and those who helped prepare the application. Leavitt and Gurian is not listed as a consultant on any loan applications he has handled.

Gurian has given conflicting answers on whether his private consulting business includes the obtaining of SBA loans. At one point he said he consults companies only on matters unrelated to government loans. But, on another occasion, he said: "Generally my answer is, please, I know you, I know what the problem is, get your attorney, have a sit-down session and I'll tell you how to do it and if you want or if I want you'll compensate me for the hour or the day or whatever it is, but I'm not going to get involved. Because it really represents a conflict of interest. Not just an apparent."

He also maintains that ethical questions are less important than successful deals to help Long Island's economy. "We're all grown up persons," Gurian said. "We all know if things were done according to the letter of the law, a lot of mercantile activity would come to a halt. There has to be some bending."

Next: The Mob Connection.●

TAX BURDEN IS UNFAIR

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. OWENS. Mr. Speaker, April 15 has come and gone. It is a date approached with a certain dread by most Americans. Records are gathered, figures added and heads shake in disbelief when the final tally emerges. For all of the talk of tax reductions, the average person is confronted with the reality that he or she must pay and pay. This scenario and its causes was aptly stated by Judy Mann in her column in the Washington Post on April 5, 1985. It is set forth below for information.

TAX BURDEN IS UNFAIR

For the past week, my kitchen table has been covered with checks, receipts, bank and insurance statements, bills and various other testaments to the income and outgo that occurred in my house last year. The purpose of this exercise is, of course, none other than my annual attempt to at least break even with the Internal Revenue Service so I don't have to offer one or more of my children as partial payment of back taxes.

My problems, along with those of most middle-income Americans, would be significantly reduced by investments in tax shelters. But, unfortunately, the cash flow last year was largely consumed by such things as food, shelter, college education and child care, so there wasn't any money left over for exotic schemes or tax experts who could tell me how to shelter my income legally.

It is always dicey to compare individuals and corporations in economic matters, but a little less so in matters of spirit, and the comparison hit home last weekend when I read a story in the paper about the tax burden on a number of corporations. This was not the first time I'd seen the figures—the report from the Citizens for Tax Justice has been sitting on my deck since it came out in October—but at the time it seemed merely annoying. April, however, invites in-

vidious comparisons, and the contents of the report now seem simply outrageous.

"Why is it that the federal government is racking up record-breaking budget deficits while most Americans believe—and rightly so—that they are paying more in taxes than ever?" asks the report. ". . . One answer can be found in the demise of the corporate income tax. Once, back in the 1950s and 1960s, the corporate income tax supplied one-fourth of all federal government revenues. By 1983, that figure had dropped to 6.2 percent.

"The decline of the corporate tax began with the adoption of the investment tax credit in the 1960s and continued into the '70s as Congress adopted one new loophole after another in response to corporate lobbyists.

"However, the largest single blow to the corporate tax came in 1981 with passage of the Reagan tax bill. That bill created a new system of super-accelerated write-offs for business investments in plant and equipment, the Accelerated Cost Recovery System [ACRS], which opened up massive new possibilities for legalized corporate tax avoidance, even after the reforms adopted in 1982 scaling back some of its benefits."

Citizens for Tax Justice studied 250 companies between 1981 and 1983 and found that 128 paid no federal taxes in at least one of those three tax years while they earned profits of $56.7 billion.

This folks, is knowing how to beat the system.

There's more: 17 of the companies paid nothing in taxes all three years. Instead, they received rebates of taxes paid in previous years or sold "excess" tax benefits, so that they actually received $1.2 billion while earning $14.9 billion in profits. The biggest winner, according to the CTJ study, was General Electric, which earned $6.5 billion in pretax profits during those years and claimed $283 million in tax refunds from previous years. Other big winners included top defense contractors such as Boeing, General Dynamics, Lockheed and Grumman, all of which made hundreds of millions in profits and either paid no taxes or received hundreds of millions in refunds or benefits. Another 48 corporations paid nothing in two of the three years and got rebates and benefits totaling $2.9 billion on profits of $19.5 billion.

The CTJ study further found that 130 companies paid a smaller margin of their profits in taxes than the average American family: 0.3 percent, versus 12 percent.

A recent Washington Post-ABC poll showed that 72 percent of the respondents think the present tax system benefits the rich and is unfair to ordinary working people, and 52 percent said they thought most people who have the chance cheat somewhat on their taxes. At the same time, however, 72 percent of the respondents showed disapproval of people underpaying their taxes.

That tax-paying ethic has been the backbone of a fair and successful tax system, but it risks swift erosion if the system continues to tax at such inequitable rates corporations, the wealthy who can afford tax shelters and the poor and middle-class who cannot. The spirit of doing your fair share cannot survive, let alone flourish, under a system that billed the average taxpayer $3,536 in 1983 while dozens of corporations making billions in profits paid nothing. You don't have to be a tax expert to know that what's legal ain't necessarily right.●

SCHOOL LUNCHES RATE HIGH IN NATION'S PRIORITIES

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. SIKORSKI. Mr. Speaker, the School Lunch Program was developed in 1946 as a universal program that would increase the nutritional standards of any child, regardless of income, anywhere in the country. The administration's proposed cuts in this program run counter to the whole philosophy upon which it was founded. At the very least, it is a dangerous step backward to a time when far too many of our Nation's youth were undernourished and had no place to go for a good, hot meal.

One of my district's newspapers, the Excelsior/Shorewood Sailor, recently ran an editorial on the importance of the School Lunch Program that I would like to share with my colleagues.

[From the Excelsior/Shorewood Sailor, Apr. 8, 1985]

SCHOOL LUNCHES RATE HIGH IN NATION'S PRIORITIES

Parents of children in school should be concerned over President Reagan's proposed cuts in the school lunch program. If federal subsidies for lunches for non-needy students are eliminated and subsidies for needy students are frozen, the school lunch program in suburban schools could starve to death.

Research shows students learn better when their stomachs are full. A school lunch program provides nutritious meals at affordable prices, thanks to the federal subsidies and commodities, which contribute 12 cents in cash and 12 cents in commodities per lunch. The program also introduces students to the salads, vegetables and fruits they should eat.

Reagan proposes the government subsidize free and reduced-price lunches for the needy only. He argues that families with incomes of $33,000 can afford to pay the full price of the meal. The policy issue is paying a subsidy for the non-needy whose lunch price could go up from $1 to $1.75, or even $2. At those increased prices, many parents of the non-needy would drop out of the program. With fewer customers, the lunch program would starve. Vending machines would be installed, and students would lunch on chips, nuts, cookies and diet pop.

The result would be a less nutritious lunch for the non-needy and no program for the needy, since school boards would be reluctant to subsidize the school lunch program.

President Reagan should be commended for trying to cut the budget and reduce the deficit. He'd be wiser to eliminate a missile and save a valuable program which is educationally and nutritionally sound.●

AMEND BUILDINGS ACT OF 1959

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. SHAW. Mr. Speaker, this morning I am introducing legislation which would amend the Public Buildings Act of 1959 by giving statutory standing to the Public Buildings Service within the General Services Administration and elevating the position of Commissioner of the Public Building Service by requiring Presidential nomination and Senate confirmation of the person who holds this position.

The Public Buildings Service is the organizational unit within the General Services Administration which constructs, leases, renovates, maintains, and operates office and other space for more than 1 million Federal employees.

With a staff of more than 14,000 employees and an annual operating budget in excess of $2 billion, the PBS Commissioner heads the largest component within the General Services Administration and is responsible for a space inventory of 227 million square feet located in more than 7,000 buildings across the country.

The Public Buildings Service has been a component of GSA almost since the inception of GSA in 1949 but PBS has never been recognized statutorily.

The Public Building Service now, as in the past, is headed by a Commissioner who is appointed by the Administrator of GSA.

Currently, only the Administrator is subject to the nomination and confirmation process.

I firmly believe, that because of the size and responsibilities assigned by PBS, the Commissioner should be subject to the selection procedure which is widely used in other departments and agencies for positions of equivalent importance and responsibility.

By requiring the Commissioner to be subject to appointment by the President and confirmation by the other body would add to the Commissioner's stature and authority within the agency as they handle the duties of public office and should help to attract a high caliber of talent commensurate with the importance of this position.

It is important to note that the administration has gone on record supporting legislation in the previous Congress which contains a provision identical to what is being proposed in this bill.

Mr. Speaker, this legislation also amends Public Law 98–1 extending the time period during which private donations may be collected and utilized to erect an appropriate memorial to

Nancy Hanks at the Old Post Office Building located here in Washington.

Public Law 98-1 established the Nancy Hanks Center at the Old Post Office and provided for the erection of a suitable memorial commemorating the accomplishments of Nancy Hanks, who served with great distinction as the Chairman of the National Endowment for the Arts from 1969-77.

Public Law 98-1 authorized the Administrator of GSA to expend, in addition to specified public funds, monetary contributions received from private individuals and organizations for the design and construction of the memorial.

This legislation merely extends the time period in which private contributions may be accepted and utilized.

Finally, Mr. Speaker, the legislation I am introducing amends Public Law 98-492, which names the Federal building located in Pendleton, OR, as the "John F. Kilkenny United States Post Office and Courthouse," by correcting the spelling of the street on which the building is located.●

UNFAIR BURDEN ON MIDDLE-INCOME TAXPAYER

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. COELHO. Mr. Speaker, as we wrestle with the complex issue of tax reform, I would like to bring to the attention of my colleagues a recent radio address by Congresswoman OAKAR.

She very eloquently describes the unfair tax burden placed on the middle-income taxpayer as large corporations reap the benefits of this administration's 1981 tax bill.

As Congresswoman OAKAR states, tax reform should not be a partisan issue that encourages inequities. But as the law now stands, taxes paid by middle-income families shoulder 50 percent of Federal spending, while corporate taxes cover only 8.8 percent of our total spending.

In anticipation of the upcoming debate on tax reform, I urge all my colleagues to read her radio address which I insert for the RECORD.

Hello. This is Congresswoman Mary Rose Oakar. I am from Cleveland, Ohio, and am secretary of the House Democratic caucus.

By midnight Monday, 96 million of you will have mailed off your Federal income tax returns. Like me, many of you will have spent your last few weekends sorting through check stubs and receipts, figuring out just how much you owe Uncle Sam.

You don't like the tax bite you feel. You have your home mortgage payments and your children's college tuition. But you pay your taxes anyway. You do that because you recognize your obligation to maintain a strong Nation and a free society.

However, many of America's richest corporations don't accept that obligation. On April 15th, some won't be paying any taxes. And others will be getting back hundreds of millions of dollars.

These corporations will be getting multi-million dollar refunds because of an unfair tax system, a system that encourages legalized corporate tax avoidance.

While the middle class bears a heavy tax burden, many well-known companies avoid their responsibility. This is a scandal when the Reagan administration is mortgaging your future by running up deficits of over $200 billion annually.

Just how did this unfair situation come to pass? Because of the President's 1981 tax bill with his huge giveaways to business and the very rich.

As a result of the President's tax bill, the share that America's corporations contribute in Federal revenues has fallen to the lowest level in memory. Last year, corporate income taxes paid only 8.8 percent of Federal spending. That's a huge drop from 1960 when the corporate share was 26.3 percent.

Over the same period, the share that you, the middle class taxpayer, contributed remained about 50 percent.

I want to take a moment to examine what this means for our large companies. A recent study documents what the country's major corporations didn't pay in taxes since 1981 when President Reagan's tax policies were adopted.

It shows that General Electric, Boeing and General Dynamics, 3 of the largest defense contractors, earned profits totalling $9 billion between 1981 and 1983 yet didn't pay one penny in taxes. Instead, they received $621 million in tax refunds. Mind you, this is money given by the Government to these companies instead of the other way round.

Let me mention one more example, W.R. Grace & Co. It didn't pay any taxes for 3 years on its $684 million in profits. Yet it received $12½ million from the U.S. taxpayer.

The case of W.R. Grace epitomizes the hypocrisy and unfairness of the Reagan tax policies. Peter Grace, the company's chairman, headed up the Grace Commission appointed by the President to weed out government waste. Somehow, Mr. Grace neglected to look at the billions of dollars in unfair tax breaks his and other wealthy companies received from the U.S. taxpayer. If this isn't waste, I don't know what is.

The examples I've just listed aren't isolated. I could go on an on and cite numerous others.

The bottom line is that those of you filing your 1040's have a much higher effective tax rate than most of the giant corporations.

The average effective tax rate for individuals in 1983 was 12 percent. At the same time, 129 companies with profits totalling $45 billion paid an effective tax rate of just 4/10ths of one percent that year. Think of that—12 percent versus 4/10ths of one percent.

This is just plain unfair. Mr. President, the middle class is tired of picking up the tab while hundreds of corporations aren't paying any taxes at all.

Private enterprise and a fair tax system are essential for a growing, dynamic society. Tax freeloading must stop. The U.S. Tax Code must be reformed. Americans have opposed unfair taxes ever since a band of colonists dressed as Indians dumped the tea in Boston Harbor 200 year ago.

Today, the President says he wants to revise the Tax Code. However, let us remember that it was his 1981 tax bill that created the flagrant loopholes and tax breaks for the corporations and the very rich.

Tax reform isn't a partisan issue. It's a matter of all of us meeting our obligation to contribute to the common good.

The democratic party is dedicated to a fair and simple tax code. And we're committted to achieving that goal?

As many of you get ready to mail your tax returns, let me ask you to think about the following: If corporations again paid taxes on money at the level they paid in the 1960's, the Federal Budget deficit would be cut in half. If that happened, we could expect interest rates to finally come down and the economy would grow without the distortions that now threaten our future. Most importantly, you could plan ahead with confidence.

Thank you.●

SPEECH BY THE HONORABLE DOUG BEREUTER IN HONOR OF NATIONAL ARBOR DAY CELEBRATION IN WASHINGTON, DC, APRIL 26, 1985

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. DAUB. Mr. Speaker, last month the Nation observed Arbor Day, a celebration that originated in my home State of Nebraska in 1874. An outgrowth of our Nation's earliest conservation movement, Arbor Day has a rich history that underscores the important traditions and spirit of this national observance. Our colleague, Congressman DOUG BEREUTER, spoke here in the Nation's Capital in honor of the National Arbor Day celebration. His remarks capture the spirit and the history of this annual event, and I am pleased to share them with you:

SPEECH BY THE HONORABLE DOUGH BEREUTER IN HONOR OF NATIONAL ARBOR DAY CELEBRATION IN WASHINGTON, DC, APRIL 26, 1985

It is a very special honor for me to be here with you for this Arbor Day Celebration—special because this holiday represents our national commitment to conservation, and special because the tradition of Arbor Day originated in my home state of Nebraska. Last week once again I had the privilege of participating in Arbor Day observances in Nebraska City—a beautiful tree-filled town on the banks of the Missouri River. That observance was held at Arbor Lodge, the home of Arbor Day's founder, J. Sterling Morton, and now a beautiful historical state park.

Today, I want to talk about the spirit of Arbor Day, briefly of the American zeal for conservation in our nation, about this great Federal Mall, about Constitution Gardens, the Civilian Conservation Corps and J. Sterling Morton, whom at least every Nebraskan knows as the founder of Arbor Day. J. Sterling Morton had an illustrious career in Nebraska, but he also had a brief and very interesting career here in Washington.

Most of our nation's leaders in arboriculture, horticulture, and agriculture agree that the annual observance of Arbor Day is probably the grandfather event of this

country's conservation movements. And we can indeed be proud of our conservation efforts—of our great national parks, scenic trails, national seashores, and historic sites. We can be proud, as well, of our efforts to conserve water and soil—at the national and state level. Arbor Day is a fitting time for us to recommit ourselves to the preservation of these national resources.

Of course Americans have been active conservationists for well over one hundred years. For example, Arbor Day was first observed in the United States in Nebraska in 1872.

In 1874, Nebraska Governor Robert Furnas, by happy coincidence a prominent nursery man and fruit grower, issued the State's and the nation's first Arbor Day proclamation. Other states quickly picked up the idea, but Nebraskans showed a special zeal for planting trees. It is a matter of record that some 350 million trees and shrubs were set out by Nebraskans—in Nebraska—during the 12 years between April 10, 1872 (that first Arbor Day celebration) and April 10, 1884.

And certainly as we look at our surroundings here, we see that Washington is a city of government building and a city of monuments, but it is also a city of natural beauty and of trees.

Look at this great Federal Mall. During the thirty years between 1871 and 1901, the mile and one-half stretch of land between the Capitol and the Washingtom Monument changes gradually from a simple pasture to unevenly developed park land, intruded upon by a railroad and other commercial developments. In 1901, Senator James McMillan of Michigan presented to the Senate a report, based on the work of a special park commission, that recommended special planned development of the area between the Washington Monument and the Capitol Building. That McMillan Report became the basis for the present development of the Mall, and the area around the White House. The Lincoln Memorial and the Jefferson Memorial were not yet built, but plans for those areas were anticipated in the Report.

The McMillan Report included much specific instruction about trees, and the execution and extension of this unique plan has provided the people of the United States with a beautiful and useable "front yard"—a site for strollers, and runners, for picnics and for concerts and demonstrations.

The report described the formal procession of American elms, in two rows three hundred feet apart and a mile and a half long, to border the Mall. It decreed groves of elms on the terraces by the Washington Monument—to provide shady places for rest. And it described rows of lindens, shading the walks to the White House and leading to the Lincoln Memorial.

McMillan's themes were not forgotten as the area was developed. English and Japanese yews were planted to frame the Lincoln Memorial and English elms around its reflecting basin.

I remember seeing this site first in 1952 as a child—filled with a row of old Navy buildings. In its place, in 1976, at the time of the Bicentennial, these Constitution Gardens were dedicated. Forty-five acres of rolling meadows, woodlands and a 6-acre lake replaced those old "temporary" World War I Navy buildings. Almost immediately mallard ducks, swans, and geese inhabited the lake.

The atmosphere of Constitution Gardens has been special from the beginning. The chief architect tells a story about its construction:

"Constitution Gardens is the kind of park where everything was kept away from one edge of the lake during a spring when a relatively rare kildeer nested there and produced four eggs.

Construction workers and trucks kept away and workers waited to furnish the area until the bird had successfully hatched and flown off with her four fledglings."

We see in these areas of Washington our evidence of national commitment to planting trees and to preserving natural beauty. We see the presence of dedicated people like J. Sterling Morton.

J. Sterling Morton became a resident of Nebraska more than 13 years before Nebraska achieved statehood. Nebraska, at that time, was a part of that immense tract of largely unsettled and unoccupied territory extending from the Missouri River westward to the Rocky Mountains, known to the people of the east as the Great American Desert and historically designated as the frontier.

Its hills and valleys were unscarred by railroads, its streams unbridged, and its trails better known to the covered wagon and ox team than to other forms of transportation. It was a grassland. There were no trees, except around the few stream beds and on the banks of the Missouri River.

J. Sterling Morton came to Nebraska from Michigan at the age of 22. He was a journalist and a farmer. He was elected to Nebraska's Territorial assembly at the age of 23. When he was 26, he was appointed secretary of the Territory by President James Buchanan.

Later, in 1893, Morton was appointed Secretary of Agriculture by President Grover Cleveland.

J. Sterling Morton's chief interest was in conserving our natural resources. Early on he saw the need to protect our soil from erosion, and other causes, due in large measure to the lack of trees, and efficient water conservation and control.

In 1937, in April, at a ceremony in the Rotunda of the United States Capitol, a statue of J. Sterling Morton was unveiled. At that ceremony, in his introductory remarks, the Chairman of the Nebraska Memorial Commision, recalled the advice of J. Sterling Morton.

"The planting of a tree may seem an infinitesimal matter and even the life work of an individual tree planter may seem insignificant. But who can measure the benefits, not only for Nebraska, but for the entire nation, of the life and work of J. Sterling Morton as a tree planter."

What if Mr. Morton's advice and example had been followed more religiously, he asked. It is possible that the country would not then be suffering the immeasurable loss caused by the twin plagues of soil erosion and drought.

Fifty-two years ago the Congress sought to cope with the ravages of the depression era unemployement by exacting the Emergency Conservation Act of 1933 which established the Civilian Conservation Corps. A bold stroke in a time of dispair, the CCC furnished employment and valued self-esteem for some 3 million unmarried males during the 9½ years of its existence. At the same time the Nation reaped invaluable natural benefits.

President Roosevelt signed Executive Order No. 6101 on April 5, 1933, officially establishing the CCC. Selection of men for the CCC camps began on April 7, 1933, with the first organized camp established 10 days later near Luray, Virginia. Appropriately, it was named Camp Roosevelt. By June, an average of 8,500 men a day were selected and assigned to CCC camps around the nation.

The CCC program had two main objectives. The most important was to find useful conservation work for millions of unemployed yound men. The other objective was to provide vocational skills, and later educational training, for the men through conservation work.

The CCC enrollees were paid $30 a month, of which $25 was sent directly to their families back home. In the Forest Service CCC camps, they were under the direction of professional foresters during the day and the Army at night. The enrollment, which was entirely voluntary, lasted six months, with the option of re-enrolling for another six months.

Many of the first CCC camps, were established in June 1933. Generally, the permanent camps were organized with around 200 men, with temporary work or "side" camps used during the summer months on specific work projects. As the CCC men were assigned forest-related conservation work, many of the CCC camps were established in the National Forests and adjacent Public Domain land, later to be combined into the Bureau of Land Management. As the CCC program grew, other federal, state, county, and even a few private forests had camps or projects.

In the heyday, the CCC camps, located throughout the 48 States and several territories numbered upward of 1,740, with almost 360,000 enrollees at work to protect and enhance the soil, trees, and streams of our Nation.

More than 4,000 fire observation towers were consructed as a result of the CCC program. Furthermore, Conservation Corps participants planted more than 3 billion trees and laid 85,000 miles of telephone lines. They constructed over 150,000 miles of trails and roads and built approximately 45,000 bridges and buildings.

Repeatedly in this country, when we have faced difficulties, we have turned back the pages of history to look at the experience of our forefathers as a source of inspiration and guidance. And we have looked back to the life and work of that young journalist who traveled to Nebraska from Michigan, who published, and practiced politics, and planted trees. He was a student of agriculture. His goal was to educate his fellow Nebraskans. And, in the long run, he educated his country.

And as we look around here, and in Nebraska, and all across this nation, we see our monument to the McMillan Commission, to J. Sterling Morton, and the American conservation ethic that Arbor Day commemorates.●

DAVID STERN ON PRESIDENT REAGAN'S VISIT TO BITBURG CEMETERY

HON. WYCHE FOWLER, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. FOWLER. Mr. Speaker, this past Sunday President Reagan visited the Bitburg Military Cemetery. A letter by David Stern, international president of United Synagogue Youth, not only eloquently expresses his feel-

ings when he recently visited sites where Nazi atrocities were carried out, but also convincingly explains why the President should not have gone to Bitburg Cemetery. Mr. Stern's letter to President Reagan is a valuable discussion of an important moral issue and I am therefore presenting it for your review.

The text of the article follows:

UNITED SYNAGOGUE YOUTH OF THE
UNITED SYNAGOGUE OF AMERICA,
New York, NY, April 23, 1985.

Mr. RONALD REAGAN,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I am writing to you out of fear. The fear is that the world will forget what happened to over 10 million human beings during World War II.

This past Monday, I returned from a week long visit to Poland. I went as a representative of United Synagogue Youth along with representatives of other Jewish youth organizations throughout the world. We went to Auschwitz, Majdanek, Treblinka, and the Warsaw Ghetto. I would like to tell you a little of what I saw and felt and experienced.

When I was told that I would be going to Treblinka, the first thing that came to my mind was a picture that I had seen of the emaciated, dying people after the liberation of one of the camps. I expected to see huge barbed wire fences and horrible accommodations. I mentally prepared myself to see a place where over 350,000 of my people were killed. When I got there, nothing I had done to prepare myself was enough.

The first shock was the fact that there is nothing there. There is absolutely nothing left from the original camp. The only way I could tell at first glance that there had ever been a death camp in that spot was because of the monuments that the Polish government had erected. I began to wander around the camp. I watched the ground as I walked. All along the paths and all along the ground were little white pebbles. I asked our guide what they were. They were bones, he said. Human bones.

I stood by the monument at the center of the camp and began to think. I tried to conceive of what had happened in the place where I was standing. I glanced down. I saw something that looked as if it did not belong. I brushed away the small amount of dirt that covered the object and picked it up. I almost screamed. A child's tooth lay helplessly in my hand.

While standing over the sight of a mass human grave (one can still see the indentation in the ground where the humans were buried alive as well as dead), I began to understand just where I was. I was in a cemetery. Beneath my feet was not soil, but bones—one piled on top of another. Anywhere I looked, I could see pieces of human beings who were tortured and crushed and finally killed.

Now, in 1985, not a single building, or fence, or wall, or even the smallest reminder that the camp was there remains. Only a monument constructed in my lifetime remains.

It is so much easier to forget. It is so difficult to comprehend the scale of the tragedies that took place that it is easier to deny that they ever took place. They did take place. I saw with my own two eyes the crematorium of Auschwitz, the mass graves of Treblinka, and the pain and suffering of those who managed to survive. Even though Auschwitz still stands (though part is in ruins), the people of Poland have already begun to forget. I saw houses and playgrounds within fifty feet of the barbed wire fences. The main German headquarters at Auschwitz is now a hotel with a restaurant next door. The Polish children ran through the camp as if it was just another historical landmark.

Mr. President, if you visit the Bitburg cemetery which contains the graves of forty-seven SS men, you will begin the road to forgetting the Holocaust. You, as the leader of the American society will lead this country toward a horrible fate. Those who forget history are doomed to repeat it. The United States of America stands for morality and decency. We are a symbol of freedom to the world. We cannot condone the actions of murderers and still remain moral. I ask you, Mr. President, on behalf of the 17,000 Jewish youth in my organization as well as on behalf of all who are moral and upright and good citizens of this country not to visit the graves of those who tried to exterminate an entire people from the face of this earth.

Sincerely,

DAVID STERN,
International President,
United Synagogue Youth.●

THE TRUTH IN SAVINGS ACT, H.R. 2282

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LEHMAN of California. Mr. Speaker, on April 30 I introduced the Truth in Savings Act, H.R. 2282, with the bipartisan support of 77 Members of the House of Representatives. In the past week, 12 more Members have joined me as cosponsors of the act, bringing the total of cosponsors to 89 Members of the House.

These new cosponsors include Congresspersons MICHAEL BARNES, LINDY BOGGS, DOUGLAS BOSCO, ROY DYSON, CARROLL HUBBARD, WALTER JONES, MARILYN LLOYD, WILLIAM LEHMAN, ROBERT MATSUI, LAWRENCE SMITH, CHARLES STENHOLM, and SIDNEY YATES. I appreciate their support. Both Mr. LEHMAN of Florida and Mr. MATSUI had expressed their desire to be included as original cosponsors of the bill, but their names were omitted due to a clerical error. I apologize for any inconvenience this may have caused them.

Due to the large number of requests that my offices have received for copies of the Truth in Savings Act, I am inserting in the RECORD today a summary of the legislation, a section-by-section analysis of the bill, and the bill itself. This will make the bill's language easily available to everyone who is interested in the Truth in Savings Act.

The material follows:

[Bill Summary]

THE "TRUTH IN SAVINGS ACT"

The Truth in Savings Act will enact changes in the law to require financial institutions to provide consumers with the information that they need to make informed choices when choosing savings accounts.

The bill will clear up the confusion surrounding the yield paid to consumers on various savings accounts. The long list of uncontrolled variables involved with the calculation of these yields has resulted in upwards of 14 million different possible yields being calculated from the same state rate of interest on an account. The Truth in Savings Act will bring some sense to this clearly senseless process.

The Truth in Savings Act requires that advertisements for deposit instruments which state any rates of interest include statements of the simple interest rate, the compounded annual yield of the account, and the method by which interest on the account is compounded. In addition the bill requires depository institutions to maintain a schedule of all fees, charges and terms or conditions which apply to these accounts and impact the effective annual yield.

The Act requires the Federal Reserve Board to develop a uniform method of calculating annual percentage yields on accounts so that consumers can be confident that comparable savings instruments have comparable yields. This provision also requests the Federal Reserve Board to develop uniform terminology in an effort to remove the mystery and gobbledegook from deposit advertisements.

The Truth in Savings Act will not impose any new costs on the federal Treasury. Financial institutions would only incur the negligible cost of disclosing the fees and terms of their accounts, a task the great majority of responsible institutions already perform.

The Truth in Savings Act is supported by the Consumer Federation of America and the American Association of Retired Persons.

[Section-by-Section Analysis]

THE "TRUTH IN SAVINGS ACT"

Section 1. States short Title as the "Truth in Savings Act."

Section 2. States Congressional findings that economic stability, competition between depository institutions and the ability of consumers to make decisions with regard to savings instruments would be improved if there was uniform disclosure of the annual percentage yield payable on deposit accounts and of the terms and conditions on which interest is paid. Purpose to require clear and uniform disclosure of interest rates for meaningful comparison by consumers on savings instruments.

Section 3. Requires each advertisement, announcement or solicitation made by any depository institution regarding the rate of interest payable on any deposit to:

State the annual percentage yield and method of compounding of the account;

State the annual rate of simple interest and the period during which the rate is effective;

State the frequency with which interest is payable;

State all minimum balance requirements;

Include a statement to the effect that fees and other terms of account may substantially affect the account's actual yield;

Give equal prominence to all annual percentage yields and rates of simple interest;

Exclude references to the annual percentage yields payable on accounts with a maturity of less than one year, unless the advertisement includes a statement to the effect that a depositor's actual yield will be less, based on the length of time money is in the account.

Section 4. Requires each depository institution to maintain a schedule of all fees, charges, and terms and conditions of accounts routinely offered by the institution. Lists those items to be included in this schedule. Provides that this schedule be made available to prospective depositors or any other individual, and that the schedule be mailed to depositors within 60 days after the effective date of regulations under this Act, and again not less than 30 days before the effective date of changes in the previous schedule.

Section 5. Directs Federal Reserve Board to prescribe regulations to carry out the provisions and to prevent the circumvention of the Act. Provides that all annual percentage yields be based on a 365-day period. Provides that the Board prescribe uniform terminology to be used by depository institutions in advertisements. Provides that the Board prescribe a uniform method of calculating annual percentage yields and interest rates, in consultation with the Congress, the Consumer Advisory Council, and depository institutions.

Section 6. Provides for enforcement of the Act by the primary regulator of the respective depository institutions.

Section 7. Defines the terms "Board", "check" and "depository institution" for purposes of the Act.

H.R. 2282

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Savings Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress hereby finds that—

(1) economic stability would be enhanced, competition between depository institutions would be improved, and the ability of the consumer to make informed decisions regarding savings instruments would be strengthened if there was uniformity in the disclosure of the terms and conditions on which interest is paid on, and fees are assessed against, deposit accounts; and

(2) economic stability would be enhanced and comsumers would be encouraged to increase their rate of savings by the development of a single, consistent formula for calculating the rate of interest and annual percentage yield paid on all deposit accounts at all depository institutions.

(b) PURPOSE.—It is the purpose of this Act to require the clear and uniform disclosure of the rates of interest which are payable on deposit accounts, and the fees that are assessable against such deposit accounts, by depository institutions, so that consumers can make a meaningful comparison between the competing claims of depository institutions regarding deposit accounts.

SEC. 3. DISCLOSURE OF INTEREST RATES AND TERMS OF ACCOUNTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, each advertisement, announcement, or solicitation made by any depository institution regarding the rate of interest which is payable on any account shall—

(1) state the annual percentage yield and the method by which interest is compounded;

(2) state the annual rate of simple interest and the period during which such annual rate of simple interest is in effect;

(3) state the frequency with which interest is payable to the account holder;

(4) state all minimum balance requirements;

(5) give equal prominence to all annual percentage yields and annual rates of simple interest (including the periods during which such annual rates of simple interest will be in effect) contained in such advertisement, announcement, or solicitation;

(6) include the following statement: "Early withdrawal penalties, transaction fees, returned check fees, and other terms of this account could substantially affect the actual yield you receive from this account. A schedule of these fees and penalties is available upon request from (insert the name of the depository institution).";" and

(7) in the case of certificates of deposit and other accounts with a stated maturity of less than one year, either—

(A) exclude the annual percentage yield on the account; or

(B) include the following statement: "The yield on this account is based upon compounding of the account at the stated interest rate for an entire year. The actual yield will be less, based on the length of time your money is in the account.".

(b) DISCLOSURE OF ANNUAL PERCENTAGE YIELD.—Except as provided in subsection (a)(7), the annual percentage yield shall be stated before the annual rate of simple interest in any advertisement, announcement, or solicitation subject to subsection (a).

(c) REQUESTS FOR INFORMATION.—In any case in which a person requests information on any account which is offered by a deposit institution and on whcih interest is paid, the depository institution involved shall give such person a written summary of the information required for such account under subsection (a).

SEC. 4. TERMS AND CONDITIONS OF ACCOUNTS.

(a) IN GENERAL.—Each depository institution shall maintain a written schedule of all fees, charges, and terms and conditions which apply to each type of account and service routinely offered by such depository institution. Such schedule shall include, but is not limited to, the following information:

(1)(A) Any minimum balance required to be maintained in order to avoid fees or charges.

(B) The method for determining such minimum balance.

(C) A clear example of how such minimum balance is calculated.

(2) Any monthly maintenance or other periodic charge for an account.

(3) Any charge per transaction.

(4) Any charge for a check which is drawn on an account and which is dishonored upon presentment.

(5) Any charge for a check which is deposited in an account and which is dishonored upon presentment.

(6) Any charge for a stop payment order.

(7) Any charge for an inquiry regarding the balance on an account.

(8) Any charge for the early closure of or withdrawal from, an account.

(9) Any charge for an inactive account.

(b) DISTRIBUTION OF SCHEDULES.—The schedule described in subsection (a)—

(1) shall be included in the first regularly scheduled mailing to the account holders of each depository institution which occurs not more than 60 days after the effective date of the initial regulations prescribed by the Board under this Act;

(2) shall be mailed to the account holders of such depository institution not less than 30 days before the effective date of any change in such schedule. Such mailing shall include the new schedule and a description of all changes in the previous schedule;

(3) shall be given to each potential customer before an account is opened or a service is rendered; and

(4) shall be given upon request to any individual.

SEC. 5. REGULATIONS.

(a) IN GENERAL.—

(1) Not later than 1 year after the date of the enactment of this Act, the Board shall prescribe regulations—

(A) to carry out the provisions of this Act;

(B) to prevent the circumvention or evasion of such provisions; and

(C) to facilitate compliance with such provisions.

(2) Such regulations shall provide that all annual percentage yields are based on a 365-day period.

(b) ADDITIONAL REQUIREMENTS.—In prescribing such regulations, the Board shall, to the extent necessary and appropriate—

(1) prescribe uniform terminology which shall be used by depository institutions in each advertisement, announcement, or solicitation to describe interest rates and other terms which significantly affect the earnings on an account.

(2) prescribe uniform methods of calculating annual rates of simple interest and annual percentage yields required to be disclosed under this Act, taking into account, where the Board deems it to be appropriate, differences among kinds of classes of savings accounts, including, but not limited to—

(A) time and demand accounts;

(B) accounts of different maturities; and

(C) single rate, split rate, and variable rate accounts; and

(3) consult with both Houses of the Congress, the Consumer Advisory Council, and representatives of depository institutions.

SEC. 6. ADMINISTRATIVE ENFORCEMENT.

(a) IN GENERAL.—Compliance with the requirements imposed under this Act shall be enforced under—

(1) section 8 of the Federal Deposit Insurance Act—

(A) by the Comptroller of the Currency with respect to national banks;

(B) by the Board of Governors of the Federal Reserve System with respect to member banks of the Federal Reserve System (other than national banks); and

(C) by the Board of Directors of the Federal Deposit Insurance Corporation with respect to any depository institution described in clause (i), (ii), or (iii) of section 19(b)(1)(A) of the Federal Reserve Act (other than national banks and member banks of the Federal Reserve System);

(2) section 5(d) of the Home Owners' Loan Act of 1933, section 407 of the National Housing Act, and sections 6(i) and 17 of the Federal Home Loan Bank Act, by the Federal Home Loan Bank Board (acting directly or through the Federal Savings and Loan Insurance Corporation) with respect to any depository institution described in clause (v) or (vi) of section 19(b)(1)(A) of the Federal Reserve Act; and

(3) the Federal Credit Union Act, by the National Credit Union Administration Board with respect to any depository insti-

tution described in clause (iv) of section 19(b)(1)(A) of the Federal Reserve Act.

(b) ADDITIONAL ENFORCEMENT POWERS.—

(1) For purposes of the exercise by any agency referred to in subsection (a) of its powers under any Act referred to in such subsection, a violation of a requirement imposed under this Act shall be deemed to be a violation of a requirement imposed under that Act.

(2) In addition to its powers under any provision of law referred to in subsection (a), each agency referred to in such subsection may exercise, for purposes of enforcing compliance with any requirement imposed under this Act, any other authority conferred on it by law.

(c) REGULATIONS.—The authority of the Board to issue regulations under this Act does not impair the authority of any other agency designated in this section to make rules regarding its own procedures in enforcing compliance with the requirements imposed under this Act.

SEC. 7. DEFINITIONS.

For purposes of this Act—

(1) the term "Board" means the Board of Governors of the Federal Reserve System;

(2) the term "check" means any check, negotiable order of withdrawal, share draft, or other similar item used for purposes of making payments or transfers to third parties or others;

(3) the term "Consumer Advisory Council" means the Consumer Advisory Council established under section 703(b) of the Equal Credit Opportunity Act; and

(4) the term "depository institution" has the meaning given such term in section 19(b)(1)(A) of the Federal Reserve Act.●

SUBMINIMUM WAGE

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. OWENS. Mr. Speaker, on January 22 of this year, H.R. 567 was introduced. It is a bill to allow people under the age of 20 to be paid less than minimum wage. At first glance this may seem like a logical thing to do, but the issue needs to be carefully considered. The bill is being introduced because some people believe that employers should be allowed to hire inexperienced, young workers for less than the minimum wage given to adults. This plan offers an employer the opportunity of hiring more workers for the same amount of money. The employer can thereby increase the productivity of his business, and he can also give employment opportunities to more people than he was able to in the past.

Although the subminimum wage proposal does not seem to effect the national labor market, it can have significant negative effects on a specific population of Americans. The latest figures from the Bureau of Labor Statistics place unemployment for white Americans at 6.3 percent, and yet the black community suffered from 16.7 percent unemployment. This high unemployment becomes even more incredible when it is examined by age. Among blacks, unemployment for adults was 15 percent, but in the 16- to 19-year-old age range the unemployment rate was an amazing 45.1 percent!

The black unemployment situation is different from white unemployment and it is impossible to formulate identical social policies for both groups. With the lower level of white unemployment, a subminimum wage would indeed help more young people find their first jobs. Unfortunately, the jobs that youths might be offered may have been held by black adults, who are experiencing a 15-percent unemployment rate. Although subminimum wage legislation attempts to avoid this pitfall, the economics are very simple. If employers are able to hire workers at a significantly lower wage, they will find a way to put those workers on their payroll.

Taking jobs from adults and giving those jobs to people under 20 for less than minimum wage is devious and dangerous. Solving youth unemployment must not involve raising adult unemployment. We must work to establish and maintain programs to eliminate youth unemployment and to help disadvantaged young people gain the skills necessary for participating in the working world. The subminimum wage is a serious threat to the jobs of millions of American workers and it must be stopped.●

VFW VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM 1984/85 KANSAS WINNER

HON. PAT ROBERTS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. ROBERTS. Mr. Speaker, it is a priviledge for me to share with my colleagues the winning speech in this year's Voice of Democracy Scholarship Program in Kansas. This program, sponsored by the Veterans of Foreign Wars and its Ladies Auxiliary, gives students an outstanding opportunity to express their patriotism while competing for scholarships.

The following address entitled "My Pledge to America" was delivered by Mark G. Schmeller, Hays, KS:

MY PLEDGE TO AMERICA

To be born is something that is certainly not affected by one's choice. One has no control over where or when he will be born, or what his heritage and ancestry will be. But one can choose to be an American, and when one makes this choice, he takes upon his shoulders a challenge both great and noble. If there is one thing that I have learned in my short life span it is that being an American is the greatest challenge that can be bestowed upon us. I make that American pledge that: No challenge is too great, and no problem is to small.

History tells me that the challenge of carving a colony out of the wilderness and enforcing the change of independence was indeed a great challenge. It was met and answered. What if one, or two, or ten, or a thousand Americans choose to do nothing? It might be possible that the Union Jack would be our flag instead of the stars and stripes. Yet those people pledged to themselves and others that the challenge must be met and answered.

The challenge of being an American was no small problem for those who blazed the Northwest Passage, soared at Kitty Hawk, shined at Menlow Park, or tackled the Halls of Montezuma. For those are challenges of the past and pledges of action and sacrifice.

I know not whether there lies within me a Jonas Salk or a Glen Cunningham, but I do know that in my future there lies a challenge. My responsibility as an American will be to meet it and settle it. Whether it's humanitarian, political, medical, or personal, the challenge cannot be so great that it cannot be overcome.

Nor can a problem be so small that a solution is not needed. If I do not will myself to resolve the problems that seems small and insignificant to me, how can I ever hope to conquer the great problems that may confront me and other Americans in the future? How can I tell if a problem that seem small today will never become a large-scale crisis? I cannot, so therefore, I must resolve myself to taking care of all problems, no matter how large or small they may be.

Edmund Burke once said, "that all that is needed for evil to win is for a few good men to do nothing". If I do not vote, if I do not ask questions of myself and others, if I don't challenge injustice, if I fail to become involved, then I was not born an American, I have not lived as an American, and I have not met my challenge and settled it as an American.

My chemistry teacher told me of a story of a college student who entered class late the day of a math test. After the allotted time was through the student asked the math Professor if he could take a few extra days to answer the two extra credit problems. Five days later the student told the Professor that he would have the first problem solved tomorrow. The next day the student arrived at the math office to deliver the thirty-four pages of equations and asked for an extension on the second problem. At 9:30 the next morning, there was a knock on the students door. There stood his math Professor. The Professor said that he just wanted to let him know that he was going to address a National Symposium. The student inquired as to what. The Professor replied "I'm reporting on your math problem. You see, when you came late for the test, you failed to hear me mention that the two extra credit problems were totally unsolvable. But since you didn't know that, you solved what no man in history has ever been able to solve".

I believe that we all are hindered only by what we don't know. If we do not believe that we can meet a challenge, then many problems can become unsolvable problems that exist only as figments of our imagination. My birth as an American was something I could not have not decided on. However, I have decided, with great pride, on my pledge that: No challenge is too great and no problem is to small to keep my American principles, goals, and ideals from being met.●

GIANVITTORIO PERNICIARO OF SAN PEDRO REMINDS US THAT APRIL 15 IS A TIME TO CELEBRATE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. ANDERSON. Mr. Speaker, for many Americans, April 15 has become a day of doom and gloom. This is, of course, the last day for us to file our Federal income tax returns without paying a penalty. And, as many of my colleagues can attest, it is at this time of the year when we receive a bit more mail from those who have problems with amendment XVI to our Constitution—Federal income tax—and the Tax Code in general.

Recently, however, I received a most refreshing letter from one of my constituents, Mr. GianVittorio Perniciaro, on the subject of taxation. You see, Mr. Perniciaro, celebrated his 10th anniversary as a citizen of the United States on April 15 this year, and holds a slightly different view on what it means to pay taxes than do some of his fellow Americans. I strongly urge my colleagues to read the following letter to the editor by Mr. Perniciaro, which was printed in the Long Beach Press Telegram on April 15, 1985.

A DAY TO CELEBRATE

Another April 15 is here. While citizens across the land rush on a last-ditch effort to file their taxes before the dreaded deadline, struggling to find ways of shrinking their income in a maze of forms and schedules, lamenting that they are overburdened by taxation, and blaming on the government every evil from crime to the high cost of living, I prepare to celebrate.

You see, today marks the 10th anniversary of my becoming a naturalized American. If I were to think I am overburdened by taxation, I would have no one to blame but myself for it was indeed my own determination which made me become an American. Nor could I blame my being here on anyone else if I were to fear that crime is taking over the nation, for it was I and no one else who decided to leave my native country and emigrate to the land of Dillinger and Capone. But I don't lament or blame, I celebrate.

I celebrate 10 years of free living: the liberty I have to speak my mind; the freedom I have to keep the friends I have, regardless of the color of their skin; the choice I have to follow whatever dress code I like, or to vacation where I please.

I celebrate our uncensored postal service, the multiple choice of products in our supermarkets, my being able to tell a policeman "I'll see you in court" without fear of retribution.

I celebrate the freedom I have to be publicly proud of my heritage; the ease of crossing into another state without being bodysearched; the advantage of speaking the same language throughout the continent; the right I have to send my children to the schools of my choice.

I celebrate the liberty my family and I have to worship God whenever and wherever we wish; the convenience of enjoying the best roads in the world; the free access to the coastline without having to ask permission of the state, or fear that my camera will be seized.

I celebrate the small urban parks with the omnipresent swings for all children, and the paths cut on the sidewalks for the wheelchairs of those who can no longer use their legs.

I celebrate the men and women of our armed forces whose sacrifices keep this country strong and powerful; our politicians whose skill made it so patient with vociferous and arrogant small nations; our scientists whose research and hard work have made America a world leader in technology.

Yes, give me America any time—crime, high cost of living, and all. I'll take it gratefully.

Today I celebrate the best 10 years of my entire life. I hold no regrets, doubts, or second thoughts that what I gave out of my income was too much, or that all that was built around us, which others take so much for granted, could have been accomplished with less. The reward I derive greatly exceeds what I gave.●

ROOSEVELT IS DEAD

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. KOSTMAYER. Mr. Speaker, as we commemorate the life and death of Franklin Roosevelt, who saved America from the Depression and the world from nazism, those of us who were not alive at the time of his death are deeply moved by the words of those who were.

Former CBS correspondent Charles Shaw was dining in Stockholm quite late on the night of April 12, 1945, when he learned of the President's death.

Surrounded by Swedes who had no one else to console, he became suddenly a representative of the United States and dozens of men and women "lined up to express their grief to the only American in that vast dining room."

Shaw "stood up, a representative of the United States of America, as one Swede after another shook his hand, bowed slightly from the waist, and said a few words. It was 10 minutes before the line ended."

I know that my colleagues, Mr. Speaker, will be moved as deeply as I was to read the words of Charles Shaw, which appeared last week in the New Hope Gazette, a newspaper of which Mr. Shaw was once himself the editor, and is now emeritus editor.

ROOSEVELT IS DEAD

(By Charles Shaw)

It was near midnight of April 12, 1945-forty years ago last Friday. As a CBS war correspondent in Stockholm, where I was able to cover Germany through interviews with newly-arrived travelers from Berlin and with German refugees . . . and by talking with Swedish newspaper correspondents in Berlin in phone calls arranged for me by my German-speaking Viennese-born secretary, Susi Benedikt.

That evening I had broadcast what a Swedish correspondent named Av Sandeberg had told me from his basement office in the heart of Berlin. He told me that his office was now pitch dark . . . power lines were down all over the city. In Stockholm, I could hear the thunder of exploding shells, both Russian and German, but mostly Russian, and of exploding bombs dropped by British and Soviet planes.

"Berlin presents the classic elements of Hell," he told me. "The trite phrase, 'a sea of flames', is the only one that can describe vast areas. There is no gas, water or electricity in Berlin. Thousands of refugees are streaming westward and northwestward."

Susi and I headed for the restaurant at the Grand Hotel, where we had only about ten minutes to get something to drink along with food before the bar and kitchen closed. I momentarily forgot the war as I talked about my son, Bryan, who was five years old that day.

Sam, the headwaiter, came up to tell me I had a telephone call. The caller was an exiled Danish newspaperwoman, who said, "I have just heard on the BBC that your President Roosevelt is dead."

I couldn't have been more shocked if I had been told that a close relative or a best friend had died. I shuffled back to my table, and a startled Susi asked, "What's happened to you? You look awful."

"Roosevelt is dead," I replied.

Now the word for dead in Swedish—dod with an umlaut over the o-sounds almost exactly like the English dead. Table by table, starting at the table next to mine near the entrance, the phrase, "Roosevelt dead", shimmered across the giant, L-shaped dining room, the largest in Europe at the time. The rumbling conversation, the clatter of dinnerware, began to fade as each table received the news. In retrospect, it was mindful of those new domino exhibitions, as if each of the thousands of standing dominos was a sound which was silenced as it fell. In a few minutes, the hubbub was replaced with deathly silence and the Swedish patrons began to leave their tables.

I sat at my table near the entrance (and exit) almost catatonically when I noticed an outstretched hand in front of me. I looked up to see a middle-aged Swedish man who offered me his condolences. Behind him were dozens of others, men and women, lined up to express their grief to the only American in that vast dining room.

I stood up, as a representative of the United States of America, as one Swede after another shook my hand, bowed slightly from the waist and said a few words. It was ten minutes before the line ended.

We went up to my office on the second floor, and soon we were joined there by other American correspondents—Bob Sturtevant of the Associated Press, Nat Barrows of the Chicago Sun-Times, George Axelsson of the New York Times and my old buddy, Phelps Sample, with whom I had worked on two newspapers before he became a press attache at the United States Legation in Stockholm, actually an agent of the Office of War Information (OWI).

We swapped stories of the Roosevelt we had known since 1932; then somebody asked, "What do you know of this fellow Truman?"

Nobody knew much about him. We had all been out of the country when he rose to some fame as head of a Senate committee

investigating war contracts and then became a compromise Democratic nominee for Vice President.

We knew we would be asked by Stockholm newspapers about Truman; we agreed that we could stress the fact that Roosevelt had picked him, that he (Truman) was a vigorous, honest official, that he would carry on in the Roosevelt tradition.

Stockholm was a sad city for several days. Official church and civil ceremonies honored the late President. His death was mourned the world over, except in Berlin, where Hitler danced a jig in joy, acclaiming Roosevelt's death as a sign that Germany would yet win the war.

In less than three weeks, Hitler also would be dead—dead by his own hand—and his country a vast pile of rubble. Only the die-hard Nazis, the SS butchers of Malmedy and of towns and villages across Europe—felt the least bit of sorrow over the death of Hitler.●

GRADY COLUMN ON ORTEGA

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. EDGAR. Mr. Speaker, last month I led a delegation including our colleague TED WEISS and a number of church leaders to El Salvador and Nicaragua. Our privately funded trip explored the current situation in these two countries as well as the prospects for peace and the specific role of religious groups (including the Catholic Church) in achieving that peace.

One member of our group, Sandy Grady, is also a columnist for the Philadelphia Daily News. On his return, he wrote a series of five articles describing our trip and his impressions. Because he was able to so vividly express the atmosphere and flavor of our journey, I commend these pieces to my colleagues. Today, I would like to insert into the RECORD the first of the Sandy Grady columns, covering our meeting with Daniel Ortega, the President of Nicaragua. I know that many of my colleagues in this Chamber share my frustration with President Ortega's visit to Moscow. By increasing his ties with the Soviet Union, he has made it much more difficult for those who support a peaceful resolution to the Nicaraguan conflict to achieve a negotiated settlement. He has reinforced the fears of those who argue that Nicaragua does not hope to be nonaligned, but is becoming a Soviet client. He has provided President Reagan with a perfect excuse to apply economic sanctions against Nicaragua.

Mr. Speaker, I continue to believe that a military solution for Central America is no solution. I continue to believe that both Nicaragua and the United States are pursuing the wrong path—our Government in continuing to push military intervention; the Nicaraguan Government by increasing its reliance on the Soviets.

Regardless of one's position on these matters, I think that Sandy Grady's article helps to bring light rather than fire to the situation. I commend his article on Daniel Ortega to my colleagues:

ORTEGA: A CENTER OF CALM

(By Sandy Grady)

MANAGUA, NICARAGUA.—He doesn't pack a .45 on his hip, wear a beard or smoke big cigars. If you're casting a Cold War drama and looking for the stereotypical revolutionary firebrand, Daniel Ortega Saavedra isn't your man.

From the moment I shook hands with Ortega, the president of a country at war with the United States, I found him a surprise and an enigma.

He looks likes a guy who might have been a college shortstop—good field, no hit. He's about 5-8, 150 pounds in well-pressed army khakis and black boots. He speaks softly, wears black horn rims, and moves with a shy, cat-like tread.

He rarely smiles. Even when he says, "Welcome to Nicaragua," he looks down at his boots.

This is the 40-year-old fireball who, according to the Reagan administration, threatens a Marxist march to the Rio Grande?

Ortega comes off more like a librarian or a Yuppie computer technician. If you were expecting the charm and bluster of your basic American politician—or the macho swagger of a Fidel Castro—Ortega seems a cold fish.

But when he starts talking about the debate raging in Congress over $14 million in U.S. aid to the guerrillas who are killing his people in the north, Ortega's low monotone picks up passion.

"If the *contra* aid is cut, we could have our first chance to normalize our national life," Ortega says. "You would see immediate changes. But if the war must go on, we will never surrender."

It was 9 o'clock on a soft Managua night. A U.S. group, incuding Rep. Bob Edgar, D-Pa., Rep. Ted Weiss, D-N.Y., and I had spent the previous 12 hours talking to a spectrum of Nicaraguan leaders. Setting up the meeting with Ortega had been an all-day, off-and-on dance with the Sandinistas.

It only took a few hours, though, to see that Nicaragua is a country in trouble.

Managua, because of the '72 earthquake, looks like Dresden after the firebombing—one big vacant lot. Everybody tells you the economy is bad. Billboards stands in the rubble blaring. "Everyone to the defense, everything for the war fronts!" The streets rumble with lorries full of soldiers.

The dusty rawness and war fever reminded me of grainy photos of Washington in 1860-65.

Ortega, though, is the Mr. Cool in this maelstrom. He's sitting in a wicker rocker on the patio of the House of Protocol—a plush home of the Somoza clan before the 1979 revolution. We could be in Palm Beach or Beverly Hills, except for the red-and-black Sandinista flag behind Oretga and the Young men outside with Soviet-issue AK-47 rifles.

What happens if Congress doesn't vote for $14 million in aid to the contras, Ortega was asked.

"It would be a real blow to them and would bring deterioration to the contras," he said. "The violence would continue, but at a lower level."

Ortega spoke through an interpreter. Foreign Minister Miquel D'Escoto, a cherubic man educated at Columbia University, sometimes filled in a phrase when the translation stumbled.

Maybe he was only holding out a carrot to Congress. But Ortega promised to ease the Sandinistas' iron grip if U.S. funds for the rebels diminsh.

"We could make immediate adjustments. We could have more internal dialogue with our opponents," Ortega said. "There could be military changes. As you know, 40 percent of our economy now goes for the war. And there would be more freedom for the press."

Ortega did not mention evicting Soviet and Cuban military advisers from Nicaragua. And he admitted press censorship might return if President Reagan kept up pressure to topple his government.

"The president has other ways to hurt Nicaragua," said Ortega somberly. "He can find other ways to fund the *contras*."

Ortega spoke in long, numbing detail about the Contadora peace agreements—the efforts by diplomats of Mexico, Panama, Colombia and Venezuela who have been trying for two years to settle the U.S.-Nicaraguan feud.

"It's become a propaganda war," grumbled Ortega softly. "Anything Nicaragua accepts, the U.S. feels must be wrong. Reagan wants foreign advisers out, but he doesn't want anything concrete about U.S. maneuvers in Central America."

"Look, we feel very threatened by those thousands of U.S. troops maneuvering on our border," injected D'Escoto. "There has to be some regulation."

"Reagan policy," said Ortega with a slight shrug, "is that any real negotiation is a sell-out."

I detected no anger, no *mano a mano* ferocity, when Ortega mentioned Reagan's name. Like many Nicaraguans I met, from the leadership to the *campesinos*, he seems puzzled by Reagan's hostility. But Ortega is an analyst who knows both he and Reagan are dancing a ballet of rhetoric.

During our one-hour session, Ortega doggedly pursued every question—no humor, no irony, no small talk. He impressed me as being a serious young guy thrust too quickly into a world role.

"He needs a media consultant to teach him to make eye contact," joked Rep. Edgar later. A British interpreter who works with the Sandinistas told us: "Ortega's basically shy. I think they [the nine-member Sandinista directorate] drew straws to pick him as leader. But on television, he's fiery. I don't see his popularity slipping."

In a candid interview at his house earlier, U.S. Ambassador Harry Bergold agreed.

"I think the Sandinistas lost some of their best leaders, except for [Interior Secretary] Tomas Borge, in the revolution. This is their second-string. Ortega's read his Marx like all of them, but he's probably the most flexible. His stock is probably still high despite the war and the economy."

That's the mood you pick up in the countryside, too. Reagan administration pressure has hit Ortega's country hard. The *contras* have killed 2,800 people and wounded 2,000 through 1984, by Sandinista figures. There is grousing over shortages. You hear of hundreds of youths in hiding because of the draft. Inflation runs wild. (On the black market, a U.S. buck brings 600 cordobes. The official exchange rate is 50 cordobes to

a dollar). But support for Ortega & Co. seems high—ironically, in part because of Reagan-induced war fever.

In short, Reagan's plan to topple the Sandinistas isn't working. Another $14 million for the rebels wouldn't matter. To change governments here, I suspect he'll need B-52s and 100,000 U.S. troops.

Ortega seemed momentarily baffled by one last question: Where did he think Nicaragua would be 10 years from now?

"It's hard to think long term when you live under war stress," he said, frowning down at the boot tops. "Even if the war ended today, we'd have our economic problems. In 10 years I'd hope to consolidate our goals—pluralism, a mixed economy, nonalignment. We don't just want to end hostilities but have normal relations with the U.S. We need U.S. aid and trade. Even if the guns stop, our future depends on an understanding with the U.S."

Hanging in the air were the unspoken words: It depends on what Reagan does next. No wonder Daniel Ortega seems a nervous young man.●

OSI AND THE SOVIET UNION

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. SCHUMER. Mr. Speaker, the Office of Special Investigations of the Justice Department is under attack. The OSI is the division that hunts, investigates, and prosecutes Nazi war criminals. The OSI is facing criticism not because of its purpose or the quality of its work but rather because of the methods that it uses to gather information about these criminals.

The OSI receives a substantial amount of information from the Soviet Union. For obvious reasons the OSI does not accept the Soviet information as gospel. The OSI subjects the information to stringent tests. Although the credibility of the Soviet evidence has been challenged, it has been sustained often by our courts. The OSI also carefully tests and makes independent evaluations of all the evidence. It would be foolish of the OSI to disregard any available evidence that might help track down a Nazi war criminal.

In addition, the OSI provides information about the criminals it pursues to the Soviet Union. This exchange of information represents one of the few efforts to which both our countries are jointly and genuinely committed. The Nazis were an enemy common to both our countries and for this reason we can cooperate to punish them even in the midst of our strained relations.

I urge my colleagues to see the benefits of this unique relationship with the Soviet Union and support the OSI's efforts to bring our common enemies out of hiding. I hope that the following articles help to clear up the misconceptions that have plagued the OSI.

[From the Washington Post Magazine, Apr. 28, 1985]

DEPORTING OUR NAZIS

The court's findings in *United States* v. *Demjanjuk* are succinct and dry. Ivan Demjanjuk, born in 1920 in the Ukraine and in recent years resident in Cleveland, was conscripted into the Red Army in 1940. In May 1942, 11 months after Germany invaded the Soviet Union, he was captured, and, a few months later, trained at a camp in Trawniki, Poland, to help the Germans exterminate the Jews. At Trawniki former Soviet POWs, many of them Ukrainians, were given uniforms, organized into military units, armed and salaried. In return they swore obedience to the German S.S. and its rules.

According to the court's findings, Demjanjuk was soon after sent to Treblinka, one of the Nazis' main extermination centers, where he operated the gas chambers. In Treblinka's gas chambers, 900,000 Jewish men, women and children were killed between the summers of 1942 and 1943. Witnesses at Demjanjuk's trial, most of whom had been forced to carry corpses out of the chambers to nearby burial pits, said they remembered the defendant well. They testified that he activated the motors that pumped the gas into the chambers, herded the Jews into them and beat them as he did so. The testimony regarding his extracurricular activities was in a grisly way redundant. Before the Jews were killed, Demjanjuk often tortured them, witnesses said; one survivior recalled that Demjanjuk used a wood drill to torture the survivor's friend. "The savage cruelty of this notrious man," Judge Frank J. Battisti observed in his decision, departing from his otherwise dispassionate account, "earned him the special nickname among the camp's Jewish inmates, 'Ivan Grozny,' or 'Ivan the Terrible.' "

After the war, Ivan Demjanjuk became one of Europe's 8 million displaced persons, a huge horde of both the persecuted and their persecutors. In 1950 he applied to come to the United States under the Displaced Persons Act that Congress had passed to admit European refugees while denying entrance to those who had "assisted the enemy in persecuting civil populations" or had "voluntarily assisted the enemy forces." In his application, Demjanjuk mentioned neither his work at Treblinka nor his service to the German military, he said he had been a farmer in Poland from 1937 to 1943 and then had worked in Germany. In 1952, issued a visa, Demjanjuk entered the U.S. In due course, having sworn he had not lied in the process of getting his visa, he became a citizen and changed his name to John. For many years he lived in Cleveland and worked in a Ford plant.

But Demjanjuk's world was overturned in 1981 when Judge Battisti found that he had lied in order to become a citizen and had concealed facts that would have made him ineligible for citizenship or even entry into the U.S. The judge proceeded to denaturalize him. Later, Demjanjuk tried to reopen the case by arguing that some of the evidence used in the trial—the identification card said to have been issued to him by the Nazis at the Trawniki camp—had been forged by the Soviets, that two witnesses had lied and that the Justice Department had collaborated with the Soviets in the forgery and the perjury. Battisti heard the arguments and rejected them. Last year, Demjanjuk, who denied the charges against him at his trial and continues to deny them and to maintain that he never served the Nazis or worked in concentration camps, was found deportable to the Soviet Union. An appeal is pending. In the meantime, at the request of Israel, Judge Battisti has ruled that Demjanjuk be extradited to that country, where he could be executed if found guilty. Demjanjuk has also appealed the extradition case.

If he were deported to the Soviet Union instead of extradited to Israel, Demjanjuk wouldn't be the first to experience that fate. That distinction has been accorded to Feodor Fedorenko, also a Ukrainian found to have served the S.S. at Treblinka. Last December, having been found to have assisted "in thousands of murders," Fedorenko was sent to the Soviet Union. At New York's Kennedy Airport, he told government officials, "I am going home."

A number of similar cases are moving toward a judgment of deportation to the Soviet Union. Most of the approximately 30 persons against whom charges of this sort are pending, and many of the 300 under investigation, are from areas now ruled by the Soviet Union. A significant number are from the Baltic states—Lithuania, Latvia and Estonia—where, as in the Ukraine, some members of the population helped Nazis in their persecution, and murder, of civilians.

During the past few years, a vigorous campaign has been waged in this country to prevent the deportation of Demjanjuk and others like him, and to vilify the Office of Special Investigations, the Justice Department unit created in 1979 to prosecute these cases. This campaign has been waged by émigrés and the children of émigrés from the areas from which most of the accused Nazi collaborators came. To some extent, their efforts are understandable: they fear that the identification of these people as Lithuanians, Latvians, Estonians or Ukrainians serves to taint—unjustifiably—all émigrés from those areas as collaborators, especially in the minds of Americans unaware that most people who lived in the Baltic states and the Ukraine under Nazi rule suffered greatly from the Germans and did not collaborate with them in any way. But more powerful than that concern appears to be the belief that by sending such persons to the Soviet Union the U.S. is, implicitly, recognizing that the areas from which they came—particularly the Baltic states—are in fact legitimate parts of the Soviet Union.

To combat the government's denaturalization and deportation program, the émigré groups have, in the main, used two arguments. One has been that the individuals charged are simply, innocent. The other has been that the government's case against at least some of them is invalid because part of the evidence used against them comes from Soviet documents and witnesses. By allowing Soviet evidence in the record, these émigré groups and their supporters argue, we have permitted the cherished precincts of our legal system to be invaded by the corrupt and corrupting tentacles of Soviet legality, the aim of which is not justice but the disparagement of anti-Soviet émigrés and the embarrassment of the U.S. as the protector of ex-Nazis.

Eli Rosenbaum, a former Justice Department lawyer, has observed that the émigré campaign against the OSI, which has grown markedly during the past six months, has taken on strong anti-Semitic overtones. For example, a Lithuanian-language newspaper published here has accused Jews of having been "the first to torture and murder the hospitable Lithuanians," and has said the OSI is controlled by "the Jewish lobby."

But even if the campaign has developed an anti-Semitic dimension, it is important to look beyond the anti-Semitism and to take seriously the arguments made against the OSI's methods and the deportation trials, especially against the use of evidence from the Soviet Union. We certainly can't be in the position of deporting persons on the basis of evidence that doesn't meet our criteria of validity.

There are good reasons to think that we aren't. The Soviet-supplied documents are subjected not only to handwriting analysis but also to examination of paper and ink samples to confirm their age and origins and to be sure that they have not been fabricated. In Demjanjuk's case, the finding that he had been at the Nazis' Trawniki training camp was based on an identity card the Soviets said they found that they later supplied to the Office of Special Investigations. But this finding was only one of several against Demjanjuk, the others including the far more crucial conclusion that he actually operated the Treblinka gas chambers—a finding based on testimony of Treblinka survivors, none of whom were Soviet citizens and all of whom identified the photograph on his 1951 U.S. visa application.

So far there has been no proof of Soviet fabrications in any of these cases. One defendant, George Theodorovich, who first denied that he had signed reports documenting his participation in "actions" against Jews and called them forgeries, finally admitted that he in fact authored and signed the reports—in order, as he explained it, to account to his Nazi superiors for some missing ammunition.

Moreover, in the vast majority of cases, the evidence is compelling that the witnesses from whom the Justice Department has taken depositions in the Soviet Union have not been forced by the KGB to present uniformly onesided, false and defaming evidence against the defendants. In one case, against Mikola Kowalchuk of Philadelphia, Soviet witnesses gave exculpatory testimony that convinced the OSI to drop the charges against him.

The maintenance of our program to deport Nazi collaborators is important enough on its own merits, but there is another reason we should maintain and even strengthen it. The struggle against the Nazis was the only effort to which we and the Soviets have ever been jointly and genuinely committed. That enterprise is remembered with enough warmth to make it the main, and perhaps only, reservoir of kinship between our countries. And so now, at a time when our common enemy, mutual nuclear annihilation, is potentially even more dangerous than was Hitler, and when we are just beginning to re-engage each other in the wary process of negotiating ways to reduce that danger, it is precisely from the remaining reservoir of good will that was formed during our shared struggle against the Nazis that we should draw the spirit that could foster our joint efforts. As soon as possible—perhaps in the wake of the 40th anniversary of VE Day, which will take place on May 8, and perhaps even in Geneva, at the site of the arms control negotiations—we should agree on a treaty, or other form of understanding, in which the U.S. would affirm its intention to send to the Soviets all those who worked for the Nazi killing machine who were born in what is now the Soviet Union, and in which the Soviets would agree to take them.

For our part, initiating such an understanding, and continuing to deport former Nazi collaborators who lied their way into our midst, would be a way of doing the last justice possible to some of their victims. For the Soviets' part, accepting the collaborators would be a way of joining in that act of justice. Such a joint action would certainly revive our memories of our common past; and it might even enhance our chances for a common future.

HINDERING THE NAZI HUNTERS

(By Jack Anderson and Dale Van Atta)

The Justice Department's Nazi-hunting Office of Special Investigations is under increasing attack from critics, with its funding and its very existence at stake. It may be no coincidence that the demands for OSI's extinction come just as its years of painstaking research have begun paying off in the exposure and deportation of suspected war criminals who had taken refuge in the United States after World War II.

As long as the OSI sleuths were just digging quietly into the backgrounds of the accused ex-Nazis, little concern was expressed. Even while the years of legal actions and appeals were grinding along, opposition to the OSI drew little publicity.

But when the OSI hit paydirt, emigre organizations found sympathetic listeners in Congress and the media.

It may also be no coincidence that the often shrill cries for OSI's head coincided with the Reagan administration's heated rhetoric about the Soviet Union as the architect of subversion worldwide.

For the key point made by OSI's critics is that the evidence against Eastern European ethnic refugees often comes primarily from the Soviets, and is therefore suspect.

But in the case of OSI's targets, the charge of KGB fabrication of evidence fails on three important grounds: The documentary evidence supplied by the Soviets has withstood court challenges in this country and abroad, and has been authenticated through exhaustive scientific testing. Furthermore, the paper trail has been buttressed by personal testimony of surviving eyewitnesses, always under cross-examination by defense attorneys.

Finally, there is no plausible reason why the KGB should have expended the massive effort that would have been required to trump up evidence against dozens of suspected war criminals being investigated by the OSI. Plotting the assassination of a Polish pope who had sown the seeds of rebellion in a Soviet satellite is one thing; forging police records and payrolls in obscure areas of Nazi-occupied Eastern Europe to nail obscure concentration camp guards in the United States is quite another.

Yet the emigré groups' accusations—often couched in blatantly anti-Semitic terms—have somehow managed to gain some credence, not only on Capitol Hill but at the White House itself. So OSI insiders are understandably nervous when they hear emigré leaders call for an end to the Nazi hunt, or at least a congressional hearing into the validity of Soviet-supplied evidence used by OSI.

When OSI investigators first began their arduous search in 1979, they were aware that the evidence they gathered might be challenged as having been tampered with for political motives. Whenever possible, OSI sources told our associate Lucette Lagnado, the Soviets handed over originals of the incriminating documents.

These were then subjected to careful scientific tests—including extraction of ink and paper samples. Handwriting experts authenticated defendants' signatures on the Soviet-supplied documents. Many of the documents were verified by the defendants themselves. The documents included such mundane items as payroll records, housing registration forms and local police reports filed at the actual time of alleged war crimes.

The emigre groups charge that the eyewitness survivors were coached by the KGB to condemn the OSI suspects. Yet in every single case, according to OSI sources, the witnesses were exposed to cross-examination. And while some were consistent and condemnatory, others were not.

As Allan Ryan, the former head of OSI, put it: "They were not uniformly providing evidence that these defendants were all war criminals. They were about as honest and good as witnesses in this country. Sometimes they were helpful, sometimes not. Sometimes they told the truth and sometimes they lied."

Most of the witnesses were elderly peasants, with simple but gripping accounts of the atrocities they saw. Some broke down on the witness stand.

Eli Rosenbaum, a former OSI prosecutor, told us: "Soviet-supplied documentary and testimonial evidence has been used in war crimes trials in Western courts ever since Nuremberg. And over those nearly 40 years, no one has documented a single case of fabricated evidence or perjured testimony."

Ryan was particularly incensed at the success the emigre groups have had recently in sowing seeds of doubt about the fairness of OSI prosecutions. "This latest offensive against OSI is nothing new," he said. "It has been going on for five years. It's the same old garbage."

Ryan said that for two or three years he patiently tried to explain OSI's methods to emigre critics, even inviting them to view the videotaped depositions of the Soviet eyewitnesses. None of the critics took him up on the offer. "These people are not interested in the truth," he said.●

FORD HONORS DISTRICT YOUTH

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. FORD of Michigan. Mr. Speaker, some years ago I established the Medal of Merit to honor outstanding young men and women in Michigan's 15th Congressional District who have made significant contributions to their communities.

We have no greater natural resource in America than our young people. It is they who will shape our future.

At a time when our Nation cries out for young leaders and selfless citizens, I can think of nothing more fitting than to honor young people who have already learned to give of themselves for the good of others. It's an honor for me to be in a position to recognize their achievements and wish them future success.

I also want to thank the 36-member citizens' committee, chaired by Elva Ryall, which selected the winners.

In addition to the 29 young people, medals were won this year by three groups: the Corner Health Center Performing Troupe of Ypsilanti, the Belleville High School Ambassador Chorale and the Action Junior Civitan Club of Westland. All three groups are made up of young people who devote their time and talents to community betterment.

The 1985 Medal of Merit winners are:

AUGUSTA TOWNSHIP

Jill Marie Hall, 18, daughter of Robert C. and Janet M. Hall, is to be commended for her organization and direct effort in providing leadership for many of the activities enjoyed by other students at Lincoln High School. Some of these include the "Welcome Back" flower sale, student elections, homecoming parade and dance, and other related activities. She also finds time to be involved in her church youth group.

BELLEVILLE

Theresa Davis, 18, daughter of Mary A. Davis, for her dedication to the Belleville High School bands. As their student business manager she has unselfishly devoted time and assistance to the band directors and performers, always with concern for the betterment of the group.

CANTON TOWNSHIP

Mark Alfred Mareno, 18, son of Al and MaryAnn Mareno, for his volunteer work which includes offering assistance to senior citizens, his involvement as a Red Cross volunteer and blood donor, and for his participation in Amnesty International, a group which promotes human values and denounces discrimination worldwide. Mark also finds time to tutor students less fortunate than himself.

Christopher Sands, 17, son of Gary and Eileen Sands, for his extensive community involvement and the leadership he has exhibited as National Honor Society president at Plymouth-Canton High School. Some of the events Chris has been directly involved with are: Thanksgiving Food Drive with the Salvation Army, Christmas Gift Drive, Red Cross Blood Drive, Christmas Carol Sing for Senior Citizens, State Marching Band Festival, Bird Elementary Science Fair, and the Hawthorne Center Educational Project.

GARDEN CITY

Susan Pepera, 17, daughter of Mary and John Pepera, for her community work as chairperson of Garden City's Annual Clean-Up Day, a position usually held by an adult resident. As a member of the Mayor's Youth Advisory Commission, Susan was part of the team that established Garden City's Youth Assistance Bureau, which provides assistance for troubled youths. Currently serving as president of the National Honor Society at Garden City High School, Susan was responsible for that group raising $500 cash and over $1,000 worth of toys to help provide a Christmas celebration at Children's Hosptial.

HURON TOWNSHIP

Scott Allen Adkins, 17, son of Franklin and Nora Adkins, for his involvement and leadership in community and school activities. Scott is president of the National Honor Society at Huron High School and, as a member of the student technician's team, has worked extensively on the running of lights, sound, and stage equipment for several high school and community activities. As a member of the Waltz Improvement Association, Scott has helped with the annual waltz lighting ceremony, its decorating and removal, and will direct the waltz homecoming parade this year.

LIVONIA

Kevin Kert, 16, son of Harry and Corrine Kert, for his involvement in community, church, and school activities. Kevin has served in various capacities with his church youth group, some of which include: copresident, group leader of the senior youth group, and member of the youth council. Kevin helped to prepare and serve meals for 300 needy persons in Detroit, taught Bible school to a group of Indian children in the upper peninsula, and raised funds for volunteers in Haiti. He also performs with the Redford Township Unicycle Club.

Nancy Susan White, 20, daughter of Alec and Barbara White, for her involvement in community and humanitarian projects, including camp counselor at a muscular dystrophy summer camp, her work on special Olympic events, and her time given to senior citizens and mentally handicapped persons. She was listed in the 1982-83 "Who's Who Among High School Students," and is currently studying premedicine at Wayne State University.

ROMULUS

Sandra Barr, 17, daughter of Len and Kathleen Barr, for her outstanding leadership and involvement in student government work and student activities. Sandra was a member of Operation Can Do, sponsored by Elias Brothers Restaurant, Conservation Club president, homecoming queen, and is the March of Dimes chairperson for 1985.

SALINE

Jimmy D. Ingersoll, 19, son of Harold G. and Doris M. Ingersoll, for his involvement in church and athletic activities, and the unselfish donation of his kidney to his ailing sister. Jimmy is a member of the Saline Varsity Club, and has participated in baseball, basketball, and track. He is also a member of the Saline Baptist Youth Group, the Future Homemakers of America, the Vocational Industrial Club of America, and a Red Cross instructor.

SOUTHGATE

Stephanie Usevicz, 14, daughter of Thomas R. and Julia G. Usevicz, for her involvement in community affairs and school activities. Stephanie is a Senior Girl Scout, and has organized a program called Brownie Skills Day, which teaches the younger children how to help themselves in emergency situations. During her summer vacations she volunteer teaches babysitting and basic first aid classes for the American Red Cross. She also donates time to school fairs, fundraising projects and children confined to home because of illness.

SUMPTER TOWNSHIP

Virgie Bright, 17, daughter of Earl and Esther Bright, for her volunteer efforts to aid the elderly and families of the terminally ill. Virgie is also interested in local government, helping on both primary and general elections to organize collection of absentee ballots from convalescent homes, canvassing neighborhoods, and manning telephone banks. She has volunteered to answer telephones for the Channel 56 telethon, and was president of the Ypsilanti Junior Daughter Elks.

SUPERIOR TOWNSHIP

Frances Howard, 17, daughter of Donald and Regina Howard, for her community, athletic, and school involvement. Frances has served on her school's health advocacy board, worked as a volunteer at St. Joseph's Hospital, been involved in the medical explorers group, School Engineering Club, and has participated in Partners in Prevention, a group which advocates drug prevention. In addition, she is a member of the volleyball, cross country, and track teams at Willow Run High School.

TAYLOR

Chris Kermans, 18, son of Jim and Jackie Kermans, for his volunteer efforts and outstanding citizenship in obtaining information, at risk to his own personal safety, that resulted in the arrest of suspects in an arson case. While working on his car, Chris witnessed an explosion at a store near his grandfather's property. Seeing three men flee the area, Chris pursued them in his car and was able to furnish police with information which resulted in the arrest and conviction of the suspects. Chris also assists in aiding the elderly in Taylor and Riverview, and devotes many evening hours to his widowed grandmother.

Daniel A. Martinez, 19, son of Daniel R. and Judith Martinez, for his involvement and efforts to get the Taylor school millage passed. Daniel organized a dance to raise funds, helped coordinate a door-to-door campaign, and made public presentations. He also found time to assist in organiz-

ing Students Against Drunk Driving and is presently serving as Youth Governor for the State of Michigan through a YMCA youth program.

F. Michael Yakes, 18, son of Frank C. and Dorothy M. Yakes, for his community involvement and humanitarian efforts. Mike was serving as a CORE Club/Association for Retarded Citizens volunteer at the Lincoln Pool, in Wyandotte, when a young retarded man wandered into deep water. Because of Michael's quick action and efforts, the young man was rescued without harm.

VAN BUREN TOWNSHIP

Diane Bechel, 21, daughter of Barbara and John Bechel, for her community service and campus activities at Eastern Michigan University. She founded and coordinated Resources for Equity and Action for Consumers and Tenants [REACT], a community service organization. She has been involved in programs dealing with landlord-tenant problems, student defenders, sexual harassment, and the student resource center programs where students help other students.

Kevin Carnahan, 21, son of Ken and Shirley Carnahan, for his service as a volunteer at St. Joseph's Hospital, his involvement in his community, his activities at Central Michigan University and his participation in local political campaigns. Kevin has exhibited a great desire to be involved in public affairs, and has organized such events as "Alcohol Awareness Week," "Armageddon—what does it involve for Mankind?" and the Winter Resident Assistant Orientation Program at CMU.

Dawn Marie Twydell, 18, daughter of Kenneth and Patricia Twydell, for her commitment to community involvement. Dawn has been involved in collection and funding drives for the Van Buren Convalescent Center, Beyer Hospital, Wayne Convalescent Center, University of Michigan Mott's Childrens' Hospital, the Statue of Liberty, and the Easter Seal Telethon. She has also worked to establish a wildlife area in her community and other environmental projects.

WAYNE

Crystal Marie Bell, 17, daughter of Don J. and Marion Bell, for her involvement in community and school activities. Crystal has participated in Thanksgiving basket drives for the needy, volunteered as an aide to persons in convalescent homes as well as volunteer pianist, and was a special Olympics volunteer. Crystal was selected by the Michigan Board of Education to participate in the Arts and Science Institute at Central Michigan University.

Jeffrey D. Clark, 22, son of Joel Clark and Lynn Cole, for his community service in charity fundraising and as a big brother. Jeff is a member of the Canton Jaycees and served as their muscular dystrophy chairperson. During a 10-day period he singlehandedly raised $1,300 for the organization. Since December of 1983 he had devoted 3 to 4 hours weekly serving as a big brother. Jeff also serves as a member of SANE, citizens for a sane world, free of excessive nuclear weapons.

WESTLAND

Michael W. Gilmour, 17, son of William J. and Patricia Gilmour, for his involvement in youth work and community service. Mike is a youth representative to the parish council at St. Bernardine's Church, where he collected over 2,000 cans of food himself for the church food drive. He also is a member of the student congress at Franklin High School and works part time for the Detroit News.

Steven D. Johnson, 18, son of Glenn and Donna Shaw, for his school and community involvement. Steve was elected president of his sophomore, junior, and senior classes, and in this capacity organized numerous activities and fund-raising projects. He has been a Junior Civitan, and currently Steve is recruiting blood donors for the Red Cross blood drive, while continuing work with special Olympics.

Kendel Joy Reimann, 18, daughter of Kenneth and Mildred Reimann, for her community and school involvement. Kendel has been a volunteer for her school as a tutor and elementary school library assistant, for her church, as a volunteer day camp counsellor, a member of her church quiz team, and is a coach and counsellor at the Huron Valley Youth for Christ Quiz Camp. She also volunteers clerical duties for the Wayne County Sheriff's Department.

David Krazel, 19, son of Mr. and Mrs. Norman Krazel, for his involvement in scouting, school, and community activities. David is an Eagle Scout, and was one of the first 26 American scouts chosen to participate in a pilot program in Denmark in the European International Camp Staff Program. David was also director of the Nature and Indian Lore at the Cub day camp, is an assistant troop leader, and is active in his church as an assistant Sunday school teacher.

Michael Parsons, 21, son of Mr. and Mrs. Robert Parsons, for his excellence in scouting. Michael is an Eagle Scout, a full-time student at Eastern Michigan University, and an active participant in junior Olympics. In addition, Michael is assistant scout master of Troop 745, dedicating his time to provide guidance and inspiration to younger scouts.

YORK TOWNSHIP

Liam Burgess Lavery, 18, son of William and Barbara Lavery, for his community and school involvement. Liam is cochairperson of the National Honor Society at Saline High School, and tutors students as well as organizes projects, such as dances, to raise funds for Saline social services. In his spare time, Liam is a volunteer at the Saline Evangelical Home for senior citizens, a volunteer worker with retarded citizens at Washtenaw County's High Point School, plays bassoon in a jazz band and is on the executive committee of Project Outreach-Washtenaw County Leadership Forum.

YPSILANTI TOWNSHIP

Lori Karoub, 17, daughter of Lucy Karoub, for her community involvement. Lori was instrumental in the organization of the Students Against Drunk Drivers [SADD] at Ypsilanti High School. The group was launched with an all-day presentation slide show and full length movie depicting "Kevin," the story of a young man's experience with drinking and driving.

YPSILANTI TOWNSHIP

Elaine Harper, 16, daughter of Billie Harper, for her community and church involvement. For 2 years Elaine has been a volunteer at St. Joseph's Mercy Hospital, working on various projects including the Hospital's Health-O-Rama and community CPR training programs. Elaine is also very active at the Willow Run Church of God and is a Sunday school teacher there.

COMMUNITY SERVICE GROUPS

ACTION JUNIOR CIVITAN CLUB OF WAYNE-WESTLAND AREA

On November 15, 1983, with 22 members, the group was chartered, and was sponsored by the Wayne Civitan Club. Among their various service projects and fundraisers are:

Dressed as clowns they participated in the Wayne Thanksgiving Parade and passed candy out to children along the parade route. They were awarded with a plaque as "Best Youth Group."

In December 1983 the group sold candy canes and raised $200 cash which was donated to the Wayne County Special Olympics for the 1984 Winter Games.

Club members participated as volunteers at the Wayne County Special Olympics Winter Games in 1984 and 1985. At the spring games in 1984 the Junior Civitans ran a concession stand where they realized profit of $400 which was used for various projects throughout the year.

The club sponsored a bowl-a-thon in February 1984, with the proceeds being donated to the Jerry Lewis Muscular Dystrophy Telethon.

Each January the club donates $100 for the Junior Civitan governor to participate in the "Snow-Do" held in Canada with the proceeds going to the children's hospital in our area.

Currently, and since the club was formed, Junior Civitans have adopted and sponsored a child, named Amri M. Nafi, through the Save the Children Program, sending a $16 donation monthly.

The Junior Civitans are present in the Wayne-Westland area whenever

there is a holiday or event, making certain that the needs of the elderly and the underprivileged in our area do not go unnoticed.

BELLEVILLE HIGH SCHOOL AMBASSADOR CHORALE

During the recent economic recession that hit our area so badly many schools were faced with tough decisions and many programs were cut back drastically. Belleville High School was no exception to this phenomenon; however, one group managed to stay alive through the sheer dedication of the director and students, and their desire to go on. The group is the Belleville High School Ambassador Chorale, and is comprised of 16 hard working, and very talented young men and women. They perform extensively and act as goodwill ambassadors for the Belleville High School and the youth of their community.

They are an important part of Belleville High School aside from their concert and ensemble performances. Additionally they perform in regular community parades and float competitions, and provide stage crew and technical expertise in the high school auditorium; they decorate the music hall during Christmas, assist with set up and crowd control during homecoming festivities, and provide leadership and exemplary citizenship for all students to observe on a day-to-day basis.

CORNER HEALTH CENTER PERFORMANCE TROUPE

The Corner Health Center Performing Troupe is comprised of a group of students from Willow Run and Ypsilanti High Schools. The main purpose in performing is to educate the students. Their performance and skit topics such as substance abuse, premarital sex, single family crisis, and issues of health and emotional wellbeing, are very well received by the students. Besides performing at their schools, they perform for other schools in the area and community agencies, offering an excellent outlet for socialization for the students.●

AIDS EPIDEMIC

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. WAXMAN. Mr. Speaker, sometime over this past weekend, the Nation broke a tragic record: Yesterday the U.S. Public Health Service reported that there have been more than 10,000 cases in the United States of acquired immune deficiency syndrome, or AIDS, reported to the Centers for Disease Control. Next week we will reach the even more tragic statistic of more than 5,000 deaths from AIDS.

When first considered, these numbers seem unbelievably large, as large as if a small town had been destroyed. But as large as they seem, these numbers are steadily growing. Today between 13 and 14 more people will be diagnosed with the disease. Today eight more people will die. By this time next year, more than 20,000 people will have been diagnosed and more than 10,000 will have died. Officals at the CDC and NIH are already talking about 2 million infections today and 200,000 cases of the disease within 4 years.

I am afraid that this relentless epidemic is exploding largely unnoticed. There are news stories every few weeks, sometimes about blood screens, sometimes about a new drug that may be effective in test tubes. Other days there are large headlines suggesting that all blood is tainted or that a cure has been found, headlines that may cause hysteria or give false security. But most major news media and most policymakers have never given the disease the clear, evenhanded, and honestly frightened discussion that it deserves.

I will, over the next weeks, insert the current statistics of the AIDS epidemic into the RECORD. I will also add after each surveillance report some discussion of policy issues raised by the epidemic or of the responses made to it by the Government, by the medical community, or by the gay community and other groups most affected by the disease.

Today I only want to add a short note on public health and the budget. At current rates of spread of the disease, during the remainder of fiscal year 1985 and fiscal year 1986, almost 20,000 people will die of AIDS. For fiscal year 1986, the Reagan budget and the Senate-administration proposal call for a freeze on funding for AIDS surveillance, epidemiology, research, prevention, and information programs. As the Secretary of HHS recently told an assembly of scientists working on AIDS, "This is a measure of the administration's commitment."

I believe that it is irrational and irresponsible to slow the efforts to control a fatal disease. The result will only be a longer epidemic and more lives lost.

Mr. Speaker, I submit the following statistics for the week ending May 5:

ACQUIRED IMMUNE DEFICIENCY SYNDROME [AIDS] WEEKLY SURVEILLANCE REPORT, MAY 6, 1985, U.S. CASES

	Reported cases	Reported deaths
Adult/adolescent	9,930	4,879
Pediatric (under 13 at diagnosis)	120	84
Total	10,050	4,963
Age of AIDS patients:		
Under 13	120	
13 to 19	55	
20 to 29	2,131	
30 to 39	4,741	
40 to 49	2,099	
Over 49	903	
Unknown	1	
Total	10,050	

ACQUIRED IMMUNE DEFICIENCY SYNDROME [AIDS] WEEKLY SURVEILLANCE REPORT, MAY 6, 1985, U.S. CASES—Continued

	Reported cases	Reported deaths
Residence:		
New York	3,746	
California	2,282	
Florida	704	
New Jersey	591	
Texas	507	
Pennsylvania	209	
Illinois	203	
Massachusetts	178	
District of Columbia	151	
Georgia	144	
Puerto Rico	124	
Maryland	115	
Connecticut	106	
Washington	105	
Louisiana	104	
Virginia	88	
Colorado	75	
Ohio	67	
Michigan	65	
Missouri	49	
Arizona	44	
North Carolina	42	
Hawaii	33	
Indiana	33	
Oregon	31	
Wisconsin	25	
Minnesota	24	
Kentucky	23	
South Carolina	22	
Alabama	19	
Oklahoma	17	
Nevada	15	
Rhode Island	14	
Delaware	13	
Tennessee	11	
Utah	11	
Other States (12)	60	
Total	10,050	

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HOUSE CONCURRENT RESOLUTION 136

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Ms. SNOWE. Mr. Speaker, on May 2, my colleague from Maine, Congressman MCKERNAN, introduced important legislation, House Concurrent Resolution 136, expressing the sense of Congress that the President should augment efforts to resolve trade differences with Canada, with the objective of securing agreements with Canada that would permit fair competition. As the State of Maine has long suffered on account of the unfair Canadian Federal and provincial government subsidies which have supported its potato, fishing, and lumber industries, I strongly support the intent of this legislation, and I urge my colleagues in the House to join me in cosponsoring this important legislation.

Canada and the United States must take steps to meet the objectives stated by President Reagan and Canadian Prime Minister Mulroney at the conclusion of their March 18 meeting in Ottawa in which they agreed to work to reduce existing trade impediments. It is important to remember that trade between Canada and the

United States is important to both nations' economies and provides millions of jobs on both sides of the border. But if our trade relationship is to be truly fair and open to free market conditions, we have to recognize the unfair trade practices Canada now uses to give numerous agricultural, merchandise, and other industries unfair advantages against U.S. producers. Individual industries seem to be purposely forgotten when trade relations are discussed. But here is a perfect example of a bilateral trade relationship which requires serious negotiating on issues of concern to specific industries. Until this is done, and Canada adjusts its trade practices to restore fair trade conditions with competing U.S. industries, Mr. Reagan and Mr. Mulroney will not have met their own objectives to improve trade conditions. It is important that Congress stand behind the principles of fair trade and demand that progress be made to allow U.S. agricultural and merchandise industries, now being hampered by subsidized Canadian imports, an opportunity to compete equally in our own markets with Canadian imports.

Three traditional industries in the State of Maine, the fishing, potato, and lumber industries, are being crippled every day on account of subsidized Canadian imported products undercutting our own competitively priced products in the U.S. marketplace. Maine's potato, fishing, and lumber industries are fighting an uphill and unfair battle against their subsidized Canadian competition. I will give a brief synopsis of the current situation for each of these industries.

Our fishing industry faces a difficult problem with Canadian subsidies. The impact of Canadian imported fish products on northeast markets has been estimated at $200 million annually. Last December, the International Trade Commission released an industry-requested factfinding study on the market conditions for the Canadian and U.S. groundfish industries. This study reports that Canada provides considerable support to its industry through vessel construction assistance, price supports, fuel and equipment assistance, market promotion, and other programs. In 1982, the Canadian foreign ministries office published the infamous Kirby Report, which concisely documents Canada's overall effort to nationalize its east coast fisheries. Maine and other New England fishermen get minimal assistance from the U.S. Government. In sum, Canadian subsidies are providing marketers of imported Canadian fish products with a considerable market advantage, a situation which is both intolerable and unfair to New England fishermen. The industry-composed North Atlantic Fisheries Task Force, represented by New England fishermen, has recently decided to pursue a countervailing case to seek a remedy for this unfair situation.

Maine's potato industry is being crippled by heavy volumes of potatoes imported from Canada's northeast provinces. There has been a 400-percent increase since 1978 in the volume of these potatoes being sold at below market rates on account of government subsidies. A 1983 Department of Commerce study found Canadian imported round white potatoes to be selling at 36 percent below fair market value as a result of subsidies. In December 1983, the International Trade Commission ruled against Maine's petition. To summarize the ITC's findings, while subsidies exist, the ITC found no evidence of material injury as a direct result of the imports. The Maine Potato Council appealed the ITC's decision, and this case is pending before the International Court of Trade. There are several obvious problems with the ITC's conclusion, but I will raise just a few: In the first place, no acknowledgement was made to account for the fact that Canada reduced its imports by 40 percent during the year leading up to the ITC's decision. Second, the ITC compared Canadian and U.S. potatoes being sold in our Northeast markets that differed in both size and quality, thereby creating a comparison for the two countries' potatoes somewhat akin to comparing apples and oranges.

The ITC did point out that Maine's industry suffered from internal quality problems. Our potato industry has made great efforts to upgrade its quality, and the reuslts are positive for both production and marketing. The State's certified seed requirements, its 2-inch minimum standard, and the Maine Bag Program are three examples of successful industry improvement efforts. Steps such as these and the ongoing refurbishing of Aroostook County's processing plants illustrate the industry's commitment to compete aggressively.

Maine's lumber and wood products companies are struggling to stay in business against cheaper, subsidized products from Canada, which have captured 79 percent of New England's market. The Canadian Government owns 95 percent of the commercial timber. This lumber is being sold to Canadian firms at stumpage rates far below cost. This situation has become unbearable in areas across the country where numerous wood products firms are laying off thousands of workers. In the Northeast, the situation is particularly grim. More than 75 percent of all the lumber sold in the Northeast comes from Canada. In Maine, we have lost over one-fourth of the State's lumber companies in recent years, and more companies are faced with the same fate in the weeks and months ahead. What is particularly disappointing about this situation is that despite the natural competitive advantages these Maine firms now enjoy because of market proximity, these companies are finding they can't compete for sales in their own towns with cheaper Canadian wood prices.

I urge my colleagues to join Congressman MCKERNAN in support of this resolution as a constructive and necessary declaration that progress in trade is serious business which requires concerted negotiations. This resolution requests that the President pursue negotiations to reduce existing trade impediments with Canada in general and specific areas, and that he report to Congress by March 18, 1986, marking a full year since his meeting in Ottawa with Canadian Prime Minister Mulroney.

Maine's affected industries are not alone in facing trade obstacles with Canada. This legislation is a measure which focuses on concerns that industries across the United States have with trade policies initiated by Canadian Federal and provincial governments. Clearly, a concerted review of issues affecting the many U.S. industries that are in an unfair trade situation with Canada will benefit both the United States and Canadian Governments as we move toward a free trade environment. If a truly free trade relationship is to be established between Canada and the United States in the future, existing unfair trade conditions for particular industries must be focused on in the months ahead. The United States-Canada trade relationship, as you know, is a healthy and friendly one which can only be strengthened through a continued exchange of each country's concerns.

I urge my colleagues to join me in cosponsoring House Concurrent Resolution 136.●

FOR A UNIVERSAL BANNING OF CHEMICAL WEAPONS

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. BONIOR of Michigan. Mr. Speaker, for the last 3 years, Congress has voted to delete funds for the production of new chemical weapons. These weapons have been called the "poor man's nuclear bomb." Like nuclear weapons, their effects on the civilian population are indiscriminate and devastating. But they are far easier to produce than nuclear weapons; their basic ingredients are similar to those found in fertilizers. In recent years, the Defense Department estimates that as many as 16 countries have acquired some form of chemical weapons.

For the last 16 years, the United States has upheld a moratorium on the production of new chemical weapons. At a time when the world is facing increasing dangers from the proliferation of chemical weapons, the United States must not abandon its clear leadership role in the effort to halt their spread.

I recommend to my colleagues the following article from the International Herald Tribune, which calls for a universal banning of chemcial weapons production As the article emphasizes, if the U.S. resumes production of these weapons, we will "remove what little moral leverage the industrialized countries have in persuading Third World countries not to use them."

I further urge my colleagues to support the bipartisan effort led by Mr. FASCELL and Mr. PORTER to prohibit the production of new lethal chemical weapons.

FOR A UNIVERSAL BANNING OF CHEMICAL WEAPONS

(By Jonathan Power)

LONDON.—Reports last month that Iraq was using chemical weapons in its war with Iran came as a U.S. presidential commission was touring Europe to assess opinion on whether the United States should build a new generation of nerve gas weapons.

The weapons in question are "binaries," shells with two nonlethal chemicals that become deadly only when they combine. Perhaps the U.S. interest in these weapons in recent years partly explains why Western governments have muted their criticism of Iraq.

This stands in contrast to the loud and persistent allegations against the Russians and North Vietnamese of using chemical weapons in Afghanistan and Indochina, allegations that now are discredited by many authorities.

Before last year it was thought that only the United States, the Soviet Union and France possessed stocks of chemical weapons. But in May 1984 the U.S. Defense Department said that it estimated that as many as 16 countries had acquired chemical weapons in recent years. Later that year the CIA said it had evidence of chemical weapons in the arsenals of Syria, Libya, Israel, Ethiopia, Burma, China, Taiwan, Cuba, Peru, Egypt, Iraq, Vietnam, North Korea and several East European countries. There were also reports of guerrillas of the Palestine Liberation Organization and the South-West Africa People's Organization receiving training in the use of chemical weapons.

The only incontrovertible evidence of their recent use is by Iraq. But there are serious reasons for thinking that longstanding inhibitions about the use of chemical weapons are beginning to erode.

Since World War I, chemical weapons have been used only when it was known the opposing side did not have the means to protect its troops. This was so when the Italians used nerve gas against the Ethiopians in 1935, and today in the Iran-Iraq war. This is likely to be the pattern for the future: Chemical weapons will be used mainly by Third World nations, as the poor man's nuclear weapon.

Is there any way to block this trend? It is difficult enough to control the trading in nuclear materials, but policing constraints on the raw materials for chemical weapons is nearly impossible; the basic ingredients are similar to those used to make fertilizers. The only hope is an international treaty allowing on-site inspection.

This is why negotiations under way at Geneva to draft a treaty to outlaw the production, possession and use of chemical arms are critically important and why President Reagan's new attempt—his fourth—to win approval for "binaries" is to be regretted.

In 1969, President Richard Nixon announced a U.S. unilateral decision to destroy its stockpile of biological weapons—bombs filled with highly infectious fatal diseases. The reasons given included the unpredictability of biological weapons, their delay in causing an effect, the danger of causing large numbers of civilian casualties and, most important, the fact that these weapons "could not destroy the military arsenal—the tanks, planes and artillery—of an enemy." His gesture led to successful negotiations with the Russians and the signing of the biological weapons convention.

Although chemical weapons are not as frightening in their potential as biological weapons, they share many of the same problems—indiscriminate and unpredictable effects, high noncombatant casualties and a blurring of the distinction between conventional and nuclear warfare.

For the superpowers, they add nothing either to the concept of deterrence or to the ability to fight a successful war. Yet they remove what little moral leverage the industrialized countries have in persuading Third World countries not to use them. This should be reason enough to seek a universal ban.●

REVENUE SHARING

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. KANJORSKI. Mr. Speaker, the administration has proposed the elimination of the Federal Revenue Sharing Program. Before we ax a program that has served our Nation well for over a decade I think it is important that we understand the implications of our actions.

The Federal Revenue Sharing Program is a program which has received bipartisan support since it was created during the Nixon administration. It has been popular because it has provided meaningful property relief to overburdened taxpayers. It is simple to adminster, has low overhead, and has been rarely abused.

The revenue-sharing formula has benefited relatively low income but high tax effort areas like northeastern Pennsylvania.

I would like to share with my colleagues a table which starkly depicts the impact that eliminating the Revenue Sharing Program would have on the 11th Congressional District of Pennsylvania.

This table shows the initial allocation that every town, city, borough, and county in the 11th District will receive under the Federal Revenue Sharing Program in fiscal year 1985—the initial allocation may differ from the amount actually received because it is adjusted for overpayments and underpayments in previous years. It also shows the proportion of each government's noneducation taxes that revenue sharing funds make up. This is the amount that each community will have to either raise noneducation taxes or cut noneducation spending if Federal revenue sharing is eliminated.

If revenue sharing is eliminated, towns, cities, boroughs, and counties in the 11th Congressional District of Pennsylvania will lose more than $10.1 million in Federal aid that currently makes up 16.7 percent of their noneducation revenues. Some smaller communities will lose as much as a third of their noneducation revenues.

A survey by the Pennsylvania State Association of Boroughs, the Pennsylvania League of Cities, the Pennsylvania State Association of County Commissioners, the Pennsylvania State Association of Township Commissioners, and the Pennsylvania State Association of Township Supervisors, indicates that if Federal revenue-sharing funds were replaced by local funds raised through the local property tax it would require an 87 percent property tax increase in the towns, cities, and boroughs of the 11th District.

The table is arranged alphabetically by county.

Government	Fiscal year 1985 revenue sharing	Revenue sharing as percent of taxes
Carbon County	$261,263	16.4
Bowmanstown Borough	10,181	17.5
East Penn Township	15,410	18.7
East Side Borough	3,427	18.2
Franklin Township	32,544	18.6
Jim Thorpe Borough	65,199	20.3
Kidder Township	24,236	11.2
Lausanne Township	1,400	15.7
Lehigh Township	10,271	22.0
Lehighton Borough	43,201	15.6
Lower Towamensing Township	20,240	18.5
Mahoning Township	39,115	15.7
Palmerton Borough	62,336	12.5
Parryville Borough	3,063	15.4
Penn Forest Township	21,384	14.1
Towamensing Township	17,318	15.1
Weatherly Borough	37,070	21.4
Weissport Borough	5,100	22.4
Columbia County	348,131	19.5
Beaver Township	6,416	24.4
Benton Borough	8,019	20.8
Benton Township	8,840	19.6
Berwick Borough	119,106	16.2
Bloomsburg Town	192,921	22.2
Briar Creek Borough	3,620	15.9
Briar Creek Township	25,406	20.8
Catawissa Borough	12,477	17.2
Catawissa Township	7,568	16.2
Centralia Borough	8,913	22.3
Cleveland Township	9,768	22.9
Conyngham Township	9,078	24.7
Fishing Creek Township	12,179	29.2
Franklin Township	5,757	23.8
Greenwood Township	15,753	30.9
Hemlock Township	14,506	16.5
Jackson Township	5,079	32.3
Locust Township	13,572	21.5
Madison Township	12,058	26.4
Main Township	6,060	14.3
Mifflin Township	14,426	21.7
Millville Borough	6,061	17.8
Montour Township	10,359	18.4
Mount Pleasant Township	11,714	23.4
North Center Township	9,993	19.6
Orange Township	5,540	21.9
Orangeville Borough	6,920	28.3
Pine Township	7,638	29.0
Roaring Creek Township	6,265	28.9

Government	Fiscal year 1985 revenue sharing	Revenue sharing as percent of taxes
Scott Township	25,465	11.5
South Center Township	13,677	13.2
Stillwater Borough	1,189	19.0
Sugarloaf Township	4,697	18.2
Luzerne County	2,742,576	17.4
Ashley Borough	40,832	19.3
Avoca Borough	35,034	21.7
Bear Creek Township	20,169	14.8
Black Creek Township	12,878	19.5
Buck Township	2,475	19.3
Butler Township	37,883	20.7
Conyngham Borough	13,148	7.5
Conyngham Township	9,617	17.4
Courtdale Borough	8,151	19.7
Dallas Borough	18,136	9.6
Dallas Township	39,421	11.1
Dennison Township	3,786	15.2
Dorrance Township	14,839	20.3
Dupont Borough	22,245	17.8
Duryea Borough	42,465	17.1
Edwardsville Borough	97,056	18.9
Exeter Borough	41,940	21.2
Exeter Township	16,158	18.4
Fairmount Township	8,948	23.1
Fairview Township	15,791	8.8
Forty Fort Borough	52,594	12.3
Foster Township	27,948	23.2
Franklin Township	8,915	15.8
Freeland Borough	40,600	17.1
Hanover Township	164,485	18.9
Harveys Lake Borough	28,477	15.5
Hazle Township	107,018	18.4
Hazleton City	334,321	15.1
Hollenback Township	11,004	25.2
Hughestown Borough	15,506	18.2
Hunlock Township	18,383	23.1
Huntington Township	17,286	23.1
Jackson Township	21,188	19.0
Jeddo Borough	726	17.4
Jenkins Township	38,444	19.1
Kingston Borough	187,497	10.5
Kingston Township	74,577	14.3
Laflin Borough	8,864	8.0
Lake Township	16,524	22.8
Larksville Borough	43,071	19.6
Laurel Run Borough	4,412	18.1
Lehman Township	21,562	14.9
Luzerne Borough	32,571	21.0
Nanticoke City	158,959	19.4
Nescopeck Borough	19,628	16.4
Nescopeck Township	10,192	25.7
New Columbus Borough	1,029	14.3
Newport Township	52,775	21.3
Nuangola Borough	7,059	14.7
Penn Lake Park Borough	1,784	11.1
Pittston City	95,882	20.0
Pittston Township	36,329	18.7
Plains Township	176,649	17.4
Plymouth Borough	83,314	19.4
Plymouth Township	19,250	18.8
Pringle Borough	9,556	17.9
Rice Township	13,947	19.9
Ross Township	15,656	21.5
Salem Township	52,363	16.5
Shickshinny Borough	11,755	19.3
Slocum Township	6,075	21.6
Sugar Notch Borough	9,033	16.1
Sugarloaf Township	24,670	14.4
Swoyersville Borough	42,210	16.6
Union Township	12,223	21.4
Warrior Run Borough	7,467	22.7
West Hazleton Borough	88,093	18.1
West Pittston Borough	51,916	16.8
West Wyoming Borough	27,197	18.9
White Haven Borough	12,167	12.8
Wilkes-Barre City	1,354,154	13.7
Wilkes-Barre Township	91,019	16.8
Wright Township	40,958	13.8
Wyoming Borough	27,804	14.2
Yatesville Borough	4,861	15.8
Monroe County	120,840	13.9
Barrett Township	41,783	12.8
Coolbaugh Township	42,929	16.1
Mount Pocono Borough	19,893	10.3
Tobyhanna Township	56,100	14.1
Montour County	95,940	14.6
Anthony Township	9,255	20.6
Cooper Township	3,876	10.6
Danville Borough	50,885	14.7
Derry Township	8,305	20.5
Liberty Township	10,681	17.7
Limestone Township	7,183	19.6
Mahoning Township	28,411	12.2
Mayberry Township	1,436	20.1
Valley Township	11,613	12.5
Washingtonville Borough	1,277	12.5
West Hemlock Township	1,831	14.5
Northumerland County	262,889	20.2
Ashland Borough	115	19.4
Coal Township	148,757	23.5
East Cameron Township	6,080	25.5
Kulpmont Borough	32,105	20.7
Marion Heights Borough	6,877	23.0
Mount Carmel Borough	84,222	20.8
Mount Carmel Township	35,243	25.0
Shamokin City	179,045	24.0
Sullivan County	74,599	22.6
Cherry Township	12,735	17.4
Colley Township	9,509	32.1
Davidson Township	3,897	20.5
Dushore Borough	15,035	25.5
Eagles Mere Borough	4,329	11.2
Elkland Township	6,198	29.9
Forks Township	6,171	34.9
Forksville Borough	1,352	37.3
Fox Township	2,199	16.6
Hillsgrove Township	1,810	23.6
Laporte Borough	3,686	18.0
Laporte Township	1,981	18.2
Shrewsbury Township	1,664	13.2
Total	10,129,160	

LARSON TURNS PENNDOT AROUND

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. SHUSTER. Mr. Speaker, following is an Associated Press article of May 6, 1985, which quotes accurately reports on the tremendous job done by the Pennsylvania secretary of transportation, Thomas Larson, in turning his transportation department into one of the best in the Nation. I commend it to by colleagues:

[From the Bedford Gazette, May 6, 1985]

LARSON TURNS PENNDOT AROUND

(By Rich Kirkpatrick)

HARRISBURG (AP).—Thomas Larson came here in 1979 with an academic's naivete about the high octane politics that fueled Pennsylvania's Transportation Department.

Six years later, the civil engineering professor from Pennsylvania State University has fashioned a national reputation for turning around a department once scorned as a patronage paradise with a motorists' be damned attitude.

As transportation secretary, Larson demolished a decades-old county maintenance system that served more as party fundraiser than pothole fixer; helped convince the Legislature to give the department over $1 billion in new funds; and brought modern management techniques and stability to the badly reeling agency.

"We survived a lot of challenges and have come to be recognized and at least accepted as a responsible agency, given where we were in 1978 and 1979." Larson said in an interview.

For his efforts, Larson was recognized by a national engineering magazine as its engineering man of the year in 1983.

Created in 1970 from remnants of the highway department and other agencies, PennDOT suffered through a first decade of dizzying management turnover, soaring debt, and sinking revenues.

In 1974, Republican lawmakers brought people before a House special committee to relate tales of how they were forced to make political contributions in return for maintenance contracts in PennDOT county districts.

Highway maintenance skidded, new construction stopped and federal funds went elsewhere. A favorite pastime for Pennsylvanians was trading pothole stories and despairing of the state as the pothole capital of the world.

Republican Gov. Dick Thornburgh, who has won election in 1978 on an anticorruption theme, tapped Larson, who had served since the late 1960s as chairman of a transportation advisory committee. Larson was well known for his reports detailing where the agency had gone astray.

That vantage point was one advantage Larson had, said one of his former top deputies. James Scheiner, a management expert Larson hired from private industry.

"It was rare for someone to come into the job and know where to take it from the first day," said Scheiner, now Pennsylvania's revenue secretary.

Scheiner said Larson brought an intensity and unswerving sense of direction to the job and expected the same from his deputies and the whole department.

"It was spirited," said Scheiner, a West Point graduate. "When you went to work in the morning, you knew you had a good solid 12 hour day ahead of you."

Larson recruited his deputies from private industry or other agencies around the country.

Following the Thornburgh administration's "more with less" policies, Larson lopped off 2,500 employees, or 15 percent of the workforce, in his six years as secretary. The $219.2 million in savings, coupled with matching federal funds, meant a potential extra $1 billion for highway construction, he said.

Inside the department, "the change was dramatic," said Lee Bowser, who was with the department from 1973 until December 1984.

Managers were made accountable and goals were set and met, said Bowser, who was Larson's director for strategic planning before leaving for a job in private industry.

Maintenance cycles were developed, so highways would be resurfaced at least once every seven years and between 5,000 and 7,000 miles of the state's 44,000 mile system would be treated each year. Also, a bridge program was started, with 300 to 400 being renovated each year.

The department, saddled with a huge debt that consumed about 20 percent of revenues when Larson took over, shifted to pay-as-you-go on new construction. It was able to maintain enough of a program that it ranks near the top in use of federal matching funds.

Under Larson, the department invested heavily in computers so managers would have up-to-date information on the agency's $160 million-a-month cash flow and multimillion dollar inventory of road materials.

The department is now in the midst of a $10 million program to upgrade computer systems in the division that handles drivers' licenses and registrations.

Although the public may not see a difference, the changes will reduce costs 25 percent and within two years after installation pay for themselves, Larson said.

Bowser described Larson as a risk taker who tried different approaches, discarded the ones that didn't work and built the ones that did into the system. Larson was also without pretense.

"He was always straight with you," Bowser said. "We're all very proud of our association (with the department)."

Larson said the change can be measured simply in the drop off of complaints coming into lawmakers. Rarely does his phone ring

anymore with an irate legislator on the other end, he said.

"Rebuilding the public trust . . . is the single thing I feel best about," he said.

The secretary, 56, who stands 6-foot-one, rides horses on weekends at his home in rural Lamont, Centre County, once built a log cabin himself and skis with abandon, is not without his critics.

One western Pennsylvania lawmaker, Rep. Charles Laughlin, said he found Larson's management team obstinate and unyielding when he tried to convince them of what Laughlin felt were inequities in a maintenance funding formula.

"They'd rather study and examine the problem for four years rather than admit a mistake," said the Beaver County Democrat.

In addition, Larson and the department were heatedly criticized for using an "oil and chip" method for road resurfacing. Larson said there were some problems initially, but the department has since learned how to do the job better. Without the method. PennDOT could not afford to keep up with its sprawling highway system, he said.

In his first months on the job, Larson said, he was unprepared for the political maelstrom that PennDOT secretaries had come to expect.

He said he came to the job as an academic snob and didn't know how to respond to political attacks, which he often mistook for personal criticism.

"I took everything dead serious. It was very threatening," he said. "Now, I would shrug it off."

More so, he has come to respect the political system, and while it may continue to frustrate him at times, he said, "I will leave office feeling that Pennsylvania has been well served by the General Assembly in the years I've been here."

As the Thornburgh administration passes through its last two years, Larson talks about "winning in the fourth quarter."

However, a couple of obstacles loom—finding a replacement for a $200 million truck tax ruled unconstitutional, finishing the long overdue rebuilding of the Schuylkill Expressway, Philadelphia's Key highway; and closing gaps in the state's interstate highway network.

As for himself, Larson expects eventually to return to Penn State, from which he has been on leave. But rather than resuming a career as a classroom instructor, he wants to put his experience to work advising other public agencies on good management.

"I'm not looking to a big let down," he said.●

VETERANS HEALTH CARE BUDGET CANNOT BE REDUCED FURTHER

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. MONTGOMERY. Mr. Speaker, within the next few weeks, the House and Senate will be making major decisions on the budget for fiscal year 1986. Many Federal programs will be affected. The decisions we must make will not be easy. We all have different priorities.

A very high priority of mine is veterans health care. I want my colleagues to fully understand the impact of any budget reductions in funds to operate the VA's health care system. Who is better able to relate the problems in the field than the people in the field?

According to the chiefs of staff at VA hospitals nationwide who responded to a recent survey, inadequate budgets are already taking their toll. More cuts in the budget will mean longer waiting lists, the turning away of certain nonservice-connected veterans, and delays in many surgical procedures.

There follows a report from the chief of staff at the VA Medical Center in Washington, DC:

VETERANS' ADMINISTRATION,
MEDICAL CENTER,
Washington, DC, January 28, 1985.

HOWARD H. GREEN, M.D.,
Chief of Staff (11), President, NAVACOS, White River Junction VA Medical Center, White River Junction, VT.

DEAR HOWARD: The following is provided in response to your letter of January 2, 1985 which just arrived.

a. Washington, D.C. VA Medical Center, 708 acute medical, surgical and psychiatric beds, 120 nursing home beds (to open March, 1985).

b. Affiliated with Georgetown University School of Medicine, George Washington University School of Medicine and Health Sciences and Howard University School of Medicine.

c. Projected dollar deficit as of January 1, 1985:

1. Personnel—Since funding is always provided in the initial budget to cover the budgeted FTE, this funding appears adequate unless we are not funded fully for the January 1, 1985 pay raise. Funds had to be taken from the "all other" accounts to cover the deficit in the personnel account.

2. All Other—For the last 3-4 years, we have run an annual deficit of 1 to 1.5 million dollars for which we have been "bailed out" by Central Office during the 3rd and 4th quarters. Last year it ran 1.5 million dollars.

One of the reasons for this was that in 1971, we were instructed to initiate an open heart surgery program by VACO and that funding would follow. We are still waiting. Last year we performed 122 open heart surgeries and received $300,000 in non-recurring funds (without FTE) which went into decreasing the deficit. Our actual cost per case is about $13,000 (personnel + all other) which interestingly matches our deficit ($13,000x122=$1,586,000.)

This November, our cardiac surgeon quit because she felt that we had not adequately supported the program (and we hadn't).

d. Impact of dollar deficit:

1. Personnel—Although most services are understaffed by any reasonable criteria, funding has been transferred from "all other" to cover any anticipated deficits.

2. All other—Each of the control points has been funded at less than they will need to get through the year. If our usual "bail-out" monies aren't made available in the last two quarters, we would not only have to drastically curtail services but could not help but be antideficient. We have had to use equipment money to cover the deficits in the first two quarters and this delays purchase of much needed equipment. Ultimately, monies targeted for equipment have to be spent on equipment.

3. Equipment—One of this medical center's major problems is the need to replace obsolete equipment. This medical center was opened in 1965. Almost all of the equipment in Radiology and Nuclear Medicine Services has reached the point where it badly needs to be replaced. We have had the need for replacement of our radiologic special procedures laboratory (estimated cost $1.2 million) as the top unfunded needs priority over $150,000 for over 3 years in this medical district. Each year we send out over $100,000 in procedures because existing equipment is inadequate and unsafe. The malpractice risk in continuing to use the equipment is staggering. The Director, Radiology Service, VACO and Regional Director acknowledge the critical need for replacement. The monitoring equipment in our SICU is now 9 years old and is unreliable. These are the most critical areas but the list could be expanded.

4. Backlog of patient surgery—The biggest surgical backlogs are in General Surgery (56 cases) and Urology (35 cases) where the waiting time is 3-4 months for elective cases. There are shorter waiting lists in Vascular Surgery, Thoracic Surgery, Orthopedic Surgery and Neurosurgery where the waits are 1-2 months. Ophthalmology, Otorhinolaryngology and Plastic Surgery are current and have no waiting lists.

e. I have attached a report from Pharmacy Service provided to the Resources Committee which speaks for itself. Pharmacy costs have been increasing at the rate of 10-15% per year. Last year, we instituted a number of cost containment actions such as eliminating the more expensive antibiotics from the formulary, sharply curtailing availability of other expensive antibiotics, establishing maximum dosages for certain antibiotics and non-steroidal anti-inflammatory agents, and monitoring closely all non-formulary requests. Last year, the rate of increase over the previous year was only 6.4% and estimated for this year as 7.8% suggesting these efforts are having some impact. This is occurring despite the fact that our actual outpatient visits are 36% above the planned visits for the first quarter.

f. Other comments:

1. I continue to have concerns about the DRG resource allocation methodology and how it deals with those patients referred from other medical centers for highly specialized care. For example, we recently had a patient with acute myelomonocytic leukemia referred here from Philadelphia VAMC. He had constant fevers and in his 83 days here, there were 180 cultures, 60 chest x-rays, 27 thoracenteses, etc. He received 13 separate antibiotics and expensive chemotherapy. He used $26,000 in platelets alone. We plan to run up both a list of actual expenses and a "mock" bill to make the point but his case, I'm sure, will exceed $100,000. The DRG allows us $3,500 for his care. We also are a national referral center for patients with ventricular arrhythmias. The DRG's do not begin to cover the expenses generated in caring for these patients.

2. The biggest problem that I have to deal with has been created by the Office of Academic Affairs. They have been annually whittling away at the resident staffing at this hospital creating major conflicts among the 3 affiliated medical schools as to who will lose the positions. This next year, we lose an additional 4 medicine positions (2 general medicine, 2 subspecialty). Since all the subspecialty positions had already been committed, this means a loss of 4 general

medicine positions for thie year at least. The admissions function had been covered by 6 general medicine residents but with the loss of these 4 positions plus that many more over the last 2 or 3 previous years. I have been told by the Chief, Medical Service, he can no longer cover the admissions function with the staff he has. Several options explored, including rotation of all residents on an equal basis, have all been felt to be very disruptive and unsatisfactory.

I hope this provides some useful information.

Sincerely,

ROBERT D. LINDEMAN, M.D.,
Chief of Staff.●

BILL SEEKING RESTITUTION FOR ALASKA NATIVE CITIZENS

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. YOUNG of Alaska. Mr. Speaker, I am introducing legislation today which will help to correct an injustice which was committed by the Federal Government against Alaska Native citizens during World War II. This bill will serve to provide restitution to Aleut citizens of the United States for personal property losses and physical hardship suffered while interned in temporary camps during the war. In addition, the legislation would provide compensation for certain community property losses and authorize the removal of hazardous debris and ammunition remaining in populated areas. It is identical in content to provisions of companion legislation introduced in the other body by my colleagues in the Alaska congressional delegation and is intended to implement the recommendations of the Commission on Wartime Relocation with regard to Alaska Natives.

Mr. Speaker, as the Members of this Chamber well know, World War II marked a difficult and dangerous time in the history of our Nation. It was only through the valiant sacrifices of men and women throughout the country that we were able to prevail in wars on two fronts which we did not choose to begin. In no way is this legislation intended to diminish the contributions of American soldiers and sailors whose sacrifices allowed us to win the war, but it is from respect for freedom and liberty, which they helped preserve, that our Government should repay citizens for property forcibly taken during the war.

To ignore this obligation is to allow a government to arbitrarily deprive individuals of their rights as citizens.

The circumstances surrounding the invasion of two islands on the Aleutian chain and the necessity to evacuate residents of a large number of villages on the islands are a matter of history for most Americans. However, for the individuals who were interned, as well as for those who lost family members who did not survive the long period in the camps, this time was one of permanent sorrow and loss. These losses were made even greater by the failure of the Government to return property after the war. It is our duty to live up to this obligation. The obligation is not diminished with the passage of time.

No matter how hard this task is, I believe it is the obligation of a fair and just government to repay citizens for property taken by that government, even where the motive is to protect the Nation in time of war.

In order to meet this responsibility for Alaska Native citizens who were interned and relocated during the war, the Relocation Commission made several recommendations separate from those for Japanese-American citizens in other parts of the country. The recommendations formed the basis for the provisions of the legislation I have introduced to compensate residents of the Aleutian chain who were relocated and the survivors of those who died while interned.

The bill I am introducing was developed in consultation with the elders of the seven villages of the area, most of whom are survivors of the relocation camps. The bill has the strong support of those who suffered direct losses during the internment.

For the residents of Alaska who faced the unique situation of being the only U.S. territory invaded and occupied during the war, the relocation left many villages deserted and abandoned in an area with one of the harshest climates in the world. Residents forced to abandon their homes and property would return 3 years later with only the shells of homes remaining. The evacuation may have been justifiable due to the invasion of the islands. However, as I have stated, a government which takes property from innocent civilians, as well as liberty, should repay those citizens who acted only in good faith.

Mr. Speaker, we took the rights of the residents of the Aleutian chain detained during the war. In justice and fairness, I believe we should recognize those rights and provide compensation. I urge my colleagues to support this legislation.●

TISH SOMMERS, PRESIDENT AND COFOUNDER THE OLDER WOMEN'S LEAGUE

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Ms. OAKAR. Mr. Speaker, 71 years ago, Congress called for a national celebration of Mother's Day. And, I cannot think of a better way to celebrate our mothers than to examine the ways in which we treat our older women.

Today, Tish Sommers, president of the Older Women's League, held a press conference at which she discussed President Reagan's budget proposal and its affect on the 15 million older women in our Nation. I would like to submit her statement for the RECORD and encourage all my colleagues to reflect upon her words as we remember our mothers.

The following is the statement of the Older Women's League:

TISH SOMMERS, PRESIDENT AND COFOUNDER THE OLDER WOMEN'S LEAGUE

Good morning and, on behalf of the 13,000 members of OWL, "Happy Mother's Day!" It's been 71 years since Congress passed a joint resolution calling for a national celebration of Mother's Day. The event has come a long way in 71 years. Today, on the second Sunday in May, we tie up the telephone lines with over 20 million long-distance calls, send over 125 million greeting cards and untold floral arrangements and boxes of candy to our Mothers. That's fine, but unfortunately, the economic status of mothers has not made equal progress with the commercial value of their holiday. Around OWL, we have a saying: "For Men, They Created Retirement Plans, Medical Benefits, Profit Sharing and Gold Watches. For Women, They Created Mother's Day."

On Mother's Day, so the tradition goes, we wear carnations: white, in memory of deceased mothers, and red to honor living mothers. You will note the members of the Older Women's League are wearing their red carnations. We're wearing them because we want America to wake up and recognize the appalling conditions that confront many of our Nation's 15 million older women. We want America to look past the hearts and flowers into the real-life conditions of our living mothers.

This is not a pretty picture. Today, women constitute 71 percent of the elderly poor. Nearly 1 in 2 black women over 65 lives in poverty. In 1983, the median annual income, that is total money from all sources, received by women over 65 was $5,600. Contrary to myths about overly generous pension plans and double dippers, only one older woman in five currently receives a pension—whether public or private, either as a spouse or as a retired employee. And even when women do receive pensions, miracle of miracles, the sum they receive is roughly half that for men—the monthly median in 1983 was only $243.

The truth is most older women depend on Social Security as their only source of significant income. The truth is that older women in America experience aging differently than men. America's older women are poorer, live longer, and due to differences in marital status, tend to live alone. I recently saw a greeting card—it a was a birthday card actually—that offered a few tips for aging in America: Better to do it somewhere else. Indeed, Margaret Mead once commented that the so-called civilized societies treat their elderly much worse than the "primitive" societies she had studied. I doubt that any of Ms. Mead's subjects would have been so double declining as to hand his mother a bouquet as he exiled her from the tribe.

For that is exactly what we are doing today in America—we are engaged in an economic exile of 5 million elderly women. In which we will ensure their isolation in poverty and obscurity. Proposals to reduce or freeze the Social Security COLA would push an estimated half a million more older persons, most of them women, below the poverty level. Cutting low cost senior housing will force many more into the army of homeless people on the streets. Increasing the amount Medicare beneficiaries will pay for health care and decreasing Federal monies available to States for Medicaid will mean that more older mothers will have to choose between food and medicine, between a doctor visit and paying the utilities bill.

Do mothers and grandmothers who have raised this Nation and who have sacrificed their personal interest to do so, deserve to be the targets of cuts when their job is done? Is this fair, when military expenses continue to grow, beyond reason and inflation?

Well, we won't have it. Mother's Day is our day, they've given it to us and we intend to use it. Older women of America, seize the day and drive your message home. We invite you to join us in taking our message to the Halls of Congress and even to the President of these United States. He too had a mother.

"Your mother didn't bring you up so you could let other mothers down" is our message to Congress this Mother's Day. With one in six older women living in poverty and many of the rest on the edge, women need more than flowers, candy and sweet sentiments.

Today we are hand delivering Mother's Day cards to all of our Congresspersons, and our members across the country are mailing them to their own legislators with their personal messages. Seventy-one years ago Congress passed a resolution creating a day to honor mothers. Seventy one years later we're asking Congress to make good on that promise. We are asking Congress to show that society truly cares about the well being of the Nation's mothers. Let's make this a "Happy Mother's Day" in a very practical way, by matching word to deed.

Now I'd like to introduce an OWL Member and a mother, Elsie Frank, who will help us kick off this Mother's Day campaign by making a special presentation to her son, Representative Barney Frank from Massachusetts. All I wish to say to you, Elsie, is, judging from Barney's voting record on aging issues, you did a good job.●

THE SANDINISTA GOVERNMENT HAS CENSORED NICARAGUA'S PRESS

HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LIVINGSTON. Mr. Speaker, on April 15, 1985, I traveled to Managua, Nicaragua, with several of my colleagues on the House Permanent Select Committee on Intelligence. I spoke personally with Mr. Jaime Chamorro, the editor of Nicaragua's only independent newspaper, La Prensa, which has been repeatedly harassed and censored by the Sandinista government.

Mr. Chamorro presented me with documentation of this ongoing human rights abuse, and I would like to share it with my colleagues in the House. It is entitled "Brief History Related to Temporary Closeouts, Censorings, Hostilities and Threats Against Those Working for La Prensa" and was prepared in December 1984.

Some of the more flagrant abuses documented in the report include total censorship of the letter from Pope John II to the Nicaraguan bishops and a blackout of all news pertaining to the candidates who opposed Commandante Daniel Ortega in last November's presidential election. The report also notes that La Prensa was closed down on five different occasions between July and October 1981, and was not able to circulate on 27 different occasions because of prior censorship.

I hope everyone will read the entire text of the report, which follows, and consider just how terrible Sandinista policy really is. We should try to imagine how we would feel if we woke up tomorrow to find whole sections of the morning paper blacked out. Without a free press there can be no free society.

This is such a serious problem in Nicaragua that I urge all human rights groups, church groups, and private citizens to speak out against it at every opportunity. Let the Sandinistas know that our own first amendment is used not only to question American policy, but to criticize Sandinista policy as well.

The text of the La Prensa report follows:

BRIEF HISTORY RELATED TO TEMPORARY CLOSEOUTS, CENSORINGS, HOSTILITIES AND THREATS AGAINST THOSE WORKING FOR LA PRENSA AT MANAGUA, NICARAGUA

Since the victory of the Revolution on July 19, 1979, the newspaper La Prensa of Managua, Nicaragua, has been subjected to hostilities, persecution, censoring, in different forms of mayor or lesser degree depending on the political circumstances into which the Sandinist Revolution has been evolving.

Since the early days after La Prensa reappeared on August 16, 1979 with a line of critical backing of the Revolution and with a high degree of independence, the commanders of the Revolution showed themselves highly critical and hostile in their speeches against La Prensa for publishing critics against the government. The overall effect of these speeches was contrary to the expected intentions of the commandants, as the more they criticized us the higher the circulation of the newspaper went, showing that the people had a great need of an independent and critical media of communications.

In the presence of this independence the Sandinist government tried on April 1980 to destroy La Prensa from the inside, by instigating the workers union of La Prensa to take over the physical installations of the newspaper and demanding at the same time the appointment of the Ing. Xavier Chamorro C. as the sole Director and giving him all the power to make of La Prensa a newspaper totally pro-sandinist.

As the Board of Directors refused to abide, the Sandinist promoted the foundation of El Nuevo Diario thinking that La Prensa was not going to have the backing of the people and consequentially would tend to disappear. Realities have been totally different, since El Nuevo Diario in spite of having been formed with 70 percent of the former personnel did not get the backing of the readers and La Prensa almost duplicated its circulation on staying totally independent and being able to be even more critical.

From this conflict on the strategies used against La Prensa have changed in different ways, like temporary close outs; intimidation of its main officials and to the owners of distribution agencies by using the mobs and making threats; by prohibiting state controlled institutions to make advertising contracts with La Prensa; by not authorizing the necessary foreign currency for imports of raw materials; by censoring news materials, even news already published by official newspaper to be published; delays in the approval of the material subject to censoring, arriving to the highest percentage of delay of seven daily hours during the time of stronger hostilities.

We present hereinafter a brief summary of hostilities imposed upon us.

(a) Previous censoring: Since March 16, 1982 when the State of Emergency was put into effect we have suffered previous censoring of all news material, even advertising. The sternness put on by the censoring agent has had ups downs according to the political aspect of the moment; what has stayed more or less constant has been the time taken by the Media Communications Director employee to check the news material.

We present hereinafter a chart of percentages of monthly censoring suffered by La Prensa during the months from February until November 1984. Percentages are based on the total amount-of-inches of text writings, photographs, photograph foot writing, and titles that they censored from the closing pages, (first, last and fifth pages).

Month	Censored percentage	Time taken for censoring (hours)
February	23.09	3.02
March	19.30	3.04
April	27.95	3.05
May	30.57	3.07
June	25.77	3.24
July (before the 19th.)	45.26	3.43
July (after the 19th.)	6.75	2.57
August	18.80	2.46
September	11.56	3.05
October	15.85	2:56
November	29.37	3:19

(b) Temporary Close Outs: Between July and October 1981, the newspaper La Prensa was closed during five different occasions by order of the Media Communications Direction; each close out during two editions except the third one on August 19 which lasted for three editions; all these close out with the exception of one, in which La Prensa was given 24 hours to prove the truthfulness of a third party's interview, were impossed without the right of defense and without any previous trial or proof presentations.

As a consequense of previous censoring, La Prensa has not been able to circulate on 27 different occasions (see adendum No. 1), two by order of the Media Communications Direction and the other 25 on its own deci-

sion, due to excessive censoring or in protest because of the importance of the news material censored, as it happened when we were not allowed to publish the letter of Pope John II addressed to the Nicaragua Bishops. The last two times we were not able to circulate was on August 6 and October 22, 1984, in which editions all photographs, news chronicles and speeches by the leaders of La. Coordinadora Democrática, Dr. Arturo Cruz and Adán Fletes, in Mata galpa and Chinandega were censored, and the withdrawal of the Liberal Party of the electoral campaign that also was heavely censored, on October 22.

(c) The Mobs and the Close Out of Agencies: The mobs have become hostile with the installations of La Prensa in several occasions, the homes of its main officials, like Mrs. Violeta Chamorro, Jaime Chamorro, Pedro J. Chamorro, Carlos Holmann, Mrs. Margarita Chamorro, an old woman of 84 years age and mother of Pedro Joaquin Chamorro C., the Marthyr of Public Freedom.

Distributing agents have also become victims to the mobs, having suffered threats of putting their homes and business places on fire if they continued selling La Prensa. As consequence to this 20 of 150 Agencies distributing La Prensa in all the country, have been forced to close due to hostilities and four others have changed owners because the previous one were frightened of going on with so many risks.

(d) Attacks to other Officials: Other officials have been subjected to hostilities with letterings on their houses with the result that 20% of the employees and workers at La Prensa have resigned, the majority of them, to abandon the country.

One of our editors Horacio Ruiz Solis was kidnapped, beaten and left unconscious, his car was stolen and police authorities have not been able to discover the assailants, nor the whereabouts of the car that has never been able to recover.

Our reporter Luis Mora Sánchez suffered several months of jail imprisonment just for being a reporter for Radio Impacto from Costa Rica and lately accused of having connections with the counter revolutionaries. According to his account, he was tortured in order to force him to make slanderous statements against La Prensa and its Directors in a video-tape that was run through the Sandinist's T. V. Station. So too, the photographer of La Prensa, Jorge Ortega Rayo was imprisoned for several months, both were trialed by Courts of Exceptions, found guilty and ultimately pardoned.

(e) Economic Pressures: During the year 1982 and part of 1983, La Prensa was denied the necessary foreign exchange to import raw materials. The government has a strict control on foreign currency. La Prensa was able to subsist through loans (in dollars payable in cordobas) and some grants, especially from Venezuela's Private Enterprise, from Germany and the U.S.A. that were duly registered at the Central Bank of Nicaragua.

By the end of 1983 when the above aids became depleted and due to the government through the Ministry of the Interior, Commander Tomas Borge, promised to furnish the necesary foreign exchange so that we could keep publishing the newspaper. This promise has been kept in part, as in spite al haring, on our part, deposited the corresponding previous deposit in cordobas, we have not been able to obtain the necessary dollars, having not been able to pay some of our suppliers, and they on their part are refusing to deliver our new orders. We believe that delay in paying is due to the nation's scarcity of foreign currency and that it is not the cause of hostilities against La Prensa.

Nowadays news paper is being supplied by the government payable in national currency, but the only problem that we have related to news paper, are those of the last two orders that we bought directly abroad and that we have not been able to pay due to the above mentioned explanations.

We have been able to verify that the government has directed all state controlled enterprises not to advertise in La Prensa.

This measure has not affected us because of the page limitation, (by law we can only publish 12 pages for each edition), La Prensa has its daily advertising cuota totally filled up, but we believe this measure to be descriminating.

We have also been able to verify that the Ministry of Culture through the Association of Sandinist Workers for Culture, has prohibited its associates to publish any poems or literary compositions in La Prensa Literaria.

Besides the above described hostilities we have suffered threats voices by the commandants in their speeches or through the different media, like the one where Commander Humberto Ortega, Minister of Defensa said, that when the invasion became a reality they were going to hang us all from the trees; or when Barricada and Radio Sandino said, that to those people in La Prensa we are going to peel their skins off, or that they did not see how we could save ourselves from a lost bullet penetrating our heads. Furthermore we are always getting through the telephone frequent threats and also through private couriers telling us that too many of us working for La Prensa, our names were listed in some kind of a list. . . .

(f) Confiscations: On August 29, 1984 the Total edition of La Prensa destined to the western part of the country (namely Leon, Chinandega, Chichgalpa, Corinto), etc., was confiscated at the city of Leon on behalf of the National Security Police, and they did not give any explanation whatsoever. This edition was previously censored, for up to this date we still do not know what was the reason behind this confiscation.

ADDENDUM NO. 1—CONTROL OF THE DAYS THAT THE NEWSPAPER "LA PRENSA" HAS NOT CIRCULATED BY DISPOSITION OF THE MEDIA COMMUNICATIONS DIRECTION OR BECAUSE EXCESSIVE CENSORING MADE IT IMPOSSIBLE TO DO SO, ALL SINCE THE PROMULGATION OF THE STATE OF EMERGENCY GOING INTO EFFECT ON MARCH 15, 1982—DATE AND MOTIVE

1982

(1.) March 24—Excessive censoring by MCD.

(2.) March 28—Main news censored: Elections in El Salvador.

(3.) August 9—Excessive censoring by MCD.

(4.) August 11—Main news censored: Attack of the People's Organizations to Catholic Priest Bismarck Carballo, defense by LA PRENSA.

(5.) August 12—Main news censored: Pronouncement by the Cuia Bar, in the case of Priest Carballo.

(6.) November 18—Excessive censoring by MCD.

(7.) November 24—Main news censored: Report of OLP from Moscow.

1983

(8.) May 3—Excessive censoring by MCD.

(9.) July 12—Excessive censoring by MCD.

(10.) August 12—Main news censored: Denial of Salary Raise: (excessively censored).

(11.) August 14—Close out ordered by the Ministry of the Interior for having published the day before a protest against the stoning of Mrs. Violeta Chamorro carried on by the mobs of the People's Organizations.

(12.) August 23—Main news censored: Pronoucement from the Vatican Embassy.

(13.) August 31—Main news censored: Letter on the Patriotic Military Service (Forced).

(14.) October 4—Excessive censoring.

(15.) October 5—In protest for censoring the answer from LA PRENSA on the communication.

(16.) November 2—Excessive censoring, Curia Bar protest for the happenings of the previous Sunday. Mobs in several churches.

1984

(17.) January 27—Excessive censoring, also the prohibition from MCD of the news on Dr. Arturo Cruz's declarations, and the Announcement from The Bishop's Conference in the case of the High School LA SALLE.

(18.) February 1—Excessive censoring. Late resolution. Among censored news were: The case of Bernardino Larios, LA SALLE Editorial, they decided to step back the order of suspension of elections, which was the main news.

(19.) March 22—Defense by PJCHB, on the case of the Free Man.

(20.) April 5—Main news censored: Arrival of Alfredo Cesar to Nicaragua.

(21.) May 18—Editorial in support of Luis Mora Student beaten (censored).

(22.) May 31—Main news Criminal Attempt against Eden Pastora in a Press Conference.

(23.) June 15—Excessive censoring, specially as to photographic material related to floods caused by rainy season.

(24.) June 18—Excessive censoring, photograph and information on the subdivison OPEN, Bishops in El Sauce Holy Years Ending.

(25.) July 10—Excessive censoring. Expelling order against 10 Catholic Priest by the Sandinist Government.

(26.) July 11—Excessive censoring. The Pope condemns Expelling, International reaction on the expelling order. The Priest Laplante does no appear.

NON CIRCULATION AFTER JULY 19, 1984, WHEN CENSORSHIP WAS MODIFIED ONLY ON MILITARY MATTERS

(27.) August—Excessive censoring on Arturo Cruz's political rallies and La Coordinadora in Matagalpa and Chinandega.

(28.) October 22—Excessive censoring relating to PLI politicial party.●

THE OLDER AMERICANS PENSION COVERAGE PROTECTION ACT OF 1985

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. GEJDENSON. Mr. Speaker, under current law, in most cases employers are allowed to stop making contributions to pension plans after the normal retirement age of the worker—generally 65—and to stop

crediting time worked after normal retirement age for purposes of determining the retirement benefit. This is generally true even if the employee has not yet accrued the maximum retirement benefit. Furthermore, there is also no requirement that pension benefits be actuarially adjusted upward for the shorter time the benefit is received.

According to the Employee Benefit Research Institute, this policy means that an employee delaying retirement for 2 years may lose from 4 to 23 percent of the value of accrued lifetime benefits, depending on the provisions of the pension plan, and the loss can be up to 50 percent if retirement is delayed for 5 years.

Today, therefore, I am introducing the Older Americans Pension Coverage Protection Act of 1985. This bill would amend the Age Discrimination in Employment Act of 1967 to prohibit an employee benefit plan from requiring or permitting the suspension of an employee's benefit accrual because of age before accruing the maximum normal retirement benefit. The bill would, further, amend the Employee Retirement Income Security Act and the Internal Revenue Code to prohibit specific types of plans from suspending or reducing the rate of an employee's benefit accrual or employer contribution to an employee's account solely because of age.

Senator ALAN CRANSTON has introduced comparable legislation in the Senate. I believe that this bill is in keeping with the spirit of the Age Discrimination in Employment Act, and I urge my colleagues to join with me and cosponsor this legislation.●

SURE-FIRE RECIPE FOR DEFEAT

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. FIELDS. Mr. Speaker, last week I read an article by Jed L. Babbin, vice president and general counsel of the Shipbuilders Association of America, which appeared in the Houston Chronicle.

I was especially taken by the picture Mr. Babbin paints, that portrays the United States as a nation with an industrial policy which has run amok. He is correct in stating that even though the United States ignores our state of national defense, and fails to engage in industrial preparedness, that our Nation's enemies will not.

I agree that we ought to be coordinating our country's industrial capabilities with our defense needs. Without that policy, there won't be any capability there should we need it to produce materials in an emergency.

The article follows:

[From the Houston Chronicle, Apr. 25, 1985]

SURE-FIRE RECIPE FOR DEFEAT

(By Jed L. Babbin)

How can you fight a two-year war with only three months of supplies? American generals cannot plan for wars longer than 90 days because industry cannot increase production above peacetime levels before supplies run out.

The prevailing wisdom is that future conventional wars are unlikely to last more than 90 days. Military planners now rely on pre-positioned materials and equipment to supply airlifted troops. But the pre-positioned materials may be exhausted after only two or three weeks' fighting.

Our military planners assume that the only materials available are those "in the pipeline" at the time war begins. But what happens if an adversary is willing and able to fight on for six months, a year or longer?

In every major war for 120 years, American industry has mobilized to provide the difference between victory and defeat. Usually unprepared for war, we have retreated in the face of aggression. Later, we responded with forces having a vast advantage in logistics. Our ability to outproduce and outlast our enemies has resulted in victory.

Since World War II, industry's ability to respond to the needs of defense has withered away. The Defense Science Board, a group of prominent industrialists who advise the secretary of defense, concluded that American industry could not respond to defense needs in less than two years. No one seriously believes that Free World conventional forces could hold their ground against the Soviets for two years while industry gears up.

Shipyards, for example, must be able to service the reserve military cargo fleet, accelerate construction and overhaul of combatant ships, and meet the needs of the civilian fleet. By 1990, it is highly unlikely that there will be sufficient shipyards or skilled shipyard workers to perform the tasks of mobilization.

The government's response to this loss of industrial capacity is amazing. Just last month Vice Admiral William Cowhill, Director of Logistics for the Joint Chiefs of Staff, said that estimates of wartime shipping needs should not include "phantom cargo." He said we should not assume that military cargo could be produced faster than the ships that would carry it. Why worry about shipyards or ships, he reasoned, if there's nothing to send overseas?

If there was ever a recipe for defeat, that is it. Our commanders should not have to choose between defeat or nuclear war because we failed to maintain the industrial resources needed to succeed in a conventional war. We must ensure our ability to deploy and sustain military forces through organization and preservation of the industrial assets critical to defense.

There is a vacuum in our defense planning. No one in the government, aside from the president himself, has the duty to coordinate defense needs with industrial capability. As a result, it does not occur. Each government agency is free to issue policy directives without reference to defense. Many go forward with new policies despite Defense Department objections to adverse effects on industrial resources needed for defense. The dismemberment of AT&T is a good example of that policy-making arrogance in non-defense agencies.

The Soviets carefully coordinate the needs of their armed forces with economic policies to maintain the industrial support they need. Over the past 36 years, every sector of Soviet defense industry has grown tremendously to become a tightly integrated program of military production, from mining of raw materials to the fabrication of finished weapon systems.

The relationship between defense requirements and the shipbuilding and shipping industries has led the Soviets to integrate thoroughly defense needs with commercial resources. According to the 1985 edition of *Soviet Military Power*, the Soviets have made a substantial investment in shipping and shipbuilding which ". . . clearly surpass(es) their demonstrated and projected commercial applications."

The United States has no merchant shipbuilding program. Commercial ship operators are encouraged to build ships abroad without regard to their military utility. As a result, only five major commercial ships have been ordered from U.S. yards in the last five years.

We would never wish to emulate the Soviets' dedication of industry to military goals. Nevertheless, we must establish economic policies which ensure industry's ability to support our forces in time of war.

Mercantilists of 15th century Europe controlled trade to enhance exports. The neomercantilists of the 20th century, such as Japan, target industries for growth and support them with subsidies, trade barriers and informal agreements among producers and consumers.

We need a new "strategic mercantilism" to ensure the preservation of the industrial resources vital to national security. Strategic mercantilism defines what resources are needed and ensures their preservation at lowest cost. It is a blending of economics and politics which provides for both defense and employment. It would provide that enough should be done to ensure national security, and no more.

It is certain that our enemies will recognize our lack of industrial preparedness, especially if we do not. The president should remedy the problem quickly by issuing an executive order requiring the national security adviser to annually measure the industrial resources essential to defense and to devise programs to ensure that they are preserved at the minimum necessary levels.

Adam Smith, the father of free market economics, wrote that defense is more important than opulence. But it was a critic of Smith's, Fredrich List, who best summed it up by writing, "The power of producing wealth in infinitely more important than wealth itself."●

PUBLIC TELEVISION ANTICONVERSION ACT OF 1985

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LELAND. Mr. Speaker, I am introducing today the Public Television Anticonversion Act of 1985. The legislation is a response to a rulemaking pending at the Federal Communications Commission that would allow commercial stations operating on the UHF band to swap their channels and

cash for VHF channels assigned to public television stations.

I would like to share with my colleagues a letter I recently received from Sharon Percy Rockefeller, a member of the board of directors of the Corporation for Public Broadcasting [CPB]. In the letter, Mrs. Rockefeller, who formerly served as chairman of the CPB board, succinctly and effectively outlines the reasons to oppose the proposed channel exchanges.

I urge all Members to read this letter and to join me in opposition to the FCC's proposal. The letter follows:

APRIL 26, 1985.

Hon. MICKEY LELAND,
Committee on Energy and Commerce, U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN LELAND: I am writing to express my deep personal concern about a pending rulemaking at the FCC that could irreparably damage the public television system. The Commission is considering a change in its procedures which would permit public television stations operating on VHF channels (channels 2-13) to "trade" or "swap" channels with local commercial stations operating on UHF channels (channels 14-69), in exchange for cash or an "endowment." The swap would take place without any opportunity for competitive bidding.

My strong personal opposition to such channel exchanges is based on several philosophical and public policy reasons that I urge you to consider carefully:

(1) Audience Reach.—There are 121 VHF and 180 UHF public television stations. With 39% of our stations operating on VHF channels, the public television system is indisputably better able now to reach the American people than if it consisted entirely of UHF channels. In this respect, decreasing the number of VHF stations would devalue the national public television system as a whole. The inherent inferiority of UHF signals, compared to VHF, is well known. The FCC formally recognized the UHF signal inferiority as recently as February, 1985 when it ruled that, for purposes of its multiple ownership rules, UHF stations will be considered to have half the audience reach that VHF stations enjoy. The loss of any of our VHF stations, and certainly the loss of several of them, would significantly reduce the audience that public television has painstakingly built and increased during the last 20 years.

Some have argued that cable and other new technologies make the UHF channels virtually indistinguishable from VHF channels. I do not agree. The reason the commercial broadcasters want to exchange their U's for public television's V's is their obvious knowledge that UHF is and will be inferior to VHF in reaching large audiences, for now and for the foreseeable future. In addition, carriage of all public television stations by cable systems is not guaranteed for the future, in light of the potential changes which might occur in the Commission's cable must-carry rules.

(2) Channel Exchanges are a National, Not Solely a Local, Issue.—Encouraging channel exchanges implies that present public television licensees own their VHF channels, and can "sell" them for large endowments and inferior channels. This ignores the basis of our country's entire broadcasting system—that the channels are public property licensed to trustees, who must use the resource to serve the public. Public television licenses should not be "exchanged for cash" any more than national parks should be "exchanged for cash."

Public television's VHF channels were reserved for noncommercial use in 1952 after a hard fight with commercial broadcasters who claimed that reserved channels were wasted spectrum. The VHF channels have enabled the public television audiences and the system to grow; growth assures the high quality alternative programming which is public broadcasting's reason for being. These reserved VHF channels should not now be treated as "belonging" to their present licensees, to be "sold" for whatever value the licensee negotiates for itself. The channels belong to the American public, past, present and future. They are operated by public trustees, whose mission is the same as CPB's—to sustain and develop public broadcasting services for all people.

If exchanged, the VHF channels will be lost to public television forever, because of their high commercial value. The irreversible impact of such exchanges thus makes this a national issue, not a matter for the exclusive consideration of the present management at local stations.

(3) The Benefits Would Not Outweigh the Costs.—Some have argued that the high prices commercial UHF licensees would be willing to pay for a VHF channel will make such trades worthwhile, because the public television station would be able to overcome the UHF handicap with state-of-the-art equipment and maximum power levels. In addition, it has been argued that the high prices will enable the public television station to produce more programming. I am unmoved and unpersuaded by these views because:

If money could overcome the UHF handicap, the commercial UHF licensees would improve their own stations instead of buying VHF stations; why do we not hear of any commercial VHF stations proposing to exchange their channels for UHF stations if there is no difference between VHF and UHF?

More programming is not worthwhile if a station's signal is degraded, its audience is decreased, and its public service is, therefore, less effective.

Although a few VHF stations might benefit from their "sales," all other public broadcasting stations—including public radio—would suffer from the inevitable decline in federal, state and local tax-based contributions, as well as individual, foundation and corporate contributions.

The encouragement of VHF-UHF exchanges will erode years of progress for our national system of public broadcasting. I hope you will join me in opposing the FCC's proposal.

With best regards,

SHARON PERCY ROCKEFELLER.●

SENATE—*Wednesday, May 8, 1985*

(Legislative day of Monday, April 15, 1985)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

Sovereign Lord of history, like Job we often find it difficult to understand Your ways, but we trust Your perfect wisdom, grace, and love. On this anniversary of the captivity of the Reverend Benjamin Weir in Lebanon, we pray for him and the other hostages taken: Father Martin Jenco, William F. Buckley, Peter Kilburn, and Terry Anderson. Be with their families in these difficult days and grant that they may be released safely and soon.

Gracious God, at a time when the unity so sought after and fought for by our Founding Fathers is needed, help Congress to find that concensus which is fundamental to the national welfare. Like a giant magnet the centrifugal forces of geography, party, special interests and personal agendas are pulling us apart. We accept diversity as political reality essential to our democratic process, but not at the cost of fragmentation. Loving Father, be the centripetal force which pulls us together in the equally political reality that we are "one Nation under God." In His name Who holds all things together by the word of His power. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished majority leader is recognized.

SCHEDULE

Mr. DOLE. Mr. President, under the standing order, the leaders each have 10 minutes. That will be followed by special orders by Senators HUMPHREY and PROXMIRE not to exceed 15 minutes and routine morning business not to extend beyond the hour of 10:30 with statements limited therein to 5 minutes each. Following morning business, the Senate will resume consideration of the budget resolution. At that time, the Senator from Massachusetts [Mr. KERRY] will be recognized to offer an amendment relating to taxes. Following that amendment, the Senator from Georgia [Mr. MATTINGLY] will be recognized to offer an amendment relating to Social Security.

At 1 o'clock, we have the Chiles-Hollings package, and then following that the distinguished minority leader and others will offer a budget resolution package. So I think it is safe to say we can expect rollcall votes throughout the day.

We intend to go off the budget resolution around 5 o'clock. There may be other business that we can conduct at that time.

AMERICANS HELD HOSTAGE IN LEBANON

Mr. DOLE. Mr. President, throughout the day, Senators will be coming to the floor to speak to the plight of the five Americans held hostage in Lebanon. I hope their remarks will provide some comfort for the families of these five men. Our hearts and minds are with them as they await the day their loved ones will be safely returning home.

Forty years ago, America, and her allies won a great victory—a victory of freedom over oppression; justice over tyranny; individual liberty over bigotry and hatred. Our victory in Europe was unconditional and complete: Four decades have not diminished our national pride in having fought the good fight and won. Yet, throughout the world, there remain those who prefer violence and terror over reason and the rule of law as means to their objectives.

As a result, V-E Day can only mean pain and anguish for the family of Rev. Benjamin Thomas Weir as it marks the first anniversary of his kidnaping. It is a day filled with sorrow and heartache for the families of the other four hostages: Father Martin Jenco, of Catholic Relief Services; William F. Buckley, first secretary of the political section of the U.S. Embassy; Peter Kilburn, a librarian at American University; and Terry Anderson, the Associated Press bureau chief of the Middle East.

We can only hope that whatever hardships confront our five countrymen, they are finding the strength to endure knowing they have the support of this entire, great Nation. Our prayers are with them, as already indicated by Dr. Halverson, and with those who are working tirelessly for their release. May 8 stands out in history as a day when freedom triumphed. Let us keep faith that it will again be victorious for the five hostages in Lebanon.

Mr. President, I yield now to the distinguished Senator from North Carolina.

Mr. HELMS. Mr. President, I thank the able majority leader.

THE HOSTAGES SEIZED IN LEBANON

Mr. HELMS. Mr. President, I know we were all touched by Dr. Halverson's moving prayer just a few moments ago. I deeply appreciate the Senate Chaplain's compassion and concern. We were touched by the plight of five fellow Americans victimized by international terrorism and by the pain of their families bereft of their presence. We were touched by Dr. Halverson's eloquence and, above all, by his abiding faith, for it is faith that sustains us all, particularly in such times of crisis.

The distinguished majority leader referred to Rev. Benjamin Thomas Weir. Reverend Weir knows all about faith. As a Presbyterian minister, he has served God and God's people in Lebanon faithfully for more than 35 years. Reverend Weir was seized by the Islamic Jihad on May 8, 1984, a year ago today. His devoted wife, Carol, described the beginning of his ordeal this way.

> We were walking down the sidewalk when a car pulled up and two men got out. They asked my husband in English to please come with them. He did not know them and refused. The men grabbed him by the collar and necktie, choking him. They hit him on the side of the head, which caused him to fall, and then they dragged him into the car and drove away.

Another man of God who knows about faith is Father Martin Jenco. Like Reverend Weir, Father Jenco had a mission that was humanitarian, not political, in nature. Yet heavily armed gunmen kidnaped Father Jenco on January 8, 1984. The Islamic Jihad announced his abduction was part of their campaign to force all Americans to leave Lebanon.

Also seized at gunpoint was William F. Buckley, first secretary of our Beirut Embassy's political section. Mr. Buckley was setting out for work on March 16, 1984 when he was kidnaped by the Islamic Jihad.

Peter Kilburn, a librarian at the American University in Beirut, simply disappeared from his West Beirut home on December 3, 1984. West Beirut, of course, is a predominately Moslem sector of the Lebanese capital.

The Islamic Jihad later claimed credit for Mr. Kilburn's disappearance.

The latest kidnaping of an American in Lebanon occurred exactly 1 year after Mr. Buckley's abduction. On March 16, 1985, three young men forced Terry Anderson, chief Middle East correspondent of the Associated Press, into a green Mercedes and sped away through the streets of West Beirut.

The American people must never forget their fellow citizens held in captivity in Lebanon. As the representatives of the American people, at home and abroad, including these five victims of international terrorism, we must never forget them either.

"The threat to Americans has been high for some time," a State Department spokesman noted at the time of the Anderson kidnaping. "No one should consider himself immune from these threats."

As we pray with the families for the return of their loved ones, let us also pray that the day is not far off when those who kidnap innocent citizens whose only crime is to serve the people will no longer consider themselves immune from the demands of common decency.

I thank the able majority leader for yielding to me.

I yield the floor.

Mr. THURMOND. Will the distinguished Senator yield?

Mr. HELMS. I yield to the able Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I would like to associate myself with the remarks of the able and distinguished Senator from North Carolina. There is no question that terrorism exists in parts of the world. We must let these families know and our country must remember these men in time of trouble. Any reasonable steps that can be taken to relieve them of the cruel treatment they are receiving should certainly be done by our Government. I hope as time goes by that those who are committing such terrorism and acts of barbarism will come to their senses and realize the love of man for man should exist instead of acts of vandalism and terrorism to destroy people, destroy their lives, and cause sorrow among their families. It is my sincere hope that action can be taken in some way to have these people brought to justice and to have these people released. After all, they are American citizens and we have an obligation to them, in my judgment, to take every step we can to relieve their suffering and to relieve them from being held hostage.

AMERICANS HELD HOSTAGE IN LEBANON

Mr. SIMON. Mr. President, the majority leader, Senator DOLE, has spoken about the anniversary of the captivity of Rev. Benjamin Weir. He is one of the five Americans being held hostage on Lebanon.

This is the 365th day of his captivity. Others who are held captive are William Buckley, Peter Kilburn, Father Lawrence Martin Jenco, who happens to be from my State of Illinois, Terry Anderson, as well as Reverend Weir. For 31 years he served as a representative for the Presbyterian Church and as an administrator for a relief organization there. He was abducted, not because anything he did was controversial. He was abducted solely because he was an American there.

I think those of us who represent this Government here have a responsibility to continue to keep in mind those who are held captive and to do everything we can to try and secure their safe release. I also think we have the responsibility to speak out against acts of terrorism wherever they occur and whenever they occur.

Reverend Weir's courage and dignity in the face of his ordeal is an inspiration to all of us.

I ask unanimous consent to have printed in the RECORD at this point a handwritten note that was received by his family. It was written by him on April 10. It is both an inspiration to them—a touching note—and a reminder to all of us that we have to keep doing what we can for these captives.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

DEAR CAROL AND FAMILY: I thank God I am still alive, and in the spirit have celebrated Easter with you. I think of you often and thank God for your love and faith, as I am sure you and friends pray for me.

I am sure God is with you and me, and that His will is good, acceptable and perfect. I love you very much and thank God that He sustains us with His everlasting grace and love.

Affectionately,

BENJAMIN M. WEIR,
10 April 1985.

AMERICAN HOSTAGES IN LEBANON

Mr. COHEN. Mr. President, today marks the first, and hopefully the only, anniversary of the abduction of the Rev. Benjamin Weir on the streets of Beirut. The Reverend Weir, along with fellow Americans William Buckley, Peter Kilburn, Terry Anderson, and the Reverend Lawrence Jenco, has endured—and continues to endure—personal anguish, deprivation of liberty, and separation from family. It is important to emphasize today, to the families as well as to those responsible for these barbarous acts, that we shall not let this matter slip from our collective consciousness until they have been safely released.

It is sad, but nonetheless true, that in today's world people may still be singled out, not for what they have done, but for what they are. In this case, these men are being punished for the sole crime of being American. It is doubly distressing that the perpetrators of these despicable kidnapings should attempt to wrap themselves in the ill-fitting mantle of religion, whose most basic tenets profoundly condemn such odious acts. The kidnapers should entertain no illusions about the contempt and revulsion that civilized people of all cultures feel for their acts nor for the shame they bring to any cause they may profess to espouse.

We wish to express our deep sympathy to the hostages' families who have gathered here today and to pledge that we will not forget their plight. We shall not allow this matter to slip through cracks in our concern amidst the press of other business in a dangerous world. We call upon the Lebanese and Syrian Governments to exert the utmost efforts to find and obtain their release. Along with their families, we pray for their early deliverance.

KIDNAPING OF REVEREND WEIR

Mr. GLENN. Mr. President, today marks a special anniversary—40 years ago the war in Europe ended. I add my best wishes to those expressed by my colleagues on the 40th anniversary of V-E Day. As a veteran of World War II, I remember the joy and relief that V-E Day brought to me. The passage of 40 years has not diminished those feelings.

I rise today, however, to observe another anniversary. This one is not so joyful. Today is the first anniversary of the kidnaping of the Rev. Benjamin Weir in Lebanon. Few Americans are aware of the plight of Reverend Weir. The interest generated by his kidnaping waned rapidly after his abduction. During the course of his year of captivity, he has virtually become a forgotten man.

The Reverend Weir is not alone in his captivity. Four other Americans are also being held: William Buckley, an official of the U.S. Embassy in Beirut, kidnaped in March 1984; Peter Kilburn, a librarian at the American University in Beirut, reported missing in December 1984; Father Lawrence Jenco, a Catholic priest, kidnaped in January 1985; and Terry Anderson, an employee of the Associated Press, kidnaped in March 1985. The families of these men should not be made to endure the uncertainties and heartbreak of being separated from loved ones.

Unfortunately, the possibility of similar terrorist-inspired incidents is real and will undoubtedly persist. The threat that terrorists pose to Americans everywhere in the world is grow-

ing dramatically. I am disturbed by the increases in international terrorism over the past three decades, and the level of terrorism directed against U.S. personnel and property in recent years has been particularly alarming. The recent tragedies in Lebanon have been painful reminders of this trend.

I have recently contacted Secretary of State George Shultz to express my concern about the Reverend Weir. I have been assured that the Department of State is doing all it can to effect the release of Reverend Weir and the four other American hostages. As the situation in Lebanon becomes more and more desperate, however, I urge the Department of State to redouble its efforts so that these hostages may be safely and expeditiously reunited with their families. I also call upon my colleagues in the Congress not to forget the plight of these hostages, and I encourage them to offer their support to those responsible for gaining their release.

By request of Mr. DOLE, the following statement was ordered to be printed in the RECORD.

● Mr. WILSON. Mr. President, today I call to the attention of my colleagues the plight of those being held hostage in Lebanon. The sufferings of the Rev. Benjamin Weir, William Buckley and the others, are far removed from our every day proceedings. Nevertheless, our active support for them is critical.

While I appreciate the value of quiet diplomacy in sensitive cases such as this, I am deeply concerned about the apparent lack of progress in negotiating for the release of these courageous individuals.

I have written to Secretary of State Shultz to request his personal assurance that the release of these five Americans from their captors in Lebanon be made a top State Department priority, and I urge my colleagues to do the same. Rhetoric is not a sufficient demonstration of our commitment, we must take tangible steps to prevent terrorism and we have a moral duty to aid, through every means at our disposal, our fellow Americans who are victims of terror, wherever they may be.●

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. Under the previous order, the Democratic leader is recognized.

BONN RETROSPECT

Mr. BYRD. Mr. President, before World War II, many of the great conflicts of history were the result of economic competition that spilled over onto the battlefield. Powerful nations contended with one another for trade routes and commercial advantage. When that competition became too heated, it escalated into a military struggle. This reflected the importance great nations attached to their economic security and the promise for the future that trade growth represented.

But, in our own lifetime, we have seen a fundamental change in the nature of international conflict. It is no longer the case that great trading nations wage war as the last step in economic competition. In a turnabout from the patterns of the past, America's greatest allies are the nations with which we are in economic competition. The Soviet Union—our principal adversary in the world—is in no respect our equal in the competition for world markets.

It only makes sense that our European trade partners, Canada and Japan, should be our closest allies. We have more in common with those nations than we do with many others. They are democratic, capitalist systems like our own. Between us, we account for much of the world's wealth and, coincidentally, much of its trade. Our economic cooperation and security are as important as our military cooperation and security. These objectives support one another, and both are required to maintain strength and health within the alliance.

For this reason, the indecisive outcome of this year's economic summit in Bonn is unsettling. It has become almost a cliche to say that summit meetings cannot live up to the expectations they create. But the Bonn summit fell short of the President's objectives in some very conspicuous ways.

Before the summit had begun, the President announced an economic boycott of Nicaragua. Notwithstanding the pros and cons of his actions, the announcement was made without prior consultation with our allies, and it took the other leaders by surprise. On the eve of an event calculated to show unity, the President had caught the other participants at a disadvantage. Would they support the boycott? How could it succeed without their support? As was the case with the Grenada invasion and our withdrawal from Lebanon, allied leaders were left to fend for themselves in explaining U.S. actions and their own positions on the issue.

Beyond that embarrassment, French President Mitterrand refused to accept consensus positions on either of the President's main concerns, the new round of trade talks or the strategic defense initiative. Perhaps President Mitterrand was acting in accordance with his own domestic political needs, placing himself as an independent leader in the style of De Gaulle. Whatever his motives were, his refusal to join in a consensus was all the more conspicuous because there seemed to be so few other specific issues before the participants.

In the recent report by the Senate Democratic Working Group on Trade Policy, Senator BENTSEN and his colleagues stressed the fact that the current international trade system is under unprecedented pressures:

> We are in an era of reduced U.S. influence, flexible exchange rates, interdependence, and mercantilist trade practices; a new global economy. Although the global economy has great potential to improve U.S. living standards, these changes are dangerous as well. Today they create windfall winners and losers among trading nations and generate protectionists pressures.

At such a time, the President met with the leaders of the world's greatest trading nations and did no more than look for agreement to pursue a new round of trade talks for which the agenda is uncertain and the U.S. objectives unclear. The trade policy working group report suggests that there are some fundamental challenges to America and its role in the world economy. The President and his team were not prepared to meet those challenges, and I am not at all certain that they appreciate the nature of the problems we confront.

I encourage my colleagues to read the preliminary report of the Senate Democratic Working Group on Trade Policy, especially in light of the events in Bonn. With a trade deficit that could exceed $140 billion this year, and the associated loss of American jobs, we need a trade strategy, not an uncertain shopping list based on ideals and good intentions.

Mr. President, I yield back the remainder of my time, and I yield the floor.

APPALACHIAN REGIONAL COMMISSION

Mr. BYRD. Mr. President, last month I joined my colleague, Senator ROCKEFELLER, in cosponsoring the Appalachian Regional Development Act Amendments of 1985. This legislation would benefit 13 States—known as the Appalachian States—States with the most fragile economic bases, hardest hit by economic recession, and the slowest to recover as the economy turns around.

Unemployment in my home State of West Virginia—one of these 13 States—was 15.9 percent earlier this year—down from a high of 21 percent a few months back.

The ARC Program is urgently needed in West Virginia and in the other 12 States, to aid in the economic turnaround in such essential areas as road development, water and sewer systems development, industrial parks, vocational education, and health care projects.

There is no alternative source of Federal funding which addresses the

needs of Appalachia as well as the ARC Program—a program with a good track record—a proven program with incalculable benefits for the lives of so many—and a program that can so greatly help the citizens of Appalachia toward enjoying levels of economic recovery and a quality of life approaching that enjoyed by the rest of the Nation.

I ask unanimous consent to have published in the RECORD, following my statement, House Concurrent Resolution No. 24, recently adopted by the West Virginia House of Delegates, urging the Congress of the United States to reject my proposed legislation that would abolish or defund the Appalachian Regional Commission.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION No. 24

Whereas, There is an urgent need to aid the economic growth of West Virginia and to reverse the increasing unemployment figures; and

Whereas, Industries essential to our country's survival are located in West Virginia and make our state a prime factor in the growth and development of Appalachia; and

Whereas, The Appalachian Regional Commission funding and its continuance is essential to the development of roads, sewer, public service districts and to putting and keeping West Virginians working; and

Whereas, Our public officials in Washington and in this state should make the fight against abolishing and defunding of the Appalachian Regional Commission a top priority because every citizen of this state will be affected if Congress should defund the ARC; and

Whereas, West Virginia economic development, growth and survival depend on the maintenance of the ARC; therefore, be it

Resolved by the Legislature of West Virginia: That the Congress of the United States is hereby urged to reject any proposed legislation that would abolish or defund the Appalachian Regional Commission; and, be it

Further resolved, That a copy of this resolution be forwarded to Senators Byrd and Rockefeller, to members of the West Virginia Congressional Delegation and to both houses of the Congress of the United States.

RECOGNITION OF SENATOR HUMPHREY

The PRESIDING OFFICER. Under the previous order, the Senator from New Hampshire [Mr. HUMPHREY], is recognized for not to exceed 15 minutes.

Mr. HUMPHREY. Thank you, Mr. President.

URGING CANCELLATION OF THE U.S./U.S.S.R. JOINT COMMERCIAL COMMISSION

Mr. HUMPHREY. Mr. President, yesterday the Honorable Richard Perle, Assistant Secretary of Defense for International Security Policy, appeared before the Senate Armed Services Committee and reviewed the compliance—or perhaps I should say the noncompliance—of the Soviet Union with all of the important arms control treaties of the last 20 years. Mr. Perle's testimony is very disturbing, to say the least, and at the conclusion of my remarks I will seek consent to place his testimony in the RECORD.

Mr. Perle's testimony in reviewing the record brought out that the Soviets have violated, to quote Mr. Perle, "almost all of the important arms control agreements signed since 1963."

According to the administration's findings, the U.S.S.R. has violated the Helsinki Act, has violated the Geneva Protocol on Chemical Weapons, has violated the Biological and Toxin Weapons Convention, has violated provisions of SALT II, has violated the ABM Treaty, has violated the Limited Test Ban Treaty, and in the view of the administration is likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty.

Mr. President, some years ago there was a policy of linkage. It seemed to me a very wise policy, one which linked our willingness to reach closer relations with the Soviets with the conduct of the Soviet Union around the world.

I am sorry to say that almost all, if indeed not all, of the linkage which existed some years ago has been dissolved. If there is one shred of linkage left, I would like to know what it is.

Against this background, Mr. President, I am greatly disturbed by the announcement of a few weeks ago that on May 20, Secretary of Commerce Baldrige will journey to Moscow to participate in meetings of the U.S.-U.S.S.R. joint commission. This will be the first meeting of that commission since 1979.

Resuming deliberations of that commission represents yet another effort by the administration to ease relations with the Soviet Union. If the Soviets for their part were conducting themselves responsibly, that would be a good thing. But it seems to me a serious mistake against the background of Mr. Perle's testimony, against the background of repeated, brazen, and hypocritical violations of the arms control treaties, against the background of Soviet brutalization of Afghanistan, against the background of continued and intensified Soviet repression of its own people for the United States to be willing to enter into a meeting with Soviet representatives for the purpose of expanding trade between our two nations.

Is this supposed to be a reward for Soviet misbehavior around the world? That must be how it is taken by the Soviets. The more they misbehave, the more outrageous their conduct, it would appear, the more willing this administration is to find means of accommodating itself to the Soviet Union. What a tragic mistake.

Mr. President, there is no imperative, none, for the United States to widen its trade with the Soviet Union. In 1983, we imported only $600 million worth of Soviet materials and products. Obviously, we are not dependent upon the Soviets for any of their products or materials, for national security or economic prosperity. The Soviets for their part imported—bought—$3.2 billion of our exports. No doubt at these trade talks they will seek means to improve their access to American technology.

Where is the up side? The up side accrues to the Soviets.

Mr. President, I have written a letter to the President of the United States urging that this meeting be canceled; that is, urging that our participation in the meeting be canceled. I ask unanimous consent that my letter to the President, along with the testimony of Mr. Perle to which I referred earlier, be printed in full at the conclusion of my remarks.

Mr. President, ironically, the announcement of our intent to send a delegation to Moscow for the May 20 meeting of the joint commission came on March 20. March 20, it happens, is annualy set aside by Presidential proclamation as a day of solidarity with the struggling, suffering people of Afghanistan. It is a day designated as Afghanistan Day. It is not only ironic, but cruel, that we would announce on that very day when we are supposed to be showing solidarity with the people of Afghanistan against their Soviet oppressors that we would announce we are going to Moscow to seek means of widening trade. Where is the linkage? Is there a shred of linkage remaining? If so, I would like to know what it is. This is a terrible mistake, Mr. President, and the administration can rectify it only by canceling our participation in this meeting on May 20 of the U.S.-U.S.S.R. joint commercial commission.

Mr. President, if the Senator from Wisconsin is ready, I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, May 2, 1985.

Hon. RONALD REAGAN,
White House,
Washington, DC.

DEAR MR. PRESIDENT: I understand from press reports the National Security Council is considering recommending a postponement of the trip of Secretary Baldrige to Moscow to participate in the meetings of the US/USSR Joint Commercial Commission commencing May 20.

I urge you to cancel the meeting and not only in protest of the brutal murder of Major Nicholson. I respectfully suggest the meeting of the Commission, which will be the first since 1979, should never have been agreed to in the first place, given the Soviet crimes against humanity in Afghanistan.

Is there no linkage at all between Soviet behavior and U.S. willingness to enlarge

trade with the USSR? Where is the imperative to enlarge trade? The Soviets stand to gain greatly from access to our technology, while we can do very nicely without Soviet products or materials.

What signal does the Administration mean to send to the Soviets by resuming trade talks while the Soviets batter and bleed Afghanistan? What signal does the Administration mean to send to the Freedom Fighters by enlarging trade with the Soviets while the Soviet Army daily bludgeons the people of Afghanistan (and Pakistan)?

I respectfully suggest the answer to these questions argue strongly in favor of canceling the meeting of the US/USSR Joint Commercial Commission.

With warmest regards, I am

Sincerely yours,

GORDON J. HUMPHREY, *USS.*

TESTIMONY OF THE HONORABLE RICHARD PERLE ASSISTANT SECRETARY OF DEFENSE (INTERNATIONAL SECURITY POLICY)

Despite the disappointing nature of my report to you this morning, it is a pleasure to appear before the Senate Armed Services Committee.

After an intensive two-year study of Soviet compliance with existing arms control agreements, President Reagan forwarded a report on Soviet compliance to the Congress on 1 February 1985. He summarized the findings of the report as follows:

In this unclassified report the United States Government reaffirms the conclusions of its January 1984 report that the USSR has violated the Helsinki Final Act, the Geneva Protocol on Chemical Weapons, the Biological and Toxin Weapons Convention, and two provisions of SALT II: telemetry encryption and ICBM modernization. The United States Government also reaffirms its previous conclusions that the USSR has probably violated the SS-16 deployment prohibition of SALT II and is likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty. In addition, the United States Government has determined that the USSR has violated the ABM Treaty (through the siting, orientation and capability of the Krasnoyarsk Radar), violated the Limited Test Ban Treaty, and violated the SALT II provision prohibiting more than one new type of ICBM, and probably violated the ABM Treaty restriction on concurrent testing of SAM and ABM components. Evidence regarding the USSR's compliance with the ABM Treaty provision on component mobility was determined to be ambiguous. In addition, the United States Government is concerned about Soviet preparations for a prohibited territorial ABM defense. Further, the USSR was determined to be currently in compliance with those provisions of the SALT I Interim Agreement and its implementing procedures that deal with reuse of dismantled ICBM sites and with the reconfiguration of dismantled ballistic missile launching submarines.

These are serious issues. The Soviet Union has violated almost all of the most important arms control agreements signed since 1963. Our concerns are deepened by the fact that Soviet violations in a number of cases involved treaties whose terms are not very demanding—SALT II, for example. Even the strictest possible compliance with SALT II would allow an enormous increase in Soviet nuclear capability. Indeed, there has been nearly an 80 percent increase in Soviet nuclear warheads aimed at the United States since SALT II was signed in 1979. The fact that the Soviet Union has gone even beyond this and violated important treaty provisions is a cause for serious concern.

Moreover, as Secretary Weinberger has observed, "Several of these violations must have been planned by Soviet authorities many years ago, in some cases perhaps at the very time the Soviet Union entered into the agreements."

There are serious security risks from Soviet arms control violations. This is particularly true in the ABM area. The ABM Treaty does not limit the production of ABM interceptor missiles, which can be deployed rather quickly. Because large radars take years to construct, the radar limitations are its core provision. The ABM Treaty is hardly an optimum arms control agreement. Many of its provisions are permissive and thus involve a calculated risk. Even in 1972 the Soviet radar base was already more extensive than that of the then proposed U.S. Safeguard ABM. Indeed, a unilateral statement the U.S. Government issued during the SALT I negotiations noted that, "Since Hen House [Soviet ballistic missile early warning radars] can detect and track ballistic missile warheads at great distances, they have a significant ABM potential." The new Soviet large phased-array radars (LPARs), six of which have been found, are far more capable than the Hen House.

The United States has long been concerned about the ABM potential of Soviet large phased-array radars. Indeed as early as 1970, then Secretary of Defense Melvin R. Laird told the Senate Foreign Relations Committee, "You all know that with regard to ABM defenses, long-lead items are the acquisition and tracking radars." Soon after signing the ABM Treaty, the Soviets began the construction of a new generation of large phased-array radars far more capable then the Hen House to support a large ABM program. Indeed, during the Carter Administration, the JCS reported that: "Soviet phased-array radars, which may be designed to improve impact prediction and target handling for ABM battle management, are under construction at various locations throughout the USSR. These radars could perform some battle management functions as well as provide redundant ballistic missile early warning coverage."

In mid-1983 the United States discovered the construction of one of these radars deep in the interior of the USSR near the city of Krasnoyarsk. After a detailed analysis of this radar, its capabilities and Soviet explanations for its construction, the United States Government has concluded that: ". . . the new large phased-array radar under construction at Krasnoyarsk constitutes a violation of legal obligations under the Anti-Ballistic Missile Treaty of 1972, in that in its associated siting, orientation, and capability, it is prohibited by the Treaty."

We have other serious concerns about Soviet failure to comply with the ABM Treaty. During the negotiation of the Treaty, the U.S. Government attempted to deal with the threat of the upgrade of Soviet bomber defense (SAM) missiles into ABM systems. We were particularly concerned about the SA-5. In the testimony cited above, Secretary Laird voiced concern about the ABM potential of the Soviet SA-5 noting that, "We cannot rule out the possibility that the Soviets have given or will give this system, called the SA-5 or Tallinn system, an ABM role. We believe it is technically feasible for this system. This is a problem of particular concern because of the extent of the Tallinn deployment—over 1,000 interceptor missile launchers." The United States settled for a prohibition of testing such SAMs in the ABM mode but without a specific definition of what this meant.

Over the years we have expressed concerns to the Soviet Union about Soviet testing of bomber defense missiles (Surface-to-Air Missiles or SAMs) radars against strategic ballistic missiles. A 1978 report of the Carter Administration stated that this activity ". . . could have been part of an effort to upgrade the SA-5 system for an ABM role or to collect data for use in developing ABM systems or a new dual SAM/ABM system." In addition, as the Scowcroft Commission noted in its report, "At least one new Soviet defensive system is designed to have capability against short-range ballistic missiles; it could perhaps be upgraded for use against re-entry vehicles of some submarine-launched ballistic missiles and even ICBMs." Two of the new Soviet SAMs now being deployed, the SA-10 and the SA-X-12, could have ABM potential if provided data from large phased-array radars. As was reported in the 1984 edition of Soviet Military Power, "Both the SA-10 and the SA-X-12 may have the potential to intercept some types of US strategic ballistic missiles as well. These systems could, if properly supported, add significant point-target coverage to wide-spread ABM deployment."

We have now determined that, "The number of incidents of concurrent operation of SAM and ABM components indicate the USSR probably has violated the prohibition on testing SAM components in an ABM mode. In several cases this may be highly probable."

As President Reagan stated in his report on the SDI in January 1985, "The Soviets are also engaged in research and development on a rapidly deployable ABM system that raises concerns about their potential ability to breakout of the ABM Treaty. . .". The President has now determined that this system and its components, "which are apparently designed to be deployable at sites requiring relatively little or no preparation, represent a potential violation of its [the Soviet Union's] legal obligations under the ABM Treaty."

Taking all these developments into account, the President concluded that, "The U.S. Government judges that the aggregate of the Soviet Union's ABM and ABM-related actions suggest that the Soviet Union may be preparing an ABM defense of its national territory."

Concerning the SALT II Treaty, we have determined that there have been a number of violations or probable violations. We believe that the Soviets have proably deployed the SS-16 ICBM in violation of a specific treaty prohibition. We have determined that the Soviets have flight tested the SS-X-25 which is a second new type of ICBM in violation of the Treaty limit of one new type. Even if we were to accept the Soviet argument that this missile is not a prohibited new type, it would violate a Treaty prohibition on testing an existing ICBM with a single RV whose weight is less than 50% of the ICBM's throw-weight.

The limit of one new type of ICBM was described by the Carter Administration as one of the principal limits of SALT II. To quote Secretary of State Cyrus Vance in 1979, "Based on their past practices they could be expected to acquire several entirely new types of land-based missiles by 1985;

the treaty limits them to one." While the "new" type limit of SALT II was hardly as restrictive as the Carter Administration made it out to be, the one thing the Carter Administration did insist on was that the SALT II Treaty would prohibit their testing of both a new medium and a new, small, solid-fuel ICBM. They have now done both. They have flight-tested both a new medium, solid-fueled ICBM similar to our MX and the SS-X-25, a Minuteman-sized solid-fuel missile. Moreover, they have other new ICBM's under development and we are concerned that they, too, might violate SALT II limitations.

The United States has determined that Soviet encryption of missile telemetry impedes our verification of SALT II in violation of that agreement. This is a serious development because it also affects our ability to negotiate a verifiable START Treaty. Indeed, President Carter told a Joint Session of the Congress in June 1979 that: "A violation of this part of the Treaty—which we would quickly detect—would be just as serious as a violation of the limits on strategic weapons themselves." The Senate Foreign Relations Committee was so concerned about telemetry encryption in 1979 that it adopted an understanding to the resolution of ratification, sponsored by Senator BIDEN and adopted by a 15 to 0 vote, which provided:

That any practice with regard to the transmission of telemetric information during the testing of strategic arms limited by the Treaty, including but not limited to the failure to transmit relevant telemetric information, which results in impeding of verification by United States national technical means of any provision of the Treaty, will be raised by the United States in the Standing Consultative Commission and if the issue is not resolved to the satisfaction of the United States, the United States reserves the right to exercise all other available remedies, including, but not limited to, the right to withdraw from the Treaty.

Soviet violations of the chemical and biological treaties are more than simple arms control violations. They are atrocites. These weapons have been used against defenseless human beings in an organized effort to drive them from their homes by killing thousands of them. The apparent decline in the use of these weapons does little for the thousands who have died and nothing to absolve the Soviets from eight years of cruel and inhumane attacks with lethal mycotoxins. If anything, as the President reported, evidence gathered during 1984 "confirm and strengthen the conclusion of the January 1984, report that the Soviet Union had maintained an offensive biological warfare program and capability in violation of its legal obligation under the Biological and Toxin Weapons Convention of 1972."

The Soviet violation of the Helsinki Final Act involved an action contrary to the confidence-building measures included in that agreement which call for pre-notification of and information concerning military exercises exceeding 25,000 ground troops. A major Warsaw Pact maneuver (Zapid-81) exceeding that limit was conducted in 1981 at a time great pressure was being exerted on Poland. The Soviets failed to provide the required notification. Soviet compliance with the Helsinki provisions in 1984 has been minimal. Soviet conduct has increased the risks and uncertainties associated with their military exercises which can mask a mobilization and degrade Allied confidence of detecting it. This is a far cry from confidence building.

Soviet testing of nuclear weapons, which we believe is likely to have exceeded the 150 kiloton limit of the Threshold Test Ban Treaty, could result in the development of improved warheads for their strategic weapons systems. We are precluded from developing new weapons of comparable yield because of our compliance under the Treaty.

The U.S. Government has determined that the Soviet Union in numerous instances has violated the 1963 Limited Test Ban Treaty. The violations of the first significant arms control treaty between the U.S. and U.S.S.R. are deliberate and avoidable. They are not mere accidents but the result of deliberate testing policy. I am personally appalled by the lack of press reaction to this disclosure. The same individuals and organizations that have virtually waged war against the U.S. nuclear power industry are strongly silent in the face of disclosure of the deliberate contamination of our environment by the U.S.S.R.

There is no question that Soviet arms control violations are militarily significant. The Soviets have amassed, for example, a major advantage in chemical weapons and a monopoly on biological weapons. Advanced biological weapons utilizing genetic engineering could result in weapons of a type that do not currently exist and against which we would have no defenses. Our failure to fund the chemical weapons modernization program is particularly striking in view of the increasing evidence of large scale Soviet activities in the biological warfare area and massive chemical warfare capabilities.

Soviet violations—and impending violations—of the qualitative restraints of the SALT II Treaty will create threats in excess of even the permissive terms of SALT II. The SS-X-25 is hardly the last new Soviet ICBM. They will have a new MX-sized rail mobile missile capable of refire in a relatively short period of time. They are also moving toward deployment of a new small, mobile ICBM which will be capable of refire. Meanwhile, the fate of the MX is uncertain and the US small ICBM program lags well behind the SS-X-25. We also know that the Soviets have other new ICBMs under development, and these, too, could violate the qualitative restrictions of the SALT II Treaty on throw-weight and RVs.

The Soviet Union has already attained a three-to-one advantage in ballistic missile throw-weight and an almost comparable advantage in time-urgent hard target kill capability. Soviet violation of the SALT II qualitative restrictions will assure that Soviet capabilities in this critical area will grow in a way that is contrary to treaty provisions. Likely Soviet violations of the TTBT will provide the warheads for these new missiles.

Perhaps the most important Soviet SALT related non-compliance comes in the ABM Treaty arena. Soviet deployment of substantial levels of prohibited ABM defenses can have great military significance. Lack of an effective ABM defense today is really the missing link of the Soviet warfighting potential. And it should be noted here that the Soviet doctrine and military plans call for developing a warfighting capability, in contrast to US defense doctrine which is based on development of sufficient military capability for effective deterrence of war. The Soviet Union has built strategic offensive forces capable of effective counterforce missions against hard targets. The Soviets have deployed massive bomber defense forces and are improving these forces almost daily. The Soviet civil defense program is of enormous scale and has the potential to substantially reduce Soviet population loss even in a large scale nuclear exchange. However, only through the deployment of large scale ballistic missile defense can the Soviets hope to prevent—rather than limit damage from—retaliatory attacks against important military targets and political targets.

There is a fundamental difference between a unilateral Soviet ABM capability in addition to their great advantages in strategic ballistic missiles, especially ICBMs, civil defense and bomber defenses, and the strategic situation we seek to emerge as a result of the SDI. A Soviet monopoly in ABM defense capability—or a base for a rapidly deployable one, covertly developed and deployed in violation of the ABM Treaty—is a serious threat to our security and the peace. We must deter such a Soviet development.

At this time we are looking at a series of military response options to a Soviet ABM "breakout." Possible options run the gamut from an increase in our strategic force capability—either inside or outside of existing arms control constraints—to actions that would result in improvements of our near term deployment potential for missile defenses of our own. Any military response to the type of potential ABM "breakouts" projected by the intelligence community will be expensive. We must have Congressional support if we are to credibly threaten such a response to a Soviet ABM Treaty "breakout." Otherwise, we would simply encourage the Soviet Union to further erode the ABM Treaty and move toward a "breakout" or quite possibly a "sneakout" from that agreement. Our ability to deal with the covert deployment scenario is even more critical because this is obviously the route the Soviets would like to use. It could mean reacting not only to clear evidence, but also to ambiguous evidence, because such evidence would probably be the only type we would get if the Soviets choose a covert deployment approach. And, as noted, we have observed a pattern of Soviet conduct that indicates that they are improving their capability to deploy a nationwide ABM system.

Violations, however, are more significant then the immediate military consequences of the acts themselves. They raise questions about the integrity of the arms control process that may be far more significant than the short-term military impact. Despite much rhetoric in the 1970s about the terrible consequences to the Soviet Union of arms control treaty violations, it is clear that these treaties are extremely difficult to enforce. There are those who even now demand standards of proof that simply cannot be met by national technical means of verification. There are those who argue we should ignore violations because they are not militarily significant. Others suggest that these Soviet violations are somehow our fault—we have not been tough enough with them in the Standing Consultative Commission (SCC). Some even suggest we should sweep these issues under the rug because they spoil the climate for future arms control.

There has been some criticism of our decision to make public these Soviet violations. The most fundamental misconception fostered by the advocates of this view is that somehow Soviet arms control violations are our fault because until recently we have not raised SALT II issues in the SSC. This is simply not true. We began raising SALT II issues in the Spring 1981 session of the SCC. We have also raised them through senior diplomatic channels. We called for a Special

Session of the SCC in 1983 which the Soviets refused to attend.

The fact of the matter is that the SCC has been largely unsuccessful over the years in resolving serious compliance concerns. It is, after all, only a forum for meetings between the US and the USSR, and nothing constructive can emerge if one side refuses to acquit itself in a constructive manner. It has no judicial powers. Unfortunately, previous administrations have exaggerated its effectiveness in order to sell unverifiable arms control agreements to the U.S. Congress. Ambassador Paul Nitze was correct in 1979 when, during the SALT II hearings, he testified that: "They [compliance concerns] were resolved by accepting what has been done in violation."

One can debate whether the issues of the 1970s were violations or circumventions or a mix of both. There is no doubt that the Soviets have proven remarkably adroit at exploiting ambiguities in arms control agreements to proceed with activities that it was the intent of one of the parties—us—to preclude by treaty. In doing this, the Soviets have not hesitated to mislead us, deliberately and all too successfully, in order to achieve their purpose. While we regard the spirit of agreements as a guide to their implementation, the Soviets do not. They care nothing for the spirit of agreements, and, when it suits their purpose, little more for their letter. This is a sad commentary; the truth is not always happy.

The current rash of Soviet arms control violations did not happen by accident. It resulted from the fact that our behavior vis-a-vis their non-compliance with signed agreements convinced the Soviets that they could get away with these acts. We did little in response to repeated Soviet violations of the LTBT during the 1960's and 1970's. We resolved many of the SALT I compliance problems by accepting Soviet behavior as legitimate. We resolved the SS-19 "heavy" missile issue by accepting the SS-19 as a "light" ICBM. There are not 2,000 warheads aimed at us on SS-19 missiles. We resolved the launch-control silo issues by accepting the legitimacy of launch-control facilities that are nearly identical to missile silos. We resolved the deployment of an ABM radar to Kamchatka by accepting it. We resolved the expanding pattern of Soviet concealment activities by ignoring them. During the 1970s we resolved the issue of Soviet testing of SAM missiles in the ABM mode by pretending it had stopped.

The SCC is basically a technical forum to deal with ambiguities. The problem however is violation. These can only be resolved at the political level. We plan to make the compliance issue a significant element of new arms control negotiations with the USSR.

We now need a bipartisan effort to bring Soviet arms control violations to an end. Rationalization of such Soviet activities can only encourage further violations by the USSR. Arms control without Soviet compliance is little more than unilateral disarmament by the United States. We must now create penalties for violations that deny the benefits of the violations to the USSR. By penalties I mean US responses which deny the Soviets the benefit of the advantage they gain from a violation. This could involve research, development, or deployments which at least offset the advantage obtained by the Soviets. It need not be a tit-for-tat. It may not suit our purposes to build a Krasnoyarsk Radar in Wyoming. But we cannot continue to impose upon ourselves a double standard that amounts to unilateral treaty compliance.

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin is recognized for not to exceed 15 minutes.

Mr. PROXMIRE. Mr. President, I thank my good friend from New Hampshire.

TOP EXPERTS SAY ARMS CONTROL IS VERIFIABLE

Mr. PROXMIRE. Mr. President, what is the most worrisome vulnerability of arms control agreements between the United States and the Soviet Union? The answer is easy. It is the widespread fear that the Soviet could and would violate such agreements. It is the fear we would be unable to detect the violations. Military technology moves very, very fast with a virtual revolution in nuclear weapons capability every 10 or 15 years. The result: If one superpower can violate an arms control treaty with impunity, it can win a big and perhaps dominating military advantage. This fear, expressed or unexpressed, has haunted American Presidents and their administrations in the past. It has also haunted Members of the Congress. That fear is one of the reasons arms control has made only halting and erratic progress. It is the one doubt that weakens and threatens powerful American public support for arms control. It is a prime reason why no administration has favored even trying to negotiate an end of the nuclear arms race with a comprehensive, mutual, verifiable end to nuclear testing, production and deployment of nuclear weapons.

With this in mind, Mr. President, last summer I wrote to two of the Nation's most distinguished experts on nuclear weapons verification. They are Jerome Wiesner and Kosta Tsipis.

Jerome Wiesner was the Presidential Science Adviser under both Presidents Kennedy and Johnson. He is also a former president of the Massachusetts Institute of Technology. Kosta Tsipis in an MIT professor and codirector of the Science and Technology International Security Program at MIT. He is a widely published author and a member of the board of the Bulletin of Atomic Scientists magazine. Both of these experts have had long experience in dealing with nuclear weapons policy.

These distinguished experts replied in detail. In general their reply was extraordinarily reassuring. They did foresee one serious problem with verification. They concluded, however, from their long experience with this technology, that we can confidently verify Soviet compliance or noncompliance. They wrote that to do so requires two kinds of information:

(a) Early warning about emerging Soviet weapons systems.

(b) Detailed knowledge of the deployment levels of completed weapons systems.

Have we been able to secure that kind of information on Soviet nuclear weapons developments? Here is what Wiesner and Tsipis write:

We believe that the United States has never been surprised by the Soviet Union. For the past 35 years, since the earliest days of the arms race, the United States has had unequivocal early knowledge of new Soviet systems by monitoring their developmental tests . . . This detailed knowledge is gathered entirely by unilateral monitoring . . . which is not dependent on cooperation from the other side.

Mr. President, this conclusion by two of the Nation's most respected scientific experts with detailed knowledge over many years about the nuclear arms race is very good news indeed. It means that arms control verification is not some wishful theory. It is not a blind hope. Verification has an established track record of success throughout the full 35 years of breathtaking scientific advance in nuclear military power. And this is the testimony of two of the Nation's most experienced and competent experts.

Now for the serious problem with verification which I mentioned previously. Wiesner and Tsipis offer the following warning about a significant exception. They write:

We have serious concern about our ability to detect, monitor and verify the testing or deployment of only one specific emerging weapon system: the cruise missile.

Why has the scientific ingenuity that can track testing, production and deployment of other nuclear weapons systems have such difficulty with cruise missiles? Here is the Wiesner and Tsipis answer:

We may never be able to distinguish submarines carrying ordinary torpedoes from submarines that carry cruise missiles like the U.S. Tomahawk missile which like a torpedo and is launched from an unmodified submarine tube.

And these experts conclude:

Limitation of submarine movements or direct inspection may be the only means of control.

Finally Wiesner and Tsipis recognize that both the advance in nuclear weapons and the verification of an arms buildup are both moving ahead rapidly. Is it possible or likely that while verification has worked well in the past, this may be a losing struggle? Is it likely that weapon technology will outpace verification? Here is the answer from the two experts:

For the past three decades improvements in these systems have resulted in a net improvement in the U.S. capability to monitor confidently by unilateral means Soviet weapons advances and deployments. We believe that there is no reason to expect that this performance will deteriorate, given the

great and continuing progress that is being made in computation, information processing, detection systems for electromagnetic radiation and signals, and other components of information gathering . . . thus we see no reason to doubt that the ability of the U.S. to prevent surprise by using its superior technological base will remain robust.

Mr. President, this is very good news for this country. If there is contrary expert opinion, I would welcome hearing it. But here we have two of the Nation's most experienced and respected nuclear weapons experts. These men have lived with the problem of weapons development and verification for many years. They are wise and careful men. They do warn that cruise missiles fired from submarines provide a special problem that will require careful treatment in any comprehensive agreement that would stop the arms race. But certainly from the standpoint of the issue that would seem to be most troubling; that is, can we detect militarily significant Soviet cheating in violation of such a comprehensive agreement, Wiesner and Tsipis affirm clearly that we could.

Mr. President, I ask unanimous consent that this very significant letter to which I have referred be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CAMBRIDGE, MA, *August 15, 1984.*

Hon. WILLIAM PROXMIRE,
Federal Courts Building,
Milwaukee, WI.

DEAR SENATOR PROXMIRE: Thank you for your letter of July 6 with which you asked for our assessment of the current verification capabilities of the United States through national technical means. We have decided to respond jointly to your request since we have been discussing together the specific capabilities you are interested in.

Over the years we have both been involved in the study of problems of reconnaissance and unilateral monitoring of Soviet activities, which are the capabilities that provide the intelligence for judging relative U.S.-U.S.S.R. progress in the development and testing of new nuclear weapons systems as well as information about the capabilities and numbers of deployed Soviet weapons. As a result of this long-term experience and continuing involvement with the process of monitoring of Soviet military-technical activities, we have a reasonably comprehensive knowledge of the U.S. techical capabilities for monitoring activities inside the Soviet Union and, therefore, of the U.S. potential for verification of compliance with arms control agreements. Recently we had an opportunity to update our knowledge of the current and potential capabilities for monitoring present and anticipated Soviet systems through a comprehensive technical conference held at M.I.T. this past February. This conference, which was attended by twenty experts from the intelligence, technical, and arms control communities (many of whom have had Defense Department responsibilities on technical aspects of verification), explored all the key aspects of monitoring technologies that would be relevant in the verification of compliance with the Treaties that you mention in your letter. We are in the process of editing a book that contains the proceedings and conclusions of this meeting; as soon as it becomes available, we shall send you an early copy.

We summarize now our views on U.S. verification capabilities based on our long experience with the relevant technologies, updated and augmented by the recent Conference.

1. We believe that in order to have confidence in the preservation of our national security, we require two kinds of information:

(a) Early warning about emerging Soviet weapons systems.

(b) Detailed knowledge of the deployment levels of completed weapons systems.

We acquire the first kind of information through monitoring of the testing of as yet undeployed systems and thus have early warning of forthcoming Soviet weapons and their capabilities. We acquire the second kind of knowledge by gathering quantitative information about deployed systems and thus can have confidence in detecting potential violations of agreements that have set force-level limits.

2. We believe that the United States has never been surprised by the Soviet Union. For the past thirty-five years, since the earliest days of the arms race, the U.S. has had unequivocal early knowledge of new Soviet systems by monitoring their developmental tests. Furthermore, our monitoring systems have provided us with timely qualitative information about the performance of most new Soviet weapons systems. This detailed information is gathered entirely by unilateral monitoring means—what is commonly termed "national technical means of verification," which are not dependent on cooperation from the other side. This capability has enabled the U.S. to detect deployment of strategic weapons at their earliest initial stage, and also to maintain reliably accurate estimates of the force loading of both the strategic and intermediate range Soviet nuclear weapons systems. Because these estimates have been based on a composite of information drawn from many sources, including but not limited to the optical and radar data-gathering systems, they have generally proven to be very reliable. For example, the U.S. was provided by unilateral means of information gathering with accurate and timely information about the original Soviet ABM system, and we have continued to follow in detail new Soviet developments in this field by means of reconnaissance satelites and by monitoring the testing of new components incorporated in the existing Soviet ABM system.

3. We want to stress the following point: In monitoring compliance with arms control agreements, it is not essential to have confidence that you can detect all violations; it is only important to have a high degree of confidence in detecting a *significant* number of violations, either of testing or of deployment. For example, the deployment of one illegal missile hardly represents a threat and therefore, though it may violate the letter of a treaty, it does not constitute a *significant* violation. At present and even at currently contemplated levels of deployment that involve substantial reductions, deployment of one or even a few additional nuclear weapons represents no significant threat. What is important is to be able to have high confidence in our capability to detect the early stages of a significant violation. For example, in the early days of the test ban treaty, and during the negotiations that led up to it, it was generally agreed that the probability of detection of a single clandestine underground nuclear explosion was small; but the probability of unerringly detecting at least one in a series of say ten such tests was very high. Since a number of tests is required for confidence in any new system, a high probability of detecting one in a series of tests was deemed adequate to verify the treaty. We believe that this philosophy should apply in assessing the verification requirements of any arms control agreement.

4. Our recent review at M.I.T. examined U.S. verification capabilities vis-a-vis the ensemble of new weapons systems expected to emerge during the next decade, including new ballistic missiles, ballistic missile defense systems, anti-satellite systems, underground testing of new nuclear weapons systems and new antisubmarine warfare systems. We believe, in agreement with the conclusion of the conference, that unilateral U.S. intelligence gathering and monitoring capabilities will continue to provide this country with confident early warning of any new Soviet deployments. In addition, the two of us have considered in some detail the U.S. ability to detect Soviet testing of enhanced ASW capabilities and believe that we should be able to detect at an early stage any significant Soviet advances in this important area.

5. We have serious concern about our ability to detect, monitor, and verify the testing or deployment of only one specific emerging weapon system: the cruise missile. We have looked at this problem in some detail, and we cannot say how the testing and deployment of this weapon system could be monitored with a high-degree of confidence.

You ask about the U.S. ability to verify compliance with a treaty banning the testing and deployment of sea-launched cruise missiles. We have serious doubts about our current capabilities to detect with high confidence significant violations of such a treaty. While our ability to monitor the construction and deployment of submarines is excellent and our ability to track them at sea is also good, we may never be able to distinguish submarines carrying ordinary torpedos from submarines that carry cruise missiles like the U.S. Tomahawk missile, which looks like a torpedo and is launched from an unmodified submarine torpedo tube. In this circumstance it may become necessary to regard every submarine not otherwise distinguishable, as a potential nuclear missile carrier. Thus the development and deployment of the U.S. cruise missile is the second of three known example (MIRVs and the ASAT weapons being the other two) of U.S. technological achievements which pose (or will shortly) at least as great a threat to the U.S. as to the Soviet Union. If the Soviet Union were to deploy cruise missiles like the Tomahawk, the task of protecting U.S. coastal urban and industrial centers would be immensely complicated, and the possibility of removing this threat by an arms control agreement would be almost nil because of the intractable verification problems. (Limitation of submarine movements or direct inspection may be the only means of control.)

6. While on-site inspection of weapons basings probably represents too high a level of intrusion to be negotiable in the early stages of an arms control agreement, less intrusive technical means of data gathering might be negotiable. These could prove useful in improving confidence in other remote detection systems, used for verifying a ban on nuclear testing, for monitoring the

testing of missiles, and for observing the deployment of space assets such as satellites.

On-site observation would be extremely useful in verifying agreements to halt production of nuclear materials. We believe that our current national technical means of observation can confidently monitor compliance with a nuclear production cutoff down to a level of one percent of existing stockpiles. (i.e. We could confidently verify that the Soviet Union is not producing nuclear material for more than 100 nuclear weapons a year.) While this would be satisfactory at current force levels, if arms control agreements resulted in drastic reductions of the stockpiles, then a more detailed accounting of nuclear materials production would become necessary. In this case "on-site inspection" of nuclear material production facilities would then become an essential component in maintaining confidence in detecting significant digression from any agreement banning production of nuclear weapons materials.

7. It is difficult for us to make absolute statements regarding the future, since we are faced with two mutually contradictory trends—on the one hand, we anticipate new weapons systems will be more easily concealable; on the other, we recognize that the performance of information gathering systems is constantly improving. For the past three decades improvements in these systems have resulted in a net improvement in the U.S. capability to monitor confidently by unilateral means Soviet weapons advances and deployments. We believe that there is no reason to expect that this performance will deteriorate, given the great and continuing progress that is being made in computation, information processing, detection systems for electromagnetic radiation and signals, and other components of information-gathering systems.

We believe specifically that the testing and deployment of space-based systems will be readily and assuredly verifiable. Furthermore, we believe that in the unlikely event of successful development of land-based energetic beam systems, their early and unequivocal detection can be confidently expected because of the scale and the characteristic location such systems will have. Thus we see no reason to doubt that the ability of the U.S. to prevent surprise by using its superior technological base will remain robust.

Obviously we would expand on any one of the seven points we have made and provide you with detailed technical information if you find it useful. We hope that this note proves of some use to you.

With best regards,

Sincerely yours,

JEROME B. WIESNER.
KOSTA TSIPIS.

A STEP IN THE RIGHT DIRECTION

Mr. PROXMIRE. Mr. President, as we speak, the Islamic Republic of Iran is engaged in destroying the community of Bahais which lives within its borders. This indigenous, nonviolent religious group which numbers about 300,000 is being subjected to the world's most contemporary example of genocide.

The Shiite Islamic majority in Iran has persecuted the Bahais for years. The Bahai faith stresses the equality of the sexes, racial harmony, and the oneness of all religions, and thus directly opposes traditional Shiite practices.

However, under the Ayatollah Khomeini, this prejudice has become institutionalized. By depriving the Bahais of the few rights and liberties still available in Iran, the Government has effectively declared that being a member of the Bahai community is a crime. The Iranian Government does not recognize Bahai marriages and the Bahais are not permitted to send their children to state-run schools.

In addition, in order to divert the people's attention from Iran's economic miseries, the mullahs incite Shiite mobs to desecrate Bahai shrines and frighten, beat, and sometimes kill Bahais in organized programs.

Recently, the Government has not been content with merely oppressing and terrorizing the Bahais. It has set out to erase the Bahais and their culture from the face of Iran. Wholesale arrests have led to torture and execution. The entire Bahai sect is in danger of destruction.

What is going to happen? Perhaps nothing. The world is very adept at ignoring the obliteration of innocent groups of people. How many people remember what happened to the Armenians? Not many. Hitler himself is said to have remarked that since the public quickly forgot the slaughter of the Armenians by the Turks in 1915, it would also ignore German attempts to destroy the Jews.

The United States, to its credit, has condemned the actions of the Iranian Government, but this has had little effect. After all, why should Iran listen to the protests of a country which will not even declare genocide a crime by ratifying the Genocide Convention?

The United States must act and it must act quickly. The Senate should stop dragging its feet and allow the United States to join the 96 nations which have already ratified the treaty. It may not be enough to save the Bahais in Iran, but ratifying the treaty would be a step in the right direction.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business, not to extend beyond the hour of 10:30 a.m., with statements therein limited to 5 minutes each.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a-1928d, as amended, appoints the Senator from Delaware [Mr. ROTH] and the Senator from Idaho [Mr. MCCLURE] as members of the Senate delegation to the North Atlantic Assembly Spring Meeting, to be held in Stuttgart, Germany, on May 17-20, 1985.

The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 276d-276g, as amended, appoints the Senator from Utah [Mr. HATCH] as a member of the Senate delegation to the Canada-United States Interparliamentary Group during the first session of the 99th Congress, to be held in Niagara-on-the-Lake, Ontario, Canada, on May 17-20, 1985.

40TH ANNIVERSARY OF V-E DAY

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of Calendar No. 108, Senate Resolution 154, 40th Anniversary of V-E Day.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 154) to pay tribute to the American veterans of World War II on the fortieth anniversary of V-E Day.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LAUTENBERG. Mr. President, I rise today in support of Senate Resolution 154, which I introduced on Friday, to pay tribute to the American veterans of World War II on the 40th anniversary of V-E Day. Of my colleagues, 90 have joined me in cosponsoring this resolution. I ask unanimous consent that the names of Senators BINGAMAN, KASTEN, and PACKWOOD be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I am very grateful to have the support and endorsements of this resolution from the Veterans of Foreign Wars, the Catholic War Veterans, the Jewish War Veterans, and the American Legion. I also want to express my appreciation to the distinguished majority leader and the distinguished minority leader for their cooperation and assistance in scheduling consideration of this resolution, to Senators THURMOND and BIDEN, chairman and ranking minority member of the Judiciary Committee to which this resolution would normally have been referred and to Senators MURKOWSKI and CRANSTON, chairman and ranking minority member of the Veterans Affairs Committee, for their support and encouragement.

Every year on May 8, the world celebrates the Allied "Victory in Europe", known as V-E Day. That victory represented, as the world later came to realize, the triumph of good over unspeakable evil, and the promise of a peace-

ful future for a Europe ravaged by the bloodiest war in its history. May 8 is particularly special this year since it marks the 40th anniversary of the end of the European chapter of World War II.

It is fitting that we take the time to acknowledge the V-E Day, and our Allied victory, was made possible by the selfless heroism of the 15,000,000 Americans and the millions of other Allied servicemen who fought valiantly in World War II. We owe a great debt to the many American servicemen who willingly risked their lives in service to our country to defend the democratic ideals and respect for human rights upon which it was founded.

Through this resolution, we seek to express our Nation's deep gratitude to the American servicemen who bravely fought against the advance of Nazi tyranny, and to their families, who gave them courage and sent them into battle for our country. We also honor the 407,000 American servicemen who were called upon to make the ultimate sacrifice for their country.

Forty years after V-E Day, the light of history has shone on the events of World War II. It has illuminated just how much we owe our veterans for their patriotism and bravery on the battlefields of World War II. The world can never repay that debt. But we can take the opportunity, on this historic anniversary of V-E Day, to express our appreciation to our veterans for their outstanding contribution to our country and our world.

For most Americans, V-E Day is a day of celebration. For many, it is a tragic memory. For all of us, it is a time to make a pledge for peace. On Sunday, I visited the graves of American soldiers at the Henri-Chapele Cemetery in Belgium, 5 miles west of the German border. The countryside was peaceful and tranquil. But the overwhelming emotion was sadness. The graves were those of the young and the brave. Nothing could more truly signify the value of democracy than the willingness of a nation to give its youth to defend it. Today, all of us in this Nation and in the free world pledge that we will strive for peace with strength so that our sons and daughters and the generation that follows them will be able to enjoy the freedoms and liberty that we know and cherish.

Mr. President, I ask unanimous consent that the letters from the Veterans of Foreign Wars, the Catholic War Veterans, the Jewish War Veterans, and the American Legion be printed in the RECORD. I urge my colleagues to approve this resolution today, on this 40th anniversary of V-E Day, as a signal of our enduring gratitude to our Nation's veterans.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
May 2, 1985.

Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: On behalf of the more than 2.7 million men and women of the Veterans of Foreign Wars of the United States, and its Ladies Auxiliary, I wish to commend you for introducing a resolution in the United States Senate paying tribute to American Veterans of World War II on the fortieth anniversary of V-E Day.

With the signing of the terms of unconditional surrender by the German High Command, the bloodiest era in European history came to an end. Your resolution is most fitting in acknowledging the sacrifices of the hundreds of thousands of Americans who fought to end that terrible war.

The VFW strongly supports and encourages the timely passage of this much deserved resolution.

Sincerely,

BILLY RAY CAMERON,
National Commander-in-Chief.

CATHOLIC WAR VETERANS OF THE
UNITED STATES OF AMERICA,
May 2, 1985.

Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: We support the Senate Resolution to pay tribute to the American veterans of World War II on the 40th Anniversary of VE Day.

We believe it is very important to recognize the bravery of those veterans on this the 40th Anniversary.

We wholeheartedly support this legislation and urge its quick passage.

Sincerely,

DAVID J. ZIELINSKI,
National Commander.

JEWISH WAR VETERANS OF THE
UNITED STATES OF AMERICA,
May 2, 1985.

Senator FRANK LAUTENBERG,
Washington, DC.

DEAR SENATOR LAUTENBERG: The Jewish War Veterans of the USA is pleased to support your Resolution honoring America's Veterans on the occasion of the 40th anniversary of the end of the war in Europe. We are confident that this resolution will find wide and bi-partisan support and that it will be swiftly adopted.

Thank you for your efforts on behalf of America's Veterans.

Sincerely,

SAMUEL GREENBERG,
National Commander.

THE AMERICAN LEGION,
May 6, 1985.

Hon. FRANK LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: The American Legion takes this opportunity to lend its support for your leadership in commemorating the 40th anniversary of the Allied victory in Europe. It is appropriate to reflect upon democratic ideals. Therefore, we encourage the Senate to officially recognize the significance of the 40th anniversary of the Allied victory in Europe, May 8, 1985.

Sincerely,

E. PHILLIP RIGGIN, Director,
National Legislative Commission.

Mr. DOLE. Mr. President, I thank the distinguished Senator from New Jersey for offering the resolution. It is an excellent idea. This 40th anniversary is a day that I think 34 Members of the Senate should remember. There are 34 of us, 17 on each side as I look at the numbers, so it is totally bipartisan. There are 34 Senators who are World War II veterans. I think many could recite a number of so-called "war stories," but there are not too many around who would know whether we were telling the precise way it happened. But in any event, 40 years is a long time, and I commend the distinguished Senator from New Jersey for the resolution and thank him for permitting me to join as a cosponsor.

I would indicate as an aside, to all these World War II veterans who are now Senators and anyone else who works at the Capitol of World War II vintage, we are having a reception at 5 o'clock in the leaders' office. We hope you will attend.

Mr. President, I would like to take this opportunity to pay tribute to those of my colleagues who proudly served in the armed services during World War II. They are:

WORLD WAR II VETERANS

The Vice President, Navy, 1943-45.

Senator	State	Service	Term
Abdnor	South Dakota	Army	1942-43
Andrews	North Dakota	do	1944-46
Bentsen	Texas	Army Air Corps	1942-45
Bumpers	Arkansas	Marine Corps	1943-46
Chafee	Rhode Island	do	1942-46
Cranston	California	Army	1944-45
Dixon	Illinois	Naval Air Cadet	1945-46
Dole	Kansas	Army	1943-48
Evans	Washington	Naval Reserve	1943-46
Exon	Nebraska	Army	1942-45
Ford	Kentucky	do	1944-46
Glenn	Ohio	Marine Corps	1942-65
Goldwater	Arizona	Army Air Corps	1941-45
Gorton	Washington	Army	1945-46
Hatfield	Oregon	Navy	1943-46
Heflin	Alabama	Marine Corps	1942-46
Helms	North Carolina	Navy	1942-45
Hollings	South Carolina	Army	1942-45
Inouye	Hawaii	do	1943-47
Lautenberg	New Jersey	do	1942-46
Laxalt	Nevada	do	1943-45
Long	Louisiana	Navy	1942-45
Mathias	Maryland	do	1942-44
Matsunaga	Hawaii	Army	1941-45
McClure	Idaho	Navy	1942-46
Melcher	Montana	Army	1943-45
Moynihan	New York	Navy	1944-47
Pell	Rhode Island	Coast Guard	1941-45
Proxmire	Wisconsin	Army	1941-46
Roth	Delaware	do	1943-46
Stafford	Vermont	Navy	1942-46
Stevens	Alaska	Army Air Corps	1943-46
Thurmond	South Carolina	Army	1942-46
Warner	Virginia	Navy	1944-46

This week, however, we are not only celebrating the end of the war in Europe, but also the 10th anniversary of the day the last American soldier went home from Vietnam. So let us also pay tribute to those of our colleagues who served courageously during that conflict.

VIETNAM VETERANS

Senator	State	Service	Term
Pressler	South Dakota	Army	1966–68
Harkin	Louisiana	Navy	1962–67
		Naval Reserve	1968–74
Kerry	Massachusetts	Navy	1969–71
Gore	Tennessee	Army	1969–71
Denton	Alabama	Navy	1946–77

Mr. LAUTENBERG. I thank the majority leader.

Mr. GORTON. Mr. President, I am pleased to join my distinguished colleagues in introducing Senate Resolution 154 to honor the 15 million American soldiers who fought during World War II. Today's 40th anniversary of V-E Day, the day of victory for the Allied forces in Europe, represents an appropriate opportunity to relfect upon and commemorate their sacrifices in the cause of freedom. The commemoration of V-E Day ensures that the spirit and bravery of American World War II veterans are not forgotten, but are emblazoned in the minds and hearts of all men and women who celebrate democratic ideals.

Forty years after the war, we must continue to honor these valiant men and women who forever changed the world. As our memories fade and written records become yellow with age, it becomes even more important to understand the lessons from our past for the benefit of future generations.

In this spirit, I would like to share with you a story told to me by a constituent that exemplifies the selfless heroism which we honor today. Mr. President, I ask unanimous consent that the tribute of Mr. Dan Morgan, of Wauconda, WA, to his 551st Parachute Battalion be printed in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

TRIBUTE

On January 3rd, 1945, at 0800 hours, some 793 officers and men of the 551st Parachute Battalion—an elite "spearhead" unit—took their place on the line of departure in readiness for the great Allied counterattack that was to roll back the German "Bulge".

Our share of that gigantic thrusting was a 3/4-mile-wide strip of Ardennes fields and forest. It was an uphill struggle; the Germans were prepared for us with full knowledge and possession of the high ground. They waited there for us with their artillery and armor.

We made our way up through the forest, through the ice, the frost and snow, for four days and nights, never stopping—for to stop was then to fall of exhaustion and freeze to death. Our final objective was the village of Rochelinval on the bank of the River Salm.

We came there in the morning of 7 January at 0500—weak with hunger, our feet frozen, and tired beyond caring. Superior command had ordered us to attack the entrenched German garrison of Rochelinval, and they were ready for us. We were down to a strength of about 350 by then, but we were ready to try it. Then, through some mischance, the artillery preparation that had been scheduled by Division Artillery was called off at the last moment.

We waited while our Colonel tried his desperate best to have the town pounded before we went in, but all they would give us was four rounds and by then it was daylight. Our Battalion was ordered to continue with the attack, and so we and our Colonel bowed our heads in submission to orders and went in.

The more men we lost the more savagely we fought. There was no turning back. In the end, we took the town but the bodies of those magnificent men of the 551st were in piles, everywhere.

We were left with 96 men and 14 officers and a feeling of great sadness, for we had also lost our beloved Colonel.

A few days after that General Gavin came and told us that we were disbanded.

Our tattered survivors, many of them with self-bandaged wounds—"fighting wounded", we called them—were used as replacements in the various regiments around us. The GOYA's were gone.

Then we were forgotten. All those brave young men who bloodied the snow of Belgium lay in their quiet graves and the air was silent. It was as though the 551st had never been—no one had ever heard of us. Our proud Battalion guidons with their stars and "Draguignan" streamers were sent to dusty oblivion. We were gone from the battle maps and gone from the thoughts of Division and Corps Command.

The War ended, but our scattered survivors had no simple way to find each other. To each of us it seemed that we might be one of a very few GOYA's left.

Twenty-four years passed—we were busy raising our families and struggling to make our way in the world. Then a strange thing began to happen: a half-dozen of our survivors met and formed a battalion association. There was some publicity—and the stragglers started coming in. I was one of these.

I had begun to write this story in 1980, believing I was perhaps the only GOYA left. Then I discovered the existence of our Battalion Association, through the kindness of Gerard Devlin [author of "Paratrooper!"].

I continued researching the book, now with the help and strong encouragement of our Association and many other friendly and understanding people—some with considerable influence. I determined during 1982 that there was almost nothing in official Government holdings concerning our Battalion. The National Records Center, which is the final depository of all military-unit records of the US Armed Services [except for Morning Reports and medical records], held less than 1% of our records; searches in other archival facilities during 1983 produced even more-disappointing results.

Many questions relating to the "disappearance" of our Battalion remain unanswered. The near-annihilation of the Battalion has left few knowledgeable witnesses—and the trauma of those four days of "running in the snow", plus the lapse of almost 40 years in time, makes it probable that the entire truth surrounding the death of this proud Battalion will never be learned.

Suffice to say that a terrible wrong has been done to the many men of the 551st Parachute Battalion who died bravely in the Belgian snow. They are waiting for their due.

This is our story—and theirs.

Mr. GORTON. Mr. President, the members of the 551st Battalion and all other American World War II veterans have contributed to the legacy of peace and prosperity in Europe. They are not and should never be forgotten.

(Mr. MURKOWSKI, who occupied the Chair during these proceedings, made the following statement.)

Mr. MURKOWSKI. Mr. President, 40 years ago today, a silence descended over the Western Hemisphere. It was a silence not experienced on the European Continent in nearly a decade—from the occupation of the Rhineland in 1936 until this day in 1945. The price of that silence was dear, indeed. More than 45 million citizens of many nations died during World War II. 406,000 of them were Americans.

The sacrifices of our soldiers are legend around the world. One only has to leaf through a few pages of the records of recipients of the Medal of Honor to see that time and time again American GI's selflessly gave the greatest measure of duty to ensure freedom for a troubled world. It is with these sacrifices in mind that we should look back to May 8, 1945, not as a celebration of the end of the war, but as a commemoration of the great value of America's commitment to all peace-loving nations. In so doing, we celebrate the spirit of peace, the triumph of justice, and the indominatable will of a nation of free citizens.

The intervening years have not, I am sad to say, been all we hoped they would be. The lessons of World War II did not prevent others from attempting to overthrow the ideal of an international democracy. Korea and Vietnam, and every other conflict that merited our intervention, each extracted a deadly toll of American lives in defense of that ideal. And the inexorable spread of communism—once limited, tragically enough, to a belt of European nations—now threatens freedom from Africa to the Americas. It will remain one of this century's bitterest ironies that a great American ally—a coliberator of the millions oppressed during World War II—chose a road away from the very freedoms they insured.

But such are the lessons of war. In Arlington Cemetery—and in any of the many cemeteries around the world in which American soldiers are buried—the faithful teachers of those lessons lie in uneasy repose. If it is possible, they watch over a world desparate for resolution of its many differences. If the deaths of our soldiers and those of friend and foe alike are to make any contribution to that resolution, today's generations—and tomorrow's—must never, ever, forget those soldiers.

It is fitting, then, that we should use this day of commemoration as a lamp to illuminate the truth of war—not just its end. Its truth is that it takes a terrible toll of the best of citizens. It lays waste to national treasuries, and

buries the hope of reasoned deliberation and negotiation. In the short of it, war is capricious and brutal.

But when the battle is won—when the just overcome the unjust—the sole virtue of mortal combat in defense of liberty becomes evident. It is that it elevates the price of freedom to the very heaven from which freedom comes. In so doing, even the most simple task performed in the service of a free society becomes duty of inestimable value. The fight for liberty causes the beacons of great democracies to shine with renewed vigor and bestows moral prosperity on even the smallest nation dedicating its native sons and daughters to freedom's survival.

Across America today, that portion of our 28 million veterans who fought anywhere from the Ardennes to Monte Casino are noting this day with something more than the bells and whistles that welcomed them home in 1945. The American combat veteran of that war knows in his heart that the fight for freedom is still going on—must go on—every day of this Nation's existence.

There is a light that guides free men into battle against tyranny, and those who have triumphed never forget that without the continued vigil of each citizen, the light of freedom itself will surely be lost in the darkness that follows.

Let us tell those who stood the watch 40 years ago, and all who have stood it since as members of our Armed Forces, that the citizen-soldier will not have to stand that watch alone. Let us reaffirm our gratitude to the men and women who served in World War II by reaffirming our own citizenship and all the responsibility it commands.

As the chairman of the Senate Veterans' Affairs Committee, I express my great pride and admiration for those who, by their unswerving devotion to duty, brought America and the world out of the darkness 40 years ago. All Americans—be they too young to remember, or old enough to remember too well—were renewed by that light of May 8, 1945.

Mr. MATTINGLY. Mr. President, I rise as a cosponsor of Senate Resolution 154 to offer my support for its passage and, just as importantly, for the Senate Resolution 154 sentiments that it contains.

Senate Resolution 154 acknowledges the debt that the free world owes to the American veterans who left home, family, and security behind and who served, fought, and died in the Second World War.

It is fitting that we take a moment today to quietly reflect upon and give thanks for, the victory in Europe that our forces secured for us 40 years ago. Truly, the defeat of Nazi totalitarianism and the later victory over the Japanese Empire represented the triumph of good over evil.

Democracy, individual liberty, and a decent respect for human rights were all sustained by that victory 40 years ago; but only at inestimable costs, Mr. President. Only at a cost in blood and sorrow and human misery that can never be adequately calculated and that can be considered worth the cost only if we never allow ourselves to forget the lessons that were learned at such a precious price.

Mr. President, today I pay a special homage to the men and women of Georgia who served with special distinction during that terrible conflict and who, by doing so, continued the tradition of service and sacrifice that has for so long been a part of my State.

In closing, also, Mr. President, let me salute those 34 of my Senate colleagues who served in this conflict and who continue their service to our Nation in this body.

Mr. GOLDWATER. Mr. President, as you know today marks the 40th anniversary of the victory the allies fought and died to achieve in Europe during World War II. On this auspicious occasion many words will be spoken, many memories will be relived, and as in my own case, many will feel a deep sense of satisfaction over the lasting peace we have achieved in that region of the world. But I would like to use this occasion to share the words of one of my good friends and respected colleagues, Senator DOLE. Many of us in this room today had the privilege of serving our country in World War II, and Senator DOLE is one such veteran. In his speech before the National Defense University, Senator DOLE remarks on the strength of the alliance we have formed in Europe, as well as the United States and Western Europe unity achieved as a result of that alliance.

At this point Mr. President, I would like to ask unanimous consent that the extent of Senator DOLE's comments be printed in the CONGRESSIONAL RECORD so that the Members of Congress and other readers of the RECORD can have the benefit of his remarks.

There being no objection, the comments were ordered to be printed in the RECORD as follows:

REMARKS BY SENATOR BOB DOLE

Thank you for inviting me to join you to commemorate the 40th anniversary of VE Day. The history of this honored military institution is both colorful and classic. The National Defense University, created to develop selected officers and civilians for duties connected with the execution of national policy, makes for an impressive chapter in the history of this Nation and its wars—especially the one whose victory we mark today.

A PERSONAL 40TH ANNIVERSARY

It is difficult to believe World War II ended some 4 decades ago. As one who fought in that great conflict, it is also difficult for me to believe that April 14 was the 40th anniversary of the date on which I was wounded near the Italian mountain town of Castel D'Aiano. That personal anniversary was marked in Italy last month where I lead a congressional delegation to NATO allies. As I placed a wreath at the tomb of the Unknown Soldier in Rome, I was reminded of the peace that has existed in Western Europe since the war. Today, as a Senator, my goal is to make sure that the peace we fought for so valiantly is maintained. It required so much of us, in manpower, in money, and above all, in spiritual and national resolve. Those of us who took part in the fighting bless the subsequent peace. We hail the friendships that grew out of the hostility and we pledge ourselves anew to the cause for which so many gave so much.

May 8, 1945 was a day for which millions of people had fought and worked and prayed and died. Let us hope that the lessons of the past have been learned, and that no future wars need be fought. Yet, out of the ravages of World War II a new alliance was born, spanning the Atlantic and bringing together the free nations of Western Europe and North America.

THE YOUTH OF EUROPE SUPPORT THE ALLIANCE

During our visit to Europe, we had one particular meeting—certainly one of our most encouraging sessions. In Paris, French Defense Minister Hernu spoke at length about the new wave of support for the Western alliance among France's young people. I am happy to report it was a theme we heard replayed everywhere. It seems the new generation, no less than our own, many of which are in this great hall today, are committed to the Atlantic Alliance as the cornerstone of our mutual security. It is dedicated, no less than we are, to the preservation of the democratic ideals on which the alliance is based. And it is ready to carry on the work begun by the alliance nearly 40 years ago—to preserve peace, defend freedom, and build prosperity on both sides of the Atlantic, by talking, working and sticking together.

UNITED STATES AND WESTERN EUROPEAN UNITY

The sense of unity and cooperation between the United States and all her allies during World War II resulted from this Nation's assuming its rightful role as a world leader. Forty years later, our foreign policy, our national strategy must be appropriate to those liberties we fought for in World War II, and appropriate to the character of American society. This will mean hard choices about what we want to do in the world, the alliances we make, the adversaries we challenge, and the policies, you in part, will be responsible for carrying out.

The world's greatest battleground is now a continent revived and prosperous, free from war these last four decades. On May 8, 1945, one world ended and and a new one began. Since the, the nations of Western Europe have risen from the rubble and grown into the world's second-largest economic entity, ranking below only the U.S. Yet, the dangers persist. The need for a strong and equitable defense is ever present. So long as human freedom is threatened, then we must keep our watch. Together, as allies, we possess the strength to do what history tells us is right. Under our leadership, it is my hope we find the wisdom to do what ever may be necessary. General Marshall, architect of victory in Europe, may have put it best: "The only way to win a war:", he declared,

"is to prevent it." That is a responsibility all of us share.

Mr. NUNN. Mr. President, today, May 8, 1985, marks the 40th anniversary of the Allied victory in Europe. American veterans and families around the Nation will remember both publicly and privately the momentous day that ended World War II in the European theater. I am proud to join 87 of my colleagues in the Senate in cosponsoring Senate Resolution 154, which pays tribute to our veterans who fought so valiantly and tirelessly for our Nation.

My distinguished friend from New Jersey [Mr. LAUTENBERG] stated in his introductory remarks for the resolution that 15,000,000 Americans served the Allied cause during the war. Yet in a large sense, the entire Nation served by contributing to the industrial mobilization effort of simply participating in this great national effort through the rationing system or Victory Gardens.

I am particularly proud that almost 325,000 Georgians served in the Armed Forces during the war. Many more Georgians worked in the defense effort back home in such places as the Bell bomber plant in Marietta.

The war saw the emergence of a new generation in the long line of distinguished Georgia military leaders, including Gen. Courtney Hodges from my hometown of Perry, GA. General Hodges commanded the 1st U.S. Army in Europe. His troops were the first to hit the beaches in Normandy in 1944 and the first to cross the Rhine as they spearheaded the liberation of Western Europe.

Another distinguished Georgian, Gen. Lucius B. Clay, commanded vital logistics centers in Europe which supported the advancing Allied forces. It was this same General Clay who was instrumental in reestablishing democratic institutions in Germany in his capacity as military governor of occupied Germany.

In addition to the achievements of the Allied forces leaders, there were untold sacrifices by the enlisted men and women and junior officers. It was these, often forgotten soldiers, airmen, sailors, and marines, who answered the Nation's call and found an unanticipated well of physical strength, endurance, moral courage, and, in some cases, distinguished heroism. Seven Georgians were recognized for their personal dedication with the Nation's highest award, the Medal of Honor, and 4,831 Georgians made the ultimate sacrifice in giving their lives for our continued freedom.

The public ceremonies in Europe this week point out that V-E Day is not an American observance, it is a celebration of the Allied Nations and in the broadest sense, a celebration of all people who aspire to and sacrifice for human freedom.

V-E Day marked the culmination of almost 6 years of close cooperation between the Allied Nations, including the governments-in-exile of many of the occupied nations. Many American veterans have fond memories of celebrations with their international comrades in arms. Some of the most poignant recollections are those of Americans celebrating with their Soviet counterparts. V-E Day represents a point in history when today's superpower rivals were united in a common goal. One hope in remembering this historic occasion is that this commitment to a goal of a secure peace could be revitalized.

The celebration of V-E Day is a time of national thanksgiving for deliverance from the scourge of Nazi totalitarianism. It is also an opportunity to remember the heroism and sacrifices of the past. But perhaps most importantly, it is a time to draw from the horrible sufferings of the war as well as the dedication and unity we experienced then, to rededicate ourselves as individuals and as a nation to the defense of liberty and human dignity.

Mr. THURMOND. Mr. President, I rise in support of Senate Resolution 154, to recognize May 8, 1985, as the 40th anniversary of V-E Day.

It is most appropriate that we make this day one of honor for the men and women who served this Nation so well during World War II. Over the relatively brief 200-year history of our country, we have a built a nation of honor, justice and liberty through the unselfish duty and noble sacrifices of our soldiers.

The service of the World War II GI illuminated the basic principles of America's existence. Having experienced the hardships and tragedies of war, and having sacrificed for freedom and peace, our veterans of World War II demonstrated that they were true partiots, dedicated to the ideals for which our Nation stands. That they fought with such great losses only made our resolve for justice in the world stronger, made our commitment to peace more a living and enduring commitment, and made us more aware of the price of freedom.

Mr. President, America helped resolve a great crisis, both in Europe and, as we will certainly commemorate in August, in the Pacific as well. We did not presume to teach the enemy a lesson. We only did what was necessary to halt aggression and restore freedom. Then, when peace was finally achieved at such high cost, America, in keeping with her values and traditions, reached out with great generosity to the vanquished with a sincere desire to help them regain the real values of peace that had been usurped by self-seeking dictators.

There is no satisfaction in war. I was one who voluntarily served in that terrible World War, the successful European conclusion of which we look back on today, 40 years hence. Congressman SAM GIBBONS and I are the two current Members of Congress who were among the Allied forces which fought their way back onto and across continental Europe, beginning with the D-Day invasion. A number of other Members of Congress, including our distinguished Senate Majority Leader, BOB DOLE, fought and rendered a great personal sacrifice in the European conflict.

The veterans of World War II, both those who survived and those who gave the supreme sacrifice in the fight for liberty, together helped achieve a brilliant victory. Yet, as with any war conquest, no matter how brilliant the victory, it can never completely atone for the grim toll the battle took.

Thus, Mr. President, the real meaning in this resolution before us today is not that we won the war in Europe. It is that liberty again triumphed. It is that those nations which were once our enemies are now among our closest friends and most trusted allies. It is that the children and grandchildren of that great conflict—save those now behind the Iron Curtain—regardless of the side on which their ancestors fought, have the opportunity and hope today of preserving peace and freedom for themselves and future generations.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 154) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 154

Whereas on the morning of May 7, 1945 in Reims, France, Colonel General Alfred Jodl of the German High Command signed the terms of unconditional surrender on behalf of his government, and Lt. General Walter B. Smith, Supreme Allied Commander Eisenhower's Chief of Staff, signed for the Allies; and those terms were ratified in Berlin on May 9, 1945;

Whereas the free world has traditionally celebrated May 8th as the day of Allied "Victory in Europe" over Germany, or V-E Day;

Whereas May 8, 1985 marks the fortieth anniversary of V-E Day;

Whereas that victory represented, as the world later came to realize, the triumph of good over unspeakable evil, and the promise of a peaceful future for a Europe ravaged by the bloodiest war in its history;

Whereas V-E Day was a day for which millions had worked and fought and prayed and died during that terrible war;

Whereas the victory was made possible by the selfless heroism of the 15,000,000 Americans and the millions of other Allied servicemen who fought valiantly to prevent Hitler's onslaught;

Whereas many American servicemen willingly risked their lives in service to the Nation to defend the democratic ideals and

respect for human rights upon which the Nation was founded; and

Whereas 407,000 American servicemen were called upon to make the ultimate sacrifice for their country during the war: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that—

1. On the fortieth anniversary of V-E Day, the deep gratitude of the Nation is expressed to the American servicemen who bravely fought against the advance of Nazi tyranny in World War II, and the Nation honors those who gave their lives in the cause;

2. V-E Day belongs to the veterans who made victory possible, and to the families who gave our servicemen courage and sent loved ones into battle for the Nation; and

3. The Nation recognizes the enormous debt owed to the veterans for patriotism and bravery on the battlefields of World War II.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ARTHUR J. GOLDBERG ON PRESIDENT REAGAN'S VISIT TO BITBURG

Mr. KENNEDY. Mr. President, last Sunday, President Reagan went through with his ill-advised trip to the German military cemetery at Bitburg where 49 Nazi SS troops are buried. The repercussions of this visit continue to ripple across the world. On Monday, leaders of the Israeli Government registered renewed criticism for the President's role in what Menachem Begin called, "one of the saddest days in Jewish history." Defense Minister Yitzhak Rabin said, "The historic mistake of the President will not be forgiven either by enlightened humanity or by the Jewish people."

People in many different nations had urged President Reagan to change his itinerary—Jews and non-Jews, from the United States, France, Great Britain, West Germany, Belgium, the Netherlands, Israel, veterans and countless others. Yet President Reagan refused to heed their advice.

Arthur J. Goldberg, one of the most distinguished and compassionate jurists and statesmen ever to serve this country, recently called my attention to two letters which he and others wrote to President Reagan last month on this subject. These two letters exemplify the moral repugnance to the Bitburg visit expressed by thousands throughout the world.

The first letter which was signed by Justice Goldberg, Bishop John Walker of Washington, Archbishop John O'Connor of New York, Rabbi Joshua Haberman of Washington Hebrew congregation, Prof. Franklin Littell of Temple University, and Elie Wiesel, chairman of the U.S. Holocaust Memorial, invited President Reagan to an ecumenical service at the former concentration camp of Dachau.

Several years ago the Human Rights Conference at Berchtesgaden conducted religious services at the Catholic, Protestant, and Jewish chapels at Dachau, during which the cardinal of Munich emphasized that the lesson of the Holocaust needs telling again and again if reconciliation between Germans and Jews is to endure. President Reagan heeded the concerns of these and so many other prominent leaders and added Bergen-Belsen to his itinerary.

In the second letter, Justice Goldberg wrote to President Reagan urging him not to visit Bitburg. As Justice Goldberg said:

> Reconciliation with West Germany, an ally, is one thing but there never can or should be reconciliation with SS murderers.

In his letter, Justice Goldberg proposed that in lieu of Bitburg, a solemn nonpolemical ecumenical war requiem and repentance service be held at the Cathedral at Cologne, at the invitation of Cardinal Hoffner. As he stated:

> The path to reconciliation . . . is not to forget the past but rather to remember it, so no one will be doomed to repeat it.

President Reagan did not heed these and other pleas to choose another site. He insisted on going to Bitburg, where, in his own words, "old wounds have been reopened."

Mr. President, the Holocaust was a tragedy for all humanity, Jews and Gentiles, Americans and Germans, every living person, then and for the rest of time. I believe that the eloquent concerns expressed by Justice Goldberg and the other distinguished signers of these letters will be of interest to all of us in the Senate who are dismayed by the insensitivity of the President's visit, and I ask unanimous consent that they may be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

APRIL 2, 1985.

The President,
The White House,

MY DEAR MR. PRESIDENT: We, along with many Americans, are aware of and concerned about your announced decision not to visit Dachau, during your forthcoming visit to West Germany as the guest of its government to join in the commemoration of the 40th anniversary of V-E Day.

We also are aware of your conviction that this visit should not be a celebration of a victory in war but an occasion for reconciliation between former adversaries and present allies.

We, therefore, presume to offer a suggestion which, with deference to your sensitivities, would, nevertheless, permit an appropriate commemoration of the fact that V-E Day not only marks the end of World War II but also the liberation by allied forces of the survivors of the Holocaust from Dachau and the other death camps.

Our suggestion is that the undersigned undertake to invite you, if agreeable, to an ecumenical service, hosted by us, at Dachau during your visit to West Germany. This service would be non-governmental and non-political. we envisage a solemn and solely religious observance.

If our suggestion has merit, in your eyes, the undersigned would issue in our names an invitation to you to join us in such a service. Thus, the West German government would not be the host and the considerations which impelled you to announce that you would not visit Dachau would not apply.

Our proposal is founded on precedent. The undersigned, Archbishop O'Connor and Justice Goldberg were participants at a Human Rights Conference in Berchtesgaden several years ago. At that time the Archbishop was Chief of Chaplains of our Armed Forces, with the rank of Admiral, and the other clerical participants were Chief Chaplains of the NATO powers.

After Justice Goldberg delivered his address on the subject of basic human rights, it was suggested that the Conference recess and en masse conduct religious services at the Catholic, Protestant and Jewish chapels at Dachau. The visitation by the Conference, it was uniformly agreed, was appropriate, inasmuch as what occurred at Dachau and other death camps, was a supreme violation of fundamental human rights. Further, it was agreed that the services at Dachau would be solely religious.

It will interest you to know that rather than offending West German sensitivities, the visitation by the NATO Chaplains and the religious services they conducted at Dachau were welcomed by the West German Government and people. Indeed, the homily at the Catholic Chapel at Dachau was delivered by His Eminence, the Cardinal of Munich, who spoke in forthright terms of the horrendous violations of human rights which occurred there and in other death camps.

Further, the Cardinal emphasized that the lesson of the Holocaust needs telling again and again if reconciliation between Germans and Jews is to endure.

We express the hope that you will give due consideration to our proposal and advise us, at your early convenience, whether you deem it appropriate to join us for this solemn observance.

Respectfully yours,

John T. Walker, Episcopal Bishop of Washington; Rabbi Dr. Joshua O. Haberman, Senior Rabbi, Washington Hebrew Congregation; Professor Elie Wiesel, Author & Chairman of the U.S. Holocaust Memorial Council; His Excellency John J. O'Connor, Archbishop of New York; The Rev. Dr. Franklin H. Littell, Professor of Religion, Temple University, Philadelphia; Arthur J. Goldberg, Former Justice of the Supreme Court and Honorary President of The American Jewish Committee.

APRIL 26, 1985.

The PRESIDENT,
The White House,

MY DEAR MR. PRESIDENT: On April 2 I joined in addressing a private letter to you, urging that a visit to a death camp be included on your impending trip to West Germany. The other signatories were the Episcopal Bishop of Washington, John T. Walker; His Excellency John J. O'Connor, Archbishop of New York; Rabbi Dr. Joshua O. Haberman, Senior Rabbi, Washington Hebrew Congregation; the Rev. Dr. Franklin H. Littell, Professor of Religion, Temple

University; Professor Elie Wiesel, Author & Chairman of the U.S. Holocaust Memorial Council.

Our letter has been overtaken by supervening events.

The White House has since reconsidered and announced that the itinerary will include a visit to Bergen-Belsen.

But most unfortunately, in my view, it has also been announced that the President will lay a wreath at the cemetery at Bitburg.

With all respect, for the President to do so is incomprehensible. The cemetery at Bitburg contains graves of members of the SS. This organization was the main participant in the murder of six million Jews and countless non-Aryan groups. For this unparalleled barbarism, the SS was convicted at Nuremberg as a war criminal.

The SS also lead the German forces in the Battle of the Bulge. In this battle they did not fight merely as soldiers of the Reich. During the Battle of the Bulge, they gunned down 71 American prisoners of war captured at Malmedy, Belgium with their hands tied behind their backs. And an SS division in the same year rounded up the inhabitants of Oradour-sur-Glane, France, supposedly in retaliation for the actions of a few resistance fighters, and massacred 642 innocent Frenchmen, including 207 children.

Reconciliation with West Germany, an ally, is one thing but there never can or should be reconciliation with SS murderers.

As Chancellor Helmut Kohl said at a commemoration service at Bergen-Belsen just the other day: "Reconciliation is only possible if we accept our history as it really was and if we Germans acknowledge our shame."

I propose, in lieu of Bitburg, that a solemn nonpolemical ecumenical war requiem and repentance service be held at the Cathedral at Cologne, at the invitation of his Eminence Joseph Cardinal Hoffner.

This service would, in a profound sense, be a service of reconciliation—the stated goal of the President's visit.

The path to reconciliation, we suggest, is not to forget the past but rather to remember it, so no one will be doomed to repeat it.

A leading German political editor, Christoph Bertram of Die Zeit wrote the other day: "World War II was not just another European war. It was the darkest hour of European civilization. Its end brought to an end the world's most atrocious regime." Surely no one can dispute this.

Respectfully,

ARTHUR J. GOLDBERG.

CURRENT SOCIAL RESPONSIBILITY INITIATIVES BY THE WINE AND SPIRITS WHOLESALERS OF AMERICA, INC.

Mrs. HAWKINS. Mr. President, less than a year ago, the Wine & Spirits Wholesalers of America, Inc. broke new ground with the advent of a Family Awareness Program to motivate families to discuss the legal and responsible use of alcohol. This is not a group one would expect to lead the bandwagon on alcohol abuse warnings. This segment of the alcohol beverage industry is urging parents to regularly discuss the use and abuse of alcohol with their children. The Wine & Spirits Wholesalers of America, Inc. is a Washington-based trade association representing 800 distributors of alcohol beverages in 43 States.

The Wine & Spirits Wholesalers of America, Inc. is to be commended for the organization's role in a campaign for responsible use of alcohol beverages. It is unusual for an industry to go to such lengths to show responsibility for the products it sells. As Irving Shapiro, former chairman of the DuPont Co., said,

Either responsible individuals do these things or irresponsible people will.

The fact that among those calling on parents to make their warnings more meaningful and frequent are the wholesalers who makes it clear how insufficient the current admonitions by parents may be. According to a nationwide survey conducted on behalf of the Wine & Spirits Wholesalers of America by the Gallup Organization, Inc., most teenagers easily forget such warnings from parents. The survey also found that parents could do a better job of talking to their teenagers about the responsible use of alcohol beverages.

WSWA believes that alcohol education should not be left solely to schools or other community institutions. Family dialog is essential. Here are a few facts about the program:

In developing its program, WSWA surveyed various alcohol education programs around the country. WSWA found many programs sponsored by schools, churches, and community organizations, but few of these programs were directed toward families. WSWA's program is intended to fill this gap.

As part of the Family Awareness Program, WSWA sponsored the Gallup poll to measure the current extent of dialog on this issue and the need for additional parent/child communication. The Gallup researchers concluded that "* * * whatever information parents are trying to communicate is being lost, and there is a possible need for greater depth of communication."

WSWA asked Dr. Gail Gleason Milgram, of the Rutgers University Center for Alcohol Studies, to serve as editor and consultant to the booklet, "Let's Talk About Drinking." This publication is a guide for parents and children to begin talking about alcohol use or nonuse. Dr. Milgram has had an extensive background as an expert in the area of alcohol and family communication. Dr. Milgram is the author of several books on the subject and is the director of education at the center for alcohol studies. She is also the executive director of the Summer School of Alcohol Studies and the New Jersey Summer School of Alcohol and Drug Studies.

Last December, the association sponsored a family awareness conference to develop recommendations on how parents can provide the most effective guidance for their children in instilling proper attitudes about the use or nonuse of alcohol. The event was held on December 19 in Washington, DC. The conference brought together experts in the fields of alcohol studies and family communication, and representatives of Government and the alcohol beverage industry. The event received major press coverage and was broadcast live on C-Span, the public affairs cable network.

More than 25,000 copies of "Let's Talk About Drinking" have been distributed in the 3 months since the booklet was printed. The booklet has become so popular that a second printing run for at least another 25,000 copies has been authorized. Public service announcements promoting the booklet are being shown in more than 40 congressional districts around the country, including almost every major city in the Nation. The PSA's have been made in Spanish as well as English. More than 100 U.S. Representatives and Senators have either taped the spots or expressed interest in doing so. Participating Congressmen and Senators are distributing the booklets to constituents.

The media has been equally supportive. An article published on December 19, 1984, in Family Weekly magazine, the Sunday newspaper supplement with nearly 13 million in circulation, acknowledged the Wine & Spirits Wholesalers of America for sponsoring the Gallup poll. The article included the results of the survey and gave tips and suggestions for families to initiate discussion on the subject. In similar press clippings, WSWA has been acknowledged for its social initiatives campaign by the Associated Press, USA Today, Congressional Quarterly, and the National Journal.

Although there are hundreds of alcohol education programs around the country, the WSWA Family Awareness Program is unique because of its focus among industry groups. WSWA has assumed industry leadership in educating families about the use and abuse of beverages containing alcohol.

When the trade association began this effort, it was not sure how the campaign would be received. Based on the support thus far, the program is on a fast track for success by meeting its objective of encouraging families to discuss the use, abuse, and nonuse of alcohol.

The Family Awareness Program is but one of two nationwide public service campaigns by the association. WSWA members are working with the U.S. Jaycees on a major program called responsible decisions. This effort is a public education campaign aimed at generating proper and responsible attitudes toward the use or nonuse of alcohol beverages. The effort is targeted at the 7,000 commu-

nities served by the Jaycees and its 300,000-plus members. The circulation of educational materials in the communities was keyed around the "Critical Dozen Days" between December 21, 1984, and January 2, 1985, although this program is applicable year-round.

The WSWA programs are classic examples of how the private sector can help educate consumers and also assist the Government in providing information to safeguard public health. The Wine & Spirits Wholesalers of America, Inc. has taken a firm stand in promoting the legal and responsible use of alcohol. The association is to be commended for its well-planned public service campaigns and for showing what a difference an industry can make in the lives of millions of consumers.

MOTHER'S DAY

Mr. HEFLIN. Mr. President, the celebration of Mother's Day this Sunday, May 12, 1985, will mark the 71st year of the official recognition of Mothers by Americans.

I must say, Mr. President, that this recognition of mothers came rather belatedly in our Nation's two-century history for the contributions and sacrifices of mothers are the very cornerstone of this Republic.

As we celebrate Mother's Day this Sunday, let us be mindful of the contributions made by American women to the greatness of this country. American mothers have been the greatest source of this proud Nation's strength and inspiration.

As we observe Mother's Day to honor the mothers of American, let us reflect on the role of mothers in our family life. We are, Mr. President, at a crucial point of our Nation's history, a time when we need to strengthen basic family life.

I am hopeful that this special day will signal a return to the traditional values of American life. The family unit has been the backbone of this great Nation. There can be no question that the family is the greatest and most influential institution on earth.

On this Sunday, I believe that we should all try to celebrate not only the particular date, but we should extend our celebration to the spirit behind Mother's Day, and demonstrate our thanks and appreciation for the small things which mothers have done which go unnoticed on a day-to-day basis. Indeed, Mr. President, we should celebrate Mother's Day each day of our lives.

Mr. President, I am indeed proud that it was my uncle, former U.S. Senator J. Thomas Heflin, who authored and sponsored the Mother's Day Act which made this salute to the Nation's mothers a reality.

On May 7, 1914, then Congressman Tom Heflin introduced the Mother's Day Act. Mr. President, I would like to read the original resolution which was approved by the Congress 71 years ago.

JOINT RESOLUTION RELATIVE TO THE OBSERVANCE OF MOTHER'S DAY

Whereas the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration; and

Whereas we honor ourselves and the mothers of America when we do anything to give emphasis to the home as the fountainhead of the state: and

Whereas the American mother is doing so much for the home, the moral uplift, and religion, hence so much for good Government and humanity: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings and people of the United States to display the flag at their homes or other suitable places on the second Sunday in May as a public expression of our love and reverence for the mothers of our country: And be it further

Resolved, That the second Sunday in May shall hereafter be designated and know as Mother's Day and it shall be the duty of the President to request its observance as provided by this resolution.

Mr. President, I am told that the idea of setting aside a day to honor the Nation's mothers came from a West Virginia woman, Anna Jarvis, who convinced my uncle of the idea's merit. For their efforts, Miss Jarvis came to be known as the Mother of Mother's Day, and Tom Heflin as the Father of Mother's Day.

Mr. President, one of this body's most distinguished Members retired last year after 38 years of exemplary service to the U.S. Congress and the Nation. Senator Jennings Randolph brought great distinction to himself, his great State of West Virginia, and to this body.

Senator Randolph came to the Congress in 1933. During the first May of his service here, he delivered an eloquent speech on the subject of Mother's Day.

Mr. President, I ask unanimous consent that Senator Randolph's speech on Mother's Day, delivered before the Congress on May 11, 1933, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE MOLDERS OF MEN

Mr. RANDOLPH. Mr. Speaker, it is with a feeling that I am treading on holy ground that I ask you to turn with me today for a few minutes to honor the immortal builder of all heros—mother. Too long have mothers been the unapplauded molders of men, too long the true but unsung architects of destiny.

Volumes have been written about kings and emperors; historians have told of the exploits of a thousand heroes of battle; biographers have packed into colorful words the life and death of our statesmen; while painters have filled galleries with likenesses of our living great; but it remained for Miss Anna Jarvis, a West Virginia woman, untold years after the first mother had given birth to a son, to immortalize mother by having the Congress of the United States give recognition to Mother's Day through the display of our flag. The Congress established this memorial in 1914, and since that year on Mother's Day men and women turn from the turmoil of labor and by silent communion with that mother, living or dead, receive again from her the strength of mind and the pureness of soul that only can be bred in that greatest of all loves—that of a mother for her child.

Oh, if the historians, the painters, and sculptors could see through the outward acts of men to the source from which they derive their power of greatness, how different might be the lists of the honored and successful! How different would be the story of our national progress!

Behold the settling of the New World. With the Pilgrim father who sought his religious liberty in a new and unknown land came also the Pilgrim mother. She it was who endured the same hardships as her stronger mate; she it was who steadfast to her duty of wife and mother battled with him the cold of the cruel New England winters; she with him sacrificed the comparative peace and safety of the Old World for the dangers of the New; she with him fought the savage Indian; she kept his house, cooked his meals, bore him sons and daughters, and earnestly and faithfully reared them into new pioneers destined to build America.

Write, ye historians, of the mother of George Washington faithfully training that great man in the paths of duty and service. Record the story of the brave mother from the hills of western Virginia who sent her three sons to fight in the Continental Army when the British under Colonel Tarleton, threatened invasion of the Shenandoah Valley with these words:

"Go, my sons, and keep back the foot of the invader or see my face no more."

When this story was related to Washington in the darkest hours of the Revolution he said:

"Leave me but a banner to plant upon the mountains of West Augusta and I will rally around me men who will lift our bleeding Nation from the dust and set her free."

Paint, ye artists, the settlement of the western America, but forget not that into that empire-building went not only the toil and blood of our pioneer men but that into it also went the immeasurable toil of pioneer women. Too often we visualize the skeletons that marked the trail across the prairies, the mountains, and deserts as the last remains of a Custer, a Lewis, a great frontiersman who died in glory defending his loved ones. Too often the true story written on the desert sands is the story of a mother's sacrifice, sometimes in the forefront of battle but more often in the burdensome strife of daily tasks that bent and broke her body. Too often the mute bones on the westward trail bespeak the death of a mother in childbirth. The story of the cradle rather than the report of the blunderbuss marks the westward course of empire.

O orators, if you would explain the greatness of Lincoln paint the vision of Nancy Hanks; fill your minds, if you can, with the

glory of her mother love, catch the strains of the strange lullabies she sang to her unborn child. What fount of greatness can compare with hers? Biographers, if you would know from whence came the staunchness of Woodrow Wilson's soul, the breadth of his great vision, search out the secret gift of life and life's greatest ideals transmitted to him by his mother.

And so goes the story day in and day out, from the mothers of the great to the mothers of all men throughout the world. I wonder if any son ever knew the true depth of a mother's heart. Is there any force for righteousness and peace in the world equal to the force of a mother's daily teaching of obedience, of peace, of love, and of devotion to high ideals? Is there any nobler lesson taught than is taught by a mother's living example of sacrifice, of duty, and of love?

One September evening, several years ago, I stood on the railroad-station platform in Charleston, the capital of our State, just before the night train for Clarksburg was ready to pull out.

It was a delightful twilight, and I did not want to board the sleeper; until the last minute. Just then a young man came swinging toward the car steps carrying his luggage. I know the boy, and it happened that he was leaving for Morgantown to enroll as a freshman at West Virginia University. It was the beginning of his first great life's adventure.

Standing close by, I heard the final words of parting. The father shook his son's hand with a final admonition, "I hope you'll make the football team, but go easy on the money, for your old dad has to settle all the bills." And this was a remark that many a father has made to his son. The sister said she hoped he might be pledged to the best fraternity on the campus. And then his sweetheart murmured—but I shall not report what they said, for we should never tell what sweethearts speak at parting time.

But, seriously, I shall never forget the words spoken by that mother to her boy, as she put her loving arms around his stalwart shoulders and said, "My boy, like your father, I want you to make the football team, and like your sister, I want you to know the best people, but above all other things I hope you'll always remember to be a good boy."

When that mother spoke she did not mean "good boy" in the sense that she desired her son to be a wishy-washy sort of person. She meant what every mother has meant when she said those words. She simply wanted her boy to be honest, chivalrous, brave, and to stand four-square against the evil winds that blow.

And thus do mothers write the living stories of men and nations. Behind the storm and strife and blustering of the actors most vividly before our eyes do we see the power of mother love and the fashioning of manhood and womanhood in mother's heart and hands.

I once heard a friend telling a young woman that he did not believe in any hereafter; that so far as he was concerned heaven and hell consisted of the joys and sorrows that every person experienced in this world and that when death stopped the movements of this life his body became only so much decaying matter and nothingness was the end. The young woman answered him in these words, "Do you mean to tell me that I shall never again see my mother?" And in that simple and yet boundless faith that mother and immortality were one and inseparable; in the sureness of her knowledge that when she had become weary of the labors of life there would be waiting the radiant face of her mother to comfort her and the loving arms to enfold her once more—never again to be separated in all eternity—in the light of that abiding hope and faith, all of the scientific arguments of my friend were of the nothingness of which he spoke. Against that mother-love logic was but the mere exercise of dried-up mathematics. And it is the same mother love that has enthroned the highest ideals in the hearts of all men. It has been the inspiration of the great and the comfort and hope of the lowly. Before the voice of a mother telling her son to "be a good boy" all of the pomp and splendor of the outward world fades away and

"The tumult and the shouting dies,
The captains and the kings depart,
Still stands thine ancient sacrifice,
An humble and a contrite heart."

Mother's Day is the most fitting memorial that can be raised to mothers of men. When we drive about the city of Washington we proceed from circle to circle, from monument to monument. Here stands a statue of Farragut, and here a likeness of Webster, and towering over them all is the giant spire honoring the great Washington. It is fitting that a nation should honor its heroes. But no statue can be raised to mother as enduring and as inspiring as the child each mother rears herself. No writer can enclose between the backs of any book all of the wisdom of a mother's teaching. No poet can capture all of the joys and sorrows of a mother's heart. No painter has the power to transmit to his canvas the beauty of a mother's face that glows in the memory of her dear ones, no matter how homely, how grotesque, or how blank and stupid that same face may have appeared to strangers. Even the wizardry of the sculptor's hand cannot endue his cold marble with the warmth of a mother's love. No; only a special day set apart for us, sons and daughters of mothers living and mothers dead, to commune again in our thoughts with those to whom we owe our all, is a fitting memorial to Mother. Memory alone holds for us the charm of her personality. Memory alone brings back the picture of those thoughts of cares and daily tasks she did for us; the joyful laughter at our successes; the loving kindness of her manner. Memory alone brings back the mother we knew, and to bring back any other mother is only to rear an unworthy monument.

Today we are living in a world of personalities. Europe bristles with names of men rather than names of nations. Stalin of Russia, Mussolini of Italy, Hitler of Germany—who knows what influence their mothers had upon them? From whence their courage, their vision, their power? A mother tapped the sources of their personality, taught them the duties and tasks of life, guarded their bodies, and filled their minds with great thoughts.

Today in our Western Hemisphere it has been said the our President Roosevelt is the outstanding and dominant personality. Fortunate are we Americans to have his mother alive. This splendid mother of our President sees him as he magnificiently commands our ship of state. She remembers daily the dreams she had for him in the yesteryears when with her aid and guidance he was equipping himself for just such a momentous task of leadership. Humble, yet justly proud, she walks securely down the remaining miles on her highway of life, knowing that there follows along the trail a son who perhaps destined to become one of the truly great leaders of mankind. And ever behind Roosevelt will remain his warm and glowing mother.

"The late great poet, Henry Van Dyke, has expressed in tender words my wish and your wish when he says:

I cannot pay my debt
For all the love that she has given;
But thou, love's Lord,
Wilt not forget
Her due reward—
Bless her in earth and heaven."

[Applause.]

RURAL ELECTRIFICATION ADMINISTRATION

Mr. HEFLIN. Mr. President, it is with great pride that I rise to praise the accomplishments of the Rural Electrification Program in this its 50th anniversary year. President Franklin D. Roosevelt signed this program into existence with Executive Order 7037 on May 11, 1935, and since then Rural people, in partnership with REA—the Rural Electrification Administration—have literally lit up the countryside.

The electrification of our Nation's rural areas is probably the most overlooked factor contributing to this country's social and economic progress. The achievements of this tiny Government agency's partnership with the people of rural America are truly remarkable. This partnership has been perhaps the most successful ever devised. Certainly no other Government program has the record of accomplishment of Rural Electrification.

Mr. President, I know several Senators can recollect the very day that the lights went on in rural homes. And I am sure they can also recall that once rural America was given access to this harnessed power that productivity immediately increased, given the opportunity with REA, it was the initative and work of rural people themselves that wrote this remarkable success story.

Today, some 1,000 rural electric co-ops serve more than 25 million people, businesses, and industries in rural America. These organizations own and maintain about half of the Nation's power lines, but only provide power to 10 percent of the Nation's population.

In my State, REA electric and telephone cooperatives provide necessary service to 60 of Alabama's 67 counties. Yesterday, I had the pleasure of meeting with representatives of most of the Alabama rural electric co-ops. In speaking with these fine people, the co-ops and the customers they serve, I found an enormous voice of gratitude, but I also heard a voice of concern for the future.

The need for the REA is no different today than it was when the program was created 50 years ago. The Rural Electrification Program is still needed to improve the productivity

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and quality of life in rural America by insuring that all rural citizens have access to an adequate and reliable supply of electric energy at a cost reasonably comparable to that paid by residents in urban areas.

Mr. President, I hope that all of my colleagues would take time to reflect upon the accomplishments of the Rural Electrification Administration as we commemorate its 50th year of service to rural America.

DALTON MOSS: BLOUNT COUNTY CITIZEN OF THE YEAR

Mr. HEFLIN. Mr. President, I should like to take this opportunity to congratulate an outstanding Alabamian, Dalton Moss, who was recently named "Citizen of the Year" by the Blount County-Oneonta Chamber of Commerce.

Dalton, a retired probation officer and former teacher, has had a successful career and, in retirement, is continuing an exemplary record of civic involvement. To list all the details of his civic dedication, would be a major task, Mr. President, but I would like to take a few moments and share with my colleagues a few of the more telling examples.

As a dedicated member and leader of the Oneonta Lions Club, Dalton built a record of 35 years of perfect attendance. He helped to make the group second in the State in contributions to Alabama Sight Conservation. He has also served as an adviser and director of the Alabama Sight Association for many years.

During his career as chief U.S. probation officer for the northern district of Alabama, from which he resigned in 1977, Dalton served as secretary and president of the Alabama Probation and Parole Association, and as president of the Alabama Conference of Social Workers. Prior to his retirement, he was named the outstanding probation officer in Alabama.

For two decades, Dalton served as chairman of the Blount County Parks and Recreation Board. During his tenure, the county's Palisades Park was named the best of its kind in the Nation. Serving some 50,000 every year, the park boasts 80 acres, seven large picnic shelters, and a 165-year-old log cabin and corncrib. Dalton also raised $35,000 for the construction of the park's Amilea Porter Center, and 70 percent of the funds required to build the Blount County Memorial Museum.

Dalton Moss is also active in the Blount County Sportsmen and Conservation Club, the chamber of commerce's Project Pride beautification committee, the county historical society, the county cattlemen's association, the Blount County Resource Development Association, and the First Baptist Church.

Mr. President, Dalton Moss has clearly built a record of civic involvement and dedication fully deserving of his recent recognition as Blount County's "Citizen of the Year." It is a pleasure for me to congratulate both Dalton and his lovely wife, Etta Stone Moss, on this outstanding honor.

A TRIBUTE TO RAYMOND WEEKS—A GREAT AMERICAN

Mr. HEFLIN. Mr. President, it is with great personal sadness that I rise today to share with my colleagues the news of the recent passing of one of Alabama's, and America's, most outstanding citizens, Raymond Weeks. Raymond was truly one of the most outstanding American partiots I have ever met.

Although Raymond Weeks has been known to the people of Alabama for many different examples of his civic dedication and community concern, without a doubt it is his involvement with the celebration of national Veterans Day for which he will always be best remembered.

After serving in the military from 1943 to 1945, Raymond became concerned about the welfare of our Nation's veterans, a cause he would remain involved in for the remaining years of his life. In 1947, he organized a celebration in his hometown of Birmingham to pay tribute to the veterans of all the wars in which the United States has been involved. The date he chose was November 11, then officially known as Armistice Day. The ceremonies in Birmingham were called Verterans Day.

Through the years, the celebration in Birmingham, annually directed by Raymond Weeks, became a model for other cities and States, which were starting their own observances of a day to thank our returned fighting men and women for all of their contributions to America.

Finally, in 1954, after several years of hard work, Raymond Weeks convinced President Eisenhower and the Congress to change the official name of the November holiday from Armistice Day, marking the end of World War I, to Veterans Day, honoring all of our veterans from all wars. For his indispensable efforts, Raymond Weeks became known as the Father of National Veterans Day.

In 1982, Raymond received the highest honor of his life, when President Reagan awarded him the Presidential Citizens Medal. This award is designed to recognize American citizens for exemplary service on behalf of their country or their fellow citizens. Raymond Weeks was only the seventh person so honored.

Despite the tremendous nature of this award, Mr. President, I remember well how frustrated Raymond Weeks was when he learned that to receive this award in Washington, he would have to miss part of the Birmingham celebration with which he had become synonymous.

Mr. President, it has been one of the great pleasures of my years in the Senate to serve with Raymond Weeks on the National Veterans Day Awards Committee. In that capacity, I was amazed each year when I realized anew just how well known and highly thought of the Birmingham celebration and Raymond Weeks were to veterans all across the United States.

I do not wish for one moment to leave the idea that Raymond Weeks was only concerned with and involved with veterans affairs. His civic involvement and dedication to his State and country virtually knew no bounds. Prior to entering the military in World War II, he assisted in the organization of several successful war bond campaigns, was active in the USO, was a director of both the State rationing board and the manpower board.

In addition to all these other activities, Raymond has served as State Commander of the American Legion, as a member of the Alabama House of Representatives, a member of the State Democratic Executive Committee, and as a delegate to three Democratic National Conventions. He has received Alabama's highest award, the Distinguished Service Medal, for his accomplishments, and has also received the Army's Outstanding Distinguished Civilian Service Medal.

Mr. President, Raymond Weeks was an outstanding citizen in every respect. His uncompromising dedication was reflected in his undying efforts to continue to build national Veterans Day into an even greater success. I wish to extend my most sincere personal sympathy to Raymond's family, and to his countless friends all across America.

Raymond Weeks will be greatly missed. Alabama and America have lost a great citizen. I have lost a close friend.

Mr. President, I ask unanimous consent that articles from the Birmingham Post-Herald and the Birmingham News be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Birmingham Post-Herald, May 8, 1985]

VETERANS HAVE WEEKS TO THANK FOR THEIR DAY

(By Michelle Berman)

His name may not be known in every household, but Raymond Weeks made American history.

Weeks founded Veterans Day out of belief that "veterans deserve tremendous recognition because of what they did for us," his daughter, Brenda Parker, said yesterday.

To show their appreciation, the armed forces will fire 21 guns today in an all-service military funeral in Elmwood.

But if Weeks were alive, he probably would be uncomfortable about all the attention. A full honors military funeral is not often given for a former World War II Navy yeoman second class, whose job was selling war bonds.

"He was not the kind of person that ever talked about what Raymond Weeks did," said Jesse Deason, a close friend of Weeks' and public affairs director for national Veterans Day in Birmingham.

"He never even told me that he was in the military."

Weeks' greatest accomplishment came in 1954 when he convicned the United States Congress and General Dwight D. Eisenhower, then chief of Army staff, to change Armistice Day to Veterans Day. Before that, the Nov. 11 holiday only recognized veterans of World War I.

In 1982 Weeks was awarded the Presidential Citizens Medal by Ronald Reagan.

"He didn't really want to go get the medal because it meant leaving the Birmingham Veterans Day parade," Mrs. Parker said.

Weeks was devoted to Brimingham and its parade, she said. Although he was born in Columbus, Ga., at a young age he moved to 3420 Altamont Road on Birmingham's Southside, where he lived until his death.

Weeks died Monday night of heart failure at St. Vincent's Hospital in Birmingham. He was 76.

While the presidential medal made Weeks a national figure, it was an extensive list of community service activities that made him a local leader.

Weeks helped organize and served as president of the Jefferson County Mental Health Association. He also, served on the "Multiple Sclerosis Society, the Social Hygiene Association of the United States, the American Red Cross, and the Polio Foundation.

Weeks also served two terms in the Alabama House of Representatives.

"That's not even a fourth of what he did," said Week's grandson, Brian Parker, 25.

Although Weeks had suffered from heart attacks and ill health for the past year and a half, he did not slow down his momentum in community work.

"In fact, I met with Mr. Weeks a week and a half ago to talk about Veterans Day," said Deason.

"He was very sick but if you asked him on the day he died how he felt he'd have said fine," Mrs. Parker said.

"I never thought of him as such a tremendous man, and he never thought of himself as a tremendous man. He just thought this was the thing to do," she said.

For 45 years Weeks worked as a sales executive in advertising for Alabama Outdoors. During that time he acquired a number of fans that quietly appreciated the man and his ethics.

"I don't think he thought of himself as a role model but that's the way I looked at him," his grandson said.

"I want to tell you something that I wanted to tell him. If I could accomplish half of what he did in his life in mine, I could feel I really did something."

[From the Editoral Page]

RAYMOND WEEKS

Mention Veterans Day and the first name that comes to mind is Raymond Weeks.

Weeks, who died this week at age 76, was involved in many worthy projects during his life in this community. He served in the Alabama Legislature, organized the area's first Infantile Paralysis fund campaign in 1934, served as the first chairman of the March of Dimes and helped organize the state Mental Health Association among other things.

But he will be best remembered for his work in transforming Armistice Day, which marked the end of World War I, into Veterans Day, a national holiday honoring the veterans of all wars. The change took place in 1954. Before and after his success in persuading Congress, Weeks was the leader in building the Birmingham veteran's clebration from its beginning in 1947 into the largest in the nation today.

Raymond Weeks gave much to this community and nation during a full and useful life.

[From the Birmingham News, May 7, 1985]

PATRIOTIC MEMORIES LINGER OF VETERANS DAY FOUNDER

(By Kaye Dickie)

Raymond Weeks' grandson, Keith Parker, looked around him Monday night as he sat in his grandfather's den on Red Mountain, just hours after Mr. Weeks, the founder of National Veterans Day, had died.

Awards lined the walls, and boxes of letters, yellowed news clippings and framed snapshots of Mr. Weeks shaking hands with former President Dwight Eisenhower and President Reagan were crowded around.

Family members had a hard time trying to figure out everything. Had it not been for a tag, they wouldn't have known which medal in the boxes of awards was the Presidential Citizens Medal that Reagan pinned on Mr. Weeks' lapel in 1982.

"He had stacks of things on the furniture." Parker said. "He used to yell if we moved an envelope on the piano. It was where it was supposed to be.

"He was one of the most patriotic people anyone could ever meet. His whole life was geared to serving his country. It wasn't something you did on the Fourth of July: it was a lot more than that. It was taking care of one another."

Mr. Weeks, of 3420 Altamont Road, died Monday afternoon at St. Vincent's hospital of heart failure, his grandson said. He was 76.

After spending two years in the U.S. Navy during World War II, Mr. Weeks founded National Veterans Day in Birmingham in 1947 and remained chairman of the festivities in Birmingham until he died.

In 1954, Congress—pressured by Mr. Weeks and the government officials he influenced—officially changed the name of the Nov. 11 holiday from Armistice Day, marking the end of World War I, to Veterans Day, honoring all veterans.

As a state representative from 1967 to 1974, Mr. Weeks drafted a resolution that put Alabama on record as opposing amnesty for draft dodgers. He was made an honorary life member of the Army, Navy and Air Force veterans in Canada, an honor also given to Gen. Douglas MacArthur and Presidents Harry S. Truman and Lyndon B. Johnson. He was given the Army's Outstanding Distinguished Civilian Service Medal in 1966, and in 1979 was awarded the Distinguished Service Medal of Alabama.

He was a member of the Birmingham Area Chamber of Commerce, National Aeronautics Association, American Legion, Veterans of Foreign Wars, Shriners and Eks, and he helped found the Birmingham Hall of Fame Bowl. He organized the first Infantile Paralysis Fund in 1934 and served as the first chairman of the March of Dimes.

His grandson said those "only scratch the surface" of Mr. Weeks' work to make people notice what veterans had done for their country.

"He considered it a full-time job," said his grandson. "He never looked for the spotlight for himself but for the event he was working on. He worked so tirelessly and long for other people. That was his own reward.

"He stayed active until the day he went in the hospital" last week. Parker said "He kept going and going and going. He never stopped."

Jesse Deacon, public relations director for the Veterans Day celebration in Birmingham, said Mr. Weeks "was amazing to watch work. When he wanted to talk to Reagan or Vice President George Bush, he just picked up the telephone. He'd call four-star generals and tell them what he wanted done. They listened. They knew he had support from the top down."

He said Mr. Weeks never looked for any awards for what he did, although he got them constantly. "He did what he did and didn't care who knew about it."

John Golden, who for more than 29 years worked side-by-side with Mr. Weeks as associate director of Veterans Day, said promoting veterans "was just his life. He wanted the public to understand their contributions and to focus attention to those who are currently serving."

Golden said Mr. Weeks felt "this was the only way we could save the country—as he used to say, 'to keep it from going down the tube.' "

He said Mr. Weeks would want to be remembered as "a great patriot, a man who loved his country and a man who would have done anything for it. And I think he will."

Funeral will be at 2 p.m., Wednesday at Elmwood Chapel with burial in Elmwood.

Survivors include two daughters, Mrs. Brenda Parker and Mrs. Barbara Minor, both of Vestavia Hills.

The family suggests that memorials be made to the Raymond Weeks Scholarship Fund at Birmingham-Southern College, Samford University and the University of Alabama at Birmingham.

TRIBUTE TO CURTIS EZELLE

Mr. CHILES. Mr. President, on May 11, I will join hundreds of Floridians to pay tribute to a dear friend and fine public servant, Curtis Ezelle. He is a man of stature, trust, and devotion to family and community. Curtis has something in common with Harry Truman, one of the greatest Democrats of all time. Truman, just like Curtis, put special faith in his family. Even when Truman was President, he always had time for a letter to his mother, or for a conversation with his daughter. The family came first.

It's come to my attention that Truman had a favorite book. He kept a copy in the White House, and he took it wherever he traveled. It's called, "Meditations" by Marcus Aurelius. Truman loved that book. And, if you ever get a chance to read it, you'll find the perfect description of Curtis Ezelle. Here's what it says:

Waste no time arguing about what a good man should be. Be one.

Well, that's Curtis, all right. He's a good man. And anyone who's ever been around him knows how he feels about time. His son, Marcus, tells the story about a trip to Washington with his dad and a youth group. They had a tour of the White House at 9 a.m. By 6 a.m., the whole group was up, fed, watered, brushed, vacuumed, polished, and waiting for the bus. Curtis had a wake-up call for 4:30 in the morning.

But even though he usually operates on Ezelle standard time, he doesn't always look at his watch. If there's a job to do, Curtis has time. If there are people to help, Curtis has time. And, if there are children around, Curtis always has time.

When people want to pay some one a compliment, they sometimes say, he'll give you the shirt off his back. But Curtis is the kind of guy who'll give you the time of his life. And you can't ask anything better than that.

So my advice to any boy who wants to grow up to be a good man is go ahead and read about Truman. Or go ahead and read "Meditations." But if you want to save time, and still find out what it means to be a good man, just stop by and see Curtis.

Just about any Democrat would be better off with a little help from Curtis. As a matter of fact, even the first Democrat—Thomas Jefferson—could have used a little of his assistance.

Back when Jefferson was Vice President, he wrote a letter to James Madison. And you could tell Jefferson was a little depressed. He complained that "the tax-collectors have already excited discontent."

Well, it's too bad Jefferson didn't know Curtis. Chances are he would have made Curtis Secretary of the Treasury. I've never met a tax collector who was one of the most popular men in town. Until I met Curtis.

Curtis has always believed in the dignity of government service. He believes that doing the people's work is a high calling, and an honor. And he does all he can to help our young people appreciate our heritage.

Some years ago, a well-know historian wrote that "history, in the main, is lived by the unknown and the forgotten." Well, I don't think you judge a person by the lines they get in a history book. You judge them by the impact they make on your own personal history. By that standard, Curtis Ezelle is an historic figure for every one of the people who will join him May 11.

He's visited my office in Washington with delegations of youngsters on the yearly to see the Government at work. And if Guy Lombardo held the monopoly on New Year's Eve, then New Year's Day at the Orange Bowl belongs to Curtis.

He's been an active and dynamic member of the Kiwanis for years. And I know my life has been influenced to a great degree by the example he's set. He's a tireless worker, doing all he can to serve his community and the young people all around us.

Curtis and the Kiwanis are kin in spirit and practice. The Kiwanis puts special importance on the human and spiritual side of life, rather than the material. "Do unto others," is their code. Helping people be better citizens is their goal. Providing service, building friendships, and striving to do better are the hallmarks of the organization.

Curtis has been a member of the Kiwanis for 36 years, and that's more than half the time the organization has been in existence. And if you look at all the things Kiwanis tries to accomplish, nobody reflects their goals better than Curtis Ezelle.

Those of us who hold elected office understand the responsibilities that go with the term "citizen legislator." Those of us who have spent so many years working with Curtis, understand the great things that can be achieved by a man who holds the title of "citizen innovator." That title certainly belongs to Curtis.

Throughout his life, he's been a good friend to the multitudes, a good counselor to the individual, a good parent, and—above all—he's always been a good and decent man.

So we will honor him this week in the same way he honors his friends. He has been faithful to the motto of Kiwanis, "We Build." And we return that fidelity with these simple words of our own: "We Thank."

We thank you, Curtis, for living the advice of the Scriptures which tells us to be "the helpers of your joy."

We share your joy. And we thank you for helping all of us.

God bless you.

WILD HORSE EXPRESS

Mr. FORD. Mr. President, the "Wild Horse Express," a caravan of a dozen wild horses and burros from the Western range, arrived today in Washington. The caravan traveled here from Denver, stopping in six major cities along the route to Washington to raise public awareness of proposals to slaughter these innocent animals. I was pleased that their stops included one in Louisville during events of the Kentucky Derby.

I wish to commend the successful completion of the Wild Horse Express. Their hard work and dedication to the cause of wild horse protection, as shown by their 10-day ride, have helped to bring attention to the plight of these animals.

I expect this to be the third consecutive Congress in which there will be an assault on the Wild Horse and Burro Act. In the 97th Congress, legislation authorizing the commerical sale and slaughter of wild horses was introduced but never considered by the Committee on Energy and Natural Resources. Last Congress a similar measure was again introduced, and was reported out of committee by a 1-vote margin. However, it was never brought up on the Senate floor.

The Bureau of Land Management has rounded up thousands of horses in the past few months, and I am certain that legislation authorizing the sale and slaughter of wild horses will soon be introduced again.

Horses are a national treasure, and just as we preserve national beauty in our park lands, we must preserve the integrity of these innocent animals. Wild horses embody much of our American character, spirit and frontier heritage. We must defend them.

I believe the American public looks upon wild horses as a resource to be cherished; not as a commodity for a government agency to auction by the pound.

It is ironic that the Nation can anxiously turn its eyes to the exciting Kentucky Derby in my State, then still consider legislation that would deny thousands of wild horses and burros the right to exist.

Again, I commend the efforts of those participating in the Wild Horse Express, as well as its sponsors including the Animal Protection Institute of America, the American Humane Association, and the National Organization for Wild American Horses. With their support, I intend to double my efforts to ensure that this destructive legislation does not become law.

PUBLIC BROADCASTING

Mr. SASSER. Mr. President, there is a point I would like to raise with the distinguished Senator from Arizona, and that is funding for the Public Telecommunications Facilities Program.

I am concerned that in the resolution as it currently stands there does not appear to be any provision for the Public Television Facilities Program. This program is very important in my State of Tennessee, as it is in Arizona and many other States. It is my understanding that there was no specific intent to eliminate PTFP from the budget.

PTFP is intended to extend public broadcasting to the approximately 30 percent of the country which currently does not have access to its excellent programming and to enable public radio and television stations to upgrade their equipment to improve their service.

The Federal dollars we provide here are a catalyst. They provide a base which enables local public radio and television stations to generate local support for the construction and im-

provement of their facilities. Federal and private support go hand in hand. Raising local dollars for public broadcasting is made easier when there is a national commitment to the system. Capital improvement money from local sources comes faster when matched by Federal programs such as PTFP.

I am wondering if the Senator from Arizona is in a position to comment on whether he feels we can make provision in the budget to cover this program.

Mr. GOLDWATER. Mr. President, I am pleased that the Senator from Tennessee has raised this subject. As the Senator knows, I have long been a supporter of the Public Telecommunications Facilities Program. It has meant a great deal to my State as it has to his.

I do believe that as the budget and appropriations processes finally develop it will be possible to allow funding for this program without adding to the budget total. This is a relatively small program, at $24 million. Its effect, however, far exceeds the amount involved.

The Federal dollars we provide are leverage to raise local dollars. They also provide a stable base on which public broadcasting stations can plan for their capital and equipment improvements. With these Federal dollars public broadcasting stations can maintain existing service and extend service to currently unserved areas.

I am well aware of the crisis which our Nation faces due to the continuing Federal deficits. Meaningful deficit reduction means hard choices. However, I am certain that this program can be funded within current budget targets.

Mr. SASSER. I am pleased that the Senator from Arizona feels he can give that assurance. I have always been impressed by the Senator's strong support for public broadcasting and I concur with his desire to provide for this program within budget targets.

Mr. President, public radio and television stations have aggressively sought private and corporate donations but they need the assurance of continued Federal construction funds in order to make the commitment to expand service.

Typical of the problems faced by public broadcasting stations is the situation at WKNO in Memphis. The station has just finished a very successful telethon and an equally successful auction. This broad-based community support has enabled WKNO to provide a wide range of educational and entertainment programming throughout the midsouth.

Due to financial restraints, however, they have been forced to keep equipment in service far beyond the industry norm. Its 5 videotape machines are all at least 13 years old. The average life of such equipment is normally 7 or 8 years. They need the money in the PTFP Program for new equipment to contine their service to the community.

Last year, WCTE-TV in Cookeville, TN, obtained funding from the PTFP Program which enabled them to upgrade their equipment. This resulted in a more reliable operation and improved service to the upper Cumberland region.

The improvements at WKNO and WCTE are typical of the benefits of the Public Telecommunications Facilities Program. This year seven public broadcasting facilities in Tennessee have submitted applications for grants to improve their service. Providing funding for this program will enhance the availability of public broadcasting to the people of Tennessee.

Mr. GOLDWATER. Because of support from this program native Americans at the Navajo Indian Reservation at Tsaile and Chinle, AZ, will be provided with the first public television service to this isolated region of my State. PTFP funds allowed the construction of three television signal translators and the acquisition of studio equipment to allow local origination from Navajo Community College in Tsaile.

Residents of central Arizona also received the benefit of PTFP dollars because of an award to KAET-TV in central Arizona. The grant paid for replacement of obsolete and worn out studio equipment.

As the Senator from Tennessee may remember, last year this body and our colleagues in the House twice passed an authorization to ensure the support of public broadcasting and the telecommunication facilities program. Although we had tremendous support from members on both sides of the aisle we were thwarted in our efforts to secure an adequate funding base because of a Presidential veto.

I believe, as you do, that we have a commitment to the American public to provide our citizens with the best possible television and radio signal and the finest in programming. By keeping these programs within the limits of our budget projections, I believe we can reconcile our President's concern for deficit reduction without unduly depriving our citizens of such a vital and educational service.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. ARMSTRONG). The time for morning business has now been closed.

FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1986

The PRESIDING OFFICER. Under the previous order, the Senate will now return to the consideration of Senate Concurrent Resolution 32, which the clerk will state.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the United States Government for the fiscal years 1986, 1987, and 1988 and revising the congressional budget for the United States Government for the fiscal year 1985.

The Senate resumed consideration of the resolution.

The PRESIDING OFFICER. Under the previous order, the Senator from Massachusetts [Mr. KERRY] is now recognized to offer an amendment.

AMENDMENT NO. 61

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I send an amendment to the desk on behalf of myself, and Senators KENNEDY, BYRD, BRADLEY, and MITCHELL, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY] proposes an amendment numbered 61.

At the end of the pending amendment, add the following: It is the sense of the Congress that revenues should be increased and it is assumed that the Finance Committee will develop legislation to reduce the tax enforcement gap, estimated by the IRS at $92 billion in FY 1986.

Mr. KERRY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. BYRD. Mr. President, will the distinguished Senator let it be read? It is very short.

Mr. KERRY. Indeed, I will. I withdraw my unanimous-consent request.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

It is further assumed that such legislation should provide for increased and improved enforcement and collection, through audits, examinations, and other steps designed to identify and eliminate tax cheating and increase revenue collections from individuals and corporations currently evading federal taxes; and that the legislation should include steps designed to increase voluntary compliance with tax laws and that such

steps may include increased staff for taxpayer assistance, speedier processing of returns, and provision of public information designed to build public trust and understanding of IRS enforcement efforts, and that such legislation should also provide that the resources of the IRS shall be increased to accomplish full enforcement of U.S. tax laws, increasing voluntary compliance until such time as further marginal spending on IRS resources does not substantially increase tax yields, and that such legislation is fully compatible with tax simplification, including but not limited to reductions in income tax rates or the deficit

Mr. KERRY. Mr. President, for almost 2 weeks now in the course of this debate on the budget we have heard time and again from both sides of the aisle of the urgent need to reduce the budget deficit, and of the painful consequences that kind of action is going to entail.

We have been reminded of the astonishing growth in Federal debt over the past 4 years, and of the crippling effects on our economy if such deficits are allowed to continue. We have also been asked by the administration and by some of our colleagues, to focus in particular on certain trends in the budget over the past two decades, such as the steady growth of programs such as students loans, Medicare, and others, as the cause of our fiscal troubles. Mr. President, I believe there are many other trends that we need to confront if we are going to arrive at a deficit reduction plan that is fair and that will withstand the test of time.

One such trend that deserves more careful attention than it has received is the sharp decline of voluntary compliance with our Nation's income tax laws, and of the concomitant loss of hundreds of billions in cumulative lost revenues. The problem of tax evasion is not a new one, but it has grown rapidly over the past decade. And I think as frustration with the complexity and perceived unfairness of our Federal Tax Code has increased, so has the practice of tax evasion. Today, while the vast majority—over 80 percent of our citizens struggle honestly under a heavy burden of taxation, millions of Americans chose instead to simply cheat. And while the problem of tax evasion is a serious one, the perception of the problem is even worse.

According to a Yankelovich survey conducted for the IRS in 1984, 1 in 4 Americans believe that less than half of all citizens comply with our tax laws, and a majority of Americans believe that tax cheating is becoming more prevalent. Most disturbing is the finding that 41 percent of the public indicated that they are certain that tax cheaters would not be caught. In fact, they are almost right: While 1 in 5 Americans do cheat, the chances that any one will become subject to a criminal investigation are 43,000 to 1. Quite simply, when it comes to tax cheating, too many Americans believe it is safe to play the odds.

These attitudes ensure that the problem of tax cheating will only grow worse unless we reverse the trend. As Members of this institution know, perception is sometimes an entire problem in itself—but when perception and reality come together, the results are disastrous.

The enforcement tax gap, the revenues lost through noncompliance, has grown 300 percent since 1973. The Internal Revenue Service conservatively estimates—I say conservatively—that the enforcement tax gap in fiscal year 1986 will exceed $92 billion from legal sources of income—and it obviously is much larger if taxes owed in illegal activities are counted as well. And we must add to this figure more than $30 billion in taxes assessed but not collected—of this $30 billion, the IRS is currently only actively trying to collect $8.5 billion.

Mr. President, I ask that every Member of this body pause to consider the magnitude of these figures—a total of $122 billion dollars in lost tax revenues—more than 50 percent of the total budget deficit, and far more than twice the amount President Reagan has asked us to save through a painful and to some of us unacceptable series of program eliminations and spending cuts. Mr. President, it seems clear to me that the enforcement tax gap is a major problem, and that it deserves our serious attention if we are indeed serious about a fair approach to the question of deficit reduction.

Today I have offered—together with Senators KENNEDY, BYRD, BRADLEY, and MITCHELL, a resolution which calls upon the Finance Committee to increase revenues by reporting legislation that will allow the IRS to crack down on those who cheat and, at the same time, increase voluntary compliance by rewarding those who choose to honestly meet their civic obligations.

Before elaborating on the intentions of this amendment let me state at the outset that it is not my intention, and it is in no way to be construed that this amendment is designed to increase or substantially alter withholding requirements or recordkeeping on the part of individual taxpayers. Rather it is the intention of this amendment to ensure that the IRS has the resources to effectively use the information which is already within the system.

Voluntary compliance is the measure of the degree to which Americans lawfully and willingly comply with their obligations under the U.S. Tax Code. Just over a decade ago, according to IRS estimates, 84 percent of all Americans voluntarily complied. By 1986, the IRS says that number will have dropped to 81.6 percent, and it will continue to drop until something is done to reverse the trend. Those who wonder about the significance of these figures should note that each 1 percent change in voluntary compliance is worth more than $5.6 billion dollars a year in tax collections. In other words, if we have maintained the 1974 compliance rate—just voluntary compliance—we would today be collecting an additional $17 billion dollars a year. That $17 billion dollars is instead being added to the tax bills sent to the 80 percent of our most honest and law abiding citizens.

What could we have done to maintain tax compliance at 1974 levels, and what can we do now to reverse the current decline and move toward full compliance? To begin with, we can ensure that the IRS has the revenues needed to do its job. Between 1976 and 1983, while the number of tax returns filed increased by 17 percent, the resources devoted to examinations increased by only 2 percent. As a result, the share of returns examined fell from 2.6 percent to 1.67 percent. This represents a 29 percent decrease in individual audits and a 59 percent decrease in corporate audits and there has been a 29 percent reduction in individual audits, and there has been a 51 percent reduction in the level of corporate audits. If the President's fiscal year 1986 budget request for next year is approved, as currently submitted, the examination rate will fall even more to 1.2 percent.

While these cuts save about $300 million in this year's expenditures, according to the IRS's own estimates and GAO's own estimates, they lose us $2.4 billion in reduced revenues. So according to the estimates by the IRS and confirmed by the General Accounting Office, the savings of $300 million actually add to the deficit by the tune of $2.4 billion.

I believe we should take note of the fact that the additional spending requested by the IRS would have generated an average revenue yield of $7 for every $1 spent, and that is an average. In some areas of collection the yield would have been $23 collected for $1 expended.

I urge anyone who doubts these figures to examine the following documents, which I will later ask to be inserted in the RECORD. The documents I refer to are two letters from Commissioner Egger to Hon. J.J. PICKLE, chairman of the House Oversight Subcommittee of Ways and Means, which Mr. PICKLE was kind enough to share with me for consideration by this body. These documents lay forth the detailed plan by which the IRS cannot only increase its enforcement and collection efforts aimed at delinquents, but can offer improved service to honest taxpayers and thereby offer an improved climate for voluntary compliance.

I believe these documents illustrate beyond any doubt the importance of

budgeting adequate resources for the IRS.

Mr. President, I ask unanimous consent that the documents to which I have referred be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KERRY. Mr. President, resources are only the beginning. There is much more we can do. Let me explain how I think we can do that.

Mr. President, I would like to refer very briefly to a program commenced in 1983 by Governor Dukakis, of Massachusetts, to begin a major revenue enforcement initiative that increased revenues almost 4 percent above and beyond economic growth and increases in personal income as a result of vigorous enforcement and increased voluntary compliance.

The package Governor Dukakis undertook was called REAP—revenue enforcement and protection. The package was a coordinated, innovative, and well-managed strategic plan to raise revenues through fairer enforcement. It has the support of the legislature, the Governor, and most significantly, the public. It involved toughened criminal penalties and civil fines, highly visible enforcement actions, effective public service announcements, and substantially greater staff and computer resources at the State revenue department and excellent leadership from our commissioner of revenue, Ira Jackson.

Among the specific actions were the following:

Legislative authority for revocation of governmentally granted licenses and to refuse to renew contracts of tax evaders and delinquents doing business with the State;

The use of private collection agents to collect long overdue taxes from hard-to-locate taxpayers;

Publication of the names of large delinquents in the media across the State;

Innovative and highly visible seizure drives; and, most importantly, a parallel commitment to transforming the relationship between honest taxpayers and the State to one of respect, where the taxpayer is treated like a valued client rather than a captive victim. Tax forms were simplified and added taxpayer assistance was given.

The result of this was, leaving out an amnesty—and there is no amnesty suggested in this resolution today—revenues were increased by almost 3 percent as a result of strong enforcement.

If we take a look at the gap that exists in the Federal budget and we would extend those revenues by 3 percent, we would have over $20 billion additional revenues to the U.S. Government.

Mr. President, I believe that the experience at the State level has been so compelling—and it has been repeated in California so that now almost 14 States have picked up some form of compliance—that the National Governors Association when they met here in Washington recently were compelled to pass a resolution unanimously.

I will read just a small portion of that resolution:

The National Governor's Association respectfully urges the Administration and Congress to strengthen federal tax enforcement tools, powers, and other resources for the Internal Revenue Service as integral to any tax reform proposal and integral to initiatives designed to tackle the deficit crisis. We estimate that as much as $20 billion annually could be saved by the Treasury through an intensive effort to tighten federal enforcement. . . . The National Governors Association suggests that a joint committee of state and federal tax experts be appointed to identify innovative tax enforcement programs to be pursued jointly or separately by the states and the federal government.

Mr. President, I urge not only that we take up the national Governors in their challenge, I urge not only that we follow the example that has been set not only by Governor Dukakis of Massachusetts but the Governors of other States, but I urge very strongly that the Members of this institution will make an effort to try to send a message to the American people that we are going to care about fair and honest application of our tax laws, that we believe in voluntary compliance, and that we want to relieve the burden of those many citizens in this country who are now twice taxed—once by the Government and once by those who cheat, for whom they must pick up the additional burden.

Mr. President, I hope we will pass this resolution in an effort to make an effort to accomplish that goal and begin the process by which we will do so.

EXHIBIT 1

COMMISSIONER OF INTERNAL REVENUE,
Washington, DC.

Honorable J.J. PICKLE,
Chairman, Subcommittee on Oversight, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed are responses to the five questions raised in your April 17 letter concerning the Service's FY 1986 budget.

The non-enforcement staffing allocations provided in answer to question one emphasize the improvements to programs that involve processing of tax returns, responding to taxpayer correspondence, and answering taxpayer inquiries through the taxpayer service programs. While these allocations reflect the Service's general priorities at the various options, more lengthy consideration could result in some adjustments.

If we can be of further assistance, please let me know.

With kind regards,

Sincerely,

ROSCOE EGGER.

Enclosures.

Question (1).—How would the Service allocate additional staffing over the proposed FY 1986 levels for all the non-enforcement functions, including appeals, tax litigation, and criminal investigations at each of these levels: 500, 1,000, 1,500, 2,000, and 3,000 additional staff? What would the cost be at each level? What would the yield-to-cost ratio be for total Service-wide staffing based on the proposed FY 1986 budget, taking into account each level of additional staffing for non-enforcement functions?

Answer.—The Service's allocation of the additional non-enforcement staffing options is summarized on the attached table. More extensive consideration and review might suggest the need for some adjustments in these allocations, but essentially they reflect the Service's priorities.

The principal tax processing and taxpayer service programs received primary emphasis. Enhanced quality of service to the public, improved responsiveness, and the ability to better deal with increased workload would result from these staffing allocations.

The yield-to-cost ratio for total Service-wide staffing in the proposed FY 1986 budget is approximately 9.7 dollars in direct enforcement revenue collections for each dollar spent. While the additional allocation of up to 3,000 average positions in non-enforcement programs increases the quality and responsiveness of Service operations and thus contributes to improved voluntary compliance, we are unable to measure these specific effects in revenue terms.

Briefly, the anticipated allocation of each of the options is as follows: 500 average positions (420 million).

These positions would be used principally in our service centers to improve computer operations and assure staffing levels sufficient to process expected growth in the volume of tax returns filed. Also, increases to Taxpayer Service and other programs would result in our assisting 1.7 million additional taxpayers and would strengthen our problem resolution program: 1,000 average positions ($42 million).

In addition to the above, these positions would be used in our service centers to (1) further strengthen computer operations and (2) improve the timeliness and quality of taxpayer correspondence. We would also apply resources to Appeals and Tax Litigation to close an additional 9,500 tax shelter cases: 1,500 average positions ($60 million).

In addition to the above, these positions would be used to further improve the quality of taxpayer correspondence, strengthen our problem resolution program and assist an additional 1.3 million taxpayers. We would also issue an additional 10,000 pension plan determinations, close an additional 2,500 tax shelter cases and enhance our review of internal and managerial controls over the Service's new automated computer systems: 2,000 average positions ($81 million).

In addition to the above, these positions would further improve the timeliness, clarity and accuracy of taxpayer correspondence. Improvement to the Service's correspondence practices and procedures would provide better service to taxpayers and reduce taxpayer burden in communicating with the Service on errors, adjustments and account discrepancies: 3,000 average positions ($116 million).

In addition to the above, these positions would be used to assist an additional 2.6 million taxpayers, issue an additional 20,000 pension plan determinations, close an additional 2,660 more tax shelter cases, initiate an additional 570 fraudulent tax haven/foreign trust investigations and provide a reasonable balance in all Service programs to carry out related IRS responsibilities.

[Question No. 1]

INTERNAL REVENUE SERVICE: FISCAL YEAR 1986 BUDGET AND ALLOCATION OF ADDITIONAL OPTIONS

Program	Fiscal year 1986 budget	Allocation of additional average positions				
		+500	+1,000	+1,500	+2,000	+3,000
Returns Processing, Taxpayer Correspondence	21,336	350	725	875	1,375	1,495
Taxpayer service	4,214	125	125	225	225	425
Computer services	1,510					90
Tax fraud investigations	4,413					265
Appeals and tax litigation	3,537		125	205	205	240
Enforcement litigation and rulings	1,433					80
Employee plans and exempt organizations	2,401			50	50	150
Other programs	47,645	25	25	145	145	255
Total average positions	86,489	500	1,000	1,500	2,000	3,000
Budget (Dollars in millions)	3,511	20	42	60	81	116

Question (2).—How would the service allocate additional funding over the proposed fiscal year 1986 levels for all nonenforcement functions, including appeals, tax litigation, and criminal investigations at each of these levels: $25 million, $50 million, $75 million, and $100 million? What would the yield-to-cost ratio be Service-wide based on the proposed fiscal year 1986 budget, taking into account each additional funding level for nonenforcement functions?

Answer.—The Service's allocation of the additional nonenforcement funding options is summarized below. More extensive consideration and review might suggest the need for some adjustments in these allocations, but essentially they reflect the Service's priorities.

Regarding the impact of these additional funding levels on the Servicewide yield-to-cost ratio, as with question (1), we are unable to measure the potential revenue impact of the improved tax administration resulting from these allocations.

Briefly, the anticipated allocation of each of the options are as follows:

$25 million.—These funds would be used to avoid general reductions in most Service programs by financing deficits in mandatory space rental, printing of tax packages, and toll-free telephone requirements.

$50 million.—In addition to the above, these funds would be used to strengthen technical and computer training and to finance ADP systems improvements in our service centers for remittance processing, data input and upgraded computer capacity.

$75 million.—In addition to the above, these funds would be used for additional ADP systems improvements in our service centers for automated scheduling, and controlling assessments and notices.

Systems improvements would also be funded for taxpayer service electronic refund telephone equipment, tax fraud investigations automation and employee plans and exempt organizations determination work.

$100 million.—In addition to the above, these funds would be used for additional ADP and systems modernization initiatives in tax processing, appeals and tax litigation, and employee plans and exempt organizations. We would further finance taxpayer education for self-employed and elderly taxpayers, continuing legal education and computer-based training. Funds would also be used for contractual services to provide compliance research and a required risk analysis of our tax processing centers and for an unbudgeted requirement to print federal tax deposit coupon books.

Question (3).—Please provide a breakdown of the staffing for major programs under each of the four appropriations accounts which shows: (a) IRS fiscal year 1986 Budget Submission to the Treasury Department; (b) IRS fiscal year 1986 Budget Submission to the Office of Management and Budget; and (c) the IRS fiscal year 1986 Budget Submission to Congress.

Also, how much revenue would be brought in under each of those three budget proposals?

Answer.—See attached chart.

[Question No. 3]

INTERNAL REVENUE SERVICE SUMMARY STAFFING (FTE)

	Fiscal year 1986—		
	Treasury submission	OMB submission	Congressional submission
Salaries and expenses:			
Executive direction	$131.0	$131.0	$127.0
Management services	2,184.0	1,974.0	1,944.0
Total salaries and expenses	2,315.0	2,105.0	2,071.0
Processing tax returns:			
Returns processing and revenue accounting	22,907.0	22,060.0	21,336.0
Computer services	1,740.0	1,680.0	1,510.0
Total processing tax returns	24,647.0	23,740.0	22,846.0
Examination and appeals:			
Examination	33,058.0	30,659.0	29,518.0
Appeals and tax litigation	3,890.0	3,762.0	3,537.0
Employee plans and exempt organizations	2,537.0	2,517.0	2,401.0
Total examination and appeals	39,485.0	36,938.0	35,456.0
Investigation, collection and taxpayer service:			
Tax fraud investigation	4,851.0	4,555.0	4,413.0
Collection	17,915.0	16,551.0	16,056.0
Taxpayer service	4,417.0	4,313.0	4,214.0
Enforcement litigation and rulings	1,650.0	1,650.0	1,433.0
Total investigation, collection and taxpayer service	28,833.0	27,069.0	26,116.0
Total, IRS	95,280.0	89,852.0	86,489.0
Direct enforcement revenue (billions)	$36.4	$34.5	$34.1

Question (4).—What would the cost and program effects be for expanding taxpayer service at each of the following staffing levels above that proposed in the Administration's FY 1986 budget request: 200, 400, 600, 800, and 1,000 additional staffing?

Answer.—The mission of Taxpayer Service—to provide taxpayers with the assistance they need to comply with the tax laws—is most effectively accomplished with a program that balances quality assistance with cost-effective assistance. The funding levels shown here apply this principle by planning for a mixture of employee training, quality review and toll-free telephone assistance for the public, augmented—at the higher levels—by an enhanced Outreach program and tax seminars for self-employed individuals.

Program impact and accomplishments	*Expansion level*
Level A:	
Quality review: average positions	6
Training: average positions	18
Telephone assistance: average positions	176
Total average positions	200
Additional taxpayers assisted: 2,604,000.	
Level B:	
Quality review: average positions	12
Training: average positions	36
Telephone assistance: average positions	352
Total average positions	400
Additional taxpayers assisted: 5,209,000.	
Level C:	
Quality review: average positions	13
Training: average positions	87
Telephone assistance: average positions	387
Outreach program: average positions	88
Tax seminars for self-employeds: average positions	25
Total average positions	600
Additional taxpayers assisted: 6,443,000.	
Level D:	
Quality review: average positions	15
Training: average positions	87
Telephone assistance: average positions	431
Outreach program: average positions	242
Tax seminars for self-employeds: average positions	25
Total average positions	800
Additional taxpayers assisted: 8,172,000.	
Level E:	
Quality review: average positions	22
Training: average positions	87
Telephone assistance: average positions	624
Outreach program: average positions	242
Tax seminars for self-employeds: average positions	25
Total average positions	1,00
Additional taxpayers assisted: 11,204,000.	

Question (5).—Please update, to any extent necessary, your letter of February 25, 1985 regarding IRS staffing levels and allocation of resources to take into account fiscal year 1986 projections.

Answer.—Information in my February 25, 1985 letter concerning staffing levels and allocation of resources takes into account fiscal year 1986 projections. This information remains current.

COMMISSIONER OF INTERNAL REVENUE,
Washington, DC, February 25, 1985.

Hon. J. J. PICKLE,
Chairman, Subcommittee on Oversight, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is in response to former Chairman Rangel's letter of December 3 in which he asked for information concerning staffing levels and allocation of resources for the Internal Revenue Service. I

appreciate the continued interest in voluntary compliance and the impact that various resource levels have on federal revenues. I am enclosing detailed answers to the four questions that he asked.

In requests for resources, the Service will continue to emphasize tax enforcement and revenue collection, while at the same time increasing productivity and streamlining operations.

With kind regards,

Sincerely,

ROSCOE EGGER.

Enclosures.

Question (1).—How would the Service allocate additional staffing over the authorized FY 1985 levels at each of the following levels: (a) 500 additional staff; (b) 1,500 additional staff; (c) 3,500 additional staff; and (d) 5,000 additional staff? What would the yield to cost ratio be for each level?

Answer.—Revenue is a major consideration of the Service in allocating resources, but another important consideration is a balanced program—one that addresses compliance as well as revenue.

The Internal Revenue Service would allocate the first 2,500 staff years for additional revenue collection to examining tax returns including those returns which have a significant effect on non-compliance. There are some areas which are very non-compliant but are costly to examine; nonetheless, we would devote some resources to these areas to attempt to stem non-compliance.

The Service would devote the next 1,000 staff years to follow-up on unreported income and nonfiling identified by matching information returns. The final 1,500 staff years would be devoted to taxes owed but unpaid.

Function	Staff years	Cost (millions)	Ultimate collected revenue (millions)	Yield cost
(a) Examination	500	$23.6	[1] $377	16.0
(b) Examination	1,500	70.9	[1] 546	7.7
(c) Examination	2,500	117.9	[1] 659	5.6
Information returns	1,000	26.9	[1] 438	16.3
(d) Examination	2,500	117.9	[1] 659	5.6
Information returns	1,000	26.9	[1] 438	16.3
Collection	1,500	60.3	363	6.0

[1] Includes revenue collected in subsequent years resulting from assessments proposed in the initial year.

INTERNAL REVENUE SERVICE ULTIMATE COLLECTED REVENUE

[Dollar amounts in millions]

Function	Staff years	Fiscal year— 1986	1987	1988	1989	1990	Total
(a) Examination[1]	500	$281,770	$43,657	15,872	$11,913	$23,788	$377,000
(b) Examination[1]	1,500	408,080	63,227	22,987	17,254	34,452	546,000
(c) Examination[1]	2,500	492,537	76,312	27,744	20,824	41,583	659,000
Information Returns[1]	1,000	346,896	48,180	22,338	13,140	7,446	438,000
Total	3,500	839,433	124,492	50,082	33,964	49,029	1,097,000
(d) Examination[1]	2,500	492,537	76,312	27,744	20,824	41,583	$659,000
Information Returns[1]	1,000	346,896	48,180	22,338	13,140	7,446	438,000
Collection	1,500	363,000					363,000
Total	5,000	1,202,433	124,492	50,082	33,964	49,029	1,460,000

[1] Subsequent year revenues resulting from assessments proposed in fiscal year 1986.

Question: (2) For individual and corporate income taxes, what is the Service's most current estimate of the value of one percentage point of voluntary compliance for tax years 1983, 1984 and 1985?

Answer: Our latest projections of tax gaps produce the following estimates of the effects of one-percentage-point changes in corporate and individual compliance rates.

[In billions of dollars]

	Individual	Corporation	Total [1]
Tax year:			
1983	3.6	0.6	4.1
1984	3.7	.8	4.5
1985	4.1	.9	5.0
1986	4.5	1.1	5.6

[1] Totals may not add due to rounding.

Question (4).—Please provide data (as outlined in (3) above) indicating the impact and changes needed to achieve a $1 billion, $2 billion, and $4 billion increase in additional Federal revenues. Also, provide similar information for increasing the FY 1985 audit coverage (and FY 1986, if possible) to actual 1983 levels (1.5 percent), and to various percentage increases up to 6 percent (i.e., 2 percent, 3 percent, etc.).

Answer.—The estimated coverage in the FY 1985 budget request was 1.42 percent. However, at mid-point in the current fiscal year (FY 1985), the addition of enforcement personnel would not result in closing a significant number of additional examinations. Such an increase would enhance the examination program in FY 1986.

The 2,500 staff-year increase in Examination in FY 1986 that is shown in our response to question (1) represents the maximum staff-year increase that Examination can effectively absorb in one year. That increase would result in an examination coverage rate of 1.50 percent, an estimated increase of $659 million in eventual collections (resulting from assessments proposed in FY 1986), a cost of approximately $117.9 million (including support and follow-up costs), and a yield to cost ratio of 5.6.

A similar increase of another 2,500 staff-years in FY 1987 (a total increase of 5,000 staff-years over the 1985 staff levels) would raise examination coverage to 1.70 percent with eventual collections (resulting from assessments proposed in FY 1987) of approximately $1.9 billion more than could be collected through examination efforts with FY 1984 staffing levels. The total cost of these 5,000 additional staff-years, support and follow-up would be $221.1 million with a yield to cost of 8.8.

With an additional increase of 2,500 staff-years in FY 1988 (a total increase of 7,500 staff-years over the 1985 staff levels), examination coverage would rise to 1.90 percent and estimated eventual collections (resulting from assessments proposed in FY 1988) would be $3.1 billion more in FY 1988 than the FY 1985 level of staffing could produce. The total cost of these 7,500 additional staff-years, support and follow-up would be $328.5 million with a yield to cost of 9.5.

The maximum possible expansion that Collection could absorb in one year is 2,500 staff-years. Such an expansion would increase collected revenue by about $600 million in the first year and about $1 billion in each subsequent year. The total cost of these 2,500 additional staff-years, support and follow-up would be approximately $100.6 million and would result in a yield to cost of 6.0 in the initial year and 11.3 in subsequent years.

INTERNAL REVENUE SERVICE: ULTIMATE COLLECTED REVENUE

[Dollar amounts in millions]

Function	Staff years	Fiscal year— 1986	1987	1988	1989	1990	1991	1992	Total
Examination [1] (in fiscal years):									
1986	2,500	$492.5	$76.3	$27.7	$20.8	$41.6			$659.0
1987	5,000		1,447.6	224.3	81.5	61.2	$122.2		1,936.8
1988	7,500			2,322.2	359.8	130.8	98.2	$196.1	3,107.1
Total		492.5	1,523.9	2,574.2	462.1	233.6	220.4	196.1	5,702.9
Collection	2,500	608.0	982.0						

[1] Subsequent year revenues resulting from assessments proposed in fiscal years 1986, 1987, and 1988.

Mr. PACKWOOD. Mr. President, will the Senator yield for a question for clarification?

Mr. KERRY. I will be happy to.

Mr. PACKWOOD. In the Massachusetts program, did that or did that not include an amnesty program?

Mr. KERRY. Yes; it did include an amnesty program. We have broken down those figures which increased the revenue by virtue of amnesty and those by compliance. Total increase in revenues was 4 percent. The increase by amnesty was 1.4 percent.

Mr. PACKWOOD. I congratulate my friend. This is the first amendment he has offered on the floor. I will support him. It is a good amendment. I think it is a good step.

Mr. President, I would like to ask two other questions for clarification.

The Senator made reference to tax simplification. As my colleague is aware, we could have a flat tax, which would be simple, but it would lower the taxes on the highest income tax groups and raise the taxes on the lower income tax groups. Would my colleague comment?

Mr. KERRY. Mr. President, the distinguished Senator, the chairman of the Finance Committee, is far more knowledgeable than I am in this regard.

Mr. President, I am a strong supporter of a fair tax.

Mr. PACKWOOD. A suggestion has been made that savings might be used to reduce taxes or to lower the deficit. My good friend would not object if the money was used to raise the threshold below which you do not have to pay taxes, if we wish to do that so that we can remove some of the poor who pay taxes altogether?

Mr. KERRY. Indeed, Mr. President, I would not object, nor do I believe my cosponsors would object, to lessening the burden on the lower income taxpayers. That is indeed one of the objectives of our overall effort here. However, I would state for the record that I think it is the preference of certainly this Senator, and some of the cosponsors, that major consideration be given with respect to additional revenues in the effort to reduce the deficit, but it does not preclude that.

Mr. PACKWOOD. I thank my good friend. I am prepared to support this amendment.

Again, I want to compliment my distinguished colleague from Massachusetts for bringing this matter before us. It is a good effort and I support it.

Mr. KERRY. I thank the chairman of the committee.

Mr. DOLE. Mr. President, I would agree with the Senator from Massachusetts that compliance with our tax laws is too low despite substantial legislative efforts as part of the Tax Equity and Fiscal Responsibility Act of 1982 and the Deficit Reduction Act of 1984. The most recent official IRS estimate was in 1981 when noncompliance from legal income sources was estimated to be $81.5 billion and noncompliance from illegal income sources was estimated at $9 billion per year.

However, there is a serious question whether we can reasonably expect to increase compliance by any appreciable, additional amount. The TEFRA compliance rules were estimated to raise more than $22 billion over fiscal years 1985-87. This figure includes $4.3 billion from additional IRS enforcement personnel. The Deficit Reduction Act compliance provisions were estimated to raise $500 million over fiscal year 1985-87.

The basic thrust of our efforts has been to increase information reporting and penalties for noncompliance. The increased reporting gives the IRS more information to match against tax returns to see if there are discrepancies. The increased penalties simply raise the stakes for noncompliance.

Of course, the record of Congress on compliance certainly is not unblemished. In 1983, we repealed the provisions which imposed withholding on interest and dividends and thereby lost over $8 billion over 3 years due to noncompliance. This year we will repeal the contemporaneous records requirements for use of property which can be used either for business or personal reasons, thereby losing over $400 million to noncompliance.

One thing I think should be obvious. We have done pretty much all we can do in the compliance area with the exception of raising the interest rates and penalties on tax deficiencies still higher and increasing the number of IRS agents. If we are to continue basing our tax system on voluntary compliance, we have to balance theoretical gains from legislative changes with the emotional reaction of our citizens. A new requirement may look good on paper, but it won't increase revenues if it is ignored.

We already have raised the interest rate on deficiencies to equal the prime rate. It is questionable whether we can raise it further without raising the rates on refunds, although a differential in rates would be justified.

On the other hand, the audit rate on income, estate, and gift returns has declined substantially in recent years and was approximately 1.5 percent in 1983, the most recent year for which the IRS has data. Although the IRS has become somewhat better at targeting its audit resources, this is a fairly low level.

The IRS could probably absorb a maximum of 2,500 additional agents per year for the next 3 years. This would cost approximately $600 million in additional spending, but it is likely to net approximately $2 billion over that period.

There certainly is some revenue to be derived from increasing the number of agents. However, that is likely to be the only compliance option for which that claim can be made. The issue is whether the Senate wants to increase the number of individuals who will be audited.

Mr. CRANSTON. Mr. President, I am pleased to support the amendment of the Senator from Massachusetts [Mr. KERRY] to encourage voluntary tax compliance and stepped-up enforcement by the IRS against those individuals and corporations intentionally evading their tax responsibilities.

This amendment is not a tax increase.

I repeat, it is not a tax increase.

No individual, no business, today paying taxes in compliance with the law will see their taxes increased as a result of this amendment.

As for the insistence of the President and some Senators that we do nothing to find revenues to reduce the deficit because they want to use the deficit as a club to force more cuts in spending than is wise or right for our economy and our people, I say to them, it is inexcusable to allow law breaking to continue simply because some Members want to keep the budget reconciliation process free of any resort to increased revenues.

We have an obligation, in fairness, to those taxpayers who do pay in accordance with the law, to catch those who do not pay.

If we can do that as part of the budget resolution, then we should.

And if an amnesty plus enforcement produces increased revenues we should consider these as a dividend in deficit reductiion and pass the benefit along to taxpayers in terms of savings on interest on the debt.

I urge Senators to vote common sense and fairness by supporting the amendment of Senator KERRY.

The PRESIDING OFFICER (Mr. TRIBLE). Who yields time?

Mr. KERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that the distinguished Senator from Michigan [Mr. RIEGLE] be added as a cosponsor to this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, at this point, I yield my time back and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. PACKWOOD. Mr. President, I yield back our time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Massachusetts. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Dakota [Mr. ANDREWS] is necessarily absent.

I also announce that the Senator from North Carolina [Mr. EAST] and the Senator from California [Mr. WILSON] are absent due to illness.

Mr. CRANSTON. I announce that the Senator from Mississippi [Mr. STENNIS] is necessarily absent.

I also announce that the Senator from Montana [Mr. MELCHER] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 2—as follows:

[Rollcall Vote No. 49 Leg.]

YEAS—93

Abdnor	Glenn	Mattingly
Armstrong	Goldwater	McConnell
Baucus	Gore	Metzenbaum
Bentsen	Gorton	Mitchell
Biden	Gramm	Moynihan
Bingaman	Grassley	Murkowski
Boren	Harkin	Nickles
Boschwitz	Hart	Nunn
Bradley	Hatch	Packwood
Bumpers	Hatfield	Pell
Burdick	Hawkins	Pressler
Byrd	Hecht	Proxmire
Chafee	Heflin	Pryor
Chiles	Heinz	Quayle
Cochran	Helms	Riegle
Cohen	Hollings	Rockefeller
Cranston	Humphrey	Roth
D'Amato	Inouye	Rudman
Danforth	Johnston	Sarbanes
DeConcini	Kassebaum	Sasser
Denton	Kasten	Simon
Dixon	Kennedy	Simpson
Dodd	Kerry	Specter
Dole	Lautenberg	Stafford
Domenici	Laxalt	Stevens
Durenberger	Leahy	Thurmond
Eagleton	Levin	Trible
Evans	Long	Wallop
Exon	Lugar	Warner
Ford	Mathias	Weicker
Garn	Matsunaga	Zorinsky

NAYS—2

McClure	Symms

NOT VOTING—5

Andrews	Melcher	Wilson
East	Stennis	

So the amendment (No. 61) was agreed to.

Mr. KERRY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PACKWOOD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 62

(Purpose: To limit social security benefits paid to illegal and non-resident aliens.)

Mr. MATTINGLY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Georgia [Mr. MATTINGLY] proposes an amendment numbered 62.

Mr. MATTINGLY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment reads as follows:

At the end of the pending amendment, add the following:

It is the sense of the Congress that functional totals should be reduced to reflect a limitation on the amount of social security benefits paid to illegal and non-resident aliens. It is assumed that the Finance Committee will report legislation to accomplish the required changes in law. Such legislation may limit benefits to the amount of the wage-earner's contribution plus interest, unless the wage-earner is a citizen of a country with which the United States has a treaty or totalization agreement and that this provision would apply to individuals becoming eligible on or after January 1, 1986.

Mr. MATTINGLY. Mr. President, the amendment which I offer is straightforward. It expresses the sense of the Senate that the Social Security benefits payable to nonresident and illegal aliens should be limited to the amount of the wage earner's contribution plus interest, unless the nonresident is a citizen of a country with which the United States has a treaty or totalization agreement. This provision would apply to nonresident and illegal aliens becoming eligible for benefits on or after January 1, 1986.

This is not a new issue for the Senate. The limitation on nonresident alien Social Security benefits was a part of the Senate Finance Committee reported version of the Social Security Amendments of 1983, which was approved by this body in March of that year. Also approved by the Senate was an amendment which would have prohibited the payment of Social Security benefits to illegal aliens. Unfortunately, despite the Senate's good sense, these provisions did not become a part of the law. We did, as a result of Public Law 98-21, place some limitations on the benefits the dependents of nonresident aliens can receive. But, because the Senate-passed provisions were altered or eliminated in conference, we made no change in the law where the nonresident aliens themselves are concerned. I believe the Senate should again exercise the same wisdom it demonstrated when it approved the nonresident alien provision as part of the Social Security reform package. A sense of fairness to the American taxpayer dictates that. And so does the need for deficit reduction.

Could there be a more reasonable place to begin deficit reduction than here? I do not think so. For the benefit of my colleagues, let me explain again, briefly and simply, what this bill would do. Under this amendment, aliens residing abroad and illegal aliens would receive Social Security benefits in an amount equal to the contribution they made, through payroll taxes on their employment, plus interest. This is fair. It gives back what has been contributed. But it does not allow the burden placed upon the Social Security system and the American workers whose taxes support it, to continue. It does not ask hard-working, law-abiding citizens to keep working, and paying increasing Social Security taxes, so that their money can be sent overseas or paid to those who have violated this Nation's laws. That is not a fair thing to ask of our citizens. It is not logical. And I am convinced it is not what the American people want.

I believe the intention of the original Social Security Act was the protection of our citizens—not aliens who have entered and worked in the country illegally or aliens who reside abroad. But, Mr. President, in my view, the strongest arguments in favor of this amendment are that it would save money, that it is consistent with the Senate's action in the past, and that it is fair, reasonable, logical. I believe this is the kind of change in the law the American people favor. I urge my colleagues' support of this amendment.

Mrs. HAWKINS. Mr. President, I support the pending amendment offered by my distinguished colleague from Georgia [Mr. MATTINGLY]. This is an important issue and the amendment before us now will rectify a gross inconsistency in our laws as well as save billions of dollars in the Social Security Program. As my colleagues know, it is currently unlawful for aliens to enter or work in the United States without the express permission of the U.S. Government. Unfortunately, present law with regard to Social Security does not reinforce this prohibition against illegal aliens working in this country.

Under current Social Security eligibility criteria, an alien who is living or working in this country illegally can earn and receive Social Security benefits. In fact, payments continue to be paid if the person returns to their own country, including the cost-of-living adjustment based on American economic conditions.

Social Security recipients of our country are rightfully outraged to learn that this law exists. Especially in light of the fact that their own bene-

fits are so often bandied about in Washington—with the threat of reductions, in order to save money.

The amendment before us today is a fair and logical solution to this illogical law. By returning all payments to illegal aliens and nonresident aliens. with interest, they will not lose a penny of their hard earned money, and the Social Security system will no longer be obligated to make payments to them.

Mr. President, I have become increasingly concerned by the fact that the young people in this country, who are now paying into the Social Security system, are skeptical of the program's ability to meet payment demands once they retire. I believe that the amendment I sponsored, with Senator D'AMATO, which was adopted by this body last week, goes a long way toward restoring confidence in the minds of the American public in the Social Security system. I urge my colleagues to join me in support of this amendment so that we can go even further in restoring that confidence and make the system fair to current and future legal recipients.

Mr. CRANSTON. Mr. President, I oppose the amendment of the Senator from Georgia [Mr. MATTINGLY].

Our policy should be to encourage compliance with FICA laws and withholding of Federal and State income taxes.

The proposal of Senator MATTINGLY would only give more reason for an undocumented worker to cooperate in his or her exploitation by unscrupulous employers.

Congress should promote compliance with our Social Security payroll tax laws and withholding of Federal and State income taxes.

Finally, I note that to be eligible for Social Security, a worker must have paid in for 40 quarters—that's 10 years. For a seasonal laborer, 40 quarters may be the equivalent of a lifetime of work. In my judgment, workers in such situations have paid their way by their contributions to our economy.

Mr. MATTINGLY. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HEINZ addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. HEINZ. Mr. President, I ask that I be yielded 3 minutes.

Mr. DOLE. Mr. President, I yield 3 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Mr. HEINZ. Mr. President, I would not object to this amendment if I felt the numbers in it were reasonable. This is based on, frankly, a set of very poor assumptions by the Congressional Budget Office that we would indeed save $2.3 billion.

Let me comment just for a moment on why I think the numbers are wrong.

Mr. MATTINGLY. Will my colleague yield?

Mr. HEINZ. I do not have any time. My understanding, though, is that this is a $2.3 billion amendment.

Mr. MATTINGLY. No; that is not the case.

Mr. HEINZ. How much is it?

Mr. MATTINGLY. We believe it will be approximately a $100 million savings. This amendment is prospective, applying only to new eligibles as of January 1, 1986. It is not retroactive. If it had been, with an effective date of December 31, 1985, it would have included individuals currently receiving benefits. Then, according to the Congressional Budget Office, the savings would amount to $2.3 billion. But this amendment, like similar provisions previously passed by the Senate, is prospective.

Mr. HEINZ. I thank the Senator for that clarification. The Senator had a different amendment that he told me about yesterday. I gather he has changed it. Is that right?

Mr. MATTINGLY. The Senator is correct.

Mr. HEINZ. I thank the Senator. I yield back the balance of my time.

The PRESIDING OFFICER. Who yields time? If no time is yielded, time will be assessed against both sides equally.

Mr. BYRD. Mr. President, I yield back the balance of our time on this side.

Mr. PACKWOOD. Mr. President, I yield back the balance of our time.

ORDER FOR RECESS UNTIL 1 P.M.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, it is my hope that following this rollcall we might stand in recess until 1 o'clock. There are a number of luncheons and ceremonies taking place between the hour of 12 and 1 o'clock.

Mr. President, I ask unanimous consent that following this vote we stand in recess until 1 p.m., and that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

All the time having been yielded back, the question is on agreeing to the amendment of the Senator from Georgia.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] and the Senator from California [Mr. WILSON] are absent due to illness.

Mr. CRANSTON. I announce that the Senator from Mississippi [Mr. STENNIS] is necessarily absent.

I also announce that the Senator from Montana [Mr. MELCHER] is absent because of illness in the family.

I further announce that, if present and voting, the Senator from Montana [Mr. MELCHER] would vote "yea."

The PRESIDING OFFICER (Mr. HUMPHREY). Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 84, nays 12, as follows:

[Rollcall Vote No. 50 Leg.]

YEAS—84

Abdnor	Ford	Mattingly
Andrews	Garn	McClure
Armstrong	Glenn	McConnell
Baucus	Goldwater	Mitchell
Bentsen	Gore	Murkowski
Biden	Gorton	Nickles
Bingaman	Gramm	Nunn
Boren	Grassley	Packwood
Boschwitz	Harkin	Pell
Bradley	Hart	Pressler
Bumpers	Hatfield	Pryor
Burdick	Hawkins	Quayle
Byrd	Hecht	Riegle
Chiles	Heflin	Rockefeller
Cochran	Heinz	Roth
Cohen	Helms	Rudman
D'Amato	Hollings	Sasser
Danforth	Humphrey	Simon
DeConcini	Johnston	Specter
Denton	Kassebaum	Stafford
Dixon	Kasten	Stevens
Dodd	Kerry	Symms
Dole	Lautenberg	Thurmond
Domenici	Laxalt	Trible
Durenberger	Leahy	Wallop
Eagleton	Levin	Warner
Evans	Long	Weicker
Exon	Lugar	Zorinsky

NAYS—12

Chafee	Kennedy	Moynihan
Cranston	Mathias	Proxmire
Hatch	Matsunaga	Sarbanes
Inouye	Metzenbaum	Simpson

NOT VOTING—4

East	Stennis
Melcher	Wilson

So the amendment (No. 62) was agreed to.

RECESS UNTIL 1 P.M.

The PRESIDING OFFICER. The Senate stands in recess until the hour of 1 p.m.

Thereupon, at 12:14 p.m., the Senate recessed until 1 p.m., whereupon, it reconvened when called to order by the presiding officer [Mr. COCHRAN].

The PRESIDING OFFICER. Under the previous order, the hour of 1 p.m. having arrived, the Senator from Florida [Mr. CHILES] is recognized to offer an amendment on behalf of himself and the Senator from South Carolina [Mr. HOLLINGS], on which there shall be 90 minutes of debate, with 60 minutes for the proponents and 30 minutes for the opponents.

Who yields time?

AMENDMENT NO. 63

Mr. CHILES. Mr. President, I ask unanimous consent that the following names be added as cosponsors: Senator HOLLINGS, Senator DODD, Senator BENTSEN, Senator LEVIN, Senator

BOREN, Senator EXON, Senator NUNN, Senator BAUCUS, Senator DECONCINI, Senator BUMPERS, Senator SIMON, Senator BINGAMAN, Senator JOHNSTON, and Senator STENNIS. They join with me today in offering a budget package to cut the deficit and provide for economic growth and a productive future for our Nation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Will the Senator send his amendment to the desk?

Mr. CHILES. Yes.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. CHILES], for himself and Mr. HOLLINGS, Mr. DODD, Mr. BENTSEN, Mr. LEVIN, Mr. BOREN, Mr. EXON, Mr. NUNN, Mr. BAUCUS, Mr. DECONCINI, Mr. BUMPERS, Mr. SIMON, Mr. BINGAMAN, Mr. JOHNSTON, and Mr. STENNIS, proposes an amendment numbered 63.

Mr. CHILES. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the language of Amendment 43 strike all after the word "That" and insert the following: the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1985 is revised and replaced, the first concurrent resolution on the budget for fiscal year 1986 is established, and the appropriate budgetary levels for fiscal year 1987 and 1988 are set forth.

A BUDGET FOR ECONOMIC GROWTH

It is the sense of Congress that in addition to reducing the deficit, which is a major barrier to economic growth, the Federal budget should invest in future economic growth by providing increased funds for:

1. Promoting U.S. exports of goods and services
2. Science and Technology
3. Labor and Force Development (skills and adaptability)
4. Resource & Infrastructure Development
5. Availability of Credit for growth sectors or industries faced with structural change.

These investments will determine whether the U.S. economy (U.S. industry) will develop and apply the technological advances necessary to compete in the changing world economy in the next decade and the next century; freezing or starving these programs is a false economy.

(a) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1984, October 1, 1985, October 1, 1986, and October 1, 1987:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1985: $736,200,000,000.
Fiscal year 1986: $807,700,000,000.
Fiscal year 1987: $892,300,000,000.
Fiscal year 1988: $990,500,000,000.

and the amounts by which the aggregate levels of Federal revenues should be increased are as follows:

Fiscal year 1985: $0.
Fiscal year 1986: $15,000,000,000.
Fiscal year 1987: $28,000,000,000.
Fiscal year 1988: $38,000,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1985: $44,800,000,000.
Fiscal year 1986: $50,900,000,000.
Fiscal year 1987: $56,100,000,000.
Fiscal year 1988: $61,200,000,000.

and the amounts for Federal Insurance Contributions Act revenues for old-age, survivors, and disability insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1985: $186,200,000,000.
Fiscal year 1986: $200,400,000,000.
Fiscal year 1987: $216,800,000,000.
Fiscal year 1988: $248,000,000,000.

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1985: $1,057,600,000,000.
Fiscal year 1986: $1,083,000,000,000.
Fiscal year 1987: $1,141,900,000,000.
Fiscal year 1988: $1,218,800,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1985: $951,300,000,000.
Fiscal year 1986: $977,000,000,000.
Fiscal year 1987: $1,026,500,000,000.
Fiscal year 1988: $1,077,600,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1985: $214,700,000,000.
Fiscal year 1986: $169,300,000,000.
Fiscal year 1987: $134,200,000,000.
Fiscal year 1988: $87,100,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1985: $1,851,100,000,000.
Fiscal year 1986: $2,082,800,000,000.
Fiscal year 1987: $2,290,300,000,000.
Fiscal year 1988: $2,473,900,000,000.

and the amounts by which the statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1985: $27,300,000,000.
Fiscal year 1986: $231,700,000,000.
Fiscal year 1987: $207,500,000,000.
Fiscal year 1988: $183,600,000,000.

(6) The appropriate levels of total Federal Credit activity for the fiscal years beginning on October 1, 1984, October 1, 1985, October 1, 1986, and October 1, 1987, are as follows:

Fiscal year 1985:
(A) New direct loan obligations, $53,500,000,000.
(B) New primary loan guarantee commitments, $69,300,000,000.
(C) New secondary loan guarantee commitments, $68,200,000,000.

Fiscal year 1986:
(A) New direct loan obligations, $36,200,000,000.
(B) New primary loan guarantee commitments, $75,400,000,000.
(C) New secondary loan guarantee commitments, $68,200,000,000.

Fiscal year 1987:
(A) New direct loan obligations, $36,500,000,000.
(B) New primary loan guarantee commitments, $75,600,000,000.
(C) New secondary loan guarantee commitments, $68,200,000,000.

Fiscal year 1988:
(A) New direct loan obligations, $35,601,000,000.
(B) New primary loan guarantee commitments, $80,300,000,000.
(C) New secondary loan guarantee commitments, $68,200,000,000.

(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for fiscal years 1985 through 1988 for each major functional category are as specified below:

PROMOTING U.S. EXPORTS

It is the sense of Congress that federal economic policy must recognize the international basis of future prosperity, and in addition to reducing deficits, interest rates and the overvalued dollar, provide appropriate forms of assistance for U.S. firms seeking to compete in world markets, including:

A. Prompt enactment of legislation to reduce foreign barriers to U.S. goods and services, including a requirement for U.S. retaliation against foreign imports if foreign barriers are not lowered and the trade deficit substantially reduced;

B. Creation of a $1 billion "war chest" in the Export-Import Bank to be used by the special trade representative and the bank as a resource to counter predatory financing arrangements by foreign countries and meet the unique requirements of certain U.S. exporters.

C. Increasing funds for U.S. agencies providing technical assistance to U.S. exporters;

D. Increased funds for training in foreign languages and cultures to assist U.S. exporters in dealing abroad.

International Affairs (150):

Fiscal year 1985:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $19,600,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New primary loan guarantee commitments, $10,300,000,000.
(E) New secondary loan guarantee commitments, $0.

Fiscal year 1986:
(A) New budget authority, $21,500,000,000.
(B) Outlays, $17,500,000,000.
(C) New direct loan obligations, $9,400,000,000.
(D) New primary loan guarantee commitments, $12,300,000,000.
(E) New secondary loan guarantee commitments, $0.

Fiscal year 1987:
(A) New budget authority, $19,200,000,000.
(B) Outlays, $16,500,000,000.
(C) New direct loan obligations, $9,000,000,000.
(D) New primary loan guarantee commitments, $12,300,000,000.
(E) New secondary loan guarantee commitments, $0.

Fiscal year 1988:
(A) New budget authority, $19,100,000,000.
(B) Outlays, $15,800,000,000.
(C) New direct loan obligations, $9,200,000,000.
(D) New primary loan guarantee commitments, $12,300,000,000.
(E) New secondary loan guarantee commitments, $0.

SCIENCE AND TECHNOLOGY

It is the sense of Congress that enhanced federal support of scientific, technological and industrial innovation:

A. Strengthens the ability of U.S. industries to compete in domestic and international markets;

B. Stimulates productivity growth in U.S. manufacturing industries through the development of improved manufacturing technologies;

C. Addresses important unsolved problems of our society such as supplying safe and low-cost energy, controlling pollution, providing adequate housing, improving the

quality of life, preventing disease and creating jobs;

D. Helps control inflation and contributes to economic growth through the adoption of more productive technologies; and

E. Enhances the standard of living for all Americans; That while the private sector should maintain responsibility for the commercial application of technological advances, scientific research and technological innovation that benefits the nation more than it benefits any individual or corporate entity, the public interest warrants direct and indirect federal encouragement of research and development; That the key areas of direct federal encouragement of scientific and technological applications include: basic mathematical, physical and biological research funded through the National Science Foundation and the Department of Energy; space and terrestrial sciences and applications developed through pursuit of a manned space station and manned and unmanned space and planetary exploration; energy supply and conservation, biomedical and biotechnical research to produce marketable products while maintaining our commitment to basic research into causes, prevention and cure of disease; and funding for state-of-the-art laboratory equipment for schools and universities; That joint business-university-governmental arrangements for applied research should be encouraged to ensure rapid dissemination and adoption of technological advances, and to assure that technological development is consistent with the needs of potential users.

General Science, Technology, and Space (250):
Fiscal year 1985:
(A) New budget authority, $9,100,000,000.
(B) Outlays, $8,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $9,700,000,000.
(B) Outlays, $9,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $9,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $10,300,000,000.
(B) Outlays, $10,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Energy (270):
Fiscal year 1985:
(A) New budget authority, $1,900,000,000.
(B) Outlays, $6,900,000,000.
(C) New direct loan obligations, $2,600,000,000.
(D) New primary loan guarantee commitments, $100,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New primary loan guarantee commitments, $4,000,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $5,600,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $5,500,000,000.
(B) Outlays, $5,100,000,000.
(C) New direct loan obligations, $2,200,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Agriculture (350):
Fiscal year 1985:
(A) New budget authority, $24,800,000,000.
(B) Outlays, $21,000,000,000.
(C) New direct loan obligations, $13,800,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $20,300,000,000.
(B) Outlays, $17,600,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $17,200,000,000.
(C) New direct loan obligations, $13,100,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $15,800,000,000.
(C) New direct loan obligations, $12,800,000,000.
(D) New primary loan guarantee commitments, $5,800,000,000.
(E) New secondary loan guarantee commitments, $0.
Health (550):
Fiscal year 1985:
(A) New budget authority, $33,600,000,000.
(B) Outlays, $33,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $36,100,000,000.
(B) Outlays, $35,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $35,800,000,000.
(B) Outlays, $38,300,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $41,700,000,000.
(B) Outlays, $41,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.

LABOR FORCE DEVELOPMENT

It is the sense of Congress that continued economic growth requires a labor force with the education and job skills appropriate to rapidly changing technology in both industrial production and service occupations;

That meeting these needs requires adequate funding of such key programs as math and science education, compensatory education, and job training programs for youth and dislocated workers, re-training and employment opportunities for senior citizens; training of applied scientists and engineers;

That continual change in technology will require structures to recognize and facilitate changes in labor force requirements and labor-manangement relations; That such structures should include a joint labor-management-government commission on labor-force development and a national job bank;

That funding should be restored to the Bureau of Labor Statistics to allow adequate monitoring and analysis of changing employment needs.

Education, Training, Employment, and Social Services (500):
Fiscal year 1985:
(A) New budget authority, $31,900,000,000.
(B) Outlays, $30,600,000,000.
(C) New direct loan obligations, $1,100,000,000.
(D) New primary loan guarantee commitments, $8,800,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $31,700,000,000.
(B) Outlays, $30,900,000,000.
(C) New direct loan obligations, $1,100,000,000.
(D) New primary loan guarantee commitments, $9,100,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $31,800,000,000.
(B) Outlays, $31,500,000,000.
(C) New direct loan obligations, $1,100,000,000.
(D) New primary loan guarantee commitments, $9,400,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $32,200,000,000.
(B) Outlays, $31,600,000,000.
(C) New direct loan obligations, $1,100,000,000.
(D) New primary loan guarantee commitments, $9,600,000,000.
(E) New secondary loan guarantee commitments, $0.

RESOURCE DEVELOPMENT/ENVIRONMENTAL PROTECTION

It is the sense of Congress that further economic growth will require a continued investment in programs to protect and develop our nation's physical resources—land, energy, water, timber, minerals;

It is the further sense of Congress that continued growth and development requires an increased investment in programs to pro-

tect the environment from any dangerous byproducts of industrial production, such as the superfund hazardous waste cleanup program, EPA enforcement programs, water supply and desalinization projects, hazardous waste and drinking water research and soil and water conservation programs. Because the benefits of research in these areas are primarily a public good, there is little incentive for private sector investment. Lack of prudent management of natural resources as has occurred over the past four years of budget reductions, will in the next century, represent the major limits to growth.

Natural Resources and Environment (300):
Fiscal year 1985:
(A) New budget authority, $12,600,000,000.
(B) Outlays, $13,000,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $13,300,000,000.
(B) Outlays, $13,100,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $13,600,000,000.
(B) Outlays, $13,200,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $13,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.

COMPETITION AND CREDIT

It is the sense of Congress that robust economic growth requires the innovation and competition spawned by the creation and growth of small firms;

That such competition requires the vigorous enforcement of anti-trust laws;

That the revised enforcement guidelines of recent years have virtually eliminated anti-trust protection;

That this lax enforcement and changes in the corporate tax code have fostered an epidemic of merger and acquisitions exceeding $347 billion in the last four years which threatens the health of financial markets;

That this epidemic has diverted both capital and entrepreneurial energy away from the innovative development, efficient manufacture, and aggressive marketing of products and toward paper transactions which enhance short-run financial gains at the expense of long-term profitability of American enterprise;

That the Department of Justice should therefore modify its anti-trust guidelines to provide adequate protection for competition against horizontal mergers, and should return to vigorous enforcement of the Clayton Anti-Trust Act;

That the Federal Reserve Board should ensure that banks maintain prudent lending practices, and assure that adequate credit is avilable for real economic expansion rather than being tied up in unproductive takeovers; That the Securities and Exchange Commission should require full financial disclosure as a condition for issuing debt instruments which are below investment grade; should prohibit takeover practices which discriminate against classes of shareholders; That the Congressional Budget Office and Congressional Research Service shall undertake an analysis to determine which tax provisions create windfalls of cash which make takeovers and liquidation more profitable than reinvestment of capital for long-term growth, and report their findings no later than June 15, 1985.

REMAINING BUDGET FUNCTIONS

National Defense (050):
Fiscal year 1985:
(A) New budget Authority, $292,600,000,000.
(B) Outlays, $252,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget Authority, $302,500,000,000.
(B) Outlays, $271,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal Year 1987:
(A) New budget Authority, $322,900,000,000.
(B) Outlays $289,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget Authority, $344,900,000,000.
(B) Outlays, $309,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Commerce and Housing Credit (370):
Fiscal year 1985:
(A) New budget authority, $12,600,000,000.
(B) Outlays, $5,600,000,000.
(C) New direct loan obligations, $6,600,000,000,
(D) New primary loan guarantee commitments, $27,000,000,000.
(E) New secondary loan guarantee commitments, $68,200,000,000.
Fiscal year 1986:
(A) New budget authority, $8,600,000,000.
(B) Outlays, $4,400,000,000.
(C) New direct loan obligations, $4,500,000,000,
(D) New primary loan guarantee commitments, $23,300,000,000.
(E) New secondary loan guarantee commitments, $68,200,000,000.
Fiscal year 1987:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $4,100,000,000.
(C) New direct loan obligations, $5,700,000,000,
(D) New primary loan guarantee commitments, $30,000,000,000.
(E) New secondary loan guarantee commitments, $68,200,000,000.
Fiscal year 1988:
(A) New budget authority, $9,200,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $6,200,000,000,
(D) New primary loan guarantee commitments, $31,700,000,000.
(E) New secondary loan guarantee commitments, $68,200,000,000.
Transportation (400):
Fiscal year 1985:
(A) New budget authority, $29,300,000,000.
(B) Outlays, $26,000,000,000.
(C) New direct loan obligations, $300,000,000,
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $27,800,000,000.
(B) Outlays, $26,300,000,000.
(C) New direct loan obligations, $200,000,000,
(D) New primary loan guarantee commitments, $30,000,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $28,800,000,000.
(B) Outlays, $28,000,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $29,000,000,000.
(B) Outlays, $28,000,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Community and Regional Development (450):
Fiscal year 1985:
(A) New budget authority, $8,400,000,000.
(B) Outlays, $8,700,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $7,500,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $7,600,000,000.
(B) Outlays, $7,800,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $8,200,000,000.
(B) Outlays, $7,500,000,000.
(C) New direct loan obligations, $1,001,000,000.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Medical Insurance (570):
Fiscal year 1985:

(A) New budget authority, $71,800,000,000.
(B) Outlays, $65,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $82,000,000,000.
(B) Outlays, $69,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $91,500,000,000.
(B) Outlays, $76,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $95,400,000,000.
(B) Outlays, $84,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Income Security (600):
Fiscal year 1985:
(A) New budget authority, $163,100,000,000.
(B) Outlays, $128,700,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $156,000,000,000.
(B) Outlays, $118,400,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $164,100,000,000.
(B) Outlays, $123,500,000,000.
(C) New direct loan obligations, $2,300,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $172,800,000,000.
(B) Outlays, $129,800,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Social Security (650):
Fiscal year 1985:
(A) New budget authority, $195,500,000,000.
(B) Outlays, $189,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $207,300,000,000.
(B) Outlays, $197,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $225,200,000,000.
(B) Outlays, $210,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $265,300,000,000.
(B) Outlays, $224,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Veterans Benefits and Services (700):
Fiscal year 1985:
(A) New budget authority, $27,200,000,000.
(B) Outlays, $26,300,000,000.
(C) New direct loan obligations, $1,300,000,000.
(D) New primary loan guarantee commitments, $16,800,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $27,600,000,000.
(B) Outlays, $27,000,000,000.
(C) New direct loan obligations, $1,300,000,000.
(D) New primary loan guarantee commitments, $15,300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $28,200,000,000.
(B) Outlays, $27,500,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $17,400,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $28,200,000,000.
(B) Outlays, $27,500,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $20,100,000,000.
(E) New secondary loan guarantee commitments, $0.
Administration of Justice (750):
Fiscal year 1985:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $6,800,000,000.
(B) Outlays, $6,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $6,900,000,000.
(B) Outlays, $6,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $7,000,000,000.
(B) Outlays, $7,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
General Government (800):
Fiscal year 1985:
(A) New budget authority, $5,700,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $6,100,000,000.
(B) Outlays, $6,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
General Purpose Fiscal Assistance (850):
Fiscal year 1985:
(A) New budget authority, $6,400,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority $6,500,000,000.
(B) Outlays, $6,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $2,000,000,000.
(B) Outlays, $3,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $2,100,000,000.
(B) Outlays, $2,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Net Interest (900):
Fiscal year 1985:
(A) New budget authority, $129,700,000,000.
(B) Outlays, $129,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $142,200,000,000.
(B) Outlays, $142,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $150,900,000,000.
(B) Outlays, $150,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $151,800,000,000.
(B) Outlays, $151,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Allowances (920):
Fiscal year 1985:
(A) New budget authority, $300,000,000.
(B) Outlays, $300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, −$1,500,000,000.
(B) Outlays, −$1,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, −$1,600,000,000.
(B) Outlays, −$1,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, −$1,300,000,000.
(B) Outlays, −$1,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Undistributed Offsetting Receipts (950):
Fiscal year 1985:
(A) New budget authority, −$32,400,000,000.
(B) Outlays, −$32,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, −$34,800,000,000.
(B) Outlays, −$34,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget Authority, −$36,900,000,000.
(B) Outlays, −$36,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget Authority, −$36,400,000,000.
(B) Outlays, −$39,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.

RECONCILIATION

SEC. 2. (a) Not later than June 15, 1985, the committees named in subsections (b) through (r) of this section shall submit their recommendations to the Committees on the Budget of their respective Houses. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $134,000,000 in budget authority and $134,000,000 in outlays in fiscal year 1986, $2,363,000,000 in budget authority and $2,363,000,000 in outlays in fiscal year 1987, and $4,151,000,000 in budget authority and $4,151,000,000 in outlays in fiscal year 1988.

(c) The Senate Committee on Armed Services shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to achieve savings of $0 in budget authority and $387,000,000 in outlays in fiscal year 1986, $0 in budget authority and $588,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $627,000,000 in outlays in fiscal year 1988.

(d) It is the sense of Congress that in order to provide an innovative mechanism to promote the export of U.S. goods and services, and provide an effective deterrent to predatory financing practices by foreign competitors, direct loan subsidies for exports should be replaced by less costly interest reduction programs and a "war chest" allowing the use of up to $1 billion in support of these objectives.

(e) The Senate Committee on Finance shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $5,934,000,000 in outlays in fiscal year 1986, $0 in budget authority and $11,943,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $14,550,000,000 in outlays in fiscal year 1988.

(f) The Senate Committee on Governmental Affairs shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $1,893,000,000 in outlays in fiscal year 1986, $0 in budget authority and $3,303,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $4,708,000,000 in outlays in fiscal year 1988.

(g) The Senate Committee on Labor and Human Resources shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $152,000,000 in budget authority and $142,000,000 in outlays in fiscal year 1986, $209,000,000 in budget authority and $204,000,000 in outlays in fiscal year 1987, and $279,000,000 in budget authority and $269,000,000 in outlays in fiscal year 1988.

(h) The Senate Committee on Small Business shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $129,000,000 in outlays in fiscal year 1986, $0 in budget authority and $421,000,000 in outlays in fiscal year 1987, and $459,000,000 in budget authority and $457,000,000 in outlays in fiscal year 1988.

(i) The Senate Committee on Veterans' Affairs shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $157,000,000 in outlays in fiscal year 1986, $0 in budget authority and $228,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $223,000,000 in outlays in fiscal year 1988.

HOUSE COMMITTEES

(j) The House Committee on Agriculture shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $134,000,000 in budget authority and $134,000,000 in outlays in fiscal year 1986, $2,363,000,000 in budget authority and $2,363,000,000 in outlays in fiscal year 1987, and $4,151,000,000 in budget authority and $4,151,000,000 in outlays in fiscal year 1988.

(k) The House Committee on Armed Services shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to achieve savings of $0 in budget authority and $387,000,000 in outlays in fiscal year 1986, $0 in budget authority and $588,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $627,000,000 in outlays in fiscal year 1988.

(l) The House Committee on Education and Labor shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $152,000,000 in budget authority and $142,000,000 in outlays in fiscal year 1986, $209,000,000 in budget authority and $204,000,000 in outlays in fiscal year 1987, and $279,000,000 in budget authority and $269,000,000 in outlays in fiscal year 1988.

(m) The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction which provide spend-

ing authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $2,680,000,000 in outlays in fiscal year 1986, $0 in budget authority and $4,067,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $5,403,000,000 in outlays in fiscal year 1988.

(n) The House Committee on Government Operations shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $0 in outlays in fiscal year 1986, $4,785,000,000 in budget authority and $3,550,000,000 in outlays in fiscal year 1987, and $5,013,000,000 in budget authority and $4,956,000,000 in outlays in fiscal year 1988.

(o) The House Committee on Post Office and Civil Service shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $1,893,000,000 in outlays in fiscal year 1986, $0 in budget authority and $3,303,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $4,708,000,000 in outlays in fiscal year 1988.

(p) The House Committee on Small Business shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $129,000,000 in outlays in fiscal year 1986, $0 in budget authority and $421,000,000 in outlays in fiscal year 1987, and $459,000,000 in budget authority and $457,000,000 in outlays in fiscal year 1988.

(q) The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays as follows: $0 in budget authority and $157,000,000 in outlays in fiscal year 1986, $0 in budget authority and $228,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $223,000,000 in outlays in fiscal year 1988.

(r) The House Committee on Ways and Means shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays as follows: $0 in budget authority and $5,934,000,000 in outlays in fiscal year 1986, $0 in budget authority and $8,393,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $9,594,000,000 in outlays in fiscal year 1988.

REVENUE RECONCILIATION

SEC. 3. (a) The Senate Committee on Finance shall report no later than July 1, 1985, a Reconciliation Resolution making changes in the Reconciliation Bill considered pursuant to Section 2 above, prior to the enrollment of that bill by the Secretary of the Senate.

Such changes will increase revenues by:

$12 billion in FY86,

$25 billion in FY87,

$35 billion in FY88;

(b) It is the sense of Congress that:

(1) These revenue changes shall not produce any increase in tax rates for individuals;

(2) These revenue changes shall reduce the rate of growth in tax expenditures in Fiscal Years 1986 through 1988;

(3) These revenue provisions shall not be considered in either House of Congress until the spending reduction provisions in Section 2 have been passed by that House;

(4) The Reconciliation bill providing spending reductions pursuant to Section 2 shall not be enrolled until the Reconciliation bill containing tax measures has been passed.

SEC. 4(a) The House Committee on Ways and Means shall report no later than July 1, 1985, a Reconciliation Resolution making changes in the Reconciliation Bill considered pursuant to Section 2 above, prior to the enrollment of that bill by the Clerk of the House of Representatives.

Such changes will increase revenues by:

$12 billion in FY 86,

$25 billion in FY 87,

$30 billion in FY 88;

(b) It is the sense of Congress that:

(1) These revenue changes shall not produce any increase in tax rates for individuals;

(2) These revenue changes shall reduce the rate of growth in tax expenditures in Fiscal Years 1986 through 1988;

(3) These revenue provisions shall not be considered in either House of Congress until the spending reduction provisions in Section 2 have been passed by that House;

(4) The Reconciliation bill providing spending reductions pursuant to Section 2 shall not be enrolled until the Reconciliation bill containing tax measures has been passed.

SEC. 5. It is the sense of Congress that total Budget Authority available for appropriations for Budget Function 050 (National Defense) and for non-defense discretionary programs shall not exceed $455.7 billion for FY 1986; of which $303.2 billion is intended to be for National Defense and $152.5 billion is intended to be for non-defense discretionary programs; that for FY 1987, the Total Budget Authority for these activities shall not exceed $473.8 billion, of which $324.1 billion is intended to be for National Defense and $149.6 billion for non-defense discretionary programs; and that for FY 1988, the total Budget Authority for these activities shall not exceed $499.8 billion, of which $347.6 billion is intended to be for National Defense and $152.2 billion is intended to be for non-defense discretionary programs.

MISCELLANEOUS PROVISIONS

SEC. 6. If the Congress has not completed action by October 1, 1985, on the concurrent resolution on the budget required to be reported under section 310(a) of the Congressional Budget Act of 1974 for fiscal year 1986, then, for purposes of section 311 of such Act, this concurrent resolution shall be deemed to be the concurrent resolution required to be reported under section 310 of such Act.

SEC. 7. It shall not be in order in the House of Representatives or the Senate during fiscal years 1986 and 1987 to consider any bill, resolution, or amendment, except proposed legislation reported in response to reconciliation instructions contained in this resolution, authorizing new direct loans obligations or new loan guarantee commitments unless that bill, resolution, or amendment also provides that the authority to make or guarantee such loans shall be effectively only to such extent and in such amounts as are contained in appropriation acts.

SEC. 8. It is the sense of the Congress that the previous distinction between "unified budget" and "off-budget" spending be ended, and that budget authority and outlays for the so-called "off-budget" agencies be included in the budget totals.

SEC. 9. (a) The Senate finds that—

(1) the existing tax structure of the United States distorts economic activity, leading to an inefficient use of national resources and a weakening of our domestic economic vitality and competitive posture in international markets;

(2) the relative tax burdens among various taxpayer categories are manifestly unfair insofar as they arise from differences in the capabilities of taxpayers to take advantage of complicated tax laws;

(3) the ability of the Federal Government to plan and conduct rational fiscal policy is frustrated by elaborate schemes to avoid taxation and the unintended effects of tax incentives and penalties;

(4) progressive erosion of voluntary compliance threatens the fiscal integrity of our public finances and the confidence of our citizens in the Federal Government's capacity to govern; and

(5) a number of plans, each designed to simplify and reform the Tax Code, have been before the Congress for a time sufficient to allow for extensive analysis and evaluation.

(b) It is therefore the sense of the Senate that tax reform should be adopted as soon as possible, and that it should incorporate the following principles and objectives:

(1) efficiency and responsiveness to market conditions in the economic activities of American businesses and consumers;

(2) simplicity of structure and lower marginal tax rates;

(3) a fair and equitable distribution of the tax burden among all taxpayers, with relief for those below the poverty level, and incentives to bring them into the work force;

(4) a broader tax base, with deductions essential to avoid genuine hardship or to protect the economic security of the American people; and

(5) increased incentives for work, saving, and investment.

SEC. 10. It is the sense of the Senate that because the Senate requires timely reporting of legislative action on spending bills, and because the Senate requires continual control over the budget, the Director of the Congressional Budget Office shall issue a weekly report during periods when the Senate is in session detailing and tabulating the progress of congressional action on bills and resolutions providing new budget authority and changing revenues and the public debt for a fiscal year, including, but not limited to the requirements set forth in Public Law 93-344, section 308(b).

Mr. CHILES. Mr. President, this proposal would require all Americans to help restore our economic foundations and get ready to build on those foundations. There are no scapegoats, and no free riders.

This budget proposal is not offered because we want to blame anyone for anything. We simply want to get the job done, and do it right.

Centuries ago, a famous leader gave some notable advice. He said, "If the city should be harmed, don't rage at the culprit; find out at what point his vision failed him."

This alternative budget package can keep us from ever holding a postmor-

tem like that. It is based on vision, a clear look at what practical steps are needed to cut the deficit now, and what plans we must make for the future.

The plan we offer today reduces deficits $272 billion over 3 years. It requires $191 billion in spending cuts, including $91 billion in domestic reductions and $72 billion less in military spending over the next 3 years.

The plan includes revenues—$72 billion in revenues over 3 years. It requires everyone to pay a fair share by cutting back the growth in tax expenditures. Those expenditures are now $400 billion a year in special allowances that have worked their way into the Tax Code. They help a limited number of wealthy individuals and corporations more than they help the Nation. The country needs help, so those expenditures must be reduced, just like all domestic spending.

This plan will cut spending $2.50 for every $1 of revenues raised.

This plan includes restraints on military spending. It involves making the Pentagon practice efficiency and sensible planning. The Pentagon has to live like the rest of us. You simply cannot have everything you want. But the Pentagon will still have $300 billion next year, and more the year after that, enough to meet projected needs. Moreover, the plan achieves $6 billion in savings by following through on the Pentagon's own progress payment recommendations to withhold funds until products are proven and delivered.

This plan includes delay of 6 months on all of the cost-of-living provisions with an offset to protect the indigent.

But if a budget package does not also contain revenues from the big corporations, the wealthy, and some restraint on defense spending, then I cannot support it. It would not be fair to ask senior citizens to sacrifice if the most well-heeled in society are not required to sacrifice at the same time. This deficit reduction package includes safeguards for the elderly.

There is no increase in out-of-pocket costs to Medicare beneficiaries, a sharp contrast with the nearly $5 billion increase over 3 years included in the Republican plan.

The plan would avoid the 6-percent Social Security COLA reduction proposed by the Republican plan. It would allow full COLA increases in fiscal year 1987 and fiscal year 1988 after a 6-month delay in fiscal year 1986.

There will be no cuts in Medicaid, and no cuts in low-income housing programs for the elderly, handicapped, and disabled.

The Administration on Aging is fully funded and the Food Stamp Program is protected.

Republican cuts and structural changes in civil service retirement are rejected, and it stops the elimination of 17,000 staff positions in the Social Security Administration.

The point is this, Mr. President: Let us get some revenues from those who have not been paying anything. Let us get some savings from the Pentagon, which has been immunized in the past from budget restraint. If we get both those things, plus substantial restraint on domestic spending, then we think the elderly will be ready to help, too.

If the rest of the Nation sets an example of fairness, senior citizens will join them. But let us not ask the elderly to lead the way. Let us just ask them to follow the same road.

Mr. President, I think it is essential that we include in this budget a well-designed economic growth initiative which covers our major needs for export promotion, science and technology, developing workers skills for a new industrial era, and promoting competitiveness and innovation. If I were the only one who felt that way, I would still make it a part of any budget I proposed.

But, Mr. President, I can tell you there are many who feel we need to do that.

Listen to George A. Keyworth, President Reagan's science adviser. In January, he asked this question:

> Basic research is funded primarily by the government for a very good reason—because who else is going to do it?

He went on to tell the Christian Science Monitor we had to "sustain the Government's role in basic research and, more importantly, strengthen it." The President's science adviser says it, but his budget does not do it.

And I agree with Samuel Ting of MIT. Dr. Ting won the 1976 Nobel Prize in physics. He is obviously one of the best. And here is what he has to say about competition in technology. He said, "I have to go where the best science can be done."

Let us just hope we have sense enough and vision enough to make sure the best science stays in the United States.

And listen to one more scientist. His name is Leon Lederman and he is the head of Illinois' Fermi National Accelerator Laboratory. He says this:

> The consensus has been that we are in danger of falling behind . . . What kind of signal will be sending to students if the great science is done elsewhere?

That is a good question. And we had better be able to tell our students the great science will be done here.

Mr. President, getting ready for the future is a keystone of our alternative budget plan. And here are some of the highlights.

First—and this is the major premise—it ties serious deficit reduction with a positive program for economic growth. It will give us something to reach for, not just something to run from.

Second, consistent with that aim, it will provide a war chest for the Exim Bank to tackle predatory credit practices used on the United States by foreign competitors.

I am among those who have offered legislation to encourage the Japanese to reduce trade barriers to American goods. What puzzles me is why some in Congress want to cut back on Exim Bank funding without making it a more effective tool to help American producers enter foreign markets.

The country must grow. It's got to reach out for markets. It's a continuing effort, and our economic future depends on our ability to produce here and sell overseas. Why try to pull down the shades over the future by pulling the plug on Exim now?

Third, we will invest funds in research for computer development, for math and physics, biotechnology and biomedical research, and in space and energy. And the aim in all that is to put the weight of the Federal Government behind an effort to do the basic kind of work that private industry and business can use to create new and marketable products.

Mr. President, it seems to me the Federal Government has always played a constructive part in getting the Nation ready for its future. Whether it was the Northwest Ordinance which encouraged the building of schools, or the Morrill Act of 1862, or the Space Program, the Government made commitments that helped the Nation improve itself.

Who are we to turn our backs on a tradition that is not only proud but proven?

Fourth, we will invest adequate funds to develop and safeguard our natural resources as a necessary companion to industrial growth.

And fifth, we will invest nearly $1 billion to help educate and train a work force that must have the skills to find and master the new high-tech jobs.

What better investment can the Nation make in its own security than helping to equip people for the world in which that 25 percent of our adult population is functionally illiterate, not able to deal with the everyday demands of present society. Do we not have some obligation to the people of this Nation—not to hand them a ticket, but at least give them a chance to read it?

We must be ready to put some money in today, to get some results back tomorrow. That is an American tradition. And it has helped to make America strong. We must make sure it gets stronger.

Mr. President, I shall not describe in detail all the features of this plan, but let me summarize some of the ways in which domestic programs are treated.

In Medicare, it will save $12 billion over 3 years, but will not involve increased costs to beneficiaries.

Farm programs will contribute seven billion dollars worth of savings over the next 3 years, rather than the $18 billion proposed by the White House. This plan reduces rural programs by 15 percent over 3 years, but that is quite a contrast to the 40-percent cuts in the leadership package.

The strategic petroleum reserve will stay in business at a fill rate of 40,000 barrels per day, but will still be reduced in cost by $4.1 billion over 3 years.

Guaranteed student loans will be restrained by $200 million in fiscal 1986, but benefits to students will not be cut.

Important Government programs will be cut, but not decimated. The aim of this budget plan is to get a firm grip on spending, make actual reductions, make people get the most out of dollars spent. The program is disciplined, but not arbitrary.

And one more thing to remember. This package rejects the either/or argument about deficit reduction. The administration argues the deficit can be reduced solely by cutting spending. And the administration also argues that some people think the only way to cut the deficit is to increase taxes.

Neither one will work by itself. This country needs to make an all-out effort to cut the deficit with a judicious and effective use of all the tools at our disposal.

I hope my colleagues will examine the plan carefully, match it against the other alternatives and not overlook these essential facts. In fiscal year 1986 the deficit will be reduced by $46 billion. Using CBO forecasts, it will balance the budget in 5 years.

Imagine that, Mr. President: A plan that balances the budget in 5 years. We have not had anything like that run through here in a while, and we will not find that in the leadership package.

I ask my colleagues to examine the plan we have offered. We simply have to do the best we can, and this plan gives us that chance.

Mr. President, I ask unanimous consent to have printed in the RECORD tables and other material detailing this budget package.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

CHILES-HOLLINGS PLAN VERSUS REPUBLICAN LEADERSHIP PLAN

Growth initiative: Plan offers a positive vision for economic growth and competitiveness. Provides room for investments in export promotion, science and technology, labor force development, resource protection, competition and credit. Republicans cut or freeze programs in all these areas, and endorse administration policies of not enforcing antitrust laws and of encouraging nonproductive mergers and acquisitions.

Deficit reductions: Chiles-Hollings plan produces a balanced budget in 5 years.

Deficit reduced $46 billion in fiscal year 1986 ($59 billion using OMB accounting).

Deficit reduced $270 billion in 3 years ($320 billion using OMB accounting).

Deficit of $86 billion in fiscal year 1988 ($132 with CBO economics: $13 billion lower deficit than Republican Leadership Plan in fiscal year 1988.

Revenues: Spending reduced $2.50 for every $1 raised. $12 billion in revenues in fiscal year 1986; $72 billion over 3 years.

Chiles-Hollings plan saves $72 billion by reducing growth in tax expenditures; requires everyone to pay a fair share, but not raise individual tax rates.

Protection for poor and elderly: Republicans cut many key programs—child nutrition, Medicaid, Veterans health care, education of the disadvantaged, housing for the elderly and handicapped—increase beneficiary out-of-pocket costs for medicare, Chiles-Hollings plan protects all these programs.

Defense: Republicans take no real sacrifice in Defense, adding $10 billion of real growth on top of a $10 billion inflation adjustment in fiscal year 1986—exert no pressure to reduce excessive spending by contractors. Chiles-Hollings plan eliminates real growth and requires savings from reform of progress payments to contractors.

Farm programs: Republicans force drastic cuts of $18 billion, including $4 billion in first year, which requires immediate cuts in credit programs. Overall, Republicans cut 41 percent of spending for rural programs over 3 years. Chiles-Hollings plan makes substantial but fair savings of $7 billion.

Other domestic programs: Republicans totally eliminate key programs like rural housing, Amtrak, Small Business Administration, UDAG, Strategic Petroleum Reserve, Rural Electrification, postal subsidy.

THE CHILES-HOLLINGS PLAN

DOMESTIC SPENDING RESTRAINT BEYOND FREEZE

COLA's: Half-year freeze, full COLA's in fiscal year 1987–88. Reject structural change of COLA formula, protect principle of full and fair COLA. Exempt means tested programs for low income (SSI, Food Stamps, Veterans pension and compensation). 15 percent offset to protect low-income—no means—test required for Social Security.

Medicare: Provider freeze, no increased costs to beneficiaries. Save $12 billion or 5 percent over 3 years.

Farm programs: About one half Republican cuts or $8 billion over 3 years. Cuts 12 percent from baseline, versus Republican 35 percent cut.

General revenue sharing: Phaseout after 1986. Saves $8.5 billion.

Small Business Administration: Savings from Weicker-Bumpers compromise of $2.5 billion over 3 years.

Farmers Home Administration rural housing: 25 percent cut, versus Republican elimination.

Rural electrification: 25 percent reduction in loan programs in fiscal year 1985 and fiscal year 1986; further restraint in fiscal year 1987 and fiscal year 1988.

Transportation: Senate-passed highway bill; 10 percent cut in Transit and Amtrak.

Community development block grants: 15 percent cut, protect UDAG and targetted programs.

Public housing construction: Return to tax-exempt financing, in place of costly direct loans.

Veterans: Reduced rate of new hospital construction; inflation adjustments are provided to maintain current services in operating medical facilities. Increase VA housing loan fees to 2 percent in fiscal year 1986.

Civilian pay: One-year freeze in fiscal year 1986; 3 percent pay raises in fiscal year 1987–99. Delay within grade increases one year; 1 percent workforce attrition.

Foreign aid: Reduce foreign information and exchange to 1983 levels, a 24 percent cut, as opposed to Republicans 12 percent increase. Freeze or reduce aid to countries other than Israel and Egypt for 5 percent savings, against Republican adds. Full request for Israel and Egypt funded. Saves $13 billion over 3 years, $2 billion deeper cut than Republicans.

Export-Import Bank: Saves $7.4 billion in BA, $3 billion in outlays over three years by replacing direct loans with interest rate subsidy and more effectively targetted "War Chest."

Strategic petroleum reserve: Save $4.1 billion over three years by limiting oil purchase to 40,000 barrels per day, as opposed to Republican 3-year moratorium.

Guaranteed student loans: Similar dollar savings as Republican ($.2 billion or 5 percent in fiscal year 1986) but no cuts in student benefits, only hit lenders.

Agency administrative accounts: 15 percent cut in overhead costs, against 10 percent in Republican plan.

Medicaid: Savings of $1.0 billion over five years are assumed from requiring states to collect payments from private health insurance policies held by Medicaid recipients.

Community service block grant: Reduce funding for the Community Service Block Grant by 20 percent; require states to share in the costs of program which has been 100 percent federally-funded.

Soil conservation: 10 percent cuts in soil conservation, against 25 percent in Republican leadership plan.

CHILES-HOLLINGS PLAN

	1986	1987	1988	3-yr. total	1989	1990
Deficit reduction:						
CBO Accounting	45	91	131	267	.....	.....
Repub. Rose Garden	58	110	156	324	.....	.....
Defense savings 0–3–3						
CBO Baseline	11	24	37	72	.....	.....
From Rose Garden	24	41	57	121	.....	.....
Remaining deficit:						
CBO economics	177	154	133	.....	84	21
OMB economics	169	134	87	.....	33 [1]	(38)

[1] Surplus.

FUNCTION 050.—NATIONAL DEFENSE

	Fiscal year—			Cumulative totals fiscal year 1986–88
	1986	1987	1988	
CBO baseline:				
Budget authority	324.7	359.8	397.8	1,082.3
Outlays	281.9	313.2	347.0	942.1
CBO 1-yr freeze:				
Budget authority	292.6	314.2	338.2	945.0
Outlays	269.6	285.4	304.3	859.3
Republican leadership plan:				
Budget authority	312.8	334.9	359.6	1,007.3
Outlays	276.1	298.4	321.4	895.9
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	302.5	322.9	344.9	970.3
Outlays	271.0	289.3	309.8	870.1
(b) Versus CBO baseline:				
Budget authority	−22.2	−36.9	−52.9	−112.0
Outlays	−10.9	−23.9	−37.2	−72.0
(c) Versus Republican leadership plan:				
Budget authority	−10.3	−12.0	−14.7	−37.0
Outlays	−5.1	−9.1	−11.6	−25.8

CHILES-HOLLINGS PLAN

Major assumptions

Provides an inflation adjustment of $10 billion in FY86 over the FY 1985 appropriated level. Allows 3% real growth in FY87 and FY88.

A. Investment: The Chiles-Hollings Plan would increase the investment accounts (procurement, research and development and military construction) by $5 billion over the FY 1985 levels. After inflation, these accounts have nearly doubled since 1980 growing in real terms by over 92%. As a result in FY 1985 these accounts comprised 47% of the total DoD budget. This is a post World War II high.

1. Procurement: Permits a $3.8 billion increase over the FY 1985 enacted level. After inflation, this funding level represents a 100% real increase over FY 1980. In real terms, it is $27 billion higher than the peak year of the Vietnam War and $32 billion higher than the peak year of the Kennedy buildup.

2. Research and Development: Permits a $1.3 billion increase over FY 1985 which permits robust growth in the SDI account and other high priority research programs. After inflation this funding level represents an 80% increase over FY 1980. In real terms, it is $9 billion higher than the peak year of the Vietnam War and $8 billion higher than the peak year of the Kennedy build-up.

3. Milcon/Family Housing: Permits a $800 million increase over the FY 1985 level. After inflation, these accounts will grow by 68% over the FY 1980 levels.

B. Readiness:

1. Military Personnel: Permits increases to fund high priority quality of life programs, annualization of the FY 1984 pay raise and first year implementation of the G.I. Bill. It would deny the requested advanced July FY85 pay raise. Freezes pay in FY86 and permits 3% January pay raises in FY87 and FY88. Holds military personnel strengths at FY 1985 levels.

2. Operations and Maintenance: Permits increase in operations and maintenance purchases to allow forces to operate at FY85 levels and absorb additions to the force structure programmed for FY 1986. It would deny the 5% FY 1986 civilian pay cut and freeze civilian pay in FY 1986 and permit 3% January pay raises in FY 1987 and FY 1988. It would hold civilian personnel strengths at FY85 levels. In FY 1985, after accounting for inflation, these accounts are $9 billion higher than the peak year of the Vietnam War.

C. Progress Payments:

The Chiles-Hollings Plan includes $5.9 billion in outlay savings from the recently instituted DoD policy to return to return cash payments for work in progress on DoD contracts to the rates in place prior to 1981. The Grace Commission claimed $9 billion in three year savings from this policy reform. CBO estimated the three year savings to be $6.2 billion. The savings in the Chiles-Hollings plan are based on more conservative estimates in the recently completed DoD Inspector-General's report on progress payments.

FUNCTION 150—INTERNATIONAL AFFAIR

[In billions of dollars]

	Fiscal year			Cumulative totals fiscal year 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	24.3	23.9	24.5	72.7
Outlays	18.1	18.5	18.7	55.3
CBO 1-yr freeze:				
Budget authority	23.5	22.7	22.9	69.1
Outlays	17.8	17.8	17.7	53.2
Republican leadership plan:				
Budget authority	21.0	20.2	20.5	61.7
Outlays	17.8	17.1	16.6	51.5
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	21.5	19.2	19.1	59.8
Outlays	17.5	16.5	15.8	49.8
(b) Versus SBC baseline:				
Budget authority	−2.8	−4.7	−5.4	−12.9
Outlays	−.6	−2.0	−2.9	−5.5
(c) Versus Republican leadership plan:				
Budget authority	+.5	−1.0	−1.4	−1.9
Outlays	−.3	−.6	−.8	−1.7

CHILES-HOLLINGS PLAN

Major assumptions

The Chiles-Hollings proposal assumes the FY 1986 program level for the discretionary appropriated accounts in this function is set at the FY 1985 level. For FY 1987–1988, these accounts increase based on projected inflation. All reductions suggested by the President below a freeze are accepted. Additional adjustments are listed below.

Export-Import Bank loan programs are set at the $1.25 billion level in budget authority in FY 1986. These funds would be used to replace the direct loan program with an alternative more capable of countering specific export problems. This proposal would allow for a larger and more flexible interest rate subsidy program than that contained in the Republican Leadership Plan. It would also establish a specially appropriated "war chest" for exceptional circumstances when U.S. exporters face predatory financing by other export credit agencies or mixed credit packages of guarantees and foreign aid grants.

Accept the President's military aid increases for Egypt and Israel. The function totals are increased by $525 million FY 1986 budget authority in order to accommodate the military aid requested by the President for Israel and Egypt. All other security assistance is frozen in 1987–1988.

Includes the President's proposed increases for augmenting embassy security in 1986–1988.

Consolidate less effective foreign assistance. Within the overall foreign assistance effort, a number of narrowly focused programs have been established at the behest of American interest groups. Some of these programs have outlived their usefulness, or are more appropriately funded through private contributions. This proposal would reduce or merge funding of several smaller programs, as proposed by the President. Non-Israel and Egypt foreign aid and State Department operations are approximately $300 million *below* the Republican Leadership Plan in FY 1986.

Cut foreign information and exchange activities to FY 1983 levels. Appropriations for the United States Information Agency and like programs increased 73 percent between FY 1980 and FY 1985. (An additional 22 percent increase is requested by the President for FY 1986). Much of the growth is related to a $1.5 billion multiyear expansion of radio broadcast facilities and a doubling of international exchange visits. This proposal would defer the expansion of facilities until the $160 million already appropriated for that purpose has been used, and return funding for exchange activities to the 1983 level. This proposal is some $200 million below the Republican Leadership Plan.

Includes the enacted supplemental for African famine relief and the President's supplemental requests for embassy security and payments to certain multilateral development banks.

A $1.5 billion supplemental to deal with Israel's current economic crisis is included.

Major differences from Republican leadership plan

The Republican Leadership Plan replaces the Export-Import Bank direct loan program with the interest rate subsidy program originally proposed by the White House.

The Republican Leadership Plan increases foreign aid and State Department programs some $700 million above a freeze in 1986.

Foreign information and exchange activities are reduced $300 million below the Republican Leadership Plan which is at baseline levels. The Chiles-Hollings plan allows a $500 million outlay savings below a freeze in 1986–1988.

The Republican Leadership Plan does not provide for the FY 1985 supplemental for Israel.

The Republican Leadership Plan allows for growth above inflation in 1987 and 1988 for level-of-effort foreign aid programs. The Chiles-Hollings proposal freezes security assistance in 1986–1988, saving over $700 million in outlays from the Republican Leadership plan in 1987–1988.

Programs in growth initiative

The Chiles-Hollings plan includes a $1 billion "war chest" for export promotion and to counter predatory financing by other export credit agencies or mixed credit packages of guarantees and foreign aid grants.

FUNCTION 250.—General Science, Technology and Space

[In billions of dollars]

	Fiscal year—			Cumulative totals fiscal year 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	9.2	9.4	9.6	28.2
Outlays	9.0	9.2	9.4	27.5
CBO 1/yr freeze:				
Budget authority	8.8	8.8	8.9	26.6
Outlays	8.7	8.7	8.8	26.2
Republican leadership plan:				
Budget authority	8.8	9.0	9.3	27.1
Outlays	8.7	8.8	9.0	26.5
Chiles-Hollings plan:				
(a) Function total:				
Budget authority	9.7	9.8	10.3	29.8
Outlays	9.3	9.6	10.0	28.8
(b) Versus SBC baseline:				
Budget authority	+.5	+.5	+.7	+1.6
Outlays	+.3	+.4	+.5	+1.3
(c) Versus Republican leadership plan:				
Budget authority	+.9	+.8	+1.0	+2.7
Outlays	+.9	+.8	+1.0	+2.4

CHILES-HOLLINGS PLAN

Major assumptions

The Chiles-Hollings proposal provides a real increase in funding for a Science and Technology initiative, including:

Continued development of the new manned space station, with operational deployment projected for the early 1990s. (+$80 million in BA above a freeze in 1986; $1,2 billion in outlays above a freeze in 1986–88).

Development of a new, unmanned orbital maneuvering vehicle (OMV) and increased funding for space shuttle operations (+$443 million in BA above a freeze in 1986; +$473 million in outlays above a freeze in 1986–1988). Increases are partially offset by decreasing space shuttle acquisition costs.

Three percent real growth in general science and basic research to bolster science programs needed to maintain America's relative advantage in the sciences and support a competitive economy in an increasingly technical world marketplace. These funds will also be used to help supply state-of-the-art laboratory equipment to universities. (+$168 million in BA above a freeze in 1986; $1093 million in outlays above a freeze in 1986–1988).

Major differences from Republican leadership plan

The Republican Leadership Plan calls for an across-the-board freeze in function 250. The Chiles-Hollings mark protects against inflation and increasing costs associated with space flight activities. The Chiles-Hollings mark also provides sustained real growth in general science and basic research and pursues new space station development whereas the Republican Leadership plan indefinitely defers space station deployment.

Programs in growth initiative

[In million of dollars]

	Difference from 1985 level (fiscal years)		
	1986	1987	1988
General science and basic research:			
Budget Authority	+168	+357	+568
Outlays	+240	+429	+608

National Science Foundation.
Science/Engineering Education Program.
U.S. Antarctic Program.
Department of Energy Research.

[In million of dollars]

	Difference from 1985 level (fiscal years)		
	1986	1987	1988
Space flight:			
Budget Authority	+377	+333	+588
Outlays	+341	+390	+571

Space Shuttle Operations.
Space Station Development.
Space Flight Research and Development (Increases are partially offset by decreasing shuttle acquisition costs).

FUNCTION 270.—ENERGY

[In billions of dollars]

	Fiscal year—			Cumulative totals fiscal years 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	8.1	8.0	7.6	23.7
Outlays	7.4	7.4	7.0	21.8
CBO 1-year freeze:				
Budget authority	7.9	7.7	7.1	22.7
Outlays	7.3	7.2	6.6	21.1
Republican leadership plan:				
Budget authority	5.2	5.2	4.9	15.3
Outlays	5.1	4.6	4.2	13.9
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	6.0	5.9	5.5	17.4
Outlays	5.8	5.6	5.1	16.5

FUNCTION 270.—ENERGY—Continued

[In billions of dollars]

	Fiscal year—			Cumulative totals fiscal years 1986–88
	1986	1987	1988	
(b) Versus SBC baseline:				
Budget authority	−2.1	−2.1	−2.1	−6.3
Outlays	−1.6	−1.8	−1.9	−5.3
(c) Versus Republican leadership plan:				
Budget authority	+.8	+.7	+.6	+2.1
Outlays	+.7	+1.0	+.9	+2.6

CHILES-HOLLINGS PLAN

Major assumptions

Freezes most energy programs at 1985 levels with 3% growth in 1987 and 1988.

Reduces uranium enrichment technology program due to duplicative funding of two competing technologies.

Limits Strategic Petroleum Reserve oil purchases to 40,000 barrels per day in 1986–1988. Saves $4.4 billion in budget authority from 1986–1988.

Defers by three years construction of the Big Hill facility in Texas (needed to complete the 750 million barrel reserve).

Includes $215 million science and technology initiative. Accelerates magnetic fusion and solar research and fully funds uranium mill tailings remedial action program. Increases acid rain and alternative fuels research.

Reduces Rural Electrification Administration direct loan and loan guarantee programs by 25% in 1985 and maintains that level for 1986. Loan levels are adjusted for inflation in 1987 and 1988.

Major differences from Republican leadership package

Fossil energy program frozen rather than reduced 10%.

Energy supply program (includes research on fusion, fission, solar and renewable energy) increased rather than reduced 6%.

Uranium program reductions of similar magnitude.

Strategic Petroleum Reserve continued at reduced rate rather than eliminated.

No Federal Energy Regulatory Commission fees as recommended by Domenici.

Growth initiative

Provides an additional $235 million over 1985 levels to accelerate research seeking to develop permanent, environmentally safe energy sources such as nuclear fusion and solar research and cleanup of abandoned sites contaminated by uranium mill tailings (+$73 million). Increases acid rain research by 50% and significantly increases alternative fuels (e.g. methanol) research. Shortsighted budget reductions lulled by temporarily low oil prices will have serious ramifications for energy research. The nuclear fusion program, for example, is within 2 years of a major scientific breakthrough (e.g. energy break-even), after 20 years of research; this milestone would be postponed indefinitely under the Administration's proposed budget reduction. The Chiles proposal would fully support this critical research.

FUNCTION 300.—NATURAL RESOURCES AND ENVIRONMENT

[In billions of dollars]

	Fiscal year—			Cumulative totals fiscal year 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	13.4	13.7	14.0	41.1
Outlays	13.2	13.3	13.6	40.1
CBO 1 yr freeze:				
Budget authority	12.9	13.1	13.2	39.2
Outlays	13.0	12.9	13.0	38.9
Republican leadership plan:				
Budget authority	12.1	12.5	12.7	37.3
Outlays	12.4	12.2	12.3	36.9
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	13.3	13.6	13.9	40.8
Outlays	13.1	13.2	13.5	39.7
(b) Versus SBC baseline:				
Budget authority	.1	.1	.2	−.4
Outlays	.1	.1	.1	−.4
(c) Versus Republican leadership plan:				
Budget authority	+1.2	+1.1	+1.2	+3.5
Outlays	+.7	+1.0	+1.2	+2.9

CHILES-HOLLINGS PLAN

Major assumptions

Provides a 45% increase in the Superfund program over 1985 levels to support a vigorous cleanup program. Most major projects in the "pipeline" would be funded and design studies would be accelerated. Includes an additional $118 million over 85 levels for hazardous waste and water supply and treatment research and development and EPA enforcement. Other programs in the function are frozen.

Major differences from Republican leadership plan

Freezes soil and water conservation programs instead of reducing them 25%.

Freezes public land acquisition programs rather than reducing them $140 million in 1986.

Freeze of Bureau of Reclamation programs rather than $80 million reduction.

No reductions in National Park Service.

Freeze of Corps of Engineer programs rather than $150 million reduction in 1986.

Provides additional funding for state grants to support sport fishery.

Growth initiative

Doubles research funds for hazardous waste and water supply. Potential projects include: research examining the transport and fate of hazardous chemicals, groundwater contamination, new hazardous waste technologies, safe levels of chemicals found in drinking water supplies, new drinking water treatment systems, desalinization of water supplies, and water supply management techniques and protection of wetlands.

FUNCTION 350.—AGRICULTURE

[In billions of dollars]

	Fiscal year—			Cumulative totals, fiscal years 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	20.6	21.0	21.1	62.6
Outlays	17.8	20.0	20.4	58.2
CBO 1-yr freeze:				
Budget authority	20.4	20.7	20.8	61.9
Outlays	17.7	19.8	20.1	57.6
Republican leadership plan:				
Budget authority	16.5	16.4	13.6	46.5
Outlays	13.8	14.5	11.5	39.8
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	20.3	18.3	16.5	55.0
Outlays	17.6	17.2	15.8	50.6

FUNCTION 350.—AGRICULTURE—Continued

[In billions of dollars]

	Fiscal year—			Cumulative totals, fiscal years 1986–88
	1986	1987	1988	
(b) Versus SBC baseline:				
Budget authority	−.3	−2.8	−4.6	−7.6
Outlays	−.3	−2.8	−4.6	−7.6
(c) Versus Republican leadership plan:				
Budget authority	+3.8	+1.9	+2.9	+8.6
Outlays	+3.8	+2.7	+4.3	+10.8

CHILES-HOLLINGS PLAN

Major assumptions

Freezes most agricultural research and extension programs at 1985 levels with 3 percent growth in 1987 and 1988.

Saves $6.6 billion in farm price supports over three years. Moderate savings could be achieved in a variety of ways, including:

20 million acre conservation reserve.

Reductions in dairy price support levels.

Tiered deficiency payments (e.g. full price protection for the family farmer). Reduced nonrecourse loan rates.

$25 million biotechnology initiative as recommended by the National Association of State Universities and Land Grant Colleges.

$15 million water quality initiative to research means of controlling nonpoint sources.

Minor reductions in agriculture credit programs ($400 million over 3 years) which could be achieved by lowering the loan limitation or imposing a moratorium on farm ownership loans for new homeowners.

Major Differences from Republican Leadership Plan:

No major credit reductions and crop insurance phase out as recommended by the Republican leadership.

Less severe reductions in farm price supports than under the Republican package.

Growth initiatives

Biotechnology agriculture research initiative (+$27 million over 1985). Additional funding is needed to accelerate research intended to increase agricultural productivity through the use of biologically engineered organisms.

Nonpoint source research (+$15 million over 1985). Nonpoint sources constitute a major water quality problem. This initiative would provide additional funds to examine means of controlling agricultural runoff through careful conservation practices.

FUNCTION 370.—COMMERCE AND HOUSING CREDIT

[In billions of dollars]

	Fiscal year—			Cumulative totals fiscal years 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	9.9	10.6	11.0	
Outlays	5.3	6.1	8.0	
CBO 1-year freeze:				
Budget authority	9.7	10.3	10.5	
Outlays	5.2	5.8	7.6	
Republican leadership plan:				
Budget authority	7.2	3.9	4.3	
Outlays	2.6	.1	2.0	
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	8.6	9.0	9.2	
Outlays	4.4	4.1	6.4	
(b) Versus SBC baseline:				
Budget authority	−1.3	−1.6	−1.8	−4.7
Outlays	−.9	−2.0	−1.6	−4.5

FUNCTION 370.—COMMERCE AND HOUSING CREDIT—Continued

[In billions of dollars]

	Fiscal year—			Cumulative totals fiscal years 1986–88
	1986	1987	1988	
(c) Versus Republican leadership plan:				
Budget authority	+1.4	+5.1	+4.9	+11.4
Outlays	+1.8	+4.0	+4.4	+10.2

CHILES-HOLLINGS PLAN

Major assumptions

Freezes Section 202 housing program at last year's 12,000 unit level. Achieves savings in Small Business Administration programs pursuant to Small Business Committee reported S. 408. Further reductions in SBA program levels are assumed in accordance with the Weicker-Bumpers compromise package. Taken together, changes in the SBA accounts would (1) eliminate all direct lending with exception of modest programs for the handicapped, veterans and minority small business investment companies; (2) freeze Small Business Investment Company and reduce section 503 development loan company programs (3) require private financing participation in loan guarantees programs and (4) would achieve further savings in salaries and expenses and in the surety guarantee program.

Major differences from Domenici

Republican Leadership package terminates the Small Business Administration and sells agency's loan assets, terminates all housing programs under Farmers Home Administration and eliminates all appropriations for revenue foregone postal subsidy except subsidies for free mail to the blind.

FUNCTION 400.—TRANSPORTATION

[In billions of dollars]

	Fiscal year—			Cumulative totals fiscal year 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	30.2	31.1	32.1	
Outlays	28.2	29.8	30.8	
CBO 1-year freeze:				
Budget authority	29.9	30.7	31.6	
Outlays	28.1	29.5	30.2	
Republican leadership plan:				
Budget authority	26.6	27.1	26.3	
Outlays	25.6	27.0	26.5	
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	27.8	28.8	29.0	
Outlays	26.3	28.0	28.0	
(b) Versus SBC baseline::				
Budget authority	−2.4	−2.3	−3.1	−7.8
Outlays	−1.9	−1.8	−2.8	−6.5
(c) Versus Republican leadership plan:				
Budget authority	+1.2	+1.7	+2.7	+5.6
Outlays	+.7	+1.0	+1.5	+3.2

CHILES-HOLLINGS PLAN

Major assumptions

Requires a 10 percent reduction from the baseline in all programs, with the exception of the Coast Guard, Highways and the Panama Canal.

Mass Transit: The 10 percent reduction in transit assumes the continuation of operating assistance and Section 3 New Starts.

FAA: The reduction for aviation programs may require a stretch out of the National Aerospace System plan.

Amtrak: Assumes a 10 percent reduction in Amtrak subsidy. Funding cut will require some limited service reduction or the reprogramming of capital funds intended for system improvements.

Coast Guard: Adds $50 million to baseline for increased drug interdiction efforts. Funds to be used for additional necessary patrol boat operations and for capital funds to buy C-130s.

Panama Canal: Held at baseline level of $456 million in 1986. Reduction would result in profit payments to Panama.

Highway Trust Fund: Reduced by $500 million from baseline of $15.3 billion. Reflects Senate action on S. 391.

Conrail: $1.2 billion reflected in Function 400 for the sale of Conrail. A legislative provision will be required in the Conrail sale to insure that receipts are not offset by new tax advantages to Norfolk Southern.

Construction-Differential Subsidy: Assumes the payback of construction-differential subsidy loans in return for removal of restrictions on certain tanker vessels to engage in domestic trade. Savings equal $200 million in outlays in 1986.

Major differences from Domenici

Republican Leadership terminates Amtrak funding. Also under proposal mass transit operating subsidies are phased out over 5 years and capital grants are cut to $1.7 billion by 1988. Interstate transfer grants to be funded from Highway Trust Fund with remaining Programs trimmed 25 percent.

FUNCTION 450.—COMMUNITY AND REGIONAL DEVELOPMENT

	Fiscal year—			Cumulative totals fiscal year 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	8.0	8.4	9.3	
Outlays	8.3	8.6	8.8	
CBO 1-yr freeze:				
Budget authority	8.0	8.2	9.1	
Outlays	8.3	8.5	8.6	
Republican leadership				
Budget authority	5.4	5.8	6.2	
Outlays	7.6	6.8	6.2	
Chiles-Hollings plan:				
(a) Function total (using SBC ECONOMICS):				
Budget authority	7.5	7.6	8.2	
Outlays	8.2	7.8	7.5	
(b) Versus SBC baseline:				
Budget authority	−.5	−.8	−1.1	−2.4
Outlays	−.1	−.8	−1.3	−2.2
(c) Versus Republican leadership plan:				
Budget authority	+2.1	+1.2	+2.0	+5.3
Outlays	+.6	+1.0	+1.3	+2.9

CHILES-HOLLINGS PLAN

Major assumptions

Plan assumes 15 percent reduction in CDBG program and termination of Section 312 rehabilitation loans and the CDBG loan guarantee program. Savings are achieved in SBA disaster loans pursuant to S.408 plus the Weicker-Bumpers compromise package. All other community development initiatives including UDAG, EDA Appalachian development programs, housing development grants and Farmers Home rural water and sewer development programs are frozen.

Major differences from Domenici

Republican plan cuts Community Development Block Grant 10 percent below current policy baseline in 1986 through 1988; terminates Urban Development Action Grants along with community development block grant loan guarantee program and section 312 rehabilitation loans; terminates

rental development grants; imposes 2-year moratorium on rental rehabilitation grants; terminates Economic.

Development Administration and Appalachian Regional Commission, but continues funding for Appalachian highway programs out of highway trust fund; reduces funding for TVA and Bureau of Indian Affairs; and terminates Small Business Administration disaster assistance programs and transfers SBA disaster loan portfolio to the Treasury for liquidation.

FUNCTION 500.—EDUCATION, EMPLOYMENT, TRAINING AND SOCIAL SERVICES

[In billions of dollars]

	Fiscal year—			Cumulative totals, fiscal years 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	32.3	33.5	34.4	
Outlays	31.3	32.4	33.4	
CBO 1-yr. freeze:				
Budget authority	31.3	32.0	32.3	
Outlays	31.0	31.3	31.8	
Republican leadership plan:				
Budget authority	28.6	29.4	29.8	
Outlays	29.8	28.7	29.0	
Chiles/Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	31.7	31.9	32.3	
Outlays	30.9	31.6	31.7	
(b) Versus SBC baseline:				
Budget authority	−.6	−1.6	−2.2	−4.4
Outlays	−.3	−.8	−1.7	−2.8
(c) Versus Republican leadership plan:				
Budget authority	+3.1	+2.5	+2.4	+8.0
Outlays	+1.1	+2.9	+2.7	+6.7

CHILES-HOLLINGS PLAN

Major assumptions

Overall Function Level

The mark assumes savings of $4.4 billion in budget authority and $2.8 billion in outlays over three years. This mark is an investment in the future. Programs targeted to low-income children and youths, the handicapped, and the elderly receive protection against inflation. This will prevent cutbacks in services and caseloads. Increased funding is also provided for programs which facilitate labor force adjustments to structural change in the economy. Most other discretionary programs are assumed frozen at the FY85 level, with some savings in the Community Service Block Grant. Entitlement savings are assumed in the Guaranteed Student Loan Program.

Discretionary Programs

Head Start: Reject the President's proposal to freeze funding at FY85 level; instead assume a full inflation adjustment in FY86 to prevent cutbacks of services or participation levels by about 20,000 pre-schoolers. (FY86: BA +$51 million; Outlays +$23 million).

Compensatory education for disadvantaged children: Reject the President's proposals to freeze grants to local education agencies and for cutbacks in migrant education programs. Assume full inflation adjustment in FY1986 to prevent cutbacks of services or participation levels by over 200,000 children. (FY86: BA +$185 million; Outlays +$13 million).

Math/Science/Foreign Language Education: Reject the President's proposal to freeze funding for this new program. Double the current funding level to ensure that tomorrow's workforce can face technological challenges with a solid grounding in math and science skills and foreign languages. (FY86: BA +$100 million; Outlays +$7 million).

Handicapped Education: Reject the President's proposal to freeze grants to local education agencies and for cutbacks in research and personnel training. Assume full inflation adjustment in FY1986 to maintain current services, required by PL 94-142, to 4 million children. (FY86: BA +$66 million; Outlays +$3 million).

Student Financial Assistance: Reject the President's proposals to implement a cap at $4000 for subsidized grants and loans, to reduce funding for Pell Grants, to stop funding of state student incentive grants and the National Direct Student Loan program, and to combine and reduce funding of supplemental opportunity grants and the college work/study program.

Instead, the mark assumes a full inflation adjustment for Pell Grants in FY86. The mark also assumes a $276 million supplemental in FY1985 to cover the shortfalls in the program. (FY86: BA +$167 million; Outlays +$33 million).

Rehabilitation Services: Reject the President's proposal to freeze funding for the Vocational Rehabilitation State Grant program. Assume full inflation adjustment in FY1986 to ensure that 930,000 physically and mentally handicapped individuals receive the services which will enable them to become gainfully employed. (FY86: BA +$52 million; Outlays +$44 million).

Job Training Partnership Act: Reject the President's claim that carryovers in Summer Youth Employment and dislocated workers' programs justify large cutbacks beginning in FY85; rejects the President's proposal to eliminate the Job Corps program and to freeze funding for state grants for the training of disadvantaged youths and adults (Title IIa programs); assume partial inflation adjustment in FY86 to maintain training programs for disadvantaged youths and adults and workers dislocated by structural changes in the economy. (FY86: BA +$55 million; Outlays +$17 million).

Currently, JTPA contains a 3% set-aside for the retraining of older workers, particularly those threatened with the obsolescence of their skills. States have been slow in establishing such programs. Appropriations language is urged to strengthen technical assistance from the Department of Labor to states establishing older worker programs.

Community Service Employment for Older Americans; Reject the President's proposal to freeze funding for employment of older Americans. Provide full inflation adjustment in FY1986 to enable the continued employment of 91,000 older Americans. (FY86. BA +$14 million; Outlay +$2 million)

Bureau of Labor Statistics: Increase funding to BLS to strengthen data collection—both in those areas weakend by prior cuts and to facilitate the development of National Job Bank. (FY86: BA +$10 million; Outlays +$10 million)

Commission on Labor-Force Development: This commission would consist of representatives of labor, business, and government. The commission would identify changes in labor force skill requirements and methods to upgrade skill requirements. Such a commission would foster the cooperative environment necessary to facilitate workers' adjustment to technological change. (FY86: BA +$2 million; Outlays +$2 million)

Administration on Aging: Rejects the President's proposal to freeze at FY1985 level; instead, assumes a full inflation adjustment in FY86 to prevent cutbacks in supportive services or elderly nutrition programs. Providers of food programs might have to reduce the number of meals by 10.1 million without this increase. (FY86: BA +$33 million; Outlays +$23 million)

Community Service Block Grant: Assumes a 20 percent reduction. Requires states to share in the costs of the program which has been 100 percent federally-funded. (FY86: BA −$73 million; Outlays −$51 million)

Entitlement Savings

Guaranteed Student Loan Program: Rejects the President's proposals to increase the cost of loans to students and to restrict eligibility. Accept, with some modifications, proposals for administrative cost-savings. (FY86: BA −$150 million; Outlays −$140 million).

Major difference from leadership

The leadership's package requires savings of $12.4 billion in budget authority and $6.9 billion in outlays over three years. The additional savings are achieved by freezing program funding at FY85 levels or by cut-backs and terminations of selected programs.

Elementary and secondary education: On the Senate floor, the leadership plan was modified to include additional funds ($221 million or inflation plus) for handicapped education, vocational rehabilitation, and development disabilities. The leadership plan still does not provide an inflation adjustment for programs targeted to low-income children—such as compensatory education. Instead, it freezes funding for these programs. The leadership mark also freezes funding for Math-Science Education, halting the growth of this new, vital program. Finally, the leadership package proposes the termination of impact aid, part B.

Higher Education: The leadership package would cut student aid by $1.1 billion in FY86. Most of the cuts ($917 million in FY86) are concentrated in the means-tested student financial aid programs. The leadership mark achieves similar savings as the Chiles mark in the guaranteed student loan program. However, the leadership mark hits student eligibility, whereas the Chiles' mark assumes only administrative cost-savings.

Job Training and Employment: The leadership mark contains no inflation adjustment for training programs targetted to disadvantaged youths and adults. Instead, it retains all of the President's original proposed cuts in job training programs (−$1.1 billion cut in FY86 divided chiefly among Job Corps, Summer Youth Employment, and Dislocated Workers programs). The leadership mark also assumes the termination of the Work Incentive Program. The leadership mark goes further than the President's original budget, by assuming a one-third reduction in funding of the Employment Service. The leadership package would cut funding for both Community Service Employment for Older Americans and the Bureau of Labor Statistics.

Social Services: The leadership mark contains no inflation adjustment for Head Start and the elderly nutrition programs. Instead, it maintains current funding levels for these programs, likely causing reductions in caseload and service levels. The leadership mark also assumes the termination of the Community Service Block Grant, which supports the community agencies which operate the Head Start and low-income energy programs, among other services.

Cultural Activities: The leadership mark assumes a $100 million reduction in cultural activities, including the termination of the

Institute of Museum Services and cut-backs in the National Endowments of the Arts and Humanities.

List programs in research and technology initiatives

The Chiles/Hollings mark opposes cutbacks in education and training programs proposed by the President. The Chiles/Hollings mark furthers our commitments to investments in education and job training, by insuring that programs targetted to those "most at risk" do not suffer declines in participation or services.

The mark also facilitates workers' adjustment to technological change by increasing funding for the training of dislocated workers. Data collection on labor markets and the dissemination of this information is improved by restoring funds to BLS and by the establishment of a National Commission on Labor-Force Developments.

Head Start (FY86: BA +$51 million; Outlays +$23 million).

Compensatory Education (FY86: BA +$185 million; Outlays +$13 million).

Handicapped Education (FY86: BA +$66 million; Outlays +$3 million).

Math/Science/Foreign Language Education (FY86: BA +$100 million; Outays +$7 million).

Rehabilitation Services (FY86: BA +$52 million; Outlays +$44 million).

Pell Grants (FY86: BA +$167 million; Outlays +$33 million).

Job Training Partnership Act (FY86: BA +$55 million; Outlays +$17 million).

Bureau of Labor Statistics (FY86: BA +$10 million; Outlays +$10 million).

Commission on Labor-Force Developments (FY86: BA +$2 million; Outlays +$2 million).

FUNCTION 550.—HEALTH

[In billions of dollars]

	Fiscal year—			Cumulative totals 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	36.3	39.0	41.8	
Outlays	35.9	38.6	41.3	
CBO 1-yr freeze:				
Budget authority	35.9	38.4	41.0	
Outlays	35.7	38.1	40.6	
Republican leadership plan:				
Budget authority	34.9	37.1	39.2	
Outlays	35.0	36.7	38.7	
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	36.1	38.8	41.7	
Outlays	35.8	38.3	41.1	
(b) Versus SBC baseline:				
Budget authority	−.2	−.2	−.1	−.5
Outlays	−.1	−.3	−.2	−.6
(c) Versus Republican leadership plan:				
Budget authority	+1.2	+1.7	+2.5	+5.4
Outlays	+0.8	+1.6	+2.4	+4.8

CHILES-HOLLINGS PLAN

Major assumptions

Medicaid savings of $0.5 billion over three years are assumed through requiring state collections from health insurance policies held by Medicaid recipients.

With the listed exceptions, most discretionary health programs are frozen for one year with three percent growth in 1987 and 1988.

NIH biomedical research and training is funded above baseline at 3 percent real growth (+$0.2 billion in BA in Fiscal Year 1986).

Some reductions are assumed for health professions education and training (−$0.1 billion in BA in Fiscal Year 1986), but training of health care personnel in priority research, technology development and advanced careers would be protected. Support for high level careers, such as advance nurse training and graduate traineeships in public health and preventive medicine would continue to supply those who will teach.

Major differences from Repubican leadership plan

The leadership plan would:

Adopt the President's proposal to impose a permanent growth cap on the biomedicaid program equal to the medical care CPI (−$0.3 billion in Fiscal Year 1986; −$2.0 billion over three years).

Cut beyond a freeze in the following programs:

NIH would be cut by $0.3 billion in Fiscal Year 1986, $1.2 billion over three years.

Indian health services would be cut by $0.1 billion in Fiscal Year 1986, $0.4 billion over three years.

All health professions training programs would be eliminated immediately, as requested by the President (−$0.2 billion in Fiscal Year 1986, −$0.8 billion over three years).

Cut the federal employees and civil service retiree health benefits program by $0.1 billion in Fiscal Year 1986, $0.4 billion over three years, by requiring insurance carriers to freeze physician fees for one year and institute a hospital payment schedule similar to the medicare prospective payment system.

Growth initiatives

Priority Biomedical Research and Training:

	Fiscal year—			3 yr
	1986	1987	1988	
NIH above freeze:				
Budget authority	+0.4	+0.6	+0.8	+1.7
Outlays	+.2	+.4	+.7	+1.3

Advances in biomedical research today determine how far into the frontier we will be tomorrow. How many scientists we train today determines our research capability tomorrow. Further, rapid changes in medical technology and care patterns require continual reshaping of our health education curricula. Cutbacks in these areas cannot be considered temporary—they affect all our future advances in medicine and health and biotechnology.

The plan funds basic and applied NIH biomedical research at a three percent real growth level. Full support for basic research could continue and a new commitment to applied research in areas with high marketplace potential could be made. Upgrading of research facilities and training of research scientists, engineers, and second level technicians would also be enhanced.

FUNCTION 570.—MEDICARE

	Fiscal year—			Cumulative totals fiscal year 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	82.3	91.6	95.4	
Outlays	71.7	79.9	89.9	
CBO 1-yr freeze:				
Budget authority	81.5	90.0	92.7	
Outlays	69.0	75.8	84.5	
Republican leadership plan:				
Budget authority	81.6	90.5	93.3	
Outlays	68.0	74.1	81.6	
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	82.0	91.5	95.4	
Outlays	69.1	76.0	84.7	
(b) Versus SBC Baseline:				
Budget authority	−.3	−.1	+*	−.4
Outlays	−2.6	−3.9	−5.2	−11.7
(c) Versus Republican leadership plan:				
Budget authority	+.4	+1.0	+2.1	+3.5
Outlays	+1.1	+1.9	+3.1	+6.1

CHILES-HOLLINGS PLAN

Major assumptions

This is the Chiles mark which was adopted unanimously by SBC on the first round, and applauded by Republican members as responsible spending restraint.

No increases in beneficiary paid premiums or deductibles. No home health co-payment. No eligibility delay.

Hospitals, physicians and other providers would have medicare reimbursement rates frozen for one year. (Only those physicians who do not agree to accept medicare as payment in full would be frozen.)

The indirect teaching adjustment for hospitals would be reduced by one-half over a phased-in period of three years (−$0.2 billion in FY 1986).

Current law provisions making medicare a secondary payor for beneficiaries and spouses covered by an employer health plan would be extended from the age 69 upper limit to all ages.

Major differences from Republican leadership plan

In addition to the provisions in the Chiles plan, the Republican Leadership plan:

Gradually increases medicare beneficiary monthly premium charges until they reach 35 percent of Part B program costs by 1990. An increase in beneficiary contributions of $3.4 billion over three years. Annual charge now is $186, under the plan annual charge would raise to $416 by 1990.

Institutes a new beneficiary co-payment for all home health visits in excess of 20 visits a year. An increase in beneficiary contributions of $0.3 billion over three years. The highest charges (up to $630 per year) would fall on those who have the most need for home health care.

Delays initial medicare eligibility by one month (−$0.8 billion over three years).

Increases the part B deductible paid by beneficiaries from the current $75 to $78 in 1986, reaching $92 by 1990 (−$0.2 billion over three years).

Reduces the indirect teaching adjustment for hospitals by one-half immediately (−$0.6 billion in FY 86). This cut is in addition to a freeze, and would mean direct payment reductions from current levels, primarily for those hospitals which take care of a disproportionate share of medicare beneficiaries and indigent patients.

The Republican Leadership plan would reconcile total medicare cuts of $3.8 billion in FY 1986, $5.9 billion in FY 1987, and $8.4 billion in FY 1988 for three-year savings of $18.1 billion. $4.7 billion of this total, 26 percent, would directly affect beneficiaries. Out-of-pocket costs for beneficiaries would

increase at the same time social security COLAs would be reduced. The Chiles plan would reconcile total medicare cuts of $2.6 billion in FY 1986, $3.9 billion in FY 1987, and $5.2 billion in FY 1988 for a three-year total of $11.7 billion through provider restraint only.

FUNCTION 700.—VETERANS

[In billions of dollars]

	Fiscal year—			Cumulative totals fiscal years 1986–88
	1986	1987	1988	
SBC baseline:				
Budget authority	27.7	28.2	28.7	
Outlays	27.1	27.8	28.4	
CBO 1-yr freeze:				
Budget authority	27.4	27.8	28.1	
Outlays	26.9	27.4	27.9	
Republican leadership plan:				
Budget authority	26.9	26.9	26.9	
Outlays	26.3	26.3	26.4	
Chiles-Hollings plan:				
(a) Function total (using SBC economics):				
Budget authority	27.6	28.2	28.7	
Outlays	27.0	27.5	28.1	
(b) Versus SBC baseline:				
Budget authority	−.1	−(*)		−.1
Outlays	−.1	−.3	−.3	−.7
(c) Versus Republican leadership plan:				
Budget authority	+.7	+1.3	+1.7	+3.8
Outlays	+.7	+1.2	+1.7	+3.6

CHILES-HOLLINGS PLAN

Major assumptions

COLAs would be granted for Veterans pension and compension programs, protecting both the low-income and the disabled.

The rate of growth in hospital construction projects would be slowed (−$0.2 billion in BA FY1986).

Direct medical services are kept at baseline levels, protecting the current level of services to veterans now utilizing the VA health care system.

Fees for veterans housing loans would be increased to 2% in FY1986 and would reach 3% in FY1988 (−$0.6 billion over three years).

No changes are assumed in education programs.

Additional unspecified savings of $0.3 billion in outlays over three years are assumed.

Major differences from Republican leadership plan

Chiles plan rejects following cuts required by Republican Leadership Plan:

Limits COLAs for both veterans disability compensation program and low-income pensions to two percent for the next three years. If actual inflation exceeds expected inflation in 1987 and 1988, the COLA could be higher than two percent, but it would still be below current law levels. (−$0.2 billion in FY1986, −$1.6 billion over three years)

Reduces medical services from current levels by $0.2 billion in FY1986, −$0.7 billion over three years, in addition to the hospital construction cutbacks. The plan specifically assumes enactment of legislation to apply a means test for medical care for non-service disabled veterans with annual incomes above $11,000 (for a single veteran; $15,000 for a couple). Between 200,000 and 250,000 projected VA hospital admissions per year would be eliminated. Less than 25 percent of these veterans, 50,000, would be eligible for medicare.

Assumes large savings from collections from private health insurance policies held by veterans (−$0.2 billion in FY1986, −$1.0 billion over three years). These reductions are over twice the amount CBO estimates could be achieved, however, if such legislation was enacted in conjunction with a medical care means test.

FUNCTION 050: DEFENSE

Since 1976, we have funded the largest and most sustained defense build-up in post WW II history.

In constant dollar terms the FY85 funding level was $81 billion over the peak year of the Kennedy build-up and $35 billion over the peak year of the Vietnam war.

Since 1978, when we reached a common understanding with our NATO allies to increase defense expenditures or outlays at a rate of 3 percent annually, we have exceeded that commitment every year. That surplus now stands at nearly $118 billion. In fact, had we held to that 3 percent spending commitment, defense outlays would have been approximately $40 billion lower in FY 1985.

In the past five years, we have doubled that portion of the defense budget going to investment (procurement and research and development).

Much of that increase has gone to an increase in the unit costs of major weapon systems and spare parts. During the first two years of the Reagan build-up FY81–83, unit costs for a number of major weapon systems rose dramatically. After inflation, the following weapons have increased:

45 percent for M–1 tanks,

64 percent for Bradley fighting vehicles,

58 percent for F/A–18 fighters,

36 percent for attack helicopters.

These increased unit costs have gone to increased profits for the defense industry. Aerospace industries of America report that their after tax profits in 1984 rose to $3.6 billion, an all time high.

New orders for defense goods in 1984 totaled $89.8 billion, up 10 percent from 1983. Shipments of defense goods in 1984 had an aggregate value of $72.4 billion of the excess of orders over shipments, the backlog of unfilled orders increased from.

As a result of the excess of orders over shipment, the defense industry's backlog of unfilled orders which are a real indication of future profits, rose from $113.8 billion in 1983 to $131.1 billion in 1984.

In defense industries, the ratio of unfilled orders to monthly shipments is 19 months. By contrast this same ratio for non-defense goods was four months.

In December 1984, capacity utilization in the electrical machinery industry was 91.6 percent, well above its average of 80 percent and high enough to lead to spot shortages and increased delivery times.

In 1984, DOD's balance of funds obligated but not expended from the procurement accounts totalled 105 billion which is greater than the FY1985 enacted procurement appropriation. In other words, DOD's procurement backlog is greater than its request for new orders.

Despite these historical highs in spending, profits, backlogs and budget deficits, the administration requested a $30 billion increase this year. Now they have agreed to accept a $20 billion increase but they are portraying it as a significant "cut" by using an out of date baseline (Rose Garden).

If they used CBO's baseline, the FY86 outlay "reduction" would be $6 billion not $18 billion and the three year reduction would be $46 billion not $97 billion.

FUNCTION 150: OVERALL FUNCTION TOTALS

Since 1980, this function has been one of the fastest growing areas of the Federal budget—foreign aid alone has grown 70 percent since Ronald Reagan took office.

Since 1980:

Military assistance grants have grown 632 percent;

Foreign military assistance sales credits and grants increased 153 percent;

The economic support fund grew by 78 percent;

The U.S. Information Agency budget increased by 87 percent; and

State Department salaries and operational expenses increased by 99 percent.

In 1986, the President again asked for substantial growth in 1986, specifically:

An 18 percent increase in the military assistance program;

A 14 percent increase in foreign military sales credits; and

22 percent more for USIA.

The Republican leadership plan continues this pattern of growth. Their plan is $800 million above my proposal in foreign aid, State Department programs, and foreign information and exchange activities.

Furthermore, their plan includes over $100 million more foreign aid than included in the Senate Foreign Relations Committee's foreign aid authorization bill.

FUNCTION 150: FOREIGN INFORMATION AND EXCHANGE ACTIVITIES

Appropriations for foreign information and exchange activities increased 73 percent between 1980 and 1985. Much of the growth is related to a $1.5 billion radio broadcast facilities upgrade program and a doubling of international exchange visits.

While cutting all sorts of major domestic programs, the Republican leadership plan calls for maintaining these programs above a freeze level.

The Chiles-Hollings proposal would defer expansion of radio and television facilities until the $160 million already appropriated for that purpose has been used and return funding for international visits to the 1983 level.

Our plan is $250 million below the Republican leadership plan in this area.

FUNCTION 150: ISRAEL-EGYPT

The President's 1986 request includes $400 million increase in military sales for Israel and $125 million more for Egypt. Our proposal protects this proposed increase. Furthermore, our proposal includes $1.2 billion in economic support funds which were not requested by the President. This is the same level provided by Congress in 1985.

The Plan includes a $1.5 billion supplemental that the administration is expected to send up to deal with Israel's present economic crisis.

The Republican leadership plan does not contain provisions for the 1985 supplemental.

FUNCTION 150: EMBASSY SECURITY

The Chiles-Hollings plan includes:

A $247 million supplemental for embassy security enhancements; and

The $150 million, three-year Embassy Security Augmentation Program included in the President's budget request is contained in the Chiles-Hollings mark.

FUNCTION 150: SUPPLEMENTALS

The Chiles-Hollings plan includes supplementals for:

Israel (+$1.5 billion);

African famine relief (+$784 million);

Embassy security (+$247 million);

Payments to multilateral development banks (+$207 million).

The Republican leadership plan does not include provisions for the FY 1985 supplemental for Israel.

Export-Import Bank Direct Loan Program

One of the greatest economic problems facing this Nation is the growing trade deficit. One of the greatest challenges facing this Congress is implementing policies and programs which will deal with the trade deficit.

So, I listen with interest to the concerns raised by the proponents of the Exim Direct Loan Program, and I sympathize with their concerns and their goals. But, lets cut through the myths that surround the Export-Import Bank Loan Program:

1. Nearly one-half of all Exim loan funds go to 5 highly profitable major corporations.

2. Over the past five years, Exim loans accounted for less than 2% of U.S. exports.

3. In the last two years, Exim has financed less than 1% of U.S. exports.

4. Between 1981 and 1984, the present value subsidy for Exim direct loans was $2.3 billion. Contrary to what has been claimed, the Exim Loan Program is not self-sustaining. It costs money. The bank projects losses from 1986 through 1990 will reach $2 billion.

5. Demand for Exim financing is significantly below authorized levels. In 1983, Exim only used 19% of their authorized lending ceiling. If you can't cut programs you're not even using, what can you cut? Commitments for loans for the first six months of 1985 have been only $276 million, in comparison to $347 million for the first six months of 1984, when total demand was just $1.5 billion.

6. The subsidy value of Exim direct loans could be covered by some 2% of the annual profits of the users of Exim loans. I don't think it's too much to ask a corporation like General Electric, which makes a $1½ billion profit, pays no taxes, and receives a $36 million tax rebate, to give up a little profit to finance the cost of its own export sales.

Since 1980, when the effective corporate tax rate for major corporation was supposed to be 16%, the five major corporate users of the Exim direct loan program had an average effective tax rate of less than 1%. These companies have an enormous economic advantage without Exim lending. This is worse than corporate welfare, this is corporate greed.

Here we are, debating major cuts in key programs, asking everyone to tighten their belts, to share the burden. And yet, what's proposed here is that with all this "belt tightening", we are asked to maintain a subsidized credit "boutique" for a handful of multi-billion dollar U.S. companies.

We do need better ways to address the U.S. trade balance. The best way to do this is to control our budget deficit and contain the relative strength of the dollar.

We believe we can address the trade deficit by arriving at a fair and balanced deficit reduction package and creating some new programs to address real trade problems.

We think these programs would include an Enchanced Interest Rate Subsidy program to provide a level of subsidy for financing where required, while eliminating the need for massive Treasury borrowing.

Additionally, we would create a specially appropriated "war chest" of $1 billion which could be used for those exceptional circumstances when U.S. exporters face predatory financing arrangements or unique long term financing needs.

A "War Chest" would be much more flexible than direct loans—which has not been serving the export community very well. For example, in 1984, Exim was approached to help counter "mixed credit" predatory competition in 21 cases covering $628 million in export value. Exim only offered help in seven of these cases, covering $166 million in export value.

Unlike the current Direct Loan Program, this "war chest" could be focused to help counter real trade problems. Worldwide mixed credit offers, for example, have grown 725 percent since 1980. France alone offered $1.6 billion in mixed credits in 1984. The "war chest" would give us resources to deal with this problem—the Direct Loan Program just gives a little bit to a few big corporations. A "war chest" would give us a resource pool to deal with these kinds of issues, and others, such as Japanese nontariff trade barriers.

Many of the friends of the Direct Loan Program say we shouldn't give up "A program that works" for untried alternatives. Well, I've got news for them * * * it doesn't work. The Direct Loan Program—which only supports 1.4% of U.S. exports—is utterly inadequate to deal with the trade deficit. It is time for something new.

Overall

The Chiles-Hollings proposal essentially holds the science, technology, and space function harmless against inflation and adds $514 million above inflation to provide funds for important general science and basic research programs, space flight and the new, manned space station.

Our plan provides 3 percent real growth (+$67 million above inflation) in general science and basic research programs. These programs are necessary if this country is going to retain the lead in the sciences that is necessary to be competitive in an increasingly technical world marketplace. These programs include:

The National Science Foundation;

Department of Energy general science and basic research efforts;

The U.S. Antarctic Program; and

Science and engineering education activities—including the acquisition of up to date laboratory equipment for schools and universities.

We also allow space flight operations to be funded at the level requested by the President. This is largely a fact-of-life change. After investing billions in the space shuttle we are going to use it.

Lastly, we propose to pursue development of the new, manned space station at the levels originally requested by the President. This adds $80 million in 1986 but will allow for launch in the early 1990's.

The Republican leadership plan does none of these things. After years of congressional support for enhancing general science and basic research programs, they propose a freeze. They also propose to indefinitely defer operational development of the manned space station which the President committed this Nation to only last year.

FUNCTION 250: GENERAL SCIENCE, TECHNOLOGY AND SPACE

General science and basic research

In 1983, for example, the Federal Government provided $6 billion or 67 percent of the total national investment in basic research.

Key Civilian Basic Science and Research Programs are in the National Science Foundation and the Department of Energy's General Science and Basic Research Program.

National Science Foundation

The NSF maintains U.S. leadership in the sciences by funding research in all fields of science, supporting major user facilities in physics and materials research, maintaining the academic oceanography research fleet, five national astronomy centers, a National Atmospheric Research Center, as well as conducting the U.S. Antarctic Program.

In 1983, the NSF provided 24 percent of the total Federal support for basic research to academic institutions.

NSF provides 90 percent of the support for mathematics and anthropology research in universities.

NSF provides 75 percent of the support for Earth and Ocean Sciences in universities.

In other fields, such as chemistry and electrical engineering, NSF provides over 30 percent of the support for basic research in universities.

NSF also provides support for small science-based and technology-based firms to perform research in high-risk scientific and technical areas.

Republican plan

The Republican leadership plan proposes to freeze these key programs, ending years of congressionally supported growth.

Space station

The Chiles-Hollings plan provides sufficient funds to pursue development of the new, manned space station with an initial operating capability in the early 1990s.

Our mark includes $230 million for space station development in 1986 and a $1.2 billion increase in outlays over a freeze in the 1986–1988 period.

The Republican leadership plan freezes space station development at $150 million per year. This level is inadequate to allow serious development to proceed. The Republican plan will indefinitely put-off the launch of the space station which only a year ago, the President set as a national priority.

The Republican leadership plan calls for funding increases in defense, foreign aid and foreign information and exchange activities largely justified as being needed to retain America's "leadership" in the world. But their plan freezes the one real program needed to retain leadership in space.

We should remember the words of President John F. Kennedy over twenty years ago: "The exploration of space will go ahead whether we join it or not. It is one of the great adventures of our time and no nation that expects to be the leader of other nations can stay behind in the race for space."

FUNCTION 250: ECONOMIC BENEFITS OF SPACE INVESTMENT

For an $18 billion Federal investment in the Space Shuttle (of which 80 percent of national expenditures were recouped in the form of Federal, State and local tax receipts paid by individuals and companies working on the shuttle program) the economic "multiplier" effects have resulted in a direct return on investment which include: plus 1.3 million jobs; plus $37.6 billion in personal income; plus $28.8 billion in consumer spending; plus $45 billion in gross national product; plus $9 billion in Federal tax receipts; plus $6.3 billion in State and local taxes; and incalculable benefits in terms of long-term productivity, job creation, new goods and services, as well as other economic benefits.

Chase Econometrics estimates that NASA research and development funding has a

social rate of return of 38 percent. This means that every $1 we spend on NASA R&D yields a $14 dollar return in economic benefits.

Chase Econometrics estimates that national employment also receives a significant boost by NASA research and development. For example, for $1 billion a year in NASA R&D, in the first four years 100,000 jobs are created. But, programs like the Space Station provide entirely new industries, new methods of production in manufacturing and new jobs. Chase claims that the productivity gains from an annual $1 billion investment in NASA R&D for the first four years of a ten year period, will create 800,000 new jobs by the tenth year.

The economic benefits of secondary applications of NASA technology are also impressive. One study lists as "spinoff" benefits from NASA R&D:

Improved gas turbines used in peak electric power production;

Integrated circuits for television sets, automobiles, and hundreds of household and industrial products;

Multi-layer superinsulators used on tankers to transport cryogens such as liquid hydrogen, helium and nitrogen;

Computer-assisted structural analysis techniques employed in the design of automobiles, aircraft, bridges, skyscrapers and a host of other structures; and

Countless other "spinoff" benefits.

One of my Republican colleagues in the Senate summed it up very well when he said: "For those who are all for the social programs in terms of saying let's take one billion from technology science and put it into a social program, well, there is a great deal of evidence that the best way to improve America's social programs and America's welfare is to continue its course of scientific excellence. And if there is a program that creates that from top to bottom and generates more jobs and puts more people into physics courses in colleges and educates them, it is NASA and the Space Program."

FUNCTION 250: CHILES-HOLLINGS PLAN

DESCRIPTION

The Chiles-Hollings proposal provides a real increase in funding in science, technology and space programs as part of an overall growth initiative, including:

Continued development of the new, manned space station, with operational deployment projected for the early 1990s. (plus $80 million in BA above a freeze in 1986; $1.2 billion in outlays above a freeze in 1986-88).

Development of a new, unmanned orbital maneuvering vehicle (OMV) and increased funding for Space Shuttle operations (plus 443 million in BA above a freeze in 1986; plus $473 million in outlays above a freeze in 1986-88). Increases are partially offset by decreasing Space Shuttle acquisition costs.

Three percent real growth in general science and basic research to bolster science programs needed to maintain America's relative advantage in the sciences and support a competitive economy in an increasingly technical world marketplace. These funds will also be used to help supply state-of-the-art laboratory equipment to universities. (Plus $168 million in BA above a freeze in 1986; plus $1.1 billion in outlays above a freeze in 1986-88).

FUNCTION 270: ENERGY

I. Chiles plan description

A. Overall function:

Saves $6.3 billion in RA and $5.3 billion in outlays over 3 years (FY86-88). 70 percent of the savings result from reductions in the strategic petroleum reserve oil purchases. Remaining reductions are in REA and uranium enrichment. Includes $200 million energy science and technology inititative.

Freezes most other programs at 1985 levels with 3 percent growth in 1987 and 1988.

REA assumptions same as Republican leadership plan.

B. Major programs frozen:

Energy conservation. Chiles plan does not assume use of oil overcharge funds to offset energy program levels.

Fossil energy research and development.

Power marketing administration.

I. Critique of Republican leadership plan (RLP)

A. Strategic Petroleum Reserve. Republican plan terminates the Strategic Petroleum Reserve oil purchases and indefinitely delays new construction, holding the oil fill level to 489 million barrels. Proposal is flawed in three ways:

Will be difficult to restart SPR once terminated even if resumption is merited by a deterioration in energy conditions. Current level of 500 million barrels provides 50 days less protection against oil disruptions than under current policy.

The level of insurance afforded by a 500 million barrel reserve diminishes over time as domestic demand increases (e.g. while 500 million barrels provides 100 days of supply now, it translates to 50 days of supply by the year 2000.

Sends the wrong signal to oil producing nations.

B. Energy Conservation. Republican plan reduces energy conservation activities by 14 percent and offsets new appropriations with use of oil overcharge funds.

Weatherizes 20,000 fewer dwelling units than in 1985; provides 120 fewer grants to schools and hospitals.

RLP estimates of oil price refunds are optimistic (RLP assumes $3 billion in revenues over three years, CBO estimates $600 million).

If RLP estimates are accurate, then California, Florida, Illinois, New Jersey, Ohio, Pennsylvania and Texas, each stand to lose $100-$300 million over 3 years if the Republican plan is adopted.

III. Chiles-Hollings plan

A. Strategic Petroleum Reserve. Saves $4.6 billion in BA over 3 years (oil purchases and construction) yet provides a credible oil purchase level and maintains steady progress towards the 750 million barrel goal. Provides 15 additional days of protection against oil supply disruptions by 1990 over the RLP plan. Reductions in SPR are proposed because of recent studies indicating that interest rates (e.g. Treasury's cost of borrowing to purchase oil) are rising at a higher rate than oil prices; it is therefore cheaper to minimize oil purchases now, than to continue current policy.

B. Energy Research and Development and Conservation. Chiles plan makes no reductions in these areas. Temporarily abundant oil supply cannot substitute for independent, permanent and environmentally safe domestic energy sources; 4 years of budget reductions have set back this goal and level or increased funding is needed to rebuild the programs.

FUNCTION 300: NATURAL RESOURCES AND ENVIRONMENT

I. Description of the Chiles-Hollings plan

A. Overall Function. Freezes most programs at 1985 levels with 3 percent growth in 1986 and 1987. Provides 45 percent increase in the superfund program (+$0.3 billion) in 1986. Superfund funding levels are equivalent to the President's budget. However, revenues under Chiles-Hollings are set equal to revenues needed to support S. 51 ($7.5 billion in BA over 5 years). Revenues are higher than spending because superfund cannot effectively spend the major budget authority increases proposed in S. 51 in the near-term, due to pipeline constraints. However, over the long-term sufficient revenues should be provided to support the levels proposed by S. 51. Soil conservation programs reduced 10 percent; $100 million in growth initiative.

B. Major programs frozen: EPA Wastewater Treatment Program; National Parks Service; Corps of Engineers; Bureau of Reclamation; Soil and Water Conservation; no recreation user fees; and public land acquisition.

II. Critique of Republican leadership plan

Superfund program levels 45 percent below administration's request and less than half the $1.5 billion level reported by the Senate Environment and Public Works Committee on a virtually unanimous vote. Of 2,000 sites currently on or projected to be on the national priorities list; action has only been completed on 11 sites.

Reduces public land acquisition following four years of severe budget cutbacks. Budget outlays for national park land acquisition have dropped 77 percent since 1978 and the number of acres purchased has decreased by 90 percent.

Will double or triple user fees at national parks (e.g. Yosemite entrance fees could rise from $3 to $9.) High entrance fees are regressive and inequitable.

III. Chiles plan

Superfund Chiles plan provides maximum increase the program can effectively absorb in 1986 given the current "pipeline" of projects awaiting construction. Chiles plan is $500 million above the Republican leadership package and $250 million above the President's budget.

Growth initiative provides additional funding to accelerate research on hazardous waste cleanup technologies, drinking water treatment methods, and EPA enforcement.

FUNCTION 350: AGRICULTURE

I. Chiles/Hollings plan description:

A. Overall function. Saves $7.6 billion (BA) over 3 years (86-88); $7.6 billion in outlays. 87% of the savings occur in the farm price support area. No reductions in farm credit. Other programs frozen with 3% growth in 1987 and 1988.

B. Major programs frozen:

Agricultural credit programs. FmHA ownership, operating and disaster loans.

Agricultural research and extension.

II. Critique of the Republican Leadership Plan [RLP]:

Equity. Agriculture programs comprise less than 2% of baseline outlays but are slated for nearly 8% of the cuts under the Republican leadership plan in the first year (6% over 3 years). By contrast, under the Chiles/Hollings plan agriculture programs receive less than 1% of the total deficit reductions in the first year and 3% over 3 years.

Agriculture credit: Republican leadership plan shifts from direct to guaranteed lending during a period of extreme financial distress to farmers. Studies of the family-size commercial farm indicate that: 43,000 farms owing nearly 10% of the debt are technical-

ly insolvent. Few could survive another year without assistance; an additional 50,000 farms, owing 11 percent of the debt, are moving quickly towards insolvency; as many as 136,000 farms, owing 26% of the debt, will have serious financial problems; the shift from direct (insured) to guaranteed loans could have a significant impact on the availability of credit. USDA statistics indicate that the shift in funding mechanism will result in a 40% decline in the number of loans. In addition, the guaranteed loan market is significantly different from the direct loan borrower. Guaranteed loan users generally have a higher net worth, lower off-farm income and are older than insured borrowers. Thus, while the total level of loans remains stable under the Republican leadership plan who gets those loans could be very different.

Crop Insurance: Republican leadership plan proposal to phase-out the Federal Crop Insurance Program will have a severe dampening effect on participation and may lead to the demise of all-risk crop insurance. Before Federal involvement, crop insurance existed for only a few limited purposes (e.g, hail). Without the Federal subsidy, its availability may be very limited. Average premiums could rise from $6.55 per acre to $20.07 per acre; an increase of 325%.

III. Chiles/Hollings plan:

Equity agriculture will share equally in deficit reduction.

Targetting of Benefits: One method of achieving the savings enumerated in the Chiles/Hollings plan is better targetting of direct benefits to the family-sized producer. Currently most benefits flow to larger producers:

Less than 2% of corn producers receive 9% of direct benefits;

Less than 3% of cotton producers receive 15.6% of direct payments;

One percent of wheat producers receive 12% of wheat deficiency payments.

Savings could be achieved under the Chiles/Hollings plan through two-tiered direct payment mechanisms (e.g., full price protection for the family farmer and a lower rate for the larger producer). This would reduce the marginal incentive to produce and target benefits to those who need it. The two-tiered system would provide full price protection for 72% of farmers, yet allow movement towards a market oriented approach for the larger producer.

Promotes environmental objectives savings under the Chiles/Hollings plan could also be achieved through the establishment of a 20-30 million acre conservation reserve. Under this proposal, fragile agricultural lands would be placed into long-term retirement in exchange for federal payments; 600 million tons of soil could be saved, while the federal government would recoup $800 million over 3 years.

FUNCTION 370: COMMERCE AND HOUSING CREDIT

By spreading the burden of spending reductions across all programs, this mark continues all existing commerce and housing assistance in function 370 at fair and realistic levels. All programs are frozen in 1986 except the following:

SBA—accepts spending recommendations proposed by the Committee on Small Business to reform and streamline SBA direct lending programs. S. 408 eliminates the bulk of SBA direct lending and freezes salaries and expenses. In addition, this mark reduces SBA's Federal financing bank financial programs and requires that small business investment companies sell their federally guaranteed debentures directly to private credit markets rather than to the FFB.

This mark recognizes that SBA fulfills a vital role in providing financial and technical assistance to the small business sector of our economy, and it provides funding that insures that the agency can continue to carryout its mission.

The Chiles mark, in addition to rejecting termination of SBA, rejects the proposed sale of the agency's loan portfolio. Estimates indicate that such a sale could result in a significant loss to the Treasury, based on OMB estimates of the market value of SBA assets, compared to SBA's historic collection data.

The Chiles mark rejects the proposed termination of rural housing programs administered by the Farmers Home Administration. Farmers home plays a vital role in getting needed housing assistance to rural Americans in search of decent, affordable shelter.

This proposal rejects shifting the responsibility for rural housing programs to the Department of Housing and Urban Development which has neither the programs, nor the administrative capacity to accept such a responsibility.

The Chiles mark rejects the logic that because HUD housing programs have been targeted for a disproportionate burden of deficit reductions measures over the past 4 years, equity demands that FmHA rural housing programs should now be treated "equally" unfairly.

The Chiles plan proposes funding the postal service revenue foregone subsidy at a freeze level in 1986. Despite claims to the contrary, the bulk of the revenue foregone assistance goes to religious, charitable, educational and other nonprofit institutions and organizations.

FUNCTION 400: TRANSPORTATION

The Chiles mark achieves savings of $5 billion over three years while funding all existing transportation programs at levels adequate to assure their continued effectiveness. With the exception of Coast Guard, highway and Panama Canal funding, all programs are cut 10 percent from the baseline.

Mass transit the reduction in mass transit funding assumes continuation of operating assistance in addition to section 3 new starts. This mark rejects the Republican leadership proposal to phase-out mass transit assistance over 5 years.

FAA the reduction in assistance for aviation programs may require a stretch out of the national aerospace system plan.

Amtrak assumes a 10 percent reduction in Amtrak subsidies. Funding cut will require some limited service reductions or the reprogramming of capital funds intended for system improvements. This mark rejects the Republican proposal to do away with all Federal aid to Amtrak.

Coast Guard in an effort to increase drug enforcement operations, this mark adds $50 million to the baseline for increased drug interdiction efforts and for capital funds to buy C-130's.

Highway-trust fund funding for highways reflects Senate action on S. 391, the Interstate Highway Funding Act of 1985.

That bill holds highway obligations at the fiscal 1985 level in 1987 and 1988. For 1986, the highway obligation ceiling is reduced from its 1985 level of $13.25 billion to $12.75, a savings of $1.7 billion in obligations below the baseline.

Conrail assumes sell of Conrail at cost of $1.2 billion. Assumes that a legislative provision will accompany the sale to ensure that receipts to the Treasury from the sale are not offset by new tax advantages to Norfolk-Southern.

Construction-differential subsidy assumes the repayment to the Treasury of outstanding principal and interest on ship construction differential subsidy loans in return for permanent right for certain tanker vessels to engage in domestic trade.

FUNCTION 450: COMMUNITY AND REGIONAL DEVELOPMENT

This function is comprised mainly of relatively small programs serving a variety of vital urban and regional development needs. Many of these programs are targeted at some of the Nation's most depressed, poverty stricken areas. Few programs have been proposed for a funding reduction:

CDBG. Given a funding level of $3.5 billion in 1985, a 15 percent cut in CDBG, while lowering the program level, will not significantly disrupt activities funded with block grant dollars.

UDAG. Frozen at 1985 level.

FMHA water and sewer facilities program funded at last year's appropriated levels.

Appalachian regional commission programs and economic development assistance funded at 1985 level.

HODAG and rental rehabilitation programs are continued at a freeze level.

CDBG loan guarantee and section 312 programs are discontinued.

SBA nonphysical disaster loans. Accepts Small Business Committee recommendation to terminate nonphysical disaster assistance. Elimination of this program has been suggested by both the SBA administrator, James C. Sanders and John Sloan, president and chief executive officer of the National Federation of Independent Businesses. Nonphysical disaster assistance of SBA is poorly defined and targeted and is duplicative of other support prgrams. In addition, effective October 1, 1985, farmers would be required to seek disaster assistance from the Farmers Home Administration.

FUNCTION 500

Impact of a freeze

The Republican leadership package would freeze funding for key education, employment, training, and social service programs.

Without protection against inflation, there will be reductions in caseloads and services in key programs, particularly those targeted to the poor, handicapped, and the elderly.

As a consequence of a funding freeze, participation could drop by as many as 20,000 children in Head Start, 200,000 children in compensatory education progams for the disadvantaged, 52,000 disadvantaged adults and teenagers in training programs, 3,900 older Americans in community service employment programs.

As a consequence of a funding freeze, program operators of elderly nutrition programs could reduce the number of meals provided by 10.1 million—or reduce the nutritional value of these meals.

My amendment will provide enough funding to maintain current service and participation levels.

FUNCTION 500

Termination of the community service block grant

This grant funds the 1070 local agencies which operate many of the Federal programs targeted to low-income households. (E.g., Head Start, low-income energy assistance).

CSBG moneys are used primarily for administrative costs and the provision of serv-

ices not provided by the existing Federal programs.

The Republican leadership argues that services provided by this program could be funded instead by the social service block grant.

Allocation of SSBG funds does not have to be based on any income measure. As a consequence, there is no assurance that the community service agencies will continue to be funded.

Under 1981 reconciliation, funding levels for SSBG were capped—starting in FY1984—at $2.7 billion. Terminating CSBG will place further pressure on these funds.

A recent GAO study found that States did not offset the cutbacks in CSBG funding which occurred in the early eighties. This, according to GAO, was not surprising given the States' limited historical involvement in administering similar service programs. As a consequence, many community service agencies had to cutback on the provision of services.

It is very possible that if the program is now completely eliminated, States will not make up the difference. Under our plan, funding would be cut by 20 percent, but States would now be required to offset the loss.

FUNCTION 500

Guaranteed Student Loan Program savings

The Republican leadership package contains about $700 million in savings over three years from the guaranteed student loan program. My amendment contains the same dollar savings.

The Republican leadership package assumes that some of those savings are achieved by cutting student eligibility for loans. The GSL Program can be cut without further restricting student eligibility or increasing the costs of loans to students. We did enough of those changes in 1981.

It's time to recognize that there are other beneficiaries of the GSL Program besides students. Both lenders and State guarantee agencies have received excessive subsidies under the program.

Since 1976, lenders have been guaranteed a yield on student loans at a rate 3.5 percentage points over the current three month T-bill rate.

This rate seems high when the Federal Government stands 100 percent behind these loans.

High yields are not justified by the costs of administering the program. With increased automation, the costs of operating the program should have markedly declined since 1976.

Lenders are finding this a very profitable program. Lenders engage in advertising, direct mailings, and even give-aways to attract student borrowers.

We can reduce the special allowance by half a percentage point and still retain enough lenders in the program. We can also require lenders to disburse loans in two checks and save the Government money by only charging interest on the disbursed amount.

State guarantee agencies have also done well under the program. The agencies have reserves of over $700 million. These reserves are greatly in excess of the risks that the agencies bear. The Federal Government pays off most of the defaulted loans. The Federal Government bears the risk.

Yet the Federal Government exempts most agencies from sharing default costs. I urge restoration of the 80 percent mandatory reinsurance rate so that agencies also share in the risks of defaults. Collections by the State agencies should improve as a consequence.

The Federal Government also subsidizes the administrative costs of State agencies. This subsidy can be reduced by half, and the agencies can be required to return advances forwarded by the Federal Goverment.

Cuts in job training—overview (detail on job corps, dislocated workers follows):

The Republican leadership cuts total funding for job training partnership activities by 29 percent. The plan terminates Job Corp; cuts training programs for dislocated workers by 55 percent; cuts summer youth employment program by 29 percent; freezes, for second consecutive year, grant for the training of disadvantaged adults and teenagers (title IIA).

The Republican leadership plan terminates WIN (provides training for 30,000 AFDC mothers, as well as $41 million in child-care and supportive services for working mothers).

The Republican leadership plan cuts funding for employment service by one-third.

The Republican leadership plan claims that WIN and Job Corps participants can be served by the State grant program (title IIA) for the training of disadvantaged teenagers and adults. However, they do not increase the funding resources of this program.

Under the Republican leadership plan, title IIA would be frozen for the second consecutive year. As a consequence of a two-year funding freeze, participation could drop by as many as 100,000 from 1984.

The recovery has not diminished the need for this program. Throughout the recovery, the unemployment of black teenagers has never fallen below 40 percent. (Current rate: 42 percent) at 15.2 percent, the unemployment rate of black adults is over double that of white men.

Yet, a survey of localities finds that they can serve less than five percent of the eligible disadvantaged population with the existing funding levels for training programs.

Early reports point to the success of JTPA title IIA programs. Placement rates are on average much higher than anticipated or as set forth in Federal standards: 70 percent versus a 58 percent standard for adults and 68 percent for teenagers versus a Federal standard of 41 percent.

The high placement rates have nurtured the enthusiasm of the private sector. A national association of business study shows that the local private industry councils have become actively involved in the selection of types of training and service providers. Because the jobs for which participants are trained are ultimately to be found in the local business community, the active participation of the PIC's is requisite for the countinued success of the program.

Will this enthusiasm continue if we continue to strain the limited resources of the PIC's by terminating other job training programs?

FUNCTION 500

Cuts in student financial assistance

The Republican leadership plan cuts $3.8 billion over three years in all student aid programs (including the Guaranteed Student Loan Program); of this amount, $3.1 billion would come from cuts in the means-tested student assistance programs such as Pell grants.

Cuts in discretionary student assistance programs are derived by the imposition of three policy changes:

(1) To prove independent status, a student would have to meet eligibility criteria for two years prior to school year (−$192 million);

(2) In the calculation of needs analysis, allowable educational expenses would be capped at $8000 (−$377 million); and

(3) Reductions in the Pell grant error rate (−$117 million).

The numbers in parentheses are the portions of the cuts in FY 1986 attributed to each of the policy changes. These are OMB estimates, and there is no available documentation explaining their derivation.

The Republican leadership plan is based on these OMB estimates.

CBO has released an analysis of proposed changes in student aid. They find savings in the Discretionary Student Aid Program only equal $200 million if the leadership plan is enacted.

Over 400,000 students will lose aid as a consequence of proposals according to CBO. Most of these will come from families with income over $50,000. This implies OMB over-states the impact of the $8,000 CAP.

CBO is projecting a shortfall of $667 million in funding in the Pell Grant Program for school years 1983-84, 1984-85, and 1985-86. The Republican leadership plan does nothing about these shortfalls. Benefits will have to be reduced to make up the difference.

FUNCTION 500

Cuts in job training: dislocated workers

The Republican leadership plan cuts training funds for dislocated workers by 55 percent.

The Republican leadership claims that funding can be reduced because of the recovery:

The problems of dislocation are "structural," not "cyclical:" They remain despite the recovery. The manufacturing sector has recovered only about 70 percent of the jobs lost during the 1981-82 recession.

The problems of dislocation extend far beyond the manufacturing sector—from the rust bowl to the dust bowl. Several Midwestern States, including Iowa, Minnesota, and Kansas, have extended the criteria for title III participation to include farmers who, because of bankruptcy or an inability to obtain credit, are being forced off the land. Of course, the Republican plan will drive more farmers off the land by their drastic 41% cut in farm programs.

In the first quarter of 1985, GNP grew at a rate of only 1.39 percent. The sluggish growth reflects the growing tide of imports which threaten American jobs.

OMB claims that funding can be reduced because of large unanticipated carryovers of funds from prior fiscal years.

But a new study, conducted by the Westat Corporation for the Department of Labor, finds that these carryovers are overstated.

According to the Westat study, the carryovers are artificial, caused by the way States are contracting for the provision of services to dislocated workers. In many cases, States use performance-based contracts, with payment to providers following only the placement of trainees in jobs. In other cases, expenditures from some projects are reported only after the completion of the project. This insures we get what we pay for in the program, but the Republicans would penalize the States for efficient management.

Both OMB and the Republican leadership claim that funding can be reduced because

trainees have required less expensive services than anticipated.

Many program operators provide only job counseling and lessons on job search techniques to dislocated workers rather than actual training. We do not yet know of the long-term effects of this decision. It is quite likely that workers would benefit more in the long-term with a greater emphasis on retraining.

Last month, Federal supplemental compensation expired. We must offer a viable training alternative to the long-term unemployed.

FUNCTION 500

Cuts in job training: Termination of Job Corps

Job Corps provides comprehensive training and services to poor, unemployed, out-of-school youths aged sixteen to twenty-one. Currently, there are about 107 residential training centers where enrollees receive remedial basic education, vocational skill training, extensive supportive services, and job search skills.

The Republican leadership claims that the program should be terminated because it is too expensive.

The OMB claims that each one of the 40,500 Job Corps slots costs the taxpayer over $15,000 a year and compares this figure unfavorably to the cost of sending a student to Harvard.

However, more than one person fills a Job Corps slot in a given year. Nearly 100,000 teenagers benefit from Job Corps a year at an average cost of $6,170.

Benefits from the program exceed costs by at least 39 percent—a very good return on our investment.

The most recent evaluation by the Mathematica Research Corporation shows that participation in Job Corps is associated with:

An increase in employment by more than four weeks a year;

An increase in earnings by at least 15 percent;

A 25 percent increase in the probability of earning a high school diploma;

And reduction of more than four weeks per year in recipiency of public assistance and unemployment insurance benefits.

Moreover, these benefits persist over time.

The Republican leadership claims that Job Corps participants can be served better under the Job Training Partnership Act state grants for disadvantaged teenagers and adults.

While both title IIA grants and Job Corps serve disadvantaged teenagers, Job Corps is targeted to a much more difficult a portion of this population. Job Corps participants need the comprehensive services offered by the program.

The Republican leadership plan does not contain increased funding for title IIA grants to handle displaced Job Corps participants.

Some have suggested that instead of terminating Job Corps, funding for the program could be reduced by closing some centers which have fallen into disrepair.

The five year projection of costs for needed repairs in Job Corps centers equals $158 million. Of this amount, only $19 million is required for essential repairs (i.e., those which correct life-threatening situations or code violations).

FUNCTION 550

Chiles plan description

Provides for $36.1 billion in budget authority and $35.8 billion in outlays for health.

For the whole function, this is a reduction in baseline budget authority of $0.2 billion in 1986.

Small savings in Medicaid from collections from private health insurance held by Medicaid recipients (−$0.5 billion over 3 years.)

In general, all discretionary health programs would be frozen at 1985 levels for one year with three percent inflation allowed in 1987 and 1988.

Exceptions:

Biomedical research and training are funded at a three percent real growth level. Total NIH funding would be $5.5 billion (+$0.2 billion above baseline in 1986) to allow room for a new growth initiative in applied research in areas with high marketplace potential.

A 50 percent reduction is assumed for health professions training and education (−$0.1 billion in BA in 1986), half the reduction proposed by the republican plan.

With the new growth initiative in biomedical research and technology, the total amount of discretionary health funding which would come under the appropriations cap would be $10.7 billion in budget authority in 1986. This is $1.0 billion above the republican leadership plan.

No changes are made in the federal employees or civil service retirement health benefits program.

Issue: Medicaid cuts

The Republican leadership plan:

Originally adopted the President's proposal to place a permanent cap on the Medicaid Program. Cuts would have been 300 million dollars in 1986—2 billion dollars over three years. Since the plan came to the floor, Senator Packwood added back 800 million dollars in 1987 and 1988.

The Medicaid cap that was going to cost each and every state millions of dollars—that was going to unfairly penalize those states wanting to improve their programs and maybe provide medical care to kids who might be five years old or a little older.

I am glad to have that squarely on the record from the chairman of the Finance Committee.

But, again, where are the cuts he would leave in Medicaid going to come from? The amendment still would cut Medicaid by 1.2 billion dollars over three years (compared to the President's proposal to cut it 2.0 billion dollars over three years).

One proposal that has been circulating, one that might be a workable idea, is to set out new Medicaid rules which would force all States to collect all payments they can find from private health insurance coverage held by Medicaid recipients. The GAO has issued a report recommending that be done.

But we also know that CBO says you could get no more than 500 million dollars over three years from some action like this.

That leaves another 750 million dollars over three years that the amendment's sponsors would say are "unspecified" savings. Where will that come from?

There are a number of ways you can get these additional Medicaid savings—all of which involve reductions in State payments.

Maybe it won't be a permanent cap—but it will be reductions in State payments.

The Chiles-Hollings plan:

Recognizes that Medicaid has already been cut by almost 4 billion dollars over the last four years.

Cannot justify further large cuts in low-income programs.

Assumes savings of $0.5 billion over three years from requiring States to collect payments from other health insurance held by Medicaid recipients.

Issue: Cuts in health professions education and training

The Republican plan:

Eliminates all programs immediately.

Is advertised as cutting out training programs for physicians who are in oversupply and therefore is no longer a wise expenditure. However, physician training is only part of these programs.

Also completely eliminated would be support for graduate programs in health administration and public health, physician assistant and nurse practitioner programs, and special health education initiatives in geriatric care. Area health education centers, designed to increase health care in areas with extreme shortages, would be eliminated. All advance nursing training and nursing research grants would be eliminated.

Even if there are some policy decisions made about a reordering of our priorities and comitment to support for health professions training, it is hardly fair to eliminate all programs immediately without any opportunity for either universities or students to make an adjustment.

The Chiles-Hollings plan:

Allows for some gradual changes in our commitments to health professions training programs and would protect a continued investment in priority areas. Among those would be advanced training programs and continued development of new curricula for our medical schools and public health schools. Rapid changes in medical care and approaches toward public health make it unwise to withdraw support.

Issue: National Institutes of Health

The Republican plan:

Would cut NIH funding well below a freeze level—$0.1 billion below.

Long-standing research projects at major universities might have to be abruptly terminated. This was acknowledged by the NIH Director at recent Appropriations Committee hearings.

Congress appropriated funds last year sufficient to fund 6,500 new and competing research awards in 1985 and 1986. The plan would cut back that number by 1,000 grants to a total of 5,500. The General Accounting Office has challenged the legality of the President's earlier decision to administratively cut back the new grant awards to a level of 5,000—and in the meantime funds from the 1985 appropriation are not being awarded. The research community is already in a turmoil and some decisions will soon need to be made.

Biomedical research is a long term proposition. Cutbacks cannot be considered temporary. They affect all our future advances in medicine and health and biotechnology. What we learn through research today determines what our frontiers will be tomorrow. How many scientists we train today determines our entire research capability tomorrow.

The Chiles plan:

Allows effort to prevent and cure disease and disability to continue at full funding levels.

Makes a new commitment to spur advances in biomedical research as part of a science and technology growth initiative.

We should be looking for new relationships with the private sector to make a commitment to applied research in areas with high marketplace potential. The U.S. is the recognized leader now in biomedical and biotechnical science, with the largest investment in basic research. We lag behind other

nations, however, in applied research with marketplace applications. Other countries (Japan for instance) use our knowledge base and apply it to developing marketable goods and services. Example: Research funded by NIH can help develop new drugs and pesticides, improve food production and nutrition, and even spur the development of the computer industry.

FUNCTION 570: MEDICARE

Issue: Increases in beneficiary out-of-pocket costs

The Republican leadership plan:

The original plan would have increased Medicare beneficiary out-of-pocket costs for health care by $5 billion (three year total), at the same time cutting Social Security benefits by $22.6 billion (three year total of 2 percent COLA reductions). Would increase premiums and deductibles, add a new home health copayment, and delay eligibility for one month.

Though the recent Packwood amendment added back about $1.8 billion over three years, it was a cosmetic action. Beneficiary out-of-pocket costs would still have to increase by $3 billion or more (three years).

Every one of these four items has been debated and rejected by Congress before at least two or three times. They are another example on how the White House pads the budget each year with proposals they know are not acceptable to Congress.

Under the White House plan, premiums paid by beneficiaries each month for Medicare coverage, deducted from Social Security checks, would increase each year until they reached 35 percent of program costs by 1990 (they now total 25 percent of program costs). Premiums are now $186 a year. Under the plan they would be $205 in 1986, $299 in 1988, and would reach $416 by 1990.

In the amended Republican leadership plan premiums would still increase to 30 percent of program costs.

The original plan claimed, correctly, that no monthly Social Security check would be reduced as a result of the premium increase on top of the Social Security COLA reduction. However, most or all of the "guaranteed" 2 percent COLA that was being granted under the plan over the three years would have been eaten up by the premium increase for 3.2 million Social Security beneficiaries who have small Social Security benefit amounts (under $260 a month). That number does not include those elderly who are enrolled in a state Medicaid Program, who do not have to pay the premium themselves. All of these 3.2 million will get caught. We don't know what their total incomes are, but many, not all, are going to be very old, and probably women, with very little other income.

Even with a lesser premium increase, if there is any Social Security action there would be similar effects.

The plan would also increase the annual medical insurance deductible paid by Medicare beneficiaries from $75 to $92 by 1990. It would continue to increase every year.

The plan would add a new co-payment for home health services. After 20 visits, there would be a new charge of $4.80 per visit next year. It would increase every year, reaching $6.25 per visit by 1990. This sounds small, and the administration says most Medicare beneficiaries would not be affected. But 40 percent of all Medicare beneficiaries, over 450,000 people, use more than 20 visits a year—230,000 beneficiaries would have new expenses of well over $100 per year; 60,000 people would have charges well over $600 a year.

Congress has rejected the proposal to delay initial Medicare eligibility for three years in a row. That also doesn't sound so bad at first: If I turn age 65 on June 15, I would become eligible for Medicare on July 1, rather than June 1 as happens now. The proponents of the plan claim that most people would still be covered by other insurance—so it wouldn't make any difference even if they got sick during that period. But it was rejected because there was always a very troublesome group of people we couldn't find a way to protect. Even if we change the law and require all private insurance and Medicaid to extend coverage, there will still be between 150,000 and 200,000 new Medicare enrollees every year who will have no protection if they get sick.

The Chiles plan:

Rejects these increases in Medicare beneficiary out-of-pocket costs. Will not penalize Medicare beneficiaries for increases in health care costs, instead directing efforts to contain costs at the source.

Continues efforts at health care cost reduction and strengthening the Medicare trust fund by freezing providers for one year.

Issue: Hospital cuts

The Republican leadership plan:

Freezes payments to hospitals for one year—but then goes beyond that and cuts another $600 million in 1986; the additional cuts are $3 billion over three years.

These cuts are not cutting into profit margins of prosperous hospitals—they are the cuts that could force public hospitals to close their doors. Most of this additional cut would come from a 50 percent reduction in the "indirect teaching adjustment." This is now used to compensate hospitals that take care of more than their fair share of Medicare beneficiaries and poor people who have no insurance and cannot pay for care at all. Public hospitals, county hospitals, and large teaching hospitals have to absorb the costs of poor people refused by other hospitals.

The Republicans claim that the "indirect teaching adjustment," without justification, was doubled over what it previously was when the new Medicare reimbursement system was enacted two years ago. It pays for some of the costs of hospital interns and residents. But the change was made then specifically to adjust for large indigent caseloads until a better formula could be found. The prospective reimbursement legislation ordered the administration to find a way to make a better adjustment, but the administration has so far refused.

Using this indirect teaching adjustment is not the best proxy for indigent care and keeping public hospitals from closing their doors, but we can't cut it out completely until we find another way.

The Chiles plan:

Assumes that there will be a one-year freeze on hospital reimbursements—even though the congressionally appointed Prospective Payment Assessment Commission has recommended that there is an increase of 2.5 percent in hospital reimbursement rates for next year. Under the plan, hospital payments under Medicare would still be reduced by $2 billion in 1986 (−$9.3 billion over three years). That is a big enough cut.

Would have the same effect on the Medicare hospital insurance trust fund as the Republican leadership plan. Savings are still sufficient to ensure that the trust fund will be able to make payments well into the mid to late-1990's.

Because we know that the "indirect teaching adjustment" is not necessarily the best measure of taking care of the indigent care problem, the Chiles plan assumes that some additional savings will be made: −$200 million FY 1986, as opposed to −$600 million in the Republican plan. Even though this is still a cut on top of a freeze for hospitals, it allows room for the Finance Committee to make more appropriate adjustments.

The new prospective payment system for hospitals has already resulted in Medicare savings of several billion dollars. This would not have happened without the cooperation of hospitals. But the new system is not even yet fully implemented, and further adjustments will have to be made. A freeze is already tough medicine to take right in the middle of a transition to a new payment system. We could destroy the progress we have already made by going too far this year.

The Chiles plan is supported by the American Hospital Association. This is a good example of the kind of cooperation we have been getting from most hospitals on the tough issue of reducing Medicare outlays.

Medicare has already been cut by $40 billion over the last three years.

FUNCTION 700: VETERANS BENEFITS AND SERVICES

Chiles-Hollings plan description

Provides for $27.6 billion in budget authority and $27.0 billion in outlays for 1986. This is $0.1 billion below baseline budget authority in 1986.

Would grant COLA's for both veterans low-income pension and disability compensation programs.

Medical services would be funded at a level sufficient to provide for the program level appropriated in 1985 (194,000 full-time equivalent personnel) with some allowance for additional personnel for new VA medical facility activations (plus 2,000 FTEE); $9.4 billion in BA in 1986 is provided.

New medical construction projects would be funded below the baseline (minus $0.2 billion in BA in 1986), slowing the rate of new hospital construction.

Modest savings of $0.6 billion over three years are assumed and reconciled to the Veterans' Committee. This could be achieved either by requiring the VA to collect private health insurance payments from policies held by veterans using the VA health care system—or by increasing the VA housing loan origination fee to 2 percent in FY 1986, reaching 3 percent in FY 1988.

Other programs, such as medical research and grants to States for construction of State nursing homes would either be frozen or reduced slightly below baseline levels, as requested by the President and recommended by the Veterans' Affairs Committee.

No changes in veterans education programs.

Additional unspecified savings of $300 million in outlays over three years are assumed, consistent with the Cranston amendment.

FUNCTION 600: CIVIL SERVICE RETIREMENT
REPUBLICAN LEADERSHIP PLAN

My plan would make no changes to civil retirement (CSRS) other than a temporary one-year COLA freeze.

The leadership plan would make deep, permanent cuts in civil service retirement in addition to severe COLA cuts in all years.

The leadership plan would cut about $8 billion from CSRS over 3 years.

The leadership plan would raise the contribution rate for active Federal workers by 2 percent a year beginning in FY 87. In conjunction with a one-year pay freeze in FY86,

this means a permanent reduction in Federal pay of 6 percent a year in real terms.

The leadership plan would delay survivor benefits for spouses of retirees or workers who die, if the spouse is under age 60 and does not have a dependent child under age 16. The benefit would be delayed until the survivor reaches age 60.

This proposal is inequitable because it would eliminate benefits to the survivor of a retiree even though the retiree had elected to take a reduced annuity at the time he retired from the workforce.

This proposal would change the rules precipitously for workers and retirees who had made financial plans on the basis of the provisions of current law.

The leadership plan would substantially increase the costs to the Postal Service for the retirement system of its employees. This would result in an increase in the price of postage stamps of several cents.

The leadership plan assumes $2 billion in unspecified savings over 3 years. What are these changes?

COLA's

The COLA policy proposed for Social Security and other retirement and disability programs would providing for COLA's in all years payable in January as under current law. The proposal would provide for a half-year COLA in January, 1986 and full COLA's in all years thereafter.

The January, 1986 COLA could be based on the change in the Consumer Price Index for half the preceding year. In all years thereafter, the proposed plan would provide for COLA's based on a full twelve-month change in the Consumer Price Index.

The proposal also provides sufficient funds (15 percent of the savings from the ½ year COLA freeze) to allow the Finance Committee to protect low-income Social Security beneficiaries as the changes described above are implemented. Finance Committee would be able to take account of coupled interactions among Social Security, SSI, Medicare, and Medicaid to insure no reduction in benefits for low-income elderly.

The half-year COLA freeze assumed in my plan is temporary. I do not support any permanent COLA reduction.

I believe that a half-year COLA freeze is fair because everyone must sacrifice if we are to bring this deficit down. We must achieve some deficit reduction from defense, from domestic programs, from Social Security, and from tax expenditures if we are to achieve our deficit reduction goal in a fair and balanced way.

A COLA reduction will strengthen the Social Security system for the rest of this decade.

Under current law, the solvency of the system still has very little margin of safety to protect it during the rest of the 1980's. In fact, the latest Social Security trustees report shows that under a plausible set of economic assumptions used by the Social Security actuaries, Social Security would not be able to pay full COLA's in a few years. If we have a very serious recession before then, the solvency of the system could be in even greater jeopardy.

It has been argued that Social Security is not contributing to the deficit now because income to the trust fund will exceed outgo for the rest of the decade. This ignores the fact that since 1972, the Social Security system has added more than $100 billion to cumulative deficits. It also ignores the fact that over the next six years about $30 billion will be drawn from a new source of general revenues that is being used to finance Social Security. These general revenues come from income taxation of benefits that are credited to the Social Security trust fund. No other program has such an arrangement.

Almost all of the general revenues flowing into Social Security result from the taxation of a portion of Social Security benefits for some beneficiaries. The Social Security Program is the only program in which revenues derived from taxation of benefits are cycled back into the program's trust fund. This does not occur for civil service retirement, or military retirement, or unemployment insurance benefits.

Social Security has the most liberal provisions regarding taxation of benefits of any retirement or pension program or benefit. For all other programs, the individual is fully taxes on all of his benefits, less the sum of any contributions he has made plus accrued interest. Social Security is much more liberal than all other programs because:

(A) Most Social Security beneficiaries are not taxed at all.

(B) For those beneficiaries subject to tax, at most only half their benefits are taxed. This maximum is far less than for other retirement programs or private pensions.

(C) For those who are taxed, most do not pay the maximum tax.

The President had previously argued that Social Security does not contribute to the deficit. Obviously, he must have changed his mind if he has now included Social Security COLA reductions in his deficit package.

My package would not require any increase in poverty as a result of the half-year COLA freeze for Social Security beneficiaries. Sufficient funding is provided to allow the Finance Committee to protect these low-income Social Security recipients. A requirement for means-testing of the COLA is not assumed in the plan, however.

The leadership plan would reduce COLA's by more than 2 percent a year in all years covered by this budget.

This cut would leave all retirees far worse off than they would be under a temporary half-year freeze. By the end of the three years, the reduction in a recipient's annual benefit would be 50 percent greater under the Republican plan than under our plan. And this larger cut would continue in each and every year after that, as long as the recipient or his survivor were alive.

The leadership plan would reduce Social Security benefits by $40 billion more than my plan would over the next five years.

The leadership plan could easily be converted into a permanent COLA reduction after being in effect for three years. If made permanent, it would result in a 20 percent reduction in the value of the average beneficiary's benefits over his lifetime and that of his survivor. At the end of the survivor's lifespan, he would receive a yearly benefit that is only 62 percent of the benefit he would be entitled to under current law.

The leadership plan would push about 600,000 persons into poverty according to the Congressional Budget Office.

In addition, the plan would reduce benefits for close to 3 million families who are already below the poverty line; this reduction would average $200 per year per family.

The leadership plan would cut benefits for close to 3 million more families who are near the poverty line, by an average of about $300 per year.

The leadership plan specifically assumes that supplemental security income benefits (SSI) would be increased in order to ameliorate the impact of the COLA cuts for low-income beneficiaries. Unfortunately, this strategy will not achieve its intended objective at all. According to CBO's analysis, none of the low-income Social Security recipients who would be hurt by the Republican Social Security COLA cut would be helped by the proposed SSI increase.

FUNCTION 920

The plan assumes a pay freeze for Federal civilian workers in FY86. This is consistent with assuming a COLA freeze for retired Federal workers and retired military personnel.

My mark assumes that pay raises will be given in January of each of the outyears. This is the same assumption which the Senate agreed to in its version of the first concurrent resolution on the budget last year. For the last two years, pay raises have been given in January, not October, 1986.

The plan does not assume the CBO baseline pay raise amounts for the outyears. These amounts increase to the point where 5 percent pay raises occur by 1989. The plan assumes, 3 percent growth in discretionary programs in the outyears. Therefore, for civilian pay raises, the plan also assumes 3 percent increases in the outyears. This is the same as the President's proposal for these outyear pay increases.

The plan assumes a 1 percent reduction in the Federal workforce through attrition. As annual attrition rates are much higher, this modest change can be absorbed without difficulty. The Republican leadership plan has a much more severe reduction: 4 percent.

The plan assumes a one-year delay in the waiting-period required for within-grade pay increases for Federal workers. Under current law, such raises are almost automatic, unlike typical private sector policy. The Republican leadership plan contains the same assumption.

The plan assumes a 15 percent reduction in administrative overhead for Federal agencies. This reduction would not affect salaries or benefits. The Republican leadership plan assumes a reduction in overhead as well, although their assumed reduction is 10 percent. At a time when we are asking all sectors of the country to "share the pair" of deficit reduction, a reduction in administrative overhead is one of the less painful ways to bring down the deficit.

My mark also assumes making permanent the minor change in the computation of pay-per-pay-period for Federal workers. This provision of law would otherwise expire at the end of this fiscal year. The Republican leadership plan also assumes that this provision becomes permanent.

Issue: COLA's for compensation and pension programs

The Republican plan:

The original White House/Republican plan reduced COLA's for both the low-income Veterans Pension Program and the Disability Compensation Program by 2 percent for each of three years.

This will result in a permanent reduction of benefits in each program by 6 percent per year in real terms.

This type of substantial, sustained COLA reduction over a period of several years can easily lead to permanent COLA reduction enacted into law at the end of this period.

Cutting COLA's in the Veteran's Pension Program will push some surviving spouse beneficiaries below the poverty line and will reduce benefits for other surviving spouses who are below the poverty line already.

The Chiles-Hollings plan:

Assumes full COLA's for veteran's pension benefits. This program is means-tested; the Chiles-Hollings plan does not assume a COLA freeze for any means-tested programs.

Continues the sound and fair policy of treating beneficiaries of the veterans' pension and the veterans' compensation program in the same manner. The Chiles-Hollings plan provides full COLAs for both programs.

Issue: Veterans medical services and construction

The Republican plan:

Cuts $2.1 billion from medical services over three years (−$0.6 billion in 1986).

Cuts will come from:

A means test for hospital care for most non-service-disabled veterans with incomes above $11,000 a year ($15,000 for a couple)

Legislation to require the VA to collect insurance payments from health insurance policies held by veterans and prohibiting insurance policy exclusionary provisions, and

Slowing down the rate of new hospital construction.

The plan cuts $1.8 billion more from medical services over three years than the President first proposed. The new White House plan cuts $400 million more in 1986 alone.

Where will the cuts come from? There is a lot of confusion:

There is confusion about the means test proposal. The VA Administrator says that he and Budget Director Stockman agreed that any savings estimated for a means test are "funny" numbers and there would be no significant savings in 1986 from any proposal.

Then, after the plan was submitted by the White House, CBO said that it would save 400 million dollars in 1986 and as much as 4.8 billion dollars over five years. That is because 20 percent of all current veterans patients would lose eligibility for VA health care.

According to CBO, the means test would bar 105 thousand veterans from hospital admission next year (15 percent of the total VA hospital inpatient load) and 570 thousand from using outpatient services (19 percent of total outpatient clinic utilization).

The White House characterizes the means test proposal as introducing "fairness" into the system by applying the same standards of financial need for non-service-disabled veterans over the age of 65 as are now applied to those under age 65. But CBO estimates that only 25 percent of veterans losing eligibility for VA care under the legislative proposal would be age 65 or older.

While that 25 percent age 65 or older would be eligible for Medicare, it is very difficult to determine just who the other younger veterans are and what their total incomes are in relation to their medical expenses. If a veteran had high medical expenses, he could "spend down" and become eligible for VA medical care again. A CBO example: A veteran with one dependent, with an income of just under $20,000 a year, would have to spend $2,500 out of pocket on medical expenses before he would be eligible for any VA medical care.

The Chiles-Hollings plan:

Recognizes that some efforts need to be made to slow growth in the VA hospital system. New construction would be slowed.

Also recognizes that current medical services cannot be abruptly terminated. If changes are to be made there is time to plan for them.

Issue: Veterans Housing Program—increase in loan origination fees

The Republican Plan:

Increases the current fee of 1 percent of mortagage amount to 3.8 percent by 1988.

There has been a lot of waffling on this issue.

The President first proposed to increase the fee to 5 percent in 1986. This was discussed in Budget Committee and after everyone found out that the 5 percent fee would reduce loan originations by 61,000, and increase mortgage payments by 29 dollars a month (an increase of almost $11,000 over the life of an average loan), the Republicans backed down.

The next plan, in the SBC/Domenici resolution reported out of committee, increased the fee to 3.8 percent in 1986. That would still reduce applications by over 42,000 a year and increase payments by 18 dollars a month.

Now we have the new package to increase the fee to 2 percent next year reaching 3.8 percent in 1990. This is down to a much more reasonable level. Additional average monthly mortgage payments would be about 7 dollars next year.

The Chiles-Hollings plan:

Assumes some savings which, if the Veterans Committee decided to take in the Housing Program, would not have to increase the fee beyond 3 percent in FY1988.

F. 750/Administration of Justice:

Freezes all justice and law enforcement programs at FY85 levels in FY86. Adds inflation in the out-years.

Freezes both the Legal Services Corporation and the Juvenile Justice and Delinquency Prevention Programs at last year's levels. (Does not terminate these programs as originally proposed by the President.)

Assumes costs associated with two new laws—the Comprehensive Crime Control Act of 1984 and the Bankruptcy Amendments and Federal Judgeships Act of 1984.

The Chiles-Hollings plan totals are identical to the Republican leadership plan for this function (750).

Function 800/General Government:

Freezes all general Government programs at last year's levels in FY86. Adds costs of inflation in the out-years.

Rejects Republican leadership's plan to impose user fees on certain U.S. Customs Service operations.

Rejects Republican leadership's plan to levy fees on five Government-sponsored credit agencies when borrowing or issuing debt and pass-through securities from the Treasury.

(Five Government-sponsored credit agencies are:

1. Federal National Mortgage Association;
2. Federal Home Loan Mortgage Corporation;
3. Student Loan Marketing Association;
4. Farm Credit System;
5. Federal Home Loan Banks.)

Function 850: General purpose fiscal assistance:

Continues General Revenue Sharing Program at full funding level—$4.6 billion in budget authority—FY86. Assumes program is not re-authorized in FY87.

Assumes remainder of programs in this function are frozen.

Numbers for this function 850 are identical to Republican leadership plan for 3 years. The Chiles-Hollings plan takes into consideration the fact that many local government budgets are already locked in for FY86. This proposal will give localities time to plan for alternative funding.

Mr. DOMENICI. Mr. President, I was merely going to ask the distinguished Senator from Florida if he could help me for a moment. As I understood it, when we decided yesterday to have the Senator's amendment up now and, at 3 o'clock Senator BYRD's, I understood that whatever time he used in support of his budget substitute would be charged to his side and whatever time we use in opposition would be charged to us.

Mr. CHILES. Mr. President, my understanding was that we were basically assigning 1 hour to our side and 30 minutes to the Senator's side.

Mr. DOMENICI. That is satisfactory with the Senator from New Mexico. If we do not use the half hour—and we do not intend to use our half hour.

The PRESIDING OFFICER. Is the Senator proposing a unanimous-consent agreement?

Mr. DOMENICI. Yes, Mr. President. I ask, if it needs a unanimous consent in terms of our time on the resolution, that we be charged only the time we use in opposition to it.

Mr. CHILES. Mr. President, I thought there were going to be 30 minutes——

Mr. DOMENICI. What I am proposing is up to 30 minutes if we use it, but we may not use the 30 minutes.

I am not offering it now, Mr. President. We shall confirm it later.

Mr. CHILES. I yield to the Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I appreciate the cooperation and leadership given by the Senator from Florida, and I am glad to compromise and join in the submission of this particular plan. To me this is the only comprehensive, across-the-board freeze plan that has been before the U.S. Senate this session.

Some 3 years ago, the distinguished majority leader, Howard Baker, approached me and asked that I submit my freeze plan. The evening before, President Reagan, somewhat nettled, had said, "If you don't like my particular program then put up an alternative or shut up." The next day we did submit our alternative. President Reagan and TIP O'NEILL both said, "Shut up" anyway. The President wanted more in defense, and TIP wanted more in social programs. That year we only received 16 votes. The year before last, Mr. President, our freeze plan received only 26, and last year, an election year, in a bipartisan move we received 38.

I wish to express my gratitude to those who have been working over the past several years for this budget freeze and particularly the members of the Budget Committee who supported this particular approach. It goes without saying that, had we adopted that freeze in 1982 we would already be looking at a balanced

budget this year. But we did not do that, and now we are struggling, once again, to get a comprehensive, shared sacrifice plan.

I emphasize that we all must make a "shared sacrifice," because in my judgement the problem is so mammoth that a shared sacrifice is the only way to conquer it. The first thing our Government did this morning was borrow $500 million just to pay interest costs. It will do the same thing tomorrow, and on Friday, and on Saturday, and on Sunday, to the tune of $181 billion a year. The interest cost alone on our debt exceeds what it cost to run the entire cost of Government when this Senator first came to the U.S. Senate some 19 years ago. So, you can see, these deficits have gotten totally out of control. The challenge they represent calls for a sacrifice from every quarter.

If you could cut the deficits by just freezing the military, fine. If you could do it by just freezing social programs, and spending cuts as we call them, good. If you could do it without raising revenues, that would even be better. But it will take restraint on the part of revenues, entitlements, social programs, and defense. It will take restraint from all quarters.

It has been very difficult, Mr. President, to cohese here a bipartisan movement. I hope we can get some support on both sides of the aisle because of the posture taken of the leadership on the other side. Specifically, people should remember—and I am not speaking politically but factually—President Ronald Reagan submitted a budget that called for $118 billion in increased spending. Now, that budget was put into the CONGRESSIONAL RECORD. I want to save the Government printing bill. That is the only place it will appear in any governmental records. But the Congressional Budget Office went down each item of the President's budget and listed the increases in budget authority requested by President Reagan in his budget as submitted to the Congress this year. And despite the litany and the rhetoric of the State of the Union and the special appearances on TV talks about spending cuts, control, spending cuts, the actual fact is, Reagan was saying what old John Mitchell used to say: "Watch what we do, not what we say." We were being asked to increase spending $118 billion. That is why the President's budget was voted down by a vote of 18 to 4 in the Budget Committee.

Now, the compromise budget plan cut 6 percent real growth in defense down to 3 percent real growth and eliminated programs. It still requested $50 billion in cuts which amount to $30 billion in increased spending. This is why we have to adhere to a freeze, just holding the line. The only increases you will find—of course, they have many, many cuts in here, some $10 billion below a freeze. I emphasize that, $10 billion below a freeze is the mandatory increase of interest costs, the inflationary increase of the Defense budget and then, of course, there are some with a freeze on entitlements, but there are some increases with respect to the means tested programs—food stamps. We cannot tell how many hungry people will present themselves. The cost in health, we cannot tell how many will get sick. We cannot tell how many will be on welfare, SSI, and others. So the means tested programs are the only ones we on this side of the aisle are exempting from this across-the-board freeze, this compromise plan.

I am constrained to say, of course, that what I am citing are absolute CBO figures. I note on our submission into the record that what we calculate as the remaining deficit the Congressional Budget Office may not necessarily report as their own estimate. We have used CBO procedures in making our deficit calculations. I am not trying to overanalyze the plan. What I am trying to say is that on balance our plan represents $677 billion over the 5-year period in spending cuts and nominal revenue increases.

This plan calls for over $100 billion a year in savings and that is about as traumatic a sacrifice as we can politically put through. This Senator was, of course, requesting in his original freeze plan a full-year COLA freeze, but we have compromised on that. We are trying the art of the possible. We are trying to be realistic and still ask for a sacrifice of every particular segment of the economy so we have compromised on a 6-month COLA freeze. We better the administration's goal of a deficit that is less than 2 percent of the GNP in the 3-year period ending in 1988. Ours would bring it down to 1.8 percent. Our plan ends up in 1990 with a deficit of $21 billion. The proportion of savings between revenues and spending cuts is exactly 68.7 percent in spending cuts, 31.3 percent in the revenues, which are only nominal. You can easily pick up that amount of revenue. A minimum corporate tax of 10 percent would pick up that $15 billion.

So in essence what you really have is a sacrifice of spending cuts over revenues. No one can legitimately say spend and spend. We are saying in fairness to all segments of the economy that tax expenditures go from $367 billion to $400 billion in this year, that we hold the line somewhat on tax expenditures to the tune not of $30 billion but only half of that, $15 billion. We are asking the other sectors of the economy to sacrifice as well. So our plan is balanced, it is comprehensive. It calls for discipline and sacrifice across the board. I urge our colleagues' earnest consideration of this. I think there is no better way to emphasize at this particular point our sincerity and genuineness of concern that we have and the realistic attempt that is being made; that in the field of national defense our distinguished chairman of the Armed Services Committee for many, many years, a senior Member of this Congress, the distinguished senior Senator from Mississippi, has been loyal in trying to fashion with all of us, and particularly with this Senator, a shared sacrifice across the board. And so if it pleases our distinguished leader, Senator CHILES, on this particular point, I hope he could yield some time to the Senator from Mississippi and we could hear from him at this time.

Mr. CHILES. Mr. President, I am happy to yield to the Senator from Mississippi, if he wishes to speak at this time.

Mr. STENNIS. How much time?

Mr. CHILES. Ten minutes.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President, first, I want to make clear that I have great admiration for the Senators who serve on our Budget Committee, one of the tough assignments, and who do the work on the floor, the unending work of the very highest quality, with worthy leadership. Several of them fully equal the better prepared Senators I have known during my service in the Senate.

Mr. President, if we keep going along with the system we are using now in trying to get at this budget from beginning to end, without adequate hearings, without complete reports, without enough preparation or chance for the average Senator to know what is going on and what the facts are, we will no longer be known as a deliberative body. Instead, it will be a joke for us to call ourselves a deliberative body, and we will be failing in our mission, in spite of this good work.

I wish to highly commend Senators HOLLINGS and CHILES for their splendid work on this complicated problem. A year ago I was greatly attracted to the outstanding bill or plan presented by the Senator from South Carolina and voted for it. Through hard work he put together and made understood what I believe is the best bill offered to meet this grave situation, and deserves much credit. The Senator from Florida has been outstanding in his work and leadership on this difficult problem.

Mr. President, I have a small amount of time, which is all right, but I have had the privilege of attending and working on 30 consecutive appropriations bills each for a full budget year. I have had the further privilege of helping in the writing of the military authorization bill since the year

after the Korean war started. That is a long time.

My point is that this is time in which to learn a little by observation, experience, trial and error, and ups and downs. I have known from that experience that we should have to do something about this budget—excessive spending or whatever you may call it.

I handled the appropriations bill for the Department of Defense on this floor in 1964, from beginning to end, and through our conference with the House. That year, we finished all the appropriations bills, which added up to a little less than $100 billion. That was 1964. In 1984, last year, the amount of interest we had to pay on the national debt was $111 billion, $11 billion more than it cost to run the whole Government in 1964.

That was enough to wake me up. I do not claim any credit for myself. We had been working on this budget matter from 1978, a small group of us from the Senate and the House, with competent economists who came in and gave us their version of things. We had to abandon that quest without making any recommendations. Frankly, it got too close to election time. That problem was recognized.

I am not a man of great learning, but it finally gets through; and I thought then that the way to get at it—the best way, the fairest way, and the most effective way—was to put a little of the burden on everybody. Let everyone share this extra burden. It involves the survival of our system of government. Let everyone carry a little part. So make the reductions for each group, the same percentage. The average fellow thinks that is fair, and he can understand it. They talk about it, and a plan like that can be worked out.

That is the way I feel now. It is more convincing to me, as we go along.

A year ago, we had what was called the Hollings plan. I am not quick to cosponsor bills. I am not quick to vote ahead of my thinking. I voted for that Hollings plan in 1984 because, in my humble opinion, it was the best that had been brought forward. It came nearer to solving the problem, nearer to being practical and enforceable and understood, and each citizen had a chance to do his part.

I became convinced just as strongly that if we stretch this thing out so long and so far to meet the goal of a balanced budget, or a nearly balanced budget, by this method alone, restraining our spending, without augmenting something at the other end of the line, it would take years and years and it would finally fall from exhaustion.

So there absolutely must be some additional revenue coming into the Treasury in order to successfully cope with this giant problem. Make no mistake: It is a giant, a killing giant, and it is something that will carry on to our children or grandchildren, unsolved, and will finally destroy our system of government. That is when I said, "Yes, I will vote for some kind of measure that brings in additional money."

I am not versed in the subject of taxation. I am willing for our committee to make an effort along that line. But as surely as night follows day, I am convinced that we will have to have a supplemental force behind any measure—administration or Dole plan, or whatever it is—that gets results. There must be less outgo and more income. Fortunately there is time to carry it out.

I almost tremble to hear men like Mr. Volcker—well versed, the nominee of two Presidents, approved almost unanimously here—the Chairman of the Federal Reserve Board, when he talks about the alarm with which he views the idea of this excessive budget. The foreign investments that have been coming here for years and years is going to recede, and we will cease to be the leading nation in maintaining our financial obligations. I point with pride to the fact that every undisputed obligation our Government has ever had in its almost 200 years has been paid on time by our Treasury.

Mr. Volcker says—he does not say things unless he means them fully—that we are flirting with an idea here that is going to cause us to lose foreign money support and take the chance that this situation will again run up interest rates, run up inflation—the very things we know are devastating to the big man, the little man, and those in between.

So I have no doubt about what my duty is. I feel that I am holding part of the power that is in this body, 1/100th of it, that has been surrendered to me. The people have that power, but they gave it up, gave a part of it to me—on a temporary basis, of course—to exercise the power for the giver. That is what it is—power to adjust where adjustment must be had in order to keep our economy sound.

I am satisfied that these figures are approximately correct. They are speculative to some degree, an estimation.

In the financial affairs of our National Government, what are the facts? What are our needs? What shall we do? When shall we start?

The facts are that for many years we have spent far more money each year than we have received for the Federal Treasury. We are thus rapidly building a larger and larger Federal debt which takes more and more of our yearly earnings to pay the annual interest. Unless we change our course, we shall soon be unable to pay the annual interest, much less the debt. This means the eventual collapse of the financial structure of our entire Government, including also the States, the cities, and other subdivisions.

Those of us who have been here many years have not heretofore been confronted by a challenge as severe as we now face.

Let me illustrate further: In 1964 the Congress appropriated slightly less than $100 billion with which to operate the entire Federal Government. This amount was sufficient. I had personal knowledge of and handled on the Senate floor the Department of Defense appropriation bill. In 1984, just 20 years later, we appropriated $111 billion solely to pay the interest on the Federal debt for the 12-month period of fiscal year 1984. The total amount spent for all purposes for the operation of the Federal Government for fiscal year 1984 was $842 billion. This created a shortfall for the year of $175 billion, which was added to the then existing debt, and we started paying interest thereon, as is true with the remainder of the Federal debt.

For the current fiscal year 1985, excluding Social Security contributions, the presently anticipated tax revenue to be collected by the Treasury from individuals and businesses is expected to be $396 billion. Almost all of this sum will be required to pay the interest on the national debt and pay the amount appropriated for the Department of Defense. All the remaining cost of operating the Federal Government for fiscal 1985 will be paid with borrowed money, approximately $214 billion, which will be added to our present indebtedness, and upon which we shall start paying interest annually.

These staggering figures are almost unbelievable, although they are true and official.

If this goes on at the present rate for 4 additional years, the national debt will reach $3 trillion in fiscal 1989, when the interest that we shall pay on the full debt will be $206 billion per year. Except for the Department of Defense, there were no appreciable increases in appropriations.

I was a Member of the Senate during much of the time this debt was accumulating. I voted for some of the items. I voted against many of them. I acknowledge my part of the blame for what happened. It is certainly my duty and the duty of all of us to act and to act now on some plan that will bring us and future generations relief from the certain eventual destruction our Nation faces unless we find and enforce a remedy to protect our Nation's financial affairs.

In my personal search for an approach to this situation, I have diligently sought advice and counsel from many people of learning and experience in the field of Government finance, and I have supplied what points I can through commonsense.

One whose counsel I value highly is Mr. Paul Volcker, who is now Chairman, and has been for the last 6 years, of the Federal Reserve Board, following his nomination by two Presidents—Mr. Carter and Mr. Reagan—with his approval each time by a great majority of the Senators voting on the nomination. Mr. Volcker is highly outstanding in this field; his thoughts are followed by many wise and able men. He thinks we are slipping dangerously in our Government finances and are placing our financial system at a high level of risk unless we improve our plan and practices.

Last year it greatly aroused my concern when Mr. Volcker said:

> . . . the largest and richest economy in the world is on the verge of becoming a net debtor internationally and would soon become the largest.

And this year it is quite disturbing to hear Mr. Volcker and other financial experts say that without the current, substantial flow of foreign savings into our economy the choice would be either higher interest rates or inflation, and either choice would bring to a quick end the gains in the economy that have been made since the end of the great 1982 recession.

What shall we do? It is absolutely essential that something effective be done, and that a plan for relief be started now. Time will be required to complete an effective plan, but we must begin. Summed up, it means we must get along on less and we must take in more in the Treasury.

I urge that as a first step the enactment of an across-the-board freeze on Government spending. Under this concept, major categories of Government spending in fiscal year 1986 would be constrained to the level authorized for this fiscal year of 1985. In propounding this concept, let me emphasize that the governing principle here is legislating these actions across the board. We must have an equal and even sharing of the deficit reduction burden.

I have been a member of the Appropriations Committee since 1955, and my experience in how our system works in matters of spending tells me that it would be unwise and unworkable to try to achieve an effective reduction any other way. A deficit reduction plan that would single out certain programs for termination, or drastic reduction without adequate hearing and factfinding would deny due consideration to those affected. In the end, such actions will weaken the resolution and will produce only a modest result.

Therefore, as a first step, I urge passage of a budget resolution that would attempt only to evenly distribute the deficit reduction burden.

I believe there is support for this kind of approach. Last year, when the Senate considered its budget resolution, I joined Senator HOLLINGS of South Carolina, a member of the Budget Committee, in offering a budget freeze amendment. This amendment received 38 votes. This was more votes than any other plan offered except the President's plan, which was adopted.

A comprehensive spending freeze similar to the plan which I have again joined in with the Senator from South Carolina, will save a lot of money each year, and will eventually lead to a solution.

To go with an across-the-board spending freeze plan, there must be a plan for increasing payments to the Treasury. This is necessary to achieve a deficit reduction large enough to bring the deficit under control. I am no expert in the field of taxes. There are others here, especially my colleagues who are members of the Financial Committee, who know better than I how to formulate the specifics, but as a matter of commonsense, I believe we must look to revenue income more if we are to achieve a balanced budget within a reasonable time.

This balanced approach to achieving a sizable deficit reduction is a fair plan. This plan will save a lot of money each year, and will eventually lead to a solution to our problem.

This plan can save us from the financial destruction we face and put us back on a sound financial track.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator's 10 minutes has just expired.

Mr. STENNIS. I thank the Chair.

Mr. CHILES. Mr. President, I yield 5 minutes to the distinguished Senator from Connecticut [Mr. DODD].

Mr. DODD. Mr. President, I thank the Senator for yielding.

Mr. President, very briefly, first of all, I wish to commend the Senator from Florida and the Senator from South Carolina for coming together on this particular package. I am honored and pleased to be a cosponsor of it.

George Marshall had a wonderful expression that he used to refer to often in talking about this city. He used to say, "There is no limit to what you can accomplish in Washington, DC, if you are willing to give somebody else credit for it."

I know FRITZ HOLLINGS has worked as hard as any other Member of this body for the last several years, particularly in the last several months, on a package of his own. He fits George Marshall's description perfectly in working this out with Senator CHILES to come up with a package that reflects, I think, the will, the desire, and the determination of both of these Members. And I commend them both for it.

I think it also reflects, if you look down the list of cosponsors, that this is one of those rare occasions when people from different sections of this country, with different sets of priorities, in some cases, can come together because there is a larger issue involved here.

There is a wonderful ad on television, Mr. President, that says, "You can pay me now or you can pay me later." That is what this is about. This is it. We will either adopt this package in the next 50 minutes or I suspect we will be back in a week or two, or three, or four, with basically this package, or something very close to it. This is what I think every single one of us knows is ultimately going to be the kind of a plan that will really make a difference. So I hope that we might avoid all of that and come to the recognition that this is about as balanced and equitable a program as I have seen come down that road in this long, long discussion of deficit reduction.

Mr. President, as I go down this list, I look at things like Amtrak, COLA's, community development block grants, revenue sharing, and the Small Business Administration. I am going to go back home to Connecticut. Those are issues that are important. I am going to have to stand up, and defend my vote on this particular amendment when it comes to those particular issues.

But, I am not worried about it at all because I know the people of Connecticut, and I think the people of this country, recognize there is a larger issue here. And I suspect that my friends from South Carolina and Florida are going to have to go back home and explain farm cuts, rural electrification programs, and a number of other things that are going to fall with particular severity on their constituency.

But I think the fact is that we have been willing to draw all of these elements together, make reductions in a number of them, and then also come up with a revenue feature that will allow us to not only make deficit reductions but actually produce a balanced budget by 1990.

Now, there are a lot of proposals around here. There are constitutional amendments to balance the budget and there are constitutional conventions and all sorts of other, what I call, bumper sticker gimmicks that promise a result without telling us how to get there.

The Chiles-Hollings proposal tells us how to get there. This is the first vote I know of in the last 4 years where we are actually going to have an opportunity to say to the American public: "At the end of all this, we will put this country's fiscal house in order."

Again, I know in private conversations, when you talk to people around here from both sides of the aisle, you know that revenues have to be a part

of this proposal. No one wants to say it on that side of the aisle publicly right now, but if you have quiet conversations you know that this has got to be a feature of it, otherwise we are deluding ourselves and our constituencies.

So, Mr. President, I think this is the best chance we have. I think it is ultimately where we will end up. It is painful on everyone, but it is equitable. It spreads out the burden. That really is what makes this proposal, so attractive. It gives us all a chance to support something that really will get us to a very real deficit reduction.

In fact, if you take the OMB figures, it is a surplus of $38 billion. If we take the Congressional Budget Office figures, which I think are more reliable figures, with all due respect, we still have a deficit at the end of 5 years, but it is certainly a minimal one.

So, Mr. President, I am delighted to be a cosponsor of this.

Mr. CHILES. Mr. President, I yield 5 minutes to the distinguished Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I thank and commend my colleague from Florida and my distinguished colleague from South Carolina.

Mr. President, it has been perfectly obvious to all who have watched these proceedings that all we have done for the last 2 weeks is go through an elaborate charade and posturing. We have gone from foreign aid, switching around $200 million here, to congressional pay, which is even so small as to not show up in this budget, because we wanted to create some record to somehow flim-flam the American public and make them think we have been doing something when we have been doing nothing on either side of the aisle.

Mr. President, for years, since 1981, this Senator and Senators on both sides of the aisle have said that 1985 is the year—as a matter of fact, we have said we should have done something in 1981 to keep this deficit from growing and 1982 as it continued to grow and 1983 as it continued to grow and 1984 as it got to monumental proportions. They said, "Yes, we know you are right, but it is an election year and we cannot do anything about the deficit."

Well, here we are, Mr. President. It is 1985. This is the year when the rubber was supposed to meet the road. And, Mr. President, frankly, I thought by now this late in the proceedings something serious would be afoot with respect to dealing with this deficit. But is it? No. Still posturing.

Now we have finally one measure to vote on which makes sense, one measure that is, I think, a serious attempt to deal with the deficit.

I know we have got the Dole package, Mr. President. It has certain appeal. It does not have taxes. Yes, you can go out to the American public and say, "Well, this doesn't have taxes" or "Your taxes are too low," and all of that.

But we know, Mr. President, that corporate taxes today are an outrage. It is an outrage for companies like GE, my friends, and General Dynamics, my friends, and a host of others who are my friends, who are making multibillion dollars in profits and not only are they not paying any taxes, but we are sending them money.

And we are being told that we cannot mention the word "taxes" because somehow that is going to offend the American public. Well, it is not so, Mr. President. The American public has awakened to the scandal in this country that is going on with respect to our tax system, to the giveaways, the corporate welfare that is going on. And here we have budget deficits of $220 billion and we are told we cannot do anything about it because somehow we have got to preserve that tax system.

Well, Mr. President, it is time now to act. It is time to act. It is time to include a modest amount of taxes, as much as I hate to be associated with taxes. We cannot wait on the President to return from Europe. We cannot wait for the President to take his feet out of concrete on the issue of taxes. We cannot wait for the propitious moment on taxes over anything else.

We have got to act, Mr. President. The hour is late. There is a limit on posturing. There is a limit on partisanship. There is a limit on politics and I think that limit is right now.

For that reason, I am going to join with Senator HOLLINGS and Senator CHILES in their package and hope we can get something done.

Mr. CHILES. I thank the Senator and I yield 5 minutes to the Senator from Oklahoma [Senator BOREN].

Mr. BOREN. I thank my colleague from Florida.

As others have done, I want to commend Senator CHILES and Senator HOLLINGS for offering this budget package. I am proud to join with them in cosponsoring this proposal. It is, as has been said, the only proposal before us which has light at the end of the tunnel. It does produce a balanced budget within 5 years.

As Senator DODD has just said a minute ago, I think the question is: Will we have the courage to act this afternoon and adopt this kind of plan or will we have to come back to it many months from now or many weeks from now and ultimately accept it at that time?

Because it does have the broad outlines that are necessary to solve the budgetary problem. It touches all Americans. It demands a common sacrifice. It does not leave untouched the constituency of either political party. It asks all Americans to join in the solution. I believe that the American people are willing to accept this kind of proposal.

Recently, I mailed a questionnaire to postal patrons in my State and the citizens of my State. I have had an extraordinary response in just the last 10 days. I have received over 120 of these questionnaires back. We are approaching a 15-percent return. They had to put their own stamps on the questionnaire to return them. More are still coming in. I asked them to pick between four plans—the status quo, the President's original budget proposal, a freeze on spending, or a freeze on spending plus additional spending cuts plus revenues, more or less the plan now before us under the title of the Chiles-Hollings plan.

Of those responding, 68 percent favored the plan—the broad outlines of the plan now before us. Only 3 percent thought we could go along with the status quo. Nine percent favored the President's budget, and 19 percent favored a freeze on spending only. I went ahead and asked a followup question: Would you favor a minimum tax on high-income individuals and corporations who are now escaping the payment of taxes? Ninety-one percent said that they were in favor of such a proposal. I asked them directly: Would you support a temporary tax increase if the money were used to reduce the deficit and not used to increase spending? Sixty percent said yes. Only 35 percent said no. I asked them: On the other hand, would you be willing to make sacrifices? Would you support freezing cost-of-living adjustments, COLA's, for Government programs, including Social Security, if it were a part of a package in which all spending were frozen and all Americans were asked to make sacrifices? Seventy percent said yes, they would be willing to support a COLA freeze including Social Security. Only 25 percent said no.

I ask unanimous consent that the full results of this poll, this questionnaire, be printed in the RECORD at this point.

There being no objection, the results were ordered to be printed in the RECORD, as follows:

BOREN QUESTIONNAIRE RESULTS

Recently Senator David Boren received a record response to a questionnaire which he sent to Oklahoma citizens. Over 120,000 were returned in the first 10 days and more are still coming in.

Oklahomans were asked to pick between four main budget plans: First, the status quo with no cuts; second, the President's original budget; third, an across-the-board freeze on spending only with no revenue increases; and fourth, a spending freeze plus, with additional cuts, plus increases in revenues.

The results indicate that 3% favored the first plan, 9% favored the second, 19% favored the third and 68% favored the fourth.

The following are results from other questions:

1. Do you favor imposing a minimum tax on high income individuals and corporations which now escape paying taxes? Ans: yes 91%, no 7%, undecided 2%.

2. Would you support a temporary tax increase if money went only to reduce the deficit and not to increase spending? Ans: yes 60%, no 35%, undecided 5%.

3. Would you support freezing cost-of-living adjustments (COLAs) for government programs including social security if it was part of an across-the-board program to freeze all spending? Ans: yes 70%, no 25%, undecided 5%.

4. Do you think the level of defense spending recommended by the administration is: Too high? 58%, Too low? 7%, About right? 32%. Undecided 3%.

5. Do you think the level of education spending recommended by the Administration is: Too high? 21%, Too low? 37%, About right? 42%.

Mr. BOREN. Mr. President, as I have said, this proposal before us is balanced. I think it is a proposal that merits bipartisan consideration. As one Senator, it frustrates me to see us voting on the basis of whether a plan is proposed on one side of the aisle or not. This is a plan that is an American plan. It asks all Americans to join together to make the sacrifice necessary, and I can tell you the American people do not want to see us continue to play political games. They want to see us get on with solving the problem. This is a plan that asks all Americans to sacrifice. It is a plan that brings us to a balanced budget. It is a plan that puts the emphasis on spending reductions even though it does have a minimum amount of revenue which is necessary to get us to a balanced budget, and which can be raised without increasing individual income tax rates, and the plan so specifies.

I urge my colleagues on both sides of the aisle, to not wait any longer. Let us not wait to play out a political scenario. Let us vote for a plan that deserves passage now. When the roll is called, let us not put off action any longer. Let us send a signal to our people back home that we believe in them, and we believe in their willingness as Americans to make the sacrifices as long as they are fairly shared that are necessary. We believe they are ready to give up a little bit on their cost-of-living increase. We believe they are ready to have a balanced package that includes revenues if it is necessary to do the job. Let us not wait several weeks or several months. Let us take the action recommended a few moments ago by Senator DODD, and adopt the package now that makes sense for the country.

Mr. President, I am pleased to join my colleagues, Senator CHILES and Senator HOLLINGS in offering this budget package. I commend both of them for their leadership in putting together a package that will achieve a balanced budget. This is the only proposal which has light at the end of the tunnel. The Chiles-Hollings plan produces a balanced budget in 5 years.

Under this plan, the deficit is reduced $46 billion in fiscal year 1986 using CBO assumptions. Using OMB accounting, the deficit would be reduced $59 billion in fiscal year 1986. Within 3 years, the deficit would be reduced $270 billion—$320 billion using OMB accounting. This would result in a deficit of $86 billion in fiscal year 1986—$132 with CBO accounting. In fiscal year 1988, the deficit would be $13 billion less than the GOP leadership plan.

It is impossible to achieve a balanced budget without increasing revenues in some way. Under this plan, spending is reduced $2.50 for every $1 raised in revenue. Revenues, under this plan, will be $72 billion over 3 years. The plan stipulates, however, that there will be no increase in individual tax rates. The means of raising revenues will be left up to the finance committee, which, in my opinion, is good policy. We should set overall revenue goals.

As a member of the Finance Committee, I would urge that serious consideration be given to an import fee on foreign crude oil and refined products. Our domestic producers now pay the windfall profits tax. Foreign production should bear its share of the burden. Cigarette taxes could also be held at current levels, and corporations which now escape all taxes could be required to pay their fair share. All of this could be done without any increase in income taxes for the average overburdened American taxpayer.

The Chiles-Hollings plan produces a balanced budget in a fair way. The poor and the elderly are protected. Agriculture will not be cut $18 billion as proposed in the GOP leadership package; rather, agricultural programs will be reduced fairly in the outyears. It is crucial that we not adopt deep cuts in agriculture in fiscal year 1986, as this would literally bankrupt the already depressed agricultural sector.

Mr. President, we must take responsible action now to produce a balanced budget but we must do so in a fair and equitable way. We cannot adopt measures which will place the majority of the burden of deficit reduction upon one sector of the economy. Under the Chiles-Hollings plan, everyone, except the very poor, will be making some sacrifices to achieve a balanced budget. We are all Americans and a shared sacrifice is the only fair way to approach the budget crisis.

I urge my colleagues to support this amendment.

Mr. CHILES. Mr. President, I thank the distinguished Senator from Oklahoma, and I thank him for the role he has played in helping put this plan together, and for the meetings that he held in trying to bring all of us together in this plan.

I yield 5 minutes to the distinguished Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I thank the Senator.

Mr. President, the temptation is well nigh irresistable to indulge in blame placing, rancor, and recrimination on why we are here today trying to do something about the deficit. In 1980 there was a solemn promise made to balance the budget by 1984; a promise to balance the budget by cutting taxes and spending even more. Now that promise has been irreversibly broken. Indeed, it has been shattered. So now I find myself along with many of my distinguished colleagues having to vote for a package that I wish I did not have to vote for. I do not relish the idea of having to vote to postpone COLA's for Social Security recipients and other retirees for 6 months. And certainly, coming from an agricultural State, I resent and deplore having to vote to cut agricultural programs, even the modest $100 million in 1986 that is provided for in this package because the plight of farmers is desperate. But there is no pleasant way to deal with this critical problem of deficits. We politicians can't have a tendency to burrow under every fence we straddle. And we want to deal with this problem in a way that will leave our constituents happy. That is not possible in this case, but the one thing we can do is to make the burdens and the sacrifices fair, even, and equal and the results can be dramatic in reducing the deficit. That is what we are here for. And if we succeed, I promise the benefits will far outweigh the burdens. Indeed, the tragedy that surely awaits us all if we do nothing, is 100 times worse than the small sacrifices required in this deficit reduction package.

If we insist on a plan that will perfectly satisfy every Senator, there will be no deficit reduction. If we adopt a plan that requires no additional revenues, then we are going to have deficits of over $100 billion a year forever, and in the process allow the wealthiest corporations in this country to continue avoiding payment of any taxes.

In 1980, the President said, "I will balance the budget by 1984 and maybe by 1983." Last year, as we faced $200 billion deficits, he said, "We will grow our way out of it." Not one thoughtful person in this country believed that, and now every person in this country knows we can't do that.

So we have the leadership package, offered by Senator DOLE, for the President and it is based on the assumption that the T-bill rate in 1990 will be 5 percent, that mortgage interest rates in 1990 will be 7 percent, that we will enjoy a 4-percent growth rate in 1986, 1987, and 1988. Only the Office of Management and Budget says that

and nobody else believes it. It is a smokescreen and figures to again deceive the American people. The President says that over the next 3 years he is proposing to save $97 billion in defense cuts off the Rose Garden agreement. The Rose Garden agreement is the one where the President walked out in the Rose Garden, shook hands with himself, and said, "We got a deal." OMB says it will save $97 billion. But the Congressional Budget Office says it will only save $46 billion. So in the leadership package there is a claim of $51 billion in defense cuts that simply don't exist. We should all at least be realistic about how much each proposal cuts.

I believe the Chiles-Hollings proposal is realistic, and probably conservative. But it does two very important things: First, it balances the budget by 1990, while the President's proposal never balances the budget; and second, it cuts $2.50 in spending for every $1 it raises and even the revenue raises can't take place until after the spending cuts have been made.

Every year since 1982 we have been back here making midcourse corrections, correcting the broken promises of the year before, because of what can only be charitably called myopia and self-delusion.

The Chiles-Hollings proposal freezes or cuts virtually every single Federal program, and it will also freeze the salaries of Senators and House Members. A freeze in congressional salaries doesn't save much but it is absolutely essential. And we can make additional cuts in spending before the end of the year.

Everybody in the U.S. Senate deplores deficits. But today we are going to separate those who deplore the deficits but choose to finesse the problem, from those who deplore deficits, see them as a threat to the survival of this Nation, are willing to vote to do something about it.

Three years ago 69 Senators voted for a constitutional amendment that would require a balanced budget. Today, only 51 votes are required to balance the budget. Today, we have an opportunity to not just talk about cutting deficits, instead today we have an opportunity to substantially cut these staggering deficits.

I would hope that many of my colleagues would join me in making this, perhaps unpleasant, but necessary vote to restore some semblance of sanity to the Federal budget.

Mr. President, I applaud the fine efforts of my colleagues, Senators CHILES and HOLLINGS in putting a truly worthwhile proposal together.

The PRESIDING OFFICER. The Senator from Florida.

Mr. CHILES. Mr. President, I yield 5 minutes to the distinguished Senator from Texas, Mr. BENTSEN.

The PRESIDING OFFICER. The Senator from Texas.

Mr. BENTSEN. Thank you very much, Mr. President.

Let me, too, join in the comments on the job that has been done by the Senator from Florida and the Senator from South Carolina. I think the American people are being misjudged when people say you cannot vote to cut this, when you cannot vote to cut that one. You will never get that one. They will make you pay for it at the polls. I think they are smarter than that, and they understand that sacrifices have to be made. That is the primary objective for all of us.

Mayor La Guardia used to say there is no Republican way and no Democratic way to clean the streets of New York. I think that the debate here today exemplifies that. There is no Republican way or Democratic way to balance the books of this country.

The American people expect the Senate to put aside partisan rhetoric; to work together to cut back these $200 billion deficits which challenge America's continued economic health. The American people expect us to develop a plan that provides a clear national vision, that treats all sectors of our society equally.

Furthermore, they expect us to develop a plan that at least sometime in the foreseeable future is going to give us a balanced budget.

As I look at each of these other plans, this is the only one that brings about those kinds of results in every aspect. I agree with the Senator from Arkansas that there are some places that I might want to change in this plan. But if you wait for a bill that fills every one of your objectives, we will never get a bill and we will never face up to the problems before us today.

The Chiles-Hollings plan provides for equal sacrifice. Unfortunately, I think the original proposal offered by the White House did not give you that equitable sharing of deficit reduction. It provided large gaps in the safety net, demanding deep sacrifices by a lot of those who were least able to complain in our society. It called for deep sacrifices by children in child nutrition programs; the elderly in Medicaid and Medicare; and veterans, in health care. This alternative will go a long way toward helping protect that kind of health care.

There will remain sacrifices that all segments of society will be called on to make. But I think they are going to be fairer and more equitably placed.

Farmers are going to be able to move to a free market system without major economic disruption.

Defense spending will be kept at the same level that the Senate has already agreed to.

Cost-of-living adjustments are going to be delayed by 6 months, but there will be no permanent change that takes place in that COLA structure.

This plan protects our senior citizens, veterans, and civil service retirees, while asking them to share fairly and equitably in the reduction of this deficit. I think they are ready to face up to that.

Finally, Mr. President, the Chiles-Hollings budget offers the only hope that has been offered in this debate that we finally get to what everybody in this Senate wants, a balanced budget. Using the OMB assumptions, the Chiles-Hollings alternative would provide us with a budget surplus of $38 billion by 1990. Some say there is some smoke in those numbers and they have been cooked a bit, and I frankly think they are overly optimistic. But if we use the CBO's economic assumptions, a bipartisan group, it will provide us with a balanced national budget by 1991.

As one who is committed to the concept of a balanced Federal budget, I have found that this plan in the only one that achieves that goal.

The President has campaigned for a balanced budget constitutional amendment, but this is the first blueprint I have seen offered on this floor during this debate that will bring about that kind of a goal.

The Senate is once again called upon to aggressively reduce this deficit, and I think the Senate has done it in the measure that has been presented here.

In the event that we fail in this alternative, then I urge the President to work with us in a serious bipartisan manner to reduce that deficit.

The time for partisanship has long passed and the time for mutual cooperation and sacrifice is about to pass us by unless we seize this opportunity.

I think this Nation of ours is at the crossroads. I think what we are facing is one of the most serious choices that I have seen since I have been in the U.S. Senate. I think it is time that we face up to it and accept our responsibility and choose this as the solution.

Mr. CHILES. Mr. President, I yield 3 minutes to the Senator from Michigan.

Mr. LEVIN. Mr. President, I am pleased to cosponsor this package, and I hope that our colleagues on the other side of the aisle will join us.

All America is in one boat relative to this economy. We are either going to fairly share in deficit reduction or we are all going to sink in a sea of red ink. We are either all going to share fairly in deficit reduction or we are going to carry the burden of having saddled our great grandchildren with our own profligacy and lack of self-discipline.

We will either each take small doses of medicine now or large doses later when our economy staggers under growing deficits.

I opt for responsible action now rather than ducking this deficit.

The deficit reduction has to be real and it has to be fair. That is why the Chiles-Hollings plan has revenue. There is not a general tax increase in it. In fact, that is prohibited. Nobody is for a general tax increase. Further, it is clear that this package strikes a reasonable balance between spending cuts and revenue increases. It cuts spending $2.50 for every $1 of revenue increases.

But what about the fact that we have tens of thousands of profitable corporations in this country and high-income-earning individuals who pay nothing in taxes, who shelter all of their income, who contribute nothing to the tax burden that has to be shared by everybody else.

This package leaves open the possibility of finally having an effective minimum tax on corporations and individuals.

What about that tobacco tax? Does it make sense—does it really make sense for the Government to lose $2 billion a year in tobacco tax revenue, which is what is going to start happening on October 1 unless we just continue the current tax in place? Not when we have deficits that are over $100 billion and now reaching $200 billion.

Yes, Mr. President, this plan delays Social Security COLA's for 6 months. But this package offers the best hope of avoiding a 1-year freeze on cost-of-living adjustments.

It seems clear that there will be another effort by the administration and others for either a 1-year COLA freeze or a 3-year structural change, which would be far worse for Social Security recipients than what is in this package.

Mr. President, I commend my friends from Florida and South Carolina. I have closely watched them put this package together. I am proud to be associated with them. They are doing the responsible thing. I am glad they did what they did. I hope our Republican colleagues will join many of us on this side of the aisle.

Again, all America is in the same boat. We are all impacted by one economy. Our boats are going to rise or fall together. This package makes it possible for each of us in a fair way to share in America's future.

In summary, Mr. President, I support the Chiles-Hollings deficit-reduction package because it sets us on a realistic course toward a balanced budget in the foreseeable future and because it gets us there through a comprehensive program of shared sacrifice while still allowing valuable programs to survive. There are certainly elements of the package which my first preference would be to leave out, such as the 6-month delay in the cost-of-living adjustment for Social Security recipients, and the drastic reduction in the fill rate of the strategic petroleum reserve. Similarly, the eventual elimination of general revenue sharing and the making of the Community Service Block Grant Program into a Federal/State Matching Program would not be included in a budget package if I were the only one drafting it.

But on balance, the Chiles-Hollings deficit-reduction package is a far better alternative than the White House/Republican leadership plan and a far better alternative than doing nothing. The White House plan does not project a balanced budget, and on top of that is based on overly optimistic economic assumptions. The Chiles-Hollings plan has a balanced budget as a specific and achievable goal, and is based on realistic economic assumptions. The Chiles-Hollings plan leaves room in it for raising revenues through a more effective minimum tax on corporations and wealthy individuals in order to assure that some individuals and corporations are not avoiding taxes while others are asked to sacrifice as a result of spending cuts.

The Chiles-Hollings approach does not leave room for a general tax increase. Nor should it.

The White House plan would freeze Social Security COLA's for 1 year, cut back on child nutrition and Medicaid at the same time that it is not asking profitable corporations and wealthy individuals who are now paying nothing in taxes to pay one dime toward deficit reduction. With respect to the defense budget, the Chiles-Hollings plan asks the Defense Department to tighten its belt further than does the White House plan in fiscal year 1986 by requiring that it freeze spending in real terms at last years level. This level of spending would not harm our national security and is essential if some of our most vulnerable citizens are going to be asked to share the burden of deficit reduction.

For all these reasons, I support the Chiles-Hollings deficit-reduction package.

Mr. CHILES. Mr. President, I yield 2 minutes to the distinguished Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I am also honored to be a cosponsor of this amendment. I commend the Senator from Florida and the Senator from South Carolina for their statesmanlike effort in putting this very responsible proposal together and presenting it to the Senate. I believe it is a genuine attempt to deal with an extremely serious problem. This proposal contains very bitter medicine for many people in this country, but it is medicine that we must take if we are ever going to get the deficit under control.

Mr. President, I have noticed that in the discussion of the deficit, everyone in this body favors reducing the deficit, but when we get down to considering specific proposals, there always seems to be some higher priority than actually reducing the deficit. Either it is maintaining the defense buildup, keeping COLA's in place, not raising taxes, or some other item which seems to take precedence.

This proposal, I believe, establishes deficit reduction as our first priority. I believe it does so in a fair way and shares the burdens of deficit reduction. I am honored to be a cosponsor of it.

Like my colleagues, I believe we must take swift and effective action to reduce the deficit. The Chiles-Hollings substitute is a bipartisan freeze plan that calls for the greatest deficit reduction—approximately $59 billion in fiscal year 1986 and $270 billion over 3 years, under OMB economic assumptions. Most significantly, it produces a balanced budget in 5 years.

The Chiles-Hollings substitute also reduces the deficit by sharing the burdens of reducing the deficit by addressing all Federal spending in a similar way. Instead of eliminating or unfairly cutting needed Federal programs, it calls for freezes and carefully targeted spending reductions. It also provides for continued economic growth and improved competitiveness, as well as protections for the poor and elderly.

The Chiles-Hollings substitute instead of cutting programs vital to our economic growth and competitiveness, provides for investments in export promotion, science and technology, labor force development, resource protection, competition and credit. Cuts in these programs at this time would be shortsighted as they would threaten our economic stability.

Instead of cutting many key programs that provide protection for the poor and elderly, the Chiles-Hollings substitute protects programs like child nutrition, Medicaid, veterans health care, education for the disadvantaged and handicapped, and others that must be continued.

The plan recognizes that reductions in some domestic programs are necessary and reductions below a freeze are called for in certain domestic programs. However, the plan is premised on the requirement that a balanced approach to reducing the deficit requires addressing both spending and revenues. The proposal includes revenue enhancements, to be determined by the Finance Committee. This would be done by closing loopholes in the tax code and ensuring that at least minimum taxes are paid by all.

Under the Chiles-Hollings substitute, defense spending is held to inflation in fiscal year 1986 with 3 percent real growth in fiscal year 1987-90. Additional savings is required from reform of progress payments to de-

fense contractors. In my opinion, defense is not being gutted in the Chiles-Hollings substitute. Indeed it is growing more than any other Federal program. Granting a $9.9 billion increase in budget authority above the fiscal year 1985 level allows the defense budget to keep pace with inflation in fiscal year 1986, and real 3-percent increases are granted in the outyears. Under the Chiles-Hollings plan, defense will continue to grow as a proportion of Federal expenditures.

My support for no growth is dictated primarily by my growing concern about the unprecedented Federal deficit which we are facing at this time. The Chiles-Hollings plan is the only plan that gets our economy back into balance by the end of the decade. If our economy cannot remain healthy and continue growing, we are not going to be able to maintain a consensus for continued growth in defense spending.

I support this plan because I believe that it would not be harmful to our defense posture. We can afford to defer certain marginal defense programs and still continue our defense modernization. Indeed, there would still be significant increases in procurement of many weapons systems over last year's level. Under this plan we would not be abrogating our NATO commitment. I would also note that last year the Pentagon allowed $3.2 billion in obligational authority to lapse, according to the administration's fiscal year 1986 budget request. I am attaching a table detailing the unobligated balances which lapsed last year.

As we all know, the need to reduce the deficit at this time is overwhelming. Indeed, such action is past due. The $200 billion deficit threatens to suffocate any hope for sustained economic recovery. It contributes to artificially high interest rates, to unemployment, to the trade deficit and more. It is also clear that there is no hope of deficit reduction solely through economic growth.

It is clear that the existing budget deficits are so huge that, even with planned spending cuts, solid economic growth of 4 percent a year, and sharply falling interest rates, the debt could continue to increase rapidly. To continue on the present course would be absolutely disastrous. At this time when the interest on the debt is $155 billion this year alone, we cannot afford to continue to let the debt and deficit grow. We must act quickly. And the most effective proposal and the most equitable, in my opinion, is the Chiles-Hollings substitute.

I would urge my colleagues to support the Chiles-Hollings substitute.

I ask unanimous consent that a table entitled "Unobligated Balances Lapsing, DOD Fiscal Year 1984" be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Unobligated Balances Lapsing, DOD Fiscal Year 1984

	Millions
Military personnel:	
Army	$41.3
Navy	23.1
Marine Corps	4.0
Air Force	17.8
Army Reserve	39.1
Navy Reserve	9.5
Marine Corps Reserve	4.1
Air Force Reserve	1.1
National Guard, Army	35.1
Air National Guard	11.2
Subtotal	186.3
Operations and maintenance:	
Army	36.9
Navy	303.0
Marine Corps	3.6
Air Force	12.3
Defense Agencies	104.3
Army Reserve	.8
Navy Reserve	12.8
Marine Corps Reserve	.2
Air Force Reserve	8.2
National Guard, Army	11.2
Air National Guard	6.9
Subtotal	500.2
Procurement:	
Aircraft Procurement, Army	16.5
Missile Procurement, Army	56.7
Weapons/Tracked Combat Vehicles, Army	181.5
Ammunition, Army	16.8
Other Procurement, Army	54.8
Aircraft Procurement, Navy	119.4
Weapons Procurement, Navy	128.6
Shipbuilding/Conversion, Navy	999.2
Other Procurement, Navy	93.3
Procurement, Marine Corps	22.2
Aircraft Procurement, Air Force	481.3
Missile Procurement, Air Force	154.5
Other Procurement, Air Force	32.0
Procurement, Defense Agencies	31.5
Subtotal	2,388.3
Research, development, test and evaluation:	
Army	7.8
Navy	15.3
Air Force	62.1
Defense Agencies	12.4
Subtotal	97.6
Military construction:	
Army	4.1
Navy	.4
Air Force	7.4
Defense Agencies	4.3
National Guard Army	.3
Air National Guard	
Army Reserve	.4
Navy Reserve	
Air Force Reserve	
Family Housing	.8
Subtotal	17.7
Total	3,190.1

Source: Appendix, Budget of the U.S. Government, fiscal year 1986.

Mr. CHILES. Mr. President, I yield 3 minutes to the distinguished Senator from Nebraska [Mr. EXON].

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Nebraska.

Mr. EXON. Mr. President, without being too repetitious, let me say that I also admire the great leadership of the Senator from Florida and the Senator from South Carolina. I have had the privilege of serving with them on the Budget Committee ever since I came to the Senate. I guess I have spent more time with them on budget considerations than possibly any other project that we have had.

Mr. HOLLINGS. If I may say, no one has worked more diligently than the distinguished Senator from Nebraska. He has worked with Senator CHILES our ranking member and all colleagues on both sides of the aisle trying to put together this package. We are grateful to him for his leadership.

Mr. EXON. I appreciate the overly generous statement of the Senator.

Mr. President, this is not a perfect package. I have never seen a perfect package before in the U.S. Senate. There are some things I do not like about it.

I think that the reduction of about 14 percent in agriculture over 3 years at a time when they are having a depression out there is too much. But it is far, far better, is it not, than 40 percent as recommended by the other package that we are being asked to vote on?

Also, as I understand it, the matter of impacted aid has been sufficiently covered in this program so that we would not be literally putting some of our school districts with heavy military concentrations out of business. I think that is an important step in the right direction.

Also, I think it is fair to mention that this package has in it, I believe, the REA arrangement that was entered into sometime last week with officials of the REA.

So, while this is not perfect, and while it does not do all of the things I would like to see it do, it is, Mr. President, a hard-fought, workable compromise. I think it deserves the support of every Member of this body.

Mr. President, 2 weeks ago, President Reagan said we are on an "immoral dead-end course," where every man, woman, and child owes an $8,000 share of the national debt. I am pleased that the President has finally recognized that deficit spending threatens the economic health of the Nation.

Several of us in this body have been sending the same message for years. Let us not forget that every man, women, and child's share of the national debt was only $4,000 at the beginning of the supply-side experiment. Even that was an excessive burden on the American economy.

The supply-side revolution promised decreased taxes, increased spending, and lower deficits. The Congress was assured by the administration that the budget would be balanced by 1983 if the President's 1981 package was enacted. Well, it was enacted with very little alteration. Today, we have $200 billion deficits and a national debt which has doubled in 4 years.

Some of us expressed reservations and urged caution. I remember very well, during the debate of the 1981 bill, offering an amendment with my good friend from New Jersey, Senator BRADLEY. That amendment would have made the second and third phase of the tax cut conditional on the promised reductions in the deficit. If Congress had adopted that proposal, I dare to say that we would not be in today's mess.

Over the years, fiscal conservatives such as Senators HOLLINGS, ANDREWS, NUNN, JOHNSTON, GRASSLEY, and I have offered various mid-course corrections. If any of our alternative budget proposals had been adopted, we would now be well on our way to a balanced budget.

Today, I am proud to be associated with the deficit reduction package put forward by Senator CHILES and Senator HOLLINGS. It represents a major assault on deficit spending.

This budget exceeds the deficit reduction goals of the President. It stands in stark contrast to the budget proposed by the Senate majority package.

The Chiles-Hollings plan prudently manages Federal investments. For example, major savings are made in the Amtrak budget. This contrasts with the majority leadership proposal which would essentially scrap our national passenger rail system at a great net loss.

It also realistically assesses the economic condition in rural America. This contrasts with the majority leadership budget which cripples American agriculture in a time of rural economic depression. Indeed, no sector of the economy has experienced such a sustained downturn as agriculture. Farming has not shared in the recovery. The Chiles-Hollings plan is a fiscally responsible approach to the rural economic crisis.

Most important, the Chiles-Hollings plan is fair. All Americans sacrifice to bring the deficit under control. This contrasts with the majority leadership plan which exempts from any deficit reduction plan the Pentagon bureaucracy, defense contractors, and profitable corporations that pay no taxes.

This proposal is a fiscally sound response to the deficit crisis. Spending cuts are the key focus. Every penny of new revenue generated by closing unfair tax loopholes would go to reduce the deficit and not to finance new spending.

It is the only plan that holds out the prospect of a balanced budget by the end of the decade. It is the only proposal which asks big corporations to pay their fair share of taxes.

I hope all in this body would put partisanship aside and look at the Chiles-Hollings alternative on its merits. America can no longer afford to pay 15 cents out of every tax dollar for interest on the national debt. This is not a Democratic or Republican problem. It is an American problem which demands a comprehensive and effective response.

I urge my colleagues to lay partisanship aside and to vote to restore sanity to the Nation's fiscal affairs.

I thank the Chair.

Mr. CHILES. Mr. President, I yield 2 minutes to the distinguished Senator from Arizona (Mr. DECONCINI).

Mr. DECONCINI. I thank the distinguished Senator from Florida.

Mr. President, I think the greatest amount of applause should go to Senators HOLLINGS and CHILES for the work they have put in here. I know they have given a lot and done a lot for not only this side of the aisle but for the entire body to come up with something that is fair.

I ask the Senator from Florida or the Senator from South Carolina, is my understanding correct that there is also a freeze here on Federal salaries?

Mr. HOLLINGS. Definitely, for 1 year. I would freeze your salary and mine for a full year, I say to the Senator.

Mr. DECONCINI. I think that is important to anybody who addresses the question of COLA's, particularly when referring to Social Security recipients. I have yet to address any group in Arizona that wants to have their COLA frozen for 6 months or a year. All groups, however, has said they would go along with having them frozen for 6 months or a year if everyone else's is frozen, particularly ours, I say to the Senator from South Carolina. That is a sacrifice for everyone here, but it demonstrates that on this side of the aisle, we are prepared to make that sacrifice. I think that is a good step forward.

The Senator from Nebraska has pointed out several areas I was going to call to the attention of the body for the RECORD which I think give a more proportional share of sacrifice without eliminating some of the programs such as was put before us in the proposal now pending.

I think I would go along with this as well as with the Byrd proposal.

Mr. President, I strongly support the Chiles-Hollings substitute budget plan.

I have probably spent more time, attended more meetings, and struggled for more hours in an effort to reach a budget compromise that is fair, equitable, and which really makes a difference in the deficit. This budget plan is it. It is all three. It is fair. It treats everyone fairly. And it is the only budget package that reaches a balanced budget in the near future. I support it 100 percent and I am pleased to be a cosponsor of this proposal.

Mr. President, let me quickly add that there are some items in this package that I do not like. I do not like limiting cost of living adjustments for our senior citizens and our veterans. I do not like freezing law enforcement programs for a year. I do not like rolling back farm programs and programs that help our cities, small businesses or those groups that rely on a subsidized postal rate to collect money for charities, churches, or veterans causes. And I do not like increasing revenue on businesses to help cut our Federal deficit. But, unlike the underlying White House—Republican leadership package, the Chiles-Hollings plan forces everyone to take a cut. It has more than 2-to-1 ratio of spending cuts to revenue enhancements. And, most importantly, it forces all elements of the Federal Government to share in the deficit reduction sacrifice that we all must make.

Mr. President, this plan is not a panacea for reducing the deficit. But what it is, is a "game plan," a comprehensive strategy for reducing the momentum of deficit spending and for bringing fiscal restraint back into the Government. I hope that the Chiles-Hollings package passes. It deserves our support. And once it does pass, it will be incumbent upon all of us to work together—Democrats and Republicans; the White House and the Congress; businesses and labor—to implement this plan in a way that will achieve real deficit reduction in a way that is fair and equitable.

Mr. CHILES. Mr. President, I yield 2 minutes to the Senator from Georgia.

Mr. NUNN. Mr. President, I thank my colleague, and I join the rest of my colleagues in embracing the proposal of Senator CHILES and Senator HOLLINGS.

I said last week that I could support some strong medicine that would include reducing defense spending, reducing important cost-of-living increases for our older citizens and taking steps that would call for sacrifice from many other groups. But I was not prepared to do those things unless we had a glidepath that would lead to light at the end of the tunnel. This proposal does that, Mr. President. This is the only proposal we are likely to vote on in these deliberations that will give us, at least on paper, a balanced budget by 1990 or 1991.

No one can predict absolutely that we will reach a balanced budget by 1990, because no one can guarantee the economic assumptions. But these are the same economic assumptions that project the President's deficit, ac-

cording to CBO, never getting below $100 billion. He has a glidepath for continued deficits for the rest of this decade and for the next decade. I am not prepared to go home and ask my senior citizens or my veterans or my people on Medicare or other people who are being asked to sacrifice to take the strong medicine of program cuts so that we can reach a budget deficit of $145 billion in 1988. That is the President's proposal and the Republican proposal; it puts us on a glidepath of $100 billion deficits in perpetuity.

The American people are willing to sacrifice. I told a group of elderly citizens yesterday that I would vote for a 1-year COLA freeze provided we had light at the end of the tunnel and that their sacrifice would be meaningful.

I believe the older people in this country are willing to sacrifice. They have already sacrificed enormously so that we can have the country we have today, and I believe they are ready to sacrifice again provided it is going to move the country into a sound fiscal position. This package presented by the Senator from South Carolina and the Senator from Florida accomplishes that goal.

One thing is for sure: If we continue to let this deficit go unaddressed, the medicine we will have to take is going to get worse and worse. I am afraid the President has put us on that kind of path.

The President expresses my sentiments when he says he wants to increase defense. There is no doubt that we have numerous and important defense needs.

He also expresses my sentiments when he says he does not want to increase taxes. No one wants to increase taxes. But when the President looks at his own budget and never gets the deficit below $100 billion, even with the most optimistic of optimistic economic assumptions, I think it is time for the President of the United States and this body to face the truth.

The truth is that if we do not have some revenues—this budget package has only 30 percent revenues, and 70 percent spending cuts—we are not going to see any light at the end of the tunnel. And the longer we avoid telling the American people that truth, the more bitter the medicine is going to be when we finally face up to it. I think most people in this body recognize that, and I hope they will recognize it with their votes for this budget package.

Mr. DOMENICI. Mr. President, I do not desire to speak yet. I would like to clarify where we are. As I understand it, if we are still on this amendment at 3 o'clock, we will pull it down and the Byrd amendment will be in order. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I have no desire to do that. However, we have not spoken in opposition yet. Since we agreed originally that we would have a half hour, I say to my good friend from Florida, if we do start our opposition here when the clock strikes 2:30, we shall be finished in 30 minutes and then we can stay on the scheduled plan. If that is the case, we would like to use a half hour at some point, whenever they would like to accommodate us.

Mr. CHILES. Mr. President, the opposition can go ahead and start now and that will give us some time to reply if there is any reply.

Mr. DOMENICI. Let us go ahead and do that, Mr. President, because we may not use all our half hour and we may use more; the other side has used much more.

I would like to put this debate in perspective. I congratulate the sponsors. Frankly, it is very difficult to put a budget together, no question about it. I have heard a number of speakers address the deficit situation of our country here this afternoon. This proposal recommends many difficult policy changes. To the extent that those who are cosponsors or who are going to vote for the Chiles-Hollings budget substitute have been part of it, obviously, they made some pretty tough decisions. I do not think they are tough enough and I shall try to put into perspective the real differences.

It is pretty obvious to this Senator that unless you change the automatic cost-of-living indexes in the budget in some way, you cannot really assemble an effective package. I compliment the Senators; to that extent they have been halfway effective. Until this point the two principal sponsors have supported a 1-year cost-of-living increase freeze. Both the distinguished Senator from South Carolina and the Senator from Florida have advocated a budget with a 1-year freeze. The philosophy in the current proposal is that we should have half of a cost-of-living freeze—half a year, not a full year. Not all of 1985 cost-of-living freeze for Social Security, but half a freeze.

I compliment the Senators in all honesty for taking a program that is part of all American's automatic pension increases and saying it should be frozen for at least part of 1 year.

You have gone halfway, and to that extent you have joined with us in recognizing one of the major problems and one of the real areas of shared sacrifice. Second, if I have it analyzed right, you are proposing 0-3-3 in terms of real growth for defense. We have been using those percentages, so on the surface your proposal would appear to be the same as the amendment proposed by Senator GRASSLEY that passed by three votes the other day. However, I find that your outlay estimates are actually lower under your 0-3-3 proposal than in the Grassley amendment. That is interesting. Since in a budget resolution the best you can do is to set the level of budget authority, we should all know that this package takes $8 billion in outlays over 3 years that CBO projects will be spent in defense under the 0-3-3- proposal and shifts it to domestic programs. So in terms of outlays, this proposal contains $8 billion less in defense outlays over 3 years than the Grassley amendment. I do not think those levels will hold through appropriations. But in any event the sponsors of this amendment make a different assumption about outlay rates—that we are going to delay payments we make to our contractors.

So, therein right off the bat are two differences. Now we get to the real difference. I hear my friends on the other side, for whom I have great respect. I have discussed this budget problem many times with most of those who have spoken. But herein is the most important difference. I look at the text of the proposal and it says we have to enact a minimum tax. Then it says we are not going to increase anybody's taxes. Then it says this is a minimum tax and others and others.

Now, let me tell you how much this is so everybody can understand. In order to achieve a balanced budget, there is $197 billion in taxes. Now, I am not trying to exaggerate. I am reading from this sheet. They are going to get to a balanced budget with this proposal, and there is $197 billion in taxes.

Now, I want to be fair and state the 3 years total for new taxes. Over 3 years, $72 billion in taxes are assumed, and they are categorized as a "tax expenditure freeze" and "other revenues." Frankly, we cannot specify how these revenues are raised in this budget resolution. All we can do is say to the Finance Committee you raise at least $12 billion, $25 billion, and $35 billion in fiscal year 1986, fiscal year 1987, and fiscal year 1988, respectively, in new taxes and then in 4 years from now make sure it is $50 billion and 5 years from now, $75 billion, and we have our balanced budget.

So $197 billion is the amount of new taxes raised over 5 years. We cannot tell them it is a minimum tax. They have to change the tax laws substantially to raise that amount of revenue.

So, in defense they spend $8 billion less; and in pension programs they provide only half a COLA freeze. Actually, the sponsors do not propose a freeze but only a 6-month delay in the inflation computation date. But, let us take the proposal at face value and we raise $72 billion in taxes. We do all of this but we are not much better off in

terms of deficit reduction than the leadership package over 3 years.

Where did all of the rest of that money go? It all went back into the domestic programs of the Federal Government. Having just received this package, I can not go through it in any detail. What we should all know is that we are raising taxes because we could not find $5 billion in domestic spending in the first year, $27 billion in the second year, and about $40 billion in the third year.

Out of the huge Federal inventory of programs, we have reduced defense as low as we are going to and we still cannot find the equivalent savings in domestic programs. If we cannot cut a substantial amount out of a package of about $600 billion in Federal domestic programs, we should be prepared today, if we adopt this package, to say to the American people that to reduce budget deficits we are going to raise taxes. We cannot do it any other way.

Frankly, I do not believe it is fair to say that the only package offered which can get you to a balanced budget in 5 years is this one. I believe the leadership package, if you adopt it intact and save $294 billion over 3 years without raising any taxes, moves you toward a balanced budget. Indeed, I believe you will be closer to balance with the Senate-White House proposal than under this one. We have found again and again when it comes time to really cut on this budget, we are going to look first to taxes, not to how much we can cut the expenditures of Government. I believe that taxes should be the last resort. It would hardly be the last resort to start raising taxes in the first serious piece of budget legislation that we pass, the budget resolution.

So over 3 years, the Chiles-Hollings proposal would raise $72 billion in new taxes, would provide for the equivalent of half of a COLA freeze but not a whole one, cut $8 billion below the Grassley amendment in defense outlays. All the rest of the savings that you lost out of the leadership package would be put back into domestic programs including the $72 billion in new taxes. I repeat, as a practical matter, these taxes cannot come from a tax expenditure freeze on corporations. Ultimately, those revenues will come from new taxes on the American people. I say this because tax expenditures that go to individuals are three times greater than the tax expenditures that go to business. I ask my good friend, the chairman of the Finance Committee, Is it not true that $3 of all tax expenditures go to individuals for every $1 that goes to business? Maybe we should change the subheading to "Freeze Business but not People," because if we are going to talk about tax expenditures, we have to start talking about interest deductions on homes, deductions for pensions, maybe charitable deductions, and all the rest.

While I opened complimenting my friends and I close complimenting them for a serious package, I really do not think we ought to adopt it because I believe we can do better. I do not think we are near finished for those of us who think we have spent a wasteful 10 or 12 days. I think we are going to get a good deficit reduction package because the country needs it and I think ultimately the Senate is going to get it done. But, I think it may be a good many days from now.

I yield to the chairman of the Finance Committee. He desires 5 minutes. I yield 5 minutes to him.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. PACKWOOD. I thank the Chair. I thank the chairman of the Budget Committee.

Mr. President, the Senator from Florida and the Senator from South Carolina are to be complimented for having proposed this package before us because it very well lays out the differences between the Republican and the Democratic philosophies as to how we want to achieve a balanced budget. And I think both packages might eventually lead us there. But this Government has only two great obligations. One is to protect our shores against foreign invasion and the other is to preserve our liberties against domestic infringement and all the rest that Government provides or desires or wishes or wants. And they may be nice if we are willing to pay for them.

The Democratic proposal says they are nice and they are willing to pay for them with taxes. The Republican proposal basically says we will defend our shores and we will preserve our liberties and that as for the rest, as for urban development action grants and revenue sharing and crop insurance, this country will not only survive without them, it will thrive without them and that we are better off on balance to reduce the deficit by cutting spending than we are by increasing taxes.

I was intrigued with the poll that the Senator from Oklahoma [Mr. BOREN] referred to because we have all seen similar polls or taken similar polls. The way I have normally seen it posed is as follows: First, do you favor reducing the Federal deficit? Yes, almost 100 percent.

Given your choice, would you rather do it by cutting spending alone, by a combination of cutting spending and raising taxes, or by raising taxes alone? The normal response to that poll is that between 65 and 80 percent want to do it by cutting spending alone, maybe 10 to 15 percent want to do it with a combination. I seldom see a poll that more than 5 percent want to do it by raising taxes.

That is why I want to compliment again the Senator from Florida and the Senator from South Carolina and their fellow cosponsors. They have chosen the route of cutting some spending and raising taxes significantly. It is a fair proposal. It is a proposal that well represents the philosophy of the Democratic Party now and the Democratic Party in the past and I think the Democratic Party in the future.

The proposal we offer on this side says that we think this country can reduce its interest rates 2 to 3 percent and its unemployment percent over 18 months if we adopt this package, and we can do it without raising taxes.

I do not think that in my 16 years in the Senate the difference in the philosophy of the two parties has been better propounded than by the proposal offered by the Senator from Florida and the Senator from South Carolina and the proposal offered by the leadership on this side. I do not think it requires any further debate, and I believe that the vote on this proposal may reveal which way this Congress prefers to go.

Mr. DOMENICI. Mr. President, I yield 5 minutes to the majority leader.

Mr. DOLE. Mr. President, first, I wish to congratulate Senator HOLLINGS, Senator CHILES, and the other Senators who are making this effort, because I think it demonstrates what I have been trying to articulate for the last 10 days: that there are as many people on that side as there are on this side—maybe with some few exceptions—who are concerned about deficit reduction. I think the difference comes when we try to say how we should do it.

This package is a bit different, in that it includes substantial revenues. You face up to the hard question of COLA's, between 6 months or a year delay, there probably is not much difference; because we both have indicated—at least, the majority on this side and a number on the other side—that entitlements have to be included in some way.

As the distinguished Senator from Oregon has just stated, and the Senator from New Mexico has said earlier, I believe that before we complete action tomorrow, we should agree on some deficit reduction package. If we can do it without raising taxes, it should be done.

I say that as one who took considerable heat in 1982 and again in 1984 for bringing tax bills to the floor. Some even went so far as to say that I twisted the President's arm in 1982, and that was not the case. I think he determined that at that time something should be done.

So I am not standing here and saying that we should never have any revenues. But I do believe that the question of revenues, 72 billion dollars' worth, may have been addressed in the

last election, to the extent that most people, when asked about tax increases, indicated their opposition.

I was not present to hear the account of how you are going to get $72 billion. But I think you also have to face that fact that most of us are for tax fairness or tax simplification; and if we start raising revenues now, it is going to throw a wrench into the work of the Secretary of the Treasury on tax reform, and many Democrats and Republicans support tax simplification and tax fairness.

They will need that revenue to lower the rates for corporations and individuals, and they are going to do away with all the preferences and a lot of the so-called loopholes that corporations and others now enjoy.

So I hope this amendment will be defeated. I have great respect for my colleagues who have offered the amendment, but it seems to me that we should pass a measure out of this body that does not contain tax increases. We can do it without anybody making any great sacrifice.

Ours may not be a perfect plan. This clearly is not the perfect plan. But there has to be some plan that can get 50 or 51 votes.

In our plan, we did not get a single Member on the other side of the aisle voting with us. I accept that. I think we are now in the final stage. So every Democrat voted against the Republican plan, and I can understand that. But we ought to have another package, maybe tomorrow or later, because I now find that instead of just having one colleague in the hospital, there are now two Republicans in the hospital. That makes it even more difficult. I sent one to look at the other, and they kept them both. [Laughter.]

We are a little shorthanded. So whether or not we are going to vote tomorrow, I am not certain.

I want to make a plea to the other side of the aisle that after you have tried to raise taxes, increase revenues, whatever you call it, in either this package or the next package, if you succeed, I will be surprised. But if you do not succeed, I hope we can call upon Members on the other side of the aisle to help us rise above the political atmosphere and make one vote for the American people.

Again I will recite the Gallup Poll in Sunday's newspaper: 58 percent of the people polled said that the deficit is very serious, 23 percent said it was fairly serious, and only 5 percent said it did not make any difference. Those are the supply siders. There are a few left in the capital but not many. So a good margin of the American people, 81 percent, said we should do something about it.

I hope that when all is said and done, I can encourage at least four or five of my colleagues on the other side of the aisle to join us tomorrow, not in a partisan effort but in a bipartisan effort to demonstrate to the American people that we have all had our arguments, have all made our cases, and that today, tomorrow, or sometime we will bite the bullet and vote for deficit reduction.

Mr. DOMENICI. Mr. President, I understand that Senator SYMMS desires to speak for 2 minutes, and I yield to him.

Mr. SYMMS. Mr. President, I want to join my colleagues in complimenting our colleagues on the other side of the aisle for offering this amendment. But as a Senator who comes from a farm State, I would be remiss if I did not point out, in the overall picture, that a good friend of mine on the Budget Committee, the Senator from Nebraska, said there was no one for the budget package with respect to farm policy.

I think it should be clearly understood here that the budget reduction package that the distinguished chairman of the Budget Committee and the President had agreed on, which was brought in here when we started this debate about the budget, is supported by the American Farm Bureau Federation, National Grange, National Farmer Organization, American Soybean Association, National Cattlemen's Association, just to name a few, because they think it is in the best interests of agriculture.

Mr. President, people who want the continuation of the farm programs try to tell the farmers what to plant, when to plant, and how to plant, and they watch those farmers get bigger and bigger payments from the Government and get further in debt.

Mr. President, as one who is a farmer, I rise as much in consternation as I do in opposition to the amendment.

My consternation stems from what must be a tremendous difference of opinion between the distinguished Senators offering the amendment and the vast majority of learned agricultural academicians, agriculture public policy groups, and various food and agricultural groups that have been calling for fundamental changes in this country's farm and food policies.

Mr. President, let me just briefly list five organizations which are just as concerned about American agriculture's future as are the offerors of the amendment. But these groups do not, I assume, see that future enhanced by a continuation of past policies and therefore are endorsing the leadership deficit reduction package. These organizations are:

First, American Farm Bureau Federation, the largest farm organization in America; second, National Grange; third National Farmers Organization; fourth American Soybean Association; and fifth, National Cattlemen's Association.

Mr. President, not to be overlooked is that wide array of organizations and agribusiness industries who have similarly endorsed this package, including the assumed savings in agriculture. These are:

American Bakers Association, Food Marketing Institute, General Foods Corp., General Mills, Caterpillar Tractor Co., Grocery Manufacturers of America, Milk and Ice Cream Organization, Nabisco, National Independent Dairy-Food Association, Ralston Purina Co., American Feed Industry Association, and Dart & Kraft, Inc.

Further, Mr. President, I must note that over the last year there have been a number of major public policy conferences focusing on the 1985 farm bill debate. One of the largest of these conferences was sponsored by the National Center for Food and Agricultural Policy, which is housed at Resources for the Future. That center, along with the National Agricultural Forum and 17 other cosponsors held a conference last December.

That major conference concluded all but unanimously that the cost of Federal farm programs should be cut, and that cutting the overall deficit to reduce interest rates and a too-strong dollar were critical to American agriculture's future.

Finally, Mr. President, just recently a coalition for consensus on agricultural policy, a diverse group of some 14 independent agricultural policy veterans recommended major changes in the orientation and composition of U.S. policies related to agriculture. Many of their rcommended changes parallel the earlier groups findings including a reduction in the deficit and a reduction in commodity price support levels. This group consisted of academicians and representatives from a number of academicians and representatives from a number of nonpartisan organizations engaged in public policy issues relevant to American agricultural policy, including:

American Farmland Trust; National Planning Association; Roosevelt Center for American Policy Studies; Resources for the Future; American Enterprise Institute; Curry Foundation; Community Nutrition Institute; Field Foundation; National Agricultural Forum; National Audobon Society; Public Voice for Food & Health Policy; Consumer Federation of America.

Mr. President, I mention all these farm organizations and public policy think tanks only because I think it is important that the Senate know that what is included in this budget compromise for agriculture is not something totally out of the main stream of good public policy thinking.

What all these groups and individuals are telling us is that past policies have not worked and that change in

policy is paramount for the future of agriculture. The amendment offered by the distinguished Senators returns us to these past policies. I for one, and apparently a number of other people, think that would be wrong.

Mr. DOMENICI. Mr. President, I yield 5 minutes to the distinguished Senator from Maryland.

Mr. MATHIAS. Mr. President, the majority leader has just emphasized the necessity for taking action to reduce the deficit, and I thoroughly concur with that conclusion.

I should like at this point to review some of the facts which are applicable to the Republican package and are applicable to the Chiles-Hollings package and to every other proposal that has been made.

Mr. President, we are rightly concerned about the tremendous growth of Federal expenditures. Indeed Federal spending has increased by 44 percent during the past 4 years. However, this increase has been predominately the result of two factors—an unprecedented peacetime buildup in the defense area and a shocking increase in interest payments to finance our debt. The defense increases have been financed by substantial reductions in domestic spending: The Congressional Budget Office estimates that over this period cuts in domestic programs were more than sufficient to finance the defense buildup.

During the period 1981 to 1985 defense spending was increased by $94 billion. The Congressional Budget Office attributes $77 billion of this sum to the defense buildup. During this same period spending on domestic programs other than Social Security and interest on the national debt has increased by only $60 billion. In the nondefense discretionary area alone, the domestic spending area over which Congress has the greatest flexibility, spending has been cut by $96 billion over the past 5 years, which is a tribute to the work of the chairman of the Budget Committee. This $96 billion would have been sufficient to finance the entire defense buildup.

This does not include the additional savings that have been realized in the entitlement programs and Social Security spending over this period which the Budget Office has estimated to be an additional $71 billion. So spending is not the problem. Spending has been dramatically reduced in the domestic area: A reduction sufficient to finance our increased defense spending.

However, one spending item has increased. It is a spending item which provides no defense, creates no jobs, helps no needy individual acquire job skills, provides no food for the hungry—this spending item is interest on the national debt. We spend 89 percent more in interest today than we did just 4 years ago. This year we will spend $61 billion more in interest than we did 4 years ago. Four years from now we will spend almost twice as much on interest as we currently spend on all nondefense discretionary programs.

Why have our interest payments increased so rapidly? Why have our deficits accumulated so quickly? If domestic spending cuts have offset the increase in defense spending, how can this be? The answer is painfully simple.

In 1981, the President proposed and the Congress passed a massive spending measure—not called a spending measure, of course; it was called a tax cut—a massive tax cut that has dramatically reduced Federal revenues. The Congressional Budget Office estimates the revenue loss over the past 4 years at $326 billion. During this period, actual revenues from the individual income tax have increased by only 4 percent—about 1 percent per year. Corporate income taxes were actually $4 billion lower in 1984 than they were in 1981. The magic of lowering taxes to gain more revenues has not materialized and I sadly fear—I am looking at the chairman of the Finance Committee—that it will never materialize.

The only magic we see is the terrible multiplication of compound interest. What we are doing is choosing to pile up debts that will leave our children with no choices—only a massive debt and interest payments that will consume their efforts. Of the $230 billion we will be paying on interest in 1990, over one-half will be directly the result of the 1981 tax cut. The growth in interest payments accelerates at an alarming rate as our deficits grow. What started as a falling pebble is becoming a destructive avalanche.

We are very rightly concerned about the tremendous growth of Federal expenditures, but the fastest growing burden on the American people is the interest on the debt. We cannot go to the American people and ask them to sacrifice and share the burdens through painful spending cuts, if we do not reduce spending on these interest payments. This can only be done by substantial and immediate reductions in the deficit. We have as a body voted to maintain certain vital domestic spending programs, and to maintain an adequate defense. These are not cost-free decisions, they must be paid for.

In conclusion, a constituent of mine from Cumberland, in western Maryland, sent me a bit of wisdom about the deeper meaning of the Congress' annual budget exercise. He wrote:

> I feel that the ones of us that are in the lower middle class are being asked to have this budget balanced on our backs when this is really created by the massive tax cuts that helped us not a bit. Also a blank check for the military that is completely out of reason. I know for I am one who finds that my insurance after retiring from the railroad does not cover the medicines that I need every month.
>
> Does this mean that we are going back to the time when only the wealthy were able to send their children to the good schools and the number that went to college were a very small percentage? When we take away this program we are hurting the country of tomorrow.
>
> There are so many programs that have made this country great during the past fifty years. The factory worker, the steel worker, the railroad worker and all the other hourly-paid workers were able to dream of having a home, a car, perhaps two, and could dream of their children going to school, dream of retirement and of a good health program. Even with all the setbacks such as three wars, we have grown to be a great nation, a nation with a heart, one that cared for its middle class and poor. Do we now throw this away and go back fifty years to the conditions that we had then? I hope not.

That is the hope of a retired railroad worker in Cumberland. That is the hope we should realize at the conclusion of the budget process.

Mr. CHILES. Mr. President, I yield 1 minute off the resolution to the distinguished Senator from South Carolina.

Mr. HOLLINGS. Mr. President, the first point made by the chairman of the Budget Committee was that there is not much difference on Social Security.

The second point he made questioned $8 billion in savings in defense. These savings are easily explained by the recent change in progress payments policy recently made by the DOD. Rather than providing 85 percent for the payments, this administration has been making 90 and 95 percent payments based on the size of the contractor. Now, the DOD has returned to the previous progress payments of 80 to 85 percent. This will also pay out additional savings with respect to defense.

We are not playing with figures. The chairman of the Budget Committee says we cannot find another $14 billion in savings, so we had to raise taxes. Well, that is true. We are for truth in budgeting.

Now, if we take—and if the Washington press corps would only cooperate—they claim $51 billion in savings, but the Congressional Budget Office says only $37 billion in savings. So they find their $14 billion by using cooked figures, by a sleight of hand. We could have done that rather than raising taxes.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

The question is on the amendment.

Mr. RIEGLE. Mr. President, will the Senator yield to me?

Mr. CHILES. I yield 2 minutes to the Senator off the resolution.

Mr. RIEGLE. I thank the Senator.

Mr. President, I want to vote for this package, but I am unable to do so. One of the main reasons has to do with the 6-month Social Security COLA delay. I

just want to review the history quickly so everybody understands this issue and votes with their eyes open.

Since 1981, we have cut Social Security through 1990 by a total of over $100 billion with a variety of cuts. I will not name them all, but one of them was a permanent 6-month delay of the Social Security COLA adjustment, when the cost-of-living adjustment, takes place. That has already been enacted once and, as a matter of fact, it has cost senior citizens, between the years of 1983 and 1988, $21½ billion out of the total $100 billion that has already been cut out of Social Security.

So it seems to me the senior citizens have already been to the deficit reduction party before, and they have made their contribution.

But what this provision here would do, the additional 6-month delay would cost seniors about $10.9 billion over the next 3 years. That is a lot of money. And that is money that inflation has taken away that otherwise would be restored, so it comes directly out of their standard of living.

I think it is important that we understand the magnitude of these numbers before we just go ahead and vote on them, because we will have more time later to debate it. But I think this is a group in our society that has already made their major contribution to deficit reduction previously. I do not think they can afford to do it again. We should not ask them to do it again. I would hope, in any final package, that we would not break the promise that the President made to seniors that there would be no further cuts in Social Security.

I thank my colleague.

The PRESIDING OFFICER. The Senator's 2 minutes has expired.

Mr. GORTON. Mr. President, will the Senator from Florida yield to me for a brief question?

Mr. CHILES. Yes, I yield to the distinguished Senator from Washington.

Mr. GORTON. I thank the distinguished Senator. Would the Senator tell me, in contrast to the proposals of the distinguished majority leader, if there are any programs, spending programs, in this budget resolution which he proposes which are entirely cut out, as is the case with about 17 programs in the leadership proposal; and, if so, how many and which ones they are?

Mr. CHILES. I say to the distinguished Senator from Washington, revenue sharing is cut out, as is in the plan that you have, a major program that we have enacted, and rehab loans are cut out. The other programs are cut down, but not out.

Mr. GORTON. I thank the Senator.

Mr. CHILES. Mr. President, I yield myself 5 minutes off the resolution.

Mr. BUMPERS. Will the Senator yield?

Mr. CHILES. I yield 1 minute to the distinguished Senator from Arkansas.

Mr. BUMPERS. Mr. President, I want to echo what has been said on the other side of the aisle, and that is that I would hope that some day, in the interest of the country and responsibility, we would start joining hands in this body to vote for something that is really meaningful. And I would like to believe that today is the day.

The proof of the pudding is on that chart. I do not care whether you like CBO or OMB. There it is. This is the most dramatic deficit reduction plan you are going to get an opportunity to vote for. It is the one that will steady the financial markets of this country, it will give the people some confidence, and in my opinion the constituent groups who suffered under this will accept it because, as Senator NUNN said earlier, the medicine you are going to have to swallow if the economy of this country collapses is 100 times greater than this. If we wait another year or another 2 years and the economy still has not collapsed, the medicine you will have to accept is still more bitter than this.

Two years ago this body voted for a constitutional amendment to balance the budget, and 69 Senators voted aye. I have never heard such eloquence in my life about the deficits. Here is a proposal to balance the budget in less time than you could ever do it with a constitutional amendment, and it only requires 51 votes. So I plead with all of those people who are among that 69 to vote aye on this proposal.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CHILES. Mr. President, I yield myself 4 minutes off the resolution.

The PRESIDING OFFICER. The Senator from Florida.

Mr. CHILES. I think our debate is about to wrap up. I think it has been an interesting debate. I listened to my distinguished friends on the other side. It seemed interesting that they said they welcomed our proposal because, in their words, it established the principle that COLA's are something that have to be part of the package. But I did not hear anything further than that. When it got to taxes on the wealthy and the big corporations, wait a minute, they said. That is something different. We cannot have that a part of the package.

I just want to say to my friends that when we start talking about restraining COLA's, we are talking about that as one part of a package that does something to everybody in this country. It would restrain everybody a little bit, and that say there has to be a little fair sharing in this deficit reduction effort. It would say that those people who are not paying their taxes now ought to pay a little, and that those corporations that are getting money back from the taxpayers now, ought to ante up a little. It says if all that happens, then we know the seniors will be willing to do their share, too. So do not tell me we are now establishing the principle of COLA adjustment. That is not true. We are talking about shared sacrifices.

I listened to my great friend from Oregon, and his remarks about true distinctions between the two parties. I wonder how many times my distinguished friend from Oregon has voted on taxes since he has been here? He is on the Finance Committee. He has voted on that before.

When it comes to taxes, my friends on the other side of the aisle should not talk about the principle anymore. We are talking about the price now. We are talking about where you are to establish principle for us. Of course, you are not pure. I do not believe you have your virginity in regard to voting for taxes anymore. In fact, the last time we were told that the President was mad because we did not get "two to one." If we had only gotten two to one—and that was a deal you all supposedly made with him. We never got down there to discuss that notion, but he said there was some betrayal because he was promised $2 in spending cuts and $1 in tax cuts.

Mr. President, this plan contains $2.50 in spending cuts for every $1 in tax cuts. We are going to give him a little something better.

We have another provision in here that says we will not enact the bill until the spending cuts have been made, before the tax cuts can go into effect. So we are going to keep faith with the President. We are not going to flimflam him like maybe you all did in the rose garden or something. We are going to keep the faith. We are going to give him two-and-a-half for one.

So what we are talking about basically is are we serious about this deficit reduction? If we are, then we know that everyone has to participate. If you take taxes off the table, then COLA's come off the table. If you take COLA's off the table, then somebody says you cannot hold defense to zero growth. Without defense restraint, you cannot cut other things. That is what happened to us all the time before. Today, we are saying put it all up there. Let us do it fairly. Let us get the thing behind us for the good of the country. That is what this package we have offered is all about.

Mr. LEAHY. Mr. President, for the third time in as many years, Senator HOLLINGS is leading the fight to force real deficit reduction through across-the-board spending restraints and responsible revenue measures. And, for the third straight year, I will support the Senator's actions. I also congratulate Senator CHILES for his leadership

in helping to put this package together.

Alone among all the budget proposals that have been considered by the Senate over the past weeks, this budget will produce a balanced budget in 5 years. It will reduce the budget deficit by $13 billion more in 1988 than the plan originally promoted by the President and the Republican leadership of this body.

It is overall a fair package. It cuts domestic spending by $86 billion and cuts defense spending by $72 billion over 3 years, while also forcing everyone—corporations and wealthy individuals—to pay their fair share of taxes. Spending would be reduced $2.50 for every $1 raised in taxes without raising individual tax rates.

The package provides much more protection for the poor and elderly than does the President's proposal. Unlike his plan, this budget will not cut many programs, such as child nutrition, Medicaid, veterans health care, education of the disadvantaged and handicapped, housing for the elderly and handicapped, or increase beneficiary out-of-pocket costs for Medicare. While the overall package is fair—and I will support it as a package—I am very much concerned with one of its elements.

This plan would delay COLA's for 6 months. I am concerned that this provision will renege on promises to protect COLA's for our senior citizens. This proposal is superior to the full 1-year freeze or permanent changes in COLA's promoted by the President and the Republican leadership. However, I am not convinced that we cannot find additional spending cuts and closing of tax loopholes to come up with the same amount of deficit reduction that would be achieved by this delay in Social Security COLA's.

Because of this concern and the commitment I believe we have made to our elderly, if this passes, and I hope it will, I plan to work with those who share my concern on a proposal that would restore the full COLA for next year, while meeting the deficit reductions targets in this plan through additional spending cuts and tax equity efforts.

Mr. PELL. Mr. President, the economic challenge facing our Nation and the Senate is to reduce the huge Federal Government budget deficits that have developed during the past 4 years. Equally important is the challenge to reduce the deficit in a way that is fair, and that preserves programs that contribute to the strength of our Nation.

The choices are not easy, but I believe the budget proposal now before the Senate—the Chiles-Hollings budget amendment—is far preferable to the budget proposed by the administration, and I will vote for it.

This budget proposal would cut the deficit more than the administration budget would and would provide a balanced budget within 5 years.

In addition, this budget proposal would preserve Federal Government programs of proven worth that would be either totally abolished or deeply cut under the administration budget. These include such programs as Student Assistance, Amtrak, the Small Business Administration, Urban Development Action Grants [UDAG's], Sea Grant College Program, and reduced postal rates for nonprofit organizations.

Unlike the administration budget which would increase defense spending by more than $70 billion over the next 3 years, this budget proposal would place a lid on the runaway increase in defense spending.

The administration budget does nothing to reduce the drain on the Treasury caused by mushrooming special tax breaks and tax credits that permit too many corporations and individuals to avoid paying their fair share of taxes—but this budget proposal would save $72 billion over the next 3 years by reducing the growth in these tax expenditures.

This budget proposal would place real restraint on Government spending, and make some long overdue spending cuts. It would for example save $7 billion by cutting our wasteful farm subsidy programs—programs which I believe could be cut even more. It would freeze many areas of Government spending, including, incidentally, a freeze on the pay of Members of Congress.

Finally, this budget is much fairer to the needy, to the elderly, to Social Security recipients, to veterans, and to those who rely on Medicare for health care. While the administration proposed to cut cost-of-living adjustments for Social Security and other programs every year for the next 3 years, this budget would provide for one 6-month COLA freeze, followed by full COLA's in following years.

The administration budget proposed sharp increases in Medicare premiums, while this budget imposes no new costs on Medicare enrollees.

This budget proposal is not perfect. I would much prefer that there be no reduction in Social Security COLA's—not even the 6-month freeze required by this proposal. I voted earlier for a budget amendment to assure full Social Security COLA's, and I continue to believe that is required by fairness. The choice that confronts us, however, is between this budget proposal and the administration proposal which would impose much greater sacrifices on the elderly and the retired dependent on Social Security and Medicare. Given this choice I will vote for the Chiles-Hollings budget proposal.

This budget proposal meets the challenge of reducing Federal Government budget deficits. It would reduce the deficit by $59 billion in 1986, and over 3 years would reduce deficits by a total of $320 billion. In both cases, that is a bigger cut in the deficit than the administration has proposed. And, unlike the administration budget, this proposal respects the real needs of the American people and it respects the real contributions that proven Government programs make to our strength as a nation.

Mr. KERRY. Mr. President, I want to commend my distinguished colleagues, FRITZ HOLLINGS and LAWTON CHILES for what I think is one of the best programs for effectively dealing with the deficits we face today. I support the fundamental approach and integrity of their effort to reduce this deficit and distribute the cuts fairly.

My only problem with the Chiles-Hollings plan is the reduction in Social Security COLA's to a 6-month increase. I do not believe that Social Security should be a part of deficit considerations in this package. Social Security is a space contract which was renegotiated only 2 years ago. I do not think that Social Security is the cause of the deficit and it should not be the victim of a reduction effort at this time.

Again I commend my colleagues and state that I look forward to working on the floor for a final package that combines both fairness and equity.

Mr. GLENN. Mr. President, this is a difficult vote for me. It is difficult because by voting for the Chiles-Hollings bill, I am having to compromise on a number of positions that I have long held and strongly defended. Take the issue of Social Security cost-of-living adjustments, for instance. Since I entered the Senate in 1975, I have supported the full COLA increase for our Nation's elderly citizens each and every time it has come up for a vote. For me, keeping faith with America's senior citizens is not just a cause, it is a matter of conscience.

On the subject of defense spending, my views and my votes have been equally clear. I believe in a strong America and I believe that requires a strong national defense. And, unfortunately, there is simply no bargain basement way of achieving it. So I have consistently supported defense expenditures that I thought were necessary, especially in light of the continuing threat posed by the Soviet Union. Just last week, in fact, I opposed a majority of my colleagues in the Democratic Party by voting to increase defense spending in 1986 by 3 percent above inflation.

But these are not ordinary times, Mr. President, and we are not facing ordinary economic problems. Indeed, I believe that the budget deficits we

face today—deficits that have been caused, I might add, not by Democratic policies or Democratic programs, but by the Reagan administration's incredible fiscal irresponsibility—these deficits have confronted us with nothing less than a national economic emergency. And lest I be accused of overstating the case or of indulging in rhetorical excess, let me provide you with a little evidence.

It took this Nation 200 years to run up a national debt of $1 trillion—that was the work of every President from George Washington through Jimmy Carter put together. But it's going to take this administration just 6 years to double that debt to $2 trillion. Think about it. The same administration that caustically criticized the Carter administration for even proposing a budget deficit of less than $50 billion; the same administration that once promised to balance the Federal budget by 1983; and the same administration that continues to raise hypocrisy to an art form by bleating about its support for a balanced budget amendment to the U.S. Constitution; this same administration has given us $200 billion a year budget deficits for as far as the eye can see and has doubled a national debt that it took us over two centuries to accumulate.

And I'm sure I don't need to remind anyone in this body of what those deficits are doing to our country. They're keeping real interest rates high and they're keeping the level of American exports low. They are so distorting the value of the dollar that our farmers can't sell their products abroad and our consumers can't resist buying foreign products at home. Those deficits are mortgaging the future of our children and our grandchildren, and they're threatening to literally wreck today's economy for the rest of us.

So the question before this body is not whether to reduce those deficits, but how we should go about doing it. The Reagan administration has offered its usual response: Increase a few pet programs and projects, and sock it to everybody else, including the poor and the middle classes. Well, that formula may have worked for a few years, but it isn't going to work any more.

I believe the American people are ready to sacrifice, ready to do their part, and ready to pitch in to bail America out. But they want the sacrifices to be fair. They want them to be equitable. And they want them to be spread equally throughout our society. What they will not stand for is having Social Security COLA's cut while many profitable corporations pay no taxes at all and while defense appropriations are raised beyond even the Pentagon's ability to spend the money. They will not stand by and watch programs that benefit the poor and the middle classes eliminated, while policies that protect the rich continue in place. The President says that he will veto any tax increase whatsoever, and smugly tells Congress that sending him a bill that raises taxes will "make his day." But when the voters see that 67 of America's biggest corporations paid no taxes last year, they say: "Pay your way."

I agree with that sentiment, Mr. President, and I am happy to point out that the Chiles-Hollings bill contains a minimum corporate tax of 15 percent on profitable corporations. Equally important, this bill spreads the sacrifice required to save our economy throughout our society. It is strong medicine. It is tough medicine. It is medicine that I deeply wish were not necessary. But I would be abdicating the responsibility I assumed when I was sworn into this office if I turned my back now and looked the other way. It is time for conviction. It is time for backbone. And it is time to vote responsibly and to act in the national interest. I shall support the Chiles-Hollings bill, and I urge my colleagues to do the same.

Mr. DOMENICI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida and the Senator from South Carolina. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] and the Senator from California [Mr. WILSON] are absent due to illness.

The PRESIDING OFFICER (Mr. SYMMS). Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 35, nays 63, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—35

Andrews	Dodd	Levin
Baucus	Eagleton	Mathias
Bentsen	Exon	Matsunaga
Biden	Glenn	Melcher
Bingaman	Gore	Nunn
Boren	Hart	Pell
Boschwitz	Hatfield	Pryor
Bumpers	Hollings	Sasser
Burdick	Inouye	Simon
Chiles	Johnston	Stennis
Cohen	Kassebaum	Zorinsky
DeConcini	Leahy	

NAYS—63

Abdnor	Dixon	Grassley
Armstrong	Dole	Harkin
Bradley	Domenici	Hatch
Byrd	Durenberger	Hawkins
Chafee	Evans	Hecht
Cochran	Ford	Heflin
Cranston	Garn	Heinz
D'Amato	Goldwater	Helms
Danforth	Gorton	Humphrey
Denton	Gramm	Kasten
Kennedy	Moynihan	Sarbanes
Kerry	Murkowski	Simpson
Lautenberg	Nickles	Specter
Laxalt	Packwood	Stafford
Long	Pressler	Stevens
Lugar	Proxmire	Symms
Mattingly	Quayle	Thurmond
McClure	Riegle	Trible
McConnell	Rockefeller	Wallop
Metzenbaum	Roth	Warner
Mitchell	Rudman	Weicker

NOT VOTING—2

East	Wilson

So the amendment (No. 63) was rejected.

Mr. DOLE. I move to reconsider the vote by which the amendment was rejected.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 64

The PRESIDING OFFICER. Under the previous order, the minority leader is recognized.

Mr. BYRD. Mr. President, may we have order in the Senate.

The PRESIDING OFFICER. The minority leader is recognized and will suspend until all Senators clear the well. All staff people please retire from the Chamber and cease all conversations.

The distinguished minority leader is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

On behalf of myself, Mr. CRANSTON, Mr. INOUYE, Mr. MATSUNAGA, Mr. MELCHER, Mr. KENNEDY, Mr. ROCKEFELLER, Mr. RIEGLE, and others, I send an amendment to the desk and ask that it be stated by the clerk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. CRANSTON, Mr. INOUYE, Mr. MATSUNAGA, Mr. MELCHER, Mr. KENNEDY, Mr. ROCKEFELLER, and Mr. RIEGLE, proposes an amendment numbered 64 to the amendment numbered 43.

Mr. BYRD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, increase the amount on line 8 by $0.

On page 2, increase the amount on line 9 by $14,500,000,000.

On page 2, increase the amount on line 10 by $20,600,000,000.

On page 2, increase the amount on line 11 by $25,800,000,000.

On page 2, increase the amount on line 14 by $0.

On page 2, increase the amount on line 15 by $14,500,000,000.

On page 2, increase the amount on line 16 by $20,600,000,000.

On page 2, increase the amount on line 17 by $25,800,000,000.

On page 2, increase the amount on line 21 by $0.

On page 2, increase the amount on line 22 by $0.
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On page 3, increase the amount on line 12 by $14,600,000,000.
On page 3, increase the amount on line 13 by $13,900,000,000.
On page 3, increase the amount on line 14 by $16,200,000,000.
On page 3, increase the amount on line 17 by $0.
On page 3, increase the amount on line 18 by $9,200,000,000.
On page 3, increase the amount on line 19 by $11,900,000,000.
On page 3, increase the amount on line 20 by $16,200,000,000.
On page 3, increase the amount on line 24 by $0.
On page 3, decrease the amount on line 25 by $5,300,000,000.
On page 4, decrease the amount on line 1 by $8,700,000,000.
On page 4, decrease the amount on line 2 by $9,600,000,000.
On page 4, increase the amount on line 5 by $0.
On page 4, decrease the amount on line 6 by $5,300,000,000.
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On page 5, increase the amount on line 7 by $0.
On page 5, increase the amount on line 10 by $4,250,000,000.
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On page 5, increase the amount on line 14 by $0.
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On page 5, increase the amount on line 19 by $175,000,000.
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On page 24, increase the amount on line 15 by $0.
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On page 24, increase the amount on line 19 by $0.
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On page 24, increase the amount on line 25 by $0.
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On page 27, increase/the amount on line 23 by $1,100,000,000.
On page 27, increase/the amount on line 25 by $0.
On page 28, increase/the amount on line 2 by $0.
On page 28, increase/the amount on line 4 by $0.
On page 29, increase/the amount on line 16 by $0.
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On page 29, increase/the amount on line 25 by $0.

On page 30, increase/the amount on line 2 by $0.
On page 30, increase/the amount on line 4 by $0.
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On page 30, increase/the amount on line 7 by $200,000,000.
On page 30, increase/the amount on line 8 by $0.
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On page 30, increase the amount on line 16 by $0.
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On page 30, increase the amount on line 24 by $0.
On page 30, increase the amount on line 25 by $0.
On page 32, decrease the amount on line 17 by $100,000,000.
On page 32, decrease the amount on line 18 by $100,000,000.
On page 32, increase the amount on line 19 by $0.
On page 32, increase the amount on line 21 by $0.
On page 32, increase the amount on line 23 by $0.
On page 33, decrease the amount on line 2 by $900,000,000.
On page 33, decrease the amount on line 3 by $900,000,000.
On page 33, increase the amount on line 4 by $0.
On page 33, increase the amount on line 6 by $0.
On page 33, increase the amount on line 8 by $0.
On page 33, decrease the amount on line 11 by $1,600,000,000.
On page 33, decrease the amount on line 12 by $1,600,000,000.
On page 33, increase the amount on line 13 by $0.
On page 33, increase the amount on line 15 by $0.
On page 36, increase the amount on line 11 by $0.
On page 36, increase the amount on line 12 by $0.
On page 36, increase the amount on line 13 by $0.
On page 36, increase the amount on line 15 by $0.
On page 36, increase the amount on line 17 by $0.
On page 37, decrease the first amount on line 11 by $4,303,000,000.
On page 37, decrease the second amount on line 11 by $4,175,000,000.
On page 37, decrease the amount on line 12 by $3,229,000,000.
On page 37, decrease the amount on line 13 by $3,520,000,000.
On page 37, decrease the first amount on line 14 by $4,476,000,000.
On page 37, decrease the second amount on line 14 by $4,766,000,000.
On page 37, increase the first amount on line 20 by $0.
On page 37, increase the second amount on line 20 by $0.
On page 37, increase the amount on line 21 by $0.
On page 37, increase the amount on line 22 by $0.
On page 37, increase the first amount on line 23 by $0.
On page 37, increase the second amount on line 23 by $0.
On page 38, decrease the first amount on line 10 by $2,368,000,000.
On page 38, decrease the second amount on line 10 by $2,289,000,000.
On page 38, decrease the amount on line 11 by $2,981,000,000.
On page 38, decrease the amount on line 12 by $1,071,000,000.
On page 38, decrease the amount on line 13 by $3,440,000,000.
On page 38, decrease the amount on line 14 by $1,884,000,000.
On page 38, decrease the first amount on line 24 by $713,000,000.
On page 38, decrease the second amount on line 24 by $621,000,000.
On page 38, decrease the amount on line 25 by $743,000,000.
On page 39, decrease the amount on line 1 by $694,000,000.
On page 39, decrease the first amount on line 2 by $772,000,000.
On page 39, decrease the second amount on line 2 by $767,000,000.
On page 39, increase the first amount on line 13 by $0.
On page 39, increase the second amount on line 13 by $0.
On page 39, increase the amount on line 14 by $0.
On page 39, increase the amount on line 15 by $0.
On page 39, increase the first amount on line 16 by $0.
On page 39, increase the second amount on line 16 by $0.
On page 40, decrease the first amount on line 2 by $363,000,000.
On page 40, decrease the second amount on line 2 by $30,000,000.
On page 40, decrease the amount on line 3 by $379,000,000.
On page 40, decrease the amount on line 4 by $132,000,000.
On page 40, decrease the first amount on line 5 by $395,000,000.
On page 40, decrease the second amount on line 5 by $248,000,000.
On page 40, increase the amount on line 15 by $0.
On page 40, decrease the first amount on line 16 by $1,200,000,000.
On page 40, increase the second amount on line 16 by $0.
On page 40, decrease the amount on line 17 by $1,500,000,000.
On page 40, increase the first amount on line 18 by $0.
On page 40, decrease the second amount on line 18 by $2,500,000,000.
On page 41, increase the amount on line 3 by $700,000,000.
On page 41, increase the amount on line 4 by $300,000,000.
On page 41, increase the first amount on line 5 by $1,200,000,000.
On page 41, increase the second amount on line 5 by $700,000,000.
On page 41, increase the amount on line 6 by $1,600,000,000.
On page 41, increase the amount on line 7 by $900,000,000.
On page 41, increase the first amount on line 16 by $0.
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On page 41, increase the second amount on line 20 by $0.
On page 41, increase the amount on line 21 by $0.
On page 42, decrease the first amount on line 6 by $2,826,000,000.
On page 42, decrease the second amount on line 6 by $951,000,000.
On page 42, decrease the amount on line 7 by $3,197,000,000.
On page 42, decrease the amount on line 8 by $2,917,000,000.
On page 42, decrease the first amount on line 9 by $3,814,000,000.
On page 42, decrease the second amount on line 9 by $3,608,000,000.
On page 42, increase the amount on line 19 by $0.
On page 42, increase the amount on line 20 by $0.
On page 42, increase the first amount on line 21 by $0.
On page 42, increase the second amount on line 21 by $0.
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On page 42, increase the amount on line 23 by $0.
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On page 43, decrease the first amount on line 9 by $700,000,000.
On page 43, decrease the second amount on line 9 by $900,000,000.
On page 43, decrease the amount on line 10 by $1,000,000,000.
On page 43, decrease the amount on line 11 by $1,100,000,000.
On page 43, increase the amount on line 20 by $0.
On page 43, increase the amount on line 21 by $0.
On page 43, increase the first amount of line 22 by $0.
On page 51, increase the amount on line 17 by $3,000,000,000.
On page 51, increase the amount on line 19 by $3,200,000,000.
On page 51, increase the amount on line 20 by $3,500,000,000.
On page 51, beginning with line 22, strike through line 4 on page 52.

Mr. BYRD. Mr. President, may we have order in the Senate.

The PRESIDING OFFICER. The minority leader deserves to be heard. Will all Senators and all staff please cease conversations.

The minority leader.

Mr. BYRD. Mr. President, I thank the Chair and ask unanimous consent that the time used in getting order not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I should begin by saying that Mr. CHILES, Mr. HOLLINGS, and others who worked so long and gave so much effort to the

amendment which they offered are to be complimented. The amendment which they offered and the amendment which I now have offered on behalf of others and myself are really not very far apart in most respects. Both—the Chiles-Hollings amendment and the amendment that is now before the Senate—in my judgment are better amendments than is the White House-Republican leadership proposal. I could very well have voted for the Chiles-Hollings amendment but for one aspect of that amendment.

Mr. CHILES and I sought to bring our amendments together so that we could have an amendment which we could all support, and but for the one item we could have done that.

A DEBATE ON THE FUTURE AND FAIRNESS

Mr. President, we now are debating the budget of the U.S. Government for fiscal year 1986 and beyond. For months, Americans have been bombared by the media with countless stories about this budget proposal, and that budget compromise—this White House ultimatum, and that offer to negotiate. During the past 3 weeks, much of the attention has shifted to what amendments will be offered by whom, and speculation concerning whether Republican Senators will support the budget desired by the President.

Throughout the budget debate, the major focus has been on counting dollars: How big the deficit is; how many dollars will be spent for this, that, or another program; how much this or that program will be cut. Surely these matters are important; by definition, a budget must address the question of "how much for what?" And certainly it matters a great deal how much is allocated to each function of Government.

However, I believe it is long past time for the budget debate to be returned to what it originally was meant to be—determining the kind of future to which the American people aspire, and the role Government can best play in assuring that future. I do not believe it was intended to be, and strongly believe it should not be, an exercise in creative accounting where the only thing that is important is whether the numbers add up in column A or column B.

The budget is out of kilter, and we must reduce unprecedented deficits that threaten to drown our children in debt and debt service. But after agreeing this is the case, it is neither wise nor rational to indiscriminately dismantle the very programs upon which our future depends.

Where does the so-called White House-Republican leadership budget before us provide for positive steps to strengthen our economy, correct our economic weaknesses, and increase our commercial competitiveness in an increasingly interdependent world? Sadly, the answer is "nowhere."

Where does this budget proposal provide for necessary investment today in our fundamental national resources—our people and our infrastructure—in order to be sure that we have a healthy, capable work force, livable cities, adequate lines of transportation and commercial intercourse, and sufficient energy sources? Sadly, the answer is "it doesn't."

How does the Republicans' budget contend with the necessity to allocate fairly the discomfort of necessary belt tightening among those who benefit from Government programs? The sad fact is that this budget saddles the burden disproportionately on the elderly, on the sick, on children, and on the impoverished.

In addition to these fundamental flaws, the Republican budget proposal misses a golden opportunity to make a badly needed public policy change that also would lower the deficit. We are confronted today with a frightening deficit at the same time hundreds of large, profitable corporations are paying little or nothing in income taxes. The American worker should not be asked to pay additional taxes at this time. I do not support any new taxes on individuals. But what I do support is requiring that all corporations pay their fair share in taxes. What they don't pay winds up in only one of two columns of the budget: Either individual taxpayers have to pay the bill, or it just gets tacked on to the mushrooming deficit.

There is no excuse for waiting longer to make the simple changes in the Tax Code to correct the most egregious loopholes. Taking such action now need not prejudice or threaten in any way the vital objective of fundamental tax simplification on which the House Ways and Means Committee already is at work, and on which I hope the Senate Finance Committee will begin work soon.

Today, on behalf of myself and Senators CRANSTON, INOUYE, MATSUNAGA, and MELCHER, I am offering an amendment to address the deficiencies I have outlined. Very importantly, this amendment does not add a penny to the deficit. It pays for itself. Compared to the White House Republican leadership budget proposal, my amendment reduced the deficit more—in each of the next 3 years as well as over the entirety of that 3-year period.

CONTENTS OF THE BYRD AMENDMENT

I would like to describe the components of my amendment:

ECONOMIC GROWTH AND COMPETITIVENESS

First, in order to assure economic growth and competitiveness, my amendment will add $1 billion in outlays in fiscal year 1986, and $7.1 billion over the 3-year period, fiscal years 1986–88, for export promotion activities and for preserving our basic civilian science, research, and technology programs, and our Job Training and Disclocated Worker Retraining Programs.

The signs all around us are unmistakable. It is impossible for any modern nation to confine its economy within its own borders. Whether we wish for it to be so or not, we are participants in an international, global economy. In that economy, we are competing with some very capable, resourceful, and ambitious nations and people. Government must be an active participant in assuring that our Nation remains competitive.

Nations that are succeeding in the global economy harness their public powers and capabilities just as they devote their private skills, energies, and ambitions to this cause. Failure to invest in basic science and technological research eventually will suffocate our industrial and commercial machine.

Much of the credit for our preeminence in many fields is due to the initial investment in research made with Federal funds in past years, and reducing that investment now is exactly the wrong step to take. An economy that lacks sufficiently trained and skilled workers to do its work will dry up and die. We must enhance the ability of the private sector to do this essential job, but the Federal Government also has a role to play. That role is to catalyze necessary job training and retraining, collect and provide employment market data, and assist businesses and industries to project their employment needs so that the educational and vocational preparation system can cater to them on a timely basis.

The Republican budget slashes these programs—like the Job Training Partnership Act which the administration continually cites as its major contribution to assuring our businesses and industries have the supply of appropriately qualified labor they need—and completely eliminates some of them, such as the Job Corps and the Work Incentive Program to help welfare recipients find and keep private sector employment. My package not only preserves the Federal training programs but protects them against inflation, so that they will retain the capability to serve at least as many Americans in the future as they serve today. That is not sufficient, but surely we cannot do less.

It is inconceivable to me that this Nation, which has benefited to such an incalculable degree in so many ways from those programs, would consider drastic cuts in the budget for basic civilian scientific and technological research, applied science, and health and disease prevention research. One of the proudest moments in the history of humankind was when the United States set the goal—and

reached the goal—of putting a man on the Moon. The pride of accomplishment and the national prestige that came from our success would have been sufficient reward—but we also have reaped untold benefits in halo effects as the fantastic strides in technology that flowed from the space program have made their way into our everyday lives.

The advances in medical science and treatment that have been experienced during the past 50 years have revolutionized our understanding of our bodies and how to extend our lives far beyond anything our ancestors ever would have dreamed about. We have completely eradicated some diseases, and are fast on the trail of others. The reduction in pain and suffering is beyond value.

The miraculous thing about the frontiers of science and medical research is that the more they are explored, the more we discover still awaits our exploration. The more we learn, the more we see is out there to be learned.

My amendment preserves the basic civilian science and research activities, and assures that they will receive budgets of constant purchasing power during the next 3 years. This includes such agencies as the National Science Foundation, NASA, and the National Institutes of Health.

As I noted previously, we are immersed unavoidably in intense trade competition with very resourceful nations around the world. Many other nations make deep and substantial commitments of public resources to enhance the competitiveness of their products and services in the world market. For example, the Japanese Government supports more than 40 percent of its exports while our Government supports only 5 percent of American exports. The costs of failing to compete effectively are incomprehensible—and unaffordable.

Our economic security and global competitiveness are essential elements in building a secure, promising future. In omitting significant support for export promotion, the Republican budget puts that future at risk. In a year in which the trade deficit could exceed $140 billion, we cannot afford to undercut our competitive position by doing away with Government export promotion programs that enjoy the support of the President's own Commission on Competitiveness, the President's Export Council, the Senate Democratic working group on trade policy, and a broad coalition of business and labor groups.

For this reason, my amendment makes possible a substantial additional investment of public funds for the purpose of export promotion—something cut to the bone by the Republican budget. This budget capacity would be available for the Congress to allocate to those export promotion activities that it determines to be the most cost-effective and productive. This component of my budget would result in the reinstatement of a total of nearly $1½ billion in outlays over a 3-year period that the Republicans stripped from the Federal budget.

FAIRNESS AND EQUITY

The second major thrust of my amendment is to return fairness and equity to the grossly inequitable budget proposed by the White House and the Republican leadership.

Already the Senate resoundingly rejected the proposal that cost-of-living adjustments be cut in Social Security, Railroad Retirement, veterans' pensions and disability programs, and Federal civilian and military retirement programs. My amendment incorporates these Senate decisions, providing the beneficiaries of these programs and the Black Lung Program with an unrestricted COLA over the next 3 years.

My amendment also provides sufficient funding to prevent imposition of any new out-of-pocket cost increases for disabled or elderly Medicare beneficiaries. It rejects proposals in the so-called Republican leadership package to increase the premium for physicians' bills and outpatient coverage (Medicare part B), to increase the part B deductible all beneficiaries must pay before they are eligible for any help with their doctors' bills, and to impose substantial copayments for every home health visit. My amendment restores approximately one-third of the amount by which the Republican proposal's cut in Medicare's hospital reimbursement extends even below the level of an absolute dollar freeze—a severe blow that many hospitals simply could not withstand, and which those hospitals that survived would be forced to pass on to other patients.

As the Senate previously recognized, the cuts proposed in the already-battered Medicaid Program were unacceptably and unjustifiably harsh. My amendment fully restores the additional cuts in this program. Federal payments for Medicaid must not be further cut when they will mean children living below the poverty level, many of whom do not now receive sufficient medical care, and elderly nursing home residents, will lose some of the medical care they now receive.

The programs I have just mentioned serve predominantly elderly Americans, the disabled, and impoverished children, particularly sick and injured elderly persons and poor children. Included among these are the veterans who served our Nation selflessly during time of conflict. These Americans already have borne the largest share of the burden of budget reductions enacted at the Federal level during the past 4 years. They should not be asked to make additional and heavy sacrifices.

Social Security is a bulwark against poverty for the elderly. Cuts in its COLA inescapably will force hundreds of thousands of present and future beneficiaries into poverty. I cannot play any part in taking such a backwards step, and believe it is unacceptable for this Government to break a contract with either current beneficiaries, or today's workers who will be tomorrow's beneficiaries, when the solvency of the program does not require it. I further will have no part in helping to break a promise repeatedly made by the President of the United States both during and since last year's election campaign.

My amendment also protects important veterans programs. It restores the COLA for veterans disability and pensions programs and for military retirement. And it restores the cuts in funding for delivery of health care to veterans and eliminates the increased fees for veterans' mortgages—both proposed in the White House-Republican leadership budget. In this regard, my package incorporates the funding level proposed and supported by the Democratic members of the Senate Veterans' Affairs Committee. We owe our veterans our lasting gratitude for the sacrifices they have made in assuring the defense of our Nation and our democratic form of government, but we owe them more than just words. Veterans programs are the tangible expression of our gratitude—and, in the case of veterans disability programs, are a moral obligation.

INVESTMENT IN OUR FUTURE

As I noted previously, the budget before us is sadly deficient in its provision for investment in the most vital and fundamental national resources—our people and our infrastructure. The future of progress, growth, higher living standards, and fulfillment to which Americans aspire will become a reality instead of just a dream only if we invest in these basic resources today.

My amendment provides sufficient funding to protect Federal education programs and child nutrition programs against inflation and to save from destruction and protect against inflation a group of vital economic development, transportation, and urban infrastructure programs—such as Mass Transportation, Urban Development Action Grants, Amtrak, the Economic Development Administration, and the Appalachian Regional Commission. My amendment also restores all but about $7 billion in outlays of the massive cut in funding for farm and agriculture programs contained in the Republican budget, reinstating all but a very small amount of the Republicans' cut targeted for fiscal year 1986.

My reasons for this portion of my amendment are simple. If we fail to make investments in these areas now, our children surely will pay an awful price for our selfishness and lack of vision. But in many cases we will not have that long to wait; we will pay the price very, very soon if we ignore some of these necessities.

Nothing is more important to the future of this Nation than assuring that our children receive the best educations we can provide to them. To this end, my amendment makes numerous changes in the deficient Republican budget for education. My amendment restores funds to assure at least level funding at the 1985 level for elementary, secondary, and higher education programs singled out for cuts and elimination in the Republican budget, including the impact aid "B" program and the Higher Education Student Assistance Programs. For especially critical elementary, secondary, and higher education programs, my amendment adds sufficient funding to preserve the ability to serve the same number of students in the future as currently are being served, despite the bite of inflation. This includes the Chapter I program of Aid for the Disadvantaged, the Head Start Program—which is a preschool program—and the Pell Grant Program.

My amendment assumes savings of $100 million in the guaranteed student loan program, $50 million less than the savings assumed in the Republican budget—a level of savings I am advised can be made without diminishing access or the number of students served by tightening administration of the program, particularly through decreasing the default rate. Finally, my education provisions provide approximately $200 million in new funding for creation or enhancement of programs geared toward increasing basic reading, writing, math, science, and computer skills; providing better teacher training in these areas; and encouraging excellence in education programs, such as gifted and talented student programs, in these and other areas—such as history and foreign language curricula.

Children cannot learn, or grow to become healthy adults who are contributors to their Nation rather than dependent upon it, if they are malnourished. The American School Food Services association estimates that 5,000 to 6,000 schools would drop out of the School Lunch Program if the budget cuts proposed by the Republican budget are enacted. This could deny school lunches to approximately 3 to 5 million children—and comes on top of cuts in fiscal year 1981 and 1982 when approximately 2,000 schools and over 3 million children were forced out of the program. These cuts—in programs that are widely applauded for their success and their cost-effectiveness—must be prevented, and my amendment provides funding so that no service reduction will be required.

Investing for the future also means maintaining our cities and assuring that they remain habitable for the majority of our population that resides and works in them, and so they remain conducive to profitable economic activity. My amendment speaks to this necessity in the following ways: First, we must support adequately the essential infrastructure which is necessary for growth and development in the private economy. Governments around the world long have recognized that investments in roads, bridges, sanitation systems, and mass transportation are essential ingredients of an active, growing economy. At the same time, history has demonstrated that such investments will not be made on an adequate scale by relying solely on private economic actors. The benefits of such investment are spread among a large number of firms, so, although all will benefit, none is willing to bear the costs of construction alone.

Another key element of urban growth and development is an ability of local jurisdictions to nurture and attract new growth investments. The Urban Development Action Grant Program has been demonstrably effective in using a small amount of public seed money to encourage private investment in urban development projects.

My amendment recognizes and addresses these urban needs, adding sufficient funding to preserve these programs and protect them against inflation over a 3-year period.

Intercity and interregional transportation also is vital to our national well-being. It is important to realize that Amtrak is a fundamental component of our national transportation network. Its system serves about 20 million persons each year, and provides rail connections for about 500 communities across the United States—many of which are without transportation alternatives. More than half of Amtrak's passengers have only modest family incomes. More than a third are elderly. In short, many Americans use Amtrak because they need it. As we look toward the future, where interdependence will be increasing, not receding, and where transportation will be critical, not less important, we cannot allow ourselves to disinvest in this manner. Amtrak should be saved, and my amendment will accomplish that by providing a full inflation adjustment for its subsidy for the next 3 years.

In looking to the future, we must not overlook, or, worse, consciously shove aside, disadvantaged communities and regions of our Nation which need help to reenter the mainstream of American economic life. Consequently, my amendment deletes the elimination of the Economic Development Administration and the Appalachian Regional Commission. These two Government programs have paid rich dividends since their inception—both to the individual cities, towns, and regions they have served, and to the Nation as a whole. While the need for such assistance is still so desperate, it would be shortsighted to cut off these important programs now. These programs are preserved and protected against inflation in my amendment.

American agriculture, particularly the family farmer, is going through some of the darkest days since the depression. At a time when we need to be offering help and support to agriculture, the Republican budget proposes some of the deepest slashes in this history of the Federal farm programs. My amendment will restore all but approximately $7 billion of the proposed cut over the 3-year period covered by the budget, with much smaller reductions falling in fiscal year 1986. This should allow the agriculture committees of the Congress to fashion an adequate farm bill that protects American farmers while responsibly reducing the cost of the farm programs to American taxpayers.

PAYING FOR THESE CHANGES

The fourth major section of my amendment deals with the issue of revenue. Because of the threat to our national prosperity posed by the huge Federal deficit, I believe we cannot afford simply to increase spending without regard to the deficit. I feel very strongly that the Federal Government must support the programs I have outlined earlier, but I feel just as strongly that we should be prepared to raise enough revenue to pay for such spending. At the same time, I believe that our tax system is so unfair that we should make some specific changes in the Tax Code on their merits alone, regardless of their impact on revenues or the deficit.

This budget resolution gives us the unique opportunity to combine increased tax fairness with a responsible approach to Federal spending and the Federal deficit. My amendment achieves these goals by setting a modest target for new revenues, a target which the Finance Committee could easily realize through tax law changes which close corporate loopholes and increase the fairness of the corporate tax system.

I emphasize that I do not believe it is appropriate to increase personal income taxes, and I will not support any such increases. It is essential, I believe, to raise the revenues I have included in my package in ways that do not touch the personal income tax.

My amendment proposes to raise approximately $60 billion in new revenues over the next 3 years. This is a fairly modest revenue target, in the same general range as the revenue in-

crease enacted last year in the appropriately titled "Deficit Reduction Tax Act." That tax bill, containing numerous provisions authored by Republican Senators, was able to achieve its revenue goals primarily by changes in corporate tax provisions. I am fully confident that the Finance Committee could continue to work in the same direction, and achieve the revenue targets in my amendment without increasing individual taxes at all.

CLOSING CORPORATE TAX LOOPHOLES

A budget, of course, only gives the Finance Committee a revenue target. It is up to the committee to determine how to achieve that target. But let me describe the assumptions I have been using to derive the revenue projections in my amendment. They show that the revenue target in my amendment indeed can be attained by closing or reducing corporate tax loopholes.

First, I assume enactment of a 20 percent alternative minimum tax on corporations, using a fairly broad definition of economic income as the basis for assessing such a tax.

An alternative minimum tax on corporations which uses the same 20 percent rate presently applied to the minimum tax on individuals would raise significant amounts of revenue and would make certain that all profitable corporations paid their fair share of taxes.

Second, I assume enactment of legislation to control the growth of corporate "tax expenditures." Taken as a whole, tax exemptions, credits, and deductions used by the corporate sector will total approximately $94.8 billion in fiscal year 1985—an amount equal to nearly two-thirds of the entire cost of all nondefense discretionary programs in the Federal budget. Yet, at a time when other spending programs of Government will be cut or frozen, corporate tax expenditures are allowed to grow unchecked. Last year, the joint committee on taxation estimated that the cumulative total of corporate tax expenditures would rise by at least 8 percent between fiscal year 1985 and fiscal year 1986, at a time when the administration is projecting only a 4.3-percent rise in inflation. Applying a "freeze" on corporate tax expenditures in fiscal year 1986 would both increase Federal revenues and ask the corporate sector to bear a reasonable share of the burden of deficit reduction.

Third, I assume enactment of legislation to close certain tax loopholes which permit corporations to shelter their income from taxation. A number of these loopholes were scaled back in the Deficit Reduction Act, and the Finance Committee can, and I assume that it will again this year, move further toward the elimination of many of these tax breaks.

Fourth, I have included in the spending portion of my amendment some $200 million a year in additional funding for the Internal Revenue Service to enhance and strengthen their compliance and enforcement activities. Many individuals and corporations are avoiding paying the taxes they now legally owe because the IRS lacks the resources to spot tax avoidance and obtain the amounts due to the Treasury. By the Treasury's own estimate, over $80 billion a year in taxes owed is not collected. Yet in spite of this appalling statistic, the administration has actually proposed to reduce the budget for the IRS. My amendment would reverse this "penny-wise and pound-foolish" approach by increasing IRS funding. The Congressional Budget Office estimates that $8 in increased tax receipts can be produced for each $1 invested in additional IRS resources, so the additional funding which my amendment provides for this purpose should both improve the basic fairness of the tax system and yield significant increases in revenues.

Finally, with respect to revenues, I have assumed for purposes of developing the revenue target in the amendment that the cigarette excise tax provisions enacted under the Tax Equity and Fiscal Responsibility Act will remain in force, and that the 16 cents per pack excise tax will not be decreased to 8 cents, as is assumed by the Dole package. At a time when this Nation is facing staggering deficits as far as the eye can see, we cannot and must not allow ourselves even to think about cutting taxes further. This is not a new tax, but only a continuation of a tax that currently is in place.

I believe that a combination of these provisions would significantly improve the basic fairness of our tax system, while also raising sufficient revenue to pay for the essential spending restorations which I call for in the rest of my amendment.

SLOWING THE GROWTH OF DEFENSE SPENDING

In order to proceed toward a balanced package—and toward a budget that is both wise and prudent—I will reduce the increase in the real growth for defense contained in the White House Republican leadership budget from 3 to 1 percent in fiscal year 1986, leaving in place the 3-percent real growth contemplated in the Republican budget for both of the succeeding years.

In the past, I have been a strong advocate of increased levels of defense spending and have supported the higher levels over the past 4 years. I also recognize that we have asked our allies in NATO to try to reach the goal of 3 percent in annual real growth to which we have agreed. Nevertheless, I believe there are good reasons to support a lower level of growth next year. First and foremost, the Pentagon must be impressed with the need to exercise substantially more effective cost control over its Weapons Procurement Program than has been the case over the last 4 years. The seemingly endless series of horror stories of sloppiness, both on the part of the contractors and Pentagon officials, and constant overcharging for commonplace items such as light bulbs, wrenches, soldering irons, toilet seats, and so forth, has eroded the national consensus for the level of real growth in spending which we have approved during the past 4 years.

Therefore, I believe the Defense Department can absorb this modest reduction in its fiscal year 1986 budget—and that the difference can and should be made up rather easily with some appropriate belt-tightening.

I want to note that the Senate Armed Services Committee, in its markup of its 1986 authorization measure, as one alternative did conduct a markup of the defense programs at a zero percent real growth level. In the context of doing that, no major weapons systems were eliminated from our inventory.

In the long run, the American people are more likely to continue to support a vigorous level of defense spending if the appropriate level of cost-consciousness and discipline is instituted throughout our procurement process. I believe the slight reduction in real spending growth—which still more than adjusts the defense budget for inflation—will contribute to this much-desired goal, while at the same time yielding a much fairer and more equitable budget.

REDUCTION IN FOREIGN AID

The final component of my budget amendment is a reduction in foreign aid by $1.9 billion in outlays over a 3-year period compared to the Republican budget's proposal. These reductions can be—and should be—achieved without cutting aid to Israel, Egypt, Greece, and Turkey below the levels they have received this year. My amendment contains essentially the same reductions in foreign aid as contained in the Chiles-Hollings amendment the Senate considered earlier today.

WE MUST LOOK TO THE FUTURE

The American people appreciate and aspire to excellence, to advancement, to growth, and to improvement. They also know that our Government—a government that is of, by, and for the people, not an independent authority and oppressor that defies the will of the majority—in the past has been a key contributor to realization of such hopes and aspirations. They also know intuitively that it must continue to be a key contributor if their dreams and ambitions for the future are to be realized.

And, in a nutshell, that is the budget debate in which the Senate is involved today. The only way Government can

be such a contributor to the kind of future we want to see is if the Congress—in the present—assures that the Federal budget allows for and contributes to those objectives rather than strangling them.

The challenge is to craft a budget that points toward a future for this Nation and its people which will realize our full potential. We intend to do just that.

The amendment I am offering today is designed to assure that at least the minimum of necessary resources is available for investment in our people, our cities, and our energy and transportation infrastructure; for improving our competitive posture in the world economy and enhancing our domestic industries; and for spreading more fairly and equitably across the Nation the burdens of reducing the largest budget deficits in our history.

Perhaps most importantly, my amendment seeks to assure that our Nation's future will not be diminished by this budget. I hope the Senate will recognize that the budget debate is not just about dollars and cents, but is, in fact, about the future of our country.

Mr. President, I ask unanimous consent to have printed in the RECORD a table entitled "Components of the Byrd Amendment to the White House-Senate Republican Compromise Budget."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

COMPONENTS OF PROPOSED ROBERT C. BYRD AMENDMENT TO THE WHITE HOUSE-SENATE REPUBLICAN COMPROMISE BUDGET

[In fiscal years and billions of dollars]

	Effect on the Republican compromise budget's outlays			
	1986	1987	1988	Total 1986–88
I. ADD-BACKS				
Fairness and Equity:				
Social Security, Railroad Retirement, Black Lung (Restore COLA)	+$2.8	+$7.2	+$11.9	+$21.9
Veterans pensions, disability; civilian, military retirement (Restore COLA)	+0.9	+2.2	+3.6	+6.7
Veterans health care programs, et cetera	+0.6	+0.9	+1.1	+2.6
Medicare: (Prevent new part B premium and deductible increase and other out-of-pocket cost increases; partial restoration of hospital reimbursement cuts below freeze level)	+1.1	+1.9	+3.1	+6.1
Medicaid: (remove artificial cap imposed on Federal participation in program)	+0.3	+0.6	+1.1	+2.0
Assuring economic growth and competitiveness:				
Science & Research Activities (NSF, NIH, NASA, etc.)	+0.5	+0.8	+0.9	+2.2
Export promotion	+0.1	+0.5	+0.8	+1.4
Job training (including Job Corps, JTPA, etc.)	+0.4	+1.4	+1.7	+3.5
Making investments in our future—Human and physical capital:				
Education programs	+0.5	+1.2	+1.6	+3.3
Child Nutrition programs	+0.4	+0.5	+0.7	+1.6
Economic/Transportation/Urban infrastructure programs (mass transit, UDAG Amtrak, EDA/ARC, etc.)	+0.9	+1.4	+2.1	+4.4
Agriculture	+3.8	+3.0	+4.1	+10.9
Other: Strengthening IRS tax compliance capacity	+0.2	+0.2	+0.3	+0.7
Subtotal—Add-backs	+12.5	+21.9	+33.1	+67.5
II OFFSETTING REVENUE				
New Revenues: [1] Dollar amounts are budget targets only. The Finance Committee would have to draft specific legislation to achieve these target levels. These target levels could be met by the following:				
Corporate Tax Loophole Closers: Revenues could be achieved in a number of ways, including a 20 percent alternative minimum corporate tax; a temporary freeze on the value of corporate tax expenditures; and targeted eliminations or reductions of existing corporate tax credits, deductions, and exemptions. (This proposal contemplates no increase of any kind in personal taxes.)	−12.0	−17.2	−21.8	−51.0
Extend the TEFRA cigarette tax	−1.5	−1.7	−1.7	−4.9
Subtotal, new revenues	−13.5	−18.9	−23.5	−55.9
Revenues attributable to strengthened enforcement of existing tax laws and collection of existing tax liabilities	−1.0	−1.7	−2.3	−5.0
Subtotal—Revenues	−14.5	−20.6	−25.8	−60.9
III. OUTLAY SAVINGS ATTRIBUTABLE TO SMALLER REAL DEFENSE SPENDING INCREASE				
Reduce defense real spending increase (B.A.) in 1986 from 3 percent to 1 percent. (3 percent in both 1987 and 1988)	−2.0	−4.2	−5.6	−11.8
IV. REDUCTIONS IN FOREIGN AID				
Foreign aid reductions	−0.3	−0.7	−0.9	−1.9
Total net budget effect of package relative to the Senate Republican-White House compromise budget [1]	−4.5	−4.3	−0.2	−9.1
Robert C. Byrd Package:				
Remaining deficits [2]	170.9	142.5	99.6	
Deficit reduction [2 3]	−56.5	−102.2	−144.0	−302.8
Senate Republican-White House compromise budget:				
Remaining deficits	175.4	146.8	99.8	
Deficit reduction	−52.0	−97.9	−143.8	−293.7

[1] (That is, this package will reduce the deficit $9.1 billion more than the Senate Republican-White House compromise budget in fiscal year 1986 through fiscal year 1988. These totals include net interest savings over the period. They also include all savings attributable to cuts made in the Senate Republican-White House compromise budget not altered by the provisions of the Byrd package.)

[2] These figures take into account all savings achieved by the Senate Republican-White House compromise budget to which the amendment will be offered—except those directly altered by the Byrd package.

[3] OMB economic forecast.

Mr. RIEGLE. Will the Senator yield before he yields the floor for a question?

Mr. BYRD. Yes. I yield to the distinguished Senator from Michigan, Mr. RIEGLE. How much time does the Senator want?

Mr. RIEGLE. Just to engage in a brief discussion, if I may.

Mr. BYRD. Very well.

Mr. RIEGLE. First, I want to commend the Senator for I think a very important step in putting this package together with great care, and with an eye to the future in terms of building on the strength of the country. My question is with regard to the items that this package does not address. There are other items that fall outside of this package that I know are of concern to the Senator and of concern to me. I assume that we are still free later in the amendment process and later on down the line to try to address other specific problem areas that for one reason or another were not put into this package. Is that correct?

Mr. BYRD. The Senator is correct. This is a perfecting amendment for a number of reasons, one of which is it cannot be amended. It is an amendment in the second degree. No amendment can be offered to this amendment.

Second, as the distinguished Senator states, it is not a complete budget substitute as has been offered by others. Those items which are not touched by this amendment could be further amended if such amendments are mathematically consistent. So there will be plenty of further opportunities to amend this budget if Senators wish.

Mr. RIEGLE. I appreciate that answer. So there would be the opportunity for those of us that support revenue sharing or support consideration of maintaining Federal civil service COLA's that we would still be free to address at a later time, and, if the votes are there, to work those out, compromise, or offer amendments, we would be free to do so. Is that correct?

Mr. BYRD. They would be.

Mr. RIEGLE. Finally, I want to say in conclusion that I appreciate very much the focus on the future, the investments in the future, and not stealing from the future in the area of education, research, scientific development, and so forth. I think that question of preparing for the future—which this proposal does, and which the White House package does not—is a very important distinction.

I ask unanimous consent to be added as a cosponsor to the package.

Mr. BYRD. I thank the distinguished Senator.

The PRESIDING OFFICE. Without objection, it is so ordered.

Mr. CRANSTON. Will the Senator yield 3 minutes?

Mr. BYRD. Yes. I yield 3 minutes to the distinguished minority whip.

Mr. CRANSTON. Mr. President, I rise to support the amendment offered by the distinguished Senator, Senator BYRD. I am delighted to be a principal cosponsor. This proposal will reduce the fiscal year 1986 deficit figure by $56.5. That is $4.5 billion more than the Republican-White House proposal before us. The most important thing about this plan is that it is a very realistic proposal for dealing with the deficit. Social Security and other COLA's are retained as has been voted by the Senate, and yet still we make a larger

dent in the deficit than the proposal that was placed before us by the White House and the Republican leadership.

It also restores the Medicare-Medicaid cuts, and it restores cuts in veterans' medical care. Very importantly, it makes essential investments in American competitiveness, and in human and fiscal capital for our future in terms of education and so forth. It recaptures revenues for the Treasury through proposals for compliance, and for a corporate minimum tax. But it is not a tax increase. It does not affect the general rates paid by business, by corporations, and by individuals. It simply seeks to ensure greater fairness in our taxation system by ensuring that corporations—some of which notoriously have avoided paying any taxes at all, while earning billions and even getting tax refunds—will henceforth pay at least a modest share of what they should. It extends the cigarette tax which is due to expire in the fall of 1985. That is not a tax increase. I am confident that would be something that the Republican leadership would seek to accomplish at some later stage. It might as well be done now. It makes a realistic cut in defense, allowing for a 1-percent increase over inflation in 1986, and then a 3-percent increase over inflation in the ensuing 2 years.

I personally differ with that particular part of this package. I would like to see us restraining defense in this coming year without any increase and without even a COLA. But in the interest of accommodation, of compromise, and of getting a realistic package that can win adequate votes in the Senate, I nonetheless support this proposal.

The amendment also contains properly allocated cuts in foreign aid which let us keep our commitments under Camp David and other treaties but does make some reduction.

To repeat, the basic premise of this budget proposal offered by Senator BYRD is that it is grounded in reality. I believe the alternative placed before us by the Republican-White House leadership is not a sustainable, feasible project. We have already witnessed evidence to that in the adoption of amendments offered by Republicans, adopted by the Senate, which have made some very significant changes in that package placed before us by the White House and the Republican leadership.

I think that proposal is as unrealistic as the 1981 tax cuts which were supposed to pay for themselves but did not. This proposed budget that came from the White House and the Republican leadership was supposed to make a dent in the deficit but already significant changes have been made in it on amendments offered by the Republicans.

For all these reasons, I urge support for the pending amendment.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Will the minority leader yield 10 minutes for me on this amendment?

Mr. BYRD. How much time do I have, may I ask the Chair?

The PRESIDING OFFICER [Mr. GOLDWATER]. Twenty-three minutes and forty seconds.

Mr. BYRD. I thank the Chair.

I yield, could we say, 8 minutes?

Mr. LAUTENBERG. I thank the Democratic leader. Mr. President, I am pleased to join in sponsoring the budget proposal offered by the Senate from West Virginia.

Mr. President, the question is not whether to cut the deficit. The deficit threatens our economic future. The question is how to cut the deficit.

The proposal before us cuts the deficit while investing in our future, by investing in the education of our children and in the promotion of science and by maintaining the infrastructure, the foundation for economic growth.

The proposal cuts the deficit without undercutting our obligation to care for the needy, the sick, and the hungry, through programs like Medicare, Medicaid and child nutrition. The proposal cuts the deficit without breaking our bond to older Americans on Social Security. It cuts the deficit by restraining defense spending. In fact, I think we could even do more. It recognizes that the burden of fighting the deficit must be shared equally, and that involves increased revenues.

Mr. President, the package goes a long way toward addressing the flaws in the budget plan proposed by the White House and the Republican leadership.

As the Senator from West Virginia knows, I had intended to offer an amendment to restore funding for three programs on which our economy depends: Amtrak, mass transit, and urban development action grants. I want to thank the Senator for incorporating that amendment into his package.

As he recognizes, if our goal is maintaining a healthy economy, we cannot take a meat ax to programs on which a healthy economy depends. And a healthy economy depends not only on broad fiscal policy, it depends on an efficient system to move people and goods, systems like Amtrak and mass transit. Reviving the economies of our ailing cities and towns depends on effective programs like the UDAG program which provides a catalyst for economic revival.

Mr. President, over the next 3 years, these programs would account for one two-hundredths of Federal spending, outlays, but under the so-called compromise budget they would bear three times their share in deficit reduction.

That is unfair and its unwise. In many areas of our Nation, the Urban Development Action Grant Program has made the difference between urban decay and urban revival. By making the difference between whether a hotel, an office development, a factory gets built. Development that can swing a city around. By leveraging private investment with public money the UDAG program has spurred over 2,400 developments in close to 1,100 cities, involving $26 billion in private investments.

And that private investment yields $990 million a year in tax revenues and reduced transfer payments. Cutting the program does not save money, it costs money.

But, Mr. President, our towns and cities also need mass transit, to move people to and from work in the densely populated cities, counties, and States of our Nation. Without mass transit aid, transit arteries will clog and the economic heart of the city may falter.

Simply put, providing an efficient and workable system of tranportation is an essential function of Government. That is why we need mass transit assistance.

Mr. President, that is why we also need Amtrak. This Nation should not be the only advanced, industrialized nation that lacks a government-supported, national passenger rail network.

We subsidize air travel, through airport construction, an air traffic control system, through subsidies for the aircraft industry. We build a network of national highways, for auto and truck traffic. But under the budget before us, we would abandon the rails.

In doing so, Mr. President, we would abandon 500 towns and cities along the lines.

We would abandon 20 million passengers, passengers who will turn to cars, buses and airplanes that could not possibly bear the load.

We would abandon $3 billion in locomotives, equipment, and plant.

We would tear down a railroad after investing so much to build it up.

Mr. President, let us not fool ourselves. Cutting Amtrak subsidies will not create a leaner railroad with fewer stops. Because if Amtrak cuts lines, it incurs labor protection costs that will bankrupt the railroad. Shutting down Amtrak will cost $2.1 billion in contracted labor protection costs and it will cost towns and cities a vital raillink. It will cost millions of people a way to get to work and to move around this country. It will cost 25,000 jobs in 44 States.

In sum, Mr. President, I commend the Senator from West Virginia for offering this package, and particularly

for including it in the restoration of these important investments in our economy. I urge my colleagues to support the amendment.

I thank the majority leader.

Mr. BYRD. Mr. President, I thank the distinguished Senator from New Jersey.

I yield to the distinguished senior Senator from New Jersey.

Mr. BRADLEY. Mr. President, I would like to propound a few questions to the distinguished minority leader.

Mr. BYRD. That will be fine.

Mr. BRADLEY. I commend the leader for his package. As I understand the package, it calls upon the Finance Committee to raise about $60 billion in revenues over the next 3 years. Is that correct?

Mr. BYRD. About $61 billion.

Mr. BRADLEY. As I understand the Budget Act and the procedure of the Senate, the amendment cannot specify—and does not specify—how revenues will be raised. Is that correct?

Mr. BYRD. This amendment does not specify. The distinguished Senator is on that committee and could differ with me or any others who are supporting this proposal as to how we would prefer to see the revenues raised.

Mr. BRADLEY. So to vote for this amendment does not obligate one to vote for any specific tax proposals; is that correct?

Mr. BYRD. The Senator is correct.

Mr. BRADLEY. So indeed Senators might be able to arrive at a revenue number in different ways; is that correct?

Mr. BYRD. The Senator is correct.

Mr. BRADLEY. And it certainly does not mean that supporting the amendment is an endorsement of a minimum tax or of any particular kind of tax bill. That decision is left with the Finance Committee and with the individual Senator. Is that correct?

Mr. BYRD. The Senator is correct.

Mr. BRADLEY. I thank the minority leader very much.

Mr. BYRD. I thank the distinguished Senator for clarifying this matter.

Mr. MELCHER. Will the Democratic leader yield me 6 minutes?

Mr. BYRD. Yes, I yield 6 minutes.

Mr. MELCHER. Mr. President, I would like to follow on the colloquy which just took place between the Senator from New Jersey and the Senator from West Virginia, the minority leader.

The questions that the Senator from New Jersey propounded as a member of the Finance Committee and one of the leading experts on that committee in regard to taxes produced a very fine colloquy to have in the RECORD because it exactly explains a situation of the amendment regarding taxes in the proposed amendment.

I want to cite one of the reasons why we should not wait to make some adjustments, but to indicate that those adjustments should be made now by addressing this situation immediately in the budget resolution before us.

I have asked my staff to prepare the latest figures which are available for, I presume, the largest group of profitable corporations. That is, the group of largest profitable corporations that under the current tax law are not paying any income taxes. I would like to share that with my colleagues.

We do not necessarily have these in the best order under any criteria except right at the top we have four very profitable corporations who, instead of paying any Federal income taxes, actually got rebates.

The latest figures that are available are from 1983. The profits from General Electric, $2.4 billion. They got a $35 million rebate from the Treasury rather than paying some taxes.

Boeing had profits of $475 million, and they got a $44 million rebate.

Columbia Gas System had profits of $337 million and got a rebate of $31 million.

General Dynamics had almost a half billion dollars in profits, paid no income tax but got a $1 million rebate from the Treasury Department.

Lockheed paid no income taxes on profits of $461 million, and Commonwealth Edison had $1.1 billion in profits and paid $3 million—$3 million out of $1.1 billion of profit. They were taxed by the Federal Government, under our laws, $3 million.

AT&T had almost $9 billion in profits and paid taxes of $26 million. Sears, Roebuck, with $8 billion of profits, paid $67 million in taxes. Pacific Gas & Electric, $1.1 billion profit, $57 million in taxes. E.F. Hutton had $143 million profit and zero taxes paid.

W.R. Grace & Co. had $88 million in profit and did pay almost $3 million in taxes.

Mr. President, I think what this demonstrates, first of all, is that we have been a little bit lax in some of our recent tax bills and we have created a situation where, in order to encourage greater economic activity and, therefore, economic recovery, we have allowed the tax laws to be so wide open that practically no taxes are paid by these particular corporations in the latest year for which the figures are available.

Mr. President, I know none of us intends that, but since we are responsible for it, I do not think we should wait on indicating to the Finance Committee that the proper thing to do is to address this problem as soon as practical. Rather than view this as some sort of drawback to this particular amendment, the fact that it indicates that taxes should be raised along these lines, I believe that this is a very solid reason why we should vote for this particular proposal, this particular amendment to the budget resolution before us.

We should not allow ourselves to somehow be led along the path that collecting proper amounts of revenue from profitable companies should be put off any longer. We should indicate our desire and our direction to do that immediately. I am not talking about this amendment as if this provision were a sense-of-the-Senate resolution that ought to be corrected sometime. I am thinking of this as what it says in the amendment itself. It directs the Finance Committee to come up with a system of gathering additional revenue so that we can send some signal to the American people that we are, indeed, getting this deficit down, and this must be a part of it. We know that. It has come. If we have not decided in our own minds that it is coming, I invited any one of my colleagues to visit with some of their constituents to see what they think of this proposition.

This is not some quirk, Mr. President. I cited some 11 countries which are most glaring as having paid little or no taxes in 1983, the last year for which the figures are available. But if we say that 25 percent of their profits would be a reasonable tax, similar to what we pay on our own personal income and the rest of the taxpayers have to pay on the income that they earn, that would have netted to the Government $4 billion out of those figures that I have mentioned.

I might further point out that 129 major U.S. corporations paid taxes at a rate of less than 25 percent in 1983. I think it is time we correct it. I believe this provision in the amendment is very worthwhile and one that deserves the backing of all of us.

Mr. BYRD. Mr. President, I thank the distisnguished Senator from Montana. I yield to the distinguished Senator from Massachusetts [Mr. KENNEDY] 3 minutes.

Mr. KENNEDY. Mr. President, after 3 weeks of posturing, maneuvering, and sideshows, the Senate is getting serious about the budget:

Serious about how deeply we want to reduce the deficit; serious about keeping the promise of Social Security for senior citizens; serious about ending the reckless increases in military spending; serious about investing in programs that will truly strengthen our economy and our country; and serious about whether we mean it when we speak about sharing the burden fairly.

These tasks cannot be addressed separately. We do not have the luxury of passing one budget to cut the deficit, another to show the folks back home, and yet another to send to the President. We are obligated to pass one budget which represents our best judg-

ment about the country's needs for the years ahead.

The Byrd proposal faces that crucial question directly and responsibly. It acknowledges that we cannot and should not preserve any program just because it exists. It also acknowledges that budget cuts across the board by some rote formula are wrong, because they fail to recognize that future economic strength depends upon wise investment today. And it honestly recognizes that there are two columns in the budget—revenues and expenditures. The proposals from the Republican side of the aisle suffer a special form of myopia in this respect.

The Republican leader—and even the President himself—have repeatedly said that additional revenues may be necessary as a last resort. Presumably, they regard the last resort as the 11th hour of the House-Senate conference that will ultimately write the final package.

But for those of us who will not be part of the House-Senate conference, the future is now. The last resort is here. This is the last chance to put our votes where our priorities are. The time for posturing against increased revenues is over. We all accept the need for deficit reduction and progress toward a balanced budget. But it is wrong to try to reach that target by savage cuts in programs vital to our Nation's future.

The Byrd plan is an honest, fair, and forward looking proposal. It cuts the deficit significantly—to less than $100 billion by 1988. It honors our promise to Social Security recipients and sustains our commitments to the poor. It maintains crucial investments in education, training, research and development. And it proposes that all taxpayers pay their fair share of the bill for the Nation's needs.

There are no tricks in this proposal. No sleight of hand. It straightforwardly sets forth our needs, honors our obligations, and proposes to pay for what we spend. I urge the Senate to adopt it as our budget for the Nation.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Massachusetts, who is cosponsor of the amendment. I yield 2 minutes to Mr. METZENBAUM.

Mr. METZENBAUM. Mr. President, I rise to indicate my support for this plan, but in doing so, I want to make it clear that I do have one reservation about it. That reservation has to do with the fact that it provides for a 1-percent increase in defense spending.

Mr. President, this body, by a vote of 51 to 48, indicated its position on the matter of defense spending and indicated that it supported a freeze. I very strongly support the position that the Senate has heretofore indicated was the majority point of view. But I am aware of the fact that if this plan is adopted, it is subject to amendment. That being the case, I want to declare that if it is adopted, I—some other Senator might offer it, but if no other Senator does, I shall offer an amendment to reduce the defense spending increase from the 1 percent provided in this package.

I do that because I believe we are wasting too much as far as the Department of Defense is concerned. I think if we give the Department of Defense an increase for inflation, that would be totally adequate. But I think there are so many good aspects of the Byrd proposal that I want to vote for it, and with that understanding I do intend to vote for it.

Mr. RIEGLE. Will the Senator yield?

Mr. METZENBAUM. I yield to my colleague from Michigan.

Mr. RIEGLE. Mr. President, I associate myself with the Senator's remarks. I indicate that should the amendment pass and he offers such a modifying amendment later, it would be my intention to support that amendment.

FAIR AND EFFECTIVE DEFICIT REDUCTION

Mr. President, I am supporting and cosponsoring the Byrd budget package because it is the only approach now available that is both fair and effective in sharply reducing deficits. It does not ask our senior citizens to forgo the needed annual inflation adjustment while providing such an adjustment for the Defense Department. It does not severely cut or eliminate many important domestic programs while ignoring that billions of dollars of revenues are lost each year through outright tax evasion and fraud.

What this package does provide is a vision for the future by assuring economic growth and strengthening the competitiveness of the American economic system. By increasing the funding for scientific research and development, export promotion, education, and job training and retraining, this package charts a course for the sound economic future of our Nation by making needed long-term investments.

Mr. President, as I mentioned earlier, this proposal is fair because it provides full COLA's for Social Security and veterans' pensions. It eliminates the increases in the out-of-pocket costs for Medicare beneficiaries contained in the White House-Senate Republican budget sparing our senior citizens sharply rising medical costs they cannot afford.

While this package does contain new revenues, it is clearly stated that none of the revenues are to be achieved by increasing the individual income tax rates. I flatly oppose any increase in individual income tax rates. I believe it is both possible and sound to raise the amount of revenues contained in this proposal by counting the new revenues that will be raised through tax simplification. A restructuring of our tax code will make it more difficult for individuals to avoid paying legally owed taxes, and will call on highly profitable corporations who presently pay no taxes, to begin to contribute a minimum fair share tax payment.

Most importantly, this package would result in lower deficits than those proposed in the White House-Senate Republican budget. It would cut the deficit $4.5 billion more in fiscal year 1986, $4.3 billion more in fiscal year 1987, and $200 million more in fiscal year 1988, for a total of $9 billion more in deficit reduction over the next 3 years, than the Republican White House plan.

In closing Mr. President, it is important to mention that as in any comprehensive proposal there are specific aspects of this package that I feel fall short of what is needed. For example, I am disappointed that certain housing elements, Federal civil service COLA's, and postal subsidies for the blind and disabled, among others are not included in this package. However, no package is perfect and if this proposal is adopted by the Senate it will be in a position where further amendments can be offered and many of the shortcomings can be corrected and I and others will attempt to make needed changes. I urge my colleagues to join with us in supporting this amendment.

Mr. CRANSTON. If the Senator will yield to me, I also associate myself with his remarks and state that that is the part of this measure which I like least. I joined as a cosponsor because I believe overall it is a very sensible program, far better than the alternatives facing us. But I will also join in an amendment to see to it that defense gains no interest if it is passed.

The PRESIDING OFFICER. The time has expired.

Mr. METZENBAUM. I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield myself 2 minutes.

It is only fitting at this point that I acknowledge the major assistance and support that has been given by many, many Senators on this side of the aisle in assembling this package. Over the course of the past 3 weeks I have talked individually or in small groups to virtually all Democratic Senators about which vital national priorities should be reflected in the budget and the deficiencies in the White House-Republican leadership budget which must be challenged. In particular, I would like to express appreciation to several Senators for their major contributions in the development of the amendment that has been offered today. These include Mr. MOYNIHAN and Mr. RIEGLE on Social Security COLA's, Senator CRANSTON on veterans' provisions, Senators KENNEDY and

CHILES on Medicare and Medicaid, Senator SARBANES on Federal retirees, Senator INOUYE, on export promotion, Senators MELCHER, BOREN, and HARKIN on agriculture, Senators LAUTENBERG, DODD, and MOYNIHAN on urban development action grants, mass transit, and Amtrak; Senators RIEGLE, SASSER, and MATSUNAGA on economic development programs; and Senator METZENBAUM on corporate tax loophole closers.

Finally, Mr. President, I would like to thank my staff for their yeoman work on this amendment. I want to thank Susan Manes, staff director of the Policy Committee; Linda Peek, Communications Director; Barbara Videnieks, executive director of my office; Sally Laird, Steve Quick, Dick D'Amato, Kevin Nealer, Abby Saffold, Charles Kinney, and Marty Paone of the Policy Committee staff. And finally, I want to single out for special thanks Scott Bunton, deputy director of the Policy Committee and Tom Sliter of the Policy Committee staff, for their outstanding work.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. GORTON. I yield myself 8 minutes.

Mr. President, I do wish to begin my remarks by commending the distinguished minority leader for what is obviously a serious proposal with respect to deficit reduction in spite of the fact that I may disagree with it. It is a tribute to him that he has been able to unite so many of his members behind it. It is perhaps a tribute to the President of the United States and the Republican leadership that it operates generally within the frame of reference of the budget debate to this point, that is to say, while there are restorations in this program, unlike amendments in previous years from that side of the aisle, there are no attempts to create major new programs or substantially to increase old ones. They are going in the same direction as we are. They simply have not, in my view, seen the logic of the Republican leadership's set of ideas.

Where we differ substantially is in two distinct areas: First, the distinguished Senator from Michigan was very careful to associate himself with the proposal of the minority leader only after he made it clear that he would attempt to restore more spending to it once it had been adopted as the agenda for the remainder of the debate. So the proposition that this amendment would actually save more on the budget deficits than does the one which is before the Senate right now is subject to that major proviso.

It is quite obvious that it would not satisfy the spending desires of many Members on the other side of the aisle, in that they would seek to add to the spending totals in this proposal. But even taking it in its present form and basing my argument on the assumption that there would be no further spending restorations, we have before us the classic debate in this body: Are we going to deal with the budget deficit exclusively, or almost exclusively, by reducing Federal spending programs or are we going to deal with it, very significantly at least, by increasing taxes, however sugar coated, however directed at nontax-paying corporations. The Senator from New Jersey [Mr. BRADLEY] tried to make it exceedingly clear in supporting this proposal that he has grave reservations about the tax pattern assumed by the minority leader in these proposals. He did so with good reason—because these proposals clearly undermine the chances for serious tax reform later on in this year. In fact, I daresay, Mr. President, that they for all practical purposes would eliminate them because they take moneys from a corporate minimum tax, which this body has already voted will go into reducing individual income taxes as a part of a tax reform package, and transfer them into spending programs, thus sentencing tax reform to a much more dubious fate than would otherwise be the case.

This proposal also proceeds from the mistaken assumptions that it does not matter in the reduction of budget deficits whether you do it by reducing spending or by increasing taxes; that has no impact on the economy or on economic growth. That assumption, however, flies in the face of both facts and economic theory. Almost without exception the economists who testified before the Budget Committee stated that the economy would be stronger, that growth would be greater, that jobs would be more numerous if we solved our problems by cutting spending programs rather than by increasing taxes.

It is easy to talk about corporation minimum taxes and non-tax-paying corporations, but the money that they do not pay in taxes goes into providing jobs for American working men and American working women. This proposal would clearly result in a lower-employment level and a higher-unemployment level than the alternative Republican leadership proposal.

Finally, Mr. President, in distinction with the proposal which the Republican leadership has placed before us, this does not meet the test of fairness. It does restore cost-of-living adjustments—for all practical purposes, across the board—to retired persons under Federal retirement systems.

It does not, however, provide for any increase in the salaries of people who are at work for the Federal Government or otherwise. I find it a paradox that we should be unwilling to ask for the same sacrifice and the same discipline from those who are retired as we are asking from those who are actually at work.

I believe that fairness demands we treat such groups equally and not in a differential fashion. It is not to say that I disagree with every element of this proposal. Some of these restorations will be found in the final Republican leadership's proposal, and the real question will be whether or not we want to maximize economic growth, maximize job opportunities by dealing with spending programs which have grown beyond belief over the course of the last decade or so or whether we wish to surrender and say that we can only deal with these problems by increasing taxes and thus decreasing economic activity and economic opportunity.

The PRESIDING OFFICER. Who yields time?

Mr. RIEGLE. Mr. President, will the Senator briefly yield for a clarification in reference to a comment he made in reference to the Senator from Michigan?

Mr. GORTON. The Senator will yield for a short question. If the Senator from Michigan wishes to make a speech, it will be on his own time.

Mr. RIEGLE. It will not be a speech. I had just wanted to correct the record.

The Senator from Washington correctly noted that I suggested being free to later deal with certain other items that were not contained in the package and that in fact would add cost. But as the Senator also knows, or I want to advise him, I also indicated there was one item in the package that I would move to reduce that would produce revenue to more than offset that. So it would not be the intention of the Senator from Michigan to offer any add ons that were not paid for by some other saving.

Mr. GORTON. The Senator notes the comments but also notes that revenue sharing, which was specifically mentioned by the Senator from Michigan, would cost all by itself considerably more than a 1-percent cut in the defense budget.

I suggest the absence of a quorum and ask unanimous consent that it be charged equally.

Mr. BYRD. Mr. President, will the distinguished Senator withdraw that request?

Mr. GORTON. He will.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The minority leader.

Mr. BYRD. Mr. President, a budget document is not just a set of numbers. There is no magic number in this regard, unless it is zero, a balanced budget, and I think we are all working toward that, some of us may disagree on the way to reach that goal.

But what we are talking about here is not just a set of numbers. It is a

statement of priorities, policies and principles that will affect millions of Americans—and the direction that our Nation takes as it begins to prepare for the future.

The amendment that is before the Senate seeks to assure that our Nation's future will not be diminished by what we in this Congress do in this budget.

The PRESIDING OFFICER. I remind the minority leader that the time under his control has expired.

Mr. BYRD. Mr. President, I yield 3 minutes off the resolution.

I do not think that the amendment or the resolution addresses every matter to the full satisfaction of every Senator. There are other matters which I personally would like to have added or taken away. But I sought to do the best I could in addressing matters that are of great importance to every Senator in this body.

I hope that the Senate will recognize, then, that the budget debate is not just about dollars and cents. We are discussing real peoples' futures as we stand here. We are discussing this Nation's ability to compete in the global marketplace. We are discussing real peoples' parents and real peoples' children when we debate here about the figures on the budget chart.

This amendment begins to change the course and reflect this Nation's determination to reach for the stars, to reach for the best lives, to reach for the best living standard, to reach for the greatest opportunity, and to reach for the highest fulfillment attainable for our people. This is what the American people want. This is what the American people deserve. It is the responsibility of those of us in Congress to lay out the means of arriving at those goals.

So I urge my colleagues to vote for the amendment, to vote for the kind of future that we all want to see for our Nation and its citizens—your children, my children, your grandchildren and mine.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield to the distinguished Senator for 2 minutes.

Mr. HEFLIN. Mr. President, I rise to express concern over the Byrd amendment. I intend to vote for it, but I am voting for it with reservations. I would not vote for it if it called upon the Senate Finance Committee to draft specific legislation to achieve targeted revenue levels.

The Byrd amendment does not call for any specific or detailed revenue measures. While the debate on the Byrd amendment makes clear that the targeted levels could be achieved by certain specific and detailed measures, these are only recommendations. I clearly want it understood that I am not in favor of the recommendations that have been advocated by the proponents of the Byrd amendment.

I voted against the very punitive TEFRA tobacco tax when it was before the Senate earlier and I do not feel it should be extended. I, at this time, am not advocating the recommendations pertaining to corporate tax measures that have been mentioned by the proponents of the Byrd amendment. I would clearly want to study each and every one of these and see how they affect small businesses and small corporations, as well as how they will affect the growth policy of our economy, local units of government, and the well-being of various segments of the American economic society.

I believe the revenue targeted levels can be obtained through better tax compliance, strengthened enforcement of existing tax laws, and collection of existing tax liabilities.

It may well be that in our efforts to simplify our income tax laws that we will be able to bring about provisions in the Tax Code, greatly assisting tax compliance, enforcement, and collection. The goal of $14.5 billion in fiscal year 1986 is not an unrealistic goal to be obtained through closing of loopholes, strengthening enforcement, better compliance, and more effective collection.

I want it clearly understood that in supporting the Byrd amendment I am not advocating any new taxes or any additional taxes.

The Byrd amendment is attractive because it does not cut Social Security and provides a good number of add backs that are needed, particularly in science and research activities, veterans health care programs, Medicare, education and other provisions contained in the items of the Byrd amendment.

The Byrd amendment is attractive to me in that it provides for some real growth in national defense, under the present amended budget before the Senate, real growth in defense revitalization is at zero. I feel that we must have real growth in national defense and the Byrd amendment of 1-percent real growth is better than the zero growth that is presently adopted by the Senate.

I also like the reductions in foreign aid contained in the Byrd amendment. It is also attractive because it reduced the deficit in fiscal year 1986 by $56.5 billion, which is $4.5 billion more than the White House-Republican Senate multiple compromise budget and because it reduces the deficit over the 3-year period by more than $9 billion more than the GOP compromise package.

While I am not in agreement with everything in the Byrd amendment and would do many things differently, it represents the best overall budget package that has been presented to the Senate thus far and which has any possibility of passage.

Mr. BINGAMAN. Mr. President, I am pleased to support the Byrd perfecting amendment to the budget resolution. It attempts to restore funding for necessary Federal programs, while continuing to address the serious deficit situation we now face. I support this amendment and I encourage my colleagues to support it.

I am, however, disappointed that the Chiles-Hollings substitute was not accepted. I supported that plan because it would have reduced the deficit fairly and effectively, calling for a balanced budget in 5 years.

An important element of the Byrd perfecting amendment which I would like to address is the language added on economic growth and competitiveness. This language focuses on a serious need which we must recognize and begin to address. Quite simply, as a Nation we are not as competitive as we could be.

There is popular agreement that we face a serious military threat in many parts of the world, but I suggest that we also face an economic threat with international dimensions. To be sure, both these threats are driven by external forces. The economic threat, however, is not as widely recognized.

While it may be true that the economy has rebounded from the depths of the recession of the early eighties, and that the President deserves credit for the prosperity we now enjoy, recently there have been clear signs of an economic slowdown. The Government has announced that its main index for predicting changes in economic trends registered a small but unexpected decline of two-tenths of 1 percent in March. In the wake of other recent reports of weak first-quarter economic growth and an upturn in inflation, we face serious questions regarding the strength of the economy at this time.

More than ever before, we operate in a highly competitive international marketplace and world economy. International trade now accounts for over 10 percent of our gross national product. Almost 10 million American workers owe their jobs to trade-related activities. Currently over 70 percent of American products now must compete with imports from countries in Europe, Asia, and Latin America.

Last year we imported $341.1 billion, but exported only $217.9 billion. As a result, the trade deficit reached $123.3 billion in 1984, more than double the previous year and the 9th year in a row we have imported more than we have exported. And our trade deficits have cost over 3 million jobs lost or not created since 1980. This year we are already off to a new record-setting, trade-deficit pace.

I agree that a part of the enormous trade deficit is related to the high

value of the dollar relative to the currency of other nations. This imbalance must be addressed. We must also address the problems associated with the lack of coherent trade policy in this country. But, the deteriorating trade balance also reflects a weakening of our competitive position in the world economy.

This lack of competitiveness is not limited to the so-called "sunset" industries such as steel and automobiles, but is showing up in almost every sector of the American economy. Seven out of 10 American high-technology sectors have lost market shares since 1965, and in 1984 our trade deficit with Japan in electronics was greater than in automobiles. The declining competitive position of American industry is further documented in a recently completed report, "The President's Commission on Industrial Competitiveness."

We are losing ground in almost every sector—in capital goods, high technology products, automotive goods, consumer goods, and industrial supplies and materials. Many of these are industries where we once held substantial leads in the world. The future of many of these and other basic industries is now seriously threatened.

New Mexico and many other States have been hurt by our trade problems. The mining industry has been hard hit by foreign competition, much of it unfair competition. The potash, copper, and uranium industries have been devastated. They have all suffered from decreased production, mine closings, high unemployment and regional economic dislocation in the face of foreign overproduction and dumping in U.S. markets.

I feel we need to reverse these trends in mining and other basic industries. But first we must recognize the problems and then take action to reverse harmful trends.

As a start we must reduce our Federal deficit so that interest rates will decline, make more money available for capital investment, and bring the value of the dollar into alignment with foreign currencies. We must also streamline remedies available to protect industries adversely affected by foreign govenment subsidization and unfair competition. We must direct more research and development dollars to the commercial sector, and we must improve the multilateral trading system.

However, as we are now debating the budget for fiscal year 1986 we still are not recognizing the challenge and the consequences or our failure to address our trade problems. Interestingly, the budget submitted by the President and the GOP compromise plan passed by the Senate last week contain spending cuts that would further exacerbate our competitiveness problems. Cuts are called for in programs to promote exports, to encourage research and development, and to improve our educational system in critical math, sceince, and high-technology areas. We must all work to restore these programs and resist shortsighted cuts in these areas.

The competitiveness language in the Byrd amendment restores cuts in these critical areas. It provides funding for the promotion of exports, research and technology, and educational programs in math, science, and high-technology areas. Funding is also restored for the dislocated workers section of the Job Training Partnership Act. For these reasons I support the Byrd amendment and hope my colleagues will adopt it.

The strength and vitality of the American economy are the underpinnings of our standard of living and our security. I believe we now face a challenge to our economic leadership in the world. I also believe that once we recognize that challenge and develop a consensus on how to meet it, we will bring to bear all the ingenuity, creativity, and energy that has made this country great.

I support the Byrd amendment, because it restores funding in many necessary Federal programs.

Mr. GLENN. Mr. President, I will support and vote for the Byrd amendment because it is, as was the Chiles-Hollings amendment before it, superior to the so-called leadership plan.

Where it adds back funds which the Republican proposal would cut, it does so in a most responsible way. By providing for defense spending at a level 1 percent above inflation, it helps to meet what this Senator believes is our most solemn duty—that is, to adequately provide for the national defense.

By providing our elderly with full cost-of-living adjustments, it meets another obligation that I feel strongly about. So, in at least those two respects—on defense and retirement benefits—this amendment is superior to the alternative that I supported earlier today.

But both of these plans also face up to the fact that ultimately we must turn as well to the revenue side of our budgetary ledger. The Byrd amendment does, indeed, propose that we utilize responsible revenue-raising measures to help bring our outrageous deficits under control.

Finally, Mr. President, I prefer the Byrd amendment because it also addresses the substantial need to boost our efforts in education, in job training, and in science and research activities so vital to our future and to retain a Federal effort in insuring essential economic development, transportation, and infrastructure programs. But, again, it does this responsibly by advocating the revenues necessary and not by adding to our Nation's debt.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. I yield 2 minutes, and if he needs 3, I will yield 3 minutes to the Senator from New Jersey.

Mr. BRADLEY. I thank the distinguished minority leader.

Mr. President, I rise simply to respond to what one of the opponents of this amendment stated a few minutes ago on the floor, which was that a vote for this proposal is a vote against tax reform.

I disagree most profoundly with that statement. It is possible to have major tax reform and over the course of several years to also have some increase in revenues. Indeed, the proposal that Congressman GEPHARDT and I have offered raises $40 billion over a 3-year period, even though it is revenue neutral in the first year. Tax reform is separate from the issue of whether there are other kinds of taxes that one might argue should be raised, whether that is freezing or increasing cigarette taxes, or gasoline taxes, or value-added tax or whatever. This most profoundly does not mean that to vote for this amendment is a vote against tax reform. Nor is it inconsistent with having voted for the Packwood amendment just last week, which stated that if there is a minimum tax, that revenues would be used for rate reduction and raising the threshold that one can reach before paying any tax.

So I think that the record would be incomplete if it were not clearly stated that support for this amendment is not inconsistent with support for tax reform. It is indeed fully consistent with doing so as long as one can explain how additional revenues would be raised.

I thank the minority leader for allowing me the time.

Mr. BYRD. I thank the distinguished Senator.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 5 minutes.

Mr. DOMENICI. Mr. President, we are going to vote shortly on the proposal of the distinguished minority leader, Senator BYRD, and I want to say that for those who thought the first 8 or 10 days of activity here on the Senate floor were futile and useless, and I have heard remarks such as "a waste of time," "running in place," I want to say that both proposals offered this afternoon indicate to me that there is a profound concern about the future of this country. In particular, the black cloud of debt hanging over the Nation that is going to ruin economic prosperity. Not for a few who are affected by Federal programs

but for the general public of the United States.

I have said many times that while others may look at the last election and see all kinds of things in it, I was in it and I had briefing books about 18 to 24 inches thick. As I flew around, I could study them. When someone would talk about Superfund, I could be ready. In my State we have wild burros and donkeys and there is a Federal Wild Burros Act and I had a little book on it. Well, about 4 weeks before the election, after days of campaigning, I just said, "why don't we throw them all away" because there were only two issues. One issue that attracted everyone is why the young people came to the campaigns? Why 60 percent voted for the President? In my case, bragging, why 65, maybe 68 percent voted for me? Because they were concerned about economic prosperity.

They believed that their futures were tied, in spite of their competing interests. I think I understand this because I will have seven children in college next year. If I have no other record as a Senator, I think, in looking over history, that that is a record—seven in college. So I think I know how great young people are.

But I think that in spite of all the competing interests that young people have, it was the future they cared about. The future in terms of prosperity and economic opportunity. We are all here on the floor because we are frightened that we are not going to have that future unless we somehow drain that black cloud of debt in some way before it rains down on all of us in a catastrophic economic downtown.

So I do not think that the 22 hours used up on this resolution were useless. There were four or five very big issues decided upon and there have been two very important packages offered here today.

I compliment the distinguished minority leader. I cannot support his package. I think we can do better. But I compliment him.

As I understand it, he has reinstated all the cost-of-living indexes under current law except for one group: the civil servants. I do not think their retirement benefits have a cost-of-living adjustment assumed. I do not understand the rationale, but that is all right. He has put it back for all the other pensioners, but not them.

Mr. BYRD. Will the distinguished Senator yield?

Mr. DOMENICI. I am pleased to yield.

Mr. BYRD. I understand that they are still frozen. The distinguished Senator, or any other Senator, may offer an amendment to put it back, as he knows.

Mr. DOMENICI. There is no question about that. We cannot put it back until after we have voted on this. But, nonetheless, we are just talking about our packages, and I am just offering a very simple, upfront observation that your amendment put all the COLA's back except that one. So now we have all the cost-of-living adjustments added back except for the civil servants. Your amendment has defense slightly higher than the Senate earlier voted at 0-3-3 real growth. Your amendment has 1-3-3 real growth a few billion dollars in budget authority are back in defense.

Then we get to the real difference. There is $65.6 billion less in savings from domestic programs, and there is $6.1 billion in new taxes.

Now, I do not want to repeat what I said in earlier debate, but clearly you cannot come down here on this floor of the Senate and say that is only a minimum corporate tax and a minimum tax on these who are not paying. It is in effect saying that we cannot get this budget reduced unless we add $6.1 billion in taxes.

I want to take only 2 minutes to explain why I do not think we ought to do that. First of all, it is very simple to say that taxes ought to be the last resort. I have done that already and I guess everybody has heard it for the last 3 or 4 months. They do not want to hear it anymore.

I do believe we ought to reduce the budget on the expenditure side to the maximum extent. When we are done if it is not enough, then tell the American people that is all we can do. Then look down 6 or 8 months from now when we finish this budget-cutting and say, "That was not good enough. We did not get the deficit down enough."

Let them be our judge. Let the people say then whether they want more taxes. I think that is a very good, democratic way to do it—front and center.

When that time occurs we can say, "Americans, we got the budget deficit down, but not enough. Now we will look at taxes." But if you put taxes in the very first piece of legislation that comes before us, I think you have told the American people that in this huge American budget, even with defense reduced as far as we can get it, we cannot cut spending more. I do not believe in that approach.

I cannot be part of a package unless it is different from this and cuts substantially more. I think we can and we should.

As to my second observation, we hear an awful lot about using tax reform to raise the $61 billion in this package. And we say to the American people that we are going to raise taxes in the interest of the average folks because there are those who ought to be paying their fair share.

Whether you are for tax reform or not, whether you are for this new tax reform package that the White House is talking about, the bill Senator BRADLEY has introduced, the bill Congressman KEMP and Senator KASTEN has introduced, let me tell you what I am for. I will bet you that 90 Senators are also for it. It is to take the working poor off the tax rolls. It is a sham to come here and say, "Let's tax somebody that is not paying enough and let's use it to pay for programs," when we have $16 billion in taxes being collected from the working poor.

They are the same people that we act in the name of when we talk about keeping one of these programs for $200 million or $300 million; $16 billion a year in taxes come into the tax coffers from people that fit the poverty definition to pay for these programs. I think it is an absurdity. I think it is an absurdity to ever talk about tax reform without using $16 billion to get the working poor off the rolls.

So when somebody says, "Enact a minimum tax: Tax those who are not paying," I say, "Aye," and let us use it first to get these people off the tax rolls that ought not to be on there.

Do you know that in 1977 they paid no taxes and now the average tax bill is 11.7 percent of their income. So I think that is where any new taxes ought to go first.

Frankly, I think it ought to go there before we pay for Amtrak. I think it ought to go there before we pay for Job Corps. I think it ought to go there before we pay for 15 or 20 programs and $200 million in additional spending that does not approach helping the millions of people that we could help by eliminating them from taxation.

Mr. KENNEDY. Will the Senator yield on that point?

Mr. DOMENICI. I yield to the Senator for a question.

Mr. KENNEDY. It is my understanding that under the Bradley tax proposal that very concept is incorporated to exclude those that fall below the poverty line.

Mr. DOMENICI. I say to my good friend from Massachusetts that I have not looked at all the tax reform packages. I would assume that anyone as genuine as Senator BRADLEY would remove the working poor from the tax rolls.

Mr. KENNEDY. It is not too late to cosponsor that proposal. I daresay that many of those who are in strong support of the Byrd proposal are also cosponsors of the Bradley proposal to achieve the objectives of the distinguished chairman of the Budget Committee.

Mr. DOMENICI. I understand. In due course, when I have time to study them, I will support one of them. There are a lot of them around that do a good job. I have not had enough time, with this other work here. But I will do that one of these days.

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Let me suggest that to the extent you put $61 billion in new taxes in the name of reducing the deficit, you cannot use it also to reduce rates for the poor. If you use it to reduce the deficit or to pay for programs, and then you must find more to eliminate the poor from taxation. There can be no double counting. You cannot use tax dollars to take people off the tax rolls and use the same money to pay for programs that are not needed.

There are many reasons to vote against the proposal of the distinguished minority leader. But I am going to vote against it because I believe we ought to send the message that we have reduced spending as much as we can. And I do not think we are at that point yet.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

Mr. BYRD. Mr. President, if the Senator will withhold that, we could utilize a minute or two.

Mr. DOMENICI. I withhold my request.

Mr. RIEGLE. Will the Senator yield me just a minute for a comment?

Mr. BYRD. I yield a minute to the Senator from Michigan.

Mr. RIEGLE. I thank the Senator for yielding. I just want to make the observation that, as we offer packages from this side of the aisle, we on this side of the aisle have 47 seats in a body of 100 Members. So by ourselves we cannot pass anything. To be successful, we need not only all the votes on this side, but a minimum of four votes on that side to be in a position to be able to pass a bill.

So we do not have quite the luxury that the majority party has, where they have an automatic majority going in. We start as a minority and by offering one alternative and then another, we hope to be able to attract some crossover votes. But if we do not, we cannot prevail. There is no way to turn 47 Democratic votes into 51 Democratic votes. We need some Republican help. I hope perhaps we will get some on this package.

Mr. DOMENICI. Mr. President, I believe we had six Republicans that voted for the proposal of the distinguished Senators CHILES and HOLLINGS.

How much time does the distinguished majority leader desire?

Mr. DOLE. Just a couple of minutes.

Mr. DOMENICI. I yield as much time as the majority leader desires.

Mr. DOLE. Mr. President, I will repeat pretty much what I said before the earlier vote. Again, I will indicate, as the distinguished manager just has, that six Republicans voted for the last package. I would point out that in the first vote on the first Republican package not a single Democrat voted for it. As I said earlier, I understand that. We were sort of testing and it was symbolic in a sense to sort of set the parameters.

But I think the more we look at the first vote, the more important it becomes because I see Members on both sides, Democrats and Republicans, both shooting for the $300 billion deficit reduction package over the next 3 years. I think that is very significant.

I have also indicated that I do not think all the wisdom on how to reduce the deficit is on this side of the aisle but I can indicate also to the distinguished Senator from Michigan that we have not said you cannot vote for the Democratic package. I also hope that the majority was automatic as you indicated. I have not found that to be the case since January. We have a majority in numbers but every Senator has his or her own idea. Senators vote independently.

But I indicate again that I certainly want to commend the distinguished minority leader and others who have joined in this package. I find I am troubled with the package because of the revenues. Again, I will not go through all of my experience in raising revenues. But it has been fairly broad. Some would say it was too broad. I am not afraid of revenues. But I hope that in this first effort, in the first resolution we send to the House, we send one over without revenues—just spending reductions. I am not certain we have reached that last resort that we have heard a lot about in the last year. I doubt that we have.

But I do not quarrel with anybody who is willing to offer a package and make tough decisions on how to reduce the deficit. It is not easy. I again cite the Gallop Poll as of Sunday showing that 81 percent of the American people say two things: 58 percent say the deficit is very serious, 23 percent say it is fairly serious. Only 5 percent say it does not make any difference. Fourteen percent have not heard of it yet. So put them down as undecided. [Laughter.]

But it will come. They will hear of it. They will either lose a job, a farm, or something because the deficit is going to catch up with everyone unless we take action in the Senate. So while I cannot support the distinguished minority leader's package, I hope that he can support our No. 2 if there is a No. 2. It will be without taxes. You will see some modifications in many of the programs that people were concerned about in the so-called No. 1 package. It has been put together largely through the hours and hours of work of the distinguished manager of the bill, Senator DOMENICI.

So I hope following this vote we can then go to the so-called KGB plan. I agree with the distinguished minority leader. If we can finish tomorrow, we ought to finish. When I say finish, I mean that we win. [Laughter.]

Mr. BYRD. Mr. President, I yield myself 2 minutes off the resolution.

I think the distinguished majority leader and the distinguished chairman have made very pertinent statements, and I think they are conscientious in dealing with this matter as they have done. I have respect for them. We on this side also believe that there has to be a reduction in the budget deficits. We must make some hard choices in order to do that, but we also believe that there are certain priorities in the White House-Republican leadership plan that do not properly take into consideration the future of this country. We believe the priorities contained in our amendment are so important to our Nation and its people that we must see them reflected in the budget, yet the seriousness of the deficit crisis compels us to pay the cost of our amendment by insisting that corporations pay their fair share of taxes.

So we are all on the same track. We want to see this budget deficit cut back. And we want to see the downward trend in that curve begin now. Our package does that. It does restore funding for some critical programs but we pay for them in ways that the American people view as fair such as a minimum tax on corporations and closing tax loopholes. I believe that the average taxpayer will agree that neither the enforcement of the Tax Code nor the Tax Code itself is fair.

If we do not restore fairness in the Tax Code now, we will have to do it sooner or later.

I believe that compliance with the Tax Code will be improved if we enact this package. Americans do not mind paying their share if they feel that everybody else is paying their fair share.

So I think all Senators who have participated in the debate. I am ready to vote.

The PRESIDING OFFICER. Does the Senator from New Mexico yield back all of his time?

Mr. DOMENICI. I yield back whatever time I have.

The PRESIDING OFFICER. The Senator has 1 minute and 9 seconds.

Mr. DOMENICI. I yield back all of my time.

The PRESIDING OFFICER. The time of the other side has expired. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from West Virginia. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr.

EAST] and the Senator from California [Mr. WILSON] are absent due to illness.

Mr. CRANSTON. I announce that the Senator from Nebraska [Mr. EXON] is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 43, nays 54, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—43

Baucus	Glenn	Melcher
Bentsen	Gore	Metzenbaum
Biden	Harkin	Mitchell
Bingaman	Hart	Moynihan
Boren	Heflin	Pell
Bradley	Inouye	Pryor
Bumpers	Johnston	Riegle
Burdick	Kennedy	Rockefeller
Byrd	Kerry	Sarbanes
Chiles	Lautenberg	Sasser
Cranston	Leahy	Simon
DeConcini	Levin	Stennis
Dodd	Long	Zorinsky
Eagleton	Mathias	
Ford	Matsunaga	

NAYS—54

Abdnor	Gramm	Nickles
Andrews	Grassley	Nunn
Armstrong	Hatch	Packwood
Boschwitz	Hatfield	Pressler
Chafee	Hawkins	Proxmire
Cochran	Hecht	Quayle
Cohen	Heinz	Roth
D'Amato	Helms	Rudman
Danforth	Hollings	Simpson
Denton	Humphrey	Specter
Dixon	Kassebaum	Stafford
Dole	Kasten	Stevens
Domenici	Laxalt	Symms
Durenberger	Lugar	Thurmond
Evans	Mattingly	Trible
Garn	McClure	Wallop
Goldwater	McConnell	Warner
Gorton	Murkowski	Weicker

NOT VOTING—3

East	Exon	Wilson

So the amendment (No. 64) was rejected.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SUPPORTING A FREEZE IN FEDERAL ASSISTANCE FOR MASS TRANSIT AND AMTRAK

Mr. MOYNIHAN. Mr. President, I strongly support the maintenance of current funding levels for urban mass transit and Amtrak. There is a clear need to maintain funding for these programs.

Amtrak provides passenger service for some 20 million passengers a year, making it the sixth largest carrier of passengers by any mode of transportation, ranking behind only Greyhound, United, Delta, Eastern, and American Airlines. Between the cities in the New York-Washington corridor, Amtrak carries 17,500 passengers a day—46 percent more than all the airlines combined. Amtrak annually carries 833 passengers per route mile operated, more than any other mode of transportation. Per departure, Amtrak also loads more passengers at major terminals than either air or bus.

Amtrak is also a real and important factor in the national economy: Amtrak employs over 25,000 persons with an annual payroll of $254 million, and last year purchased $549 million more in goods and other services. In New York alone, Amtrak employs 2,344 men and women with an annual payroll of about $56 million. Amtrak further contributed, in addition, $18 million to New York's economy through the purchase of goods and other services.

Yet, the administration-Dole proposal would terminate all Federal support for Amtrak, thereby leaving its 20 million passengers to search for other means of transportation. Aside from the clear need for Amtrak service, terminating support for Amtrak would prove costly to the Federal Government. The statute that created Amtrak in 1971 required Amtrak and other railroads to provide contractual guarantees, that employees who are laid off when rail service is discontinued will receive "labor protection"—payments representing a portion of prior salary that can run for up to 6 years. Amtrak estimates that these labor protection costs would run $2.1 billion, if all service ended. The first year's cost is estimated at between $600 and $800 million—and thus could be as high as $116 million more than Amtrak's current appropriation.

Millions of Americans depend on mass transit to get to work, attend school, go to church, purchase groceries, deliver goods, and go about all our other essential daily activities. Without sound and reliable mass transit, many Americans simply would not be able to carry on their day-to-day lives. In 1984, about 2.8 million trips were taken each day on the New York City transit system alone—more than twice the number of farmers who receive support—deficiency payments, crop loans, or target price payments—from the Federal Government in the entire year. In the course of 1984, over 1 billion trips were taken on the New York City transit system.

A Federal commitment to maintain and improve our Nation's mass transit is essential if our transportation system is to be sound and healthy. The Republican budget package does not contain such a commitment. Rather, it would completely phase out urban mass transit operating assistance over the next 5 years. Formula capital grants would also be eliminated over the next 5 years, leaving only the Discretionary Capital Grant Program currently funded by 1 penny of the Federal gasoline tax. These mass transit cuts would have a devastating impact.

According to the American Public Transit Association, using Department of Commerce data and models, each $100 million in reduced operating support costs 9,600 jobs and $305 million in business revenues. Each $100 million of capital funding lost costs 7,600 jobs and $327 million in business revenues. The aggregate impact of the proposed cuts would be a loss of 49,100 jobs and over $1.9 million in business revenues—in 1986 alone! Over the next 3 years, some 124,500 jobs would be lost, along with $4.8 billion in business revenues.

Moreover, these statistics do not reflect cutbacks in service and fare hikes that would necessarily follow. There are approximately 28 million daily transit trips in America; more than 8 billion a year. Nearly every American and every city would be affected by these cuts, but mainly poor and moderate income people who rely on transit most.

Mr. President, I might also note that during the Senate Budget Committee's consideration of transportation programs, I offered an amendment that would have maintained support for mass transit at existing levels—as the Byrd plan does—but would also have reduced Federal outlays $5.6 billion over the next 3 years by adoption of an innovative financing mechanism for mass transit capital projects. The Byrd plan does not adopt this new financing mechanism, but it makes such good sense that I feel confident that it will ultimately be adopted by the Congress.

Mr. DOLE. Mr. President, let me also indicate that this is the last rollcall vote tonight. Under the announcement yesterday, the next amendment, we had hoped, would be the so-called KBG package. But I understand they are not quite prepared to offer that, so the first amendment will be the amendment of the Senator from Pennsylvania [Mr. SPECTER], followed by an amendment by the Senator from California [Mr. CRANSTON].

Mr. FORD. Will the majority leader yield? I have one amendment I would like to bring up sometime before the time expires. I will not need a great deal of time on it. Sometime tomorrow, if I may. How do we get in line to be the next amendment up?

Mr. DOLE. If the Senator will indicate to the distinguished minority leader what he has, we will try to rotate. I think there is a chance we can finish this bill tomorrow but not if we have every amendment offered that is printed. There are 70-some amendments printed. If we had 70-some rollcalls, it would take quite a while. We are down to about 6 hours and 25 minutes. I would guess we will commence fairly early tomorrow, maybe be on the bill by 10 o'clock, so Members should be on notice. I hope that somewhere along the line we can put together a bipartisan package and have enough votes to pass. That might

eliminate a lot of amendments. But that would still be up to the membership.

Mr. BIDEN. If the Senator will yield, we have one.

Mr. DOLE. Does the Senator want to lay his down?

Mr. BIDEN. No; I will wait until tomorrow to get the Senator on it.

Mr. DOLE. I will be all over it. [Laughter.]

Mr. METZENBAUM. Will the majority leader yield for a question?

Mr. DOLE. Yes.

Mr. METZENBAUM. Many of us who have had amendments want to call them up. We want to debate them at least for a short period of time. I wonder if it is possible for the leader to attempt to work out some arrangement where, instead of every amendment having 1 hour and one-half hour on each side, that period might be shortened so that we not be calling up amendments without any time available for debate.

Mr. DOLE. Again, I think it would help if we know precisely how many amendments there were on each side. Frankly, I am not trying to encourage any on this side. I think the Democrats have been more restrained on budget busters than we have on our side. I hope they continue that pattern. We commended it highly to our colleagues but not with much success. So if Senator BYRD had the amendments and I had our amendments, we could probably sequence them and see how much time was left.

Mr. BYRD. Mr. President, will the distinguished majority leader yield?

Mr. DOLE. Yes.

Mr. BYRD. Let me say to the distinguished majority leader and all of our colleagues on both sides of the aisle, I will be very happy to see what I can do, working with Mr. CHILES and other Senators on this side, in an attempt to be able to lay our amendments and the sequence in which they will come and, if possible, get the time down under what is specified in the act itself. We will be happy to do that.

May I ask a question now? Does the distinguished majority leader intend to finish action on this resolution tomorrow evening if all the time has run?

Mr. DOLE. I am not certain I can answer that question at this point. I may know by early morning. I know some Senators have commitments tomorrow evening and they need to know, I assume, by noon or shortly thereafter. My inclination would be to finish, but "finish" means having enough votes to pass it, and I am not certain of that.

Mr. BYRD. The distinguished majority leader has responded realistically to my question.

Mr. DOLE. I might suggest that Members give their amendments to the managers on each side and they can get some idea of how many remain. But again I think the minority leader has expressed to me that we are not encouraging amendments on either side.

Mr. BYRD. I thank the majority leader.

RECEPTION HONORING WORLD WAR II VETERANS

Mr. DOLE. Mr. President, there is a reception honoring World War II veterans, starting at 5 o'clock. There are 34 in this Chamber, 17 on each side. It is right down the hall at room 230, sponsored by myself and the distinguished minority leader. We are also honoring Vietnam veterans, Korean war veterans, and anyone else who drops in.

Mr. LONG. Will the Senator yield?

Mr. DOLE. I yield.

Mr. LONG. Mr. President, today is, I believe, V-E Day, a very significant day. I passed by the leader's office to celebrate.

UNITED STATES BECOMES NET DEBTOR

Mr. LONG. Mr. President, today, I was told by somebody who ought to know that this is the day the United States becomes a net debtor to the other nations of the world for the first time in 71 years. Our trade deficit last year ran $130 billion. This year it is expected to run about $160 billion. So by this time next year we can anticipate that the United States will be a larger debtor on a net basis than Brazil or any other nation in the world. And at this rate, a few years down the road, in about 1990, we can expect to be a debtor larger than all the rest of the world put together. I hope that the distinguished majority leader will join me in helping to find out if this is officially the day when the United States became a net debtor, or when exactly that day is or will be.

Such a date serves notice on us that the United States is going to have to change its trade policies. We cannot continue to run up debts to the rest of the world—and I am not talking about the Federal debt now; I am talking about the debt that we owe to other nations of the world—at the rate of $160 billion a year.

It will be years before we are able to feel the effects of turning this policy around, such that we become less of a debtor. Hopefully sometime within 10 years or so, with a major change in policy, we will see the day when other nations will owe us more than we owe them.

Mr. President, I do not expect to be a Senator when that day occurs. I hope I will live long enough to see it. But I hope we will dedicate ourselves, on the day we find we are a net debtor, to work toward the day when we again look upon ourselves as one who lends money to the rest of the world rather than having to borrow it.

Mr. DOLE. Mr. President, I will make that inquiry to try to determine that for the distinguished Senator from Louisiana.

Mr. President, there will be no more votes today.

ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I now ask unanimous consent there be a period for the transaction of routine morning business not to extend beyond 6:30 with statements therein limited to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ASIAN-PACIFIC AMERICAN HERITAGE WEEK

Mr. MATSUNAGA. Mr. President, Saturday, May 4, 1985 marked the beginning of Asian-Pacific American Heritage Week. First observed in 1979, Asian-Pacific American Heritage Week has become an annual tradition in numerous schools, government offices, and libraries throughout the country. It is a volunteer affair which, I am happy to point out, does not cost the Federal Government a penny. Nonetheless, its contribution to our Nation's understanding of Americans of Asian and Pacific Island ancestry has been priceless.

Although Asian-Pacific Americans are the Nation's second fastest growing minority group and number well over 4 million, most Americans are not aware of their history and their contributions to our national heritage. Native Hawaiians, defined by Federal law as Native Americans, established the first constitutional monarchy in the Pacific Islands. Chinese Americans, arriving in the mid-nineteenth century, helped build the Nation's transcontinental railroad and made major contributions to the growth of farming and agriculture. The Japanese Americans, whose forebears arrived in this country in the latter part of the 19th century, helped establish Hawaii's sugar industry through their labor in the fields. During World War II, the 100th Infantry Battalion from Hawaii and the 442d Regimental Combat Team, composed of Japanese American volunteers, became the most decorated combat units in American military history. Filipino immigrants, arriving in this country early in the 20th century, helped establish fisheries and canneries on the west coast and in Alaska.

As individuals, Pacific and Asian Americans have brought honor and distinction to the United States, excelling in science, politics, and the arts

among other fields. In 1957, Chinese Americans Tsung Dao Lee and Chem Ning Yang received international recognition as recipients of the Nobel Prize in physics. In the arts, both Minoru Yamasaki and I.M. Pei have won international acclaim. In politics, four Asian Americans have been elected to the U.S. Senate—former Senators Hiram Fong and Samuel Hayakawa as well as the two incumbents, Senator DANIEL K. INOUYE and myself. In the House, Congressman DANIEL K. AKAKA, a Native Hawaiian, represents Hawaii's second congressional district and Congressman NORMAN MINETA and ROBERT T. MATSUI presently serve as Representatives from California. George Ariyoshi of Hawaii is the Nation's first State Governor of Asian-Pacific ancestry.

Mr. President, while the observance of Asian-Pacific American Heritage Month has helped foster a new sense of pride among Asian-Pacific Americans during the last 6 years, its major achievement has been the awakening of a national awareness of their contributions and achievements. In that sense, Asian-Pacific American Heritage Week is for all Americans. It fosters unity among Americans and provides hope for the Asian immigrants who continue to come to this country in search of peace and a democratic way of life. I urge my colleagues to join me in saluting all Asian-Pacific Americans as we observe Asian-Pacific Heritage Week.

ARMS NEGOTIATIONS

Mr. CHAFEE. Mr. President, I am concerned about testimony presented yesterday to the Senate Armed Services Committee by Assistant Secretary of Defense Richard Perle.

In his testimony, Mr. Perle said that in his personal view, the United States should break out of the SALT II agreement rather than retire nuclear forces to conform to its limits, and that the United States should not continue to abide by a treaty the Soviets—in Mr. Perle's view—continually violate.

While Mr. Perle says this is his personal view, if it should become U.S. policy we would not only be abandoning SALT II but the arms negotiations currently underway in Geneva. Break out, by the United States of the SALT II agreement would send a direct message to the Soviet Union that all limits on nuclear forces have been cast aside.

I am deeply concerned that Mr. Perle would interject his personal views on so important an issue when they are out of touch with the officially stated policy of this administration that the United States will abide by SALT II constraints as long as the Soviet Union does likewise.

President Reagan further stated that the United States will not do anything to undercut the negotiations that are going on in Geneva. As recently as his speech to the European Parliament this morning in Strasbourg, he stated "the U.S. will take no unilateral advantages" and that we will do everything in our power to "reenforce all possible confidence building measures".

The resumption of arms talks between the United States and the Soviet Union is cause for cautious optimism about the prospects for a new agreement limiting and reducing nuclear weapons. In the interim, it is important that both sides demonstrate restraint in order to ensure that the negotiations will not be undermined by the acceleration of a new round in the arms race.

The framework for mutual restraint exists. Last year the Senate passed, by a vote of 82 to 17, a resolution to maintain the policy not to undercut existing strategic arms agreements on a reciprocal basis at least until December, 1985. This was included in the Defense Authorization Act signed by the President.

This year a similar resolution has been introduced by myself and Senators LEAHY, BUMPERS, and HEINZ. It represents the President's stated policy which calls on the United States to continue the "no-undercut" policy on a mutual basis with the Soviet Union through December, 1986 or until a new strategic arms agreement is concluded.

A decision on whether or not to continue the present no-undercut policy will be required soon. This summer, when the seventh Trident submarine, the U.S.S. *Alaska*, begins sea trials, the United States will surpass the SALT II 1,200 MIRV'd missile subceiling unless the launchers of either a poseidon submarine or 14 minuteman III's are dismantled.

I believe that a decision not to take compensating action for the deployment of the *Alaska* would be adverse to U.S. security interests and would undermine the prospect for the renewed arms control negotiations in Geneva.

I call on my colleagues to continue their support of the no-undercut or interim restraint resolution, which was overwhelmingly passed last year and most definitely endorsed by the President.

MESSAGES FROM THE HOUSE

At 1 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2148. An act to authorize appropriations for the Bureau of the Mint for fiscal year 1986; and

H.R. 2268. An act to approve and implement the Free Trade Area Agreement between the United States and Israel.

ENROLLED JOINT RESOLUTIONS SIGNED

At 5:22 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolutions:

S.J. Res. 53. Joint resolution to authorize and request the President to designate the month of June 1985 as "Youth Suicide Prevention Month";

S.J. Res. 60. Joint resolution to designate the week of May 12, 1985, through May 18, 1985, as "Senior Center Week";

S.J. Res. 64. Joint resolution to designate the week beginning May 5, 1985, as "National Correctional Officers Week";

S.J. Res. 65. Joint resolution designating the month of November 1985 as "National Alzheimer's Disease Month";

S.J. Res. 83. Joint resolution designating the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week"; and

S.J. Res. 94. Joint resolution to designate the week beginning May 12, 1985, as "National Digestive Diseases Awareness Week".

The enrolled joint resolutions were subsequently signed by the President pro termpore [Mr. THURMOND].

H.R. 2148. An act to authorize appropriations for the Bureau of the Mint for fiscal year 1986; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2268. An act to approve and implement the Free Trade Area Agreement between the United States and Israel.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LUGAR, from the Committee on Foreign Relations, without amendment:

S. Res. 158. An original resolution authorizing the printing of background information on the Committee on Foreign Relations, United States Senate" (sixth revised edition), as a Senate document; referred to the Committee on Rules and Administration.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs:

Paul A. Adams, of Maryland, to be Inspector General, Department of Housing and Urban Development.

(The above nomination was reported from the Committee on Banking, Housing, and Urban Affairs with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ROTH:

S. 1095. A bill to restrict the travel and activities of foreign nations on secondment to the United Nations Secretariat; to the Committee on Foreign Relations.

By Mr. EXON:

S. 1096. A bill to require that the Secretary of Health and Human Services implement the revised prospective payment wage index; to the Committee on Finance.

By Mr. DANFORTH (for himself, Mr. RIEGEL, Mr. PACKWOOD, Mr. FORD, and Mr. SPECTER):

S. 1097. A bill to amend the Motor Vehicle Information and Cost Savings Act to provide for the appropriate treatment of methanol; to the Committee on Commerce, Science, and Transportation.

By Mr. CRANSTON:

S. 1098. A bill to provide for the orderly transition to interstate banking; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FORD:

S. 1099. A bill for the relief of Dr. Samuel Blancaflor Gregorio and his wife, Raquel Luga Gregorio; to the Committee on the Judiciary.

By Mr. HEINZ (for himself, Mr. GLENN and Mr. MATSUNAGA):

S. 1100. A bill to authorize appropriations for research, education, and training in geriatrics; to the Committee on Labor and Human Resources.

By Mr. ARMSTRONG:

S. 1101. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of fringe benefits provided to the parents of employees; to the Committee on Finance.

By Mr. ROTH:

S. 1102. A bill to amend the Internal Revenue Code of 1954 to impose a tax on the net business receipts of taxpayers, to credit the amount of such tax against the liability of such taxpayer under the Federal Insurance Contributions Act, and for other purposes; to the Committee on Finance.

By Mr. GORTON:

S. 1103. A bill to authorize certain atmospheric and satellite programs and functions of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WEICKER (for himself and Mr. KENNEDY):

S. 1104. A bill to revise the provisions of the Public Health Service Act relating to health planning; to the Committee on Labor and Human Resources.

By Mr. ARMSTRONG (for himself, Mr. NICKLES, Mr. GRAMM, Mr. EAST, Mr. SYMMS, Mr. ZORINSKY, Mr. THURMOND, Mr. DURENBERGER, Mr. HUMPHREY, Mr. HELMS, Mr. GOLDWATER, Mr. ABDNOR, Mr. BOSCHWITZ, Mr. TRIBLE, Mr. DANFORTH, Mr. DOLE, Mr. RUDMAN, Mr. WALLOP, Mr. QUAYLE, Mr. GARN, Mr. LUGAR, Mr. DENTON, Mr. LONG, Mrs. HAWKINS, Mr. GORTON, and Mr. GRASSLEY):

S. 1105. A bill entitled the "Federal Contractor Flextime Act"; to the Committee on Labor and Human Resources.

By Mr. RIEGLE (for himself and Mr. LEVIN):

S. 1106. A bill to provide for the use and distribution of funds appropriated in satisfaction of judgments awarded to the Saginaw Chippewa Tribe of Michigan in dockets numbered 57, 59, 13E of the Indian Claims Commission and docket numbered 13F of the U.S. Claims Court, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. NUNN:

S. 1107. A bill to authorize the Society of the Third Infantry Division to erect a memorial in the District of Columbia or its environs; to the Committee on Energy and Natural Resources.

By Mr. DECONCINI (for himself, Mr. LEAHY and Mr. D'AMATO):

S. 1108. A bill to amend the Immigration and Nationality Act to provide for the temporary admission to the United States of the operators of motor common carriers of passengers; to the Committee on the Judiciary.

By Mr. MATSUNAGA (for himself, Mr. INOUYE):

S. 1109. A bill to authorize the Department of Energy to initiate a cooperative research program in ocean energy and technology with the Pacific International Center for High Technology Research; to the Committee on Energy and Natural Resources.

By Mr. HOLLINGS:

S. 1110. A bill to provide for the award of grants to the Washington Metropolitan Airports for certain capital expenditures; to the Committee on Commerce, Science, and Transportation.

By Mr. CHILES (for himself, Mrs. HAWKINS):

S. 1111. A bill to establish equal and equitable classification and duty rates for certain imported citrus products; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR, from the Committee on Foreign Relations:

S. Res. 158. An original resolution authorizing the printing of "Background Information on the Committee on Foreign Relations, United States Senate" (sixth revised edition), as a Senate document; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROTH:

S 1095. A bill to restrict the travel and activities of foreign nations on secondment to the United Nations Secretariat; to the Committee on Foreign Relations.

ESPIONAGE PREVENTION ACT

● Mr. ROTH. Mr. President, this morning I am introducing a bill which will curtail espionage activities in this country by Eastern bloc nationals working in the United Nations Secretariat. This bill directs the Secretary of State to apply the restrictions of the Foreign Missions Act to those U.N. employees who are "seconded" to the U.N. Secretariat.

Employees of the Secretariat are, supposedly, international civil servants, owing their primary loyalties to the United Nations, not to their country of origin. In reality, several Eastern bloc governments refuse to permit this practice, allowing their personnel to work in the Secretariat only on temporary assignment, or "secondment". Under such circumstances, the primary allegiance of these personnel remains with their governments.

Ambassador Jeane Kirkpatrick, in testimony before the Senate Government Affairs Committee on Wednesday, May 7, 1985, revealed that in her opinion, many of these personnel are deeply engaged in espionage activities. Since their current status and international civil servants permits them to move freely around this country, the FBI encounters major difficulties in monitoring their travel and activities.

This bill will apply the restrictions of the Foreign Missions Act to foreign personnel who are on "secondment" to the U.N. Secretariat. In other words, a Soviet civil servant on temporary assignment to the U.N. Secretariat will be treated by the U.S. Government, and its law enforcement agencies, in the same manner as if he or she were an official of the Soviet Embassy in Washington, DC or the Soviet mission to the U.N.●

By Mr. EXON:

S. 1096. A bill to require that the Secretary of Health and Human Services implement the revised prospective payment wage index; to the Committee on Finance.

IMPLEMENTATION OF THE REVISED PROSPECTIVE PAYMENT WAGE INDEX

Mr. EXON. Mr. President, I am today introducing legislation which is of critical importance to rural hospitals across this Nation. Several years ago the Congress approved a new prospective payment system for hospitals under Medicare. In establishing that system, the Congress recognized that reimbursement rates must be adjusted to account for differences between labor costs in urban and rural areas.

Unfortunately, the Health Care Financing Administration adopted regulations implementing this new reimbursement system which penalize many smaller and rural hospitals. The problem is with the wage index, one of the factors used to compute reimbursement rates for hospitals. The current wage index does not accurately account for regional variations in the employment of part-time hospital workers. Many small, rural hospitals use large numbers of part-time employees as a way to control health care costs. By developing a wage index which fails to consider the use of part-time workers, the Health Care Financing Administration effectively penalizes these hospitals.

Mr. President, this Senator and others first brought this problem to the attention of the Health Care Financing Administration in the fall of 1983. HCFA acknowledged the need to devise a new wage index and established a task force to work on the matter. Unfortunately, HCFA did not address the problem as quickly as they acknowledged its existence. Indeed, when month after month passed with no action from HCFA, it was necessary to pass legislation specifically directing the Agency to study the matter and develop a new wage index.

Section 2316 of the Deficit Reduction Act of 1984 directed HCFA to develop a revised index which specifically considered the use of part-time employees. It directed that the Secretary of the Department of Health and Human Services report to the Congress on the matter within 30 days of the date of enactment, which was July 18, 1984. Over 7 months later, the report was finally presented to the Congress.

The HCFA report acknowledged the defects with the current wage index and presented two alternative indexes. Both take account of variations in the use of part-time employees because they are based on paid hours worked, rather than on numbers of employees. One index is derived from total gross hospital wages while the other index is based on adjusted gross hospital salaries. While the HCFA report makes no specific recommendation as to which of the two alternatives should be implemented, it concludes that "the adjusted gross index is likely not as accurate as the gross measure for direct wages * * *."

Mr. President, my legislation will do two important things. First, it provides that the "total gross hospital wages" index will be implemented by the Secretary of Health and Human Services on October 1, 1985. Second, it reemphasizes and mandates the intent of Congress that this new wage index be applied retroactively to October 1, 1983. Let me remind my colleagues that retroactive application of this new wage index is nothing new. That section of the Deficit Reduction Act of 1984 which required the wage index study also explicitly provided that the new wage index be applied retroactively to October 1, 1983.

Retroactive application of the new wage index means that those hospitals which were underpaid under the current index must be compensated while those hospitals which were overpaid under the current index must repay the amount of their overpayment. I recognize the hardship this may impose on some hospitals which have been overpaid since October 1, 1983. If the Secretary of Health and Human Services had complied with the law and reported to the Congress last August, the impact of retroactive application would be much less drastic. I would point out, however, that the rural hospitals in many parts of the Nation have been shortchanged for that same amount of time and have been forced to operate on the reduced rates. It is simply not fair or equitable to allow the overpaid hospitals to keep their windfall payments while forcing the underpaid hospitals to absorb the losses.

To soften the impact of retroactive adjustments for those hospitals which have been overpaid, my legislation provides that the adjustments be made over the course of 2 years, commencing with the cost period beginning October 1, 1985.

Mr. President, it is critical that the Congress act on this matter as soon as possible. Let me make it very clear that we cannot permit the Secretary of Health and Human Services to delay the implementation of this new index in the same way that the study and report were delayed. The rural hospitals across the Nation have been waiting for over 1½ years for some action. It is also imperative that the new wage index be applied retroactively, and my bill will reemphasize that clear congressional intent as expressed last summer.

By Mr. DANFORTH (for himself, Mr. RIEGLE, Mr. PACKWOOD, Mr. FORD, and Mr. SPECTER):

S. 1097. A bill to amend the Motor Vehicle Information and Cost Savings Act to provide for the appropriate treatment of methanol; to the Committee on Commerce, Science, and Transportation.

METHANOL VEHICLE INCENTIVES ACT

● Mr. DANFORTH. Mr. President, the oil shortages of the 1970's grow more distant every day. Discounting for inflation, gasoline prices have been as low this year as they were in the 1950's—the golden age of the gas guzzler. But in many ways the Nation remains as vulnerable to an oil shortage today as it was 10 years ago. The simple fact is that our domestic oil reserves are in permanent decline.

Our need for imported oil remains so great that our economic well-being and national security have become linked to the stability of the Persian Gulf. This has been called an energy crisis. But we do not face a shortage of energy; our ability to produce electricity domestically has virtually no long-term limits. Instead, we face a shortage of liquid fuels, primarily for transportation. Transportation uses consume more than 60 percent of the oil used in this country.

One response has been the strategic petroleum reserve—an enormous, expensive stockpile designed to carry the Nation through an emergency. I have been a supporter of the SPR; I believe it is important short-term insurance. At the same time, however, we must ask ourselves whether there is not a better answer—one that can satisfy our tremendous demand for liquid transportation fuel on a permanent basis with less danger of disruption than we face today.

A liquid fuel now exists that is available in excess supply, that could be produced domestically in nearly inexhaustible quantities, that is a proven transportation fuel, that can be used in ordinary automobiles, and that can be delivered through our existing distribution network with only minor modifications. That fuel is methanol.

Methanol burns so efficiently that race cars use it at the Indianapolis 500. Methanol burns more cleanly than gasoline, producing less of the nitrogen oxide emissions that are believed to contribute to acid rain. And methanol can be delivered at a price that is competitive with gasoline.

In my judgment, we need to begin an effort to convert a portion of our automotive fleet to methanol. Such an effort would have positive consequences for our national security, for our domestic economy, and for our environment. It is for these reasons that today, along with the Senator from Michigan [Mr. RIEGLE], the Senator from Oregon [Mr. PACKWOOD], the Senator from Kentucky [Mr. FORD], and the Senator from Pennsylvania [Mr. SPECTER], I am introducing the Methanol Vehicles Incentives Act of 1985.

The intent of the act is simple: To encourage the production and sale of cars that can run on methanol by providing an appropriate treatment for such cars under the corporate average fuel economy [CAFE] standards.

Some background might be useful at this point. Methanol should not be confused with ethanol, even though both are alcohols. Ethanol is made from corn or agricultural wastes, is drinkable, and is known as grain alcohol. Methanol is poisonous and is known as wood alcohol; it can be made from biomass, but currently is made from natural gas and coal.

Both ethanol and methanol are used as octane enhancers with gasoline, but only large commodity subsidies and tax incentives keep ethanol economically viable. Methanol is currently available for about 40 cents a gallon and has a raw material base large enough to enable it to displace gasoline altogether.

At the present time, methanol is primarily used as a chemical feedstock; it is an important source of formaldehyde for use in plywood and other building materials. Virtually all of it is produced from natural gas, with one notable exception—the output of a coal-to-methanol plant opened in 1983 by Tennessee Eastman.

A major expansion of the methanol market would lead to increased use of coal as a source; however, natural gas is likely to meet the demand for methanol for the foreseeable future. Indeed, an enormous amount of excess methanol capacity exists in the world today; Du Pont recently halted production at a major facility in Beaumont, TX, because of the glut.

Many countries have excess natural gas, often produced in conjuction with oil. Because natural gas requires an enormous pipeline distribution network—or expensive liquefaction—in order to be transported, it often goes to waste in developing countries. Yet it can be cheaply and easily converted to methanol.

Adoption of methanol by the immense American auto market, however, would quickly exhaust excess natural gas supplies and require conversion of coal, at a slightly higher cost—the energy equivalent of less than $2 a gallon of gasoline. Domestic coal supplies would be sufficient to meet the demand for centuries. High-sulfur coal could be used without damage to the environment because the coal must be gasified and the sulfur removed in the conversion process. Indeed, it is for this reason that I am particularly pleased to have as cosponsors of this legislation the Senators from Pennsylvania [Mr. SPECTER] and Kentucky [Mr. FORD], who are, respectively, the chairman and vice chairman of the Senate coal caucus.

As a transportation fuel, methanol has only about half the energy per gallon of gasoline, but burns more efficiently. As a result, cars designed to run on methanol are expected to go about 60 to 80 percent as far per gallon as comparable gasoline-powered cars.

The California Energy Commission and the Bank of America each are conducting major fleet tests of methanol cars, with excellent results to date. The major remaining question methanol cars must face is their ability to start in cold weather. The results are not satisfactory for cars using pure methanol, and the methanol car of the future will run on a blend of about 85 percent methanol, combined with gasoline and other additives to improve lubrication and cold-start performance.

Methanol-powered cars have been shown to operate significantly more cleanly than gasoline-powered cars. Emissions of nitrogen oxides and hydrocarbons are reduced substantially. Computer modeling has projected ozone reductions of 15 to 25 percent in Los Angeles if methanol were substituted for gasoline and diesel fuels. Emissions of formaldehyde would increase but can be controlled by a catalytic converter or similar device.

Mass production of methanol vehicles would not pose significant problems for American automakers. Some rubber parts and metal coatings must be replaced, the carburetor must be adjusted, and larger gas tanks may be desirable. However, the cost impact would be minor to nonexistent.

What, then, is preventing more widespread use of methanol? Inertia. For very good reason, automakers are unwilling to produce cars for which there is no current demand. Consumers are unwilling to purchase cars for which there is no readily available fuel supply. And service stations are unwilling to provide fuel for cars that are not on the road. This extremely difficult marketing problem could be overcome by the introduction of a flexible-fuel vehicle, which could run on any combination of methanol and gasoline. Ford has an operating prototype of such a car.

Fuel economy standards were enacted to reduce our dependence on petroleum, not on fuel generally, and should encourage, not discourage, the use of methanol. The Methanol Vehicles Incentives Act would offer an incentive to auto manufacturers to produce methanol-powered cars by the simple device of basing fuel economy ratings on the amount of gasoline consumed.

For the purpose of computing a corporate average fuel economy rating, a methanol-powered automobile would be deemed to operate on a blend that is 85-percent methanol and 15-percent gasoline.

To illustrate, suppose a particular gasoline-powered car gets 25 miles a gallon. When converted to methanol, it might get only 15 miles per gallon of the blend. But for every gallon of gasoline in the blend, the car would travel 100 miles. The last figure is the significant one for CAFE purposes, and that is how the car would be rated. Consumer labels would continue to show the actual fuel economy of the vehicle.

Such a change would allow Detroit to produce big cars and high-performance cars—its historic niche of dominance, but one that has been eroded by the need to meet fuel economy standards.

Flexible-fuel vehicles—capable of running on 85 percent methanol—could get the high CAFE rating, yet still run on gasoline—an apparent loophole for automakers. But conversion of even a segment of the American auto market to methanol capability would have a profound impact on our vulnerability to an oil cutoff, even if those vehicles continued to use gasoline.

Furthermore, methanol's cheaper per-gallon cost would allow it to gain market penetration—in a 75-cent, 50-50 blend with gasoline, for example—even if it was not competitive with gasoline on an energy-equivalent basis. This in turn would prepare the distribution network to handle increased volumes of methanol in the event of an oil cutoff or price spike. Additional production of methanol from natural gas could be quickly brought on line in such an emergency.

OPEC could deliberately underprice methanol and try to force it out of the market. This is unlikely because of the inherent price advantage of methanol on a per-gallon basis, and also because OPEC itself is likely to become a major producer of methanol. But the cost of producing methanol from coal means that the real price of transportation fuel will never go above $2 a gallon. Conversion to methanol, in short, means that the energy crisis would be over—for generations.

Finally, development of a major automotive market for methanol would stimulate the Nation's coal industry in an environmentally acceptable way. In my own State of Missouri, we have an abundance of coal. But most of it has such a high-sulfur content, it is unacceptable for utility use. Since sulfur extraction is a necessary part of the coal-to-methanol process, such coal could be used to meet our energy needs without contributing to excess sulfur loadings in the atmosphere.

Mr. President, methanol can be produced inexpensively and burned efficiently. It can reduce our dependence on foreign suppliers of oil to the vanishing point, with important economic and strategic consequences. It can reduce the pollution of our skies and stimulate our domestic economy. I believe we should move forward quickly to stimulate the development and growth of an automotive market for methanol.

I ask unanimous consent that a copy of the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1097

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Methanol Vehicle Incentives Act of 1985".

FINDINGS

SEC. 2. The Congress finds that—

(1) transportation uses account for more than 60 percent of the oil consumption of the Nation;

(2) continued reliance on imported oil is detrimental to the economy and security of the United States;

(3) methanol is a proven transportation fuel that burns more cleanly and efficiently than gasoline; and

(4) conversion of a portion of the transportation fleet of the Nation to methanol would stimulate development of a domestic coal-to-methanol industry, create jobs, reduce air pollution, and enhance national security.

PURPOSES

SEC. 3. The purposes of this Act are to—

(1) provide for the appropriate application of fuel economy standards to methanol powered automobiles; and

(2) increase the availability of methanol and methanol powered vehicles to consumers.

MANUFACTURING INCENTIVES FOR METHANOL POWERED AUTOMOBILES

SEC. 4. The Motor Vehicle Information and Cost Savings Act (15 U.S.C. 1901 et seq.) is amended—

(1) in section 501 (15 U.S.C. 2001) by adding at the end thereof the following new paragraphs:

"(15) The term 'methanol mixture' means the mixture of methanol with other fuel, if any, used to operate a methanol powered automobile.

"(16) The term 'methanol powered automobile' means an automobile capable of operating on not less than 85 per centum methanol."; and

(2) in section 503(d) (15 U.S.C. 2003(d)) by adding at the end thereof the following new paragraphs:

"(4) If a manufacturer manufactures methanol powered automobiles, the fuel economy shall be based on the fuel content of the methanol mixture used to operate such automobiles. For purposes of this section, a gallon of the methanol mixture used to operate such automobiles shall be considered to contain 15 one-hundredths of a gallon of fuel.

"(5) For the purpose of labeling under section 506 (15 U.S.C. 2006), the Environmental Protection Agency Administrator shall determine for fuel economy of a methanol powered automobile to be 15 per centum of the fuel economy of such automobile as calculated under this subsection.".●

By Mr. CRANSTON:

S. 1098. A bill to provide for the orderly transition to interstate banking; to the Committee on Banking, Housing, and Urban Affairs.

ORDERLY TRANSITION TO INTERSTATE BANKING

Mr. CRANSTON. Mr. President, the Congress is being asked to enact legislation, sponsored by a group of large regional banks which would authorize States to adopt laws creating regional banking compacts. These State compact laws permit banks within a compact's region to merge or branch across State lines, but exclude banks in States not included in the compact. Some 14 States now permit reciprocal banking within selective areas and dozens of State legislatures are considering such arrangements. These laws authorizing interstate regional compacts have been challenged on constitutional grounds, and the Supreme Court has recently agreed to rule on the case. The regional banking group however is once again asking Congress to moot the constitutional issues in the case before the Supreme Court's decision in Northwest Bancorp versus The Federal Reserve Board by endorsing the ability of States to form regional banking compacts. Similar legislation passed the Senate last year as part of S. 2851 with no hearings on the geography question.

The compact phenomenon has grown rapidly since compact legislation was first introduced at the Federal level. It is not hard to imagine that within a year or so the majority of States will be members of four or five compacts which cover the country, except for a few isolated States purposely left out—California, New York, and possibly Texas and Illinois. Within the compact areas a rash of intraregional mergers will have taken place, without congressional input, which will permanently change the nature of the banking industry.

Proponents of this Federal legislation make several arguments in its favor. These arguments include: First, promoting States' rights; second, providing an experiment in interstate banking; and third, promoting regional economies. None of these arguments are supported by the facts. Congress never specifically gave States the right to have compacts including some States but not others; they simply have the right to permit or not permit interstate banking. Second, the argument in favor of providing an experiment in interstate banking unfortunately misreads the permanent nature of these regional compacts. These compacts would constitute a fundamental policy change which Congress would not be able to undo in the future if it decided to approach interstate banking in a different manner. Finally, the regions which are being created do not appear to be selected with natural market areas in mind, but for economic protectionist interest alone. For instance, Utah has adopted a law creating a region of 11 Western States—including Alaska and Hawaii, but excluding California. Two regions are being set up which in effect surround, but exclude, New York State. The New England zone includes Connecticut, where 40,000 residents who work in New York far exceed those commuting to Massachusetts, much less to Maine. A proposed Middle Atlantic zone would match New Jersey with Maryland but ignore the more than 200,000 commuters from New York and New Jersey. These proposed regions not only ignore natural markets but they demonstrate little concern for the convenience of consumers.

We in Congress cannot stand by and watch the balkanization of the banking industry, the natural result of compact legislation. Compact legislation that does not provide for a date certain when full interstate banking will occur will most certainly lead to the development of a few giant regional banks protected by law from direct competition outside their regions. There is no evidence that such protection is needed; for example, the banking systems in California and New York are highly competitive ones in which small- and medium-size banks have competed effectively with money center banks. Also in California, interstate banking has been a reality for some time, we have large money center banks, large aggressive foreign banks, medium-size banks that serve middle market customers as well as hundreds of independent neighborhood banks. All of these natural competitors have been able to thrive and find their own niche in this diverse environment.

The empirical evidence compiled by the Federal Reserve Bank of Kansas City in its study on the benefits of interstate banking suggest that interstate banking would likely result in a more competitive banking system "and that removal of prohibitions against interstate banking would bring cheaper and better banking services to both the consumer and businessmen." Chairman Volker, of the Federal Reserve Board, noted recently in testimony before the House Banking Committee:

> The competitive environment (in California) appears healthy, with the consumer and businessman able to choose between some of the largest banking institutions in the world and small locally owned banks. Should banks be permitted to expand interstate more freely, we would anticipate similar patterns to prevail.

In the interest of establishing a balanced and reasonable policy on interstate banking, I am introducing legislation that calls for an orderly transition to interstate banking. Let me briefly outline what the bill calls for:

First, effective upon enactment congressional sanction should be given to State legislation authorizing regional interstate banking arrangements.

Second, effective 2 years after enactment, a bank holding company would be permitted to acquire other bank holding companies: in any contiguous State; in any State within the same Federal Reserve Bank district as the acquiring bank holding company; if the home State of the acquiring company is a part of two Federal Reserve Bank districts, in any State within both districts; and leapfrogging would be prohibited.

Third, effective 4 years after enactment, a bank holding company would be permitted to acquire other bank holding companies anywhere in the country.

I believe this approach to be reasonable because it addresses the concerns of small and independent banks that they will be swallowed up by large competitors. The bill is a blend of regional and nationwide banking. It recognizes the need for local institutions to position themselves for new competition and give them time to adjust to future opportunities.

If small- and medium-size banks choose to protect themselves from acquisition they may do so by rejecting the holding company structure and they will have 2 years to position themselves and a full 4 years before nationwide interstate banking be-

comes a reality. Most importantly the 4-year trigger to full interstate banking will preserve the diversity and dynamic environment in our economy and the banking system.

By Mr. HEINZ (for himself, Mr. GLENN, and Mr. MATSUNAGA):

S. 1100. A bill to authorize appropriations for research, education, and training in geriatrics; to the Committee on Labor and Human Resources.

GERIATRIC RESEARCH, EDUCATION, AND TRAINING ACT

● Mr. HEINZ. Mr. President, I am pleased to introduce the Geriatric Research, Education, and Training Act of 1985 [GREAT]—a modified version of the bill introduced by myself and Senator Randolph at the end of the 98th Congress. GREAT authorizes more than a doubling of funds over a 3-year period for geriatric education and training. It would improve substantially the level of Federal support for existing programs within the National Institute on Aging, the National Institute of Mental Health, the Administration on Aging, and the Health Resources and Services Administration.

Mr. President, I recognize that this bill might appear anomalous at this time, given my colleagues' and my own commitment to deficit reduction. However, I firmly believe that the goal of adequate support for geriatric education and training is perfectly consistent and compatible with a drive for a balanced Federal budget. Support for geriatric education will not result in more doctors, but rather more appropriately trained doctors. It will not increase the total number of providers being trained, but rather will redirect the training to better prepare them for proper treatment of elderly patients. I have no doubt that the bill that I am introducing today is a cost-saving approach of the most fundamental and important kind; as such, it deserves your serious consideration and support.

GREAT would target about $200 million over the next 3 years to educate and train the health personnel who care for this Nation's senior citizens. When you balance this amount against the $237 billion that will be spent under Medicare in this period, GREAT becomes a truly conservative approach. GREAT will increase the quality of care while controlling costs. Mr. President, the fact is that huge amounts of money are spent each year under Medicare to buy health services for the elderly.

As we heard at a Senate Aging Committee hearing about 2 years ago, too often, the individuals responsible for prescribing or performing health services are inadequately trained in geriatric medicine. A recent survey in my home State of Pennsylvania illustrates this point all too clearly. Three out of five physicians interviewed had little or no understanding of the specific effects of prescription drugs on their elderly patients. Their incompetence, I'm sorry to say, results in drug misuse, misdiagnosis, and even death. This survey has one unavoidable conclusion: Physicians seem to be ill-prepared to provide the kind of specialized care needed by the "Graying of America."

Unfortunately, the same holds true for nonphysician health and support professionals. And, as a result, huge amounts of money are being expended and will be spent by Medicare and other health purchasers to buy services for the elderly from persons with inadequate preparation and skill.

The "Report on Education and Training in Geriatrics and Gerontology" issued by the National Institute on Aging [NIA] in 1984 summarized several studies which estimate the faculty needed today to provide essential services to older persons. For example, the NIA report notes a need for the following:

At least a fivefold increase in geriatric physician faculty in the Nation's medical schools, with special emphasis on family practice doctors, and specialists in internal medicine and psychiatry.

A substantial increase in nurse faculty with adequate preparation in gerontological nursing in all types of nursing schools.

At least a fivefold increase in geriatric dentistry teachers in dental schools.

A substantial increase in faculty with geriatric expertise in schools of social work and allied health and clinical psychology programs.

A doubling of biomedical, behavioral, and social scientists by 1990.

An enormous increase in social gerontologists and gerontological aides.

As you can see, Mr. President, there is a critically short supply of personnel needed to care for our aging population. Right now, we do not have the faculty needed within health professional schools either to teach professionals or to prepare researchers on aging and the aged. We don't even have enough established programs, courses, and curricula to extend knowledge and skills concerning the aging process and the delivery of services for the aged.

Based on these documented deficiencies, I have developed this bill, GREAT, to bring training and education allotments to a level which will take us a long way toward filling these gaps. My bill will authorize a modest increase in appropriations over a 3-year period to get this major Federal initiative underway.

This bill recognizes that there are two essential conditions to be met in order to realize maximum benefits from the increasing outlays for the health care of the elderly. First, there must be available a well-trained cadre of personnel to ensure that the services which are being financed are provided in a high quality manner and in the most efficient and effective ways possible.

Second, the knowledge available to prevent and treat disease and disability among the elderly must be advanced. The proposed bill, the Geriatric Research, Education, and Training Act of 1985 addresses both to these conditions. Therefore, it is a cost-saving approach of the most fundamental and important kind. It can help prevent the great waste that results from preventable disease. It can help prevent the extra costs that are experienced when care is inadequate and inappropriate. It can help achieve the substantial savings that are possible when research opportunities and gains are utilized in a well-planned and realistic manner.

This bill will increase the number of faculty leaders in health professional schools. Faculty members of health professional schools are responsible for guiding the preparation of students at various levels—that is, in basic, graduate, and continuing education programs. Faculty members also provide critical leadership in planning and conducting research in various fields related to aging, including the biomedical, behavioral, clinical, and social sciences.

However, the number of faculty members in health professional schools with specialized expertise in aging is very scarce indeed. For example, a recent survey of medical schools found an average of just over two full-time equivalent faculty responsible for geriatric education; many of these personnel are only concentrating in geriatrics on a part-time basis and many had not completed intensive study in geriatrics. Similarly, it is estimated that there are less than 20 faculty members in some 60 dental schools with special preparation in geriatric dentistry.

Clearly, therefore, we must give the highest priority to the preparation of additional faculty members in aging issues. None of the needed geriatric professionals can be trained without first establishing a core of faculty with geriatric expertise—in other words, the teachers who will teach the future teachers. GREAT seeks to broaden the nucleus of faculty members with expertise in geriatrics and gerontology in a variety of health professionals and related schools, including those preparing physicians, dentists, nursing allied health workers, and social services personnel.

This bill also calls for the development of an up-to-date comprehensive research plan in aging. This plan will identify priority opportunities and needs in aging research. The Research

on Aging Act of 1974 mandated the preparation of a research plan as one of the initial responsibilities of the new National Institute on Aging. It is high time this plan was updated to reflect new research approaches and potentials to guide investments over the next few decades.

GREAT recognizes that a number of Federal agencies are currently administering programs that are important to the objectives highlighted in the preamble of the bill. Four agencies have major responsibilities: the Administration on Aging, the Institute on Aging, the National Institute on Mental Health, and the Health Resources and Services Administration. Each of these agencies can make important contributions to enhance the overall effort; but individual activities must be well coordinated to achieve maximum impact. Accordingly, the bill requires the Secretary of DHHS to establish an interdepartmental committee to ensure this essential coordination of these programs.

Specifically, GREAT would authorize funds to enhance the following programs:

National Institute on Aging: NIA would expand Research Career Awards to support a variety of education and training approaches. For example, there are the Research Career Development Awards to aid scientists, the NIA Academic Awards to recruit and prepare future academic investigators, Clinical Investigator Awards to develop independent biomedical investigators, Special Emphasis Research Career Awards to enhance interdisciplinary research training, and Physician Scientist Awards to prepare additional medical scientists in aging research.

National Institute on Mental Health: NIMH would expand support for both research and clinically oriented training in the mental health aspects of geriatrics and gerontology. Assistance is given to personnel in four disciplines—including psychiatry, psychology, nursing, and social work. The largest programs are the Geriatric Mental Health Academic Award Program to develop research-oriented persons in geriatric mental health, the Faculty Development Awards to prepare teachers on geriatric mental health in clinical training centers, and Postgraduate Specialty Training Awards to enhance existing mental health facilities in geriatrics.

Health Resources and Services Administration: A number of HRSA programs would be strengthened to further the preparation of faculty members and health practitioners in geriatrics. Funds will be targeted toward: One, Geriatric Education Centers for the multidisciplinary training of health professionals in geriatric care and other special projects; two, family medicine and internal medicine residency training grants; three, general dentistry grants; four, Area Health Education Center grants to enhance the knowledge and skills of current and future health care personnel working in local communities; five, advanced nurse education awards to help prepare future nursing leaders in the care of the elderly; six, nurse practitioner grants; and seven, home health training grants to train home health workers in the delivery of services to the elderly.

Administration on Aging: The AOA would receive additional funds to support education and training programs for the professional development and training of individuals providing service to the elderly and the development of educational programs and materials for older Americans.

Mr. President, I am acutely aware of the very real pressure felt by this Congress to decrease Federal expenditures, but my judgment in this case dictates that action is required now, before it is too late. Everything we know today tells us that there will be a greatly increased demand for persons trained and prepared to care for the growing elderly population. We want that care to be good. This bill would more than double the amount currently expended for the purpose of education and training and it reflects the amounts needed to meet the health care needs of present and future generations of older Americans. I urge my colleagues to join me in this endeavor.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Geriatric Research, Education, and Training Act of 1985".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds and declares that:

(1) The portion of the population aged 65 or older is growing faster than any other age group. The number of elderly individuals in the United States is likely to increase by 10,000,000 between 1980 and 2000, with the largest increase among individuals aged 85 or older.

(2) Personal health care expenditures for elderly individuals in 1985 are likely to exceed $90,000,000,000 (computed in 1980 dollars), which is an increase of $25,000,000,000 over the amount of such expenditures in 1980.

(3) Substantial cost savings and improved care in the expenditure of funds for the care of elderly individuals can be achieved through advances in research and the adequate preparation of personnel providing services to elderly individuals, especially personnel providing services in geriatic evaluation units, in health maintenance organizations, and in the homes and communities of elderly individuals.

(4) The growth in the number of elderly individuals will place heavy demands on hospital services, long-term care services, and community services. Unless Congress acts, the problems that the United States experiences now in providing appropriate and high quality care for older Americans will reach crisis proportions in the future.

(5) All persons providing health services and related human services to elderly individuals should have adequate preparation in dealing with the strengths and needs of such individuals.

(6) There is an enormous shortage of faculty members with adequate preparation in geriatrics and gerontology to educate and train current and future personnel to provide health services and human services. The "Report on Education and Training in Geriatrics and Gerontology" prepared by the Department of Health and Human Services emphasizes that all schools which provide education and training for such personnel should have faculty who are competent to expand and integrate geriatrics and gerontology into basic, graduate, and continuing education programs. Studies summarized in the report project the following personnel needs:

(A) The need for at least a five hundred percent increase in the number of medical school faculty members who are physicians with expertise in geriatrics, to a minimum of 1,300 such faculty members, with special emphasis on faculty members to train physicians in family medicine, general internal medicine, and psychiatry.

(B) The need for at least 1,300 medical school faculty members (in addition to the faculty members described in clause (A)) with principal concentration and adequate preparation in geriatrics.

(C) The need for a substantial increase in the number of nursing faculty members in order to insure that at least 2,000 such faculty members have preparation in gerontological nursing and at least 450 such faculty members have preparation in psychiatric nursing with a specialty in gerontology.

(D) The need for at least a five hundred percent increase in the number of geriatric dentistry faculty members, from approximately 20 such faculty members to 120 such faculty members.

(E) The need for a substantial increase in the number of social work faculty members concentrating on issues concerning elderly individuals, to a minimum of 1,000 such faculty members with expertise in aging and 450 such faculty members with expertise in mental health problems of elderly individuals.

(F) The need for at least a nine hundred percent increase in the number of occupational therapist faculty members to train therapists to work with elderly individuals, from approximately 10 such faculty members to 100 such faculty members.

(G) The need for at least a two hundred percent increase in the number of research scientists concentrating on the biomedical, behavioral, and social problems of elderly individuals, to a minimum of between 1,700 and 2,600 such scientists.

(7) If more resources for research, education, and training in geriatrics and gerontology are provided, the diagnosis, treatment, and care of older Americans can be improved, and more effective and economical uses of the increasing expenditures for the care of elderly individuals can be ensured.

(b) Therefore, it is the purpose of this Act to—

(1) authorize an increase in appropriations for a three-year period for education and training in geriatrics and gerontology in order to supplement existing programs carried out by the Administration on Aging, the Health Resources and Services Administration, the National Institute on Aging, and the National Institute of Mental Health, of the Department of Health and Human Services;

(2) provide for the development of a plan for a comprehensive research program on aging which identifies high priority opportunities and needs in various fields of research concerning the aging process, diseases and conditions of special importance to elderly individuals, health promotion, the delivery of services to healthy and ill elderly individuals, and related issues; and

(3) ensure coordination of education and training programs and activities within the Department of Health and Human Services and with other concerned Federal agencies.

INTERNAL MEDICINE

SEC. 3. Section 784(b) of the Public Health Service Act is amended—

(1) by striking out "and" after "1983,";

(2) by inserting before the period a comma and "$22,000,000 for the fiscal year ending September 30, 1986, $23,000,000, for the fiscal year ending September 30, 1987, and $24,000,000 for the fiscal year ending September 30, 1988"; and

(3) by adding at the end thereof the following new sentences:

"Of the amounts appropriated to carry out this section—

"(1) $1,000,000 for the fiscal year ending September 30, 1986,

"(2) $1,700,000 for the fiscal year ending September 30, 1987, and

"(3) $2,700,000 for the fiscal year ending September 30, 1988,

shall be available for grants and contracts for programs, traineeships, and fellowships which provide specialized education and training in geriatric medicine. In making grants and entering into contracts under the preceding sentence, the Secretary shall give priority to grants and contracts for programs, traineeships, and fellowships under paragraphs (3) and (4) of subsection (a) which provide specialized education and training in geriatric medicine.".

FAMILY MEDICINE AND GENERAL DENTISTRY

SEC. 4. Section 786(c) of the Public Health Service Act is amended—

(1) by striking out "and" after "1983," in the first sentence;

(2) by inserting before the period in the first sentence a comma and "$41,200,000 for the fiscal year ending September 30, 1986, $42,300,000 for the fiscal year ending September 30, 1987, and $43,400,000 for the fiscal year ending September 30, 1988"; and

(3) by adding at the end thereof the following new sentence:

"Of the amounts appropriated to carry out this section—

"(1) $4,400,000 for the fiscal year ending September 30, 1986,

"(2) $5,500,000 for the fiscal year ending September 30, 1987, and

"(3) $6,600,000 for the fiscal year ending September 30, 1988,

shall be available for grants and contracts under subsections (a) and (b) for programs, traineeships, and fellowships which provide specialized education and training in geriatric medicine and geriatric dentistry.".

AREA HEALTH EDUCATION CENTERS

SEC. 5. Section 781(g) of the Public Health Service Act is amended—

(1) by striking out "and" after "1983," in the first sentence;

(2) by inserting before the period in such sentence a comma and "$21,200,000 for the fiscal year ending September 30, 1986, $23,000,000 for the fiscal year ending September 30, 1987, and $25,000,000 for the fiscal year ending September 30, 1988"; and

(3) by adding at the end thereof the following sentence:

"Of the amounts appropriated to carry out this section—

"(1) $4,000,000 for the fiscal year ending September 30, 1986,

"(2) $5,000,000 for the fiscal year ending September 30, 1987, and

"(3) $6,000,000 for the fiscal year ending September 30, 1988,

shall be available for grants and contracts to schools of medicine and osteopathy to provide, as a part of their area health education programs, specialized education and training in geriatrics to faculty members, health professions students, and other health care personnel who participate in such programs.".

SPECIAL PROJECTS

SEC. 6. (a) Section 788(d) of the Public Health Service Act is amended to read as follows:

"(d) The Secretary may make grants to and enter into contracts with schools of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, public health, chiropractic, and allied health, graduate programs in health administration and clinical psychology, programs for the training of physician assistants, and other appropriate public or private nonprofit entities to assist in meeting the costs of such schools, programs, or entities in providing projects to—

"(1) improve the training of health professionals and allied health professionals in geriatrics;

"(2) develop and disseminate curricula relating to the treatment of health problems of elderly individuals;

"(3) expand and strengthen instruction in methods of such treatment;

"(4) support the training and retraining of faculty to provide such instruction;

"(5) support continuing education for health professionals and allied health professionals who provide such treatment; and

"(6) establish new affiliations with nursing homes, chronic and acute disease hospitals, ambulatory care centers, and senior centers in order to provide students with clinical training in geriatric medicine.".

(b) Section 788(f) of such Act is amended—

(1) by striking out "and" after "1983;";

(2) by inserting before the period a semicolon and "$12,600,000 for the fiscal year ending September 30, 1986; $13,500,000 for the fiscal year ending September 30, 1987; and $14,700,000 for the fiscal year ending September 30, 1988"; and

(3) by adding at the end thereof the following new sentence:

"Of the amounts appropriated to carry out this section—

"(1) $7,200,000 for the fiscal year ending September 30, 1986,

"(2) $7,600,000 for the fiscal year ending September 30, 1987, and

"(3) $8,300,000 for the fiscal year ending September 30, 1988,

shall be available for grants and contracts under subsection (d).".

(c)(1) Section 701(4) of such Act is amended—

(A) by striking out "and" after " 'school of veterinary medicine',";

(B) by inserting a comma and "and 'school of chiropractic' " after " 'school of public health' ";

(C) by striking out "and" after "a degree of doctor of veterinary medicine or an equivalent degree,"; and

(D) by inserting "and a degree of doctor of chiropractic or an equivalent degree," before "and including advanced training related to".

(2) Section 701(5) of such Act is amended—

(A) by striking out "or" after "pharmacy,"; and

(B) by inserting "or chiropractic," after "public health,".

(3) Section 737 of such Act is amended by striking out paragraph (2) and by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(d) Section 701(8) of such Act is amended to read as follows:

"(8)(A) The term 'program for the training of physician assistants' means an educational program which (i) has as its objective the education of individuals who will, upon completion of their studies in the program, be qualified to provide primary health care under the supervision of a physician, and (ii) meets regulations prescribed by the Secretary in accordance with subparagraph (B).

"(B) After consultation with appropriate organizations, the Secretary shall, not later than May 1, 1986, prescribe regulations for programs for the training of physician assistants. Such regulations shall, as a minimum, require that such a program—

"(i) extend for at least one academic year and consist of—

"(I) supervised clinical practice, and

"(II) at least four months (in the aggregate) of classroom instruction,

directed toward preparing students to deliver health care;

"(ii) have an enrollment of not less than eight students; and

"(iii) train students in primary care, disease prevention, health promotion, geriatric medicine, and home health care.".

(e)(1) Section 701(10) of such Act is amended—

(A) by inserting "college," before "junior college,"; and

(B) by striking out "in a discipline of allied health leading to a baccalaureate or associate degree (or an equivalent of either) or to a more advanced degree" in subparagraph (A) and inserting in lieu thereof "to enable individuals to become allied health professionals or to provide additional training for allied health professionals".

(2) Section 701 of such Act is amended by adding at the end thereof the following new paragraph:

"(13) The term 'allied health professional' means an individual—

"(A) who has received a certificate, an associate's degree, a bachelor's degree, a masters' degree, a doctoral degree, or postbaccalaureate training, in a science relating to health care;

"(B) who shares in the responsibility for the delivery of health care services or related services, including—

"(i) services relating to the identification, evaluation, and prevention of diseases and disorders;

"(ii) dietary and nutrition services;

"(iii) health promotion services;

"(iv) rehabilitation services; or

"(v) health systems management services; and

"(C) who is not a graduate of a school of medicine, osteopathy, dentistry, veterinary medicine, optometry, podiatry, pharmacy, public health, or chiropractic, or a graduate program in health administration or clinical psychology.".

(f)(1) Section 701 (as amended by subsection (e)(2) of this section) is further amended by adding at the end thereof the following new paragraph:

"(14) The term 'graduate program in clinical psychology' means an accredited graduate program in a public or nonprofit private institution in a State which provides training leading to a doctoral degree in clinical psychology or an equivalent degree.".

(2) Section 701(5) (as amended by subsection (c)(2) of this section) is further amended—

(1) by striking out "or" after "chiropractic,"; and

(2) by inserting "or a graduate program in clinical psychology," after "health administration,".

(3) Section 737 (as amended by subsection (c)(3) of this section) is further amended by striking out paragraph (2) (as redesignated by subsection (c)(3) of this section) and by redesignating paragraphs (3) and (4) (as redesignated by subsection (c)(3) of this section) as paragraphs (2) and (3), respectively.

ADVANCED NURSE TRAINING PROGRAMS

SEC. 7. Section 821(b) of the Public Health Service Act is amended—

(1) by striking out "and" after "1983,";

(2) by inserting before the period a comma and "$20,200,000 for the fiscal year ending September 30, 1986, $22,200,000 for the fiscal year ending September 30, 1987, and $24,300,000 for the fiscal year ending September 30, 1988"; and

(3) by adding at the end thereof the following new sentence:

"Of the amounts appropriated to carry out this section—

"(1) $2,600,000 for the fiscal year ending September 30, 1986,

"(2) $3,200,000 for the fiscal year ending September 30, 1987, and

"(3) $3,900,000 for the fiscal year ending September 30, 1988,

shall be available for grants and contracts which provide specialized advanced education and training in geriatrics for professional nurses.".

NURSE PRACTITIONER PROGRAMS

SEC. 8. (a) Section 822(e) of the Public Health Service Act is amended—

(1) by striking out "and" after "1983,";

(2) by inserting before the period a comma and "$19,300,000 for the fiscal year ending September 30, 1986, $21,300,000 for the fiscal year ending September 30, 1987, and $23,400,000 for the fiscal year ending September 30, 1988"; and

(3) by adding at the end thereof the following new sentence:

"Of the amounts appropriated to carry out this section—

"(1) $3,000,000 for the fiscal year ending September 30, 1986,

"(2) $3,700,000 for the fiscal year ending September 30, 1987, and

"(3) $4,500,000 for the fiscal year ending September 30, 1988,

shall be available for grants and contracts under subsections (a) and (b) for the training of nurse practitioners in geriatrics and for the training of geriatric nurse practitioners.".

(b) Section 822(b)(3) of such Act is amended by inserting "or in a public health care facility or a nursing home or other facility primarily serving geriatric patients or groups," before "for a period".

HOME HEALTH CARE TRAINING

SEC. 9. Section 339(b)(5) of the Public Health Service Act is amended to read as follows:

"(5) There are authorized to be appropriated for grants and contracts under this subsection $3,000,000 for each of the fiscal years ending September 30, 1986, September 30, 1987, and September 30, 1988.".

NATIONAL INSTITUTE ON AGING

SEC. 10. (a) Section 464 of the Public Health Service Act is amended to read as follows:

"COMPREHENSIVE RESEARCH PLAN

"SEC. 464. (a) Within one year after the date of enactment of this section, the Secretary, in consultation with the National Advisory Council on Aging, shall develop a plan for a comprehensive research program on aging. The plan shall identify high priority opportunities and needs in various fields of research relating to aging, including opportunities and needs for research designed to—

"(1) develop an improved understanding of the aging process;

"(2) develop information concerning conditions, diseases, and disabilities of special importance to elderly individuals (such as Alzheimer's disease, osteoarthritis, hip fractures, and incontinence);

"(3) improve methods of health promotion and disease prevention for elderly individuals; and

"(4) improve methods for the delivery of services needed by both healthy and ill elderly individuals.

"(b) The plan required by subsection (a) shall—

"(1) specify the activities required to implement the plan; and

"(2) give special attention to research on issues relating to individuals aged 85 and older.".

(b) Part H of title IV of such Act is amended by adding at the end thereof the following new section:

"PREPARATION OF INVESTIGATORS

"SEC. 465. To carry out education and training activities and to support traineeships and fellowships under this part, there are authorized to be appropriated $16,800,000 for the fiscal year ending September 30, 1986, $18,800,000 for the fiscal year ending September 30, 1987, and $20,800,000 for the fiscal year ending September 30, 1988.".

MENTAL HEALTH

SEC. 11. Section 303 of the Public Health Service Act is amended by adding at the end thereof the following new subsection:

"(e) For training, instruction, and traineeships under subsection (a)(1) relating to mental health conditions, problems, and illnesses of the elderly and the care, treatment, and rehabilitation of elderly individuals with mental health problems, there are authorized to be appropriated $8,000,000 for the fiscal year ending September 30, 1986, $10,000,000 for the fiscal year ending September 30, 1987, and $12,000,000 for the fiscal year ending September 30, 1988.".

ADMINISTRATION ON AGING

SEC. 12. Section 431(a) of the Older Americans Act of 1965 is amended—

(1) by striking out "$29,800,000 for fiscal year 1986, and $31,400,000 for fiscal year 1987" and inserting in lieu thereof "$34,000,000 for fiscal year 1986, $37,900,000 for fiscal year 1987, and $39,800,000 for fiscal year 1988"; and

(2) by adding at the end thereof the following new sentence:

"Of the amounts appropriated under this section—

"(1) $12,600,000 for fiscal year 1986,

"(2) $14,700,000 for fiscal year 1987, and

"(3) $16,800,000 for fiscal year 1988,

shall be available for training and instruction activities under parts A and B of this title.".

COORDINATION OF EDUCATION AND TRAINING ACTIVITIES

SEC. 13. The Secretary of Health and Human Services shall establish an interdepartmental committee to ensure that the planning, development, and evaluation of education and training activities in geriatrics and gerontology are conducted in a coordinated manner. The committee shall include representatives of the Administration on Aging, the Office of the Assistant Secretary for Health, the Health Resources and Services Administration, the National Institute on Aging, the National Institute on Mental Health, and other offices of the Department of Health and Human Services with major interests and responsibilities concerning programs for elderly individuals. The Secretary shall submit a report to Congress within one year after the date of enactment of this Act which describes the activities of the committee established under this section.

EFFECTIVE DATE

SEC. 14. (a) Except as provided in subsection (b), the provisions of this Act and the amendments made by this Act shall take effect on October 1, 1985.

(b)(1) Section 13 shall take effect on the date of enactment of this Act.

(2) The provisions of section 464 of the Public Health Service Act (as amended by section 10(a) of this Act) shall take effect on the date of enactment of this Act.●

● Mr. GLENN. Mr. President, as the senior Democrat on the Senate Special Committee on Aging, I am pleased to join Senator HEINZ and Senator MATSUNAGA in introducing the Geriatric Research, Education and Training Act of 1985 [GREAT], which would supplement programs within the Administration on Aging, the Health Resources and Services Administration, the National Institute on Aging, and the National Institute of Mental Health to provide support for training in geriatrics and gerontology. This important legislation addresses the health care needs of our Nation's elderly; not just those who are elderly today, but tomorrow's elderly as well.

The fastest growing segment of our society is our elderly population, especially those who are 85 years of age and older. Currently, the elderly comprise over 11 percent of our population. By the year 2025, this percentage is expected to increase to 20 percent of our population. As we grow older, our chance of developing one or more chronic illnesses increases; and the largest percentage of the U.S. health care dollar is spent on the health care needs of older Americans.

Recently, I chaired an Aging Committee hearing in Toledo, OH, to explore how we can help make growing older with good health a reality for American citizens. We discussed the importance of health promotion measures which can significantly reduce the chance of developing chronic illness, the ways in which our lives and health can be enhanced through advances in biomedical research and technology, and the need for physicians and other health professionals who are trained to meet the special needs of our growing elderly population. Unless steps are taken now to address the severe shortage of health professionals trained in geriatrics and gerontology, we may face a crisis in care for the elderly that will require a massive infusion of funds in the future.

This critical shortage of trained health care professionals is fully documented in a 1984 report issued by the U.S. Department of Health and Human Services. Published by the National Institute on Aging [NIA], the "Report on Education and Training in Geriatrics and Gerontology" provides graphic evidence of these critical shortages. The report speaks to the growing demand for hospital, long-term care and community services which will clearly accompany the demographic changes in the elderly population. According to health care specialists and experts in aging, these services can be more effective and economical if better trained personnel and additional knowledge on prevention and treatment are available. Some of the shortages cited in the report, as they looked ahead 5 years to 1990, include a need for:

At least a 500-percent increase in the number of medical school faculty with expertise in geriatrics; a substantial increase in the number of nursing faculty members ensure that at least 2,000 such faculty members have preparation in gerontological nursing; a 600-percent increase in the number of geriatric dentistry faculty members, to bring the national total from the current approximately 20 such faculty members to at least 120; and a 900-percent increase in the number of occupational therapist faculty members to train therapists to work with elderly patients—there are currently 10 such faculty members.

Further, the report cites shortages of professionals adequately trained in geriatrics and gerontology in other related and critical fields, such as optometrists, pharmacists, podiatrists, respiratory therapists, social work faculty, and research scientists concentrating on the biomedical, behavioral, and social problems of the elderly.

The GREAT Act of 1985 is aimed at preparing both active and future practitioners to adequately meet the health care needs of older Americans. We need to train the teachers so that they can in turn prepare their students and colleagues to either specialize in geriatrics or to be better equipped to diagnose, educate, and treat their elderly patients and clients. Dr. T. Franklin Williams, Director of the NIA, cited a recent survey of the Association of American Medical Colleges which found that less than 5 percent of graduating medical students had completed a course specifically focused on geriatrics. Of our country's 127 medical schools, only 15 require their students to study geriatric medicine. A 1981 survey of physicians revealed that out of 480,000 physicians, fewer than 700 claimed to have any expertise in geriatric medicine. That is just over one-tenth of 1 percent. Yet, with the exception of pediatricians, most health professionals will increasingly see elderly patients as our population ages and people live longer.

Preparing now to have adequately trained personnel in the health care field is good public policy, not only because it is humane, but because it will also prove to be cost effective in terms of diagnosis, treatment, and prevention. Without adequate research and trained practitioners we cannot expect the medical and technological breakthroughs needed to combat the various diseases and conditions that particularly affect the elderly, such as Alzheimer's disease and other dementias, arthritis, incontinence, osteoporosis, coronary heart disease, hypertension, and cancer. Not only are these devastating to the affected individual and his or her family and friends, but these conditions are also costly to all of us.

At a hearing I held in Ohio on April 15, I heard testimony from the Arthritis Foundation which estimates that $5 billion is spent annually on medical care for arthritis. A recent column in the Washington Post reported estimates of an annual cost by 1990 of $30 billion to institutionalize the victims of Alzheimer's disease. Early and accurate diagnosis of such conditions may reduce or delay hospitalization and institutionalization of the elderly. Research and technological development will continue to lead to new and improved adaptive and assistive devices enabling older persons with disabling conditions to remain at home longer on a more independent basis.

Ohio, I am proud to say, was the first State to provide financial support to each of its seven medical schools to establish an office of geriatric medicine. In 1977, the Ohio General Assembly enacted legislation which established a separate line item in the higher education budget to do this. Funding has risen from $350,000 in fiscal year 1979 to approximately $1.2 million in fiscal year 1985. This experience has provided us with numerous innovative approaches to educating medical students and practitioners about the needs of elderly patients and has stimulated exciting new research. Ohio remains the only State with a comprehensive State-supported geriatric medicine program for all of its medical schools.

The Congress can provide the leadership to ensure that Ohio's innovation in geriatric education are possible nationally. This experience needs to be replicated throughout the country if we hope to overcome the well-documented shortages of adequately prepared health care professionals to meet the challenge of our rapidly growing and aging elderly population. I urge my colleagues in the Senate to join me in supporting this important legislation.●

By Mr. ARMSTRONG:

S. 1101. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of fringe benefits provided to the parents of employees; to the Committee on Finance.

TREATMENT OF FRINGE BENEFITS TO PARENTS OF EMPLOYEES

● Mr. ARMSTRONG. Mr. President, I am introducing legislation today that will restore for parents of airline employees their privilege of flying on a tax-free basis. Last year the Congress enacted the Deficit Reduction Act of 1984 and among its many provisions was one that eliminated parents from what had been a long tradition where airlines had considered parents to be within the immediate family of an airline employee and therefore provided them with air travel privileges on a seat available basis.

The consequence of this small change in tax law, of "negligible" revenue impact as reported by the Joint Tax Committee, is larger than it may appear. Some airlines have ended their reciprocal agreements that established the basis of interline air travel by parents of airline employees. This small change in law has, in combination with the withholding requirements of the temporary IRS regulation, contributed to the reduction or elimination of this fringe benefit that airlines voluntarily provided and from all my information, would like to be able to continue.

Employees of airlines and the air carriers themselves have been through some difficult times and the availability of fringe benefits for employees and their families is an important benefit and attraction to current and potential employees. For some employees who can do little else for their parents except being able to provide them with free or reduced cost air travel on a space available basis, the congressional actions of last year were an unwelcome change. The change was unnecessary, in my opinion, and achieves little except to disrupt the beneficial

practices of the commercial airline industry.

To make matters worse, the IRS issued temporary regulations on January 7 that impute the value of parental travel on airlines to be 50 percent of the regular coach fare on the day of travel. That imputed value is added to the employee's income and taxed. Employees in the 50 percent tax bracket that are taxed on 50 percent of the value of the coach fare consequently pay a tax that amounts to 25 percent of the regular coach fare. This valuation is too high. The cost of traveling from New York to Los Angeles for the period from February 18, 1985, to March 30, 1985, shows that all major airlines provided an ultra super save fare that is just 28 percent of coach fare. For many there is no fringe benefit left due to the tax implications.

The legislation that I am introducing would again place parents on the same basis as the spouse or dependents of an employee when air travel is provided as a fringe benefit by the airline. As with the employee, this service must be a "No additional cost service" to the air carrier in order for it to remain tax free. This means that the employee, spouse, parent, or dependent children can fly only if the seats were otherwise going to remain unused on the flight.

In treating the parent on an equal basis with other dependents of the employee, this bill does not interfere with reciprocal agreements and the airlines can, if they so choose, enter into reciprocal agreements with regard to parental air travel where the employers bear no substantial cost and the airline does lose revenue as a result.

In concluding Mr. President, this bill corrects legislation that was unnecessary, which raised essentially no revenue, which has had unintended affects that have disrupted a legitimate fringe benefit offered to parents of airline employees.●

By Mr. ROTH:

S. 1102. A bill to amend the Internal Revenue Code of 1954 to impose a tax on the net business receipts of taxpayers, to credit the amount of such tax against the liability of such taxpayer under the Federal Insurance Contributions Act, and for other purposes; to the Committee on Finance.

BUSINESS TRANSFER TAX ACT

● Mr. ROTH. Mr. President, the Senate Finance Committee and House Ways and Means Committee are now hard at work considering various proposals to reform the current Tax Code. I commend those panels for their interest, because I think most Americans have come to the conclusion that the current system—rife with problems of fairness, complexity, and disincentives for savings and growth—needs overhaul this year.

But the proposals now on the table do not do the whole job. In my judgment, a good tax reform plan must do several things. It must substantially lower individual marginal tax rates and include major personal savings initiatives to eliminate the double taxation of individual saving. It must not increase the cost of capital to American business which would decrease our competitiveness. It must make the Tax Code simpler and more fair and it must raise the same amount of revenue as current law so as not to increase the deficit. In short, tax reform must establish an environment of economic growth.

Some of the current proposals meet some of these objectives. But because none—including my own Roth-Moore plan—meet all those objectives, I am introducing today a new and exciting addition to the tax debate which, when coupled with proposals to simplify the law, lower marginal rates and increase savings, will give us a more rational and more pro-growth tax law.

Specifically, I propose the creation of a business transfer tax [BTT], the proceeds of which can be used as a credit against the employer portion of Social Security taxes (FICA). Each business would add up its total receipts and subtract from it total purchases including physical capital and raw materials. The remainder, the firm's net receipts would be the tax base and would be taxable at the rate of 5 percent. This tax liability could then be credited against the firm's FICA liability. All credited amounts would be transferred to the Social Security trust fund. Under GATT, export receipts could be excluded from the tax base and all imports would be subject to a 5-percent tax. In addition to roughly offsetting the cost of FICA, the BTT would raise $20 billion to be used to lower marginal rates. Only about $3 billion additional would be collected from domestic sources and over 90 percent of existing firms would not have any net tax increase. On the other hand, a 5-percent BTT would raise about $17 billion in 1986 from imports in a GATT-legal manner.

Let me also make clear that, although I will introduce this measure with a 5-percent tax rate, I am also considering the effects of a higher tax rate, in order to provide revenue for reductions in the marginal tax rates for individuals and further savings incentives. Although any tax reform must be in the aggregate revenue neutral, I continue to believe that lower individual rates will encourage productive investment and more economic growth.

Each 5-percent reduction in marginal tax rates costs about $25 billion in revenue. At a 7-percent rate, the BTT will raise about $45 billion, about $20 billion from domestic sources and the rest from foreign sources. A 10-percent BTT raises about $75 billion a year and a 20-percent BTT raises about $235 billion.

Substantial rate reduction could be purchased with a higher BTT but there is one thing I will absolutely insist on—BTT revenues should only be raised in the context of a revenue neutral tax reform and not to raise overall taxes.

The BTT will have major implications for our trade problems. Our horrendous trade deficits are caused in part by a tax induced bias in favor of foreign goods imported in this country and against American exports. Under the GATT there is an artificial distinction made between so-called indirect and direct taxes. Indirect taxes are things like sales taxes or general consumption taxes, while direct taxes are income taxes. Many times the lines are blurred and the method of collection becomes more important to the GATT than does the tax base. Under GATT, indirect taxes on exports are rebatable and imports can be taxed. The theory is that commodities should be taxed in the country in which they are consumed. There are no border tax adjustments allowed for direct taxes.

Our trading partners raise a much greater proportion of their tax revenues through indirect consumption taxes than we do. In fact we raise very little revenue this way. When foreign goods leave other countries the exporters receive a rebate. When the goods reach this country no indirect tax is assessed at our border. These goods almost entirely escape taxation which is a major incentive to foreign firms exporting to this country.

On the other hand our exporters do not enjoy a rebate on taxes they paid. And when the goods reach a foreign shore, they are taxed again at high rates. Foreign exporters essentially enjoy a tax holiday while our exporters are double taxed. This bias almost certainly has contributed to our trade problems.

The BTT would help to reverse this problem. It is considered an indirect tax under the GATT and therefore could be assessed on imports as they enter the country. At the same time export receipts would be excluded from the BTT base. This is not a protectionist move. It is simply a more to harmonize our tax system with that of our major trading partners in accordance with international trade treaties. We are striving to remove an artificial bias against our exports and it is inconceivable that any country would try to retaliate. What could they do? Increase their VAT?

It is essential that we take this move to remove artificial obstacles to trade and remove the barriers that prevent our companies from selling goods overseas.

There is another reason to support this legislation. It will create jobs. The current law FICA tax is a direct tax on labor services. Each time a firm hires a worker it has to pay this tax, which discourages hiring additional workers. By allowing the BTT to be credited against this payroll tax, the FICA is replaced by a more neutral tax that does not directly increase labor costs. Since the BTT lowers direct labor costs firms will be more likely to hire additional workers. This is especially important to the small business sector which tends to be labor intensive and has the greatest potential for job creation.

Mr. President, in this year when we are to seriously consider tax reform, and when we face such serious trade problems this proposal takes on special importance. In order to lower marginal tax rates for individuals, to increase savings incentives, to lower the cost of capital to business, to remove the barriers to trade and to create jobs, I urge my colleagues to seriously consider this proposal.

Mr. President, I ask unanimous consent that the full text of the bill, as well as a section-by-section description of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1102

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF 1954 CODE.

(a) SHORT TITLE.—This Act may be cited as the "Business Transfer Tax Act of 1985".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

SEC. 2. IMPOSITION OF BUSINESS TRANSFER TAX.

(a) IN GENERAL.—Subtitle D (relating to miscellaneous excise taxes) is amended by inserting before chapter 31 the following new chapter:

"CHAPTER 30—BUSINESS TRANSFER TAX

"Subchapter A. Imposition of tax.
"Subchapter B. Taxable net business receipts.
"Subchapter C. Exempt taxpayers.
"Subchapter D. Administration.
"Subchapter E. Definitions and special rules.

"Subchapter A—Imposition of Tax

"Sec. 4001. Imposition of tax.

"SEC. 4001. IMPOSITION OF TAX.

"There is hereby imposed a tax equal to 5 percent of the sum of—

"(a) the taxable net business receipts of the taxpayer for the taxable year, plus

"(b) in the case of any property imported into the United States by the taxpayer during the taxable year—

"(1) the customs value plus customs duties and any other duties which may be imposed, or

"(2) if there is no such customs value, the fair market value (determined as if the importer had sold the property).

"Subchapter B—Taxable Net Business Receipts

"Sec. 4003. Taxable net business receipts.
"Sec. 4004. Business receipts.
"Sec. 4005. Business expenses.
"Sec. 4006. Special rules.

"SEC. 4003. TAXABLE NET BUSINESS RECEIPTS.

"For purposes of this chapter, the term 'taxable net business receipts' means the excess, if any, of—

"(1) the business receipts of the taxpayer for the taxable year, over

"(2) the business expenses of the taxpayer for the taxable year.

"SEC. 4004. BUSINESS RECEIPTS.

"(a) GENERAL RULE.—For purposes of this chapter, the term 'business receipts' means the aggregate of amounts received by a corporation, or any person (other than a corporation) in connection with a business, during the taxable year from—

"(1) the sale of property in the United States, or

"(2) the performance of services in the United States.

"(b) CERTAIN RECEIPTS EXEMPTED.—For purposes of this section, the term 'business receipts' shall not include any amount received with respect to the following:

"(1) FOOD.—The retail sale of food and nonalcoholic beverages for human consumption other than on the premises where such food is sold.

"(2) HOUSING.—The sale or renting of—

"(A) residential real property, and

"(B) a mobile or floating home.

"(3) MEDICAL CARE.—The performance of any service, or the retail sale or renting of any property, payment for which by the purchaser or renter would constitute medical care within the meaning of section 213 (relating to an itemized deduction for medical and dental expenses).

"(4) LAND.—The sale of renting of land.

"(c) RECEIPTS FROM EXPORTS EXEMPTED.—For purposes of this chapter, the term 'business receipts' shall not include any amount received from the sale of property which is for use, consumption or disposition outside the United States.

"(d) CERTAIN RECEIPTS NOT TREATED AS RECEIVED IN CONNECTION WITH TRADE OR BUSINESS.—For purposes of this chapter, the term 'business receipts' shall not include any amount received by the taxpayer—

"(1) as dividends,

"(2) as interest, or

"(3) from the sale of any capital asset (as defined in section 1221) not used in the active conduct of a business by the taxpayer.

"SEC. 4005. BUSINESS EXPENSES.

"(a) IN GENERAL.—For purposes of this chapter, the term 'business expenses' shall include expense carryforwards to the taxable year (as determined under subsection (c)) plus any amount paid or incurred by the taxpayer during the taxable year with respect to a business of the taxpayer—

"(1) for the purchase or use of tangible property including (but not limited to)—

"(A) materials and components,

"(B) inventory, and

"(C) property subject to a deduction for depreciation, amortization or depletion under subtitle A,

"(2) for the purchase or use of other property including (but not limited to)—

"(A) trademarks and trade names,

"(B) copyrights,

"(C) patents, and

"(D) mineral, oil and gas properties,

"(3) for the purchase of services including (but not limited to)—

"(A) communications, transportation and utilities,

"(B) security, insurance, maintenance and repairs,

"(C) research and experimentation,

"(D) product development, packaging, advertising and marketing, and

"(E) accounting, financial planning, and legal representation,

"(4) for all other ordinary and necessary expenses (as determined under section 162, relating to trade or business expenses) except as provided under subsection (d).

"(b) TAX ATTRIBUTABLE TO CUSTOMS VALUE OF PROPERTY.—For purposes of paragraph (1) of subsection (a), the tax imposed on the amount determined under subsection (b) of section 4001 shall be treated as an amount paid or incurred for the purchase of tangible property during the taxable year.

"(c) EXPENSE CARRYFORWARDS.—

"(1) GENERAL RULE.—If the sum of—

"(A) the expense carryforwards to the taxable year, plus

"(B) the amount of business expenses determined under subsection (a) for the taxable year without regard to expense carryforwards

exceeds the amount of business receipts determined under section 4004 for such taxable year (hereinafter in this section referred as the 'net expense year'), such excess (to the extent attributable to the amount of determined under subparagraph (B)) shall be an expense carryforward to each of the 15 taxable years following the net expense year.

"(2) AMOUNT CARRIED TO EACH YEAR.—

"(A) ENTIRE AMOUNT CARRIED TO FIRST SUCCEEDING YEAR.—The entire amount of unused expenses for a net expense year shall be carried to the following taxable year.

"(B) AMOUNT CARRIED TO OTHER 14 YEARS.—The amount of unused expenses for the net expense year shall be carried to each of the succeeding 14 taxable years to the extent that such unused expenses may not be taken into account under subsection (a) for a prior taxable year because of the limitation of paragraph (3).

"(3) LIMITATIONS ON CARRYFORWARDS.—The amount of unused expenses which may be taken into account under subsection (a) for any taxable year succeeding the net expense year shall not exceed the amount by which the taxable net business receipts determined under section 4004 for such taxable year exceeds the sum or the amounts which, by reason of this section, are carried to such taxable year and are attributable to taxable years preceeding the net expense year.

"(d) CERTAIN EXPENSES NOT TAKEN INTO ACCOUNT.—For purposes of this section—

"(1) SPECIFIC EXPENSES.—The term 'business expenses' shall not include any amount paid or incurred by the taxpayer for—

"(A) compensation of an employee including (but not limited to)—

"(i) wages and salaries,

"(ii) deferred compensation, including amounts contributed to plans described in subchapter D of chapter 1 (relating to pension, profit-sharing, stock bonus and stock option plans),

"(iii) life, health, accident and disability insurance plans,

"(iv) meals, lodging and travel expenses,

"(v) scholarships, fellowships and other educational assistance payments, and

"(vi) other amounts excludable from an employee's gross income under subtitle A,

"(B) interest and dividends,

"(C) taxes,

"(D) charitable contributions, and

"(E) items described in subsection (b) of section 4004 (relating to certain receipts which are exempt from the business transfer tax).

"(2) CERTAIN EXPENSES ALLOCABLE TO EXEMPT RECEIPTS.—The term 'business expenses' shall not include any amount which is—

"(A) directly allocable to any receipts which are exempt under subsections (b) and (d) of section 4004, or

"(B) that portion of any business expenses not directly allocable to any receipts in an amount which bears the same ratio to the total amount of such expenses as—

"(i) the aggregate amount of receipts exempt under subsections (b) and (d) of section 4004, bears to

"(ii) all receipts of the taxpayer.

"(3) AMOUNTS PAID TO EXEMPT ENTITIES.—The term 'business expenses' shall not include any amount which is paid to an exempt taxpayer described in section 4011 (relating to exempt taxpayers), except to the extent that such amount is included in taxable net business receipts under subsection (b) thereof (relating to exempt organizations).

"SEC. 4006. SPECIAL RULES FOR DETERMINING BUSINESS RECEIPTS.

For purposes of section 4004(a)—

"(a) SALES OF PROPERTY.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the sale of property shall be treated as occurring where delivery takes place.

"(2) REAL PROPERTY.—The sale of real property shall be treated as occurring where the real property is located.

"(b) PERFORMANCE OF SERVICE.—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, a service shall be treated as occurring where it is performed.

"(2) SERVICES PERFORMED INSIDE AND OUTSIDE UNITED STATES.—If a service is performed both inside and outside the United States, such service shall be treated as performed—

"(A) inside the United States, if 50 percent or more of such service is performed inside the United States, and

"(B) outside the United States, if less than 50 percent of such service is performed inside the United States.

"(c) EXCHANGES TREATED AS SALES.—

"(1) IN GENERAL.—Except as provided in paragraph (2)—

"(A) an exchange of property for property or for services shall be treated as a sale of property, and

"(B) an exchange of services for property or for services shall be treated as the performance of services.

"(2) EXCEPTION FOR REORGANIZATIONS.—An exchange of property which is described in section 368 (relating to definitions of corporate reorganizations) shall not be treated as a sale of property.

"(3) AMOUNT TREATED AS RECEIVED.—The amount included in business receipts with respect to exchanges described in paragraph (1) shall be the fair market value of the property or services treated as being sold.

"(d) PERFORMANCE OF SERVICES.—

"(1) CERTAIN ACTIVITIES TREATED AS PERFORMANCE OF SERVICES.—Activities treated as performance of services shall include (but shall not be limited to)—

"(A) permitting the use of property,

"(B) the granting of a right to the performance of services or to reimbursement (including the granting of warranties, insurance, and similar items), and

"(C) the making of a covenant not to compete (or similar agreement to refrain from doing something).

"(2) EMPLOYERS AND EMPLOYEES.—

"(A) SERVICES FOR EMPLOYER.—An employee's services for his employer shall not be treated as the performance of services.

"(B) SERVICES FOR EMPLOYEE.—An employer's services for his employee shall not be treated as the performance of services.

"Subchapter C—Exempt Taxpayers

"Sec. 4011. Exempt taxpayers.

"SEC. 4011. EXEMPT TAXPAYERS.

"(a) GOVERNMENTAL ENTITY.—No tax shall be imposed under section 4001 on the United States, any State or political subdivision thereof, the District of Columbia, a Commonwealth or possession of the United States, or any agency or instrumentality of any of the foregoing.

"(b) EXEMPT ORGANIZATIONS.—No tax shall be imposed under section 4001 on any organization which is exempt from tax under chapter 1 (relating to income taxes) except that such tax shall be imposed on any taxable net business receipts of such organization which are allocable to an unrelated business of such organization (determined under the rules of section 513).

"Subchapter D—Administration

"Sec. 4021. Time for filing return; estimated tax payments; overpayments.

"Sec. 4022. Partnerships.

"Sec. 4023. S Corporations.

"SEC. 4021. TIME FOR FILING RETURN; ESTIMATED TAX PAYMENTS; OVERPAYMENTS.

"(a) TIME FOR FILING RETURN.—

"(1) IN GENERAL.—Each person on whom a tax is imposed by section 4001 for any taxable year shall file a return of such tax no later than the time for filing the return of tax imposed by chapter 1 for such taxable year.

"(2) TAXABLE YEAR.—For purposes of this chapter, the taxable year of any person shall be—

"(A) such person's taxable year for purposes of chapter 1, or

"(B) if there is no taxable year for purposes of chapter 1, the calendar year.

"(b) ESTIMATED TAX PAYMENTS.—

"(1) GENERAL RULE.—For purposes of sections 6154, 6654, and 6655, any tax imposed by section 4001 shall be treated as a tax imposed by section 1 or 11, whichever is appropriate.

"(2) MORE FREQUENT PAYMENTS.—At the election of the taxpayer, the payments of any tax imposed by section 4001 shall be made on such dates as are required for the deposits by the taxpayer of any tax imposed by section 3111 (relating to Federal Insurance Contribution Act taxes).

"(c) OVERPAYMENT.—If the taxpayer has paid an amount which exceeds the amount determined to be the correct amount of the tax imposed by section 4001, the overpayment shall be credited against any liability on the part of the taxpayer in respect of any tax imposed by section 4001 in the following taxable year.

"SEC. 4022. PARTNERSHIPS.

"(a) IN GENERAL.—For purposes of this chapter, in the case of a partnership, the tax imposed by section 4001 shall be imposed on the partnership (and not on any partner).

"(b) TAXABLE NET BUSINESS RECEIPTS.—No portion of any distribution by a partnership to a partner on account of such partner's interest in such partnership shall be taken into account in determining the taxable net business receipt of such partner.

"SEC. 4023. S CORPORATIONS.

"(a) IN GENERAL.—For purposes of this chapter, in the case of an S corporation (as defined in section 1361), the tax imposed by section 4001 shall be imposed on the corporation (and not on any shareholder).

"(b) TAXABLE NET BUSINESS RECEIPTS.—No portion of any distribution by an S corporation to a shareholder on account of such shareholder's ownership of stock in such corporation shall be taken into account in determining the taxable net business receipts of such shareholder.

"Subchapter E—Definitions and Special Rules

"Sec. 4031. Definitions and special rules.

"Sec. 4032. Cross reference to rules and definitions under the income tax.

"SEC. 4031. DEFINITIONS AND SPECIAL RULES.

For purposes of this chapter—

"(a) BUSINESS.—The term 'business' includes—

"(1) a trade, and

"(2) an activity regularly carried on for profit.

"(b) EMPLOYEE.—The term 'employee' has the meaning such term has for purposes of chapter 24 (relating to withholding).

"(c) UNITED STATES.—The term 'United States', when used in a geographical sense, includes a Commonwealth and any possession of the United States.

"(d) SPECIAL RULE WHERE SALE OF PROPERTY INCLUDES INCIDENTAL PERFORMANCE OF SERVICE.—If in connection with the sale of any property there is an incidental performance of services, such performance of services shall be treated as part of the sale of such property.

"(e) SPECIAL RULE WHERE PERFORMANCE OF SERVICES INCLUDES INCIDENTAL TRANSFER OF PROPERTY.—If in connection with the performance of any services there is an incidental transfer of property, such transfer shall be treated as part of the performance of such services.

"SEC. 4032. CROSS REFERENCE TO RULES AND DEFINITIONS UNDER THE INCOME TAX.

Except as otherwise expressly provided in this chapter—

"(a) RULES AND ELECTIONS.—Rules and elections under subtitle A (relating to income taxes) shall be applied for purposes of this chapter, including (but not limited to) for purposes of determining the taxpayer's—

"(1) method of accounting, and

"(2) filing a consolidated return.

"(b) DEFINITIONS.—Terms used in this chapter shall have the meanings given to them for purposes of subtitle A."

"(b) TAX TO BE DEDUCTIBLE.—Section 164(a) (relating to deduction for taxes) is amended by inserting after paragraph (5) the following new paragraph:

"(6) To the extent of the sum of the credits determined under sections 3126(a) and 1401(d) (relating to credits against tax of business transfer tax) for the taxable year, the business transfer tax imposed by section 4001.".

"(c) CLERICAL AMENDMENT.—The table of contents for subtitle D is amended by inserting before the items relating to chapter 31 the following:

"CHAPTER 30—BUSINESS TRANSFER TAX".

SEC. 3. CREDIT AGAINST LIABILITY UNDER FEDERAL INSURANCE CONTRIBUTIONS ACT.

(a) IN GENERAL.—Subchapter C of chapter 21 (relating to Federal Insurance Contributions Act) is amended by redesignating section 3126 as section 3127 and by inserting after section 3125 the following new section:

"SEC. 3126. CREDIT AGAINST TAX OF BUSINESS TRANSFER TAX.

"(a) IN GENERAL.—There shall be allowed as a credit against the tax imposed by section 3111 with respect to employees of a business of the employer an amount equal to the qualified business transfer tax of such employer.

"(b) QUALIFIED BUSINESS TRANSFER TAX.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified business transfer tax' means, as of any deposit date, the excess of—

"(A) the amount of any tax imposed by section 4001 paid by an employer as of such date (or the amount of any estimated tax paid under this title with respect to such tax as of such date), over

"(B) the sum of—

"(i) the amount of any tax described in subparagraph (A) previously taken into account under this section, plus

"(ii) the aggregate credits allowed under section 1401(d) (relating to self employment taxes) prior to the taxable year.

"(2) PORTION OF TAX NOT CREDITABLE.—For purposes of paragraph (1), no amount of tax imposed by section 4001 on amounts described in subsection (b) thereof shall be taken into account.

"(3) DEPOSIT DATE.—Term 'deposit date' means the date on which any employer is required to deposit the tax imposed by section 3111."

(b) SELF EMPLOYMENT TAX.—Section 1401 (relating to tax on self employment income) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

"(d) CREDIT AGAINST TAX OF BUSINESS TRANSFER TAX.—There shall be allowed as a credit against the taxes imposed by this section for any taxable year an amount equal to the qualified business transfer tax (as determined under section 3126(b)) of the individual determined as of the end of the taxable year."

(c) CONFORMING AMENDMENT.—The table of sections for subchapter C of chapter 21 is amended by striking out the item relating to section 3126 and inserting in lieu thereof the following new items:

"Sec. 3126. Credit against tax of business transfer tax.
"Sec. 3127 Short title.".

SEC. 4. TRANSFER TO TRUST FUNDS.

(a) IN GENERAL.—There are hereby appropriated to each applicable fund amounts equivalent to the amounts which would have been transferred to such fund but for the credit against tax under sections 3126(a) and 1401(d) of the Internal Revenue Code of 1954.

(b) TRANSFERS.—The amounts appropriated by subsection (a) to any applicable fund shall be transferred from time to time (but not less frequently than quarterly) from the general fund of the Treasury on the basis of estimates made by the Secretary of the Treasury. Any such quarterly payment shall be made on the first day of such quarter and shall take into account amounts estimated to be credited under sections 3126(a) and 1401(d) of such Code during such quarter. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(c) APPLICABLE FUND.—For purposes of this section, the term "applicable fund" means any fund or account to which the taxes imposed by section 1401 or 3111 are transferred.

SEC. 5. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall apply to taxable years beginning after December 31, 1985.

(b) CREDITS.—The amendments made by section 3 shall apply to taxable periods ending after December 31, 1985.

SEC. 6. SENSE OF THE SENATE CONCERNING USE OF BTT REVENUES.

Whereas individual taxpayers would benefit from reductions in marginal tax rates;

Whereas the enactment or continuation of incentives for individuals to save and invest will continue to be important following a reduction in marginal tax rates; and

Whereas the enactment of the business transfer tax will otherwise increase revenues to the Federal government: Now, therefore, be it

Resolved, That it is the sense of the Senate that the net revenues arising from enactment of the business transfer tax shall be offset by reductions in individual marginal tax rates and incentives for individuals to save and invest.

SECTION-BY-SECTION DESCRIPTION OF S. 1102, THE BUSINESS TRANSFER TAX ACT OF 1985

The bill would enact a 5% tax on the net business receipts realized by businesses which sell goods and services in the United States. This business transfer tax, or "BTT," would be creditable by the business against its employer's FICA tax liability.

The following is a section-by-section description of the proposed new tax and FICA credit mechanisms.

A. THE BUSINESS TRANSFER TAX

The bill would create the BTT in a new chapter 30 of the Internal Revenue Code.

1. Sec. 4001—Tax Base—

New sec. 4001 would impose a 5% tax on the sum of taxable net business receipts for the taxable year plus the aggregate customs values and duties of the taxpayer's imports during the taxable year. If there were no customs values for imports, the fair market values would be used.

2. Sec. 4003—Taxable Net Business Receipts—

"Taxable net business receipts," which would be the BTT base under new sec. 4001, would be the excess of the taxpayer's business receipts over business expenses for the taxable year.

3. Sec. 4004(a)—Business Receipts—

In general, "business receipts" used to determine the BTT base under new sec. 4003 would include the aggregate amount of receipts by a corporation (or by any unincorporated person in connection with a business) from the sale of property or the performance of services in the United States.

4. Sec. 4004(b), (c), (d), (e)—Exempt Receipts—

Certain categories of receipts would be specifically excluded from the general definition of "business receipts" under new sec. 4004(a). The eight categories would be: (i) receipts from retail sales of food and non-alcoholic beverages for offpremises consumption; (ii) sales or rentals of housing; (iii) sales of services and sales or rentals of property for medical care (within the meaning of Sec. 213); (iv) sales or rentals of lands; (v) sales of property for export; (vi) dividends; (vii) interest; or (viii) sales of sec. 1221 capital assets which are not used in the active conduct of the taxpayer's business.

5. Sec. 4005(a), (b)—Deductible Business Expenses—

The deductible "business expenses" used to determine the BTT base under new sec. 4003 would generally include all amounts paid or incurred during the taxable year by the taxpayer to purchase or to use goods or services in the conduct of the taxpayer's business. Specifically included items would be: (i) purchased or leased tangible property such as materials, components, inventory, depreciable/amortizable/depletable property; (ii) other purchased or leased property such as trademarks, trade names, copyrights, patents, mineral/oil/gas properties; and (iii) purchased services such as communications, transportation, utilities, security, insurance, maintenance, repairs, research and experimentation, product development, packaging, advertising, marketing, accounting, financial planning, and legal representation. "Business expenses" would also include all other ordinary and necessary expenses (as determined for purposes of section 162), except those under new sec. 4005(d). The 5% tax on customs values of imports under new sec. 4001(b) for the taxable year would also be treated as an amount paid for the purchase of tangible property during the taxable year.

6. Sec. 4005(c)—Net Business Expense Carryforwards—

In any taxable year, "business expenses" under new sec. 4003 would include expense carryforwards to that year. An expense carryforward would be the amount, if any, by which business expenses exceed business receipts for a taxable year. The carryforward of such net expense would be allowed to the succeeding 15 taxable years on a first-in-first-out (FIFO) basis. (No carryback would be allowed.) Thus, in any taxable year, business receipts would be computed under new sec. 4004. All carryforwards plus current year expenses would be computed under new sec. 4005. To the extend such total expenses exceed receipts, the excess would be attributed first to current year's expenses and then to preceding years' carryforwards in reverse order. These amounts would then be carried to the next year.

7. Sec. 4005(d)—Nondeductible Business Expenses—

Expenses for certain listed items would not treated as deductible business expenses for purposes of computing the BTT base under new sec. 4003. These include amounts paid or incurred for: (i) direct labor costs such as wages, salaries, deferred compensation, insurance premiums, meals, lodging, travel, educational assistance, and other items excludable from an employee's gross income; (ii) interest and dividends; (iii) taxes; (iv) charitable contributions; and (v) items excluded from business receipts under new sec. 4004(b) (i.e., retail food for home use, housing, medical care, and land).

Business expenses also would not include any amount: (i) directly allocable to exempt receipts under new sec. 4004(b) or (d); (ii) equal to the proportionate amount of nonallocable expenses in a ratio of receipts which are exempt under sec. 4004 (b) and (d) over total receipts; and (iii) paid to an entity which is non-taxable under new sec. 4011, except to the extent such amounts would be included in the entity's taxable net business receipts attributable to unrelated business income.

8. Sec. 4006—Special Rules For Determining Business Receipts

A series of special rules would clarify the treatment of certain transactions. A sale of property would occur where delivery takes place, except that a sale of real property would occur where the property is located. Performance of services would occur where the service is performed, with a "50 percent or more" test used to place within the U.S. the performance of a service which is performed both inside and outside the U.S.

Exchanges of property or services for one or the other (or both) would be treated as a sale of property or the performance of services, thereby creating business receipts under new sec. 4004. The amount received would be the fair market value of property or services sold. An exchange of property described in sec. 368 would not be treated as a sale of such property.

Performance of services would specifically include: (i) permitting use of property; (ii) granting a right to performance of services or to reimbursement (e.g., warranties and insurance); and (iii) providing a covenant not to compete or take other action. Neither an employer's services for an employee nor an employee's services for an employer would be treated as "performance of services" for purposes of new sec. 4004.

9. Sec. 4011—Exempt Entities—

The BTT would not be imposed on the United States, any state or political subdivision of a state, the District of Columbia, a commonwealth or possession of the United States, or any agency or instrumentality of any such entity.

The BTT generally would not be imposed on any organization which is tax exempt under the income tax. However, any such organization which had an unrelated business (determined using the rules of sec. 513) would be subject to the BTT on taxable net business receipts which were allocable to such business.

10. Sec. 4021—Administrative Matters—

A BTT return would be required to be filed by each taxpayer not later than the time for filing of the taxpayer's income tax return. The taxable year would be the taxpayer's income tax year. If there were no such year established, the calendar year would be used.

The BTT would be payable by the taxpayer in installments of estimated payments under income tax rules in sections 6154 and 6654. The taxpayer would also be allowed to elect to make estimated payments on the deposit dates for FICA payments. Underpayments of BTT would be subject to the penalties in sections 6654 and 6655.

Overpayments of BTT would be credited against the following year's BTT liability.

11. Sections 4022 and 4023—Partnerships and S Corporations—

The BTT would be imposed on a partnership and on an S Corporation, rather than on a partner or a shareholder. Subsequent distributions by the taxpayer to a partner/shareholder would not be treated as business receipts for such person under new sec. 4004.

12. Sec. 4031—Definitions and Special Rules—

For purposes of the new BTT chapter: (i) "business" would include a trade and an activity regularly carried on for profit; (ii) "employee" would be given its meaning within chapter 24 on withholding; and (iii) "United States", in a geographic sense, would include a commonwealth and possession.

Incidental performance of services in connection with a sale of property would be treated as a part of the sale. An incidental transfer of property in connection with the performance of services would be treated as a part of such services.

13. Sec. 4032—Cross References to the Income Tax—

Except as otherwise provided by the new BTT sections, the rules, elections and definitions under the income tax would govern the BTT. For example, a taxpayer which files a consolidated income tax return would be required to file a consolidated BTT return.

14. BTT as a Deductible Tax—

Code section 164(a) would be amended to allow a deduction for BTT for income tax purposes to the extent that BTT is credited against FICA and self-employment taxes for the taxable year (see part B below). Any excess BTT would not be deductible.

B. CREDIT AGAINST EMPLOYER'S FICA LIABILITY

1. Sec. 3126(a)—FICA Credit—

The bill would redesignate sec. 3126 as 3127 and enact a new sec. 3126 to allow as a credit against the employer's FICA tax under sec. 3111 an amount of the BTT imposed by new sec. 4001. The credit would be available only with respect to FICA taxes on a business employee of the taxpayer.

2. Sec. 3126(b)—Qualified Amount of BTT—

The credit allowed under new sec. 3126(a) would not exceed the "qualified business transfer tax." This would be the amount which, as of any date on which the employer is required to deposit its sec. 3111 FICA taxes, represents the excess of aggregate BTT paid, or estimates paid, since enactment over the sum of earlier credits taken under new sec. 3126(a) since enactment, plus credits taken against self-employment taxes under sec. 1401(d) for prior years. However, any BTT attributable to new sec. 4001(b) concerning customs value of imports would reduce the amount of otherwise qualified BTT.

3. Self-Employment Taxes—

For unincorporated taxpayers, the BTT would also be available as a credit against the self-employment tax. Section 1401 would be amended by adding a new subsection (d) to allow a credit against the self-employment tax of the proprietor/partner, but only to the extent that there is an amount of qualified business transfer tax (determined under new sec. 3126(b)) as of the end of the year after all FICA credits claimed for the year have been taken into account.

C. ALLOCATIONS TO TRUST FUNDS

Section 4 of the bill would appropriate to FICA trust funds the amounts of BTT which are taken as credits against FICA and self employment taxes.

D. EFFECTIVE DATES

Section 5 of the bill would enact the BTT as of January 1, 1986.

E. SENSE OF THE SENATE

Section 6 of the bill would express the sense of the Senate that the net revenues from the BTT would be used to reduce individual tax rates and to provide individual savings incentives.●

By Mr. GORTON:

S. 1103. A bill to authorize certain atmospheric and satellite programs and functions of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ATMOSPHERIC AND SATELLITE PROGRAM AUTHORIZATION ACT

● Mr. GORTON. Mr. President, I am pleased to introduce legislation to authorize fiscal year 1986 appropriations for the atmospheric and satellite programs of the National Oceanic and Atmospheric Administration [NOAA]. These programs make up about 60 percent of NOAA's budget and are of critical importance to the safety and welfare of all Americans.

The atmospheric programs consist primarily of weather data collection, analysis, and dissemination by the National Weather Service. NOAA also conducts atmospheric and hydrological research to improve our understanding of processes which alter atmospheric and environmental conditions.

NOAA's satellite programs involve the management and operation of three satellite systems: The geostationary meteorological satellite system, the polar-orbiting meteorological satellite system, and the land remote sensing satellite system.

For budgetary purposes, these programs break down into five subactivities. The current subactivity funding levels, 1986 levels proposed by the administration, and levels proposed in this legislation are presented in the following table:

Subactivity	1985 appropriation	1986 request	1986 authorization
Public warning and forecast	287.6	264.5	287.6
Atmospheric and hydrological research	65.5	56.4	65.5
Satellite services	85.2	78.6	85.2
Satellite systems	202.8	229.0	276.8
Data and information services	25.1	23.0	25.1

The table shows that this bill freezes spending for four of the five subactivities. The exception is the satellite systems subactivity, which I propose to authorize at a level $74 million higher than the current budget.

The funding increase for satellite systems is needed to accommodate the administration's proposed $74 million increase for the geostationary, or GOES satellite system. NOAA's GOES satellites are the primary source of satellite data for weather forecasting. Satellite images shown on television weather forecasts come from GOES satellites, which provide data from fixed positions over the Western Hemisphere.

My colleagues may recall the premature failure of a GOES satellite last year, which reduced NOAA's ability to monitor developing weather conditions and created the possibility that NOAA's geostationary capability could be lost completely before a replacement satellite is launched in late 1985.

The increased funding for the GOES system will continue development of a new generation of GOES satellites and

will accelerate GOES procurement to ensure that future gaps in GOES service are avoided. I am confident that my colleagues support this funding increase.

The difference between the administration's request for satellite systems and the level authorized by this bill is due to the administration's request for a $48 million cut to eliminate one of NOAA's two polar-orbiting satellites. Mr. President, this proposed cut has been rejected by the Congress several times in the past, and with good reason. The polar-orbiting satellites are the only U.S. civilian source of global weather data and represent an important complement to the GOES satellites for forecasting purposes. They also represent the U.S. contribution to the international search and rescue satellite, or SARSAT Program, for which both the United States and Soviet Union have committed the use of two spacecraft.

This bill restores the $48 million, to preserve the two-satellite system, and to develop the complementary advanced microwave sounding unit.

The third NOAA satellite system is the land remote sensing satellite, or Landsat system. Last year, I introduced legislation (Public Law 98-365) to authorize commercialization of the Landsat system. The administration is working to implement the requirements of Public Law 98-365, and I expect the administration to transmit a proposal to the Congress pursuant to the requirements of the law. Administration officials are aware that the Congress is prepared to consider such a proposal as soon as it is received. This legislation provides for the operation of the current Government-operated Landsat satellite only.

The Satellite Services and Data and Information Services subactivities provide respectively the operation and maintenance of NOAA satellites and the worldwide availability of NOAA satellite data. These programs can be preserved within the framework of a freeze, which is proposed in the authorization bill.

Funding for atmospheric programs is also frozen in this bill. The authorization level is intended to restore administration cuts proposed in personnel at National Weather Service offices, specialized forecast services such as the Agricultural Weather Program, the Fire Weather Program, and the Fruit Frost Program, and reductions in funding for the NOAA weather wire and NOAA weather radio.

The bill provides also for the continued development of the next generation weather radar [NEXRAD] system. The NEXRAD system is of great importance to NOAA, the Department of Defense, and the Federal Aviation Administration, and is needed to replace outdated Federal weather radar units. I am concerned that the administration wishes to reduce funding for NEXRAD development to study alternative technologies. I do not intend to instruct the administration whether to carry out such a study, but I believe that the original NEXRAD development schedule and technical requirements should be maintained.

The authorization level for atmospheric and hydrological research will restore funding for several research programs which contribute greatly to our understanding of the processes which cause atmospheric and environmental changes. The bill also reauthorizes the National Climate Program Act—$2 million—and the Weather Modification Reporting Act—$100,000.

Finally, Mr. President, this legislation contains sections pertaining to NOAA's authority to close and consolidate National Weather Service offices and to contract for private performance of NOAA activities. These sections direct NOAA to consider specific factors and issues in making such decisions, and to provide justification for any decision to close or consolidate a weather station or to contract out a NOAA activity pursuant to Office of Management and Budget circular memorandum A-76. Both provisions were approved by the Congress last year in response to questions about the merits of and motives for these administrative decisions.

These sections will not take away NOAA's authority to carry out these decisions, but will merely provide the Congress and other interested parties the opportunity to be fully informed about the decisions. I am aware that the administration does not believe that this review is appropriate, and I am willing to discuss this subject with administration officials. I think that we can establish procedures which will be satisfactory to all concerned parties.

I ask my colleagues to join me in supporting these important programs and I ask unanimous consent that a copy of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1103

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "National Oceanic and Atmospheric Administration Atmospheric and Satellite Program Authorization Act of 1985".

TITLE I—ATMOSPHERIC PROGRAMS

PUBLIC WARNING AND FORECAST SERVICES

SEC. 101. There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its public warning and forecast service duties under law, $287,592,000 for fiscal year 1986. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to public warning and forecast specified by the act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture", approved October 1, 1890 (15 U.S.C. 311 et seq.), the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.), and any other law involving such duties. Such duties include meteorological, hydrological, and oceanographic public warnings and forecasts.

ATMOSPHERIC AND HYDROLOGICAL RESEARCH

SEC. 102. (a) There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its atmospheric and hydrological research duties under law, $65,531,000 for fiscal year 1986. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to atmospheric and hydrological research specified by the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture", approved October 1, 1890 (15 U.S.C. 311 et seq.,) and by any other law involving such duties. Such duties include research for developing improved prediction capabilities for atmospheric and hydrological processes.

(b) The authorization provided for under subsection (a) of this section shall be in addition to moneys authorized under the Act entitled "An Act to provide for the reporting of weather modification activities to the Federal Government", approved December 18, 1971 (15 U.S.C. 330 et seq.), and the National Climate Program Act (15 U.S.C. 2901 et seq.), for the purpose of carrying out such duties relating to atmospheric and hydrological research.

TITLE II—SATELLITE PROGRAMS

SATELLITE SERVICES

SEC. 201. There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its satellite services duties under law, $85,208,000 for fiscal year 1986. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to satellite services specified by the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture", approved October 1, 1890 (15 U.S.C. 311 et seq.), the National Aeronautics and Space Administration Authorization Act, 1985, approved July 16, 1984 (Public Law 98-361; 98 Stat. 422), and any other law involving such duties. Such duties include satellite maintenance and operations and satellite data analysis.

SATELLITE SYSTEMS

SEC. 202. (a) There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its satellite systems duties under law, $276,779,000 for fiscal year 1986. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to satellite systems specified by the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of

the Army, and to transfer the Weather Service to the Department of Agriculture", approved October 1, 1890 (15 U.S.C. 311 et seq.), the National Aeronautics and Space Administration Authorization Act, 1985, approved July 16, 1984 (Public Law 97-361; 98 Stat. 422), and by any other law involving such duties. Such duties include spacecraft procurement, launch, and associated ground station system changes involving polar orbiting and geostationary meteorological satellites and land remote sensing satellites.

(b) The authorization provided for under subsection (a) of this section shall be in addition to moneys authorized under the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4201 et seq.) for the purpose of carrying out such duties relating to satellite systems.

DATA AND INFORMATION SERVICES

SEC. 203. There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its data and information services duties under law, $25,118,000 for fiscal year 1986. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to data and information services specified by the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture", approved October 1, 1890 (15 U.S.C. 311 et seq.), and any other law involving such duties. Such duties include environmental data and information products and services in the atmospheric, marine, solid earth, and solar-terrestrial sciences.

TITLE III—OTHER AUTHORIZATIONS

NATIONAL CLIMATE PROGRAM

SEC. 301. There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its study of natural and man-induced climate processes under law, $2,000,000 for fiscal year 1986. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to climate information services specified by the National Climate Program Act (15 U.S.C. 2901 et seq.), and any other law involving such duties.

WEATHER MODIFICATION REPORTING ACT

SEC. 302. Section 6 of the Act entitled "An Act to provide for the reporting of weather modification activities to the Federal Government", approved December 18, 1971 (15 U.S.C. 330e) is amended—

(1) by striking "and"; and

(2) by striking all after "1981," and inserting in lieu thereof the following: "and $100,000 for the fiscal year ending September 30, 1986, to carry out the provisions of this Act.".

TITLE IV—MISCELLANEOUS

WEATHER SERVICE OFFICES

SEC. 401. (a) No weather service office or weather service forecast office of the National Weather Service shall be closed or consolidated until the Secretary of Commerce establishes appropriate standards, principles, and procedures (including formal hearings, comment periods, public notice, and other appropriate means of presenting evidence, views, and opinions) relating to any proposed closure or consolidation of such an office.

(b) The Secretary, in deciding whether to carry out such a closing or consolidation, shall take fully into account any views expressed by persons served by any affected office, and shall consider specifically—

(1) the effect of such closing or consolidation on the community served by such office;

(2) the economic savings to the Federal Government resulting from such closing or consolidation; and

(3) such other factors as the National Weather Service determines are appropriate.

(c) Any decision of the Secretary to carry out such a closing or consolidation shall be in writing and shall set forth the findings of the Secretary with respect to the matters set forth in subsection (b) of this section, together with a statement of the reasons for such findings and of the basis on which such decision was made. Any such decision shall be made available to persons served by the affected office.

(d) The Secretary shall take no action to carry out such a closing or consolidation until 60 days after the Secretary's decision is made available to persons served by the affected office, as required by subsection (c) of this section.

AWARDING OF CONTRACTS

SEC. 402. No funds authorized by this Act may be used either to issue a request for proposals, or (in those cases for which a request for proposals has been issued before the date of enactment of this Act) to award any contract, for the performance of any function or activity performed by any employee of the National Oceanic and Atmospheric Administration, unless—

(1) the Administrator of the National Oceanic and Atmospheric Administration has transmitted, in writing, to the President of the Senate, the Speaker of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Merchant Marine and Fisheries and Committee on Science and Technology of the House of Representatives, a complete statement (including relevant findings and studies) concerning the proposed issuance or award and the reasons for such issuance or awards; and

(2) a period of 30 days on which either the Senate or the House of Representatives is in session has expired after the date upon which such a statement is transmitted.●

By Mr. WEICKER (for himself and Mr. KENNEDY):

S. 1104. A bill to revise the provisions of the Public Health Service Act relating to health planning; to the Committee on Labor and Human Resources.

HEALTH PLANNING AND RESOURCE ALLOCATION ACT

● Mr. WEICKER. Mr. President, the cost of health care in this country continues as a major issue. Over the past several years there has been a sharp increase in the numbers of people and organizations that are expressing significant concern about the seemingly uncontrollable upward spiral of these costs.

Congress has responded in several ways: Requiring a new prospective payment system for Medicare and intensifying efforts to assess technology and practice patterns, for example.

However, a system of health planning is an essential piece of the cost-controlling mechanism. It also is good public policy from the standpoint of continuing access to quality health care services. Last year I offered health planning legislation citing the importance of planning in controlling the rapid increase in health care costs, and I outlined the dangers of leaving the Nation without this essential element of intelligent health care cost controls.

This legislation will allow the States, who have become much more sophisticated about the problems of health care delivery, more flexibility in creating State planning mechanisms. While there is no requirement that a State have local planning organizations, funding is available for those locals wishing to continue to participate in the planning process.

By centralizing all planning functions in one designated State agency, this legislation further enhances the ability of Governors to create health planning programs designed to meet the individual needs of the various States.

In addition, a modest attempt is made in this legislation to encourage the strengthening of market forces within the health care system. Advisory councils, dominated by employers and other purchasers who actually pay the major portion of the health care bill, are established. These councils will insure that those who have a vested interest in controlling costs have a say in the way it is done.

Matching grant funds are also incorporated as a further incentive for local planning organizations to involve major purchasers of health care in the planning process.

Mr. President, in the present regulatory climate where each major payer of health services, including the Federal and State governments, is aggressively pursuing cost control, it is essential that the distribution of health services not become a function of formula regulation. The explosion in total revenues spent for health care has not resulted in equal availability. Medically underserved areas continue to exist in our cities and rural communities.

We have all witnessed the effects of this maldistribution, be it increased infant mortality in a segment of our society, or the misery of living with an ailment for which there is no available, or affordable, cure.

Health planning has two major purposes: To prevent unnecessary and duplicative expansion of health services and facilities and to encourage the availability of these services and facilities in areas lacking them. Thoughtful prospective planning based on need, coupled with certificate of need regulation, are the essential means to these ends. One without the other will not succeed.

Likewise, linking planning and the regulatory authority necessary to implement it in a single agency assures

that neither function is impotent. The work of health planners must be the basis for certificate of need decisions and certificate of need decisions must be grounded in solid planning.

Mr. President, we are presently spending almost 12 percent of our gross national product on health care while millions of Americans are still medically underserved. Health planning is one of the necessary tools to ensure that this expenditure is made most wisely and for the benefit of all our citizens.

I urge my colleagues to support this measure.●

● Mr. KENNEDY. Mr. President, I am pleased to join with my colleague, Senator WEICKER, in introducing a bill to reauthorize the health planning program.

This bill makes several changes to improve the program, including a more flexible and less detailed specification of the characteristics of local health planning agencies; establishment of higher, more realistic thresholds for certificate of need review; a closer relationship between State and local planning agencies; and a new matching requirement to assure that local agencies secure broad community support.

The need for health planning is great. While establishment of Medicare prospective payment has introduced some constraints on the increase in inpatient hospital costs, inflationary pressures in health remain strong. As long as investment in health facilities and major medical equipment remain unconstrained, it will be difficult for reimbursement controls alone—particularly those applying to only one payor and one segment of the health care industry—to permanently control health care cost inflation. Moreover, the lack of constraints on capital investment means continued unnecessary duplication of facilities and waste of resources that could better be used in improvement of health services.

The new Medicare Prospective Payment System and enhanced competition in the health care market make the necessity for health planning greater than ever in some respects. Market forces can make an important contribution to restraining health care costs, but they cannot guarantee a health system that is responsive to health care needs. Health planning can make a vital contribution to providing the data base and public input necessary to shape a health care system that is truly responsive to local and national needs and desires.

Reauthorization of health planning is supported by a broad coalition of health care purchasers, consumers, health care policy analysts, and health care providers, including the American Health Planning Association, the AFL-CIO, the National Association of Counties, the Washington Business Group on Health, American Medical Peer Review Organization, American Nurses Association, Catholic Health Association, Group Health Association of America, National Association of Rehabilitation Facilities, Health Insurance Association of America, Blue Cross/Blue Shield Association, American Public Health Association, Kaiser Health Plan, and the American College of Physicians.

I hope that it will be possible to move this bill promptly to passage so that this important program can be put on a stable basis.●

By Mr. ARMSTRONG (for himself, Mr. NICKLES, Mr. GRAMM, Mr. EAST, Mr. SYMMS, Mr. ZORINSKY, Mr. THURMOND, Mr. DURENBERGER, Mr. HUMPHREY, Mr. HELMS, Mr. GOLDWATER, Mr. ABDNOR, Mr. BOSCHWITZ, Mr. TRIBLE, Mr. DANFORTH, Mr. DOLE, Mr. RUDMAN, Mr. WALLOP, Mr. QUAYLE, Mr. GARN, Mr. LUGAR, Mr. DENTON, Mr. LONG, Mrs. HAWKINS, Mr. GORTON, and Mr. GRASSLEY):

S. 1105. A bill entitled the "Federal Contractor Employees Flextime Act;" to the Committee on Labor and Human Resources.

FEDERAL CONTRACTOR EMPLOYEES FLEXTIME ACT

● Mr. ARMSTRONG. Mr. President, not often does Congress have the opportunity to enact legislation that will save taxpayers at least $1 billion in this decade and at the same time increase industry's productivity, improve employee morale, reduce labor costs, save energy, and modernize the workplace. Today I am introducing reform legislation which will accomplish all this and more. This legislation reforms the Walsh-Healey Act to allow Federal contractors in the private sector to work flextime hours.

Under current law, Federal agencies allow Federal employees to work flextime work schedules. This legislation was enacted by Congress 3 years ago but Congress failed to allow the same benefits to Federal contractors in the private sector. In essence, Federal contractors in the private sector must pay their employees overtime pay for hours worked after an 8-hour workday. This prevents employers and employees from benefiting from flexible work schedules such as 4 days a week, 10 hours a day workweek.

The legislation I am introducing today will create permanent statutory authority for alternative work schedules for Federal contractors in the private sector. The Senate passed this exact legislation once before but it was dropped in conference. It is time that we provide these Federal contractors in the private sector the same benefits other Government contractors and other workers in the private sector receive.

A year ago the Grace Commission reported that the current Walsh-Healey Act drives up Federal contract costs by reducing competition and artificially inflating labor costs. The Commission estimated that this outdated law costs the Federal Government between $673 million and $1.3 billion annually, reports the Grace Commission. The Congressional Budget Office—in a just released study—estimates that once Walsh-Healey reform is fully implemented that annual savings to the Government will exceed $550 million.

The Commission specifically recommended that the current law be amended to eliminate the now required 8-hour a day threshold from the overtime pay requirement, while retaining the 40-hour-per-week requirement.

The Commission stated that the 8-hour-per-day overtime provision in this act "is out of step with times" and serves only to increase costs to the Government for work performed by these contractors. "Changes in the composition of the work force, particularly the influx of women and working mothers, have substantially altered the needs and characteristics of the average American worker. The patterns of working the 40-hour workweek have also shifted so that flexibility has replaced tradition as the basis of work schedules."

In addition to the advantages to the Federal Government, the Grace Commission listed a number of advantages that Walsh-Healey reform would have on the private economy:

More jobs.—Experience at the corporate level with compressed workweeks has resulted in an increase in the total number of jobs. Increase in productivity, competitiveness, and the number of shifts employed translates into more jobs opportunities.

Benefits to employees.—The compressed workweek shows that employee morale and job satisfaction increases as a result of the increased flexibility of a compressed workweek. This is a result of reduced commuting costs and actual time spent computing, allowing for increased blocks of leisure time for family commitments, education opportunities, and personal fitness.

Benefits to employers.—Compressed workweeks provide benefits and more flexibility for employers including decreased overtime costs more efficient use of plant and office facilities, and increased employee productivity due to better employee morale.

Benefits to the community at large.—In addition to creating more jobs, the Commission's report stated that studies on the compressed workweek provide benefits to the community due to reduction in traffic congestion, air pollution, energy consumption, and also better service to the public as a result of increased hours of operation.

Mr. President, this legislation has one objective and one aim: To allow Federal contractors the option of alternate work schedules. The benefits of flexitime, however, go far beyond less Government interference in the private sector. There are distinct ad-

vantages for companies who have chosen to implement the alternative schedule that should be noted. In addition to the Grace Commission, numerous other studies have been conducted on the optional "compressed workweek." These studies, including those done by the Comptroller General, the Bureau of Labor Statistics (The Revised Workweek: Results of a Pilot Study of 16 firms), and the National Center for Energy Management and Power (Feasibility Study of a System of Staggered Industry Hours), point out many of the same conclusions found by the Grace Commission, such as: First, greater productivity—higher weekly output, improved use of plant equipment, and improved employee moral; second, improved working conditions—reduced employee working costs, increased job satisfaction, and ease in recruitment; and three, energy conservation—reduction in fuel costs associated with commuting, and reduction in energy usage for heating and cooling plants or offices.

One possible advantage of particular interest to me deals with the problem of air pollution. We now have evidence as a result of a study released by the Denver Regional Council of Governments in cooperation with the Denver Federal Executive Board, examining the travel habits of some 7,000 Federal employees on the compressed workweek schedule in the Denver area. The study concludes that the compressed workweek is one of the most effective transportation management actions that Denver's Federal agencies can take in addressing the concern of air pollution and traffic congestion.

It has been estimated that neither providing free transit service at peak periods for everyone in the area, nor an extensive and complicated program of carpool matching would even equal the impact on air pollution that resulted from only 7,000 employees on a compressed workweek. Imagine what could result if all employees of Federal contractors in the area, which easily number twice that of the Federal employees in the study, were allowed to shift to a 4-day workweek.

A change in the Walsh-Healey Act would not in any way affect the Fair Labor Standard Act, which governs all workers and provides that overtime premiums be paid whenever employees work more that 40 hours a week. The proposal would not impact the collective bargaining process, nor would it conflict with any of the Federal labor laws. Nothing in this amendment shall be construed to cover employees specified in the Walsh-Healey Act and the Contract Work Hours and Safety Standards Act. Finally, the bill does not mandate a compressed workweek, it only restores to American business and workers serving the Federal Government the basic freedom of choice.

Mr. President, in the past, we have heard many unions and workers testify that Government employees are eager to see the Federal Employee Flexible Work Schedules Act become permanent. The same is true for the employee in the private sector working on a Federal contract. Many private sector collective bargaining agreements across the Nation encompass the 4-day, 40-hour workweek. Many labor contracts in my own State of Colorado include provisions for a compressed workweek—and are merely waiting for Congress to update the archaic law.

In my opinion, it is only fair for Federal contractors to have the same advantages that private sector and Government employees do. If that is ever to be accomplished, we must seize the opportunity for the permanent statutory authority for alternative work schedules for Federal contractors. The Senate passed this proposal once before and it was dropped in conference. Therefore, it is necessary that we again pass this important legislation and follow it carefully through conference.●

By Mr. RIEGLE (for himself and Mr. LEVIN):

S. 1106. A bill to provide for the use and distribution of funds appropriated in satisfaction of judgments awarded to the Saginaw Chippewa Tribe of Michigan in dockets numbered 57, 59, and 13E of the Indian Claims Commission and docket numbered 13F of the United States Claims Court, and for other purposes; to the Select Committee on Indian Affairs.

SAGINAW CHIPPEWA INDIAN TRIBE OF MICHIGAN DISTRIBUTION OF JUDGMENT FUNDS ACT

● Mr. RIEGLE. Mr. President, the bill I am introducing today creates a special distribution for land judgment awards to the Saginaw Chippewa Indian Tribe. This bill is similar to legislation that I introduced in the 98th Congress and that was reported favorably by the Select Committee on Indian Affairs last September.

In the past the Bureau of Indian Affairs has distributed land judgment awards on a descendancy and per capita basis. Yet, descendants could participate without regard to the degree of Indian blood or whether or not the descendant was an enrolled member of the tribe. There is no legal requirement that such awards be distributed in this manner. Rather, distribution is discretionary with the Bureau of Indian Affairs or the Congress (Delaware Tribal Business Committee against Weeks, 430 U.S. 73, 1977). In recent years many tribes have sought special legislation from the Congress to award judgment claims. Some of these bills restrict the judgment award to tribal members and descendants with a minimum degree of Indian blood—usually one-fourth.

According to the Michigan Agency of the Bureau of Indian Affairs, tribes in the State of Michigan will receive over $50 million in judgments during the next 2 to 4 years. These awards are compensation to tribes for instances where treaty reserved lands were taken without adequate compensation.

In January 1984, the Tribal Council of the Saginaw Chippewa Tribe voted to seek judgment fund legislation from the Congress. Rather than to dissipate the funds from dockets 59, 13E, and 13F through small, one time per capita payments, the Saginaw Chippewa Tribe is seeking to use the funds to establish an investment and economic development fund for the tribe. In cooperation with this effort, the Stewart Mott Foundation has agreed to fund a series of investment and economic development seminars for the tribe and its leadership.

Mr. President, I believe that the legislation sought by the Saginaw Chippewa Tribe will afford them the opportunity to utilize their judgment funds in a manner that will lead to greater economic and social development for all tribal members. I introduced similar legislation, S. 2823, in the 98th Congress. After a public hearing, the Senate Select Committee on Indian Affairs favorably reported it with the understanding that the tribe would amend its constitution to include all eligible quarter-blood Chippewas as tribal members. I am happy to report to my colleagues that even though this legislation did not pass the 98th Congress, the tribe has prepared amendments to its constitution including a provision to expand tribal membership to quarter-blood Chippewas living off the reservation.

The legislation I am introducing today is virtually identical to the bill reported out by the Senate Select Committee on Indian Affairs and I hope that my colleagues in the Senate will support it.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE; DEFINITIONS

SECTION 1. (a) This Act may be cited as the "Saginaw Chippewa Indian Tribe of Michigan Distribution of Judgment Funds Act".

(b) For purposes of this Act—

(1) The term "tribe" means the Saginaw Chippewa Indian Tribe of Michigan.

(2) The term "Tribal Council" means the Saginaw Chippewa Tribal Council.

(3) The term "Secretary" means the Secretary of the Interior.

ABROGATION OF PRIOR PLAN

SEC. 2. Notwithstanding Public Law 93-134 (25 U.S.C. 1401 et seq.) or any plan prepared or regulation promulgated by the Secretary pursuant to such law—

(1) the funds appropriated in satisfaction of judgments awarded the tribe in dockets numbered 59 and 13E of the Indian Claims Commission, and

(2) the balance of any undistributed funds appropriated in satisfaction of the judgments awarded the tribe in docket numbered 57 of the Indian Claims Commission and docket numbered 13F of the United States Claims Court,

and any interest or investment income accrued on the amount of such funds on or before the date of any transfer made pursuant to section 5 or 8 (less any attorneys' fees and court costs), shall be distributed and used in accordance with the provisions of this Act.

INVESTMENT FUND

SEC. 3. (a)(1) The tribe, through the Tribal Council, is hereby authorized to establish a trust fund for the benefit of the tribe which shall be known as the "Investment Fund". The principal of the Investment Fund shall consist of—

(A) the funds transferred by the Secretary to the Tribal Council pursuant to section 5(a),

(B) the amounts required to be included in principal under subsection (c) or section 8(c),

(C) such portion of the funds paid to the Tribal Council under section 8(a) as the Tribal Council may elect to add to the principal, and

(D) such other amounts of the income of the Investment Fund which the Tribal Council may elect to retain and add to the principal.

(2) The Tribal Council shall be the trustee of the Investment Fund and shall administer the Investment Fund in accordance with the provisions of this Act.

(b)(1) The principal of the Investment Fund shall be used exclusively for—

(A) investments (including loans to enrolled members of the tribe), or

(B) expenditures which the Tribal Council determines are reasonably related to—

(i) economic development beneficial to the tribe or enrolled members of the tribe, or

(ii) the development of tribal resources.

(2) Under no circumstances shall any part of the principal of the Investment Fund be distributed in the form of per capita payments to the members of the tribe or used or expended for purposes other than investment or economic development projects and programs.

(c) At least 10 percent of the income earned on the Investment Fund during each of the first ten fiscal years of the Investment Fund beginning after such Investment Fund is established shall be retained in the Investment Fund and become part of the principal of the Investment Fund.

(d)(1) The Investement Fund shall be maintained as a separate book account.

(2) The books and records of the Investment Fund shall be audited at least once during each fiscal year of the Investment Fund (or before the end of the 3-month period beginning on the last day of such fiscal year) by an independent certified public accounting firm which shall prepare a report on the results of such audit. Such report shall be treated as a public document of the tribe and a copy of the report shall be available for inspection by any enrolled member of the tribe.

TRIBAL CONSTITUTION

SEC. 4. (a) Notwithstanding any other provision of law, the tribe may, without the approval of the Secretary, adopt any amendments to the constitution of the tribe which were approved by the Tribal Council on April 15, 1985, in resolution L and 0-03-85.

(b) Any amendments to the constitution of the tribe other than the amendments referred to in subsection (a) may only be adopted in accordance with the provisions of such constitution and applicable Federal law.

(c) The adoption of any amendment referred to in subsection (a) to the constitution of the tribe shall take effect when such amendment is ratified by the qualified voting members of the tribe (within the meaning of such constitution).

(d) The tribe shall submit to the Secretary a copy of any amendment to the constitution of the tribe referred to in subsection (a) within 10 days after the date on which such amendment is ratified by the qualified voting members of the tribe (within the meaning of such constitution).

TRANSFER OF FUNDS BY THE SECRETARY

SEC. 5. (a) The Secretary shall transfer the funds described in section 2 (which have not previously been transferred to the Tribal Council under section 8(a)) to the Tribal Council by not later than the date that is 60 days after the date on which the Secretary receives written notice of the adoption by the Tribal Council (in accordance with the constitution and bylaws of the tribe) of a resolution requesting the Secretary to make the transfer under this subsection if the amendments to the constitution of the tribe referred to in section 4(a) are adopted and ratified by the qualified voting members of the tribe (within the meaning of such constitution).

(b)(1) Notwithstanding any other provision of law, the approval of the Secretary for any payment or distribution from the principal or income of the Investment Fund, after the transfer of funds pursuant to subsection (a), shall not be required and the Secretary shall have no trust responsibility for the investment, supervision, administration, or expenditure of the principal or income of the Investment Fund.

(2) The Secretary may take such action as the Secretary may determine to be necessary and appropriate to enforce the requirements of this Act.

TREATMENT OF AMOUNTS PAID OR DISTRIBUTED FROM THE INVESTMENT FUND

SEC. 6. (a) No amount of any payment or distribution—

(1) from the principal or income of the Investment Fund, or

(2) of any funds transferred to the Tribal Council under section 8(a),

to any payee or distributee who is an enrolled member of the tribe shall be included in the gross income of the payee or distributee for purposes of any Federal, State, or local income tax.

(b) Any payments or distributions described in subsection (a), and the availability of any amount for such payments or distributions, shall not be considered as income or resources or otherwise used as the basis for denying or reducing—

(1) any financial assistance or other benefit under the Social Security Act—

(A) to which any enrolled member of the tribe, or the household of any such members, is otherwise entitled, or

(B) for which such member or household is otherwise eligible, or

(2) any other—

(A) Federal financial assistance,

(B) Federal benefit, or

(C) benefit under any program funded in whole or in part by the Federal Government,

to which such member or household is otherwise entitled or for which such member or household is otherwise eligible.

WAIVERS OF SOVEREIGN IMMUNITY

SEC. 7. Notwithstanding any other provision of law, the tribe may execute limited waivers of the sovereign immunity of the tribe and consent to the civil jurisdiction of the courts of the State of Michigan with regard to the use as security for indebtedness of—

(1) any amount of income of the Investment Fund which is not retained and added to the principal of the Investment Fund pursuant to subsection (a)(1) (D) or (c) of section 3,

(2) a portion of the principal of the Investment Fund equal to the total amount, if any, of the funds transfered to the Tribal Council under section 8(a) that are added to the principal of the Investment Fund,

(3) any funds transferred to the Tribal Council under section 8(a) that are not added to the principal of the Investment Fund and any interest or investment income accrued on such funds, or

(4) any asset acquired by the use of the income described in paragraph (1), or of the funds described in paragraph (3), which is not held in trust by the Secretary for the benefit of the tribe,

if such waivers of sovereign immunity do not exceed individually or collectively the total amount or value of such security and such waivers specifically identify and limit the parties who have been granted the authority to bring an action against the tribe pursuant to such waiver.

OPTIONAL USE OF DOCKET 57 FUNDS

SEC. 8. (a) The Secretary shall transfer to the Tribal Council all or any portion of the undistributed funds appropriated in satisfaction of the judgment awarded the tribe in docket 57 of the Indian Claims Commission (including all interest and investment income accrued on such funds) which the tribe requests the Secretary to transfer under this subsection. Such transfer shall be made by no later than the date that is 60 days after the date on which the Secretary receives written notice of the adoption of a resolution by the Tribal Council (in accordance with the Constitution and bylaws of the tribe) requesting a transfer of funds under this subsection.

(b) Any funds transferred to the Tribal Council under subsection (a) shall be subject to the same accounting and auditing requirements applicable to the Investment Fund under section 3(d).

(c) At least 10 percent of the interest or investment income, if any, that accrues during each year of the 10-year period beginning on the date any transfer is made under subsection (a) on any funds held by, or on behalf of, the tribe which were transferred to the Tribal Council under subsection (a) shall be transferred to the Investment Fund and became part of the principal of the Investment Fund.●

● Mr. LEVIN. Mr. President, I am pleased to join Senator RIEGLE today as a cosponsor of legislation to provide

for the distribution of funds awarded to the Saginaw, Swan Creek, and Black River Bands of the Chippewa Indians under dockets 59, 13E, and 13F. Pursuant to a 1977 distribution plan, $16.7 million in funds awarded to the Chippewa Indians from docket No. 57—one of the four original dockets—has already been distributed on a per capita basis to descendants and to members of the Saginaw Chippewa Indian Tribe. Of the total $16.7 million award, only $723,605 was made available to the Saginaw Chippewa Tribe for tribal program purposes.

The thrust of this legislation is to allow for a distribution plan which will establish a principal investment fund consisting of the remaining funds, totaling approximately $7.3 million. The fund will be held in trust by the tribal counsel for the benefit of the tribe and is to be used exclusively for investments or economic development.

Mr. President, Senator RIEGLE and I introduced similar legislation during the 98th Congress. After hearings on the bill, the Senate Select Committee on Indian Affairs reported it favorably with important amendments designed to ensure that nonmember descendants of the tribe will have an opportunity to benefit from the programs made possible as a result of the trust. The Saginaw Chippewa Tribe has agreed to adopt a constitutional amendment which will allow persons meeting the blood quantum requirement for tribal membership to become enrolled members of the tribe regardless of whether they are residents of the tribe's reservation.

Mr. President, this bill is needed in order to allow the tribal counsel to use the remaining docket funds for economic development programs which will address serious problems facing the tribe, such as unemployment and insufficient housing. I am hopeful that the bill will promptly be enacted by the Congress.●

By Mr. NUNN:

S. 1107. A bill to authorize the Society of the Third Infantry Division to erect a memorial in the District of Columbia or its environs; to the Committee on Energy and Natural Resources.

THIRD INFANTRY DIVISION MEMORIAL

● Mr. NUNN. Mr. President, today we mark and celebrate the 40th anniversary of V-E Day. I cannot think of a more fitting occasion to offer this bill which would allow the Society of the Third Infantry Division to erect a monument to honor the members of the division.

The 3d Infantry Division was organized on November 21, 1917, and arrived in France in April 1918. In July of that year on the Marne River the division won its nickname, "Rock of the Marne," by holding a 12-kilometer line against heavy German attacks. During World War I the division won six battle streamers.

Mr. President, in May 1942, the division entered World War II. The division was awarded the Presidential Unit Citation and the French Croix de Guerre with Palm for its actions clearing the Colmar Pocket. In all, the division is credited with 10 campaigns for World War II service.

The "Rock of the Marne" arrived in Korea in November 1950, was engaged in eight more campaigns, and was awarded two Republic of Korea Presidential Unit citations.

Mr. President, the division was reorganized as mechanized infantry in 1963 and is now stationed in Wuerzburg, West Germany, where it serves as a part of the frontline shield of NATO.

This bill gives the Society of the Third Infantry Division the necessary congressional approval to begin the procedure for erecting a memorial in the District of Columbia or its environs. The memorial will be erected at no cost to the Federal Government, and the Secretary of the Interior, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, will select a suitable site and approve the design and plans for such a memorial.

Mr. President, memorials honoring the 1st and 2d Infantry Divisions have for some time existed in the District of Columbia, and I take pride in offering this measure calling for a 3d Infantry Division Memorial honoring this very deserving unit.

I would like to thank Brig. Gen. Eugene Phillips, USA-retired, for his assistance in providing me with information on the "Rock of the Marne" division and for his efforts on behalf of the society.●

By Mr. DECONCINI (for himself, Mr. LEAHY, and Mr. D'AMATO):

S. 1108. A bill to amend the Immigration and Nationality Act to provide for the temporary admission to the United States of the operators of motor common carriers of passengers; to the Committee on the Judiciary.

TEMPORARY ADMISSION TO THE UNITED STATES OF OPERATORS OF MOTOR COMMON CARRIERS OF PASSENGERS

Mr. DECONCINI. Mr. President, today I am introducing legislation which will facilitate trade and commerce between the United States and Canada by making it possible for busdrivers from Canada to enter the United States on appropriate visas. In past years, there has been a problem obtaining visas for Canadian citizens who are employed by Greyhound Bus Corp., and who drive on routes which service points in both Canada and the United States.

First one solution and then another have been tried to extend the interpretation of current visa categories to include these busdrivers. However, a strict reading of the immigration law indicates there is no appropriate visa classification for busdrivers who are transporting passengers across international boundaries on regularly scheduled routes. This bill would amend the Immigration and Nationality Act to allow busdrivers to come under the same provision of the immigration law as commercial airline pilots and ship captains and crew.

Without this legislation the Greyhound Corp. will be forced to suspend operation of its service between Canada and parts of Northeastern United States, including New York and Vermont, because it will no longer be able to hire Canadian busdrivers. Not only will Greyhound not be able to use Canadian drivers on these routes, but the Canadian Government will no longer permit American drivers to drive these routes in Canada. This decision of the Canadian Government was taken recently when it became clear that no administrative remedy was possible which would enable the Canadian busdrivers to obtain the necessary visas. Therefore, not only will passengers suffer from lack of bus service in the area, but American busdrivers will lose jobs as service is cut back. On the other hand, if Canadian busdrivers can obtain the necessary visas, they would in no way deprive the resident labor force of employment opportunities, wages or working conditions since American-based employees would continue to enjoy privileges of working into Canada.

I had hoped that this legislation, which is offered as a bill to amend the Immigration and Nationality Act, could be included in any immigration reform package which may be introduced in the Senate at a later date. However, the urgency of this matter will not allow any delay in taking action to remedy the situation. I hope the Senate will act quickly to approve this legislation so that we can avoid disruption of commercial bus service between Canada and the United States. Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1108

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 101(a)(10) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(10)) is amended by inserting before the period at the end thereof the following: "or, for the purposes of paragraph (15)(D) of this section and sections 245, 252, and 257, a person serving as an operator of a motor common carrier of passengers".

(b) Section 101(a)(15)(D) of such Act (8 U.S.C. 1101(a)(15)(D)) is amended—

(1) by inserting "(i)" after "as such"; and

(2) by inserting before the semicolon at the end thereof the following: ", or (ii) as an operator of a motor common carrier of passengers engaged in regular route transport across an international boundary who intends (I) to travel to his destination in the United States with intermittent stops as prescribed by the schedule established by the carrier, (II) to remain in the United States temporarily and solely in pursuit of his employment as an operator of such a carrier, and (III) to depart from the United States with the carrier on which he arrived or some other motor common carrier of passengers".

(c)(1) Section 252 of such Act (8 U.S.C. 1282) is amended by inserting "or stay" after "to land" each place it appears.

(2) Section 252 of such Act is further amended—

(A) in subsection (a)(1), by inserting after "port" the folliwing: "and the period of time during which the motor common carrier of passengers remains in the United States in accordance with the schedule established by the carrier"; and

(b) in subsection (a)(2) and in subsection (b), by striking out "or aircraft" each place it appears and inserting in lieu thereof ", aircraft, or motor common carrier".

(d) Section 257 of such Act (8 U.S.C. 1287) is amended by striking out "or aircraft" each place it appears and inserting in lieu thereof ", aircraft, or motor common carrier".

Mr. LEAHY. Mr. President, I am pleased to be joining my good friend Senator DECONCINI today in introducing a bill that will end a needless threat to continued bus service between the United States and Canada.

Because of the unfortunate and unintended application of our immigration laws, Canadian busdrivers serving the United States from points originating in Canada will no longer be granted visas.

In fact their status has been under a cloud for many years, and at present they are permitted to work on emergency temporary parole status only, and that status is not going to be continued by the Immigration and Naturalization Service.

The implications of this termination for Vermont are serious. Vermont Transit, which is affiliated with the Greyhound Lines, has served Vermont very well, and Vermonters have come to count on it, both for long-distance service to Montreal, Boston, and New York, but for point-to-point service within Vermont as well.

Indirectly, Vermont Transit benefits small business throughout the State. It serves commuters, vacationers, and shoppers, just to name some of its users. It would be sad if that traffic were either eliminated or shifted to some less convenient mode of transportation.

Without the present drivers it appears clear that Vermont Transit will not continue its present routes and schedules in Vermont and other States in a similar situation.

It is clear to me that there is no economic or policy reason for this impending threat to Vermont Transit and other Greyhound routes. Our immigration laws permit airline pilots to come and go without a hassle, and there is no reason why the same principles should not apply to the drivers of common carrier buses.

Our bill would do just that—apply the rules governing airline pilots to these busdrivers.

It is simple. It will not take jobs from Americans. It is supported by the union representing the drivers as well as the Greyhound lines. It is supported by business leaders on both sides of the border.

Mr. President, we should continue to promote mass transit wherever we can, and especially successful mass transit efforts in the private sector.

Letting Greyhound and Vermont Transit suffer the loss of continued full service with Canada is allowing us to hurt ourselves—and for no good reason.

I urge my colleagues to support this bill and to aid us in its swift passage. Because of the precarious status of the drivers, time is of the essence.

This is good and simple legislation, and I thank my colleagues in advance for their swift attention to its passage.

By Mr. MATSUNAGA (for himself and Mr. INOUYE):

S. 1109. A bill to authorize the Department of Energy to initiate a cooperative research program in ocean energy and technology with the Pacific International Center for High Technology Research to the Committee on Energy and Natural Resources.

COOPERATIVE RESEARCH PROGRAM IN OCEAN ENERGY AND TECHNOLOGY

● Mr. MATSUNAGA. Mr. President, today I am introducing with my colleague from Hawaii [Mr. INOUYE], as co-sponsor a bill, S. 1109, to authorize the Department of Energy to initiate a cooperative research program in ocean energy and technology with the Pacific International Center for High Technology Research in Hawaii.

This bill would empower the Secretary of Energy to establish a jointly funded cooperative research program with this Hawaii State-sponsored center to pursue the development of a 200-kilowatt integrated open cycle ocean thermal energy conversion experimental project. Such a project, which is expected to draw international partners, will demonstrate an energy technology with enormous promise for island economies, not only in terms of an indigenous power source but in prospects for alternative water supplies and tropical aquaculture as well.

The initial authorization for the program would be for $500,000 with a total authorization over 5 years of $10 million, to be matched dollar for dollar by the State of Hawaii, the private sector, and other possible partners. Any funds not used in any particular fiscal year may be carried over for expenditure to subsequent fiscal years.

Mr. President, this measure supports critical technological experimentation. The oceans of the Earth occupy 70 percent of its surface and are its largest natural resource. These oceans have the potential to meet society's needs for water, food, energy, and many minerals for centuries into the future. Diverse research activities have developed a technology base which brings that potential closer to reality.

The extraction, conversion, and utilization of ocean resources is an idea which is both needed and timely. It is needed because society is living near the edge of crisis in food, potable water, and environmentally acceptable production of energy. It is timely because research during the past 20 to 30 years has provided the basis for developing systems which can meet all of these needs in a synergistic fashion. These systems may be most relevant in the short term to island communities in tropic and semitropic areas where the need and the potential for success are the greatest.

The Pacific Ocean alone covers more of the Earth's surface than all the land areas of the world and touches the boundaries of two-thirds of its population. Island communities are the norm in the Pacific, and Hawaii, located at the center, is an ideal site for a natural laboratory for the study of ocean resources.

Among such resources is energy, Mr. President. Ocean temperature differences are a potential source of energy, and ocean thermal energy conversion [OTEC] has been proposed as a new and renewable source of electric power for the United States and many developing nations of the Third World. Estimates of OTEC's contribution to future U.S. mainland and island energy supply are forecast as ranging from a practically achievable 3,000 to 10,000 megawatts of electrical capacity or energy product equivalent by the year 2000 and from 20,000 to 40,000 megawatts of electrical capacity/energy product equivalent by 2025. The overall market potential for export sale of OTEC technology internationally in more than 60 developing nations and U.S. territories is represented by the projected addition of more than 500,000 megawatts of new baseload electric power-generating facilities for the period 1990–2010.

The Department of Energy has shown in its research that an ocean thermal energy conversion system operating in an open cycle mode has the potential to produce electrical power economically in plant sizes which are small enough to be useful for island communities. These plants can produce also, as byproducts to the

power generation, potable water, and nutrient-rich cold seawater which can support community drinking water and aquaculture requirements. This ocean resource utilization system can supply human needs with only benign impacts on the island environment and quality of life.

Open cycle OTEC is a new technology which has the potential to be the basis for an ocean resources extraction and conversion system which could contribute strongly to the future industrial and economic growth of the Pacific. The development of an ocean robot will help in the installation and maintenance of the cold and warm water OTEC pipes and should be pursued also. Since the cold water brought up from depths of 2,000 feet contains nutrients in a sterile environment, marine biotechnology methods could easily be applied to determine ways of producing food crops by using this resource.

Mr. President, the purpose of the legislation I am introducing is to facilitate technology transfer from the ongoing Department of Energy program in open cycle OTEC—a program built upon the work of the mini-OTEC and OTEC-I projects undertaken in Hawaii—to the Pacific Island user community. This project would be directed at applying the data and design methods developed in the DOE program to development of a 200 kilowatt integrated open cycle OTEC experimental system at the Natural Energy Laboratory of Hawaii, which has been designated by the Department as the centerpiece of ocean energy research and development for the U.S. Supplemental programs should involve ocean robotics, where Japan is the world leader, and marine biotechnology projects to interface with the OTEC pilot plant.

The Pacific International Center for High Technology Research [PICHTR], as it has come to be known, was established by the Hawaii State Legislature on the recommendation of the State administration and myself in order to promote educational, scientific, technological, and literary pursuits in high technology. Through the center, Hawaii can serve as a high technology catalyst for the Pacific islands and a bridge between Asian and Pacific Island nations and the United States. The strategic geographical location of Hawaii and the human resources available at the University of Hawaii are two major reasons for establishing the center in my home State; similarly, these conditions provide the impetus for the involvement of the nations of Asia and the Pacific in the center's programs and activities.

The need for research, development, education, and training in high technology has been expressed by Pacific island heads of government, and the commitment to these developing countries toward meeting this need has been emphasized by Hawaii's governmental and educational leaders.

The merits of this bill are many and I would hope my colleagues will join me in its sponsorship so that it may be given early favorable consideration by Congress.

Mr. President, I ask unanimous consent that the text of my bill S. 1109 be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1109

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Energy shall establish a jointly funded cooperative research program in ocean energy and technology with the Pacific International Center for High Technology Research in Hawaii (hereinafter in this Act referred to as the "Center").

SEC. 2. The purpose of the program shall be to apply data and design methods developed by the Department of Energy and other international research organizations to the development of a 200 kilowatt integrated open cycle OTEC experimental system at the Natural Energy Laboratory of Hawaii.

SEC. 3. (a) Subject to the provisions of subsections (b) and (c), there are authorized to be appropriated as the Federal share of the research program authorized by this Act—

(1) $500,000 for fiscal year 1986;
(2) $2,000,000 for fiscal year 1987;
(3) $3,500,000 for fiscal year 1988;
(4) $3,000,000 for fiscal year 1989; and
(5) $1,000,000 for fiscal year 1990.

(b) For each fiscal year, the Center shall be entitled to Federal funds up to the limits authorized in subsection (a) in an amount equal to the total amount provided for such fiscal year by the State of Hawaii, the private sector, and other partners.

(c) Any funds not used in any particular fiscal year may be carried over for expenditure to subsequent fiscal years.●

By Mr. HOLLINGS:

S. 1110. A bill to provide for the award of grants to the Washington Metropolitan Airports for certain capital expenditures; to the Committee on Commerce, Science, and Transportation.

WASHINGTON METROPOLITAN AIRPORTS IMPROVEMENT ACT

Mr. HOLLINGS. Mr. President, I am today introducing legislation that would authorize $250 million for capital improvements at the two airports that serve as gateways to our Nation's Capital—Washington National and Washington Dulles International Airports. These two airports, the 13th and 30th largest in the Nation, are in need of substantial rehabilitation and development. This bill would take the necessary steps to provide money for ensuring their continued viability.

I think every Member of Congress will agree that both National and Dulles Airports play enormously important roles in ensuring adequate and efficient access to the Nation's seat of Government. Millions of people come to Washington, DC, each year and use these facilities. By authorizing these moneys, which are available now in a trust fund dedicated for expenditures on airport and airways improvement, we will be improving the physical infrastructure at the airports, which will help attract improved airline service.

This bill is designed to authorize funds to National and Dulles on a one-time basis. It would not be a continuing requirement, but would allow the two airports to make the capital improvements that are needed for long-term passenger and air-cargo service.

Understanding the funding mechanisms used for National and Dulles will clarify why this legislation is needed. The Washington Metropolitan Airports are owned and operated by the Federal Aviation Administration. Money is annually requested by the President and appropriated from the general revenue fund by Congress for operations and maintenance and capital development at the two airports. In fiscal year 1985, this amount totaled $49 million. All moneys appropriated for National and Dulles, however, are recovered through airline fees and concessionaire contracts and reimbursed, with an occasional surplus, to the Federal Treasury. These airports, therefore, do not increase the size of the Federal deficit.

Unlike other public airports, neither National nor Dulles are eligible for Airport Improvement Program [AIP] moneys, which are generated by aviation user fees and deposited into the airport and airways trust fund. This prohibition has meant that the President must annually request appropriations. Given our current budgetary problems, this has led to increased neglect and avoidance of needed capital improvement.

What Member of the Congress does not know either firsthand or from constituents the problems of National Airport? Each of us has experienced the chaotic road system and congested terminals there. The Metrorail system is blocks away from the nearest terminal and parking is always difficult. Estimates for making improvements run several hundreds of millions of dollars. However, the FAA has said that $100 million will make significant progress toward rehabilitating National, and I have used this mark for my bill.

Dulles, which until very recently was extremely underutilized, has experienced a strong surge of airline service. For example, Pan Am recently announced its intentions to make Dulles its newest hub for international service. This growth must be accommodated, in part to relieve the burden on National Airport. The airlines agree that a new midfield terminal is needed at Dulles to meet this increased demand. The midfield terminal, which

is being considered to service up to 24 aircraft at a time, is estimated to cost upward of $150 million.

Mr. President, any delay in making these improvements will significantly hinder our objective of improved airline service for this region. It is with this in mind that I introduce this bill to authorize $250 million in AIP moneys.

For its part, the Department of Transportation has proposed legislation that would transfer the Metropolitan Washington airports to a local airport authority, ending Federal control and cutting the bonds that allow congressional oversight of these value assets.

DOT's proposal is actually aimed at getting the Secretary of Transportation out of the obligation of administering these airports. It was not prepared and transmitted with the goal of improving the physical condition of National and Dulles Airports. Rather, Secretary Dole is simply seeking a way to avoid future conflicts with the Congress over how these airports, in particular National Airport, are operated.

This approach is flawed, as is the logic behind it. Clearly, if there are problems that need addressing at these airports, let's deal with them directly. We should take the necessary steps to repair and develop these airports so that they continue to serve the needs of the region. We need not hand them over to State and local politicians simply because there are problems that DOT does not wish to confront.

There are also specific concerns I have with the DOT bill. The first is the undervalued price that the Federal Government would be asking for these airports. The DOT bill proposes that the local airport authority pay the Federal Government a mere $46 million.

This hardly seems to be even close to the real value of the property and equipment at either National or Dulles. Secretary Dole admits this, telling us that the $46 million only represents the hypothetical debt that the Metropolitan Washington airports have not yet repaid to the Treasury from past appropriations. When compared to the $342-million price tag put on by the Grace Commission, $46 million hardly seems like a fair amount for the land, terminals, runways, and other assets that would go to the new airport authority.

In place of direct appropriations for operational and capital expenses at the Metropolitan Washington airports, which are repaid in their entirety to the U.S. Treasury, DOT proposes to allow the airporissue tax-exempt revenue bonds. The argument used is that every other airport in the country uses these bonds to fund capital development.

Two wrongs do not make a right. In this case, allowing the issuance of additional tax-exempt bonds only increases the amount of backdoor spending that we must account for in the Federal budget. Projects funded by tax-exempt bonds are subsidized by the Federal Government through foregone revenues. And we in the Congress have no review whatsoever for this type of tax expenditure. Why should we agree to indirectly subsidize these airports through such tax expenditures when current law provides for an open review of the annual budget request for the Metropolitan Washington airports? And we cannot forget that these two airports are now repaying the Federal Government in full for the appropriations they receive.

Finally, Mr. President, we cannot ignore the fact that because Washington is the Nation's Capital and center for the greatest Nation in the world—it's unique. It must be accessible to the thousands of people who regularly come here from all over the Nation and the world. The airports that serve the seat of Government and the metropolitan region of nearly 4 million residents should not be left to the whims of the State government of Virginia or the State government of Maryland, or the State government of any State. That's a job for the National Congress.

The record of operation of the airports is clear and convincing. The Metropolitan Washington airports have an admirable record of successful administration. The need at hand is not to shift administration to other governmental entities, the challenge at hand and ahead is to meet the need for expansion and updating of the airports. We must not shunt aside the real and pressing needs of air transportation for this important region and think that by shifting responsibility to Richmond or Annapolis that we will somehow meet those needs. That burden is one for the Federal Government, from a Federal perspective, to bear and will be met by the legislation I introduce today which will authorize AIP moneys for the Washington Metropolitan airports.

This is not a stopgap measure. It is an attempt to resolve the very real problems at National and Dulles Airports. My legislation would ensure the development of facilities the airlines must have to continue growing at Dulles, and improve the flow of the nearly 15 million people a year who move through National.

I believe that with the legislation I am introducing today, we can resolve many of the problems at both National and Dulles International Airports. It provides a direct, open course toward assuring adequate airline service to the Washington metropolitan region.

Mr. President, I ask that this bill be printed in RECORD and I urge my colleagues to support it.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, the Secretary of Transportation shall make grants to the Washington Metropolitan Airports during fiscal year 1986 in a total amount of $250,000,000, for the purposes specified in subsection (b) of this section. Funds for such grants shall be derived from the Airport and Airway Trust Fund established by section 9502 of title 26, United States Code. Such funds shall remain available until expended.

(b) Grants made under subsection (a) of this section shall be used for (1) development of a mid-field terminal at the Washington Dulles International Airport, and (2) improvements at the Washington National Airport, including a new road system, an improved connection to the Washington, District of Columbia metrorail system, additional parking, and additional terminal space.

(c) Funds made available by this Act are in addition to any grant made during fiscal year 1986 under section 505(a) of the Airport and Airway Improvement Act of 1982 (Public Law 97-248; 96 Stat. 676).

(d) As used in this Act, the term "Washington Metropolitan Airports" means the Washington National Airport and the Washington Dulles International Airport.

By Mr. CHILES (for himself and Mrs. HAWKINS):

S. 1111. A bill to establish equal and equitable classification and duty rates for certain imported citrus products; to the Committee on Finance.

CLASSIFICATION AND DUTY RATES FOR CERTAIN IMPORTED CITRUS PRODUCTS

● Mr. CHILES. Mr. President, it's a pleasure to join my colleague from Florida in introducing a bill of interest to Florida's citrus industry. This legislation seeks to prevent a possible situation regarding importation of blended, reconstituted grapefruit juice products.

We have a situation now where processors could hit upon a loophole in the tariff schedules of the United States in order to receive more favorable tariff treatment for blended, reconstituted products. The problem is that imports of highly concentrated grapefruit juices could be brought into U.S. foreign trade zones for processing and upon their entrance into U.S. Customs territory be dutiable at 20 cents per gallon, rather than the 35 cents per gallon that is applicable to imported concentrates. This situation has not yet occurred for grapefruit, but has already been a considerable problem for orange juice. In fact, we recently resolved the orange juice situation with similar legislation.

Why is this situation of concern? It is of concern because the sale of recon-

stituted product which is subject to considerably lower duty, has a severe price-depressing effect on U.S. production. Since citrus processing plants can handle either orange of grapefruit juice, we need to close the loophole for grapefruit juice so as to not encourage a shift in importation to this product. In short, little would be gained from closing the orange juice loophole without also closing the grapefruit loophole.

The bill Senator HAWKINS and I are offering today would correct the anomalous Customs treatment of the importation of grapefruit juice at the 20 cents per gallon rate. It would state the intention of Congress that this lower rate of duty be applied only to fresh, natural grapefruit juice, not concentrated grapefruit juice products or their derivatives. It would maintain the tariff schedules for concentrates and their derivatives at the 35 cents per gallon rate of duty.

This bill would specifically delineate grapefruit juice in our tariff schedule and would create a separate classification for unconcentrated grapefruit juice. It would not include in this classification juice made from concentrated products with a degree of concentration of 1.5 or greater. Juice with a concentration greater than 1.5 would be classified as "other" as would be imports of concentrated grapefruit juice.

This proposal would not affect the classification and duty status of any other fruit juice classified under part 12 and subpart A.

I urge my colleagues to support this legislation.●

ADDITIONAL COSPONSORS

S. 84

At the request of Mr. INOUYE, the names of the Senator from Colorado [Mr. ARMSTRONG], the Senator from Illinois [Mr. DIXON], and the Senator from Oklahoma [Mr. BOREN] were added as cosponsors of S. 84, a bill to incorporate the Pearl Harbor Survivors Association.

S. 89

At the request of Mr. INOUYE, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 89, a bill to recognize the organization known as the National Academies of Practice.

S. 274

At the request of Mr. DENTON, the name of the Senator from Virginia [Mr. TRIBLE] was added as a cosponsor of S. 274, a bill to provide for the national security by allowing access to certain Federal criminal history records.

S. 320

At the request of Mr. DENTON, the name of the Senator from Nevada [Mr. HECHT] was added as a cosponsor of S. 320, a bill to assure the first amendment rights of all citizens by establishing a uniform Federal policy prohibiting taxpayer financing of private political advocacy.

S. 431

At the request of Mr. WEICKER, the name of the Senator from Minnesota [Mr. BOSCHWITZ] was added as a cosponsor of S. 431, a bill to restore the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.

S. 729

At the request of Mr. DURENBERGER, the name of the Senator from California [Mr. WILSON] was added as a cosponsor of S. 729, a bill to amend the Internal Revenue Code of 1954 to make permanent the rules relating to imputed interest and assumption of loans, and for other purposes.

S. 778

At the request of Mr. GLENN, the name of the Senator from Arizona [Mr. DECONCINI] was added as a cosponsor of S. 778, a bill to amend title XVIII of the Social Security Act to allow medicare coverage for home health services provided on a daily basis.

At the request of Mr. HEINZ, the name of the Senator from Florida [Mrs. HAWKINS] was added as a cosponsor of S. 778, supra.

S. 885

At the request of Mr. KERRY, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 885 to establish a moratorium during the fiscal years 1985 and 1986 on the testing of anti-satellite weapons against objects in space.

S. 887

At the request of Mr. DOLE, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of S. 887, a bill to amend the Internal Revenue Code of 1954 to extend the deduction for expenses incurred in connection with the elimination of architectural and transportation barriers for the handicapped and elderly.

S. 983

At the request of Mr. MCCLURE, the names of the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Ohio [Mr. METZENBAUM] were added as cosponsors of S. 983, a bill to provide for limited extension of alternative means of providing assistance under the school lunch program and to provide for national commodity processing programs.

S. 1007

At the request of Mr. BOSCHWITZ, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 1007, a bill to to amend title 38, United States Code, to direct the Administrator of Veterans' Affairs to develop and carry out a pilot program to determine the most cost-effective methods of acquiring medical facilities to meet the needs of the Veterans' Administration and otherwise to promote additional health care for eligible veterans, and for other purposes.

S. 1033

At the request of Mr. KERRY, the name of the Senator from Iowa [Mr. HARKIN] was added as a sponsor of S. 1033, a bill to amend the Emergency Veterans' Job Training Act of 1983 to establish a veterans' career development and training program; to amend title 38, United States Code, to establish a veterans' computerized job bank program, to enhance readjustment appointments of veterans to positions of employment in the Federal Government, and for other purposes.

S. 1047

At the request of Mr. CHILES, the name of the Senator from Nebraska [Mr. ZORINSKY] was added as a cosponsor of S. 1047, a bill to reform the laws relating to former Presidents.

SENATE JOINT RESOLUTION 40

At the request of Mr. LUGAR, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of Senate Joint Resolution 40, a joint resolution to designate the month of October 1985 as "National Down's Syndrome Month."

SENATE JOINT RESOLUTION 73

At the request of Mr. GRASSLEY, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of Senate Joint Resolution 73, a joint resolution to designate the week of September 15, 1985, through September 21, 1985, as "National Independent Free Papers Week."

SENATE JOINT RESOLUTION 117

At the request of Mr. LEVIN, the names of the Senator from New Jersey [Mr. BRADLEY] and the Senator from Nebraska [Mr. ZORINSKY] were added as cosponsors of Senate Joint Resolution 117, a joint resolution designating the week beginning September 22, 1985, as "National Adult Day Care Center Week."

SENATE RESOLUTION 130

At the request of Mr. WALLOP, the name of the Senator from Nebraska [Mr. ZORINSKY] was added as a cosponsor of Senate Resolution 130, a resolution relative to the Sport Fish Restoration Trust Fund.

SENATE RESOLUTION 154

At the request of Mr. LAUTENBERG, the names of the Senator from New Mexico [Mr. BINGAMAN], the Senator from Wisconsin [Mr. KASTEN], and the Senator from Oregon [Mr. PACKWOOD] were added as cosponsors of Senate Resolution 154, a resolution to pay tribute to the American Veterans of World War II on the 40th anniversary of V-E Day.

SENATE RESOLUTION 158—ORIGINAL RESOLUTION REPORTED AUTHORIZING THE PRINTING OF BACKGROUND INFORMATION ON THE COMMITTEE ON FOREIGN RELATIONS

Mr. LUGAR, from the Committee on Foreign Relations, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 158

Resolved. That a compilation of materials entitled "Background Information on the Committee on Foreign Relations, United States Senate" (sixth revised edition), shall be printed as a Senate document, and that there shall be printed one thousand five hundred additional copies of such document for the use of that committee.

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET

KERRY (AND OTHERS) AMENDMENT NO. 61

Mr. KERRY (for himself, Mr. KENNEDY, Mr. BYRD, Mr. BRADLEY, Mr. MITCHELL, and Mr. RIEGLE) proposed an amendment to amendment No. 43 proposed by Mr. DOLE and Mr. DOMENICI to the motion to recommit with instructions the concurrent resolution (S. Con. Res. 32) setting forth the congressional budget for the United States Government for fiscal years 1986, 1987, and 1988 and revising the congressional budget for the fiscal year 1985; as follows:

At the end of the pending amendment, add the following: It is the sense of the Congress that revenues should be increased and it is assumed that the Finance Committee will develop legislation to reduce the tax enforcement gap, estimated by the IRS at $92 billion in FY 1986. It is further assumed that such legislation should provide for increased and improved enforcement and collection, through audits, examinations, and other steps designed to identify and eliminate tax cheating and increase revenue collections from individuals and corporations currently evading federal taxes, and that the legislation should include steps designed to increase voluntary compliance with tax laws and that such steps may include increased staff for taxpayer assistance, speedier processing of returns, and provision of public information designed to build public trust and understanding of IRS enforcement efforts and that such legislation should also provide that the resources of the IRS shall be increased to accomplish full enforcement of U.S. tax laws, increasing voluntary compliance until such time as further marginal spending on IRS resources does not substantially increase tax yields and that such legislation is fully compatible with tax simplification, including but not limited to reductions in income tax rates or the deficit.

MATTINGLY AMENDMENT NO. 62

Mr. MATTINGLY submitted an amendment to amendment No. 43 proposed by Mr. DOLE and Mr. DOMENICI to the motion to recommit with instructions the concurrent resolution (S. Con. Res. 32), supra; as follows:

At the end of the pending amendment, add the following:

It is the sense of the Congress that functional totals should be reduced to reflect a limitation on the amount of social security benefits paid to illegal and non-resident aliens. It is assumed that the Finance Committee will report legislation to accomplish the required charges in law. Such legislation may limit benefits to the amount of the wage-earner's contribution plus interest, unless the wage-earner is a citizen of a country with which the United States has a treaty or totalization agreement and that this provision would apply to individuals becoming eligible on or after January 1, 1986.

CHILES (AND OTHERS) AMENDMENT NO. 63

Mr. CHILES (for himself, Mr. HOLLINGS, Mr. DODD, Mr. BENTSEN, Mr. LEVIN, Mr. BOREN, Mr. EXON, Mr. NUNN, Mr. BAUCUS, Mr. DECONCINI, Mr. BUMPERS, Mr. SIMON, Mr. BINGAMAN, Mr. JOHNSTON, and Mr. STENNIS) proposed an amendment to amendment No. 43 proposed by Mr. DOLE and Mr. DOMENICI to the motion to recommit with instructions the concurrent resolution (S. Con. Res. 32), supra; as follows:

In the language of Amendment 43 strike all after the word "That" and insert the following: the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1985 is revised and replaced, the first concurrent resolution on the budget for fiscal year 1986 is established, and the appropriate budgetary levels for fiscal year 1987 and 1988 are set forth.

A BUDGET FOR ECONOMIC GROWTH

It is the sense of Congress that in addition to reducing the deficit, which is a major barrier to economic growth, the Federal budget should invest in future economic growth by providing increased funds for:

1. Promoting U.S. exports of goods and services
2. Science and Technology
3. Labor and Force Development (skills and adaptability)
4. Resource & Infrastructure Development
5. Availability of Credit for growth sectors or industries faced with structural change.

These investments will determine whether the U.S. economy (U.S. industry) will develop and apply the technological advances necessary to compete in the changing world economy in the next decade and the next century; freezing or starving these programs is a false economy.

(a) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1984, October 1, 1985, October 1, 1986, and October 1, 1987:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1985: $736,200,000,000.
Fiscal year 1986: $807,700,000,000.
Fiscal year 1987: $892,300,000,000.
Fiscal year 1988: $990,500,000,000.

and the amounts by which the aggregate levels of Federal revenues should be increased are as follows:

Fiscal year 1985: $0.
Fiscal year 1986: $15,000,000,000.
Fiscal year 1987: $28,000,000,000.
Fiscal year 1988: $38,000,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1985: $44,800,000,000.
Fiscal year 1986: $50,900,000,000.
Fiscal year 1987: $56,100,000,000.
Fiscal year 1988: $61,200,000,000.

and the amounts for Federal Insurance Contributions Act revenues for old-age, survivors, and disability insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1985: $186,200,000,000.
Fiscal year 1986: $200,400,000,000.
Fiscal year 1987: $216,800,000,000.
Fiscal year 1988: $248,000,000,000.

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1985: $1,057,600,000,000.
Fiscal year 1986: $1,083,000,000,000.
Fiscal year 1987: $1,141,900,000,000.
Fiscal year 1988: $1,218,800,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1985: $951,300,000,000.
Fiscal year 1986: $977,000,000,000.
Fiscal year 1987: $1,026,500,000,000.
Fiscal year 1988: $1,077,600,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1985: $214,700,000,000.
Fiscal year 1986: $169,300,000,000.
Fiscal year 1987: $134,200,000,000.
Fiscal year 1988: $87,100,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1985: $1,851,100,000,000.
Fiscal year 1986: $2,082,800,000,000.
Fiscal year 1987: $2,290,300,000,000.
Fiscal year 1988: $2,473,900,000,000.

and the amounts by which the statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1985: $27,300,000,000.
Fiscal year 1986: $231,700,000,000.
Fiscal year 1987: $207,500,000,000.
Fiscal year 1988: $183,600,000,000.

(6) The appropriate levels of total Federal Credit activity for the fiscal years beginning on October 1, 1984, October 1, 1985, October 1, 1986, and October 1, 1987, are as follows:

Fiscal year 1985:
(A) New direct loan obligations, $53,500,000,000.
(B) New primary loan guarantee commitments, $69,300,000,000.
(C) New secondary loan guarantee commitments, $68,200,000,000.

Fiscal year 1986:
(A) New direct loan obligations, $36,200,000,000.
(B) New primary loan guarantee commitments, $75,400,000,000.
(C) New secondary loan guarantee commitments, $68,200,000,000.

Fiscal year 1987:
(A) New direct loan obligations, $36,500,000,000.
(B) New primary loan guarantee commitments, $75,600,000,000.
(C) New secondary loan guarantee commitments, $68,200,000,000.

Fiscal year 1988:

(A) New direct loan obligations, $35,601,000,000.
(B) New primary loan guarantee commitments, $80,300,000,000.
(C) New secondary loan guarantee commitments, $68,200,000,000.

(b) The Congress hereby determines and declares the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for fiscal years 1985 through 1988 for each major functional category are as specified below:

PROMOTING U.S. EXPORTS

It is the sense of Congress that federal economic policy must recognize the international basis of future prosperity, and in addition to reducing deficits, interest rates and the overvalued dollar, provide appropriate forms of assistance for U.S. firms seeking to compete in world markets, including:

A. Prompt enactment of legislation to reduce foreign barriers to U.S. goods and services, including a requirement for U.S. retaliation against foreign imports if foreign barriers are not lowered and the trade deficit substantially reduced;

B. Creation of a $1 billion "war chest" in the Export-Import Bank to be used by the special trade representative and the bank as a resource to counter predatory financing arrangements by foreign countries and meet the unique requirements of certain U.S. exporters.

C. Increasing funds for U.S. agencies providing technical assistance to U.S. exporters;

D. Increased funds for training in foreign languages and cultures to assist U.S. exporters in dealing abroad.

International Affairs (150):
Fiscal year 1985:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $19,600,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New primary loan guarantee commitments, $10,300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $21,500,000,000.
(B) Outlays, $17,500,000,000.
(C) New direct loan obligations, $9,400,000,000.
(D) New primary loan guarantee commitments, $12,300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $19,200,000,000.
(B) Outlays, $16,500,000,000.
(C) New direct loan obligations, $9,000,000,000.
(D) New primary loan guarantee commitments, $12,300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $19,100,000,000.
(B) Outlays, $15,800,000,000.
(C) New direct loan obligations, $9,200,000,000.
(D) New primary loan guarantee commitments, $12,300,000,000.
(E) New secondary loan guarantee commitments, $0.

SCIENCE AND TECHNOLOGY

It is the sense of Congress that enhanced federal support of scientific, technological and industrial innovation:

A. Strengthens the ability of U.S. industries to compete in domestic and international markets;

B. Stimulates productivity growth in U.S. manufacturing industries through the development of improved manufacturing technologies;

C. Addresses important unsolved problems of our society such as supplying safe and low-cost energy, controlling pollution, providing adequate housing, improving the quality of life, preventing disease and creating jobs;

D. Helps control inflation and contributes to economic growth through the adoption of more productive technologies; and

E. Enhances the standard of living for all Americans; That while the private sector should maintain responsibility for the commercial application of technological advances, scientific research and technological innovation that benefits the nation more than it benefits any individual or corporate entity, the public interest warrants direct and indirect federal encouragement of research and development; That the key areas of direct federal encouragement of scientific and technological applications include: basic mathematical, physical and biological research funded through the National Science Foundation and the Department of Energy; space and terrestrial sciences and applications developed through pursuit of a manned space station and manned and unmanned space and planetary exploration; energy supply and conservation, biomedical and biotechnical research to produce marketable products while maintaining our commitment to basic research into causes, prevention and cure of disease; and funding for state-of-the-art laboratory equipment for schools and universities; That joint business-university-governmental arrangements for applied research should be encouraged to ensure rapid dissemination and adoption of technological advances, and to assure that technological development is consistent with the needs of potential users.

General Science, Technology, and Space (250):
Fiscal year 1985:
(A) New budget authority, $9,100,000,000.
(B) Outlays, $8,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $9,700,000,000.
(B) Outlays, $9,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $9,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $10,300,000,000.
(B) Outlays, $10,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Energy (270):
Fiscal year 1985:
(A) New budget authority, $1,900,000,000.
(B) Outlays, $6,900,000,000.
(C) New direct loan obligations, $2,600,000,000.
(D) New primary loan guarantee commitments, $100,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New primary loan guarantee commitments, $4,000,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $5,600,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $5,500,000,000.
(B) Outlays, $5,100,000,000.
(C) New direct loan obligations, $2,200,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Agriculture (350):
Fiscal year 1985:
(A) New budget authority, $24,800,000,000.
(B) Outlays, $21,000,000,000.
(C) New direct loan obligations, $13,800,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $20,300,000,000.
(B) Outlays, $17,600,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $17,200,000,000.
(C) New direct loan obligations, $13,100,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $15,800,000,000.
(C) New direct loan obligations, $12,800,000,000.
(D) New primary loan guarantee commitments, $5,800,000,000.
(E) New secondary loan guarantee commitments, $0.
Health (550):
Fiscal year 1985:
(A) New budget authority, $33,600,000,000.
(B) Outlays, $33,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $36,100,000,000.
(B) Outlays, $35,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $200,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1987:

(A) New budget authority, $35,800,000,000.

(B) Outlays, $38,300,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1988:

(A) New budget authority, $41,700,000,000.

(B) Outlays, $41,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

LABOR FORCE DEVELOPMENT

It is the sense of Congress that continued economic growth requires a labor force with the education and job skills appropriate to rapidly changing technology in both industrial production and service occupations;

That meeting these needs requires adequate funding of such key programs as math and science education, compensatory education, and job training programs for youth and dislocated workers, re-training and employment opportunities for senior citizens; training of applied scientists and engineers;

That continual change in technology will require structures to recognize and facilitate changes in labor force requirements and labor-management relations; That such structures should include a joint labor-management-government commission on labor-force development and a national job bank;

That funding should be restored to the Bureau of Labor Statistics to allow adequate monitoring and analysis of changing employment needs.

Education, Training, Employment, and Social Services (500):

Fiscal year 1985:

(A) New budget authority, $31,900,000,000.

(B) Outlays, $30,600,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $8,800,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1986:

(A) New budget authority, $31,700,000,000.

(B) Outlays, $30,900,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $9,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1987:

(A) New budget authority, $31,800,000,000.

(B) Outlays, $31,500,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $9,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1988:

(A) New budget authority, $32,200,000,000.

(B) Outlays, $31,600,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $9,600,000,000.

(E) New secondary loan guarantee commitments, $0.

RESOURCE DEVELOPMENT/ENVIRONMENTAL PROTECTION

It is the sense of Congress that further economic growth will require a continued investment in programs to protect and develop our nation's physical resources—land, energy, water, timber, minerals;

It is the further sense of Congress that continued growth and development requires an increased investment in programs to protect the environment from any dangerous byproducts of industrial production, such as the superfund hazardous waste cleanup program, EPA enforcement programs, water supply and desalinization projects, hazardous waste and drinking water research and soil and water conservation programs. Because the benefits of research in these areas are primarily a public good, there is little incentive for private sector investment. Lack of prudent management of natural resources as has occurred over the past four years of budget reductions, will in the next century, represent the major limits to growth.

Natural Resources and Environment (300):

Fiscal year 1985:

(A) New budget authority, $12,600,000,000.

(B) Outlays, $13,000,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1986:

(A) New budget authority, $13,300,000,000.

(B) Outlays, $13,100,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1987:

(A) New budget authority, $13,600,000,000.

(B) Outlays, $13,200,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1988:

(A) New budget authority, $13,900,000,000.

(B) Outlays, $13,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

COMPETITION AND CREDIT

It is the sense of Congress that robust economic growth requires the innovation and competition spawned by the creation and growth of small firms;

That such competition requires the vigorous enforcement of anti-trust laws;

That the revised enforcement guidelines of recent years have virtually eliminated anti-trust protection;

That this lax enforcement and changes in the corporate tax code have fostered an epidemic of merger and acquisitions exceeding $347 billion in the last four years which threatens the health of financial markets;

That this epidemic has diverted both capital and entrepreneurial energy away from the innovative development, efficient manufacture, and aggressive marketing of products and toward paper transactions which enhance short-run financial gains at the expense of long-term profitability of American enterprise;

That the Department of Justice should therefore modify its anti-trust guidelines to provide adequate protection for competition against horizontal mergers, and should return to vigorous enforcement of the Clayton Anti-Trust Act;

That the Federal Reserve Board should ensure that banks maintain prudent lending practices, and assure that adequate credit is avilable for real economic expansion rather than being tied up in unproductive takeovers; That the Securities and Exchange Commission should require full financial disclosure as a condition for issuing debt instruments which are below investment grade; should prohibit takeover practices which discriminate against classes of shareholders; That the Congressional Budget Office and Congressional Research Service shall undertake an analysis to determine which tax provisions create windfalls of cash which make takeovers and liquidation more profitable than reinvestment of capital for long-term growth, and report their findings no later than June 15, 1985.

REMAINING BUDGET FUNCTIONS

National Defense (050):

Fiscal year 1985:

(A) New budget Authority, $292,600,000,000.

(B) Outlays, $252,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1986:

(A) New budget Authority, $302,500,000,000.

(B) Outlays, $271,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal Year 1987:

(A) New budget Authority, $322,900,000,000.

(B) Outlays $289,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1988:

(A) New budget Authority, $344,900,000,000.

(B) Outlays, $309,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Commerce and Housing Credit (370):

Fiscal year 1985:

(A) New budget authority, $12,600,000,000.

(B) Outlays, $5,600,000,000.

(C) New direct loan obligations, $6,600,000,000,

(D) New primary loan guarantee commitments, $27,000,000,000.

(E) New secondary loan guarantee commitments, $68,200,000,000.

Fiscal year 1986:

(A) New budget authority, $8,600,000,000.

(B) Outlays, $4,400,000,000.

(C) New direct loan obligations, $4,500,000,000,

(D) New primary loan guarantee commitments, $23,300,000,000.

(E) New secondary loan guarantee commitments, $68,200,000,000.

Fiscal year 1987:

(A) New budget authority, $9,000,000,000.

(B) Outlays, $4,100,000,000.

(C) New direct loan obligations, $5,700,000,000,
(D) New primary loan guarantee commitments, $30,000,000,000.
(E) New secondary loan guarantee commitments, $68,200,000,000.
Fiscal year 1988:
(A) New budget authority, $9,200,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $6,200,000,000,
(D) New primary loan guarantee commitments, $31,700,000,000.
(E) New secondary loan guarantee commitments, $68,200,000,000.
Transportation (400):
Fiscal year 1985:
(A) New budget authority, $29,300,000,000.
(B) Outlays, $26,000,000,000.
(C) New direct loan obligations, $300,000,000,
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $27,800,000,000.
(B) Outlays, $26,300,000,000.
(C) New direct loan obligations, $200,000,000,
(D) New primary loan guarantee commitments, $30,000,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $28,800,000,000.
(B) Outlays, $28,000,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $29,000,000,000.
(B) Outlays, $28,000,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Community and Regional Development (450):
Fiscal year 1985:
(A) New budget authority, $8,400,000,000.
(B) Outlays, $8,700,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $7,500,000,000.
(B) Outlays, $8,200,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $7,600,000,000.
(B) Outlays, $7,800,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $8,200,000,000.
(B) Outlays, $7,500,000,000.
(C) New direct loan obligations, $1,001,000,000.
(D) New primary loan guarantee commitments, $200,000,000.
(E) New secondary loan guarantee commitments, $0.
Medical Insurance (570):
Fiscal year 1985:
(A) New budget authority, $71,800,000,000.
(B) Outlays, $65,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $82,000,000,000.
(B) Outlays, $69,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $91,500,000,000.
(B) Outlays, $76,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $95,400,000,000.
(B) Outlays, $84,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Income Security (600):
Fiscal year 1985:
(A) New budget authority, $163,100,000,000.
(B) Outlays, $128,700,000,000.
(C) New direct loan obligations, $14,300,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $156,000,000,000.
(B) Outlays, $118,400,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $164,100,000,000.
(B) Outlays, $123,500,000,000.
(C) New direct loan obligations, $2,300,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $172,800,000,000.
(B) Outlays, $129,800,000,000.
(C) New direct loan obligations, $1,800,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Social Security (650):
Fiscal year 1985:
(A) New budget authority, $195,500,000,000.
(B) Outlays, $189,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $207,300,000,000.
(B) Outlays, $197,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $225,200,000,000.
(B) Outlays, $210,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $265,300,000,000.
(B) Outlays, $224,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Veterans Benefits and Services (700):
Fiscal year 1985:
(A) New budget authority, $27,200,000,000.
(B) Outlays, $26,300,000,000.
(C) New direct loan obligations, $1,300,000,000.
(D) New primary loan guarantee commitments, $16,800,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $27,600,000,000.
(B) Outlays, $27,000,000,000.
(C) New direct loan obligations, $1,300,000,000.
(D) New primary loan guarantee commitments, $15,300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $28,200,000,000.
(B) Outlays, $27,500,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $17,400,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $28,200,000,000.
(B) Outlays, $27,500,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $20,100,000,000.
(E) New secondary loan guarantee commitments, $0.
Administration of Justice (750):
Fiscal year 1985:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $6,800,000,000.
(B) Outlays, $6,700,000,000.
(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $6,900,000,000.
(B) Outlays, $6,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $7,000,000,000.
(B) Outlays, $7,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
General Government (800):
Fiscal year 1985:
(A) New budget authority, $5,700,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $5,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $6,100,000,000.
(B) Outlays, $6,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
General Purpose Fiscal Assistance (850):
Fiscal year 1985:
(A) New budget authority, $6,400,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority $6,500,000,000.
(B) Outlays, $6,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $2,000,000,000.
(B) Outlays, $3,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $2,100,000,000.
(B) Outlays, $2,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Net Interest (900):
Fiscal year 1985:
(A) New budget authority, $129,700,000,000.
(B) Outlays, $129,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, $142,200,000,000.
(B) Outlays, $142,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, $150,900,000,000.
(B) Outlays, $150,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, $151,800,000,000.
(B) Outlays, $151,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Allowances (920):
Fiscal year 1985:
(A) New budget authority, $300,000,000.
(B) Outlays, $300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, −$1,500,000,000.
(B) Outlays, −$1,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget authority, −$1,600,000,000.
(B) Outlays, −$1,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget authority, −$1,300,000,000.
(B) Outlays, −$1,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Undistributed Offsetting Receipts (950):
Fiscal year 1985:
(A) New budget authority, −$32,400,000,000.
(B) Outlays, −$32,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1986:
(A) New budget authority, −$34,800,000,000.
(B) Outlays, −$34,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1987:
(A) New budget Authority, −$36,900,000,000.
(B) Outlays, −$36,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1988:
(A) New budget Authority, −$36,400,000,000.
(B) Outlays, −$39,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.

RECONCILIATION

SEC. 2. (a) Not later than June 15, 1985, the committees named in subsections (b) through (r) of this section shall submit their recommendations to the Committees on the Budget of their respective Houses. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $134,000,000 in budget authority and $134,000,000 in outlays in fiscal year 1986, $2,363,000,000 in budget authority and $2,363,000,000 in outlays in fiscal year 1987, and $4,151,000,000 in budget authority and $4,151,000,000 in outlays in fiscal year 1988.

(c) The Senate Committee on Armed Services shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to achieve savings of $0 in budget authority and $387,000,000 in outlays in fiscal year 1986, $0 in budget authority and $588,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $627,000,000 in outlays in fiscal year 1988.

(d) It is the sense of Congress that in order to provide an innovative mechanism to promote the export of U.S. goods and services, and provide an effective deterrent to predatory financing practices by foreign competitors, direct loan subsidies for exports should be replaced by less costly interest reduction programs and a "war chest" allowing the use of up to $1 billion in support of these objectives.

(e) The Senate Committee on Finance shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $5,934,000,000 in outlays in fiscal year 1986, $0 in budget authority and $11,943,000,000

in outlays in fiscal year 1987, and $0 in budget authority and $14,550,000,000 in outlays in fiscal year 1988.

(f) The Senate Committee on Governmental Affairs shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $1,893,000,000 in outlays in fiscal year 1986, $0 in budget authority and $3,303,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $4,708,000,000 in outlays in fiscal year 1988.

(g) The Senate Committee on Labor and Human Resources shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $152,000,000 in budget authority and $142,000,000 in outlays in fiscal year 1986, $209,000,000 in budget authority and $204,000,000 in outlays in fiscal year 1987, and $279,000,000 in budget authority and $269,000,000 in outlays in fiscal year 1988.

(h) The Senate Committee on Small Business shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $129,000,000 in outlays in fiscal year 1986, $0 in budget authority and $421,000,000 in outlays in fiscal year 1987, and $459,000,000 in budget authority and $457,000,000 in outlays in fiscal year 1988.

(i) The Senate Committee on Veterans' Affairs shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $157,000,000 in outlays in fiscal year 1986, $0 in budget authority and $228,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $223,000,000 in outlays in fiscal year 1988.

HOUSE COMMITTEES

(j) The House Committee on Agriculture shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $134,000,000 in budget authority and $134,000,000 in outlays in fiscal year 1986, $2,363,000,000 in budget authority and $2,363,000,000 in outlays in fiscal year 1987, and $4,151,000,000 in budget authority and $4,151,000,000 in outlays in fiscal year 1988.

(k) The House Committee on Armed Services shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to achieve savings of $0 in budget authority and $387,000,000 in outlays in fiscal year 1986, $0 in budget authority and $588,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $627,000,000 in outlays in fiscal year 1988.

(l) The House Committee on Education and Labor shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $152,000,000 in budget authority and $142,000,000 in outlays in fiscal year 1986, $209,000,000 in budget authority and $204,000,000 in outlays in fiscal year 1987, and $279,000,000 in budget authority and $269,000,000 in outlays in fiscal year 1988.

(m) The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $2,680,000,000 in outlays in fiscal year 1986, $0 in budget authority and $4,067,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $5,403,000,000 in outlays in fiscal year 1988.

(n) The House Committee on Government Operations shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $0 in outlays in fiscal year 1986, $4,785,000,000 in budget authority and $3,550,000,000 in outlays in fiscal year 1987, and $5,013,000,000 in budget authority and $4,956,000,000 in outlays in fiscal year 1988.

(o) The House Committee on Post Office and Civil Service shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $1,893,000,000 in outlays in fiscal year 1986, $0 in budget authority and $3,303,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $4,708,000,000 in outlays in fiscal year 1988.

(p) The House Committee on Small Business shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays, as follows: $0 in budget authority and $129,000,000 in outlays in fiscal year 1986, $0 in budget authority and $421,000,000 in outlays in fiscal year 1987, and $459,000,000 in budget authority and $457,000,000 in outlays in fiscal year 1988.

(q) The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays as follows: $0 in budget authority and $157,000,000 in outlays in fiscal year 1986, $0 in budget authority and $228,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $223,000,000 in outlays in fiscal year 1988.

(r) The House Committee on Ways and Means shall report changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, sufficient to reduce budget authority and outlays as follows: $0 in budget authority and $5,934,000,000 in outlays in fiscal year 1986, $0 in budget authority and $8,393,000,000 in outlays in fiscal year 1987, and $0 in budget authority and $9,594,000,000 in outlays in fiscal year 1988.

REVENUE RECONCILIATION

SEC. 3. (a) The Senate Committee on Finance shall report no later than July 1, 1985, a Reconciliation Resolution making changes in the Reconciliation Bill considered pursuant to Section 2 above, prior to the enrollment of that bill by the Secretary of the Senate.

Such changes will increase revenues by:

$12 billion in FY86,

$25 billion in FY87,

$35 billion in FY88;

(b) It is the sense of Congress that:

(1) These revenue changes shall not produce any increase in tax rates for individuals;

(2) These revenue changes shall reduce the rate of growth in tax expenditures in Fiscal Years 1986 through 1988;

(3) These revenue provisions shall not be considered in either House of Congress until the spending reduction provisions in Section 2 have been passed by that House;

(4) The Reconciliation bill providing spending reductions pursuant to Section 2 shall not be enrolled until the Reconciliation bill containing tax measures has been passed.

SEC. 4(a) The House Committee on Ways and Means shall report no later than July 1, 1985, a Reconciliation Resolution making changes in the Reconciliation Bill considered pursuant to Section 2 above, prior to the enrollment of that bill by the Clerk of the House of Representatives.

Such changes will increase revenues by:

$12 billion in FY 86,

$25 billion in FY 87,

$30 billion in FY 88;

(b) It is the sense of Congress that:

(1) These revenue changes shall not produce any increase in tax rates for individuals;

(2) These revenue changes shall reduce the rate of growth in tax expenditures in Fiscal Years 1986 through 1988;

(3) These revenue provisions shall not be considered in either House of Congress until the spending reduction provisions in Section 2 have been passed by that House;

(4) The Reconciliation bill providing spending reductions pursuant to Section 2 shall not be enrolled until the Reconciliation bill containing tax measures has been passed.

SEC. 5. It is the sense of Congress that total Budget Authority available for appropriations for Budget Function 050 (National Defense) and for non-defense discretionary programs shall not exceed $455.7 billion for FY 1986; of which $303.2 billion is intended to be for National Defense and $152.5 billion is intended to be for non-defense discretionary programs; that for FY 1987, the Total Budget Authority for these activities shall not exceed $473.8 billion, of which $324.1 billion is intended to be for National Defense and $149.6 billion for non-defense discretionary programs; and that for FY 1988, the total Budget Authority for these activities shall not exceed $499.8 billion, of which $347.6 billion is intended to be for National Defense and $152.2 billion is intended to be for non-defense discretionary programs.

MISCELLANEOUS PROVISIONS

SEC. 6. If the Congress has not completed action by October 1, 1985, on the concurrent resolution on the budget required to be reported under section 310(a) of the Congressional Budget Act of 1974 for fiscal year 1986, then, for purposes of section 311 of such Act, this concurrent resolution shall be deemed to be the concurrent resolution required to be reported under section 310 of such Act.

SEC. 7. It shall not be in order in the House of Representatives or the Senate during fiscal years 1986 and 1987 to consider any bill, resolution, or amendment, except

proposed legislation reported in response to reconciliation instructions contained in this resolution, authorizing new direct loans obligations or new loan guarantee commitments unless that bill, resolution, or amendment also provides that the authority to make or guarantee such loans shall be effectively only to such extent and in such amounts as are contained in appropriation acts.

SEC. 8. It is the sense of the Congress that the previous distinction between "unified budget" and "off-budget" spending be ended, and that budget authority and outlays for the so-called "off-budget" agencies be included in the budget totals.

SEC. 9. (a) The Senate finds that—

(1) the existing tax structure of the United States distorts economic activity, leading to an inefficient use of national resources and a weakening of our domestic economic vitality and competitive posture in international markets;

(2) the relative tax burdens among various taxpayer categories are manifestly unfair insofar as they arise from differences in the capabilities of taxpayers to take advantage of complicated tax laws;

(3) the ability of the Federal Government to plan and conduct rational fiscal policy is frustrated by elaborate schemes to avoid taxation and the unintended effects of tax incentives and penalties;

(4) progressive erosion of voluntary compliance threatens the fiscal integrity of our public finances and the confidence of our citizens in the Federal Government's capacity to govern; and

(5) a number of plans, each designed to simplify and reform the Tax Code, have been before the Congress for a time sufficient to allow for extensive analysis and evaluation.

(b) It is therefore the sense of the Senate that tax reform should be adopted as soon as possible, and that it should incorporate the following principles and objectives:

(1) efficiency and responsiveness to market conditions in the economic activities of American businesses and consumers;

(2) simplicity of structure and lower marginal tax rates;

(3) a fair and equitable distribution of the tax burden among all taxpayers, with relief for those below the poverty level, and incentives to bring them into the work force;

(4) a broader tax base, with deductions essential to avoid genuine hardship or to protect the economic security of the American people; and

(5) increased incentives for work, saving, and investment.

SEC. 10. It is the sense of the Senate that because the Senate requires timely reporting of legislative action on spending bills, and because the Senate requires continual control over the budget, the Director of the Congressional Budget Office shall issue a weekly report during periods when the Senate is in session detailing and tabulating the progress of congressional action on bills and resolutions providing new budget authority and changing revenues and the public debt for a fiscal year, including, but not limited to the requirements set forth in Public Law 93-344, section 308(b).

BYRD (AND OTHERS) AMENDMENT NO. 64

Mr. BYRD (for himself, Mr. CRANSTON, Mr. INOUYE, Mr. MATSUNAGA, Mr. MELCHER, Mr. KENNEDY, Mr. LAUTENBERG, Mr. ROCKEFELLER, and Mr. RIEGLE) proposed an amendment to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) to the motion to recommit with instructions the concurrent resolutions Senate Concurrent Resolution 32, supra; as follows:

On page 2, increase the amount on line 8 by $0.
On page 2, increase the amount on line 9 by $14,500,000,000.
On page 2, increase the amount on line 10 by $20,600,000,000.
On page 2, increase the amount on line 11 by $25,800,000,000.
On page 2, increase the amount on line 14 by $0.
On page 2, increase the amount on line 15 by $14,500,000,000.
On page 2, increase the amount on line 16 by $20,600,000,000.
On page 2, increase the amount on line 17 by $25,800,000,000.
On page 2, increase the amount on line 21 by $0.
On page 2, increase the amount on line 22 by $0.
On page 2, increase the amount on line 23 by $0.
On page 2, increase the amount on line 24 by $0.
On page 3, increase the amount on line 5 by $0.
On page 3, increase the amount on line 6 by $0.
On page 3, increase the amount on line 7 by $0.
On page 3, increase the amount on line 8 by $0.
On page 3, increase the amount on line 11 by $0.
On page 3, increase the amount on line 12 by $14,600,000,000.
On page 3, increase the amount on line 13 by $13,900,000,000.
On page 3, increase the amount on line 14 by $16,200,000,000.
On page 3, increase the amount on line 17 by $0.
On page 3, increase the amount on line 18 by $9,200,000,000.
On page 3, increase the amount on line 19 by $11,900,000,000.
On page 3, increase the amount on line 20 by $16,200,000,000.
On page 3, increase the amount on line 24 by $0.
On page 3, decrease the amount on line 25 by $5,300,000,000.
On page 4, decrease the amount on line 1 by $8,700,000,000.
On page 4, decrease the amount on line 2 by $9,600,000,000.
On page 4, increase the amount on line 5 by $0.
On page 4, decrease the amount on line 6 by $5,300,000,000.
On page 4, decrease the amount on line 7 by $14,000,000,000.
On page 4, decrease the amount on line 8 by $23,600,000,000.
On page 4, increase the amount on line 11 by $0.
On page 4, decrease the amount on line 12 by $5,300,000,000.
On page 4, decrease the amount on line 13 by $8,700,000,000.
On page 4, decrease the amount on line 14 by $9,600,000,000.
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On page 5, increase the amount on line 3 by $5,050,000,000.
On page 5, increase the amount on line 5 by $50,000,000.
On page 5, increase the amount on line 7 by $0.
On page 5, increase the amount on line 10 by $4,250,000,000.
On page 5, increase the amount on line 12 by $100,000,000.
On page 5, increase the amount on line 14 by $0.
On page 5, increase the amount on line 17 by $5,350,000,000.
On page 5, increase the amount on line 19 by $175,000,000.
On page 5, increase the amount on line 21 by $0.
On page 6, increase the amount on line 6 by $0.
On page 6, increase the amount on line 7 by $0.
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On page 6, increase the amount on line 15 by $3,000,000,000.
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On page 6, increase the amount on line 24 by $3,200,000,000.
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On page 24, increase the amount on line 15 by $0.
On page 24, increase the amount on line 17 by $0.
On page 24, increase the amount on line 19 by $0.
On page 24, increase the amount on line 22 by $700,000,000.
On page 24, increase the amount on line 23 by $700,000,000.
On page 24, increase the amount on line 25 by $0.
On page 25, increase the amount on line 2 by $0.
On page 25, increase the amount on line 4 by $0.
On page 25, increase the amount on line 8 by $0.
On page 25, increase the amount on line 9 by $0.
On page 25, increase the amount on line 10 by $0.
On page 27, increase the amount on line 4 by $500,000,000.
On page 27, increase the amount on line 5 by $600,000,000.
On page 27, increase the amount on line 7 by $0.
On page 27, increase the amount on line 9 by $0.
On page 27, increase the amount on line 11 by $0.
On page 27, increase the amount on line 13 by $700,000,000.
On page 27, increase the amount on line 14 by $900,000,000.
On page 27, increase the amount on line 16 by $0.
On page 27, increase the amount on line 18 by $0.
On page 27, increase the amount on line 20 by $0.
On page 27, increase the amount on line 22 by $1,000,000,000.
On page 27, increase the amount on line 23 by $1,100,000,000.
On page 27, increase the amount on line 25 by $0.
On page 28, increase the amount on line 2 by $0.
On page 28, increase the amount on line 4 by $0.
On page 29, increase the amount on line 16 by $0.
On page 29, increase the amount on line 17 by $0.
On page 29, increase the amount on line 19 by $0.
On page 29, increase the amount on line 21 by $0.
On page 29, increase the amount on line 23 by $200,000,000.
On page 29, increase the amount on line 24 by $200,000,000.
On page 29, increase the amount on line 25 by $0.
On page 30, increase the amount on line 2 by $0.
On page 30, increase the amount on line 4 by $0.
On page 30, increase the amount on line 6 by $200,000,000.
On page 30, increase the amount on line 7 by $200,000,000.
On page 30, increase the amount on line 8 by $0.
On page 30, increase the amount on line 10 by $0.
On page 30, increase the amount on line 12 by $0.
On page 30, increase the amount on line 14 by $300,000,000.
On page 24, increase the amount on line 15 by $300,000,000.
On page 30, increase the amount on line 16 by $0.
On page 30, increase the amount on line 18 by $0.
On page 30, increase the amount on line 20 by $0.
On page 30, increase the amount on line 23 by $0.
On page 30, increase the amount on line 24 by $0.
On page 30, increase the amount on line 25 by $0.
On page 32, decrease the amount on line 17 by $100,000,000.
On page 32, decrease the amount on line 18 by $100,000,000.
On page 32, increase the amount on line 19 by $0.
On page 32, increase the amount on line 21 by $0.
On page 32, increase the amount on line 23 by $0.
On page 33, decrease the amount on line 2 by $900,000,000.
On page 33, decrease the amount on line 3 by $900,000,000.
On page 33, increase the amount on line 4 by $0.
On page 33, increase the amount on line 6 by $0.
On page 33, increase the amount on line 8 by $0.
On page 33, decrease the amount on line 11 by $1,600,000,000.
On page 33, decrease the amount on line 12 by $1,600,000,000.
On page 33, increase the amount on line 13 by $0.
On page 33, increase the amount on line 15 by $0.
On page 36, increase the amount on line 11 by $0.
On page 36, increase the amount on line 12 by $0.
On page 36, increase the amount on line 13 by $0.
On page 36, increase the amount on line 15 by $0.
On page 36, increase the amount on line 17 by $0.
On page 37, decrease the first amount on line 11 by $4,303,000,000.
On page 37, decrease the second amount on line 11 by $4,175,000,000.
On page 37, decrease the amount on line 12 by $3,229,000,000.
On page 37, decrease the amount on line 13 by $3,520,000,000.
On page 37, decrease the first amount on line 14 by $4,476,000,000.
On page 37, decrease the second amount on line 14 by $4,766,000,000.
On page 37, increase the first amount on line 20 by $0.
On page 37, increase the second amount on line 20 by $0.
On page 37, increase the amount on line 21 by $0.
On page 37, increase the amount on line 22 by $0.
On page 37, increase the first amount on line 23 by $0.
On page 37, increase the second amount on line 23 by $0.
On page 38, decrease the first amount on line 10 by $2,368,000,000.
On page 38, decrease the second amount on line 10 by $2,289,000,000.
On page 38, decrease the amount on line 11 by $2,981,000,000.
On page 38, decrease the amount on line 12 by $1,071,000,000.
On page 38, decrease the amount on line 13 by $3,440,000,000.
On page 38, decrease the amount on line 14 by $1,884,000,000.
On page 38, decrease the first amount on line 24 by $713,000,000.
On page 38, decrease the second amount on line 24 by $621,000,000.
On page 38, decrease the amount on line 25 by $743,000,000.
On page 39, decrease the amount on line 1 by $694,000,000.
On page 39, decrease the first amount on line 2 by $772,000,000.
On page 39, decrease the second amount on line 2 by $767,000,000.
On page 39, increase the first amount on line 13 by $0.
On page 39, increase the second amount on line 13 by $0.
On page 39, increase the amount on line 14 by $0.
On page 39, increase the amount on line 15 by $0.
On page 39, increase the first amount on line 16 by $0.
On page 39, increase the second amount on line 16 by $0.
On page 40, decrease the first amount on line 2 by $363,000,000.
On page 40, decrease the second amount on line 2 by $30,000,000.
On page 40, decrease the amount on line 3 by $379,000,000.
On page 40, decrease the amount on line 4 by $132,000,000.
On page 40, decrease the first amount on line 5 by $395,000,000.
On page 40, decrease the second amount on line 5 by $248,000,000.
On page 40, increase the amount on line 15 by $0.

On page 40, decrease the first amount on line 16 by $1,200,000,000.
On page 40, increase the second amount on line 16 by $0.
On page 40, decrease the amount on line 17 by $1,500,000,000.
On page 40, increase the first amount on line 18 by $0.
On page 40, decrease the second amount on line 18 by $2,500,000,000.
On page 41, increase the amount on line 3 by $700,000,000.
On page 41, increase the amount on line 4 by $300,000,000.
On page 41, increase the first amount on line 5 by $1,200,000,000.
On page 41, increase the second amount on line 5 by $700,000,000.
On page 41, increase the amount on line 6 by $1,600,000,000.
On page 41, increase the amount on line 7 by $900,000,000.
On page 41, increase the first amount on line 16 by $0.
On page 41, increase the second amount on line 16 by $0.
On page 41, increase the amount on line 17 by $0.
On page 41, increase the first amount on line 18 by $0.
On page 41, increase the second amount on line 18 by $0.
On page 41, increase the amount on line 19 by $0.
On page 41, increase the first amount on line 20 by $0.
On page 41, increase the second amount on line 20 by $0.
On page 41, increase the amount on line 21 by $0.
On page 42, decrease the first amount on line 6 by $2,826,000,000.
On page 42, decrease the second amount on line 6 by $951,000,000.
On page 42, decrease the amount on line 7 by $3,197,000,000.
On page 42, decrease the amount on line 8 by $2,917,000,000.
On page 42, decrease the first amount on line 9 by $3,814,000,000.
On page 42, decrease the second amount on line 9 by $3,608,000,000.
On page 42, increase the amount on line 19 by $0.
On page 42, increase the amount on line 20 by $0.
On page 42, increase the first amount on line 21 by $0.
On page 42, increase the second amount on line 21 by $0.
On page 42, increase the amount on line 22 by $0.
On page 42, increase the amount on line 23 by $0.
On page 43 decrease the amount on line 7 by $500,000,000.
On page 43, decrease the amount on line 8 by $600,000,000.
On page 43, decrease the first amount on line 9 by $700,000,000.
On page 43, decrease the second amount on line 9 by $900,000,000.
On page 43, decrease the amount on line 10 by $1,000,000,000.
On page 43, decrease the amount on line 11 by $1,100,000,000.
On page 43, increase the amount on line 20 by $0.
On page 43, increase the amount on line 21 by $0.
On page 43, increase the first amount of line 22 by $0.
On page 51, increase the amount on line 17 by $3,000,000,000.
On page 51, increase the amount on line 19 by $3,200,000,000.
On page 51, increase the amount on line 20 by $3,500,000,000.
On page 51, beginning with line 22, strike through line 4 on page 52.

SPECTER AMENDMENTS NOS. 65 THROUGH 71

(Ordered to lie on the table.)

Mr. SPECTER submitted seven amendments intended to be proposed by him to amendment No. 43 proposed by Mr. DOLE (and Mr. DOMENICI) to the motion to recommit with instructions the concurrent resolution Senate Concurrent Resolution 32, supra, as follows:

AMENDMENT No. 65

On page 3, increase the amount on line 12 by $440,000,000.
On page 3, increase the amount on line 13 by $457,000,000.
On page 3, increase the amount on line 14 by $473,000,000.
On page 3, increase the amount on line 18 by $22,000,000.
On page 3, increase the amount on line 19 by $111,000,000.
On page 3, increase the amount on line 20 by $226,000,000.
On page 3, increase the amount on line 25 by $22,000,000.
On page 4, increase the amount on line 1 by $111,000,000.
On page 4, increase the amount on line 2 by $226,000,000.
On page 4, increase the amount on line 6 by $22,000,000.
On page 4, increase the amount on line 7 by $133,000,000.
On page 4, increase the amount on line 8 by $359,000,000.
On page 4, increase the amount on line 12 by $22,000,000.
On page 4, increase the amount on line 13 by $111,000,000.
On page 4, increase the amount on line 14 by $226,000,000.
On page 18, increase the amount on line 8 by $440,000,000.
On page 18, increase the amount on line 9 by $22,000,000.
On page 18, increase the amount on line 17 by $457,000,000.
On page 18, increase the amount on line 18 by $111,000,000.
On page 19, increase the amount on line 1 by $473,000,000.
On page 19, increase the amount on line 2 by $226,000,000.
On page 38, decrease the first amount on line 10 by $440,000,000.
On page 38, decrease the second amount on line 10 by $22,000,000.
On page 38, decrease the amount on line 11 by $457,000,000.
On page 38, decrease the amount on line 12 by $111,000,000.
On page 38, decrease the amount on line 13 by $437,000,000.
On page 38, decrease the amount on line 14 by $226,000,000.
On page 45, decrease the first amount on line 8 by $440,000,000.
On page 45, decrease the second amount on line 8 by $22,000,000.
On page 45, decrease the amount on line 9 by $457,000,000.
On page 45, decrease the amount on line 10 by $111,000,000.
On page 45, decrease the first amount on line 11 by $437,000,000.
On page 45, decrease the second amount on line 11 by $226,000,000.
On page 52, increase the amount on line 1 by $440,000,000.
On page 52, decrease the amount on line 3 by $457,000,000.
On page 52, decrease the amount on line 4 by $473,000,000.

AMENDMENT No. 66

In the pending amendment, do the following:
On page 3, increase the amount on line 12 by $900,000,000.
On page 3, increase the amount on line 13 by $1,600,000,000.
On page 3, increase the amount on line 14 by $2,200,000,000.
On page 3, increase the amount on line 18 by $200,000,000.
On page 3, increase the amount on line 19 by $500,000,000.
On page 3, increase the amount on line 20 by $1,100,000,000.
On page 3, increase the amount on line 25 by $200,000,000.
On page 4, increase the amount on line 1 by $500,000,000.
On page 4, increase the amount on line 2 by $1,100,000,000.
On page 4, increase the amount on line 6 by $200,000,000.
On page 4, increase the amount on line 7 by $700,000,000.
On page 4, increase the amount on line 8 by $1,800,000,000.
On page 4, increase the amount on line 12 by $200,000,000.
On page 4, increase the amount on line 13 by $500,000,000.
On page 4, increase the amount on line 14 by $1,100,000,000.
On page 16, increase the amount on line 20 by $900,000,000.
On page 16, increase the amount on line 21 by $200,000,000.
On page 17, increase the amount on line 4 by $1,600,000,000.
On page 17, increase the amount on line 5 by $500,000,000.
On page 17, increase the amount on line 13 by $2,100,000,000.
On page 17, increase the amount on line 14 by $1,000,000,000.
On page 33, increase the amount on line 11 by $100,000,000.
On page 33, increase the amount on line 12 by $100,000,000.
On page 38, decrease the first amount on line 10 by $963,000,000.
On page 38, decrease the second amount on line 10 by $185,000,000.
On page 38, decrease the amount on line 11 by $1,623,000,000.
On page 38, decrease the amount on line 12 by $546,000,000.
On page 38, decrease the amount on line 13 by $2,130,000,000.
On page 38, decrease the amount on line 14 by $1,016,000,000.
On page 41, decrease the amount on line 17 by $4,000,000.
On page 41, decrease the amount on line 19 by $19,000,000.
On page 41, decrease the amount on line 21 by $37,000,000.
On page 47, decrease the first amount on line 12 by $4,000,000.
On page 47, decrease the amount on line 13 by $19,000,000.

On page 47, decrease the second amount on line 14 by $37,000,000.
On page 49, decrease the first amount on line 17 by $963,000,000.
On page 49, decrease the second amount on line 17 by $185,000,000.
On page 49, decrease the amount on line 18 by $1,623,000,000.
On page 49, decrease the amount on line 19 by $546,000,000.
On page 49, decrease the first amount on line 20 by $2,130,000,000.
On page 49, decrease the second amount on line 20 by $1,016,000,000.
On page 52, increase the amount on line 1 by $900,000,000.
On page 52, increase the amount on line 3 by $1,600,000,000.
On page 52, increase the amount on line 4 by $2,100,000,000.

AMENDMENT NO. 67

In the pending amendment, do the following:
On page 3, increase the amount on line 12 by $200,000,000.
On page 3, increase the amount on line 13 by $200,000,000.
On page 3, increase the amount on line 14 by $200,000,000.
On page 3, increase the amount on line 19 by $100,000,000.
On page 3, increase the amount on line 20 by $200,000,000.
On page 4, increase the amount on line 1 by $100,000,000.
On page 4, increase the amount on line 2 by $200,000,000.
On page 4, increase the amount on line 7 by $100,000,000.
On page 4, increase the amount on line 8 by $300,000,000.
On page 4, increase the amount on line 13 by $100,000,000.
On page 4, increase the amount on line 14 by $200,000,000.
On page 18, increase the amount on line 8 by $200,000,000.
On page 18, increase the amount on line 17 by $200,000,000.
On page 18, increase the amount on line 18 by $100,000,000.
On page 19, increase the amount on line 1 by $200,000,000.
On page 19, increase the amount on line 2 by $200,000,000.
On page 40, decrease the first amount on line 2 by $215,000,000.
On page 40, decrease the second amount on line 2 by $33,000,000.
On page 40, decrease the amount on line 3 by $229,000,000.
On page 40, decrease the amount on line 4 by $102,000,000.
On page 40, decrease the first amount on line 5 by $242,000,000.
On page 40, decrease the second amount on line 5 by $170,000,000.
On page 49, decrease the first amount on line 17 by $215,000,000.
On page 49, decrease the second amount on line 17 by $33,000,000.
On page 49, decrease the amount on line 18 by $229,000,000.
On page 49, decrease the amount on line 19 by $102,000,000.
On page 49, decrease the first amount on line 20 by $242,000,000.
On page 49, decrease the second amount on line 20 by $170,000,000.
On page 52, increase the amount on line 1 by $200,000,000.
On page 52, increase the amount on line 3 by $200,000,000.
On page 52, increase the amount on line 4 by $200,000,000.

AMENDMENT NO. 68

In the pending amendment, do the following:
On page 3, increase the amount on line 12 by $400,000,000.
On page 3, increase the amount on line 13 by $500,000,000.
On page 3, increase the amount on line 14 by $500,000,000.
On page 3, increase the amount on line 18 by $300,000,000.
On page 3, increase the amount on line 19 by $500,000,000.
On page 3, increase the amount on line 20 by $500,000,000.
On page 3, increase the amount on line 25 by $300,000,000.
On page 4, increase the amount on line 1 by $500,000,000.
On page 4, increase the amount on line 2 by $500,000,000.
On page 4, increase the amount on line 6 by $300,000,000.
On page 4, increase the amount on line 7 by $800,000,000.
On page 4, increase the amount on line 8 by $1,300,000,000.
On page 4, increase the amount on line 12 by $300,000,000.
On page 4, increase the amount on line 13 by $500,000,000.
On page 4, increase the amount on line 14 by $500,000,000.
On page 19, increase the amount on line 21 by $400,000,000.
On page 19, increase the amount on line 22 by $300,000,000.
On page 20, increase the amount on line 6 by $400,000,000.
On page 20, increase the amount on line 7 by $400,000,000.
On page 20, increase the amount on line 15 by $400,000,000.
On page 20, increase the amount on line 16 by $400,000,000.
On page 33, increase the amount on line 2 by $100,000,000.
On page 33, increase the amount on line 3 by $100,000,000.
On page 33, increase the amount on line 11 by $100,000,000.
On page 33, increase the amount on line 12 by $100,000,000.
On page 42, decrease the first amount on line 6 by $369,000,000.
On page 42, decrease the second amount on line 6 by $262,000,000.
On page 42, decrease the amount on line 7 by $391,000,000.
On page 42, decrease the amount on line 8 by $384,000,000.
On page 42, decrease the first amount on line 9 by $408,000,000.
On page 42, decrease the first amount on line 9 by $403,000,000.
On page 45, decrease the amount on line 21 by $369,000,000.
On page 45, decrease the amount on line 22 by $262,000,000.
On page 45, decrease the amount on line 23 by $391,000,000.
On page 45, decrease the amount on line 23 by $384,000,000.
On page 45, decrease the amount on line 24 by $408,000,000.
On page 45, decrease the amount on line 25 by $403,000,000.

AMENDMENT NO. 69

In the pending amendment, do the following:
On page 3, increase the amount on line 12 by $200,000,000.
On page 3, increase the amount on line 13 by $200,000,000.
On page 3, increase the amount on line 14 by $200,000,000.
On page 3, increase the amount on line 20 by $100,000,000.
On page 4, increase the amount on line 2 by $100,000,000.
On page 4, increase the amount on line 8 by $100,000,000.
On page 4, increase the amount on line 14 by $100,000,000.
On page 18, increase the amount on line 8 by $200,000,000.
On page 18, increase the amount on line 17 by $200,000,000.
On page 19, increase the amount on line 1 by $200,000,000.
On page 19, increase the amount on line 2 by $100,000,000.
On page 40, decrease the first amount on line 2 by $151,000,000.
On page 40, decrease the second amount on line 2 by $11,000,000.
On page 40, decrease the amount on line 3 by $159,000,000.
On page 40, decrease the amount on line 4 by $48,000,000.
On page 40, decrease the first amount on line 5 by $164,000,000.
On page 40, decrease the second amount on line 5 by $94,000,000.
On page 49, decrease the first amount on line 17 by $151,000,000.
On page 49, decrease the second amount on line 17 by $11,000,000.
On page 49, decrease the amount on line 18 by $159,000,000.
On page 49, decrease the amount on line 19 by $48,000,000.
On page 49, decrease the first amount on line 20 by $164,000,000.
On page 49, decrease the second amount on line 20 by $94,000,000.
On page 50, increase the amount on line 1 by $200,000,000.
On page 50, increase the amount on line 3 by $200,000,000.
On page 52, increase the amount on line 4 by $200,000,000.

AMENDMENT NO. 70

In the pending amendment, do the following:
On page 3, increase the amount on line 12 by $300,000,000.
On page 3, increase the amount on line 13 by $300,000,000.
On page 3, increase the amount on line 14 by $300,000,000.
On page 3, increase the amount on line 19 by $100,000,000.
On page 3, increase the amount on line 20 by $300,000,000.
On page 4, increase the amount on line 1 by $100,000,000.
On page 4, increase the amount on line 2 by $300,000,000.
On page 4, increase the amount on line 7 by $100,000,000.
On page 4, increase the amount on line 8 by $400,000,000.
On page 4, increase the amount on line 13 by $100,000,000.
On page 4, increase the amount on line 14 by $300,000,000.
On page 18, increase the amount on line 7 by $300,000,000.
On page 18, increase the amount on line 17 by $300,000,000.

On page 18, increase the amount on line 18 by $100,000,000.
On page 19, increase the amount on line 1 by $300,000,000.
On page 19, increase the amount on line 2 by $300,000,000.
On page 38, decrease the first amount on line 10 by $343,000,000.
On page 38, decrease the second amount on line 10 by $7,000,000.
On page 38, decrease the amount on line 11 by $324,000,000.
On page 38, decrease the amount on line 12 by $137,000,000.
On page 38, decrease the amount on line 13 by $327,000,000.
On page 38, decrease the amount on line 14 by $308,000,000.
On page 45, decrease the first amount on line 8 by $343,000,000.
On page 45, decrease the second amount on line 8 by $7,000,000.
On page 45, decrease the amount on line 9 by $324,000,000.
On page 45, decrease the amount on line 10 by $131,000,000.
On page 45, decrease the first amount on line 11 by $327,000,000.
On page 45, decrease the second amount on line 11 by $308,000,000.
On page 52, increase the amount on line 1 by $300,000,000.
On page 52, increase the amount on line 3 by $300,000,000.
On page 52, increase the amount on line 4 by $300,000,000.

AMENDMENT No. 71

In the pending amendment, do the following:
On page 3, increase the amount on line 12 by $600,000,000.
On page 3, increase the amount on line 13 by $600,000,000.
On page 3, increase the amount on line 14 by $800,000,000.
On page 3, increase the amount on line 18 by $100,000,000.
On page 3, increase the amount on line 19 by $600,000,000.
On page 3, increase the amount on line 20 by $800,000,000.
On page 3, increase the amount on line 25 by $100,000,000.
On page 4, increase the amount on line 1 by $600,000,000.
On page 4, increase the amount on line 2 by $800,000,000.
On page 4, increase the amount on line 6 by $100,000,000.
On page 4, increase the amount on line 7 by $700,000,000.
On page 4, increase the amount on line 8 by $1,500,000,000.
On page 4, increase the amount on line 12 by $100,000,000.
On page 4, increase the amount on line 13 by $600,000,000.
On page 4, increase the amount on line 14 by $800,000,000.
On page 19, increase the amount on line 21 by $600,000,000.
On page 19, increase the amount on line 22 by $100,000,000.
On page 20, increase the amount on line 6 by $600,000,000.
On page 20, increase the amount on line 7 by $600,000,000.
On page 20, increase the amount on line 15 by $700,000,000.
On page 20, increase the amount on line 16 by $700,000,000.
On page 33, increase the amount on line 11 by $100,000,000.
On page 33, increase the amount on line 12 by $100,000,000.
On page 42, decrease the first amount on line 6 by $617,000,000.
On page 42, decrease the second amount on line 6 by $111,000,000.
On page 42, decrease the amount on line 7 by $646,000,000.
On page 42, decrease the amount on line 8 by $622,000,000.
On page 42, decrease the first amount on line 9 by $676,000,000.
On page 42, decrease the second amount on line 9 by $652,000,000.
On page 45, decrease the amount on line 21 by $617,000,000.
On page 45, decrease the amount on line 22 by $111,000,000.
On page 45, decrease the first amount on line 23 by $646,000,000.
On page 45, decrease the second amount on line 23 by $622,000,000.
On page 45, decrease the amount on line 24 by $676,000,000.
On page 45, decrease the amount on line 25 by $652,000,000.
On page 52, increase the amount on line 1 by $600,000,000.
On page 52, increase the amount on line 3 by $600,000,000.
On page 52, increase the amount on line 4 by $700,000,000.

ADDITIONAL STATEMENTS

FIFTIETH ANNIVERSARY OF REA

● Mr. SIMON. Mr. President, I am pleased to join my colleagues in celebrating the 50th anniversary of the creation of the Rural Electric Administration.

This program has been enormously significant in my State of Illinois for two reasons.

First, the loans provided through REA helped bring electricity and telephone service to farms and small towns more quickly and at less cost than they would have been available otherwise. This has perhaps been the most important change in history in the quality of rural life and the strength and diversity of our rural economy. Electricity brought modern conveniences and security to our homes and power and mechanization to our work.

And second, these advances were made through the formation of cooperatives, neighbors working with each other for the good of all, joining in the planning and decisions that brought these utilities into being, forming utilities that are still owned and operated by the families they serve.

I am a strong supporter of REA, both for its past achievements and its continuing need. We should all be proud of this program's achievements, and I am pleased to join in this recognition of its first 50 years.●

THE HONEY PROGRAM

● Mr. BOREN. Mr. President, during Senate consideration of the 1985 farm bill, we will be examining many proposals of the various agricultural programs. One of these is the Honey Program. The administration's farm bill calls for the elimination of the Honey Program. If Congress were to adopt the administration's proposal, we would not only be jeopardizing the ability of beekeepers to provide American consumers with an adequate supply of honey, we would also be jeopardizing the production of many other important crops dependent upon the honey bee for pollination.

Over the past few months, several articles have been written about the importance of the honey bee. Garry L. Bales of the Wildlife Habitat Charitable Trust has written an article for the April issue of the American Bee Journal about the environmental role of the honey bee. William Lord, a beekeeper, has written an article for the May issue of the American Bee Journal. In his article, Lord points out that pollination fees cannot be increased to cover the loss of income beekeepers would face should the Honey Program be terminated. I commend these articles to my colleagues and ask that they be printed in the RECORD at the conclusion of my remarks.

In April, Dr. Dale Pollet of the Extension Service of Louisiana State University wrote a letter discussing the importance of the honey bee to the economy of Louisiana. Also, Dr. Basil Furgala of the Department of Entomology at the University of Minnesota wrote a letter about the pollination value of honey bees economically, esthetically and environmentally. I ask that copies of these letters appear in the RECORD at the conclusion of my remarks.

Mr. President, I urge my colleagues' attention to this material outlining the importance of the beekeeping industry and the Honey Program. The cost of the Honey Program is not due to overproduction as is the case with many other commodities. In fact, the production of honey has remained relatively constant despite increases in the loan rate. The Honey Program has only become costly in recent years due to the influx of cheap imports. We cannot simply treat the Honey Program as we do other programs because the circumstances are different. I urge my colleagues to support a continuation of the Honey Loan Program.

The material follows:

THE HONEY BEE'S ENVIRONMENTAL ROLE

(By Garry L. Bales)

The role of honey bee pollinators in the production of about 100 economically important crops in the United States has been the primary justification for most of the support provided by the government agencies to the beekeeping industry. The concept has been widely accepted for years that an adequate population of honey bee pollinators can only be maintained within the framework of a thriving beekeeping industry. This industry obtains most of its income

from the production and sale of honey and beeswax (Levin, 1984).

Data from the USDA in 1981 indicated that honey bee pollinating activities were worth 143 times more than the value of the products the honey bees produced (Levin, 1984). This amounted to some $18.9 billion from agricultural crops in 1981 (Levin, 1984).

Much could also be said for the undocumented contributions made by the pollinating activities of honey bees to thousands of wild plants that are integral parts of natural ecosystems and also of undocumented value to wildlife. It has been estimated that there are between 25 and 50 different forms of life dependent upon each key plant in the world. When key plants die out of ecosystems, that system goes into a decline and dozens of other life forms in the ecosystem also disappear (Raven, 1984).

Deforestation followed by overgrazing is a worldwide land use pattern. Deserts are really collapsed ecosystems. They are increasing everywhere in the world.

Collapsing ecosystems can often be saved. Desertification can be reversed.

In California, the productivity of unirrigated pastures has been increased fourfold by the presence of clovers in the pasture plant community (Murphy *et. al.*, UC Cir. 564). In the Midwest, pasture clovers have been observed to spread and become abundant when there are abundant populations of honey bees. When the honey bee population is low the stands of clover tend to be sparse and dwindle (Barclay and Moffett, 1984). The benefits to soil fertility, to aquifer recharge and the improvement of the watershed hydrology are immeasurable.

Plants are the basic components of all ecosystems, honey bees are basic to many plants and plant communities, and wildlife appears to be dependent upon both. Almost 100 plants with exceptional value to wildlife have already been identified. Sixty-five percent of these important wildlife food plants are pollinated by honey bees. Eighty-six percent of the woody plants known to be valuable to wildlife are also pollinated by honey bees (Martin et al., 1951).

Genetic enrichment of native plants through cross pollination activities is essential for the adaptation of plants to accommodate an array of environmental variables existing on over 250 million acreas of degraded land in this country. Genetic enrichment of plants is essential to develop varieties that can change as the ecosystem (or habitat) itself evolves (Stutz, 1982 and 1983). These genetic enrichment activities are often facilitated by honey bees.

Plants are the essential components of all ecosystems. Honey bees are basic to many plants and plant communities and most wildlife appears to be dependent upon both. It may never be possible, or even necessary to identify the many and often complex interactions in these relationships, but their importance must be taken into consideration. It is in the best national interest to have a thriving beekeeping industry.

REFERENCES

Barclay, John S. and Moffett, Joseph O. "The Pollination Value of Honey Bees to Wildlife." American Bee Journal, July 1984, p. 497.

Levin, M.D. "Value of Bee Pollination to U.S. Agriculture," bulletin of the Entomological Society of America, 1984, Vol. 29, No. 4, p. 50.

Martin, A.C., H.S. Zim, and A.L. Nelson, American Wildlife and Plants—a Guide to Wildlife Food Habits. McGraw-Hill Book Co., Inc., New York, 1951, 500 p.

Murphy, A.L., M.B. Jones, J.W. Clawson and J.E. Street. Management of Clovers on California Annual Grasslands, Univ. of Calif., Cir. 564. 1973. 19 p.

Raven, Peter H. "Global Futures: The Third World." American Association for the Advancement of Science, New York, May 25, 1984.

Stutz, Howard C. "Breeding Superior Plants for Disturbed Lands." 1982. Western Mined-Land Rehabilitation Research Workship (U.S. Forest Service, Fort Collins, Colorado, June 10-11, 1982).

Stutz, Howard C. "Broad Gene Pools Required for Disturbed Lands." 1983. Western Mined-Land Rehabilitation Research Workshop (U.S. Forest Service, Fort Collins, Colorado, June 1983).

(The author is trustee of Wildlife Habitat Charitable Trust which specializes in restoring damaged land to sustainable productivity. The first stage in their program is the selection and breeding of highly productive native plants. The intermediate stages are extraordinary wildlife habitat. This is a condensation of a talk given at the January 1985 American Honey Producers Convention in Biloxi, Miss.)

The Untold Pollination Story

(By William Lord, American Honey Producers Association, Louisburg, NC)

In the November 1984 American Bee Journal we told the story of a cucumber grower in North Carolina who rented 100 colonies of bees each year to pollinate his cucumber crops. This grower paid $4,500 each year to insure that his spring and fall crops were pollinated. In the final analysis, he realized that he was paying a fair price for a very specialized service. Now is the time to tell the beekeeper's side of the story.

CRISIS IN AMERICAN BEEKEEPING

1985 is a time of crisis for the American beekeeping industry. The combination of the strong performance of the U.S. dollar abroad and the lack of any realistic import restrictions has resulted in a wave of cheap foreign honey flooding the U.S. market. As a result, the federal government, through its price support program, has taken over large quantities of domestic honey that has been displaced from normal channels of trade by unfair competition from foreign honey.

The Reagan Administration, through Secretary of Agriculture John Block, has decided that the American beekeeper must now compete on the world market. The Secretary of Agriculture has tried to implement this agenda by canceling the honey loan program, which would effectively reduce the price of honey to the 30¢/pound range. The USDA has taken the position that the loss of income from honey prices dropping from 60¢ to 30¢/pound could be offset by increasing pollination fees. The assumption is that pollination costs are a very small part of the total costs of production of crops requiring pollination and could easily be increased. The second assumption is that sufficient pollination demand exists to supply pollination accounts and income to all beekeepers who are deprived of income from honey sales.

THE BEEKEEPER'S VIEWPOINT

The beekeeper who supplies colonies for pollination is not getting wealthy. Pollination is a very specialized service that requires a substantial capital investment if it is to be carried out on a large scale. Transportation of large numbers of honey bee colonies requires big trucks and mechanized loading equipment. Additionally, anytime honey bee colonies are moved in large numbers over public roadways, considerable risks are incurred in terms of transportation of relatively fragile living organisms, potential risks to the public from breakdowns or accidents, and the potential for Murphy's law to come into play in the logistically complex job of moving bee colonies.

The beekeeper who provided the 100 colonies of bees to the cucumber grower mentioned earlier eventually got out of the pollination business. After close scrutiny of costs and returns, he realized he was losing money even at $45.00 per hive. This beekeeper ran 250 colonies of bees. The 100 colonies that went to cucumbers were placed in fields June 1 and stayed there until October 15. During this time it was common to lose 10 to 15% of the colonies from vandalism, pesticide kills, theft, and queen loss. Additionally, beekeeping equipment receives tremendous wear and tear when moved frequently and equipment lifespan was effectively reduced by one half. This pollination job was 60 miles from the beekeepers, home base, which made routine maintenance such as requeening much more time consuming and costly. The beekeeper was at a point in his business where he could borrow money and expand to a large mechanized operation or retrench and remain a part-timer. The economics of pollination and honey sales made the decision. There is no future in borrowing money for honey bees when the Reagan administration flatly states that the U.S. beekeeper should learn to compete on the world market. This means he should also be prepared to drop his standard of living to match that of a Chinese peasant, with whom he would be competing in the world marketplace.

THE FARMER'S POSITION

To state that losses in income from honey sales can be made up by increasing pollination fees is a false and misleading statement. The first problem is, where will the grower get the money to pay higher pollination fees? On a cost per acre basis in North Carolina cucumber production, pollination fees account for approximately 7% of the total cost (based on 1984 production cost of $365.00/acre, $25 pollination fees). Net returns per acre averaged $250.00. If pollination fees were doubled, costs per acre would rise $25 and profit per acre would drop $25. To ask cucumber growers to take a 10% cut in profits to allow the Chinese to make money selling their honey to the U.S. would be no easy task. To ask growers to increase production to offset higher costs is also not possible. Pollination costs are fixed costs and will rise with higher acreage. Also, it is a rule of thumb that for every 10% increase in vegetable production, there is a 20% decrease in price.

The nation's farmers are in very poor condition. The USDA estimates that approximately 30% of the nation's farmers are in serious financial trouble. Apple growers are being overwhelmed by cheap imported juice concentrate, and are rapidly losing domestic markets as have honey and mushroom producers. To ask the financially crippled U.S. farmer to pay more for pollination so that our domestic markets may be inundated with cheap foreign honey is asking too much.

SUPPLY AND DEMAND

A second problem with the erroneous increased pollination fee theory is supply and demand. Demand is good for pollination

services now because supply of available pollination units is not high. Sufficient colony numbers exist to supply pollination needs, but currently there is no financial incentive for most beekeepers to rent their bees for pollination. Pollination provides short term cash flow and long term loss. If honey prices drop to the 30¢ range, then many beekeepers will be driven to seek additional income from pollination. Supply of pollinating units would then exceed demand and pollination fees would probably drop during the first year of over supply. However, due long-term influence of depressed pollination fees and low honey prices would lead to failure rates among beekeepers similar to the 30-40% failure rate among U.S. corn and soybean farmers who are now competing on the world market. The end result in three to five years would be shortages of bee colonies for pollination and subsequently higher costs to growers for pollination services. Hive numbers have been declining in the U.S. since 1945. We would predict further drastic declines in hive numbers if the current USDA policy is implemented.

CHANGE AMID UNCERTAIN TIMES

A third problem in the misleading increased pollination fee theory is the logistics involved in changing the production and marketing thrust of the beekeeping industry. A study by the U.S. International Trade Commission in 1976 showed that pollination fees made up only 9.7% of total income from a large group of commercial beekeepers. Assuming pollination markets existed, these beekeepers would have to make large capital investments in necessary equipment to move large numbers of hives. Displaced honey processing equipment would have little resale value due to depressed honey markets. Beekeepers would be forced to formulate and adopt new management techniques, all with the prospect of decreasing incomes. To change management and production from a commodity with a history of reasonable return on investment (honey) to provision of a service (pollination) in a highly competitive, uncertain marketplace is a difficult decision to make.

IMPORTED POLLINATION

The final problem with the increased pollination fee theory is the fact that we can import honey, but we cannot import pollination. Honey bee pollination is responsible for over 19 billion dollars in crops produced in the United States each year. Beekeepers have historically made the majority of their income from honey sales. The U.S. honey market has been severely eroded by unrestricted imports of cheap foreign honey. The USDA has responded to the beekeeper's plight by saying that the beekeepers must compete on the world market with cheap, subsidized foreign honey, and he must enter what would become a cut-throat market for pollination services. The beekeeper should then ask the beleaguered U.S. farmer to pay more for a service that has traditionally been provided free or by specialized beekeepers for a reasonable fee. The end result will be ruthless competition and price cutting for limited markets. This will be followed by wholesale bankruptcies of beekeepers, which will result in a long-term shortage of pollination units. To whom will the free market people turn to when the prices of fruit, vegetables and beef go up because of pollination-related production shortfalls. The U.S. beekeepers will be broke and their bees will be gone. Will we then import Chinese bees to pollinate our crops? What would they charge a farmer? It's worth thinking about.

A CALL FOR ACTION

The final question is, what can we do about this problem? USDA economists tell American beekeepers and farmers that if they can't compete on the world market they should go out of business. Their advice is to enter "growth fields," like computer sales or economics. Unfortunately, computer salesmen and economists don't feed this country, but farmers and beekeepers do. We do it so well that 2% of our population feeds the other 98% (plus a good bit of the rest of the world). The problem is that we don't tell our story and we don't yell loud enough when our toes are being stepped on. As a beekeeper, have you ever wondered why you pay 36¢ a pound for bee feed sugar when the world market price is 4¢ per pound? The answer is simple. The sugar people are organized and vocal. We need to get organized and tell our story. We need to write our congressmen and tell our story to newspapers and magazines. Most importantly, write your senators and representatives. If they understand our problems, they can help us. The address for all representatives is: U.S. House of Representatives, Washington, D.C. 20515. The address for all U.S. Senators is: U.S. Senate, Washington, D.C. 20510.

LOUISIANA COOPERATIVE EXTENSION SERVICE, LOUISIANA STATE UNIVERSITY AGRICULTURAL CENTER,
Baton Rouge, LA, April 12, 1985.

Mr. GLENN GIBSON,
Executive Secretary, The American Honey Producers Association, Inc., Minco, OK.

DEAR MR. GIBSON: I have read the questions and answers about the honey price support program in the Senate Congressional Record and would offer the following comments. The U.S. Department of Agriculture should be a little more complete in writing such, as it is misleading and could present a serious problem for beekeepers and eventually agriculture.

The honey price support program has been effective in stabilizing honey marketing in past years without great expense to the government, until recently. With the flooding of markets from imported honey at reduced prices and no tariff, beekeepers began to suffer. This year several large producers were told by their usual buyers that they could not afford to buy their honey for what it was worth. This has caused an increase of honey on the loan program.

We do not have overproduction of honey we have over importation, complicated by government actions producing an overvalued dollar high support prices and no tariff protection. Many beekeepers have stated that they could get by with a moderate price for their honey, yet each of the last 3 years, the support price has been raised automatically. Beekeepers need time to organize a marketing research program sponsored by various parts of the industry. Immediate correlation of price supports would spell widespread bankruptcies among beekeepers. In Louisiana, this would mean a loss of several million dollars in income, not only through honey production, but through queen and package sales.

Economists with USDA are very unrealistic in claiming beekeepers have only to raise the price charged for pollination to offset lower honey prices. If pollination was the principal reason for raising honeybees, Louisiana would probably only have 3 or 4 beekeepers. Most of our beekeepers raise bees, some honey, and some do both. So that idea is null and void in Louisiana. The pollination in areas that does occur is because a farmer has allowed the beekeeper to place an apiary on his farm. The pollination is payment for letting the bees on his farm. The beekeeper gets the honey. Problems such as the tracheal mite which may seriously hamper bee movement may find these same economists saying beekeepers in California, Texas, Florida, Washington, and Oregon are charging unfair pollination prices in the near future.

The economists also state that there are many wild bees to assist in agricultural pollination. This was true one time but the increasing acreage over the last several years has destroyed millions of acres of natural nesting sites for these wild pollinators, thus greatly reducing their potential. Most wild bees can pollinate native plants, but a large percentage (over 50%) are imported. The pollination mechanisms of these and many other plants cannot be triggered by most native pollinators. It must be stressed that the honeybee is the only pollinating insect that can be moved in any number great distances in a short period of time, making it the only pollinator that can be effectively relied upon. In agricultural production, large numbers of honeybees are required, but mainly for a short period of time. An example is the pollination of almonds in California where 400,000 colonies are required for only 2 weeks. What are beekeepers to do with the 400,000 colonies for the next 50 weeks? Only a small percentage could possibly be rented for additional pollination.

Each year America's agriculture intensifies, becomes larger and has a greater need for adequate pollination. Only a strong beekeeping industry from queen and package producers to pollinators supported by honey production can provide the needed workers for adequate pollination.

Sincerely yours,

DALE K. POLLET,
Specialist (Entomology).

UNIVERSITY OF MINNESOTA,
DEPARTMENT OF ENTOMOLOGY,
St. Paul, MN, April 11, 1984.

Hon. JOE SKEEN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SKEEN: Thank you for your concern and interest in the problems facing American beekeepers. I will attempt to answer your questions in the order listed.

I know of no studies that have provided quantitative data to document the monetary benefits of honey bees to wildlife. If we could afford the luxury of such studies, I believe they would prove to be very enlightening. The food chain is such that the vegetarians that feed on foliage, flowers, fruit, and seeds are often food for the carnivores. Since so many of our native forage, seed, and fruit plants that provide food and shelter to our wildlife are insect pollinated, bees do have a significant impact on the wildlife (birds and mammals) that grace our urban and rural landscapes.

The beekeeping industry derives very little income from pollination fees. A study by the U.S. International Trade Commission in 1976 reported that during the 1971-1975 period, the 118 commercial beekeepers sampled derived under 10% of their income from pollination fees. It is often stated that one million colonies are rented each year to pollinate agricultural crops. This figure is misleading since many colonies are rented many times each season. One hundred thousand colonies rented 3 times, and one hundred thousand rented 2 times adds up to a half million colonies. This scenario is

common in California, Oregon, and Washington. Although the pollinating activities of honey bees benefit about 19 billion dollars worth of agricultural commodities, the activities are essentially provided as a free byproduct of the beekeepers' attempts to harvest a crop of honey.

American honey producers are doing their best to produce maximum honey crops. High honey prices have not caused overproduction in the past. Production during the 1966-70 period averaged 227 million pounds. During the 1970-73 period the wholesale price of honey increased from about 14 to 42 cents a pound. Production during the 1974-78 period averaged 199 million pounds. A recent article by Morse and Nowogrodski indicated that the average honey yield per colony has been increasing over the past 42 years by about 0.3 pounds per year.

Dr. Morse's discussion of "Pollination and Wildlife," "Pollination and Home Gardens," "Pollination in Rural America," "Roadside Plantings," "Pollination in Intense Agricultural Systems," and "Most Pollination Is Free" describe very briefly the various beneficial impacts of bee pollination.

I am taking the liberty of sending you two articles and a working paper. The article describing trends in American beekeeping does discuss the honey price support program, the recent unfavorable import/export trade balances, and the significant increases in honey acquired by the Commodity Credit Corporation.

Very Sincerely,

BASIL FURGALA,
Leader, National Extension Apiculture Program.

ADDRESSES BY EVA ESTRADA KALAW ON THE FUTURE OF THE PHILIPPINES

● Mr. KENNEDY. Mr. President, I would like to call attention to two recent speeches by Eva Estrada Kalaw, president of the Liberal Party and a Member of Parliament in the Philippines, whom I recently had an opportunity to meet in Washington. Ms. Kalaw was in the United States to receive the Mahatma Gandhi Freedom Award from the College of William and Mary.

Her first speech, the Gandhi Freedom Award Lecture, was delivered at Williamsburg, VA, on April 2, 1985. In it Ms. Kalaw discussed U.S. policy toward the Philippines and emphasized the Filipino people's desire for true democracy, instead of the unacceptable alternatives of the Marcos dictatorship or the Communist insurgency.

In her second speech, a commencement address at Bicol College in the Philippines on March 22, 1985, Ms. Kalaw described the results of the Agrava Board of Inquiry into the assassination of Benigno Aquino and criticized President Marcos' announcement that he would reinstate Gen. Fabian Ver as Chief of the Philippines Armed Forces if Ver is not convicted of complicity in this crime.

Mr. President, I ask that these two important speeches by Ms. Kalaw may be printed at this point in the RECORD.

The speeches follow:

GANDHI FREEDOM AWARD LECTURE DELIVERED BY DR. EVA ESTRADA KALAW

A few years ago, another Filipino stood here to receive this same award. He must have felt as honored as I do to receive it. But I think that, in retrospect, the College of William and Mary must feel even more honored to have had him here. The award itself was never more deserved than by him. He often quoted Gandhi, as who does not these days, but with him the words of Gandhi were spoken from the heart—a heart already braced for the return to his country and his final sacrifice.

He had come from our country, from eight years of a solitary confinement in which no effort was spared to break his spirit. It was important for the dictatorship to break that spirit, for it was one of the last places where the idea of democracy had taken refuge. His spirit, however, was not broken. On the contrary, he became stronger in the very places where the most cruel pressures had been brought to bear: in his courage where the dictatorship had tried to terrify him with the threat of a midnight execution in his cell; in his pride where it had tried to humiliate him by telling him, with some truth, that his people had grown indifferent to his sacrifice and his cause; and in his mind which the dictatorship had tried to destroy by denying him access to the world and his family.

He emerged from prison braver, prouder, and wiser for the trials he had borne. The dictatorship had determined that it was better to remove him from the country—and, three years later, from the world—rather than keep him in prison, where his persistence defined the limits of what absolute and immoral power can do to the human spirit.

His name was Ninoy Aquino. He and I among the handful of Senators who would remain true to the spirit of the Republic, which has been destroyed by the dictator—the president of the Republic whose duty it was to be its protector.

Ninoy Aquino was arrested and imprisoned on the night the dictator moved to crush democracy in my country. I, too, in much more modest fashion, enjoyed the privilege of imprisonment by the man your President had hailed as "a voice of reason and moderation in Southeast Asia" and whose "adherence to democratic principles and to the democratic processes" had apparently so endeared him to your Vice-President. I was arrested and briefly jailed on the charges of conspiring to assassinate this "voice of reason and moderation", this adherent of "democratic principles" who had just emerged victorious from another massive pervasion of "democratic principles". Since the credibility of this man is so well known that Filipinos expect him to do the opposite of what he says, I shall not waste my time and yours denying the charge. I am grateful, anyway, for the privilege he conferred on me.

Your Henry David Thoreau said that the place of every just man in an unjust society is in prison. And the man for whom this award is named said that "Freedom is to be wooed only inside prison walls." I had looked in vain for the face of freedom in my country. I found her finally, languishing in prison. Not until the government bullet that shattered Ninoy's skull had shattered also the walls of freedom's prison was I to see her again, in the faces of her angry people, ranging the land to reassert her dominion.

Freedom in my country today is far from having achieved her goal. The stones of her prison lie at her feet, but her jailers still surround her, bristling with the arms that, ironically, democracy's arsenal—America—supplies. And, beyond them, freedom faces a still greater threat and challenge.

After twelve years of thievery, lies and murder, years that have left my country hopelessly debt-ridden, despoiled, destitute, and divided in insurgency and secessionist war, many of freedom's children have grown cold to her promises. In growing numbers, they are finding in the arms of insurgency a more certain prospect of immediate safety and swift justice, a more reliable upholder of their dignity—at least in the short term. In the long run, they figure, we shall all be dead anyway.

From the time that President Marcos destroyed our democracy in 1972, ostensibly to protect it from an insurgency of 500 guerrillas, that insurgency has grown to consist of twelve to fifteen thousand regulars and 10,000 militia, with a popular base of about a million. They operate with increasing effectiveness in 63 of the Philippines' 73 provinces. In 1972, they were ragged bands of desperate men wandering among largely indifferent populace, with the army constantly at their heels. Today, they are hailed even by the propertied, especially in the embattled South, as deliverers of swift justice and upholders of order against the violent anarchy of an undisciplined army.

But you and I know where the road of that short-term justice ultimately leads. I, for one, will not trade my hope of freedom, and ultimately my dignity, for the instant gratification of my desire for justice for the terrible things that have been done to my country. I am not closing my eyes to the murder and mutilation that is being done in the countryside, and even in the cities, under the euphemism of "salvaging". But "forgiveness," said Gandhi, "is the ornament of the brave." And Ninoy Aquino returned for reconciliation and not revenge.

The depredations of the military would not have been possible without the license, if not explicit orders, of their civilian and military superiors. I believe—I must believe—that there is a residue of honor and patriotism in the Army that was once the shield and exemplar of our republic, the protector of our liberties.

That army, in its infancy, defeated Spain to establish the first republic in Asia. It fought bravely against your armies, and, later, under your flag, against the Japanese for the promise of freedom and independence. It did not hold back when it was called again to the colors of freedom in Korea. I cannot believe that that army is now beyond redemption. I appreciate your government's declared intention to work for the reform of the Philippine military and its re-dedication to the noble role of freedom's protector and democracy's guard. I can only hope that the effort does not result in merely refining its skills at oppression, thus becoming more than ever democracy's jailer. I must also confess my strong misgivings about leaving the work of re-training our army in the hands of a foreign power that is not yet all that clear and serious about its democratic intentions.

Your government appeals for understanding from my people, especially in this work for military reform, so necessary, it says, to America's security and our freedom. I hope it understands why some of my people continue to receive its proposals with profound suspicion. The Filipino people are being asked to suspend their disbelief and suppress their fears, while their military jailers

are re-armed and re-trained, and while the authoritarian ayate that has robbed and oppressed them over 12 years is held in place to claim as its spectacular achievement the fresh infusions of American aid. To understand is to forgive their skepticism.

The need for military reform is pressing, indeed, in the light of a communist insurgency that is increasingly seen less as a threat than a hope by more and more of my people. But there is nothing whatsoever to prevent the work of reform from proceeding simultaneously with serious efforts to dismantle the dictatorship. As the Filipino people begin to clearly discern such efforts being made, so will they begin to welcome the efforts of the United States to shield them from another, a communist dictatorship.

In 1965, when Marcos came to power, my country's foreign debt stood at half a billion dollars. This was courtesy of a freely elected Congress that, for all the accusations against it of shortsightedness, incompetence and petty graft, was expert nonetheless in the preservation of the nation's partrimony and liberties. At the start of Marcos's second term in office, the foreign debt stood at two billion. The vigilance of Congress had been relaxed by bribes and cajolery. Only a handful of Liberal Party oppositionists remained in the Senate, some of them maimed by a still unexplained bombing in Plaza Miranda. In 1972, Marcos declared martial law, abolished Congress, and distorted a constituent mandate to revise the Constitution in order to perpetuate himself in power, this time permanently and absolutely. In 1983, the year of Ninoy Aquino's assassination, our foreign debt stood, inexplicably, at 28 billion—a figure that is continually being revised upwards, as IMF teams uncover more anomalies. I say "inexplicably" because my country has nothing to show for the 28 billion received and spent in its name. This is a debt—I must be frank with you—that my country cannot repay except at the price of a long program of austerity and privation that my people will not accept while the present government—the government responsible for their penury—is in power. It is a question of credibility, which the present government lost forever with the August 21 murder, and a matter of the justice it so richly deserves.

American diplomats have told us that we are confronted with the choice: Marcos or the communists. The same view was expresssed in a Presidential debate. No, my friends, the choice confronting the Filipinos is not Marcos or the communists. For the propertied and professional classes, it is Marcos, the communists or emigration. Many of them have already made the obvious choice. And I don't blame them. Theirs is a choice made in anger and frustration, blind but justifiable. There will be less and less fanatical anti-communists in my country who will allow themselves to become cannon fodder in a proxy war on behalf of a foreign power that props up a dictatorship.

But for the vast majority of Filipinos, the choice may, indeed, one day soon, be narrowed down to Marcos or the communists. The recent record of expanding insurgency should give us an idea of what their choice will ultimately be.

For the vast majority of Filipinos, however, the day has not yet come. They retain a faith, deeply shaken but real, in democracy, in spite of the sham that was made of it in the past 12 years.

When elections were called for May last year, many opposition civic and business leaders, opted to boycott it. And with good reason. The government had propped up its legitimacy before the world through an unblemished record of electoral fraud. Another election, and another certain victory, might restore to it the legitimacy it had lost with the murder of Aquino. I opted for participation.

I did not believe that even an election so-called victory—the way the government secured such victories in the past—could ever legitimize the Marcos government in the eyes of the world or my people. True, Marcos retained the emergency legislative power to override even an opposition majority in parliament. But the point was not only to legislate but also to take a sounding of the people's commitment to the democratic process in spite of their long experience with its travesty. The point also was to measure the people's commitment to work actively toward the removal of the present government. With Gandhi I believe that the boycott of legislative elections is not an eternal principle but a tactical measure to be adopted or abandoned as circumstances required.

In any event, on May 14, 25 million voters went to the polls on Election Day to choose 183 representatives out of a thousand candidates. The people spoke, they spoke clearly: faith in democratic processes was still there. But the boycott movement's fear of their perversion proved as clearly well-founded.

The government spent billions in a vote-buying spree that would further aggravate inflation. For added assurance, force and fraud were employed. Of the 100 or so opposition candidates that are believed by objective observers to have won, only 59 were proclaimed by the Marcos-dominated Commission on Elections. But in Metro Manila, in the heart of the dictatorship, within easy reach of Marcos's million and machinery, we thrashed his wife's candidates.

Where the elections were relatively clean, the credit clearly belonged to a citizen watchdog group, the NAMFREL, rather than to a conscious design on the part of the government to open up the political process to change. NAMFREL mobilized over three hundred thousand people from all walks of life—housewives, businessmen, students, nuns and priests—to monitor the polls and, if they could, stop the cheating. They worked gratis, long hours, often late into the night, always at grave risk to their lives.

The arithmetic in the polls showed that the majority of Filipinos had voted for the opposition, or, if you will, against Marcos. When you regard these votes as having been cast in a climate of fear, you get a measure of the profound desire of the people for change.

In parliament, the arithmetic turned out differently. Marcos's party retained a clear majority. Should this be regarded as legitimizing his regime? Yes, if politics, to use Burke, is a mere matter of arithmetic however dubiously performed. But, in fact, it is a matter of morals.

Marcos lost all moral authority to govern when he betrayed the Republic in 1972; he lost it irrevocably with the murder on August 21. No effort on his part can ever restore it to him. Moral authority, as Gandhi observed, is more quickly lost by a desperate attempt to hold on to it. It comes without seeking. It is retained without effort.

The May 14 Elections demonstrate that the Filipino people continue to have faith in democratic processes. It is a faith, let me be clear in the process—not in the government that has never flagged in its efforts to pervert it. But this latest demonstration of faith may also prove its last manifestation. The ballots were cast as a signal to Marcos that the people want democracy back, that they want once more a responsible and accountable government. If the government frustrates them again in this desire, as it appears bent on doing, then they may well give up their faith and take up arms for the only alternative left.

I cannot help but feel that my belonging to both the generation about to pass and the generation about to take over gives me a special advantage in evaluating the problems of our people and in seeking their solutions. For this reason, I work, to build, and to fight against the future that threatens.

My generation can stand the scrutiny of History. It fought valiantly for democracy and freedom in Bataan, Corregidor and Korea. It conducted successfully an effective guerilla war against the Japanese. From the halls of a reorganized postwar Congress it brought a ravaged nation to it's feet and laid down the foundations of a national reconstruction. We fought faithfully and consistently with every weapon we could harness to reflect and to strengthen our people's faith in Democracy. But the cunning hand of a dictator seized the torch of freedom from our hands. My struggle today is my continuing contribution to the faithful struggle of generations of Filipinos who like your own heroes laid down their lives, their fortunes and their sacred honor at the altar of freedom. It is also my offering to the future vigilance of generations to come.

In the political work that I do, I keep one eye on the main objective of removing the blight that struck my land with the presidency of Marcos. I keep the other on the regeneration of the country he despoiled, whose morals he has corrupted.

I lay at his feet the major blame for the aggravation, if not the origin, of the problems that threaten my country and turn its people half into totalitarian slaves and half into exiles. I shall not deviate from this objective which I believe my people would hold me to.

There are other issues that demand close attention. The status of the U.S. bases in the Philippines is one of them. Its urgency arises less from a perceived threat to the survival of my country in a global conflict than from the popular equation of the bases with continued American support for the dictatorship. I appreciate the diplomatic imperative of having to deal with formal governments however established. But we must live and work with that imperative. But when diplomatic formalities yield to outright adulation for the dictatorship, I must regard it without sympathy.

The focus of my energies, however, remains the objective toward which the Filipino people are working: the removal of the dictatorship and its replacement by democratic order that will be as sensitive to their freedom and dignity as it will be responsive to their material needs. So far as I know, it is for this that the Filipinos have roused themselves from their political torpor to risk all in a struggle with the dictatorship. Even as Gandhi would not expand or shift the goal in the midst of the battle he called his people to fight, so will I not expand or change the purpose for which they elected me until the people so decide.

In the preparation and implementation of political platforms, the government consults its greed and its technocrats; some of the opposition have consulted their convictions.

I have consulted the people. I am determined to lead the people only where they would go. I have always had an implicit faith in their intelligence and in the soundness of their ideas of their own best interests. In a word, the platform yield by popular consultations was: democracy. Democracy in politics, democracy in the economy.

When one thinks about it, the people make sense. This, and future governments in my country, will be bankrupt and unable to intervene meaningfully—least of all benignly—in the rehabilitation of the country. Its recovery must be the result of the people's own untiring efforts. It will be free enterprise but without the limitless opportunities offered by your American frontier. It must therefore be free enterprise mitigated by social justice. And, one hopes, it will be an economy undistorted by the undue and unfair advantage of those with personal access to power. For this reason, it must have a democratic politics. For a democracy, such as that you are so privileged to have, means the end of secrecy, of patronage and immoral gratitude, of unpunished corruption, and of undue advantage growing uncontrollably by its transgressions of law, and fair play.

It is a modest program of government. But we are a modest people, with no aspirations to hegemony but only the modest desire for peace and prosperity in the land they shall leave for their children.

Neither this, nor any other program, can assure by itself the happiness of which my people have been long denied. I know that the removal of the present government is the first and necessary condition for the recovery of my country. But I have no illusions that the mere substitution of governments will be sufficient for that purpose.

"It would be folly to assume," Gandhi said, "that an Indian Rockefeller would be better than an American Rockefeller." Our first president, Manuel Quezon, said that he would rather have the Philippines run like hell by Filipinos than run like heaven by foreigners. We have experienced a native hell, and we will have no more of it. But it would still be folly to put our faith in the hands of foreigners. We have no recourse but to fall back on ourselves. Let it be, however, ourselves regenerated.

"I am not interested," said Gandhi, "in freeing India merely from the English yoke. I am bent upon freeing India from any yoke whatsoever. Swaraj will come not by the acquisition of authority by a few but by the acquisition by all of a capacity to resist authority when it is abused."

"My belief," he said, "is that the instant India is purified India becomes free, not a moment earlier."

This is a much larger task, but I know that upon its outcome depends the enduring happiness and freedom of my people.

COMMENCEMENT ADDRESS OF M.P. EVA ESTRADA KALAW, PRESIDENT, LIBERAL PARTY, BICOL COLLEGE, DARAGA, ALBAY, MARCH 22, 1985

In recent weeks I have been to Pangasinan, and Baguio in Northern Luzon; to Tarlac, Pampanga, Zambales, Bulacan and Nueva Ecija in Central Luzon; to Cebu and Bohol in the Central Visayas. Next week I will be in Mindanao.

Tonight, my friends, it is good to be here in Bicol for the things that I have seen in those many corners of our country, the fear and uncertainty among our people, the hue of despair written on their faces—many a time have made my soul weary and my spirit dreary, for many of them have been paralyzed by fear and have despaired the future of our country under this regime. I am burdened by the fear and despair that I have seen among our people.

So tonight I intend to rest my weary soul here among you. I say again it is good to be here in Bicol.

For today, as I moved around among the people, consulting with them, I saw courage and the will to fight until democracy is restored and the future of our children secured. As I listened to the people today, I was reminded of the stories of valor that are written in the history and tradition of Bicol. I was reminded of General Ola. who, in Bicol history, was the last to surrender to superior Spanish forces; of General Pawa, the other general who fought the Spanish long and valiantly; The saga of the thirteen Martyrs of Naga City who would not brook tyranny and injustices to be wrought on their people; the heroic stand of Kitwininan Hills in Camalig; The resistance put up by the gallant men of Legaspi City against the onslaught of American Troops, in the years past.

I will recall the courageous and victorious stand of the opposition Davids against the KBL Goliaths of Marcos. This latest display of courage earned for the opposition 8 out of 12 seats in the Batasan. I am honored to be their colleague. Bicol can be proud of her sons—Marcellana, Ziga, Padilla, Alefelor, Cea, Andaya, Villafuerte and Fernandez.

Bicol has another son, Kit Tatad, who waged a valiant and imaginative campaign in Metro Manila.

Bicol can be proud of many more sons and daughters, in and out of the political arena, who have brought honor to her name—the Senators De Vera, Ziga, Aytona, Cea; leaders like Vinzons, Pecson, Los Banos, Gillego, Frivaldo, Felipe, Daiz, Roco, Garchitorena, Bernas, Lorete, Quintano, Crisol, Tabuena. The courage of the sons and daughters of Bicol has given me courage and has revived my flagging spirit. I thank you for that.

My dear graduates, it is good to be with you tonight here in Bicol College. Earlier in the day I have learned about courage from your elders. Tonight as I watch you one by one walk up to the stage, I see the glint of idealism in your eyes.

Tomorrow you shall not be going back to your old familiar classrooms anymore. You shall be stepping into a bigger and unfamiliar classroom—life itself. As you step into life to assume your role, to work out your hopes and dreams, you shall go your separate ways. Your teachers, your classmates, your campus sweetheart shall not be around anymore. Each one of you shall be on his own. Really this commencement is also goodbye.

Your families, your teachers, your school have molded and prepared you to take your place in the real world outside of this sheltered campus. The commencement tonight means that tomorrow you shall begin to influence and mold the world outside. How that world, how this country shall be shaped shall depend on how steadfast you will stand by the ideals that you have imbibed from your alma mater.

My friends, I can speak on and on about commencement being the beginning of life. I can speak on and on about a myraid of beautiful things that ought to be spoken about on your graduation. But the hour is getting late for us who are all on this sinking ship of our Republic. The hour is getting late for the salvation of our country.

So let me move to the central point of my agenda with you tonight. I have chosen to speak out on this urgent matter here in Bicol because I have found courage among the people of Bicol. I have chosen to speak on this urgent matter on occasion of your graduation because I see the fire of your idealism in the glint of your eyes. And the matter that I shall address tonight shall require a lot of courage and a lot of idealism if we are to succeed in overcoming that problem. By speaking out here in Bicol I have to address, too, the rest of the graduates and our countrymen, especially those who are timid and still afraid. For I shall speak about a matter that, sad to say, few have so far spoken about.

I shall speak now about the sword of Damocles that Mr. Marcos has once again hung over our heads—the possible reinstatement of General Fabian Ver.

Allow me to review briefly the events that have led me to point to you this sword of Damocles that hangs over us.

For a long time since September 1972, we have been a frightened people. We bore the yoke of martial law in silence. If at all we spoke about the fundamental verities which are taken for granted in civilized societies—such as honor, freedom, justice, human rights—we spoke in whispers. We talked about them only in remembrance of things past, in remembrance of things we lost. Few dared to speak aloud because agents of the regime were mongered to be everywhere—in our neighborhoods, in our places of worship, in our places of work. They were listening to us and looking at us in Orwellian fashion—all in the name of national security. It was subversive to speak out against corruption in high government levels, against crony monopolies, against military abuses. It was subversive to speak the truth. We were afraid of the vengeance of a paranoid dictatorship.

Then Ninoy Aquino was killed in cold blood. The heinousness of the crime unleashed a torrent of moral outrage that swept away fear and timidity. The people poured into the streets and cried out for justice, for truth. They were no longer afraid. Ninoy's martyrdom gave life to a deadened national sense of outrage.

To appease an angry people, the Fernando Commission was constituted. Its mission—to find the truth. But the people were distrustful and angry still. They suspected a whitewash. The commission resigned, embarrassed by nationwide skepticism. With the nation and the whole world watching, the dictatorship could not have its way.

Another body, the Agrava board, was constituted. Most were skeptical. What truth could come out of a leadership that had a long established tradition for deception? But some sensed international pressure forcing the dictator's hand to let the truth come out. The people decided to wait and see.

After more than a year of watchful waiting, the nation and the world were presented with findings. Ninoy was a victim of military conspiracy. And so was Galman.

The submission of the report had its last moment of drama as people waited with baited breath. The chairman of the fact-finding board had her own report, separate and different from the majority report of the four other members. Her report found military conspiracy, General Ver was cleared. She slipped out of her board into Malacanang to deliver her report ahead of the majority report. Mr. Marcos was smiling on camera. He was pleased. His friend was cleared.

The four other members, the majority of the board, left out in the cold, were not smiling. Their chairman had preempted their majority report. The next day they went to Malacanang to submit the majority report. Their finding—military conspiracy and General Ver was part of it. Mr. Marcos was no longer smiling.

Back at the premises of the board session hall, people were waiting. The press was there. The whole world was watching. The members of the board arrived. The people were waiting to hear the report. But the new unsmiling chairman gavelled the fact-finding process to a close and left. The report was not read. The people clamored for it. Heeding the public outcry, the other members of the board caused the report to be read. The majority report debunked the version of the Marcos Regime.

That day of truth was a long way from the day of skepticism when the Agrava board was constituted. It was a day of celebration. The facts were forced out of a reluctant regime by popular outcry.

Why did we go this far? Why did we achieve all these? Because we were no longer afraid. And we kept our vigil. In churches and Mosques, we fasted and prayed for the truth to come out. On the streets we marched, demanding that truth must come out. In public forums we cried that the truth must come out. In the press we wrote that the truth must come out. And the whole world was watching—the democratic governments, the international press, the creditors, the citizens—expecting that the truth would come out. We stood in constant vigil. We were no longer afraid and the truth came out.

But three weeks ago we seem to have stopped our vigil. We seem to have lost our courage.

Three weeks ago, Mr. Marcos hung over us again the sword of Damocles. He announced the possibility of General Ver's reinstatement, if cleared by the Sandiganbayan. That was three weeks ago. Until now, except for a few brave columns and statements, no public outcry has been heard. I find the silence disturbing.

Have we stopped our vigil? Have we lost our courage? Have we reached the limits of our perseverance? Are we afraid of General Ver? Are we afraid of Mr. Marcos?

Among civilized governments, where honor in public office is the rule rather than the exception, the Agrava board findings and the subsequent indictment would have been cause for the immediate resignation of General Ver, Mr. Marcos and the entire government. Is this too much to expect from this regime? Is "delicadeza" a word that has been forgotten by this regime? And are we afraid to tell Mr. Marcos this?

By threatening to reinstate General Ver "if cleared" Mr. Marcos has hung the sword of Damocles over the heads of witnesses who would want to come forward to tell the truth and over the heads of prosecutors who want to do their duty faithfully. Has not Mr. Marcos, who conveniently invokes "subjudice" to parry questions from the press, in effect interfered with the judicial process? And are we afraid to tell Mr. Marcos this?

Credibility is the central point in the possible reinstatement of General Ver. Should this man, his credibility tainted, be reinstated at the cost of stopping the momentum toward reform of the military which has been steadily gaining ground in the past few months? Are we afraid to tell Mr. Marcos this?

In recent weeks, Minister Tolentino has been ousted from office for valid disagreements with Mr. Marcos. Minister Ople has been told to explain public statements he has made. Why has General Ver remained untouchable? Is Mr. Marcos, this lavishly-decorated war hero, this commander-in-chief, afraid of General Ver? Are we afraid to tell Mr. Marcos this?

I do not intend to sit in judgement over the guilt or innocence of General Ver. The Agrava report has revealed enough of that. The Sandiganbayan, should it prove courageous and independent, shall rule on that.

But, for God's sake, for our people's sake, I dread the possibility of his reinstatement. Thus I dread the silence of our people, for the whole world is watching us—whether we shall accept his reinstatement in silence or we shall gather courage again and rally against that reinstatement. The whole world will take its cue from us. If we remain silent because we are afraid, then the world will watch in silence. Surely General Ver will be back as chief of staff. Then we shall face the possibility that the military shall once again be not the guardians of the people but the instrument of this regime.

Then I dread the possibility that all the reforms recently instituted in the military shall be for naught.

I dread the possibility that military abuses shall escalate again and the NPA shall gather more adherents. For abusive soldiers are the best breeders of dissidents.

I dread the possibility that the gains we have won against salvaging, torture, and other forms of violations of our human rights shall be lost again; I dread the intrusion of spies into our lives again.

I dread the possibility that our hopes for a truly free election shall be dashed to pieces again. For the power of guns, goons, gold and Comelec—shall be backed up again by the forces of the military.

I dread the possibility that all the efforts of the opposition for unity shall be for naught. For there shall be no credible elections.

I refuse to accept that we shall have lost all the little victories that we have won, that we shall have lost democracy forever because, at a time when we needed to speak out, we remained silent and afraid.

The pattern of press releases in the past weeks indicates a well-orchestrated campaign to soften the public's mind for what I fear is impending "reinstatement".

Against this avalanche of press releases let the people stand their ground. Let them break their silence and speak out. Let them break out of their fear and speak out. Let them rise up together and cry against the reinstatement of General Ver.

I call on our business and political leaders to speak out against reinstatement. I wish to call their attention to the plight of our witnesses. A number of times the Sandiganbayan adjourned its trial of the Aquino murder case because the witnesses for the prosecution failed to appear. The witnesses are left on their own—with no one to give them courage and support. Left alone to fend for themselves, they stand a good chance of being threatened and discouraged out of testifying. I recommend them to the sponsorship of citizens and groups who can support them.

I call upon my colleagues, the members of the Batasan stand to be jeopardized. The very existence of the Batasan stands to be threatened with abolition by an arbitrary military machine. The closure of the Congress by the military in 1972 is still fresh in my mind.

I call on my brothers and sisters in the Parliament of the streets and cause—oriented groups to speak out against reinstatement. I call on them to organize marches and rallies against reinstatement. The gains in freedoms and human rights for which we have been truncheoned, arrested and salvaged are being threatened. I call on all our people to renew their courage and intensify their vigil against this latest and immediate threat to our freedoms and the tranquility of our land.

I call on you, the graduates of Bicol College, the valiant people of Bicol to rise up again and lead the fight against this new threat to our liberties and the tranquility of our lives.

My dear friends, in the early days of martial law when silence and aquiescence to the will of the dictatorship was the safe course to follow, there was one among the very few who had the courage to dissent and thus keep together his conscience and idealism. I refer to that "Dissenting Justice" of the Supreme Court, Calixto O. Zaldivar. Let me lift one passage in his dissenting opinion where he quoted Justice Sutherland of the United States Supreme Court and I Quote "The saddest epitaph which can be carved out in memory of a vanished liberty is that it was lost because its possessors failed to stretch forth a saving hand while yet there was time."

My friends, my countrymen, stretch forth that saving hand while yet there is time to do so.●

INSTEAD, CALL IT WASTEWAY

● Mr. HUMPHREY. Mr. President, today I wish to call attention to an excellent piece by John B. Oakes that appeared last year in the New York Times. In clear and succinct terms, Mr. Oakes outlines the reason why the Westway real estate development and highway project in New York City should more properly be called Wasteway.

Specifically, Mr. Oakes points to the considerable environmental effects of the proposed project, notably the impact that the project will have on the striped bass. The striped bass, a popular and commercially important fish, is already seriously threatened and populations are in decline. Three Federal agencies have concluded that the construction of the Westway landfill would have a disastrous impact on the striped bass.

As Mr. Oakes correctly argues, however, even if Westway were given a clean environmental bill of health, it would still turn out to be an enormous financial burden on the people of the State of New York and the entire Nation. Though the project's backers are counting on cashing in on the Federal highway trust fund to pay for up to 90 percent of the 224-acre landfill and highway, the project's timetable will almost certainly run way beyond the 1990 closeout date for the interstate highway program. What will New York do with half a landfill, and billions to go before they have their road? Too late to quit, New York offi-

cials will have to search for a very deep pocketbook for cash to fill up the Westway bottomless pit of waste. That pocketbook will belong to John Q. Citizen.

We need to stop Westway before it becomes wasteway. If New York needs a highway—and few would argue otherwise—then let them build one on the scale more familiar to most Americans—that is without a multibillion-dollar landfill or commercial real estate development. Moreover, under the law, the State has until September 30, of this year to "trade-in" for $1.7 billion in Federal funds to rehabilitate the city's mass transit system in lieu of Westway. As Mr. Oakes argues, there are far better alternatives than pursuing the shabby business of Westway.

Mr. President, I ask that Mr. Oakes' column, "Instead Call It Wasteway," from the June 6, 1984, edition of the New York Times be printed in the RECORD.

The column follows:

[From the New York Times, June 6, 1984]

INSTEAD, CALL IT WASTEWAY

(By John B. Oakes)

With or without the striped bass, Westway is a fraud on New York's taxpaying and voting public. This multibillion-dollar landfill and real estate project for Manhattan's Lower West Side waterfront, disguised as an interstate highway, is a plan whose time had long since come—and gone. It is a politician's delight, a speculator's dream, a city planner's mirage and John Q. Citizen's nightmare. It deserves to be renamed Wasteway.

In the famous "snail darter" and "furbish lousewort" cases, to which Westway's striped bass are sometime derisively compared, the funny names of those embattled species tended to divert public attention from the intrinsic lack of merit of the pork-barrel projects that threatened them.

With or without the snail darter, the Tellico Dam in eastern Tennessee needlessly flooded 16,000 acres of prime farmland to create a "recreational" lake (now reportedly becoming sterile) in a region already surfeited with them. It was a bad idea to begin with. Similarly, the huge Dickey-Lincoln surplus-power project in eastern Maine, now fortunately shelved, was an outrageously uneconomic assault on the taxpayer, It, too, was a bad idea; and if the Dickey-Lincoln's threat to an endangered plant species helped to stop it, that's one up for the furbish lousewort.

So it is with Westway and the striped bass. Even if the Army Corps of Engineers has given Westway a clean environmental bill of health, it would still turn out to be an unconscionable financial and social burden on the people of New York.

But the Corps of Engineers did no such thing. Its most recent draft environmental statement, equivocal though it was, clearly points out that construction of the Westway landfill would have an "adverse" impact on the striped bass population of the Hudson River, and therefore of the entire northeast coast, of which the Hudson is a principal supplier. The report said further that there were sure to be "formidable" difficulties in experimentally creating new habitat for the bass elsewhere in the river.

This latest study was ordered by the Federal courts because the previous one was found to be full of the "blatant misrepresentation" for which New York State authorities, eager to push Westway through at any moral or financial cost, were primarily responsible. Under political pressure from Westway's most influential proponents, beginning with Governor Cuomo, this new study, too, had to be conducted in much less time than genuine concern for scientific accuracy would have required.

Nevertheless, even with its admittedly inadequate data base, it raises enough doubts about the effects of the proposed landfill on a $200 million sport and commercial fishery resource to warrant a veto of the project by the Federal agencies concerned—a veto called for under the law when less harmful alternatives are available.

The most realistic of these alternatives is a plan for a "substitute" riverside parkway along the Hudson that would be paid for through a "trade-in" of the Federal funds now earmarked for Westway. Since the substitute would cost only a fraction of Westway's cost (and could be built in a fraction of the time), a large part of the trade-in funds would be applied to New York's mass-transit system.

Despite misleading propaganda to the contrary, New York can realistically expect to get its full trade-in allotment of $1.5 billion over the next half-dozen years, if it asks for it. This is about the same amount that New York would get for Westway itself through 1990, when the interstate highway program is due to expire.

After that date, however, an increasingly reluctant Congress will be under even less obligation than it is today to cover 90 percent of the escalating costs of an interstate that the Federal Highway Administration itself has declared to be nonessential. Any Federal funds Westway may receive after 1990 will at best be taken out of other competing New York demands on the Federal budget. New Yorkers cannot have it both ways.

Westway's probable cost over the 10-year period needed to build it is now unofficially estimated as anywhere up to $6 billion, three times as much as the original official figure. It will be the New York public, not the Congress, that will be left holding the (empty) bag if a partly built Westway is ever to be completed. Moreover, whatever funds mass transit would receive from trade-in would, in the absence of trade-in, have to be raised through taxes or fare-backed bonds, thus placing an additional squeeze through increased fares on subway and bus riders for benefit of Westway's real estate developers.

It's a shabby business that will eventually cost New Yorkers dear, but that will be long after the present office-holders responsible for this mess will have gone to their presumably just political rewards.●

IN HONOR OF RABBI TRAININ

● Mr. D'AMATO. Mr. President, I rise today to call attention to the dedicated and exemplary efforts of an outstanding resident of New York State, Rabbi Issac Trainin. I believe it is vitally important that we recognize those individuals who contribute so much to the advancement of society. In that vein, I recognize Rabbi Trainin for his 40 years of service to the Jewish community.

Rabbi Trainin has rallied New Yorkers to such altruistic endeavors as the creation of the Metropolitan Council on Jewish Poverty in New York. He founded the Commission on Synagogue Relations and remains its director. The commission provides worthwhile guidance in such needy areas as: alcohol and substance abuse, compulsive gambling, the needs of the disabled, and mental health. As evidenced by these accomplishments, Rabbi Trainin has demonstrated that he is concerned with not only the spiritual needs of his community, but its overall welfare as well.

In addition to being the founding director of the Religious Affairs Department of the Federation of Jewish Philanthropies since 1952, Issac Trainin is also an author and a lecturer. His work with the federation is extensive. He has served as the organization's consultant on Jewish Iranians in New York since 1979 and organized the Committee on Medical Ethics at the federation.

Such accomplishments demonstrate 40 years of service that have tremendously benefited the New York City area and our ongoing efforts to provide our Nation's citizens with the potential they have fought for and deserve.

Thank you, Mr. President.●

SOUTH AFRICA: AN AMERICAN BUSINESS VIEW

● Mr. KENNEDY. Mr. President, I would like to call the Senate's attention to the "Submission by the American Chamber of Commerce in South Africa to the Special Cabinet Committee Under the Chairmanship of the Minister of Constitutional Development and Planning." In this noteworthy document the American Chamber makes a number of important recommendations on specific policy issues, including: A program to phase out influx control, the granting of freehold rights to urban blacks, an end to population removals, abolition of the migratory labor system, and the opening up of central business districts to traders of all races. The American Chamber's submission also calls for government by consent of the governed and for the right of all adults, regardless of race, to representation in the legislature; and it makes a number of specific proposals for political reform. Lastly, it calls for negotiations with all racial groups and political parties—including leaders of organizations now proscribed or in exile.

Mr. President, the American Chamber of Commerce in South Africa has identified many of the injustices of apartheid which must be addressed urgently. The fact that this organization has had direct, practical experience in working within South Africa makes its

recommendations especially deserving of attention.

I applaud the effort of the American business community to make its views known to the appropriate South African authorities. I would hope that this is a precursor of future vigorous, visible, and aggressive action by American businesses inside South Africa to contribute to the campaign in that country to end apartheid.

I request that the entire text of the American Chamber's submission be inserted at this point in the RECORD.

The text follows:

SUBMISSION BY THE AMERICAN CHAMBER OF COMMERCE IN SOUTH AFRICA TO THE SPECIAL CABINET COMMITTEE UNDER THE CHAIRMANSHIP OF THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING, MARCH 1985

I. PREAMBLE

AmCham takes this opportunity of submitting this memorandum to the Committee with the intention of making a constructive contribution to the process of policy formulation. We do so in the knowledge that there are no simple solutions, but we believe that our viewpoint may be helpful to the Committee. American companies in South Africa contribute to the country and benefit from it and therefore want to contribute from our own experience both here and in the United States.

II. SUMMARY

Our submission is dealt with under the following three headings:

1. Specific policy issues.
2. Democratic participation.
3. Negotiation and consultation.

III. SUBMISSION

1. Specific policy issues

(a) *Urbanisation and Influx Control:* We are aware that the influx control system has been under review for some years, and that certain modifications of a positive nature have been made, among them that blacks qualified for permanent residence in the urban areas may change their jobs now more freely than in the past. We wish strongly to urge that the government embark on an explicit programme to phase out influx control within a stated period of time. The weight of international evidence shows that the process of urbanisation can seldom be indefinitely arrested. In addition, urbanisation is a necessary prerequisite of economic growth. We believe that the costs of continued influx control in South Africa are high. Such costs include (a) the direct costs to the taxpayer of policing and administration, (b) opportunity costs to the economy and to business resulting from artificial restrictions on the free movement of labour, and (c) social costs in terms of damage to goodwill between the races. We are aware of studies that indicate that the net influx of blacks from rural areas to the towns that would result from phasing out of influx control would not necessarily be as great as has sometimes been thought. American employers wish to make the greatest contribution they can to raising South Africa's rate of economic growth, so creating the additional jobs that this country urgently needs. We believe that the present process of phasing out restrictions on the upward mobility of black labour into more skilled jobs should be accompanied by a deliberate programme to phase out geographical restrictions. As black employees are exposed to more responsibility and moved into more senior jobs, it frequently becomes necessary to transfer them from a company's operations in one part of the country to another. The influx control laws are a major hindrance in this connection.

We are aware of reports that new identity documents may be issued in South Africa, but it is important that the issue of such documents be accompanied by the phasing out of discriminatory influx control laws.

(b) *Housing:* the introduction of the 99-year lease system in many black townships was a major step forward, and the government's recent announcement that this system will now be extended to certain townships in the western Cape is also to be welcomed. According to press reports, the Minister of Co-operation and Development has stated that the government will give serious thought to the question of freehold rights for urban blacks. We strongly urge it to grant such rights. This is the logical follow-on to the 99-year lease system and it is also a logical consequence of the recognition of the permanence of urban black communities. The granting of freehold rights would remove a major piece of racial discrimination, and at the same time be conducive to greater political stability in the urban townships. Continuing to deny black people the right to own land in freehold, a right which lies at the very heart of the free enterprise system, is likely to undermine black commitment to that system. Granting freehold rights in urban townships is important from another point of view, which is that it would create a source of income for local authorities in these areas, as they would be able to levy assessment rates upon such property.

(c) *Removals:* population removals do grievous damage to South Africa, both in terms of racial goodwill within the country and in terms of the country's image abroad. A prominent South African business leader has said that population removals are the one thing most likely to ensure success or the disinvestment lobby in the U.S., which would harm both American companies and South Africa itself. There is much evidence to indicate that removals are frequently accompanied by coercion, and that once people have been removed, particularly into some of the more densely populated homelands, they suffer stress and deprivation, and become an additional burden on the taxpayer. Some of the communities removed are economically relatively prosperous, and it is tragic to see such communities destroyed. While we recognise that increased black urbanisation resulting from the abolition of influx control would entail additional housing and other costs, we do not believe that there would be any costs in simply halting removals altogether. Indeed, there would probably be savings, since the State would no longer have to provide housing for people who have been moved.

We urge that the immediate cessation of removals apply not only to blacks removed to the homelands, but also to coloured and Indian (and the small number of white) people removed in terms of the Group Areas Act.

(d) *Migrant Labour:* Concomitant with the phasing out of influx control, the migratory labour system should also be phased out. Denying a worker the right to live with his or her spouse and family for very large parts of his or her working life is not socially desirable, conducive to productivity, or morally right, nor is it compatible with the sanctity of marriage and family life. Again, allowing migrant workers to bring their families to live with them at their places of work would involve costs, but the government would be entitled, if it were to agree to the abolition of the migratory labour system, to call upon the private sector to play its full part in contributing towards housing and infrastructural development.

(e) *Business rights:* AmCham is aware that the question of opening up central business districts to traders of all races has been under consideration since the report of the Riekert Commission was published in 1979, and that some progress has been made in this direction. We strongly urge that CBDs should be opened, not only to coloured and Indian business and professional men and women, but also to blacks. We endorse the moves that some local authorities have made towards desegregation of CBD trading rights, while expressing our concern that others have refused to allow the African Bank, for example, to open a branch in the CBD. The question of whether local authorities should have the right to refuse to open their CBDs is a vexed one. The government, for one or another reason, may not be willing to dictate to them. However, the question at stake is not only one of the autonomy of local authorities, but a principle fundamental to the free enterprise system and to the dismantling of racial discrimination. Discretion should not be left in the hands of local authorities, however if necessary, it would be possible to provide for businessmen refused admission to any particular CBD, for whatever reason, to have a right of appeal to the Supreme Court, and to empower the court to overrule any local authority.

AmCham also urges the government to remove the petty restrictions that inhibit both formal and informal business development within the black townships. According to the Free Market Foundation, the development of the informal sector is inhibited by a great deal of legislation of various kinds. AmCham believes that in the interests of maximising job creation, restrictions on business development in CBDs and black townships should be reduced to the barest essentials.

In particular we would like to urge that proposals by the Welgemoed Commission to restrict minibus taxis be rejected. The growth in recent years of these taxis has been in response to commuters' needs, and the entrepreneurial initiative of such taxi operators should not in any way be stifled by attempts to protect competing rail or bus services. Commuter dissatisfaction with transport services has led to a number of costly and disruptive boycotts in recent years, and AmCham believes it would be inviting trouble to interfere with the operations of black entrepreneurs who provide a service that people are willing to pay for.

(f) *Citizenship:* The policy of denationalising black people—i.e., removing their South African citizenship—on the assumption of constitutional independence by homelands, should be abandoned. This policy is not only contrary to international law but almost universally rejected by blacks. With reference to press reports that a form of dual citizenship or nationality may be introduced so that blacks who have lost their South African citizenship are not deprived of internationally-recognised passport facilities, AmCham would like to state its view that the major objection of black people to denationalisation is its link to the question of political rights rather than to the difficulties it causes from a travel documentation point

of view. Accordingly, AmCham believes that merely restoring citizenship of black people for travel purposes while restricting their political rights to homelands, will not meet their objections.

2. Democratic participation

AmCham endorses the statement on page 22 of the report of the Department of Constitutional Development and Planning for 1983 that the realities and demands of the constitutional development of blacks should be considered with an open mind and with a new vision. Our submission on the question of constitutional development is made in this spirit. We propose to discuss this question under the heading "Democratic Participation" and from the local, regional, and national perspectives.

Our broad position is that government should rest upon the consent of the governed and that all adults, irrespective of race, should be accorded the right to representation in the legislature that has ultimate control of their lives. While we are aware that all blacks in South Africa (broadly defined in this document to include homelands that were formerly part of South Africa) have a franchise for legislatures in the homelands, we do not believe that this alters the fact that ultimate control remains in Parliament in Cape Town and in the State President, who is vested by the Republic of South Africa Constitution Act of 1983 with the control and administration of black affairs. This is the case partly because almost half of the blacks in South Africa reside outside the homelands, partly because all ten homelands are heavily dependent on Parliament to balance their budgets, and partly because some two-thirds of the homelands' collective gross national product is earned in the white-designated areas. In this context it is relevant to refer to a statement by the Minister of Constitutional Development and Planning (Financial Mail 19th October 1984) that "there is very little political binding or connection" between blacks in the white-designated areas and the homelands.

Although AmCham, for the reasons just set out, believes that blacks are entitled to representation in Parliament, we are not in a position to prescribe how this should be effected. We are aware that the idea of a "fourth chamber" for blacks has been ruled out by both the government and black leaders (among them the president of Inkatha). We are aware too that some black organizations regard a constitution based on one-man-one-vote in a unitary state as the only acceptable type, but that the government has very firmly rejected this notion. We are convinced, however, that South Africans will ultimately devise a solution acceptable to the great majority of the country's population. Whether this is a unitary or federal system, or whether rights are protected on an individual or group basis, and other fundamental matters, are all questions that South Africans of all races will ultimately have to decide among themselves during appropriate negotiations between representatives of all races and political parties in the country. In our view such negotiations are a matter of urgency. If the process of consultation that the cabinet committee has embarked upon with various black leaders proves to be a first step in that direction, AmCham would applaud the fact.

Having stated the broad principles we have in mind we wish now to put forward a number of specific proposals that we believe will help create a climate for negotiation and carry the process of political reform in South Africa forward.

(a) Local Government

(i) One of the important features of the current upheavals in certain black townships in the southern Transvaal is the violent attacks on the persons and property of members of some of the new black local authorities. Such persons are in an invidious position because a document distributed in 1983 by the Department of Foreign Affairs on behalf of the Department of Constitutional Development and Planning was widely interpreted as portraying the new local authorities as substitutes for the parliamentary franchise. These authorities are in an invidious position also because they have been granted important responsibilities but lack the financial resources with which to discharge their duties effectively. We strongly recommend that the government immediately issue a clear statement to the effect that the black local authorities are a form of three-tier government only and that their establishment should in no way be seen as a substitute for black political rights at other levels.

(ii) We are aware that the question of how local authorities should be financed has been the focus of official attention for some time, most recently by the permanent finance liaison committee, and that a number of proposals are being considered. We strongly advise against introducing methods (taxes based on the number of employees, for example) to finance local authorities, be they black or white, that may have the effect, intentionally or otherwise, of discouraging business investment in metropolitan areas. We do not believe that South Africa can afford any measures which discourage job creation. We do not wish to comment on whether as a matter of general principle it is appropriate for local authorities to be self-financing. We do, however, strongly believe that to apply such a principle to local authorities in black townships in South Africa at the present time is most inappropriate. The large backlogs in infrastructure in these areas are the result of public policy (the freeze on housing construction in certain townships in the late 1960's, for example) and we believe it is unjust and unworkable to burden local authorities with the responsibility for the substantial upgrading that the townships require. We would urge the government to introduce direct subsidies for development and upgrading of the townships and to regard such subsidies as a form of development assistance (similar, perhaps, to that provided to homeland administrations). As we have noted above, the granting of freehold land rights in black townships would, in time, provide local sources of revenue. Any prospect of black townships eventually being able to be self-sufficient would also require maximum business development in those areas, which underlines the need to remove restrictions on such development.

(iii) AmCham has noted that the Regional Services Councils Bill, introduced in Parliament in 1984 and subsequently referred to a select committee, provides for white, coloured, and Indian local authorities to be members of these councils. Although black local authorities will be able to obtain services from the councils on a contract basis, they will not be formal members. We can see no sound economic or administrative reason for excluding blacks and we are glad to note that the president of the Transvaal Municipal Association has recommended that they be included. Accordingly we strongly urge that the legislation be amended before being presented to Parliament again. In this context we feel it is relevant to point out that the exclusion of blacks from the new tricameral Parliament has created a great deal of bitterness among black people of all political persuasions and we believe that this exclusion should not be repeated at the level of regional services councils. On the contrary, we believe that the regional services councils provide a golden opportunity for consultation and negotiation between blacks and other groups. To allow this process to go ahead in the regional services councils would, we believe, be a valuable experiment for South Africa, and contribute to the process of evolutionary change.

(b) Regional Government

Although ten homelands have already been set up in South Africa with their own administrations, eight development planning regions subsequently established straddle homeland boundaries, which is a recognition of the increasing economic integration of South Africa. The regional development advisory committees established in respect of these development regions are also a recognition of the inevitability of joint decision-making on matters of common interest. If this can happen in the sphere of regional development, it is logical to extend the principle to decision-making of regional relevance in other fields, including the social and political. In this context we would commend to the committee the report of the Buthelezi Commission, which found that the existence of separate authorities in Kwazulu and Natal led to expensive and inefficient duplication and overlapping, and accordingly recommended that all regional functions be carried out on a joint basis by the provincial administration and the Kwazulu legislative assembly. As AmCham understands it, the commission recommended a form of multi-racial regional government in Natal and, without wishing to endorse the policies either of the Kwazulu legislative assembly or of the Natal provincial administration, we would like to commend to the committee the principle of allowing cooperation in the eight development regions over matters of economic development to evolve into joint decision-making on regional, political, and other issues. Again, without wishing to prescribe the precise formula, AmCham is confident that such a formula can be reached through black and white negotiation and compromise. The formula could differ from region to region, depending on political, economic, and other circumstances, but regional governments of this nature could evolve into component units of an ultimate federal political system for South Africa, if such a system were eventually decided upon in preference to a unitary state.

(c) National Government

We have already stated above AmCham's confidence that eventually South Africans will devise an appropriate formula for black participation in Parliament. The proposals for local and regional government outlined above would, we believe, pave the way for such a development if they were successfully implemented. We would in the meantime wish to make the following recommendations:

(i) the government should make an announcement that it is its intention to grant the parliamentary franchise to blacks and that this will be done when an appropriate

formula has been agreed upon by the leaders of all population groups;

(ii) the government should also announce that once the formula was agreed upon, the parliamentary franchise would be extended not only to blacks in the white-designated areas, but also to blacks resident in the homelands;

(iii) blacks should be given representation on the State President's Committee on National Priorities. Since this committee will play a major role in determining budget priorities and therefore have a major impact on public spending and on the economy, to exclude blacks from it seems unjust and anomalous; and

(iv) the government should not proceed any further with plans for a confederation, as it is evident that this particular formula is rejected by a great many black people, including a number of leaders of the homelands. We refer in this context to meetings held between the leaders of Kwazulu, Transkei, Lebowa, and Kangwane with a view to promoting federation rather than confederation. Confederation is, we believe, unacceptable because it is based upon the removal of citizenship from blacks.

3. Negotiation and consultation

As stated above, an appropriate political formula for South Africa can only be arrived at by South Africans themselves through an agreed process of negotiation in which representatives of all race groups and political parties can freely participate. For such a process of negotiation to be effective, it must necessarily include leaders or organizations now proscribed and/or operating in exile. AmCham does not presume to claim that such organizations are the only authentic voice of black people. Some of them are undoubtedly among the most important voices, however. AmCham accordingly believes that the organizations in question should be legalized and that leaders thereof now in prison or in exile should be granted an amnesty, subject to their agreement to participate in lawful democratic procedures and to dissociate themselves from violence. All persons in detention without trial should at the same time be charged or released.

IV. CONCLUSION

AmCham believes that South Africa has already shown itself capable of making important changes in policy, with benefit to all. We refer in this context to the growth of the black trade union movement and the legislation providing for the registration of black trade unions that followed the report of the Wiehahn Commission. We have witnessed also the employment of black people in ever greater numbers in skilled and managerial posts, and the gradual abandonment of the industrial colour bar. Blacks and whites have proved themselves capable of effective and mutually beneficial negotiation in the industrial relations field, and we believe this principle can successfully be applied in the political field at local, regional, and national levels. We have seen also the desegregation of sport and sports facilities in many fields, the desegregation of theatres and of certain hotels and restaurants, while an increasing number of black students are attending white universities. All this encourages us in the belief that peaceful evolutionary change in South Africa is possible. This submission is made as a result of AmCham's desire to do all in its power to assist that process to the benefit not only of our member companies and the many South Africans who work for them, but to South Africans of all races.●

TEACHER DAY U.S.A.

● Mr. HART. Mr. President, this month, as Congress continues to focus on the crucial problem of the Federal deficit, I ask that we take a few minutes to turn our attention to a critical issue facing our country. The education of our young people is an everyday concern of our Nation's parents, children, and educators. All too often, however, it is discussed only in the narrow terms of the budget debate. Today, as part of Teacher Appreciation Week and on Teacher Day U.S.A., we recall again that an investment in our children's education is vital for America's future—both for our economic health and our national security in the years to come.

On the first day of this session, I introduced the American Defense Education Act to ensure that America's children learn the skills of tomorrow—skills to operate sophisticated machine tools, to invent the next generation of computers, and to speak foreign languages in overseas markets. This bill, now sponsored by 19 members of this body, draws on the shared responsibility of families, communities, and Government to meet the challenge of educating our children. This challenge has become particularly acute during the mid-1980's when, as reported in "A Nation at Risk," we face a "rising tide of mediocrity that threatens our very future as a people and a nation."

We must not let this tide erode the foundation of our education system. This foundation is based, first, on our commitment to excellence in public education; and, second, on our commitment to meet the educational needs of every child in this country.

Together, our families, communities, educators, and Government can meet these commitments. Today, on Teacher Day U.S.A., we recognize and appreciate the efforts and achievements of our Nation's teachers in undertaking this difficult but most important of tasks—to provide quality education for all our young people.

In a changing world of new information and technologies, this task is becoming increasingly difficult. We must give teachers the help they need: We must provide them with the tools and training to teach our children new skills; we must reward them sufficiently for their important work; we must adequately fund quality education programs; and we must give them our strong support.

Only if teachers receive this support can we begin to reverse the trend toward massive teacher shortages projected for the late 1980's and 1990's. Unless we provide a sufficient number of educators to teach our children, our Nation will lack the human resources to keep pace with new developments in technology and science which are crucial to both our economic and national security. We can and must modernize our education system.

There is no question that, today, our schools are in crisis. Average achievement test scores today are lower than they were in 1957, the year the Soviets launched Sputnik and America initiated a furious race to catch up with the Russians in science, technology, and space exploration.

Today, only 13 percent of all high school graduates are prepared for the engineering curriculum in college, compared with 28 percent in 1972.

One-half of all high school students in the United States take no math or science beyond the 10th grade. What is most dangerous is that our toughest international competitors are devoting far more attention to educating their children in these vital areas. Soviet students must complete 2 years of calculus, 5 years of physics, 4 years of chemistry, 4 years of biology, and 5 years of algebra by the time they complete high school.

Mr. President, these statistics are alarming because a well-educated, well-prepared citizenry is essential to lead the United States into a changed economy that will require new skills and knowledge of its workers. And the national security of this country will depend on our citizens' abilities to operate, maintain, and control the sophisticated equipment on which our defense increasingly is based. Indeed, our education system bears a heavy responsibility, for it now must teach students the classics and computers, languages and lasers, physics and philosophy.

We must examine programs for responding to the crisis in American education. The American Defense Education Act establishes four programs which, together, provide such a response.

Under the ADEA, local school districts develop and implement programs in elementary and secondary schools to improve instruction and student achievement in mathematics, science, foreign languages, communications skills, and technology. During each fiscal year, school districts working with the ADEA Program will be entitled to a basic payment based on the average per-pupil expenditure in the State. And, for those which can show substantial evidence that the program meets the ADEA goals for the year, an additional payment is available.

The bill encourages institutions of higher education to coordinate efforts with local school districts for the training and retraining of teachers through workshops, summer institutes, and in-service training. The ADEA also authorizes funds through the National Institute of Education to support research and development into effective teaching and learning

techniques in math, science, foreign languages, and technological training.

An additional component of the ADEA calls for the Secretary of Defense to project the personnel training needs of the Armed Forces. Then, in conjunction with the Secretary of Education and local educators, the Secretary will analyze the best way for education to help meet those needs. It is absolutely essential that our defense professionals communicate with our educators.

Mr. President, the American Defense Education Act establishes an incentive program, a Federal impetus, so our country can meet the demands placed on our educational systems by the technological changes taking place in today's world. The key here is Federal impetus. The ADEA provides localities with necessary Federal aid without stifling local initiative or flexibility. By developing programs to train our young people for tomorrow's world, we are investing in a safer, more prosperous future for our Nation.

I appreciate the participation of the Senators who have joined me today in drawing attention to the importance of investing in America's future through quality education programs, such as the ADEA. And, I want to thank again our Nation's teachers, because their hard work and dedication ensure that this investment is sound and that it will provide high returns in years to come.●

● Mr. PELL. Mr. President, today, Teacher Day U.S.A., gives national recognition to the valuable contribution that teachers make to our society. It is only proper on this day that we thank our teachers for their hard work, dilligence, and dedication in educating our Nation's children. It is also an opportune time to briefly reflect on the status of the teaching profession and on the importance of the teacher.

Teachers are the critical determining factor in the measure of the quality of our education. Our schools are only as good as the teachers in them. For most students, it is the teacher who is the most significant role model outside the family. In this capacity, teachers not only provide students with a sound grounding in subjects from algebra to zoology, but also instill in a young man or woman a love of learning which that student will exercise throughout life. Teachers help each student develop his own sense of identity, character, and self-esteem. And teachers recognize the capabilities and potential of every student, while encouraging each individual to work hard so that he may go as far as his imagination, desire, and talent can take him.

We expect each teacher to perform these functions. Beyond this, we expect them to serve as nurses, counselors, after-school babysitters, policemen, and hall and lunch monitors. In short, we expect them to be concerned with the total welfare of all our children.

Sadly, we are losing our best and brightest teachers to the private sector because we do not provide adequate compensation for these responsibilities. Furthermore, we do not provide salaries and working conditions that can attract promising college graduates to the profession.

It is encouraging indeed that so many States across the country have undertaken efforts to increase teacher salaries, improve teaching conditions, and implement reward systems. While these efforts are laudable, we still have a long way to go if our goal is to hold on to the outstanding teachers we now have, and to attract top-level graduates to the field.

Teacher Day U.S.A. is a fitting occasion to underscore the importance of strengthening the quality of our education. It is important that we recognize that our Nation rests heavily on the development of the human potential of our citizenry. For, the makeup and character of our country is constituted by the sum total of the knowledge, character, and capability of our graduates. And in this regard, it is critical that we acknowledge that the investment that we make now in human capital through schooling is directly proportional to our economic strength as a Nation in later years.

It was with this concern in mind that we passed the Education for Economic Security Act in the last session of Congress. This act, for which I was proud to have played a significant role, provides a 2-year authorization to provide Federal assistance to State and local educational agencies to upgrade the quality of math, science, computer, and foreign language instruction. We passed this measure out of alarm that our schools could not keep pace with instruction in these subjects in other countries. We knew that failure to act quickly to improve the quality of education would have serious economic ramifications in the near future. It was our belief that our economic competitiveness in the world marketplace was in jeopardy, and we passed this bill as an emergency measure so that we might immediately begin to revitalize our ailing school system.

It is now time to move beyond this emergency legislation by beginning a discussion of legislation that will address the great magnitude of the long-term needs of schools in upgrading the quality of education. For this reason, I am a cosponsor of the American Defense Education Act, which advances a long-term approach to addressing the problems that schools face in math, science, foreign languages, and computer instruction. I am hopeful that we can soon begin a dialog on legislative initiatives of this nature, and that hearings can be held on the ADEA in this session of Congress.●

● Mr. SIMON. Mr. President, recent news articles and editorials continue to focus on the quality of teaching in our Nation. I'm pleased that the reports which have been completed since 1983, including "A Nation at Risk," the report on the Commission on Reading and many others have not been shelved to gather dust. Reports are worthless unless they are translated into action—action which results in higher student achievement, quality teaching at all educational levels, and a commitment to both excellence and access for all students.

Today is Teacher Day U.S.A. Along with my congratulations to the thousands of hard-working and dedicated teachers in the State of Illinois, I would like to bring to this Chamber's attention a news commentary and comprehensive reading report on teaching and learning.

Orley R. Herron, president of the National College of Education with branches in Evanston and Lombard, IL, wrote a commentary which appeared in the May 8, 1985, Chicago Tribune. In it, he states that "educational reform is in everyone's best interest." Herron points out that the dropout rate for teachers is almost as alarming as the dropout rate for high school students in Chicago. With starting pay at about $13,000 per year, this is an alarming, but not suprising fact.

Herron asks a crucial queston: How do we ensure that the teachers of our children are both well-paid and well worth it? One answer he is uniquely qualified to propose is the quality of teacher-training institutions. He makes sensible and workable suggestions such as early classroom experience for those training to become teachers, links between college and university schools of education and the community which includes elementary and secondary classroom experience on the part of professors of education, and early screening programs for students of education to identify those students whose qualifications or personalities make them better suited for another career.

Today's problems in education are certainly not limited to the quality and commitment of teachers. Teachers, in general, are among the most dedicated of all professionals. Dr. Herron suggests that we can train them better, that professors of education can become more involved in precollege educational systems and that early exposure and evaluation "will eliminate the bad apples destined for teaching careers and restrict our academic product to the pick of the crop."

The National Academy of Education's Commission on Reading is

chaired by Dr. Richard C. Anderson, director of the Center for the Study of Reading at the University of Illinois in Champaign. Established in 1983, the Commission's work has culminated in a report just released "Becoming a Nation of Readers." I'm pleased that our major public higher education institution in Illinois has played such a key role in this important report.

"Becoming a Nation of Readers" begins with a firm statement that the ability to read is so basic, that excellence in high school and beyond is not possible without a strong foundation in reading upon which all learning rests. The Commission on Reading's report explores at length the skill of reading and how it is taught both in the home and in the classroom. Reading is a skill of understanding and appreciation of written communication which stays with that individual throughout his or her life, and is a major factor in success in school, on the job, and as an element in a full personal life.

The Commission extensively evaluates teaching and learning of reading skills, and makes a number of recommendations; from parental involvement with preschool children through time at home spent reading aloud, to intensive training in the process of teaching reading skills for college students who will become tomorrow's teachers.

Reading skills, quality teaching, and quality teachers are related and complex topics. I commend both Dr. Herron's commentary and the Report of the Commission on Reading to my colleagues as we make decisions on Federal education and literacy programs in the coming months.●

● Mr. GORE. Mr. President, on this day that has been designated "Teacher Day U.S.A.," I want to take this opportunity to pay tribute to the many fine teachers in our Nation's schools, to focus on the importance of education, and to stress the need for continued support of education at all levels of government.

It goes without saying that teachers play a very special role in our society. For it is from their classrooms that the leaders and thinkers of tomorrow will emerge. Teachers have the responsibility of ensuring that the future adults of our country will be prepared to fulfill their roles of citizens and leaders and that they will be competent to guide our Nation and implement its goals. For these great responsibilities that our educators have undertaken, we owe them our gratitude. Moreover, we owe them our continued support in helping them to obtain the resources necessary to maintain a learning environment.

When we think about it, investing in education is the best investment we can possibly make as a nation. When we invest in the education of people, the investment pays off. Educated people contribute to society. They are more productive. They often pay more in taxes to support government, our national defense, and programs deemed to be in the national interest.

On the other hand, those who have not benefited from education are less likely to be employed, and are more likely to cost society resources through welfare or support for correctional institutions. Without a doubt, education can be seen as a true bargain when viewed in this manner.

High quality education is the key to our continued success as a nation. If we want to have a healthy economy, a strong defense, and regain our country's competitive edge in the world, then we must have the best educated people in the world.

It is my hope that the homage we are paying to educators today and the importance we have attributed to education through our observance of this day will be remembered. As we continue the budget debate and as we look at major education initiatives such as the American Defense Education Act, we can show our commitment to education through our pro education votes. The education of our children is a responsibility that must be shared by all. Let us together make a commitment to do all we can to make our education system the best that it can be.●

● Mr. BOREN. Mr. President, I am pleased to join Senator HART and several of our colleagues in sponsoring the American Defense Education Act.

With our need to build a renewed emphasis in mathematics, the sciences, foreign languages, and communication skills, this legislation can help achieve our national goals of filling the void we have found in these areas.

Today's investment for developing engineers, computer specialists, business leaders, and teachers will be the key to our keeping the highest standard of living in the world. A nation which allows its education system to become second class will soon become a second class nation.

Education is the key to our solving the problems of the trade imbalance, developing competitive business technology, insuring the strength of our defense, and diversifying our economy into the 21st century.

Whether we like it or not, we are now a part of a world economy. Twenty-five years ago, only 3 percent of our national income was dependent upon world trade. By the end of the century, the portion will probably approach one-third.

Our investment in these key learning areas would be achieved by passage of the American Defense Education Act. Our long-term economic health and national security will depend on what small sacrifices we are willing to make today. I urge my colleagues to support the American Defense Education Act.●

FUEL EFFICIENCY REQUIREMENTS FOR AUTOS

● Mr. HATFIELD. Mr. President, our distinguished colleague the junior Senator from Washington [Mr. EVANS] recently assumed the chairmanship of the Alliance to Save Energy, a nonprofit, public interest organization of Government, business, labor, and consumer leaders dedicated to improving our Nation's energy use.

I ask that a recent op-ed piece coauthored by Senator EVANS and by Senator HEINZ, a former chairman of the Alliance to Save Energy, be printed in the RECORD. The article addresses an issue that should be brought to the attention of the Senate, and I believe Senators EVANS and HEINZ have stated the case very clearly against the proposed reduction in fuel efficiency requirements for automobiles.

The article follows:

[From the New York Times, Apr. 20, 1985]

REJECT THE PLEA FROM FORD, G.M.

(By Daniel J. Evans and John Heinz)

WASHINGTON.—After posting record profits last year, two of the three big auto makers—Ford and General Motors—are asking help from the deficit-ridden Government. The Government should reject the plea, which would set a bad precedent, deprive Federal coffers of millions of dollars and reward companies that drag their feet, giving them unfair competitive advantage.

Specifically, the auto makers are asking the Government to ease its fuel-efficiency standard for automobiles. They say that gasoline prices are coming down and that consumers want bigger, less-efficient cars. What they do not tell you is that easing the standard could save them approximately $500 million in fines for not reaching the required fuel-efficiency level. And that in turn is revenue that could be used by the Government to fund important social programs.

The fuel-efficiency standard—called the "Corporate Average Fuel Economy" standard—is part of a law passed in 1975. Car manufacturers were given 10 years to increase the average fuel economy of their new fleets to 27.5 miles per gallon.

Ford and G.M. will not meet the standard this year and have asked the Transportation Department to roll back the standard to 26 miles per gallon. The department has indicated that it plans to do so and is taking public comments until April 29.

The corporate average fuel economy standard is important to our effort to reduce dependence on imported oil and to preserve national security. If all cars on the road today achieved 27.5 miles per gallon, rather than the current average of about 17, oil imports could be reduced by more than 29 billion gallons a year. That translates to 130 days of oil imports. Fully a third of our oil supplies still comes from foreign wells, some of them in unstable regions of the world. Easing the standard could make us look foolish if events in any of those regions led to another oil shortage.

Ford and G.M. claim that falling gasoline prices have encouraged buyers to demand larger cars. Therefore, they assert, they are

unable to sell enough small cars to meet the standard for their total fleet unless they make their small models more attractive by providing special financing and make their larger cars less attractive by raising prices. These actions, they say, would limit buyers' options and "disrupt the free market in a manner that will lead to serious economic harm."

If the Government has set a goal that industry is unable to meet, or that causes undue hardship, then we should reconsider the standard. But before we get carried away by the "regulatory burden" argument, we must look at the record of another major auto maker, the Chrysler Corporation. Chrysler made a profit of $2.4 billion, met the fuel standard in 1984—and will meet it in 1985.

There are also questions of fairness and corporate responsiveness to the law. Chrysler invested approximately $4.4 billion, sold smaller cars (which have smaller profit margins) and obeyed the law. Ford and G.M., which can construct the necessary small cars, chose to enjoy the bigger profit of marketing a fleet of larger cars. Now they want to evade the consequence of their previous decisions. Is it really good public policy to reward these manufacturers for honoring the call of profit over the dictates of the law? If the standard is rolled back, Ford and G.M., will continue to reap the profits of a larger fleet, avoid breaking the law and evade large fines. And Chrysler will be penalized for obeying the law.

Lowering the standard would jeopardize our energy security goals. It is also unnecessary. The fact that Chrysler has met the standard and still turned a substantial profit shows that the standard is technologically feasible and economically practicable. It would punish a manufacturer that has fulfilled its corporate responsibilities to the Government, reward two corporations for falling to obey the law and cost the Government about half a billion dollars in potential revenue. It is an idea that, in the short run, serves only a few and, in the long run, hurts us all.●

HELSINKI HUMAN RIGHTS DAY

● Mr. RIEGLE. Mr. President, I am pleased to be a cosponsor of Senate Joint Resolution 15, designating May 7, 1985, as "Helsinki Human Rights Day."

It is appropriate that this day should be so designated, for it also marks the convening in Ottawa of the CSCE Human Rights Experts Meeting. This meeting is intended to provide an opportunity for discussions regarding respect in individual states for human rights and fundamental freedoms, in all their aspects, as embodied in the Helsinki Final Act.

The record of compliance by the Soviet Union in the important area of emigration rights has been disappointing. Of particular concern to me has been the frustrated efforts of many Soviet citizens to obtain permission to leave the Soviet Union in order to be reunited with their families living outside of the country.

I was made painfully aware of the anguish of divided families during my 1983 visit to the Soviet Union. One of the most moving experiences of that trip was my visit with Mrs. Tamara Tretyakova Levin who, with her young son Mark, has been seeking permission from the Soviet Government to emigrate to the United States to join her husband, Simon Levin.

The case of Mrs. Levin has taken a tragic turn in recent weeks. To demonstrate her desperate desire to see her family reunited, Mrs. Levin began a hunger strike on March 18. Now in the 51st day without food, Mrs. Levin's condition is critical. Her anguish has been compounded by the Soviet Government's refusal to grant permission to Simon Levin to travel to the Soviet Union to take custody of their son, Mark.

The tragedy of the Levin family has recently been brought to the attention of the American people through stories in the Washington Post and other newspapers around the country.

Despite numerous previous U.S. appeals on Mrs. Levin's behalf and the recent Senate letter to General Secretary Gorbachev, signed by nearly 30 Members of this body, the Soviet Government continues to deny Mrs. Levin's 7½-year request to emigrate.

Although time is quickly running out on Mrs. Levin and on our ability to help her, we must not give up.

The Helsinki accords, signed some 10 years ago, have provided hope for Mrs. Levin and others like her who have been fighting for their human rights. As one of the 35 signatories of the Helsinki accords, the Soviet Union has pledged to uphold the basic human rights of its citizens. It is to that pledge that we who enjoy freedom must direct the attention of the Soviet Government, and urge that the principles of the Helsinki accords be honored.●

FRANK COX AND RAY DEBENHAM, ALASKA'S SMALL BUSINESS HONOREES

● Mr. MURKOWSKI. Mr. President, it is a pleasure during Small Business Week to recognize two of my fellow Alaskans, Frank Cox and Ray Debenham, who are the recipients of prestigious awards because of their promotion of small business enterprise.

Ray Debenham is Alaska's "State Small Business Person of the Year." Ray started his business, the Debenham Electric Supply Co., Inc., the day his former place of employment shut its doors. He did that with just $2,800. Within a year he obtained a small business loan through his bank. His electric supply wholesale business grew quickly and has expanded its base of operation from Anchorage to Kenai, Fairbanks, and Wasilla, AK, as well as to the States of Washington and Utah. I am proud of Ray's personal initiative and promotion of economic opportunity.

Frank Cox is this year's recipient of the SBA's Gold Medal Award. This award is intended to recognize the one SBA employee who has made the most significant overall contribution to the promotion of free enterprise. Frank has 15 years of Federal service, all of it as the District Director of the SBA in Anchorage. Among his achievements is that the Alaska district is the first in the Nation to enlist every bank in the guarantee loan program. Alaska's program is the third most active on the west coast and has the lowest loan failure rate in the country.

The SBA and Frank Cox have played a significant role in the development of Alaska's economy. The Agency has provided much needed loans to businesses during times when it was difficult to attract investment capital into the State. It is still doing so, in fact, in fiscal year 1983, the SBA loaned $72.5 million to Alaska businessmen, the second highest loan volume in the country.

The SBA has also played a significant role in helping the State recover from the devastating 1964 Good Friday earthquake and in helping Fairbanks recover after a severe flood in 1967. The SBA has been good to Alaska and has given many Alaskans the opportunity to exercise their entrepreneurial spirit.

Mr. President, I am pleased to have this opportunity to highlight the contributions of Frank and Ray who are close personal friends of mine. It is a great honor to share their well-deserved achievements with my colleagues in the Senate.●

FORGING SUCCESS: RHODE ISLAND'S SMALL BUSINESS PERSON OF THE YEAR

● Mr. PELL. Mr. President, this is the season of the year when we honor people who have been designated Small Business Persons of the Year from the various States, and I am particularly pleased to call attention to Rhode Island's representative this year because he seems to epitomize the very best in entrepreneurial initiative and imagination.

Jim Morrill came to our State just 3 years ago because he found there a unique opportunity to merge a good idea with the means to bring it to fruition.

The idea was to concentrate on the production of high quality, "bottom poured" steel ingots from scrap metal, for use by the steel forging industry. The unique opportunity was presented by the availability of a small steel plant in East Providence which was offered for sale in a bankruptcy proceeding.

Morrill was able to acquire the plant at a favorable price and then raised $3 million in capital with the help of two

SBA loans. Rhode Island Forging Steel shipped its first ingots in May 1983 and showed a profit 3 months later. In 1984, it realized profits of $1.5 million on sales of $14 million, and sales are expected to double in the next 3 years. The plant now employs a work force of 52.

Jim Morrill's success story is a classic affirmation of the merits of the Small Business Administration's loan guarantee program, without which his thriving business might not have gotten off the ground. His story merits special attention at this time of challenge to the SBA and its programs.

The Morrill story has been told in considerable detail and color in an article entitled "Forging Success" which appeared in the April 14, 1985 issue of Rhode Island Business Fortnightly. I wish to note especially that the article was written by a promising young journalist named John H. Chafee Jr., the son of our distinguished colleague. I ask that the article be printed in the RECORD.

The article follows:

FORGING SUCCESS

(By John H. Chafee Jr.)

Beneath the glass top on James F. Morrill's desk lies a slip of paper reading: "The greatest pleasure in life is doing what people say you cannot do."

The "people" in Morrill's case are the bankers and venture capitalists who declined in droves to help finance the start-up of his specialty steel mill in East Providence—Rhode Island Forging Steel.

Today, two years after firing up its 40-ton-capacity furnace, the 52-employee steel company has captured 6 percent of the market for bottom-poured steel ingots and is riding into its second year of profits while winning accolades from customers, colleagues and competitors.

"Everyone's talking to us now," says Morrill, who has been named the U.S. Small Business Administration's 1985 Small Business Person of the Year for Rhode Island. That was not the case when the 55-year old steel executive brought his plans for a "mini-mill" to the Ocean State.

Morrill attributes some of this success to "being conservative"—in targeting the small market segment he knew the company could serve well, and in estimating the cost of running the business—but adds there was an unforeseen element in the outcome of the venture.

"There was a lot of just dumb luck," Morrill says.

Closer examination reveals, however, behind the "luck," the story of a corporate soldier who, late in his career, left the ranks to strike out on his own in a "dying industry." In two years he has created a thriving steel-making company on the banks of the Seekonk River that reached nearly $15 million in sales in the fiscal year ending last March.

"It doesn't surprise me," Morrill says of his company's success. "The downside risks were there, but we really put this plan together."

It all began in February of 1982, when Morrill, already a 30-year veteran of the steel industry. learned that the Washburn Wire Company plant in East Providence was being offered for sale in the wake of the company's bankruptcy. Morrill urged his then-employer, the Sharon Steel Company ($700 million in sales), to purchase the plant and reopen it as a mini-mill producing steel ingots from scrap metal for the steel-forging industry.

Company higher-ups rejected the idea.

Investigating the market and plant on his own, Morrill confirmed the high demand among steel forgers for "bottom poured" steel ingots, which cost them less than conventional "continuous cast" steel and, through recent technological improvements, met the quality standards that forgers demanded; and he determined that the plant's equipment could be converted without too much difficulty to bottom-poured steel ingot manufacturing. The former Washburn Wire plant was "the ideal facility for high quality steel," he says.

Morrill left Sharon Steel in 1982, subsequently negotiating a price of "5 cents on the dollar" or $1.2 million for the 27-acre Washburn complex. With four other investors—two personal friends from Sharon, Pennsyvania, and two current customers—he spent the next year lining up forging customers for the steel ingot he planned to produce and raising $3 million in capital. The money didn't come easily.

"This wasn't pie-in-the-sky, but I really couldn't get people up here to understand," Morrill says of the business plan he brought to Providence from Sharon, Pennsylvania. "I was thrown out of a few offices," he says.

Nevertheless, by February of 1983 Morrill had pulled together the financing—25 percent in equity investment and the remainder a combination of an SBA-guaranteed debenture issued by Ocean State Business Development Corporation, a low-interest loan from the city of East Providence, and two loans from Greater Providence Deposit Corporation, one of them guaranteed by the SBA.

"We bet on the man," says SBA district director James Hague of his approval of the loan guarantee for Morrill's company. It was the largest amount ever guaranteed by Hague's office.

Morrill's group then bought the plant, and worked quickly to engineer the adjustments. Bringing vital components such as the water system and giant furnace back on line without major repairs were crucial initial concerns, he says.

"The furnace, the electric pumps, the vacuum—most of the expensive equipment had lain idle for almost two years," Morrill points out. The element of "luck" came into play when all the major pieces of equipment came on line without a hitch.

"It all came in on the money," he says. "In our two biggest areas of concern, we well exceeded our best estimates."

Despite the extensive planning put into the venture and his 30 years' experience in the steel industry, Morrill felt the weight of the $3 million investment as start-up day drew near.

Working to Morrill's advantage were the low purchase price of the facilities and the spartan cost economies he had of necessity instituted, which combined to give his company an extremely low break-even point. Rhode Island Forging Steel shipped its first steel ingots in May, 1983 and showed a profit three months later. Amid the decline of the big integrated steel mills, Morrill's mini-mill has been on an upward trajectory ever since.

In its fiscal year just ended (March 31), Rhode Island Forging Steel shipped 35,000 tons of ingots to steel forgers, up 100 percent from the company's first year. Profits have risen from $250,000 on sales of $5.8 million in fiscal year 1983 to $1.5 million on sales of $14 million in 1984. Overall, Rhode Island Forging Steel's profitability has been almost double that of the steel industry as a whole.

One of the ways Morrill holds down costs is to run the "heats"—the melting down of the scrap steel that is the main ingredient of the ingots—during the off-peak energy hours between 7 p.m. and 7 a.m. (RIFS consumes more electric power with its electric-arc furnace than any other Rhode Island company.) The plant during those hours is heavy industry at its most dramatic.

An electromagnet swings down from the dark overhead recesses of the building, sinking into a pile of silvery scrap metal. Clump by clump the magnet carries the scrap to a giant bucket, which in turn is emptied into a 30-foot-wide furnace on a platform. At ground level, in the distance, a 20-ton pot—the "ladle"—glows red from preheating while it awaits its molten cargo.

Once the furnace is filled, three 15-foot-long electrodes descend into it. A foundation-rocking vibration begins, and sizzling and popping noises emanate from the furnace before a 30-foot-long tongue of sparks bursting from an aperture in the furance as the electrodes unload their 25,000 volts. Within minutes the scrap is reduced to a liquid, emitting an intense white glow through the furnace opening. The 3000-degree solution bubbles and gurgles in a violet penumbra. Macbeth's witches never stirred a brew so infernal.

On this night too much carbon is in the melt—"Only when visitors come," says quality controller Manny Pombo, a former Washington Wire employee—and the five men at the furnace work to offset the imbalance, alternately pumping oxygen through a pipe into the mix to burn off the carbon and spooning out fiery liquid samples for the metallurgist to analyze for the proper alloy mix.

While the melt continues, a visiting industrial consultant marvels at the crew's performance. "All these men can do at least three different jobs. You wouldn't find this kind of work at Bethlehem Steel," he says. "I don't know how Morrill motivates these guys. If it's them against the Japanese, I'll take them."

After an hour, the problem is resolved: an overhead crane rolls the length of the ceiling, hoists the giant ladle, and positions it below and to one side of the furnace. A stream of molten steel gushes from the furnace into the ladle. After a few minutes the entire furnace tips 45 degrees, filling the ladle to its 40-ton capacity.

The steel goes through a degassing stage before it is poured into a 20-foot-high cylinder. The steel rises up from the bottom into surrounding cylindrical molds (hence the term "bottom poured"). After 48 hours, it is in its solid ingot form, ready for shipment to the forging companies which shape the ingots into gears, crankshafts, turbine rotors and other heavy industrial products.

While the technology for manufacturing bottom-poured ingot has been in use for decades, most steel forgers have preferred steel made by the "roll and bloom" method for its higher quality, despite its greater cost. Recent technologial advances, according to Morrill, now enable bottom-poured steel to attain the same quality as the "roll and bloom" product while remaining less expensive. Strengthening Rhode Island Forging Steel's competitive position against such

giants as Bethlehem Steel and Morrill's former employer, Sharon Steel, is the savings made possible by the low capital costs of the company's start-up financing.

"We save our customers money (over conventional roll and bloom method steel), and we're well known for high-quality products," Morrill says of the impetus behind Rhode Island Forging Steel's steadily increasing sales. Ingot quality, reliability, and customer service were cited by customers as the key advantages held by Rhode Island Forging Steel, according to a report on the company compiled for the SBA by an independent consultant.

"With Rhode Island Forging, you know that you come first," responded one customer to the survey, which reviewed the first year and a half of Morrill's SBA-backed company. "Delivery as promised is the very best that you can get from any ingot mill, anywhere."

Typifying the company's efficiency, its lead times—the time periods between receipt of an order and shipment of product—are "by far the shortest in the industry," according to the same report. A customer in Texas cites an order placed and filled inside of fourteen days, enabling him to capture a major contract. "Where else could you get that kind of attention and treatment?" the customer asked rhetorically.

"Knowing the market," Morrill lists as one of his own advantages. "Hard work," he might have said as well. The company has been operating Sunday through Friday for most of the past year, and its employees average "50 hours a week, easy," according to one worker, who went on to express admiration for his boss, saying "He took nothing, and he made something."

Asked how he motivates his workers, Morrill replies quickly, "You give them an identity, develop teamwork. People will take pride in their work if you give them an opportunity . . .

"Pride in your work," he muses. "Hell. That's the greatest feeling in the world!"

One basic tenet of Morrill's management philosophy is that all employees in the nonunion plant rotate into different job functions, from "melter" at the furnace to quality control.

Morrill notes that not everything went according to plan during the first year. "Soon after we started business, sales prices for steel ingots dropped 30 percent," he says. "Our business plan was pretty conservative to begin with, and we've still made profits based on other things going our way—mainly, the drop in interest rates beginning in 1983.

"The biggest error," he says, "was in the area of accounts receivable." An unexpected lag in customer payments impeded the operation's cash flow, and "it wasn't until May of '84 (a year after start-up) that we began to see daylight in our cash balances."

As payments began to come on stream and produce working capital, Morrill was able to invest in modestly greater economies of scale. For example, "In smaller shipments," he says, "'moly' (molybdenum, a key element of alloy ingot) would cost us $4.50 a pound; ordering in bulk costs only $4.00."

Against the backdrop of Remington Wild West scenes adorning the paneled walls of his office, Morrill can reflect on Rhode Island Forging Steel's first two years in business and his plans for positioning the company for sustained growth.

Ironically, or perhaps inevitably, the company's success has brought it to a critical crossroads. No longer the small start-up that could be managed by one or two people, Rhode Island Forging Steel has attained a momentum that necessitates investments in its own infrastructure—in personnel, equipment, and management.

Whether the company seeks to grow by broadening its customer base or moving into quality-enhancement operations such as ingot cutting and trimming, or into new markets altogether, in specialty steels for the defense and aerospace sectors, the path toward continued growth will be marked by greater complexity. Substantial growth often means reorganizing a company away from a one-man show, and for some owner-managers delegating management responsibilities comes hard.

Morrill's response to the suggestion that he will have to build the bureaucracy of the company is characteristically candid and enthusiastic. "It has to happen," he says emphatically. "I'll have to delegate authority. And I have to think about a successor to me," he adds.

For now, Morrill says he is "constantly looking at people" in anticipation of the increase in business he expects once the company's second furnace is activated later this spring. A major investment in quality control facilities, moreover, will enable the company to produce high-alloy levels for big-order companies like General Electric and Westinghouse. Morrill sees Rhode Island Forging Steel's sales increasing within three years from their current $14 million level to $30 million, a figure he concedes is ambitious.

As for himself, Morrill says he has only one main prerequisite for staying on at the company.

"I'll stay til it stops being fun," he says, with a big smile.

If his enthusiasm is an indication of Morrill's having fun, Rhode Island Forging Steel's boss should be around for a long time.●

50TH ANNIVERSARY OF THE RURAL ELECTRIFICATION ASSOCIATION

● Mr. HEINZ. Mr. President, today is the 50th anniversary of the establishment of the Rural Electrification Administration [REA]. Cooperative rural electrification in the United States represents a revolution of sorts, bringing farmers and other rural residents out of the 18th century and firmly placing them into the 20th century.

When most people think of Pennsylvania, they think of its cities and its great industrial base. Most citizens of the State have enjoyed the benefits of central station electric service from the dawn of the electric age. It was in Pennsylvania, after all, that the first hotel, the first church, the first street light, and—in fact—the first town were electrified.

But not so long ago there was another Pennsylvania. As recently as the 1940's, it was possible to drive out of the brightly lit city of Pittsburgh and, within an hour, walk into the homes of people who were living in another century. Just a half century ago, fewer than one in four rural Pennsylvanians had electric lights. Worse than that, they did not have the power to run machines, to generate heat, to provide communications with the outside world that electricity brings with it.

It was not that Pennsylvanians did not see the benefit of electrifying their farms and rural homes and businesses. More than a decade before the establishment of REA, Governor Gifford Pinchot appointed a commission to study the electric utility industry in Pennsylvania. One of the recommendations of the "Giant Power Survey" was that the State's electric utilities should move, with all possible speed, to provide central station electric service to all portions of Pennsylvania. Unfortunately, the power companies did not respond to the Governor's call to provide rural electrification. Many of the Commonwealth's rural areas where just too remote, too rugged, too sparsely populated to serve at a profit, they claimed.

The dream, that someday every citizen who wanted electric service would have it, did not die, however. Many organizations, such as the Pennsylvania State Grange, kept the idea alive and kept the pressure on the State government and the Commonwealth's electric utilities.

Wide-scale rural electrification in Pennsylvania had to wait another decade, however. The problems and costs of rural electrification, magnified by the Great Depression, required a national solution which carried the resources of the Federal Government.

Soon after Franklin D. Roosevelt signed the Executive order establishing the Rural Electrification Administration, the word that, at long last, it would be possible to "get lights" spread throughout the countryside. County agricultural agents, community organizations, and just plain folks wrote to Washington, DC, to get the facts about the Rural Electrification Administration, its work, and procedures. A woman by the name of Georgia Haefli of Steamburg in northwestern Pennsylvania was one of them. She held meetings in her community to explain how, with the help of the REA, farmers and other rural residents in their area could form their own electric utility, a nonprofit, consumer-owned rural electric cooperative.

At first, the idea seemed crazy. "If the private power companies, who know what they are doing, can't provide electric service to rural areas, then how can a bunch of farmers, unskilled in the utility business, do the job" went one of the arguments. But the meetings and discussions continued and finally, in early 1936, Mrs. Haefli's group and 12 other community groups in Erie and Crawford Counties organized the Steamburg Electric Cooperative Association. Today, this organization is known as the North-

western Rural Electric Cooperative Association.

It is odd today to think that an event so simple and so commonplace as the setting of a utility pole could create so much excitement. But on August 5, 1936, more than 3,000 people gathered on the farm of A.D. Stainbrook to witness the setting of the first rural electric cooperative pole in Pennsylvania. As a side note, I should mention that Mr. Stainbrook, who was an original director of Northwestern Rural Electric Cooperative Association, still serves on its board. The reason that so many people showed up for this event is that it represented a new beginning for thousands of rural people in Pennsylvania and across the Nation. No longer would the farmer's workday be governed by the rising and setting of the Sun. No longer would schoolchildren have to study by lantern like Abe Lincoln did a century before. No longer would housewives have to pump and carry water by hand and cook over hot wood-burning stoves. No longer would rural people have to live lives as second-class citizens.

Yes, cooperative rural electrification represents a revolution; an American kind of revolution where people see a problem that needs to be solved and then go about the business of finding a solution. When we celebrate the establishment of the Rural Electrification Administration, we celebrate the work of millions of rural Americans who helped themselves to a better life. There are many reasons why we still need REA and rural electric cooperatives. But perhaps the most significant is that cooperative rural electrification provided a lesson in how people, working together and with their government, can get things done.●

CENTENNIAL OF GOUCHER COLLEGE

● Mr. SARBANES. Mr. President, the faculty, students and alumnae of Goucher College will be participating in a gala reunion this weekend from May 10–12 as part of their yearlong festivities celebrating the school's centennial year. It is my great pleasure to commemorate the 100th anniversary of this distinguished institution, the first in the State of Maryland and one of the first in this Nation where women were afforded the opportunity to receive a college education.

Sharing the revolutionary idea that women were entitled to the same opportunity as men for a challenging college education, the visionary Dr. John Franklin Goucher and Dr. John Blackford Van Meter convinced the Baltimore Conference of the Methodist Episcopal Church, in celebration of its own centenary, to establish a first-class institution of higher education for "the daughters of Christian parents." On January 26, 1885, the college obtained a charter of incorporation, and the Women's College of Baltimore City came into existence. It was to receive its present name later during Eugene Allen Noble's presidency from 1908 to 1911.

Reflecting on the first 100 years in Goucher's proud history we see an institution that remains committed to its founder's motto, taken from I Thessalonians: "Prove all things; hold fast that which is good," and its founder's philosophy that this college should be one where women can achieve their personal and academic promise. It has held steadfast as well to its original mission: "The pursuit of excellence through the finest of traditional and innovative education."

Under the skillful leadership of President Rhoda Dorsey and her outstanding facility, Goucher College can boast a rigorous academic curriculum and an atmosphere that "favors the intellectually venturesome, free spirited individuals." The college is progressive in its adaptation to changing times, including computer literacy and internships in its required curriculum, one rich in tools to prepare women as professionals for entry into the modern workforce. While offering practical experience, the school has adhered to the principle upon which it stands. Having tested and proven the premise of a liberal arts education, the college fosters the development of the intellect, appreciates the diversity of the individual and stresses the importance of physical and social well-being.

At a time when educational institutions in our Nation face difficult financial times, Rhoda Dorsey has built a bright future for Goucher College. I am pleased to call the Senate's attention to this celebration and am confident this center of higher learning will have a tradition rich in centennial celebrations.

Mr. President, I ask that excerpts from an article in a Baltimore paper, the Messenger, chronicling the centennial celebration and the past and examining the present of this outstanding college, be printed in the RECORD.

The material follows:

[From the Messenger, Jan. 9, 1985]

FROM PROMISE TO ACHIEVEMENT

(By Michael Ruby)

For the first time in Goucher College's history, the Towson educational institution is being called a party school. That's just fine with the college's faculty, students and alumnae who are in the midst of celebrating a year-long party marking the school's centennial year. And everyone has been invited to attend.

"We love to celebrate at Goucher and we think we have something wonderful to celebrate," said Martha Nichols, dean emeritus of students and chairman of the centennial committee.

"We wanted to do things with an awareness of the various constituencies that would be participating, including the alumnae, students, faculty, staff and, of course, the college's friends and the community. We felt that we could never accomplish in one week or one month the things that we set out to do."

What the centennial committee set out to do, continued Nichols, was to "celebrate the past accomplishments of the college, take a good hard look at where we stand today in terms of our educational standards, and try to determine where we might be going."

More than two years of planning was needed to set up the series of events ranging from academic symposia to an eight-mile foot race to a gala reunion/homecoming weekend in May. Regional events also are scheduled for friends and alumnae in Chicago, Philadelphia, Dallas, Washington, D.C., Los Angeles, Florida and Boston.

The anniversary's theme, "From Promise to Achievement, 1885–1985" has two meanings. One is the institution's growth from a one-building school in Baltimore City to the sprawling 287-acre Towson campus. The other, according to Goucher President Rhoda M. Dorsey, "evokes both the outstanding ability of our students and the remarkable accomplishments of the college's alumnae."

Throughout the centennial committee's deliberations, one common thread permeated the planning. It was the same that has been a constant throughout the college's history. "At the core to everything was our plan to celebrate our academic excellence," said Nichols.

"The promise in the initial founding of the college was to provide quality education for women at a time when this was not common. Not second-rate education and not an education that was an aping of education for men but one that had validity for the intellectual development of women.

"That's what made Goucher College special from the beginning and has kept it special throughout its 100 years. It is Goucher College."

LOOKING BACK

More than 100 years ago, another centennial committee was formed by the Baltimore Conference of the Methodist Episcopal Church to consider founding a seminary. Three years later, the plan was changed to endow a college for women in observance of the American Methodist Church's own centenary.

"What they really had in mind was a boarding and finishing school," said Frederic O. Musser, Jr., a professor of French who is writing the authorized history of Goucher College from 1935 to 1985. "But Dr. [John Franklin] Goucher and Dr. [John Backford] Van Meter had a higher vision and convinced the committee to found a four-year college."

The Rev. Goucher was invited to be the institution's first president but he declined the honor. "Dr. Goucher had a great deal of interest in missionary work in India, China and Japan and wanted time to get out into the field,"said Musser. "So he didn't want to saddle himself with the administration of a college." Instead, William H. Hopkins served as president from 1886 to 1890.

In September 1888, the college opened its doors to students, who registered with $100 tuition, Two years later the U.S. Commissioner of Education placed Goucher, then known as The Women's College of Baltimore, among the top 14 Division A colleges for women in the country. By 1897, it was ranked among the top 14 schools in the

nation—a group including Harvard, Yale, and Princeton.

Despite its academic success, the school floundered financially. "During the entire administration of Presidents Hopkins and Goucher (1890-1908) they were running up deficits which Dr. Goucher covered, primarily with money from his wife Mary Fisher," said Musser. "There have been a lot of financial ups and downs in the college's history. Mostly downs."

It took the leadership of William Westley Guth, who served as Goucher president from 1913 to 1929, to put the school on a sound financial basis. He raised tuition, nearly tripled enrollment and in 1921, purchased 21 acres of land in Towson for a future campus.

"Towson was considered fairly close," explained Musser, "and there were several large estates that could easily be put together for a campus. But the real reason may have been that people on the Board [of Trustees] knew people out there who owned land and could be persuaded in selling to the school."

"Despite its achievements, Guth's tenure was not without controversy. "Guth was a strong man who loved power and never hesitated to use it," said Musser. "He started out with a great deal of charm and a large following. But about half way through his term as president he became ill and his personality changed. He became abrasive. But he managed to clean up the previous administrations' deficit."

Musser cited at least one instance of Guth having been penny wise and pound foolish, however," Guth decided not to join the Seven Sisters [an organization of elite women's colleges]," said the French professor. "The expenses involved in joining were a little high and Guth didn't think the school could afford it. Just think," Musser marveled, "the Seven Sisters almost became the Eight Sisters!"

The Great Depression once again strained the school's budget, delaying construction of the new campus. From 1933 to 1937, the college faculty voted to accept a self-imposed 10 percent pay cut because of the school's tenuous financial situation. Not until 1940 did work begin on Mary Fisher Hall, the first building on Goucher's Towson parcel.

"Things were getting bad downtown with the neighborhood changing and the alumnae were pushing the Board of Trustees to build the new campus," said Musser. "Plans were drawn up for Mary Fisher Hall which would have taken about $600,000 to complete. The school only had half that. But the Board decided to go ahead anyway thinking it would inspire others to come up with the rest."

The money came in and Mary Fisher Hall was dedicated in 1942, but World War II halted any further construction. Goucher's sixth president, Otto Frederick Kraushaar [1948-1967], "essentially built the Towson campus," said Musser. "He is known as the school's great builder."

Kraushaar was the most charismatic of Goucher's presidents, contends Musser, and his spirit was well tested during the building period when the college was divided between two campuses and students were bused back and forth sometimes several times a day. By 1953, the move to the wooded campus in Towson was finally completed. After weathering the transition period, Kraushaar reigned over the school's 'Golden Age' from 1955 to 1965 when student applications were high and admissions very selective.

"I suppose the one thing that has surprised me the most while researching the school's history is the reputation for academic excellence it has enjoyed almost from the very start," said Musser. "That's in large part due to the excellent teaching faculty here and a Board of Trustees that was not content with following others.

"We have a history of firsts. Goucher College established the first department of physiology and hygiene in any women's college. Our graduates were among the first class at the Johns Hopkins Medical School. And we were the first school of our size or type to have academic computer courses as early as 1962.

"We've always been strong in the sciences and though there have been a few changes to the basic curriculum since 1888, mostly additions, the one thing that has never changed is our grounding in the liberal arts."

LOOKING AT THE PRESENT

Today, Goucher College boasts of 19,822 alumnae with 15,895 still living and more than 3,100 residing in Maryland. For those graduates unable to attend the school's centennial events held on the Towson campus, a series of satellite birthday parties are scheduled for various regions of the country.

"We've tried to tailor the activities to the particular interests, needs and preferences of the environment," said Martha Nichols chairman of the centennial celebration. "In Los Angeles, friends and alumnae of the school will take a cruise on John Wayne's yacht with a Dixieland band and a crab cake buffet.

"In Chicago, there will be a symposium with outstanding television personalities. And in Dallas, there will be a fund-raising dinner to start a scholarship in honor of Judge Sarah T. Hughes, the Goucher alumna who swore in Lyndon Johnson as president."

A seven-minute film about the college and its 100-year history is also available to alumnae groups across the nation. The movie includes interviews and a discussion between graduates and current students about changing social mores and how they have been reflected on the campus over the years.

The real highlights of the anniversary celebration are occurring on the Towson campus, with a special focus on four academic symposia, all featuring notable speakers-in-residence.

George Ball, former under-secretary of state and U.S. ambassador to the United Nations headlined the Conflict and Resolution Symposium that was held Oct. 15-17. Architecture critic and former New York Times columnist Ada Louise Huxtable was in residence Nov. 12-14 for the Style Symposium.

There will be a two-part Women Writers Symposium, with the Mar. 5-7 portion featuring authors Grace Paley, Hortense Spiller, June Jordan and Maya Angelou. The Mar. 18-21 segment will present novelist Joyce Carol Oates. Vera Kistiakowsky, professor of physics and experimental high-energy particle physics researcher at MIT, will be the main lecturer at the Science Symposium, Apr. 16-18.

"We are trying to present not necessarily people who are well known names but people who have made a significant contribution to their fields and are willing to share their excellence with the academic community," said Nichols.

"The symposia are a good way of bringing into the celebration the students and community."

A commemorative ceremony and reception is planned for Mar. 3 at Lovely Lane Church, the site of the original Goucher campus. And then on Mar. 9, an eight-mile race from the Towson campus to Lovely Lane will be held.

"Physical education always has been an integral part of the curriculum at Goucher," said Nichols. "Besides demonstrating the link between the two sites in the school's history, this was one of the things that many alumnae and students said they wanted as part of the celebration."

The centennial's grand finale will be a homecoming/reunion during the May 10 weekend, complete with a formal Friday night dinner at Baltimore's Convention Center, a day-long fair Saturday, informal Saturday evening parties with live music from the 1920's through the 1980's, and fireworks. Special Amtrak "centennial cars" will carry groups of alumnae from Boston, New York, Philadelphia and Chicago to the festivites.

In the two years that Nichols has guided the centennial committee, she has been assisted by large numbers of alumnae all over the country. Their devotion to the school is not surprising to her.

"Graduates feel a loyalty to the college because they are aware of the college because they are aware of the growth they experienced in their four years here," she said.

Professor of French and school historian Frederic Musser adds, "The alumnae feel they were well served by Goucher. Academically, they were prepared to stand forth and achieve when they graduated."

One of the keys to that success, says Goucher President Rhoda M. Dorsey, is not so much what is taught but how. "I believe that we forget most of what we learn in college," she said. "The important thing is how one finds out about things.

"The strength of a liberal arts education is that it stresses literacy, cares about the development of critical judgment and teaches people how to learn.

"And Goucher is generally viewed as an institution of quality that makes demands on its students and pushes them beyond their limits."

Besides the strength in academics, other factors set Goucher College apart from similar liberal arts colleges. "One thing that is distinctive is its location," said Dorsey. "When it was first created, the college viewed the city as a laboratory, a library and a museum. And though we're now located in the county, Baltimore is still an asset for us. On orientation day I used to make a pitch to students and their parents to drive downtown and see Baltimore. Now they are coming in a day early to visit the city because they have heard about all the wonderful things that have happened.

"Baltimore, Washington and Annapolis are wonderful places for internships, summer jobs and permanent jobs and our proximity to these places helps."

The advantage of an all-girls' school is obvious, says Musser. "What it does is enable a young woman to go through her adolescence in a situation where she doesn't have the problem of direct competition with men," he explained.

"In many co-educational classes the voices that are heard are the male voices. Here the women learn to develop self-confidence which helps tremendously when they must deal with men."

But there is a "magic" about Goucher expressed by loyal alumnae that Dorsey finds a little harder to define. "I have to think it is what happens at a particular place between people that is the magic," she said.

"There is something about an institution like Goucher that makes it possible for the personal interaction and ties to grow that people cherish and are enormously strengthened by."

Dorsey doesn't pretend that Goucher College has a lock on that "magic." She says she feels the same way about Smith College, her alma mater. "But it was here at Goucher that girls became women and strangers became friends," Dorsey continued. "And some of that happened because of the kind of place Goucher was, is and hopefully always will be."

LOOKING AHEAD

"As long as it's a man's world, there will always be a need for women's colleges," said Barton L. Houseman, professor of chemistry.

So Houseman contends there will be a Goucher College celebrating its 200th anniversary in 2085. But whether there will be an actual campus with professors lecturing before a classroom of students, he can't say.

"My hunch is that within the next 15 years, college education will be revolutionized by computers," he speculated. "Computers will be so skillful that they will be comparable to some college teaching that goes on now. They will be able to talk in English and listen to the student speak."

Personally, Houseman would hate to see the end of the interchange between the student and the teacher, something that has been one of the building blocks of Goucher's excellent academic reputation.

"There's nothing to compare with the experience of students gathered in a classroom matching wits with the professor and each other," said Houseman. "I view Goucher as kind of a boot camp of women of intellect. Goucher says to the student to put aside the toga college scene and the rah-rah bigtime athletics. Give me your very soul for four years and I will do good thing with you."

Since President Dorsey took over at Goucher in 1974, she has seen this task made easier because of the computer. "By working with word processors, students no longer are burdened with retyping so they are more willing to go back and rework something until they get it correct," she said. "It has completely changed their attitude about their work and because they are willing to keep at it, their skills are improved.

"But the change in teaching has happened so quickly it takes one's breath away."

Dorsey is not one to look 100 years down the road. Instead, she has been steering the school on a steady, pragmatic course for the impending difficult years when the college-age populace is expected to plummet.

Three years ago, Goucher completed a $14.6-million capital fund-raising campaign that will help to renovate and refurbish the school's physical plant. The educational institution's endowment fund now stands at $33.5 million. And though historian Frederic Musser will not say how the Rhoda Dorsey chapter of his book is going, he does credit her with giving the college a bright financial future.

Dorsey modestly perceives her role as a facilitator. "I believe that what happens here, like life, is a result of tinkering," she said. "Sometimes it's a major tinker, sometimes a minor one. But my job is to encourage the faculty to do its work and modify the curriculum to meet the needs and interests of the students.

"Whatever technological innovations are introduced will not be looked upon with fear but with understanding and they will be applied to our benefit. But basically my goals are to keep the place pretty much the same. Goucher will always be preparing women to take roles of responsibility and leadership at the work place, in society and in life."

To know where Goucher College will be in the next 100 years, just look where it is today or was 50 years ago. It will be busy making girls into women and changing promises into achievements.●

ADVANCE NOTIFICATION PROPOSED ARMS SALES

● Mr. LUGAR. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon receipt of such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Committee on Foreign Relations.

Pursuant to an informal understanding, the Department of Defense has agreed to provide the committee with a preliminary notification 20 days before transmittal of the official notification. The official notification will be printed in the RECORD in accordance with previous practice.

I wish to inform Members of the Senate that such a notification has been received.

Interested Senators may inquire as to the details of this advance notification at the office of the Committee on Foreign Relations, room SD-423.

The advance notification follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC, May 7, 1985.

Dr. M. GRAEME BANNERMAN,
Deputy Staff Director,
Committee on Foreign Relations,
Washington, DC.

DEAR DR. BANNERMAN: By letter dated February 18, 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The Department of State is considering an offer to a Southwest Asian country for major defense equipment tentatively estimated to cost in excess of $14 million.

Sincerely,

PHILIP C. GAST,
Director.●

TRIBUTE TO JUDGE CLARKSON S. FISHER

● Mr. LAUTENBERG. Mr. President, I rise today to pay tribute to Judge Clarkson S. Fisher, whose distinguished public service warrants our admiration and praise. Judge Fisher is being honored on May 17 by his friends and colleagues in celebration of his 15th year on the Federal Bench and his 20th year as a judge. I wish to join those in honoring Judge Fisher for his many accomplishments.

Clarkson Fisher began his legal career in private practice, serving with a Long Branch law firm for 14 years. From there he became a judge on the Monmouth County Court. Shortly thereafter, Judge Fisher served on the New Jersey Superior Court, and in 1970, he was appointed to the U.S. District Court, District of New Jersey. His two decades of service behind the bench have resulted in many important decisions, decisions marked by integrity and scholarship. Since 1979, he has served as chief judge of the court, managing a growing docket that has imposed increasing strains on the court in New Jersey.

I should add that Judge Fisher's commitment to public service extends far beyond his role as arbiter of the law. He has served as a New Jersey State assemblyman. He was legal counsel to the Long Branch planning board and the Patrolmen's Benevolent Association. In addition, Judge Fisher has been a member of the West Long Branch Fire Company No. 2 since 1955. He served as a trustee for Monmouth College.

Mr. President, I am pleased to join in honoring Judge Fisher today.●

PROPOSED ARMS SALES

● Mr. LUGAR. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

In keeping with the committee's intention to see that such information is immediately available to the full Senate, I ask to have printed in the RECORD at this point the notification which has been received. The classified annex referred to in the covering letter is available to Senators in the office of the Foreign Relations Committee, room SD-423.

The notification follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC., May 7, 1985.

Hon. RICHARD C. LUGAR,
Chairman, Committee on Foreign Relations, U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding under separate cover Transmittal No. 85-30, concerning the Department of the Navy's proposed Letter of Offer to Korea for defense articles and services estimated to cost $14 million or more. Since most of the essential elements of this proposed sale are to remain classified, we will not notify the news media.

Sincerely,

PHILIP C. GAST,
Director.

[Transmittal No. 85-30]

NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(b) OF THE ARMS EXPORT CONTROL ACT

(i)(U) Prospective Purchaser: Korea.

(ii) Total Estimated Value: Major Defense Equipment [1] (Deleted); Other (Deleted); total (Deleted).

(iii) Description of Articles or Services Offered: (Deleted).

(iv)(U) Military Department: Navy (AEI).

(v)(U) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi)(U) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See attached Annex.

(vii)(U) Section 28 Report: Case not included in Section 28 report.

(viii)(U) Date Report Delivered to Congress: May 7, 1985.

POLICY JUSTIFICATION

(U) This sale will contribute to the foreign policy objectives of the United States by helping to improve the security of a friendly country which has been and continues to be an impetus for modernization and progress in Eastern Asia. The sale of this equipment and support will enhance deterrance and contribute to the preservation of peace and stability on the Korean peninsula.

(U) These missiles will be used by the Republic of Korea on its F-16 fighter aircraft and will enable these aircraft, scheduled for delivery commencing February 1986, to achieve their full combat potential.

(U) The sale of this equipment and support will not affect the basic military balance in the region.

(U) The prime contractors will be the Raytheon Company of Lowell, Massachusetts and the Ford Aerospace and Communications Corporation of Newport Beach, California.

(U) Implementation of this sale will not require the assignment of any additional U.S. Government personnel; however, one contractor representative will be required for 12 months in Korea.

(U) There will be no adverse impact on U.S. defense readiness as a result of this sale.●

[1] As defined in Section 47(6) of the Arms Export Control Act.

WEST VIRGINIA LEGISLATURE URGES INCLUSION OF FORESTRY SECTION IN 1985 FARM BILL

● Mr. ROCKEFELLER. Mr. President, it is my pleasure today to place in the RECORD the text of Senate Concurrent Resolution No. 4, adopted by the West Virginia Legislature urging the Congress to include a forestry section in Congress' 1985 farm bill. The State legislature supports the inclusion of a forestry section in the farm bill to prevent the erosion and increase the productivity of marginal crop and pasture land.

As one who has long supported the wise use of West Virginia's natural resources, I commend the resolution passed by the West Virginia Legislature to my colleagues.

The resolution follows:

Whereas forestry plays a major role in the economy of this nation, with the expected demand for softwood in the United States to exceed supply, at current price levels, by the year 2000; and

Whereas there are millions of acres of eroding marginal crop and pastureland which will reduce the overall productivity of our agriculture and forestry land base; and

Whereas tree planting on those marginal crop and pasturelands will yield a greater average annual rate of return to the landowner and reduce erosion and improve water quality; therefore, be it

Resolved, by the Legislature of West Virginia:

That the inclusion of a forestry section to the 1985 Farm Bill that would provide federal incentives for planting trees on marginal crop and pasturelands, particularly those which are eroding at accelerated rates and those which will yield a greater economic return to the landowner if planted in trees, is hereby supported; and, be it

Resolved further, That the Clerk of the Senate forward a copy of this resolution to the West Virginia Congressional Delegation.●

ORDERS FOR THURSDAY

ORDER FOR RECESS UNTIL 9 A.M. TOMORROW

Mr. SIMPSON. Mr. President, after conferring with the Democratic leader, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS SPECTER AND PROXMIRE ON TOMORROW

Mr. SIMPSON. Mr. President, I ask unanimous consent that, following the two leaders under the standing order of 10 minutes each, there be special orders in favor of the following Senators: Senator SPECTER and Senator PROXMIRE.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON TOMORROW

Mr. SIMPSON. Mr. President, following the special orders just identified, I ask unanimous consent that there be a period for the transaction of routine morning business not to extend beyond the hour of 10 a.m. with statements limited therein to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMPSON. Mr. President, following routine morning business, the Senate will resume Senate Concurrent Resolution 32, the budget resolution. There will be rollcall votes expected throughout the session tomorrow and on quite late into the evening, I would anticipate.

Mr. President, the first amendment for consideration tomorrow is expected to be the Kassebaum-Biden-Grassley amendment, the so called KBG amendment.

The time remaining on the budget resolution: Senator DOLE controls 1 hour and 50 minutes, and Senator BYRD controls 4 hours and 27 minutes, for a total of 6 hours and 17 minutes.

RECESS UNTIL 9 A.M. TOMORROW

Mr. SIMPSON. In accordance with the previous order, I move that the Senate stand in recess until 9 a.m. tomorrow.

Thereupon, at 5:50 p.m., the Senate recessed until tomorrow, Thursday, May 9, 1985, at 9 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, May 8, 1985*

The House met at 12 o'clock noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, O gracious God, that during these days of remembrance and anniversary that our minds will be enlightened and our hearts lifted with knowledge of the courage of those who have gone before us. We are aware of so many who have suffered injustice and tyranny, whose lives were lost with only the hope of peace. We salute those who fought against evil in word or in deed, and for those who gave their lives, grant a holy rest. Gracious God, we admit our debt to so many and, as we celebrate anniversaries, may we be strengthened for our tasks in our day and time, by the faithfulness of those who have gone before. In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. EMERSON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. EMERSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 259, nays 157, answered "present" 1, not voting 17, as follows:

[Roll No. 99]

YEAS—259

Ackerman	Bates	Boxer
Akaka	Bedell	Breaux
Alexander	Bennett	Brooks
Anderson	Berman	Broomfield
Andrews	Bevill	Brown (CA)
Annunzio	Biaggi	Bruce
Anthony	Boggs	Bryant
Archer	Boland	Burton (CA)
Aspin	Boner (TN)	Bustamante
Atkins	Bonior (MI)	Byron
AuCoin	Bonker	Carper
Barnard	Borski	Carr
Barnes	Bosco	Chappell
Bateman	Boucher	Coelho
Coleman (TX)	Hughes	Ray
Collins	Hutto	Reid
Conyers	Jenkins	Richardson
Cooper	Johnson	Rinaldo
Coyne	Jones (NC)	Robinson
Crockett	Jones (OK)	Rodino
Daniel	Jones (TN)	Roe
Darden	Kanjorski	Rose
Daschle	Kaptur	Rostenkowski
de la Garza	Kastenmeier	Roukema
Dellums	Kennelly	Rowland (GA)
Dicks	Kildee	Roybal
Dixon	Kleczka	Russo
Donnelly	Kolter	Sabo
Dorgan (ND)	Kostmayer	Savage
Dornan (CA)	LaFalce	Scheuer
Dowdy	Lantos	Schneider
Downey	Leath (TX)	Schumer
Duncan	Lehman (CA)	Shelby
Dwyer	Lehman (FL)	Sisisky
Dyson	Leland	Skelton
Early	Lent	Slattery
Eckart (OH)	Levin (MI)	Smith (FL)
Edgar	Levine (CA)	Smith (IA)
Edwards (CA)	Lipinski	Snyder
English	Lloyd	Solarz
Erdreich	Long	Spence
Evans (IL)	Lowry (WA)	Spratt
Fascell	Luken	St Germain
Fazio	Lundine	Staggers
Feighan	MacKay	Stallings
Flippo	Manton	Stark
Florio	Markey	Stenholm
Foglietta	Martinez	Stokes
Foley	Mavroules	Stratton
Ford (MI)	Mazzoli	Studds
Ford (TN)	McCloskey	Stump
Fowler	McCurdy	Swift
Frank	McHugh	Synar
Franklin	Mica	Tallon
Frenzel	Michel	Tauzin
Frost	Mikulski	Thomas (GA)
Fuqua	Miller (CA)	Torres
Garcia	Mineta	Torricelli
Gaydos	Moakley	Traficant
Gejdenson	Molinari	Traxler
Gekas	Montgomery	Udall
Gephardt	Moody	Valentine
Gibbons	Morrison (CT)	Vento
Glickman	Mrazek	Visclosky
Gonzalez	Murphy	Volkmer
Gordon	Murtha	Walgren
Gradison	Myers	Watkins
Gray (IL)	Natcher	Waxman
Gray (PA)	Neal	Weiss
Guarini	Nelson	Wheat
Hall (OH)	Nichols	Whitehurst
Hall, Ralph	Nowak	Whitley
Hall, Sam	O'Brien	Whitten
Hamilton	Oakar	Williams
Hammerschmidt	Oberstar	Wilson
Hansen	Obey	Wirth
Hatcher	Olin	Wise
Hawkins	Ortiz	Wolpe
Hayes	Owens	Wortley
Hefner	Panetta	Wright
Hertel	Pease	Wyden
Hopkins	Perkins	Wylie
Horton	Petri	Yates
Howard	Pickle	Yatron
Hoyer	Price	Young (MO)
Hubbard	Rahall	
Huckaby	Rangel	

NAYS—157

Armey	Brown (CO)	Coats
Badham	Burton (IN)	Cobey
Bartlett	Callahan	Coble
Barton	Campbell	Coleman (MO)
Bentley	Carney	Combest
Bereuter	Chandler	Coughlin
Bilirakis	Chappie	Courter
Bliley	Cheney	Craig
Boehlert	Clay	Crane
Boulter	Clinger	Dannemeyer
Daub	Lewis (CA)	Roberts
Davis	Lewis (FL)	Roemer
Delay	Lightfoot	Rogers
Derrick	Livingston	Roth
DeWine	Loeffler	Rowland (CT)
Dickinson	Lott	Rudd
DioGuardi	Lowery (CA)	Saxton
Dreier	Lujan	Schaefer
Durbin	Lungren	Schroeder
Eckert (NY)	Mack	Schuette
Edwards (OK)	Madigan	Schulze
Emerson	Marlenee	Sensenbrenner
Evans (IA)	Martin (IL)	Shaw
Fawell	Martin (NY)	Shumway
Fiedler	Matsui	Shuster
Fish	McCain	Sikorski
Gallo	McCandless	Skeen
Gilman	McCollum	Slaughter
Gingrich	McDade	Smith (NE)
Goodling	McEwen	Smith (NH)
Green	McGrath	Smith (NJ)
Gregg	McKernan	Smith, Denny
Grotberg	McKinney	Smith, Robert
Gunderson	McMillan	Snowe
Hartnett	Meyers	Solomon
Hendon	Miller (OH)	Stangeland
Henry	Miller (WA)	Strang
Hiler	Molinari	Sundquist
Hillis	Monson	Sweeney
Holt	Moore	Swindall
Hunter	Moorhead	Tauke
Hyde	Morrison (WA)	Taylor
Ireland	Nielson	Thomas (CA)
Jacobs	Oxley	Vucanovich
Jeffords	Packard	Walker
Kasich	Parris	Weber
Kemp	Pashayan	Whittaker
Kindness	Penny	Wolf
Kolbe	Porter	Young (AK)
Kramer	Quillen	Young (FL)
Lagomarsino	Regula	Zschau
Latta	Ridge	
Leach (IA)	Ritter	

ANSWERED "PRESENT"—1

Dymally

NOT VOTING—17

Addabbo	Fields	Sharp
Applegate	Heftel	Siljander
Beilenson	Mitchell	Towns
Broyhill	Pepper	Vander Jagt
Conte	Pursell	Weaver
Dingell	Seiberling	

□ 1220

Mr. LEHMAN of California changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk called the committees.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO HAVE UNTIL 5 P.M. FRIDAY, MAY 10, 1985, TO FILE REPORT ON H.R. 1872, DEPARTMENT OF DEFENSE AUTHORIZATION BILL, 1986

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services have until 5 p.m., Friday, May 10, 1985, to file a report on H.R. 1872, the fiscal year 1986 Department of Defense authorization bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the House Merchant Marine and Fisheries Committee be given leave to meet today, Wednesday, May 8, 1985, to mark up legislation while the House is sitting under the 5-minute rule.

I understand this has been cleared with the minority.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair at this point intends to forego the 1-minutes until after we have completed the resolution on V-E Day.

FORTIETH ANNIVERSARY OF V-E DAY OBSERVED AS A DAY OF TRIBUTE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the resolution (H. Res. 161) expressing the sense of the House of Representatives that May 8, 1985, the 40th anniversary of Victory in Europe [V-E] Day, should be a day of tribute to those who served and sacrificed to bring the war in Europe to a successful conclusion, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objections to the legislation being considered.

Mr. Speaker, under my reservation, I yield to the gentleman from Mississippi [Mr. MONTGOMERY], the chairman of the Committee on Veterans' Affairs.

Mr. MONTGOMERY. I thank the gentleman for yielding to me.

Mr. Speaker, I want to thank the distinguished gentleman from New York, the very able chairman of the Subcommittee on Census and Population of the Post Office and Civil Service Committee [Mr. GARCIA], for bringing up House Resolution 161, expressing the sense of the House of Representatives that May 8, 1985, the 40th anniversary of V-E Day, should be a day of tribute to those who served and sacrificed to bring the war in Europe to a successful conclusion.

I also want to thank the distinguished gentleman from Utah, the ranking minority member of the subcommittee, Mr. HANSEN, the distinguished chairman of the full committee, Mr. FORD, and the ranking minority member of the full committee, the distinguished gentleman from Missouri [Mr. TAYLOR] for allowing the resolution to be considered in the House.

Mr. Speaker, the official ending of World War II occurred exactly 40 years ago today. It was called V-E Day because it was victory in Europe for the Allied Forces.

V-E Day was a historic milestone in the history of the world. It was a war in which almost every American had a relative who was serving in the military or who knew someone who had been killed, wounded, or captured. The significance of this day was the ending of a war so massive and destructive that the tragedy it caused to so many is still difficult to comprehend. Therefore, it is no wonder that V-E Day will always be remembered as the day that there were spontaneous parades all across America, with millions of Americans dancing in the streets. On hearing the official announcement of Germany's surrender, people in America and throughout Europe took to the streets in jubilation, singing and dancing to celebrate victory and the end of the war in Europe.

Many of us can vividly remember the day's newspaper headlines and the joy that prevailed. It was, as one of the headlines in the Washington Post reads today, "The Day the World Danced."

From a personal view to most Americans, the immediate cause of most rejoicing was the end of this war which had involved more American military and naval servicemen and women than any war in our Nation's history. The total number of casualties of Americans who served during the European theater totaled close to 1 million, with approximately 200,000 battle deaths.

The U.S. soldier, however, always considered himself a civilian who was serving his country temporarily while in uniform. Therefore, on V-E Day millions of Americans realized for the first time that they would see relatives involved who would return home from a long, difficult war. Many American servicemen had been serving overseas for many months, with a large number having been in Europe for years.

Thanks to our veterans, Mr. Speaker, and the veterans of the Allied Nations who put their lives on the line, freedom not only prevailed, it was strengthened. V-E Day was not the end of World War II. There was still much fighting and sacrifice ahead for millions of servicemen who were to help bring World War II in Asia to a successful conclusion. However, V-E Day is a day which Americans will never forget as the day that ended the totalitarian German Empire and was the beginning of a new age of freedom not only for Europe, but for the world.

Mr. Speaker, America is No. 1, and people throughout the world are free today, thanks to our veterans.

Mr. HANSEN. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. HAMMERSCHMIDT], the ranking member of the committee.

Mr. HAMMERSCHMIDT. Mr. Speaker, on this day, 40 years ago, the Allied forces announced one of the most significant events in the history of the world. May 8, 1945, was proclaimed Victory in Europe [V-E] Day. The day before, the leaders of the terrible Nazi war machine had unconditionally surrendered to the Allies.

During World War II, America united with many other nations to preserve freedom and democracy. Millions of people made great sacrifices, and many made the ultimate sacrifice, so we could have all that we hold dear. Many Americans are too young to have experienced the event of V-E Day 40 years ago, but, today, we should all be mindful of the valor and dedication of those who contributed to the successful war effort.

It was a united effort unlike any other. From the victory gardens to the munitions factories to the front lines, Americans determinedly worked and fought for the things they knew without a doubt were right. They kept faith with their ideals, and even in the dark early days of the war, never waivered or gave up hope. In the end, they achieved a resounding victory.

On May 8, 1985, we can learn from the example of the men and women who won the battle for Europe. They have our eternal gratitude for their courage and unselfishness. Today, we give them a special tribute and remember their noble service. We cannot adequately repay them, but we can continue to uphold the precepts they fought so hard to preserve.

I am most pleased to be an original cosponsor of House Resolution 161.

Mr. HANSEN. Mr. Speaker, I yield to the gentleman from New York [Mr. HORTON].

Mr. HORTON. I thank the gentleman for yielding to me. As one of the cosponsors of this resolution, I urge its adoption.

I recall that 40 years ago, on May 8, I was in Italy as part of the U.S. Army forces there, having landed in North Africa and Italy, and I recall very vividly how much we appreciated the fact that the war was over. It is a great pleasure to be one of the cosponsors of this resolution, and I urge its adoption.

Mr. HANSEN. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. I thank the gentleman for yielding to me. I rise to support the resolution. Last night WETA broadcast a film entitled "Memory of the Camps" on channel 26.

□ 1230

It was a film of the atrocities executed and administered by the Nazis at Bergen-Belsen, at Dachau, Buchenwald, Auschwitz and many of the 350 concentration camps throughout Nazi Germany. It told the story of the Third Reich being sustained by enslaving millions of people to work without adequate food or proper housing to produce for the German war machine. It showed barbarism and brutality at its worst. A British soldier was interviewed at Bergen-Belsen near Bitburg where 30,000 people died of starvation and disease. He said, "Now, having seen these atrocities, I know why I am fighting Nazi Germany." This inhumanity to humankind is so horrible it must be seen to be believed.

I have asked WETA for permission to rebroadcast this film on the House broadcast system, and as soon as that permission is granted, I will advise Members of the time that it will be broadcast. Every Member of Congress should see this moving film and be reminded of why World War II was fought and why we should never forget the horrow inflicted upon the civilized world by a barbaric band of Nazis. We shall never forget!

I thank the gentleman for yielding.

● Mr. ROBERTS. Mr. Speaker, our great State of Kansas has shared in some of this country's greatest historic milestones, and in the First District people come from all over the world to visit the Dwight D. Eisenhower Library in Abilene. Some are scholars, some are those who wore the uniform and served with him, some are tourists, and some are young people who ponder and perhaps are inspired as they should be that a small-town boy who grew up in Abilene would one day lead the mightiest military force ever assembled to victory.

On May 8, a great deal of attention was given to the 40th anniversary of V-E Day, the end of World War II in Europe. For the next 2 months, the "Flag of Liberation," given that designation by President Franklin D. Roosevelt, will be on display at the Eisenhower Library in Abilene. It was the flag flying over the Capitol dome here in Washington at the moment the attack was launched against Pearl Harbor on December 7, 1941. One of the Members of this House, the late Congressman Maury Maverick of Texas, had the flag taken down and saved. It was to be flown over each of the Axis capitals as they were defeated in WW II. That order was carried out.

On the night of May 7, at a special 40th anniversary of V-E Day reception at the Dwight D. Eisenhower Library, its director, Dr. John Wickman, invited Col. Barney Oldfield, USAF, retired, of Beverly Hills, CA, to be the guest speaker. Colonel Oldfield worked with General Eisenhower and the Flag of Liberation kept crossing his path over many years. He made President Reagan aware of its existence, and it was the President's wish that it be a part of both V-E and V-J 40th anniversary activities. After 60 days in Abilene, the Flag of Liberation will be moved to the Harry S. Truman Library in Independence, MO, in connection with plans there for V-J Day.

Because the Flag of Liberation is congressional property, it seemed to me that my colleagues who do not know about it, and those who do, will be inspired by its wanderings, the meaning it symbolizes before history of a great effort by all the people of this country.●

● Mr. LANTOS. Mr. Speaker, today we commemorate the 40th anniversary of the victory over Nazi Germany which brought the Second World War in Europe to an end. That victory was made possible by the alliance between the United States and the Soviet Union.

Now as our two countries mark that anniversary, there is an important opportunity available to the new Secretary General of the Communist Party of the Soviet Union, Mikhail Gorbachev, an opportunity that will reflect favorably on the Soviet Union and that will certainly have a favorable effect upon relations between our two countries.

A number of Soviet citizens—veterans of the Soviet Army who fought to defend the Soviet Union during World War II—have requested permission to emigrate from the Soviet Union. Thus far that permission has been denied by the Soviet Government.

On this 40th anniversary of V-E Day, I wrote to Mr. Gorbachev and asked that he exercise magnanimity in the spirit of the commemoration of this great victory over the the forces of Nazi Germany and grant amnesty to 18 of these veterans, and that he grant permission for these men to join their families and friends in other countries, as they have repeatedly requested.

The youngest of these men is 65, and many are in their seventies. Their departure will not be a loss to the Soviet Union, but on the contrary, it will demonstrate the humanitarian sensitivities of the Soviet Government and its leaders.

Mr. Speaker, I wish to commend publicly David Waksberg, the executive director of the Bay Area Council for Soviet Jewry, for providing me with the list of 18 Soviet veterans which I have sent to Secretary General Gorbachev. David and the Bay Area Council have been most helpful to me and many others in the bay area. I am also indebted to David for his assistance in the establishment of the Committee of 21, which was formally established yesterday under the auspices of the Congressional Human Rights Caucus.●

● Mr. RUDD. Mr. Speaker, today marks the 40th anniversary of V-E Day, the day the allies brought an end to the repression and horrible atrocities committed by Nazi Germany. It is a time for celebration. It is also a time to remember all those Americans who served and sacrificed to bring an end to the war in Europe.

I hope my colleagues will join me in cosponsoring House Resolution 161 submitted by the distinguished chairman of the Veterans' Affairs Committee, SONNY MONTGOMERY, to set aside this day in honor of our World War II veterans.

I hope we will also commit ourselves to a meaningful reconciliation with the people of West Germany who are now strong allies of ours in the struggle to ensure that such tyranny as prevailed 40 years ago never occurs again.●

● Mr. ECKART of Ohio. Mr. Speaker, as we discuss in the Congress the many conflicts existent in the world today, it is important that we pause to reflect the anniversary of the ending of the war in Europe.

Forty years ago on this day, the Allies accepted the surrender of the Axis forces and victory was declared in Europe. It was a truly momentous day.

As we all learned from our experiences or our reading of history books, World War II was the war to end all wars and lead to eternal peace for America and the world. Unfortunately, this serene outlook was later shattered.

The goal, however, is eternal. Peace for this Nation and the world should be the ultimate aim for us and for our peers around the globe. With the extreme capabilities of destruction which so many nations possess today, this goal takes on an even more important and urgent message. As Harry Truman once said, "It is all too obvious that if we do not abolish war on

this earth, then surely, one day, war will abolish us from the earth."

I am sure that no one shares this belief more than the nearly 16 million Americans who served their country in World War II. There should be no greater testament to this goal than the 406,000 Americans who lost their lives in defending their country.

Today, let us continue the search for peace and honor those who served and those who never returned from the war to end all wars.●

● Mr. LOWERY of California. Mr. Speaker, today is the 40th anniversary of Victory in Europe, or V-E Day. On this day we should turn our thoughts to a number of things: to the untold suffering of the countless millions on all sides who died during this last worldwide conflict, to the great courage and sacrifice of all those who fought for the defeat of tyranny and the preservation of liberty, and also to the great achievements and long strides toward peace which have been made in Europe since the war.

It cannot be denied that the United States can learn lessons from the experiences of Western Europe since the war. Nor can it be denied what a tremendous contribution the Western Europeans have made to the security and prosperity of the West.

Mr. Speaker, on May 3, 1985, the Christian Science Monitor ran another installment in its series "Pattern of Diplomacy" by Joseph C. Harsch. Mr. Harsch's comments about what 40 years of peace has meant to Western Europe are so clear and thought-provoking that I would like to quote from his column at length:

This is an appropriate moment to notice what 40 years have done to and in Western Europe.

When the victorious Allies of 1945 swept up the Italian peninsula, broke across the Rhine, and ended the Nazi tyranny in Germany, Soviet influence and communist ideology were also on the rise. Many in the West thought of communism as the wave of the future. Many assumed that democracy as a form of government was an outworn idea whose time had passed.

Those anxieties have been dispelled . . . Forty years ago Spain and Portugal were fascist dictatorships. A U.S. president would not have been able to visit either one (now Reagan has visited both). Today both are sturdy democracies. And that has opened the way for them to become members of the NATO alliance, and prospective members of the European Community.

Forty years ago, Communist parties were powerful and gaining strength in both Italy and France. Today the French Communist Party has shrunk to a small minority status. and all of West Europe's Communist parties are weakened by inner divisions over attitude toward Moscow. No country in Western Europe is today in danger of losing its liberty to communism.

Forty years ago, those who believed in democracy watched in bitter helplessness as Moscow fastened Communist regimes of its selection upon the peoples of Eastern Europe. Today all, except possibly for Bulgaria, would embrace democracy and economic ties with the West were they free to do so. Their preference has been proved by a series of protest movements and even of armed uprisings against the tyrannies which Moscow imposes on them by force of arms.

If there is any rising tide today, it is a rising tide of preference for democracy in politics and a free marketplace in economics. Even China, to the horror of communist countries, is experimenting with revival of marketplace economies. The ideas of Adam Smith are again bold and radical. Adam Smith is on the ascendent. Karl Marx and John Maynard Keynes are both recessive . . .

The essential fact is that the Western Europe of today is entirely democratic for the first time in history and has achieved a level of economic prosperity that is the envy of most of the world. If it has not achieved full political unity, it has gone so far that the idea of another great war between any two of its members has become unthinkable.

The historic rivalries between England and France, between Spain and England, between France and Germany—those rivalries that plunged the whole world into two world wars—all belong to history.

The Europe of today is an economic community. Its citizens travel freely throughout the community. Their goods and their currencies move freely within the community. And all of them enjoy the ability to get rid of any government they dislike at the ballot box in free and honest elections.

In closing, Mr. Speaker, on this 40th anniversary, we must not forget those who remain in tyranny in Eastern Europe. We must not forget the present-day suffering of the Poles, East Germans, Latvians, Lithuanians, Estonians, Czechs, Hungarians, Albanians, Bulgarians, Romanians, and even the citizens of the Soviet Union.

We must look forward to the day when all of Europe will know the peace and prosperity that only Western Europe now enjoys. We must anticipate and work toward an era when all of Europe can strive toward unity and freedom. But President Reagan was correct when he told a gathering of West German youth that the unification of Germany, and indeed of all of Europe, can only come with the liberation and freedom of those who live in the East. Military conflict must, of course, be avoided, but we must not lose sight of our goals and ideals, and we cannot resign whole peoples to live in bondage.●

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 161

Whereas on May 7, 1945, after six years of fighting and destruction that led to the deaths of millions, German Nazi forces agreed to an unconditional surrender, thus ending the war in Europe;

Whereas May 8, 1945, the date of the official announcement of surrender, marked the culmination of the efforts of men and women of many different nations who were united by the common quest for peace and justice;

Whereas over four million U.S. troops, the largest American military force ever committed to a particular theater of operation, provided essential strength and made numerous sacrifices, with almost 200,000 giving their lives in battle and hundreds of thousands wounded;

Whereas many U.S. veterans who fought in Europe are now members of associations that gather regularly to commemorate the deeds and accomplishments of the Allied forces which fought successfully in the European theater, and such associations' efforts should be encouraged; and

Whereas May 8, 1985, marks the 40th anniversary of V-E Day, a day proclaimed to commemorate the Allied victory in Europe: Now, therefore, be it *Resolved*, That it is the sense of the House of Representatives that May 8, 1985, V-E Day, is a special day on which we should all pay tribute to the courage of those who prevented the course of history from veering from the path of freedom and who gave to the world a magnificent reminder of the constant vigil that is necessary for freedom to endure and, on this day, we should join with our veterans in renewing our commitment to maintain this vigil and to always remember the heritage that has kept us strong, secure and proud.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ELECTION OF MEMBER TO STANDING COMMITTEES OF THE HOUSE

Mr. GEPHARDT. Mr. Speaker, as chairman of the Democratic caucus and by direction of the caucus, I call up a privileged resolution (H. Res. 162) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 162

Resolved, That Frank McCloskey, Indiana, be, and he is hereby, elected to the following standing committees of the House:

Committee on Armed Services (to rank immediately following Representative Spratt): and

Committee on Post Office and Civil Service (to rank immediately following Representative Sikorski).

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMERICAN MILITARY INVOLVEMENT IN CENTRAL AMERICA

(Mr. WEISS asked and was given permission to address the House for 1 minute.)

Mr. WEISS. Mr. Speaker, our Latin American and European allies have overwhelmingly rejected the latest of President Reagan's ill-fated attempts to bring the Sandinistas to their knees.

European officials are amazed the President would justify the embargo on grounds of "national emergency."

Venezuela's former President calls the embargo "an error following another error."

The Guatemalans and Costa Ricans are concerned the boycott would make it more difficult for Nicaragua to pay its debt to them. Costa Rican President Monge fears the embargo will ignite "a migration bomb."

Bolivia condemns the President for resurrecting the U.S.' big stick policy of the early 1900's.

The embargo has even sparked the criticism of Archbishop Obando y Bravo and the Nicaraguan Chamber of Commerce, COSEP, and La Prensa, Nicaragua's anti-Government newspaper, calls the embargo "unjust," charging it will "discredit the very cause (Democrats) are trying to defend."

That elder statesman of conservatism, William Buckley, has dismissed the embargo as a "lost cause."

Mr. President, listen to your friends and allies around the world. Stop this campaign to brand Nicaragua a threat to the United States. While there is still time, turn off the path of direct American military involvement in Central America.

WELL DONE, MR. PRESIDENT

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, I wish to commend our President for his masterful address today to the European Parliament. His message was both inspiring and challenging.

He talked of the shared struggle of the Second World War, and of America's continuing commitment to a strong partnership with Europe.

He described his vision of a future with a Europe filled with freedom, prosperity, and peace.

The President talked about the challenges of keeping the peace with an increasingly more powerful Soviet Union. He is to be commended for offering a series of practical steps for reducing tension with that country.

The President suggested that to reduce East-West tension, a series of steps should be taken to solve the current problems with the Soviet Union. These include exchanging observers at military exercises, and holding regular high-level contacts between U.S. and Soviet military leaders.

The President also proposed that we agree on confidence-building measures and that we establish a military communications link.

These steps are absolutely necessary in order to avoid future tragic incidents between our two countries.

I am certain that my colleagues will join me in saluting the President for a job well done.

LET'S CUT THE DOUBLETALK

(Mr. MARKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARKEY. Mr. Speaker, yesterday, President Reagan said the SS-X-24, the Soviets' new, accurate, solid-fuel 10-warhead missile, is a dangerous first-strike weapon.

But somehow the MX, President Reagan's new, accurate, solid-fuel 10 warhead missile, is not a first-strike weapon—it is a peacekeeper.

Let's cut the doubletalk.

If a Russian silo buster is dangerous, then an American silo buster is dangerous.

The MX is even more destabilizing than the SS-X-24, because it is a sitting duck.

Yesterday, Richard Perle expressed his personal view that the United States should let SALT II crumble, rather than retiring old missiles to stay with its limits.

Mr. Perle talks about Soviet cheating.

What he doesn't talk about is the fact that, in order to stay within SALT II, the Soviets have dismantled 190 SS-7 missiles, 19 SS-8 missiles, 160 SS-N-6 missiles, 10 Yankee class submarines, 308 SS-9 missiles, and 510 SS-11 missiles.

The administration talks about arms reductions.

Well, the SALT II limits have brought about more Soviet nuclear reductions than years of playing to the galleries at the arms talks.

SALT II has been one of the most powerful weapons we have to bolster American national security.

America would be better off if we ratified SALT II, and let the Richard Perles of this administration lapse into obscurity.

NATIONAL CHILD SAFETY AWARENESS MONTH

(Mr. LEWIS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Florida. Mr. Speaker, last Monday Eckerd Drug Store announced they will soon be displaying pictures of missing children on their shopping bags like this in the State of Florida.

If successful this project will be extended to Eckerd's Drug Stores in 15 additional States.

The initiative shown by Harry Lambert, the president of Eckerd's and the entire Eckerd Corp., is a magnificent example of how the private sector can join in the search for missing children.

Mr. Speaker, as each day passes more children mysteriously disappear.

I urge all my colleagues to join with me in recognizing the month of May as National Child Safety Awareness Month.

Through education, awareness, and prevention activities we can make a difference.

You can begin by cosponsoring my bill, H.R. 604, which helps States set up their own missing children clearinghouses.

Please join this private-public partnership to save our children.

TELEPHONE RATES

(Mr. WISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WISE. Mr. Speaker, I am holding a telephone bill from my district in West Virginia. Now, how would anyone in this Chamber feel if their telephone bill was going to increase anywhere from 46 percent to 245 percent? You would be mad and you would want to do something about it. That is the way my constituents feel, and that is why my office is taking steps to fight this proposed increase at our State Public Service Commission. There has been much progress so far, Mr. Speaker. So far, 20,000 West Virginians have responded by sending me petitions such as this, letters and telephone bills in protest. We have worked to have hundreds of consumers attend regional Public Service Commission hearings, we are organizing a mass consumer rally when the final hearing begins June 12 in Charleston.

But West Virginia is not alone, Mr. Speaker, and the fight is not just at the State level. In the past 3 years, local telephone companies have requested an unprecedented $10.9 billion in local rate increases and have been granted $5.1 billion. Much of the reason given is that to keep large users from bypassing local telephone companies, consumers must pay more.

Only action at the Federal level can deal with this problem, Mr. Speaker, and I urge Members to cosponsor legislation I have introduced.

Mr. Speaker, West Virginians are showing how to organize at the State level, but I fear this experience is going to be repeated across the country if Congress does not act.

51-059 O-86-35 (Pt. 8)

□ 1240

ASIAN/PACIFIC AMERICAN HERITAGE WEEK

(Mr. BLAZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLAZ. Mr. Speaker, I rise, in these my first remarks on the House floor, to mark Asian/Pacific American Heritage Week, our Nation's future in the age of the Pacific and my territory's quest for a larger role in that bright future.

I chose this time to deliver my initial message because President Ronald Reagan has chosen this week to applaud the achievements and contributions of Asian/Pacific Americans to our national development.

There are 4 million Americans who can trace their ancestral roots to the Asian/Pacific region and the achievements of the sons and daughters of the East span the spectrum of the arts, sciences, and professions.

Yet their greatest contribution may be their role as a bridge to East Asia in the age of the Pacific.

America has been traditionally a European-facing nation. But our destiny is in the Asian/Pacific world.

Our two-way trade with East Asia—more than $1.6 trillion last year—has surpassed our total annual trade with our traditional European allies. Our military commitment to the area has guaranteed the stability that permitted this phenomenal economic growth.

America's Pacific territories play a vital role in the emerging Pacific era, where President Reagan has said the future of the world lies. Guam, as the keystone of our Micronesian gateway to East Asia, is ready and willing to play a larger role at the crossroads of our major Asian trading routes and lines of communication across the Pacific.

The Compact of Free Association, which lies before this House for consideration, secures our national security interests in the region and fulfills the aspirations of our Pacific wards in Micronesia, which straddles the Pacific from Hawaii to Guam.

The compact fulfills commitments this Nation made in the Atlantic Charter and the 1947 trusteeship agreement to promote self-determination for the people of Micronesia.

The Micronesians have come of age and are ready to assume their international role at our side, close allies and valuable members of our political family.

Guam, the American democracy that has served as a beacon and model of economic development for Micronesia, has been a member of the American family for 87 years. Guam, the star pupil of the territories, asks you to consider a resolution supporting our quest for a stronger, more politically mature relationship.

We seek your endorsement of a fair consideration for our Commonwealth status. The people of Guam have demonstrated their lasting commitment to American democracy and have manifested exemplary loyalty as American citizens in defense of their country.

LET US KEEP THE INTERSTATE TRANSFER PROGRAM INTACT

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, the administration's fiscal year 1986 Transportation budget contains a provision that would combine the transit and highway elements of the Interstate Transfer Program and reduce overall funding by $250 million—this would be a 24-percent cut.

This ill-advised proposal will delay urgently needed highway and transit project funding and drive up project costs. The combining of the two programs by the Department of Transportation will constitute a breach of the value for value bargain struck between the Federal Government and transfer recipients when local interstate projects were withdrawn in favor of funding for substitute transit and highway projects.

When these trade-ins occurred, State and local governments were assured that the exact same funding that would have been available for the completion of the interstate project would be available to complete the substitute transit and highway projects. Local areas were further assured that once they submitted binding contract plans for the substitute projects, funding would be made available in a timely fashion to ensure a trade-in of funds that is equal to the cost of the original project.

However, if these programs are combined and the authorizations reduced, the program will be put into disarray. In fact, UMTA Administrator Ralph Stanley has stated that the Interstate Transfer Program will take longer to complete under this proposal, than the original 1991 deadline.

I urge all of my colleagues to join me in a letter I am sending to the Public Works and Transportation Committee urging them to keep the Interstate Transfer Program intact with separate funding for both highways and transit.

FIVE AMERICANS STILL HELD IN LEBANON

(Mr. O'BRIEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'BRIEN. Mr. Speaker, there are many important considerations facing us today—but I think it is vital that we not forget the five Americans who have been kidnaped and are still being held hostage by terrorist forces in Lebanon.

One of my constituents and a personal friend, Father Lawrence Martin Jenco of Joliet, IL, director of Catholic relief services in Beirut, was kidnaped January 8 of this year. Three others, William Buckley of the State Department, the Reverend Benjamin Weir, a Presbyterian minister, and Peter Kilburn, librarian at the American University have been held captive since 1984. The fifth individual, Terry Anderson of the Associated Press, was kidnaped just this past March.

Mr. Speaker, I think we owe the families of these captive Americans—and, indeed, Americans everywhere—our assurances that none have been forgotten by the U.S. Congress. And I urge my colleagues to join me in calling on President Reagan to further strengthen U.S. efforts to secure the safe and timely release of these innocents held against their will.

RETIRED DIRECTOR OF THE DEFENSE INTELLIGENCE AGENCY SAYS 50 TO 60 AMERICAN SERVICEMEN STILL IN PRISON IN SOUTHEAST ASIA

(Mr. HENDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENDON. Mr. Speaker, last night on ABC's "World News Tonight," the former head of U.S. Military Intelligence, Lt. Gen. Eugene Tighe, said that perhaps 50 to 60 U.S. prisoners of war from the Vietnam war are still alive in Communist prisons in Southeast Asia.

No one in the world, except the Communist governments themselves, is more qualified to make the statement. General Tighe served as Director of the Defense Intelligence Agency, the very agency charged with determining the fate of our missing men.

Mr. Speaker, in response to General Tighe's past statements before Congress that U.S. POW's remain in captivity, and his statements last night on national television that perhaps 50 to 60 are still held, I again solicit support for House Concurrent Resolution 129, to establish the Perot Commission on Americans Missing in Southeast Asia.

House Concurrent Resolution 129 would establish as independent commission, headed by Texas industrialist H. Ross Perot, to determine first, if the men are there, as the head of Defense Intelligence says they are, and second, if they are there, how to get them home.

Mr. Speaker, what better way to get these brave men home than to support

this commission, and what better man to head it than H. Ross Perot?

THE ANGLO-IRISH TALKS MUST BE BROADENED TO INCLUDE ALL SEGMENTS OF POLITICAL THOUGHT

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, recently, Sir Geoffrey Howe, the British Foreign Secretary indicated his support for future economic assistance for Northern Ireland, provided by the United States and the Common Market for any agreement that might emerge from the present Anglo-Irish talks.

As chairman of the bipartisan Ad Hoc Congressional Committee for Irish Affairs, I wish to express my limited support for this proposition. For the past several years, I have advocated that the United States commit future economic aid to Northern Ireland. In fact, I will soon be introducing legislation calling for such assistance contingent on the British Government working with all parties to try and reach a political solution in the north.

The need for economic assistance for Northern Ireland is not in issue. It suffers from the highest unemployment rate in all western Europe. However, it would be immoral for us to provide assistance without strict assurances that it would benefit both communities. That cannot come until the existing Anglo-Irish talks are broadened to include all segments of political thought. The time for that is now.

ONE TOO MANY

(Mr. GREGG asked and was given permission to address the House for 1 minute.)

Mr. GREGG. Mr. Speaker, as we head into the end of the school year and into the prom season, I think it is important to stress to our students the concerns and the problems of drunk driving. We all know that this is a very serious problem, and one which can damage significantly the lives of many young people.

As a result of our concern in this area, myself and Congresssman SMITH have obtained from ABC Television a copy of the film, "One Too Many." This film will be made available to people throughout the State of New Hampshire by the New Hampshire Highway Department.

It is my hope that schools in the State of New Hampshire will take advantage of this film and will show it to their students during this critical time. Through this process, if we can save just one life or avoid physical damage to one student, it will be a successful effort, and I strongly encourage schools to take advantage of this opportunity.

LET US KEEP THE VOLUNTARY RESTRAINT AGREEMENT WORKING

(Mr. ERDREICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ERDREICH. Mr. Speaker, 40 years ago today we all joined in celebration over the end of the war in Europe. Soldiers and civilians in both Europe and the States joyously marked the resolution of the conflict within Europe.

Today, we can look back upon the progress that has been made since that time in reuniting the Western European Community and be proud of the role our great Nation has taken. Past enemies are now close allies and work together for greater peace and economic prosperity for all.

But admittedly our allies today are also our trading partners and competitors. Just last year we concluded a voluntary restraint agreement on steel imports, strengthened by legislation passed by Congress.

Part of that agreement, which moved us toward reciprocity and fairness in international trade, included the United States-European Community pipe and tube arrangement, and the ink is barely dry on that agreement of 4 months ago when major attempts by some have begun to circumvent the import levels.

There are currently over 12 requests to bring imported tube and pipe through the short supply provision of the arrangement which would greatly exceed the European pipe and tube import ceiling of 659,000 tons for 1985.

In fact, two requests alone would exceed the limit by 72 percent. I have urged the Secretary of Commerce to reject these requests and he has done so. The particular products are not in short supply. An attempt is simply being made to get around the voluntary restraint agreements—an attempt to open up a loophole a mile wide and almost 500,000 tons of steel deep.

World War II is 40 years behind us. I thought our latest trade war on steel was behind us as well.

I commend Mr. Baldrige for his actions and urge him to keep the voluntary restraint agreement working—so more Alabamians and Americans will keep working.

U.S. ARMY'S QUICK LOOK PROGRAM

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOLLOHAN. Mr. Speaker, recently, I had the opportunity to examine first-hand the American commitment to NATO and the people of the free world as part of the U.S. Army's Quick Look Program.

Quick Look offers Members of Congress a low expense opportunity to experience maximum exposure to American troops in the European field and examine the threat to liberty that exists across the barbed wire and walls that separate the two Germanys.

The 3-day, no-nonsense tour takes Members on a regularly scheduled Air Force cargo transport to Europe for an intensive examination of American troops, training and weaponry that includes a detailed briefing on the status of NATO defenses.

Mr. Speaker, there is simply no better way to see the results of military funding that this body must deliberate so frequently. The Quick Look Program is designed to accommodate the Member through an efficient use of time and resources.

I want to commend the Army for making this valuable opportunity available to Members of Congress, and I also want to commend the Air Force for its cooperation in making the program work.

I urge my colleagues to see freedom's front line of defense by participating in this important, very informative, no-nonsense program.

NEUTRALITY IN FEDERAL EXPENDITURES ACT

(Mr. CRAIG asked and was given permission to address the House for 1 minute.)

Mr. CRAIG. Mr. Speaker, the Congress needs a clear policy regarding the use of taxpayer dollars by nonprofit groups for political purposes. The Congress has responded in the past, and needs to do so again. Today, I am introducing the "Neutrality in Federal Expenditures Act," which protects the rights of all groups in the marketplace of ideas.

The use of Federal dollars for partisan politics dates back to the spoils system, prior to the establishment of the Civil Service. Later the Hatch Act restricted the use of Federal resources and employees for political partisanship. Congress has clearly defined, through law, when lobbying and advocacy are proper and in the public interest. In general, however, the use of public dollars by nonprofit groups for political purposes is unfair to all people who do not receive Federal moneys, yet participate in the political arena.

The legislation I am introducing is a fair, commonsense approach that simply requires recipients of Federal money to do what is authorized by Congress, and refrain from political partisanship.

REPEAL OF CONTEMPORANEOUS RECORDKEEPING

(Mrs. LLOYD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LLOYD. Mr. Speaker, as the sponsor of one of the measures to repeal the contemporaneous recordkeeping requirement, I am relieved to be at this point in the process. I hope the Senate will move quickly to approve the conference report and the President to sign it. Our constituents are still pursued by the specter of recordkeeping. They are overwhelmed by the requirement but afraid not to make a valiant effort to comply until it is repealed. Not a day goes by that I don't get at least one call from a taxpayer unsure as to whether records have to be kept for this year—but not for next—or not at all. The 1984 provision created nothing but confusion. The mistake will not be corrected until the President has signed this measure reinstating the pre-1984 substantiation rules.

The conference agreement goes beyond the House measure in refining the recordkeeping exemption for vehicles not likely to be used for personal purposes. While some confusion may still arise, I think the fairly detailed list of exempted vehicles will be sufficient for most circumstances and I will be looking for the IRS to issue reasonable regulations for unmarked law enforcement vehicles.

I'm also pleased that the conferees clarified the working condition fringe benefit provision. One of the many problems with the 1984 act was that it called for a distinction between business and personal use but did not include guidelines making that distinction. As a result, the personal use of business vehicles, even if required by the employer, was considered taxable income. This was clearly unacceptable and again, I will be awaiting appropriate IRS regulations to eliminate this injustice.

On the whole, I think the conference report does what must be done and I urge the Senate to approve it and the President to move quickly.

NATIONAL EYE HEALTH CARE MONTH

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, can you imagine a lifetime without ever seeing a sunset, a flower, or the smile on the face of your child? Can you imagine awaking one morning never to see these things again?

Most of us, fortunately, will never be placed in this frightening situation. An estimated 47,000 people each year, however, do lose their sight. Every 11 minutes someone in this country loses his ability to see all of the precious things that others, unfortunately, take for granted.

The National Society To Prevent Blindness estimates that at least half of all blindness can be prevented. Increased public awareness of eye health care and ways to prevent eye damage is, therefore, crucial in this battle to prevent blindness.

To this end, I have again reintroduced legislation to proclaim January 1986 as "National Eye Health Care Month." My bill, House Joint Resolution 207, which has the support of the American Optometric Association, would create a commemorative month to urge all Americans to focus on the issue of eye care and the protection of the sight which serves as our most precious sense.

I would like to urge all my colleagues to join me in doing our part in the fight to prevent blindness by cosponsoring House Joint Resolution 207 and thereby help to ensure that the beauty of the world is enjoyed by all.

ORTEGA'S TRIP TO MOSCOW WAS NO SURPRISE

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, I read with interest news reports that many Members of Congress would have voted differently if they had known Ortega was going to the Soviet Union. I do not know how many is many, I do know that no one should have been surprised. Ortega has been there three times since 1979. I do know that no one should have been surprised to be embarrassed.

Many of his policies of censorship and suppression have been embarrassing, and I do know they should have been irate at the stupidity of the timing of this trip, but as Mary McCrory says, he might be in over his head.

But what we must remember, Mr. Speaker, is that the votes last week were on military aid in a covert war, not on Mr. Ortega's travel plans. We must continue to remember what the real issues are, Mr. Speaker: Whether the United States is intent on breaking international law before first pursuing political, economic, and diplomatic avenues to solve the serious problems we face in Nicaragua.

V-E DAY—THE 40TH ANNIVERSARY

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, time has a tendency to blur our recollection of crucial events in our lives. Today is the anniversary of a day which we should keep forever fresh in our minds, the day World War II ended in Europe, V-E Day.

It was the final vindication by arms of our commitment to the freedom of man. We may have been naive in our hope that we were expanding the horizon of human rights, but our entire Nation gave its blood, sweat, and lives for a noble cause.

As President Reagan related to the European Parliament earlier today, we are right to remember our fallen soldiers and our exalted purpose. V-E Day should remind us all of the price of refusing to see evil for what it is.

May God save us from another such war, but may He also save us from making the mistakes which proved so costly in that great conflict.

We owe it to ourselves and to all mankind to learn the lessons of that war and to prevent its repetition.

□ 1300

PROPOSED REDUCTIONS IN APPROPRIATION AMOUNTS

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, it is coming near appropriation time. We have not spent any money in the Congress yet this year, but we are going to spend a lot from here on out—about $1 trillion.

I rise on this occasion just to put every Member on notice that on every appropriations bill—every appropriations bill, including supplementals and these junk things we get together at the end of the session called continuing resolutions—I will be seeking recognition to add to those bills the power so that the President can delete or reduce any appropriation.

Before July is over, this House is going to be asked to raise the debt ceiling again, and when we do, it will be by more than $1 trillion in 4 years. We cannot go on mortgaging the future the way we are doing.

Mr. Speaker, I urge careful consideration of my proposed amendment by the Members.

URGING REPEAL OF CERTAIN IRS RECORDKEEPING REQUIREMENTS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, today I rise to support the repeal of recordkeeping of automobile expenses for business use. If it is allowed to continue, every small business owner will be overburdened.

I am particularly concerned that the system is extended to off-duty police vehicles. Policemen are on call 24 hours a day, and many have lost their lives under these circumstances. And we are taxing them? They are grossly underpaid to start with.

This law is dangerous and precedent-setting. Think about it. What is next? Will Americans have to report the amount of toilet paper they use?

This Congress should be monitoring the power of the IRS, not increasing it or expanding it. I urge my colleagues to repeal this law which never should have been passed in the last Congress. Let us right a wrong for the American taxpayer once and for all. Enough is enough.

RECOLLECTIONS ON THE OCCASION OF THE 40TH ANNIVERSARY OF V-E DAY

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, V-E Day! What a glorious day in world history. Now the 40th anniversary—tempus fugit. Our President has just delivered a powerful speech before the European Parliament in Strasbourg on this important anniversary. Important for many reasons, among them that this is the longest period in 1,000 years that European nations have not been at war killing off one another's innocent youth. The President today used compelling logic to cover many subjects of critical importance to the mutual security of our European allies and ourselves.

Our European friends and we have come so far together in 40 years. Our great and giving Nation and those men and women willing to serve her then and now, and thousands will not live to see a 50th V-E Day anniversary, have truly put the nations of Europe in a safe position to grow and prosper in peace. We have helped immeasurably to block that cyclical blood-letting that has been Europe's curse. The world has never, never seen victors in our mold. Thank God for His guidance to our leaders.

Mr. Speaker, the centerpiece and final accomplishment of our allied crusade across Europe in the spring of 1945 was the liberation of the starving, tortured humanity viciously crushed in Hitler's concentration camps and extermination camps. The enormity of Nazi Germany's crimes defy normal comprehension. Staggering offenses against God and humanity.

Last night together with my wife I sat transfixed, awe struck, watching again 1 hour of 16-millimeter films of the camp survivors and the thousands upon thousands of emaciated bodies. I had seen somewhat similar films as a 12-year-old child in 1945, but this 1-hour program last night on PBS-TV's "Frontline" was something different. It had closeups of the horror. These black and white films recently rediscovered in the British War Museum archives, showed the indescribable, ghastly barbarity of totalitarianism degenerated into a demoniac manifestation of hell turned loose on Earth.

Mr. Speaker, I support the just proposed suggestion of the gentleman from Arkansas [Mr. ALEXANDER] in his efforts to show this heart-wrenching program "Memories of the Camps" on our closed television system here on Capitol Hill. We must periodically witness this horror, even in the very, very weak form of one dimentional black and white film, to give deep, passionate attention to the cries of the survivors and their loved ones, of "Never Again!" And—and to remind us vividly that it is happening again! Right now. At this very moment. In Afghanistan, poison gas again. Concentration camps again. Yesterday, today, and tomorrow, for 68 years in the gulags of near and outer Siberia. Genocide again in Cambodia. Millions have suffered a death of torture again. On the Iraq-Iran border, children by the thousands sent to their death again. Communist totalitarianism lives and it has far more staying power than Fascist totalitarianism, and it is far more seductive to our frailties and evil inclinations.

Mr. Speaker, may God help us and guide us in our endless struggle to confront man's incomprehensible inhumanity to man.

COMMEMORATING WEST VIRGINIA'S CONTRIBUTION TO THE ALLIED VICTORY

(Mr. STAGGERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STAGGERS. Mr. Speaker, the proud heritage of West Virginia includes the demonstrated commitment to defend this Nation in times of great peril. As we celebrate the 40th anniversary of the Allied victory in Europe, I share the pride felt by West Virginians in the contribution made by citizens of the State four decades ago.

On the field of battle, West Virginians distinguished themselves. The Stars and Stripes will fly in every community throughout my district today to honor those who served and to commemorate the sacrifice of those West Virginians who died in defense of freedom and justice.

On the homefront, during the Second World War, West Virginia mines and factories produced coal, steel, chemicals, and other vital war supplies. This major contribution, a result of hard work and an expression of true patriotism, is a source of pride for the citizens of West Virginia.

V-E Day celebrates the successful defeat of forces that sought to extinguish the flame of liberty. I join with my fellow citizens in commemorating West Virginia's contribution to the great victory.

REAGAN FLUNKS HISTORY, AGAIN

(Mr. KOSTMAYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOSTMAYER. Mr. Speaker, Ronald Reagan has again failed as a student of history.

Fresh from honoring German war dead he journeyed to Spain to be met by hundreds of Spaniards protesting his visit, in part due to remarks he made last October but which were only recently published in Spain.

Mr. Reagan criticized those Americans who fought on the side of the Spanish Republic against Generalissimo Franco during the Spanish Civil War. He said,

> I would say that the individuals that went over there were in the opinions of most Americans fighting on the wrong side.

Ronald Reagan said this to a nation about to celebrate its 10th anniversary of democracy after 36 years under the dictatorship of Franco. The same Franco who enlisted the support of Hitler and Mussolini in his successful effort to overthrow the fledgling Spanish Republic. The same Franco who utilized the bombers of the Luftwaffe to destroy the gentle Basque village of Guernica, immortalized in Picasso's painting of the same name. And this is the same Franco against whom more than 3,200 Americans volunteered to fight in the famous Abraham Lincoln Brigade, 1,700 of whom never returned home.

Mr. Speaker, those brave Americans who fought and died against fascism were true freedom fighters.

LEGISLATION TO PROVIDE AID TO NICARAGUAN RESISTANCE FORCES

(Mr. McCURDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCURDY. Mr. Speaker, I am today introducing a joint resolution to release the $14 million that was appropriated last year, subject to further congressional approval, for aid to the resistance forces in Nicaragua.

There has been a lot of discussion about whether or not we should allow the use of such funds for military purposes. This resolution does not repeal the Boland amendment. It specifies that the set-aside funds are to be transferred to and distributed by the Agency for International Develop-

ment, and that they may be used only for humanitarian purposes. The Boland amendment restrictions would remain in effect for all other appropriated funds.

I have found a strong consensus among my colleagues that we must continue to put economic and diplomatic pressure on the Government of Nicaragua to live up to its commitments to its own people and to its neighbors. My resolution offers a way to pursue these goals, while moving any military options to the back burner.

Mr. Speaker, the administration should be straightforward with the American people. If the President really wants the $14 million he requested last month, he should not be concerned about having its use restricted to nonmilitary purposes, as he himself indicated he would do.

At the same time, I urge members of my party not to reject this approach simply for the sake of opposing the President. We should not be tying our own hands while Daniel Ortega is shaking those in the Kremlin.

It is high time that we fill this void in our foreign policy, and that we do so on a bipartisan basis.

□ 1310

THE PROGRESSIVE-REGRESSIVE TAX SYSTEM

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, today the President said that he thought our tax system was too progressive.

Mr. President, is our system too progressive when General Electric and General Dynamics pay no taxes? Is our system too progressive when 9,000 millionaires pay no taxes?

Mr. President, the American people want tax reform, but it is not the kind of tax reform that you seem to be giving them. In 1960, corporations and the wealthiest 1 percent of Americans paid 43 percent of all taxes, Federal taxes. They now pay 17 percent of Federal taxes.

Our system has been made repeatedly more regressive and if your tax reform bill makes the system even more regressive than it is now, it is doomed to failure.

Whatever reform bill is passed by this House, if it fits with the needs of the American people it will restore some of the progressivity in the tax system that came in, Mr. President, before you and your tax proposals became the law of this land.

THE WESTERN EUROPEAN UNION

(Mrs. BOGGS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOGGS. Mr. Speaker, when the President of the United States addressed a meeting of the European Parliament today, it was a cause of great rejoicing for people who loved freedom all over the world and a day of personal satisfaction to this Member. Because my husband, Hale Boggs and Senator William Fulbright of Arkansas had introduced and had passed a joint resolution in the Congress saying that the U.S. Congress was in favor of a Western European Union, we were invited to the very first meeting of the Western European Union following World War II in Interlaken, Switzerland, in 1948, and what a poignant scene it was to see people who did not know whether the other was alive or not, the great rejoicing among some of them, the great well of tears among others for family members who had either been victims of war or of atrocities.

I think this Congress should take pride, Mr. Speaker, that in a very bipartisan manner it did indeed support the initiatives of a great Democratic President and helped to establish the Marshall plan and to form NATO and thereby to make certain that the Europeans could have a European Economic Community and could indeed one day form this European Parliament. It is a lesson that all of us who are freedom lovers should remember and I hope the Congress will take justifiable pride in its bipartisan support.

AMERICA'S FAVORITE WHIPPING BOY

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks, not to revise them.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SOLOMON. Mr. Speaker, I heard a few minutes ago someone from the other side of the aisle standing up here and whip their favorite whipping boy, corporate America.

You know, I always thought, as a person who worked all his life and one who has developed several corporations over my lifetime, I always thought that corporate America was owned by people like senior citizens, retired people, who worked all their lives, had saved their money, had invested it in corporate America and now are using the dividends from those corporations to support their retirement.

Not only do those senior citizens own them, but so do all the labor unions, both public and private, that invest their retirement funds in those dirty, nasty American corporations. All the State retirement systems in New York State and California and throughout this country invest their money there. All of the private colleges and universities invest their money there and finally all of the churches and nonprofit corporations, these kind of people own most of the stock in corporate America.

Why do we not stop picking on the labor unions, the senior citizens, the churches, and all of the people who have worked so hard to build a strong economy in America?

PRIVILEGES OF THE HOUSE—RESOLUTION ASKING FOR INVESTIGATION CONCERNING CONGRESSIONAL RECORD

Mr. LOTT. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 163) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 163

Whereas, public law provides that the Congressional Record "shall be substantially a verbatim report of proceedings" in the House and Senate (44 U.S.C. 901); and

Whereas, pursuant to such public law the Joint Committee on Printing has promulgated a rule which reads as follows: "Only as an aid in distinguishing the manner of delivery in order to contribute to the historical accuracy of the Record, statements or insertions in the Record where no part of them was spoken will be preceded and followed by a "bullet" symbol, i.e., ●."; and

Whereas, during the consideration of a resolution involving the constitutional prerogatives of the House to punish its own Members for disorderly behavior the Speaker announced that "it is essential that the Congressional Record contain as true and accurate a record of the proceedings as possible," advised that all insertions and extensions would "appear at the end of the proceedings with a bullet symbol," and asked Members "to refrain from making any changes in the substance of debate" (H. Res. 558, 98th Congress, Congressional Record, July 31, 1984, p. H8051 [daily edition]); and

Whereas, a resolution relating to the election of a Member also involves an important constitutional prerogative of the House, namely the right of the House to judge "the elections, returns and qualifications of its Members;" and

Whereas, it is just as essential in debates on such election resolutions that the Congressional Record contain as true and accurate a record of the proceedings as possible," and that "all insertions and extensions not delivered in debate" be clearly distinguishable in the Record from those words actually spoken; and

Whereas, the Congressional Record of May 1, 1985, carrying the debate on H. Res. 146, "relating to election of a Representative from the Eighth Congressional District of Indiana," contains two instances in which remarks of Members appear as if they were delivered during debate, i.e., without a "bullet," when in fact not one word of either statement was actually spoken, to wit, the remarks of one Member at pages 10003–10009, and the remarks of another Member at page 10014; and

Whereas, an insertion made by an identical consent request by yet another Member at page 10011 does contain the distinguishing "bullet" as required of such statements "where no part of them was spoken," and

Whereas, the proceedings of the House relating to the election contest in the Eighth Congressional District of Indiana may be considered as relevant evidence in ongoing judicial proceedings and must therefore be preserved as an accurate record; and

Whereas, the accuracy of the Congressional Record is a matter touching on the integrity of the proceedings of the House and therefore raises a question of the privileges of the House; Now, therefore, be it

Resolved, That the Committee on Rules is hereby authorized and directed to:

(1) undertake an immediate investigation into the circumstances surrounding the inaccurate, distorted, and misleading Congressional Record account of the proceedings of the House during debate on H. Res. 146, "relating to election of a Representative from the Eighth Congressional District of Indiana," on May 1, 1985; and

(2) report back to the House, within 60 calendar days, its findings with respect to such account, together with its recommendations both for (a) remedying the specific inaccuracies cited in the preamble of this resolution, and (b) preventing the recurrence of such incidents in the future, including its recommendation as to whether the Record should contain a verbatim account of words actually spoken, clearly distinguishable and set apart from any remarks or words not actually uttered in debate and instead simply inserted in the Congressional Record under leave to revise and extend remarks.

The SPEAKER pro tempore (Mr. PEASE). The Chair will state that the gentleman's resolution does state a question of privilege.

For what purpose does the gentleman from Washington rise?

Mr. FOLEY. Mr. Speaker, I think the gentleman from Mississippi has undoubtedly expressed a concern shared on his side of the aisle and perhaps one that should be investigated by the House as a whole.

I, personally, believe that the appropriate committee to undertake such an investigation would be the Committee on House Administration.

The SPEAKER pro tempore. Does the gentleman have a motion?

Mr. FOLEY. I move, Mr. Speaker, that the resolution be referred to the Committee on House Administration.

The SPEAKER pro tempore. Does the gentleman wish debate time on his motion?

PARLIAMENTARY INQUIRY

Mr. LOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. LOTT. Mr. Speaker, my impression is that that motion would be debatable for 1 hour, is that correct?

The SPEAKER pro tempore. The gentleman from Washington will have 1 hour to debate the motion. A motion to refer the resolution is in order and is debatable.

Does the gentleman from Washington wish to debate?

Mr. LOTT. Mr. Speaker, does the gentleman intend to designate the time that he would share in this debate?

Mr. FOLEY. Well, Mr. Speaker, I would yield 5 minutes to the gentleman from Mississippi for purposes of debate only.

The SPEAKER pro tempore. The gentleman from Washington is entitled to 1 hour and he yields 5 minutes to the gentleman from Mississippi.

Mr. LOTT. Again a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. LOTT. Mr. Speaker, I would like to inquire, are we going to have the full hour of debate or have I been yielded just 5 minutes of that 1 hour, or what is the procedure at this point?

The SPEAKER pro tempore. The gentleman from Washington is entitled to 1 hour of debate and it is in his control how much of that time he uses and how much time he yields to other Members.

□ 1320

Mr. LOTT. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution.

There was no objection.

Mr. LOTT. Mr. Speaker, I demand 40 minutes under the rule.

The SPEAKER pro tempore. The gentleman is entitled to 40 minutes under the rule. The time will be divided equally between the gentleman from Mississippi [Mr. LOTT] and the gentleman from Washington [Mr. FOLEY].

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the resolution I have offered raises a serious question regarding the integrity of House proceedings, for it goes to the very heart, the RECORD, of those proceedings.

The CONGRESSIONAL RECORD is the official record of our debates. It is described on the back page of every issue as "the public proceedings of each House of Congress, as reported by the Official Reporters thereof." And public law requires that the CONGRESSIONAL RECORD "shall be substantially a verbatim report of proceedings."

However, as my colleagues are aware, the CONGRESSIONAL RECORD is not a verbatim account of our proceedings. Since at least the middle of the last century Members have been permitted to extend their remarks and insert speeches not actually delivered in order to save the time of the Congress. The widespread reliance on this privilege, however, has grossly distorted the record of our debates. It is often difficult, if not impossible, to distinguish between what was actually said from what was inserted. This can be especially troublesome when a court is attempting to decipher the legislative history behind a particular bill or amendment.

Mr. Speaker, the resolution I have offered touches on just such a debate that could be introduced as evidence in ongoing court proceedings. I am referring to the May 1 debate on the resolution to seat FRANK MCCLOSKEY in the Indiana Eighth District election contest.

As my colleagues know, since 1978, the Congress has been operating under a rule promulgated by the Joint Committee on Printing that requires that "statements or insertions in the RECORD where no part of them was spoken will be preceded and followed by a 'bullet' symbol," in order "to contribute to the historical accuracy of the RECORD." This still permits a Member to utter just one sentence of his speech, and it will appear in the RECORD without a bullet, as if he delivered it all. Nevertheless, it represents some improvement over the days when all insertions were run together with actual debate, without distinction.

During the debate on the seating of FRANK MCCLOSKEY, two Members, who happen to be from the majority party, asked only for permission to revise and extend their remarks, and did not utter one word of those speeches. And yet, their speeches, through no fault of their own, appear without the required bullets. My staff has confirmed this by reviewing the TV tape of the debate.

On the other hand, a Member of the minority party, who made an identical request to revise and extend his remarks, in between the requests of the two Democrats, and who also did not utter one word of his speech, received the requisite bullets around his remarks in the RECORD.

Mr. Speaker, I do not know whether the case of the missing bullets is a crime of commission or omission. It is curious, though, that the Republican in the middle got a bullet to the head and tail-end of his remarks, while the two flanking Democrats weren't even grazed.

But, regardless of whether this was done by design or simple clerical error, it does bear investigation by the Rules Committee and a reassessment of our whole RECORD policy. That's the purpose of my resolution and the opening salvo in what we will be calling on this side of the aisle, our "McIntyre Agenda," a constructive response and approach to the problems which plague this House. And the first item on our agenda is an honest CONGRESSIONAL RECORD.

Mr. Speaker, I want to make it quite clear to my colleagues on the other side of the aisle that this resolution is not being offered as a frivolous

matter, or with obstruction or delay in mind. The allegations raised by this resolution are quite real and serious, and the investigation called for by the resolution is wholly warranted given the facts of the situation.

But, I also want to make it clear that the resolution does have a larger purpose. That larger purpose is clearly stated in the "resolved" clause, and it is for the Rules Committee to report back its recommendations for "preventing the recurrence of such incidents in the future, including its recommendations as to whether the RECORD should contain a verbatim account of words actually spoken, clearly distinguishable and set apart from any remarks or words not actually uttered in debate * * *." Do we want a more honest and accurate historical record of our debates? I urge adoption of this resolution to resolve both the immediate incident and the larger issue of CONGRESSIONAL RECORD reform.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. PASHAYAN].

Mr. PASHAYAN. I want to thank the distinguished minority whip. I am the Member whose remarks were bulleted, and I certainly agree with the gentleman from Mississippi that the bullet was not aimed at me or certainly not aimed at my heart. But I think he raises an excellent point.

There is nothing less at stake here than the history of the House.

Not only do the courts turn to the RECORD to interpret what statutes might mean in the cases of ambiguity, but historians not only in this century but in the next century will turn to these very RECORDS when they come to pass judgment on what we have all done in these times.

The gentleman makes an admirable point and I firmly believe that the Rules Committee is the proper committee that ought to be investigating this whole matter. The House Administration Committee has to do with papers, and ballpoint pens, and paper clips, and wastepaper baskets, and that sort of thing. But it is the Rules Committee that has the expertise, has the background, and really has the tradition and the mandate to look into procedure. And this is clearly a procedural question.

I want to point out that I admire what the gentleman is doing today and I fully support his resolution.

Mr. LOTT. I thank the gentleman for his comments and I know that this is an area that he has spent a lot of time on, a Member that is concerned about the rules both in the legislature and now in this particular body, and while he was not, you know, a target, or was not wronged, in a way, it is important that while you were affected that you emphasize that there should be a more accurate reflection of what happens here on the floor.

Mr. PASHAYAN. I must say that owing to the comity, not comedy, the comity that was occurring on the floor as a matter of courtesy, I am constrained to say that I was a little surprised when I saw the bullet there. Now, I do not know whether it was a .22 or a .406 Wetherby magnum, but the bullet was there and I must say I was a bit surprised, although it was there properly and of course the other should have been there properly under the same circumstances.

It is a question of the consistent application of the rules and that is, of course, obviously I think it is really beyond much serious debate that that is the purview of the Rules Committee.

Mr. LOTT. I thank the gentleman again for his comments.

Mr. MICHEL. Will the gentleman yield?

Mr. LOTT. I will be glad to yield to my distinguished leader for——

Mr. MICHEL. Whatever comments I might make?

Mr. LOTT. Whatever comments he might make and for however long he wants to make them.

Mr. MICHEL. I appreciate the gentleman first introducing the privileged resolution because, frankly, when it was drawn to my attention I thought this was again one of those instances where there was possibility for some kind of chicanery or prejudicial treatment, one versus the other, or discrimination, and it is the kind of thing we have arguing around here on a number of issues having to do with the revision of the rules of the House by which this Chamber is run. And the gentleman well knows in our conference this morning we revised that package of revisions that we introduced on opening day and have memorialized our gentleman from Indiana, Mr. McIntyre, and to use that mechanism for the balance of this session to continually remind the majority side of some of those grievances we think we have on very legitimate grounds.

Here is one where the gentleman from California [Mr. PASHAYAN] finds himself in a difficult situation and on an opposite number on the other side of the aisle, and for no other reason than one of these little mechanical things that takes place during the course of debate.

□ 1330

And it may be rather miniscule to those on the outside; to us it is one of those important things that if not checked at this point becomes something which is pyramided. So we have to make the case.

I appreciate the gentleman from Mississippi [Mr. LOTT] offering the privileged resolution. The issue ought to be enjoined.

I agree with the gentleman that the Rules Committee is best able to handle this matter. If there is a motion to send it to the House Administration Committee, I am reminded it was the House Administration Committee that gave us the deal on the McIntyre vote count just a week or so ago.

Now that raises another question. Now that is not impugning the motives and good character of my friends that serve on that committee, but it would appear to me the Rules Committee is the place for that matter to be adjudicated and I would hope that the gentleman's resolution would be adopted.

Mr. LOTT. I thank the distinguished minority leader.

Mr. Speaker, would the gentleman on the other side require or take some time in this discussion?

PARLIAMENTARY INQUIRY

Mr. FOLEY. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. MURTHA). The gentleman will state his parliamentary inquiry.

Mr. FOLEY. Mr. Speaker, because of the adoption of the motion of the gentleman from Mississippi [Mr. LOTT] there is 40 minutes of debate, is that correct?

The SPEAKER pro tempore. That is correct.

Mr. FOLEY. Is that equally divided between the sides?

The SPEAKER pro tempore. It is equally divided.

Mr. FOLEY. Mr. Speaker, on my own time I will take 5 minutes.

Is the gentleman [Mr. LOTT] willing to conclude his remarks?

Mr. LOTT. We have additional requests for time, but just for the sake of discussion I thought perhaps the Member would want to take some time. Then it would come back over here.

Mr. FOLEY. I would be glad to accommodate the gentleman in that regard.

Mr. Speaker, I have no objection to the notion of an investigation of any inaccuracies in the so-called bulleting of the CONGRESSIONAL RECORD. I think each side feels quite clearly that the RECORD should reflect to the maximum extent possible under the rules what goes on on the floor. I am a little concerned, however, at the suggestion that the only recent example of an inaccuracy has been to the disadvantage of a minority Member.

It is my understanding that only last week a prominent Member on the other side made a speech in the RECORD which was not given but was not bulleted. Under those circumstances it seems there has been no favoritism in the failure to bullet. In fact, it has occurred apparently on both sides of the aisle and I am sure without any intention, because of the very prominence of the Member on

the Republican side who made the statement without a bullet appearing in the RECORD.

Mr. LOTT. Mr. Speaker, would the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Mississippi.

Mr. LOTT. Mr. Speaker, I was just going to say again I referred to a particular debate where it was curious that that was the situation. But I have no doubt that it probably goes both ways. I made that point during my remarks. I do not want to impugn anybody's integrity on this. But I do want to say that I think there is not a consistent pattern, and the result is we are not getting an accurate record of what is said and what is not said.

Now I have discussed this with Members on the gentleman's side of the aisle in the past and there are those who are not too happy with the way the record is handled. So I do not want to make it in this case just a partisan issue. I do not think it is. I think it is something much broader than that. I said that in my remarks.

I think there is a constitutional question here and it is a clear-cut question of the history and the record we make.

Mr. FOLEY. I say to the gentleman, I am perfectly willing to support the idea that this matter be inquired into. I think that is reasonable. I think it ought to be done by the committee that has jurisdiction over the RECORD which is the Committee on House Administration, and that was the purpose for my motion to refer. I do not want to prejudge any inquiry that the committee would make. May I suggest, however, that the assumption that the mistakes that have occurred are more than that or have some ulterior motive is hardly supported by any evidence that I know of. At the same time, it certainly ought to be a matter of inquiry if there is any serious allegation that more than just inadvertence and clerical error has occurred.

Mr. PASHAYAN. Mr. Speaker, will the gentleman yield to me?

Mr. FOLEY. I yield to the gentleman from California.

Mr. PASHAYAN. Mr. Speaker, I should like also, like the distinguished minority whip to, repeat what I said. I hope that I made it clear, perhaps I did not, that I did not take it that the bullet was aimed at me. I do not take it in any malice or anything like that. I am sure it was an error of omission; it was an accident. So that is how I take it. I was not making any allegations or charges that there was something sinister or even intentional about it. I am sure that it was strictly accidental. But the point of the gentleman from Mississippi [Mr. LOTT] still stands, and I take it the gentleman's remarks underscored his point, namely that there is an inconsistent pattern that works both ways in terms of aisle, and I would make the further point, however, that since we are talking about procedure here and rules and this kind of a thing will go long back into the history of the Congress, and doubtlessly it can be traced back to the Parliament before that, how the record was kept, under what rules are remarks made on the floor of the Congress, or before that the floor of the Parliament, accepted, written down and recorded. After all, when we wrote our Constitution in 1787, Parliament was our chief model and a lot of the rules and procedures that the early Congresses used were adopted from Parliament, from the English Parliament.

So that is a matter it seems to me clearly within the purview of the Committee on Rules to decide what the rule ought to be.

Now once the rule is decided by the Committee on Rules——

Mr. FOLEY. Mr. Speaker, if I may reclaim my time, I appreciate the fairness of the gentleman's comment about there being no particular suggestion of bad faith or deliberate misconduct here. I share that view, that if there is any problem, it is one with the administration of the rules.

I do not think there is any need to reconstruct the rule. The rule is not really under question here. The question that has been raised by the resolution is whether in fact an appropriate following or administration of the rule has occurred and that is why I insist that the proper committee is the committee that has administrative responsibility over the CONGRESSIONAL RECORD. That is the Committee on House Administration.

Mr. PASHAYAN. Will the gentleman yield further?

Mr. FOLEY. I yield to the gentleman from California.

Mr. PASHAYAN. Mr. Speaker, I took the remarks of the distinguished minority whip as being broader and farther than just merely the application of the Administration Committee.

I think what he was suggesting was that the proper agency within this House, which would be the Rules Committee, take a whole look at the idea of putting into the RECORD remarks not spoken on the floor as though they were spoken on the floor. I think that is the point the gentleman was raising, not only this particular rule and how it is applied but the whole idea of should we identify remarks not made on the floor all the time? Now I should think that is not the proper purview of the Committee on House Administration. Once again, that is the purview of the Committee on Rules because we are going to be dealing with the long and historical traditions and precedents, as I mentioned before, far beyond Congress, back in the English parliamentary history.

Mr. FOLEY. Mr. Speaker, I repeat, if I can say to the gentleman, I think the bulk of this is an investigation of occurrences in the RECORD, affecting Members on both sides where there is some failure to carry out the rule. Any recommendation for changes in the rules can obviously be made not only by individual Members but by committees that have responsibility for the investigation. We have a disagreement on which is the appropriate committee. I believe very strongly that it is the Committee on House Administration and I have so stated.

At this time, does the gentleman from Mississippi [Mr. LOTT] wish to regain some of his time?

Mr. LOTT. I thank the gentleman. I wish to speak to the point he was making. Part B of the resolve clause in this resolution states this:

> Preventing recurrence of such incidents in the future including its recommendation as to whether the RECORD should contain a verbatim account of words actually spoken clearly distinguishable and set aside from any remarks or words not actually uttered in the debate and instead simply inserting in the CONGRESSIONAL RECORD under leave to revise and extend their remarks.

I clearly intend for this to go beyond this particular incident. I would hope and that is why I specified the Committee on Rules, after all it is the Committee on Rules to recommend a change in the rule. I think that this whole process of getting an accurate CONGRESSIONAL RECORD needs review. The Rules Committee needs to do that. That is why I would urge the defeat of the motion to refer for a couple of very simple reasons. One, sending it to the Committee on House Administration would not get to the bottom of it, of the immediate incident since the resolution calls for the Rules Committee to investigate the matter; and second, and most importantly, as I pointed out, only the Rules Committee can report a new House rule to reform our CONGRESSIONAL RECORD.

I think we need to do this. I view this in a much broader way than just this immediate incident which may or may not have been occurring on a regular basis anyway. I am worried about the long-term way that the RECORD is handled here.

□ 1340

Mr. MICHEL. Will the gentleman yield?

Mr. LOTT. I am glad to yield to the distinguished minority leader.

Mr. MICHEL. I appreciate the gentleman yielding to me, and if I might address myself just a moment to the comment of the distinguished whip, who made mention of no intended Members, or no intention on the part of Members but rather an administrative detail that could be faulted.

I am reminded of a supposedly administrative detail having to do with the gentleman from Pennsylvania [Mr. WALKER] in a doctoring-up of a hearing record at one time, where the Members as such were not involved, but it was done at administrative level, and did real serious injury to the gentleman from Pennsylvania, because the exact opposite intent of what he said was portrayed in the RECORD.

Now we can pass that off as there was an attempt to do at that time as an administrative error, but we are responsible, I feel responsible for every person in my office, every bit of administrative activity that takes place, eventually I have got to be responsible for.

As Members of this House, when it comes to the administration of the rules of the House, I think we have got an oversight responsibility of Members to make absolutely sure that those who are administering whatever rules we prescribe are, is done properly, and that is the issue here, and I do not think we want to lose sight of that.

Mr. LOTT. Mr. Speaker, may I inquire how much time I have remaining on this side of the aisle?

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. LOTT] has 6 minutes remaining and the gentleman from Washington [Mr. FOLEY] has 13 minutes remaining.

Mr. FOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Speaker, I was just having lunch, and when I overheard that the subject of dots had become a matter of congressional debate, I could not resist joining in, because I have not had a chance to debate dots for some time. We used to connect them, and now we are disconnecting them, I think, taking up the floor of the House time, but that is OK, because Members are free to do whatever they wish.

I did want to respond, as I understood what the majority whip was saying was that he was agreeing with what the minority leader was saying, although the minority leader seemed to be thinking they were in disagreement. That is, the majority whip was saying that the Committee on House Administration was the appropriate place for the great dot inquiry, because it was not a question of a rule, but whether or not there had been a mistake.

The minority leader was suggesting that we are responsible for administrative mistakes. The gentleman from Washington was saying that this very grave matter of the misplaced dot ought to be taken up in the administrative oversight committee, the Committee on House Administration.

So the gentleman from Washington was not suggesting that this matter should not be looked into. He was suggesting that the appropriate place to look into it is there; he was not in any way disclaiming that.

I did want to rise though, because the gentleman from Illinois did refer to an unfortunate situation where there were some apparent, deliberate altering of the remarks of the gentleman from Pennsylvania, and those of us who have been privileged to hear the remarks of the gentleman from Pennsylvania certainly do not want to have them altered; we prefer to have them preserved in pristine form.

I would want to make it clear that I hope no one is suggesting in this case that there was hanky-panky with the dots. That is, I hope that no one is suggesting that, unlike the previous case, there was someone deep in the bowels of the House who is dotting unfairly.

I think the American public has the right to be reassured that no one is playing fast and loose with the dots deliberately, and it was just an administrative error.

Mr. LOTT. Will the gentleman yield?

Mr. FRANK. I yield to the gentleman from Mississippi.

Mr. LOTT. Just for a couple of brief questions.

First of all, the gentleman is aware that these are generally referred to as bullets as opposed to dots, and——

Mr. FRANK. I will take back my time for 1 second. I understand the gentleman would rather call them bullets, and that is what the technical term is, but I thought it was useful that everybody should understand that the bullets we are talking about are in fact dots.

Mr. PASHAYAN. If the gentleman would yield, maybe we should compromise and call them BB's.

Mr. LOTT. Let me ask the gentleman this: Knowing the gentleman's interest in the way debate is handled here, and what the RECORD reflects, I would think that the gentleman would like for the record to reflect accurately what is said on the floor of the House, in that if it is not said it should not be so indicated; if it is spoken, it should be so indicated.

Also, that you would probably like to have a little bit stricter rule about making sure that we have an accurate record of the House.

Mr. FRANK. I would say to the gentleman, I very much agree. I also believe, I must say, in accuracy in reporting, and I think that while the technical jargon term is "bullet," we ought to be clear what we are talking about; it is a little black spot in the RECORD.

Yes; I am for accuracy. In fact, I do not ask that my remarks be revised and extended. Frankly, having said them, I think I have done my bit and I should not have to read them again, to go over them; that is for other people to do if they choose to.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FRANK. I ask for 1 additional minute.

Mr. FOLEY. I yield 2 additional minutes to the gentleman from Massachusetts.

Mr. FRANK. I thank the gentleman from Washington, who is the first person who has ever given me more than I have asked.

The point that I would make though, is that I believe that the RECORD ought to be accurate, but I think we have two separate issues here. One is, and the gentleman from Illinois is the one who underlined it: He said, look, we have a problem here, because someone has perhaps put a dot where—it is not that someone put a dot where they shouldn't have, but someone didn't put a dot where they should've.

The question of the missing dot was raised in a resolution—the gentleman from Washington says, let's find out. Because we do want the RECORD to be accurate as to what was said, and apparently we want the RECORD to be accurate as to what wasn't said, but should have the bullet next to it.

I would agree with the gentleman from Mississippi. I would like to see the RECORD be absolutely—whatever is said on the floor of the House with no ability to revise and extend. I would vote for that at any time, and if the gentleman wants to make such a proposal, I would be gland to join in. That is the practice I follow; I think people understand that when one is speaking extemporaneously, one is not always going to get every detail correct, and I believe in that.

I thought we had two separate issues, and perhaps it would be better, then, to separate those out, because there is the question: The gentleman from Illinois raised it. Did someone fail to follow the rules?

The gentleman from Washington said that goes to the Committee on House Administration to see if someone failed to follow the rules, but there is a separate issue, and Members on both sides want to do away with the revise and extend provision, and the poor people on our staff will not have to do any more of that work, late at night checking over what we said, cleaning it up for us, that is fine; I will vote for that, but that is separate than this issue.

Mr. LOTT. Mr. Speaker, I yield 6 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding.

Mr. Speaker, as usual, when a serious matter is brought to the floor by the minority, there is an attempt to trivialize it by the majority, both in

terms of the gentleman from Massachusetts' remarks and the attempt to send this to House Administration Committee, rather than actually put it where it should be, in the Rules Committee.

Because the problem here is that there is something drastically wrong with the rule. We have not had just a problem that is stated in the gentleman's resolution, the gentleman from Mississippi's resolution, we have a longstanding problem with the RECORD.

The RECORD has become a disastrous document. The public is often provided with deception, rather than truth about congressional proceedings. Those institutions of our society that have to rely on the CONGRESSIONAL RECORD to interpret our laws, including our courts and our regulatory agencies, are left relying on a mixture of fact and fiction.

It was not too long ago, in fact, in February 1983, that James Nathan Miller wrote in the Reader's Digest an article that he entitled, "Congress' License to Lie," and that sounds to me as though it is a fairly serious issue, and in fact got quite a bit of attention across the country.

In that particular article, Miller says, "According to Congressional rules and custom, what a Member actually does to his manuscript is a matter between him and his conscience. Nobody checks up on him. And so revising and extending has often been used as a license to lie."

He continues, "But they don't just wipe out words they wish they hadn't uttered. They also glue in whole speeches they wish they had delivered, and they alter words to reverse positions they wish they hadn't taken. As a result, the RECORD is probably the government's most untrustworthy official publication—up to 70 percent of what's in it was never spoken on the floor, and 10 to 15 percent of what was spoken doesn't get in it." End of quote.

A newspaper columnist, TV commentator, Jack Anderson was given 2 days' RECORD to look into, to examine against the transcript against the video tape. He took a look at this, and when he finished taking a look at it, that is what he wrote in his column.

He said about the CONGRESSIONAL RECORD, it is quote: "A fraud, a travesty, a monumental sham." End of quote.

That is what we are talking about here. That is what we are talking about. The gentleman from Mississippi wants the House Rules Committee to look into a practice that has become a fraud, a travesty, and a monumental sham, and it is high time that we do so. It is high time that we go to the Rules Committee and force the Rules Committee to take a look at this practice that has been abused all the time.

I have been given a copy of something by the minority staff here where I am told, for instance, that 30 pages were inserted into the CONGRESSIONAL RECORD without getting a cost estimate, as we are supposed to around here. One more abuse of the CONGRESSIONAL RECORD.

It is high time, it is high time, it seems to me, we look into these abuses. The gentleman from Washington wants us to refer this to House Administration. To be buried? We have no time certain by when we are going to get this back from House Administration; there is a time certain in the gentleman's resolution, the gentleman from Mississippi.

We are going to get an administrative look at a couple of incidents of the RECORD—we need a look at the entire rule. The problem here is the rule that is not working right. We have got a RECORD which is a distortion, and is a laughing stock out across the country as an official document.

□ 1350

I congratulate the gentleman from Mississippi for bringing to the House a resolution that allows us to get at this question. I think when a nationally known columnist can call our official document a fraud, a travesty, and a monumental sham, it is something that we ought to look into and we ought not trivialize.

I will be glad to yield to the gentleman from New Hampshire.

Mr. GREGG. I think the gentleman has made an excellent point. You know, what we have here—and I have to disagree with the gentleman from Massachusetts, who does not appear to see the forest through the dots, so to say—is the fact that these changes which occur in the RECORD—and they seem to occur with an incredible amount of consistency, because I remember last year there was an actual rewrite of one of the subcommittee documents—are a perversion of the history of this House. And what is more fundamental to the integrity of the process of this House than its actual record and its history?

If we are not willing to change this consistent failure of administrative action, we are simply not going to be able to address this fundamental failure in our historical documents. And that needs a rules change, because there have been so many "administrative errors"—and I will use that term in quotes—that it is clear the rule has failed which is producing these "administrative errors," and this matter should definitely go to the Rules Committee and be addressed in a substantive way rather than a perfunctory and superficial way as is proposed by the gentleman from Washington.

Mr. WALKER. Mr. Speaker, I yield to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. The press, other than Jack Anderson and a few others, is not going to be much interested in this. I found multiple occasions where my predecessor eradicated the black dot bullet and wrote in franked privileged documents into the district in 1984 that he made such and such a speech on the House floor. We went and got the RECORD, saw that he had not, and saw the black dot.

So there is a lot of dishonor involved here. Even if this is just perceived as a point of honor, let us not bury it in House Administration. Let us do something about it.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. LOTT] has 1 minute remaining.

Mr. FOLEY. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Committee on House Administration, the gentleman from Illinois [Mr. ANNUNZIO].

Mr. ANNUNZIO. I appreciate the gentleman from Washington yielding.

I want to correct an erroneous impression that if a matter is referred to the House Administration Committee it is going to be somehow buried and forgotten. That is far from the truth. Any matter pertaining to a committee of this House, any matter pertaining to a Member of this House, regardless of the request, each individual gets the same attention, be he a Republican or a Democrat.

I knew nothing about this resolution until I came to the floor. But under House rule 10, clause 1(k) subparagraph 7 of the Rules of the House of Representatives—and these are the rules—the Committee on House Administration has entire jurisdiction over measures relating to printing and correction of the CONGRESSIONAL RECORD. I am not going to tell this House where to refer the matter. But I am merely stating the rules of the House as adopted by this Congress on matters relating to printing and correction of the CONGRESSIONAL RECORD come under the jurisdiction of the Committee on House Administration.

This rule, which was promulgated by the Rules Committee specified the jurisdiction of the House Administration Committee. So if the Members on the other side want to change the rules, that is the jurisdiction of the Rules Committee. But once the rule is adopted on matters relating to the printing and correction of the CONGRESSIONAL RECORD, it comes to House Administration.

I want to also point out to the House that there is a Joint Committee on Printing with Members of the Senate and Members of the House.

The SPEAKER pro tempore. The time of the gentleman from Illinois [Mr. ANNUNZIO] has expired.

Mr. FOLEY. Mr. Speaker, I yield 1 additional minute to the gentleman from Illinois.

Mr. ANNUNZIO. There is a Joint Committee on Printing. In this Congress there was a change of chairman. Senator MAC MATHIAS of Maryland, a Republican, this year is chairman of the Joint Committee on Printing, and I am vice chairman of the Joint Committee on Printing, because we alternate chairmanships of these two joint committees.

Mr. PASHAYAN. Mr. Speaker, will the distinguished chairman yield?

Mr. ANNUNZIO. I would like to finish my statement.

We alternate chairmen. There are three Democratic Members of this House on the Joint Committee on Printing, as well as two Republican Members, and the committee is evenly divided between Republicans and Democrats, between the Senate and the House. So a matter pertaining to the printing of the CONGRESSIONAL RECORD, or any other printing matter, should be referred to our Subcommittee on Procurement and Printing or to our Joint Committee on Printing. I just want to make the record clear.

Mr. LOTT. Mr. Speaker, will the chairman yield for just one question?

Mr. ANNUNZIO. I yield to the gentleman from Mississippi.

Mr. LOTT. I thank the gentleman for yielding.

The SPEAKER pro tempore. The time of the gentleman from Illinois [Mr. ANNUNZIO] has again expired.

Mr. FOLEY. Mr. Speaker, I yield 1 additional minute to the gentleman from Illinois [Mr. ANNUNZIO].

Mr. LOTT. I thank the distinguished majority whip for that, and I thank the chairman for yielding.

I would hope and would urge that the motion to refer to House Administration would be defeated because I do think that the gentleman, in a way, has made our point. This does go to the rules or the rule of the House with regard to an accurate record. But if perchance it should be referred to House Administration, could the gentleman give us some assurance that within a reasonable period of time, as the resolution calls for, 60 days, that we would get a report back on this investigation, the result of the effort by the committee?

Mr. ANNUNZIO. As the gentleman knows, in January a certain matter was referred to the House Administration Committee. I was questioned on the floor of this House, and I said that we would bring a report back to this House by April 30. And, as you know, we brought that report back by April 26.

If this matter is referred to House Administration Committee and the House tells me they want a report back in 60 days, I will do everything within my power to bring a report back in 60 days.

Mr. PASHAYAN. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman from Illinois [Mr. ANNUNZIO] has again expired.

The gentleman from Washington [Mr. FOLEY] has 4 minutes remaining.

Mr. ANNUNZIO. May I have 30 seconds to yield to the gentleman from California? I do not want to deny anyone the right to talk.

Mr. FOLEY. I yield 30 seconds to the gentleman from Illinois [Mr. ANNUNZIO].

Mr. PASHAYAN. I appreciate the accommodation that the distinguished chairman has made in meeting the deadline, but I hope the point is not lost, the point you were making, that the examination of the rule and the question, "Should the rule be changed?" lies not within your very distinguished committee but lies with the equally distinguished committee, the Rules Committee. I am glad the chairman sees that, and that is the point the gentleman from Mississippi is making.

Mr. ANNUNZIO. These rules came from the Rules Committee. All I am pointing out to you is that the House in this session adopted these rules and that House Administration has jurisdiction so far as printing and correction of the CONGRESSIONAL RECORD are concerned. And if the Rules Committee in the House wants to change that rule, that is their business.

Mr. FOLEY. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Speaker, the gentleman from Pennsylvania, who cited my remarks and then refused to yield during this 5 minutes, stressed several times his apparent agreement with Jack Anderson that the CONGRESSIONAL RECORD is a shame, a disgrace, and a travesty because people insert material which they have not said.

We ought to just be clear—and I do not myself do that, but the rules call for people to do that—that that is a bipartisan shame, disgrace and travesty, and I just wanted to get up and say that I hope he was not casting any aspersions on our friend from California, because, as I understand it, the gentleman from California had inserted some material to be carried in the RECORD which he had not uttered on the floor. And then the gentleman from Pennsylvania says this practice of the RECORD not being a verbatim thing is a shame and a disgrace. So I know he did not mean any reflection on that particular gentleman, because that is what the rules were, but someone might have gotten the implication that the gentleman from Pennsylvania was trying to make a partisan point, hard as that might be to imagine, and I just want to make it clear that the shameful travesty, disgrace that he was talking about is not only a bipartisan one but one which the gentleman fully within his rights indulged in, in this particular instance, and that is why we are where we are.

The SPEAKER pro tempore. The gentleman from Washington [Mr. FOLEY] has 2½ minutes remaining.

Mr. FOLEY. Mr. Speaker, I yield myself 1 minute at the conclusion of which I intend to yield back the remainder of my time. However, I will indicate to the Chair that, following the debate, I intend to offer a motion, under rule XVII, to commit the resolution to the Committee on House Administration.

Mr. Speaker, I believe that the overwhelming bulk of the debate that has taken place here today has had to do with complaints that the rules are not being satisfactorily carried out. The whole issue of whether or not bullets were included is clearly a problem that has occurred on both sides of the aisle, and I appreciate the more generous comments from the other side that this is not a partisan matter, that Members have not been singled out deliberately or on the basis of party affiliation. Indeed I do not think there is any evidence of that, and the gentleman from Illinois, the distinguished chairman of the committee, has given his indication in all good faith that this will be promptly reported back to the House after examination by the House Administration Committee.

I think that the House clearly should stay with the rules and agree to the commitment.

□ 1400

Mr. LOTT. Mr. Speaker, did the distinguished majority whip yield back the balance of his time?

Mr. FOLEY. Mr. Speaker, I yield back the balance of my time.

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in the brief time that I have left, I would just like to sum this debate up. Rather than getting into questions really of which committee it should go to, I think there are two fundamental questions here: Do we want an accurate RECORD of the House or not? And do we want the requirement for that accurate record in the Rules of the House?

If the answers to those two questions are yes, than we should defeat the motion to defer or commit, and vote for the resolution to require that the Rules Committee investigate the immediate situation, but also look at the broader question of how this House has an accurate report to the American people and to the courts of what we do as an institution.

Mr. Speaker, I yield back the balance of my time.

Mr. FOLEY. Mr. Speaker, under rule XVII, I move to commit the resolution to the Committee on House Administration.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington [Mr. FOLEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LOTT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 245, nays 184, not voting 5, as follows:

[Roll No. 100]

YEAS—245

Ackerman	Early	Leland
Akaka	Eckart (OH)	Levin (MI)
Anderson	Edgar	Levine (CA)
Andrews	Edwards (CA)	Lipinski
Annunzio	English	Lloyd
Anthony	Erdreich	Long
Applegate	Evans (IL)	Lowry (WA)
Aspin	Fascell	Luken
Atkins	Fazio	Lundine
AuCoin	Feighan	MacKay
Barnard	Flippo	Manton
Barnes	Florio	Markey
Bates	Foglietta	Martinez
Bedell	Foley	Matsui
Beilenson	Ford (MI)	Mavroules
Bennett	Ford (TN)	Mazzoli
Berman	Fowler	McCloskey
Bevill	Frank	McCurdy
Biaggi	Frost	McHugh
Boggs	Fuqua	Mica
Boland	Garcia	Mikulski
Boner (TN)	Gaydos	Miller (CA)
Bonior (MI)	Gejdenson	Mineta
Bonker	Gephardt	Mitchell
Borski	Gibbons	Moakley
Bosco	Gonzalez	Mollohan
Boucher	Gordon	Montgomery
Boxer	Gray (IL)	Moody
Breaux	Gray (PA)	Morrison (CT)
Brooks	Guarini	Mrazek
Brown (CA)	Hall (OH)	Murphy
Bruce	Hall, Ralph	Murtha
Bryant	Hall, Sam	Natcher
Burton (CA)	Hamilton	Neal
Bustamante	Hatcher	Nelson
Byron	Hawkins	Nichols
Carper	Hayes	Nowak
Carr	Hefner	Oakar
Chappell	Heftel	Oberstar
Clay	Hertel	Obey
Coelho	Howard	Olin
Coleman (TX)	Hoyer	Ortiz
Collins	Hubbard	Owens
Conyers	Huckaby	Panetta
Cooper	Hughes	Pease
Coyne	Hutto	Penny
Crockett	Jacobs	Pepper
Daniel	Jenkins	Perkins
Darden	Jones (NC)	Pickle
Daschle	Jones (OK)	Price
de la Garza	Jones (TN)	Rahall
Dellums	Kanjorski	Rangel
Derrick	Kaptur	Ray
Dicks	Kastenmeier	Reid
Dingell	Kennelly	Richardson
Dixon	Kildee	Robinson
Donnelly	Kleczka	Rodino
Dorgan (ND)	Kolter	Roe
Dowdy	Kostmayer	Rose
Downey	LaFalce	Rostenkowski
Durbin	Lantos	Rowland (GA)
Dwyer	Leath (TX)	Russo
Dymally	Lehman (CA)	Sabo
Dyson	Lehman (FL)	Savage
Scheuer	Stenholm	Walgren
Schroeder	Stokes	Watkins
Schumer	Stratton	Waxman
Seiberling	Studds	Weiss
Sharp	Swift	Wheat
Shelby	Synar	Whitley
Sikorski	Tallon	Whitten
Sisisky	Tauzin	Williams
Skelton	Thomas (GA)	Wilson
Slattery	Torricelli	Wirth
Smith (FL)	Towns	Wise
Smith (IA)	Traficant	Wolpe
Solarz	Traxler	Wright
Spratt	Udall	Wyden
St Germain	Valentine	Yates
Staggers	Vento	Yatron
Stallings	Visclosky	Young (MO)
Stark	Volkmer	

NAYS—184

Archer	Grotberg	Packard
Armey	Gunderson	Parris
Badham	Hammerschmidt	Pashayan
Bartlett	Hansen	Petri
Barton	Hartnett	Porter
Bateman	Hendon	Pursell
Bentley	Henry	Quillen
Bereuter	Hiler	Regula
Billirakis	Hillis	Ridge
Bliley	Holt	Rinaldo
Boehlert	Hopkins	Ritter
Boulter	Horton	Roberts
Broomfield	Hunter	Roemer
Brown (CO)	Hyde	Rogers
Broyhill	Ireland	Roth
Burton (IN)	Jeffords	Roukema
Callahan	Johnson	Rowland (CT)
Campbell	Kasich	Rudd
Carney	Kemp	Saxton
Chandler	Kindness	Schaefer
Chappie	Kolbe	Schneider
Cheney	Kramer	Schuette
Clinger	Lagomarsino	Schulze
Coats	Latta	Sensenbrenner
Cobey	Leach (IA)	Shaw
Coble	Lent	Shumway
Coleman (MO)	Lewis (CA)	Shuster
Combest	Lewis (FL)	Siljander
Conte	Lightfoot	Skeen
Coughlin	Livingston	Slaughter
Courter	Loeffler	Smith (NE)
Craig	Lott	Smith (NH)
Crane	Lowery (CA)	Smith (NJ)
Dannemeyer	Lujan	Smith, Denny
Daub	Lungren	Smith, Robert
Davis	Mack	Snowe
Delay	Madigan	Snyder
DeWine	Marlenee	Solomon
Dickinson	Martin (IL)	Spence
DioGuardi	Martin (NY)	Stangeland
Dornan (CA)	McCain	Strang
Dreier	McCandless	Stump
Duncan	McCollum	Sundquist
Eckert (NY)	McDade	Sweeney
Edwards (OK)	McEwen	Swindall
Emerson	McGrath	Tauke
Evans (IA)	McKernan	Taylor
Fawell	McKinney	Thomas (CA)
Fiedler	McMillan	Vander Jagt
Fields	Meyers	Vucanovich
Fish	Michel	Walker
Franklin	Miller (OH)	Weber
Frenzel	Miller (WA)	Whitehurst
Gallo	Molinari	Whittaker
Gekas	Monson	Wolf
Gilman	Moore	Wortley
Gingrich	Moorhead	Wylie
Glickman	Morrison (WA)	Young (AK)
Goodling	Myers	Young (FL)
Gradison	Nielson	Zschau
Green	O'Brien	
Gregg	Oxley	

NOT VOTING—5

Addabbo	Roybal	Weaver
Alexander	Torres	

□ 1410

Mr. LUKEN changed his vote from "nay" to "yea."

So the motion to commit was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1420

CONFERENCE REPORT ON H.R. 1869, REPEAL OF CONTEMPORANEOUS RECORDKEEPING REQUIREMENTS

Mr. ROSTENKOWSKI. Mr. Speaker, pursuant to the unanimous-consent request of May 2, 1985, I call up the conference report on the bill (H.R. 1869) to repeal the contemporaneous recordkeeping requirements added by the Tax Reform Act of 1984, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MURTHA). Pursuant to the order of the House of May 2, 1985, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of May 7, 1985.)

The SPEAKER pro tempore. The gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 30 minutes and the gentleman from Tennessee [Mr. DUNCAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, I yield myself such time as I may consume.

GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, I rise in support of the conference report on H.R. 1869, legislation repealing the contemporaneous recordkeeping requirements added to code section 274(d) by the Tax Reform Act of 1984.

Under the conference agreement, the act's requirement that records to substantiate certain deductions and credits be contemporaneous is repealed, effective as if never enacted. Thus, daily logs of automobile use for business purposes are no longer required. In addition, the conference agreement postpones until 1986 the date on which the new substantiation rules, as revised by this bill, apply to local travel expenses, computers, and certain other "listed property". Thus, for 1985, the substantiation rules in effect prior to the Tax Reform Act of 1984 apply.

Under the conference agreement, taxpayers must substantiate deductions or credits subject to the standards of code section 274(d) by ade-

quate records or sufficient evidence corroborating their own statements. Unlike the House bill, there is no statutory requirement that the evidence be written. However, the conferees agreed that, absent other factors, oral evidence should generally have less probative value than written evidence. Further, the conferees agreed that written evidence assembled closer in time to the expense sought to be deducted should generally have greater probative value than written evidence created later.

The conference agreement further repeals the contemporaneous recordkeeping regulations, the return preparers' penalty, and the special negligence penalty added by the Tax Reform Act. The conferees also adopted the House bill's provision requiring the IRS to issue new regulations by October 1, 1985, reflecting the provisions of the new law.

The conferees agreed to the House bill's provision exempting from the new substantiation rules certain vehicles which are not likely to be used more than a very minimal amount for personal purposes, and excluding such minimal personal use from the employee's income. The conferees expanded the list to include school buses, certain heavy trucks specially designed to store and carry emergency utility repair equipment, and certain moving vans where personal use is irregular. Treasury is authorized to issue regulations exempting from the substantiation and income inclusion requirements certain officially authorized uses of unmarked vehicles by certain law enforcement officers.

The conferees agreed to House provision which provides additional flexibility to employers by permitting employers an election not to withhold income taxes with respect to the noncash fringe benefit attributable to commuting or other personal use of a highway motor vehicle. However, an electing employer must so notify the employee, include the value of such personal use of the employee's W-2, and withhold social security taxes.

In order to ensure that the bill would remain revenue-neutral, the conferees adopted the House provision reducing the limits on the investment tax credit and depreciation for automobiles, with modifications. The maximum investment tax credit is $675 as in the House bill. Maximum depreciation deductions are reduced to $3,200 in the first year, and $4,800 per year thereafter. In addition, the inflation adjustment is delayed until 1989.

Mr. Speaker, the conferees, in my view, have come to a rational and equitable compromise on this issue, balancing concern for excessive and unnecessary paperwork burdens on taxpayers with the need of the government for tools to effectively administer our tax laws. I urge the House to support the conference report on H.R. 1869.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I happily rise in support of Chairman ROSTENKOWSKI in bringing this important conference agreement to the floor in this expeditious manner. Most of us have received a number of comments from constituents relative to the impact of the auto recordkeeping rules that were enacted in the 1984 Deficit Reduction Act. Needless to say, those comments were not of a positive nature. It was apparent early that the 1984 act provisions, especially as interpreted by the Treasury, imposed burdens that were not contemplated when the legislation was originally enacted. Recognizing these problems, the Committee on Ways and Means, under Chairman ROSTENKOWSKI's leadership, drafted a modification of those rules which was overwhelmingly passed by the House as H.R. 1829 several weeks ago. The Senate soon followed suit with a bill which had certain differences from the House-passed bill, including a very costly revenue provision. The conference last week worked out the differences between those two bills in a manner which I think equitably addresses the legitimate complaints with the 1984 act while not resulting in an undesirable revenue loss. Chairman ROSTENKOWSKI has aptly and accurately described the contents of the conference agreement. I will not repeat them. Recognizing that this conference agreement addresses a problem which was brought to our attention by numerous constituents, and which needs to be corrected, I urge the Members of the House to adopt it today.

Mr. CAMPBELL. Mr. Speaker, will the gentleman yield?

Mr. DUNCAN. I yield to the gentleman from South Carolina.

Mr. CAMPBELL. Mr. Speaker, I thank the gentleman for yielding, and I want to thank the chairman of the full committee and the ranking member for expeditiously handling a problem that all of us in the Congress had come to be all too familiar with.

There is no question that this regulation was an onerous burden on the people of America. There is no question that at a time when we speak of tax simplification and fairness and yet we have rules that are promulgated that make the tax system more complicated, we in fact invited abuse of the system. I think that the chairman of the full committee and the ranking member recognized this. I think that the people's voices were heard, and this is a very fine day for the House of Representatives for having heeded that cry.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman for his comments.

Mr. BLILEY. Mr. Speaker, will the gentleman yield?

Mr. DUNCAN. I yield to the gentleman from Virginia.

Mr. BLILEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this conference report and I would like to take this time to thank the Ways and Means Committee for its timely and beneficial action on this matter. I would also like to thank the conferees for insisting on the House provisions over the Senate version for resolving this matter.

The Congress should be praised for taking this step in a fashion that will protect our taxpayers and not reduce revenues.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield such time as he may require to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of the conference report on H.R. 1869.

The conference report adopts the majority of the provisions passed by this House last month, which would repeal the burdensome contemporaneous recordkeeping rules contained in the Deficit Reduction Act of 1984. While repealing those rules, the conference report contains the House passed provisions which makes the repeal revenue neutral, which I believe is necessary in these times of severe fiscal constraints.

I commend the members of the committee for their work on this bill. The recordkeeping rules extended the heavy hand of big Government to the Nation's farmers, small business, and public safety officials. Rather than make the tax code more efficient, the new rules resulted in the creation of more Government red tape, which as we all know only restrains economic growth and prosperity.

By passing this bill today, the House will be sending the message that the Congress is in favor of curtailing restrictive Government regulations and making the tax code work in favor of the public rather than the bureaucracy. I am proud to have been an early supporter of this legislation which will allow all workers to stop worrying about the IRS and get back to work.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Louisiana [Mrs. BOGGS].

Mrs. BOGGS. Mr. Speaker, I thank the gentleman for yielding this time to me, and I rise in strong support of the conference report.

I would like to commend the chairman of the committee, the gentleman from Tennessee, and all the conferees for coming to such an expeditious conclusion and for adopting most of the

House's recommendations. It is a great day for many people who felt a terrible burden was imposed by these regulations, and I am very grateful to the chairman of the committee and to the gentleman from Tennessee for moving this matter to its conclusion.

Mr. DUNCAN. Mr. Speaker, I yield such time as he may consume to a valuable member of the committee, the gentleman from Louisiana [Mr. MOORE].

□ 1430

Mr. MOORE. Mr. Speaker, I thank the gentleman for yielding.

I seek this time in order to enter into a colloquy with the distinguished chairman of the full committee.

The conference report authorizes the Treasury to exempt from the $3 a day imputed income rule law enforcement officers when the officers are authorized by the empowering government unit to take a vehicle owned or leased by the employing government unit home for law enforcement functions, such as undercover work or reporting directly from home to a stakeout or an emergency situation.

A law enforcement officer is defined as a full-time employee of a governmental unit responsible for the prevention or investigation of crime involving injury to persons or property, who is authorized to carry a firearm and execute search warrants, who can make arrests and who regularly carries firearms.

Is it the understanding of the Chairman that if a local district attorney or the employees of that office meet the above law enforcement officer definitions, such employees would be exempt as well?

Mr. ROSTENKOWSKI. Mr. Speaker, if the gentleman will yield, yes, if they meet the applicable definition.

Mr. MOORE. Mr. Speaker, I appreciate the gentleman's clarification. I thank the gentleman for yielding the time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas [Mr. ANTHONY].

Mr. ANTHONY. Mr. Speaker, I thank the chairman of the Ways and Means Committee for yielding.

As the chairman well knows, this was an issue that spread all across the United States. Many Members of Congress heard from their constituents. It was a piece of legislation that was specifically refused in the Ways and Means Committee. It was added on from the other body in the last year's tax bill.

I am proud that the committee worked very hard, very diligently, listening to the public and trying to make what I call corrective changes, I think corrections that the public will be able to understand and be able to live with.

I would like to publicly thank the chairman of the Ways and Means Committee for his diligence in working with us and putting this piece of legislation together; more particularly in making sure that the House bill basically was maintained in the conference, but even having our bill strengthened a little bit so that this conference report is something that we can all be very proud of and I ask my colleagues to support it.

Mr. DUNCAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I would like to observe how swiftly the Members of the House and the Senate respond when the public ire is raised and when regulations are irresponsibly written. The people's House reacts very affirmatively. This is certainly an instance where my colleagues on the Ways and Means Committee, particularly the gentleman from Tennessee [Mr. DUNCAN], moved firmly, expeditiously, and correctly.

● Mr. DASCHLE. Mr. Speaker, I rise in strong support of the passage of H.R. 1869, legislation which repeals the contemporaneous recordkeeping requirements with respect to vehicles used for business purposes.

The Tax Reform Act of 1984 intended to ensure that deductions claimed on tax returns were accurate, but the resulting requirement that records be kept contemporaneously created an incredible paperwork burden. I have heard from hundreds of my constituents who tell me that the recordkeeping process which went into effect in January is a paperwork nightmare. A return to previous recordkeeping requirements coupled with information to be provided on individual tax returns is a much better approach and one which I think will ensure that taxpayers take only those deductions which the law allows.

I thank the conferees for recognizing the negative revenue effects of the Senate bill and for agreeing that the legislation not increase the deficit. The last thing we need to do is repeal an arduous, logging requirement and then, in the same breath, agree to provisions which would result in $4.5 billion increase in the deficit over the next 3 years.

I am very happy the conferees also addressed the problem of emergency vehicles being treated as a working condition fringe benefit when they are driven home by emergency personnel. Police officers, firefighters, and emergency medical personnel are on call 24 hours a day and often find the need for emergency use of their work vehicle during nonworking hours. This unique situation was overlooked by the Congress when it addressed the fringe benefit issue in the Tax Reform Act of 1984, making the corrective action taken in H.R. 1869 clearly necessary.

As an original cosponsor of House legislation to repeal the contemporaneous recordkeeping requirement, I urge my colleagues to join with me today in strong support of this important legislation.●

● Mr. PICKLE. Mr. Speaker, the IRS regulations requiring extensive recordkeeping for automobiles used for business purposes really struck a raw nerve with all of us. I am pleased that we finally have that "turkey" plucked. The conference agreement is a reasonable approach to what has been a difficult situation and I urge my colleagues to support it. I want to particularly commend our chairman, Mr. ROSTENKOWSKI, for his commitment to resolve this issue in a fair and timely manner.

Mr. Speaker, I want to comment on a few portions of the agreement. Both the House bill and the Senate bill repealed the contemporaneous recordkeeping requirement which was a major headache in this whole matter. The House bill did require some sort of written evidence to substantiate a taxpayer's claim that deductions taken were appropriate. While the conferees did not adopt this written requirement, we did make it clear in the report that written evidence is more significant than oral evidence in supporting a taxpayer's claim that a deduction was appropriate. We do not wish to overburden taxpayers with excess paperwork, but it is important to make the point that some type of evidence will be given less weight than others in determining whether or not deductions have been substantiated.

The conference agreement excludes from the substantiation rules a specific list of vehicles that, by their nature, are not likely to be used more than a very small amount for personal purposes. The agreement also allows IRS to issue regulations that exclude this same list of vehicles from income valuation rules. Mr. Speaker, while I don't have an extraordinary problem with the list of vehicles—although I might quarrel a bit with the specifics—I am glad we gave authority to the IRS to expand that list when necessary. In that regard, I also am pleased that we specifically directed IRS to provide an exemption for certain uses of unmarked law enforcement vehicles.

Finally, Mr. Speaker, I would like to comment on the revenue aspects of this bill. While I acknowledge and agree that our current budgetary crisis mandates an awareness of revenue-losing items, I had hoped we would not have to go beyond the limitations of the House bill. Under the House bill, we pared back both the investment tax credit and depreciation deductions on automobiles used for business. However, the conference committee was forced to limit the depreciation

deductions even more in order to make the bill revenue neutral. I had hoped we could find another way to make up the additional revenue, but this was not the case.

All in all, Mr. Speaker, I believe this is a good effort that ought to be supported. We cannot continue to overburden our taxpayers with heavy regulation and this approach, I believe, will make us all breathe a little easier. I urge my colleagues to accept the conference report.●

● Mr. DAUB. Mr. Speaker, thank you very much for this opportunity to express my strong support for this conference agreement on repeal of the contemporaneous recordkeeping requirements of the 1984 Tax Act. I again want to compliment my committee chairman for his assistance in moving this legislation and, in addition, compliment the diligent work of the outstanding staff members involved in this process.

Last Thursday, the House and Senate conferees were able to reconcile differences between versions of contemporaneous recordkeeping repeal measures and adopted the House provision requiring the Internal Revenue Service to issue new regulations by October 1, 1985, which will reflect these changes. I especially appreciated the privilege of personally observing our conferees in action and commend this product of their efforts.

Briefly, I want to highlight two provisions of this report which were in the original House bill and the adoption of which will most certainly provide relief to individuals and businesses from sharp increases in the costs of recordkeeping. The first provision is that which exempts from substantiation requirements (under section 274d) vehicles which are not likely to be used more than a very minimal amount for personal purposes. School, buses, certain vans used by professional moving companies, and certain heavy trucks designed to carry equipment for emergency utility repairs were all added to the list of examples of such limited-use vehicles, and are thus exempted from the substantiation requirements.

I am especially pleased to note that the conferees adopted provisions that ease the burden from businesses engaged in trucking, sales, and a variety of other activities that lease, own, or operate from 10 to 500 vehicles. I'm certain that our local businessmen and employers will appreciate that our bill now relieves them from a flood of paperwork.

Finally, I'm happy to point out to my colleagues that under this agreement, no longer will recordkeeping be required for special-use vehicles, including marked police and fire vehicles.

Elective withholding is an important feature that should be noted by Members, which provides the widest possible latitude for employers and employees for pay period, quarterly, biannual, annual or annual FICA only withholding. Indeed, with respect to the revenue provision of the bill, my preferences may be otherwise but the concept of being sure that this bill is in fact, in the chairman's words, "revenue neutral" is a goal that we have met.

Again, I appreciate the opportunity to express strong support for this conference report and am pleased that it does reflect the majority of the hard work and efforts of Representative Beryl Anthony, Representative Buddy Roemer, and myself along with those of the Ways and Means Committee in developing responsible and fair legislation.●

● Mr. McDADE. Mr. Speaker, I am gratified to be able to join my colleagues today in the adoption of the conference report accompanying H.R. 1869, the repeal of the contemporaneous recordkeeping requirements of the Tax Act of 1984. I hope this legislation will be adopted by this House unanimously.

This legislation, substantially similar to my own bill, H.R. 1897, which repeals the same section of the Internal Revenue Code, is an example of Congress working at its best. Few times in my 23 years in Congress have I witnessed the types of complaints and concerns generated by this requirement. The protests about the burdens of recordkeeping came from a true cross-section of the American public. This wide range of individuals who use automobiles for business, includes sales people, fleet owners, large companies, small businesses, realtors, and the farm community.

This recordkeeping section of the Tax Code came about due to a misinterpretation of congressional intent by the Internal Revenue Service. The IRS interpretation of this code was estimated by the National Federation of Independent Business to cost the consumer $7 billion this coming year to comply with the regulation. This cost, through lost time and effort, was posed against a potential revenue gain of less than $100 million. As I said when I introduced my legislation, never had so much been wasted to recover so little.

I am happy to report that efforts by many Members of Congress have come together today to repeal this section of law. I thank the chairman and the ranking minority member of the Ways and Means Committee for working so expeditiously to bring this conference report to the floor today.●

● Ms. KAPTUR. Mr. Speaker, I rise in support of the conference agreement on H.R. 1869, the repeal of the contemporaneous recordkeeping requirements. I would like to thank Chairman ROSTENKOWSKI and the other conferees on H.R. 1869 for their expeditious consideration of this matter. I believe that Congress' quick action to repeal the burdensome recordkeeping rules demonstrates to the American taxpayer that we are able and willing to respond to their legitimate concerns.

Many small businessmen in Ohio's Ninth Congressional District—which I have the privilege of representing—were justly outraged by the onerous requirements placed upon them by the contemporaneous recordkeeping requirements. Not only did they find these burdensome rules silly, but also a hindrance to the efficient operation of their enterprises. I must emphasize that Ohio's small businessmen, many of whom I have personally known for years, do not object to paying their fair share of taxes. Rather, they object to having to spend their time and energy recording for Uncle Sam how they spend their time. They would much prefer doing what they originally entered business to do: being productive and adding to our Nation's wealth. It is wrong when laws needlessly interfere with a business endeavor to be productive. This is why I support the repeal of the contemporaneous recordkeeping requirements.●

● Mr. McGRATH. Mr. Speaker, I am very pleased that the House of Representatives gave final approval to H.R. 1869, legislation which repeals the contemporaneous recordkeeping requirements for business use of automobiles imposed last year.

The regulations issued by the Treasury Department were overly burdensome, particularly on the small business community. Thousands of contractors, salespersons and others using vehicles in their business would have spent countless hours to comply with the paperwork mandate. I was pleased to cosponsor H.R. 1869, which lifts this burden, and I am delighted that this matter has finally been resolved. While this may have been an area of past taxpayer abuse, I think the remedy should not impose onerous requirements on honest business men and women. I believe the conference agreement provides a workable system for substantiation of these deductions.

The conference agreement essentially goes back to prior law requiring taxpayers to substantiate deductions by using adequate records or sufficient evidence corroborating their own statements concerning vehicle use.

In addition, the conferees adopted language that includes specific questions on mileage and business use to be asked on tax returns. One of the questions is whether written evidence was maintained by the taxpayer.

Police cars, fire service vehicles, some types of moving vans and specified vehicles used by utility company employees are excluded from the substantiation requirements. Also, the

Treasury Department was authorized to issue regulations excluding unmarked law enforcement vehicles from the substantiation requirements.

In order to offset the revenue loss associated with the easing of the requirements, the conference agreement limits the investment tax credit for business cars to $675, and limits the depreciation deductions to $3,200 in the first year, climbing to $4,800 in each succeeding year.●

● Mr. BOLAND. Mr. Speaker, I strongly support the conference report on H.R. 1869 and I urge its adoption by the House.

Like most Members, I have been inundated by mail from constituents opposed to the contemporaneous record-keeping requirements that resulted from last year's tax bill. A heavy flow of mail on issues is not unusual for any of us but I was impressed by the depth of feeling on this particular matter. It became clear to me that, in trying to address a particular tax compliance problem, a remedy had been fashioned that was worse than that which it was trying to correct. The conference report before us today addresses that situation in a way that should restore common sense to this portion of the regulations of the Internal Revenue Service [IRS]. In addition, the conference report provides some much needed guidance to the IRS on the question of the tax treatment of the business-related commuting use of employer provided vehicles. I believe this guidance is necessary to ensure that employees who must take certain vehicles home as a condition of their employment do not have their income tax liability increased as a result.

Mr. Speaker, the conference agreement on H.R. 1869 represents important legislation. In passing this measure, Congress demonstrates that it will repond to, and correct, the unintended consequences of prior actions. That is a reasonable position and represents an important message to all of our constituents.●

Mr. ROSTENKOWSKI. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CAMPBELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 426, nays 1, not voting 7, as follows:

[Roll No. 101]

YEAS—426

Ackerman	Dingell	Jeffords
Akaka	DioGuardi	Jenkins
Alexander	Dixon	Johnson
Anderson	Donnelly	Jones (OK)
Andrews	Dorgan (ND)	Jones (TN)
Annunzio	Dornan (CA)	Kanjorski
Anthony	Dowdy	Kaptur
Applegate	Downey	Kasich
Archer	Dreier	Kastenmeier
Armey	Duncan	Kemp
Aspin	Durbin	Kennelly
Atkins	Dwyer	Kildee
AuCoin	Dymally	Kindness
Badham	Dyson	Kleczka
Barnard	Early	Kolbe
Barnes	Eckart (OH)	Kolter
Bartlett	Eckert (NY)	Kostmayer
Barton	Edgar	Kramer
Bateman	Edwards (CA)	LaFalce
Bates	Edwards (OK)	Lagomarsino
Bedell	Emerson	Lantos
Beilenson	English	Latta
Bennett	Erdreich	Leach (IA)
Bentley	Evans (IA)	Leath (TX)
Bereuter	Evans (IL)	Lehman (CA)
Berman	Fascell	Lehman (FL)
Bevill	Fawell	Leland
Biaggi	Fazio	Lent
Billrakis	Feighan	Levin (MI)
Bliley	Fiedler	Levine (CA)
Boehlert	Fields	Lewis (CA)
Boggs	Fish	Lewis (FL)
Boland	Flippo	Lightfoot
Boner (TN)	Florio	Lipinski
Bonker	Foglietta	Livingston
Borski	Foley	Lloyd
Bosco	Ford (MI)	Loeffler
Boucher	Ford (TN)	Long
Boulter	Fowler	Lott
Boxer	Franklin	Lowery (CA)
Breaux	Frenzel	Lowry (WA)
Brooks	Frost	Lujan
Broomfield	Fuqua	Luken
Brown (CA)	Gallo	Lundine
Brown (CO)	Garcia	Lungren
Broyhill	Gaydos	Mack
Bruce	Gejdenson	MacKay
Bryant	Gekas	Madigan
Burton (CA)	Gephardt	Manton
Burton (IN)	Gibbons	Markey
Bustamante	Gilman	Marlenee
Byron	Gingrich	Martin (IL)
Callahan	Glickman	Martin (NY)
Campbell	Gonzalez	Martinez
Carney	Goodling	Matsui
Carper	Gordon	Mavroules
Carr	Gradison	Mazzoli
Chandler	Gray (IL)	McCain
Chappell	Gray (PA)	McCandless
Chappie	Green	McCloskey
Cheney	Gregg	McCollum
Clay	Grotberg	McCurdy
Clinger	Guarini	McDade
Coats	Gunderson	McEwen
Cobey	Hall (OH)	McGrath
Coble	Hall, Ralph	McHugh
Coelho	Hall, Sam	McKernan
Coleman (MO)	Hamilton	McKinney
Coleman (TX)	Hammerschmidt	McMillan
Collins	Hansen	Meyers
Combest	Hartnett	Mica
Conte	Hatcher	Michel
Conyers	Hayes	Mikulski
Cooper	Hefner	Miller (CA)
Coughlin	Heftel	Miller (OH)
Courter	Hendon	Miller (WA)
Coyne	Henry	Mineta
Craig	Hertel	Mitchell
Crane	Hiler	Moakley
Crockett	Hillis	Molinari
Daniel	Holt	Mollohan
Dannemeyer	Hopkins	Monson
Darden	Horton	Montgomery
Daschle	Howard	Moody
Daub	Hoyer	Moore
Davis	Hubbard	Moorhead
de la Garza	Huckaby	Morrison (CT)
Delay	Hughes	Morrison (WA)
Dellums	Hunter	Mrazek
Derrick	Hutto	Murphy
DeWine	Hyde	Murtha
Dickinson	Ireland	Myers
Dicks	Jacobs	Natcher
Neal	Russo	Sweeney
Nelson	Sabo	Swift
Nichols	Savage	Swindall
Nielson	Saxton	Synar
Nowak	Schaefer	Tallon
O'Brien	Scheuer	Tauke
Oakar	Schneider	Tauzin
Oberstar	Schroeder	Taylor
Obey	Schuette	Thomas (CA)
Olin	Schulze	Thomas (GA)
Ortiz	Schumer	Torres
Owens	Seiberling	Torricelli
Oxley	Sensenbrenner	Towns
Packard	Sharp	Traficant
Panetta	Shaw	Traxler
Parris	Shelby	Udall
Pashayan	Shumway	Valentine
Pease	Shuster	Vander Jagt
Penny	Sikorski	Vento
Pepper	Siljander	Visclosky
Perkins	Sisisky	Volkmer
Petri	Skeen	Vucanovich
Pickle	Skelton	Walgren
Porter	Slattery	Walker
Price	Slaughter	Watkins
Pursell	Smith (FL)	Waxman
Quillen	Smith (IA)	Weber
Rahall	Smith (NE)	Weiss
Rangel	Smith (NH)	Wheat
Ray	Smith (NJ)	Whitehurst
Regula	Smith, Denny	Whitley
Reid	Smith, Robert	Whittaker
Richardson	Snowe	Whitten
Ridge	Snyder	Williams
Rinaldo	Solarz	Wilson
Ritter	Solomon	Wirth
Roberts	Spence	Wise
Robinson	Spratt	Wolf
Rodino	St Germain	Wolpe
Roe	Staggers	Wortley
Roemer	Stallings	Wright
Rogers	Stangeland	Wyden
Rose	Stark	Wylie
Rostenkowski	Stenholm	Yates
Roth	Strang	Yatron
Roukema	Stratton	Young (AK)
Rowland (CT)	Studds	Young (FL)
Rowland (GA)	Stump	Young (MO)
Rudd	Sundquist	Zschau

NAYS—1

Frank

NOT VOTING—7

Addabbo	Jones (NC)	Weaver
Bonior (MI)	Roybal	
Hawkins	Stokes	

□ 1450

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO MEET DURING THE 5-MINUTE RULE ON TODAY AND TOMORROW, AND FOR SUBCOMMITTEE ON MILITARY INSTALLATIONS AND FACILITIES OF THE COMMITTEE ON ARMED SERVICES TO MEET TOMORROW DURING THE 5-MINUTE RULE

Mr. HUTTO. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be authorized to meet while the House is in the Committee of the Whole for business under the 5-minute rule on today, May 8, 1985, and tomorrow, May 9, 1985, and that the Subcommittee on Military Installations and Facilities of the Committee on Armed Services be au-

thorized to meet tomorrow, May 9, 1985, while the House is in the Committee of the Whole for business under the 5-minute rule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

DEPARTMENT OF STATE, U.S. INFORMATION AGENCY, AND BOARD FOR INTERNATIONAL BROADCASTING AUTHORIZATION ACT, FISCAL YEARS 1986 AND 1987

The SPEAKER pro tempore. Pursuant to House Resolution 137 and Rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2068.

□ 1458

IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2068) to authorize appropriations for fiscal years 1986 and 1987 for the Department of State, the U.S. Information Agency, the Board of International Broadcasting, and for other purposes, with Mr. PEASE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, May 2, 1985, all time for general debate had expired.

Pursuant to the rule, the bill will be considered under the 5-minute rule by titles, and each title shall be considered as having been read.

The Clerk will designate title I.

The text of title I is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—DEPARTMENT OF STATE

SECTION 101. SHORT TITLE.

This title may be cited as the "Department of State Authorization Act, Fiscal Years 1986 and 1987".

SEC. 102. AUTHORIZATIONS OF APPROPRIATIONS.

The following amounts are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) ADMINISTRATION OF FOREIGN AFFAIRS.—For "Administration of Foreign Affairs", $1,852,025,000 for the fiscal year 1986 and $1,910,313,000 for the fiscal year 1987, subject to any offsetting reductions pursuant to section 120 (relating to the Consular and Passport Services Fund).

(2) INTERNATIONAL ORGANIZATIONS AND CONFERENCES.—For "International Organizations and Conferences" $543,574,000 for the fiscal year 1986 and $572,519,000 for the fiscal year 1987.

(3) INTERNATIONAL COMMISSIONS.—For "International Commissions" $26,278,000 for the fiscal year 1986 and $25,824,000 for the fiscal year 1987.

(4) MIGRATION AND REFUGEE ASSISTANCE.—For "Migration and Refugee Assistance" $351,780,000 for the fiscal year 1986 and $351,780,000 for the fiscal year 1987.

(5) BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS.—For "United States Bilateral Science and Technology Agreements" $4,000,000 for the fiscal year 1986 and $4,000,000 for the fiscal year 1987.

(6) ASIA FOUNDATION.—For "The Asia Foundation" $10,000,000 for the fiscal year 1986 and $10,000,000 for the fiscal year 1987.

(7) SOVIET-EAST EUROPEAN RESEARCH AND TRAINING.—For "Soviet-East European Research and Training" $5,000,000 for the fiscal year 1986 and $5,000,000 for the fiscal year 1987.

SEC. 103. PERMANENT AUTHORIZATIONS OF APPROPRIATIONS.

(a) OTHER AUTHORIZATION OF APPROPRIATIONS.—

(1) Except for authorizations cited in paragraph (2), the only amounts authorized to be appropriated for any fiscal year for the accounts described in section 102 are those amounts specifically authorized to be appropriated for those accounts.

(2) The other authorizations of appropriations referred to in paragraph (1) are those contained in section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696) and section 821 of the Foreign Service Act of 1980 (22 U.S.C. 4061).

(b) NOTIFICATION TO AUTHORIZING COMMITTEES OF CERTAIN REQUESTS FOR APPROPRIATIONS.—In any fiscal year, whenever the Secretary of State submits to the Congress a request for appropriations pursuant to the authorizations described in subsection (a)(2), the Secretary shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such request.

SEC. 104. UNITED NATIONS PEACEKEEPING FORCES.

The Act entitled "An Act to authorize United States payments to the United Nations for expenses of the United Nations peacekeeping forces in the Middle East, and for other purposes", approved June 19, 1975 (89 Stat. 216), is amended by striking out "there is hereby authorized to be appropriated to the Department of State" and inserting in lieu thereof the following: "the Secretary of State may, to the extent funds are authorized and appropriated for this purpose, make payments of".

SEC. 105. LIAISON BY THE NATIONAL COMMISSION ON EDUCATIONAL, SCIENTIFIC, AND CULTURAL COOPERATION.

Of the amounts authorized to be appropriated for "Administration of Foreign Affairs" by section 102(1), $250,000 for fiscal year 1986 and $250,000 for the fiscal year 1987 shall be made available to the National Commission on Educational, Scientific, and Cultural Cooperation in order to enable the Commission to maintain a liaison between the United States Government, the United States educational, scientific, cultural, and communications communities, and the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

SEC. 106. SPECIAL RELIGIOUS SENSITIVITY INSTRUCTION FOR FOREIGN SERVICE OFFICERS.

Of the amounts authorized to be appropriated for "Administration of Foreign Affairs" by section 102(1), up to $25,000 for each of the fiscal years 1986 and 1987 shall be available for special religious sensitivity instruction, administered through the Foreign Service Institute, for Foreign Service officers to be assigned abroad.

SEC. 107. USE OF CERTAIN REFUGEE ASSISTANCE FUNDS.

Of the amounts authorized to be appropriated for "Migration and Refugee Assistance" by section 102(4)—

(1) $25,000,000 for each of the fiscal years 1986 and 1987 shall be available only for refugees resettling in Israel;

(2) $61,000,000 for each of the fiscal years 1986 and 1987 shall be available only for African refugee assistance; and

(3) $2,500,000 for each of the fiscal years 1986 and 1987 shall be available only to combat piracy in the Gulf of Thailand.

SEC. 108. RESTRICTIONS ON USE OF MIGRATION AND REFUGEE ASSISTANCE FUNDS.

(a) RESTRICTION ON AWARDING RECEPTION AND PLACEMENT GRANTS.—None of the funds authorized to be appropriated for "Migration and Refugee Assistance" by section 101(4) may be used to provide reception and placement grants to grantees which are conditioned on a grantee accepting (or which require that a grantee accept) the legal and financial responsibility (or any similar type of condition or requirement) for—

(1) meeting the basic need for food, clothing, or shelter, or

(2) transportation for job interviews or training,

of any refugee resettled during the 90-day period beginning on the date that refugee was admitted to the United States.

(b) LIMITATION ON USE OF MIGRATION AND REFUGEE ASSISTANCE FUNDS.—Subject to the prohibition in subsection (a), not more than $2,000,000 for the fiscal year 1986 and not more than $2,000,000 for the fiscal year 1987 of the funds authorized to be appropriated for "Migration and Refugee Assistance" under section 101(4) may be used for enhanced reception and placement services.

SEC. 109. RESTRICTIONS ON FOREIGN ASSISTANCE NOT APPLICABLE TO MIGRATION AND REFUGEE ASSISTANCE.

Section 2 of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601) is amended by adding at the end thereof the following new subsection:

"(f) The President may furnish assistance and make contributions under this Act notwithstanding any provision of law which restricts assistance to foreign countries.".

SEC. 110. ORGANIZATION OF THE DEPARTMENT OF STATE.

(a) NUMBER OF ASSISTANT SECRETARIES.—The first section of the Act entitled "An Act to strengthen and improve the organization and administration of the Department of State, and for other purposes", approved May 26, 1949 (22 U.S.C. 2652), is amended by striking out "thirteen" and inserting in lieu thereof "fourteen".

(b) POSITIONS AT LEVEL IV OF THE EXECUTIVE PAY SCHEDULE.—Section 5315 of title 5, United States Code, is amended—

(1) by striking out "Director, Bureau of Intelligence and Research, Department of State.";

(2) by striking out "(13)" following "Assistant Secretaries of State" and inserting in lieu thereof "(14)"; and

(3) by adding at the end thereof the following:

"Director General of the Foreign Service, Department of State.

"Inspector General of the Department of State and the Foreign Service.".

(c) COMPLIANCE WITH BUDGET ACT.—The authority to make payments provided by the amendments made by subsections (b) (2) and (3) shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

SEC. 111. DETAIL TO OTHER AGENCIES.

Section 11 of the Department of State Appropriations Authorizations Act of 1973 (22 U.S.C. 2685) is repealed.

SEC. 112. PERSONAL SERVICES ABROAD RELATING TO MIGRATION AND REFUGEE ASSISTANCE.

(a) AUTHORITY.—Section 5(a) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2605) is amended—

(1) by striking out "and" at the end of paragraph (5);

(2) by redesignating existing paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following new paragraph (6):

"(6) contracting for personal services abroad, and individuals employed by contract to perform such services shall not be considered to be employees of the United States (except for purposes of chapter 81 of title 5, United States Code (relating to compensation for work injuries), and for claims arising under section 2(f) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(f)); and".

(b) EFFECTIVE DATE.—Authority provided by the amendment made by subsection (a) shall only apply with respect to funds appropriated after the date of the enactment of this Act.

SEC. 113. CERTAIN INDIVIDUALS EMPLOYED ABROAD DEEMED TO BE EMPLOYEES OF UNITED STATES FOR CERTAIN PURPOSES.

Section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)) is amended by inserting before the semicolon "(except for purposes of chapter 81 of title 5, United States Code (relating to compensation for work injuries), and for claims arising under subsection (f))".

SEC. 114. PERFORMANCE PAY FOR SENIOR FOREIGN SERVICE.

(a) CEILING ON PERFORMANCE PAY.—Section 405(b)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3965(b)) is amended to read as follows:

"(1) The aggregate amount of performance pay awarded to members of the Senior Foreign Service under this section during any fiscal year may not exceed the greater of—

"(A) the amount equal to 3 percent of the aggregate amount of basic pay paid to members competing for performance pay under subsection (a) during the preceding fiscal year; or

"(B) the amount equal to 15 percent of the average of the annual rates of basic pay paid to such members during the preceding fiscal year.".

(b) PAYMENT OF AWARDS.—Section 405(b) of such Act (22 U.S.C. 3965(b) is amended—

(1) in paragraph (2) by striking out "exceed" and inserting in lieu thereof "be less than 5 percent nor more than"; and

(2) in paragraph (4)—

(A) by inserting "(A)" after "(4)"; and

(B) by adding at the end thereof the following new subparagraphs:

"(B) Any amount which is not paid to a member during a fiscal year because of the limitation under subparagraph (A) shall be paid to that individual in a lump sum at the beginning of the following fiscal year.

"(C) Any amount paid under subparagraph (B) during a fiscal year shall be taken into account for purposes of applying the limitation under subparagraph (A) with respect to such fiscal year.

"(D) Any amount under this section which is unpaid because of the death of a member shall be paid in the manner provided for similar unpaid amounts under subchapter VIII of chapter 55 of title 5, United States Code.".

SEC. 115. APPOINTMENTS TO THE SENIOR FOREIGN SERVICE BY THE SECRETARY OF COMMERCE.

(a) LIMITED APPOINTMENT TO SENIOR FOREIGN SERVICE IN DEPARTMENT OF COMMERCE.—Section 305 of the Foreign Service Act of 1980 (22 U.S.C. 3945) is amended by adding at the end thereof the following new subsection:

"(c)(1) Appointments to the Senior Foreign Service by the Secretary of Commerce shall be excluded in the calculation and application of the limitation in subsection (b).

"(2) Except as provided in paragraph (3), no more than one individual (other than an individual with reemployment rights under section 310 as a career appointee in the Senior Executive Service) may serve under a limited appointment in the Senior Foreign Service in the Department of Commerce at any time.

"(3) The Secretary of Commerce may appoint an individual to a limited appointment in the Senior Foreign Service for a specific position abroad if—

"(A) no career member of the Service who has the necessary qualifications is available to serve in the position; and

"(B) the individual appointed has unique qualifications for the specific position.".

(b) CONFORMING AMENDMENT.—Section 2403(c) of such Act (22 U.S.C. 3901 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1985.

SEC. 116. SPECIAL AGENTS.

(a) AUTHORITY RELATING TO INVESTIGATIONS, PROTECTION, ARRESTS, AND CARRYING FIREARMS.—Title I of the State Department Basic Authorities Act of 1956 is amended by redesignating section 37 as section 38 and by inserting the following new section 37 after section 36:

"SEC. 37. SPECIAL AGENTS.

"(a) GENERAL AUTHORITY.—Under such regulations as the Secretary of State may prescribe, special agents of the Department of State and the Foreign Service may—

"(1) conduct investigations concerning illegal passport or visa issuance or use;

"(2) for the purpose of conducting such investigations—

"(A) obtain and execute search and arrest warrants, and

"(B) obtain and serve subpoenas and summonses issued under the authority of the United States;

"(3) protect and perform protective functions directly related to maintaining the security and safety of—

"(A) heads of a foreign state, official representatives of a foreign government, and other distinguished visitors to the United States, while in the United States;

"(B) the Secretary of State, Deputy Secretary of State, and official representatives of the United States Government, in the United States or abroad;

"(C) members of the immediate family of persons described in subparagraph (A) or (B); and

"(D) foreign missions (as defined in section 202(a)(4) of this Act) and international organizations (as defined in section 209(b) of this Act), within the United States;

"(4) if designated by the Secretary and qualified, under regulations approved by the Attorney General, for the use of firearms, carry firearms for the purpose of performing the duties authorized by this section; and

"(5) arrest without warrant any person for a violation of section 111, 112, 351, 911, 970, 1001, 1028, 1541, 1542, 1543, 1544, 1545, or 1546 of title 18, United States Code—

"(A) in the case of a felony violation, if the special agent has reasonable grounds to believe that such person—

"(i) has committed or is committing such violation; and

"(ii) is in or is fleeing from the immediate area of such violation; and

"(B) in the case of a felony or misdemeanor violation, if the violation is committed in the presence of the special agent.

"(b) AGREEMENT WITH ATTORNEY GENERAL AND FIREARMS REGULATIONS.—

"(1) AGREEMENT WITH ATTORNEY GENERAL.—The authority conferred by paragraphs (1), (2), (4), and (5) of subsection (a) shall be exercised subject to an agreement with the Attorney General and shall not be construed to affect the investigative authority of any other Federal law enforcement agency.

"(2) FIREARMS REGULATIONS.—The Secretary of State shall prescribe regulations, which shall be approved by the Attorney General, with respect to the carrying and use of firearms by special agents under this section.

"(c) SECRET SERVICE NOT AFFECTED.—Nothing in subsection (a)(3) shall be construed to preclude or limit in any way the authority of the United States Secret Service to provide protective services pursuant to section 202 of title 3, United States Code, or section 3056 of title 18, United States Code, at a level commensurate with protective requirements as determined by the United States Secret Service. The Secretary of State, the Attorney General, and the Secretary of the Treasury shall enter into an interagency agreement with respect to their law enforcement functions.

"(d) TRANSMISSION OF REGULATIONS TO CONGRESS.—The Secretary shall transmit the regulations prescribed under this section to the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations of the Senate not less than 20 days before the date on which such regulations take effect.".

(b) CONFORMING AMENDMENT.—Section 32 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2704) is amended by striking out "security officers" and inserting in lieu thereof "special agents".

(c) REPEAL OF EXISTING AUTHORITY.—Section 4 of the Act entitled "An Act to provide authority to protect heads of foreign states and other officials" approved August 27, 1964 (22 U.S.C. 2667), and the Act entitled "An Act to authorize certain officers and employees of the Department of State and the Foreign Service to carry firearms" approved June 28, 1955 (22 U.S.C. 2666), are repealed.

SEC. 117. EXTRAORDINARY PROTECTIVE SERVICES FOR FOREIGN MISSIONS.

(a) PERMANENT AUTHORIZATION.—Title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301 et seq.) is amended by adding at the end thereof the following:

"SEC. 214. EXTRAORDINARY PROTECTIVE SERVICES.

"(a) GENERAL AUTHORITY.—The Secretary may provide extraordinary protective services for foreign missions directly, by contract, or through State or local authority to the extent deemed necessary by the Secretary in carrying out this title.

"(b) REQUIREMENT OF EXTRAORDINARY CIRCUMSTANCES.—The Secretary may provide funds to a State or local authority for protective services under this section only if the Secretary has determined that a threat of violence, or other circumstances, exists which requires extraordinary security measures which exceed those which local law enforcment agencies can reasonably be expected to take.

"(c) CONSULTATION WITH CONGRESS BEFORE OBLIGATION OF FUNDS.—Funds may be obligated under this section only after regulations to implement this section have been issued by the Secretary after consultation with appropriate committees of the Congress.

"(d) RESTRICTIONS ON USE OF FUNDS.—Of the funds made available for obligation under this section in any fiscal year—

"(1) not more than 20 percent may be obligated for protective services within any single State during that year; and

"(2) not less than 15 percent shall be retained as a reserve for protective services provided directly by the Secretary or for expenditures in local jurisdictions not otherwise covered by an agreement for protective services under this section.

The limitations on funds available for obligation in this subsection shall not apply to unobligated funds during the final quarter of any fiscal year.

"(e) PERIOD OF AGREEMENT WITH STATE OR LOCAL AUTHORITY.—Any agreement with a State or local authority for the provision of protective services under this section shall be for a period of not to exceed 90 days in any calendar year, but such agreements may be renewed after review by the Secretary.

"(f) REQUIREMENT FOR APPROPRIATIONS.—Contracts may be entered into in carrying out this section only to such extent or in such amounts as are provided in advance in appropriation Acts.

"(g) WORKING CAPITAL FUND.—Amounts used to carry out this section shall not be subject to section 208(h).".

(b) SECRET SERVICE NOT AFFECTED.—Section 204(e) of such Act (22 U.S.C. 4304(e)) is amended by striking out "section" and inserting in lieu thereof "title".

(c) REPEAL OF EXISTING AUTHORITY.—Section 605 of the Foreign Missions Amendments Act of 1983 (97 Stat. 1042) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1985.

SEC. 118. PROTECTING UNITED STATES INTERESTS UNDER THE FOREIGN MISSIONS ACT.

(a) DETERMINATIONS RELATING TO TREATMENT TO FOREIGN MISSIONS.—Section 201(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301(c)) is amended by inserting immediately before the period at the end thereof ", as well as matters relating to the protection of the interests of the United States".

(b) CLARIFYING THAT THE SECRETARY CAN REQUIRE A FOREIGN MISSION TO FOREGO A BENEFIT.—Section 204(b) of such Act (22 U.S.C. 4304(b)) is amended by inserting "to forego the acceptance, use, or relation of any benefit or" after "(B)".

(c) CONSIDERATIONS RELATING TO REAL PROPERTY.—Section 205(b) of such Act (22 U.S.C. 4305(b)) is amended—

(1) by striking out "or" at the end of paragraph (1);

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; or"; and

(3) by adding at the end thereof the following new paragraph:

"(3) where otherwise necessary to protect the interests of the United States.".

SEC. 119. PEACEFUL RESOLUTION OF INTERNATIONAL DISPUTES.

Title I of the State Department Basic Authorities Act of 1956 (as amended by section 116 of this Act) is further amended by redesignating section 38 as section 39 and inserting after section 37 the following new section 38:

"SEC. 38. EXPENSES RELATING TO PARTICIPATION IN ARBITRATIONS OF CERTAIN DISPUTES.

"(a) INTERNATIONAL AGREEMENTS.—The Secretary of State may use funds available to the Secretary for the expenses of United States participation in arbitrations and other proceedings for the peaceful resolution of disputes under treaties or other international agreements.

"(b) CONTRACTS ABROAD.—The Secretary of State may use funds available to the Secretary for the expenses of United States participation in arbitrations arising under contracts authorized by law for the performance of services or acquisition of property, real or personal, abroad.".

SEC. 120. IMPROVEMENTS TO PASSPORT AND CONSULAR SERVICES.

(a) FINDINGS.—The Congress finds that—

(1) United States consular and passport facilities and services benefit the United States by promoting trade and tourism, providing protection and assistance to Americans abroad, and protecting the national security through overseas regulations of entry into the United States;

(2) consular and passport facilities and services are severely taxed by a rapidly increasing workload, and as a result the quality and timeliness of service to the public has declined;

(3) the Secretary of State is currently required or authorized to collect fees for many of the consular and passport services the Department of State provides;

(4) the imposition and collection of fees for these services is an appropriate charge to the users of consular and passport services;

(5) the American public at the same time is entitled to expect that the fees they pay will be used to support and improve the service for which they are charged; and

(6) fees paid by the users of consular and passport facilities and services should be applied to the improvement of those facilities and services in a timely and direct manner.

(b) CONSULAR AND PASSPORT SERVICES FUND.—The Secretary of State shall establish a fund to be known as the Consular and Passport Services Fund (hereafter in this section referred to as the "Fund"). All fees and charges collected for passport and consular services performed by the Department of State shall be deposited into the Fund.

(c) OFFSETS AGAINST AUTHORIZATIONS.—The amount authorized to be appropriated for "Administration of Foreign Affairs" for a fiscal year shall be deemed to be reduced by the amounts in the Fund which are made available for obligation for that fiscal year in accordance with subsection (d).

(d) AVAILABILITY OF FUNDS.—Amounts in the Fund shall be available for obligation only to such extent as is provided in advance in appropriation Acts. Such amounts shall remain available until expended by the Secretary.

(e) USE OF FUND.—The Fund shall be available for—

(1) supplies and equipment for, and contractual services by, the Department of State which are necessary to maintain and operate consular and passport services;

(2) the acquisition, modernization, repair, or furnishing of consular facilities abroad; and

(3) the acquisition, modernization, repair, or furnishing of passport and despatch facilities.

(f) PLAN FOR USE OF AMOUNTS IN FUND.—

(1) For each fiscal year, the Secretary of State shall develop semiannual management plans for the proposed funding and estimated costs of plans and projects to be carried out under paragraphs (1), (2), and (3) of subsection (e).

(2) Before October 1 and April 1 of each year, the Secretary shall submit a report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the management plan developed under paragraph (1) for the six-month period beginnng on that date. Such reports shall include—

(A) the allocation of the proposed funding and estimated costs for—

(i) each region (for areas outside of the United States), and

(ii) each consular and passport facility located within the United States; and

(B) a statement describing how the proposed funding and estimated costs of the management plan relates to the foreign buildings program.

(3) Amounts in the Fund may not be obligated or expended for a six-month period until 30 days after a report with respect to that period is submitted under paragraph (2).

(g) LIMITATIONS ON TRANSFER.—The Secretary of State may transfer out of the Fund—

(1) not more than 40 percent of the amounts available for obligation in each fiscal year to the appropriation chargeable for the expenses described in subsection (e)(2), and

(2) not more than 20 percent of the amounts available for obligation in each fiscal year to the Administrator of General Services, or as otherwise authorized, for the purpose described in subsection (e)(3).

(h) REPROGRAMMING TREATMENT.—Amounts made available from the Fund under this section shall be treated as a reprogramming of funds under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706) and shall not be available for obligation or expenditure except in compliance with the procedures applicable to such reprogramming.

(i) EFFECTIVE DATE.—Amounts deposited into the Fund shall not be available for obligation before October 1, 1985.

SEC. 121. AUSTRALIAN BICENTENNIAL.

(a) FINDING.—The Congress finds that the American-Australian Bicentennial Foundation, a private, nonprofit corporation established in 1983 for the purpose of coordinating all United States official and private participation in the 1988 Australian Bicentennial celebration, deserves and needs financial support to effectively carry out that purpose.

(b) GRANT TO AMERICAN-AUSTRALIAN BICENTENNIAL FOUNDATION.—From the amounts authorized to be appropriated by section 102(1) for the "Administration of Foreign Affairs", the Secretary of State may make a grant in each of the fiscal years 1986 and 1987 to the American-Australian Bicentennial Foundation in support of its programs and operations to prepare for United States participation in the Australian Bicentennial celebration.

(c) AUTHORITY OF USIA NOT AFFECTED.—Subsection (b) shall not be construed to affect the authority delegated to the Director of the United States Information Agency under section 102(a)(3) of the Mutual Education and Cultural Exchange Act of 1961 (22 U.S.C. 2452(a)(3)).

SEC. 122. RESPONSIBILITY OF UNITED STATES MISSIONS ABROAD.

(a) FINDINGS.—The Congress finds that—

(1) the United States is faced with increasingly larger trade deficits every year;

(2) section 104 of the Foreign Service Act of 1980 provides that the members of the Foreign Service shall represent the interests of the United States in relation to foreign countries;

(3) section 207(c) of the Foreign Service Act of 1980 provides that each chief of mission to a foreign country shall have as a principal duty the promotion of United States goods for export to that country; and

(4) the promotion of United States business interests abroad is a fundamental aspect of United States relations with foreign countries.

(b) POLICY.—It is the sense of the Congress that it is imperative, and in the national interest of the United States, that each United States mission to a foreign country provide such support as may be necessary to United States citizens seeking to do business in that country.

SEC. 123. STRENGTHENING THE PERSONNEL SYSTEM OF THE BUREAU OF INTERNATIONAL NARCOTICS MATTERS.

No later than 90 days after the date of the enactment of this Act, the Secretary of State shall report to the Congress on the status of proposals implemented or under consideration to improve the staffing and personnel management in the Bureau of International Narcotics Matters. This report shall explicitly discuss whether a narcotics specialist personnel category in the Foreign Service is an appropriate mechanism to serve these purposes and, if not, what alternatives are contemplated.

SEC. 124. INFORMATION SHARING CONCERNING DRUG TRAFFICKERS.

(a) REPORTING SYSTEMS.—In order to ensure that foreign narcotics traffickers are denied visas to enter the United States, as required by section 212(a)(23) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(23))—

(1) the Department of State shall cooperate with United States law enforcement agencies, including the Drug Enforcement Administration and the United States Customs Service, in establishing a comprehensive information system on all drug arrests of foreign nationals in the United States, so that that information may be communicated to the appropriate United States Embassies; and

(2) the Secretary of State and the Administrator of the Drug Enforcement Administration shall agree on uniform guidelines which would permit the sharing of information on foreign drug traffickers.

(b) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the steps taken to implement this section.

SEC. 125. EXTRADITION TREATIES.

The Secretary of State shall increase United States efforts to negotiate updated extradition treaties relating to narcotics offenses with each major drug-producing country, particularly those in Latin America.

SEC. 126. ESTABLISHMENT OF A TRAVEL ADVISORY ON MEXICO.

(a) VIOLENCE AGAINST AMERICANS.—The Congress—

(1) deplores the brutal murder of Drug Enforcement Administration agent Enrique Camarena Salazar, and the disappearance of numerous other Americans, in Mexico; and

(2) finds that the violence perpetrated by drug traffickers and other lawless elements in Mexico constitute a danger to the safety of United States citizens traveling in Mexico.

(b) TRAVEL ADVISORY.—The Congress, therefore, directs the Secretary of State to issue a travel advisory warning United States citizens of the dangers of traveling in Mexico. Such travel advisory shall remain in effect until those responsible for the murder of Drug Enforcement Administration agent Camarena have been brought to trial and a verdict has been obtained.

SEC. 127. COORDINATING COMMITTEE ON EXPORT CONTROLS.

(a) FUNDS FOR COCOM FACILITIES.—No funds other than funds appropriated to the Department of State may be used to alter, repair, expand, or modernize, or engage in any other additional construction of, the facilities of the Coordinating Committee on Export Controls.

(b) ASSIGNMENT OF MEMBERS AND ADVISERS TO UNITED STATES DELEGATION.—No officer or employee of any department or agency other than the Department of State may—

(1) be assigned to be a member of the United States permanent delegation to the Coordinating Committee on Export Controls, or

(2) be permanently assigned to the Coordinating Committee as an adviser to the United States permanent delegation to the Coordinating Committee.

Mr. MICA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this opportunity to give a brief review of where we are on this legislation which has been pending before the House now for the third straight week.

We have, as indicated, completed general debate on this bill. Let me stress that we are talking about the State Department authorization bill. This is not the foreign aid bill. That will be coming up I understand later this week or next week. But this is the State Department authorization bill. Last week I read from a letter Secretary Shultz wrote with regard to the support of the administration and the State Department on the approaches we have taken in this bill. As I recall, he said quite appropriately that this is a good bill in harsh times. The bill contains very few new initiatives.

We have tried to address the concerns that we think are vital for the diplomatic functions of this Nation and for our security functions abroad, particularly in protecting our embassies overseas and those who serve America outside of its borders.

Also, we are addressing some of the tremendous concerns that have been brought to this committee with regard to the Voice of America, Radio Free Europe, and Radio Liberty.

In my opening remarks several weeks ago I indicated that we are transmitting international radio broadcasts with transmitters that are decades old. We are using facilities that by any standard are outdated. One particular transmitter that we use for the Voice of America was captured from the Nazis in World War II. The parts are antiquated, the equipment and the technology is antiquated. We have tried to make some changes and to address this need for modernization in a responsible way.

Let me say at the onset that I know the feeling of this House with regard to a budget freeze and the freeze movement on spending that has been prevailing in this body.

First, the committee approached this bill by saying that we would report out a bill no larger than the President's request. In fact we were very pleased when the deliberations were completed that we were reporting out a bill almost $40 million less than the administration's request.

At the appropriate time in the legislation in title II our ranking minority member from Maine, Ms. SNOWE, and myself, will offer a complete freeze amendment on this legislation. It will not only be the $40 million less than what the administration requested, but an additional reduction, I believe, of $27 million.

We think we have acted responsibly. We think that it is a bill essential to our foreign policy concerns.

However, there are some 25 amendments, we expect, to this legislation. We feel that we have worked out agreement on 21 or 22 of those 25 amendments.

I would just close by commending my ranking minority member, Ms. SNOWE, and acknowledge her work and her effort and say that without her we would not have been able to craft a bill that has had the unanimous support of both the majority and the minority on the subcommittee.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentlewoman from Maine [Ms. SNOWE].

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, I, too, want to associate myself with the gentleman's remarks because he does make a very good point. We worked closely with the administration and all members of the subcommittee and the full committee to develop legislation that

would address the views and the concerns of all members on the committee as well as the administration. I think we have taken the most balanced and rational approach to all the requests and positions espoused by Members of the House. In addition, as the gentleman has suggested, a freeze amendment will be offered to freeze the overall aggregate funding levels for the State Department, the U.S. Information Agency, and the Board for International Broadcasting.

Mr. Chairman, I think we have done a good job in trying to reduce and control Federal expenditures with respect to this legislation.

Mr. MICA. I thank the gentlewoman from Maine and, Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The time of the gentleman has expired.

AMENDMENTS OFFERED BY MR. YOUNG OF MISSOURI

Mr. YOUNG of Missouri. Mr. Chairman, I have three amendments at the desk which I offer, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. SHAW. Mr. Chairman, reserving the right to object, I do not intend to object, but I reserve the right so that Chairman YOUNG might give the House an explanation as to what is contained in the three amendments.

Mr. YOUNG of Missouri. Mr. Chairman, will the gentleman yield to me?

Mr. SHAW. I yield to the gentleman from Missouri.

Mr. YOUNG of Missouri. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the first provision amends section 214 of H.R. 2068 by merely clarifying Federal agency authorities to provide necessary protection to foreign missions in the United States. At this time, title III of the United States Code contains the principal authorizing provisions for the secret service, which is under the jurisdiction of the Committee on Public Works and Transportation. Section 202(7) and 208 of title III provide for Federal protective assistance for missions to international organizations outside of Washington, DC. Pursuant to title III, such protection of missions can be made available by the U.S. Secret Service Uniformed Division or on a reimbursable basis by State and local governments. This amendment adds to the authority by permitting protective services to be provided by contract when municipal or State resources are not available on a reimbursable basis, no change in the authorization level of $7 million annually being made available for reimbursement of protective services will be affected by this amendment.

Mr. Chairman, the second provision of the amendment inserts a new section 128 entitled Foreign Service Institute Facilities whereby authority is granted to the Administrator of the General Services to construct a consolidated training facility for the Foreign Services Institute on a site outside of the District of Columbia but within reasonable proximity to the Department of State. The Secretary of State is authorized to transfer a maximum of $61 million to the General Services Administration providing for such construction. However, for fiscal year 1986 and 1987 a maximum of only $11 million may be made available for design and site acquisition. Construction funding would occur in years thereafter. Secretary Schultz has testified to the urgency in providing the necessary funding for this construction project in view of the fact the foreign service institute is currently housed in expensive inadequate leased space in Virginia.

Mr. Chairman, the third provision of the amendment would authorize the Department of State to complete the International Diplomatic Center project in Washington, DC which has been authorized by our committee and which is currently under development, by constructing an administrative facility at the International Center in conjunction with the General Services Administration. The International Center enclave will ultimately contain over 20 foreign missions, some of whom are high-security concerns and effective security for such a large concentration of diplomatic missions can only be provided through an onsite facility. This will also significantly reduce the cost of such security. This administrative facility which is entirely within an existing federally owned site, will be approximately 50,000 square feet and will be used to provide necessary onsite security facilities for law enforcement agencies charged with protection of foreign missions. Additional support operations, such as maintenance offices will also be housed in the administrative building. The building estimated to cost $6 million will be funded, like the Center, through proceeds of foreign missions leases and reimbursements from users. Therefore, no request for authorization for appropriations is necessary. Existing law already authorizes use of lease proceeds for Federal security and maintenance.

Mr. Chairman, I urge adoption of the amendment.

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Mr. SHAW. I thank the gentleman from Missouri for his explanation.

Mr. Chairman, I rise in support of the amendments being offered by our distinguished chairman, ROBERT YOUNG, of the Public Works and Transportation Committee, and State that the minority has no objection to the amendments.

An earlier reported version of this bill (H.R. 1931) contained provisions similar to the amendments being offered and those provisions related to matters under the jurisdiction of the Public Works Committee.

I would like to commend Chairman FASCELL and subcommittee Chairman DAN MICA for their cooperation and their acceptance of these amendments to H.R. 2068.

The first amendment is technical in nature and relates to the extraordinary protective services afforded to international organizations and foreign missions located in the United States.

This amendment would allow the State Department to provide protective services by contract with private security firms in locations authorized under section 202(7), title III, of the United States Code.

Further, this amendment would clarify the applicability of the protective services which may be afforded to foreign missions under section 117 of this bill and the protective services provided under sections 202(7) and 208 of title III, United States Code.

Specifically, Mr. Chairman, the amendment would prohibit the State Department from providing extraordinary protective service under the authority being authorized by section 117 where the same protective service could be provided under section 202(7) of title III of the United States Code.

Both statutory programs are necessary, Mr. Chairman, in order to help assure that the necessary extraordinary protective services afforded to international organizations and foreign missions in the United States are comparable to security provided by foreign governments to U.S. missions abroad.

The second amendment, Mr. Chairman, authorizes the Secretary of State to construct a training facility for the State Department's Foreign Service Institute which offers training in foreign affairs and languages to more than 30 U.S. Government agencies.

Based on studies commissioned by the State Department and the General Services Administration this special purpose facility would contain approximately 342,000 occupiable square feet of space and cost an estimated $61 million to construct.

The State Department's training facilities are now located in roughly 185,000 occupiable square feet of leased space.

The construction of this new facility would result in the elimination of this leased space by consolidation into a single Government-owned building, would provide additional space for the growing responsibilities of the Foreign Service Institute, and it would save

the Government roughly $45 million over the next 30 years of expected useful life of the building.

As currently proposed, the facility would be constructed in northern Virginia within close proximity to the State Department's headquarters in Washington.

Mr. Chairman, based on information supplied by the State Department, the committee understands that officials in Arlington County, VA, have discussed this matter with the State Department and support the location of the facility on a site in the neighborhood of Arlington Hall Station.

The amendment further provides that the State Department would be exempt from the payment of GSA's standard level user charge as required by section 210 (J) of the Federal Property and Administrative Services Act of 1949.

However, the State Department would be responsible for all costs associated with operations, maintenance, repairs, and alterations at the facility.

In many instances the authority for operations and maintenance has been delegated by GSA to agencies occupying a building, and the committee feels it would be appropriate for, and would encourage, GSA to delegate this authority to the State Department as long as they occupy the facility.

Mr. Chairman, the final amendment being offered adds a new section at the end of title I.

This amendment would permit the State Department to construct a security and maintenance facility at the State Department's International Center located in northwest Washington, DC.

This facility would be constructed with funds made available through proceeds of foreign mission leases and reimbursements from users at the center in the manner currently authorized in the International Center Act.

The estimated cost of construction of this facility is $6 million.

The amendment also provides that the House Committees on Foreign Affairs and Public Works and Transportation and the Senate Committee on Foreign Relations be periodically advised on the construction of this facility.

Again, Mr. Chairman, I would like to thank the chairman and subcommittee chairman of the Committee on Foreign Affairs for their cooperation and assistance in the preparation of these amendments and I would urge its adoption.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. YOUNG of Missouri: Page 16, line 17, strike out the period and insert in lieu thereof the following: ", except that the Secretary may not provide under this section any protective services for which authority exists to provide such services under sections 202(7) and 208 of title 3, United States Code.".

Page 18, after line 9, insert the following new subsection:

(c) AUTHORITY TO PROVIDE CERTAIN PROTECTIVE SERVICES BY CONTRACT.—Section 208(a) of title 3, United States Code, is amended by inserting after the first sentence the following new sentence: "The Secretary of Treasury may carry out the functions pursuant to section 202(7) by contract.".

Page 18, line 10, strike out "(c)" and insert in lieu thereof "(d)".

Page 18, line 13, strike out "(d)" and insert in lieu thereof "(e)".

Page 28, after line 25, insert the following:

SEC. 128. FOREIGN SERVICE INSTITUTE FACILITIES.

(a) PURPOSE.—The purpose of this section is to promote comprehensive training to meet the foreign relations and national security objectives of the United States and to provide facilities designed for that purpose to assure cost efficient training.

(b) CONSTRUCTION OF TRAINING FACILITIES.—The Administrator of General Services may construct a consolidated training facility for the Foreign Service Institute on a site made available by the Secretary of State or acquired by the Administrator of General Services. Such site shall be located outside the District of Columbia but within reasonable proximity to the Department of State. The Administrator of General Services may carry out this subsection only to the extent that funds are provided in advance in appropriation Acts to the Department of State and are transferred to the Administrator of General Services for carrying out this section.

(c) USE OF FUNDS.—

(1) Of amounts authorized to be appropriated to the Department of State for fiscal years 1986 and 1987 for "Administration of Foreign Affairs" by section 102(1), a total of not to exceed $11,000,000 may be transferred by the Secretary of State to the Administrator of General Services for carrying out feasibility studies, site acquisition, and design, architectural, and engineering planning under subsection (b) of this section.

(2) Of amounts authorized to be appropriated to the Department of State for fiscal years beginning after September 30, 1987, for "Administration of Foreign Affairs", a total not to exceed $50,000,000 may be transferred by the Secretary of State to the Administrator of General Services for carrying out construction under subsection (b) of this section.

(3) Funds may not be obligated for construction of a facility under this section before the end of the period of 30 calendar days of continuous session of Congress beginning on the date on which plans and estimates developed to carry out this section are submitted to the Committees on Foreign Affairs and Public Works and Transportation of the House of Representatives and the Committees on Foreign Relations and Environment and Public Works of the Senate. In determining calendar days of continuous session of Congress for purposes of this paragraph—

(A) continuity of session is broken only by an adjournment of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the determination.

If both Houses of Congress are not in session on the day any plans and estimates are submitted to such Committees, such submittal shall be deemed to have been submitted on the first succeeding day on which both Houses are in session. If all such Committees do not receive a submittal on the same day, such period shall not begin until the date on which all such Committees have received it.

(d) CUSTODY AND CONTROL.—The facility constructed under this section and the site of such facility shall be under the exclusive jurisdiction and control and in the custody of the Administrator of General Services.

(e) OPERATION, MAINTENANCE, ALTERATION, AND REPAIR.—The Administrator of General Services shall be responsible for operation and maintenance of, and repairs and alterations to, the facility constructed under this section. Upon request of the Secretary of State, the Administrator of General Services may delegate any of such responsibilities to the Department of State.

(f) EXEMPTION FROM PAYMENT OF CHARGES.—

(1) Except as provided in paragraph (2), the Department of State shall be exempt from the charges required by section 210(j) of the Federal Property and Administrative Services Act of 1949 for the use of the facility constructed under this section for the Foreign Service Institute.

(2) The Administrator of General Services shall charge the Department of State under such section 210(j) for the costs of any operation, maintenance, repairs, or alterations of such facility carried out by the Administrator of General Services.

Page 28, after line 25, insert the following new section:

SEC. 128. INTERNATIONAL CENTER.

The International Center Act is amended—

(1) in section 2—

(A) by striking out "Administrator of General Services" and inserting in lieu thereof "Secretary of State, in consultation with the Administrator of General Services,"; and

(B) by striking out "conveyed pursuant to" and inserting in lieu thereof "described in"; and (2) in section 4—

(A) by redesignating clauses (a) through (e) as clauses (1) through (5), respectively, and by redesignating clause (f) as clause (7);

(B) by inserting "(a)"after "Sec. 4.";

(C) by striking out "and" at the end of clause (5), as redesignated by subparagraph (A), and inserting after such clause (5) the following: "(6) facilities for security and maintenance, and"; and

(D) by adding at the end of such section the following new subsection:

"(b) The Secretary of State shall periodically advise the Committees on Foreign Affairs and Public Works and Transportation of the House of Representatives and the Committees on Foreign Relations of the Senate on construction of facilities for security or maintenance under this section.".

Mr. YOUNG of Missouri (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. YOUNG of Missouri. Mr. Chairman, I yield to the gentleman from Florida.

Mr. MICA. I would just like to say that the committee will accept these amendments and also point out that the three amendments were originally part of the legislation that was approved by the subcommittee and full committee.

We later deleted these provisions because of jurisdictional questions. We wanted to do everything in our power to assure very clean, clear lines of jurisdiction. We are very pleased to accept these amendments.

If the ranking minority Member has any comment, I would be happy to yield to the gentlewoman from Maine.

Ms. SNOWE. We have no problems with the amendments that have been put forth by the gentleman. They closely resemble the language that was originally accepted by our committee. So I would urge adoption of all three amendments.

● Mr. HOWARD. Mr. Chairman, the amendment offered by the gentleman from Missouri [Mr. YOUNG] contains three provisions which amend H.R. 2068, the State Department authorization bill for fiscal years 1986-87. Similar provisions to these amendments were contained in H.R. 1931, the original bill reported by the House Foreign Affairs Committee on April 11, 1985, authorizing appropriations for fiscal years 1986 and 1987 for the Department of State, the U.S. Information Agency, the Board of International Broadcasting, and for other purposes.

H.R. 1931 was sequentially referred to the House Committee on Public Works and Transportation which has primary jurisdiction over three sections of that bill. Namely, first, a provision affecting the protection of foreign missions to international organizations by the U.S. Secret Service; second, a provision providing for the construction of a new Foreign Service Institute facility to be located outside of the District of Columbia but within reasonable proximity to the Department of State which would replace existing inadequate leased facilities provided by the General Services Administration to house the Institute; and third, a provision to complete the international center project by providing for the construction of a security and maintenance facility with funds made available for such construction through proceeds of foreign mission leases and reimbursement from users in the manner currently authorized in the International Center Act.

In order not to delay consideration by the House of the State authorization legislation, a subsequent bill, H.R. 2068, was reported favorably by the Foreign Affairs Committee which deleted the three aforementioned sections in recognition of the primary jurisdiction of the Public Works Committee which had not yet completed its review of those sections. The amendment I am offering today in behalf of the House Committee on Public Works and Transportation I believe has been agreed upon by the House Foreign Affairs Committee and it is the intention of our committee to continue to carry out oversight over activities of the Department of State in connection with each of these amendments and to reaffirm the fact that these activities are under the basic jurisdiction of the House Committee on Public Works and Transportation.

Mr. Chairman, at this time, I would like to commend Chairman FASCELL and subcommittee Chairman DAN MICA for their cooperation in this matter.

Mr. Chairman, the first provision of the amendment, which I understand is acceptable to the chairman of the Foreign Affairs Committee, to section 214 of H.R. 2068, clarifies Federal agency authorities to provide necessary protection to foreign missions in the United States.

The U.S. Government is obligated by treaty, and by international reciprocity, to provide a special level of protection to these missions, just as our Government is urgently requesting such protection at our many American missions abroad. Since this level of protection often exceeds what is available through State or municipal law enforcement on a reimbursable basis, Federal agency assistance is necessary for extraordinary protection.

This is provided through two statutory programs, and this amendment both preserves and strengthens these programs.

Title III of the United States Code contains the principal authorizing provisions for the Secret Service, which is under the jurisdiction of the Committee on Public Works and Transportation. Sections 202(7) and 208 of title III provide for Federal protective assistance for missions to international organizations outside of Washington, DC. This authority, while available for any city with over 20 such missions, has been applied principally for United Nations missions in New York, because of the unique concentration of such missions in that city and the special obligation of the United States as the host country for the United Nations. With respect to New York, primary protective services are provided by the New York City Police Department on a reimbursable basis pursuant to authority contained in title III. Secret Service officials have testified that it would double the cost to the Federal Government if protective services were provided by U.S. Secret Service Uniform Division.

This amendment assures that oversight over this important protective function will continue without change. In addition, this amendment adds to the authority under title III to permit protective services to be provided by contract when municipal or State resources are not available on a reimbursable basis.

Section 214, as amended, then goes on to assure that all other missions, such as consulates in the various cities of the United States, may be provided protective assistance where necessary under the Foreign Missions Act of 1982, which is administered by the Secretary of State.

Both statutory programs are necessary, Mr. Chairman, in order to assure that necessary special levels of security may be provided, which has a direct impact on the security of American missions abroad, and I recommend favorable action by the House on this amendment.

The second provision of the amendment would authorize the Administrator of the General Services Administration to construct a consolidated training at a maximum cost of $61 million for the Foreign Service Institute on a site made available by the Secretary of State or acquired by the Administrator of General Services. The site is to be located in the District of Columbia but within reasonable proximity to the Department of State. Further, the Administrator of General Services may only carry out the proposed construction project to the extent that funds are provided in advance in appropriation acts to the Department of State and are transferred to the Administrator of General Services. The amendment provides that $11 million may be transferred by the Secretary of State to the Administrator of General Services for carrying out feasibility studies, site acquisition, and design, architectural, and engineering planning for fiscal year 1986 and 1987. Funds in the amount of $50 million necessary for construction shall not be made available until fiscal years beginning after September 30, 1987, and further, after the plans and estimates developed to carry out the construction are submitted to the Committees on Foreign Affairs and Public Works and Transportaiton of the House of Representatives and the Committees on Foreign Relations and Environment and Public Works of the Senate for a 30-day review period.

Mr. Chairman, under normal procedure, this project would be subject to the terms of the Public Buildings Act of 1959, as amended, whereby the General Services Administration would transmit to the Congress a prospectus to be approved by the House Public Works and Transportation Committee and the Senate Environment and Public Works Committee prior to any appropriation being made available for such construction. However, in light of the fact, Secretary

Shultz has emphasized the high priority he attaches to obtaining proper facilities for the Foreign Service Institute to conduct its training classes the committee has agreed to allow for the State Department to fund the project which will be constructed and under the exclusive jurisdiction and control and in the custody of the Administrator of General Services. In addition, the State Department will not be charged rent by the General Services Administration since they are providing funds for the construction. And lastly, it is anticipated that upon completion of the project, the General Services Administration will delegate operation and maintenance of the facility to the Department of State.

The Foreign Service Institute of the Department of State was created by the Foreign Service Act of 1946 to train officials of the United States assigned to overseas duty, and to foreign affairs and national security agencies and today trains personnel from over 20 agencies of our Government. The Federal Service Institute is now located in increasingly costly leased facilities that are neither designed nor adequate for the language training, country studies, and other academic training that FSI provides.

The Secretary of State has testified that the essential training needs of the foreign affairs and national security agencies continue to expand, but the ability of the Institute to meet the growth in demand in leased space, currently in Rosslyn, VA, is severely limited. The limitations of existing facilities and the requirements to meet known and anticipated demands are documented in two studies produced for the State Department upon the recommendation of the General Services Administration. The most recent and comprehensive study, which includes detailed economic data, was prepared under a GSA contract and supports fully the purpose of this amendment.

Both studies conclude that for 1990 the Institute will require twice the occupiable square footage it has now in order to meet previously established training requirements, and known increases scheduled for training programs over the next 3 years. The economic analysis shows that the U.S. Government would save $45 million over 30 years by building a special purpose educational facility compared to leasing a comparable amount of square footage in office space, which is neither designed for nor adaptable for Federal training.

Senior State Department officials have testified as to the need for additional space and the cost benefits associated with dedicated facilities.

Finally Mr. Chairman, I want to note that a final decision on a specific site will not be made until completion of environmental analyses which are authorized by this amendment.

To conclude, I am inserting as part of the record a letter I recently received from the Department of State in support of this project.

The third provision of the amendment will authorize the Department of State to complete the International Diplomatic Center project in Washington, DC, which has been authorized by our committee and which is currently under development, by constructing an administrative facility at the International Center in conjunction with the General Services Administration. This administrative facility, which is entirely within an existing federally owned site, will be limited to approximately 50,000 net square feet, and will be used to provide necessary onsite security facilities for law enforcement agencies charged with protection of foreign missions, including the Secret Service, State Department security, the Federal Protective Service and the metropolitan police. Additional support operations, such as maintenance offices, will also be housed in the administrative building.

The International Center enclave will ultimately contain over 20 foreign missions, some of whom are high security concerns—such as Israel and Jordan. Effective security for such a large concentration of diplomatic missions can only be provided through an onsite facility. This will also significantly reduce the cost of such security.

The building will be funded, like the Center, through proceeds of foreign missions leases and reimbursements from users. Therefore, no request for authorization for appropriations is necessary. The existing law already authorizes use of lease proceeds for Federal security and maintenance.

The International Center is an important diplomatic project in our Nation's Capital providing space for foreign missions and international organizations on which to build chancery and official diplomatic facilities space. The Center will truly be a landmark in terms of aesthetics. In addition, it will allow missions to construct functional and affordable chancery space in our Nation's Capital, and the Center provides an increasingly important avenue for the United States to obtain reciprocal treatment for our missions overseas.

The International Center was originally established by Public Law 90-553, and was later amended in 1982 through Public Law 97-186 to provide additional space. We originally established the site for 14 chanceries and the headquarters for the Organization of American States. The amendments to the International Center Act created a total of 23 sites and allowed the Department of State to lease land to the International Telecommunications Satellite Organization, an organization of 108 member states, in lieu of the OAS.

Thus far, there are seven leases signed and four chanceries are already occupied at the International Center. The Department of State will be signing leases with two additional governments shortly. Intelsat has completed and occupied the first phase of its headquarters building. The State Department is currently negotiating with two governments to lease chancery space in the Intelsat portion of the project, thus increasing the Federal capacity to obtain highly secure space for this purpose. Intelsat will complete its second and final phase in approximately 18 months. This will provide the United States with additional space which can be made available to foreign missions, international organizations, and to GSA.

The Center is now an important element in our international relations and fulfills our responsibilities as a host government. As you are aware, security is playing an ever increasing role with respect to the location of these missions, both here and abroad. Our primary goal is the efficient and effective conduct of foreign policy, as well as efficient use of available Federal land in the capital region that cannot be done overseas without a safe and secure facility in which these nations can be represented in the United States. In addition, the issue of reciprocity as a tool for acquiring adequate facilities overseas has become extremely important.

The Department of State, along with the Secret Service, are the principal agencies charged with protecting foreign diplomatic missions. The International Center is a model for security and thus fulfills our obligation under the Vienna conventions. Requests by our Government for adequate facilities and security at our missions overseas are increasing daily. The proposed amendment will facilitate the security of chanceries here in our Capital.

Mr. Speaker, I would like to note that this amendment will not change the requirement, upon completion of this Federal project, that the Department of State reimburse the Treasury for the original $2.2 million startup appropriation.

This project is important to the overall success of the Center and I recommend that the amendment be adopted. I am advised, Mr. Speaker, that my colleague, Chairman Fascell of the Foreign Affairs Committee, fully supports this amendment.●

Mr. WOLF. Mr. Chairman, I rise in support of the amendment to the State Department authorization bill to authorize construction of Federal buildings for the Foreign Service Institute, and would like to comment on

the possible location of the Institute within the 10th District of Virginia which I represent.

State Department officials have noted that the new Foreign Service Institute should be situated within a few minutes driving time from Washington, DC, therefore the northern Virginia area is most attractive to their planners. Recently, Ed Derwinski, Counsel to the State Department, notified me of the Department's interest in attaining the Arlington Hall site now occupied by Army intelligence.

Since the State Department informed me of their tentative plans to develop the Foreign Service Institute at Arlington Hall, I have been involved in ensuring that the concerns of the people of Arlington County would be considered by the State Department planners.

At my request, the State Department has agreed to provide Arlington County with access to 7 to 8 acres east of the intersection of George Mason Drive and Sixth Street South for recreation purposes. The State Department is also aware of the county's interest in construction of police, communications or fire department facilities west of George Mason Drive. Finally the Department has noted the county's concerns that constructed facilities adhere to local zoning requirements and be made available for county use as much as possible.

It is my hope to ensure that the needs and concerns of Arlington County are met. As plans for the development of the Foreign Service Institute proceed I will continue in this effort.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Missouri [Mr. YOUNG].

The amendments were agreed to.

Amendment offered by Mr. MICA.

Mr. MICA. Mr. Chairman, I offer an amendment to protect the interests of foreign missions.

The Clerk read as follows:

Amendment offered by Mr. MICA of Florida: Page 18, after line 22, insert the following new subsection (b):

(b) EXPANDING THE DEFINITION OF FOREIGN MISSION.—Section 202(a)(4) of such Act (22 U.S.C. 4302(a)(4)) is amended—

(1) by striking out "official mission to" and inserting in lieu thereof "mission to or agency in"; and

(2) by inserting before the comma at the end of subparagraph (B) "or which engages in some aspect of the conduct of the international affairs of such territory or political entity".

Page 19, after line 13, insert the following new subsection (e):

(e) MANDATORY NOTIFICATION WITH RESPECT TO REAL PROPERTY DEALINGS OF FOREIGN MISSION.—(1) The first sentence of section 205(a)(1) of such Act (22 U.S.C. 4305(a)) is amended—

(A) by striking out "may" and inserting in lieu thereof "shall"; and

(B) by inserting ", including any mission to an international organization (as defined in section 209(b)(2))," after "foreign mission".

Page 18, line 23, strike out "(b)" and insert in lieu thereof "(c)"; and Page 19, line 3, strike out "(c)" and insert in lieu thereof "(d)".

Mr. MICA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MICA. Mr. Chairman, I would like to just briefly explain this amendment. We are trying to clarify the definition of foreign missions, which now allows so-called unofficial missions of foreign governments, which can be very large and long term, to perform certain activities for which the United States may have great concern.

Essentially, what we are talking about is unofficial delegations from other nations operating in this country and remaining outside the laws and rules and regulations that cover official foreign delegations in this country.

We have found that other governments, particularly Soviet block nations, are using this loophole to locate delegations in sensitive areas in the United States. For example, without this amendment, they might locate near military bases or near government facilities, so that they can in effect watch us at close range.

My amendment would expand the definition that gives the Secretary the privilege to identify these types of delegations and take the necessary actions to bring them under the rules and regulations that would apply to official delegations.

I would yield for any comment to our ranking minority member, Ms. SNOWE.

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the gentleman's amendment. As the gentleman has explained, this amendment would assure that the Foreign Missions Act of 1982 will cover unofficial missions as well as those missions of governments that we officially recognize.

In addition, it will clarify the intent of the Foreign Missions Act to specify that prior notice must be given by foreign governments when they plan to take any action such as building or leasing concerning property.

So I think it is an important loophole to close by clarifying the intent of this act.

I thank the gentleman and would urge adoption of the amendment.

Mr. MICA. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MICA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment Offered by Mr. MICA of Florida: Page 28, after line 25, insert the following new section:

SEC. 128. RESPONSIBILITIES OF UNITED STATES REPRESENTATIVES TO INTERNATIONAL ORGANIZATIONS.

(a) FINDINGS.—The Congress finds that—

(1) international organizations of which the United States is a member are increasingly involved in the consideration of proposals that may have a significant impact on the interstate or foreign commerce of the United States; and

(2) these proposals are not always adequately publicized or considered pursuant to open and fair procedures available to interested persons.

(b) POLICY.—It is the sense of the Congress that—

(1) the United States representatives to United Nations-related agencies and to other international organizations should oppose the adoption of international marketing and distribution regulations or restrictions which unnecessarily impede the export of United States goods and services; and

(2) the Secretary of State, to the extent practicable, shall provide interested persons with timely notice and an opportunity to comment on such regulations and restrictions under consideration in international organizations as the Secretary determines may significantly affect—

(A) the interstate or foreign commerce of the United States;

(B) the policies or programs of the United States Government; or

(C) any State significantly affected by interstate or foreign commerce.

Mr. MICA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MICA. This is a very basic amendment, Mr. Chairman. Essentially what we say is that we are asking our delegates to the United Nations not to accept regulations affecting U.S. products and U.S. exports that may be set forth on a worldwide basis through international organizations.

What we have found is that oftentimes there are meetings of international bodies that set forth rules and regulations with regard to trade, items that are shipped, and the content of those items.

I do not object to these types of rules in general, but we are trying to provide an atmosphere in which, together with the Secretary of State and the Department of Commerce, the private sector can have some input.

We are asking that in international bodies these types of agreements be opposed. The Secretary of State maintains the flexibility to enter into these agreements after we have had a chance to make sure what the effects

would be, particularly on our international trade.

I would be happy to yield again to the gentlewoman from Maine for any comments.

Ms. SNOWE. I thank the Chairman. I certainly support this amendment that has been offered by the Chairman, because I think it is important that any time that U.S. representatives to international organizations are making policy and are advocating policy that might otherwise restrict the export of our commodities, that, indeed, they should inform the affected parties, especially when we have an enormous trade deficit. It seems to me that it only makes sense to move in this direction by directing these representatives to inform the individuals or the companies as they would be affected by these policies.

So we support the amendment.

Mr. MICA. I thank the gentlewoman, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MICA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LUJAN

Mr. LUJAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUJAN: Page 28, after line 25, add the following new section:

SEC. 128. INTER-AMERICAN COOPERATION IN SPACE, SCIENCE, AND TECHNOLOGY.

The Secretary of State shall conduct an in-depth study of the feasibility and the economic and political benefits of the establishment of a major initiative in Inter-American Cooperation in Space, Science, and Technology. Not more than one year after the date of the enactment of this Act, the Secretary shall submit a report to the Congress on the findings of such study and shall include recommendations for implementing such an initiative.

Mr. LUJAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. LUJAN. Mr. Chairman my amendment to H.R. 2068 directs the Secretary of State to study the feasibility and benefits of a major initiative in "Inter-American Cooperation in Space, Science and Technology." In this case, "Inter-American" refers to the countries of the Americas—Latin America and the Caribbean.

At the present time, the National Aeronautics and Space Administration deals directly with only 5 of the 34 Latin American and Caribbean countries and I feel we need to recognize that space, science, and high technology are clearly instruments of foreign policy. My amendment would require the Secretary of State to study benefits of expanding the U.S. cooperation in Latin America and the Caribbean and to report his findings to Congress within a year.

Latin American and Caribbean countries are regions which have been neglected in the past, both in terms of developing and more developed countries and with regard to space and technology ventures and support from the United States. Increasing American-led activity in space, science, and technology in this region of the world would generate economic and geopolitical benefits not only for the United States but also for other freedom-loving countries of the world.

In addition, increased international cooperation in this region would also directly advance U.S. technical leadership in space, science, and high technology by: Stimulating scientific and technical contributions from Inter-American countries; enlarging the potential for development; providing access to foreign areas for tracking and contingency shuttle landing sites; enhancing satellite experiments with foreign scientific supporting data; and, developing cost-sharing and complementary space, science, and high technology programs.

Mr. Chairman, this amendment does not create a commission or agency for this study. It is my intention that this study be handled as an internal function of the Department of State, so the amendment does not require any additional funding.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. LUJAN. I am happy to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I have examined the amendment of the gentleman from New Mexico, and I certainly support it. It directs the Secretary of State to conduct a feasibility study in this area, and as the gentleman has suggested, it would be an internal function of the State Department. Nor would it require additional funding.

I think any time that we can enhance the development in the Latin American and Caribbean region we should do so. I also think that particularly in this area of space, science, and, technology, if we were to develop our capabilities, it could certainly be led by American research and enhance our own developmental capabilities as well.

So I support the gentleman's amendment, and look forward to the findings that will be reported to the Congress.

Mr. MICA. Will the gentleman yield?

Mr. LUJAN. I will be happy to yield to the gentleman.

Mr. MICA. I would also like to say that I would support this amendment and accept it readily and commend the gentleman for offering it.

If ever there were a time in this Nation's history when we need to build relations in this hemisphere in a peaceful way and hopefully we can do it not only on Earth but in space, this is the time.

So we would be happy to support this amendment.

Mr. LUJAN. I thank the gentleman for his support, and I yield back the balance of my time.

□ 1510

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico [Mr. LUJAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GILMAN: Page 20, strike out line 8 and all that follows through line 8 on page 24, and insert in lieu thereof the following new section:

SEC. 120. CONSULAR AND PASSPORT FACILITIES AND SERVICES.

Not later than December 15, 1985, the Secretary of State shall conduct a study and submit a report to the Congress on United States consular and passport facilities and services. Such study shall address the following concerns:

(1) The extent to which United States consular and passport facilities and services benefit the United States by—

(A) promoting trade and tourism;

(B) providing protection and assistance to Americans abroad; and

(C) protecting the national security through overseas regulations of entry into the United States.

(2) Whether consular and passport facilities and services are able to respond to a rapidly increasing workload, and whether the quality and timeliness of service to the public has declined.

(3) Whether fees paid by the users of consular and passport facilities and services should be applied to the improvement of those facilities and services, including—

(A) the provision of supplies and equipment for, and contractual services by, the Department of State which are necessary to maintain and operate consular and passport services;

(B) the acquisition, modernization, repair, or furnishing of consular facilities abroad; and

(C) the acquisition, modernization, repair, or furnishing of passport facilities.

(4) A comparison of methods which could accomplish the objectives stated in paragraph (3).

(5) The personnel positions necessary to accomplish improvements to consular and passport facilities and services.

Page 2, line 10, strike out the comma and all that follows through "Fund)" in line 12.

Mr. GILMAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Mr. Chairman, the purpose of this amendment is twofold. First, it strikes the entirety of section 120, as reported by the Committee on Foreign Affairs, in the bill. This will remove concerns that may have existed as to the budgetary effects of that section. That section, Mr. Chairman, would have established a fund for passport and consular operations of the Department of State, capitalized by fees required from persons utilizing these services both within and outside the United States.

While, therefore, this statement will strike that provision, I do want to note that, had it been adopted, full and adequate congressional reviews and oversight would have been insured.

In addition to requiring appropriations action on all requests to have utilized funds under that section, prior review by both the Foreign Affairs Committee and the Public Works Committee of all plans and estimates would have also been required on a semiannual basis before any of the funds could have been obligated.

Mr. Chairman, what this amendment would now substitute, in order for Members of the House to fully review the problem, is a requirement for the Secretary of State to review and report to Congress on various measures that could be considered. This review must address the means to both keep pace on a cost-efficient basis with the rapidly changing needs of American nationals who need passport services in the United States and consular assistance abroad and at the same time upgrade the economic and security functions served by reviewing and screening foreign nationals access to our own Nation.

The amendment would require submission of the report not later than December 15 of this year in order for the Congress to be able to fully consider the matter before the conclusion of this session.

Mr. Chairman, accordingly, I urge the adoption of this amendment.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I would be pleased to yield to the gentleman from Florida.

Mr. MICA. I would like to say that the committee will accept the amendment. We have reviewed the amendment. But I would like to point out for the record that this was a request to the committee from the Department of State. It was an offsetting revenue neutral approach to bring the fees in to be used for the services that are rendered to collect those fees. It was not until the bill was already reported out by the committee and in fact headed for the floor that we received word that there was objection. So we think the idea has merit. We would endorse the amendment as structured by the gentleman. But it was an idea that was conceived at State and now being removed I think.

Mr. GILMAN. I think the gentleman for his supportive remarks, and that certainly is the precise situation.

Mr. MAZZOLI. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I am pleased to yield to the gentleman from Kentucky.

Mr. MAZZOLI. I appreciate the gentleman from New York yielding.

Mr. Chairman, I have been listening with some interest to the discussion. As chairman of the House Immigration Subcommittee and as one who has certain oversight hearings on the consular and passport activity of the Department of State, it has occurred to me over the years that we may not be charging what we should be charging for the services which we are rendering, in many cases free. We are talking about trying to save Federal dollars, and in many cases we are giving them away in big globs, which we think we could recapture in the form of proper fees.

Now, may I ask the gentleman what his amendment does with respect to ascertainment of the correct charges for services which we render to foreign nationals and to U.S. citizens?

Mr. GILMAN. Well, while the amendment does not specifically address that question, it does, I believe, provide an opportunity for a full-scale review of consular fees and how they should be applied.

Mr. MAZZOLI. If the gentleman's amendment had not been offered and apparently accepted by the committee, would there have been impositions of charges of any sort?

Mr. GILMAN. Is the gentleman inquiring if there would have been a revision?

Mr. MAZZOLI. Would there have been imposition of any charges under the existing bill?

Mr. GILMAN. I would like to defer to the chairman of our subcommittee with regard to his understanding of the original proposal.

Mr. MICA. If the gentleman will yield, it was my understanding that the original proposal would just have simply left the fees intact but the funding would have been transferred to a special account to go back and pay for those services and the cost of those services rendered.

But I must say that I agree with the concept that many of these services are underpriced. I have not seen a study on it. It certainly is worthy of a study. But I have had some concerns myself about this. The issue itself was that the State Department felt they could better handle these funds by collecting the fees, keeping them internally, to use for the very services that are collecting the fees, and they felt it would be revenue neutral. The committee felt it was worth looking at, approving, and we did.

The CHAIRMAN. The time of the gentleman from New York [Mr. GILMAN] has expired.

(On request of Mr. MAZZOLI and by unanimous consent, Mr. GILMAN was allowed to proceed for 2 additional minutes.)

Mr. MAZZOLI. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from Kentucky.

Mr. MAZZOLI. I thank the gentleman for yielding. I appreciate the time, and I appreciate what my friend, the gentleman from Florida, has said. I do very much believe that while we have an opportunity and an obligation to make entry and access and egress from the Nation relatively simple and smooth, I think we have certainly the opportunity and the right to collect reasonable fees for that.

May I ask the gentleman this: Would the study which this amendment seems to authorize deal with proper fees and funding? Is that any part of the study?

Mr. GILMAN. The general language in subparagraph (3) which reads, "Whether fees paid by the users of consular and passport facilities and services should be applied to the improvement of those facilities and services. . . ." is, I believe, broad enough to include a review of the consular fee schedule.

Mr. MAZZOLI. I hope that our having this discussion may nail it down with respect to legislative history.

Mr. MICA. If the gentleman will yield, I would like to point this out: It is my understanding that the State Department now has legislative authority to raise passport fees. And because this issue was raised, and I think it is a good issue, I will, as chairman, send a letter immediately asking that they review that and report back to us. I think it is a legitimate concern.

Mr. MAZZOLI. I salute the chairman. I think he has made a very fine contribution to the whole question of reducing Federal deficits and still providing adequate services.

Last but not least, I think I join with all of my friends who serve on this committee in saluting the consular officers. Many, many times the men and women of the consular service may not have the sort of opportunities, though I think they should, with respect to promotion to ambassadorial rank from that cone of consular service, but I will tell you that they perform yeoman service, they serve this Nation very well under very difficult circumstances, which my friend from New York has seen firsthand abroad.

The CHAIRMAN. The time of the gentleman from New York [Mr. GILMAN] has again expired.

(On request of Mr. MAZZOLI and by unanimous consent, Mr. GILMAN was

allowed to proceed for 30 additional seconds.)

Mr. MAZZOLI. I will conclude by saying that I hope that we might over the period of years ahead while we serve together make it a very attractive service for the men and women who would enter foreign service and to give these men and women the opportunity of doing the job that we know they need to do correctly, and that is to screen ahead of time those who should and should not enter.

Mr. GILMAN. I thank the gentleman for his supportive remarks and join with him in commanding our consular officers throughout the world for their exemplary services.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentlewoman from Maine.

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, I, too, support the gentleman's amendment. Originally, I did have some concerns about establishing the separate fund.

The CHAIRMAN. The time of the gentleman from New York [Mr. GILMAN] has again expired.

(On request of Ms. SNOWE and by unanimous consent, Mr. GILMAN was allowed to proceed for 1 additional minute.)

Mr. GILMAN. I further yield to the gentlewoman from Maine.

Ms. SNOWE. I thank the gentleman.

The intent of the State Department, too, was to ensure that by establishing the fund, the consular services provided are offset by the revenues raised with respect to those services rendered by the consular officials.

In addition, I think it would be more appropriate to study and review this matter. After that time, Congress would welcome a recommendation regarding a separate fund for these purposes.

Again, I think it is an issue that has to be addressed as soon as possible.

Mr. GILMAN. That is the precise purpose of this study and I thank the gentlewoman for her support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GLICKMAN

Mr. GLICKMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GLICKMAN: At the end of title I of the bill, add the following section:

It is the sense of the Congress that, pursuant to title XVII of Public Law 98-525, nominations to the Board of Directors for the United States Institute of Peace should be submittted to the Senate without delay to permit implementation of the Congressional mandate.

Mr. GLICKMAN. Mr. Chairman, today, I rise to offer a noncontroversial amendment which I understand the committee has accepted. I want to thank Mr. MICA, and Ms. SNOWE for their support, and also my colleague, Mr. GINGRICH, for his help on this issue. My amendment reads as follows: It is the sense of the Congress that, pursuant to title XVII of Public Law 98-525, nominations to the Board of Directors for the U.S. Institute for Peace should be submitted to the Senate without delay to permit implementation of the congressional mandate.

Let me provide my colleagues with a little background on why this amendment is being offered. Efforts to establish a U.S. Institute of Peace were realized last fall when the proposal to establish the Institute was included in fiscal year 1985 Defense authorization bill. More than 170 of my colleagues had cosponsored that proposal, and a majority of our Senate colleagues had cosponsored similar legislation. The proposal had the endorsement of educators, military personnel, and members of the diplomatic corps.

As signed into law last October, the Institute's authorization directed the President to submit to the Senate, not later than 90 days after his swearing-in, a slate of 11 nominees to the Board of Directors of the Institute of Peace. This submission of nominees is the first step in the actual establishment of the Institute. Once the governing board is confirmed, the organization of the Institute can proceed and the Institute's work can begin, that work being education, research and informational services in conflict resolution for Americans in Government, private enterprise, and voluntary associations.

Unfortunately, those 90 days have passed and the statutory deadline of April 20 has come and gone without the President sending up his nominations. Therefore, I am offering this amendment to remind the President of his responsibility to submit his nominations in a timely manner, so that the establishment of the Institute can proceed.

□ 1520

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from Florida.

Mr. MICA. I thank the gentleman for yielding.

Mr. Chairman, I would just like to say that the committee has reviewed, and from our side we have no objection to this amendment.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentlewoman from Maine.

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, as a supporter of the U.S. Institute of Peace, I endorse the gentleman's amendment. We are halfway through the fiscal year; it is important that these appointments are made to the governing board for the Institute so that it can go forward with its mandate.

I think this is a proper amendment by urging the administration to make these appointments forthcoming without delay.

Mr. GLICKMAN. I thank my colleague, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. GLICKMAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MURPHY

Mr. MURPHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURPHY: On page 9, beginning on line 2, strike all after "United States" through line 6.

Also on page 9, beginning with line 11, strike through line 18.

Mr. MURPHY. Mr. Chairman, I rise to offer an amendment to strike two provisions in this bill which would remove individuals hired to provide personal contracts abroad from coverage under the Defense Base Act and place them under the Federal Employees' Compensation Act. As now written, this bill would for the first time extend coverage under FECA to private sector employees.

Mr. Chairman, jurisdiction over FECA rests with the House Committee on Education and Labor, and therefore I believe it is essential that any changes in coverage must originate in the committee and be fully debated by the members of the Committee on Education and Labor.

I have discussed this amendment with my colleagues on the Committee on Education and Labor, of both parties, as well as with the staff of the Committee on Foreign Affairs. I am sure that Mr. PETRI and the members of the Committee on Education and Labor understand that there may be a need to review the coverage of those hired to perform services overseas and you may be assured that the Subcommittee on Labor Standards is willing to begin consideration of this dilemma immediately following House passage of H.R. 2068.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Florida.

Mr. MICA. I thank the gentleman for yielding.

Mr. Chairman, as the gentleman knows, the committee has attempted in every way possible to fashion approaches that would be agreeable to the majority of the Members here.

I would say with regard to this particular amendment, it did come up in the latter stages of our consideration. With the gentleman's assurance that

there will be hearings on this issue, we will not object.

Mr. PETRI. Mr. Chairman, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Wisconsin.

Mr. PETRI. I thank the gentleman for yielding to me.

Mr. Chairman, I would just like to rise to support the remarks of my distinguished colleague, the gentleman from Pennsylvania, the chairman of the Labor Standards Subcommittee of the Education and Labor Committee, and to support the amendment.

Mr. Chairman, this amendment addresses two provisions in the bill pertaining to independent contractors retained by the State Department under the Migrant and Refugee Assistance Act and, essentially, security personnel under the State Department Basic Authorities Act.

The committee bill extends coverage of the Federal Employees Compensation Act [FECA] to these individuals and authorizes the Secretary to settle tort claims against such individuals.

My understanding is that this language does not reflect the administration's position, and the amendment would strike this incompatible language.

The purpose of the bill's language is to provide protections to independent contractors normally accorded to Federal employees—that is, workers compensation coverage under FECA and authority for the Secretary to settle claims against the United States for the torts of employees acting within the scope of their employment.

However, extending FECA to independent contractors for the first time would mark a conceptual leap in FECA that would have a potentially adverse precedental impact far beyond this bill. Furthermore, these contractors already enjoy workers compensation protections through the Defense Base Act—an extension of the Longshoremen and Harbor Workers Compensation Act. Although concerns about the cost of Defense Base Act coverage are not without merit, the same claim could be made by any other Federal agency whose contractors are covered by the Defense Base Act. Moreover, FECA already includes generic authority for coverage on a case-by-case basis, where an individual renders personal services to the United States similar to the services of an employee. My understanding is that the Labor Department has granted coverage in the past to such individuals at the request of the State Department.

In other words to the extent cost is a legitimate factor, there is a less radical means for addressing this problem than amending FECA.

With respect to the Secretary's authority to settle tort claims against employees, the bill's extension of such authority to independent contractors, again, raises precedental questions. Has this been done before? What precedent is being set for later extending such protections to other independent contractors? Frankly, I do not know the answers to these questions, but I do understand that the administration has objections.

Given all these considerations I believe we should strike this language and reserve any remaining questions for the Senate, which bill has included the same provisions.

I understand that this amendment is acceptable on both sides of the aisle and by the State Department.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MURPHY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Page 2, line 16, strike out "$572,519,000" and insert in lieu thereof "$520,167,800".

Mr. SOLOMON. Mr. Chairman, the amendment I am offering is very straightforward. It simply reduces by 15 percent the amount of money that will be authorized under this bill to pay our assessed contribution to the United Nations in fiscal year 1987. This amendment will mean a savings to the American taxpayers of $52,352,000.

I had intended originally to offer an amendment that would reduce our U.N. contribution for both years that are covered under this bill—fiscal years 1986 and 1987. However, after consultations with colleagues and in the interest of keeping this issue from becoming a contentious point during the consideration of this bill, I have decided to go with an amendment making the reduction effective only in fiscal year 1987.

Let me say that I appreciate the interest that has been shown by many of my colleagues for this amendment. And I greatly appreciate the cooperation by the gentleman from Florida and the gentlelady from Maine, as floor managers of this bill.

Let me also say that, as the ranking Republican on the Subcommittee on Human Rights and International Organizations, I take very seriously our country's participation in the United Nations. And I am second to none in support of those principles on which the United Nations was founded, most notably the universal declaration of human rights. But all of that is not at issue today what is at issue is the administration of the United Nation.

The time has come to address the subject of how the United Nation is managed—and this amendment does just that. My amendment would leave fully intact our commitment to U.N. peacekeeping operations, and would focus intead on the U.N. secretariat—on the operating budget of the United Nation.

Mr. Chairman, as long ago as 1969 the Comptroller General of the United States began issuing warnings about excessive growth in the U.N. budget and serious shortcomings in the auditing system that monitors that budget. Since those initial warnings 16 years ago, the U.N. budget has more than tripled.

About three-fourths—75 percent—of the U.N.'s operating budget is consumed by administrative and personnel costs, benefits that flow tax-free—let me repeat tax-free—to 52,000 U.N. employees and annuitants worldwide.

In preparing my amendment, I assumed a differential of 20 percent between the level of compensation for U.N. employees over and against what their counterparts in the U.S. civil service are receiving. A differential of 20 percent is a modest assumption. The International Civil Service Commission has estimated over the last 3 years that the differential is in the range of 16 to 18 percent. But a closer examination reveals that the ICSC does not include certain fringe benefits for U.N. employees in its calculations, such as shorter work weeks and longer vacations. The administration estimates that the differential in favor of U.N. employees is actually between 35 and 40 percent. And remember, all of this guaranteed tax free.

So what I have done is to take that 75 percent of the U.N. budget that goes for administrative and personnel costs, divide it by one-fifth, or, in other words 20 percent, the compensation differential I mentioned, and I came up with a figure of 15 percent.

And that leads to a very interesting point. By reducing our support for the U.N.'s operating budget by 15 percent, we are saving the American taxpayers about $52 million a year. Believe it or not, an amount at least that great—at least $50 million a year—in our assessed contribution to the United Nations, is going to reimburse American employees at the United Nations for their tax assessments. In other words, at least $50 million in our U.N. contribution goes not into the administration of the United Nations but into a shell game that enables American employees there to maintain tax-free incomes.

I will not belabor that point. But the time has come to simply ask what is going on at the U.N. Secretariat——

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman.

Mr. WALKER. I thank the gentleman for yielding to me.

Mr. Chairman, I am having trouble following the gentleman. Is the gentleman telling me that anybody who

works at the U.N. in the Secretariat, including American citizens, do not have to pay any taxes on the money that they get?

Mr. SOLOMON. That is exactly what I am telling the gentleman.

Mr. WALKER. And that the taxpayer is picking up the cost of American citizens who are working there for their taxes?

Mr. SOLOMON. The gentleman is absolutely correct. I did not believe that myself until I got into it this past week and verified it with the State Department.

Mr. WALKER. Well, how do we possibly justify that?

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLOMON] has expired.

(By unanimous consent, Mr. SOLOMON was allowed to proceed for 5 additional minutes.)

Mr. SOLOMON. Let me continue because I think we will find something more interesting to the gentleman as we go along.

Mr. WALKER. I would appreciate that.

□ 1530

Where is the money going? Why are 200 officials in the Secretariat drawing tax-free salaries higher than what the Vice President of the United States makes?

Why are there staff members in the Secretariat drawing tax-free salaries higher than what U.S. Cabinet members or Members of Congress are making?

Why has the Economist magazine in Great Britain described the United Nations as a "Patronage Racket"?

Why can a senior offical in the Secretariat retire in January 1984, collect $390,000 in cash, tax-free, as a severance payment, and then be back on the payroll at full salary in less than a week?

Mr. WALKER. Now, wait a minute, if the gentleman would yield.

He collected severance pay of $400,000.

Mr. SOLOMON. $391,000 to be exact.

Mr. WALKER. $391,000, slight short of $400,000 and is back on the payroll the next week?

Mr. SOLOMON. One week later.

Mr. WALKER. He gave back the money then, did he not?

Mr. SOLOMON. No. He has it in a Swiss bank account.

Mr. WALKER. He collected severance pay, so he is back on the payroll now the next week. Certainly he gave back the money. Is not some of that our taxpayers' money?

Mr. SOLOMON. I asked whether or not he had paid the money back, whether he was obligated to, and the answer was no, he has not paid the money back, and no, he was not obligated to. It was perfectly legal.

Mr. WALKER. And we are permitting that?

Mr. SOLOMON. We are permitting that unless we adopt my amendment here today.

Let me continue, if I might. I have to ask:

Why has a diplomat from Sierra Leone, the former Assistant Secretary-General for Personnel Services, described the U.N. Secretariat as a "Dumping Ground for Officials Unwanted at Home?"

Why has Arkady Shevchenko, the Soviet defector who held the position of Under Secretary-General for Political and Security Council Affairs at the United Nations, made the observation that the U.N. Secretariat could do a more efficient and effective job with one-fourth as many people as are there now? And I need not even go into his revelations about KGB activity and other such pasttimes in the Secretariat.

Finally, why did the United Nations find it necessary to sponsor 11,000 conferences last year? That's right—11,000 conferences. The paralysis of analysis has reached epic proportions. You know, some of us here in Congress have been critical of certain U.N. activities that are detrimental to private enterprise and free-market economics. But I guess that criticism must now be modified because with 11,000 conferences, the United Nations must be keeping any number of airlines and hotel chains solvent today, so at least they are doing something good.

Let me just conclude, Mr. Chairman, by saying that I agreed to modify my original amendment in the hope that these and other problems can be addressed. We have a new Ambassador, Vernon Walters, for whom I have tremendous respect, and a new team going up to the United Nations. By delaying the 15-percent cut until fiscal year 1987, our Ambassador and his associates will be given the room they need to deal with these problems and to try to get things under control.

Certainly, if a year from now or some other time, Ambassador Walters and the administration report to us here in Congress that progress is being made and that a supplemental request for the United Nations is justified, I will consider that request very seriously, as I know every other Member of Congress will, too.

And so I offer this amendment today in good faith, in the hope that the message it will send will be positive. The work of the United Nations is too important, and its resources are too limited, to be squandered in the outrageous and outlandish manner that is going on today.

Mr. WEISS. Mr. Chairman, would my distinguished friend yield to me?

Mr. SOLOMON. I would be glad to yield to the gentleman from New York.

Mr. WEISS. I thank the gentleman for yielding.

Mr. Chairman, I wonder if the gentleman would tell us what the position of the State Department is on his amendment as originally offered, and as amended?

Mr. SOLOMON. The State Department was opposed to my original amendment, which would have actually cut the U.N. budget in both fiscal years 1986 and 1987.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLOMON] has again expired.

(On request of Mr. WEISS and by unanimous consent, Mr. SOLOMON was allowed to proceed for 1 additional minute.)

Mr. SOLOMON. After due consultation and because it could have created an administrative problem in the fiscal year 1986, I agreed to compromise, although I was not too anxious to do so, to make it effective just for the fiscal year 1987 so that the gentleman from New York and I can discuss this a year from now and see if progress has been made.

Mr. WEISS. I thank the gentleman for his answer.

Mr. MICA. Mr. Chairman, I rise to speak in reluctant support of the amendment.

I might first commend my colleague for altering the effective date of the amendment and simply say this: that we on the committee have done our best in this bill to defend legitimate concerns about America's diplomacy, our overall diplomatic efforts, our security, our agreements, and our treaties.

Defending the United Nations on the floor of the House of Representatives in this day and time, and in light of some of the statistics that were mentioned here, is surely a difficult task for anyone. Handling this bill, some say, is a difficult task.

We have tried to take into consideration the agreements that this Government-President Reagan, Secretary Shultz, the entire State Department, all of our diplomatic corps have entered into in working with nations around the world.

I have expressed concern over implementing this provision immediately because those agreements would have bound us to make those payments, bound us to keep our contracts. However, we could not have done so because of this legislative constraint.

We also have not had an opportunity to investigate what a 15-percent cut would do to these United States obligations notwithstanding other problems at the United Nations, or salary abuses or retirement abuses. Finally, there was an objection to the original legislation by the administration, by the Secretary of State, by those who deal with it on a daily basis.

So I commend the gentleman in this respect: that we will have a year now to look at the effect of those agreements and our commitments. We will have an opportunity to see who would be helped or hurt by this type of action, and I am hopeful that it will help to bring about some change, but also that we do not have to move in the most heavy handed way on the floor of the House without hearings on this type of reduction.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. MICA. I would be very happy to yield to the gentleman from New York.

Mr. SOLOMON. I thank the gentleman for yielding.

Mr. Chairman, I just wanted to thank the gentleman. He has certainly been one of the most reasonable Members. Sometimes we spend a great deal of time in this Chamber patting each other on the back and handing out accolades, but I just want the gentleman to know that he is one of the outstanding subcommittee chairmen on our Foreign Affairs Committee and has done a tremendous job with this bill.

I, for one, from this side of the aisle, appreciate the job he has done, and certainly the same holds true for the gentlewoman from Maine [Mrs. SNOWE].

Mr. MICA. I thank the gentleman.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentlewoman from Maine.

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, I want to associate myself with the remarks made by the gentleman. We do have an obligation through the treaties that we belong to with respect to the mission that is provided by the United Nations. Indeed, I think we all acknowledge that mission is a difficult one.

On the other hand, I think the gentleman from New York has raised some important points with respect to the personnel and administrative costs associated with the operations of the United Nations. Since the United States is the maximum donor, since we do provide the maximum assessment, we also have an obligation to insure that fiscal restraint is applied to the costs associated with the functioning of the United Nations.

So, if 75 percent of the operations of the United Nations is associated with personnel costs and administrative costs, then clearly we have an obligation to address those issues.

I want to make one final point that I think is also important.

The review of the assessments is undertaken every 3 years, and in 1985 such a review will take place. It seems to me that we are at an important crossroads with respect to the costs of operating the United States. Perhaps our representatives will take into consideration the amendment that has been offered by the gentleman from New York as they begin to reformulate those assessments.

Indeed, we have an obligation to insure that fiscal responsibility applies to the United Nations as well. I would urge adoption of the amendment.

Mr. MICA. I thank the gentlewoman.

Mr. Chairman, I yield back the balance of my time.

□ 1540

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind all Members that when any Member is recognized under the 5 minute rule, he or she must remain on his or her feet, even though he or she yields time to another Member.

Mr. RUDD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the gentleman from New York indicated that we do spend some time applying accolades to distinguished Members of this House, and I think that is only just and right. I would like to commend the gentleman from Florida [Mr. MICA] for the sincerity of his work and his endeavor in this House, as well as the gentlewoman from Maine [Ms. SNOWE], who is always most sincere and hard working. I also want to commend the gentleman from New York [Mr. SOLOMON] for inserting this amendment and asking that it be adopted, because I do rise in support of his amendment.

Mr. Chairman, I rise in strong support of the gentleman's amendment to reduce U.S. contributions to the United Nations by 15 percent beginning in fiscal year 1987.

As we look toward making the cuts in spending necessary to bring the deficit under control, the U.N. is an excellent place to begin cutting.

The U.N. has failed its responsibilities of maintaining international peace, and encouraging respect for human rights and freedoms. Since its founding in 1945, it has been unable to prevent some 140 military conflicts in which up to 10 million people have died. It is currently unable to do anything about the 100,000 Soviet occupation troops in Afghanistan, the brutal campaign by the Vietnamese against Cambodia, or Nicaragua's efforts to destabilize its neighbors and spread communism throughout Central America. It has been unable to do anything about the disaster in Lebanon, the Soviet downing of a Korean airliner or international terrorism.

The U.N.'s support for self-determination of peoples is one-sided at best. It supports so-called national liberation movements, but only when they're sympathetic to Soviet interests. The U.N. does next to nothing to support self-determination for Soviet-dominated Estonia, Lithuania or Latvia, or the respressed nations of Eastern Europe.

The General Assembly's voting habits reveal the far-reaching anti-American bias of the organization. In 1981, the United States was in the minority on 77 percent of all recorded votes; on 84 percent of the votes in 1982; and on 81 percent of the votes in 1983. By contrast, the so-called nonaligned nations sided with the Soviet Union about 85 percent of the time.

The American taxpayers contribute 25 percent of the U.N.'s budget. Why should this continue when the organization is simply used as a forum for anti-American propaganda and cannot effectively resolve international conflicts?

Why should we continue to subsidize the Soviets's use of the organization as a base for espionage throughout the United States. We know from Dr. Arkady Shevchenko of the Soviet Union, who served as U.N. Undersecretary General for political and security council affairs until his defection in 1978, that about a third of all Communist bloc nationals at the Secretariat are officers of their respective secret police with direct ties to the KGB. They use the U.N. for everything from recruiting new agents to gathering intelligence about sensitive high technology.

U.S. contributions to the U.N. should be cut at least 15 percent, maybe more, and we should begin reconsidering our participation in the organization altogether. I urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALKER: Page 28, after line 25, insert the following new section:

SEC. 128. RESPONSIBILITY OF UNITED STATES MISSIONS TO PROMOTE FREEDOM OF THE PRESS ABROAD.

The United States chief of mission to a foreign country in which there is not respect for freedom of the press shall actively promote respect for freedom of the press in that country. As used in this section, the term "respect for freedom of the press" means that a government—

(1) allows foreign news correspondents into the country and does not subject them to harassment or restrictions, and

(2) allows nongovernment-owned press to operate in the country, and

(3) does not subject the press in the country to systematic censorship.

Mr. WALKER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALKER. Mr. Chairman, this amendment is fairly self-explanatory. What it attempts to do is assure that the missions abroad in those nations where totalitarian societies are not permitting free press access are given the assignment of trying to promote and insure that access insofar as possible.

What is particularly aimed at in this amendment is to insure that foreign news correspondents in those countries have some access to the nations, but it is also aimed at trying to make certain that our missions in those nations allows the non-government-owned press to operate in the country or at least try to get the governments of those nations to so allow, and also that the governments of those nations do not subject the press in those countries to systematic censorship.

In a world where information has become extremely important, where the worldwide flow of information is so important, it is extremely important to us as free nations to understand that disinformation campaigns by totalitarian nations are aimed directly at us. The one way of assuring that the disinformation does not become pervasive in free societies is to assure free access of information—truth, if you will—to be the order of the day.

So what this amendment is aimed at doing is seeing to it that our missions in nations abroad are trying to promote, insofar as they can, the free press access that is so vitally needed by free societies, to get the information that we need to act intelligently in matters of foreign policy that come before us and act intelligently on our world affairs.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I would just like to confirm with the gentleman the fact that there are no funds provided for in this amendment.

Mr. WALKER. That is absolutely correct. There is no money allocated in the amendment. It is something that I think the chiefs of missions can do in their respective assignments without additional dollars.

Mr. MICA. Mr. Chairman, let me just say, if I may, that I commend the gentleman on this particular amendment. This subcommittee held numerous hearings on UNESCO, and I might say in that regard that one of the greatest concerns we had was the attempt of some international organizations to license journalists. I think this expresses a very, very natural concern over that.

If I may have just an additional moment, I might just go on to commend the editors of the American newspapers who joined together for the first time on this issue to say that we will fight it worldwide, that we do not want to see any system on the face of this Earth that would provide for the licensing and in effect the censorship of journalists.

Mr. WALKER. Mr. Speaker, I thank the gentleman, and I think his hearings were extremely valuable in that regard because I think they do make the point very clear. This amendment is certainly designed in that spirit, and I would hope that the House will accept it.

Mr. MICA. Mr. Chairman, we accept the amendment on this side.

Mr. WALKER. Mr. Chairman, I thank the gentleman.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I want to tell the gentleman that I, too, support the gentleman's amendment.

As I understand it, this instruction is already incorporated in the State Department's human rights annual report which instructs the Ambassadors to make this point clear to their host governments. It is a principle that we have to continue to promote to the host governments.

A free press obviously plays a very vital role in democratic governments, and truly strong and representative governments have no fear from freedom of the press. So I would urge that the Ambassadors promote that view to their host governments.

Mr. Chairman, I thank the gentleman for his amendment because he makes a very important point.

Mr. WALKER. Mr. Chairman, I thank the gentlewoman, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER.].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PETRI

Mr. PETRI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PETRI: Page 28, after line 25, add the following new section:

SEC. 128. AN OFFICIAL RESIDENCE OF SECRETARY OF STATE.

(a) PROHIBITION.—Until the Congress expressly authorizes such acceptance by law, the United States may not accept a gift of any residence or other structure for the purpose of providing a place of official residence for the Secretary of State or any other official of the Department of State.

(b) STUDY AND REPORT.—The Secretary of State shall conduct a study of any offer of a gift described in subsection (a). Such study shall include an examination of the costs to the United States associated with accepting such gift which relate to the proposed acquisition, maintenance, security, and daily operation of a residence. The Secretary shall transmit the report of any study conducted under this section to the Committee on Foreign Affairs and the Committee on Public Works and Transportation of the House of Representatives and the Committee on Foreign Relations and the Committee on Environment and Public Works of the Senate.

Mr. PETRI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PETRI. Mr. Chairman, this is a very simple amendment. It just prevents a civil servant from making on his own a very important decision that ought to be made by the Congress. The decision is whether or not to acquire, through private donation, an official residence for the Secretary of State.

There are several reasons why the Congress should reserve the right to make any such decision. In the first place it sets a very important precedent. If the Secretary of State has a grand mansion provided free of charge, the Secretary of Defense, the Secretary of the Treasury, the Director of the CIA, and every other high official will want and get this nice perk too.

I personally don't feel it's appropriate in a democracy to have high officials holding forth like great lords in princely palaces all over the Capital, but at least we should not allow that to happen without consideration by the Congress.

In the second place, while a donated residence might be free of charge to the State Department, except for maintenance costs, it is definitely not free to the taxpayers. After all, a wealthy donor is less likely to give away his mansion out of altruism than because he is financially better off giving it away than selling it. Suppose you own a mansion you'd like to unload. You put it on the market for a while at $5 million and nobody bites. You're afraid you might have to drop down to around $3 million to sell it, which might net you $2.2 million after capital gains taxes and transaction costs. But if you give it away and value the contribution at $5 million, you net $2.5 million in tax savings. You are $300,000 better off and you get praised as a wonderful person in the bargain.

The rest of our Nation's taxpayers, on the other hand, are out $2.5 million in lost revenues, plus the half million or so you might have paid in capital gains taxes if you had sold the mansion, for a grand total of $3 million. The country would be better off if we went out and bought a house directly.

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At least then we would be in control of what we were doing, and we might well decide that some lesser dwelling would serve our purposes. Surely the Congress ought to look at this kind of decision, rather than leaving it to an official who is not charged with looking out for the overall interests of the taxpayers.

There is a third reason the Congress should consider any proposal to get us further into the official residence game. If we do decide to provide residences, God forbid, there may be better ways to do it than any agency official might propose on his own. For example, we might decide to use some houses the Government already owns. Or, since security is the main justification for these residences, we might use dwellings on military bases, which are already secure.

Mr. Chairman, clearly the official residence question is one that should be reserved for the Congress to decide. This amendment would do that in the case of the State Department, and I urge all my colleagues to support it.

□ 1550

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. PETRI. Yes.

Ms. SNOWE. Mr. Chairman, I support the gentleman's amendment. I think he raises an important point and makes a suggestion of reviewing this proposal, studying it and reporting back to the Congress. I think that is a wise suggestion before we establish a precedent and create unnecessary cost with respect to accepting a residence for the purpose of providing a home for the Secretary of State.

We could be creating a precedent for other Cabinet members as well and also incurring other unnecessary costs. So I think the gentleman has raised an appropriate point.

Mr. PETRI. Mr. Chairman, I thank the gentlewoman for her support. I would remind her that they will certainly want to have a house for the Secretary of State as grand as that as any Ambassador. You look around town at the British Ambassador and God knows they all live in some pretty grand places; so we are not just talking about a little bungalow down the street.

Ms. SNOWE. The gentleman is correct and I think for that reason we need to study it before we proceed with any kind of project of the nature that is suggested by the State Department.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I would be happy to yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I would also accept the amendment. I have reviewed it, and maybe for a little different reason.

I cannot condone the accepting of a gift like this that might require maintenance funds. We had a situation in my own area where the Government took over a $14 million mansion and then did not appropriate maintenance money and for 5 years it fell apart and we eventually had to give it back.

I think if the Congress makes a determination that we should have a residence and hopes to fund that residence, that is a different story, but just to accept the gift, I would agree with the gentleman and accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. PETRI].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MR. SILJANDER

Mr. SILJANDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SILJANDER: Page 28, after line 25, insert the following new section:

SEC. 128. COMPLIANCE WITH THE SULLIVAN PRINCIPLES BY THE UNITED STATES EMBASSY IN SOUTH AFRICA.

(a) REQUIREMENT FOR COMPLIANCE.—The President shall ensure that United States diplomatic and consular missions in South Africa comply with the employment principles set forth in subsection (b) with respect to their foreign national employees. The President may waive the requirement for such compliance with respect to any such employment principle if the President determines that it is in the interest of United States national security to do so.

(b) STATEMENT OF EMPLOYMENT PRINCIPLES.—The principles referred to in subsection (a) are as follows:

(1) DESEGREGATING THE RACES.—Desegregating the races in each employment facility, including—

(A) removing all race designation signs;

(B) desegregating all eating, rest, and work facilities; and

(C) terminating all regulations which are based on racial discrimination.

(2) EQUAL EMPLOYMENT.—Providing equal employment for all employees without regard to race or ethnic origin, including—

(A) assuring that any health, accident, or death benefit plans that are established are nondiscriminatory and open to all employees without regard to race or ethnic origin; and

(B)(i) implementing equal and nondiscriminatory terms and conditions of employment for all employees, and (ii) abolishing job reservations, job fragmentation, apprenticeship restrictions for blacks and other nonwhites, and differential employment criteria, which discriminate on the basis of race or ethnic origin.

(3) EQUITABLE PAY SYSTEM.—Assuring that the pay system is equitably applied to all employees without regard to race or ethnic origin, including—

(A) assuring that any wage and salary structure that is implemented is applied equally to all employees without regard to race or ethnic origin;

(B) eliminating any distinctions between hourly and salaried job classifications on the basis of race or ethnic origin; and

(C) eliminating any inequities in seniority and ingrade benefits which are based upon race or ethnic origin.

(4) MINIMUM WAGE AND SALARY STRUCTURE.—Establishing a minimum wage and salary structure based on the appropriate local minimum economic level which takes into account the needs of employees and their families.

(5) INCREASING BLACKS AND OTHER NONWHITES IN CERTAIN JOBS.—Increasing, by appropriate means, the number of blacks and other nonwhites in managerial, supervisory, administrative, clerical, and technical jobs for the purpose of significantly increasing the representation of blacks and other nonwhites in such jobs, including—.

(A) developing training programs that will prepare substantial numbers of blacks and other nonwhites for such jobs as soon as possible, including—

(i) expanding existing programs and forming new programs to train, upgrade, and improve the skills of all categories of employees, and

(ii) creating on-the-job training programs and facilities to assist employees to advance to higher paying jobs requiring greater skills;

(B) establishing procedures to assess, identify, and actively recruit employees with potential for further advancement;

(C) identifying blacks and other nonwhites with high management potential and enrolling them in accelerated management programs;

(D) establishing and expanding programs to enable employees to further their education and skills at recognized education facilities; and

(E) establishing timetables to carry out this paragraph.

(6) IMPROVING LIFE OUTSIDE THE WORKPLACE.—Taking reasonable steps to improve the quality of employees' lives outside the work environment with respect to housing, transportation, schooling, recreation, and health, including—

(A) providing assistance to black and other nonwhite employees for housing, health care, transportation, and recreation either through providing facilities or services or providing financial assistance to employees for such purposes, including the expansion or creation of in-house medical facilities or other medical programs to improve medical care for black and other nonwhite employees and their dependents; and

(B) participating in the development of programs that address the education needs of employees, their dependents, and the local community.

(7) FAIR LABOR PRACTICES.—Recognizing labor unions and implementing fair labor practices, including—

(A) recognizing the right of all employees, regardless of racial or other distinctions, to self-organization and to form, join, or assist labor organizations, freely and without penalty or reprisal, and recognizing the right to refrain from any such activity;

(B) refraining from—

(i) interfering with, restraining, or coercing employees, in the exercise of their rights of self-organization under this paragraph,

(ii) dominating or interfering with the formation or administration of any labor organization, or sponsoring, controlling, or contributing financial or other assistance to it,

(iii) encouraging or discouraging membership in any labor organization by discrimination in regard to hiring, tenure, promotion, or other condition of employment,

(iv) discharging or otherwise disciplining or discriminating against any employee who

has exercised any rights of self-organization under this paragraph, and

(v) refusing to bargain collectively with any organization freely chosen by employees to represent them;

(C)(i) allowing employees to exercise rights of self-organization, including solicitation of fellow employees during nonworking hours, (ii) allowing distribution and posting of union literature by employees during nonworking hours in nonworking areas, and (iii) allowing reasonable access to labor organization representatives to communicate with employees on employer premises at reasonable times;

(D) allowing employee representatives to meet with employer representatives during working hours without loss of pay for purposes of collective bargaining, negotiation of agreements, and representation of employee grievances;

(E) regularly informing employees that it is company policy to consult and bargain collectively with organizations which are freely elected by the employees to represent them; and

(F) utilizing impartial persons mutually agreed upon by employer and employee representatives to resolve disputes concerning election of representatives, negotiation of agreements or grievances arising thereunder, or any other matters arising under this paragraph.

(8) INCREASED ACTIVITIES OUTSIDE THE WORKPLACE.—Increasing the dimension of activities outside the workplace, including—

(A) supporting the unrestricted rights of businesses owned by blacks or other nonwhites to locate in the urban areas of South Africa;

(B) attempting to influence other companies in South Africa to implement equal rights principles;

(C) supporting the freedom of mobility of black and other nonwhite employees to seek employment opportunities whenever they exist, and making possible provisions for adequate housing for families of employees near the place of employment; and

(D) supporting the termination of all apartheid laws.

(c) MONITORING COMPLIANCE.—The Inspector General of the Department of State and the Foreign Service shall monitor compliance by the United States diplomatic and consular missions in South Africa with the employment principles set forth in subsection (b). The Inspector General shall submit an annual compliance report to the Congresss.

(d) DEFINITION OF SOUTH AFRICA.—As used in this section, the term "South Africa" includes—

(1) the Republic of South Africa;

(2) any territory under the administration, legal or illegal, of South Africa; and

(3) the "bantustans" or "homelands", to which South African blacks are assigned on the basis of ethnic origin, including the Transkei, Bophuthatswana, Venda, and Ciskei.

Mr. SILJANDER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SILJANDER. Mr. Chairman, I am very proud to offer this amendment to the bill, as this is the very first opportunity we in the Congress will have to deal with the apartheid issue in South Africa, to speak out in a bold and firm way our unequivocal opposition to the apartheid policies in that country.

The intent of my amendment is to make clear that Congress intends to see that our U.S. Embassy complies with the Sullivan principle. The U.S. Embassy and our State Department have consistently advocated that U.S. firms should be signatories of the Sullivan principle, a principle which has helped blacks in South Africa, contributed to over 120,000 jobs since 1977 and over $100 million for black housing, black education, black health, and black scholarships.

Black South African employees in the Embassy today have very few benefits. They do not have medical disability, retirement benefits, training opportunities, housing assistance, union rights, and true opportunities for advancement.

The Embassy does not comply fully with the principles; however, our Embassy does on balance comply with some of the principles embodied in the Sullivan code; but my colleagues, that is not enough. Our Embassy should practice what it preaches and should be a full signatory to the Sullivan amendment. American companies doing business there are expected to do more than our own Embassy is doing.

Can we really justify in our Embassy that a black is being paid $4—not an hour, $4 a day? That is 50 cents an hour. That is an insult.

Regardless of South African law, the U.S. Government should not be identified with these types of principles and policies.

Today, for example, a black African that works in our Embassy, has worked there over 20 years and he is not entitled to one retirement benefit. He will get a handshake and a send-off and that is it.

A U.S. company if it acted in that way would be ridiculed and judged very harshly and we should judge ourselves equally.

Now, I agree this is just a first step. The Sullivan principles are important for all U.S. firms to comply with, and I have introduced a bill, H.R. 2288, that does specifically that, requiring all U.S. companies, present and new potential firms, to comply fully with the Sullivan principles.

So yes, this is a step in the right direction. It is only a step in that direction. I would hope that this Congress would adopt this amendment as a beginning, as a first signal to that government that we do mean business and we are serious when we say that the policies of apartheid that are abhorrent to our values, that are abhorrent to the values of human beings, that are causing a cultural crisis in that nation and placing it in the hands of revolutionaries, it is time that the white Afrikaner Government hear the heart of the American people.

So I would urge the Congress to adopt this first step, small step, but an important one in a long series of needed action to make sure that the Government policies change in South Africa.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. SILJANDER. I would be more than happy to yield to the gentlewoman.

Ms. SNOWE. Mr. Chairman, I would like to thank the gentleman from Michigan for raising this important issue of adherence to the Sullivan principles. I believe adherence to the Sullivan principles, beyond what the gentleman's amendment does today, is very important in the larger effort to bring change to the system of South Africa, which denies to the majority of the inhabitants their most basic and human civil rights.

It is unfortunate at this point that the State Department is not a signatory to the Sullivan principles with respect to our Embassy in South Africa. I know in their opposition they say it would establish an unwise precedent for differing employment practices around the world.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(At the request of Ms. SNOWE, and by unanimous consent, Mr. SILJANDER was allowed to proceed for an additional 3 minutes.)

Ms. SNOWE. Mr. Chairman, if the gentleman will yield further, I know that the State Department has concerns about establishing different employment practices around the world, but here we are talking about a country that has established a legal code that denies rights on the basis of race. Therefore, we need to treat South Africa differently.

The gentleman has suggested in his support of going further, and I certainly would advocate that, I do believe we should have mandatory compliance for American companies located in South Africa to the Sullivan principles.

The fact is if you look at the voluntary code at this point, that American firms are moving in the wrong direction. Of the 350 firms that are located in South Africa, only 123 comply with the Sullivan code. That is a drop from 146. So it is clear the voluntary code has not improved the present situation.

We need to do more. It has to go beyond the gentleman's amendment.

Yes, it is a step in the right direction, but it should be an indication of our indication to begin that journey to express our abhorrence, our opposition, and to do what is necessary, in

fact, rein in U.S. support of the South African economy if that is what it is going to take.

So I thank the gentleman for raising this very significant issue.

Mr. SILJANDER. Mr. Chairman, I thank the gentlewoman for her comments.

As I said, I have introduced a bill which we will talk about in another forum and in another appropriate situation which does precisely what the gentlewoman advocates regarding all firms, American firms complying with the Sullivan principles.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. SILJANDER. I would be happy to yield.

Mr. MICA. Mr. Chairman, just for purposes of information again, would the gentleman explain, does the State Department right now support the amendment as it is presently written?

Mr. SILJANDER. I am not sure, but I would doubt it.

Mr. MICA. The State Department does not?

Mr. SILJANDER. They were concerned with unionization, which I feel is not a legitimate concern from my point of view. They were concerned with security, and we have added a provision regarding security interests of the United States, and I have not personally heard back since then.

□ 1600

Mr. MICA. Let me just say as one who has totally endorsed the use of the Sullivan principles by our private sector, the chairman would accept the amendment. But I do have concerns as to why we do not have acceptance from the State Department, and we may choose to have additional hearings on this subject.

Mr. SILJANDER. Just for the gentleman's point of reference, I am not sure where they stand on it today, but to me what is important is where you and I stand on it today.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. SILJANDER].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. GINGRICH

Mr. GINGRICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GINGRICH: Page 28, after line 25, insert the following new section:

SEC. 128. SOVIET AND COMMUNIST DISINFORMATION AND PRESS MANIPULATION.

(a) ESTABLISHMENT OF COMMISSION.—In order to determine the advisability of establishing, within the Department of State, a permanent office of Soviet and communist disinformation and press manipulation and to provide information to the public on the issue, the President shall establish a commission to investigate the extent of Soviet and communist disinformation and press manipulation with respect to the United States.

(b) MEMBERSHIP.—The commission shall consist of nine members appointed by the President, three of whom shall be journalists, three of whom shall be academics, and three of whom shall be officers or employees of the executive branch of the Government.

(c) REPORT.—Not later than December 31, 1986, the commission shall report to the President and the American people on the results of its study. The report shall include a recommendation on the advisability of establishing, within the Department of State, a permanent office of Soviet and communist disinformation and press manipulation.

(d) DISSEMINATION OF REPORT.—In order to ensure public access to its report, the commission shall distribute copies of that report to schools, libraries, and other appropriate recipients.

(e) FUNDING.—There are authorized to be appropriated $1,500,000 for fiscal year 1986 for the expenses of the Commission in carrying out this section, which amounts are authorized to remain available until expended.

Mr. GINGRICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GINGRICH. Mr. Chairman, I offer a second amendment and ask unanimous consent they be considered en bloc, and I will explain both amendments at the same time, if I may.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GINGRICH: Page 28, after line 25, insert the following new section:

SEC. 128. SOVIET AND INTERNATIONAL COMMUNIST BEHAVIOR.

(a) ESTABLISHMENT OF COMMISSION.—In order to determine the advisability of establishing, within the Department of State, a permanent office to study Soviet and international communist behavior that violate the concepts of national sovereignty and peace between nations and to provide information to the public on the issue, the President shall establish a commission to investigate the nature of Leninism and the degree to which Leninist parties and Leninist governments systematically develop low intensity conflict activities, including international subversion, terrorism, and guerrilla warfare across national boundaries without a declaration of war.

(b) MEMBERSHIP.—The commission shall consist of nine members appointed by the President, three of whom shall be journalists, three of whom shall be academics, and three of whom shall be officers or employees of the executive branch of the Government.

(c) REPORT.—Not later than December 31, 1986, the commission shall report the results of its study to the President and the American people. The report shall include a recommendation on the advisability of establishing, within the Department of State, a permanent office to study Soviet and international communist behavior that violate the concepts of national sovereignty and peace between nations.

(d) DISSEMINATION OF REPORT.—In order to ensure public access to its report, the commission shall distribute copies of that report to schools, libraries, and other appropriate recipients.

(e) FUNDING.—There are authorized to be appropriated $1,500,000 for fiscal year 1986 for the expenses of the Commission in carrying out this section, which amounts are authorized to remain available until expended.

Mr. GINGRICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GINGRICH. Both of these amendments, Mr. Chairman, call for the State Department to establish a commission composed of nine people, three from the executive branch, and in the first case on Soviet disinformation programs, three from the news media, and three from the academic world.

The purpose of the two amendments is to establish two commissions, each to study whether it would be appropriate for the U.S. Government in the State Department or some other agency to have a permanent agency that is dedicated in a public way to studying Soviet and Leninist behavior. In the first case on press disinformation and the Soviet techniques of manipulating the press there have been a number of examples in recent years in which there is a systematic effort by the KGB and others to manipulate press across the planet. And it seems only appropriate there be some agency which monitors and in a historical manner makes available to the press and to the country information about Soviet and other Communist types of disinformation practices.

In the second case it is very obvious from the Grenada papers and other documents that Leninism is a very real doctrine which a number of Communists groups believe in and in fact practice in Communist countries and that understanding the language and the style of Leninism is a very important step toward appreciating the way in which we are competing with the Soviet Union in tyranny in this planet. And so the second commission would look into the issue of whether or not it would be appropriate in the long run to have a public agency in the State Department or some other branch of the executive branch systematically looking at the establishment of Leninism in the Soviet system, the way in which Leninism works, and the language Leninists use and what it means when translated more accurately into English in democratic societies.

I think these two commissions are important first steps, and they are very minimal steps. They do not commit us to any long-term structure at this time but they focus attention on two areas I think we in this country need to be concerned about and allows us to begin to look at the issue of the way in which the Soviet Union works, both in the press and in establishing Leninist systems of thought and Leninist parties.

Mr. MICA. Will the gentleman yield?

Mr. GINGRICH. I will be glad to yield to the distinguished chairman.

Mr. MICA. Would the gentleman explain again? I hope I did not miss this, but are the provisions for funding removed from this?

Mr. GINGRICH. It is our understanding in the amendment as the committee will adopt it, in the initial offering I had provided for money, but as I understand it the committee is willing to accept an amendment that provides that the Secretary of State needs to find the funding within his aggregate authorization rather than adding new money.

Mr. MICA. It does not designate the amount of funding?

Mr. GINGRICH. No. The amendment as offered would not designate an amount of money.

Mr. MICA. I must say that I understand the gentleman's concern. The only concern that both minority and majority raised on this amendment was to put this type of funding in a bill where we have cut so much, if a study can be conducted with available resources and we do not designate an amount, then we would have no objection.

Mr. GINGRICH. Let me just say, if I might for a second, it is my belief, looking at for example the number of senior Foreign Service officers who are available in Washington right now, and looking at the number of agencies in this country that I think would be willing to, if necessary, donate senior staff, that it should be possible to establish this kind of commission in each of these two topics and very profitably have them report.

Ms. SNOWE. Will the gentleman yield?

Mr. GINGRICH. I would be glad to yield to the gentlewoman from Maine.

Ms. SNOWE. I support the gentleman's amendment. As the gentleman from Florida [Mr. MICA] indicated, we did have some concerns about requiring additional appropriations. But if it could become an internal function of the State Department then I would support the gentleman's amendment.

Mr. GINGRICH. Mr. Chairman, I would ask unanimous consent that the committee staff be allowed to revise the two specific versions I put up here to ensure, I know there is a copy, that technically it has the right language, and I would want that to be the copy for the official printing.

The CHAIRMAN. Will the gentleman from Georgia [Mr. GINGRICH] kindly restate his unanimous consent request?

Mr. GINGRICH. My unanimous-consent request was that the copies of the amendment submitted for the official RECORD be those approved by committee staff as being worded technically correctly to ensure that they do not exceed the authorization and that they not add new moneys.

The CHAIRMAN. The Chair is unable to entertain the request without the specific language of a modification being present at the desk.

Would the gentleman from Georgia [Mr. GINGRICH] withdraw his request for the moment?

Mr. GINGRICH. Mr. Chairman, I would be glad to withdraw my request.

Mr. WEISS. Will the gentleman yield?

Mr. GINGRICH. I will be glad to yield to the gentleman from New York.

Mr. WEISS. I thank the gentleman for yielding.

Would the gentleman please advise as to whether he has discussed this matter with the Department of State and what the Department's position on the amendment is?

Mr. GINGRICH. I have discussed it with some people.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. GINGRICH] has expired.

(On request of Mr. WEISS and by unanimous consent Mr. GINGRICH was allowed to proceed for 2 additional minutes.)

Mr. GINGRICH. I have discussed it with some people in the State Department.

Frankly, their position was that if there was additional money they were happy. So they think it is a useful topic and something worth pursuing. I suspect that without the additional money they will be less happy, but I happen to agree with the chairman of the subcommittee who has done a fine job of trying to bring this in under budget and I think it is better for the Secretary of State to find a way to remanage his resources.

Mr. WEISS. If the gentleman will yield further, am I to understand his response as being that he has not discussed this matter with the Secretary of State and that the Secretary of State has taken no position on the amendment as it is presently offered?

Mr. GINGRICH. That is correct.

Mr. WEISS. But that as it was originally, initially offered, the Secretary of State would have supported additional funding?

Mr. GINGRICH. No, I did not talk directly with the Secretary of State, but I did talk with people both in the committee and the State Department who accepted the principle of the two commissions, but would prefer that there would be additional funding. They accepted the principle, that it is well worth our looking at both Soviet disinformation systems, and it is well worth our looking at Leninism.

Mr. WEISS. Would the gentleman yield further?

Mr. MICA. Will the gentleman yield?

Mr. GINGRICH. If I might yield first to the chairman of the committee.

Mr. MICA. I would like to explain to the gentleman that apparently a difficulty has arisen. The amendment the gentleman filed at the desk does contain the money. I think it would be appropriate, if I understand the parliamentary situation, if the gentleman ask unanimous consent to withdraw those and submit the corrected amendments at this time.

Mr. GINGRICH. I will be glad to ask unanimous consent to withdraw the version initially submitted and to submit the technically corrected versions as revised by the committee staff, which I believe are available.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The amendments are withdrawn.

AMENDMENTS OFFERED BY MR. GINGRICH

Mr. GINGRICH. Mr. Chairman, I now offer amendments as revised.

The Clerk read as follows:

Amendments offered by Mr. GINGRICH: Page 28, after line 25, insert the following new section:

SEC. 128. SOVIET AND COMMUNIST DISINFORMATION AND PRESS MANIPULATION.

(a) ESTABLISHMENT OF COMMISSION.—In order to determine the advisability of establishing, within the Department of State, a permanent office of Soviet and communist disinformation and press manipulation and to provide information to the public on the issue, the President shall establish a commission to investigate the extent of Soviet and communist disinformation and press manipulation with respect to the United States.

(b) MEMBERSHIP.—The commission shall consist of nine members appointed by the President, three of whom shall be journalists, three of whom shall be academics, and three of whom shall be officers or employees of the executive branch of the Government.

(c) REPORT.—Not later than December 31, 1986, the commission shall report to the President and the American people on the results of its study. The report shall include a recommendation on the advisability of establishing, within the Department of State, a permanent office of Soviet and communist disinformation and press manipulation.

(d) DISSEMINATION OF REPORT.—In order to ensure public access to its report, the commission shall distribute copies of that report to schools, libraries, and other appropriate recipients.

(e) FUNDING.—Amounts authorized to be appropriated for "Administration of Foreign

Affairs" by section 102(1) may be made available by the Secretary of State to the commission for its expenses in carrying out this section.

Page 28, after line 25, insert the following new section:

SEC. 128. SOVIET AND INTERNATIONAL COMMUNIST BEHAVIOR.

(a) ESTABLISHMENT OF COMMISSION.—In order to determine the advisability of establishing, within the Department of State, a permanent office to study Soviet and international communist behavior that violate the concepts of national sovereignty and peace between nations and to provide information to the public on the issue, the President shall establish a commission to investigate the nature of Leninism and the degree to which Leninist parties and Leninist governments systematically develop low intensity conflict activities, including international subversion, terrorism, and guerrilla warfare across national boundaries without a declaration of war.

(b) MEMBERSHIP.—The commission shall consist of 9 members appointed by the President, 3 of whom shall be journalists, 3 of whom shall be academics, and 3 of whom shall be officers or employees of the executive branch of the Government.

(c) REPORT.—Not later than December 31, 1986, the commission shall report the results of its study to the President and the American people. The report shall include a recommendation on the advisability of establishing, within the Department of State, a permanent office to study Soviet and international communist behavior that violate the concepts of national sovereignty and peace between nations.

(d) DISSEMINATION OF REPORT.—In order to ensure public access to its report, the commission shall distribute copies of that report to schools, libraries, and other appropriate recipients.

(e) FUNDING.—Amounts authorized to be appropriated for "Administration of Foreign Affairs" by section 102(1) may be made available by the Secretary of State to the commission for its expenses in carrying out this section.

Mr. MICA (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I yield to the distinguished chairman of the subcommittee.

Mr. MICA. I would just like to point out to the gentleman, although we share some of the same concerns, when this amendment came to our attention we had been looking at alternatives to address this problem. Certainly the way we are proceeding now, without the funding, would be acceptable. But I would like to draw the gentleman's attention to the situation that occurs at the USIA where similar work is being done. However, because of U.S. prohibitions it cannot be released at home.

The committee has indicated, and I have discussed this with the minority, that we may look at possible free standing legislation, if indeed it is appropriate, which would allow this particular work to be disseminated regarding this subject here at home on a permanent basis.

Now we cannot give a commitment as to how we would act on it. But in looking to address this without spending additional funds and where there might be duplication, we have come up with this thought and we will pursue it.

□ 1610

Mr. GINGRICH. I want to thank the chairman [Mr. MICA] and commend him because frankly if we can find a permanent solution like that then it is possible this kind of commission would lead to that proposal, I would be very honored to cosponsor that kind of legislative change.

Mr. WEISS. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from New York.

Mr. WEISS. I thank the gentleman for yielding.

Mr. Chairman, I want to inquire for the record if the gentleman could tell us with whom in the State Department he discussed this subject?

Mr. GINGRICH. We discussed it with a number of people largely in the Office of Central American Affairs.

Also I will say to the gentleman I have talked off the record, and I do not have—if the gentleman is asking do I technically have the official approval of this administration for these amendments, the answer is no.

Mr. WEISS. I thank the gentleman. I was seeking to get clarification of that point.

Mr. GINGRICH. Thank you.

What I did do, I will say to the gentleman, is I specifically asked down there: "If you are a typical citizen could you find this information, where could you find it?" And I further said, "Would the State Department have any objection to this amendment?" And the answer was "Frankly, we much prefer it would be in an additional authorization" but I accept the chairman's position and the gentlewoman's position as ranking Republican, that they are trying to hold the entire bill under the authorization limit and they are trying to get the Secretary to manage his resources wisely.

Mr. DORGAN of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from North Dakota.

Mr. DORGAN of North Dakota. I thank the gentleman for yielding.

Mr. Chairman, I do not have any specific problem with the gentleman's suggestion that the information he seeks is probably useful. The first amendment, as I listened to him describe it, seemd to me to be creating a commission that would gather some information that I would have normally thought would have been gathered routinely by the State Department and, if significant, dispensed routinely to those who might want to see it.

Could the gentleman describe why it is necessary to create a commission to get at that?

Mr. GINGRICH. Yes; I think there is some controversy frankly in the American intellectual news media community over the degree to which the Soviet Union and its allies systematically engage in disinformation and in press manipulation.

There is one wing of the news media community and of the academic community that argues there is a very widespread systematic and sophisticated disinformation program.

There is another wing which says well it is really not very important and it really does not do very much.

I think it is important that we establish a historic record that it is relatively easy for either a private citizen or an academic community member or a member of the news media to determine, whether it is as the chairman suggests the USIA or the State Department, and to routinely have access to regular reports on what is happening, what is the historical evidence and what have we learned about both our own susceptibility to disinformation and the Soviet propensity to do that.

So that is the framework. It comes out of a combination of intellectual studies on disinformation, specific examples also. For example, there was a forgery in early 1981 that is now widely regarded as a KGB dissemination effort. It also come from the Grenada papers in which there are fairly specific references to the systematic manipulation of the American news media.

So my thought was simply that a commission composed of, as I said earlier, three people from the news media, three academics, and three people from the executive branch, to look in and report back in the next year on whether or not we need a permanent process of educating ourselves, was an important first step toward this. And the gentleman is correct, there are random places that study this. If you go in as a Member of Congress you can find the right people. I suspect if you went in as an average newspaper reporter or an average citizen, you would find it very difficult to get an adequate briefing on this material.

I thank the chairman very much for accepting this.

Mr. WEISS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have no specific problem with the substantive aim of the legislation, the proposed amend-

ment. It seems to me that in all likelihood that kind of information, as a matter or routine, should be collected and probably is being collected.

The problem I have is with the process. As the gentleman from Georgia was good enough to indicate during the course of our colloquy, the State Department officially has not only taken no position on this proposal, it has not even been given an opportunity to take a position on this proposal.

Now it seems to me that the appropriate process would provide that when you have something such as this matter coming forward that you would have occasion to have the appropriate subcommittee, the subcommittee on which I serve, be given the chance to conduct some hearings or at least some discussions with official representatives of the State Department to determine whether in fact: First, the Department feels that it it important and essential that this information be collected; and second, whether in fact that information is or is not being collected already by the Department or some other agency of Government.

We are in the process right now of discussing a budget deficit of some $225 billion. Even though there is no specific moneys involved in these particular proposals, if in fact there are State Department or other governmental personnel whose time is going to be taken, those people get paid by the Federal Government. It seems to me that we ought to be concerned about the possibility of duplication. Certainly the matter, as important as it may be from the perspective of the gentleman from Georgia [Mr. GINGRICH] or any of us, is not of such immediate urgency that we should bypass the normal processes of the committee and of the House.

Therefore I would suggest that on the basis of process alone the gentleman ought not to press this, especially since the distinguished chairman of the sucommittee has already indicated that he would like to really explore this in the State Department or see whether in fact there is or is not this information available. The question is, How do you provide for dissemination of the information?

Mr. GINGRICH. Mr. Chairman, will the gentleman yield?

Mr. WEISS. I yield to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. I appreciate the gentleman yielding.

Let me just reassure the gentleman that in the conversation that I had earlier with the chairman, and I think this gentleman, as a student of the State Department, would agree there are more than enough senior Foreign Service officers on detached service in Washington at any given time that three of them could be deputized to each of the two commissions. There are more than enough sophisticated news media personnel in the city who I think as a matter of patriotism would be interested at very deep levels in serving on such a commission.

There are more than enough intellectuals that fit into the academic description of these two reports.

I am willing to report to the gentleman that I think with all the different things going on around the planet, with things such as the debate we are having on a variety of topics, that having asked that only as a first step we establish a commission, not asking for a permanent structure, that it would be imprudent to wait an additional year on each of these topics.

I can assure the gentleman that as a former history teacher I have checked and I am quite confident and am willing to assert to this House that on these two topics we very badly need to have a better structure in the Government to make it easier for the American citizenry and American news media to reach this information.

Mr. Chairman, I thank the gentleman very much for yielding me this time.

Mr. WEISS. I have been pleased to yield to the gentleman.

I must say as I read the summarization of the second amendment:

> To investigate the nature of Leninism and the degree to which Leninist parties and Leninist governments systematically develop low-intensity conflict activities, including international subversion, terrorism, and guerrilla warfare.

I would be astounded, I would be astounded if the Central Intelligence Agency, the Defense Intelligence Agency, and any number of other security agencies of this Government are not already developing that information as a matter of regular course.

Mr. VENTO. Mr. Chairman, will the gentleman yield to me?

Mr. WEISS. I would be delighted to yield to my colleague.

Mr. VENTO. I thank the gentleman for yielding.

Mr. Chairman, I have listened to this and I guess it is going to be accepted, but I would hope that the subcommittee would evaluate it. What this amendment says on the face of it to me, and I do not know otherwise, is that the private exchange of information in the various news media capacity, both print and television and radio and so forth, does not have a historic memory or institutional memory that they can keep track of what is going on in terms of the Soviet Union, that somehow the National Government, our National Government has to set up a commission with people appointed from the academic world, people from the State Department and so forth to actually keep this institutional record of what is going on.

The CHAIRMAN. The time of the gentleman from New York [Mr. WEISS] has expired.

(By unanimous consent Mr. WEISS was allowed to proceed for 2 additional minutes.)

Mr. VENTO. Mr. Chairman, will the gentleman continue to yield?

Mr. WEISS. I yield to my colleague.

Mr. VENTO. I thank the gentleman for yielding further.

So I think we should become very concerned about this. I think there is a responsibility that we do keep accurate information for our purposes in terms of diplomacy, in terms of our intelligence gathering, our military activities. But I question the fact that we are fostering and doing this now or propose to do it for the consumption of the free press in this country and in Western democracies. There is a question with regard to the reliability of the information and so forth, I understand. But I am very concerned about this that somehow we think we can frame this information in such a way so that I think it would be in the final analysis somewhat of a statement that is sort of arrogant with regard to the ability of the free press in this country and in the Western World to properly interpret information of what is going on.

□ 1620

So, I think I have some concerns here, and I hope that the subcommittee will consider the concerns of the gentleman from New York and myself.

Mr. WEISS. I am pleased to yield to my distinguished friend from California.

Mr. LAGOMARSINO. I thank the gentleman for yielding to me. I am impressed by the fact that the gentleman seems to be concerned about what the State Department thinks about this amendment. I had not noticed that concern on his part before, particularly.

Mr. WEISS. If the gentleman will allow me to, and I will yield back to him again.

Now, it just seems to me that that kind of comment is really out of line. I asked a legitimate question of the gentleman from Georgia, which he legitimately responded to.

Now whether in fact the gentleman agrees with the State Department's position, that is, the gentleman from Georgia, or I agree with the State Department's position is one thing.

The question was, Had the State Department been consulted? And the answer was that in fact it had not been officially consulted.

I am pleased to yield to the gentleman once again.

Mr. LAGOMARSINO. I would think the gentleman would support this amendment, in that what it seeks to do, as I understand it, is to provide information on which we and the American people can act or react to.

(On request of Mr. LAGOMARSINO and by unanimous consent, Mr. WEISS was allowed to proceed for 1 additional minute.)

Mr. WEISS. I would be pleased to yield to my colleague once again.

Mr. LAGOMARSINO. We have debates almost daily it seems about what our policy is and what it should be, and there is a lot of criticism, that you hear from time to time, that our policy in certain areas is only military; that we should be battling with ideas.

Well, I think this is perhaps a very good place where we can accumulate information for that battle, and I would agree with those who say we should face the Soviets and others in the arena of world opinion.

Mr. WEISS. Would my colleague from California not agree with me that in all likelihood, the question of subversion, terrorism, and guerrilla warfare by Leninist parties and governments is not already collected by the various intelligence agencies of the Government?

Mr. LAGOMARSINO. Yes. Most of that is classified, however.

Mr. WEISS. Right.

Mr. BURTON of Indiana. Mr. Chairman, I rise to strike the last word.

The gentleman from New York, and I serve on the Committee on Foreign Affairs, we recently in the Western Hemisphere Subcommittee had a report presented to us regarding human rights violations in Central America.

To my mind, it was a classic example of disinformation, and had it not been for somebody bringing to many members of the committee's attention at the last minute, the origin of this report, we might not have found out that it was paid for at least in large part by the Communist Sandinista Government of Nicaragua.

This report was commissioned by a law firm in Washington, DC. called Reichler & Applebaum. This firm received the equivalent last year of about $320,000 in legal fees from the Communist Nicaraguan Sandinista government.

They sent, from Reichler & Applebaum, a group of people down to Nicaragua to do a human rights study to point out that the majority of the human rights violations were being perpetrated upon the people of that country by the freedom fighters.

Well, they went down and they were housed, they were transported, their food was provided by the Communist Sandinista government. They came back with a report that was in favor of the Communist Sandinista government and against the freedom fighters, and said that the freedom fighters were perpetrating all kinds of atrocities upon the people of Nicaragua.

To verify this report, to make sure they would distance themselves from it, Reichler & Applebaum then commissioned a second group to go down and verify what the first group did. The second group contained a lawyer from Washington, DC, and obviously he came back and verified what the first report said.

Now this gentleman came back, and one of our colleagues on the Foreign Affairs Committee had a news conference, and at that news conference, the Washington Office on Latin America, signing on to this report and publishing it, they had a big, lavish press conference and at this press conference they pointed out all the atrocities that had been perpetrated upon the people of Nicaragua by the freedom fighters.

This received national publicity; it was on I think CBS Television, Dan Rather's report, for about 2½ minutes. The people of the United States received, in my view, a bunch of Communist disinformation, designed to make the freedom fighters look like the bad guys, while the Communist Sandinista government look like the good guys.

Now that, my friends, is disinformation in my view. I think Congressman GINGRICH's amendment deserves our attention, because the Communists are masters at disinformation and misleading the American people so that they can achieve their goals in our hemisphere.

This is but one example that I am citing today. I think that this amendment deserves our serious consideration, and I urge you to support it.

Mr. RUDD. Will the gentleman yield?

Mr. BURTON of Indiana. I will be glad to yield to my colleague from Arizona.

Mr. RUDD. On the front page this morning you probably noticed that the Sandinista government has pinpointed its propaganda machine toward the Congress again.

The point is that it appears from everything that is going on that they have a tremendous propaganda machine and a lobbying group that comes right into the Congress of the United States.

When they offer to send 100 Cubans home, everybody seems to be delighted, and it looks like there is peace in our time. I wonder if this, what you are talking about here, is not the basis for that propaganda effort that is made here in Washington, DC, not only on this instance but day after day, which convinces the people here that the Sandinistas are on the right track and that they are good and pure, and that the freedom fighters are bad.

Mr. BURTON of Indiana. I think my colleague makes a good point. We know there are between 6,000 and 8,000 foreign troops and individuals down in Nicaragua right now whose sole purpose is to help the Communist Sandinista government stay in power and to subvert those countries that adjoin it, like El Salvador and Honduras and Guatemala.

This disinformation takes many forms, and I think you point out a valid case in point. They are sending 100 Cubans home when they have several thousand there, and it really is not making a dent in what is going on, and yet the American people are led to believe that they are taking a giant step toward conciliatory action on the part of the Sandinista government.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Georgia [Mr. GINGRICH].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. LUNGREN

Mr. LUNGREN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUNGREN: Page 6, strike out line 1 and all that follows through line 22, and insert in lieu thereof the following new section:

SEC. 108. LIMITATIONS ON USE OF MIGRATION AND REFUGEE ASSISTANCE FUNDS.

Of the amounts authorized to be appropriated for "Migration and Refugee Assistance" under section 101(4), not more than $2,000,000 for the fiscal year 1986 and not more than $2,000,000 for the fiscal year 1987 may be used for enhanced reception and placement services.

Mr. LUNGREN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LUNGREN. Mr. Chairman, this is a simple amendment. It seeks to eliminate section 108(A) of this bill which, unintended result, I think, would have been to deny those of us on the Judiciary Committee in this House the flexibility to reduce what are totally unacceptable welfare dependency rates among the refugee population.

Unfortunately, as we established the refugee program to assist those who had fled what occurred in Southeast Asia, we made a decision to try and not duplicate the already-existing spending mechanisms or beneficiary mechanisms, and as an unintended result, we have exposed those who come here almost as their first exposure to the welfare system.

□ 1630

For this reason, and others, we have had a welfare dependency rate that is astronomical, particularly when you realize what population we are talking about, a population of people who are basically family oriented, work oriented, goal oriented, and certainly not coming here with a predisposition toward welfare. Unfortunately, at the present time, nationally, for those who

are, as they call, time eligible, that is, who have arrived in the United States within the first 3 years, their welfare dependency rate at present is 53.8 percent. In my home State of California, unfortunately, where 40 percent of the total refugee population now resides, unfortunately the dependency rate there is 85.4 percent of those people within the first 3 years of having been here in the United States.

There is a host of problems that these people face, but there is no reason why we should increase the problems that they face when they come here. As a result, those of us on the Immigration Subcommittee, those of us on the full Committee on the Judiciary, have tried to work with the voluntary agencies in order to promote some sort of understanding among ourselves, that is, with the voluntary agencies, with the State and local governments, with the Federal Government, as well, to try and move these people in a manner which will not make welfare so enticing and in fact will not make welfare dependency almost a mark of how you become acculturated to the American experience.

As I said before, that was not the intention of the Congress or this administration or previous administrations. In fact, we acted out of a spirit of help for these people, also out of a spirit of saving money by not duplicating already existing systems. And, unfortunately, as I said, we have had this welfare dependency result.

I believe that the excision of this section of the bill will result in an ability for us to work. I might say that just within the last week I have reached an understanding with the voluntary agencies, with their umbrella organization, as to proper language that we adopted in the refugee authorization bill just this week, which I think will go a long way toward solving the problems that I know we all wish to solve.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. LUNGREN. I yield to the gentlewoman from Maine.

Ms. SNOWE. I want to thank the gentleman for his amendment because in no way is it the intent of the committee to preclude the possibility of future consideration of his amendment that is under consideration by the Judiciary Committee which would expand the refugee resettlement from 30 to 90 days.

I would hope that the pilot program that is included in our bill before the committee today would help us in determining the basis for the 90-day period, with the enhancement of placement and reception services, and how the State Department's program would interface with the Department of Health and Human Services Office of Refugee Resettlement.

So I think it will give us a basis for understanding but at the same time I would hope that we could work with the gentleman in the consideration of his legislation because the gentleman's thrust is correct, we need to do everything we can to prevent refugees becoming welfare dependent. So the gentleman's concern is a legitimate one. I support him in his endeavors now and in the future.

Mr. LUNGREN. I thank the gentlewoman.

Mr. MICA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to take just a few moments on this amendment, hopefully, not too much time, to say that I do have no objection with the striking of 108, section (a).

We had designed that, hopefully, to address the situation that was occurring in other committees. We did not mean to create a problem. However, that problem has long since passed us by, and this does not create any concerns for us.

Yet I would like to express some concern over 108(b), which is not amended by this amendment but would have a $2 million cap on additional funding for testing new models for refugee resettlement. My concern is this: I have no problem allowing for testing and new approaches in handling this refugee problem, and in fact I would commend the gentleman and the Judiciary Committee and other committees of the Congress who are doing everything they can to find better ways to deal with the problem. But my own State of Florida, as well as States such as Texas and California, are very, very cautious about allowing or supporting legislation in this House or in the other body that might inadvertently put a greater burden on individual States. So that when we are talking about measures that might shift the legal responsibility for taking care of refugees away from the Federal Government—and, my friends, it is a Federal responsibility—when we are talking about shifting that to a voluntary agency and in any way saying they would be legally and financially responsible and we, the Federal Government, wash our hands of it, I disagree with that. I would, if amendments come forward on other legislation, oppose very vocally that type of approach.

So I will accept this amendment. The majority would accept this amendment. But I did want to express the concern that any move that would say in any way that the Federal Government is not responsible is not only counter to my feeling but counter to the feeling of most Americans.

Mr. LUNGREN. Mr. Chairman, will the gentleman yield on that point?

Mr. MICA. I yield to the gentleman from California.

Mr. LUNGREN. For the gentleman's information, the language that I have worked out with the voluntary agencies with respect to that point eliminates the words "legally and financially responsible."

I think those words are misinterpreted as they appeared in the original Lungren amendment in the last Congress in the Refugee Act. It was never my intention to take the Federal Government off the hook. It was, rather, to say that since the Federal Government is going to pay one way or the other, either through voluntary agencies or the reimbursement that now exists during the 3-year time period for a number of programs and beyond that for other programs, would it not be better to channel those funds to the resettlement program through the voluntary agencies, as opposed to funneling them through the welfare, because one of the things we have found is if you take a refugee landing on our shores and say to him or to her, "In order to be eligible for the assistance that we want through the refugee program, you have to go down to your local welfare department," and then the local welfare worker, acting in all sincerity, says, "By the way, you have these other rights, these other programs that you can get," when that person goes back to the voluntary agency and the voluntary agency says, "We have set up a program to start you on a work schedule, we will help you get a job over here and that will begin you on the path toward meaningful employment," and they get a discordant signal from the local welfare office, we defeat our purpose.

It was never my intention whatsoever to say that the obligation would fall on local government. It was to say since we are paying one way or the other, what is No. 1, more efficient for the Government, and No. 2, probably more importantly, what is the more effective way of assisting these now welfare recipients, these refugees, toward getting into the mainstream of America, which I do not believe and I know the chairman does not believe is welfare dependency.

So I agree with the comments of the chairman, and I just want to reiterate that it was never my intention to take the Federal Government off of the hook in this regard.

Mr. MAZZOLI. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Kentucky.

Mr. MAZZOLI. I thank the gentleman for yielding. And while my friend, the gentleman from California [Mr. LUNGREN] is still here, let me take a moment to commend him for the excellent work he has done as the ranking minority member on the subcommittee. As the gentleman from California knows, and since he is from

California, a very heavily affected State, as the chairman's State of Florida, it is very difficult for the gentleman to sometimes deal with these problems because of the obvious push and pull and the pressures.

The CHAIRMAN. The time of the gentleman from Florida [Mr. MICA] has expired.

(At the request of Mr. MAZZOLI and by unanimous consent, Mr. MICA was allowed to proceed for 30 additional seconds.)

Mr. MAZZOLI. If the gentleman will yield further, I just simply wish to say that I think the gentleman has really done yeoman services in establishing the original Lungren amendment and the follow-ons to it, which I think will help get the refugees off welfare, and, hopefully, not on it, in the first place.

Mr. MICA. I yield back the balance of my time.

Mr. MAZZOLI. Mr. Chairman, I move to strike the requisite number of words for the purpose of engaging our chairman in a brief colloquy.

Mr. Chairman, it is my understanding that this legislation calls for one additional State Department position to monitor the Department's reception and placement grants provided to voluntary agencies who resettle refugees. This reception and placement officer, as I understand it, would bring the total complement to four permanent officers who would be devoting full time to monitoring and evaluating the performance of voluntary agencies in resettling refugees under this grant. Can the gentleman from Florida, our chairman, advise me whether my understanding is correct?

Mr. MICA. The gentleman is absolutely correct and the bill now under consideration would call for one additional reception and placement officer in the Bureau of Refugee Programs.

Mr. MAZZOLI. As the gentleman may know, under the authority of the Refugee Act of 1980, as amended, the Judiciary Committee has closely monitored the activities of the voluntary agencies [volags] as they carry out their responsibility for resettling refugees under that act I have closely followed the volag's activities and can state that progress indeed has been made, partially in response to legislative requirements under the Refugee Act. However, I continue to believe that the State Department must carefully monitor these R&P funds, reception and placement funds, which under this bill is $42.8 million. I believe that there must be an increase in the number of full-time, permanent positions in the Refugee Bureau hired to oversee R&P grants. Until this happens, can the chairman assure me as to his committee's intention with regard to staffing for this purpose and whether the chairman and his distinguished subcommittee will support efforts to assure that adequate personnel in the State Department will be made available so that these grants can be administered more effectively and efficiently?

Mr. MICA. Let me fully assure, if I may, the gentleman from Kentucky that our committee does share his concerns. We have discussed these with regard to the administration of R&P grants and the accountability of the voluntary agencies. It is a concern that I personally share. The committee intends that adequate personnel be provided for the purpose of monitoring voluntary agencies' performance under the State Department's reception and placement grants. I assure the gentleman that I will work in an effort to make certain that the State Department provide adequate personnel for this purpose.

Again, let me state that I share the gentleman's concern and will certainly work with him in monitoring this program. I appreciate this point.

□ 1640

Mr. MAZZOLI. Let me salute the chairman on a job well done. Thank you very much.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. LUNGREN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COURTER

Mr. COURTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COURTER: Page 28, after line 25, insert the following:

SEC. 128 SOVIET EMPLOYEES AT UNITED STATES DIPLOMATIC AND CONSULAR MISSIONS IN THE SOVIET UNION.

(a) PROHIBITION ON EMPLOYMENT OF SOVIET CITIZENS.—After September 30, 1986, no citizen of the Soviet Union may be employed as a foreign national employee at United States diplomatic or consular missions in the Soviet Union.

(b) ADDITIONAL FUNDS TO HIRE UNITED STATES CITIZENS.—The Congress hereby expresses its willingness to provide additional funds to the Department of State for the expenses of employing United States citizens to replace Soviet citizens at United States diplomatic and consular missions in the Soviet Union.

Mr. COURTER. Mr. Chairman, I wanted the amendment read because it is a very short one, and a very simple one. I certainly have had the chance to talk to a number of people relative to the amendment.

The amendment is dictated by the fact that at the present time inside the Soviet Union there are anywhere between 200 and 230 Soviet employees working in our consulate in Leningrad and in our Embassy in Moscow. It would not be bad, I would not be here, if it was just another country. I would not be here if they were an ally; I would not be here, in fact, if they comported themselves as many other totalitarian countries do.

In my mind, and I think the minds of many people, this poses a totally unacceptable security risk for our Embassy. As you know, in embassies, there is a lot of conversation; there are friendships that are made; embassies deal with the confidential information. There is no doubt in the author's mind; I am sure there is no doubt in your mind that some of the Soviet personnel that in fact work in our embassies are agents of the KGB.

I am sure that some of you here have had the chance to read Arkady Schevchenko's book "Breaking With Moscow." In that book he indicates the fact that even Soviet diplomats, high-ranking diplomats, and he was the highest ranking diplomat at the United Nations in New York City. He was constantly followed by KGB agents during the entire time that he lived in the United States.

Everybody I think will concede, I believe that it will be stipulated, that some of the Soviet workers that indeed work inside our Embassy are KGB agents. I think we are placing our employees under a great deal of pressure in an environment where there are KGB agents walking around.

As a matter of fact, not long ago it was revealed that during probably the years 1982 to 1984, it was then later discovered that during that period of time, some of our typewriters were in fact bugged. That means the typewriter had a mechanism in it which would be able to determine which letter was being used. That information was relayed to a sensor inside the wall inside the U.S. Embassy, and therefore what was written on those secured typewriters would therefore be channeled and directed to KGB agents outside the Embassy.

Getting the bug inside the wall would require a plasterer, a laborer, a workman inside the Embassy that was obviously a KGB agent that planted the bug itself. It was determined not long ago, I think about a year ago, that the telephone operater that worked in our Embassy was a Soviet national; was a Soviet employee. Could you imagine being a dissident in the Soviet Union or an individual that was thinking asylum, calling up the U.S. Embassy, being greeting by the voice of a fellow citizen of the Soviet Union?

Auto mechanics are Soviet citizens. Drivers for example. It is my understanding that not long ago the drivers of our automobiles over there that drove around our diplomats were Soviet citizens. What type of confidential conversation could you possibly have if you suspected that the driver of your vehicle was working for the Government of the Soviet Union?

How much confidence would Speaker TIP O'NEILL have driving around Washington, having confidential conversations with the majority leader if he knew the driver was a Soviet citizen and possibly an agent of the KGB?

That is the situation that is going on right now at our Embassy inside the Soviet Union. So my amendment simply banishes and prohibits Soviet citizens from working inside our consulate in Leningrad and our Embassy inside the Soviet Union.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. COURTER. I yield to the gentlewoman.

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, I want to thank the gentleman for his amendment because I believe that his amendment raises some very valid concerns regarding the practice of employing Soviet nationals in our Embassy and our consulate in the Soviet Union.

I have no problem with the usual practice of hiring foreign nationals in our Embassies, but I think the situation in the Soviet Union is far from usual. For the past few decades, for example, the security threat to our Embassy and consulate in the Soviet Union has been constant and unmatched elsewhere in other parts of the world.

As the gentleman has indicated through his illustration of the bugging of the typewriters, I think it is a prime example.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. COURTER] has expired.

(On request of Ms. SNOWE and by unanimous consent, Mr. COURTER was allowed to proceed for 2 additional minutes.)

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. COURTER. I continue to yield to the gentlewoman.

Ms. SNOWE. I thank the gentleman.

As the gentleman indicated thr ugh his illustration of the bugging o1 the typewriters, I think it is a prime example of the problems we are facing in our Embassy and Consulate where we do hire Soviet nationals.

I know that the solution that the gentleman is proposing might add additional expenditures, but I do think it is an expense that we can afford because we cannot afford, in my opinion, to accept the status quo. The fact is that at the Soviet Embassy here in this country, they do not employ other nationals; they do not employ Americans.

So I think that we should follow, for once, the Soviet lead and to end this dangerous disparity. So the gentleman raises, in my opinion, a very valid and legitimate point with his amendment, and one that should be accepted by the House.

Mr. COURTER. I thank the gentlewoman for her contribution.

I yield to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I thank the gentleman for yielding to me.

Mr. Chairman, I want to commend the gentleman on his amendment. A little while ago we were debating my amendment which quoted Arkady Shevchenko and some of the remarks that he has made in his book that he has made to Members of this Congress. He reported that when he was the Undersecretary General for Political and Security Council Affairs at the U.N., that some 7 of the 13 Russians that he supervised in the Secretariat were operatives of either the KGB or the GRU, the Soviet Military Intelligence. If you can expect that in the U.N., what can you expect with 230 or whatever was mentioned employees? I assume that these employees are not just truck drivers or chauffeurs or whatever, that they actually work inside the U.N. and the Embassy as well. Is that correct?

□ 1650

Mr. COURTER. That is correct. Many of them physically work inside the embassy itself.

Mr. SOLOMON. I would just like to point one thing out.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. COURTER] has expired.

(On request of Mr. SOLOMON and by unanimous consent, Mr. COURTER was allowed to proceed for 3 additional minutes.)

Mr. SOLOMON. In supporting the gentleman's amendment, we are going to have graduating from our colleges and our universities across the country in the next 2 or 3 weeks hundreds of thousands of young men and women, many of whom have put in applications already to the Foreign Service to serve in capacities very similar to this. When people scoff and say there is no chance that there could be any spying going on in our embassies in the Soviet Union and elsewhere, let me tell you that just is not the truth.

I think we would not be doing ourselves a favor as far as national security is concerned, but we might even be helping the young people in this country, many of whom would love a job like. Sure, it is difficult when perhaps a family man has to go with his wife and children to live in the Soviet Union, in Moscow, but it does not have to be a family man. It can be younger people, too, to serve in those capacities.

I think we ought to adopt the gentleman's amendment. At least it would give us time to talk about this in conference with the Senate, and maybe even refine the amendment a little bit more. It is a very good amendment, and I support it 100 percent.

Mr. COURTER. I thank the gentleman.

Mr. McEWEN. Mr. Chairman, will the gentleman yield?

Mr. COURTER. I yield to the gentleman from Ohio.

Mr. McEWEN. I thank the gentleman for yielding, and I appreciate his yielding for this reason: That I would just like to augment the example that he used, and that is the transmitter that was placed within the very mechanism of the typewriters. That hollowed bar that had the transmitter inserted operated on batteries that had to be replaced on a regular basis. It meant that the cleaning personnel or someone had to have access to the typewriter on a regular, ongoing basis.

As we know, from press accounts it was built into the typewriter in such a manner that even if the secure conversations could be protected, once those conversations were then transcribed, the private, secure conversations were transcribed through a transmitter that then went to the KGB reception facilities. That could only have been maintained on a constant, ongoing maintenance basis by having KGB personnel, whether they be gardeners, or whether they be light-bulb changers or waste-basket emptiers or whatever the terminology is, as to why it is beneficial for these KGB agents to be crawling around our Embassy.

I think it is a very good amendment and it should be supported. A simple rule of thumb would be to ask the Soviet Union how many American personnel it permits in its Soviet installation here in Washington, DC. You readily understand that they feel that it is important to them and it is a risk to their interest, to have American personnel in their embassies. It is a risk to our interest to have Soviet personnel in our Embassy in Moscow.

Mr. COURTER. I appreciate the gentleman's contribution.

Mr. Chairman, the answer to the gentleman's hypothetical question is the fact that they do not permit any Americans in their Embassy in the United States. They are well known for that. I might add that if you do have Soviet personnel in our Embassy, it is a massive counterintelligence burden that is placed on our people over there.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. COURTER] has again expired.

(On request of Mr. WEISS and by unanimous consent, Mr. COURTER was allowed to proceed for 1 additional minute.)

Mr. WEISS. Mr. Chairman, will the gentleman yield?

Mr. COURTER. I would be happy to yield to the gentleman from New York.

Mr. WEISS. I thank the gentleman for yielding.

Mr. Chairman, would the gentleman advise me as to whether he has consulted with the State Department on this matter and what the State Department's position is?

Mr. COURTER. It is my understanding that the State Department wants some refining in the language, to be perfectly honest with you. I am not sure precisely what that refining is.

Their sentiments are with me. They recognize the security breaks, but if your question is are they endorsing my amendment, they have not indicated any endorsement.

Mr. WEISS. I thank the gentleman.

Mr. MICA. Mr. Chairman, I rise to speak in opposition to the amendment.

Mr. Chairman, this is the first amendment on which we have not been able to work out an agreement on a bipartisan basis. I regret that, but let me just say, first, I totally agree with the gentleman's assessment that we have a security problem in Moscow. I must add as chairman with jurisdictions over embassies, that we have a security problem, in numerous embassies all over the world. We have agents and counteragents and agents on top of agents infiltrating our embassies throughout the world.

I would say that we would be happy to deal with this in a closed session of the committee in relation with the Foreign Missions Act and to try to work something out that we think would be effective in dealing with this matter. It is not easy to come to the floor and oppose an amendment that, in effect, says we do not want Soviet agents in our Embassy.

But what I have learned, and let me just share this, and I think Members should be alerted, there problably is going to be a vote on this. I was appointed by the President, this President, and Secreary Shultz to the Inman Commission on International Terrorism and Embassy Security. We have been having meetings for months now about this very problem. We recognize there is a very delicate situation here.

For instance, the types of Americans that we would have to commandeer to do the jobs that we would have to have done, such as custodians and janitors and chauffeurs to be sent to Russia for any length of time, some of our own intelligence people indicate could be more of a target to the Russians than the personnel we already have there resulting in a greater danger.

We know full well who these agents are. We have a pretty good idea of the whole gamut of this operation. The State Department indicated to the chairman, at any rate that they did not want an across-the-board amendment. They would love a sense of the Congress amendment because they agree with the idea that we have to do something and they agree with the idea that there is a problem. However, if we do it across the board, we may create more problems for ourselves. We are dealing with the other problem on the Inman Commission. It requires us to bring hundreds of new Americans into Russia and to place them into housing. How do we secure that housing? Then we are not just talking about bugs and about plants and about spies in the U.S. Embassy; we are talking about every house, every apartment, every facility, every automobile our Americans use. We expand the network. We expand the American presence to a point where our intelligence people have real concerns that we may be creating a bigger problem.

For 7 years I have consistently, supported every measure to tighten our intelligence community, to support our CIA, to try to make these efforts real and not just talk on the floor of the House. But I have real concerns that if we move in this direction right now with a flat law across the board on the books, we will, in effect, be creating problems.

I might just say that the Inman Commission I mentioned, is now talking, because of the sensitivity of this issue, of not producing one public report, but producing 2 or 3 reports, the first one being public and the others being classified, and highly classified at that. I wish it were appropriate and the time were available to bring all of the Members of the House together in secret session and discuss with them the very delicate problems of even trying to create a bubble in a secure situation in Geneva or in other areas where we have reviewed it, let alone an entire embassy.

So I agree with the gentleman in purpose. I agree with the gentleman in goal. But to add, without some real careful thinking, 200 or 300 new Americans and all of their housing and all of their facilities and eventually all of their families to the network that we are already trying to secure, I think would be an error.

So I do object to the amendment. I will oppose it and I would ask Members to oppose this. It is a very sensitive situation and one that should be dealt with at the highest levels of our intelligence community and our security community, in cooperation with the State Department, our military and diplomatic personnel, not an across-the-board amendment on the floor of the House. Let me tell you, the problem does not just stop.

The CHAIRMAN. The time of the gentleman from Florida [Mr. MICA] has again expired.

(On request of Mr. SMITH of Iowa and by unanimous consent, Mr. MICA was allowed to proceed for 3 additional minutes.)

Mr. MICA. The problem does not stop just in the Soviet Union. If we start this, and I think we need to start on some road to correct our security leaks everywhere. But if we start it in this fashion, this gentleman could list embassy after embassy where, if this were the cure, we would want to use it, and I do not think we would.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I thank the gentleman for yielding.

Mr. Chairman, we do have security problems, as you mentioned, all over the world, including the new facilities in Moscow, but I think it would be wrong to leave the impression here, as I think may be the case by the record, that these Russian employees, Russian citizens, are all over the embassy. They just are not. They are in certain places where there is not classified material. They just do not run all over the Embassy, and they are used in very specific ways.

The idea that the bugs have to have the batteries replaced is just simply not so. I am not going to get into a great discussion as to how it works, but that is just totally untrue.

Mr. MICA. I think the gentleman is correct.

Mr. SMITH of Iowa. I think we are raising specters here that do not exist. The objective is good, but the record does not reflect the situation in Moscow.

Mr. MICA. The gentleman is correct, and I might just add that it should be noted in the record that the Secretary of State is as concerned with this right now as any individual I know of.

□ 1700

They have already set forth a plan to improve Embassy security in Moscow and to reduce the number of Soviet employees, which I fully support and which the chairman of the committee has been encouraging.

I just simply say again, in looking at this in a very, very careful way, that the way we are approaching this could be much more hurtful to our intelligence needs than if we thought this out and did it in a more constructive way.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I thank the gentleman for yielding.

I was a little concerned about the remark the gentleman from Iowa [Mr. SMITH] just made on the bugging of typewriters and whether or not they were battery operated, whether that was true, because obviously the statement had already been made on the floor that that did occur.

Mr. SMITH of Iowa. Mr. Chairman, if the gentlewoman will yield, it is not true. They are not battery operated at all.

Ms. SNOWE. On what basis does the gentleman make that statement?

Mr. SMITH of Iowa. I have access to the total information the gentleman is talking about, and the gentleman has, too.

Mr. MICA. Mr. Chairman, if I may reclaim my time, let me say that this gentleman could cite numerous instances of bugging and of espionage activities, not only at the Moscow Embassy but at embassies around the world. As I indicated, I have been sitting on this commission, and I think they are doing an outstanding job. My only objection is the way this is broadbrushed.

The CHAIRMAN. The time of the gentleman from Florida [Mr. MICA] has expired.

(On request of Ms. SNOWE, and by unanimous consent, Mr. MICA was allowed to proceed for 2 additional minutes.)

Mr. MICA. Mr. Chairman, my only objection is certainly not to try to eliminate Soviet employees at our Embassy there or to addressing this intelligence problem, but aimed at the way we are doing it now. On the basis of the knowledge I think this gentleman has, that would be available to Members if they would attend some classified briefings on our situation, it could be more damaging than helpful by expanding the area that we would have to secure.

Ms. SNOWE. Mr. Chairman, I thank the gentleman, and I appreciate his comments.

Mr. MICA. Mr. Chairman, I yield back the balance of my time.

Mr. RUDD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to commend the gentleman from Florida [Mr. MICA] for his workmanlike statement, and it seems to make sense. But I cannot agree with him because if we were to have our own personnel over there, perhaps there would be a reduction of personnel in our Embassy, as well as a reduction in their personnel in their Embassy here.

It is true that around the world in all our Embassies we employ from two-thirds to three-fourths nationals in our Embassies to work in those Embassies. But I have to rise in support of the amendment. I know that our Nation was outraged, those who read about it in the 1950's, when it was discovered that a listening device had been placed in the Great Seal of the United States over the door of our Embassy in Moscow.

We have made serious errors. In building a new Embassy for ourselves, we are in a hole somewhere, but since 1950 no one has done anything about it. In the 1950's we granted permission to the Soviets to build their Embassy on high ground in our own city here. It seems like sheer idiocy that that could happen.

The Soviets employ no foreign nationals in any of their embassies anywhere in the world. Why should we employ their people in our facilities, in the facilities we use in Moscow? I cannot see really why we should, even though there might be some danger. But can we not trust our people? Can we not reduce our numbers to the point where they are manageable?

A few weeks ago we discovered something about the typewriters which had been kicked back and forth here having been implanted with so-called bugs, possibly as long ago as 1982, giving the Soviets an insight into most sensitive diplomatic communications and causing a very significant breach in security.

You can bet that any Soviet working in a U.S. Embassy has some connection with the KGB or he would not be or she would not be in our Embassy there, and they would provide whatever intelligence they might gather to the KGB on our activities there.

Remember that we are dealing with a nation that has already demonstrated a total lack of respect for humanity, shooting down an unarmed Korean aircraft, which also included a Member of this House as a passenger; the murder of a military liaison group member in Potsdam, including the typewriters that have been bugged. And here in the United States they have turned the United Nations into a forum for Soviet propaganda and a base for espionage activities throughout the United States.

We know from the former Under Secretary General for Political and Security Affairs at the United Nations, Arkady Shevchenko, who has been mentioned here before and who defected to the United States in 1978, that about a third of all Communist-bloc nationals in the U.N. Secretariat are officers of their respective secret police and are under the guidance of the KGB. I think that figure might even be low.

If the Soviets are willing to engage in all these things, they are no less capable of placing spies in support and maintenance staff positions in our Embassy. And in fact you can be very sure that is exactly what happens.

Our personnel already work under difficult conditions. Let us not make it easier for the Soviets to undermine U.S. security and interests by allowing Soviets to hold employment in our Embassy in Moscow.

Mr. Chairman, I urge adoption of the amendment.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. RUDD. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, it is a very difficult position for me to be in here because I cannot disagree with anything the gentleman has said. I know all that has been said, but I would simply add this:

President Reagan, Secretary Shultz, and our intelligence officers on the Inman panel are all working at this very moment on this problem in a way that, they feel, not only can solve the problem but assist us intelligencewise. I say to the gentleman that they feel that this approach is in error.

That is all that I can say because I agree with everything that is being attempted to be done on this floor today; I totally agree.

Mr. RUDD. Mr. Chairman, I respect the gentleman from Florida, as he well knows. But why not pass this amendment and hurry them along a little bit? We help them in all kind of other ways.

Mr. McEWEN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

I wish to just put a cap on my presentation in support of this amendment and just state again that there may have been some misunderstanding as to exactly what was discovered in the Soviet Embassy and in the typewriters involved. I wish to emphasize again that the type of transmitter that had been installed was of such a nature that it required maintenance, that is, replacement of the batteries. That created a major concern not only for our State Department but also for our intelligence community in particular, because of a threat that even though secured conservations were protected, if they were transcribed on a typewriter, the transcription was then placed in jeopardy. This sort of thing could place individuals at great risk.

I feel that there is no need to do this by having an unnecessary number of Soviet citizens at the Embassy. I believe that this amendment, while it may be strong and potent, nevertheless is appropriate in order to begin a prompt negotiation and resolution of the dilemma that is accentuated by the discussion we have had here today.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. COURTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. VENTO

Mr. VENTO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VENTO: Strike section 126 and insert the following:

SEC. 126. ESTABLISHMENT OF A TRAVEL ADVISORY ON THE STATE OF JALISCO, MEXICO.

(a) VIOLENCE AGAINST AMERICANS.—The Congress—

(1) deplores the brutal murder of Drug Enforcement Administration agent Enrique Camarena Salazar, and the abduction and disappearance of numerous other Americans, including John Clay Walker, Alberto Radelat, Dennis Carlson, Rose Carlson, Benjamin Mascarenas, and Patricia Mascarenas; and

(2) finds that the violence perpetrated by drug traffickers in Mexico constitute a danger to the safety of United States citizens living and traveling in the State of Jalisco, Mexico.

(b) TRAVEL ADVISORY.—The Congress, therefore, directs tne Secretary of State to issue a travel advisory warning United States citizens of the current dangers of traveling in the State of Jalisco, Mexico. Such travel advisory shall remain in effect until those responsible for the abduction or murder of any of the aforementioned United States citizens have been brought to trial and a verdict has been obtained.

Mr. VENTO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Chairman, I know that my colleagues are generally familiar with the facts surrounding the tragic kidnaping and murder of Enrique Camerena Salazar, a U.S. Drug Enforcement Administration agent who was killed in the line of duty earlier this year. Mr. Camarena was kidnaped in broad daylight on a streeet in Guadalajara, Mexico, only a few blocks from the U.S. Consulate. Mr. Camarena was a dedicated DEA agent who worked to stem the flow of illegal drugs into the United States from Mexico. I know that my colleagues share a common sense of outrage over the despicable kidnaping, torture, and murder of Mr. Camarena and his friend pilot, Mr. Zavala, who was also killed. I want to commend the subcommittee chairman, Mr. MICA, for his inclusion in this measure, a provision which directs the Department of State to issue a travel advisory. My amendment really attempts to perfect that initiative.

I wish to draw my colleagues' attention to the abductions and disappearances of at least six other American citizens from the area of Guadalajara, Mexico. One of these men is 36-year-old John Clay Walker of Roseville, MN; a Vietnam veteran and a father of two young children. Mr. Walker was living temporarily in Guadalajara and was writing a book when he and a companion, Alberto Radelat of Fort Worth, TX, were abducted and tortured in a restaurant in Guadalajara. It is believed that both men may have been killed shortly after their abduction although efforts by police and U.S. consular officials have thus far been unsuccessful in locating the whereabouts of their bodies.

In additon to Mr. Walker and Mr. Radelat, four other U.S. citizens have been the victims of violent abductions since December 1984. These persons include: Dennis and Rose Carlson of Redding, CA, and Benjamin and Patricia Mascarenas of Ely, NV. The Carlsons and the Mascarenases were working as Jehovah Witness missionaries in Guadalajara when they were abducted on December 2, 1984.

Mr. Chairman, I have followed the disappearance of my constituent John Walker for over 3 months now. Throughout this period, I know that Mr. Walker's wife, Eve, his mother, Florence, and the rest of his family have been persistently frustrated by the lack of credible progress in the investigation into his disappearance. John Walker's wife, Eve, has traveled to Guadalajara on several occasions and has met with our consular officials as well as the Mexican police. Mrs. Walker has even met with U.S. Ambassador to Mexico John Gavin to express her frustration about the lack of progress in this case. Mr. Speaker, I share that frustration which I know the Walker family has encountered as well as all of the other families of U.S. citizens who have recently disappeared in the Guadalajara area. It is clear that these are serious problems with the ability of the Mexican authorities to pursue these cases in an efficient and effective manner. Recently, in fact, a Guadalajara police officer who was involved in the investigation of Mr. Walker's disappearance, was himself arrested and charged with involvement in the kidnaping and murder of Mr. Camarena. Other police officers are also alleged to have been involved in that case as well.

When American citizens visit a foreign country, they expect to be protected by local police. When crimes are in fact committed against U.S. citizens in a foreign country, we must rely upon that country to vigorously and effectively pursue the case; through the stages of investigation, arrest, prosecution, and sentencing. When a foreign country cannot meet these obligations for one reason or another or chooses not to meet this obligation, then our government has a duty to our own citizens to advise them of serious problems which they may encounter or which they should be especially alert to.

It is well known that there has recently been an unusual level of criminal activity in the Guadalajara area; most of it associated with illegal drug trafficking. Clearly, the local Mexican authorities are dealing with a dangerous situation which has reached beyond their control. I am hopeful that President de la Madrid's recent call for a reorganization of his country's police forces will be carried out at the earliest opportunity. Meanwhile, however, I believe that it is important that we do what we can here to protect American citizens before they may become victims.

The amendment which I am introducing today to the State Department authorization bill directs the Secretary of State to issue a travel advisory for the State of Jalisco, Mexico because of the current dangers in that region. This amendment would maintain such a travel advisory until those responsible for any one of the abductions or murders of any of the six U.S. citizens which were mentioned earlier are brought to trial and a verdict is obtained. The current violence being perpetrated by drug traffickers in Guadalajara and the surrounding State of Jalisco is a danger to U.S. citizens who may live or visit this area. This problem must be corrected. I hope that the adoption of this amendment will make clear our sense of concern for these missing Americans in Mexico.

□ 1710

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I would be happy to yield to the chairman of the subcommittee.

Mr. MICA. Mr. Chairman, I would just like to tell the gentleman that we are prepared to accept this amendment on our side. We have reviewed the amendment. It does narrow the approach. It appears to be very thoughtfully worded and reflects the situation as it is. We understand the gentleman's concern. The committee has had a number of concerns brought to its attention by other Members of this body on the same subject.

Mr. VENTO. Mr. Chairman, I thank the gentleman.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I would be happy to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I thank the gentleman and I rise in support of the gentleman's amendment as well.

I strongly supported the provision that was currently in this legislation, but I have no problem with making it very specific to the State of Jalisco, particularly including the city of Guadalajara.

There is no question that we have a problem and we have an obligation and a responsibility of the Government to warn innocent Americans who are traveling to that country at this time, particularly because of the situation with the drug traffickers, particularly in more recent times with the murder of our drug enforcement agent, Mr. Camerena.

The gentleman suggested with reference to his own constituents, there is the disappearance of more than six Americans that are not accounted for in that country.

The situation is problematic in Mexico with respect to the lax enforcement of law enforcement officials at all levels of the Mexican Government.

With respect to the fact that they represent a danger to Americans traveling to Mexico, I think this is precisely the situation that a travel advisory

is designed to address, to warn Americans and provide the kind of information that is necessary.

Unfortunately, these are not isolated incidents, as has been the case, because most of the individuals who have disappeared have been mistaken for drug enforcement agents.

So I do think that we have a clear obligation to warn Americans who are traveling to that country, so I support the gentleman's amendment and I also would urge its adoption.

Mr. VENTO. Mr. Chairman, I thank the gentlewoman.

Mr. GILMAN. Mr. Chairman, would the gentleman yield?

Mr. VENTO. I would be happy to yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding.

I want to commend the gentleman from Minnesota for raising this issue. While many of us would have preferred to have a general travel advisory because of the problems in Mexico, we realize that most of the problems have been concentrated in the State of Jalisco, particularly this area where there has been so much violence that has been perpetrated by the drug traffickers.

I think it is important that we warn our U.S. citizens of the dangers and I hope that Mexico will recognize that this is a reaction by the Congress to a problem that has not been properly addressed by that nation. We hope that Mexico will address the problem in the future in a more effective manner.

I thank the gentleman for yielding.

Mr. VENTO. Mr. Chairman, I thank the gentleman.

I think the major point here is that we are nudging the State Department and the Mexican Government to recognize this important problem that Congress is concerned with.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I would be happy to yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I thank the gentleman for yielding and I just want to commend him for this amendment and say that I support the gentleman wholeheartedly.

Mr. VENTO. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. VENTO].

The amendment was agreed to.

● Mr. GRAY of Pennsylvania. Mr. Chairman, I am compelled to draw the attention of the House to an obscure provision of the State Department authorization bill before us today, which was struck in an amendment offered by the gentleman from New York. I commend the Committee on Foreign Affairs for agreeing to the amendment which I think maintains integrity in the congressional budget process.

Section 120 of H.R. 2068 created a trust fund by earmarking an existing revenue source to support an ongoing function of the Government. In this case, passport fees—long counted as part of the total general revenues and receipts of the Federal Government and available to fund all Government programs—would henceforth be segregated out of the general revenue pool and available specifically and only to fund the passport operations of the Government.

Now at first glance, you might question why this is something anyone should be concerned about. After all, isn't this pay-as-you-go in action? Isn't this action, taking the fees persons pay for passports and consular services and using them to fund the Passport Office's activities, a good idea? After all, we have all heard about user fees and the need to charge fees commensurate with the cost of providing special services used by narrow groups within the population.

The problem is that in recent years, the tendency has not been to go out and levy a new tax or increase an existing tax to fund closely identifiable services, but rather simply to divert fees, tariffs, or taxes already on the books to particular ends. General revenues are reduced thereby and a particular service or program benefits from its access to revenues it has generated.

Each time we do this we reduce the pool of general revenues available for general Government. The classic example of this was, of course, general revenue sharing in the early seventies. Without new taxes being levied, a new trust fund was created and general revenues for the rest of Government reduced. Obviously, if this practice were carried to its logical conclusion, there would be a substantially reduced pool of revenues available to fund programs very general in nature, without easily identifiable, closely related revenue sources. Those general programs include defense, foreign affairs, criminal justice, food and nutritional assistance, education, training and employment, general science and basic research, and veterans housing. Obviously, the squeeze would be on programs like these programs and not on others which generate some receipts and see those receipts earmarked for their operations.

Then, of course, while some programs are left to face the pressure and uncertainty of an annual struggle for funding, pressure of a different sort builds up, from the advocates of those programs with earmarked funds, for full funding—to the extent of the moneys in the trust fund—and finally, for going off-budget altogether, to be really exempt from budget scrutiny.

In the opinion of many, that is one of the concerns that was in the minds of those who drafted the original Budget Act in 1974. As chairman of the Budget Committee, I have to be concerned about the growing popularity of this practice in recent years in spite of the Budget Act. Subjecting these earmarked revenues to annual appropriations—as this bill would do—in my opinion does not really eliminate the concerns I have just outlined. In my opinion all new trust funds should be carefully considered, and only passed in the most compelling cases—particularly when existing revenues are involved, but even when new revenues are involved.

A few years ago, attempts were made to earmark and spend what was then a new tax—the windfall profits tax. Only because the conferees could not agree on what programs would get special treatment was the decision to allow the new revenues to reduce the deficit made by default.

Again, last year, a measure died in conference which would have earmarked a significant amount of annual customs collections—up to $2 billion a year—to fund port improvements and dredging around the country. This year, we are already hearing talk about earmarking the cigarette tax for health programs. If that is successful, it would make just as much sense to earmark the alcoholic beverage tax in the same manner and, indeed, some are advocating just that.

In bringing this situation to your attention today, I indicate a desire to work with all the committees of the House to develop either an overall policy or work things out on a case-by-case basis. As one of those who worked on the pay-as-you-go concept in the past, I suggest that the concept was not a call for earmarking existing revenues, but rather raising sufficient general revenues to fund new initiatives. In light of the potential conflicts I have outlined, I think it is incumbent upon us to be aware of the funding mechanism which was contained in this bill and to consider whether such an earmarking is appropriate in our budget-making deliberations.●

Mr. MICA. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HEFNER) having assumed the chair, Mr. PEASE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2068) to authorize appropriations for fiscal years 1986 and 1987 for the Department of State, the U.S. Information Agency, the Board of International Broadcasting, and for other purposes, had come to no resolution thereon.

IN HONOR OF REV. JOHN J. NACCA

(Mr. HORTON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. HORTON. Mr. Speaker, last Sunday night I attended a retirement party, at which over 800 friends, members of the clergy, and parishioners gathered to pay honor and respect to Father John Nacca. It was a truly joyful occasion.

Father Nacca served the parishioners of St. Francis of Assisi Church in Auburn, NY, with dedication, courage, and sensitivity for over 36 years. He will be sorely missed by all of us who work with and for the people of Auburn.

The Parishioner's Committee of St. Francis of Assisi Church and I have prepared a proclamation in honor of Father Nacca. In honor of his service to God and to the people of Auburn, I insert the proclamation into the RECORD immediately following these remarks:

PROCLAMATION

Whereas, Father John J. Nacca was born in Rochester, New York, on May 15, 1915, the son of the late Pasqualino Nacca and Alfonsina D'Angelo Nacca; and

Whereas, Father Nacca attended Holy Rosary Elementary School, Aquinas Institute High School (at which he was Valedictorian of the Class of 1933), St. Andrew's Minor Seminary, and St. Bernard's Major Seminary; and

Whereas, He was ordained to the holy priesthood on June 7, 1941, by the late Bishop James E. Kearney; and

Whereas, He served first as assistant pastor at St. Francis d'Assisi Church in Auburn; then as assistant pastor at St. Francis Xavier in Rochester; only to return to Auburn on the illness of its pastor, Monsignor Gabbani. He then served at St. Mary's of the Assumption in Fairport and in 1949, upon the death of Monsignor Gabbani, Father Nacca was appointed as pastor of St. Francis Church in Auburn. At age 34, he was the youngest pastor in the Diocese of Rochester and now has the longest tenure as paster in the Diocese; and

Whereas, As a result of Father Nacca's outstanding capable and faithful leadership his parishioners have responded on many occasions with an outpouring of generosity in building a new school; a Shrine dedicated to Our Lady of Lourdes; a new church building and extensive renovations to the rectory and church grounds; and

Whereas, Father Nacca has also guided and encouraged his parishioners and friends to fund the establishment of six mission churches including one in Africa, two in South Vietnam and three in India; in addition to providing a "jeep" for the Redemptorist Missions in Paraguay and providing tuitions for sixteen seminarians; and

Whereas, He encouraged his parishioners to annually donate tons of clothing as part of the Thanksgiving Day appeal; and

Whereas, On October 9, 1979, he was honored at testimonial dinner as "Man of the Year" by the Christopher Columbus Commerative Committee; and

Whereas, In 1980, when a major earthquake rocked Central Italy, Father Nacca encouraged and guided his parishioners in raising over $10,000 in cash and collecting several tons of clothing which were rushed to aid the victims of the disaster in Italy; and

Whereas, On June 7, 1981, Father Nacca celebrated his 40th Jubilee of his ordination to the priesthood and was honored by his parishioners and friends; and

Whereas, Father Nacca is also concerned with the needs of the youth of his parish and teaches religion to grades 1 to 12; and

Whereas, In October, 1984, Father Nacca was instrumental in obtaining an imported marble statue of Christopher Columbus with donations from friends and parishioners. The statue was erected in Columbus Park opposite the Church on Clark Street. The monument stands as a memorial to honor all immigrants of all countries who worked so hard and so perseveringly to change a land of wilderness into fertile fields, super highways and gleaming skyscrapers; and made a home free from tyranny and oppression. The memorial was dedicated in impressive ceremonies on October 21, 1984; and

Whereas, On November 12, 1984, Father Nacca was appropriately honored by the Italian Heritage Society of Auburn and Cayuga County for his recognition and concern for the contributions of the Italian immigrants, and all immigrants, in the founding and establishment of our nation, our community and our Parish church; and

Whereas, On June 25, 1985, Father Nacca will reach a milestone in his career as he reaches the Mandatory Retirement Age of the Diocese of Rochester and will step down from an active role as shepherd of his flock into a less active role; and

Now therefore be it resolved, that, I, Congressman Frank Horton, on behalf of and in full recognition of the tremendous regard that the people of Auburn have for this truly outstanding spiritual and community leader and in recognition for his acts of charity, humility, and generosity; for his concern for the fulfillment and preservation of life and the improvement of the Auburn community, do hereby proclaim my appreciation for Father John J. Nacca and urge all of the people of Auburn to express their gratitude for his efforts on behalf of our community.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2068, just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

GENERAL LEAVE

Mr. STRANG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the subject of the special order today by the gentleman from Indiana [Mr. COATS].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 484. An act to amend the Saccharin Study and Labeling Act.

The message also announced that pursuant to the provisions of sections 276d-276g of title 22, United States Code, as amended, appoints Mr. HATCH as a member of the Senate delegation to the Canada-United States Interparliamentary Group during the first session of the 99th Congress, to be held in Niagara-on-the-Lake, Ontario, Canada, on May 17-20, 1985.

The message also announced that pursuant to the provisions of sections 1928a-1928d of title 22, United States Code, as amended, the Vice President appoints Mr. ROTH and Mr. MCCLURE as members of the Senate delegation to the North Atlantic Assembly Spring Meeting, to be held in Stuttgart, Germany, on May 17-20, 1985.

THE ALLOWABLE COST REFORM ACT

(Mr. NICHOLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NICHOLS. Mr. Speaker, yesterday on behalf of myself, Mr. BENNETT and Mr. HOPKINS, I introduced, H.R. 2397, the Allowable Cost Reform Act. This bill is the outgrowth of a joint investigation by the Seapower and Strategic and Critical Materials Subcommittee and the Investigations Subcommittee into the indirect cost billings of seven major defense contractors. Although our audit work is continuing, we have gathered sufficient information to identify several significant problem areas. During the audit we found that contractors companies had submitted bills to the Department of Defense for, among other things: $1,000 in meals they had with commercial customers; $12,333 for two season passes to the L. A. Forum; $10,713 for a barber shop for senior company executives; and $959 for a golf outing.

While these may be legitimate business expenses for IRS, we must decide whether or not the U.S. taxpayer will foot the bill for expenses such as these on military contracts.

I believe, as a result of our findings, that legislative action is appropriate and necessary to ensure that there is no question what the Government will or will not pay for, and to make it clear that dog kennel expenses will not be paid for by the American taxpayer.

Mr. Speaker, H.R. 2397 will:

First, prohibit a contractor from charging the Government for entertainment costs, lobbying costs, alcoholic beverages, dues for any social or dining club, contributions or donations, fines and penalties, defense of fraud proceedings, advertising costs, and the cost of gifts, models, souvenirs and other mementos;

Second, require the DOD to tighten up its regulations and eliminate the gray areas;

Third, penalize a contractor for submitting expressly unallowable costs; and,

Fourth, establish a mandatory rotation every 5 years for the Government representative, the administrative contracting officer, who is the watchdog for the taxpayers' money.

We believe these provisions will go a long way toward correcting the abuses which have been brought to our attention, and I urge my colleagues to join myself and Mr. BENNETT in our efforts to prevent these abuses in the future.

Mr. Speaker, I would ask that a copy of the bill be printed in the RECORD following my remarks.

H.R. 2397

A bill to limit the payment of costs to defense contractors

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Allowable Cost Reform Act".

SEC. 2. ALLOWABLE CONTRACT COSTS.

(a) PENALTY FOR SUBMISSION OF UNALLOWABLE COSTS.—The Secretary of Defense shall require that a covered contract provide that—

(1) if the contractor submits for reimbursement any cost that has been expressly defined as unallowable by statute or regulation—

(A) the cost shall be disallowed; and

(B) the contractor shall be liable to the United States for an amount equal to the amount of the disallowed cost, plus interest; and

(2) if the contractor submits for reimbursement any cost of a type that has been expressly defined as unallowable by statute or regulation and that has been previously disallowed to that contractor—

(A) the cost shall be disallowed; and

(B) the contractor shall be liable to the United States for an amount equal to twice the amount of the disallowed cost, plus interest.

Interest under this subsection shall be computed from the date on which the request for reimbursement of the cost was submitted and at the applicable rate prescribed by the Secretary of the Treasury under section———of the Contract Disputes Act of 1978.

(b) UNALLOWABLE COSTS.—The following costs shall not be allowed under a covered contract:

(1) Costs of amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities).

(2) Costs incurred to influence (directly or indirectly) congressional action on any legislation or appropriation matters pending before Congress.

(3) Defense of any fraud proceeding brought by the United States, unless the contractor is found not to be liable in any way for the alleged fraud.

(4) Fines and penalties resulting from violations of, or failure of the contractor to comply with, Federal, State, or local laws and regulations, except when incurred as a result of compliance with specific terms and conditions of the contract or written instructions from the contracting officer.

(5) Costs of membership in any social or dining club or organization.

(6) Alcoholic beverages.

(7) Contributions or donations, regardless of the recipient.

(8) Advertising designed to promote the contractor or its products.

(9) Models, gifts, souvenirs, or other memorabilia.

(c) REGULATIONS RELATING TO ALLOWABLE COSTS.—(1) Within 120 days after the date of the enactment of this Act, the Secretary of Defense shall publish proposed regulations to amend those provisions of the Department of Defense supplement to the Federal Acquisition Regulation that deals with the allowability of contractor costs reimbursed under Government contracts. In developing specific criteria for the allowability of such costs, the Secretary shall consider whether reimbursement of such costs by the Government is in the best interests of the United States. The amendments—

(A) shall define in detail and in specific terms those costs that are unallowable under contracts entered into by the Department of Defense; and

(B) shall provide that costs specifically unallowable under one cost principle shall not be allowable under related cost principles.

(2) The amendments under paragraph (1) shall at a minimum clarify the cost principles applicable to contractor costs of the following:

(A) Air shows.
(B) Advertising.
(C) Recruitment.
(D) Entertainment.
(E) Employee morale and welfare.
(F) Social and dining clubs or organizations.
(G) Contributions or donations.
(H) Community relations.
(I) Defense of fraud proceedings.
(J) Fines and penalties.
(K) Dining facilities.
(L) Professional and consulting services.
(M) Compensation.
(N) Selling and marketing.
(O) Travel.
(P) Lobbying.
(Q) Public relations.
(R) Hotel and meal expenses.
(S) Membership in civic, community, and professional organizations.

(3) Such amendments shall require that a contractor be required to provide sufficient documentation to support the allowability of a cost at the time cost and pricing data is submitted to the Government pursuant to section 2306 of title 10, United States Code, or at the time a proposed forward pricing agreement or proposal for final settlement is submitted to the Government. If a claim is not supported by adequate documentation, the cost becomes expressly unallowable and is not subject to negotiation.

(4) Within 90 days of the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report identifying—

(A) the nature of the proposed changes to be made to the current cost principles; and

(B) the potential effect of such changes on future requests for reimbursement of contractor costs.

(d) RESOLUTION OF ALLOWABLE EXPENSES.—The Secretary of Defense shall—

(1) require the negotiation and settlement of each item of cost under a covered contract which is challenged by the Government as being unallowable; and

(2) provide that, whenever feasible and practicable, the contract auditor may be present at any negotiation or meeting with the contractor regarding resolution of allowability of costs submitted to the Government for payment.

(e) CERTIFICATION OF ALLOWABLE INDIRECT COSTS.—(1) If a contractor submits a request for reimbursement of indirect costs for final settlement under a covered contract, the contractor shall be required to certify that all indirect costs included in the request are allowable in accordance with the terms of the contract. Any such certification shall be in a form prescribed by the Secretary of Defense.

(2) The Secretary of Defense or the Secretary of the military department concerned may waive the requirement for certification under paragraph (1) in the case of any contract in an exceptional case if the Secretary—

(A) determines that it would not be in the interest of the United States to require such certification; and

(B) states in writing the reasons for that determination.

(f) LIMITATION ON LENGTH OF DUTY ASSIGNMENT FOR CERTAIN CONTRACTING OFFICIALS.—The Secretaries of the military departments and Directors of the Defense Agencies shall prescribe regulations—

(1) to limit to five years the maximum tour of duty for which an officer or employee under the jurisdiction of the Secretary may be assigned to represent the Government with a particular contractor in the decision-making position as corporate administrative contracting officer or administrative officer; and

(2) to provide that an officer or employee who has held a position in paragraph (1) may not be reassigned to duty with that contractor for a period of five years after the end of the previous such assignment.

(g) DEFINITION OF COVERED CONTRACT.—For the purposes of this section, the term "covered contract" means a contract with the Department of Defense for an amount more than $25,000—

(1) that is flexibly priced; or

(2) for which cost or pricing data is required under section 2306(f) of title 10, United States Code.

□ 1250

AMBIVALENCE ABOUT SMALL BUSINESS ADMINISTRATION

(Mr. DREIER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DREIER of California. Mr. Speaker, I have recently attempted to make light of the fact that small business men and women are generally

ambivalent about the Small Business Administration. Recent studies and surveys clearly point this out. Furthermore, according to an article published in the May 1985 issue of Inc. magazine, that ambivalence also extends to the various groups entrusted by small business to represent their interests.

The article was accurate in its assessment that there was no unified opposition among small business people to our proposal to dismantle the SBA. In fact, the author stated that "a number of legislators and small business lobbyists even told reporters that the idea had merit" and it "reflected the growing perception that the SBA is a pork-barrel agency laden with wasteful loan and assistance programs."

The author went on to point out that, when Small Business United held its annual leadership conference in January to resolve questions of political identity and strategy, "from the outset, ambivalence about the SBA dominated the strategy debate." The overall conclusion was that "small business could lose an opportunity to help fashion vital national policy if it concentrates on saving the SBA."

This all leads me to ask why so many of my colleagues here in Congress continue to support the use of scarce taxpayer dollars to fund a federal program which has no significant support among the constituency it is designed to serve?

The article from Inc. follows:

BEYOND UNCLE SAM AND HIS GIFTS

(By Steve Coll)

David Stockman, who was girding for a fight, couldn't have anticipated the apathy that greeted his idea. When word leaked out last December that the Office of Management and Budget might propose abolishment of the Small Business Administration, no hasty gatherings of small businesspeople denounced the proposal, and no urgent petitions circulated among members of Congress. A number of legislators and small business lobbyists even told reporters that the idea had merit. The indifferent reaction to Stockman's proposal reflected the growing perception that the SBA is a pork-barrel agency laden with wasteful loan and assistance programs. But it was also a symptom of a political crisis among many small business lobbyists, one that may cripple their effectiveness in the 99th Congress.

The crisis is one of identity and strategy. In the eyes of policymakers in Washington, is small business simply another entry in the dreary list of special interest groups that see Uncle Sam as a source of almost unlimited largesse? Or does small business have a more expansive political identity that describes an essential and dynamic sector of the national economy that has an overriding stake in major economic issues? Perhaps only once in a generation does the opportunity come that exists today to refashion fundamentally the tax system and redefine fiscal policy. Will small business expend its limited political strength by competing for its share of the federal dole, or will it move on to issues that are at the top of the national agenda?

In mid-January, as the Administration's plan to abolish the SBA gathered strength in Washington, more than 100 small business activists met in Scottsdale, Ariz., to resolve these questions of political identity and strategy. The occasion was the fourth annual leadership conference of Small Business United (SBU), an umbrella lobbying organization made up of about a dozen regional small business groups from across the country. The purpose of the conference, which was organized much like a political convention, was to adopt a narrow platform of legislative priorities for the first session of the 99th Congress. For two days, delegates debated the issues before voting on their top priorities.

From the outset, ambivalence about the SBA dominated the strategy debate. Thomas Powers, general counsel of the House Small Business Committee, told the conference, "I think each and every one of you ought to be insulted that anyone would propose to eliminate the SBA." That drew a sharp retort from a Texas delegate. "Every time I go to these meetings and hear people from Washington, they're always talking about how much they're going to lose from their budget," said David Pinkus, a Dallas landscape contractor. "You can't sit down and let every special interest group have their own agency in Washington." Pinkus and other delegates—many of them young and from the Southwest—urged the conference to make tax reform and deficit reduction its top priorities in 1985.

As the conference wore on, though, the traditionalist view that the SBA is small business' most important link to power in Washington began to prevail. "If we lose the SBA, it really will cause a domino effect within the small business community," argued Allen Neece, SBU's Washington counsel. And as the debate reached the height of its passion, Robert Dotchin, staff director of the Senate Small Business Committee, proclaimed to the delegates: "One thing is sacred, and that is this agency! It's going to be maintained."

The vote on the platform perfectly captured the political schisms that threaten to drain the already limited clout of small business in Washington. Tied for first place as SBU's top legislative priorities in 1985 are two contrary objectives: saving the SBA and reducing the federal deficit. Tax simplification finished second in the conference balloting. In its presentation to Congress, scheduled for April, SBU would be in the same untenable position as hundreds of other special interest lobbies in Washington.

The long-term implications of SBU's political identity crisis were not lost on some of the conference delegates. "I worry that we don't have a tremendous number of snazzy new initiatives," reflected Jack Rennie, the immediate past-president of SBU and an active member of the Smaller Business Association of New England. "It's almost like the difference between a long-range plan in business and this year's budget. We seem to churn over many of the same kind of issues, sometimes identical issues. . . . Maybe we need some kind of far-thinking council, or some kind of new group to look beyond the tactical or topical issues."

The leadership vacuum Rennie describes within SBU and similar lobbies has direct political costs. When small business advocates espouse a political vision that is blatantly parochial, they risk the loss of visibility and access in Washington—and, ultimately, a loss of influence.

That lesson was painfully clear even at the Arizona conference. On the same weekend that it was taking place, 21 U.S. senators from both parties were ensconced in hotel rooms less than a 10-minute drive from the meetings. The senators were in town for what a spokesperson described as a "very relaxed" charity tennis tournament. Despite weeks of effort by SBU representatives, only Lowell P. Weicker Jr. (R-Conn.), chairman of the Senate Small Business Committee, stopped by the conference—and only for a 10-minute breakfast talk. Gulping down a glass of orange juice before rushing out with his aides, Weicker told the small businesspeople, "I love you all, but I came out here to play tennis."

It would be wrong to lay all the blame for this disheartening state of affairs on the rank and file members of SBU. Building national political leadership, notes SBU president Brad Roller, owner of Swiger Coil Systems Inc., of Cleveland, is "just a really big undertaking for guys who happen to be working and running businesses." The first step toward that goal, however, is to establish political priorities that move such small businesspeople as Roller beyond Uncle Sam's tempting handouts. Until then, as Roller puts it, small businesspeople may continue to be perceived in Washington "as a bunch of lunatics out there who aren't capable of dealing with the political process."

MESSAGE FROM A NICARAGUAN PATRIOT

(Mr. LAGOMARSINO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. LAGOMARSINO. Mr. Speaker, a Nicaraguan citizen, who was a former Sandinista, but then fled her country, has written a letter to Members of the Congress which deserves the attention of all of us. I am inserting it in the RECORD to remind my colleagues of the "Brutal military dictatorship led by the Sandinista National Liberation Front, FSLN."

This Nicaraguan citizen, Mrs. Adriana Guillen, is now a resident in the United States. She has viewed with dismay the extent to which Nicaragua has become a "political" issue in the United States. I understand Mrs. Guillen's concern because she has seen first hand the betrayal of her country and the revolution that threw out the Somoza dictatorship and installed another dictatorship in its place.

We in the United States must recognize the threat from the Sandinista regime, and it is useful to read Mrs. Guillen's letter in order to appreciate how grave that threat is. I urge my colleagues to read the words of this Nicaraguan patriot.

Letter from Adriana Guillen:

April 23, 1985.

MEMBERS OF THE U.S. CONGRESS,
Washington, DC.

DEAR CONGRESSMEN: I am a Nicaraguan citizen who has become an American resident after being granted political asylum in this generous country. I am a Sandinista dissident, my father fought with Sandino at the

early age of fifteen; I served in the Sandinista government from July 1979 to February 1980 when I resigned in protest for their totalitarian path and I went to work for LA PRENSA until the Sandinistas accused me of an international plot and sentenced me in absentia—while I was writing a story in Costa Rica.

From the tradition of Sandinismo that my family and I stand for: A representative system, nationalistic and loving of freedom and justice; I did not agree with the role played by the "Marines" in my fatherland nor do I agree with the role played by the Cubans, Soviets and other internationalists today in Nicaragua. This is the force that pushed me to struggle for a Nicaragua free of foreign presence, in peace with its people and its neighbors.

Looking at Capitol Hill today I understand why liberation movements in the Third World have been lost to the Soviet influence; I understand why we in Nicaragua received a bad signal from the U.S.A.; I understand why thousands of repatriates come to this land and will continue to come. Some policy-makers here only care about their next election: To our dismay they have chosen Nicaragua to be the issue, we have lost our cause. But one thing is for sure, the sons of those politicians will have to fight the struggle that they are preventing Nicaraguans from fighting.

U.S. foreign policy towards Nicaragua has consistently supported military dictatorship, corruption and violation of Human Rights; U.S. foreign policy today—as it is presented by the Democratic leadership . . . wants to continue that tradition by supporting a brutal military dictatorship led by the Sandinista National Liberation Front, FSLN, as well as by preventing the indigenous resistance from restoring the Nicaraguan revolution that we won in July 1979.

There is nothing new in the approach proposed by the Democratic leadership; the powerful and developed Establishment does not need to listen to the peasants of Nicaragua who are fleeing by the hundreds of thousands, to the workers who earn $5 dollars a month, to the mothers who are sent to jail because they protest the killing of their sons defending the Sandinista regime that they reject, to the minorities of Indians and Creolles who are victims of Genocide. The Democratic leadership does not remember the violations of International Law they supported in June 1979 on behalf of the Sandinistas, (I thought it was on behalf of the Nicaraguan people but time has demonstrated that it was on behalf of the Sandinistas) and they claim that they should not intervene in Nicaragua so that self-determination would be possible. Let's set the record straight: collective action is fair—as it was at the time of ousting Somoza—when it is done on the grounds of defending Human Rights or when a destabilizing regime is at the bottom-line of the given problem. They know that, they know everything they need to know in order to support the wide-spread resisitance of Nicaraguans. But as Gus Tyler wrote, they [1] are only concerned about the next election.

It is clear to me that the fate of my fatherland is not in our hands, it does not depend on those whose lives are sacrificed in the battlefield and in the Sandinista prisons; it is up to the liberals who claimed to act on moral grounds in 1979 but are decided to save the Sandinistas no matter what they are doing against Human Rights, no matter what they are doing to destabilize the area.

I hope that after killing the support to the Nicaraguan resistence—that means killing thousands of people—they will at least respect the victims they will have created. Insulting Nicaraguans in the way they have been doing is an arrogant attitude; not only North Americans have heroes, Central Americans do have our respected Fathers and they deserve respect; the anonymous mother, the young who rejects the Sandinista regime, the worker, the campseino, the Miskito, the Creolle, are all of them Patriots who should not be insulted. It is not for well-to-do bureacrats to judge the moral values of people whom they do not care to know.

This letter is not to insult anyone. I believe that what I am writing here is the feeling of the majority of Nicaraguans and it is good to convey it to the interested parties and if possible to the people of this country. I respect your values and I know that the majority of the people would support our cause should they know exactly what is going on; I know many Congressmen who act on moral grounds, who were against Somoza in July 1979 and are against the Sandinista in 1985 because they are supporting the struggle for Democracy.

God help my country; God bless your country.

Very sincerely,

ADRIANA GUILLEN.

[1] Charting America's Future by Gus Tyler. Tyler's essay is about the general behavior of politicians in Congress.

□ 1720

NEW ZEALAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. MOLINARI] is recognized for 5 minutes.

Mr. MOLINARI. Mr. Speaker, it has been 3 months since the Government of New Zealand denied port access to one of our U.S. ships as a result of its ban on nuclear armed and powered ships in their ports. Immediately after the denial of port access to the *Buchanan*, the United States announced that it was canceling joint military exercises and reducing the amount of intelligence information shared with New Zealand.

We all hoped at that time that, after the dust had settled, the Government of New Zealand would reconsider the ban and start taking steps toward repairing the damage that was done.

Three months later, we have seen no moves by the New Zealand Government, no discussions or demonstrable progress toward even the consideration of restoring port access. At congressional hearings held last March, several members, including myself, discussed the need for legislation here in Congress to respond to the port access ban. Yet we withheld such legislation in the hope that, given time, New Zealand would work with us in resolving the dispute. Unfortunately, this has not happened.

In replying to a cable sent by myself and 140 of our colleagues to Members of the New Zealand Parliament on March 7 requesting that New Zealand reconsider it's ban, Prime Minister Lange stated that, "We have formulated our policy in the strategic interests of New Zealand." When we look at recent strategic developments in the South Pacific, however, one must question the wisdom of his government's course of action.

Today, Camlerahn Bay in Vietnam has been turned into a major Soviet air and naval facility. It is now a home base for Badger bombers, Mig-23 jet fighters and surveillance craft, enabling 25 to 30 Soviet ships to be present each day in the South China Sea. This represents an unprecedented Soviet military presence in the region. It was reported a few weeks ago that the Soviet Union is negotiating a fishing agreement with the Pacific island nation of Kiribati, signifying additional Soviet presence in the South Pacific. Although the threat may not seem to be significant at the present time, I believe there is cause for genuine alarm should this Soviet presence continue to grow in the days ahead.

In addition, the current unrest and rise of anti-American sentiments in the Philippines has raised some concern over the security of Clark Air Base and Subic Bay Naval Base, two key U.S. facilities in the region. Some opponents of President Marcos have pledged that, should they come to power, these two bases would be closed.

Strong defense capabilities and the ANZUS alliance have been effective over the past 34 years in maintaining peace in the South Pacific region. By crippling ANZUS, as New Zealand has done with its port access ban in direct opposition to recent ANZUS Council statements reaffirming the importance of port access, New Zealand has served to significantly damage our mission of preserving the stability and peace now enjoyed in that region.

Polls indicate that while a majority of New Zealanders are still in support of the ban, they also support New Zealand's continued participation in ANZUS. This stand remains confusing as there is support for a mutual security treaty which necessarily imposes risks and burdens on all members of the alliance, but there also exists a certain selective quality about what aspects and responsibilities of the treaty New Zealanders are willing to accept.

The response by the United States to New Zealand's refusal to allow port access to one of our naval ships has been firm but measured, demonstrating our disappointment over the action without making any attempt to bully New Zealand. As I mentioned, specific legislation addressing this issue has been withheld to this point. Yet, now interest is growing for legislation seeking to limit casein imports,

one of New Zealand's major exports and a product which is displacing much of our own nonfat dry milk. Patience, which has held back many of these measures, may now be running thin.

Mr. Speaker, it is time for New Zealand to do what's right, both for itself and for its region. We cannot afford to continue with this present state of inaction while the consequences of New Zealand's decision continue to grow more serious.

The United States should not have to hope that New Zealand changes it course, we should expect it.

COMMENDING MINORITY LEADERSHIP FOR MEASURES TO REFORM PROCEDURES OF THE HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Mr. Speaker, I rise this evening to congratulate the gentleman from Mississippi [Mr. LOTT] and the gentleman from Illinois [Mr. MICHEL] who earlier today were instrumental in bringing to the floor the measure designed to reform the CONGRESSIONAL RECORD.

I think particularly the efforts of the gentleman from Mississippi [Mr. LOTT] need to be commended in this regard because this now is the second reform measure that he has brought to the floor in the last couple of weeks. The first reform measure, which allowed for wider television camera coverage during the time when we were voting I think was significant in that it was accepted and that was the first of a series of reform measures that the minority has brought to the floor. That one was accepted. We were disappointed when the next one was rejected. That one was the measure aimed at ending the practice of ghost voting here in the House. The idea that people can go to their committees and hand in a piece of paper and then leave and have that piece of paper voted for them rather than voting is an affront to democracy. It is an affront to the legislative process and it is particularly onerous from the standpoint of the minority who time after time in committee are being voted down by people who are not there but who are in fact being voted as ghosts.

When that measure came to the House floor here last week it was tabled by the majority. So that reform measure, turned down by the House of Representatives, ghost voting, is something that they wanted to continue.

And then today we had before us a measure to assure an accurate CONGRESSIONAL RECORD. The gentleman from Mississippi again was in the forefront of bringing that to the floor.

I think the case was made. The case was made that this is not just a short-term problem of a few incidents where the CONGRESSIONAL RECORD is distorted but a long-term problem, a problem that has been with us since the 1960's, throughout the 1970's and up to the present day, where we are dealing with a distorted public document where the right of Members to revise and extend has been abused to the point that you cannot rely upon the CONGRESSIONAL RECORD as being an accurate reflection of what takes place in this body.

There was an attempt here today on the floor to begin the process of assuring the public that we could in fact produce an accurate public document here in the Congress. That was turned down as well. Once again the Democratic majority refused to consider the matter that was before us; namely, a change in the rules.

Rather, what they did was try to narrow the issue, try to trivialize the issue, in fact, and sent it to the House Administration Committee where they hope to get an action which will be less than what is needed in order to change the rule around here and get us a verbatim transcript of what takes place on the House floor.

What we are seeing is a systematic effort by the majority to maintain rules that are the antithesis of good legislative practice. We need legislative reform and the effort that has been begun here in the last couple of weeks I think deserves the commendation of all of those across the country who are in favor of good Government.

It is an effort that I believe we will see continue. I think we are going to see a number of reform measures come before the House and I would suggest to some of my Democratic colleagues that they may want to become a little careful about voting with their leadership all of the time on things that are against reform. They have voted blindly here in the last few weeks and there are already many of them on record now as voting for ghost voting and voting against CONGRESSIONAL RECORD reform.

I do not think that that is a record I would want to take to the voters in my district and I think as some of these things begin to pile up, like perhaps junketing reform, perhaps an attendance reform here on the House floor requiring a certain amount of attendance on the House floor, some things like that, they may not want to be on record as voting with their leadership all of the time in these matters.

These are distinct reform measures that deserve the support of not only Republicans but Democrats as well. The Republicans have been voting solidly for reform. It is disappointing that the Democrats thus far have not. Let us hope it changes in the future.

Mr. Speaker, I yield back the balance of my time.

□ 1730

THE 10TH ANNIVERSARY OF DEATH OF CARDINAL MINDSZENTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. DWYER] is recognized for 5 minutes.

● Mr. DWYER of New Jersey. Mr. Speaker, it is with pride and sorrow that I join my colleagues in paying tribute to the late Cardinal Mindszenty on the 10th anniversary of his death. His unyielding struggle and commitment to the field of human rights has inspired free Hungarians around the world.

I believe, as we all do, that expressions of support are important in the continuing struggle for equality and human rights. Strong and courageous individuals like Jozsef Mindszenty spent a lifetime pursuing the struggle for liberty. As a result of his outspoken criticism, he was arrested, charged with treason, and eventually imprisoned. Indeed, he was a man of tremendous courage and compassion.

As the Nation to which many others look for guidance on human rights, we must continually strive for the preservation and extension of basic human freedom for all people, regardless of the nation in which they reside. Our tribute to Cardinal Mindszenty today can only reaffirm our longstanding commitment to this struggle.

I wish to take this opportunity to reaffirm my commitment with those in Hungary who suffer from the oppression of totalitarianism. The daily indignities to which Hungarians are subjected to should serve as a constant reminder to us in the free world.

These statements are now an essential ingredient in the worldwide effort to aid the Hungarian people. So today, we the people of the United States, in conjunction with other nations of the world rededicate ourselves to the cause of human rights, democratic self-rule and freedom. I wish to thank my colleague, Congressman HORTON, for bringing this important special order to my attention.●

NATIONAL NUTRITION MONITORING AND RELATED RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MACKAY] is recognized for 5 minutes.

● Mr. MACKAY. Mr. Speaker, today I introduced H.R. 2436, the National Nutrition Monitoring and Related Resource Act of 1985, on behalf of 29 of our colleagues. A national nutrition monitoring system is a basic tool necessary to examine the linkages between food consumption patterns, nutritional status, and health status. A

national nutrition monitoring system is essential to assure: the safety and quality of the food supply; that the nutritional needs of the public are met; and that an appropriate data base exists for planning and guiding the expenditure of public funds for agriculture, nutrition, and health research, education, and intervention programs.

H.R. 2436 is not a new bill, but a slightly revised version of a bill introduced by GEORGE E. BROWN, JR., DOUG WALGREN, and myself in January 1984 and considered by the House in October 1984. Senator BINGAMAN also introduced a similar bill last year. One of the major purposes of the bill is to make more effective use of Federal and State expenditures for nutrition monitoring and to improve the performance and benefits of current Federal nutrition monitoring and related research activities. Although several components of a national nutrition monitoring system are in place, a coherent, comprehensive, and coordinated system does not exist. Therefore, this bill is designed to establish an identifiable, timely program and a central focus for the coordination, management, and direction of Federal nutrition monitoring activities.

The major difference between the bill considered by the House in the 98th Congress and the bill we are introducing today is the institutional arrangement for achieving a timely and effective nutrition monitoring program. The previous bill established a Directorate for Nutrition Monitoring and Related Research composed of numerous Federal agencies. This arrangement did not fix the responsibility for the program with any one Federal department, and the administration viewed the Directorate as a cumbersome organizational structure. H.R. 2436 places the responsibility for the implementation of the program with the Secretary of Health and Human Services [HHS]. To facilitate the management and coordination of the program an Intergovernment Science Board for Nutrition Monitoring and Related Research is established to advise the Secretary of HHS.

In addition, the bill calls for an interagency budget based on planned priorities. The bill requires that requests for authorization of appropriations for nutrition monitoring by each Federal agency be consistent with the interagency budget and be identified as a specific line item. Thus, for the first time in history, the Congress will know the level of expenditures requested for nutrition monitoring activities and be able to exercise its oversight responsibility in this area. The bill strengthens priorities for nutritional status methods research and technical assistance to state and local governments through an annual authorization of $3 million. However, these priorities are to be incorporated into the comprehensive plan and funds are not authorized until the plan is submitted to the Congress 18 months from the date the bill is enacted. These priorities are necessary to improve both the performance and cost effectiveness of current Federal and State nutrition monitoring activities.

The proper implementation of the bill we are introducing today could serve as a much needed health promotion and disease prevention tool. To date, information on the dietary and nutritional status of the population are collected every 6 to 10 years and some of the data are not analyzed until 5 or more years later. Without the continuous collection and analysis of dietary and nutritional status information, as called for in this bill, it is impossible for health professionals and the Congress to make prudent decisions and policies regarding this Nation's physical and economic well-being.

I encourage our colleagues to join us in cosponsoring H.R. 243, the National Nutrition Monitoring and Related Research Act of 1985.●

KIDS FOR AFRICA DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

● Mr. PANETTA. Mr. Speaker, I wish to call the attention of my colleagues in the House of Representatives to the devoted efforts of the students of Washington Junior High School in Salinas, CA. These young people are doing their part to help relieve the suffering of the victims of famine in sub-Saharan Africa. They have proclaimed May 14, "Kids for Africa Day," and are challenging students from across the Nation to join them in donating the equivalent of one lunch to the Red Cross for famine relief.

The recent outpouring of support from young people for relief efforts for the 30 million people seriously at risk in the region seems to contradict the notion that this is a self-centered "me generation." Witness the phenomenal success of the USA for Africa campaign. America's young people are reaching into their pockets to add their contributions to a cause which they take very seriously. There can be no doubt that the suffering will continue if we do not give them our help. I am proud of our young people, who, recognizing the tremendous resources which we as Americans enjoy, are doing their share to help in this devastating crisis.

Today, I am especially proud of the students of Washington Junior High, who have committed their time and talents to an idea which I hope to see spread across the entire country. I wish to commend the students and teachers who have participated in this valuable effort and to encourage Americans of all ages and backgrounds to follow this small but important example of caring.●

A TRIBUTE TO THE LATE JOZSEF CARDINAL MINDSZENTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HORTON] is recognized for 60 minutes.

GENERAL LEAVE

Mr. HORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I requested this special order that my colleagues and I might pay tribute to Jozsef Cardinal Mindszenty on the 10th anniversary of his death.

We in Congress focus a great deal of attention on human rights abuses around the world. We write letters urging our counterparts in the Soviet Union to free unjustly imprisoned members of the Jewish community. We pass laws prohibiting the importation of goods made with slave labor. We tie our foreign aid to efforts to eliminate human rights abuses. And we pass resolutions condemning the unjust practices of totalitarian regimes around the world. These efforts are important and they have tremendous impact, but they are not enough. We must also focus the world's attention on those heroic individuals who sacrifice their lives in the struggle to preserve the rights of their countrymen. Cardinal Mindszenty was such a man.

Joszef Mindszenty was born on March 29, 1892, in a small village in Hungary. His father, a small landowner, served the community as village judge, chairman of the local parochial school board, and as president of the parish council. By the life he lived, he taught his young son the importance of serving his fellow man.

Cardinal Mindszenty was ordained a catholic priest in 1915. His selfless work on behalf of wounded Hungarian soldiers won him no honors; instead, his outspoken criticism of the Communist regime earned him confinement to his hometown.

Despite active efforts by the government to discredit Father Mindszenty, he was consecrated a bishop in 1944. During the ceremony, Cardinal Seredi uttered a prediction which followed Father Jozsef throughout his life:

The truth will not be taken away from you by anyone, neither by force nor by flat-

tery. You will never exchange good for evil, nor regard evil as good. You will never call light dark, nor darkness light.

Shortly, thereafter, the German Army overran Hungary. In order to emphasize his Hungarian origins and to rally his people, Father Joszef took on the name, Mindszenty, the name of his birthplace. This symbolic act earned him the wrath of the Nazi military leadership.

One month later, Bishop Mindszenty was arrested by the government, charged with treason, and imprisoned. He remained in prison until 2 months after the Soviets captured Budapest.

Imprisonment never dulled his sense of justice nor his desire for freedom for his countrymen. Less than 4 years after his release, his criticism of the communist regime resulted in a sentence of life imprisonment for "antistate activities." He was finally released from prison by Hungarian freedom fighters in 1956, but he was forced to seek asylum in the American Embassy when Soviet tanks rolled through Budapest a week later.

Cardinal Mindszenty's commitment to individual freedom, to his faith, and to his countrymen, has inspired people the world over. He never gave in to tyranny. There was never a sacrifice too great in his quest for human dignity. His life provides an example for everyone who seeks to protect the rights of others.

I had the privilige of meeting Cardinal Mindszenty in 1974. In fact, I sponsored a reception in his honor in the Rayburn building. I can tell you from personal experience that he was a man of great courage and compassion. A man of strength, and a man who refused to sacrifice principle in the face of death. He was a man who will long be remembered as one of the great men in mankind's struggle for freedom.

Mr. Speaker, our words and actions here in Congress are observed carefully by the world, and particularly by those who look to the United States for leadership and support in their struggle for freedom. Let this tribute make known, that Americans care about human dignity and human rights, and that we will never rest until freedom is obtained for all.

I yield to the gentleman from Wisconsin.

Mr. ROTH. I thank the gentleman for yielding.

Mr. Speaker, I want to commend the gentleman from New York [Mr. HORTON] for taking this special order.

I join with and associate myself with the gentleman's remarks.

Cardinal Mindszenty was certainly an inspiration to his native country, but really to all of us. As long as people like Cardinal Mindszenty live I think freedom will live throughout the world.

He was an example to all the freedom loving people throughout the world.

Mr. Speaker, I again thank the gentleman for taking this special order.

Mr. HORTON. Mr. Speaker, I thank the gentleman [Mr. ROTH] for his remarks.

● Mr. ANNUNZIO. Mr. Speaker, I rise to join with my colleagues in the House of Representatives in commemorating the 10th anniversary of the death of Cardinal Jozsef Mindszenty, a great champion of the cause of human rights for the Hungarian people.

For more than five decades Cardinal Mindszenty personified uncompromising opposition to fascism and communism in Hungary, and he is a heroic figure in the history of mankind's struggle to achieve self-determination and freedom.

Cardinal Mindszenty was arrested twice in 1919 as an enemy of the totalitarian government, and in 1944 as a result of his unrelenting criticism of the Nazis, he was arrested and charged with treason, remaining in prison until 2 months after the Soviets captured the city of Budapest. For his refusal to permit the Catholic schools of Hungary to be secularized and for this "antistate activities," he was again arrested, this time by the communists, and was sentenced to life imprisonment. Released from prison by Hungarian freedom fighters in 1956, Cardinal Mindszenty was forced to seek asylum in the American Embassy when the Soviets took control of the city, remaining in Hungary until 1971.

Mr. Speaker, it is appropriate that we in Congress remember Cardinal Mindszenty's efforts to achieve religious freedom and self-determination because his selfless activities on behalf of the Hungarian people still serve today as a symbol of hope and a source of inspiration for all those trying to escape from the yoke of tyranny and oppression.●

GENERAL LEAVE

Mr. LIPINSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore (Mr. HEFTEL). Is there objection to the request of the gentleman from Illinois?

There was no objection.

IN CELEBRATION OF THE 193D ANNIVERSARY OF THE SIGNING OF THE MAY 3 POLISH CONSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. LIPINSKI] is recognized for 60 minutes.

Mr. LIPINSKI. Mr. Speaker, the honor falls upon me to join with people of Polish ancestry all over the world to celebrate the 193d anniversary of the signing of the May 3 Polish Constitution.

The Polish Constitution of 1791 was based on our Declaration of Independence of 1776 and was the first of its kind in Europe.

While the May 3 Polish Constitution was a significant event in Polish history, the accomplishments of our Polish ancestors have been going on for a long time.

Recorded Polish history began in the year 966 under Duke Mieszko, who first began the unification of Poland.

In the 14th century, Casimir the Great united all the Polish people into one kingdom. At the same time Nicholas Copernicus, the father of modern astronomy, was responsible for the start of the scientific revolution.

Later in the history of Poland, King Jon Sobieski and the Austrians defeated the Turks and saved Christianity in Europe at the Battle of Vienna in 1683.

Women of Poland made their mark in history when Madame Marie Sklodowska Curie, with her husband, jointly received the Nobel Prize in physics in 1903 for their work with radioactivity.

Poland's contribution to America began at the very birth of our Republic, during the Revolutionary War. Brig. Gen. Casimir Pulaski, a cavalry officer, was a hero of the Battles of Brandywine and Savannah. Brig. Gen. Thaddeus Kosciuszko distinguished himself at the Battle of New York and in the Carolinas. As a colonel of engineers, Kosciuszko built the fortifications at West Point. Thaddeus Kosciuszko also declared for and fought for the May 3, 1791, Polish Constitution. He is, perhaps, the greatest freedom fighter for democracy Europe and America have ever shared.

I would be remiss if I did not mention the names of Ignace Paderewski and Joseph Pilsudski, who recreated Poland in 1918 and helped Poland in the only period of freedom it had in the last 200 years.

The list of prominent Poles and Polish Americans goes on and on including other such notables as—Chopin, Stan Musial, Zbigniew Brzezinski, Carl Yastrzemski, Edmund Muskie, and the distinguished chairman of the House Committee on Ways and Means, DAN ROSTENKOWSKI. Today, this list also includes Lech Walesa, the leader of Solidarity. Lech Walesa is a man who believes in religion, family, freedom, and dignity. Lech Walesa has embodied the spirit of Thaddeus Kosciuszko, a spirit that will never be crushed. Indeed, Lech Walesa has become an international symbol of mankind's eternal fight for freedom and dignity.

Finally, this list of prominent Poles also includes Pope John Paul II, the leader of the Roman Catholic Church. The millions who turned out to celebrate Mass with the Pope when he returned home to Poland demonstrated the strength of the Polish spirit. As Polish Americans, we can be proud to have the same roots and traditions as Pope John Paul II, who is recognized as the worldwide leader for peace and brotherhood.

During this week, let us also remember the thousands of Poles who came to this land of liberty who never made the history books but helped to build this Nation with their work in the coal mines, on the railroads, in the stockyards, and in the steel mills.

Yes; today we recognize the anniversary of the Polish Constitution, but I believe we should also celebrate and take great pride in the contributions of the Poles and Polish American people to the development of civilization and mankind.

Poles and Polish Americans are proud, hard-working, persistent, and patriotic people. That is why their contribution has been so great.

Thank you. Stolat.

□ 1740

A BIPARTISAN COMMISSION ON DEFICIT REDUCTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. ROTH] is recognized for 60 minutes.

Mr. ROTH. Mr. Speaker, almost without exception, everyone here in Washington and around the country and if the news reports are accurate out of Bonn, West Germany, even the world, is concerned about America's unbearable budget deficits.

If there were a plan, a plan to balance the budget, would you be interested? The reason I ask this question is because there is such a plan.

In January 1984 I proposed to the President a four point plan to reduce the deficit. In the plan, I proposed a bipartisan commission to bring about a balanced budget.

I was told that the medicine I proposed was too difficult for Congress to swallow. Yesterday, I again repeated my request for a bipartisan commission in a letter to the President, and I also am asking the Speaker of this House to call for a bipartisan commission.

I have discussed this issue with literally hundreds of people, including people that served as our Secretary of the Treasury in previous administrations, Directors of OMB, Dr. Blumenthal and Dr. Greenspan, Republicans and Democrats, people of all persuasions.

Virtually all people from the political and academic area agree that my proposal is the only real answer left for the long-range solution to the deficit problem. I am optimistic. We have today a window of opportunity, but we cannot allow it to slip by indecision or inaction.

We can take steps today that will guard the financial interests and the domestic interests of this country for generations to come. We face an almost insurmountable obstacle in bringing these huge deficits under control, but history has blessed us again.

Politically, we have in charge today two people who can make this event come true. One is the Speaker of this House who is retiring, and the other is the President of the United States, who is not going to run, of course, for reelection.

I think both the President and the Speaker of this House want to go down in history as true statesmen, and want to leave a legacy that we can point to and that future generations can point to. They can do that by lifting this albatross, removing it from America's shoulders, this onerous debt that we are under.

In 1970, the Federal debt was $383 billion. In 1981, it was over a trillion dollars, a threefold increase in only a decade. In 1985, it is going to exceed $1.8 trillion of Federal debt. By 1989, it is projected at some $2.6 trillion.

We cannot continue on this course. What does that mean to you, me and children yet unborn? It means, for example a baby born at a hospital today in cities throughout this country has a debt of some $50,000.

We in this House and in this Government are using that youngster's credit card to spend and spend and to put that youngster under an unbearable debt. Is that fair? I say no.

I think the people around the country feel the same way, too.

I have a questionnaire that I send around to my entire district. It is a wonderful way to gauge reaction around the country. One of the questionnaires was returned with comments and the remarks end this way, they said: "Congressman Roth/our needs are few/our wants are many/we've elected you/to watch every penny."

I am going to put this on my desk, because that is the way I feel the American public is reacting to our huge, unbearable national debt and our huge deficits.

We in Congress are beseeched by special interests groups. To be quite frank about it, I am sure that every one of the 435 Members experiences the same scenario every day. Some very well-meaning people, and people with wonderful programs come into our office and say: "We want you to work hard to balance the budget. We don't like these deficits, but we don't want you to cut this program. This program I represent is a good program."

If we in Congress listened to every group, we will not only have $200 billion deficits, we will have $2 trillion deficits. That is why it is so important for us to get a political control of this runaway in spending.

That is why this bipartisan commission is so important. It is not politically popular to cut or freeze spending. Politically in this country we have two adversarial parties, and if one party is brave enough to stick its head out and say "We're going to make the tough decisions," the other party is going to pounce on it and say: "Look what they are going to do, they are going to cut your special program." This scenario continues over and over and over again.

We saw this with Social Security. The only way we could keep Social Security viable was by going the route of the bipartisan commission. It was only after both political parties, Democrats and Republicans had their fingerprints on the document were we able to move forward and to save Social Security, and we must do the same again. It is the only feasible approach.

The bipartisan commission on deficit reduction has the imprimatur of some of our leading economic thinkers. On April 30, before a committee I serve on, Foreign Affairs, we had former Secretary of the Treasury Michael Blumenthal and of course we also had Alan Greenspan. One served in a Republican administration, the other in a Democrat administration.

I asked them about my proposal of a bipartisan commission. I want to quote to you from their testimony what they had to say, because I think it is very important, and very relevant.

Mr. Greenspan said, and I quote: "I suspect that the bipartisan commission may be the only way to resolve this question, because there is something quite different about that type of problem which we currently have. Different in a very fundamental way than I think has confronted Congress in the past. It essentially requires that in our political system we find a way for the reprocessing benefits previously bestowed on constituents and/or raising taxes, on one of which is the type of thing which politically is easy to do."

□ 1750

Mr. Greenspan went on to say "What we learned in the Social Security Commission, in fact what we have learned in all of the processes of recent years, that it is only in the final negotiation, where, in effect, various different political albatrosses are sort of traded one group against another, that we have any capacity to strike a deal which cuts the deficit.

"The Social Security experience I think is a microcosm of a much larger issue, and I think it told us a great deal. Specifically, you may recall, that both this House and the Senate voted overwhelmingly as a sense of the Congress against taxing Social Security benefits, but when an agreement was finally reached in which taxing benefits was reluctantly agreed to, there was virtually no opposition in this House or in the other body. And the reason there was not this opposition is that there is a general recognition that you cannot vote up or down on a whole series of individual items which contribute to the deficit."

I think the nub of Dr. Greenspan's answer is this: He said you have to have a bipartisan agreement beforehand in which all of the difficulties are worked out, and the leadership of both Houses, with the President, comes to an agreement on a specific budget which they are willing to support in total.

I think were that to come to pass, that we would in effect resolve this budget deficit problem. I doubt that if we do not go this route that we will be able to tackle and to solve this issue.

Mr. Greenspan also said that it is important, of course, to tackle this issue now because time is of the essence.

Mr. Blumenthal, who was former Secretary of Treasury under President Carter, agreed. He said you have to get a present package, tie it all up into one piece of legislation so that you do not have the temptation of picking it apart.

The commission that I am proposing would be set up of 15 members, 5 members appointed by the President, 5 appointed by this House and 5 appointed by the Senate. No more than three of each group could be members of one political party. And within 180 days, this commission of each group would be mandated to report back to the Congress.

I urge my colleagues in the House and in the other body and the people throughout the country to support this measure. I think it is the only viable solution we have left. This body can act and act swiftly if public opinion is behind a certain move. I remember when we had the 10 percent withholding on interest and dividends, and I know that people throughout the country remember that issue. Why, Congress changed its mind and repealed that 10 percent withholding in very short order. We noticed that today on the floor of Congress. When the IRS promulgated some very burdensome recordkeeping requirements, why, Congress acted, and we acted in final form here today. So when people say that Congress does not act, that is not correct, because Congress will act and will act quickly if the country speaks in unison, and I think we want to appeal to the country for their support.

What we have to do in this, the most important domestic issue we are going to face this decade in Congress, these huge, horrendous deficits, we have to stop acting as Republicans, we have to stop acting as Democrats, we have to take politics out of this process and think of our country first, foremost and always.

The time to act is now. The time to work toward a balanced budget is now. The time to think about our children's future and the future of this country is now. And the time to write your Congressman and to galvanize him or her to action is now.

THE NEED TO GIVE BANK CUSTOMERS ACCESS TO THEIR OWN MONEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island [Mr. ST GERMAIN] is recognized for 10 minutes.

● Mr. ST GERMAIN. Mr. Speaker, the dispensing of financial services on a reasonable and equitable basis should be the goal of all depository institutions, whether chartered by the Federal Government or State governments.

New York and California have taken the lead in trying to establish rational criteria for the clearing of checks and to assure that consumers have access to their funds as soon as possible. Those States are trying to eliminate the long delays—sometimes running into weeks—which have frustrated consumers throughout the Nation. The efforts of California and New York are commendable, but their legislation applies only to State-chartered depository institutions. The legislation I am introducing today along with 21 of my colleagues will require that all depository institutions regardless of charter status make deposited funds available to customers on an expedited basis.

Mr. Speaker, the legislation I am introducing today, the Expedited Funds Availability Act, parallels the bill I introduced last year to deal with the delayed funds problem and incorporates important safeguards reflected in what New York and California have done. Last year's bill, you recall, was cosponsored by 129 of our House colleagues.

Mr. Speaker, the Expedited Funds Availability Act is in part necessitated by inaction and obstruction from Federal financial regulatory agencies. Last year, the Federal Home Loan Bank Board, acting through its general counsel, informed federally chartered thrifts in New York that they need not comply with the New York State law designed to give consumers quicker access to their deposits. In addition, in February of this year, the National Credit Union Administration promulgated a final rule preempting State initiatives such as those in New York and California. This final rule not only involved expedited funds availability, but also included disclosures, fees, and other matters as well. Both the FHLBB and the NCUA pointed to the age-old preemption of Federal law for institutions chartered by the Federal Government.

Mr. Speaker, I question why the Federal Home Loan Bank Board, and other Federal supervisors, have not led the way in eliminating or reducing the onerous—the outlandishly long—delays required before most checks are cleared and credited to a customer's account. In some cases, the delays—technically the float—stretch into weeks. A frustrating experience, and at times an experience that results in severe problems for consumers, particularly low- and middle-income families who do not have the luxury of waiting weeks for their money.

While the depository institutions hold the deposit uncredited, the customer writes checks—many of which get marked insufficient funds and socked with a $10, $15, $20 fee. All the while, the financial institution refuses to post the deposit, which is often hundreds of dollars in excess of the insufficient fund items. On the one hand, the institution has use of the float—a profitable item—and at the same time collects a little extra in the form of returned check fees from the customer. An all-win solution for the institutions; a sure loser for the customer.

Mr. Speaker, over the years I have tried repeatedly to call attention to this problem in hopes that we would see some action by the supervisory agencies in support of the consumer. The Federal Reserve is attempting to coordinate an approach with other agencies. While I welcome the Federal Reserve's limited response to my efforts, it is simply not enough. New York and California have moved in a definitive fashion to reduce the delay in availability of funds, and the only answer from the Federal agencies has been to trot out the preemption issue. Again I acknowledge the legal scholarship, but I deplore the lack of creativity, the lack of action, the lack of concern which could make the preemption issue moot in this instance.

Mr. Speaker, last year 129 of our colleagues joined me in my effort to halt checkholds—the practice of delaying customers use of their deposited funds for a week or more. As I introduce similar legislation today, I ask them to assist me once again and hope that more of our colleagues will do the same. With such a combined effort, perhaps we can finally put an end to this anticonsumer practice.

A section-by-section of the Expedited Funds Availability Act follows.

SECTION-BY-SECTION-ANALYSIS OF EXPEDITED FUNDS AVAILABILITY ACT

Sec. 1: Prescribes the Act's short title.

Sec. 2: States the findings and purposes of the Act.

Sec. 3: Requires the Federal Reserve to develop a system in no longer than five years from the date of enactment that would cause all checks to be cleared so that funds would be available for withdrawal the next business day after the day of deposit for checks drawn on local institutions, and for all other checks not more than three business days would intervene between the day of deposit and the day of availability of the funds for withdrawal. The Federal Reserve should consider, among other things, establishing a uniform endorsement standard, direct notification of nonpayment for checks over $250, and system for expedited notice on nonpayment of a check to the receiving depository institution. The Federal Reserve would report within six months, and annually thereafter, on progress toward the goal.

Sec. 4: Establishes specific time limits for funds availability for types of deposits. These limits would be in effect while the system described in Section 3 is being developed. The limits are:

(1) Availability the same business day as the day of deposit for a cash deposit or the cash portion of a deposit.

(2) One business day between day of deposit and day of availability for checks of $100 or less; checks drawn on in-state branches of the receiving depository institution; and U.S. Treasury, State and local government checks endorsed only by the person to whom the check is issued. Such one day availability will be accorded all cashier's and certified checks beginning 2 years after enactment but, in the meantime, they will be treated as ordinary checks;

(3) Not more than three business days between day of deposit and day of availability for checks drawn on local depository institutions (i.e., institutions determined by the Federal Reserve to have an office in the same city, town or village, or in the same local region or metropolitan area, as the receiving depository institution);

(4) Not more than four business days between day of deposit and day of availability for checks drawn on non-local depository institutions with an office in the same state as the receiving depository institution; and

(5) Not more than eight business days between day of deposit and day of availability for checks drawn on depository institutions which only have offices outside the state of the receiving depository institution.

Deposits made on Saturdays, Sundays, holidays or after business hours are deemed made on the next business day. The Federal Reserve is given regulatory authority to shorten the time periods specified above, and also the authority to lengthen the time periods specified in (2) through (5) above by one day to accommodate the unique circumstances of nonproprietary ATMs, and also by one day to accommodate savings and loan associations, mutual savings banks, and credit unions.

Sec. 5: Provides exceptions to the maximum limits in Section 4.

(1) Availability limits would be waived for a customer who deposits more than $5000 in an account in a single day (not including any portion of a deposit or deposits consisting of cash, and two years after enactment, not including portions consisting of cash, cashier's checks, or certified checks).

(2) The availability limits shall not apply to new customers' deposits that are made within 30 calendar days after the date on which an account is opened, except for any portion of a deposit or deposits consisting of cash, and two years after enactment, not including portions consisting of cash, cashier's checks or certified checks.

(3) If a customer issues checks from an account that are returned for insufficient funds three or more separate times in a six month period, then the availability limits would be waived but only for the specific account affected or a successor account.

(4) The availability limits would not apply to check drawn on depository institutions outside the United States.

(5) In the event of emergencies beyond the control of depository institutions, that are certified by the Federal Reserve, such as in the failure of communications facilities or the suspension of payments by another institution, the availability limits would be waived.

Sec. 6: Preserves the authority of states to enact laws affecting the state chartered institutions within their state, and the authority of individual depository institutions to prescribe policies making funds available more quickly than the time periods prescribed in this Act or in Federal Reserve regulations.

Sec. 7: Requires that interest begin to accure on the business day on which a deposit is made into an interest-bearing account.

Sec. 8: Requires depository institutions to disclose their funds availability policies in writing to new customers; on deposit slips or by specific notice when deposits are made; in mailings to established customers; and by posting of notices in locations where deposits are taken.

Sec. 9: Authorizes the Federal Reserve to publish optional model disclosure forms and clauses.

Sec. 10: Specifices agency responsibilities by permitting the Federal Reserve to prescribe regulations to carry out the Act after consultation with the other federal depository institution regulatory agencies.

Sec. 11: Establishes a Payments System Advisory Council under the auspices of the Federal Reserve Board to provide consumer and private sector advice to the Federal Reserve on funds availability matters.

Sec. 12: Establishes administrative enforcement arrangements under existing law, to be carried out by the federal regulators of depository institutions.

Sec. 13: Provides civil liability penalties for individual and class actions for violations of the Act, commencing 6 months after the date of enactment.

Sec. 14: Prescribes definitions applicable to the Act.

Sec. 15: Establishes effective dates for the Act. The Federal Reserve is to begin working toward its five year goals starting on the date of enactment. The interim maximum time limits prescribed in the Act, the disclosure requirements, and the administrative enforcement provisions take effect 90 days after enactment.●

OSTRICHES THAT ARE SLOW TO DUCK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, the topic of my special order tonight is the recent surprise expressed by some people about the fact that the communist dictatorship in Nicaragua would send their leader, Mr. Ortega, to Moscow on such short notice and that it would be done so directly tied or at least in proximity to a vote of the U.S. House of Representatives. And I guess if I really had a title, it would be on ostriches that are slow to duck, because I think what happened is very, very illustrative of a central problem in the American intellectual and political and news media community.

For those Members of the House who are not familiar with what happened, let me walk through: The House had a series of votes in which it, frankly, could not quite decide what to do. There is great confusion in America about the nature of the Nicaraguan Government, there is a great deal of uncertainty about the appropriate response to that Government, and there was a very impassioned debate, with one wing saying that Nicaragua clearly is Communist, it clearly is now allied with the Soviet Union and Cuba, that it clearly is a threat to the United States, and the other wing, which I have characterized and a number of others have characterized as sort of the ostrich wing of American life, saying, "Oh, no, they really are not Communists, oh, no, they are really not tied to the Soviet Union, they are really not a danger to the United States."

The morning after the House of Representatives voted down any effort in Central America, it was in the American news media that Ortega, representing the Communist dictatorship of Nicaragua, was going to go to Moscow. Several leading figures who had voted against aid announced that they were shocked at this. One figure who had recently voted against aid said, "If I had known he was going to go to Moscow, I would have voted for aid to the freedom fighters and I would have voted to help undermine this Communist dictatorship."

Now, the Speaker of this House was quoted as saying, "He embarrassed us, to be perfectly truthful."

And I think that there has been a great deal of feeling in the House that the trip of a Communist dictator in Nicaragua to the capital of communism in Moscow, coming as it did, seemed to be very, very ill timed.

Now, I think the important thing about this particular event is, frankly, not what it teaches us about the Nicaraguan Communists but what it teaches us about the ostrich wing in American politics and the American news media and the American intelligentsia.

The fact is, first of all, that Ortega, the Nicaraguan Communist, has visited Moscow before. It is not new for

Nicaraguan Communists to show up in the Soviet Union. One ostrich said to me, off the record, and I will not quote him by name, "He could at least have waited a week." Now, I think everybody needs to think through the implications of that analysis. What difference does it make if a Communist in Nicaragua announces he is going to go to the Soviet Union 1 day after we vote to kill aid to the freedom fighters or a week after we vote to kill aid to the freedom fighters or 3 weeks after we vote to kill aid to the freedom fighters?

And I have recently gone back and I have been studying Churchill's difficulties in the late 1930's in convincing well-meaning appeasers and the ostriches of that generation that Adolf Hitler was a danger, and people like Neville Chamberlain could never quite believe Hitler was a danger.

And what happened over time—and I think this is a great weakness of dictatorships—is that Hitler grew arrogant about the nature of the United States and the nature of Great Britain and the nature of free societies, that Hitler came to the conclusion that he could do anything and that the Anglo-Saxons were so weak and so helpless that they would do nothing, that Neville Chamberlain was so spineless that he would do nothing. And so as Hitler got more and more arrogant and Chamberlain appeased him more and more, it gradually sank in for everyone else who was watching that this is a form of madness. Churchill described it as feeding the crocodile. He said everybody thinks that if we feed the crocodile a little bitty country like Czechoslovakia, the crocodile will be satisfied, or if we feed the crocodile Poland, the crocodile will be satisfied.

□ 1800

Let us look at the modern world. Twenty-five years ago, communism seized power in Cuba. Instead of moving decisively to reaffirm the Monroe Doctrine; instead of saying we will not tolerate a Soviet base 90 miles off our shore; instead of eliminating a Communist dictatorship in Cuba, we fed the crocodile. We said, well, let us back off, and if Cuba survives, what damage will it really do, and it is a little country, and after all, it is not really a threat.

Today, there are Cuban soldiers propping up Communist dictatorships in Angola, in Ethiopia. There are Cuban military advisers propping up the Government in Nicaragua. We know for a fact because we captured the Grenada Documents when we liberated the Island of Grenada. That the Cubans played a key role in every step of setting up a Communist dictatorship in Grenada.

Now we have a Communist dictatorship in Nicaragua. We know it is Communist; they say themselves that they are Marxist-Leninists. We know they are allied to the Soviet Union and Cuba. We know they are building a 12,000-foot airfield in order to house Soviet-built aircraft. We know that they are intimately tied to the Cubans. We know that right this very minute there are guerrilla movements underway in Guatemala, Honduras, in El Salvador, whose headquarters are based in Nicaragua. We know all that; that is not anything new.

Yet, if you watch the trauma of the ostriches, suddenly shocked because Ortega would be so unkind as to announce the day of the vote that he was going to Moscow. Suddenly you have a variety of people saying, "Well, if we had known that, we would have voted for aid to the freedom fighters to undermine the Communist government."

Let me suggest to you that what happened was that the ostrich, having raised its head long enough to argue about foreign policy, could not bury its head in the sand fast enough to avoid seeing Ortega's announcement about going to Moscow. That the ostrich is a little slow, and had Ortega waited 1 week, as one of them suggested to me, had he only gone 1 week later to Moscow they would have said, "Well, that is all right. After all, there has been a decent interval."

It is sort of like having a mugger drop in for dinner. You know, if the mugger comes in right after he mugs you on the way home from work, you might be very angry. But if the mugger would wait a week, this seems to be rationale. The mugger would be welcome for dinner because after all, that was a week ago, and why do we not become friends?

Furthermore, what is there shocking about Ortega going to Moscow? There are Soviet advisers in Nicaragua; there is Soviet military equipment in Nicaragua. The Soviets and Nicaraguans are one team in the United Nations. The Soviets are intimately tied into the support of Nicaragua. Noboby doubts that Nicaragua is directly an ally of the Soviet Union.

In fact, a leading Democrat who is opposed to any aid to the freedom fighters said the other day that they concede that Nicaragua is an ally of the Soviet Union, but they are still not in favor of doing anything about it.

If that is true, if you concede that Nicaragua is an ally of the Soviet Union, why would it bother you that Ortega is going to the Soviet Union? Is that not the way allies behave? Why would it bother you if Ortega and the Nicaraguans always vote with the Soviet Union in the United Nations? Is that not the way allies behave?

Yet, there seemed to be this tremor, this momentary concern because Ortega had said he was going to go to the Soviet Union.

Now, there is a book by David Nolan called "The Ideology of the Sandinistas and the Nicaraguan Revolution." It is a study that was produced by the Institute of Interamerican Studies, Graduate School of International Studies, University of Miami in Florda, copyright 1984.

If you study this book, and it is a fascinating book; it is not a particularly big book; it is 200 pages long. But if you study this book, what you discover is that at the very beginning of the Nicaraguan Communist movement, the key leaders saw themselves as Communists. They were committed to communism; they were in favor of Lenin and Lenin's theories, and they were in fact committed to establishing a dictatorship. They were also very, very pro-Soviet.

I might suggest that one way to look at that is to go back to the very beginning of the period when one of their leaders went to the Soviet Union and looked at the nature of the Soviet Union. Now, this particular leader, Fonseca is his name, when he visited the Soviet Union, saw a very particular version of reality. A version that I think virtually none of us would accept, and virtually none of us would understand.

I quote: "Fonseca left the country in 1957 on a trip to Moscow as the PSN's delegate to the Sixth World Youth and Student Festival. He was jailed when he returned, and took the opportunity to write a pamphlet relating his impressions of communism in practice.

"A Nicaraguan in Moscow" carried a tone of calm appraisal designed to counter the negative image of the U.S.S.R. promoted by the United States. According to his account, the Soviet Union enjoyed total freedom of religion. The press had the right to criticize the top leadership. He characterized Krushchev's de-Stalinization campaign and the Hungarian Revolt as cases of constructive criticism within communism.

He predicted that Soviet agricultural production would soon overtake that of the United States. Fonseca's uncritical apology of Soviet orthodoxy was best expressed when he explained how communism had found the solution to both the social and economic questions.

I quote from Fonseca's work, "A Nicaraguan in Moscow," where he said:

> Now the answer is the state. The Russians believe that their state represents the people, and that consequently the true owner of the factories is the people.
>
> In the Soviet Union, competition does not exist either. Production is planned. Because of this, they never suffer economic crises, nor do they suffer from overproduction, and consequently never have been obligated to throw tea into the sea or burn cotton or allow apples to rot.

This is from page 20 of the "Ideology of the Sandinistas and the Nicara-

guan Revolution," by David Nolan. My point is that: Here we have a document written in 1958 in which one of the founders of the Communist government and the Communist Party of Nicaragua writes what has got to be one of the most naive and self-deceiving descriptions of the Soviet Union in modern times. There is no free press in the Soviet Union; he says the press is free. There is no religious freedom in the Soviet Union; he says they have religious freedom. Anyone who is at all familiar with the brutal manner in which Andropov and the Soviet Secret Police and the Soviet Army crushed the Hungarian Rebellion in 1956, will recognize how bizarre you have to be in your approach in order to characterize that as constructive criticism within communism.

Of course, his description of the Soviet state, his suggestion that the Soviet Union would soon replace the United States or overtake the United States in agricultural production has clearly failed. Twenty years after Fonseca's work, we now know that the Soviet Union has a permanent economic crisis in agriculture, and in fact, they are buying food from us, and it is we who have the great overproduction. The reason, of course, that no apples rot in the Soviet Union is that there are not enough apples, and therefore, they are all eaten as quickly as possible.

Now, I would suggest to my friends who have sort of an ostrich approach to all this, that if you had looked at this book, if you had studied Fonseca's work, if you had asked yourself if the founder of the Communist Party of Nicaragua is in fact totally self-deceptive about the nature of the Soviet Union, why would I not expect Ortega to go to Moscow?

Let me carry on. It is not just an issue of the nature of our information about their ideas. We also know that they were intimately tied to Cuba and that in fact they were involved with Cuba a long time ago. Let me quote from page 22 and 23:

> The involvement of Cuban revolutionaries with the Sandinistas dates from Fonseca's first experience as a guerrilla. After his deportation for political agitating at Unan, Fonseca made his way in 1959 to the Honduran border region where he joined up with the Enrico Roberto Lopez Perez Column, a group of about 55 Nicaraguans, Cubans and others, organized with advice from Ernesto Che Gueverra and armed by Cuba.

□ 1810

In other words, as early as 1959, 1960, you have a Nicaraguan Communist involvement with Cuban communism. It goes on to say, and I quote, they got involved in a fight:

> The wounded Fonseca escaped to Havana where he became personally acquainted with Castro and Gueverra.
>
> During 1960, Fonseca and Servio Mayorga, another friend from his Matagalpa student days, traveled around the Caribbean Basin in search of supporters while Borje made his first trip to Cuba to seek Gueverra's blessings.

What are we talking about here? We are talking about 25 years ago, 25 years ago, a period you would think long enough that ostriches would learn, and what do we discover? Not just that here is a guy who wrote a book in which he was totally pro-Soviet, but here is pair of people, and Borje is the Minister of the Interior today in Nicaragua, who as early as 1960 were systematically involved with Cuban Communists in trying to establish revolutions, in trying to overthrow governments.

Let us continue, though, to look at the relationship because it is not just an issue of what kind of people are they, are they people of the left, are they Soviets, are they pro-Soviet, rather? The question goes deeper.

There are two two central problems that our friends on the left who are ostriches have in dealing with reality. The first is the nature of Leninism and the fact that the Communist movement in its Leninist form is a systematic, disciplined organization on behalf of imposing dictatorship and an organization which leads, I think, inevitably to aggression against your neighbors because it is impossible for a Communist dictatorship to live openly next to a free country.

Look at the Berlin Wall. Why did the Berlin Wall exist? It exists because if you live in an oppressive Communist dictatorship and you can walk across the street to freedom, you are going to leave, and the Communist Government of East Germany literally could not have survived had they not first built a wall to keep people in. And that leads to the question of Central America.

Are there any people left in America who honestly believe that if Nicaragua is allowed to remain a Communist dictatorship, if the Nicaraguan Communists, trained and educated and guided by their Cuban and Soviet leaders are allowed to impose an absolute Leninist dictatorial state, that it is going to be able to survive with a free Costa Rica next door? Of course not. What is going to happen is what we already see happening. Thousands of people fleeing into Costa Rica. Thousands of people fleeing into Honduras. And presently what is going to happen is the Communist Government of Nicaragua will discover it has to attack Costa Rica, it has to attack Honduras, because after all, they are threats. The very existence of a free country is by definition a threat to the survival of a neighboring Communist dictatorship, because a free country automatically attracts the brightest, the most courageous and the most energetic, and they leave the Communist dictatorship.

Let me carry it a stage further. The second problem that the ostrich faction in American life has is not only can it not deal with Leninism, but it finds it virtually impossible to deal with the fact that communism has now discovered a secret device for making war.

I think this is very important. Imagine, if you will, back when the first forward pass was thrown in an American football game. Imagine that nobody on defense had figured out that there is this new device by which you could pick the ball up, throw it over the line, and then run for a touchdown. Imagine the defense has continued to get every man up on the line or close behind the line in order to stop a running play and there had been no adjustment. Of course, the passing game would always win.

What do we have in the modern world? Western liberal democracies have figured out that a country should not be allowed to attack another country. Western liberal democracies have decided, and we have heard our good friends who are very sincere and who are very much opposed to doing anything in Central America, say "Look, if Nicaraguan Communists get in those Soviet tanks and they drive up the Pan American Highway, then the United States would intervene and stop them with military force."

Let us walk down that logic for a moment. What if they painted over the tanks so they did not have any Nicaraguan markings, and what if they took the soldiers out of uniform and let them wear blue jeans, so you had unmarked tanks driving up the highway and guys wearing blue jeans. Would we stop them then? They would say, "Yes, you see, that is a direct offense, that is a direc. attack, and you cannot deceive us just by painting over the insignia and by putting on blue jeans. We would know those were tanks and we would know that was an army and we would stop them."

Fine. What if you take them out of the tanks and let them walk across in blue jeans, but they walk across as an organized army? Oh, we would stop that, you see, because that is still an army.

All right, fine. What if, instead of doing that, they are allowed to come across at night in small groups of 10 or 12 or 30 or 40 and they are not on the highway, they are in the jungle. Oh, well, then, that is different. That is no longer an army. That is now a guerrilla movement and guerrilla movements are legitimate and, after all, how could we get involved?

If you are the Communist faced with this Western liberal vision of the world, what does that tell you? It is very much like inventing the forward pass. It tells you that the Western

World is very much ready to stop your running play of a direct, conventional, military assault, so you know you cannot put men in uniform and tanks and drive up the Pan American Highway. You know you could not even cheat by taking them out of uniform and letting them wear blue jeans and repainting the tanks. That just would not work. You know you could not even just have infantry march up the highway.

But the Western democracies have no solution for warfare as long as it is below the level of a conventional army. In other words, if Nicaragua wants to have all of the guerrilla movements in Guatemala, that is fine. If Nicaragua wants to have the guerrilla movement from Honduras, oh, that is all right. If Nicaragua wants to house the guerrilla movement from El Salvador, that is all right because they have convinced us that there is a difference technically between my sending an army against you and my sending guerrillas against you.

If I send an army against you, that is an act of war, but if I only blow up your generating stations and shoot your local officials and bomb your local transportation and kill your local soldiers in small numbers, by small groups, that is not an act of war.

So we have created in the West an intellectual sanctuary in which the Communist world is able to fight a secret war, they are able to undermine their neighbors, they are able to send in troops to kill people, as long as they do it at a low enough level that we do not know how to deal with it.

What is the result? The result is that this evening as I stand here talking, we know for a fact that Cuban-trained, Soviet-armed, Nicaraguan-housed guerrillas are fighting in three countries in Central America. There is a war going on. There is a war against Honduras. There is a war against El Salvador. There is a war against Guatemala. We know that, in fact, because all of the local leaders in Central America say so. President Duarte has said so flatly. The President of El Salvador has said, "Look, Nicaragua is attacking us."

But "Ah," the American left says, "they are not attacking you in uniform and they are not attacking you in an organized way and they are not on the highway so it is not really a war."

Well, if you are a Communist planner and you know that the American news media and the American politicians have this blind spot, that they are literally incapable of understanding, what do you do? You obviously plan covert wars which you constantly lie about and which wipe out and destroy small democracies one by one, because faced with a powerful Communist dictatorship backed by the Cubans, backed by the Soviet Union, it is very unlikely that a country like Honduras or El Salvador or Costa Rica is going to survive if, in fact, they are up against serious opponents.

Now, how serious are the opponents? Let me start first and remind you that on page 23 there is clear evidence that as early as 25 years ago the Cubans were directly involved with the Nicaraguan Communists. Let me remind you second that the Nicaraguan Communists see themselves, and have seen themselves for years, as enemies of the United States and as enemies of the survival of freedom.

Let me give you a couple of quotes from the 1969 statement of the FSLN, which is the Nicaraguan Communist Party.

□ 1820

First of all, they say flatly "replacement of the constitutional theory of elected representation with a revolutionary government." That is from page 36 of the Ideology of the Sandinistas and the Nicaraguan Revolution. Now, what do they mean when they say, "replacement of the constitutional theory of elected representation with a revolutionary government"? It means in classic language that Lenin used that they will establish a Communist dictatorship, that they will decide, they will have all power.

By the way, if you read the first speech in the Grenada Documents published in 1984 by the State Department, you will discover that in Grenada the Communists, in a secret speech made by the Communist leader, said exactly the same thing, that "We will lie to the West, we will lie to the Americans, we will lie to the news media, but our real goal is to establish a Communist dictatorship." Well, here you have a 1969 statement.

They went on to say, "Solidarity with Third World anti-imperialist movements," and furthermore "opposition to all U.S. military bases." In other words, if it is American, they are against it. They talk in their statements about Yankee imperialism, they talk about fighting against Yankee intervention. It is a systematic anti-American document in which the United States is clearly the enemy of communism in Nicaragua and they are clearly opposed to us.

This again, remember, was in 1969, in a written document that we know exists and that has been printed over and over again.

And then they say, "Struggle for a 'true union of the Central American peoples within one country,' beginning with support for national liberation movements in neighboring states."

Now, what does that mean when they use fancy phrases like "a true union of the Central American peoples"? It means that "once we conquer Nicaragua and make it Communist, we are coming after the rest of you."

What do they mean by this: "Beginning with support for national liberation movements in neighboring states"? It means specifically that they are going to set up guerrilla movements, and they are going to attack Guatemala, Honduras, El Salvador, and Costa Rica.

Now, I say to you that if you have a movement in which the intellectual founder, Fonseca, went to Moscow and wote a pamphlet called "A Nicaraguan Visits Moscow," works with Castro and works with Guevara and tells you flatly that he hates America, that he wants to unite all of Central America into one country—and, by the way, they are going to launch guerrilla movements to do it—why would it surprise any of the ostriches 25 years later when in fact they do exactly that? They have guerrilla movements that they are sponsoring, they are allied with the Soviet Union, they hate the United States, and they are very honest men. They told us for 25 years, "Hey! We are Communists." But they also told us, as they told us in the Grenada Documents, that they are absolutely confident that the American news media and the American intellectuals and the American politicians are dumb enough that they can be manipulated, and that if you will only lie to them, they will not quite understand what you are doing.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I am delighted to yield to my good friend, the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I appreciate the distinguished gentleman from Georgia yielding, and I would like to thank the gentleman for hosting this special order to discuss the situation in Nicaragua.

I was visiting with some good friends in my office, and they saw the special order come on and were so concerned about the problem and the fact that their Congressman, a distinguished Congressman from Colorado [Mr. WIRTH], had not seen fit to view the issue as seriously as you and I have, that they were very happy to see you holding this special order. So I just came over to congratulate you on it and to point out a fact that you have not had time yet to discuss. That is the probability that if we do not draw the line in Nicaragua and are not able to get the Congress to address this issue again and provide some sort of funding for the freedom fighters down there, there is every probability that the Sandinista government will consolidate control and then begin to export revolution—and you have already shown that the facts are that they are, in connection with the Cubans and the Russians—and we could have a tre-

mendous immigration problem in the United States.

I have submitted some documentation into the CONGRESSIONAL RECORD that shows that as many as 20 million immigrants may try to come into the United States illegally if the Sandinistas are successful in Nicaragua and then move into Honduras and Guatemala and then ultimately into Mexico.

I think that is a serious problem that this Congress needs to address, and we need during this session to come back and address this issue and hopefully provide some funding for the freedom fighters.

As you have pointed out, Comandante Ortega was in Moscow within a week after the vote in this Chamber that denied funding, both military funding and even humanitarian aid. I think he was requesting something on the order of $200 million from the Soviet Union, and some of those funds will either be used for military purposes or, if not for military purposes, will free up other funds that could be used for military purposes.

So the distinguished gentleman from Georgia is to be commended for bringing this problem to the attention of the Congress and the Speaker, and hopefully we will address this issue in the near future with a different result.

Mr. Speaker, I thank the gentleman for yielding.

Mr. GINGRICH. Mr. Speaker, I appreciate the gentleman's comment.

I would go on to say that the thing that amazes me, as your friends, I think, were commenting on, is that a lot of this is very obvious if people will open their eyes and read the available documents. There was, for example, a big argument on what is the nature of the so-called Sandinistas.

Let me quote again from page 38:

In the writings of his 1976-75 exile, Fonseca continuously insisted that the FSLN embodied the "Marxism of Lenin, Fidel, el Che, Ho Chi Minh * * *" and that it must not compromise its ideological purity.

I just say to you that if the leader who founds the party says to you that the place to figure out what it is going to be like is the Marxism of Lenin, Fidel Castro, Che Guevara, and Ho Chi Minh, he probably does not belong to the Kiwanis Club.

When people walk in here as good, decent, well-meaning ostriches and say, "Gosh, how can you claim these folks are Communists?" I suggest that they read the writings of the people they do not seem to want to listen to.

Mr. BARTON of Texas. Mr. Speaker, if the gentleman will yield again, I think it is interesting that when you read even the censored press coverage that is allowed in Nicaragua, the Sandinistas have made no secret that they are Marxist-Leninists. All their public speeches down there have admitted to the fact.

We have the private recording of the meeting last spring where Mr. Arce, I believe, said that the election was just a farce to placate American public opinion. They have been public in acknowledging their Marxist-Leninist roots, and for some reason some of the Members of this body have seen fit to ignore that fact. At some point in time the American people evidently will have to take up the battle cry and force the Members of this body to acknowledge that fact and act constructively.

Mr. GINGRICH. Well, one of my beliefs is that the American people, if given enough information, will always follow leadership. Churchill said all through the 1930's, when the appeasers kept saying, "Oh, the British people won't stand for it," Churchill kept saying, "If you tell the people the facts, the people are willing to follow. The people are willing to do what is necessary to survive."

The average American is not an ostrich. The average American does not have a psychological commitment to avoiding reality. The average American has not some kind of leftwing ideological blindfold that prevents them from dealing with people who, when they say they are Communists, are probably Communists.

Furthermore, as early as 1970 the Communist Party of Nicaragua saw that—and I quote—"part of the FSLN's 'fundamental mission' was to aid the revolutionary movements in all of Central America, including bourgeois democratic Costa Rica."

That is from page 39 of this study from the University of Miami.

I am willing to challenge any ostrich who wants to come over any evening and offer any countervailing evidence, and I do not think there is any. I think the truth is that the Nicaraguan Communists have been Communists for 25 years, they have been allied with Cuba for 25 years, they were determined to establish a Communist dictatorship, and we have every evidence in writing and in fact and in deed that they are committed right this minute to undermining and setting up guerrilla war in every country in Central America. They have said so, and since they are allies of the Soviet Union, why does it surprise some of our friends that the allies of the Soviet Union, the allies of Cuba, these self-proclaimed Communists, behave like Communists?

□ 1830

Now, if I might, there is one other thing that I think has really bothered me about our ostrich friends who are shocked at any kind of report, as in today's Washington Post page 1 story, about a freedom fighter who suddenly defects to the Communists and says, "Gosh, you know, freedom fighters kill people."

There are always atrocities from freedom fighters. There are never atrocities from Communists. There is never a page 1 story about Communist atrocities; yet let me tell a quote from one of the Nicaraguan Communists, because it is very important to understand the psychology here, and I quote again from the author:

GPP offer a way to purge one's soul of the guilt of being a bourgeois in the midst of poverty.

Here are the exact words of a Nicaraguan Communist:

That was the first time I killed a man. I felt an immense happiness like the tension of centuries had been released.

The author goes on to say:

Revolutionary violence liberated man from his hated bourgeoisness, allowing him to transcend his origins and become a new man, a proletarian man.

In other words, the actual teaching of the Nicaraguan Communist Party was that if you were born middle class, one way to rise above being middle class was to kill somebody and when you killed somebody you would feel, and I quote again:

I felt an immense happiness like the tension of centuries had been released.

Now, these are not nice people. These are Communists whose very doctrine suggests that killing people leads to happiness.

Furthermore, and I find it fascinating in terms of Ortega, Ortega spent some time in jail. Was he in jail because he was a pacifist? No.

Was he in jail because he was out organizing the Red Cross and some evil dictatorship arrested him? No.

Ortega was in jail because he was a bank robber. Now, why was Ortega a bank robber? Well, again it tells us here:

Bank robberies continued to be the major source of funding. In the countryside around Managua and Leon, Borge and Turcios trained new recruits from the campuses in the guerrilla tactics they had learned in the field and in Cuba.

In other words, the Communists in Nicaragua, getting training from Cuba, decided that robbing banks was one way to finance the revolution; beats gathering dues from local party members, you get out of all that paperwork. You just go out and rob a bank.

Now, the other fascinating thing, and again I say I do not understand the ostrich approach to all this, but Stalin was a bank robber. The early Leninist Party in Russia under the czars raised money by robbing banks. Joseph Stalin went to jail because he was convicted of robbing banks.

Here we have Ortega, a self-proclaimed Communist, who happens to end up being a bank robber who goes to jail, just like Joseph Stalin.

Now, I do not actually technically know if he visited Stalin's tomb when he was in Moscow, but it certainly would be one bank robber pays his respects to a fellow bank robber.

Now, I just want to say again in terms of the ostrich wing of American life, I mean, how can you be so stuck in the sand with your head dealing with a guy who tells you he is a Communist, who goes to jail for robbing banks, just like Joseph Stalin, who has open relations with Cuba, why would you be upset if he goes to Moscow?

I mean, Ortega is honest. He is a Communist ally of the Soviet Union who hates America.

What is bizarre is the American ostriches who cannot quite get in their heads that these are very serious people.

But again, this is not new information:

On 27 December 1974, Eduardo Contreras, the new leader of the Managu underground, and veteran guerrilla German Pomares led a commando of 10 men and 3 women in the seizure of the Castillo home. Although they failed to get Shelton, and had to kill Castillo, the commando captured enough high-ranking Somocistas to force Samoza to release Daniel Ortega, Jose Benito Escobar, and 12 other prisoners, pay a $1 million ransom decree, raises in national minimum wages, broadcast an FSLN manifesto, and provide the guerrillas and the prisoners with passage to Cuba.

That is page 45.

In other words, 11 years ago, and by the way, Shelton was the American Ambassador who was the guy they were trying to kidnap—11 years ago a Communist guerrilla band, as one of their demands, asked for travel to Cuba. So where do we think they learned how to be good Communists? They learned it in Cuba. Why do we think they are Communists? Because they worked with Castro to learn how to establish a Cuban dictatorship.

Furthermore, we absolutely know that they are an anti-Israel, anti-Semitic pro-Palestine Liberation Organization country, organized as part of a global terror network.

Now, how do we know that?

Mr. BARTON of Texas. Mr. Speaker, if the gentleman will yield, I would like to ask a question of the gentleman.

First of all, could the gentleman inform me of the document the gentleman is reading from?

Mr. GINGRICH. I would be delighted to. There is a book by David Nolan, called the Ideology of the Sandinistas and the Nicaraguan Revolution, which is published by the Institute of Inter-American Studies at the University of Miami in 1984.

Mr. BARTON of Texas. Is that document publicly available?

Mr. GINGRICH. It is a publicly available document, which in fact is available from the Institute of Inter-American Studies, University of Miami, Post Office Box 24813, Coral Gables, FL 33124.

Mr. BARTON of Texas. Would that institution be willing to send that document to those who would ask for it?

Mr. GINGRICH. I think they would actually ask for a modest amount, $4.95 or $5, but I think any ostrich who wanted to risk knowledge, frankly, I think we in the House could probably provide every Member in the House a copy of this if he would be willing to read it.

Mr. BARTON of Texas. It might be appropriate to do that, but I would like to make one comment.

The gentleman mentioned Commandante Borge. I believe I am correct when I state that at some point in his early adulthood his mother was violently opposed to communism and made a statement that she never wanted to see a Communist in her home and Commandante Borge said that he would have to leave home, or something to that effect, that he was a dedicated Communist and believed in the Marxist-Leninist revolution.

Mr. GINGRICH. In fact, that is a different publication. If I remember correctly, there was a Playboy magazine interview in which he tells that story. It is available on a mass basis. Millions of Americans have copies of that interview in their homes and it was easily available to any Member of Congress who wanted to get a copy of it.

Mr. BARTON of Texas. My final question of the distinguished gentleman from Georgia is, the gentleman was mentioning the PLO. It is my understanding that the PLO has representatives in Nicaragua and that they are very active in that country. I was just wondering if the gentleman could confirm that or give me any information about that aspect.

Mr. GINGRICH. I think it goes beyond that and again it illustrates the ostrichism of the American left.

What we are talking about here is not the fact that it is true they have recognized the Palestinian Liberation Organization. It is not the fact that Nicaraguan Communists are very pro-Qadhafi and that Borge himself, the Minister of Interior, was at Qadhafi's 15th anniversary celebration. It is not the fact that Nicaragua and the United Nations is anti-Israel and anti-Semitic and is committed as a Communist government to the destruction of Israel. It goes back much further.

Let me share with the gentleman from page 48, and again I just have to say that I find it very hard to understand how anyone could be such a total ostrich, that if you had any concern for the survival of Israel, this would not worry you. I quote:

During the 1969–1970 period the Sandinistas also experimented with airline hijacking. FSLN militants Juan José Quezada and Carlos Agüero successfully diverted Nicaraguan and Costa Rican planes to Cuba in November 1969 and October 1970. Indications that Sandinistas were receiving training from Palestinian radicals surfaced when FSLN member Patricio Argüello was killed by Israeli security agents when he and Leyla Khaled of the Popular Front for the Liberation of Palestine (PFLP) attempted to take over an El Al airliner during the PFLP's 6 September 1970 mass hijackings. Juan José Quezada was part of the PFLP squad that hijacked a British BOAC plane three days later. See *New York Times*, 15 September 1970, p. 16, and FSLN, *Un Pueblo Alumbra su Historia*, p. 29.

Let me make the point to the gentleman from Texas that any ostrich that wanted to look at the New York Times would discover that 15 years ago Nicaraguan Communists were the active allies of Palistinian terrorists trying to destroy Israel. Fifteen years ago, and interestingly the Nicaraguan Communists who were killed by Israeli security guards when they were protecting an El Al airplane was honored last year by having a generating plant in Nicaragua named after him.

Now, I would say in terms of being anti-Semitic and anti-Israel, what does it tell you about the Nicaraguan Communists, when not only were they trained by the Palistinians, not only were they working actively with them practicing by killing Israelis and trying to seize Israeli airplanes, but they go out of their way as a deliberate insult Israel to name a generating station after a terrorist killed by Israeli security guards.

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So I would simply say that anyone who is concerned about Israel should look at the Nicaraguan Communists and as a direct committed enemy of the survival of Israel and should ask themselves the question once again if these people tell me they favor terrorism, they tell me they favor guerrilla warfare, they tell me that they are systematically committed to a Soviet alliance, they tell me they recognize the Palestine Liberation Organization, they tell me they love Qadhafi so much that they go to Libya for the 15th anniversary party, what does that probably tell me about how dangerous the Nicaraguan Communists are to Israel?

Mr. BARTON of Texas. If the gentleman would yield, in Texas we have a saying that if it looks like a duck and sounds like a duck and walks like a duck it probably is a duck. And from what the distinguished gentleman from Georgia has been saying I would have to assume, if I were a logical person, that you have described a totally Communist-dominated leadership group that has been a Marxist-Leninist revolution, whatever the consequence, and they have aligned themselves with the Communists of this world that want to prevent freedom and opportunity. And this body needs to do what it can to stop that.

I thank the distinguished gentleman from Georgia for bringing this to the attention of this body and hope that in the next several months that we

will reverse our previous decision on aid to the freedom fighters and try to help them help themselves down there.

Mr. GINGRICH. I appreciate the gentleman's contribution.

I would say that I am not sure how many birds we can get involved in one special order but the problem is you have a Communist duck here which is being confronted by leftwing American ostriches and the ostrich buries its head in the sand in order to avoid seeing the duck, and it does not want to see the Communist duck. And, as I said earlier, part of the problem has been that the left wing ostrich in America raised its head long enough to debate foreign policy and could not get its head back in the sand quick enough to not notice the duck going to Moscow.

Mr. BARTON of Texas. If the gentleman will yield again, I think we are making some progress in identifying the duck because in another periodical that many of us peruse each day, the Wall Street Journal, on the editorial page, at the bottom of the page, I think in today's edition, it mentioned the fact that the august Speaker of this body was somewhat embarrassed because of the fact that Commandante Ortega had seen fit to go to Moscow and if we have at least reached the point where we have embarrassed some of the Members in this body there is always hope that we can prevail upon them to see the light and to identify the Communist duck as a Communist duck and do something about it.

Mr. GINGRICH. Let me mention one other thing. This is on page 97, and I think it tells us a little bit about one of the frightening things about ostrichism as a worn capability and the way in which the Communists are learning to manipulate the West.

As an FSLN spokesman, Borge joined in the public relations campaign to convince the bourgeois world that the FSLN had adopted a social democratic ideology. At a Mexico City news conference on 4 December 1978 Borge declared, "Somosa painted us as Marxists. We have some Marxists with us but the Frente is much wider. The concept of prolonged popular war was not Marxist. It is a military concept . . . We are neither Marxist nor liberal, we are Sandinistas."

The author goes on to say:

Unlike the Ortegas, who preferred to remain in the background while their sincerely moderate allies talked about freedom and elections, Borge sought publicity by hypocritically denying the whole ideological history of the FSLN and the GPP.

Let me just say to you I do not see anything wrong with Communists behaving like Communists. If Borge is a Communist, he lies because Communist doctrine, as Lenin wrote it, says you ought to lie if it will work. I understand what they are doing. They are Communists.

What I find fascinating is the capacity of American ostriches and ostriches across the Western world to be deceived over and over and over. If you read the ideology of the Sandinistas and the Nicaraguan revolution by David Nolan, or if you read the Grenada documents: An Overview and Selection, released by the State Department, and you realize you are reading real Communist documents which we captured when we liberated the island of Grenada and you say to yourself how could these people be so contemptuous of us. And they are. It is very clear from reading both Borge's statements and reading the Grenada documents that the Communists have absolute contempt for middle-class freedom-loving Westerners. They see us as weak, as shortsighted, as lacking historical knowledge, as uninformed, and they talk in here about how to manipulate us as though we were children. And they you see all of a sudden an ostrich get excited because the day after he votes to kill aid to the freedom fighters Ortega goes to Moscow again, and you begin to understand why they have contempt for us. Because as they look at the ostrich faction in the West they say to themselves, "You know, these guys are really so dumb that we can do anything, and as long as we do it cheerfully and we seem sincere they will buy the next one."

And the ostriches in the American world and the ostriches in the Western world buy it every time. I have come to the conclusion as an intellectual analyst that the greatest problem the Western world faces in survival is what I would call neurotic ostriches with amnesia. They are not just ostriches. Ostriches are bad enough. They stick their head in the sand. But they are neurotic ostriches in that they are literally incapable of dealing with intellectual, factual information because of their neurosis that blocks them from thinking they are Communists, and their amnesia in that as the one gentleman said to me, if only Ortega had waited 1 week. Now, how much amnesia do you have to have as a U.S. Congressman for 1 week to make that big a difference?

Mr. BARTON of Texas. If the gentleman will yield on that?

Mr. GINGRICH. I will be glad to yield.

Mr. BARTON of Texas. We had a great American President named Abraham Lincoln a little over 100 years ago and one of his sayings was, "You can fool some of the people some of the time and all of the people some of the time but you cannot fool all of the people all of the time." And as we stand here in the body of the House of Representatives that represents all of the people of the United States, I have great confidence that if we can get the truth to the American people we can educate enough of the American people to what the true situation is in Nicaragua and what the Sandinista Communists are up to down there and we may, they may be able to fool some of the people but they will not fool a majority of the people. And I have great faith that we will be able to help the freedom fighters to help themselves, which in the long run will help people in this country.

I think that the gentleman is to be commended for beginning the process and standing up and presenting the truth to the American public and to the Members of this body so that they can have an educated opinion about what needs to be done.

Mr. GINGRICH. Let me say in closing I agree with the gentleman and my hope is over the next year or so that every American church library, every public library, every high school library, every college library will get a copy of the Grenada documents and that concerned citizens across America will study actual Communist documents, Communist diplomatic papers, Communist treaties that are available from the State Department in the Grenada documents, and that those citizens who are represented by sincere and well meaning and idealistic ostriches will take it upon themselves to insist that their Congressmen begin to read these documents and that across America in town hall meetings and in civil meetings and in call-in shows people will say to their Congressmen, "Have you read the Grenada documents? Are you familiar with the ideology of the Sandinistas in the Nicaraguan revolution? Are you aware that they are Communists," because I think that the great genius of a free society over a dictatorship is that in the long run, slowly but steadily the people learn. And I think that Ortega, by going to Moscow so quickly, helped all of us to begin to say to our ostrich friends: Is it not time to keep your head above the sand long enough to really look at the nature of our opponents? Is it not time to study Leninism, to study communism, to look at the Soviet-Cuban-Nicaraguan alliance? Is it not time to be honest about the guerrilla war that is already under way and the war that Nicaragua is waging against Honduras and El Salvador and against Guatemala, and the war that Nicaragua has already promised to wage against Costa Rica?

Does it not make sense to you to tell the truth, to call a war a war if that is what it is, and to recognize that the time has come for the United States to help the freedom fighters and to be honest about the danger of communism by the Soviet Union in Cuba and Nicaragua?

I thank the gentleman for joining me.

FOOD STAMP AND COMMODITY DISTRIBUTION IMPROVEMENT ACT OF 1985

(Mr. PANETTA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. PANETTA. Mr. Speaker, today I am introducing the "Food Stamp and Commodity Distribution Improvement Act of 1985." These amendments are designed not only to reauthorize vital nutrition assistance programs but also to take positive steps to address the serious problem of hunger in America today. As chairman of the Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition, I hope these amendments will serve as the basis for food stamp and commodity distribution legislation that will be included in this year's farm bill.

The heart of this legislation comes from H.R. 5151, the Hunger Relief Act of 1984, which passed the House on August 1, 1984, by a vote of 364 to 39. Like H.R. 5151, this bill primarily addresses the Food Stamp Program and includes many recommendations reported by the President's Task Force on Food Assistance, in January 1984. This bill is designed to improve benefit access and adequacy, enhance work incentives and work opportunities, simplify program management, and strengthen program accountability.

In addition to food stamp provisions, this bill reauthorizes the surplus commodity distribution program known as the Temporary Emergency Food Assistance Program [TEFAP] for 2 years. It also reauthorizes related nutrition programs, and modifies and reauthorizes the Commodity Supplemental Food Program for women and children.

By introducing this legislation now, I want to reemphasize my determination that something positive must be done this year to alleviate the hunger problem in this country. There is no question in my mind that the problem is real and that it is necessary and appropriate to address it at the Federal level. Only those who choose not to see, or wear ideological blinders, can say we have no serious problem of hunger in America today.

Over the past 26 months, the subcommittee I chair has traveled to seven cities to look at the hunger problem first hand. I have also participated in two additional field hearings as chairman of the Task Force on Domestic Hunger of the Select Committee on Hunger. Everywhere the story has been the same—the demand for emergency food assistance has risen substantially, if not dramatically, nationwide, over the past few years. Reports of 100 to 300 percent increases in soup kitchen and food pantry participation are commonplace. Studies linking hunger to health problems have emerged. Yet, there seems to be no sign of the problem letting up despite improvements in the national economy.

The U.S. Conference of Mayors released a new survey on the hunger problem at our subcommittee hearing on April 17. Not only did 21 of 22 cities surveyed report an increase in emergency food aid demand over the past year, but 81 percent of the cities expect the demand to increase in the next year. These cities also report that the number of emergency facilities to feed the hunger has increased 21 percent over the past year. Despite this fact, 70 percent of the cities say that the emergency facilities are not meeting all of the demand for aid.

In late March of this year in Oklahoma City, I saw large numbers of women and young children in line for a hot meal or an emergency food package at a local soup kitchen. Despite my many prior visits to soup kitchens, their numbers startled me. If you take the time to talk with these people, or talk with those who cope with their needs daily, there can be no doubt that their desperation is real.

If for no one else, we must act for the sake of our children. The latest poverty statistics show that one-fourth of all children under age 6 in this country live in poverty. This represents an increase of 51 percent from 1979 to 1983. Fifty percent of all black children and forty percent of Hispanic children in this age group currently live in poverty. Unfortunately, these figures tell only part of the story about the deteriorating status of children in America.

Recently, the U.S. Public Health Service reported that the infant mortality rate in this country was stabilizing, after declining steadily since 1965. A closer look at the study reveals a most disturbing finding. While the infant mortality rate in the first month of life continues to decline, presumably due to advances in medical technology, the mortality rate for infants in the next 11 months of life appears to have actually increased. For this age group, nutritional and health care interventions play a larger role in preventing death. I wonder how many more infants must suffer severe health consequences before we recognize that our social safety net is inadequate. Are we prepared to take the risk of doing nothing to repair it?

For those who want justifications for improving food assistance, there are persuasive statistics and analyses. Last month, the Agriculture Committee released a study conducted by our subcommittee on the adequacy of food stamp benefit levels. I urge everyone with an interest in this program to carefully review this thoughtful paper. It was written by Dr. Janet Greger, a professor of nutrition at the University of Wisconsin, currently a Congressional Science Fellow working with our subcommittee. Reviewers with widely varying backgrounds and philosophies have praised it as a fair and thorough analysis. While the study draws no conclusions, I believe a clear case for increased benefits emerges from it. Perhaps the strongest point I find in the study is that food stamp participants generally do not receive benefits truly based on the full cost of the Thrifty Food Plan, the minimum diet that is the basis for benefit allotments.

Mr. Speaker, I am under no illusion that, if enacted, the legislation I introduce today will solve the problem of hunger in America. It is a complex problem that cannot be solved by food assistance alone. However, the bill is a solid step forward toward easing the hunger of our most improverished citizens.

Before closing my introductory remarks on this legislation, I would like to address how this bill relates to the Federal budget. The bill has various provisions that cost money and others that save money. Overall, there is modest additional cost.

I know that some may say we cannot afford to do anything about hunger this year because of the Federal deficit. But I believe we must. I seek to restore only a small portion of the nearly $12 billion in fiscal years 1982–85 Federal nutrition cutbacks enacted by the 97th Congress. I am convinced that the long-term health, remedial education, and loss of productivity costs attributable to hunger will dwarf whatever investment we make now. This is not an issue that should be looked at in a narrow, 1-year budget perspective. If it is, we will for many years pay an even greater price for our shortsightedness.

Hunger is a costly and intolerable national shame. We have no choice but to act now to deal with this threat within our society.

What follows now is a description of the major provisions of the Food Stamp and Commodity Distribution Improvements Act of 1985, as well as the bill itself and a section by section summary.

FOOD STAMPS

Thrifty Food Plan

Foods stamp benefits are based on the cost of the Thrifty Food Plan, the lowest cost of four food plans prepared by USDA. Benefits are currently adjusted each October 1 to reflect the cost of the Thrifty Food Plan through the previous June. What this means is that food stamp benefits paid in any fiscal year lag 3 to 15 months behind Thrifty Food Plan costs. As our subcommittee study shows, actual food stamp benefits have lagged behind food price costs by an average of almost 5 percent over the past 7 years. Even in fiscal year 1984, with food price inflation quite low, the loss in

food purchasing power averaged 4 percent.

The bill would change the basis for food stamp benefits by requiring that the adjustment implemented each October 1 be based on the cost of the Thrifty Food Plan through the previous September 30. The result is that, at least at the beginning of each fiscal year, food stamp benefits would be current with actual Thrifty Food Plan costs. Of course, benefits would continue to lag up to 12 months behind food costs through each fiscal year.

This proposal would entail a 3-month projection of food costs from June 30 through September 30 of any year, by the Secretary of Agriculture, because actual food price information would not be available in time to implement a benefit increase on October 1. Since the projection is for such a short time period, the likelihood of a significant estimating error is remote. In fact, any administration is more likely to underestimate than overestimate future inflation. For fiscal year 1986, this proposal would lead to about a 1-percent benefit increase above current law, using current food price inflation assumptions.

The Food Stamp Program is unique in that, unlike any other benefit payment program, its benefits are based upon an empirical minimum standard—the cost of the Thrifty Food Plan. The proposal here is simply to provide benefits that more closely reflect the actual current costs of that plan. The fact that current rounding rules in determining food stamp allotment levels cut recipients' rightful benefits about 1 percent on average, and that the poor, on the whole, may generally face higher food costs than other Americans, provide additional reasons why an increase in the basis for benefits is warranted.

DEDUCTIONS FROM INCOME

As in the House-passed H.R. 5151, this bill would raise the ceiling on the combined excess shelter/dependent care cost deduction to $155 and restore the earned income deduction from 18 to 20 percent, effective in fiscal year 1986. Beginning in fiscal year 1987, the dependent care deduction would be decoupled from the excess shelter cost deduction and established at a maximum level of $160 per month per household.

By increasing the combined shelter/dependent care deduction to $155 in fiscal year 1986, the deduction amount would approximate the level it would have reached had it not been frozen for a period of time as a result of the Omnibus Reconciliation Act of 1981, Public Law 97-35.

This increase would primarily aid those faced with high shelter costs. Our subcommittee has received substantial evidence indicating that many food stamp households face the "heat or eat" dilemma. The latest available data indicate that about 27 percent of all food stamp households already receive the maximum shelter/dependent care deduction. The President's Task Force on Food Assistance acknowledged that energy costs for low income persons have risen far faster than the general inflation rate and consume a disproportionate share of their budgets. Department of Energy surveys confirm this finding.

Since the test for qualifying for the shelter deduction is quite stringent—deductions are granted only to the extent shelter costs exceed 50 percent of net income—this proposal will assure that any benefit increases are targeted to those most in need. It may also provide some small help in stemming the recent alarming growth of the problem of homelessness.

Separation of the dependent care deduction—ordinarily to reflect child care costs—will provide a significant measure of relief at very small additional costs primarily for working, female-headed households. For these households, the dependent care deduction may serve as a significant work incentive. The current combined excess shelter/dependent care deduction results in relatively few working households effectively qualifying to deduct child care costs since most of them have shelter costs that also qualify for the deduction.

Prior to 1977, the Food Stamp Program allowed a separate dependent care deduction. It was combined with the shelter deduction in 1977 solely out of the fear that if some households qualified for both, they would be eligible for food stamps despite having high gross incomes. Today, that is no longer a possibility because the gross income eligibility limit—130 percent of the poverty line—instituted in 1981 automatically cuts off any so-called high income participants.

Prior to 1981 legislation, the food stamp earned income deduction was 20 percent, and this bill would restore that level. This deduction represents the primary difference in calculating food stamp benefits for working as contrasted with nonworking households. As a matter of fairness and to promote increased work effort, the deduction should cover the work-related costs of most, if not all, working food stamp participants. If a household's work-related expenses—taxes, transportation, union dues, uniforms, and so forth—exceed 18 percent of income, as many do, there is less incentive to work and a greater likelihood of continued dependence on public assistance.

In addition, poor working families now pay significantly higher taxes than just a few years ago. Not only have payroll taxes—for example, Social Security—increased, but working families at and below the poverty line also pay higher Federal income taxes. A working family of four with a gross income at or near the poverty line—about $10,600—in 1984, incurred a total Federal tax liability of about $1,076, compared to $269 in 1978. As the report of the President's Task Force on Food Assistance emphasized, there is a need for greater work incentives in the public welfare system.

ASSETS LIMITATIONS

The bill proposes a lifting of assets limitations in the manner prescribed in the House-passed H.R. 5151, effective in fiscal year 1987. As recommended by the President's task force, liquid assets limitations would be increased from $3,000 to $3,500 for elderly and disabled households and from $1,500 to $2,250 for all other households. The task force's recommendation to immediately increase the threshold for counting automobiles from $4,500 to $5,500 of fair market value would be phased in over several years.

The President's task force justified these changes by stating the following:

> The recessions of the recent past have resulted in an increase in the number of 'new' poor families many of whom are needy even though they have assets that disqualify them from eligibility. The asset limitation has become more restrictive as a result of inflation for the dollar amount of assets allowed has not changed even though the purchasing power of the dollar has declined.

Additional minor changes in assets limitations are also included in the bill.

SALES TAX

Currently, 20 States have either State or local sales taxes that are charged on food stamp purchases. Such sales taxes reduce food stamp purchasing power up to 6 percent in these States.

The bill would prohibit any State or locality from collecting a sales tax on food stamp purchases if they wish to operate a Food Stamp Program, effective in fiscal year 1988. This would put an end to what is, in effect a transfer of revenues from the Federal Government to State and local government at the expense of low-income persons.

The effective date of this provision is delayed to afford State and local governments time to make arrangements for alternate revenue sources. Especially in States where legislatures do not meet every year, there is a need for transition time.

Some State officials have argued that there should be no prohibition of the collection of sales taxes on food stamp purchases because the tax proceeds in their States go into food stamp administration or other social welfare programs. While I am concerned about this situation and its possible adverse effect on the poor, this should not be the controlling argument. The fact is that the tax results in the poor financing their own programs. Federal dollars provided for

food assistance should not be diverted to other purposes, even if there is some return for the poor.

WORK PROGRAMS

The bill builds on the proposals in H.R. 5151 to improve the effectiveness of work requirements. This bill would mandate, for the first time, that all States must have an employment program—job search, job finding clubs, work, workfare, training, education directly related to employability, or some other related approach. The bill would thus mandate that each State must try to make something happen to move more people out of dependency and into employment. Increased Federal grant money would be made available to fund these programs and, beyond that, matching funding would be available if the grants are not sufficient.

The cornerstone of this proposal is flexibility. Rather than mandate one rigid approach to work programs nationwide, this bill would afford the States great flexibility to determine which persons are served and how they are served, as long as the approach utilized is consistent with fundamental client protections. States would be encouraged to implement concentrated, effective programs that really work in moving people into unsubsidized employment rather than spreading their resources thinly to put clients and workers through perfunctory, paperwork-intensive work requirements. Research on the effectiveness of various work and training programs indicates that concentrated, rather than shallow, attention on potentially employable persons generally yields higher rates of long term employment.

Over the past few years, our subcommittee has visited or studied various successful work programs in areas like San Diego, Massachusetts, and Oklahoma. If there is one thing that becomes clear from our reviews, it is that no one approach to work requirements is appropriate. The employable food stamp population is not monolithic—participants have varying levels of education, intelligence, skill, and other work experience. Different approaches are needed to best suit their strengths and weaknesses. I believe we are not in a position to say which of the successful programs the subcommittee has studied should be mandated for the Nation. However, we are in a position to say that each State must aggressively pursue programs designed to maximize the employment and employability of food stamp participants.

PUERTO RICO

The bill would continue the Nutrition Assistance Program [NAP] in Puerto Rico, eliminating the requirement that benefits be paid in noncash form as of October 1, 1985. Also, effective in fiscal year 1987, the bill would provide for an adjustment in the amount of the grant provided to Puerto Rico for operating the NAP program.

When the NAP program was established in 1981, it not only replaced the food stamp with a block grant at sharply reduced funding, but the annual funding level was frozen through fiscal year 1985 at $825 million. This means that by the end of fiscal year 1985, NAP funding will have been frozen for over 3 years.

In my view, it is discriminatory to freeze funding for Puerto Rico for another 4 years, as has been proposed by the administration. The costs of serving low-income persons in Puerto Rico are affected by changes in unemployment and inflation. This bill provides some measure of protection for Puerto Rico, by increasing the grant to reflect anticipated food price inflation, starting in fiscal year 1987.

This bill also includes additional provisions pertaining to Puerto Rico proposed by the administration that would allow multiple State agencies to operate the NAP Program and would drop the requirement that Puerto Rico match 50 percent to the administrative costs for operating the NAP Program.

MEDICAL DEDUCTION FOR THE ELDERLY AND DISABLED

The bill includes a provision adopted in floor action on H.R. 5151 last year that changes the threshold for elderly and disabled households to qualify for the medical deduction from $35 a month to the lesser of 5 percent of gross income or $35 a month. This would bring the Food Stamp Program into line with the Internal Revenue Service in terms of determining eligibility for a medical hardship deduction. Since the average income of an elderly food stamp household is currently about $360 a month, the $35 threshold constitutes almost 10 percent of its income. Of course, many households have incomes far below the average and the $35 threshold works as a particular hardship on them.

PROGRAM INFORMATION

The bill would restore to the Food Stamp Program matching funding for States that make efforts to inform unemployed, elderly, or disabled persons about the availability of the Food Stamp Program and how to participate. There would be no requirement on States to perform such activities. Furthermore, only specific, targeted activities to inform potentially eligible persons would be permitted. This provision is not intended to open the door to Federal funding for mass media efforts to publicize the program. Instead, food stamp offices could receive matching funds, for instance, to develop materials for local elderly feeding programs or to send staff to explain the Food Stamp Program to their participants. Similar activities would be permissible in State unemployment offices or other locations that are likely to deal with potential participants.

Current food stamp participation is relatively low, compared to historic levels, given the current unemployment and poverty rates in the country. Studies of food stamp participation have documented that a significant number of eligible persons, particularly the recently employed and the elderly, either are unaware of the program or unaware of their eligibility. Participation among elderly persons has traditionally been very low compared to other groups. The bill's partial restoration of matching funds—which were more broadly available prior to 1981—for program information purposes should provide some help in informing those who are eligible and in need about the availability of the program.

SPENDING CEILINGS

This bill would authorize appropriations for the Food Stamp Program for the next 5 years. Although it is my view that spending ceilings on this program are unnecessary, I recognize that political realities appear to dictate them. I would point out, however, that since eligibility for this program has already been limited to the current administration's definition of "truly needy"—gross income limit of 130 percent of poverty—the only possible cause for high program costs are: First, high unemployment; second, high inflation; or third, deep cutbacks in other social programs which provide benefits that are counted as income in the Food Stamp Program. I would suggest that it would be inappropriate to enforce a food stamp spending ceiling if any of these factors should drive program costs up.

The authorization ceilings recommended in the bill are based on Congressional Budget Office estimates, leaving some margin for estimating error and possible changes in economic conditions. Certainly few can accurately predict the economy 1 year into the future, much less 5 years from now. Since food stamp costs are directly tied to economic conditions, it is important to give leeway for inaccurate economic forecasts so that Congress need not adjust the spending ceilings every year.

The bill also makes certain changes in the manner in which food stamp spending ceilings are to be enforced. Current law would be changed to permit the Secretary to reduce benefits across the board—pursuant to section 18(d) of the Food Stamp Act of 1977—only if the authorization level, rather than the amount appropriated by Congress appears to be insufficient.

This change is intended to put an end to the unfortunate situation of the past few years where, despite more than adequate authorization levels,

food stamp funding has been uncertain. Recipients nationwide have been threatened with delays and reductions. This has led to great confusion and unnecessary fear at the local level.

In my view, as long as authorizations are sufficient, no food stamp benefits should be reduced or delayed unless Congress makes an explicit decision to do so. Especially with the regular occurrence of substantial food stamp supplemental appropriations in the recent past, I think it is important to guard against any Secretary of USDA deciding to lower benefits based upon the initial level of food stamp appropriations provided in any fiscal year. If it appears authorization levels are insufficient and Congress expresses no intent to raise them, USDA would take steps to reduce program costs, consistent with the authorization level, unless otherwise instructed by Congress.

The bill contains one additional safeguard against enforcement of an authorization ceiling at an inappropriate time. It states that the Secretary would not have authority to reduce benefits across the board under section 18(d) in any fiscal year during which the monthly national unemployment rate reaches 9 percent. This type of unemployment rate would be a sure sign of a recession and, especially at that time, it should be an explicit congressional decision whether 20 million Americans or more lose essential food assistance benefits.

COMPUTERIZATION

The bill provides new incentives for States to increase the use of automated data processing systems. States would be permitted to apply up to 15 percent of error rate sanctions assessed in any fiscal year to increased efforts to lower their error rates, including the development of new computer capabilities, rather than pay this portion of the penalty back to the Federal Government. States could qualify for this redirection of sanction funds to computer projects only if they are above and beyond what is currently operated or planned. These funds would not be eligible for the 75 percent Federal matching funds for computerization.

In addition, the Secretary would be required to develop, in consultation with the States, a model plan for comprehensive computerization of the Food Stamp Program. Any State developing a plan that would result in a State's computer operations satisfying all elements of the model plan would qualify for 90 percent Federal matching funds.

The Secretary would also be required to prepare by April 1, 1987, an analysis and evaluation of each State's computer operations. Based on his findings, the Secretary would be authorized to mandate automated data processing systems to the degree necessary in any State where their absence threatens program integrity or accountability.

OTHER FOOD STAMP PROVISIONS

The bill contains additional food stamp provisions, whose combined budget impact is minimal. Included are several provisions identical or similar to those in H.R. 5151 which: Insure eligibility of the homeless, expand the disability definition, extend categorical eligibility to pure AFDC and SSI households, prohibit bank fees on food retailers in most instances, and others.

A variety of other minor and technical changes are included, many which were requested by the administration. The administration proposal to impose a $50 annual fee on food retailers participating in the Food Stamp Program is not included in this bill.

NUTRITION EDUCATION

The bill includes title III of H.R. 5151, which was entitled "Food, Nutrition, and Consumer Education." This provision would set up a small program of grants to State cooperative extension services to augment and improve their current nutrition education efforts. These offices would have flexibility in utilizing the funding to complement the Expanded Food and Nutrition Education Program [EFNEP].

Our subcommittee has received repeated and compelling testimony on the need for increased nutrition education efforts. This is one effective way to ensure that Federal food assistance dollars are well spent. Funding for such efforts has been frozen, in effect, for the past several years. It is now time to reinforce this effort to fight hunger in America.

TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP)

When TEFAP was first implemented in 1983, the intent was to provide agricultural commodities to meet the hunger crisis in America. Today, with the continued existence of the hunger problem and the continued availability of surplus commodities, I believe that this program should be reauthorized for 2 additional years.

STATE AND LOCAL ADMINISTRATIVE FUNDING

The bill reauthorizes State and local administrative funding at $50 million for each of fiscal years 1986 and 1987. Testimony and documentation received by the subcommittee this year overwhelmingly supported retaining administrative funding so necessary for proper storage, refrigeration, transportation and distribution of commodities. Without this funding, local distribution would be far less effective. Our subcommittee has received reports of local agencies either failing to participate in or dropping out of TEFAP for lack of administrative funding. Unfortunately, it is those areas most in need of TEFAP commodities that find difficulty in operating the program without administrative funding.

LOCAL PASS-THROUGH

The bill directs States receiving administrative funds to provide local cooperating agencies with a minimum of 20 percent of the State allocation in any given fiscal year. While it is important to provide considerable flexibility to States in expending administrative funds, it is equally important to assure that at least some funds reach the local level, and this provision simply reinforces the current law requirement. Many emergency feeding organizations operate predominately through volunteer support and may not have the resources to perform the eligibility verification, recordkeeping, public announcement, and auditing required under TEFAP. To the extent that a State pays local costs directly, these payments would count toward meeting the 20 percent minimum.

AUDIT STANDARDS

The bill imposes strict accountability for commodities held in inventory and distributed by the States. The bill adds strong standards to prevent waste or negligent handling of commodities. It also instructs the Secretary to develop reasonable audit standards to reflect the special circumstances of local, nonprofit agencies acting in good faith to administer the program.

MISCELLANEOUS PROVISIONS

The bill continues section 1114 of the Agriculture and Food Act of 1981. This provision assures that uncommitted surplus government commodities acquired under price support programs will be made available to certain federally authorized feeding programs, without charge or credit. The bill emphasizes that once certain commodities, such as dairy products and wheat, are found to be in surplus, they must be distributed.

The bill also would continue the National Commodity Processing Program currently authorized by Public Law 98-8, as amended.

H.R. 2422

A bill to reauthorize, and improve the operation of, the food stamp program, the commodity supplemental food program, and the temporary emergency food assistance program, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food Stamp and Commodity Distribution Improvement Act of 1985".

TITLE I—FOOD STAMP AND RELATED PROVISIONS

ELIGIBILITY OF THE HOMELESS

SEC. 101. (a) The first sentence of section 3(i) of the Food Stamp Act of 1977 (7 U.S.C. 2012(i)) is amended by—

(1) in clause (1), after "consumption", inserting "(or in the case of an individual who does not reside in a permanent dwelling or who has no fixed address, for such individual's consumption)"; and

(2) in clause (2), after "consumption" both times that word appears therein, inserting "(or in the case of individuals who do not reside in permanent dwellings or who have no fixed addresses, for such individuals' consumption)".

(b) Section 11(e)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(2)) is amended by—

(1) striking out the semicolon at the end and inserting a period in lieu thereof; and

(2) adding at the end thereof the following: "The State agency shall provide a method of certifying and issuing coupons to eligible households who do not reside in permanent dwellings or who have no fixed addresses, and shall take steps to ensure that such method limits participation in the food stamp program to eligible households.".

THRIFTY FOOD PLAN

SEC. 102. Section 3(o) of the Food Stamp Act of 1977 (7 U.S.C. 2012(o)) is amended by—

(1) striking out "fifty-four" in the first sentence and inserting in lieu thereof "fifty",

(2) striking out "and" after clause (7) of the second sentence;

(3) in clause (8) of the second sentence—

(A) striking out "and each October 1 thereafter,"; and

(B) inserting, after "June 30", the following: "and the Secretary's best estimate as to further changes in such cost occurring during the three-month period following June 30"; and

(4) inserting, before the proviso at the end of the second sentence, "and" and a new clause (9) as follows: "(9) on October 1, 1986, and each October 1 thereafter, using the actual cost of the thrifty food plan as of September 30 of the previous year as the base, adjust the cost of such diets to reflect changes in the cost of the thrifty food plan for the nine months ending the preceding June 30 and the Secretary's best estimate as to further changes in such cost occurring during the three-month period following June 30, and round the result to the nearest lower dollar increment for each household size."

DEFINITIONS OF THE DISABLED

SEC. 103. Section 3(r) of the Food Stamp Act of 1977 (7 U.S.C. 2012(r)) is amended by—

(1) inserting before the semicolon at the end of clause (2) the following: ", federally or State administered supplemental benefits of the type described in section 1616(a) of the Social Security Act if the Secretary determines that such benefits are conditioned on meeting the disability or blindness criteria used under title XVI of the Social Security Act, or federally or State administered supplemental benefits of the type described in section 212(a) of Public Law 93-66 (42 U.S.C. 1382 note)";

(2) inserting before the semicolon at the end of clause (3) the following: "or receives disability retirement benefits from a governmental agency because of a disability considered permanent under section 221(i) of the Social Security Act (42 U.S.C. 421(i))";

(3) inserting "or non-service-connected" after "service-connected" in clause (4)(A);

(4) striking out "or" at the end of clause (5);

(5) striking out the period at the end of clause (6) and inserting in lieu thereof "; or"; and

(6) adding at the end thereof the following new clause:

"(7) is an individual receiving an annuity under section 2(a)(1)(iv) or 2(a)(1)(v) of the Railroad Retirement Act of 1974 (45 U.S.C. 231a(a)(1)(iv) or 231a(a)(1)(v)), if the individual's service as an employee under the Railroad Retirement Act of 1974, after December 31, 1936, had been included in the term 'employment' as defined in the Social Security Act, and if an application for disability benefits had been filed.".

STATE AND LOCAL SALES TAXES

SEC. 104. Effective October 1, 1987, section 4(a) of the Food Stamp Act of 1977 (7 U.S.C. 2013(a)) is amended by inserting before the period at the end of the first sentence the following: "*Provided,* That a State may not participate in programs under this Act if the Secretary determines that State or local sales taxes are collected within that State on purchases of food made with coupons issued under this Act.".

RELATION OF FOOD STAMP AND COMMODITY DISTRIBUTION PROGRAMS

SEC. 105. Section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)) is amended by—

(1) striking out the first sentence thereof; and

(2) striking out "also" in the second sentence.

CATEGORICAL ELIGIBILITY

SEC. 106. (a) Section 5 of the Food Stamp Act of 1977 (7 U.S.C. 2014) is amended by—

(1) inserting after the first sentence of subsection (a) the following new sentence: "Notwithstanding any other provisions of this Act, except the provisions of sections 6(b) and 6(g) and the third sentence of section 3(i), households in which each member receives either benefits under a State plan approved under part A of title IV of the Social Security Act, supplemental security income benefits under title XVI of the Social Security Act, or aid to the aged, blind, or disabled under titles I, X, or XIV of the Social Security Act, shall be eligible to participate in the food stamp program."; and

(2) striking out subsection (j).

(b) Section 11(i) of the Food Stamp Act of 1977 (7 U.S.C. 2020(i)) is amended by adding at the end thereof the following new sentence: "No household shall have its application to participate in the food stamp program denied or its benefits under the food stamp program terminated solely on the basis that its application to participate has been denied or its benefits have been terminated under any of the programs carried out under the statutes specified in the second sentence of section 5(a) of this Act and without a separate determination by the State agency that the household fails to satisfy the eligibility requirements for participation in the food stamp program specified in this Act.".

EXCLUDED INCOME

SEC. 107. (a) Effective October 1, 1985, section 5(d) of the Food Stamp Act of 1977 (7 U.S.C. 2014(d)) is amended by—

(1) inserting "except as provided in subsection (j)," immediately after the comma at the end of clause (1);

(2) in clause (3)—

(A) striking out "higher education" and inserting in lieu thereof "post-secondary education"; and

(B) adding at the end thereof "and to the extent loans include any origination fees and insurance premiums,";

(3) inserting "and no portion of any Federal educational grant, to the extent it provides income assistance beyond that used for tuition and mandatory school fees," immediately before "shall be considered such reimbursement" in the proviso of clause (5); and

(4) inserting "except as otherwise provided in subsection (k) of this section" after "food stamp program" in clause (10).

(b) Effective October 1, 1985, section 5 of the Food Stamp Act of 1977 (7 U.S.C. 2014) is amended by adding at the end thereof new subsections as follows:

"(j) Notwithstanding the provisions of clause (1) of subsection (d) of this section, assistance provided to a third party on behalf of a household for living expenses by a State or local government in place of a regular benefit payable directly to the household under title IV of the Social Security Act or a State or local general assistance program (but excluding medical, child care, energy, and emergency or special assistance) shall be treated as money payable directly to the household.

"(k) Notwithstanding the provisions of section 142(b) of the Job Training Partnership Act (29 U.S.C. 1552(b)), earnings to individuals participating in programs under the Job Training Partnership Act shall be considered earned income for purposes of the food stamp program under this Act.".

DEDUCTIONS FROM INCOME

SEC. 108. (a) Section 5(e) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)) is amended by—

(1) in the second sentence, striking out "homeownership component" and inserting in lieu thereof "homeowners' costs and maintenance and repair component";

(2) effective October 1, 1985, in the third sentence, striking out "18" and inserting in lieu thereof "20";

(3) amending the fourth sentence by—

(A) effective October 1, 1985—

(i) inserting "excluding expenses paid on behalf of the household under the Low Income Home Energy Assistance Act (42 U.S.C. 8621, et seq.)," immediately after "by a household for shelter" in clause (2);

(ii) amending the proviso to clause (2) to read as follows: ": *Provided,* That the amount of such excess shelter expense deduction shall not exceed $155 a month in the forty-eight contiguous States and the District of Columbia, and shall not exceed, in Alaska, Hawaii, Guam, and the Virgin Islands of the United States, $260, $215, $180, and $110 a month, respectively, adjusted on October 1, 1986, and on each October 1 thereafter to the nearest lower dollar increment to reflect changes in the shelter (exclusive of homeowners' costs and maintenance and repair component), fuel, and utilities components of housing costs in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics, as appropriately adjusted by the Bureau of Labor Statistics after consultation with the Secretary, for the twelve months ending the preceding June 30,"; and

(iii) amending clause (3) to read as follows: "(3) a deduction combining the dependent care and excess shelter expense deductions under clauses (1) and (2) of this sentence, the maximum allowable level of which shall not exceed the maximum allowable deduction under clause (2).";

(B) effective October 1, 1986—

(i) in clause (1), striking out "the same as" and all that follows through "clause (2) of this subsection,", and inserting in lieu thereof "$160";

(ii) striking out ", or (2)" and inserting in lieu thereof "and (2)"; and

(iii) striking out ", or (3)" and all that follows down to the period at the end thereof; and

(4) after the seventh sentence, insert a new sentence as follows: "A State agency may use one or more standard utility allowances for households on behalf of which a payment is made under the Low Income Energy Assistance Act (42 U.S.C. 8621, et seq.) but who also incur our-of-pocket heating or cooling expenses.";

(5) effective October 1, 1985, in the eighth sentence, striking out "$35 a month" and inserting in lieu thereof "the lesser of $35 a month or 5 per centum of monthly household income after any exclusions and before any deductions provided for in this section"; and

(6) in the last sentence, inserting ", excluding expenses paid on behalf of the household under the Low Income Energy Assistance Act (42 U.S.C. 8621, et seq.)," after "by a household for shelter".

OPTIONAL MONTHLY REPORTING AND RETROSPECTIVE BUDGETING

SEC. 109. (a) Section 5(f)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(f)(2)) is amended by—

(1) in subparagraph (A), after "households" inserting ", and for all applicant households upon application,";

(2) amending subparagraph (B) to read as follows:

"(B) Household income for all other households shall be calculated either on a prospective basis as provided in paragraph (3)(A) or on a retrospective basis as provided in paragraph (3)(B), as elected by the State agency."; and

(3) striking out subparagraph (C).

(b) Section 6(c)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2015(c)(1)) is amended to read as follows:

"(1) State agencies, whether they elect to use a system of prospective accounting or a system of retrospective accounting in accordance with section 5(f)(2) of this Act, may (A) require certain categories of households, including households with earned income (except migrant farmworker households), households with potential earners, including individuals receiving unemployment compensation benefits and individuals required by section 6(d) of this Act to register for work, and households required to file a similar report under title IV-A of the Social Security Act, but not including households that have no earned income and in which all adult members are elderly or disabled members, to file monthly reports of household circumstances in accordance with standards prescribed by the Secretary, or (B) require certain categories of households to report at specified less frequent intervals. The Secretary may permit State agencies to accept, as satisfying the requirement that households report at such specified less frequent intervals, (A) recertifications conducted in accordance with section 11(e)(4) of this Act, (B) in person interviews conducted during a certification period, (C) written reports filed by households, or (D) such other documentation or actions as the Secretary may prescribe. Each household that is not required to file monthly reports shall be required to report or cause to be reported to the State agency changes in income or household circumstances which the Secretary deems necessary in order to assure accurate eligibility and benefit determinations.".

DISASTER TASK FORCE

SEC. 110. Section 5(h)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2015(h)(2)) is amended to read as follows:

"(2) The Secretary shall (i) establish a Food Stamp Disaster Task Force to assist States in implementing and operating the disaster program and the regular food stamp program in the disaster area, and (ii) send members of such task force to the disaster area as soon as possible after the disaster occurs to provide direct assistance to State and local officials.".

RESOURCES LIMITATION

SEC. 111. Section 5(g) of the Food Stamp Act of 1977 (7 U.S.C. 2014(g)) is amended by—

(1) Effective October 1, 1986, in the first sentence, striking out "$1,500" and "$3,000" and inserting in lieu thereof "$2,250" and "$3,500", respectively; and

(2) in the second sentence—

(A) inserting "and inaccessible resources" after "relating to licensed vehicles";

(B) after "physically disabled household member" inserting "and any other property, real or personal, to the extent that it is directly related to the maintenance or use of such vehicle"; and

(C) inserting after "$4,500" the following: "except that the Secretary shall, on October 1, 1986, and on each October 1 thereafter, adjust such amount to reflect changes in the Consumer Price Index for all urban consumers, United States city average, for used cars (base year 1967=100), published by the Bureau of Labor Statistics, for the twelve months ending the preceding June 30, and round the result to the nearest $100 increment: *Provided*, That such amount, as adjusted, may not exceed $5,500,".

ELIGIBILITY DISQUALIFICATIONS

SEC. 112. Section 6 of the Food Stamp Act of 1977 (7 U.S.C. 2015) is amended by—

(1) in the first sentence of subsection (d)(1)—

(A) striking out "no household shall be eligible for assistance under this Act if it includes a" and inserting in lieu thereof "(A) no person shall be eligible for assistance under this Act who is";

(B) striking out clause (iii) and renumbering clause (iv) as clause (iii); and

(C) inserting before the period at the end thereof the following: "; and (B) no household shall be eligible for assistance under this Act if the head of the household is a physically and mentally fit person between the ages of eighteen and sixty and such individual (i) refuses to do any of those acts described in clause (A) of this sentence or (ii) if the head of the household voluntarily quits any job without good cause: *Provided*, That, in such case, the period of ineligibility shall be ninety days";

(2) inserting at the end of clause (2) of subsection (e) the following: "except for individuals who are assigned to or placed in an institution of higher learning through a program under the Job Training Partnership Act,";

(3) deleting subclause (C) of clause (3) of subsection (e) and redesignating subclauses (D) and (E) thereof as subclauses (C) and (D); and

(4) in subsection (f)(2)—

(A) striking out "section 203(a)(7)" and "(8 U.S.C. 1153(a)(7))" in clause (D) and inserting in lieu thereof "sections 207 and 208" and "(8 U.S.C. 1157 and 1158)", respectively;

(B) striking out "because of persecution" and all that follows in clause (D) through "natural calamity";

(C) striking out "because of the judgment of the Attorney General" and all that follows in clause (F) through "political opinion".

EMPLOYMENT PROGRAM

SEC. 113. (a) Section 6(d) of the Food Stamp Act of 1977 (7 U.S.C. 2015(d)) further amended by—

(1) amending paragraph (1)(ii) to read as follows:

"(ii) refuses without good cause to fulfill the employment requirements prescribed by paragraph (4), including any reasonable employment requirements as are prescribed by the State agency in accordance with paragraph (4), which may, at the option of the State agency, provide that such requirements apply to program applicants at the time of application: *Provided*, That the period of ineligibility shall be two months;";

(2) Adding at the end of paragraph (1) the following new sentences: "Any period of ineligibility for violations under this paragraph shall end when the household member who committed the violation complies with the requirement that has been violated. If the household member who committed the violation leaves the household during the period of ineligibility, such household shall no longer be subject to sanction for such violation and, if it is otherwise eligible, may resume participation in the program, but any other household of which such person thereafter becomes the head of the household shall be ineligible for the balance of the period of ineligibility."; and

(3) adding at the end thereof the following new paragraph:

"(4)(A) Each State agency shall implement an employment program. For purposes of this Act, an "employment program" means a program that contains terms and conditions comparable to those prescribed in section 402(a)(35)(A) (i) and (ii) of part A of title IV of the Social Security Act and, except that a State agency shall have no obligation to incur costs exceeding $25 per participant per month, in section 402(a)(35)(B) of part A of title IV of such Act for job search activities under the Aid to Families With Dependent Children program (except that the State agency shall retain the option provided in paragraph (1)(ii) relating to applying the program requirements to applicants). An "employment program" may also include, to the extent determined appropriate by the State agency, reasonable job search training and support activities that may consist of job skills assessments, job finding clubs, training in techniques for employability, job placement services, or other direct training or support activities, including educational programs, determined by the State agency to expand the job search abilities or employability of those subject to the program. The State agency may provide that participation in such training or support activities may supplement or supplant other requirements imposed on those subject to the program.

"(B) Each State agency shall exempt from employment requirements under paragraph (1) categories of household members to which the State agency determines that the application of such requirements is impracticable as applied to such categories due to factors such as, but not limited to, the availability of work opportunities and the cost effectiveness of the employment requirements. In making such a determination, the State agency may designate a category con-

sisting of all such household members residing in specified areas of the State. The State agency shall also exempt or suspend from such requirements individual household members not included in any such category but with respect to whom it determines that such requirements are impracticable because of personal circumstances such as, but not limited to, lack of job readiness and employability, the remote location of work opportunities, and unavailability of dependent care. The State agency shall determine the extent to which any individual must fulfill the requirements of this paragraph.".

(b) Section 11(e) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)) is amended by—

(1) striking out the period after paragraph (21) and inserting in lieu thereof "; and"; and

(2) adding at the end thereof the following new paragraph:

"(22) the manner in which the State agency will carry out the employment program under section 6(d)(4) of this Act.".

(c) Section 16 of the Food Stamp Act of 1977 (7 U.S.C. 2025) is amended by adding at the end thereof the following new subsection:

"(h)(1) Effective October 1, 1984, the Secretary shall allocate in each fiscal year from funds appropriated for such fiscal year under section 18(a)(1) of this Act, the amount of $50,000,000 for the fiscal year ending September 30, 1986, and $75,000,000 for each of the following four fiscal years, which amount shall be used to pay to each State agency the full cost (except as otherwise provided in this subsection) of carrying out the employment program under section 6(d)(4) of this Act.

"(2) If, in carrying out such activities, a State agency incurs costs that exceed the amount payable to the State agency under paragraph (1), the Secretary shall pay such State agency an amount equal to 50 per centum of such additional costs in accordance with subsection (a).

"(3) The Secretary shall, in accordance with subsection (a), reimburse each State agency in an amount equal to 50 per centum of the total amount of payments made or costs incurred by the State agency in connection with transportation costs and other expenses reasonably incurred by participants in the employment program, except that such total amount shall not exceed an amount representing $25 per participant per month.

"(4) The Secretary shall monitor the employment programs carried out by State agencies under this Act to measure their effectiveness in terms of the increase in the numbers of household members who obtain employment and the numbers of such members who retain such employment as a result of their participation in the program. The Secretary shall, not later than January 1, 1989, report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the effectiveness of such job search programs.".

STAGGERING OF COUPON ISSUANCE

SEC. 114. Section 7 of the Food Stamp Act of 1977 (7 U.S.C. 2016) is amended by adding at the end thereof the following new subsection:

"(h)(1) The State agency may implement a procedure for staggering the issuance of coupons to eligible households throughout the entire month: *Provided*, That the procedure ensures that, in the transition period from other issuance procedures, no eligible household experiences an interval between coupon issuances of more than thirty-five days, either through regular issuances by the State agency or through supplemental issuances.

"(2) For any eligible household that applies for participation in the food stamp program during the last fifteen days of a month, coupons shall be issued for the first full month of participation by the later of five working days after the beginning of the following month or five working days after verification procedures are completed.".

DISCLOSURE OF INFORMATION SUBMITTED BY RETAIL STORES

SEC. 115. Section 9(c) of the Food Stamp Act of 1977 (7 U.S.C. 2018(c)) is amended by inserting immediately before the period at the end of the second sentence "except that such information may be disclosed to and used by State agencies that administer the Special Supplemental Food Program for Women, Infants and Children, authorized under section 17 of the Child Nutrition Act of 1966, for purposes of administering the provisions of that Act and the regulations issued under that Act.".

CREDIT UNIONS

SEC. 116. Section 10 of the Food Stamp Act of 1977 (7 U.S.C. 2019) is amended by inserting "or which are insured under the Federal Credit Union Act and have retail food stores or wholesale food concerns in their field of membership" after "Federal Savings and Loan Insurance Corporation" each place it appears.

CHARGES FOR REDEMPTION OF COUPONS

SEC. 117. (a) Section 10 of the Food Stamp Act of 1977 (7 U.S.C. 2019), as amended by section 115 of this Act, is further amended by adding at the end thereof the following new sentence: "No financial institution may impose on or collect from a retail food store a fee or other charge for the redemption of coupons that are submitted to the financial institution in a manner consistent with the requirements, other than any requirements relating to cancellation of coupons, for the presentation of coupons by financial institutions to the Federal Reserve Banks.".

(b) The Secretary of Agriculture, in consultation with the Board of Governors of the Federal Reserve System, shall issue regulations implementing the provisions of subsection (a) of this section.

PUBLIC INFORMATION

SEC. 118. (a) Section 11(e)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(1)) is amended by inserting, after "funds provided under this Act", the following: "except for activities providing program information (including program eligibility and benefit guidelines) to unemployed, disabled, or elderly persons who apply, or may be eligible, for participation in the program".

(b) The first sentence of section 16(a) of the Food Stamp Act of 1977 (7 U.S.C. 2025(a)) is amended by striking out "and (4) fair hearings" and inserting in lieu thereof "(4) fair hearings, and (5) activities providing program information to unemployed, disabled, or elderly persons".

OFFICE HOURS

SEC. 119. Section 11(e)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(2)), as amended by section 101(b) of this Act, is further amended by adding at the end thereof the following: "The State agency shall assess, from time to time, the need for operating food stamp offices within the State during evening and weekend hours;"

RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS

SEC. 120. Section 12 of the Food Stamp Act of 1977 (7 U.S.C. 2021) is amended by adding at the end thereof a new subsection (e) as follows:

"(e)(1) In the event any retail food store or wholesale food concern that has been disqualified under subsection (a) of this section is sold or the ownership thereof is otherwise transferred to a bona fide purchaser or transferee, the person or persons who sell or other transfer ownership to the retail food store or wholesale food concern shall be subjected to a civil money penalty in an amount established by the Secretary through regulations to reflect that portion of the disqualification period that has not yet expired. If the retail food store or wholesale food concern has been disqualified permanently, the civil money penalty shall be double the penalty for a ten-year disqualification period, as calculated under regulations promulgated by the Secretary. The disqualification period imposed under subsection (b) of this subsection shall continue in effect as to the person or persons who sell or otherwise transfer ownership to the retail food store or wholesale food concern notwithstanding the imposition of a civil money penalty under this subsection.

"(2) At any time after a civil money penalty imposed under paragraph (1) of this subsection has become final under the provisions of section 14(a) of this Act, the Secretary may request the Attorney General to institute a civil action against the person or persons subject to the penalty in a district court of the United States for any district in which such person or persons are found, reside, or transact business to collect the penalty and such court shall have jurisdiction to hear and decide such action. In such action, the validity and amount of such penalty shall not be subject to review.".

STATE AGENCY LIABILITY, QUALITY CONTROL, AND AUTOMATIC DATA PROCESSING

SEC. 121. (a) Effective with respect to the fiscal year beginning on October 1, 1985, and each fiscal year thereafter, section 16 of the Food Stamp Act of 1977 (7 U.S.C. 2025) is amended by—

(1) in paragraph (2)(A) of subsection (d), inserting before the period at the end thereof the following: "less any amount the payment of which is waived under paragraph (6) of this subsection"; and

(2) adding, at the end of subsection (d), a new paragraph as follows:

"(6)(A) The Secretary, at the request of a State agency, shall waive the payment of a portion—not more than 15 per centum—of a claim, asserted against the State for a fiscal year under paragraphs (2) and (3) of this subsection, equal to the amount that the State agency shows it will devote to the planning, design, development, installation, or expansion of automatic data processing, computerized information, or related systems or to other administrative efforts, designed to reduce payment error rates and approved by the Secretary. To obtain such waiver, the State agency must show, to the satisfaction of the Secretary, that (i) the systems or administrative efforts on which the request for a waiver is based are in addition to systems or administrative efforts that are already in place or part of an existing plan for the State agency, and (ii) such systems or administrative efforts can reasonably be expected to improve the management, integrity, or efficiency of the food

stamp program operated by the State agency.

"(B) Amounts used for systems or administrative efforts as a result of a waiver of a claim under this paragraph may not be credited by the State agency as its share of the costs incurred for data and information systems under the cost-sharing programs provided for in subsections (a) and (g) of this section.

"(C) If a proposed system or administrative effort on which a waiver of a claim under this paragraph is based is not implemented within six months after a target date for implementation agreed on by the Secretary and the State agency, the waiver shall cease to be effective and the State agency shall again become liable for full payment of the claim under paragraphs (2) and (3) of this subsection.

"(7) To facilitate the implementation of paragraphs (2) and (3) of this subsection, each State agency shall submit to the Secretary expeditiously data regarding its operations in such fiscal year sufficient for the Secretary to establish the payment error rate for the State agency for such fiscal year and determine the amount for which the State agency will be liable for such fiscal year under paragraphs (2) and (3) of this subsection. The Secretary shall make a determination and notfiy the State agency of such determination, within nine months following the end of such fiscal year. The Secretary shall initiate efforts to collect the amount owned by the State agency as a claim established under paragraphs (2) and (3) of this subsection, except with respect to portions of such payments that are waived under paragraph (6) of this subsection and, as applicable, subject to the conclusion of any formal or informal appeal procedure and administrative or judicial review under section 14 of this Act (as provided for in paragraph (5) of this subsection), before the end of the fiscal year following such fiscal year."; and

"(3) inserting "(or in the case of State agencies that submit plans that satisfy the elements of the model automation and computerization plan under section 11(o) of this Act, as determined by the Secretary, 90 per centum)" after "75 per centum" in subsection (g).

"(b) Section 11 of the Food Stamp Act of 1977b (7 U.S.C. 2020) is amended by adding at the end thereof a new subsection (o) as follows:

"(o)(1) The Secretary shall develop, after consultation and with the assistance of an advisory group of State agencies appointed by the Secretary without regard to the provisions of the Federal Advisory Committee Act, a model plan for the comprehensive automation of data processing and computerization of information systems under the national food stamp program. The plan shall be completed not later than October 1, 1986. The elements of the plan shall include, but not be limited to, intake procedures, eligibility determinations and calculation of benefits, verification procedures, coordination with related Federal and State programs, the issuance of benefits, reconciliation procedures, the generation of notices, and program reporting.

"(2) Not later than April 1, 1987, the Secretary shall prepare and submit to Congress an evaluation of the degree and sufficiency of each State's automated data processing and computerized information systems for the administration of the food stamp program. Such report shall include, for each State, an analysis of additional steps needed for the state to achieve effective and cost-efficient data processing and information systems. The Secretary shall, thereafter, periodically update such report.

"(3) Based on the Secretary's findings in any of the reports submitted under paragraph (2) of this subsection, the Secretary may require a State agency, as necessary to rectify identified shortcomings in the administration of the food stamp program in the State, to take specified steps to automate data processing systems or computerize information systems for the administration of the food stamp program in the state if the Secretary finds that, in the absence of such systems, there will be significant program accountability or integrity problems in the administration of the food stamp program in that State.".

"(c) The first sentence of section 11(g) of the Food Stamp Act of 1977 (7 U.S.C. 2020(g)) is amended by inserting "the automation or computerization requirements imposed on the State agency under subsection (o)(3) of this section," after "pursuant to subsection (d) of this section,".

PILOT PROJECTS

SEC. 122. (a) Section 17(b)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(100 is amended by striking out "October 1, 1985" in the last sentence and inserting in lieu thereof "October 1, 1990".

(b) Section 17(d) of the Food Stamp Act of 1977 (7 U.S.C. 2026(d)) is amended by adding a new sentence at the end thereof as follows: "Upon request of a political jurisdiction operating a project under this subsection, the Secretary shall continue the project beyond any initial term established by the Secretary if the Secretary finds that the project has a beneficial effect on program administrative costs and error rates and the continuation of the project will not result in undue added program costs.".

AUTHORIZATION CEILING; AUTHORITY TO REDUCE BENEFITS

SEC. 123. Section 18 of the Food Stamp Act of 1977 (7 U.S.C. 2027) is amended by—

(1) inserting after the first sentence of subsection (a)(1) the following: "To carry out the provisions of this Act, there are hereby authorized to be appropriated not in excess of $13,484,000,000 for the fiscal year ending September 30, 1986; not in excess of $14,468,000,000 for the fiscal year ending September 30, 1987; not in excess of $15,396,000,000 for the fiscal year ending September 30, 1988; not in excess of $16,507,000,000 for the fiscal year ending September 30, 1989; and not in excess of $17,713,000,000 for the fiscal year ending September 30, 1990."; and

(2) in the second sentence of subsection (b)—

(A) striking out "the limitation set herein," and inserting in lieu thereof "the appropriation amount authorized in subsection (a)(1) of this section," and

(b) striking out "necessary to comply with the provisions of this subsection", and inserting in lieu thereof "necessary to conform such requirements of participating States to such amount authorized, except that no such reduction shall be required to be made if the national overall unemployment rate, as measured by the Current Population Survey of the Bureau of the Census, exceeds 9 per cent for any month of the fiscal year during which the Secretary makes such finding.".

PUERTO RICO BLOCK GRANT

SEC. 124. Effective October 1, 1985, section 19 of the Food Stamp Act of 1977 (7 U.S.C. 2028) is amended by—

(1) striking out "for each fiscal year" in subsection (a)(1)(A) and inserting in lieu thereof "for the fiscal year ending September 30, 1986, $862,000,000 for the fiscal year ending September 30, 1987, $898,000,000 for the fiscal year ending September 30, 1988, $936,000,000 for the fiscal year ending September 30, 1989, and $974,000,000 for the fiscal year ending September 30, 1990,";

(2) striking out "noncash" in subsection a(1)(A);

(3) striking out the comma after "needy persons" and all that follows in subsection (a)(1)(A) and inserting a period in lieu thereof;

(4) striking out "and 50 per centum of the related administrative expenses" in subsection (a)(1)(B) and inserting "and related administrative expenses" in lieu thereof; and

(5) striking out "a single agency which shall be" in subsection (b)(1)(A)(i) and inserting in lieu thereof "the agency or agencies directly."

COMMODITY DISTRIBUTION PROGRAMS

SEC. 125. (a) Effective October 1, 1985, section 4 of the Agriculture and Consumer Protection Act of 1973 is amended by—

(1) striking out "1982, 1983, 1984, and 1985" in the first sentence of subsection (a) and inserting in lieu thereof "1986, 1987, 1988, 1989, and 1990"; and

(2) striking out "under 18 years of age" and inserting in lieu thereof "18 years of age and under".

(b)(1) Effective October 1, 1985, section 5(a) of the Agriculture and Consumer Protection Act of 1973 is amended by—

(A) striking out ", which projects shall operate no longer than two years" in clause (1) and inserting in lieu thereof a semicolon;

(B) inserting two new clauses after clause (1) as follows:

"(2) shall, in any fiscal year, approve applications of additional sites for the program in areas in which the program currently does not operate to the full extent that this can be done within the appropriations available for the program for the fiscal year and without reducing actual participation levels in areas in which the program is in effect; (3) shall provide information on the program and its application procedures to agencies that could operate the program and that are located in areas covered neither by the program nor the Special Supplemental Food Program for Women, Infants, and Children;";

(C) redesignating clause (2) as clause (4); and

(D) striking out "1982 through 1985" in clause (4), as redesignated under clause (C) of this paragraph, and inserting in lieu thereof "1986 through 1989".

(2) Notwithstanding any other provision of law, the Secretary of Agriculture shall allow agencies distributing agricultural commodities to low-income elderly people under pilot projects under clause (1) of section 5(a) of the Agriculture and Consumer Protection Act of 1973 on the date of enactment of this Act to continue such distribution.

(c) Effective October 1, 1985—

(1) section 209 of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is repealed; and

(2) section 5(a)(2) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) is amended by striking out

"amount appropriated for the provision of commodities to State agencies" and inserting in lieu thereof "sum of (A) the amount appropriated for the commodity supplemental food program and (B) the value of the additional commodities donated by the Secretary to State or local agencies for use in such program which are provided without charge against funds appropriated for such program and are included in food packages distributed to program particpants".

TITLE II—AMENDMENTS TO THE TEMPORARY EMERGENCY FOOD ASSISTANCE ACT OF 1983 AND OTHER COMMODITY DISTRIBUTION PROVISIONS

Subtitle A—Amendments to the Temporary Emergency Food Assistance Act of 1983

EMERGENCY FEEDING ORGANIZATIONS—DEFINITIONS

SEC. 201. Section 201A of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by inserting, before the semicolon at the end of clause (1), the following: "(including the activities and project of charitable institutions, food banks, hunger centers, soup kitchens, and similar nonprofit eligible recipient agencies, hereinafter in this title referred to as 'emergency feeding organizations')".

DELETION OF PROVISIONS RELATING TO THE FOOD SECURITY WHEAT RESERVE

SEC. 202. (a) Section 202 of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by—

(1) striking out the subsection designation for subsection (a); and

(2) repealing subsection (b).

(b) Section 203A of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by striking out", except that wheat from the Food Security Wheat Reserve may not be used to pay such costs" in the second sentence.

DELETION OF PROVISIONS RELATING TO PROCESSING AGREEMENTS

SEC. 203. (a) Section 203 of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note), including the title thereto, is repealed.

(b) Section 203B(a) of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by striking out "and to private companies that process such commodities for eligible recipient agencies under sections 203 and 203A of this Act".

STATE COOPERATION

SEC. 204. Section 203B of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is further amended by adding, at the end thereof, a new section (d) as follows:

"(d) Each State agency receiving commodities under this title may (1) enter into cooperative agreements with other state agencies for joint provision of such commodities to an emergency feeding organization that serves needy persons in a single geographical area part of which is situated in each such State, or (2) transfer such commodities to any such emergency feeding organization in the other State under such agreement.".

AUTHORIZATION FOR FUNDING AND RELATED PROVISIONS

SEC. 205. Section 204 of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) inserting, after subsection (b), a new subsection (c) as follows:

"(c)(1) There are hereby authorized to be appropriated $50,000,000 for each of the fiscal years ending September 30, 1986, and September 30, 1987, for the Secretary to make available to the States for State and local costs associated with the distribution of commodities by emergency feeding organizations under this title. Funds appropriated under this paragraph for any fiscal year shall be allocated to the States on an advance basis, dividing such funds among the States in the same proportions as the commodities distributed under this title for such fiscal year are divided among the States. If a State agency is unable to use all of its allocation, the Secretary shall reallocate such unused funds among the other States in the same manner as the original allocations were divided.

"(2) Each State shall make available, to emergency feeding organizations in the State, not less than 20 per centum of the funds provided as authorized in paragraph (1) of this section that it has been allocated for a fiscal year to pay for, or provide advance payments to cover, the direct expenses incurred by the emergency feeding organizations in distributing commodities to needy persons. As used in the preceding sentence, the term 'direct expenses' includes costs of transporting, storing, handling, and distributing commodities once they are received by the organization, costs associated with determinations of eligibility, verification, and documentation, costs involved in publishing announcements of times and locations of distribution, and costs of record-keeping, auditing, and other administrative procedures needed for participation in the program under this title. If a State makes a payment, using State funds, to cover direct expenses of emergency feeding organizations, the amount of such payment shall be included in calculating the amount a State must make available for direct expenses of emergency feeding organizations under this paragraph.

"(3) States to which funds, as authorized under paragraph (1) of this subsection, have been allotted for a fiscal year shall submit financial reports to the Secretary, on a regular basis, as to the use of such funds. No such funds may be used by the States for costs other than those involved in covering the expenses related to the distribution of commodities by emergency feeding organizations.".

REGULATIONS

SEC. 206. Section 210 of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by—

(1) in subsection (c)—

(A) striking out "the fiscal years ending September 30, 1984, and September 30, 1985" and inserting in lieu thereof ", the period starting with the fiscal year ending September 30, 1984, and ending with the fiscal year ending September 30, 1987";

(B) striking out "prior to the beginning of the fiscal year ending September 30, 1985" and inserting in lieu thereof "as early as feasible but not later than the beginning of each of the fiscal years ending September 30, 1985, September 30, 1986, and September 30, 1987"; and

(C) striking out "second twelve months" and inserting in lieu thereof "such fiscal year"; and

(2) adding, at the end thereof, a new subsection as follows:

"(d) The regulations issued by the Secretary under this section shall include provisions that set standards with respect to liability for commodity losses under the program under this title and conditions for payment to cover such losses, such provisions to take into consideration (1) the special needs and circumstances of emergency feeding organizations including use of volunteers, limited financial resources, and the effect that sanctions could have on the ability of such organizations to meet the food needs of low-income populations, and (2) situations in which there is no evidence of negligence, fraud, or continuing problems.".

PROGRAM TERMINATION

SEC. 207. Section 212 of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by striking out "September 30, 1985" and inserting in lieu thereof "September 30, 1987".

REPORT

SEC. 208. Not later than April 1, 1987, the Secretary of Agriculture shall report to Congress on the activities of the program conducted under the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note). Such report shall include information on—

(1) the volume and types of commodities distributed under the program;

(2) the type of State and local agencies receiving commodities for distribution under the program;

(3) the populations served under the program and their characteristics;

(4) the Federal, State, and local costs of commodity distribution operations under the program (including transportation, storage, refrigeration, handling, distribution, and administrative costs); and

(5) the amount of Federal funds provided to cover State and local costs under the program.

Subtitle B—Commodity Distribution Amendments

DISTRIBUTION OF SURPLUS COMMODITIES; PROCESSING AGREEMENTS

SEC. 211. Effective October 1, 1985, section 1114(a) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e) is amended by—

(1) redesignating the text thereof as paragraph (1);

(2) inserting "including, but not limited to, cheese, nonfat dry milk, and wheat," before "such commodities shall be" in the first sentence; and

(3) adding, at the end thereof, a new paragraph (2) as follows:

(2)(A) Effective through September 30, 1990, whenever a commodity is made available without charge or credit under any nutrition program administered by the Secretary of Agriculture, the Secretary shall encourage consumption of such commodities through agreements with private companies under which the commodity is reprocessed into end-food products for use by eligible recipient agencies. The expenses of such reprocessing shall be paid by such eligible recipient agencies.

(B) To maintain eligibility to enter into, and to continue, any agreement with the Secretary of Agriculture under subparagraph (A) of this paragraph, a private company shall annually settle all accounts with the Secretary and any appropriate State agency regarding commodities processed under such agreements.".

TITLE III—FOOD, NUTRITION, AND CONSUMER EDUCATION

FINDINGS

SEC. 301. Congress finds that persons in households eligible for the food stamp program and other low-income persons, includ-

ing those residing in rural areas, should have greater access to nutrition and consumer education to enable them to use their food budgets, including food assistance, effectively and to select and prepare foods that satisfy their nutritional needs and improve their diets.

PURPOSE

SEC. 302. The purpose of the program authorized by this title is to expand effective food, nutrition, and consumer education services to the greatest practicable number of low-income persons, including those participating in or eligible to participate in the food stamp program, to assist them to—

(1) increase their ability to manage their food budgets, including food stamps and other food assistance;

(2) advance their ability to buy food that satisfies nutritional needs and promotes good health; and

(3) better their food preparation, storage, safety, preservation, and sanitation practices.

ADMINISTRATION

SEC. 303. (a) Within the Department of Agriculture, the program authorized by this title shall be administered through the Extension Service in consultation with the Food and Nutrition Service, and the Human Nutrition Information Service. The Secretary of Agriculture (hereinafter in this title referred to as "the Secretary") shall ensure that the Extension Service coordinates activities carried out under this title with the ongoing food, nutrition, and consumer education activities of other agencies of the Department of Agriculture.

(b) The Secretary shall, by not later than April 1, 1989, submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the effectiveness of the program authorized by this title.

STATE PARTICIPATION

SEC. 304. The cooperative extension services of the States shall, with funds made available under this title, carry out an expanded program of food, nutrition, and consumer education for low-income persons in a manner designed to achieve the purpose set forth in section 302 of this title. In operating the program, the cooperative extension services may use the expanded food and nutrition education program and other food, nutrition, and consumer education activities of the cooperative extension services or carried out by them in collaboration with other public or private nonprofit agencies or organizations. In carrying out their responsibilities under the program, the cooperative extension services are encouraged to—

(1) provide effective and meaningful food, nutrition, and consumer education services to as many low-income persons as possible;

(2) employ educational methodologies, including innovative approaches, that accomplish the purpose of this title; and

(3) to the extent practicable, coordinate activities carried out under the program with the delivery to low-income persons of benefits under food assistance programs.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 305. (a) There are hereby authorized to be appropriated to the Department of Agriculture to carry out the program under this title not to exceed, for the fiscal year ending September 30, 1986, $5,000,000; for the fiscal year ending September 30, 1987, $6,000,000; and for each of the fiscal years ending September 30, 1988, September 30, 1989, and September 30, 1990, $8,000,000.

(b) Any funds appropriated annually under this section shall be allocated in the manner specified in section 1425(c)(2) (A) and (B) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.

(c) Any funds appropriated under this section shall supplement any other funds appropriated to the Department of Agriculture for use by the Department and the cooperative extension services for food, nutrition, and consumer education for low-income households.

SECTION-BY-SECTION EXPLANATION

TITLE I—FOOD STAMP AND RELATED PROVISIONS

Eligibility of the homeless

Section 101(a) amends section 3(i) of the Food Stamp Act of 1977 ("the Act") to make clear that individuals who do not reside in permanent dwellings or who have no fixed address (the homeless) are eligible to participate in the Food Stamp Program.

Section 101(b) amends section 11(e) of the Act to require State agencies to provide a method for certifying and issuing coupons to such individuals while ensuring that only those who are eligible are allowed to participate in the program.

Thrifty food plan

Section 102 amends section 3(o) of the Act to conform benefits more closely with actual food prices. At present, food stamp benefit levels—which are based on the cost of purchasing food using the Agriculture Department's Thrifty Food Plan—are adjusted each October to reflect changes in food prices through the immediately preceding June. The amendment would require that each October's adjustment reflect: (1) food-price changes through the immediately preceding June; and (2) the Agriculture Department's best projection of food price changes through September.

In addition, the amendment would make a technical correction in the Act's definition of the Thrifty Food Plan used to establish benefit levels. The ages of the adults in the reference family used to establish basic benefit levels would be changed to 20-50 years rather than 20-54 years, in order to correspond to the age categories used by the National Academy of Science/National Research Council in developing the "Recommended Dietary Allowances" (RDAs) that are the basis of the Thrifty Food Plan.

Definitions of disabled

Section 103 amends section 3(r) of the Act to include in the definition of "disabled"—and, consequently, make eligible for special treatment in determining eligibility and benefits—four new categories of persons:

Those disabled who receive State-financed Supplemental Security Income (SSI) payments, but do not receive the basic Federal SSI benefit, as long as the benefits are determined to be conditioned on meeting at least the Social Security disability criteria used for Federal SSI benefits, or are benefits granted to those who qualified under pre-SSI programs for aid to the permanently and totally disabled or blind;

Recipients of public disability retirement pensions who have a disability considered permanent under Social Security disability rules;

Veterans receiving pensions for nonservice connected disability; and

Railroad retirement disability annuitants who must meet the Social Security disability test in order to receive their annuity or qualify for Medicare.

State and local sales taxes

Section 104 amends section 4(a) of the Act to prohibit, effective in FY 1988, the collection by any State or locality of sales taxes on food stamp purchases if it opts for a Food Stamp Program. Currently, either State or local sales taxes are imposed on food stamp purchases in about 20 States.

Relation of Food Stamp and Commodity Distribution Programs

Section 105 amends section 4(b) of the Act to eliminate the current ban in the Food Stamp Act on the distribution of Federally donated foods in jurisdictions that operate the Food Stamp Program. This would be consistent with legislation governing the Temporary Emergency Food Assistance Program (TEFAP) and would allow jurisdictions to concurrently operate programs like TEFAP and the Food Stamp Program. The current law ban on joint receipt by any household of food stamps and commodities distributed through the needy family program (primarily administered on Indian reservations) would be retained.

Categorical eligibility

Section 106 amends section 5 of the Act to make categorically eligible to participate in the Food Stamp Program households each of whose members either receive benefits under the program for Aid to Families with Dependent Children (AFDC) or receive Supplemental Security Income (SSI), but not those whose food stamp benefits have been "cashed out" or whose participation is precluded because of unlawful activity. This section also amends section 11(i) of the act to make clear that denial of eligibility for or termination from either AFDC or SSI cannot be an automatic basis for denial of eligibility for or termination from the Food Stamp Program.

Excluded income

Section 107(a) amends section 5 of the Act to make clear that the portion of any Federal Pell Grant not used for tuition and mandatory school fees is to be counted as income for food stamp purposes. No portion of a Pell Grant could be disregarded as a "reimbursement".

It would also allow recipients of educational grants, loans, scholarships, and the like to have the portion of their grant, loan, or scholarship used for tuition and mandatory fees disregarded for food stamp purposes, regardless of whether the institution requires a high school diploma as a prerequisite for attendance.

Finally, it would make clear that any origination fees or insurance premiums that reduce the amount of a student loan would not be counted as income for food stamp purposes.

Section 107(b) amends section 5 of the Act to make clear that benefits provided to third parties ("vendor payments") on behalf of food stamp households by the Aid to Families with Dependent Children (AFDC) program, and by State and local governments through their general assistance programs, are to be counted as income for food stamp purposes as long as they are part of regular grants for day-to-day living expenses. Certain types of vendor payments would continue to be excluded: medical assistance, child-care assistance, aid provided by housing authorities, and emergency and special assistance above normal grant levels.

Section 107(b) also amends section 5 of the Act to require that earnings received by participants in a Job Training Partnership Act (JTPA) program be counted as earned

income for food stamp purposes. Incentive allowances and expense-related reimbursements of payments would continue to be disregarded.

Deductions from income

Section 108 amends section 5(e) of the Act to—

(1) Conform Consumer Price Index references in the Act to current Bureau of Labor Statistics methodology. At present, when the Consumer Price Index for all urban consumers (CPI-U) is used to adjust various eligibility and benefit determinants in the Food Stamp Program (e.g., the limit on deductible shelter expenses), changes in costs related to "homeownership" are not considered. Current Bureau of Labor Statistics methodology in computing the CPI-U separates what was, until recently, "homeownership" costs into two categories—homeowner's costs and maintenance and repair costs—and the amendment would make a technical correction to recognize this.

(2) Increase from 18 to 20 percent the amount of earned income that is deducted from household income in determining a household's income for program purposes, (the so-called "earned income deduction");

(3) Effective in FY 1986, increase the maximum combined deduction allowed for excess shelter and/or dependent care costs to $155;

(4) Effective in FY 1987, establish separate dependent care and excess shelter expense deductions to replace the combined deduction currently allowed for these purposes. This amendment would cap the dependent care deduction at $160 a month, and utilize the level established for the combined deduction in FY 1986 ($155 adjusted for inflation) as the maximum for the separate excess shelter expense deduction;

(5) Change the threshold for elderly and disabled households to qualify for a medical deduction from $35 a month to the lesser of 5 percent of gross income or $35 a month. This would make the food stamp threshold for a medical hardship deduction consistent with that utilized in the Federal income tax code;

(6) Make clear that payments made to energy suppliers on behalf of recipient households through the Low Income Home Energy Assistance Program (LIHEAP) cannot be considered when determining whether and how much a household may deduct as an excess shelter expense. It would also stipulate that, to the extent a recipient household still has out-of-pocket utility expenses despite a LIHEAP payment to its supplier, it would be allowed to claim those expenses as a potential shelter-expense deduction. States would also be allowed to ease their administrative burden in dealing with LIHEAP recipients on behalf of whom a payment is made and have out-of-pocket expenses by utilizing a "standard utility allowance."

Optional monthly reporting and retrospective budgeting

Section 109 amends sections 5(f) and 6(c) of the Act to restore the State option to elect whether, in calculating household income, a prospective or retrospective basis is to be used for certain households. Monthly reporting would also be made a State option. Each State could choose whether it would utilize either, both, or neither of these procedures.

Disaster task force

Section 110 amends section 5(h) of the Act to provide that the Secretary shall (1) establish a Food Stamp Disaster Task Force to assist States in implementing and operating the disaster program and the regular Food Stamp Program in the disaster area, and (2) send members of such task force to the disaster area as soon as possible after the disaster occurs to provide direct assistance to State and local officials.

Resources limitation

Section 111 amends section 5(g) of the Act to:

Raise the overall liquid assets limitations on eligible households;

Phase in an increase in the extent to which the value of automobiles is disregarded in the assets test;

Provide that property related to the maintenance of otherwise excluded vehicles (e.g., vehicles used to produce income) is to be disregarded in the assets test; and

Allow existing rules governing the type of assets considered to be "inaccessible", and therefore not counted, to be revised.

Effective in FY 1987, the overall liquid assets limitations would be raised from $1,500 to $2,250 for the majority of households. For those households with one or more members, at least one of whom is elderly, the limitation would be raised from $3,000 to $3,500.

The extent to which the fair market value of an otherwise countable automobile is disregarded in the liquid assets test for eligibility would be increased each October 1, beginning in October 1986, to reflect any increase in the Consumer Price Index component for used cars during the previous year. Under existing law, the first $4,500 of fair market value is disregarded. The amendment would allow that limit to increase annually each October, to a ceiling of $5,500 per vehicle.

To the extent that any real or personal property is directly related to the maintenance and use of a licensed vehicle that is used to produce earned income or transport a disabled person, it would be excluded from consideration as a liquid asset for food stamp purposes, just as the vehicle itself is now excluded.

The rule in existing law that food stamp assets limitations may not be changed from those set forth in the regulations in effect as of June 1982 would be waived to the extent necessary to allow the Secretary to revise current regulations dealing with "inaccessible" assets. This would allow the Secretary to change regulations so as to ensure that property that was formerly excluded as income-producing property will continue to be excluded as an asset to the extent that an encumbrance such as a lien prevents its disposal and conversion to a liquid asset. This rule is now applied to inaccessible assets such as irrevocable trust funds, security depositis on rental properties or utilities, property in probate, and property which a household is making a good faith effort to sell at a reasonable price.

Eligibility disqualifications

Section 112(1) amends section 6(d) of the Act to limit the circumstances under which an entire food stamp household is disqualified for failure to fulfill requirements to register for work, participate in an employment program, or accept a suitable job offer.

Under existing law, failure to comply with work requirements by any household member subject to them disqualifies the entire household. Those subject to food stamp work requirements are: able-bodied members between 18 and 60 years of age who are not working (or employed less than 30 hours a week or the minimum-wage equivalent), unless they are caring for a child under age 6, are an otherwise eligible student (i.e., working, have a dependent child under age 6, or in receipt of Aid to Families with Dependent Children (AFDC) benefits), or are residents of a drug addiction or alcoholic treatment program.

The amendment would require disqualification of the entire food stamp household if the head of the household fails to fulfill food stamp work requirements. If another member subject to the requirements fails to comply, that member would be disqualified, not the entire household. This change would conform food stamp practice with that in the AFDC program.

Section 112(2) amends section 6(e) of the Act to waive application of the Act's special rules governing the eligibility of post-secondary students in the case of persons assigned to post-secondary institutions for training under the programs of the Job Training and Partnership Act.

Section 112(3) would remove an unworkable exception from the special student rules now granted to students with children between ages 6 and 12 who cannot find adequate child care. Under existing law, post-secondary students meeting the normal income and assets eligibility tests are ineligible unless they are working half-time or more, have children under age 6, are recipients of AFDC benefits, or have children between ages 6 and 12 for whom no adequate child care is available.

Section 112(4) amends section 6(f) of the Act to replace an out-of-date reference to a section (203(a)(7)) of the Immigration and Nationality Act with the correct reference (sections 207 and 208), and make two additional technical corrections to conform the language used in the Food Stamp Act to that used in the Immigration and Nationality Act.

Employment programs

Section 113 amends section 6(d)(1) of the Act to mandate, for the first time, that all States must have an employment program consisting of job search, job finding clubs, work, training, education directly related to employability, or some other related approach. States would have considerable flexibility to determine which programs to operate and which employable participants are included. Fundamental client protections are provided, including reimbursement for job search expenses. Increased Federal grant money would be available to fund these programs, and, beyond that, matching funding would be available if the grants are not sufficient.

It would also make clear that disqualification for failure to meet any employment requirements ends when the requirement has been complied with, or after 2 months, and end disqualification of a household if the member who caused the disqualification has left.

Staggering of coupon issuance

Section 114 amends section 7 of the Act to provide that State agencies may implement a procedure for staggering the issuance of food stamps throughout the month. They would be required to assure that, in the transition to new procedures, no household experiences an interval between issuances longer than 35 days, either by adjusting their regular issuance cycles gradually or by using supplemental issuances.

It would also provide that, for all applicant households applying late in the month (after the 15th), benefits for the first full

month after application must be issued at the beginning of the month, or 5 days after any needed verification has been completed, even if the regular or staggered issuance cycle would dictate issuance later in the month.

Disclosure of information submitted by retail stores

Section 115 amends section 9(c) of the Act to permit the disclosure of information retail food stores submit for food stamp purposes to State agencies that administer the Special Supplemental Food Program for Women, Infants, and Children (WIC). This would allow use of the information in monitoring retail store compliance with WIC rules.

Food stamp redemption by Federal credit unions.

Section 116 amends section 10 of the Act to permit federally insured credit unions which have wholesale or retail grocers within their field of membership to redeem food stamps. This provision strictly limits the number of credit unions which might offer redemption services by requiring that each institution must be regulated by the National Credit Union Administration, meets insurance requirements under the Federal Credit Union Act, and has wholesale or retail grocers in its specified field of membership.

Charges for redemption of coupons

Section 117 amends section 10 of the Act to provide that no financial institution may impose on or collect from a retail food store a fee or other charge for the redemption of coupons that are submitted to the financial institution in a manner consistent with the requirements, other than any requirements relating to the cancellation of coupons, for the presentation of coupons by financial institutions to the Federal Reserve Banks. The Secretary, in consultation with the Board of Governors of the Federal Reserve System, would issue regulations implementing this provision.

Program information

Section 118 amends sections 11(e) and 16(a) of the Act to authorize 50 percent Federal matching funds for State agency activities to inform unemployed, elderly, and disabled persons about the availability of and qualifications requirements for the Food Stamp Program. Such efforts would be required to be specifically directed at these target populations.

Office hours

Section 119 amends section 11(e) of the Act to require States to regularly assess the need for operating food stamp offices during evening and weekend hours, taking into consideration the number within the area served who are working or looking for work during normal office hours.

Retail food stores and wholesale food concerns

Section 120 amends section 12 of the Act to convert any disqualification of a retail food store into a civil money penalty when the disqualified store is sold or transferred before the disqualification period is completed. The amount of the payment would be calculated in a manner similar to the manner civil penalties levied in lieu of disqualifications are now determined: i.e., multiply 10 percent of monthly food stamp redemptions times the number of months remaining in the disqualification period. For the purpose of this new provision, permanent disqualification would be assumed to be 20 years.

State agency liability; quality control; automatic data processing

Section 121(a) amends section 16 of the Act to—

(1) Require States to submit error rate information expeditiously to permit the Secretary to speed up the collection of sanctions owed by the States due to high error rates in benefit payments. The Secretary would be required, to the maximum extent feasible, to establish claims and initiate collections by the start of the fourth quarter of the fiscal year following the fiscal year for which State performance is being measured. Under this provision, the States' current rights to appeal error rate determinations made by the Secretary, including current procedures that allow for arbitration of disputes at the national office of the Food and Nutrition Service, would be maintained;

(2) permit States to gain suspension of up to 15 percent of error rate sanctions imposed for any fiscal year if they agree to apply these funds to error reduction efforts, such as increased staffing levels or increased computerization, that are above and beyond current efforts or planned activities. Suspension of the sanctions would be subject to the Secretary's approval of the error reduction efforts and his certification that they represent efforts above and beyond what otherwise might be expected from the State. If States fail to implement the agreed upon efforts to reduce errors within 6 months of the time frame established with the Secretary, the suspended sanctions would be reinstated.

Section 121(b) amends section 11 of the Act to—

(1) requre the Secretary, in consultation with the States, to develop a model plan for comprehensive computerization of the Food Stamp Program. Any State developing a computer plan approved by the Secretary that would result in a State's computer system satisfying the model plan would qualify for 90 percent matching funds, rather than the normal 75 percent matching funds, for computer planning, development and installation;

(2) Require the Secretary to provide to Congress by April 1, 1987 a report that analyzes and evaluates the degree and sufficiency of computerization in each State. Based upon its findings, the Secretary would be authorized to mandate computerization to the degree necessary in States where the lack of automated data processing seriously hampers program integrity or accountability.

Pilot projects

Section 122(a) amends section 17(b) of the Act to extend the authorization to operate several special pilot projects involving payment of food stamp benefits in cash to eligible households all of whose members are either age 65 or over or recipients of Supplemental Security Income (SSI) benefits. Authority for these projects is now scheduled to terminate in September 1985; the amendment would allow them to continue through fiscal year 1989, if a State operating one so requests.

Section 122(b) amends section 17(d) of the Act to require the Secretary, upon the request of a political jurisdiction operating a simplified application project, to grant an extension of the project if he finds the project has a beneficial effect on program administrative costs and error rates, without adding undue costs.

Authorization ceilings; authority to reduce benefits

Section 123 amends section 18 of the Act to—

(1) Extend the authorization for appropriations as follows: $13,484,000,000 for FY 1986, $14,468,000,000 for FY 1987, $15,396,000,000 for FY 1988, $16,507,000,000 for FY 1989, and $17,713,000,000 for FY 1990;

(2) Require the Secretary to reduce food stamp benefits in a fiscal year only upon a determination that the authorization level for that year, rather than the appropriation level, is insufficient to allow full benefits to be paid to all participants throughout that fiscal year. Any benefit reduction ordered by the Secretary would be implemented to the degree necessary to keep program costs for that year within the authorization, rather than appropriation, level;

(3) Remove the authority for the Secretary to reduce allotments under section 18(b) in any year in which the national unemployment rate exceeds 9 percent in any month.

Puerto Rico

Section 124 amends section 19 of the Act to revise 3 existing provisions affecting Puerto Rico's nutrition assistance block grant:

The current noncash assistance requirement, now scheduled to be implemented in October 1985, would be repealed, allowing the Commonwealth to determine the form of assistance under its block grant program;

The current requirement that the Commonwealth pay 50 percent of administrative costs matched under the block grant would be deleted; and

The current requirement that the Commonwealth use a single State agency to administer its nutrition assistance program would be deleted.

The amendment would also adjust the amount of the Puerto Rico nutrition assistance block grant, now set at $825 million annually, to $862 million in FY 1987, $898 million in FY 1988, $936 million in FY 1989, and $974 million in FY 1990.

Commodity Distribution Programs

Section 125(a) amends Section 4(a) of the Agriculture and Consumer Protection Act of 1973 to extend the authority of the Department to operate the Commodity Distribution Program through Fiscal Year 1989. This program includes distribution to institutions, supplemental food programs, disaster areas, summer camps for children, the United States Trust Territory of the Pacific Islands and Indians. This section also amends section 4(b) of the Agriculture and Consumer Protection Act of 1973 to make eligibility requirements for the Commodity Distribution Program for Summer Camps and the Summer Food Service Program for Children more consistent.

Section 125(b) amends section 5 of the Agriculture and Consumer Protection Act of 1973 to authorize the continuation of the Commodity Supplemental Food Program through FY 1989, extend current law with regard to the distribution of administrative funds for operation of the program, and direct that the three areas currently distributing commodities to low income elderly persons be permitted to continue such distribution.

In addition, the section requires the Secretary to approve applications from areas not currently operating a CSFP program to the extent that the program's appropriation

allows, so long as this does not require reductions in actual participation levels in areas now in the program. The Secretary is also directed to notify potentially eligible CSFP agencies in areas covered neither by a WIC or a CSFP program of the existence of the CSFP program and its application procedures.

TITLE II—AMENDMENTS TO THE TEMPORARY EMERGENCY FOOD ASSISTANCE ACT OF 1983 AND OTHER COMMODITY DISTRIBUTION PROVISIONS

Subtitle A—Amendments to the Temporary Emergency Food Assistance Act of 1983

Emergency feeding organizations—Definitions

Section 201 amends section 201 of the Temporary Emergency Food Assistance Act of 1983 ("the Act") to incorporate the term "emergency feeding organizations", and defines such organizations to include charitable institutions, food banks, hunger centers, soup kitchens, and similar non-profit eligible recipient agencies providing nutrition assistance to relieve situations of emergency and distress through the provision of food to needy persons, including low-income and unemployed persons.

Deletion of provisions relating to the Food Security Wheat Reserve

Section 202 repeals subsection 202(b) of the Act which authorizes the use of wheat from the Food Security Wheat Reserve for TEFAP. It also eliminates language in section 203A of the Act referring to wheat from the Food Security Wheat Reserve. Stocks of wheat have been available from the regular CCC holdings and the Secretary has not utilized wheat from the reserve in the past. USDA projections of CCC stocks for the next two years indicate that increasing amounts of wheat are likely to be available.

Deletion of provisions relating to processing agreements

Section 203 repeals section 203 of the Act, which requires that whenever commodities are made available without charge or credit to any nutrition program, the Secretary shall encourage consumption of such bonus commodities by making agreements with private companies for reprocessing of such commodities into end-use food products (e.g. providing cheese and flour to processors to make into pizzas) for recipient programs. It also eliminates the subsection 203B(a) of the Act reference to private companies that process commodities. These repealed provisions are applicable to bonus commodity use for school nutrition and other meal service programs rather than for TEFAP distributions. (Note: Section 211 of this bill would extend the current law provisions governing national commodity processing. Section 203 simply deletes this provision from the TEFAP law.)

State cooperation

Section 204 amends section 203B to add language allowing States to enter into cooperative agreements with each other in order to accommodate commodity distribution by emergency feeding organizations that serve needy populations in contiguous areas which cross State borders. This provision gives States the flexibility to work out arrangements for joint distributions of commodities in cases where a food bank, or other local distributing agency serves the food needs of persons residing in areas which cross State lines (e.g. D.C., and suburban Virginia and Maryland).

Authorization for funding and related provisions

Section 205 amends section 204 of the Act to add a new subsection authorizing appropriations of $50 million for each of fiscal years 1986 and 1987 for State and local costs associated with commodity distribution by emergency feeding organizations. It requires that funds appropriated under this authority be allocated to States on an advance basis under the same allotment formula as is used by the Secretary to determine each State's share of commodities. (Currently, commodities are allocated to States on the basis of poverty and unemployed population with 60% weighting on poverty and 40% weighting on unemployment.) It requires the Secretary to reallocate funds periodically if State agencies are unable to spend all of their allocation. It requires regular financial reporting by States on the use of funds, and prohibits the use of Federal funds for costs other than those needed to cover expenses related to the use and distribution of commodities by emergency feeding organizations.

This section also requires States to provide not less than 20% of their allocated funds to pay or make advance payments to emergency feeding organizations for direct expenses associated with local agency distribution of commodities to needy persons. States may count toward this 20% minimum any payments they make to cover emergency feeding organizations' direct expenses. Direct expenses of emergency feeding organizations are defined to include such agencies' costs of transporting, storing, handling and distributing commodities once they are received from the State; costs associated with determinations of eligibility, verification and documentation; costs of publishing announcements of times and locations of distributions; and costs of recordkeeping, auditing and other program administrative procedures required for program participation.

These provisions are designed to improve the allotment of funds to States and local agencies so that both will have greater certainty about the amount of Federal funds available to them than is the case under the current reimbursement system. Under these revisions States will receive their grant allotment up front. Consequently, they will know exactly how much funding they have, and will find it easier to advance funds to local agencies, many of whom do not have the financial resources to lay out their own funds in advance to cover their local expenses, or to wait the long periods often required under the reimbursement system. In all instances however, the amount of administrative funding provided cannot exceed actual costs of State and local agencies and these costs must be documented.

Regulations

Section 206 extends subsection 210(c) of the Act to require that the Secretary publish in the Federal Register an estimate of the type and quantity of commodities that are likely to be made available for distribution under the program for each of fiscal years 1986 and 1987. Such estimates are to be published as soon as possible, but no later than September 30, 1985, for FY 1986 and no later than September 30, 1986, for FY 1987. The current law proviso that the actual type and quantity of commodities made available under the Act may differ from these estimates is retained.

Also this section amends section 210 to add a provision requiring the Secretary to set standards for commodity losses and conditions of repayment for participating agencies. These standards should reflect the special needs and circumstances of emergency feeding organizations. Such standards are to relate to situations where there is no evidence of negligence, fraud or continuing problems, and consider the special problems of emergency feeding organizations with respect to use of volunteers, limited financial resources, and the potential that sanctions will impair their ability to meet the food needs of low-income populations.

Program termination

Section 207 amends section 212 of the Act to extend the program through FY 1987.

Report

Section 208 adds a new section to require the Secretary of Agriculture to provide Congress with a report on the activities of TEFAP. This report is to include information on the volume and types of commodities distributed under the program; the types of State and local agencies receiving TEFAP commodities; the populations served and their characteristics; the Federal, State and local costs of commodity distribution operations, (including transportation, storage, refrigeration, handling, and distribution, and administrative costs of operation), and the amount of Federal funds provided to address such State and local costs. The Secretary is required to provide Congress with a final report on the program no later than April 1, 1987.

Subtitle B—Commodity Distribution Amendments

Bonus commodities

Section 211 amends section 1114 of the Agriculture and Food Act of 1981 to extend the requirement that whenever the Secretary determines that commodities are acquired under price support are not likely to be sold by the Commodity Credit Corporation or otherwise used in programs of commodity sale or distribution. These commodities must be made available without charge or credit to elderly feeding and child nutrition programs and certain food banks. If the Secretary determines that cheese, nonfat dry milk and wheat are not otherwise likely to be sold or distributed, he must distribute these commodities, but is not limited to distributing these commodities only.

This section also continues the current law provision of P.L. 98-92 to require the Secretary to encourage consumption of bonus commodities through agreements with private companies (often referred to as National Commodity Processing). In addition, a new requirement is placed on participating private companies requiring them, as a condition of continued eligibility, to settle all accounts with the Secretary and State agencies regarding commodities processed under such agreements.

TITLE III—FOOD, NUTRITION, AND CONSUMER EDUCATION

Findings

Section 301 states that Congress finds that persons in households eligible for the food stamp program and other low-income persons, including those residing in rural areas, should have greater access to nutrition and consumer education to enable them to use their food budgets, including food assistance, effectively and to select and prepare foods that satisfy their nutritional needs and improve their diets.

Purpose

Section 302 provides that the purpose of the program authorized by the title is to

expand effective food, nutrition, and consumer education services to the greatest practicable number of low-income persons, including those participating in or eligible to participate in the food stamp program, to assist them to—

(1) increase their ability to manage their food budgets, including food stamps and other food assistance;

(2) advance their ability to buy food that satisfies nutritional needs and promotes good health; and

(3) better their food preparation, storage, safety, preservation, and sanitation practices.

Administration

Section 303(a) provides that within the Department of Agriculture the program authorized by the title shall be administered through the Extension Service in consultation with Food and Nutrition Service, and the Human Nutrition Information Service. The Secretary of Agriculture shall assure that the Extension Service coordinates activities carried out under the title with the ongoing food, nutrition, and consumer education activities of other agencies of the Department of Agriculture.

Section 303(b) provides that the Secretary shall, by not later than April 1, 1989, submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the effectiveness of the program authorized by the title.

State participation

Section 304 provides that the cooperative extension services of the States shall, with funds made available under the title carry out an expanded program of food, nutrition, and consumer education for low-income persons in a manner designed to achieve the purpose set forth in section 302. In operating the program, the cooperative extension services may utilize the expanded food and nutrition education program and other food, nutrition, and consumer education activities of the cooperative extension services or carried out by them in collaboration with other public or private nonprofit agencies or organizations. In carrying out their responsibilities under the program, the cooperative extension services are encouraged to:

(1) provide effective and meaningful food, nutrition, and consumer education services to as many low-income persons as possible;

(2) employ educational methodologies, including innovative approaches, that accomplish the purpose of the title; and

(3) to the extent practicable, coordinate activities carried out under the program with the delivery to low-income persons of benefits under food assistance programs.

Authorization for appropriations

Section 305(a) provides that there are authorized to be appropriated to the Department of Agriculture to carry out the program under the title not to exceed, for the fiscal year ending September 30, 1986, $5,000,000; for the fiscal year ending September 30, 1987, $6,000,000; and for each of the fiscal years ending September 30, 1988, September 30, 1989, and September 30, 1990, $8,000,000.

Section 305(b) provides that any funds appropriated annually under section 305 shall be allocated in the manner specified in section 1425(c)(2)(A) and (B) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.

Section 305(c) provides that any funds appropriated under the section shall supplement any other funds appropriated to the Department of Agriculture for use by the Department and the cooperative extension services for food, nutrition, and consumer education for low-income households.●

IN SUPPORT OF HOUSE RESOLUTION 145

(Mr. LAGOMARSINO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. LAGOMARSINO. Mr. Speaker, I rise in strong support of House Resolution 145, a resolution praising President Duarte of El Salvador for his efforts in directing the recent immunization campaign in his country.

I wish also to join with my colleagues in saluting the author of this resolution, the gentleman from New Jersey [Mr. Smith] for his initiative in calling to the attention of this body the outstanding efforts of President Duarte in improving the health of Salvadoran society.

The efforts represented by this immunization campaign demonstrate President Duarte's dedication to the improvement of the basic human needs of his people. Certainly, the effort to improve the health and life expectancy of the hundreds of thousands of young Salvadorans is a significant accomplishment in a country trying to overcome serious economic and political difficulties and an ongoing guerrilla war directed from outside El Salvador. President Duarte deserves great credit for all his efforts during his short Presidency to improve the economy of his nation, strengthen the democratic principles of his government, and protect the human rights of his people.

I join my colleagues in praising President Duarte and urge strong support for this resolution.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WEAVER of Oregon (at the request of Mr. WRIGHT), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. STRANG) to revise and extend their remarks and include extraneous material:)

Mr. COATS, for 60 minutes, May 9.

Mr. ROTH, for 60 minutes, today.

Mr. COATS, for 60 minutes, today.

Mr. LUNGREN, for 60 minutes, May 21.

Mr. GINGRICH, for 60 minutes, today.

Mr. GINGRICH for 60 minutes, May 9.

Mr. GREEN, for 60 minutes, June 4.

Mr. WALKER, for 5 minutes, today.

(The following Members (at the request of Mr. MACKAY) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. DWYER of New Jersey, for 5 minutes, today.

Mr. MACKAY, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ST GERMAIN, for 10 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Mr. DURBIN, for 60 minutes, May 15.

Mr. AUCOIN, for 60 minutes, May 15.

Mr. AUCOIN, for 60 minutes, May 16.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PANETTA, and to include extraneous matter notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $6,309.

Mr. LAGOMARSINO, prior to vote on House Resolution 145 on Tuesday, May 7, 1985, a statement praising President Duarte.

Mr. WOLF, prior to the vote on the amendment offered by the gentleman from Missouri [Mr. YOUNG].

(The following Members (at the request of Mr. STRANG) and to include extraneous matter:)

Mr. RITTER.

Mr. BILIRAKIS.

Mr. MCCAIN.

Mr. MCKERNAN in two instances.

Mr. PARRIS.

Mr. LAGOMARSINO in two instances.

Mr. WHITEHURST.

Mr. CRANE.

Mr. PETRI in two instances.

Mr. WOLF.

Mr. FIELDS.

Mr. BROYHILL.

Mr. MCDADE in two instances.

Mr. BARTLETT.

Mrs. ROUKEMA.

Mr. COLEMAN of Missouri.

Mr. LUJAN.

Mr. BROOMFIELD.

Mr. PORTER.

Mr. MCGRATH.

Mr. COATS.

Mr. SAXTON.

Mr. DREIER of California.

Mr. SMITH of New Jersey.

Mr. GILMAN in three instances.

Mr. PURSELL.

(The following Members (at the request of Mr. MACKAY) and to include extraneous matter:)

Mr. MARKEY.

Mr. EDWARDS of California.

Mr. RAY.

Mr. UDALL.

Mr. MONTGOMERY.

Mr. LEHMAN of Florida.

Mr. FLORIO.

Mr. HAMILTON.
Mr. DYMALLY.
Mr. SYNAR.
Mr. COLEMAN of Texas in two instances.
Ms. MIKULSKI.
Mr. TRAFICANT.
Mr. BONIOR of Michigan.
Mr. WEISS.
Mr. BENNETT.
Mr. LANTOS.
Mr. BERMAN.
Mr. ROE.
Mr. SOLARZ.
Mr. MATSUI.
Ms. KAPTUR.
Mrs. BOXER.
Mrs. BOGGS.
Mr. EARLY.
Mr. BROWN of California.
Mr. SCHUMER.
Mr. DORGAN of North Dakota.
Mr. MINETA.
Mr. DELLUMS.
Mr. ECKART of Ohio in two instances.

SENATE ENROLLED JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled joint resolutions of the Senate of the following titles:

S.J. Res. 53. Joint resolution to authorize and request the President to designate the month of June 1985 as "Youth Suicide Prevention Month";

S.J. Res. 60. Joint resolution to designate the week of May 12, 1985, through May 18, 1985, as "Senior Center Week";

S.J. Res. 64. Joint resolution to designate the week beginning May 5, 1985, as "National Correctional Officers Week";

S.J. Res. 65. Joint resolution designating the month of November 1985 as "National Alzheimer's Disease Month";

S.J. Res. 83. Joint resolution designating the week beginning on May 5, 1985, as "National Asthma and Allergy Awareness Week"; and

S.J. Res. 94. Joint resolution to designate the week beginning May 12, 1985, as "National Digestive Diseases Awareness Week".

ADJOURNMENT

Mr. GINGRICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, April 9, 1985, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1236. A letter from the Deputy Administrator, General Services Administration, transmitting a draft of proposed legislation to repeal section 905 of Public Law 98-525, Department of Defense Authorization, 1985; to the Committee on Armed Services.

1237. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to repeal sections which impose certain restrictions on enlisted members of the Armed Forces and on members of military bands; to the Committee on Armed Services.

1238. A letter from the Chairman, Federal Home Loan Bank Board, transmitting the annual report on the economic viability of depository institutions covering the period from April 1, 1983 to March 31, 1984, pursuant to Public Law 96-221, section 206; to the Committee on Banking, Finance and Urban Affairs.

1239. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to amend certain Federal laws relating to public housing to deregulate the program, returning it to local control, and to provide reliability for funding for capital improvements through use of formula funding and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

1240. A letter from the District of Columbia Auditor, transmitting a copy of his report entitled, "The Payment of Unemployment Claims to Public School Cafeteria Employees", pursuant to Public Law 93-198, section 455(d); to the Committee on the District of Columbia.

1241. A letter from the District of Columbia Auditor, transmitting a copy of his report entitled, "Review of HFA Executive Director American Express Charges", pursuant to Public Law 93-198, section 455(d); to the Committee on the District of Columbia.

1242. A letter from the Secretary, Department of Education, transmitting a copy of Final Regulations for the Pell Grant Program Cost of Attendance for 1985-86 and 1986-87, pursuant to GEPA, section 431(d)(1) (88 Stat. 567; 90 Stat. 2231; 95 Stat. 453); to the Committee on Education and Labor.

1243. A letter from the Secretary, Department of Education, transmitting a copy of Final Regulations for the Pell Grant Program Family Contribution Schedule for 1986-87, pursuant to GEPA, section 431(d)(1) (88 Stat. 567; 90 Stat. 2231; 95 Stat. 453); to the Committee on Education and Labor.

1244. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the price and availability estimates provided to foreign countries, and requests received for letters of offer for the quarter ended March 31, 1985, pursuant to 22 U.S.C. 2768; to the Committee on Foreign Affairs.

1245. A letter from the Assistant Secretary for Legislative and Intergovernmental Affairs, Department of State, transmitting a report of political contributions by Harry George Barnes, Jr., Ambassador Extraordinary and Plenipotentiary-elect, and members of his family, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

1246. A letter from the Acting Administrator, General Services Administration, transmitting notice of a proposed new Federal records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1247. A letter from the Director, Information Security Oversight Office, General Services Administration, transmitting an information copy of the Information Security Oversight Office's Annual Report to the President for fiscal year 1984; to the Committee on Government Operations.

1248. A letter from the Clerk, U.S. Claims Court, transmitting a certified copy of the court's judgment order of April 25, 1985, entering judgment for the plaintiffs in *Minnesota Chippewa Tribe et al. v. The United States*, Docket No. 188; to the Committee on Interior and Insular Affairs.

1249. A letter from the Acting Director, Office of Personnel Management, transmitting a draft of proposed legislation to amend title 5, United States Code, to ensure the equitable application of a General Schedule alternative plan to certain other Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

1250. A letter from the Secretary, Department of Transportation, transmitting the 1985 Annual Report on Highway Safety Improvement Programs, covering the Rail-Highway Crossings, Hazard Elimination, and the Pavement Marking Demonstration Programs, pursuant to Public Law 98-87, section 203(e) (94 Stat. 2245); to the Committee on Public Works and Transportation.

1251. A letter from the Acting Administrator, General Services Administration, transmitting the fiscal year 1986 General Services Administration [GSA] Public Buildings Service Design Program (Budget Activity 90) for repair and alteration projects, including a prospectus and project descriptions, pursuant to Public Law 86-249, section 7(a) (86 Stat. 217); to the Committee on Public Works and Transportation.

1252. A letter from the Administrator, Veterans Administration, transmitting a draft of proposed legislation to repeal the congressional report and waiting period requirements, contained in 38 U.S.C. section 210(b)(2), which apply to certain internal VA administrative reorganizations; to the Committee on Veterans' Affairs.

1253. A letter from the Administrator, Veterans Administration, transmitting a draft of proposed legislation to amend title 38 of the United States Code to provide for the right of the United States to collect the costs of hospital, nursing home, or outpatient medical care furnished by the Veterans' Administration to veterans with no service-connected disabilities to the extent that they have health insurance or similar contracts or rights with respect to such care and for other purposes; to the Committee on Veterans' Affairs.

1254. A letter from the Deputy Administrator, Veterans Administration, transmitting a draft of proposed legislation to amend title 38, United States Code, to require formal advertising for contracts for services or supplies for the Veterans' Administration's Loan Guaranty Program if the contract amount exceeds $25,000; to the Committee on Veterans' Affairs.

1255. A letter from the Assistant Secretary for Legislative and Intergovernmental Affairs, Department of State, transmitting a report on the origin, contents, destination, and disposition of all humanitarian goods and supplies transported to countries in Central America, pursuant to Public Law 95-525, section 1540(e) (98 Stat. 2638); jointly, to the Committees of Armed Services and Foreign Affairs.

1256. A letter from the Assistant Secretary for Legislative and Intergovernmental Affairs, Department of State, transmitting copy of the President's Determination 85-10, signed April 2, 1985, that it is vital to U.S. national security interests to use AECA funds under the special authority of section 614 of the FAA of 1961, to furnish military assistance to Haiti, pursuant to 22 U.S.C. 2364(a)(2); jointly, to the Committees on Foreign Affairs and Appropriations.

1257. A letter from the Under Secretary for Security Assistance, Science and Technology, Department of State, transmitting notification that implementation of the fiscal year 1985 Peacekeeping Operations [PKO] Program will require revision in the amount of funds allocated for the Caribbean Peacekeeping Force [CPF], pursuant to 22 U.S.C. 2413(a); jointly, to the Committees on Foreign Affairs and Appropriations.

1258. A letter from the Secretary, Department of Transportation, transmitting the annual report, covering calendar year 1984, on all the recommendations received from the National Transportation Safety Board, and responses thereto, pursuant to Public Law 93-633, section 307(b) (95 Stat. 1066); jointly, to the Committees on Energy and Commerce, Merchant Marine and Fisheries, and Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SAM B. HALL, JR.: Committee on the Judiciary. H.R. 1806. A bill to recognize the organization known as the Daughters of Union Veterans of the Civil War 1861-1865; with an amendment (Rept. No. 99-70). Referred to the Committee of the Whole House on the State of the Union.

Mr. SAM B. HALL, JR.: Committee on the Judiciary. H.R. 1042. A bill to grant a Federal charter to the Pearl Harbor Survivors Association; with an amendment (Rept. No. 99-71). Referred to the Committee of the Whole House on the State of the Union.

SUBSEQUENT ACTION ON A REPORTED BILL

Under clause 5 of rule X, the following action was taken by the Speaker:

Referral of H.R. 1931 to the Committee on Public Works and Transportation extended for a period ending not later than May 13, 1985.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WAXMAN (for himself and Mr. MADIGAN):

H.R. 2417. A bill to amend the Public Health Service Act to revise and extend the program of assistance for health maintenance organizations; to the Committee on Energy and Commerce.

H.R. 2418. A bill to amend the Public Health Service Act to revise and extend the programs of assistance for primary health care; to the Committee on Energy and Commerce.

By Mr. HAMILTON:

H.R. 2419. A bill to authorize appropriations for fiscal year 1986 for intelligence and intelligence-related activities of the U.S. Government, the intelligence community staff, and the Central Intelligence Agency retirement and disability system, and for other purposes; to the Permanent Select Committee on Intelligence.

By Mr. BARNES:

H.R. 2420. A bill to allow deduction for the amount of the premiums paid on a life insurance contract the beneficiary of which is a trust established for the benefit of a disabled individual, and for other purposes; to the Committee on Ways and Means.

By Mr. BARTLETT (for himself, Mr. WYLIE, and Mr. MCKINNEY):

H.R. 2421. A bill to amend certain Federal laws relating to public housing to deregulate the program, returning it to local control, and to provide reliability for funding capital improvements through use of formula funding and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PANETTA (for himself, Mr. DE LA GARZA, Mr. JEFFORDS, Mr. FOLEY, Mr. STAGGERS, Mr. OLIN, and Mr. COELHO):

H.R. 2422. A bill to reauthorize, and improve the operation of, the Food Stamp Program, the Commodity Supplemental Food Program, and the Temporary Emergency Food Assistance Program, and for other purposes; to the Committee on Agriculture.

By Mr. BEREUTER:

H.R. 2423. A bill to extend, under certain circumstances, nondiscriminatory treatment to the products of nonmarket economy countries that are currently ineligible for such treatment; to the Committee on Ways and Means.

By Mr. SCHUMER (for himself, Mr. RUSSO, Mr. TORRICELLI, Mr. ALEXANDER, Mr. MURTHA, Mr. COELHO, Mr. DONNELLY, Mr. BEDELL, Mr. FAZIO, Mr. DASCHLE, Mr. SABO, Mr. KOLTER, Mr. STENHOLM, Mr. WEAVER, Mr. ACKERMAN, Mr. EVANS of Illinois, Mr. MURPHY, Mr. DWYER of New Jersey, Mr. DURBIN, Mr. HUBBARD, Mr. WILLIAMS, Mr. MORRISON of Connecticut, Mr. MARKEY, Mr. DELLUMS, Mr. PEASE, Mr. BORSKI, Mr. DICKS, Mr. STOKES, Mr. FLORIO, Mr. RAHALL, Mr. LOWRY of Washington, Mr. CROCKETT, Mr. SAVAGE, Mrs. BOXER, Mr. LIPINSKI, Mr. KASTENMEIER, Mr. WALGREN, Mr. MILLER of California, Mr. NOWAK, Mr. LAFALCE, Mr. HUGHES, Mr. RANGEL, Mr. BATES, Mr. MITCHELL, Mr. GARCIA, Mr. BONIOR of Michigan, Mr. TOWNS, Mr. TORRES, Mr. KILDEE, Mr. MANTON, Mr. CONYERS, Mr. DIXON, Mr. OWENS, Mr. FOGLIETTA, Mrs. BURTON of California, Mr. MOODY, and Mr. GEJDENSON):

H.R. 2424. A bill to amend the Internal Revenue Code of 1954 to increase the rate of the alternative minimum tax on certain individuals, to apply such tax to corporations, and to expand the items of tax preference for both individuals and corporations; to the Committee on Ways and Means.

By Mr. DAUB (for himself, Mr. LIGHTFOOT, Mr. BEREUTER, Mrs. SMITH of Nebraska, Mr. WHITTAKER, and Mr. MCEWEN):

H.R. 2425. A bill to amend the Internal Revenue Code of 1954 with respect to the tax treatment of farming; to the Committee on Ways and Means.

By Mr. BONER of Tennessee:

H.R. 2426. A bill to amend title II of the Social Security Act to eliminate the disparity between the benefits payable to individuals who retired in or after 1979 (when the decoupling changes in the benefit formula became effective) and the benefits payable to individuals similarly situated who retired before that year, by providing that the benefits payable to the former individuals may never be less than those payable to the latter; to the Committee on Ways and Means.

By Mr. BROWN of Colorado:

H.R. 2427. A bill to amend title 10, United States Code, to provide benefits under the survivor benefit plan to the spouses and dependent children of members of the Reserve components of the uniformed services who die after completing service requirements for participation in the plan but before being afforded the opportunity to elect participation in the plan, and for other purposes; to the Committee on Armed Services.

By Mr. COATS (for himself, Mr. DANIEL, Mr. BARTON of Texas, Mr. WOLF, Mr. HILER, Mr. SOLOMON, Mrs. COLLINS, Mr. MARTINEZ, Mr. ARMEY, Mr. SMITH of New Hampshire, Mr. BLILEY, Mr. SMITH of New Jersey, Mr. SWINDALL, Mrs. BENTLEY, Mr. WEBER, Mrs. BYRON, and Mr. GINGRICH):

H.R. 2428. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of, and the deduction of contributions to, education savings accounts; to the Committee on Ways and Means.

By Mr. COATS (for himself, Mr. DANIEL, Mr. BARTON of Texas, Mr. WOLF, Mr. HILER, Mr. SOLOMON, Mrs. COLLINS, Mr. MARTINEZ, Mr. ARMEY, Mr. SMITH of New Hampshire, Mr. BLILEY, Mr. SMITH of New Jersey, Mr. SWINDALL, Mrs. BENTLEY, Mrs. BYRON, and Mr. GINGRICH):

H.R. 2429. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of, and the deduction of contributions to, housing savings accounts; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 2430. A bill to amend the Federal Water Pollution Control Act to permit the Administrator of the Environmental Protection Agency to change a State's priority list of wastewater construction projects if the Administrator determines that Federal funds for such projects have not been equitably distributed within such State; to the Committee on Public Works and Transportation.

By Mr. CRAIG:

H.R. 2431. A bill to assure the first amendment rights of all citizens and to provide for criminal penalties for violations thereof; to the Committee on Government Operations.

By Mr. HAMMERSCHMIDT:

H.R. 2432. A bill to amend the Internal Revenue Code of 1954 to make permanent the rules relating to imputed interest and assumption of loans, and for other purposes; to the Committee on Ways and Means.

H.R. 2433. A bill to amend the Internal Revenue Code of 1954 to provide that one-half of the amounts paid by a self-employed taxpayer for his or her health insurance premiums will be allowed as a business deduction; to the Committee on Ways and Means.

By Mr. KASTENMEIER (for himself, Mr. MOORHEAD, Mr. BROOKS, Mr. MAZZOLI, Mr. SYNAR, Mrs. SCHROEDER, Mr. BERMAN, Mr. BOUCHER, Mr. HYDE, Mr. KINDNESS, and Mr. DEWINE):

H.R. 2434. A bill to authorize appropriations for the Patent and Trademark Office in the Department of Commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 2435. A bill to repeal the 5-percent floor on the deduction for medical expenses; to the Committee on Ways and Means.

By Mr. MacKAY (for himself, Mr. BROWN of California, Mr. WALGREN, Mr. TOWNS, Mr. BARNES, Mr. ACKERMAN, Mr. EDGAR, Mr. DOWNEY of New York, Mrs. BURTON of California, Mr. LELAND, Ms. OAKAR, Mr. WIRTH, Mr. OWENS, Mr. FUQUA, Mr. MINETA, Mr. DYMALLY, Mrs. SCHROEDER, Mr. NELSON of Florida, Mr. SCHEUER, Mr. MOODY, Mr. COOPER, Mr. MOAKLEY, Mr. YOUNG of Missouri, Mr. GILMAN, Mr. BOEHLERT, Mr. WISE, Ms. MIKULSKI, Mr. NEAL, Mr. WEAVER, Mr. PENNY, and Mr. CARPER):

H.R. 2436. A bill to establish a coordinated National Nutrition Monitoring and Related Research Program, and a comprehensive plan for the assessment of the nutritional and dietary status of the U.S. population and the nutritional quality of the U.S. food supply, with provision for the conduct of scientific research and development in support of such program and plan; jointly, to the Committee on Agriculture and Science and Technology.

By Mr. MARKEY (for himself, Mr. LELAND, and Mr. WAXMAN):

H.R. 2437. A bill to provide that a portion of overcharges received by certain telephone companies be set aside and used to assist consumer representation in Federal, State, and local telephone rate proceedings; to the Committee on Energy and Commerce.

By Mr. NEAL:

H.R. 2438. A bill to repeal the provisions of the Internal Revenue Code of 1954 relating to the taxation of up to one-half of an individual's social security and certain railroad retirement benefits in gross income; to the Committee on Ways and Means.

H.R. 2439. A bill to amend the Nuclear Waste Policy Act of 1982 to remove the limitation on the quantity of radioactive waste that may be emplaced in the first repository for the disposal of high-level radioactive waste and spent nuclear fuel; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

By Mr. RAY:

H.R. 2440. A bill to authorize the Society of the Third Infantry Division to erect a memorial in the District of Columbia or its environs; to the Committee on House Administration.

By Mr. ROWLAND of Connecticut:

H.R. 2441. A bill to amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to provide for civil and criminal penalties for prime contractors and subcontractors who submit false cost data, and for certain officers of such prime contractors and subcontractors; jointly, to the Committees on Government Operations and Armed Services.

By Mr. ST GERMAIN:

H.R. 2442. A bill to amend the Food Stamp Act of 1977 to permit coupons to be redeemed through financial institutions which are insured by the National Credit Union Administration Board and through credit unions which are eligible to apply to become insured by the National Credit Union Administration Board; to the Committee on Agriculture.

By Mr. ST GERMAIN (for himself, Mr. BARNARD, Mr. FAUNTROY, Mr. MITCHELL, Mr. GARCIA, Mr. ROEMER, Mr. NELSON of Florida, Mr. COOPER, Mr. McKINNEY, Mr. ANNUNZIO, Mr. KLECZKA, Mr. LEHMAN of California, Mr. LUNDINE, Mr. FUSTER, Mr. MANTON, Ms. OAKAR, Ms. KAPTUR, Mr. GONZALEZ, Mr. VENTO, Mr. FRANK, Mr. CARPER, and Mrs. BOXER):

H.R. 2443. A bill to limit the number of days a depository institution may restrict the availability of funds which are deposited in any account; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ST GERMAIN (for himself and Mr. WYLIE) (by request):

H.R. 2444. A bill to protect the Federal Savings and Loan Insurance Corporation; to the Committee on Banking, Finance and Urban Affairs.

By Mr. STUDDS (for himself and Mr. HUGHES):

H.R. 2445. A bill relating to the availability, under Federal law, of remedies for damages cause by pollution; jointly, to the Committees on Merchant Marine and Fisheries, Public Works and Transportation, and Energy and Commerce.

By Mr. SYNAR:

H.R. 2446. A bill to amend title 28, United States Code, to permit Federal district courts to hear and determine cases brought in State courts not having jurisdiction over them; to the Committee on the Judiciary.

By Mr. WORTLEY:

H.R. 2447. A bill to provide funding for the ACTION Drug Prevention Program in the Department of Health and Human Services out of proceeds received by the customs forfeiture fund and the Department of Justice assets forfeiture fund; jointly, to the Committees on the Judiciary, Energy and Commerce, and Ways and Means.

By Mr. ANNUNZIO:

H.J. Res. 280. Joint resolution designating July 23, 1985, as "National Polish Legion of American Veterans Day"; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS of Oklahoma:

H.J. Res. 281. Joint resolution to designate May 25, 1985, as "Missing Children Day"; to the Committee on Post Office and Civil Service.

By Mr. KOSTMAYER (for himself, Mr. ROE, Mrs. HOLT, Mr. BONER of Tennessee, Mr. WEISS, Mr. FAUNTROY, Mr. STOKES, Mr. SUNIA, Mrs. BOXER, Mr. RODINO, Mr. DYSON, Mr. HUGHES, Mr. MARTINEZ, Mr. BERMAN, Mr. HORTON, Mr. REID, Mr. VENTO, Mr. FAZIO, Mr. KASICH, Mr. WAXMAN, Mr. NEAL, Mr. MURPHY, Mrs. BURTON of California, Ms. KAPTUR, Mr. MAZZOLI, Mr. LUNDINE, Mr. COUGHLIN, Mr. DELLUMS, Mr. CHAPPIE, Mr. HUBBARD, Mr. EVANS of Iowa, Mr. O'BRIEN, Ms. SNOWE, Ms. OAKAR, Mr. HAMILTON, Mr. STARK, Mr. SNYDER, Mr. STUDDS, Mr. BEVILL, Mr. BENNETT, Mr. YATES, Mr. YOUNG of Missouri, and Mr. LIGHTFOOT):

H.J. Res. 282. Joint resolution designating the week beginning October 27, 1985, as "National Alopecia Areata Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. McCURDY (for himself, Mr. RICHARDSON, Mr. ROBINSON, Mr. MACKAY, Mr. BUSTAMANTE, Mr. DARDEN, Mr. DANIEL, Mr. MOLLOHAN, Mr. WATKINS, Mr. GLICKMAN, and Mr. JONES of Oklahoma):

H.J. Res. 283. Joint resolution to promote internal reconciliation within Nicaragua, on the basis of democratic principles, in furtherance of a peaceful resolution of the conflict in Central America; jointly, to the Committees on Foreign Affairs, Permanent Select Committee on Intelligence, Appropriations, and Rules.

By Mr. ROTH:

H.J. Res. 284. Joint resolution to establish a bipartisan National Commission on Federal Deficit Reduction; to the Committee on Government Operations.

By Mr. BLAZ:

H. Con. Res. 144. Concurrent resolution expressing the sense of the Congress that the United States should establish, at the earliest possible time, the Commonwealth of Guam; to the Committee on Interior and Insular Affairs.

By Mr. GEPHARDT:

H. Res. 162. Resolution designating membership on certain standing committees of the House; considered and agreed to.

By Mr. LOTT:

H. Res. 163. Resolution raising a question of the privileges of the House; considered and committed to the Committee on House Administration.

By Mr. MICHEL (for himself, Mr. LOTT, Mr. KEMP, Mrs. MARTIN of Illinois, Mr. LAGOMARSINO, Mr. CHENEY, Mr. LEWIS of California, Mr. VANDER JAGT, Mr. MADIGAN, Mr. CONTE, Mr. DICKINSON, Mr. WYLIE, Mr. LATTA, Mr. McKINNEY, Mr. JEFFORDS, Mr. BROYHILL, Mr. BROOMFIELD, Mr. HORTON, Mr. FRENZEL, Mr. YOUNG of Alaska, Mr. FISH, Mr. LENT, Mr. TAYLOR, Mr. SNYDER, Mr. QUILLEN, Mr. LUJAN, Mr. McDADE, Mr. SPENCE, Mr. HAMMERSCHMIDT, Mr. DUNCAN, Mr. RINALDO, Mr. COATS, Mrs. ROUKEMA, Mr. STUMP, and Mr. GILMAN):

H. Res. 164. Resolution to amend the Rules of the House of Representatives to make the legislative process more open, accountable, representative, understandable, manageable, workable, and cost effective, and for other purposes; to the Committee on Rules.

By Mr. BREAUX (for himself, Mr. JONES of North Carolina, Mr. LENT, Mr. YOUNG of Alaska, Mr. STUDDS, Mr. DAVIS, Mr. BATEMAN, Mrs. BENTLEY, Mr. BONKER, Mr. BOSCO, Mr. CALLAHAN, Mr. CARNEY, Mr. CARPER, Mr. CHAPPIE, Mr. FIELDS, Mr. FOGLIETTA, Mr. FRANKLIN, Mr. HERTEL of Michigan, Mr. HUBBARD, Mr. HUGHES, Mr. HUTTO, Mr. LOWRY of Washington, Mr. MANTON, Mr. McKERNAN, Mr. MILLER of Washington, Mr. ORTIZ, Mr. SAXTON, Mrs. SCHNEIDER, Mr. SHUMWAY, Mr. SNYDER, Mr. TALLON, Mr. TAUZIN, Mr. THOMAS of Georgia, Mr. AKAKA, Mr. ANTHONY, Mr. ANDREWS, Mr. APPLEGATE, Mr. BEVILL, Mr. BILIRAKIS, Mrs. BOXER, Mr. BOUCHER, Mr. BEDELL, Mr. BOEHLERT, Mr. BONIOR of Michigan, Mr. BRYANT, Mrs. BYRON, Mr. CHAPPELL, Mr. CONTE, Mr. CLINGER, Mr. CAMPBELL, Mr. DASCHLE, Mr. DINGELL, Mr. DORGAN of North Dakota, Mr. DOWNEY of New York, Mr. DURBIN, Mr. DOWDY of Mississippi, Mr. EDGAR, Mr. ENGLISH, Mr. ECKERT of New York, Mr. FAUNTROY, Mr. FLORIO, Mr. FASCELL, Mr. GARCIA, Mr. GROTBERG, Mr. HORTON, Mr. HAYES, Mrs. HOLT, Mr. HARTNETT, Mr. HENRY, Mr. HEFTEL of Hawaii, Mr. JENKINS, Mrs. JOHNSON, Mr. JEFFORDS, Mr. JONES of Tennessee, Mr. KOLBE, Mr. KILDEE, Mr. KANJORSKI, Mr. KOLTER, Mr. LEWIS of Florida, Mr. LEVIN of Michigan, Mr. LIGHTFOOT, Mr. LAGOMARSINO, Mr. MONT-

GOMERY, Mr. MADIGAN, Mr. MOLLOHAN, Mr. MURPHY, Mr. MCDADE, Mr. MARTINEZ, Mr. MCCAIN, Mr. MOODY, Mr. MATSUI, Mr. NOWAK, Mr. MILLER of California, Mr. OLIN, Mr. OBEY, Mr. OWENS, Mr. PENNY, Mr. ROSE, Mr. ROTH, Mr. RIDGE, Mr. RAHALL, Mr. ROWLAND of Georgia, Mr. RUDD, Mr. RITTER, Mr. ROE, Mr. STUMP, Mr. ST GERMAIN, Mr. SPENCE, Ms. SNOWE, Mr. SLATTERY, Mr. SABO, Mr. STRANG, Mr. STAGGERS, Mr. SMITH of Florida, Mr. SHAW, Mr. STANGELAND, Mr. SYNAR, Mr. SIKORSKI, Mr. SPRATT, Mr. STALLINGS, Mr. TAUKE, Mr. TOWNS, Mrs. VUCANOVICH, Mr. WIRTH, Mr. WHITEHURST, Mr. WHITTAKER, and Mr. WOLPE):

H. Res. 165. Resolution expressing the sense of the House that the Wallop-Breaux trust fund be administered as required by law; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

118. By the SPEAKER: Memorial of the Senate of the State of Delaware, relative to the right to perform commercial homework; to the Committee on Education and Labor.

119. Also, memorial of the Legislature of the State of Minnesota, relative to acid deposition; to the Committee on Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PORTER:

H.R. 2448. A bill for the relief of Matthew M. Surak, Sr.; to the Committee on the Judiciary.

By Mr. ROBINSON:

H.R. 2449. A bill to request the President to award the Congressional Medal of Honor to John Yancey; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. BARNES, Mr. ST GERMAIN, Ms. OAKAR, Mr. DIXON, Mr. FAUNTROY, Mr. SOLARZ, Mr. NOWAK, Mr. FASCELL, Mr. RODINO, Mr. BROWN of California, Mr. HOWARD, Mr. TOWNS, Mr. FUSTER, Mr. DYMALLY, Mr. MURPHY, Mr. BONIOR of Michigan, Mr. SCHEUER, Mr. WEISS, Mr. DELLUMS, Mr. MITCHELL, Mr. FUQUA, Mr. BERMAN, Mr. RAHALL, Mr. SAVAGE, Mr. VENTO, Mr. TRAFICANT, Mr. FAZIO, Mr. GAYDOS, Mr. CHAPPIE, Mr. MARTINEZ, Mr. STARK, Mr. PEPPER, Mr. LEHMAN of Florida, Ms. KAPTUR, Mr. SIKORSKI, Mr. JONES of North Carolina, Mr. STUDDS, Mr. STOKES, Mr. FRANK, Mr. SEIBERLING, and Mr. TRAXLER.

H.R. 23: Mr. FAUNTROY, Mr. DIXON, Mr. FASCELL, Mr. LEHMAN of Florida, Mr. SISISKY, Mr. KASTENMEIER, Mr. FRANK, Mr. BERMAN, Mr. FISH, Mr. MOAKLEY, Mr. SAVAGE, Mr. TOWNS, Mr. STOKES, Mr. ACKERMAN, Mr. BARNES, Mr. WALGREN, Mr. GARCIA, Mr. DYMALLY, Mr. HORTON, Mr. PEPPER, Mr. ROYBAL, Mr. MORRISON of Connecticut, Mr. WEISS, Mr. SEIBERLING, Mr. RANGEL, Mr. SCHUMER, Mr. EDWARDS of California, Mr. MARTINEZ, Mr. CONYERS, Mr. LELAND, Mrs. COLLINS, Mr. GUARINI, Mr. WHEAT, Mr. DELLUMS, Mr. HAYES, Mr. FEIGHAN, Mr. CROCKETT, Mr. SOLARZ, Mr. HAWKINS, and Mr. CLAY.

H.R. 37: Mr. BRUCE, Mr. BUSTAMANTE, Mr. CARR, Mr. KASTENMEIER, Mr. MILLER of Washington, Mr. VOLKMER, and Mr. WYLIE.

H.R. 242: Mr. MCCOLLUM, Mr. CLINGER, and Mr. GEJDENSON.

H.R. 351: Mr. REID.

H.R. 385: Mr. PACKARD, Mr. SMITH of New Jersey, and Mr. CLINGER.

H.R. 527: Mr. DARDEN and Mr. NIELSON of Utah.

H.R. 555: Mr. ROEMER, Mr. BILIRAKIS, Mr. GAYDOS, Mr. SWEENEY, Mr. COYNE, Mr. COATES, Mr. YOUNG of Florida, and Mr. WORTLEY.

H.R. 604: Mr. HENDON, Mr. GIBBONS, and Mrs. BYRON.

H.R. 622: Mr. COELHO, Mr. GEJDENSON, and Mr. DIXON.

H.R. 692: Mr. ROEMER.

H.R. 700: Mr. ANTHONY, Mr. BEILENSON, Mr. BORSKI, Mr. CHANDLER, Mr. DONNELLY, Mr. FLORIO, Mr. HAMMERSCHMIDT, Mr. MCCURDY, Mr. MACKAY, Mr. MORRISON of Washington, Mr. ORTIZ, Mr. ROBINSON, Mr. WATKINS, and Mr. REID.

H.R. 747: Mr. HEFTEL of Hawaii, Mr. FLORIO, Mr. NIELSON of Utah, Mr. DWYER of New Jersey, Mr. FUSTER, Mr. LEHMAN of California, Mr. HERTEL of Michigan, and Mr. MORRISON of Connecticut.

H.R. 753: Mr. MATSUI.

H.R. 780: Mr. SMITH of New Jersey and Mr. TRAXLER.

H.R. 867: Mr. QUILLEN.

H.R. 1027: Mr. KILDEE.

H.R. 1029: Mrs. BENTLEY, Mr. COBEY, Mr. CARNEY, Mr. LEWIS of California, and Mr. ROSE.

H.R. 1156: Mrs. BURTON of California, Mr. LELAND, Mr. RICHARDSON, Mr. ROSE, Mr. BEDELL, Mr. STRANG, Mr. RANGEL, Mr. MARTINEZ, Mr. MOODY, Mr. SUNIA, Mr. STALLINGS, Mr. CHAPPIE, Mr. DYMALLY, Mr. DORGAN of North Dakota, Mr. LAGOMARSINO, Mr. SMITH of Florida, Mr. WEISS, Mr. KOLTER, Mr. LEVINE of California, Mr. MILLER of California, Ms. KAPTUR, Mr. VENTO, Mr. MOAKLEY, and Mr. BERMAN.

H.R. 1180: Mr. LEVIN of Michigan, Mr. PEASE, Mr. KOLTER, and Mr. HUTTO.

H.R. 1294: Mr. VENTO, Mrs. BENTLEY, Mr. FAUNTROY, and Mr. GROTBERG.

H.R. 1316: Mr. FAZIO.

H.R. 1327: Mr. MORRISON of Connecticut and Mr. EDGAR.

H.R. 1335: Mr. CROCKETT, Mr. MATSUI, Mr. VENTO, Mr. ACKERMAN, Mr. WOLPE, Ms. MIKULSKI, Mr. MARTINEZ, Mr. MRAZEK, Mr. LEVINE of California, Mr. FORD of Tennessee, and Mr. CONTE.

H.R. 1406: Mr. LENT and Mr. HUGHES.

H.R. 1449: Mr. MCKINNEY.

H.R. 1458: Mr. DICKS and Mr. EDGAR.

H.R. 1533: Mr. HUGHES.

H.R. 1534: Mr. TOWNS, Mr. FAUNTROY, Mr. DWYER of New Jersey, Mr. SMITH of Florida, Mr. BIAGGI, Mr. BOUCHER, Mr. OWENS, Mr. BUSTAMANTE, Mr. SABO, Ms. MIKULSKI, Mr. MURPHY, Mr. WOLPE, Mr. BERMAN, Mr. DELLUMS, Mr. GEJDENSON, Mr. BORSKI, Mr. FUSTER, Mr. FAZIO, Mr. WISE, Mr. WHEAT, Mr. WEISS, Mr. DICKS, Mr. HOWARD, Mr. MARTINEZ, Mr. MCCLOSKEY, Mr. SLAUGHTER, Mr. FISH, Mr. GREEN, Mr. HORTON, Mr. DIXON, Mr. PARRIS, and Mr. MATSUI.

H.R. 1544: Mr. FIELDS, Mr. HUGHES, Ms. MIKULSKI, and Mrs. BOGGS.

H.R. 1550: Mr. CLINGER.

H.R. 1551: Mr. KEMP, Mr. BARTON of Texas, Mrs. BENTLEY, Mr. BLILEY, Mr. BURTON of Indiana, Mr. COBEY, Mr. DEWINE, Mr. DORNAN of California, Mr. ECKART of Ohio, Mr. GINGRICH, Mr. HILER, Mr. HUNTER, Mrs. JOHNSON, Mr. KASICH, Mr. KOLBE, Mr. LOTT, Mr. LUNGREN, Mr. MACK, Mr. MARTINEZ, Mr. MONSON, Mr. OXLEY, Mr. OWENS, Mr. RAHALL, Mr. SENSENBRENNER, Mr. SILJANDER, Mr. SMITH of New Jersey, Mr. SMITH of New Hampshire, Mr. SOLOMON, Mrs. VUCANOVICH, Mr. WALKER, Mr. WEBER, Mr. WHITEHURST, Mr. WOLF, and Mr. GREGG.

H.R. 1650: Mr. SYNAR.

H.R. 1659: Mr. FEIGHAN and Mr. LUNDINE.

H.R. 1682: Mrs. BENTLEY, Mr. JONES of North Carolina, and Mr. SCHUETTE.

H.R. 1695: Mr. WEISS and Ms. KAPTUR.

H.R. 1739: Mr. MATSUI and Mr. SHUMWAY.

H.R. 1760: Mr. MADIGAN, Mr. GROTBERG, Mr. BARNARD, and Mr. PORTER.

H.R. 1789: Mr. HUGHES.

H.R. 1816: Mr. KOLTER, Mr. MITCHELL, Mr. MARTINEZ, Mrs. KENNELLY, Mr. BUSTAMANTE, and Mr. TORRICELLI.

H.R. 1817: Mr. KOLTER, Mr. MITCHELL, Mr. MARTINEZ, Mr. BUSTAMANTE, and Mr. TORRICELLI.

H.R. 1882: Mr. DIOGUARDI.

H.R. 1887: Mr. DELLUMS, Mr. MILLER of Washington, Mr. HAYES, Mr. FOGLIETTA, Mr. DASCHLE, Mr. TORRICELLI, Mr. ROE, Mr. YOUNG of Missouri, Mrs. BOXER, Mrs. BURTON of California, Mr. RAHALL, Mr. FLORIO, Mr. TOWNS, Ms. KAPTUR, Mrs. COLLINS, Mr. CONYERS, Mr. TORRES, Mr. SEIBERLING, Mr. FAZIO, Mr. STUDDS, Mr. ROSE, Mr. DICKS, Mr. MCKERNAN, Mr. CHANDLER, Mr. MITCHELL, Mr. LELAND, Mr. VENTO, Mr. GARCIA, Mr. OWENS, Mr. GUARINI, Mrs. BOGGS, Mr. CROCKETT, Mr. MURPHY, Mr. ROTH, and Mr. SWIFT.

H.R. 1910: Mr. WEISS, Mr. MITCHELL, and Mr. VENTO.

H.R. 1944: Mr. BURTON of Indiana.

H.R. 2003: Mr. DWYER of New Jersey, Mr. WHITEHURST, Mr. FLORIO, Mr. TOWNS, Mr. ROE, Mr. FISH, and Mr. FUSTER.

H.R. 2156: Mr. BEVILL, Mr. MCEWEN, and Mr. MURPHY.

H.R. 2216: Mr. FAZIO, Mr. BEILENSON, Mr. BROWN of California, Mr. CHAPPIE, Mr. MORRISON of Connecticut, Mr. SAVAGE, Mr. MARTINEZ, Mr. THOMAS of Georgia, Mr. DARDEN, and Mr. MATSUI.

H.R. 2226: Mr. TOWNS.

H.R. 2262: Mrs. COLLINS, Mr. REGULA, Mr. GARCIA, Mr. ANTHONY, Mr. MURPHY, and Mr. SMITH of New Jersey.

H.R. 2277: Mr. BLAZ, Mr. KINDNESS, Mr. MADIGAN, and Mr. SKEEN.

H.R. 2282: Mr. BARNES, Mrs. BOGGS, Mr. BOSCO, Mr. DYSON, Mr. HUBBARD, Mr. JONES of North Carolina, Mrs. LLOYD, Mr. LEHMAN of Florida, Mr. MATSUI, Mr. SMITH of Florida, Mr. STENHOLM, and Mr. YATES.

H.J. Res. 7: Mr. DORNAN of California, Mrs. BENTLEY, Mr. GEKAS, Mr. MRAZEK, Mr. COBEY, Mr. GROTBERG, Mr. LIVINGSTON, and Mr. CRANE.

H.J. Res. 25: Mr. SOLOMON, Mr. FRENZEL, Mrs. MARTIN of Illinois, Mr. LEWIS of Florida, Mr. STOKES, Mr. WORTLEY, Mr. MCMILLAN, Mr. MACK, Mr. DWYER of New Jersey, Mr. MCEWEN, Mr. HYDE, Ms. FIEDLER, Mr. MCCOLLUM, Mr. NOWAK, and Mr. RAY.

H.J. Res. 91: Mr. HUNTER.

H.J. Res. 128: Mr. SIKORSKI, Mr. LUNDINE, Mr. TALLON, Mr. TRAXLER, Mr. JONES of North Carolina, Mr. RAHALL, Mr. HYDE, Mr. EMERSON, Mr. DICKINSON, Mr. DELAY, Mr. MOODY, Mr. SHARP, Mr. SNYDER, Mr. LEHMAN of California, Mr. GEPHARDT, Mr. HUGHES,

Mr. DURBIN, Mr. APPLEGATE, Mr. DWYER of New Jersey, Mr. FOWLER, Mr. FRANK, Mr. SAM B. HALL, JR., Mr. MCDADE, Mr. PERKINS, Mr. ROSE, Mr. SISISKY, Mr. WRIGHT, Mr. WISE, Mr. WILSON, Mr. BEREUTER, Mr. NELSON of Florida, Mr. FASCELL, Mr. HAMILTON, Mr. BONKER, Mr. WOLPE, Mr. GEJDENSON, Mr. LEVINE of California, Mr. ACKERMAN, Mr. ZSCHAU, Mr. NIELSON of Utah, Mr. HATCHER, Mr. WILSON, Mrs. LONG, Mr. PRICE, Mr. STARK, Mr. STAGGERS, Mr. TORRES, Mr. EARLY, Mr. MOAKLEY, Mr. MARKEY, Mr. BADHAM, Mr. BEVILL, Mr. DIOGUARDI, Mr. FROST, Mr. THOMAS of Georgia, Mr. LATTA, Mr. SPRATT, Mr. STANGELAND, Mr. BREAUX, Mr. ORTIZ, Mr. JEFFORDS, Mr. DANIEL, Mr. FLIPPO, Ms. MIKULSKI, Mr. ATKINS, and Mr. BURTON of Indiana.

H.J. Res. 131: Mr. MADIGAN, Mr. DUNCAN, Mr. VANDER JAGT, Mr. MCDADE, Mr. PORTER, Mr. MONTGOMERY, Mr. TAUZIN, Mr. ANNUNZIO, Mr. MOORE, Mr. HANSEN, Mr. GREEN, and Mrs. BYRON.

H.J. Res. 136: Mr. SUNIA, Mr. RANGEL, Mr. YOUNG of Alaska, Mr. MOODY, Mr. HAMILTON, and Mr. PORTER.

H.J. Res. 142: Mr. DURBIN, Mr. DERRICK, Mr. DAUB, Mr. CROCKETT, Mr. SMITH of New Jersey, Mr. KASICH, Mr. CONYERS, Mr. REGULA, Mr. HYDE, Mr. COBEY, Mr. AKAKA, Mr. WOLPE, Mr. MARTINEZ, Mr. EDWARDS of California, Mr. ARMEY, Mr. FORD of Tennessee, and Mrs. BENTLEY.

H.J. Res. 156: Mr. STRATTON, Mr. JEFFORDS, Mr. RAHALL, Mr. WOLF, and Mr. FROST.

H.J. Res. 161: Mr. DUNCAN, Mr. MCCAIN, Mr. MCCOLLUM, Mr. GINGRICH, Mr. SMITH of New Jersey, Mrs. JOHNSON, Mr. EMERSON, and Mr. OBERSTAR.

H.J. Res. 164: Mr. BIAGGI, Mrs. BYRON, Mr. COLEMAN of Texas, Mr. DE LUGO, Mr. HEFNER, Mr. LUJAN, Mr. PURSELL, Mr. RAY, Mr. ROSE, Mr. ROWLAND of Georgia, Mr. STALLINGS, and Mr. VALENTINE.

H.J. Res. 182: Mr. HATCHER, Mr. FUQUA, Mr. THOMAS of Georgia, Mr. MATSUI, Mr. RAHALL, Mr. BILIRAKIS, Mr. PACKARD, Mr. LEWIS of Florida, Mr. CRANE, Mr. BROWN of California, Mr. HYDE, Mr. WHEAT, Mr. YOUNG of Missouri, Mr. FOGLIETTA, Mr. ORTIZ, Mr. COATS, and Mr. WALGREN.

H.J. Res. 204: Mr. BONER of Tennessee, Mr. BORSKI, Mr. CLAY, Mr. COOPER, Mr. DASCHLE, Mr. EARLY, Mr. DONNELLY, Mr. FUQUA, Mr. HERTEL of Michigan, Mr. GRAY of Illinois, Mr. HOYER, Mr. HUGHES, Mr. LEVINE of California, Mr. MATSUI, Mr. MAVROULES, Ms. MIKULSKI, Mr. NEAL, Mr. OLIN, Mr. ORTIZ, Mr. RICHARDSON, Mr. SOLARZ, Mr. THOMAS of Georgia, and Mr. VOLKMER.

H.J. Res. 211: Mr. MCGRATH, Mr. BLILEY, Mr. CHAPPIE, Mr. BRYANT, Mr. SHUMWAY, Mr. VOLKMER, Mr. BATEMAN, Mr. MONTGOMERY, Mr. MARTINEZ, Mr. RAHALL, Mr. DE LA GARZA, Mr. RICHARDSON, Mr. BILIRAKIS, Mr. LAGOMARSINO, Mr. WEBER, Mr. DUNCAN, Mr. BURTON of Indiana, Mrs. LLOYD, and Mr. CLINGER.

H.J. Res. 245: Mr. ADDABBO, Mr. BEVILL, Mr. CHAPPELL, Mr. DARDEN, Mr. DORNAN of California, Mr. EMERSON, Mr. FROST, Mr. FUQUA, Mr. JEFFORDS, Mr. JONES of North Carolina, Mr. LAGOMARSINO, Mr. MATSUI, Mr. MURPHY, Mr. MONTGOMERY, Mr. ROE, Mr. SMITH of New Jersey, Mr. THOMAS of Georgia, and Mr. WEISS.

H.J. Res. 272: Mr. BADHAM.

H. Con. Res. 69: Mr. LENT, Mr. MCDADE, Mrs. COLLINS, Mr. DEWINE, Mr. MCKINNEY, Mr. CLINGER, Mr. LEWIS of Florida, Mr. ADDABBO, Mr. OLIN, Mr. ENGLISH, Mr. ROBERTS, Mr. ARMEY, and Mr. GEJDENSON.

H. Con. Res. 82: Mr. WOLPE, Mr. CAMPBELL, and Mr. CONTE.

H. Con. Res. 95: Mr. LEHMAN of Florida, Mr. SMITH of Florida, Mr. FROST, Mr. FORD of Tennessee, and Mr. VENTO.

H. Con. Res. 114: Mr. CLINGER, Mr. SIKORSKI, Mr. DASCHLE, and Mr. RANGEL.

H. Con. Res. 121: Mr. FROST and Mr. MRAZEK.

H. Con. Res. 132: Mr. WAXMAN, Mr. CROCKETT, Mr. MAVROULES, Mr. BUSTAMANTE, Mr. ROYBAL, Mr. BORSKI, Mr. LEVINE of California, Mr. RINALDO, Mr. TAUKE, Mr. RUSSO, Mr. JONES of North Carolina, Mr. ROE, Mr. SAXTON, Mr. GROTBERG, Mr. DE LA GARZA, Mr. ROGERS, Mr. IRELAND, Mr. BONKER, Mr. DAUB, Mr. VOLKMER, Mr. GUNDERSON, Mr. DELLUMS, Mr. WISE, Mr. DUNCAN, Mr. STOKES, Mr. GUARINI, Mr. LIGHTFOOT, Mr. DIOGUARDI, Mr. VANDER JAGT, Mrs. BOXER, Mr. FROST, Ms. MIKULSKI, Mr. DASCHLE, Mr. HAYES, Mr. JEFFORDS, Mr. HAMMERSCHMIDT, Mr. FLORIO, Mr. REGULA, and Mr. SOLARZ.

H. Res. 155: Mr. HOYER.

H. Res. 161: Mr. RUDD.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1157

By Mr. BROWN of Colorado:

—Page 3, after line 3, add the following new section:

SEC. 3. None of the funds authorized by this Act shall be used to enforce the cargo preference requirements of section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b)) or the joint resolution entitled "Joint Resolution requiring agricultural or other products to be shipped in vessels of the United States where the Reconstruction Finance Corporation or any other instrumentality of the Government finances the exporting of such products." approved March 26, 1934 (48 Stat. 500) with respect to the export of agricultural commodities.

EXTENSIONS OF REMARKS

TANCREDO NEVES AND HIS LEGACY TO BRAZILIAN DEMOCRACY

HON. MICHAEL D. BARNES
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. BARNES. Mr. Speaker, Latin America has lost a great leader who exemplified the democratic tradition of millions of people. The President-elect of Brazil, Tancredo Neves, was chosen to head the first Brazilian civilian government in 21 years. But on the eve of his inauguration, Mr. Neves was hospitalized. After several operations and complications, he died on April 21.

Mr. Neves was a political veteran of 40 years. He personified the dreams of 130 million people who, while anxious for a democratic government, recognized the challenges and difficulties that it would have to confront. I had the pleasure of meeting Mr. Neves during his trip to Washington last March. We discussed his views on the future of democracy not only in Brazil, but throughout the entire hemisphere. His death is a terrible loss to his country and the world, but his legacy lives on. I would like to share with my colleagues several articles that appeared in the press on Mr. Neves and his democratic legacy.

The articles follow:

[From the Washington Post, Apr. 23, 1985]

When a Good Democrat Dies in Latin America

(By Meg Greenfield)

The death of Tancredo Neves—the 75-year-old man who was elected president of Brazil but taken mortally ill before he could be sworn in—will strike many people here as a kind of freak accident, an antic turn of fate. In Brazil it will be regarded differently—as a cosmic art of cruelty and injustice. Something akin to exultation marked that country's attitude toward its return to civilian democratic rule this winter, and something akin to reverence had come to mark its feeling for Neves, who had done so much to help accomplish the transformation. Late last month when I was in Brazil, between the second and third of what were to be seven operations on poor Neves, two emotions seemed to prevail. One was dejection that Neves was so sick; the other was determination that the democratic constitutional order should survive, no matter what happened to the ailing president.

You heard this determination expressed everywhere. And you heard comparable commitments to a new effort at democracy throughout the hemisphere. In fact, the parts of South America I visited—Brazil, Argentina, Uruguay and Peru—seemed to be experiencing a kind of frenzy of democratic politics, an overwhelming rush of excitement at the return of civilian government after a prolonged spell of military rule and roughly half a century of instability and coups and tugging and hauling among strongmen and charismatic loonies and such normal democrats as from time to time held away. Both Brazil's misfortune and its coming effort to hold the new democracy together in trying times and under a far less popular leader than Neves can only be understood in this larger context.

In a way the political frenzy put me in mind of Spain and Portugal a decade ago. There too you could see Catholic countries coming out of 50 years of authoritarian rule with an exuberance for democracy and a gift for it that confounded expectation. (The political pin-up boy of the South American countries I visited by the way, frequently mentioned as an example for newly liberated Latin politicians, is the young, pragmatic Socialist prime minister of Spain, Felipe Gonzalez. His is considered to be a success story in overcoming some of the same obstacles now facing his South American counterparts.) But in some ways I was more powerfully reminded of post-colonial Third World countries than I was of Spain and Portugal. It is as if these places are coming out of colonialism. There is a comparable kind of spirit in the air.

There are also, of course, comparable troubles. Recently in Uruguay, Argentina and Brazil, and a little farther back in Peru, military governments were eased or shoved out not because (as some of them claimed) they had achieved the stability and security for the country that was their only goal in taking power, but rather because they had fouled up. This was especially true in relation to the wrecked economies over which they had presided. So now you have a difficult situation in all these Latin countries that is very similar to one that has afflicted many countries newly freed from colonial control: There is elation that the old order is gone, but the rewards of the new order seem nonexistent. The first call of the democratically elected government must be for cutbacks and sacrifices to achieve economic stability and pay off the errors and aggrandizements of the past. In Zimbabwe or Brazil it is the same in this respect: "Welcome to democratic self-rule. It is going to cost you plenty. There may be no material improvements at all to show for it for years to come. Your government will be busy undoing past damage and demonstrating to other countries that it is responsible. Isn't freedom wonderful?"

The added difficulty is that once the strongman government is gone, labor unions and other economic and social groups feel safer in demanding better wages and fuller benefits, which run directly counter to civilian government's austerity programs. So the people who run those civilian governments require extraordinary personal authority to generate the required painful support for their policies. It was thought that Tancredo Neves had such authority, which is why his death was so especially cruel for Brazilians and why his successor, Jose Sarney, faces such a formidable challenge. But in fact any president of Brazil (or Argentina or Peru or even Uruguay with its longer, though interrupted democratic tradition) would find this a challenge. That is because much of the instability of recent decades in South America, the social and political turmoil of the region, is due to a very thin and chancy sense of the legitimacy of government institutions in the first place.

In Brazil people cling tenaciously these days to the word and letter of the constitution, citing it literally to answer perplexities. It is as if there were no larger, informal understanding of where authority lies and how it works and actually there is none. In Argentina it is being severely questioned whether the present government has the mandate or the strength to do any of the things it considers essential to governing. Taxes are a joke in many of these countries. A huge "informal" sector exists in Peru, which means huge numbers of poor people appropriate land, build unauthorized hovels on it, steal electricity off main lines to light and power it and then just settle in. The independent, roving band is a model of enterprise and settlement in many places on the continent. The history of one system's displacing another over the years in politics has made all of them suspect and weak. The toughest job facing all of these new governments is that of establishing its own legitimacy and thus its claim on the loyalty of its citizens, its claim, at the simplest level, to be listened to.

That, interestingly, is what Tancredo Neves had managed, all but miraculously, to establish in Brazil. And that is why his death is so consequential. It's not that people fear a grab to retrieve power by the military there. It's that they fear no one else has Neves' authority or his presumed legitimacy with the people. This is a problem—the problem—for all the newly elected democratic governments of South America.

[From the New York Times, Apr. 24, 1985]

The Legacy of Brazilian Democracy Survives the Death of Neves

(by Alan Riding)

Brazilia, April 23.—Even though Brazil's late President-elect, Tancredo Neves, never took office, his personal prestige and skillful preparations for the transition from military to civilian rule have enabled the country's fragile democracy to survive the threat posed by his death Sunday.

Such was the political support that Mr. Neves generated during his campaign and the sense of national unity awakened by his five-week-long illness that, for the first time in memory, a succession crisis has been resolved without the involvement of the armed forces.

Further, while his successor, José Sarney, lacks the political backing enjoyed by Mr. Neves, polls indicate that the vast majority of Brazilians want the new President to carry out the Government's program without an interruption of the constitutional order.

NEW NEED OF DEMOCRACY

Since 21 years of military government ended on March 15, the administration has been largely paralyzed by the uncertainty created by Mr. Neves's absence. Yet already a new mood of democracy is apparent, with the long-dormant Congress increasingly

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

vocal and proscribed labor and political groups able to resume their activities.

Reflecting Mr. Neves's talents for conciliation, there is also no apparent demand for retribution against past military regimes. "In a country that had become polarized, Tancredo rebuilt the center," a Congressman said today.

In the presidential palace here where Mr. Neves's body lay in state for 17 hours, mourners included a Dominican friar who was jailed by the military Government, a former leftist guerrilla who is now an opposition legislator and Giacondo Dias, head of the still-banned Brazilian Communist Party. But they also included Gen. Ernesto Geisel, who governed Brazil from 1974 to 1979, and a right-wing Congressman who, as an army major, led a counterinsurgency campaign a decade ago.

After a religious ceremony here today attended by foreign delegations, including the Presidents of Colombia, Venezuela, Uruguay, Paraguay and Portugal, Mr. Neves's body was flown to Belo Horizonte, where he served as Governor of Minas Gerais State until last year.

AN APPEAL FOR CALM

Hundreds of thousands of people crowded the city's streets to receive the coffin, many holding banners and throwing flowers. Such was the hysteria outside the palace where the late leader lay in state that his widow, Risoleta, had repeatedly to appeal for calm. Mr. Neves's body will be buried Wednesday in his birthplace of São João del Rei.

The powerful emotions stirred by Mr. Neves's death may nonetheless add to the headaches awaiting the Sarney administration. Many politicians here noted that, had he assumed office, Mr. Neves's popularity would inevitably have been eroded by a continuing economic crisis. But now, they said, Mr. Sarney will be measured by the hopes and delusions that Brazilians had for a Neves presidency.

As a result, disappointment that the new Government cannot rapidly improve living standards could create a vacuum to be exploited by ambitious politicians.

Those ambitions, held in abeyance by Mr. Neves's political strength, are already becoming apparent in the debate over how long President Sarney should remain in office and whether he should change the Cabinet that he has inherited.

Under the present Constitution, Mr. Sarney could serve until March 1991 but, having been chosen by an Electoral College, Mr. Neves had pledged to call direct presidential elections in November 1988. Now different voices are being heard calling for elections in 1985, 1986 and 1987, although no consensus has emerged.

CRUCIAL WEEKS AHEAD

Further, Mr. Neves named a Cabinet that carefully combined the two political forces that supported his candidacy—the Brazilian Democratic Movement Party and the Liberal Front Party—but several key posts were also filled by close aides, who may be replaced by Mr. Sarney.

Politicians here believe much depends on how Mr. Sarney handles his first weeks in the presidency. Many of Mr. Neves's allies, among them Ulysses Guimarães, president of the Chamber of Deputies, and Franco Montoro, Governor of São Paulo State, are demanding a voice in the new administration, but other groups believe Mr. Sarney must provide strong leadership to forestall instability.

Next week, the new President will face a first test. A strike of 200,000 metal workers in São Paulo was suspended during the eight days of official mourning proclaimed after Mr. Neves's death, but it will resume Monday and its solution could have a major impact on the Government's economic policy.

Paradoxically, since March 15, the armed forces have emerged as the main guarantors of the succession. In the hours that followed Mr. Neves's hospitalization on March 14, amid disputes over whether Mr. Sarney or Mr. Guimaraes should take office, it was the Army Minister, Gen. Leonidas Pires Goncalves, who interpreted the Constitution and pointed to the Vice President.

Unlike the crises provoked by the suicide of President Getulio Vargas in 1954 and the resignation of President Janio Quadros in 1961, the legal successor was therefore able to take office without incident. In a country where only one elected President has completed his term since 1950, the armed forces are also expected to discourage any scramble to replace Mr. Sarney.

[From the Baltimore Sun, Apr. 23, 1985]

A BLOW TO BRAZIL

Brazil has suffered a tragic blow in the death of its president-elect Tancredo Neves, the man who was to lead South America's largest nation back to civilian government after 21 years of military rule.

That transition would not have been an easy one even had the 75-year-old Mr. Neves lived to assume the presidency to which he was indirectly elected in January. Though Brazil avoided the extremes of violence and polarization that occurred under military regimes in neighboring Argentina and elsewhere in the region, it still faces grave social and economic problems. Half of its 130 million people live in dire poverty, while perhaps 40 per cent of the labor force is unemployed or underemployed. The inflation rate exceeds 200 per cent a year, while the foreign debt of over $100 billion is the world's largest.

To cope with the conflicting pressures for economic discipline, social progress, and consolidation of democracy would have taken all the conciliatory talent for which Mr. Neves became known in nearly a half-century of political life. Now, those pressures fall on his successor, Jose Sarney, who has neither the stature nor popular affection commanded by Mr. Neves. Because he was never associated with the ruling generals' Democratic Social Party, Mr. Neves embodied the national desire for a return to democracy. Mr. Sarney, by contrast, belonged to the official party until he defected during pre-election maneuvering last year. That move left a legacy of distrust both in the Democratic Social camp and in Mr. Neves's Brazilian Democratic Movement. The former sees Mr. Sarney as a traitor and the latter regards him with misgivings because of his past links with the military government. Thus, instead of a leader with enough popularity to take necessary but unpopular decisions without destroying the consensus for orderly political change. Brazil's future rests on a president without broad support and without the mystique that seemed to be Mr. Neves's strongest political weapon.

One probable consequence of Mr. Neves's death and Mr. Sarney's succession to the presidency will almost certainly be increased pressure for direct elections, replacing the indirect system under which Mr. Neves was chosen. Mr. Neves had promised to restore direct elections, possibly as early as 1988. Speeding up that timetable could involve both opportunities and risks. It could provide a leader with a stronger mandate than Mr. Sarney now enjoys, but it could also lead to demagogic politics raising unrealistic hopes and possibly reopening the political rifts—between liberals and conservatives and between military and civilians—that Mr. Neves's personality and talents seemed to bridge. Whatever happens, Brazil's political maturity will be subject to tests far more severe than anyone would have imagined before Mr. Neves's illness and tragic death.

[From the New York Times, Apr. 25, 1985]

ON TOWARD BRAZILIAN DEMOCRACY

(By Alfred Stepan)

The death of the President-elect of Brazil, Tancredo Neves, is a great loss for his country and the world. It should not, however, dash the encouraging prospects for Brazil's transition to democracy.

The consummate political skills that "Tancredo" brought to the transition are lost. No other official can hope to enjoy the fervent trust he inspired. The new President, José Sarney, is suspect among both the outgoing military and the incoming democratic forces. But the rebirth of Brazilian democracy does not depend solely on leadership.

For one thing, most of the country's other political leaders remain committed to democracy. For all their initial doubts about Mr. Sarney's legitimacy and capacity to govern, the people who worked with such exemplary skill to make Tancredo Neves the first civilian President in more than 20 years will now rally behind Mr. Sarney simply because he represents constitutional and democratic continuity. Mr. Neves's electoral calendar—direct elections in the state capitals in November 1965, elections for a Congress to serve as a Constituent Assembly in November 1966 and the possibility of direct Presidential elections in November 1988—is likely to gain increasing support. It is the least confrontational and most constitutional path. It would also give the left time to organize under democratic conditions.

Second, the military is unlikely to cause trouble. The officers have their own, complex reasons to respect the transition under Mr. Sarney. They know that Nuremberg-style trials of military abuses are much less likely in Brazil than in Chile and Argentina, where deaths and disappearances caused by the military may have been as much as 100 times more common (counted on a per capita basis). The desire to return to civilian rule was also strengthened by the Argentine-British war for the Malvinas, or Falklands Islands, which forced a debate in the military on the need to restructure its institutions.

This alleviated an identity crisis, giving the military a sense of mission that has nothing to do with direct rule. Certainly, the military will continue to play a significant economic role in Brazil, the sixth largest arms exporting country in the world. In short, unless President Sarney and the political parties prove totally unable to control domestic political conflict, it is very unlikely that the military will feel called upon to topple the new Government with a coup.

Finally, Brazil's much neglected poorer classes favor a strengthened civil society. There will of course be great demands to service the country's staggering domestic "social debt" of poverty, sickness and unem-

ployment. But even the Brazilian left is firmly committed to democratic procedures—not just as a temporary tactic, but as an enduring value.

Lacking Tancredo Neves' credibility, Mr. Sarney will undoubtedly find it hard to impose austerity measures. He will also have to go further than Mr. Neves would have in pursuing visible social reforms—and will be hampered all the while by his country's external debt, the largest in the world. Yet even here he has some leeway. Unlike Argentina or Chile, Brazil recently developed a major industrial plant. This new capacity is waiting for a revival of internal and external demand; already, in 1984, Brazil had a record year of exports.

The world debt crisis is not over however. Ask anybody in Brazil—especially the poor and their leaders—about the effect of spending some 5 percent of its gross national product merely to service the external debt; Tancredo Neves once called it "taxation without representation." The debt crisis was containable last year, thanks largely to declining interest rates, declining oil prices and booming exports to the United States, but no one knows how long these favorable conditions will last.

It is a time of sadness but not despair in Brazil. The country has some room to develop democracy and temporarily, at least, a tiny bit of room to develop its economy. History will deal harshly with the United States if it fails to help the world's third longest democracy to evolve successfully—even as we continue to pursue a military obsession in Central America. There is no excuse for our political and moral neglect of Brazil.

[From the Washington Post, Apr. 23, 1985]

TANCREDO NEVES

Brazilians have suffered an unkind blow in the death of their recently elected but uninaugurated president, Tancredo Neves. Mr. Neves, who endured a month-long medical ordeal, had appointed only some of the top members of the government he intended to run before he fell ill. In the month since, the man elected vice president with him, Jose Sarney, has taken some further steps to get the democratic system and the new government in place. But Mr. Sarney, necessarily, moved slowly, waiting for public pressure to build for him to take actions and proceeding with immense caution.

There were a couple of reasons for this. The obvious one was that the vice president (who became, while Mr. Neves was ill, the acting president) did not wish to appear overeager or in any way ambitious to assume Mr. Neves' place. Another reason was that Mr. Sarney, who came over from the military government's party to run with Mr. Neves against a man that military government favored, does not begin to enjoy the popularity or support that Tancredo Neves did. Mr. Sarney will now have a huge political chore to accompany his formidable task of governing.

Although there seems to be no prospect of an effort to revoke or overturn the new democratic dispensation, there will be much controversy as to how soon direct elections for a successor government should be held. There will probably be an effort to have them held very soon. And there are also politicians in Brazil of Tancredo Neves' party who are stronger and more popular than Mr. Sarney, politicians who will be very much trying to arrange things for the new president.

None of this will make Mr. Sarney's ability to preside any easier, and the new president has much to do. Brazil, as other countries in the region, is obliged to fight a ferocious inflation with steps that are alienating workers and threatening a part of the population that is already inordinately poor. Its export earnings, spectacularly high last year, may be sharply reduced this year. Brazil has sent one failed letter of intent after another to the International Monetary Fund, and is now in another round of negotiations with it. The emergency measures that have enabled the country to carry its debts so far will not be adequate indefinitely—particularly if and when the North American economy, with its gigantic demand for Latin exports, begins to slow down.

Governing Brazil is going to require immense skill and steadiness. It is going to require a high degree of trust between the people at the top and the people at the bottom. It is not an opportune moment for a long hiatus or a debilitating quarrel over who's in charge and who possesses the title to legitimate authority. The country's financial position requires decisions that cannot be postponed. The sudden death of the man who won the election, in the moment of his triumph, puts enormous tests ahead of Brazil and its new democracy. But Brazil and its political leadership have shown, over the past year, that they are capable of great things.●

"LADY LANCERS" SPEAR STATE TITLE

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. GAYDOS. Mr. Speaker, the "Lady Lancers," the girls basketball team from Deer Lakes Junior-Senior High School, will be honored Monday, May 13, as section AAA champions of the Pennsylvania Interscholastic Athletic Association [PIAA].

The girls won their crown the hard way, putting a season record of 25–2 in section AAA of the Western Pennsylvania Interscholastic League [WPIAL]. They captured the section title by defeating North Catholic of Pittsburgh, 42–32. The win not only gave the "Lady Lancers" the WPIAL title, but it averaged the two regular season losses to the Pittsburgh school.

From there, the Deer Lakes girls went on to Hershey, PA, where they wrested the State championship from Palmyra High School in a down-to-the-wire nail biter, 45–43. The "Lancers" were down 17 points at the half and as much as 19 in the third quarter before staging their dramatic comeback.

As a result of the girls' double win and the fine showing of the boys' team, which made it to the WPIAL semifinals, a group of citizens banded together to give the teams some richly deserved public recognition. The result is the May 13 testimonial dinner in their honor at Jack's Restaurant in Sarver, PA.

Members of the State champions, the "Lady Lancers," are:

Terri Gizienski, Kathy Suvoy, Shawn Rearich, Amie Siekierski, Michelle Fletcher, Michelle Murray, Carla Smay, Jill Switalski, Gingy Hahn, Buffey Martinez, Dee Dougherty, Ron Cikora (trainer), and Kenneth Ladish (assistant coach).

Erica Goodrich, Missy Overly, Valerie Chauvin, Stacey McCaskey, Joelle Wise, Jill Savero, Sandy Martin, Francie Rombaldi, Colleen Shaffer, Sue Green, Sue Smith, and Donald Savero (head coach).

Members of the citizens' committee staging the banquet included Jim Yaconis, Joe Yourish, JoAnn Ellison, Carol McCaskey, Carol Bock, Patricia Rehner, Ida Shoop, Joyce Salsbury, Terri Gizienski (representing the girls' team), and Jim Yakonis, Jr. (representing the boys' team).

Mr. Speaker, on behalf of my colleagues in the Congress of the United States, I congratulate the "Lady Lancers" on their title as State champions and wish them well for the coming season.●

CONTINUE FEDERAL ASSISTANCE TO AMTRAK

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. FLORIO. Mr. Speaker, a recent article in the Star-Ledger explains the effect of the administration's proposal to eliminate all funding for Amtrak, our Nation's rail passenger system. To eliminate all funding for Amtrak will effectively eliminate the railroad. All lines will stop on October 1.

As the article points out, last year, Amtrak carried about 18,000 passengers daily between Washington and New York. All the airlines combined carried only 12,000 passengers daily between the two cities. The elimination of Amtrak will mean massive highway and airport congestion in an area already operating at capacity.

Further, according to the Star-Ledger, commuter service may be halted, stranding 35,000 additional passengers. Over $2 billion has been spent on track that will be virtually abandoned, not to mention the billions of dollars spent on rolling stock that will have to be sold for scrap.

I strongly oppose the administration's proposal to eliminate Amtrak and will fight for continuation of the railroad. I urge my colleagues to support the continuation of Amtrak and commend this informative and revealing article to their attention.

The article follows:

[From the Sunday Star-Ledger]

COMMUTER RAILROADS BRACE FOR "DOOMSDAY" IF AMTRAK LOSES ITS SUBSIDY

(By David Schwab)

Representatives from commuter agencies throughout the Northeast were summoned to Washington earlier this month to take part in a little disaster planning. Gathered in the offices of the Federal Railroad Administration (FRA), they talked about public transit's latest version of the "Day After."

As the scenario goes, it is Oct. 1, the beginning of the new federal fiscal year. Amtrak, the 14-year-old national railroad passenger corporation, has been forced out of business, a victim of the Reagan Administration's latest round of budget cuts.

All of its 250 daily trains throughout the country grind to a halt, including those connecting New Jersey to places from Florida to Chicago to Montreal.

Among those stalled are 18,000 passengers a day who travel the busy, electrified mainline owned by Amtrak between New York and Washington and known as the Northeast Corridor. The corridor, which cuts a 57-mile path through the heart of New Jersey and has undergone a $1.5 billion renovation, is virtually abandoned. Crucial repair shops and stations are closed.

Commuter service on the line, provided by state transit authorities like NJ Transit, is halted. Thirty five thousand daily New Jersey commuters who travel between Trenton and New York, half of the state's total rail ridership, are affected.

With no place left to go, these travelers jump into their cars or catch planes, further crowding already congested highways and airports.

Faced with this dilemma, N.J. Transit would have little choice but to pay up to $47 million a year to take over many of the services now provided by Amtrak. And that's not all.

A separate proposal to slash federal Urban Mass Transportation Administration (UMTA) subsidies leaves NJ Transit heading for a $44 million operating deficit. This could only be made up with fare increases of up to 25 percent or increased state contributions. Further cuts of $99 million in UMTA capital subsidies threaten anxiously awaited improvement projects such as electrification to Long Branch and new bus purchases.

Few expect this nightmare will become a reality.

The Reagan Administration, which has proposed the drastic cuts, argues many of Amtrak's important functions could be assumed by the states or private companies. It disputes predictions of doom and gloom and says its proposed cuts are part of longstanding push by the federal government to get out of areas better left to the states and private enterprise, including the railroad business.

Meanwhile, Amtrak is lobbying hard against the cuts and has been joined with expressions of support from many politicians, including Gov. Thomas Kean and Rep. James Florio (D-1st Dist.). Transit agencies from throughout the Northeast, including NJ Transit, have also joined Amtrak in its fight.

For the next year, Amtrak is asking for a "zero funding" budget of $684 million, the same amount it receives this year. It insists any cuts will force it to shut down completely.

NJ Transit officials, keenly aware of budget battles of the previous years, are bracing for possible modest cuts in both Amtrak and UMTA subsidies. But they are not planning for Transportation Armageddon.

The purpose of the Washington meeting was "to begin getting people's thoughts focused on the Doomsday scenario," explained NJ Transit's chief financial officer, William Bouffard, who attended. "It's bizarre to contemplate that form of disaster. As a practical matter, we are not sure what to plan for."

But the worst could still happen, state officials say, and the stakes for New Jersey in this budget battle are especially high.

"There is a high probability that the Administration will be successful," said Florio, noting its previous successes in budget cuts in 1981. "Most in New Jersey do not understand the impact, I suppose because of the assault on so many programs," added Florio, the chairman of the House subcommittee that has jurisdiction over Amtrak.

The plan to eliminate funding for Amtrak beginning Oct. 1 is just one of many proposals put forward by the Reagan administration to cut the nation's $200 billion deficit.

Created in 1971 to provide intercity railroad passenger service, Amtrak has since spent more than $3 billion to rebuild a system left largely in decay by the private railroads. It has survived previous budget battles by reducing its annual subsidy from a high of $896 million in 1981 to $684 million this year.

Traditionally, Amtrak has counted upon support in the Congress to fight budget cuts. the Senate budget Committee held hearings earlier this month and approved a proposal to reduce Amtrak's budget by 30 percent. the House will hold its own hearings and Florio said there is support for a freeze of the Amtrak budget at current levels.

The debate over Amtrak is just one small part of the controversy surrounding the entire federal budget. But it will not likely be resolved until many of the other issues in the budget are finalized. This may not occur until the summer, officials say, compounding the problems of transit planners trying to put together their budgets.

FRA spokesman Thomas Simpson said the decision to cut Amtrak funding is an extension of the Reagan Administration's general philosophy.

"The overall philosophy is that the federal government should not be in the railroad business, whether freight or passenger," he said. For similar reasons, the government recently sold the Alaska Railroad to the State of Alaska for $22 million and is moving to sell Conrail to the private sector.

Simpson said the government is beginning to look at "alternative funding arrangements," namely getting states like New Jersey to pick up some of the tab for the services Amtrak provided.

If these services could be transferred from Amtrak to the states or other railroads, then there would be no massive layoffs for Amtrak's 25,000 employees and important railroad facilities would not go to waste, the federal government argues. As for long distance service, from New Jersey to Florida for example, "if the states want to band together to preserve service they would have to sit down and figure out how to allocate costs," Simpson said.

These suggestions contrast greatly with the dire forecasts from Amtrak, which says that binding labor agreements would make it more costly to shut down all or parts of the system than to continue operating normally.

Contracts made with railroad workers when Amtrak was created guarantee them pay for six years even if they lose their jobs, according to Amtrak. It estimates the cost of meeting these agreements at $2.1 billion.

Also, Amtrak argues terminating its trains would allow nearly $3.1 billion worth of improvements to tracks, stations and equipment to go to waste.

About half of this was spent to turn the Northeast Corridor Boston into one of the most modern systems in the world. Between New York and Washington, for instance, this system carries 50 percent more riders than those who travel the route by plane.

Millions of dollars have also been invested in station improvements along the corridor, including $20 million at Newark's Penn Station, to encourage travel by train and development in urban areas.

While acknowledging some problems in the past, Amtrak believes it has been successful in trimming costs while improving services for 20 million passengers a year in 44 states.

"I think the Administration is honestly trying to grapple with the deficit but I'm not sure they are aware of the impact," said Amtrak spokesman Clifford Black.

For example, Amtrak operates 80 daily trains that pass throught New Jersey, stopping at such places as Newark, Metropark, New Brunswick and Trenton. They connect the Garden State with locations throughout the nation.

For the year ending September of 1984, 1.8 million passengers used Amtrak trains in the state. To provide these services, Amtrak employs about 2,500 persons in New Jersey with a payroll of about $50 million.

In addition, NJ Transit operates about 200 trains a day on the Amtrak-owned corridor between trenton and New York. A number of New Jersey commuters rely on hourly Amtrak trains between New York and Philadelphia.

NJ Transit pays Amtrak about $30 million a year to provide the services associated with its trains. This covers the cost of electricity, track maintenance and signaling. It also covers the cost of maintaining trains in Amtrak's yards and the use of Amtrak's Penn Station in New York.

Were Amtrak to disappear, however, the cost to NJ Transit to provide the same services would jump to about $47 million, according to Amtrak and NJ Transit officials. This is because complicated agreements between NJ Transit and Amtrak, following earlier rulings by the Interstate Commerce Commission, require Amtrak to bear the large share of costs on the corridor.

While state officials have come to the aid of Amtrak, they believe it could survive some budget cuts. They say some savings could probably be achieved by reducing labor costs and eliminating duplicated services on the corridor.

However, they do not believe, as does the Administration, that Amtrak's important functions can be assumed by the state or others. Instead, they fear a termination or severe cutback of Amtrak, combined with drastic cuts in UMTA funds, would be a catastrophe for mass transit in the state.

"If we get clobbered with the catastrophic cuts proposed, it's going to create a major funding problem for the state," said NJ Transit Executive Director Jerome Premo.

The agency's current operating budget of $460 million relies upon $44 million in UMTA operating subsidies and $160 millon from the state. These figures were not expected to change drastically for next year.

The agency also received about $200 million in UMTA capital subsidies this year.

Any budget cuts would be especially damaging this year because NJ Transit has been successful in rebuilding the state's mass transit system, largely by making major investments and preventing fare increases during the last two years, according to state officials.

During the last six months, for example, ridership on NJ Transit trains has increased by 9 percent and on buses by 3 percent. Fares and revenues now cover about 60 percent of NJ Transit's costs, which is among the best returns in the nation and reduces dependence on government subsidies.

State officials say they do not want to underestimate the drastic possibilities presented by the Reagan Administration's plans. But they believe the crisis may not be as severe as it appears. They are adamant that undue predictions of doom will only scare away mass transit users.

"The sense I get is there may be a small cut. But I don't sense widspread support for the massive cuts the Administration has proposed," said Premo. "I am trying to avoid the Doomsday signals of increased fares that may scare away some riders who remember the old days," he added.●

RELIGION, POLITICS AND JUSTICE IN A DEMOCRACY: A COMMENTARY ON THE U.S. CATHOLIC BISHOPS' DRAFT PASTORAL LETTER ON CATHOLIC SOCIAL TEACHING AND THE U.S. ECONOMY

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LaFALCE. Mr. Speaker, on March 29, 1985, I addressed the first annual Convocation on Peace and Justice at Niagara University. In that talk, entitled "Religion, Politics and Justice in a Democracy," I tried to illustrate how one tries to meld moral and religious principles together with politics in pursuit of a more just society. To do that, I discussed the U.S. Catholic bishops' draft pastoral letter on Catholic social teaching and the U.S. economy. I call this to the attention of my colleagues, in the hope that the moral guidance offered by the bishops may be helpful to all my colleagues regardless of their political or religious persuasion.

The text of my talk follows:

RELIGION, POLITICS AND JUSTICE IN A DEMOCRACY

(Remarks of Congressman John J. LaFalce)

There are few people in history who have had as great a commitment to peace and justice as Niagara University's own patron, St. Vincent de Paul. St. Vincent, the founder of the Vincentians, a hero in 17th century France, exhausted himself working on behalf of others because he recognized that it was every man and woman's obligation to love his neighbor, and to be of service to him, if he was to love God.

We are told that no one was excluded from his ministry—that he organized relief for all: sick children, orphans, the poor, the destitute, the blind and insane; convicts and galley slaves. His charity extended to every emergency that arose, whether the ransoming of Christian slaves in North Africa or collecting alms for war devastated areas in Lorraine.

Two of his orders, the Congregation of the Mission, commonly called the Vincentians, and the Sisters of Charity, have ministered to the poor and oppressed around the world, since their inception in 1633. It is no wonder that St. Vincent is recognized as the universal patron of charity for the entire Church.

How appropriate it is, then, that this Vincentian University has decided to institute an annual Convocation on Peace and Justice to better carry out its most fundamental missions. With this general background, I sincerely say that it is a great and heavy honor for me to be the speaker at your first Convocation.

My purpose, as your speaker tonight, is to develop the way one works to improve the qualities of peace and injustice in a democracy, and within that context, how religious, moral and spiritual values can, and must, be woven into our political process so that this country's social and economic policies reflect what Cardinal Bernardin has called the "framework of a consistent ethic . . . a seamless garment of reverence for life."

Those who know me are aware that I am no shrinking violet. I am seldom unwilling to wade into the political fray, if armed with what I consider forceful arguments that favor a particular perspective. But, I must confess a bit of uneasiness in taking on tonight's assignment.

Although your invitation is a high honor, it is a humbling experience. Any honest and sensible man should cringe at giving a moral exhortation to others. Considering myself honest and sensible, I cringe, for I know well enough my own faults. It's hard enough to be a good person; even tougher to be both a good person and a good politician.

I also recognize that the words "political" and "moral" are not likely to be found together as synonyms in anyone's Thesaurus. In fact, let me make a second point: Public officials who cry the loudest about religion and morality may often be more pharisee than prophet. All too often, when politicians begin posing for holy pictures, it is time for people to hang on to both their prayer books and their wallets because they are probably about to lose both. The cynical use of patriotism may, in the words of Samuel Johnson, be the last refuge of a scoundrel, but the cynical use of religion is all too often a close second.

So, with both these caveats clearly acknowledged, let me nevertheless go forward.

First, a few personal observations that may be helpful in developing my theme.

I did not enter politics because I wanted to enact legislation as an end into unto itself. That's not the point of politics.

I entered politics because I believe in the social gospel and the force for justice that I think government should be. There is, you know, a compatibility between the two, not a contradiction.

I think Christianity and democracy are both based on the value of the human person—individually and collectively; that a principal role of religion is to help people understand their responsibilities toward one another; and that a principal role of government, particularly in a democracy, is to help people meet their responsibilities to each other as effectively and equitably as possible.

As a public official, I try, in my own imperfect way, to apply these beliefs broadly, so that public positions and decisions will be based on criteria which reflect these basic values and principles.

But whether in Washington, Albany or Peoria, it is very easy to get caught up in the swirl of events, and the crisis of the moment. Public officials in general, and Members of Congress, in particular, are continuously called upon to participate in decisions which affect not only the well-being of our own people, but literally the future of the planet. In this pressure cooker of competing claims and counter-claims, "numbers crunching," and political trade-offs, it is easy to lose perspective; it is easy to lose one's moral gyroscope.

That is why this politician, at least, often needs a moral compass to find his way. Actually, I would also think that all persons and certainly all public officials, need such a moral compass.

In choosing a particular subject to discuss this evening to illustrate how one tries to meld moral and religious principles together with politics in pursuit of a more just society, I considered many issues, especially abortion, about which I differ in thinking from both Governor Cuomo and Archbishop O'Connor; and the nuclear arms race and the moral imperative of ending that race, if we are to preserve the human species.

These are transcendingly important issues, involving the creation of life and the end of life. But I have left them for another time. Please invite me back.

For tonight, I have chosen to share with you some reflections on the draft Pastoral Letter of the American Bishops on Catholic Social Teaching and the U.S. Economy. I do this for many reasons.

First, because, although it does not deal with the creation or the cessation of life, it does deal with the condition of life.

Second, because the draft letter itself may constitute the most ambitious attempt at "participatory democracy" in the Church's history, through discussions that are now being held in most of the dioceses in the United States. Hence, our discussion this evening could help shape the final teaching.

Third, the draft letter raises issues which individuals can affect almost everyday in almost evey community in the United States.

Fourth, the essence of the Bishops' message has been maligned and misinterpreted since it was released, and therefore needs exposition, reinforcement and improvement by its friends and allies.

And fifth, I feel a special obligation to speak out on this issue, for I serve as Chairman of the House of Representatives' Subcommittee on Economic Stabilization.

You may remember the flap that arose last November, when shortly after the Presidential election, Catholic Bishops released their draft letter on the economy. One would have thought that a few Bishops had worked secretly together in a backroom to produce a radical document unrelated to Catholic social teachings, and were now trying to foist their thoughts upon an unsuspecting church and public.

Yet, the fact is that the draft letter reflects over 100 years of Catholic social teaching.

Let me share a bit of that background with you, as a "refresher" before discussing the latest letter at some length.

In the modern industrial age, Catholic social teaching has been rooted in fundamental beliefs about the nature of the human person and about how we should live and work together in a society. These con-

cepts can be summed up under the following headings: Human dignity, the common good, the role of government, distribute justice, and the essentiality and dignity of work.

HUMAN DIGNITY

The foundation for all Catholic social teaching has been the dignity of the human person. In the words of the Second Vatican Council ". . . the beginning, the subject, and the goal of all institutions is and must be the human person."

COMMON GOOD

The "common good" is a second theme which has been integral to Catholic social teaching. Although this teaching strongly emphasizes the human person, it is not an individualistic ethic. On the contrary, the human person is seen as essentially a social being, and human rights are rights held in community.

Further, the common good is not so much the summation of the goods of individual citizens, as it is a set of social conditions which facilitate human development. It stands as a call to responsibility whereby we are all required to work for the general welfare of the entire human family.

ROLE OF GOVERNMENT

The promotion of that general welfare, or common good, is, according to Catholic social teaching, the very reason for the existance of government.

The social encyclicals of the Church have recognized that unless government intervenes on behalf of the common good, inequalities in social and economic life tend to increase. As stated by John XXIII in "Pacem in Terris": "Experience has taught us that, unless civil authorities take suitable action with regard to economic, political and cultural matters, inequalities between citizens tend to become more and more widespread."

More recently, Pope John Paul II pointed out in his Encyclical "On Human Labor," that it is the obligation of government to conduct a just economic policy. He stated that government: ". . . must make provision for overall planning with regard to the different kinds of work by which not only the economic life, but also, the cultural life of a given society is shaped; it must also give attention to organizing that work in a correct and rational way. In the final analysis, this overall concern weighs on the shoulders of the state."

DISTRIBUTIVE JUSTICE

Since there are often valid but competing claims and rights in society, Catholic social teaching has also advanced the principle of distributive justice as a tool for reconciling these conflicts. Distributive justice, therefore, is a particularly relevant guide in the realm of economic decisionmaking. Thus Pope John XXIII wrote in "Mater et Magistra," that: "Economic prosperity is to be assessed not so much from the sum total of goods and wealth possessed, as from the distribution of goods according to the norms of justice."

Pope Paul VI noted in "Populorum Progressio" that when conflicts arise between the claims of those in need and those who are well off, Catholic social teaching gives special priority to the needs of the poor. The Church does not claim to be neutral in its treatment of various economic classes in society. It has a clearly articulated bias on behalf of the poor.

In a similar context, Pope John Paul II has recently declared that: "The present economic difficulties . . . must not become a pretext for giving in to the temptation to make the poor pay for the solutions to the problems of the rich . . ."

Note that statement well, given the context of today's prevailing economic philosophy.

THE ESSENTIALITY AND DIGNITY OF WORK

Finally, let me pay particular attention to a theme that permeates the most influential encyclicals of the past century—the essentiality and dignity of work and the rights of workers. From the extensive treatment given this theme in 1891 by Leo XIII in "Rerum Novarum" to its 40th anniversary encyclical of Pope Pius XI, "Quadragesimo Anno," to the most recent statements of Pope John Paul II, the Church has emphasized the importance and dignity of human labor.

John Paul II, in the encyclical "On Human Labor" said: "Man's life is built up every day from work, from work it derives its specific dignity . . . through work man not only transforms nature, adapting it to his own needs, but he also achieves fulfillment as a human being and indeed in a sense becomes more a human being . . . The role of the indirect employer (government) is to act against unemployment, which in all cases is an evil . . ."

THE BISHOPS' PASTORAL LETTER ON THE U.S. ECONOMY

In the richness of this tradition, there now comes the American Catholic Bishops draft Pastoral Letter on the U.S. Economy. It does not come in a economic or moral vacuum. It is a particularized continuum—particularized to this country and to this time.

In 1919, the American Bishops first spoke out on the moral dimensions of economic conditions in the United States. Their message emerged from, and was largely addressed to, a largely immigrant and working class community. The Church then was a "defender of the defenseless, and a voice for the voiceless."

Today, the Church seeks to fulfill the same mission, but in a much different context, and in a much more complicated world. In speaking to American Catholics, the Bishops address a group which has achieved much greater economic security, and is increasingly moving away from its "blue-collar" roots. The question for Catholics, in general, is whether they are tempted, like the people of the biblical Exodus, to forget the powerless they have left behind, to turn their backs on the less fortunate, and dismiss not only their past, but also their traditions.

In addition to Catholics, the Bishops also seek to speak to the entire nation in this letter, and thereby contribute to the debate on economic policy. They say: "Our primary task is to speak to our own community; but our vocation also calls us to address the larger community of this nation."

The Bishops do so at a time of either explicit or implicit challenge to many of the Church's most fundamental tenets of its traditional teachings, both by Catholics, and the society at large.

In response to these societal trends, the Bishops are trying to hold up this country's economic system to the scrutiny of traditional Catholic social teaching, and sound a clarion call to conscience to all those who would listen, whether devout Catholics, "unrepentant secular humanists," or those falling in between.

I don't think it could come at a better time.

The draft letter begins with a simple proposition that "the dignity of the human person, realized in community with others, is the criterion against which all aspects of economic life must be measured."

It goes on to state that "every perspective on economic life that is human, moral and Christian must be shaped by two questions: What does it do for people? What does it do to people."

In this context, the draft letter directly challenges the American economic and political systems to address the maldistribution of economic wealth and to do a much better job of representing the poor and disadvantaged.

The letter states: "No one can claim the name Christian and at the same time acquiesce in the hunger and homelessness that exists around the world and in our own country. We intend this letter to be an invitation and a challenge . . . to those who may be tempted to a narrower perspective."

It is this narrower perspective that is particularly disturbing to me. Over the past few years, interest in economic issues has exploded in this country. It dominates the news media; it dominates debates in the Congress; and it increasingly dominates how people order their lives.

Students get MBAs by the tens of thousands each year, corporate law firms flourish, multi-national organizations expand, and heretofore esoteric subjects such as trade balances, Third World debt, prime rates, and tax write-offs have become the centerpiece of everyday conversations.

But in all of this, we seem to have lost sight of the fundamental fact that economic decisions, policies, and institutions should all be at the service of human beings. The economy was made for people, and not the other way around. It is these disturbing signs of our time that have directed the pastoral concerns of the American Bishops to address the moral aspects of economic activity.

In developing its positions, the Bishops' draft letter lays out three basic principles which should help shape U.S. economic policy:

First, the fulfillment of the basic needs of the poor is of the highest priority;

Second, increased participation for those on the margins of society takes priority over the preservation of privileged concentrations of power, wealth and income; and

Third, meeting human needs and increasing participation should be priority targets in the investment of wealth, talent and human energy.

The Bishops then attempt to apply those principles to four economic issues central to American life: employment; poverty; economic cooperation among business, labor and government; and the United States and the world economy.

With respect to those four issues, the draft letter makes certain value judgments, of which I will posit but a few.

Moral Judgment One: The fact that no less than 15 percent of our nation's population live below the poverty line at a time of unprecedented material well-being is a "social and moral scandal that must not be ignored." In the midst of our euphoria concerning the recent economic recovery, we appear to have ignored the fact that over the past five years, the number of Americans living in poverty has increased by almost 10 million people, rising from 11.7 percent of the population since 1979, to over 15 percent in 1984. This stands in stark contrast to the two decades from 1960 to 1979

when we reduced the number in poverty from 22.2% to 11.7%. The number of children living in poverty has increased by over 50 percent during this time period. We simply cannot accept these consequences as "a cost of doing business." While some might claim that the poor are really better off now than several decades ago, due to programs such as food stamps and Medicaid, the recent trends are clear, and, I repeat, they are morally unacceptable.

Moral Judgment Two: This country should not accept an unemployment rate of over 7 percent, which consigns millions of our people to economic misery and social despair every year. The Bishops letter states that "the most urgent priority for U.S. domestic economic policy is the creation of new jobs with adequate pay and decent working conditions." The moral unacceptability of current unemployment levels becomes vividly clear when we understand that the message delivered to a person looking for a job is: "We don't need your talent, we don't need your initiative, we don't need you." That message is being delivered today to over 8 million Americans.

If every effort were being made to create the jobs required, one might argue that the situation today is the best we can do. But such is not the case. The country is doing far less than it might to generate employment, and it shows no sign of making a full-scale commitment to this goal. Somehow, we have come to accept the notion that massive unemployment in this country is a socially acceptable consequence, if not a necessary condition, of wringing out inflation and moving on to the "high-tech economy" of the future. The Bishops note that toleration of present unemployment rates would have been unthinkable 20 years ago. It should still be regarded as morally and economically unacceptable today.

Moral Judgment Three: It is grossly inequitable that the richest 20 percent of Americans receive more income than the bottom 70 percent combined. In America today, the rich are getting richer and the poor are getting poorer. Unequal distribution of income and wealth in the United States has become significantly more pronounced in recent years. The fraction of national income received by the richest 20 percent of the population was lower in 1983 than at any time since statistics began to be collected on this issue in 1947.

The recent poverty trends are even more scandalous. In 1960, 22.2 percent of our people were living in poverty; by 1979 we had reduced that figure to 11.7 percent; but since 1979 it has skyrocketed to 15 percent!

The top 1 percent of families in this country hold almost 20 percent of the net assets; while the bottom 50 percent of American families hold only 4 percent of the country's net assets. These levels of inequalities in the distribution of income and wealth are the greatest of any industrialized country in the world. Simple justice demands that we do better.

Moral Judgment Four: We must do more for the billions of people on this earth who live below any possible definition of a decent life. Half of the world's population live in countries where the per capita annual income is the equivalent of $400 or less. Almost 500 million people are malnourished or facing starvation. Such examples could be multiplied indefinitely, but they can never adequately portray the tragic disparity between these desperately poor countries in the material wealth of our own country.

The Bishops note that "we can neither understand the problems of the U.S. economy today nor propose plausible solutions to these problems without giving the most serious attention to the links that bind us to the rest of the world." In saying this, the Bishops are doing no more, but no less, than reaffirming the common Brotherhood of Man. As the most powerful nation on earth, we must accept the responsibility that our actions affect those in countries all over the world.

Locked together in a world of limited material resources, we can help or hurt one another by the economic policies we choose. Thus we have to be more responsible than in the past for these choices, because they often adversely affect people who have no opportunity to influence them. When we discuss trade issues in this country, or the impact of Third World debt, we must recognize our obligations to our silent brethren whose names and faces we will never know, but whose lives we touch every day.

RESPONSE

For making these, and many other moral judgments, the Bishops were immediately attacked from a variety of sources as being "well-intentioned, but."

Distinguished businessmen noted that the Bishops were "simply out of their depth," conservative columnists wrote that the Bishops were "cliche-ridden" or "guilty of child-like innocence," and a self-appointed group of prominent conservative lay Catholics attempted "a pre-emptive strike" against the draft letter before it was even issued.

Why was there such a concerted attack against this effort? I believe the answer lies in the state of politics in this country, best exemplified by the national election which had just been completed. The draft letter was withheld until after an election overwhelmingly won by those who ran a campaign on the notion that poverty, unemployment, injustice, and inequality are no longer issues in the forefront of the national consciousness; and that the best way to be elected is to avoid discussing our problems, and, instead, focus exclusively on our successes.

Many conservatives, who had praised the Bishops firm posture on abortion, faulted their latest draft statement on economic justice because it treads on "Caesar's turf." But many others were much less philosophical, and much more blunt.

In the main, opposition to the draft letter came largely from those who advocate policies which try to pay for tax cuts for the wealthy and middle class by slashing programs for the poor; run up dangerous deficits to be settled by future generations; quote slogans such as "a rising tide lifts all boats," while ignoring the fact that millions more of our people—mostly children—have dropped below the proverty line in recent years; believe that people who are in trouble have no one to blame but themselves; and that economic growth is somehow dependent upon the existence of large societal disparities which act as incentives to work, produce, and invest.

The draft letter apparently touches a raw nerve because it insists upon intruding into this make-believe world of political sloganeering and trickle-down economics with the stark reality of 35 million Americans living below the poverty line (with another 25 million just above); 8 million people unemployed (and several million others underemployed); the increasing concentration of income in the hands of the already wealthy; and record numbers of small business bankruptcies and failures of family farms.

We are often lectured that it is counterproductive, if not actually un-American, to pursue policies designed to distribute wealth fairly. We are given the negative appellation: "Redistributionists." But what is Government, if not a social compact between people designed to maximize the common good? In my opinion, government economic policy should certainly facilitate and promote the creation and expansion of societal wealth, but it must also help achieve the equitable distribution of such wealth throughout the entire society. I have little time for liberals who neglect the importance of the creation of wealth, and even less for conservatives who not only neglect, but deny the appropriateness of a government role in the redistribution of societal wealth. Good government must do both.

The problem with our current policies is not simply that they disregard redistribution, but that they are actually redistribut ing wealth in the wrong direction.

Reversing this recent trend, as called for by the draft pastoral letter, would, in my opinion, constitute both good economics and good social policy. More importantly, that is precisely the judgment reached by two distinguished Nobel Laureates in Economics—Professor James Tobin of Yale University, and Lawrence Klein of the University of Pennsylvania, when they testified on the Bishops' draft letter a few weeks ago before the House Subcommittee on Economic Stabilization at my invitation.

This is not to imply that the draft pastoral cannot be improved. It can, and undoubtedly, will be. Some of the criticisms such as the length of the letter (55,000 words) and the specificity of many of the solutions need to be addressed. Indeed, the Bishops are certainly not correct in all of their prescriptions—but the most effective ways to implement shared policy goals are always a matter for ongoing debate.

But the Bishops are making the point that, as a first priority, we must be sure that the poor of this country and of the world are part of the debate.

Moreover, it is important that we distinguish between pious claims, and moral action. Simply proclaiming that poverty should be eliminated; that everyone should have a job; and that people should be treated fairly, will do nothing.

The Bishops' draft letter calls upon us to: ". . . act as individuals, to heal the pain which injustice causes . . . (but we) all have a larger responsibility to remove the causes of injustice . . . This is our responsibility as citizens—a personal responsibility to be exercised through government and the political process."

Let me give you a striking example of how this process is working in the world today. I am proud as an American to see the overwhelming response that our people have made as individuals to the conditions of the starving people in Africa. As a Catholic, I am proud of the work that the Catholic Relief Services are doing not only in Africa, but around the world. But I am ashamed that the United States Government, over the past few years, has been instrumental in substantially reducing assistance to the poor people of the world through such institutions as the World Bank. It is simply morally unacceptable that at a time of such material well-being in the United States, our government has insisted upon reducing its budget deficit on the backs of the poor and defenseless.

The Catholic Bishops' draft Pastoral Letter has set forth a challenging set of moral imperatives and economic objectives. I believe that the American people and their government would do well to rise to the challenge.

The Bishops are undeniably right in calling us forward to a vision of America as a nation of compassion, where our primary commitment is to the common good, and not to seeing the world in terms of "Am I personally better off now than four years ago?"

The Bishops' letter is calling us to a second American Revolution that will be achieved gradually and only with great difficulty, but a far different Revolution than called for in the recent State of the Union address. The Bishops' revolution will require sharing, participating, and cooperating. It is a revolution which would elicit the best from human nature; and would reject the comfortable rationalization and complacent reassurance that competition—social Darwinism—somehow magically transmutes personal greed into social beneficence.

The Bishops are calling us to an opportunity to build a more just society. Past failures and frustrations must not lead us to abandon this goal. Can we not build a public consensus in this country that the common good takes precedence over private gain, that the poor should be fed, clothed and housed as much as the rich should be able to accumulate luxuries?

In sum, the Bishops' draft letter essentially says that this country can do better. At the very least, I think we need to listen . . . and try.

CONCLUSION

In 1960, a book entitled "The Other America" helped to awaken this country to the reality of poverty among us. If the Bishops' letter is taken seriously, then perhaps we won't need a similar book several years from now to shake us out of our lethargy once again.

Over the next few months, the Bishops draft letter will be discussed and debated within the Church. I have attempted, and will continue to attempt, to discuss and debate this issue in Congress. I hope that many of you here tonight will participate in this dialogue wherever possible. In June, the Bishops will release a second draft, and then in November, a third, and final draft, will be voted upon.

Let the debate on this Pastoral Letter become a means of shaking us out of our present lethargy, as others try to lull us into complacency by enveloping us in a cocoon of economic euphoria.

Let us use the time available to us over the next six months, to raise the issues in the Bishops' draft Pastoral Letter on the Economy to the same level of consciousness and discussion that we now experience on abortion and nuclear arms. As I have stated earlier, all three of these issues are interrelated and are part of the same cloth—all three must be woven into a seamless garment of respect and reverence for life. Abortion deals with issues affecting the creation of life, and nuclear arms raise issues concerning the possible end of life on earth. The letter I have spoken about tonight deals with the basic conditions of life as it is lived in this country and throughout the world for almost 5 billion people, day in and day out.

Let me close on a simple note. Niagara University's patron, St. Vincent, lived in 17th century France, the era of Louis XIII and Louis XIV, the "Sun King." Never in the history of the world had there been such material opulence, and rarely have there been such social disparities. To the outside world, seventeenth century France meant Versailles; but St. Vincent knew better, and worked tirelessly to provide a better life for the poor. The parallels to our time and our conditions are striking.

St. Vincent's life remains a beacon for us as we enter the 21st century. This Convocation on Peace and Justice is testimony that his followers at this University and elsewhere continue to hear the muted cries of the dispossessed, and plan to do something about it.●

THE POLITICS OF PARANOIA IN THE "CONTRA" DEBATE

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. BARNES. Mr. Speaker, Mr. Aryeh Neier, vice chairman of Americas Watch, a distinguished and respected human rights monitoring organization, wrote the following in the April 29 New York Times:

A few days before the votes in Congress on President Reagan's plan to aid the Nicaraguan rebels, I testified at a Congressional hearing on their human rights practices. It was an ugly occasion, perhaps the ugliest of the scores of such hearings I have witnessed. It seemed to me to say something about the political climate today and, more troublingly, about the nature of American public life.

Mr. Neier went on to refer to some of the viscious, ad hominem attacks that were made on some of the witnesses by some of the Members in attendance.

Mr. Speaker, I bring this brief article to the attention of the Members because it refers to a hearing of the Subcommittee on Western Hemisphere Affairs, which I have the honor to chair. I was personally embarrassed, as I know some other Members were as well, by the rudeness with which some of our colleagues treated witnesses who were appearing at the request of the subcommittee, simply because the views expressed by the witnesses contradicted the policy positions already held by the Members. Unable to attack the veracity of the testimony, these Members attacked the witnesses. They said things about our invited guests that would be ruled out of order if we said them about each other on the floor.

I am disturbed by the loss of civility in our Central America debate. I hope that my colleagues who engage in this behavior will examine their consciences.

The entire article follows:

THE POLITICS OF PARANOIA

(By Aryeh Neier)

A few days before the votes in Congress on President Reagan's plan to aid the Nicaraguan rebels, I testified at a Congressional hearing on their human rights practices. It was an ugly occasion, perhaps the ugliest of the scores of such hearings I have witnessed. It seemed to me to say something about the political climate today and more troublingly, about the nature of American public life.

Most members of Congress present seemed intent above all on discrediting the witnesses. At one low point, two Congressmen tried to impugn the testimony of a distinguished lawyer by linking his wife's stepbrother to the Sandinistas. What the witness had to say was disregarded.

The hearing struck me as emblematic of much of the debate on the rebels, or "contras." No doubt, the President's overheated rhetoric about the Sandinistas was a factor in poisoning the political atmosphere. Yet it does not seem fair to place all the blame on him. The debate also seems to reflect what the historian Richard Hofstadter described more than two decades ago as "the paranoid style in American politics."

As Mr. Hofstadter pointed out, the practitioners of the paranoid style perceive the enemy as "totally evil and totally unappeasable." In this vein, the Sandinistas have been portayed as trying to subvert neighboring countries, preparing to wage war against the United States, practicing genocide against their Indian minority and transforming their own country into a "totalitarian dungeon." They are also charged with being anti-Semitic and anti-Pope, driving hordes of "feet people" over the borders of the United States and even trafficking in drugs.

Not that all these things are entirely invented. "What distinguishes the paranoid style," according to Mr. Hofstadter, "is not the absence of verifiable facts (though it is true that in his extravagent passion for facts the paranoid occasionally manufactures them), but rather the curious leap in imagination that is always made at some critical point . . . from the undeniable to the unbelievable."

Mr. Hofstadter noted that a recurring aspect of the paranoid style is the significance that is attached to the renegade from the enemy cause. Certainly, Nicaraguan renegades have recently become celebrated figures in the United States, even though all we generally know about them is that, at some point, they exhibited bad judgment, either when they were allied with the Sandinistas or when they broke with them. Also, Mr. Hofstadter wrote, paranoid movements have "a magnetic attraction for demi-intellectuals" of a pedantic bent whose view of events "is far more coherent than the real world, since it leaves no room for mistakes, failures or ambiguities." Among the participants in the debate about the Sandinistas, there is more than one academic become a public figure who would seem to fit that description.

The paranoid, Mr. Hofstadter wrote, "constantly lives at a turning point: it is now or never in organizing resistance to conspiracy. Time is forever just running out." That sense of urgency is difficult to match, which may be why the paranoid style so often prevails in American politics.●

A MODEL FOR CORPORATE CITIZENSHIP

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. WOLPE. Mr. Speaker, the Upjohn Co. is to be commended for setting a model for corporate citizenship. Last Friday, May 3, 1985, the Kalamazoo-based company announced an act of incredible generosity and public spiritedness.

In celebration of its centennial in 1986, Upjohn is giving $2 million to the community to develop an advanced math and science center for area high school students and teachers. This innovative project is one of the first of its kind in the Nation.

To further illustrate this act of generosity, I would draw the attention of my colleagues to the following Kalamazoo Gazette editorial applauding the Upjohn Co.'s commitment to the future of the Kalamazoo area.

[From the Kalamazoo Gazette, May 5, 1985]

UPJOHN'S CENTENNIAL GIFT IS EXTRAORDINARY

The Upjohn Co.'s announcement Friday of a $2 million gift of a math and science education center is a fine way to kick off Upjohn's centennial celebration in 1986. It underscores the special bond between the international pharmaceutical and chemical giant and the community in which it was founded.

Expected to open in September 1986, in renovated quarters in the Community Education Center ("Old Central") Building, the center will provide accelerated math, science and computer science education for public and private school students from throughout the Kalamazoo Valley Intermediate School District.

There are few similar programs in the country, and even those have key differences. It's expected to be a national model as a partnership between private enterprise and education.

Upjohn officials saw the need for advanced mathematics and science courses in all area school systems and brought their concept of a special center to the Kalamazoo area school officials. School officials, aware of a shortage of highly qualified and trained math and science teachers and the inability of individual districts to fully meet curriculum needs, accepted the concept with enthusiasm.

Moreover, the center operation will be turned over to the schools in a new and welcome blend of cooperation between the various school districts and the teachers unions, under the Kalamazoo Public Schools' administrative umbrella. The gift will provide top-notch facilities and also an endowment to ensure continued operation.

Top students and teachers will be brought together in an advanced technical and research environment equipped to provide instruction well beyond that which any single area high school can offer. The center also will provide area teachers with year-round technical assistance and in-service training, so the benefits will spread even further.

It's an exciting and innovative plan and reflects the positive relationship Upjohn has maintained with its home community over the past century. The $2 million gift represents a significant contribution even for an international concern with annual sales of $2.1 billion and net earnings of $173 million. But the good relationship is not all a one-way street. The area has been hospitable to the company through cooperation in the provision of services and in property tax breaks. The city of Kalamazoo presently is moving into position to grant the company a new property tax break on its proposed downtown research facility that could save Upjohn up to $1 million a year for up to 12 years.

Still, it would be easy for the Fortune 500 firm, which does business in 150 countries worldwide and owns facilities across the U.S. and internationally, to pay less attention to its own backyard. As Kalamazoo County's largest employer, providing jobs for about 7,800 county residents, Upjohn's impact is hard to measure in full. Property taxes paid by the firm to local cities, townships and school districts amounted to $11.5 million in 1984, for example. Upjohn officials figure the company's "total economic impact," on the county in 1984, including wages, goods and services procured locally, was some $441 million.

Over the years, the company has responded to special community problems and needs. There is hardly a facility or good cause that has not benefited from Upjohn support. Last year alone, Upjohn contributed $1.3 million to local non-profit human service, cultural and civic organizations.

The math and science center is an especially bold and creative venture and we applaud the Upjohn Co. for marking its 100 years as a responsible citizen with the extraordinary gift.●

THE COMMITTEE OF 21—NEW SUPPORT FOR SOVIET PRISONERS OF CONSCIENCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LANTOS. Mr. Speaker, today under the sponsorship of the Congressional Human Rights Caucus, 21 congressional wives formally launched a new human rights monitoring group focusing on political prisoners in the Soviet Union. The group—"The Committee of 21"—pairs 21 Soviet prisoners of conscience with the same number of congressional wives.

The 21 Soviet Prisoners of Conscience are leaders of the Soviet Refuseniks, Soviet citizens who have been denied the right to emigrate from the Soviet Union. The 21 leaders have been imprisoned by Soviet authorities on charges ranging from "hooliganism" to "anti-Soviet agitation," but the arrests and imprisonment of these individuals is primarily because of their leadership of the Refusenik movement and it is a clear violation of the Helsinki Final Act.

During a trip to the Soviet Union earlier this year, my wife, Annette, was asked by the Refuseniks in Moscow to form a group of congressional wives to monitor the cases of the political prisoners. They were afraid that, with a change in leadership and the possibility that the Soviet Government could again grant a larger number of exit permits, the political prisoners—the Shcharanskys, the Beguns, the Bernsteins—would be forgotten while others were allowed to emigrate. This would be a tragic circumstance, for those political prisoners have suffered the most for the goals of all Refuseniks.

Today at a press conference formally announcing the formation of the Committee of 21, an open letter "to all women of the West" from wives, mothers, fiancees, daughters, and sisters of refuseniks was made public. They told how they "are deprived of the right for happiness, normal life, tranquility and confidence in our children's and our own future." They described how "during the last months of pregnancy, searches are held of our apartments. At these searches the authorities confiscate belongings. * * * It isn't accidental that nearly every woman-refusenik who dares to give birth to a child in such conditions usually suffers from the menace of miscarriage."

Avital Shcharansky—the wife of Anatoly Shcharansky, who is one of the Prisoners of Conscience adopted by the committee—participated in the press conference. She has been separated from her husband now for years, but her commitment and conviction are an inspiration to those who work to see Refuseniks allowed to emigrate.

The Committee of 21 will coordinate efforts with other human rights groups to insure that the West does not forget the courageous men and women who languish in Soviet prisons. Every member of the committee has made the commitment to write to her adopted prisoner of conscience every 6 weeks, as well as writing to Soviet officials. They will also send packages, arrange visits, and carry out other supportive actions of these prisoners of conscience.

The purpose of this committee is not anti-Soviet or intended to be critical of the Soviet Government. In fact, its formation was announced today because of two important events that are taking place at this time.

First, today makes the opening of the Ottawa Conference of government experts on human rights as part of the Helsinki process. It is important that the Soviets observe the human rights provisions of the Helsinki Final Act, which they have already pledged to observe. Any future cooperation with the Soviet Union will be conditioned by Soviet observance of international obligations to which the Soviets have already agreed. If we are to expand cooperation with the Soviet Union, there must be an atmosphere of trust based

upon the presumption that the Soviet Government will observe those agreements.

Second, tomorrow is the 40th anniversary of V-E Day—the anniversary of the Allied victory over Nazi Germany. The key to that victory was the American-Soviet alliance. Together our two countries achieved a most important victory over one of the greatest evils faced by mankind. The purpose today in forming the Committee of 21 with congressional spouses is an effort to help resuscitate the spirit of cooperation which once existed between our two countries.

Mr. Speaker, the 21 congressional spouses with the Refuseniks they have adopted are the following:

1. Delores Beilenson, the wife of Congressman Anthony Beilenson of California—Valery Senderov, a 40-year-old mathematician and resident of Moscow, arrested in June 1982, charged with anti-Soviet agitation and propaganda, and sentenced to 7 years labor camp, 5 years internal exile.

2. Caroline Bonker, the wife of Congressman Don Bonker of Washington—Boris Kanevsky, a 40-year-old mathematician from Moscow, arrested in June 1982, charged with circulation of fabrications known to be false which defame the Soviet state and social system, and sentenced to 5 years internal exile.

3. Sally Dornan, the wife of Congressman Bob Dornan of California—Yuri Federov, a 41-year-old student from Moscow, was arrested in June 1970, charged with treason, anti-Soviet agitation and propaganda, and stealing state property, and sentenced to 15 years in prison.

4. Valerie Frost, the wife of Congressman Martin Frost of Texas—Simon Shnirman, a 27-year-old chemical technician from Kerch, was arrested in January 1983, charged with draft evasion, and sentenced to 3 years in labor camp.

5. Jane Gephardt, the wife of Congressman Richard Gephardt of Missouri—Nadezhda Fradkova, a 37-year-old computer analyst from Leningrad, was arrested in August 1984, chared with "Parasitism", and sentenced to 2 years imprisonment.

6. Rita Gilman, the wife of Congressman Ben Gilman of New York—Feliks Kochubievsky, a 55-year-old electrical engineer from Novosibirsk, was arrested in September 1982, charged with circulation of fabrications known to be false which defame the Soviet state and social system, and sentenced to 2½ years in labor camp.

7. Theresa Heinz, the wife of Senator John Heinz of Pennsylvania—Iosef Bernstein, a 48-year-old engineer from Kiev, was arrested in November 1984, charged with resisting arrest, and sentenced to 4 years imprisonment.

8. Joanne Kemp, the wife of Congressman Jack Kemp of New York—Alexander Cherniak, a 36-year-old construction engineer from Kiev, was tried in March 1984, found guilty of forgery and embezzlement, and sentenced to 4 years imprisonment.

9. Annette Lantos, my own wife—Lev Shefer, a 54-year-old engineer from Sverdlovsk, was arrested in September 1981, charged with anti-Soviet agitation and propaganda, and sentenced to 5 years imprisonment.

10. Kate Lowery, the wife of Congressman Bill Lowery of California—Anatoly Shcharansky, a 37-year-old computer technologist from Moscow, was arrested in March 1977; charged with treason, anti-Soviet agitation and propaganda; and sentenced to 3 years imprisonment and 10 years in a special regime camp.

11. Kathryn Porter, the wife of Congressman John Porter of Illinois—Zachar Zunshine, a 34-year-old physicist from Riga was arrested in March 1984, charged with circulation of fabrications known to be false which defame the Soviet state, and sentenced to 3 years imprisonment.

12. Landra Reid, the wife of Congressman Harry Reid of Nevada—Aleksandr Yakir, a 29-year-old electrical engineer from Moscow, was arrested in June 1984, charged with draft evasion, and sentenced to 2 years in a labor camp.

13. Nancy Siljander, the wife of Congressman Mark Siljander of Michigan—Stanislav Zubko, a 48-year-old chemist from Kiev, was arrested in May 1981, charged with illegal keeping of arms and illegal possession of drugs, and sentenced to 4 years labor camp.

14. Sheila Smith, the wife of Congressman Larry Smith of Florida—Yuri Tarnopolsky, a 49-year-old chemist from Kharkov, was arrested in March 1983, charged with circulation of fabrication known to be false which defame the Soviet state, and sentenced to 3 years labor camp.

15. Carol Vander Jagt, the wife of Congressman Guy Vander Jagt of Michigan—Yuli Edelshtein, a 26-year-old English teacher from Moscow, was arrested in September 1984, charged with drug possession, and sentenced to 3 years labor camp.

16. Janet Waxman, the wife of Congressman Henry Waxman of California—Mark Ocheretyansky, a 45-year-old construction engineer from Kiev, was arrested in 1983, charged with violation of passport regulations, and sentenced to 1-year labor camp.

17. Carol Williams, the wife of Congressman Pat Williams of Montana—Alexander Kholmiansky, a 35-year-old computer scientist from Moscow, was arrested in July 1984; charged with hooliganism, mailbox tampering, possession of gun ammunition; and sentenced 18 months in labor camp.

18. Wren Wirth, the wife of Congressman Tim Wirth of Colorado—Iosef Begun, a 52-year-old mathematician and Hebrew teacher from Strunino, was arrested for an unprecedented third time in November 1982, charged with anti-Soviet agitation and propaganda, and sentenced to 7 years labor camp and 5 years internal exile.

19. Laurie Wyden, the wife of Congressman Ron Wyden of Oregon—Mark Nepomniashchy, a 54-year-old electrical engineer from Odessa, was arrested in October 1984, charged with circulation of false materials which defame the Soviet state, and sentenced to 3 years labor camp.

20. Millie Yatron, the wife of Congressman Gus Yatron of Pennsylvania—Yakov Levin, a 26-year-old watch technician from Odessa, was arrested in August 1984, charged with circulation of false materials which defame the Soviet state, and sentenced to 3 years labor camp.

21. CeCe Zorinsky, the wife of Senator Edward Zorinsky of Nebraska—Moshe Abramov, a 29-year-old ritual slaughterer from Samarkand, was arrested in December 1983, charged with hooliganism, and sentenced to 3 years imprisonment, which was subsequently modified to "working for the national economy."

Mr. Speaker, this fine committee of congressional spouses will make an important contribution in keeping alive the spirit of the Refuseniks, who have suffered so much. I am pleased to bring this fine organization to the attention of the Congress.●

HELP MOROCCO, A FRIEND IN NEED

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. CRANE. Mr. Speaker, the Kingdom of Morocco was one of the first countries in the world to extend diplomatic recognition to the newly independent United States of America in the 1780's. That friendship has deepened over the last two centuries, and today our relationship with Morocco is one of the closest and most important that we enjoy with any country.

Morocco is also a friend in need. Last week's edition of the New Republic has an article that describes the difficulties posed to Morocco by the so-called Polisario Front, yet another so-called liberation movement that in fact has no legitimate claim to the support of anyone in the territory that is ostensibly to be liberated.

The article discusses the specious, even bizarre, nature of the Polisario Front and goes on to present a strong case for maintaining an adequate foreign assistance program for our friend, Morocco. Since Congress seems determined to have a hand in managing our country's relations with Morocco, the New Republic suggests some ideas about how we could best go about it.

I commend this article to the attention of my colleagues at this point in the RECORD:

[From the New Republic, May 6, 1985]

FRIEND IN NEED

Of all the opera *bouffe* movements for "national liberation" perhaps the most preposterous is the Popular Front for the Liberation of Saquiyya al-Hamra and Rio do Oro. Usually referred to as Polisario, it lays claim to the territory of Morocco that was once the Spanish Sahara. The population of the region, a vast and desolate stretch of desert that contains substantial phosphate deposits, does not exceed 100,000. These souls do not constitute a nation or even a body politic in any meaningful sense of the term. Their struggle is against the elements, a primordial struggle altogether alien to the ideological wars mounted by Algeria (and, in the past, also by Libya) in the name of the indigenous inhabitants.

This, of course, is the key to the conflict: Polisario is a front, but not a front for the Western Saharans, who have neither the time nor the inclination for such politics. It is a front for Algeria, whose ambitions in the area are inversely proportional to the legitimacy of its interests. Not that there aren't any locals enlisted in Polisario; there are the usual sort of restless brigands who, in a time of transition, are drawn to revolutionary dogma and to revolutionary violence. Polisario is heavily armed by the Algerians, who themselves have a long history of animus to the moderate Moroccan mon-

archy. It has taken to shooting up the Spanish fishing fleet off the Saharan coasts and harassing Morocco's soldiers in the desert. It also assassinates, practices sabotage, and tortures. One thing Polisario won't countenance, however, is a referendum. Why not? For the usual reason such "freedom movements" don't want the people to vote: they'd lose. instead of elections, they've announced a government in exile, which the Organization of African Unity has admitted to its roster as a member state.

In the very difficult political circumstances of the Islamic world, Morocco has been a faithful friend of the United States. It is host, for example, to the largest Voice of America facility in the world. Of course, some of the country's political maneuverings elude understanding. After having prepared the way for the Camp David agreements, King Hassan denounced them. More recently, he has teamed up, at least nominally, with Colonel Ammar al-Qadhafi, the scourge of North Africa. Still, we have a substantial interest in the stability of this pro-Western and moderate Moslem regime only eight miles from Spain. We have acknowledged that interest for some time through economic assistance and military aid, last year to the tune of $90.7 million and $44.6 million, respectively. This year the administration has asked for $88.8 million and $51.9 million. Some of the money is designed to help Morocco defend itself against Polisario, and that's as it should be.

But there are always a few dreamy congressmen who want us to behave as if the world were a harmonious place. Representative Howard Wolpe of Michigan, chairman of the Subcommittee on Africa of the House Foreign Relations Committee, has introduced an amendment to the foreign aid legislation that would prevent U.S. military personnel from training Moroccan soldiers so long as a "conflict between Morocco and the Polisario Front continues in the Western Sahara." Of course, if there were no conflict, Morocco might not need our help. Behind Wolpe's silly language lurks the silly notion that every conflict can be solved through conciliation. But this is precisely the kind of statement that encourages Polisario and its Algerian patrons not to conciliate. Representative Stephen Solarz of New York has introduced an alternative amendment that makes American training in the Western Sahara dependent on "an internationally recognized settlement" of the conflict. It is a distinction without a difference.

Representatives Tom Lantos of California and Gerald Solomon of New York see the situation in North Africa more realistically. They have offered a bipartisan amendment that acknowledges the reasons for our aid: "to support Morocco's legitimate defense needs and to discourage aggression by any country in North Africa against another." One charge no one has made is that Morocco is aggressing against anyone. This is the amendment that should pass.●

WORDS, WORDS, WORDS

HON. GEO. W. CROCKETT, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. CROCKETT. Mr. Speaker, I wish to submit for the RECORD an article by Anthony Lewis that appeared in the Sunday, May 5, 1985, New York Times.

In his editorial, Mr. Lewis suggests that the Reagan administration tends to rely on inflated rhetoric to help justify foreign policy decisions when it finds that no rational explanations are readily available. The danger of this tendency towards exaggeration is that questions of national interest can hinge more upon Mr. Reagan's choice of words than on consistent principles of foreign policy.

Mr. Lewis points in particular to the administration's recent decision to impose an economic embargo on Nicaragua, a country of 3 million desperately poor people whom the President has described as an "extraordinary" and "unusual" threat to the national security of our Nation. According to Mr. Reagan, the Nicaraguan Government's imposition of "totalitarian internal rule" and carrying out of "aggressive activities in its region" make an embargo necessary to protect our interests.

If we accept these facts, and if we agree that opposition to such activities is one of our foreign policy priorities, how then, as Mr. Lewis asks, can the Reagan administration reconcile its policy of "constructive engagement" with the racist regime in South Africa, which carries out equally "totalitarian" and "aggressive" policies against its own nonwhite population and its neighbors? The Government of South Africa today denies basic civil and political rights to over three-quarters of the population, represses all political opposition, invades, and destabilizes the neighboring states in southern Africa, and defies world opinion by continuing its illegal occupation of Namibia.

Mr. Speaker, I urge my colleagues to read this very important article, and to recognize the grave inconsistencies that lie at the very heart of this administration's foreign policy.

[From the New York Times, May 5, 1985]

WORDS, WORDS, WORDS

(By Anthony Lewis)

There was a time when we expected the President of the United States to use the English language with a certain respect for its meaning and dignity. No more. The degradation of political rhetoric has gone so far that we are numbed. We react not at all when the President uses words as mere instruments of ideology, mocking truth.

How far the process has gone was evident in the Executive Order issued by President Reagan last week to impose an embargo on Nicaragua. "I find," he said, "that the policies and actions of the Government of Nicaragua constitute an unusual and extraordinary threat to the national security and foreign policy of the United States."

AN EMBARGO BASED ON HYPERBOLE

Stop and think for a moment about those words. Nicaragua is a country of three million people, desperately poor and backward, shattered by a terrible earthquake, riven by a civil war. Can anyone conceivably believe that it presents a "threat" to the United States? An "extraordinary threat"?

What words remain, after such preposterous hyperbole, to describe a situation that would really threaten our national security? That is the trouble with cheapening the coin of language: When everything is urgent, nothing is.

The reaction of our allies to the embargo of Nicaragua is further evidence of what Presidential words have become. If the leading country of the alliance were facing an extraordinary or even a moderately serious threat to its national security, the allies would naturally care. But at the summit conference in Bonn they made clear they did not agree with the embargo—and Secretary of State reported that reaction as if it didn't matter.

Then there are the grounds stated by President Reagan for imposing the embargo. If taken seriously, they would establish an important new principle of American foreign policy: that the United States is prepared to cut off all trade and transportation links with a country that carries out "aggressive activities" in its region, "subverts its neighbors," and imposes "totalitarian internal rule."

Consider, then, the case of Country X. It has illegally occupied a neighboring land for nearly 15 years now, resisting pleas by the United States and most other governments to get out. It has enforced the occupation by Draconian measures, arresting local opponents in large numbers, holding them for years without trial, torturing them.

Country X has also sent its army into another nearby country in recent years. It has supported a terrorist war against still another country. Last year it agreed to stop that war; but the terrorism still has continued.

Internally, over the last 10 years X has stripped eight million of its people of their citizenship. It forbids 73 percent of its people to vote, regardless of their educational or other qualifications, solely because of their race. For 25 years it has imprisoned, tortured, killed and exiled the leaders of the opposition to its totalitarian system.

If President Reagan were serious about the grounds for his embargo on Nicaragua, he would cut off all trade and air links with South Africa. For of course South Africa is Country X. It occupies Namibia. Its army spent years in Angola, raided Lesotho and supported terrorism in Mozambique. Internally, it uses its army and police to enforce a system of state racism that deprives most South Africans of elementary rights.

The Nicaraguan election last fall had its faults. But if anything like it happened in South Africa, it would be regarded as a miracle of freedom—and would surely be so hailed by George Shultz. Imagine a South Africa in which people were allowed to vote regardless of race.

Nobody claims that Nicaragua's Army has invaded another country. The South African Army occupies Namibia and has been in three neighboring countries. By destabilizing activities or political means, South Africa presses the whole region to conform to its views.

South African activities that affront U.S. notions of humanity or respect for frontiers get only plaintive little taps on the wrist from the Reagan Administration. When South Africa arrested leaders of the opposition United Democratic Front this winter on treason charges, the State Department actually issued a statement calling on both the regime and its opponents "to look beyond shortsighted actions and tactical postures."

When the police killed 19 blacks at Uitenhage, President Reagan blamed the victims.

The President's words about Nicaragua, then, express no general foreign policy principle. They represent only an obsessive fear of the Sandinistas. American action designed to limit Nicaraguan connections with the Soviet Union would be understandable. But obsessions do not produce rational results. And words divorced from reason do not increase credibility.●

H.R. 2410, THE HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE AMENDMENTS OF 1985

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. WAXMAN. Mr. Speaker, on behalf of myself and my distinguished colleague from Illinois [Mr. MADIGAN], I am pleased to introduce H.R. 2410, the Health Professions Educational Assistance Amendments of 1985. This bill reflects the provisions of H.R. 2251, which was amended and reported favorably by the Subcommittee on Health and the Environment on May 2, 1985. It would reauthorize and revise the health professions educational programs in title VII of the Public Health Service Act.

This legislation should never have been necessary. Last year the work of this subcommittee led to a bill that passed the Congress by an overwhelming, bipartisan vote. But President Reagan pocket-vetoed that legislation, giving the Congress no opportunity to overrride. H.R. — is essentially identical to the provisions in that vetoed bill.

The President's pocket-veto created chaos among students who do not know if they will have funds to continue, or begin, their professional training. This action has also prevented from taking effect numerous provisions needed to reduce student loan default rates and strengthen collection procedures.

This year the President has again proposed to eliminate the educational assistance programs in title VII.

The administration's rationale for these dramatic proposals is that there is "a steadily increasing supply of health professionals and greatly improved distribution of health care practitioners among medically underserved areas of the country."

That argument draws on the current perception that there is or will soon be a surplus of physicians. The administration, however, ignores the actual purpose of these programs:

Scholarships and subsidized loans are targeted to financially disadvantaged students.

Program support is directed to meet persistent national shortages in primary care, public health and other disciplines, not specialized doctors.

Even with an increase in the total number of physicians, these national needs would go unmet.

Clear national shortages exist in each of these areas. Termination or reduction of Federal support will have numerous disastrous consequences:

Health professional opportunities will be restricted only to the children of wealthy families. Past gains in minority enrollments in the health professions, which already are being reversed, will be lost.

Efforts to meet national needs in primary care, public health and other disciplines will be seriously damaged; faced with rising debts, medical students will prefer more lucrative subspecialties.

Programs in title VII of the Public Health Service Act include:

First. HEAL insurance for market-rate student loans;

Second. HPSL low-interest student loans;

Third. Scholarships for students of exceptional financial need;

Fourth. Capitation assistance to schools of public health;

Fifth. Support for departments of family medicine;

Sixth. The area health education centers;

Seventh. Support for programs to train physician assistants;

Eighth. Programs and traineeships in general internal medicine, general pediatrics, family medicine, and general dentistry;

Ninth. Assistance for students from disadvantaged backgrounds;

Tenth. Project grant authorities for health professions schools;

Eleventh. Support for schools with advanced financial distress; and

Twelfth. Support for programs and traineeships in health administration, public health and preventive medicine.

This bill would also:

For the first time, set aside 50 percent of new Federal HPSL loan funds for students from disadvantaged backgrounds;

Provide for the improvement of health professional training in geriatrics; and

Substantially strengthen the loan insurance fund and improve collections under the HEAL Program.

We cannot sacrifice such basic needs. These small programs provide critical training necessary for appropriate care of the American people. These programs have enjoyed strong bipartisan support in the past, and I hope that will continue.●

ERA WINS AWARD AS 1985 SBA PRIME CONTRACTOR OF THE YEAR

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. WOLF. Mr. Speaker, today it is with great pride that I commend Engineering Research Associates [ERA], a northern Virginia firm, for winning the award as the Small Business Administration's 1985 Prime Contractor of the Year.

ERA was founded in 1977 as a high technology organization specializing in computer-based electronic systems. The principal applications of these techniques include: tactical reconnaissance, electronic warfare, and computer-based training systems. During the past year and a half, the company has won two multimillion dollar procurements in competition against some of the country's corporate giants. These procurements are the Air Force's Sentinel Bright Voice Processing Training System and the Navy's Thetis B Program.

ERA is entirely owned by its employees. Since 1978 the firm has experienced a compound growth of approximately 30 percent per year. In 1984, the company's revenues exceeded $12 million; the company has shown a profit every year since its inception.

ERA's success is a tribute to a free enterprise system which makes it possible for innovation and entrepreneurship to take its place alongside established corporate America in fostering this country's economic growth and national security. Since the award the company has received is such a prestigious one, I am honored to enter into the CONGRESSIONAL RECORD the following names of all ERA employees during the year leading to this award, and offer my personal congratulations to each of them.

EMPLOYEE LIST

Joseph Abell, Edward Alex, Federico Alimusa, William Amon, Jeffery Anderson, Linda Armistead, Paul Arnone, H. Wesley Barnes, Thomas Barkiewicz, Randal Bates, Benjamin Battle, Susan Baumert, Roy Bergeron, Frances Bialek, Deborah Blake, Martin Bondy, Alan Booth, Tahnya Bowser, Lance Boyd, David Brand, William Briotta, Donna Brosmer, Claire Brown, Richard Brown, Elizabeth Butler, Della Calderwood, Marco Caluori, Alice Jo Campbell.

Frank Cangelosi, Dominick Carducci, Xan Clark, Lawrence Clough, Sean Clubb, Jean Collins, Terry Collins, Phyllis Cook-Taylor, Thomas Cooney, Kathleen Cossack, Martin Cury, Vernon Daggett, Timothy Daniel, Kenneth Davidson, Gregory deMilt, John Dickinson, John Dooney, Holly Dorsey, Brian Dutton, Gail Ellingwood, Roena Fenty, Glenn Finney, Thomas Fortier, Terinda Francis, Sarah Freeman, John Gault, Dale Guerkink.

Kenneth Glasser, Christopher Godwin, Lawrence Golding, Sydney Goldlust, Ansel Gould, Cecil Graves, Evelyn Green, David Gurganus, Patricia Hailey, Jay Hallowell, Karen Hanish, Geoffrey Hanson, Kenneth Harden, Edward Henn, James Hitchcock, Denise Hoffman, John Horan, Darlene Howard, Leland Hughes, Julie Jauregui, Donna Jett, Michael Kelly, Robert Kemp, Robert Kettig, Preston Knapp, Martin Koefoed, Monique Kohly, James Krien.

Joseph Krusick, John Kuehn, Kimberly Kunselman, Marilyn Lafferty, Rosemary Lafrance, Cynthia Landon, Sharon Lane, John Lannon, Nina Lansky, Catherine Lapointe, S. Kim Leary, Deborah Lipsey, Peggy Lowe, Linda Mankowski, Leslie Markowitz, Annie Martin, Paul Marvel, Daniel Mattioli, Charles McGee, Alonzo McGuffin, Robert McNally, Carlo Melnick, Susan Mericle, Gregory Michaels, Mary Miller, Laird Moffett, Stephen Moore.

Juan Navarro, David Niccum, David Noble, Thomas Northwood, Judith Novinsky, Elizabeth Oliver, Kristen Page, Joseph Palermino, Bradford Pechacek, Marilyn Peworchik, John Preston, James Putnam, Richard Raines, Bruce Reed, Angela Rickett, Joanna Rinaldi, Deborah Rogers-Stoutenburg, William Roop, Louis Rose, Mary Ellen Rutt, Norman St. Louis, Richard Sandler, John Sciuto, Victor Sellier, Julie Setash, William Seward, Rosene Shenk, Margaret Shifflett.

Kathleen Simonini, Leonard Sparks, Catherine Spear, Walter Stein, Mark Stover, David Streit, Richard Sutermeister, Myron Szot, Lance Taggart, Scott Takane, Robert Tamaru, Christina Tancredi, Jimmy Terry, Ron Thomas, Judith Tirpak, Joseph Truelove, Daniel Umphrey, Eileen Voigt, Corbin Ward, Helen Warf, Perry Watts, Vanessa Weaver, Stephen Webb, Paul Weinschel, Lois Wenzell, James Yeargain.●

STOCKMAN SEEMS SIDETRACKED IN HIS CASE AGAINST AMTRAK

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. MARKEY. Mr. Speaker, a sound rail passenger system is indispensible to this Nation's economic infrastruture. As a modern industrial nation, we should be strengthening Amtrak, rather than entertaining proposals which would spell the end of this essential service.

At attempt to reduce the Federal budget by slashing Amtrak's appropriations would rank among the most short-sighted and illusory cuts made by this Congress.

By decimating the Amtrak portion of the Federal budget, we would be cutting bone and muscle, rather than fat.

Tom Wicker has written an incisive article laying out some of the facts and figures behind the Amtrak budget issue.

I commend this article to the attention of my colleagues, and ask that it be printed in the RECORD:

STOCKMAN SEEMS SIDETRACKED IN HIS CASE AGAINST AMTRAK

(By Tom Wicker)

NEW YORK.—David Stockman, boy genius of the Reagan administration, threw a tantrum the other day before a Senate subcommittee. If senators did not have "the courage, the foresight, the comprehension" to "pull the plug" on what he called an "irredeemable" Amtrak rail passenger system, he saw little hope for deficit reduction or for avoiding a "whopping tax increase."

There, there, little man. It won't be as bad as all that, if Amtrak survives. Take Elizabeth Dole's word for it.

As secretary of transportation, she affirmed last September that she shared the view of Federal Railroad Administrator John H. Riley that Amtrak had made "great strides" toward "modern, cost-efficient intercity rail passenger service"—running in 1985 "more route miles than it did in 1981 at approximately 28 percent lower funding."

Mrs. Dole, far from sharing young David's hysteria about what he cutely called a "mobile money-burning machine," had asked for a $765-million Amtrak subsidy for fiscal 1986.

Stockman and President Reagan squawk frequently about a $35-per-head subsidy that each Amtrak passenger supposedly receives. This prestidigitation requires adding the Amtrak subsidy to the amount that Amtrak business travelers can deduct from their income taxes, and dividing by 20 million passengers; presto! $35 a head.

Young David is so distraught that he apprently forgets some of the other numbers—surely so brilliant a budget director knows them—he might be expected to crunch. For example:

Sixty-five percent of airline revenues are for business travel; so for each airlines passenger, business travel deductions alone provide a subsidy of $33. In 1984, moreover, air-traffic control cost the federal government $2.1 billion, or $9 for each of 221 million air passengers; so by young David's irrelevant arithmetic, the federal subsidy per air passenger was $42.

From its ticket revenues—which pay 60 percent of its costs—and subsidy, Amtrak is required to spend $116 million annually to maintain the Northeast Corridor right-of-way, over which also move the freight trains of Conrail (which earned $500 million in 1984) and every rail commuter service from Boston to Washington.

If, as young David urges, Congress pulls the plug on Amtrak—a House subcommittee has voted to continue the rail system in operation—the government will have to pay $2.1 billion in labor-termination costs over the next six years, an obligation inherited from the private railroads; $3 billion in modern locomotives, equipment, specialized shops and Northeast Corridor plant will be scrapped, with little market for salvage; and about 150,000 jobs in affected business sectors will be jeopardized (25,000 railroad employees will be thrown out of jobs).

But the young genius told the senators that few programs ranked lower than Amtrak "in terms of the good they do, the purpose they serve and the national need." Boyish overstatement again—Amtrak carried 20 million passengers last year, while receiving a smaller federal subsidy (in current dollars) than in 1978; and in the Northeast Corridor 160,000 commuters on various services rode over Amtrak-maintained right-of-way *every day.*

The Empire State Passengers' Association points out that at least 1,200 people board a train daily in Albany, N.Y., alone; and asks, pertinently, who—if Amtrak goes—will pay to operate Penn Station for the great tide of commuters from Long Island and New Jersey into and out of New York City? Killing Amtrak also would nullify the two bond issues New Yorkers have voted for high-speed rail service, with $100 million already invested.

Aside from New York and the Northeast (never high concerns for Reaganites), Amtrak serves 25 American communities (and surrounding regions) that have no air or bus service, 52 more that have no bus service and 94 that have no air service. Almost a million passengers got on or off trains at places without bus service in fiscal 1984.

So young David shouldn't get so wrought up about Amtrak; and returning White House colleagues might calm him with news that the West German government, planning infrastructure investments for the next decade, has decided to put 34 billion marks into its railroads and only 28 billion into its highway network. Now that's a grown-up decision.●

HOUSE CON. RESOLUTION 135

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. DORNAN of California. Mr. Speaker, I voted for House Concurrent Resolution 135, which expressed the sense of the Congress that the President should not visit a cemetery where Nazi Waffen SS were buried. I also was one of dozens of Congressmen who signed a letter to the President making the same point, and encouraging him to visit the site of Nazi concentration camp. In addition to these efforts, I personally called the White House to speak with the President's advisers to counsel against the published itinerary and also signed a letter to Chancellor Helmut Kohl requesting that he release President Reagan from his promise to visit Bitburg Cemetery. I also expressed the hope that if the President decided to go ahead with his scheduled visit he would, using his gift of communication, be able to put the visit in a clear and positive perspective.

I believe that the President was able to accomplish just that and Mr. Speaker I'd like to submit a copy of President Reagan's moving Bitburg speech into the RECORD. The speech was a classic:

I have just come from the cemetery where German war dead lay at rest. No one could visit here without deep and conflicting emotions. I felt great sadness that history could be filled with such waste, destruction, and evil. But my heart was also lifted by the knowledge that from the ashes has come hope, and that from the terrors of the past we have built 40 years of peace and freedom—and reconciliation among our nations.

This visit has stirred many emotions in the American and German people, too. I have received many letters since first decid-

ing to come to Bitburg Cemetery, some supportive, others deeply concerned and questioning, others opposed. Some old wounds have been reopened, and this I regret very much, because this should be a time of healing. To the veterans and families of American servicemen who still carry the scars and feel the painful losses of that war, our gesture of reconciliation with the German people today in no way minimizes our love and honor for those who fought and died for our country. They gave their lives to rescue freedom in its darkest hour. The alliance of democratic nations that guards the freedom of millions in Europe and America today stands as living testimony that their noble sacrifice was not in vain.

No, their sacrifice was not in vain. I have to tell you that nothing will ever fill me with greater hope than the sight of two former war heroes who met today at the Bitburg ceremony, each among the bravest of the brave, each an enemy of the other 40 years ago, each a witness to the horrors of war. But today they came together, American and German, Gen. Matthew B. Ridgway and Gen. Johanner Steinhoff, reconciled and united for freedom, they reached over the graves to one another like brothers and grasped their hands in peace.

To the survivors of the Holocaust: Your terrible suffering has made you ever vigilant against evil. Many of you are worried that reconciliation means forgetting. I promise you, we will never forget. I have just come this morning from Bergen-Belsen, where the horror of that terrible crime, the Holocaust, was forever burned upon my memory. No, we will never forget, and we say with the victims of that Holocaust: "Never again."

The war against one man's totalitarian dictatorship was not like other wars. The evil world of Nazism turned all values upside down. Nevertheless, we can mourn the German war dead today as human beings, crushed by a vicious ideology.

There are over 2,000 buried in Bitburg Cemetery. Among them are 48 members of the SS. The crimes of the SS must rank among the most heinous in human history. But others buried there were simply soldiers in the German army. How many were fanatical followers of a dictator and willfully carried out his cruel orders? And how many were conscripts, forced into service during the death throes of the Nazi war machine? We do not know. Many, however, we know from the dates on their tombstones, were only teenagers at the time. There is one boy buried there who died a week before his 16th birthday.

There were thousands of such soldiers to whom Nazism meant no more than a brutal end to a short life. We do not believe in collective guilt. Only God can look into the human heart. All these men have met their Supreme Judge, and they have been judged by Him, as we shall all be judged.

Our duty today is to mourn the human wreckage of totalitarianism, and today, in Bitburg Cemetery, we commemorated the potential good and humanity that was consumed back then, 40 years ago. Perhaps if that 15-year-old soldier had lived, he would have joined his fellow countrymen in building this new democratic Federal Republic of Germany devoted to human dignity and the defense of freedom that we celebrate today. Or perhaps his children or his grandchildren might be among you here today at the Bitburg Air Base, where new generations of Germans and Americans join together in friendship and common cause, dedicating their lives to preserving peace and guarding the security of the free world.

Too often in the past, each war only planted the seeds of the next. We celebrate today the reconciliation between our two nations that has liberated us from that cycle of destruction. Look at what together we have accomplished. We who were enemies are now friends. We who were bitter adversaries are now the strongest of allies. In the place of fear we have sown trust, and out of the ruins of war has blossomed an enduring peace. Tens of thousands of Americans have served in this town over the years. As the mayor of Bitburg has said, in that time there have been some 6,000 marriages between Germans and Americans, and many thousands of children have come from these unions. This is the real symbol of our future together, a future to be filled with hope, friendship, and freedom.

The hope we see now could sometimes even be glimpsed in the darkest days of the war. I'm thinking of one special story—that of a mother and her young son living alone in a modest cottage in the middle of the woods. One night as the Battle of the Bulge exploded not far away, three young American soldiers arrived at their door—standing in the snow, lost behind enemy lines. All were frostbitten; one was badly wounded. Even though sheltering the enemy was punishable by death, she took them in and made them a supper with some of her last food.

And then, they heard another knock at the door. This time four German soldiers stood there. The woman was afraid, but she quickly said with a firm voice, "There will be no shooting here." She made all the soldiers lay down their weapons, and they all joined in the makeshift meal. Heinz and Willi, it turned out, were only 16. The corporal was the oldest at 23. Their natural suspicion dissolved in the warmth and comfort of the cottage. One of the Germans, a former medical student, tended the wounded American.

Now, listen to the rest of the story through the eyes of one who was there, now a grown man, but that young lad that had been her son. He said, "Then mother said grace. I noticed that there were tears in her eyes as she said the old, familiar words, 'Komm, Herr Jesus. Be our guest.' And as I looked around the table, I saw tears, too, in the eyes of the battle-weary soldiers, boys again, some from America, some from Germany, all far from home."

That night—as the storm of war tossed the world—they had their own private armistice. The next morning the German corporal showed the Americans how to get back behind their own lines. They all shook hands and went their separate ways. That happened to be Christmas Day, 40 years ago.

Those boys reconciled briefly in the midst of war. Surely, we allies in peacetime should honor the reconciliation of the last 40 years.

To the people of Bitburg, our hosts and the hosts of our servicemen: Like that generous woman 40 years ago, you make us feel very welcome. Vielen Dank [Thank you].

And to the men and women of Bitburg Air Base, I just want to say that we know that, even with such wonderful hosts, you job is not an easy one. You serve around the clock, far from home, always ready to defend freedom. We are grateful, and we're very proud of you.

Four decades ago, we waged a great war to lift the darkness of evil from the world, to let men and women in this country and in every country live in the sunshine of liberty. Our victory was great, and the Federal Republic, Italy, and Japan are now in the community of free nations. But the struggle for freedom is not complete, for today much of the world is still cast in totalitarian darkness.

Twenty-two years ago, President John F. Kennedy went to the Berlin Wall and proclaimed that he, too, was a Berliner. Today, freedom-loving people around the world must say: I am a Berliner, I am a Jew in a world still threatened by anti-Semitism, I am an Afghan, and I am a prisoner of the Gulag, I am a refugee in a crowded boat foundering off the coast of Vietnam, I am a Laotian, a Cambodian, a Cuban, and a Miskito Indian in Nicaragua. I, too, am a potential victim of totalitarianism.

The one lesson of World War II, the lesson of Nazism, is that freedom must always be stronger than totalitarianism, and that good must always be stronger than evil.The moral measure of our two nations will be found in the resolve we show to preserve liberty, to protect life, and to honor and cherish all God's children.

That is why the free, democratic Federal Republic of Germany is such a profound and hopeful testament to the human spirit. We cannot undo the crimes and wars of yesterday, nor call the millions back to life. But we can give meaning to the past by learning its lessons and making a better future. We can let our pain drive us to greater efforts to heal humanity's suffering.

Today I traveled 220 miles from Bergen-Belsen and, I feel, 40 years in time. With the lessons of the past firmly in our minds, we have turned a new, brighter page in history. One of the many who wrote me about this visit was a young woman who had recently been bar mitzvahed. She urged me to lay the wreath at Bitburg Cemetery in honor of the future of Germany, and that is what we have done. On this 40th anniversary of World War II, we mark the day when the hate, the evil, and the obscenities ended, and we commemorate the rekindling of the democratic spirit in Germany.

There is much to make us hopeful on this historic anniversary. One of the symbols of that hope came a little while ago when we heard a German band playing the American national anthem, and an American band playing the German national anthem. While much of the world still huddles in the darkness of oppression, we can see a new dawn of freedom sweeping the globe. And we can see—in the new democracies of Latin America, in the new economic freedoms and prosperity in Asia, in the slow movement toward peace in the Middle East, and in the strengthening alliance of democratic nations in Europe and America—that the light from that dawn is growing stronger.

Together let us gather in that light, and walk out of the shadow. Let us live in peace. Thank you, and God bless you all.●

A TRIBUTE TO SARAH McCLENDON

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. DE LA GARZA. Mr. Speaker, on Monday, April 22, the University of Missouri School of Journalism paid a

deserved and, I believe overdue, tribute to one of this Nation's most effective journalists, Sarah McClendon.

On the concluding day of its Annual Journalism Week Program at Columbia, MO, the school presented its annual honor medals to seven outstanding leaders in their fields. One of the 1985 Missouri honor medals was presented Monday evening to Mrs. McClendon.

I should point out to the House that these medals, coming from one of the Nation's leading institutions in the field of journalism education, are marks of great distinction. They are awarded only to men and women who have made great and lasting contributions to the field in which they work and to the people they serve.

Sarah McClendon, a correspondent who is familiar to many of us in this House because of her long experience in covering Washington, is a native of my State of Texas—and as a Texan, I am proud to salute her. She is also a graduate of the institution which honored her. One of a number of Missouri journalism graduates who have compiled distinguished records here in Washington as well as many other parts of the Nation and the world.

The Missouri medal winners are not cited for one specific story or article. This is a prize given on the basis of contributions to journalism over many years of dedicated service.

In Sarah McClendon's case, this award was based on her record of enterprise and independence in coverage of national and regional news over her years in the Capital—for her courage in asking the hard questions that had to be asked for the sake of her readers in Texas and elswhere—and for her skill and diligence in digging out the news that matters from the White House, the Congress, and the rest of the Washington scene. And beyond that, I believe Sarah McClendon was also being honored for her determined and continuing work over many years to fight for the rights of women in journalism—a fight that has produced some impressive results.

Mr. Speaker, I want to add my congratulations to Sarah McClendon for this latest public evidence of the high regard in which she and her work are held. But I also want to congratulate the University of Missouri's Journalism School for having the perception to know a distinguished journalist when it sees one.●

THE ASBESTOS HYSTERIA

HON. WAYNE DOWDY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. DOWDY of Mississippi. Mr. Speaker, in recent months, much attention has been focused on the problems of asbestos in our Nation's schools. There has been grave concern over the potential health risk to children in schools because of asbestos-containing materials.

It is ironic that asbestos, once specified by building codes, architects, and engineers to protect and save lives from fire, has become a source of anxiety for parents, students, and educators.

It is important that we determine under what conditions asbestos-containing materials pose a significant health risk and how we can best eliminate that risk.

Caution must be exercised in our efforts, because indications are that improper removal can cause relatively high exposures to workers and can leave a residual asbestos concentration in a building that is higher than it was before removal.

The Detroit News recently ran an excellent four-part series on asbestos during the week of March 3 of this year which I hope that all my colleagues will take a moment to read. Because of the length of the article, I have instead submitted the following editorial from the Detroit News for inclusion in the CONGRESSIONAL RECORD.

The Environmental Protection Agency long ago should have set a national air monitoring standard for asbestos in schools. Individual States are now beginning to set State standards because our Federal agency has not moved forward. EPA should begin at once its procedure for setting air monitoring standards.

[From the Detroit News, Mar. 7, 1985]

THE ASBESTOS HYSTERIA

Special writer Michael J. Bennett's four-part series on the asbestos dilemma, which ended yesterday, revealed a host of disturbing facts about the way the Environmental Protection Agency (EPA) is handling the asbestos issue. The asbestos commonly used in school buildings, for example, may not be nearly as dangerous to health as has been alleged. Even if it were, the current hysterical rush to remove it could do more harm than good. We believe Mr. Bennett also raised serious questions of whether science has been twisted to serve political ends.

The EPA ruled three years ago that asbestos posed a serious health hazard, and that school buildings should be inspected for its presence. Asbestos was widely used for a time after World War II as insulation for pipes and to make decorative ceilings. If material that crumbles is found, school boards must notify parents and staff, and then decide on what, if anything, to do about it.

Asbestos in school buildings became a major national issue when the Service Employes International Union got its hands on studies by Dr. Irving J. Selikoff of New York City's Mt. Sinai Hospital. Dr. Selikoff was tracking a high incidence of lung cancer among World War II shipyard workers who installed asbestos as an insulation material. The union that represents school custodians demanded asbestos rules from the EPA, ostensibly to protect members' health. (A major removal program may also provide lucrative job opportunities for contractors and unions, it's worth noting.)

The EPA should have recognized early on that there was something imperfect about the Selikoff studies. Other scientists said that the shipyard workers utilized red and blue asbestos, not the white variety used by the building trades. It is true that red and blue asbestos fibers lodge in the lungs and may cause cancer 20 or 30 years later, but it is also true that the lungs seem to easily expel white asbestos fibers.

Further, more than 80 percent of the shipyard cancer victims were heavy smokers, and their lung X-rays show the same lesions that would be on the lungs of heavy smokers. Dr. Selikoff himself has sharply reduced his own estimates of the potential hazards of white asbestos. First, the Quebec government studied the health of women in two asbestos-milling towns, where air and water are laden with white asbestos fibers, and found no link to cancer. Further, some EPA officials have said consistently that it is impossible to write an air quality rule on asbestos that makes any sense because the scientific knowledge about these fibers is so uncertain.

The EPA subjected its studies to the peer review of four scientists who all treated them harshly. They questioned the methodology, and said some of the scientific premises were wrong. In academe, harsh peer review is enough to kill such studies. Nevertheless, the EPA, eager to avoid the wrath of environmental extremists and opportunistic politicians, ordered a school inspection program.

By leaving it to individual school districts, EPA would get political credit for "doing something" but would avoid the sticky question of who should finance an expensive cleanup. Washington offers grants and loan guarantees totaling $50 million for asbestos removal, but the total cost could be many times that amount. In Michigan alone, the cost would be $73 million, it's estimated.

New evidence shows that the best thing to do about asbestos is leave it alone if it is not flaking off, or encase damaged areas with plastic paint or other covering. Complete removal coats shelves, furniture, floors, ceilings, hot air pipes, and everything else with the very fibers the program was intended to contain. Removal is therefore a self-defeating option at a cost no school board can afford.

Reporter Bennett made some telling additional points that go to the heart of the whole environmental debate in this country. Environmental extremism is difficult to defend against because scientists can't prove a negative—they can't prove that cancer or other risks from any given substances don't exist. So irresponsible extremists can always play on the fears of risks that might exist.

The asbestos case also rests on the "one fiber can kill" argument. That is, no amount of asbestos can be allowed in the environment, because as little as one fiber supposedly can make the body go haywire. This can't be proved (or disproved), but for extremists seeking to impose their values on society it has the virtue of forestalling attempts to weigh risks versus benefits. As Mr. Bennett pointed out, environmental activism exists not to be satisfied, at least on environmental concerns. Many who profess environmental concerns actually are pursuing larger political goals—to remake society along the lines they prefer. Asbestos is a classic example of the strategy. In that it seeks to use parental hysteria over the

safety of children, however, it is all the more reprehensible.

The series most important contribution was to point out that many supposedly "objective" scientists have willingly lent their prestige to the asbestos scare without careful consideration of the evidence. We suspect it's not the first time that has happened. This sort of abuse, if unchecked, will wind up creating great public skepticism about science and cost society dearly. The EPA should review the evidence impartially, and state and local officials should put a hold on crash programs to remove asbestos until a clearer picture of the risks and benefits emerges.●

NATIONAL PARKS AND ACID RAIN

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. VENTO. Mr. Speaker, while much has been said and written about acid rain, the body of information to date on the subject has tended to focus on the Eastern United States. Recently, the World Resources Institute [WRI], a nonprofit policy research center, published a report describing acidic deposition in the West. The report entitled "The American West's Acid Rain Test" was the result of over 18 months of research on the characteristics relevant to acid deposition in the Western United States.

The risk of damage to various Western ecosystems is only now becoming apparent as research information has become more readily available. Under language I coauthored to the Energy Security Act of 1980, a national monitoring system for acid deposition was established. This research effort, the National Acid Precipitation Assessment Program [NAPAP], is expanding the base of information available on acid deposition. Under this program, the Western United States, for the first time, has come under close review.

Those Western monitoring sites are now beginning to report data needed to analyze the potential risk of acid rain to the West. What this data and analyses are pointing to is that the geophysical characteristics of the Western United States make potential for damage from acid rain different from what is being experienced in the Eastern United States. The WRI report notes that the soil characteristics, precipitation patterns, and geological characteristics differ greatly in the West from the East. In certain instances, these characteristics increase the potential acid rain risk; in other instances, the risk is lessened. The WRI report notes that much of the precipitation in the Western United States is in the form of snow. The report noted that studies have revealed that as much as half the acids in snowpacks can be released in the first 10 percent of melt, creating "acid pulses" that can severely harm sensitive aquatic systems. Even within a given area the potential danger can differ. According to the WRI, indications are that acidic deposition occurs at high elevation because the concentrations of acids exceed those of natural alkaline materials. It goes on to note that at lower elevations, deposition is less acidic because relatively more acid is neutralized.

As chairman of the Subcommittee on National Parks and Recreation, I am interested in the acid deposition data being developed in the West because many of the monitoring sites are at or near national park units. Already, collected data has raised some disturbing developments that affect national park units. The WRI report notes that episodes of temporary complete acidification of portions of lakes have been observed in the West. Such was the case at Emerald Lake in Sequoia National Park. The report goes on to note the risk of surface water acidification at 11 national park units located in high mountainous regions. High ozone levels have been documented at Yosemite and Sequoia National Parks. In the Southwest, important archaeological ruins—sandstone formations—at the Mesa Verde National Park are vulnerable to acid damage.

Based on the reports of air quality problems experienced at national park units around the country, the Subcommittee on National Parks and Recreation has scheduled oversight hearings for May 20 and 21, 1985, on air quality in the parks. We will be interested in further exploring some of the points of concern raised by the WRI report, as well as the air quality problems the national parks in other regions are facing.

Our national park units, so often referred to as our "crown jewels," represent a great resource to the people of the United States. Many of us are renewed and refreshed as we admire the wonder and beauty of these resources. Threats to these resources, be it from air and water pollution or development, must be addressed in a responsible manner if we are to pass on to future generations the majestic legacy of our National Park System.●

INTRODUCING BY REQUEST THE PRESIDENT'S PROPOSAL TO REAUTHORIZE THE RAILROAD SAFETY PROGRAM

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LENT. Mr. Speaker, today I am introducing, by request, the President's proposal to reauthorize the Federal Railroad Safety Act.

This bill authorizes $27.267 million in fiscal year 1986 and such sums as may be necessary for fiscal year 1987 for the Rail Safety Program. Authorizations are not included in the bill for either the State Participation Program or for research and development activities.

The bill also includes a technical amendment to the Federal Railroad Safety Act. Under section 208 of the act, the Secretary of Transportation is authorized to issue subpoenas and require the production of documents. However, there is no specific provision for the enforcement of subpoenas and orders in court. The technical amendment would clarify that the Federal district courts have jurisdiction to enforce such subpoenas and orders.

I strongly support the reauthorization of the Federal Railroad Safety Program, and recognize that the safety of rail operations in this Nation is essential to vital passenger transportation services and efficient freight transportation. In recent years, the safety of railroad operations has greatly improved. This improvement has been accomplished in large part through cooperative efforts of both rail labor and management, along with the guidance of the Federal Railroad Administration.

The Energy and Commerce Committee is scheduled to consider legislation concerning reauthorization of the Federal Railroad Safety Program this week. Therefore, I feel that it is important that this bill be introduced so that my colleagues will have the benefit of the administration's position on this issue.●

JUDGE WILLIAM HENRY HYER RETIRES

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LEWIS of California. Mr. Speaker, one of the most honorable of professions in our land today is the practice of law. Upholding the will of the people of our great Nation is not an easy task. In this field of checks and balances, constant questioning, and varied interpretations, it is only the most honorable and professional individuals who come to light as men of great deeds. Such a man is William Henry Hyer, bankruptcy judge of the Central District of California.

After a law career that spanned nearly four decades, Judge Hyer will retire on May 31, 1985. His absence from the bench will not go unnoticed.

William Henry Hyer was born in Olathe, KS, on December 3, 1920. Education was very important to young

Hyer. He attended the University of Kansas where he became a life loyal member of Sigma Chi Fraternity. After graduating with a B.S.B. degree in 1942, Hyer joined the U.S. Air Force as an aviation cadet, and served valiantly for 4 years, attaining the rank of staff sergeant.

Again thinking of his education, William Hyer enrolled in the University of California in 1946. He was graduated 2 years later with a juris doctor degree. San Bernardino, CA, was the site of Hyer's first law practice, which he set up in 1949. He served as a legal officer in Civil Affairs Army Reserve Unit, San Bernardino, after being commissioned a first lieutenant in military intelligence.

On February 15, 1964, Judge Hyer was appointed bankruptcy judge for the Southern District of California, now known as the Central District. After his appointment, Hyer's caseload increased steadily, necessitating additional staff and three office moves. Judge Hyer now holds court in San Bernardino, the city where he first chose to practice law.

Judge Hyer is a man of many talents and varied interests. His love for his fellow man is evident in his participation in community events. It is no wonder he is so well respected by the citizens of southern California and admired by his colleagues. Bankruptcy Judge Hyer and his wife, Phyllis Ruth Graeber, have raised two children: a son, William Henry IV and a daughter, Hallie Ann.

After retiring at the end of this month, Hyer intends to keep active. His plans include traveling to visit his friends and family across the United States, improving his golf game, hunting, and fishing.

Mr. Speaker, once again I am proud to represent such an outstanding human being. I ask you and my colleagues here in the House of Representatives to join with me in expressing deep appreciation for selfless years of service, strong admiration for an impressive career, and best wishes for a happy and healthy retirement to Judge William Henry Hyer—a remarkable man whose service to his community, his State, and the Nation will stand for years to come as a symbol of the best that each of us can be.●

IN SUPPORT OF HOUSE JOINT RESOLUTION 192

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. COELHO. Mr. Speaker, I would like to take this opportunity to share with my colleagues two editorials concerning House Joint Resolution 192 which would recognize April 24, 1986, as National Day of Remembrance of Man's Inhumanity to Man and commemorate the Armenian genocide which recently appeared in the New York Times. They both concisely argue the importance of this resolution and urge its passage.

[From the New York Times, Apr. 27, 1985]

THE ARMENIAN DEAD

(By Florence Avakian)

This week marks the 70th anniversary of the 20th century's first act of genocide: the massacre of 1.5 million Armenians by Ottoman Turkey. Even today, Turkey has never admitted its guilt. Why must the United States connive at that ugly denial?

In 1923, when the genocide ended, almost one-half of the world's Armenian population had been slaughtered on its ancestral land, which it had inhabited for more than 3,000 years.

Using language reminiscent of his remarks about West Germany and the Nazi Holocaust, President Reagan, in not wanting "to harm relations with an important ally," opposes a pending Congressional resolution memorializing the Armenian martyrs. And in 1983, he said of the 1915-1923 genocide, "There's virtually no one alive today who was living" at that time. Defense Secretary Caspar W. Weinberger has spoken of the "so-called Armenian genocide resolution."

How painful this is not only for the thousands of survivors still alive worldwide but also for the overwhelming majority of Armenian-Americans who for decades have sought peaceful means to redress their grievances and who deplore today's violence by a few young Armenians who, frustrated by years of denials and distortions, are assassinating Turkish officials.

Reagan Administration waffling on Turkish genocide ignores mountains of objective testimony, eyewitness accounts and documents from non-Armenian diplomats, missionaries, journalists and historians, as well as American officials—all authenticating the premeditated, systematic annihilation of a people.

Henry Morgenthau Sr., Ambassador to Turkey from 1913 to 1916, wrote of "sadistic orgies" and "race extermination" in his frantic cables to Washington. Maj. Gen. James Harbord, upon returning from the Armenian areas in 1919, called it the "most colossal crime of all ages." Thirty years later, Rafael Lemkin, deeply removed by the Armenian tragedy as well as the Nazi Holocaust, coined the word "genocide"—a term Hitler put into practice after he chillingly commented, "Who today remembers the extermination of the Armenians?"

It was on April 24, 1915, that the carnage began, after an edict by Interior Minister Talaat Pasha to "destroy completely all Armenians living in Turkey." Community leaders were hanged and all Armenian males were taken away and bludgeoned to death. Women, children and the elderly were rounded up in all towns and villages and marched hundreds of miles to the sun-scorched deserts of Syria. Few made it. Those surviving starvation or thirst were raped, disembowled, drowned, buried alive or hauled into harems. Women's breasts were cut off and babies were speared; mothers, clutching their children, threw themselves into rivers. The waters ran red.

To help the human wrecks of this mass murder, in 1919 Congress, with State Department cooperation, aided Near East Relief, an American organization.

I know why Turkey denies the genocide. But how can we explain why there are only some 35,000 Armenians now left in Turkey out of a pre-1915 population of more than two million? And why does Turkey now find it necessary to systematically destroy all traces of Armenian culture—monuments, churches, artifacts—in its eastern provinces?

As an Armenian born in this country, I understand why the Administration and the State Department want Turkey's support for strategic reasons, even if this means propping up a despotic regime to the tune of almost $900 million for fiscal year 1985 alone.

But what is hard to understand is why a great democracy would immorally lend its influence to Turkish propaganda. Over the years, would Presidents from Woodrow Wilson to Jimmy Carter—even Ronald Reagan, in a 1981 proclamation—hundreds of members of Congress, and international diplomats, have paid tribute to martyrs of a "so-called" or "alleged" genocide?

A Congressional resolution that remembers the Armenian victims is a resounding statement to peoples all over the world that America wishes to go on record not only against genocide but also to champion the foremost human right—that of life itself.

[From the New York Times, Apr. 29, 1985]

THE SORROWS OF ARMENIA

Americans with their scant sense of history must be mystified by the resurgence of Armenians' anger about an atrocity that occurred 70 years ago. Impermissibly, that anger has recently been invoked by terrorists to justify the murder of Turkish diplomats. But fittingly, it also moved Armenians the world over to memorial observances last week. They plead that Turkey at least acknowledge the massacres of their ancestors and that the State Department remove the word "alleged" from its references to the 1915 slaughter.

Turkey's indignant rejoinder has been that acknowledging any official guilt for such remote events would only reward terrorism. But that is not a cogent reason.

What did happen in 1915? Armenians assert that two million of their forebears were killed or driven into exile by the Ottoman regime in an attempt to liquidate a long-persecuted Christian minority. They cite firsthand accounts by American and German diplomats, contemporary press reports, the regime's own records and the testimony of survivors.

They are disputed by Turks on every point. Turks maintain that an advancing Russian Army was inciting rebellion among Armenians, requiring their resettlement. Turkish diplomats single out as objective the scholarly history of Sanford and Ezel Kural Shaw, who give this appraisal:

"Armenians, claim that as many as 2 million were massacared, but no counts of the dead were ever taken, and the actual total can only be inferred. These claims are based on the supposition that the prewar Armenian population of the Empire was 2.5 million. According to the Ottoman census of 1914, however, it was at most 1.3 million. Half of these people lived in the areas affected by the deportation, but . . . it appears that about 400,000 people were actually transported in 1915-16. In addition, some 700,000 Armenians fled to the Caucasus, western Europe and the United States. As 100,000 remained in Turkey after the war, one can conclude that about 300,000 died if one accepts the Ottoman census reports, or 1.3

million if the Armenian figures are utilized."

So scholars trusted by Turks put the minimum toll at 300,000. Why then should the State Department call the massacres "alleged"? The official excuse that the numbers are in dispute is obviously not the reason. Turkey is an important ally. Indeed, Defense Secretary Weinberger has even pleaded with Congress not to strain relations by designating April 24 as a day of remembrance for Armenian victims. Armenia's sorrows deserve better than that.●

BILLS INTRODUCED TO IMPROVE SAFETY AND CAPACITY ON TWO WASHINGTON, DC AREA BRIDGES

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. WOLF. Mr. Speaker, today I am introducing legislation calling for studies on the feasibility of improving the safety, capacity, and operational characteristics of two bridges connecting northern Virginia and Washington, DC—the Theodore Roosevelt Bridge and the Rochambeau Bridge, also known as the 14th Street Bridge.

More specifically, one bill would call for the Secretary of Transportation to conduct a feasibility study of adding two lanes to the Theodore Roosevelt Bridge between the Commonwealth of Virginia and the District of Columbia. The other bill would involve the study of improving the interchange between the George Washington Memorial Parkway and I-395 in the Commonwealth of Virginia.

Recent repair work initiated by the National Park Service on Memorial Bridge has once again focused attention on the limited ability of the spans across the Potomac River to handle the normal daily load of traffic.

Unfortunately, even when all the bridges are operating at full capacity, there is a serious congestion problem. It is my belief that improvements can be made on all the Potomac bridges, and I have initiated discussion with the District of Columbia, Virginia, and Federal officials to find workable solutions. Two possibilities have emerged, one short-term on the 14th Street Bridge, and one long-term on the Roosevelt Bridge.

The short-term solution would be to redirect DC-bound George Washington Memorial Parkway traffic from the 14th Street Bridge northbound span to the center span now reserved for high occupancy vehicle traffic. This would remove the dangerous merge that now exists from the GW Parkway to northbound I-395, and could be accomplished swiftly through the construction of a new ramp at relatively low cost.

The long-term solution involves extensive redecking of the Roosevelt Bridge to accommodate an additional lane in each direction. It is my belief that this solution, which would help smooth out traffic flow to and from Washington, DC, on three major northern Virginia commuter arteries—I-66, U.S. Route 50, and the GW Parkway—warrants consideration.

These major improvements are crucial in this area for those who travel these routes daily and for those who may be visitors and tourists of the Nation's Capital area. I urge the support of my colleagues for these two important projects.●

EXTENSION OF TAX-FREE ROLLOVER PERIOD

HON. CARROLL A. CAMPBELL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. CAMPBELL. Mr. Speaker, I am pleased to announce today the introduction of a bill to extend the time period for tax-free rollovers of qualified retirement plans from 60 to 90 days. The last Congress rectified a defect in the law by requiring notification of the availability of tax-free rollovers upon distribution of retirement plan funds. It is my hope that this Congress will complete the process.

This bill will lend uniformity to the law. Currently, warranties are for 90 days. One has 90 days to respond to a suit. I believe there should also be 90 days to roll over retirement funds.

There has been a great proliferation of investment vehicles for retirement funds, which has presented people with a wide—and sometimes confusing—array of choices. Special care must be exercised when investing these funds, and for many people, 60 days is not an adequate period of time to compare all methods available in order to meet one's retirement needs. Any mistakes are compounded by time, possibly subjecting the retiree to dependence on the Government for assistance. Thus, 90 days is both the logical and needed period of time to facilitate this process.

According to the IRS, many people have been put at a financial disadvantage due to too short a rollover period and a lack of knowledge as to the availability of this provision. This bill completes the reversal of that. It is my hope that my colleagues will join me in this effort and ensure the bill's swift enactment.●

INDIAN COUNTRY GAMBLING REGULATION ACT

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. SHUMWAY. Mr. Speaker, when I introduced the Indian Country Gambling Regulation Act last October, nearly 80 Indian tribes nationwide were, in the absence of Federal gambling regulations, operating high stakes bingo parlors on their reservations and rancherias. Since that time, the problems which accompany unregulated gambling have proliferated at an alarming rate in Indian country. As trustees for the Indians, Congress should take immediate remedial action to bring order to this chaos.

Indian bingo is an activity which has grown in popularity since the 1981 Seminole Tribe ruling in Florida that Indian gambling is outside the legal jurisdiction of State law. This decision was based upon the Indians' unique position within the Federal system, for while possessing certain governmental powers, they are neither States nor foreign nations, nor completely sovereign. They are instead partially sovereign, and though reservations are located within State boundaries, tribes are generally not considered subject to State or local authority.

In California, the State attorney general reports that the effect of nonregulated, high-stakes gambling is posing serious problems which threaten the peace and safety of the State. Specific incidents of Mafia-backed gaming operators, and establishment of other forms of gambling under the guise of bingo, that is, bingo jack, bingo slot machines, bingo horseracing, bingo roulette, et cetera, are being discovered with alarming frequency. And these incidents are but a sample of what is occurring nationwide.

Thus, in light of the absence of Federal regulation of Indian gambling enterprises, I am reintroducing today legislation which would require the tribes to comply with each State's already established gambling regulations. Specifically, the measure would authorize the Secretary of the Interior to approve tribal ordinances permitting gambling, provided: First, the gambling does not violate the public policy of the State within which the tribal land is located; second, the gambling is conducted only by the tribe's governing body; third, the gambling operation employs only tribal members; and fourth, the proceeds are used for tribal government operations and not for personal gain.

I applaud the Indians' efforts to become self-reliant, and to abolish the curse of the dole by curbing the tragic tides of unemployment and alcoholism

which are found on their reservations. However, Congress should be cautious in its endorsement of just any business endeavor simply because of the revenues which may accrue. In the case of Indian gambling, the monetary end does not justify a means which poses serious risks to Indians and their non-Indian neighbors. Gambling, because of the attraction it holds for organized crime, is both inappropriate and undesirable as an unregulated industry, and is not an activity which Congress, as guardian of the Indians, should be promoting or even permitting on Indian reservations until regulation is established.

For these reasons, I urge my colleagues' immediate cosponsorship of the Indian Country Gambling Regulation Act.●

NICARAGUA TRADE EMBARGO

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. SOLOMON. Mr. Speaker, today I am introducing a bill which invokes a trade embargo with Nicaragua and a resolution calling upon our OAS neighbors to do the same.

Nicaragua today enjoys many trade advantages with the United States. It is a member of the GATT; it holds most-favored-nation status; and it benefits from the generalized system of preferences.

Nicaragua sells a great deal of its agriculture products to the United States. Many of these commodities, such as sugar, tobacco, and beef, compete with American products in depressed markets here at home.

In light of the Sandinistas' revolutionary threat to their peaceful neighbors and their increasing courtship of the Kremlin, I think it's time that the United States began to reevaluate its trade relationship with Nicaragua.

Nicaragua has received and deployed the most powerful army in Central America. It has also failed since 1983 to make any payments of either principal of interest on its debt to the United States. It is high time that the United States ceased its friendly trading practice with a nation that can afford to amass a tremendous military threat, yet cannot afford to live up to its debts.

I urge my colleagues to support this embargo, and I call upon our friends of the Organization of American States to institute similar measures. Our region must join together to demonstrate our outrage over Nicaragua's military buildup and the refusal of the Sandanistas to institute democratic reforms.●

NATIONAL LIBRARY WEEK

HON. JOHN E. GROTBERG

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. GROTBERG. Mr. Speaker, I am proud to speak on National Library Week, which was observed during the week of April 14 to 20, 1985. This week is a tribute to the libraries and librarians of the country who serve our population of readers. National Library Week is a week to honor our educational institutions and to recognize the fact that we are living in an age of information. Our educational infrastructure thoroughly rests on libraries as a foundation; and the future of our information age depends on the future of public libraries.

I would especially like to mention the Illinois library system as a leader in the Nation. The libraries in Illinois have always been on the cutting edge of advancement in providing library services. When the delegation from the Illinois Library Association was recently in my Washington office, they repeated the past accomplishments and future projects of the outstanding libraries throughout the State of Illinois. I am proud to represent many of them here in the U.S. Congress. Libraries provide hours of pleasure and entertainment and are a link to our cultural heritage. I am, and will continue to be, a strong supporter of the services provided by public libraries and will be a voice in the Congress for their continued growth and existence.●

EXPLANATION FOR ABSENCE

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. DERRICK. Mr. Speaker, I was unavoidably detained on Thursday, May 2, 1985. Thus, I was unable to cast my vote on House Resolution 127, legislation expressing the sense of the House of Representatives concerning Solidarity Sunday for Soviet Jewry. Had I been present I would have voted "yea."●

CALIFORNIA VETERANS COALITION

HON. SALA BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mrs. BURTON of California. Mr. Speaker, I would like to bring to the attention of my colleagues the fine work of the California Veterans Coalition, a Statewide community-based veterans services organization headquartered in San Francisco, that is working on behalf of veterans of the Vietnam war. The coalition's efforts stand out for their work in providing educational and health services for those veterans who have been exposed to agent orange.

Today, 10 years after all U.S. troops pulled out of Saigon, there is still a legacy of hurt and pain. Many of our soldiers have been exposed to potentially life-threatening chemicals, many emitted from their own weapons, and yet the U.S. Government still moves far too slowly in responding to this public health crisis. During the 98th Congress, we passed the Veteran's Dioxin and Radiation Exposure Compensation Standards Act. This legislation is intended to assure compensation to veterans and their survivors for disabilities resulting from their service in the U.S. Armed Forces.

The California Veterans Coalition has been very active in San Francisco in helping to locate former military service personnel along with civilians who served in Vietnam. They are working to establish prototype procedures for the Veterans' Administration to work cooperatively with local groups in helping place appropriate veterans on the agent orange registry so they can receive proper health education and medical services to offset any adverse health problems.

The California Veterans Coalition performs vital information and referral services in low- to moderate-income areas, six of which are located in the city and county of San Francisco. They advise veterans in the detection and prevention of agent orange-related health problems and inform them of specialized tests and screenings conducted by both private and public agencies. This is part of the group's effort to put together a veterans health care network linked to the local health care system.

More than 200,000 veterans nationwide who have been exposed to agent orange have received physical examinations and filed with the Veterans' Administration. This number is a mere pittance in terms of the 2.5 to 3 million exposure level. Like other sad stories from the Vietnam war, the problem of exposure to agent orange will not go away. But we need to recognize the problem and provide the best possible care to those veterans and their families who are suffering as a result of that conflict. I commend the California Veterans Coalition for their dedication and hard work.●

SOVIET JEWRY

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. SCHUMER. Mr. Speaker, last Sunday was Solidarity Sunday for Soviet Jewry when more than 200,000 people rallied in front of the United Nations to protest the treatment of Jews in the Soviet Union. Because in the last year Soviet Jews have endured greater discrimination and persecution than at any other time in recent Soviet history, it is more important than ever that we speak out loudly on behalf of our Jewish brethren in the Soviet Union. Today more than 100 students from the Student Struggle for Soviet Jewry are here from New York City and the surrounding area to do just that—to rally and to speak out on behalf of the plight of Soviet Jewry.

The year 1984 marked the nadir for Jewish emigration from the Soviet Union. Only 896 Jews were permitted to leave, the lowest single year total since 1970. In fact, the 1984 total represents less than 2 percent of the 1979 peak year emigration figure of 51,320. The reduction in the number of Jews granted exit visas has meant that the number of refuseniks stranded in the Soviet Union has climbed to over 20,000. This figure, however, includes only those Jews who submitted formal applications to leave for Israel and have received official refusals; it does not include the estimated 380,000 others who have initated the complex process of applying for a visa.

These numbers are all the more shocking when one considers what is occurring in the Soviet Union right now; namely, a new wave of officially sanctioned anti-Semitism. This campaign to eradicate Jewish culture from Soviet society has taken on many ugly forms, including the stepped-up harassment of refuseniks and the arrest and imprisonment of several Hebrew teachers. Most Soviet Jews who apply to emigrate are routinely dismissed from their jobs and forced to take menial jobs. In addition, they are often attacked in the media, arbitrarily arrested, and their personal property is confiscated by Soviet authorities.

When Mikhail Gorbachev assumed power in the Soviet Union, many hoped that the repression of Soviet Jews would be halted or at least significantly reduced. This has not happened, however. Indeed, only 246 Soviet Jews were permited to emigrate from the Soviet Union during the first 3 months of this year, and the campaign to eradicate Jewish culture from Soviet society continue unabated.

I find these developments extremely distressing. It is more imperative than ever that we continue our efforts to ensure that all Soviet Jews are given the right to emigrate and are permitted to freely exercise their religion while they remain in the Soviet Union.●

AIRLINE PILOTS PENSION RELIEF BILL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. RANGEL. Mr. Speaker, today I am introducing, along with 13 of my colleagues from the Ways and Means Committee, a bill which is designed to correct an unintended problem created by the Tax Equity and Fiscal Responsibility Act of 1982 [TEFRA, Public Law 97-248].

As you know, Mr. Speaker, TEFRA made a number of modifications in the treatment of tax-qualified corporate pension plans. In addition to lowering both the contribution and benefit limits originally established under ERISA, it increased to 62 the age at which the maximum annual benefit could be drawn from a defined benefit plan. Under these new requirements, any retirement prior to age 62 would result in actuarial reductions in the maximum annual benefit. However, these provisions overlook the unique circumstances of one group of employees who are required by the Federal Government to retire prior to age 62—commercial airline pilots. I might add, Mr. Speaker, that commercial airline pilots, are the only private sector employees in the United States with a retirement age mandated by the Federal Government.

For over 20 years, the Federal Aviation Administration [FAA] has required by regulation (FAR 121.383(c)) that commercial pilots retire at age 60 for reasons of public safety. This unique requirement was recognized by Congress on two previous occasions when it excepted airline pilots from the national policy established by the Age Discrimination in Employment Act and when it provided an exclusion for airline pilots from ERISA's participation and eligibility standards (section 410(b)(3)(B)).

Mr. Speaker, what we have here is conflicting Federal regulations that result in airline pilots sustaining a substantial penalty in potential pension benefits and never being able to obtain the benefit level available to all other retirees in tax qualified pension plans. Mr. Speaker, while the Congress has judged it sound national policy to encourage longer working careers and has imposed a reduction in maximum pension benefits for voluntary early retirement, it is clearly inequitable to apply this provision to those who, through the actions of the Federal Government, have no choice but to retire prior to age 62.

It is my intention and that of my cosponsors to correct this inequity at the earliest possible date and I hope that others will joint us in supporting this effort.●

A TRIBUTE TO MR. ROLFE ARNHYM

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. MOORHEAD. Mr. Speaker, today I would like to recognize and honor Mr. Rolfe Arnhym as he leaves his position of executive vice president for the Pasadena Chamber of Commerce.

Rolfe first came to the chamber's attention as chairman of the Armed Forces Day breakfast when, under his leadership, attendance was increased from 100 to more than 500. Shortly thereafter, in September 1978, he began his tenure as the chamber's guiding force.

Rolfe's belief in discipline, order, challenge, long hours and constant activity began to pay off in the establishment of a new role for this organization in the community. Pasadena Chamber of Commerce is currently nationally known and viewed as a leader in chamber circles.

Some of the achievements during Rolfe's stewardship are the adoption by UCLA of the Rose Bowl as home for UCLA football, the St. Patrick's Day parade, the excellent working relationships with all levels of government and the increase in chamber assets from $100,000 to $700,000. The role as a key decisionmaker and active partner in the community is one of Rolfe's proudest legacies for the chamber.

As Rolfe leaves Pasadena to take on new challenges with Long Beach, we wish him many years of continued excellence, and thank him for his outstanding contributions to this community.●

MS. WALMAR GRAY CELEBRATES 50 YEARS OF SERVICE WITH AMERICAN RE-INSURANCE COMPANY IN NEW YORK

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. ACKERMAN. Mr. Speaker, I would like to take this opportunity to publicly acknowledge the accomplishments of Ms. Walmar Gray of Forest Hills, NY, who on May 13, 1985, will

celebrate her 50th year of service with American Re-Insurance Co.

Mr. Speaker, American Re-Insurance Co. is a subsidiary of the Aetna Casualty & Surety Co., a well-respected firm in New York. The company has reaped many benefits from Ms. Gray's years of service, and from the enthusiasm with which she approaches her job. As the retrospective premium accountant in the underwriting accounting department, "Wally" Gray performs the vital task of accumulating data needed for corporate financial reports, as well as servicing clients on an individual basis. Her top-notch work has made a significant contribution to the smooth and efficient operation of the underwriting accounting department, in conjunction with the leadership and direction of assistant vice president Kenneth Shefcik and the company's other fine officers.

Mr. Speaker, one of the many talents Wally has brought to American Re-Insurance is her skill in dealing with people. All of us have had occasion, on our interactions with businesses and institutions, to be put off or experience frustration with "the system." But clients of American Re-Insurance who work with Ms. Gray have had a very different experience. Her people-oriented approach to doing business has served the company well, and has been of great benefit to many New Yorkers. Walmar Gray, who is preparing to retire after her 50 years of invaluable service, will be greatly missed by American Re-Insurance and its clients.

I would like to congratulate Ms. Gray on her 50th anniversary with the company, and extend to her my best wishes for the future. She has made an important contribution to the city of New York, and I ask all of my colleagues in the U.S. House of Representatives to join me in celebrating with her 50 years of service with American Re-Insurance Co.●

A TRIBUTE TO MR. TOM HALL

HON. ROBERT E. BADHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. BADHAM. Mr. Speaker, today, I would like to take a moment to recognize and honor Mr. Tom Hall who has served as general manager of the Industrial Council of the City of Commerce since 1960. He will be honored at a banquet on June 24 in the City of Commerce as his retirement on July 1, 1985, will mark his completion of 25 years of service in this capacity.

As general manager of the industrial council, he has served his community by participating in many activities, including the Rio Hondo Boys and Girls Club of Bell Gardens, where he served as president and spearheaded a building drive for their new club house and office building; the United Crusade; served on the California Taxpayers Association L.A. Tax; Crippled Children's Society; Community Outreach Program, and is presently president of the Southeast Industry Education Council. He has worked closely with the Montebello Unified School District in their Adult Education Committee and the Vail Career Center.

So, it is with great pride that I congratulate Mr. Tom Hall on both his retirement and his 25 years of dedicated and outstanding service to his community.●

THE DEVELOPMENT OF THE CHILDREN'S NUTRITION RESEARCH CENTER

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. ANDREWS. Mr. Speaker, President Lyndon Johnson once said: "* * * to heal and to build in support of something worthy is * * * a noble task." Such a task is embodied in the development of the Children's Nutrition Research Center [CNRC] at the Texas Medical Center in Houston.

Of the five human nutrition centers in the Nation, the CNRC is the only facility focusing on the nutritional needs of expectant mothers, infants, and children. Last summer, the House of Representatives approved $49 million for construction of the permanent facility to house CNRC, as a part of the Baylor College of Medicine. With land donated by Baylor and funding from the Federal Government, once again we have a strong partnership of public and private funds working to build a stronger Houston, a better Texas and a brighter tomorrow for all.

Research conducted by CNRC scientists will contribute to the health of all Americans and has proven already to be an integral part of the renowned research community of the Texas Medical Center. The mission of the Center is to establish national standards for the dietary needs of women during pregnancy and nursing, and to determine the most desirable diet for growth and development of children from conception through adolescence.

I am very proud to have the Children's Nutrition Research Center within my congressional district and as part of the Texas Medical Center. The activities undertaken here will reach far beyond our city. I believe that such efforts will make tremendous contributions, through better nutrition, to the health of our Nation's future generations. Those who have been involved with this Center have a vision that the information learned through hard work and unrelenting research will be used to help assure the health and development of young people throughout the world. A primary obligation of the community of man is to provide for its children. Through the Center we celebrate man's commitment to make this a better world for our children.●

AUTOMATIC COMPENSATION FOR OUR FORMER PRISONERS OF WAR

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. WILLIAMS. Mr. Speaker, today I introduced two bills to provide automatic compensation to former prisoners of war held by the enemy in either the Asian and European Theaters of World War II or the Korean conflict. I do so on a date of melancholy historic note. Mr. Speaker, 43 years ago yesterday, May 6, the Japanese captured Corregidor, the strategic safeguard island of the Manila Harbor. With Bataan captured a month before, Corregidor gave Japan control of the Philippines. Scores of valient Americans on Corregidor held out until May 7 of 1943 before finally laying down arms.

Recognizing this country's responsibility to those held as POW's after Bataan and Corregidor and throughout World War II, Congress passed Public Law 97-37, the Former Prisoner of War Omnibus Act. I, like many of my colleagues, hailed passage of that act as just assistance for the veterans who suffered in the POW camps of our World War II enemies. But the remedy has been neither swift nor satisfactory. The Advisory Committee on Former Prisoners of War, established under Public Law 97-37, recorded the dismaying situation of our former POW's. Let me quote from the committee findings:

It is clear that the progress to date is not satisfactory, the efforts started too late, entirely too many delays have been experienced, and sufficient emphasis and interest by key officials has not always been evident.

They go on to advise:

We are obliged to point out that prompt and effective action is essential. The overwhelming majority of former POW's are from World War II and their average age is over sixty. If the VA does not demonstrate the ability to effectively rate the claims of former POW's in consonance with the medical knowledge now available, we will have no choice other than to recommend that a disability award be made to all former POW's based upon geographical location and tenure of imprisonment. Former POW's cannot, cannot wait any longer for equity.

Late last year, I introduced legislation similar to the automatic compensation bills I have introduced today. Unfortunately, Congress lacked the

time to act in 1984. Today, I urge my colleagues to move swiftly on my two new bills. The need is great and the unpaid debt to our veterans still looms large. Public Law 97-37 provided a good first step. However, the growing body of evidence of the problems suffered by our ex-servicemen dictates that our Government take the final step and grant automatic compensation for our former prisoners of war.

My legislation addresses the veterans who fought in the Asian and European Theaters of World War II and those of the Korean conflict. Automatic disability compensation of 60 percent would be granted to any veteran held by the enemy for more than 30 days. The bills also liberalize the definition of POW to include civilians who were captured and servicemen who evaded capture, but never rejoined our forces. These changes importantly bring American compensation into line with that of other countries, most particularly with that of Canada.

The advisory committee's report provided at least four key reasons why, I believe, automatic compensation is appropriate. Again, I quote from the report.

The adjudication of claims for service-connected disability by former POW's is profoundly and negatively affected by four factors. First, the number of former POW's is very small in relation to the total number of veterans. Second, the POW experience is so different from the experiences of most citizens, most veterans and even more combat veterans. Therefore, adjudicators and physicians who participated in the rating process are rarely exposed to former POW's. Third, former POW's generally have nonexistent or poor medical records covering the period of captivity and immediately thereafter. Fourth, the normal adjudication process requires clear medical evidence or etiological proof of the origin of disabilities. We are concerned that these factors are not sufficeintly addressed or compensated for in either the law or VA administrative directives and practices. Because of these factors, it has been difficult to implement Public Law 97-37.

Mr. Speaker, none of these factors since the report has changed for the better. Instead, we confront each day the loss of these men and the suffering of their families.

The former POW's still await just and fair treatment, and I believe the 99th Congress will move swiftly and vigorously to assist these veterans and their families.●

STATEMENT OF REPRESENTATIVE PATRICIA SCHROEDER

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mrs. SCHROEDER. Mr. Speaker, today, I, and 24 colleagues, are introducing the Field Office Closing Justification Act. This bill requires executive agencies to provide Congress with at least 120 days notice prior to making any significant changes in their field office structure that will adversely affect Federal employees.

Over the last several years, the Reagan administration has sought to cut dramatically the regional structure and field organizations of agencies throughout the Federal Government. Such efforts have met with congressional scrutiny and resistance. In recent months, the Office of Management and Budget has attempted to finesse these changes through administrative sleight of hand.

There is no dispute. Field offices cost money. Yet, apparently it is money well-spent for services well-appreciated. Polls indicate that Americans feel good about those government services with which they have direct contact, be it tax assistance, Social Security information, or soil conservation advice. Their hostility to government comes from the billions and billions of dollars of spending which they do not see.

On February 20, 1985, the administration issued a booklet entitled "Management of the United States Government, Fiscal Year 1986" announcing plans for the closings of hundreds of regional and field offices but providing no details. Earlier in February, the Civil Service Subcommittee sent letters to all Federal agencies with field structures asking for information on their plans for reorganization. Little information was provided. In the meantime, rumors run wild, agency morale sags, productivity sinks and congressional offices struggle to get some answers.

The President's Private Sector Survey on Cost Control—the Grace Commission—may have possibly uncovered the reason for such furtive action by the administration.

GAO [the General Accounting Office] has documented that in some cases the opposition to structural reform comes from Government employees directly affected by reorganization. Employees encouraged Congressional intervention using such tactics as: emphasizing human and financial losses when an office within their district is closed or consolidated; applying pressure through protest marches, letters, and telephone calls; using alliances between Congressional staff and agency personnel; and enlisting support and influence of former employees of affected agencies. (Report to the President, Page III-7).

Although the Grace Commission might find such activity by Federal workers and their Congress ominous, I do not.

The Field Office Closing Justification Act does not preclude the administration from streamlining the Government. It does not prevent office closings or consolidations. This bill simply requires each agency to advise Congress of their reorganization plans and to provide us with the justification and impact of such plans. Hopefully, this will encourage more thoughtful, more deliberate, and more consumer-response activity.●

A TRIBUTE TO JEANNETTE RANKIN

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. HAMMERSCHMIDT. Mr. Speaker, today I am paying tribute to a person whose courage and leadership should truly serve as an inspiration to all Americans. Just to say that Jeannette Rankin was the first woman elected to Congress does not illuminate all the fortitude, determination, and ingenuity she possessed as a leader in the fight for those causes she so doggedly embraced.

She worked fervently so that half of the American population would have the right to vote. Three years before her first election to Congress in 1916, she traveled 9,000 miles, sometimes on horseback, speaking and organizing for suffrage.

In recalling Ms. Rankin's bid for Congress, we can also clearly see the qualities that made this woman a great American. Her campaign, she said, was not for Congress, but for women's suffrage and peace. She used a grassroots and direct-mail postcard campaign virtually unheard of in her day—and did all this in a time when only 12 of 48 States even allowed women the right to vote. Once in Congress, Jeannette Rankin authored the first bill for Government-sponsored instruction in maternity and infant hygiene and also introduced measures to provide equal pay for equal work, regardless of gender.

In her commitment against war, she demonstrated the tenacity of a truly great leader. While there are probably few people who do not support the cause of peace, there are also few who would have upheld this cause by opposing America's entry into the world's two Great Wars. Jeannette Rankin was one of those few. Forty-four years ago, as Congress agreed to march head-on into World War II, she stood alone in this Chamber—not only as the sole woman, but also as the sole "nay."

Jeannette Rankin lives on not just as a symbol of dedication to world peace, workers' interests, and women's rights, but as a symbol of ingenuity, determination, and courage. I am proud to do her honor today.●

THE INTRODUCTION OF A BILL RELATING TO MOTOR FUEL BLENDING STOCKS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. MATSUI. Mr. Speaker, today I am introducing legislation which is designed to correct an anomaly which currently exists in the Tariff Schedules of the United States [TSUS] with respect to the tariff treatment of motor fuels.

Under the current law, the Customs Service has interpreted the tariff schedules to impose substantially higher duties on components of motor fuels than are imposed on finished motor fuels. This classification process has resulted in significant uncertainty with respect to the ability of the companies, who historically have manufactured finished motor fuels from imported components, to continue this activity on an economic basis. Consequently, such manufacturers' ability to supply products to independent marketers of motor fuels at a competitive price has been impaired.

During the debate on this issue in the 98th Congress, several members of the domestic refining industry expressed opposition to legislation to correct this problem. These refiners allege that increased imports pose a significant threat to domestic refiners. It is important that the Congress address this issue with an understanding of the circumstances which led to an increase in imports, as well as an understanding of the minimal effect of these imports on the refining segment of the petroleum industry.

While it is true that imports of finished gasoline and blendstock components have, in terms of percentage, increased, it appears that such imports, as the percentage of available supply, are not a substantial factor. It is difficult to believe that this minimal market penetration imposes a significant threat to the viability of domestic refiners. Rather, imports of finished motor gasoline and blending components perform only the function of exerting appropriate discipline on prices at the wholesale level.

Congress' failure to eliminate this obvious anomaly in the tariff schedules will not avoid the importation of finished motor fuels. Rather it will only ensure that the manufacture of such fuels from blending components of foreign origin will take place outside the customs territory of the United States and will thereby deny domestic entities the ability to manufacture motor fuels from such components.

During consideration of this issue during the 98th Congress the House Committee on Ways and Means and the Senate Committee on Finance directed the International Trade Commission [ITC] to institute an investigation for the purpose of gathering and presenting information on the tariff classification and treatment of those products potentially affected by a reclassification of catalytic naphtha and other motor fuel blending stocks. The results of this study were released in April 1985. The report addresses three main tariff classifications: First, the tariff treatment of naphthas and other motor fuel blending stocks; second, the tariff treatment of fuel-use ethyl alcohol, gasohol, and other gasohol/ethyl alcohol mixtures as it relates to the possible circumvention of the provisions of TSUS; and third, the tariff treatment of fuel-use methyl alcohol. This legislation would enact the recommendations put forth by the ITC.

It is essential that Congress act to resolve this obvious anomaly which exists with respect to the treatment of motor fuel blendstocks and finished motor fuels under the tariff schedules. I urge my colleagues to support the enactment of this legislation.●

CONGRESSIONAL SALUTE TO THE HONORABLE MARTIN VERHAGE OF PROSPECT PARK, NJ, DISTINGUISHED CITIZEN, COMMUNITY LEADER AND GREAT AMERICAN

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. ROE. Mr. Speaker, on Friday, May 10, the residents of Prospect Park, my Eighth Congressional District and State of New Jersey will join together in testimony to the lifetime of outstanding public service that our people have received from a most distinguished citizen, esteemed community leader and good friend, the Honorable Martin VerHage, whose exemplary good deeds on behalf of the people of Prospect Park have truly enriched our community, State and Nation. I know that you and our colleagues here in the Congress will want to join with me in deep appreciation of all of his good works and share great pride in the success of his achievements with his good wife Gertrude on this most joyous occasion.

Mr. Speaker, Martin VerHage is an outstanding individual who throughout his lifetime has earned the respect and esteem of all of us who have had the good fortune to know him. He has served the borough of Prospect Park as councilman for 33 years and has been a staunch supporter and active participant in many civic and community improvement programs.

In addition to his faithful service on the governing body of Prospect Park, he has served 57 years as a volunteer fireman, was police commissioner of Prospect Park for 22 years, part-time patrolman for 10 years during the World War II period and was employed as chief custodian of the Prospect Park Public School for 39 years.

In his daily pursuits Martin has extended the richness of his wisdom and expertise—always giving willingly and unselfishly of his time—in helping others. We applaud his knowledge, training, hard work and personal commitment that has enabled him to achieve the fullest confidence and strongest support of the people of our community. By his example and many accomplishments in civic, community and charitable endeavors, Martin VerHage has personified a special quality of leadership, dedication and sincerity of purpose in his responsible service to our people.

Although he completed his 33 years on the borough council on January 1, 1985, he continues to be of service to the community. His ever presence in the municipal complex and active participation in public affairs attest to his dedication to the community in which he was born.

Mr. Speaker, it is appropriate that we reflect on the deeds and achievements of our people who have contributed to the quality of our way of life here in America and I appreciate the opportunity to call your attention to Martin VerHage's lifetime of outstanding public service. As we gather together in testimony to his many contributions to the quality of life and way of life in our community, we do indeed salute a distinguished citizen, community leader and great American—the Honorable Martin VerHage of Prospect Park, NJ.●

HONORING SOROPTOMIST'S "WOMAN OF DISTINCTION", MAGDALENA APARICIO

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. TORRES. Mr. Speaker, I want to bring to the attention of my colleagues the outstanding work of an individual who is being honored as "Woman of Distinction" by the East Los Angeles Soroptomists.

Magdalena Aparicio was born in El Paso, TX and came to East Los Angeles in 1946. She is a graduate of Garfield High School and has worked in the East Los Angeles community for over 30 years.

Maggie, as she is known by her friends and associates, has given many years of dedicated service to her favorite cause. She has worked to increase the number of women and minority owned businesses through her involve-

ment in the banking and business sectors.

I would like to mention just a few of her accomplishments which have earned her this auspicious award. Maggie has spent 18 years working in the banking industry. She was assistant manager for the Pan American Bank, Commerce City Bank, and Bank of America. Later, she became executive director of the East Los Angeles Business Development Center. She organized the first West Coast Business Women's Conference. She was a founding member of the East Los Angeles Sheriff's Youth Athletic League.

Mr. Speaker, I am sure that her husband Leo and her four sons Danny, Richard, Michael, and David are very proud of her. She has certainly earned the respect and admiration of her community.

I would like to ask my colleagues to join with me in giving our best to Mrs. Magdalena Aparicio, the East Los Angeles Soroptomist's "Women of Distinction."●

CONTRIBUTIONS OF LIONESS CLUBS

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. GREEN. Mr. Speaker, as the Member of Congress privileged to represent New York City's 15th District, it is my great honor to rise in recognition of the contributions of some outstanding women of Manhattan, the Lionesses of District 20-R2. Both as Lioness Club members and as citizens these women are valuable participants in our community.

In 65 nations of the world more than 68,000 women in over 2,700 Lioness Clubs are serving the needy of their communities and the world. Lioness Clubs assist their sponsoring Lions Clubs in a vast variety of service activities, and they also plan and implement projects of their own in their communities. Woman's roles in society, combined with her unique talents and capabilities, make Lioness Clubs an invaluable asset to each area they represent and also to the entire world. Among the numerous community activities the Lionesses perform are: work with young adults, child care, health services, helping the aged, ecological concern, and vocational assistance. Additionally, Lioness Clubs participate in international relations programs such as International Club Twinning, whereby clubs enter into a sisterhood alliance that may include cultural exchange, cooperative service projects, and exchange hosting of travelers. Lionesses provide a link between their communities and the rest of the world.

Mr. Speaker, I know my colleagues in the House will want to join me in paying homage to the achievements of these women and the effort they put into their work. They truly epitomize the concept of community service.●

MEXICAN HOLIDAY

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. COLEMAN of Texas. Mr. Speaker, each year Mexico celebrates its national independence day on May 5, a national holiday known as El Cinco de Mayo. It commemorates a battle at the city of Puebla, Mexico, in which Mexican defenders held off an invasion of French troops in 1862.

The significance of the holiday lies in Mexico's spirit of independence. Then, as now, the quest for freedom and self-determination guided the nation, its leaders and its people. The commitment to national sovereignty and dignity was symbolized by the Mexican patriot, Benito Juarez, who orchestrated the defeat of the French.

Mr. Speaker, my constituents in west Texas join their neighbors in the state of Chihuahua and our sister city of Ciudad Juarez in this celebration of freedom, and we offer our best wishes for this day of national celebration.

Thank you very much.●

TAKEOVERS

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. RICHARDSON. Mr. Speaker, most of us in the Congress are aware of the increasing numbers of hostile takeovers of major corporations in this country; most of us are also aware of the negative consequences these takeovers hold for the productivity, the future growth, and the health of our economy.

Mr. Speaker, no one questions the legitimate takeover of a company—this represents American capitalism at its best. But these "takeovers" which I am concerned about are not takeovers in the traditional sense—they are not undertaken with the goal of acquiring a company as an ongoing entity; rather they are financial ploys, the primary goal of which is the enrichment of a few at the expense of the long term health of U.S. companies.

The financing for corporate raids appears to be coming in increasing amounts from banks and thrifts searching for high yield investments to prop up poor profit performance. We could be using capital to modernize housing, plants and farms—instead, we are encouraging nonproductive and economically harmful activities which have destabilized our credit markets for which the Federal Government bears the ultimate risk.

No one fully understands the impacts these hostile takeovers hold for our economy. We do know that since 1981, 115 of the Fortune 500 companies have disappeared as a consequence of takeovers. Takeover mania is forcing corporate America to focus solely on maximizing current stock prices to the detriment of future growth, jobs and wealth. Long term capital expenditures, research and development efforts and social contributions are being sacrificed because they do not positively affect stock prices in the short run. And management spends an inordinate amount of time devising ways to stop hostile takeovers—this in turn hurts the competitiveness of U.S. companies.

Mr. Speaker, I think this activity raises serious antitrust and national security concerns. I will introduce legislation today which would place a moratorium on takeovers financed by junk bonds. The moratorium would expire on December 31, 1985. The bill is narrow in scope yet would provide Congress the needed opportunity to study this new takeover mechanism and the potentially damaging economic impacts without sacrificing additional companies in the meantime. I urge my colleagues to join me in opposing these damaging and unproductive takeovers by supporting this legislation.●

CONVEYING FOREST SERVICE LANDS TO BALL, LA

HON. JERRY HUCKABY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. HUCKABY. Mr. Speaker, today I am introducing legislation to convey certain U.S. forest lands to the town of Ball, LA, located in my Fifth Congressional District in Rapides Parish. The lands to be transferred without consideration total approximately 40 acres east of Ball and would be used as a community recreational complex.

The town of Ball is the third largest incorporated municipality in Rapides Parish and is growing rapidly. In fact, the major Federal highway in the area was enlarged and upgraded to four lanes. However, the town has no recreational facilities to speak of to accommodate the citizens of Ball. It is surrounded by national forest lands or other towns and parishes, leaving Ball virtually no room to expand its city limits.

This 40-acre tract is ideal for development as a public recreation area. Former mayor of Ball, Tommy Hol-

lingsworth, initiated an application for a special use permit 2 years ago to proceed with the construction of a recreational facility there. The town having limited financial resources to pay for the development of this type of recreational complex proposed—which includes tennis, basketball and volleyball courts, ballfields, restroom facilities, picnic areas, trails, and playground equipment—its local civic Optimist Club agreed in a spirit of community cooperation to improve, construct, and maintain this recreation area.

Hollingsworth, the current mayor of Ball, Clyde Moore, and other town officials worked closely with the U.S. Forest Service on this matter. Unfortunately, the Service could not approve a special use permit for this proposed complex because it was not compatible with the type of recreation opportunities normally offered on national forest lands. Significant capital investments of permanent improvements proposed in this project are not considered a judicious long-term allocation of Federal lands. Furthermore, operation and maintenance of public facilities under permit are often higher than what the permittee anticipates or is able to finance over a long period. Other avenues were investigated, such as land exchanges or donations, but to no avail.

Mr. Speaker, because the lands in question are presently being utilized for public purposes and will continue to be managed by the town for such purposes, it seems reasonable to me that this land should be conveyed to the town of Ball without consideration. It will allow this community which is essentially surrounded by federally owned land to accommodate the growing demand for increased recreational opportunities. I urge timely and expeditious consideration of this bill.●

A CONGRESSIONAL SALUTE TO LARRY MARSHALL, OUTGOING PRESIDENT OF THE LONG BEACH JUNIOR CHAMBER OF COMMERCE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. ANDERSON. Mr. Speaker, on May 11, the Long Beach Junior Chamber of Commerce will hold its 54th Annual Installation and Awards Banquet to honor its new president and incoming officers and directors. I take this opportunity today to congratulate the Jaycee's outgoing president, Mr. Larry Marshall, on a job well done over this past year.

A native of Idaho, Larry first began his involvement in the Jaycees in 1975 in Kennewick, WA. As a member of the Kennewick Jaycees, Larry served as its director, 1975–76, and State director, 1976–77. He would later serve as district director of the Washington State Jaycees, 1977–78.

Moving to southern California in 1977, Larry quickly joined the Monrovia Jaycees in 1977 and served as State director. The following year, he joined the Long Beach Jaycees and served as director twice, external vice president, State director and, of course, president.

An employee of the Ralph Parsons Co. in Pasadena, Larry was, among other things, selected Key Man of the Year for 1983–84 and is noted as one of the Outstanding Young Men of America for 1984.

Mr. Speaker, Larry Marshall has served well as president of the Long Beach Jaycees. He has earned the respect of this peers, and helped make Long Beach a better place to live and work.

My wife, Lee, joins me in saluting Larry on this special occasion. We wish him continued success in all his future endeavors.●

A SYMBOL OF COURAGE AND DEMOCRACY: KIM SANG HYON OF KOREA

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. DYMALLY. Mr. Speaker, I would like to acquaint my colleagues with a story of courage and commitment. Secure and comfortable, few Americans appreciate the struggle to maintain democratic principles in the Third World. One of America's staunchest allies, the Republic of Korea, has been praised by the Reagan administration and well-intentioned American economists for its recent achievements in the field of economic development. Democracy too, is becoming a part of the Government of the Republic of Korea.

For 32 years, Kim Sang Hyon, a former member of the Korean Assembly, has toiled to safeguard the cause of political freedom in the midst of economic priorities. Often a lonely task, Kim Sang Hyon, like his colleague Kim Dae Jung, has paid the price of this vigilance. The victim of antidemocratic presidential decrees, as well as personal harassment, he has persisted in carrying the message of democratic reform.

Given America's democratic tradition, it is hoped that the U.S. Government will now offer encouragement and support to Kim Sang Hyon and his associates. Sometimes we have confused our defense and strategic interests with our own sense of democratic mission. It is not too late to remedy this difficulty. Let us offer our warmest praise to Kim Sang Hyon for keeping the flame of democracy alive in Korea. In the face of adversity, he has represented America's true interest in foreign affairs and the best interest of his country, the championing of democracy.●

VITOLS HONORED DURING SMALL BUSINESS WEEK

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. EDGAR. Mr. Speaker, today I am pleased to pay tribute to an outstanding member of the Pennsylvania small business community—Mr. Elmars Vitols, president of Vitols Tool & Machine Corp.

His Philadelphia, PA, manufacturing firm was selected as the outstanding subcontractor in the Small Business Association's region III encompassing all of Pennsylvania, Maryland, Delaware, West Virginia, the District of Columbia, and Virginia.

Mr. Vitols will be honored during Small Business Week, May 5–11 along with other outstanding Federal procurement prime contractors and subcontractors, and small business people and business advocates from each State, the District of Columbia, and Puerto Rico.

Vitols Tool & Machine Corp. is one of only 15 machine shops of its size to have been approved to participate in the Navy Nuclear Spare Parts Procurement Program.

I applaud Elmars Vitols and other 14.2 million outstanding small businesses whose vital role in our Nation's economy should not be overlooked.●

A TRIBUTE TO MR. JARED TRUSSLER

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. THOMAS of California. Mr. Speaker, it gives me a great deal of pride and pleasure to announce to my colleagues that Mr. Jared Trussler, president of Trusco Tank Inc., a small business in San Luis Obispo County which is located in my congressional district, has been selected by the Small Business Administration as the Central California Small Business Person of the Year.

This honor is the result of stringent competition among more than 100,000 small businesses in the central California area, and I believe that it reflects well, not only upon Trusco Tank, but

upon the entire small business community.

Mr. Trussler founded his company in 1970 in a barn loft, which is in the time-honored tradition of American enterprise. Mr. Trussler had little more than an idea and the determination to carry it through, but he was willing to take the risk, and his hard work has paid off. Today, Trusco Tank is one of the central coast's most successful businesses and one of its largest employers.

Mr. Speaker, Jared Trussler's story illustrates why we must continue to keep America the kind of Nation in which individual initiative and ideas can flourish. Small businesses are a tremendous source of innovation, and they are the greatest source of new jobs in this country.

America needs small business in order to keep up its economic growth and generate new ideas and products. If we look at the beginnings of many of today's corporate giants, we see that a lot of them began as small concerns. Eastman-Kodak, McDonald's, and scores of other large corporations were once smaller than Trusco Tank.

Trusco Tank may not ever become as large as an IBM, but it is doing a great job of competing in its market, and I salute Mr. Trussler for being selected as the Small Business Person of the Year for Central California.●

CINCO DE MAYO—THE HISPANIC CONTRIBUTION TO THE UNITED STATES

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LANTOS. Mr. Speaker, May 5—Cinco de Mayo—is one of the most celebrated days in Mexican history. This Mexican national holiday commemorates the anniversary of the Battle of Puebla which was fought on May 5, 1862. Mexican troops under General Ignacio Zaragoza—outnumbered 3 to 1—defeated the invading French forces of Napoleon III.

This celebration is not just a military commemoration, Mr. Speaker. More important, it is remembered as a triumph of the human spirit, a triumph of courage in the face of almost certain disaster. It is a celebration of the Mexican national spirit overcoming foreign intervention and imperial domination.

This great occasion is not only observed in Mexico with parades, festivals, dances, and speeches, but Hispanics here in the United States remember this important date as well. It is an occasion when all Americans—Hispanics and non-Hispanics—celebrate and acknowledge the important contributions of Hispanics to our country.

Long before English-speaking colonists arrived at Jamestown and Plymouth Rock, Hispanics were in this country. My home State of California was first settled by Mexican colonists.

Our national culture has been greatly enriched by many Hispanic contributions to our language, art, music, and food, but the most important contribution has been our Hispanic fellow-citizens themselves. Hispanics have shown their patriotism through outstanding service in our Armed Forces. A significant number of Hispanics have been awarded the Congressional Medal of Honor. Hispanics have been outstanding members of U.S. Olympic teams; they are among our Nobel laureates.

Though Hispanics have contributed much to our Nation, they have also faced serious problems—barriers in education, housing, and employment, and discrimination in many areas.

Just as the badly outnumbered Mexican troops at the Battle of Puebla did not despair but went on to achieve a remarkable victory, Hispanics in the United States are struggling to break down those barriers to achieve the American dream. I salute our Hispanic friends and neighbors on this important occasion. In San Mateo County and throughout our Nation they contribute richly to what is our great and pluralistic American heritage.●

SOLIDARITY SUNDAY FOR SOVIET JEWRY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. ROE. Mr. Speaker, on Sunday, May 5, the 85 constituent agencies of the Coalition to Free Soviet Jewry sponsored Solidarity Sunday to reaffirm the resolve to secure freedom for Soviet Jews and for beleaguered people everywhere. For this reason, it is highly appropriate that we here in Congress salute that event by participating in this special order recognizing the ever-deteriorating plight of the Jews of the Soviet Union.

In recent days, the Soviet Government has sharply increased its discrimination against Jewish culture and religion by arresting Hebrew teachers on false criminal charges, attacking Hebrew teaching circles as subversive and practicing anti-Semitic ideology under the cloak of "Anti-Zionism." One person who has been arrested and incarcerated is Iosef Begun, and I would like to bring you up to date on his deteriorating condition.

In 1983, Hebrew teacher and Jewish activist Iosef Begun was sentenced to 7 years in a labor camp and 5 years of internal exile on charges of anti-Soviet agitation and propaganda. His family has repeatedly been denied the right to visit him at the camp, and Soviet officials have failed to answer questions about his health, which is known to be in critically poor condition.

In protest to his father's incarceration and being cut off from the outside world, Iosef Begun's son Boris began a hunger strike on March 4, 6 months after the family last heard from him. Western visitors to the younger Begun reported that he looked half-dead, weighed slightly under 100 pounds, that his veins were swollen and popping out of the side of his head, and that he had suffered permanent damage to his vision because of his hunger strike. One eyewitness said that although he was only 19, he—the younger Begun—looked 40.

On April 12, 1985, Boris Begun received a telegram from the Soviet authorities saying that Iosef Begun had been transferred to another prison. The telegram made no mention of the site of this new prison. The authorities also returned to Boris packages and mail that he had sent to his father. As of this writing, Iosef Begun's whereabouts are unknown.

Mr. Speaker, the plight of Iosef Begun and the toll it has taken on his family is but one example of the persecution and terror facing the Jews of the Soviet Union. Every day we read about some new refusenik who has been denied a visa or who has lost his or her job or has been thrown in jail on charges of "anti-Soviet propoganda" or "hooliganism." We have a moral obligation to speak out against injustice in this world wherever it occurs, against whomever it is being committed, and the Jews of the Soviet Union are no exception. Many of the Jews of Russia today are the survivors of or the children of survivors of the victims of Nazi persecution during the Second World War. How ironic it would be if the Jews were to have survived the physical torture of the Nazis only to succumb to the forced assimilation of the Soviet Government.

We cannot sit idly by and watch another great Jewish culture and civilization disappear into the darkness. By means of Solidarity Sunday, we reaffirm our resolve to keep the pressure on the Soviets, to let them know that we are determined to help the Jews of Russia to live as Jews without fear of persecution and to be able to emigrate, should they choose to do so. It is our solemn duty to speak out on behalf of Soviet Jewry, and we can do no less.●

IN SUPPORT OF CONSUMER AND HOMEMAKING EDUCATION

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. HAMMERSCHMIDT. Mr. Speaker, for many years vocational home economics education has played an important part in the education of our young citizens. I know that in my home State of Arkansas, the consumer and homemaking education program has helped countless young students get a better start on adult life by giving them the skills necessary to handle a home and family, such as financial responsibility, consumer choices, parenting skills, child development, proper nutrition, and managing home and work responsibilities.

In fact, just last October Congress recognized the contribution of consumer and homemaking education when it passed the Carl D. Perkins Vocational Education Act, Public Law 98-524, reauthorizing Federal support for this worthwhile program. Homemaking education has been a line item in the vocational education budget until this year, when the administration proposed eliminating it as a line item beginning in fiscal year 1986, and including the funds as part of the title II basic grant. This proposal could have an adverse effect on homemaking education.

Although the same $32 million amount that was appropriated in fiscal year 1985 would be added to the basic grant amount for fiscal year 1986, the funds would no longer be earmarked especially for homemaking education. This would mean that States could choose not to fund the program, or to fund it at lower levels.

I believe that this would be a mistake. Homemaking education adds another dimension to the education of our children. Dedicated home economics teachers help young people come to terms with adult life and learn to cope with many of the everyday problems that they will face. In a recent letter to me, Dr. Reba Davis, president of the Arkansas Alliance of Professional Organizations of Home Economics and Related Fields, stated, "I am convinced that without this dedicated group of professionals at work, the social problems of rape, suicide, divorce, drugs, teen pregnancy, and others would drastically increase."

In Arkansas, over 27 percent of all secondary school students elect to take home economics courses, and of that number 39 percent are young men. These statistics speak well of Arkansas' excellent home economics program.

Home economics is unique and vital because it is the only field that has the family as its focus. For the stability of our Nation, it must continue to be recognized as a national priority, and should certainly remain a separate line item in the fiscal year 1986 budget.●

JOINT RESOLUTION FOR NATIONAL HOLSTEIN DAY

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. COELHO. Mr. Speaker, today I am introducing a joint resolution that May 25, 1985, be proclaimed "National Holstein Day." The Holstein breed of dairy cattle produces upward of 90 percent of the Nation's milk supply, and U.S. holsteins are recognized worldwide as being the superior strain of holstein breeding stock. In addition, the genetic pool of the holstein breed in the United States has become the primary source of genetic material for the development and improvement of dairy cattle in the world, and the Holstein-Friesian Association of America maintains the only official, complete genetic data bank and lineage record for all purebred, registered holstein dairy cattle in the United States.

This association, which is a nonprofit membership organization of more than 44,000 breeders of purebred, registered holstein dairy cattle, was organized May 25, 1885, and chartered by the Legislature of New York as a union of two predecessor organizations dating back to 1871. The association, through its many programs and services to the dairy industry has provided and continues to provide an environment, incentives, and genetic data for continued improvement of the holstein breed.

Accordingly, I introduce this joint resolution today to proclaim May 25, 1985, as National Holstein Day and give the Holstein-Friesian Association of America the recognition they so clearly deserve.●

ELIE WEISEL INTERPRETS THE IMPORTANCE OF OUR VICTORY OVER NAZI GERMANY

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. BERMAN. Mr. Speaker, this year freedom-loving people around the world are celebrating the anniversary of the victory of America and our allies over Nazi barbarism.

No one has so eloquently captured the eternal moral significance of that triumph as well as the poet and writer, Elie Weisel.

Mr. Weisel, a survivor of the Buchenwald death camp, made the following remarks in an impassioned appeal to President Reagan that the President cancel his visit to the military cemetery in Bitburg. Mr. Weisel's statement came at the White House after President Reagan presented him with the Congressional Gold Medal of Achievement.

Mr. Weisel's statement, though unsuccessful in convincing Mr. Reagan to avoid Bitburg, is enormously moving in its assessment of the importance of allied victory in World War II. He measures well the debt we all owe to the 300,000 American soldiers who laid down their lives in the defense of civilization against the depravity of the Nazis. In that, Mr. Weisel was as successful as any speaker I have ever heard. I wanted to share his statement with every Member of Congress and the American people.

Mr. Weisel's remarks on that day follow:

ELIE WEISEL INTERPRETS WORLD WAR II ERA

Mr. President, speaking of the conciliation, I was very pleased that we met before, so a stage of the conciliation has been set in motion between us. But then, we were never on two sides. We were on the same side. We were always on the side of justice, always on the side of memory, against the SS and against what they represent.

It was good talking to you, and I am grateful to you for the medal. But this medal is not mine alone. It belongs to all those who remember what the SS killers have done to their victims.

It was given to me by the American people for my writings, teaching and for my testimony. When I write, I feel my invisible teachers standing over my shoulders, reading my words and judging their veracity. And while I feel responsible for the living, I feel equally responsible to the dead. Their memory dwells in my memory.

Forty years ago, a young man awoke and he found himself an orphan in an orphaned world. What have I learned in the last 40 years? Small things. I learned the perils of language and those of silence. I learned that in extreme situations when human lives and dignity are at stake, neutrality is a sin. It helps the killers, not the victims. I learned the meaning of solitude, Mr. President. We were alone, desperately alone.

IMPOSSIBLE TO COUNT ALL THE NAMES

Today is April 19 and April 19, 1943, the Warsaw Ghetto rose in arms against the onslaught of the Nazis. They were so few and so young and so helpless. And nobody came to their help. And they had to fight what was then the mightiest legion in Europe. Every undergound received help except the Jewish underground. And yet they managed to fight and resist and push back those Nazis and their accomplices for six weeks. And yet the leaders of the free world, Mr. President, knew everything and did so little, or nothing, or at least nothing specifically to save Jewish children from death. You spoke of Jewish children, Mr. President. One million Jewish children perished. If I spent my entire life reciting their names, I would die before finishing the task.

Mr. President, I have seen children, I have seen them being thrown in the flames alive. Words, they died on my lips. So I have learned, I have learned, I have learned the fragility of the human condition.

And I am reminded of a great moral essayist. The gentle and forceful Abe Rosenthal, having visited Auschwitz, once wrote an extraordinary reportage about the persecution of Jews, and he called it, "Forgive them not Father, for they knew what they did."

OPPOSITE OF LOVE IS INDIFFERENCE

I have learned that the Holocaust was a unique and uniquely Jewish event, albeit with universal implications. Not all victims were Jews. But all Jews were victims. I have learned the danger of indifference, the crime of indifference. For the opposite of love, I have learned, is not hate, but indifference. Jews were killed by the enemy but betrayed by their so-called allies, who found political reasons to justify their indifference or passivity.

But I have also learned that suffering confers no privileges. It all depends what one does with it. And this is why survivors, of whom you spoke, Mr. President, have tried to teach their contemporaries how to build on ruins, how to invent hope in a world that offers none, how to proclaim faith to a generation that has seen it shamed and mutilated. And I believe, we believe, that memory is the answer, perhaps the only answer.

TRIED TO CARRY THEM IN TRIUMPH

A few days ago, on the anniversary of the liberation of Buchenwald, all of us, Americans, watched with dismay and anger as the Soviet Union and East Germany distorted both past and present history.

Mr. President, I was there. I was there when American liberators arrived. And they gave us back our lives. And what I felt for them then nourishes me to the end of my days and will do so. If you only knew what we tried to do with them then. We who were so weak that we couldn't carry our own lives, we tried to carry them to triumph.

Mr. President, we are grateful to the American Army for liberating us. We are grateful to this country, the greatest democracy in the world, the freest nation in the world, the moral nation, the authority in the world. And we are grateful, especially, to this country for having offered haven and refuge, and grateful to its leadership for being so friendly to Israel.

And, Mr. President, do you know that the Ambassador of Israel, who sits next to you, who is my friend, and has been for so many years, is himself a survivor? And if you knew all the causes we fought together for the last 30 years, you should be prouder of him. And we are proud of him.

And we are grateful, of course, to Israel. We are eternally grateful to Israel for existing. We needed Israel in 1948 as we need it now. And we are grateful to Congress for its continuous philosophy of humanism and compassion for the underprivileged.

And as for yourself, Mr. President, we are so grateful to you for being a friend of the Jewish people, for trying to help the oppressed Jews in the Soviet Union. And to do whatever we can to save Shcharansky and Abe Stolar and Iosif Begun and Sakharov and all the dissidents who need freedom. And of course, we thank you for your support of the Jewish state of Israel.

But, Mr. President, I wouldn't be the person I am, and you wouldn't respect me for what I am, if I were not to tell you also of the sadness that is in my heart for what happened during the last week. And I am sure that you, too, are sad for the same reasons.

SPEAK TRUTH TO POWER

What can I do? I belong to a traumatized generation. And to us, as to you, symbols are important. And furthermore, following our ancient tradition, and we are speaking about Jewish heritage, our tradition commands us "to speak truth to power."

So may I speak to you, Mr. President, with respect and admiration, of the events that happened?

We have met four or five times. And each time I came away enriched, for I know of your commitment to humanity.

And therefore I am convinced, as you have told us earlier when we spoke, that you were not aware of the presence of SS graves in the Bitburg cemetery. Of course you didn't know. But now we all are aware.

May I, Mr. President, if it's possible at all, implore you to do something else, to find a way, to do something else, to find a way, to find another way, another site? That place, Mr. President, is not your place. Your place is with the victims of the SS.

Oh, we know there are political and strategic reasons, but this issue, as all issues related to that awesome event, transcends politics and diplomacy.

The issue here is not politics, but good and evil. And we must never confuse them.

For I have seen the SS at work. And I have seen their victims. They were my friends. They were my parents.

Mr. President, there was a degree of suffering and loneliness in the concentration camps that defies imagination. Cut off from the world with no refuge anywhere, sons watched helplessly their fathers being beaten to death. Mothers watched their children die of hunger. And then there was Mengele and his selections. Terror, fear, isolation, torture, gas chambers, flames, flames rising to the heavens.

ONLY THE KILLERS ARE GUILTY

But, Mr. President, I know and I understand, we all do, that you seek reconciliation, and so do I, so do we. And I too wish to attain true reconciliation with the German people. I do not believe in collective guilt, nor in collective responsibility. Only the killers were guilty. Their sons and daughters are not.

And I believe, Mr. President, that we can and we must work together with them and with all people. And we must work to bring peace and understanding to a tormented world that, as you know, is still awaiting redemption.

I thank you, Mr. President.●

REA'S BIRTHDAY

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. McDADE. Mr. Speaker, I rise to take note of the fact that on May 11, we will mark the 50th anniversary of the establishment of the Rural Electrification Administration, an event that has special significance in my district of Pennsylvania.

The late Gov. Gifford Pinchot of Pennsylvania was one of the leaders in the Nation in bringing electric service to the rural areas of the Keystone State. Governor Pinchot's estate, Grey Towers, is located in Pike County, PA, which is a part of my congressional district. The estate is now owned by the Federal Government and stands as a monument to Governor Pinchot and his foresight.

Fifty short years ago, many rural farms and rural homes did not enjoy the benefits of electrical power. Today, because of the REA and electric cooperatives, there are very few areas of our Nation without power.

Governor Pinchot ordered a study of Pennsylvania's utility industry and the man who carried it out, Morris L. Cooke, became the first head of the REA. The man who succeeded him, John M. Carmody, was also a Pennsylvanian.

I am proud of what those Pennsylvanians accomplished. The success of the REA becomes evident each evening as darkness falls and the lights click on across rural America.●

BUDGET CUTS OF THE ADMINISTRATION HAVE HURT THE VISITING NURSE ASSOCIATION

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. TRAFICANT. Mr. Speaker, 1984 marked the 80th anniversary of the Visiting Nurse Association of the Greater Youngstown area [VNA]. For 80 years the VNA of the Greater Youngstown area has provided quality home health care to the people in the Youngstown community. I rise today to commend the VNA for the fine work it has done and for the 80 years of vital service it has provided to the Youngstown community. I also rise to express my concern over the administration's cutbacks in Federal entitlement programs that have significantly hindered the efforts of the VNA across the country. No where are the services of the VNA more vital than in my home district, which has been victim in recent years of some of the highest unemployment levels in the entire country.

The purpose of the VNA is as clear and as necessary as it was 80 years ago—the provision, with a family-centered approach, of skilled nursing and other therapeutic services on a part-time basis in the home or specific clinic settings that contribute to meeting the health needs of individuals and families, and the promotion of health and prevention of illness, both physical and mental. In light of the many changes that have taken place in the health care delivery system in recent years the VNA is committed to meeting the new challenge of the 1980's: to ensure that quality comprehensive coordinated home care services are accessible to all in the community and are utilized by them when needed.

In recent years, Mr. Speaker, the VNA of the Greater Youngstown area

has found it increasingly difficult to meet this challenge. Cutbacks and changes in entitlement programs at the Federal level have adversely impacted upon and continue to effect the VNA. The continued increase in more narrow interpretations of Medicare guidelines and eligibility for service reimbursement had a negative impact on the VNA's staff and patients in the Youngstown area. The disturbing result has been a reduced volume of service, as well as revenues. The overall economy of the Youngstown area has been seriously stifled by mass unemployment. My district has not experienced the so-called economic recovery. The economic situation has impacted on the VNA in that fewer people, because of their financial situation, have any health coverage that includes home health care benefits.

Another growing problem for the VNA has been the increasing numbers of elderly in the Youngstown community. Because of advances in scientific knowledge and technology, advances in medical care and treatment, and improvements in environmental controls, life expectancy has risen dramatically. Today the fastest growing segment of the population is in the age group 85 years and older. It is anticipated that the elderly population in the Youngstown area will continue to increase. In wake of recent cutbacks in Federal funding programs by the Reagan administration, the VNA is faced with a pressing challenge to meet the growing need for long-term home health services. Many times home health care service can prevent or postpone premature institutionalization.

The Visiting Nurse Association of the Greater Youngstown area has provided the people in my district with much needed and quality home health care service for over 80 years. They continue to provide vital services to our community and action must be taken to ensure that vital Federal programs to assist the VNA in their work are not cut back or eliminated. We here in Congress must not turn our backs on this Nation's elderly and those who desperately need the services the VNA provides. I urge my colleague to do the human thing—oppose further cuts and reductions in entitlement programs for the elderly and home health programs.●

NEW YORK VIETNAM VETERANS MEMORIAL COMMISSION

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. WEISS. Mr. Speaker, I invite the Members to join me in commending the New York Vietnam Veterans Memorial Commission. Yesterday they celebrated the opening of a memorial to New Yorkers who served in Vietnam with an old-fashioned ticker tape parade. The memorial, located in my congressional district in lower Manhattan, is a glass block sculpture etched with excerpts of letters sent to and from Vietnam. The letters will form the basis of "Dear America," a book whose proceeds will be directed to a unique "living memorial" to Vietnam veterans. This living memorial is a program dedicated to resolving the problems of the unemployed and underemployed New York Vietnam veteran. The program includes a model jobs program, job skills training, and specialized employment counseling and support services. This creative initiative, conceived and conducted by the commission, deserves our enthusiastic support. The commission's efforts enable New Yorkers to commemorate the Vietnam veteran.

I am familiar with the needs of Vietnam veterans and the failure of this administration to provide the health, employment, educational, and supportive services they need. One of my efforts in Congress has been to ensure that Federal funds and resources allocated for the Vietnam veteran with readjustment problems actually reaches the veteran in need. In some ways, arriving home was the most traumatic event of all for men and women returning from Vietnam. Returning soldiers and nurses were treated as pariahs, the protagonists of an unpopular war. The monument erected by the New York Vietnam Veterans Memorial Commission serves to remind us of the commitment demonstrated by those who served in Vietnam. Our efforts in Congress can contribute to providing the health and human services deserved by those who served.

Let us express our gratitude to the commission for assuming the task of raising funds to serve those who served in Vietnam, in memoriam and in life. Let us renew our commitment to the veterans of Vietnam by ensuring that those urgently needed services are provided.●

ALDINE ISD OBSERVES 50TH ANNIVERSARY

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. FIELDS. Mr. Speaker, the Aldine Independent School District observed the 50th anniversary of its founding on May 4, and I would like to take this opportunity to commend the administrators, faculty members, students and parents—past and present—on the tremendous progress made over the years in the Aldine ISD.

Fifty years ago, on May 4, 1935, the residents of the communities of Higgs, Brubaker, Westfield, and Aldine came together to vote on whether or not to merge their schools into one unified system. As a result of that vote, the old Common School District No. 29 was transformed into the current-day Aldine Independent School District.

At ceremonies I attended last Saturday, more than 8,500 guests—and more than 10,000 students—joined together to celebrate the progress Aldine ISD has made over the last half century. Attending those ceremonies were M.O. Campbell, the current superintendent of the Aldine ISD, and the two surviving former superintendents: John Earl Barden, who served as superintendent from 1941–44, and Dr. W.W. Thorne, who headed the Aldine ISD from 1958–72.

With 36,000 students 2,000 teachers, a total of 3,200 employees—counting support staff—and 34 schools, the Aldine ISD is the second largest school district in Harris County.

Again, Mr. Speaker, I want to take this opportunity to congratulate the Aldine ISD on its 50th anniversary. Those of us familiar with the educational excellence of the Aldine ISD—which, incidentally Mr. Speaker, my mother attended—know that under M.O. Campbell's leadership, that tradition of excellence will continue in the years ahead.

Thank you, Mr. Speaker.●

VETERANS HEALTH CARE BUDGET CANNOT BE REDUCED FURTHER

HON. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. MONTGOMERY. Mr. Speaker, within the next few weeks, the House and Senate will be making major decisions on the budget for fiscal year 1986. Many Federal programs will be affected. The decisions we must make will not be easy. We all have different priorities.

A very high priority of mine is veterans health care. I want my colleagues to fully understand the impact of any budget reductions in funds to operate the VA's health care system. Who is better able to relate the problems in the field than the people in the field?

According to the Chiefs of Staff at VA hospitals nationwide who responded to a recent survey, inadequate budgets are already taking their toll. More cuts in the budget will mean longer waiting lists, the turning away of certain non-service-connected veterans, and delays in many surgical procedures.

There follows a report from the Chief of Staff at the VA medical center in Hines, IL:

EDWARD HINES, JR., HOSPITAL,
Hines, IL, February 11, 1985.

HOWARD H. GREEN, M.D.,
Chief of Staff (11), VA Medical Center, White River Junction, VT.

DEAR HOWARD: In response to your letter dated January 2, 1985, I submit the following responses:

a. The Hines VA Hospital is a general medical and surgical health care facility with 1,156 operating beds consisting of 317 medical, 254 surgical, 240 psychiatric, 135 spinal cord injury, 118 intermediate medicine, 47 neurology, 25 rehabilitation medicine, and 20 blind rehabilitation beds. Additionally, Hines currently has 120 NHCU beds with a project in progress to increase these beds to 240.

b. Hines is primarily affiliated with the Stritch School of Medicine and Dentistry, other affiliations are active with Loyola University, the University of Illinois College of Medicine, and Chicago Medical School. These affiliations provide approved residency training programs in 16 medical and 3 dental specialties.

c. We, at Hines, will manage our budget to preclude any dollar deficit at the end of the fiscal year. However, as dollars have been reduced, staffing has been reduced accordingly. We have experienced dollar decreases in both personnel services and all other, while at the same time patient workload continues to increase. These decreases have occurred with some impact on programmatic activities. We have now reached our point of saturation and any further reductions could result in drastic changes.

Patients in health care facilities, such as Hines, with comprehensive rehabilitation programs requiring long hospital stays with intensive nursing care, have caused an additional drain on our resources under DRG reimbursement. The resource allocation model currently utilized indicated for last fiscal year that Hines will lose in excess of five million dollars from its recurring base over the next five years. The amount of loss actually incurred this year was minimal compared to the total figure; however, the message was "loud and clear" that we must make some major programmatic changes or suffer the consequence.

It is a known fact that any DRG reimbursement methodology does not adequately address rehabilitation programs. This fact, along with the fact that Hines Hospital has been given and has internally shifted considerable resources into its rehabilitation efforts, is causing a major allocation problem. Under this allocation methodology, our hospital budget is squeezed to the bone and will essentially mean that in many cases these concepts will erode.

d. Obviously, the monetary deficit on personnel, supplies, and equipment will greatly impair the hospital's ability to function as a comprehensive health care facility. As these resources diminish, so will our ability to recruit and retain the high caliber clinicians and technical staff essential for our various treatment modalities. The continually increasing workload without corresponding budgetary increases has put this facility in a precarious position relative to providing the highest quality patient care. Current resource austerity, felt primarily in the area of personnel services and equipment funding, if continued will soon compromise the services our clinicians are able to provide to our veterans.

It appears that our most logical course of action would be to implement reductions in programmatic services and/or ward closures. However, if either of these actions were to transpire, the results will not only impact patient care programs and services, but also erode the educational and research activities to the degree of reducing or eliminating affiliations. The end result will be a hospital providing primary suboptimal care to our veterans. On the national basis the VA system will be required to shrink either horizontally, vertically, or both (horizontal shrinkage dictating a dramatic reduction in the services provided nationwide; vertical shrinkage resulting in contraction of the full spectrum of tertiary care programs, many of which are engaged in pioneering research and educational activities).

If such drastic reductions become necessary, then I envision the eventual closing or consolidating of VAMC's rather than reducing programs beyond the point where they cease to effectively function as a viable health care program.

Not only do we struggle with a budgetary deficit, we also must contend with unreasonable mandated regulations—mandates such as the reduction of GS 11-15 positions where, at Hines, the majority of positions classified in these grades are in direct patient care categories; 3.5% pay raises when it would require an 18.3% pay raise to achieve parity with parallel positions in the private section; elimination of special salary rates for certain hard to recruit category positions, primarily Title 38; 5% reduction in pay for employees who are already underpaid; Deficit Reduction Act (DEFRA), etc.

While we experience these mandates and the continued erosion of the budget, we continue to experience an increase in workload. With the advent of health care management by DRG, DRG dumping and the general economic decline of certain sections of our population have all attributed to this increase.

Capital equipment within the health care arena is in constant technological flux. Advances are rapidly occurring, and outdate what is now considered state of the art. Our equipment must be updated routinely and provided to our clinicians who wish to continue advancing treatment modalities. For the recent past, equipment funding has been, for all practical purposes, nonexistent at this hospital as well as others in this district. Funding for both additional and replacement equipment has not kept pace with needs (both fair wear and tear, as well as acquisition of new technology). Again, I point out that without the timely maintenance, replacement, and acquisition of appropriate and adequate technologies, retention of quality staff will be problematic resulting in further reduction of quality patient care. Physicians, nurses, and other health care personnel will not provide care at institutions where equipment is outdated and life-threatening. I also mention the legal liability we have towards our patients in assuring them of safe and appropriate treatment.

As new facilities are constructed, equipment money is readily available to purchase modern technology. These facilities are equipped with "state of the art" equipment having an average life of approximately ten years. What the planners fail to consider is what happens in ten years when this equipment becomes worn out and ready for replacement. No provisions have been made to fund this expense, and the hospital is faced with a dilemma.

We have not experienced a backlog in patient surgery due to specific dollar deficits. We continue to perform our surgical procedures in addition to the limited referrals from other VAMC's within normal waiting periods. However, as stated previously we have reached the point of saturation, and any additional dollar reduction will impact our ability to provide service to the veteran. We could anticipate either a large backlog or reduction of cases or both.

WILLIAM R. BEST, M.D.,
Chief of Staff.●

REQUESTING THAT A MEDAL OF HONOR BE AWARDED TO JOHN YANCEY (USMC RET.)

HON. TOMMY ROBINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. ROBINSON. Mr. Speaker, it is my pleasure to join with my fellow Arkansans in honoring the courage of Capt. John Yancey of Little Rock, AR.

On December 8, 1941, the day after the Japanese attack on Pearl Harbor, John enlisted in the U.S. Marine Corps. This was just the beginning of a long series of heroic acts and sacrifices by Captain Yancey on behalf of his country. In November 1942, while still a first lieutenant, John Yancey, with a small group of men, took and held an important piece of jungle.

John Yancey, in the finest tradition of the Marine Corps, once again displayed his fine character and bravery during the Korean conflict. During the fight for the Chosin Reservoir in North Korea, one of the most costly of the war, John Yancey, after suffering three serious wounds, led several platoons against overwhelming odds to retake and hold Hill 1282. It is for this action, and subsequent action on Hill 698 that I request that Mr. Yancey be awarded the Congressional Medal of Honor.

Mr. President, the Medal of Honor is given to those servicemen and women who have served "above and beyond the call of duty" in the face of the enemy. Captain Yancey exemplifies the incredible courage, dedication to duty, and professionalism associated with this high honor. Many marines have attested to the fact that Captain Yancey's actions saved Hill 1282 as well as numerous American lives. For these reasons, I strongly support the request of these marines that the Congressional Medal of Honor be bestowed on John Yancey.●

CHASE MANHATTAN CHAIRMAN'S REMARKS ON DEFICIT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. CRANE. Mr. Speaker, today, we find ourselves in the midst of one of

the most significant budget debates of recent history. The continued growth of the Federal budget deficit has reached such proportions that the strength and stability of our economy, which we Americans have worked hard to secure, is being threatened by a near unanswerable national debt. If we do not act wisely and decisively to roll back the tide of deficit spending, the future of the economic base upon which much of the greatness of this Nation is founded, will certainly be undermined.

The seriousness of the deficit warrants careful consideration of all possible means of deficit reductions. I ask my colleagues to seek advice about the various proposals from all perspectives of analysis of the problem. In order to provide an alternative view of how the deficit might be treated, I call to the attention of my colleagues the remarks of Willard C. Butcher, chairman of the board of the Chase Manhattan Bank, NA. On February 5, 1985, Mr. Butcher gave the following remarks to the American Mining Congress:

THE FEDERAL DEFICIT: THE NEED FOR BIPARTISANSHIP

Good afternoon, ladies and gentlemen.

It is a great pleasure for me to take part in this annual meeting of the American Mining Congress. I have had a deep interest in—and even a close emotional attachment to—your industry since my first mine viewing expedition to Bingham Canyon, almost 30 years ago. I thought then and I believe now that mining is a most essential industry to this country. Indeed, while the word "critical" is often overworked, the mining business is in fact "critical" to the vital interest of our nation.

My own industry, like yours, has taken some hard knocks over the last couple of years. Bankers and miners alike have felt the impact of a whole constellation of economic factors.

First, the strong U.S. dollar has on the one hand encouraged overseas export of metals to the United States, thus displacing domestic manufacturers, and on the other hand, helped close off export markets abroad.

Second, high worldwide interest rates, have depressed economic activity in other countries and reduced overseas demand for U.S. products.

Third, foreign competitors have been subsidized in a number of countries.

Fourth, and closely related, we find a different kind of subsidized foreign competitor—namely, sovereign producers whose primary goal is to secure foreign exchange and improve local employment.

Fifth, demand has been reduced for a number of metals due to the increased production of small cars and a shift toward high-tech products and production methods that require less metals.

And sixth, we have experienced sharp commodity price deflation.

These six factors are a formidable list.

But many observers—and I number myself among them—believe that the primary, principal, and most important factor responsible for our uncompetitiveness and the resultant trade deficit is the extraordinary strength of the U.S. dollar.

And the most important cause of the dollar's strength is the relatively high level of U.S. interest rates.

And the most significant underlying cause for that high level of rates is the other great deficit that afflicts our nation—the burgeoning federal budget deficit.

And it is this subject—the budget deficit—that I have chosen for my remarks today.

Now before anybody heads for the door—let me assure you that I am well aware there's been an awful lot of talk lately about the budget deficit. And some of you may think that by addressing this topic yet again, I'm "beating a dead horse." Well ladies and gentlemen, I guarantee you—this deficit "horse" is far from "dead". It's very much alive and galloping out-of-control.

The central facts about the deficit are simple, stark, and terribly serious.

In fiscal 1984, the United States overspent its income by $175 billion. Our national debt last year soared to more than $1.5 trillion. That debt required an interest expenditure of more than $150 billion.

To put these numbers in perspective, compare them with the experience during the Kennedy Administration some 20 years ago, just before the huge buildup of the Vietnam War. In 1964, President Kennedy's entire budget was $115 billion. That's $35 billion less than our interest cost to service the national debt last year.

The future is no more inspiring. The government's own deficit projections—without any spending reductions or tax increases—are 218 billion dollars this year . . . 225 billion next year . . . 240 billion in 1987 . . . and 235 billion in 1988.

I realize these numbers differ with those proposed over the weekend by the Reagan Administration. However, I would remind you that the Reagan budget has not yet been adopted.

In any event, the numbers we're talking about numb the mind. And none of us will take heart from an estimate I saw the other day—that if we don't arrest the deficit's growth, total publicly held debt in 2004 would be between 10 and 12 trillion dollars.

Now, how did we come to be immersed in such a fiscal morass?

Some of the deficit's growth is due to our long recession, that accelerated spending and depressed revenues.

But even if we hadn't had a recession, last year we would have had a federal deficit in excess of 100 billion dollars! So, clearly, something other than the recession has been at work.

That "something"—the real culprit—is the fact that growth in government spending continues, in an ever-increasing degree, to outstrip revenue growth.

We are simply living beyond our means. To paraphrase the popular TV commercial, "We're spending money the new-fashioned way—we're not earning it!" And it's our economy, ultimately, that will pay the budget IOU's.

The situation is no different than if you or I, for a protracted period of time, lived beyond our income. Eventually, things would catch up to us. And so it is with our government deficit.

The fact is, government over the years has created spending programs of sweeping promise and lofty intent. At the same time, it has become evident that voters eager to receive benefits have not been as eager to pay for them.

As Illinois' new senator, Paul Simon, said recently: "What the public wants are more services and lower taxes. And we have given them both!"

We are in an intolerable situation that is steadily growing worse. That hasn't prevented some people—including a few prominent economists—from saying "deficits don't count."

Well, ladies and gentlemen, I beg to differ. Deficits do count and furthermore, they're not self-correcting either.

We may not know the precise outcome of our growing mega-deficits—or which of the consequences will exact the highest toll. And, frankly, I don't care to find out.

But the basic conclusion of deficits is incontrovertible. We can't continue to live on borrowed money without living on borrowed time. No individual, no corporation, and no nation can persist in running up debts without sooner or later paying a severe price.

We pay that price because we have no choice but to finance our deficits. And government has only two options in accomplishing this. Neither one is acceptable.

In the first, government prints more and more money to cover the deficit. This would rekindle inflation, and the hard-won ground on that front would be tragically sacrificed for an unworthy cause.

In the second option, the money supply remains in control, reversing the recent course of interest rates and returning them to even higher levels. Government then moves in as a primary borrower, and corporations and individuals are forced to take a back seat in the market. That would return us to square one—again grappling with the consequences of a recessionary economy.

Now, we have been fortunate over the past several years to have been able to keep the money supply in reasonable control without squeezing out the private sector. We've managed this largely because of a huge importation of capital. Foreign investors, in fact, have financed about half of our fiscal deficit.

But ladies and gentlemen, our excessive reliance on overseas capital cannot be assumed to be a permanent solution. Indeed, there is nothing permanent about it. And the more we depend on it, the more vulnerable our own financial base becomes—and the more subject we become to adverse external influences.

And that's the last thing that any of us needs—particularly the mining industry.

The real point is, ladies and gentlemen, we must take the deficit seriously. It is a real, not a paper, tiger. And we continue to ride it at our peril.

As Bob Dole has correctly put it, the budget deficit is far-and-away our number one domestic economic problem—just as the trade deficit is far-and-away our most threatening international economic problem.

So what can we do about it?

Perhaps a look back at how we got to where we are will help point the way to how we get to where we want to be. If one looks at a reasonably broad sweep of history—let's say back to the Kennedy years—we find that the government then took in 19 percent of GNP in taxes and spent about 19 percent. Today, we still take in 19 percent in taxes—even after the so-called Reagan tax cuts. But spending has sped ahead and now accounts for a full 25 percent of GNP.

So clearly, we must attack government spending.

Any meaningful attack on expenses must be aimed at three areas. First, the administrative budget, second social spending, and third defense.

In the first area, some people around this town suggest that we can solve our deficit

problem by cutting the administrative budget. The fact is we can't. Indeed, while there may be additional administrative "fat" that can be cut—we've already done a good job in cutting administrative expenses.

Moreover, according to some projections, even if we had no administrative budget—we'd still end fiscal '85 with a budget deficit. In other words, the three elements of defense, interest, and entitlements alone are expected this year to exceed total government revenues.

Our largest hurdles are defense and entitlements, which together comprise 69 percent of the federal budget—27 percent for defense, 42 percent for entitlements.

As for defense spending, a lot can be done—without compromising our nation's military power—by judiciously determining the weapons systems we really need and how we pay for them, in rational, multi-year procurement programs. We simply must find savings in our defense budget.

As to entitlements, we must control more vigorously our social spending. The principal guideline here should be to spread the penalties of such actions evenly across our society. The pain should be shared by everyone except by the poor, as defined by the various means tests.

I'm convinced the time has never been more ripe for an earnest, bipartisan effort to close the budget gap. That is what is required—bipartisanship—a cooperative effort to forge a workable compromise.

The administration has proposed cutting the budget by about $50 billion by fiscal 1986. This ought to form the basis of any deficit-cutting program. We have got to wring that $50 billion and more out of the deficit if we are to reach our targets. And our most critical targets, in my view, are attaining deficit to GNP ratios of 4 percent in 1986, 3 percent in 1987, and 2 percent in 1988.

Now, what about taxes?

Clearly, spending cuts must occupy center stage. Cutting spending must be our primary focus—our first priority. And any tax increases or revenue enhancements must be secondary issues.

However, to attain the kind of bipartisan effort necessary to cut the deficit may well require some give-and-take on the revenue side—to form the basis of a compromise that all sides can accept.

But in any case, we must not yield to the temptation to try to balance the budget principally by imposing higher taxes. We've been there before. And it doesn't work.

If new taxes are necessary, our goal should be to discourage consumption, not investment and savings. Indeed, the personal savings rate in this country is already much too low—about 6-plus percent of Americans' disposable income—compared to 11 percent in West Germany and 18 percent in Japan.

I consider it a positive sign that the level of debate about the budget deficit has intensified recently. Indeed, there is no shortage of specific proposals these days for trimming the deficit. And the last thing you need today is to hear my own personal laundry list of specific cuts. Frankly, there isn't one that I can think of that won't have some pain attached to it. So I'll spare you the Bill Butcher prescription this afternoon.

It isn't ideas that have been wanting. It's been the will to make some unpleasant decisions.

Four years ago when President Reagan took office, he pleaded that he would control inflation and get the country moving again. He has done both. And what is needed now is similar bold determination to solve the deficit problem.

If we are successful in cutting the fiscal deficit—we will have made a giant step toward redressing the other great imbalance—the trade deficit—that so directly affects the people in this room.

But clearly the place to start is with the budget deficit. And the time to start is now.●

THE IRAN AND IRAQ CONFLICT

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. DYMALLY. Mr. Speaker, since the resolution of the hostage crisis, the United States has essentially turned away from Iran. The atrocities that so shocked us several years ago did not vanish simply because we turned our attention to other things. Yesterday thousands of Iranians in the United States, Europe, and, under threat of personal danger, in Iran itself staged demonstrations to draw attention to the terrible human suffering that is the daily lot of Iranian citizens. I issued a statement in support of the continuing effort to set the Iranian people free of the Khomeini regime. I would like to enter that statement into the CONGRESSIONAL RECORD to recall to my colleagues the recent suffering which has occurred inside Iran.

I am speaking in an act of solidarity and support for the overwhelming majority of the people of Iran. I want to help bring to the attention of the American people the tragedy of the ongoing war between Iran and Iraq.

This war is most tragic because of the senseless death and destruction being inflicted. So far, only on the part of Iran, 1 million people have been killed or wounded; 3 million have become homeless and refugees, in addition to billions of dollars in war damage. In the last assault by the Iranian armed forces, there were nearly 60,000 casualties. This most recent offensive was launched only to counter the Iranian people's growing desire for peace. At all costs, the Khomeini regime seeks to keep the flames of war ablaze, and to prevent them from being extinguished in the ashes of hundreds of thousands of war dead. Because of the people's hatred for this conflict, the regime finds itself trying to induce the belief in these war stricken peoples that it loves peace—when in reality the culture of the present rulers in Iran can be bascially said to be founded on a hysterical battle against all manifestations of liberty, both in nature and in society.

The regime can only survive by promoting death, grief and sorrow, while showing hostility toward all forms of civil and human rights and internaional norms.

Both the Iranian and the Iraqi Governments have repeatedly been accused of using chemical warfare in the form of toxic gases. The casualties have by no means been limited to military personnel only. The civilian population: old men, wives, small children, have been killed and wounded by the thousands; their homes, towns, and livelihoods destroyed.

The consequences for the fabric of these societies, among the oldest in our Western civilization, of destruction, mass migration and economic and political chaos are unimaginable to those of us who have not been there. The American public can only have the vaguest image of the suffering of the people of both countries.

Compulsory conscription of adolescents—children by our standards—has become a feature of the Iranian war effort. I ask those of us observing this tragedy, how would you feel if your 15-year-old son were sent to the front in a bloody war, for a religious purpose in which you did not believe?

This war has dragged on for nearly 5 years. The people of Iran support the idea of peace, support the idea of an end to this senseless and bloody conflict which is draining their nation of its lifeblood, and killing off its next generations.

The movement for peace and freedom in Iran under the leadership of the National Council of Resistance is getting stronger. Solidarity demonstrations have taken place in capitals around the world; in addition, demonstrations have taken place repeatedly inside Iran, in the face of brutal repression by the Khomeini regime.

And today, here and in 10 other major cities around the world, we express our solidarity and support for the movement for peace and freedom in Iran.

Solh, solh azadi: Peace, peace freedom.●

INTRODUCTION OF LEGISLATION TO REPEAL 5-PERCENT FLOOR ON DEDUCTIONS FOR MEDICAL EXPENSES IN THE INTERNAL REVENUE CODE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. McDADE. Mr. Speaker, today I am introducing legislation to make all medical expenses deductible by repealing the 5-percent floor on the medical deduction from section 213 of the Internal Revenue Code of 1954. I urge my colleagues to join me in this repeal.

The medical component of the current cost of living index is rising faster

than any other section of our economy. Medical expenses are increasing annually at an 8- to 10-percent rate—2½ times that of the entire economy as a whole. This increase in medical costs and services destroys the savings of the elderly, the poor, and even the middle class as many times they are unable to protect their earnings from the 5-percent floor.

Preventive health care is a vital part of keeping medical costs low. I believe that when we raised the floor on deductibility of medical expenses to 5 percent in the Deficit Reduction Act of 1984, we actually have discouraged individuals from seeking the care that they need. It is my firm belief that we should not place any impediments through the Tax Code or through Federal regulations to the receipt of adequate health care.

This legislation would repeal the 5-percent floor and simply allow all of our citizens—rich and poor, young and old alike—to deduct all their legitimate, reasonable and customary medical expenses from their tax basis in each fiscal year.

We all recognize that when an individual is in a catastrophic health situation, where their medical expenses are high, they can deduct those expenses from their income tax to the extent that it exceeds 5 percent of their income.

I am concerned that there are a number of our citizens, particularly the elderly, who are postponing or even avoiding medical care because of this 5-percent floor, thereby, when illness strikes, it is much more severe and ultimately is much more costly to our economy. By removing the 5-percent floor we will actually gain in revenues as we gain in productivity. People will attend to their illnesses in a much more timely manner, and sickness and disease will be arrested in the early stages.

The legislation that put the floor into place and then raised it to its current 5 percent level was done in a mistaken attempt at economy. Now is the time to correct this inequity in our Tax Code.

Thank you for the time, Mr. Speaker. I invite my colleagues to join me in cosponsoring this legislation.●

SMALL BUSINESS AND THE SMALL BUSINESS ADMINISTRATION

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. MARTINEZ. Mr. Speaker, I rise today to join my colleagues in expressing my support for the small businesses of America and for the agency designed to assist them, the Small Business Administration [SBA].

Small business is an integral segment of American society. This Nation was transformed from a colony based on agriculture to the world's greatest industrial giant. Undeniably, it was the small enterpreneur with a sharp eye for expansion opportunities that provided the spark for this transformation. In a time of economic recession, shortage of resources, and an ever increasing budget deficit, we, as a nation, cannot afford to hinder in any way the valuable contributions that the small businesses makes to our society.

This Nation is currently enjoying an economic recovery for which small business is the backbone. During the recent recession it was small business that was hit hardest, yet the creation of new small businesses and the expansion of existing ones were the leading source of new jobs or replacement for jobs lost because of plant closures. In 1981 and 1982 alone, small business created some 2.6 million new jobs while big business lost 1.6 million. Clearly, the President's vaunted net employment increase during his first term of office was a result in the growth of small business. Without the contributions of small business, our Nation could not continue down the road toward good economic health. Small firms have proven their vital leadership role in job creation, product innovation, and the development of new technologies. The contributions of small business can be seen in every aspect of our economy.

Minority owned small businesses have played a significant role in this expansion as well. In the 1972 to 1982 period the number of minority owned businesses increased by 43 percent, and account for 5.7 percent of the total small businesses in the United States. California has the greatest concentration of minority owned small businesses; 19 percent of the total number. Almost half of these businesses are located in the Los Angeles metropolitan area, the area which I in part represent.

Undoubtedly, some of these contributions would not have been made without the assistance of the Small Business Administration [SBA]. The SBA has helped foster hundreds of thousands of small businesses who probably would never have gotten passed the planning stages without it's assistance. The accomplishments of the SBA are impressive. Since it's founding in 1953 the SBA has made or guaranteed more than $35.7 billion in loans, helped thousands of small firms win Government procurement contracts, created over 33.4 million hours worth of work, contributed over $468 billion to the gross national product, and $142 billion of income-tax revenue. When the SBA was created there were approximately 4 million small businesses in the United States. Today there are more than 13 million, certainly the SBA had some part in that growth.

The SBA has been especially beneficial in assisting minority businesses which, in turn, improves the conditions of economically depressed areas. However, minorities often face economic disadvantages which prevent them from opening their own businesses such as the lower level of family income. According to a study conducted by the National Federation of Independent Business [NFIB], 25 percent of new businesses are founded by personal and family savings. This poses a setback for blacks and Hispanics whose yearly median family income is 58 percent and 69 percent respectively, of the median income of all races.

Of utmost importance to small, disadvantaged businesses is the 8(a) procurement programs. In this program the SBA acts as the prime contractor and subcontracts out to small, economically, and socially disadvantaged firms interested in obtaining Government contracts. In fiscal year 1984 some 4,944 Government contracts were awarded to 1,716 disadvantaged firms, 208 of which were owned by women, for a value of $2.6 billion.

In closing, Mr. Speaker, I would like to remind my colleagues that small business is in many ways the key to our economic well-being. Without small business our potential for job expansion will be inhibited and our gross national product will shrink. The SBA has been tremendously vital to the growth of small business, and is an agency we cannot afford to lose.●

RETRAINING OUR FARMERS

HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. COLEMAN of Missouri. Mr. Speaker, all across our country, the clouds of a massive agricultural crisis are taking shape, threatening to throw thousands of farmers out of business and pulling down with them many rural banks and businesses. As a result, an increasing number of individuals are losing their livelihood due to this turn in the economy and the ripple effects that will likely spread through agriculturally dependent communities. Many of the individuals affected by this crisis must now consider new lines of work, they are in fact, "dislocated workers."

In the past, the term "dislocated worker" has conjured up the image of a steelworker in Pittsburgh or an auto worker in Detroit; but in Missouri, a State with relatively low unemployment, the face associated with the phrase is that of one of the hundreds

of farmers who are expected to abandon farming this year because they have gone bankrupt or can no longer borrow enough money to plant a crop and purchase necessary equipment.

Measures must be taken to ease the distress of farmers as they face the reality of having to retrain themselves for a new career. Most farmers have a very specific set of skills, and because most of them will have to seek work unrelated to agriculture, new job skills are essential.

Title III of the Job Training and Partnership Act [JTPA] provides one such measure. Under title III, grants are provided to States on a formula basis for programs and services to dislocated workers. Programs authorized under title III provide training to persons out of work because of any permanent closure of a plant or facility. On February 20, I joined 15 Members of Congress in writing to Acting Secretary of Labor, Ford B. Ford urging him to issue a letter to all Governors informing them of the option available to States of including dislocated farmers as dislocated workers in order to participate in training programs under title III of JTPA. I understand that a copy of this letter has been presented to our new Secretary of Labor, William Brock. I am submitting a copy of the letter for the RECORD.

I urge States to take advantage of the opportunities under title III of JTPA and make their services for dislocated workers widely known to their agricultural communities. Participation in these programs represent one small way the Federal Government can help our struggling farm families begin the difficult task of making new lives for themselves.

The letter follows:

COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, February 20, 1985.

Hon. FORD B. FORD,
Acting Secretary of Labor,
Washington, DC.

DEAR MR. FORD: As you are aware there is growing concern regarding the current economic crisis many farmers are about to face. An increasing number of farmers are losing their livelihood due to the economic downturn and the ripple effects that are likely to spread throughout agriculturally dependent communities across the country.

Title III of the Job Training Partnership Act (JTPA) provides grants to States on a formula basis for programs and services to dislocated workers defined under the Act, Section 302(a), as individuals who:

1. have been terminated or laid-off or who have received a notice of termination or layoff from employment, are eligible for or have exhausted their entitlement to unemployment compensation, and are unlikely to return to their previous industry or occupation;

2. have been terminated, or who have received a notice of termination of employment, as a result of any permanent closure of a plant or facility; or

3. are long-term unemployed and have limited opportunities for employment or reemployment in the same or a similar occupation in the area in which such individuals reside, including any older individuals who may have substantial barriers to employment by reason of age.

The agricultural industry is undergoing many of the same changes with regard to the numbers of people needed to provide products as are such industries as steel and automobile manufacturing. These changes are permanent and will not be reversed. Since most farmers have very specific sets of skills, and because most of them will have to seek work unrelated to agriculture, job retraining will be of paramount importance.

In our judgment it would not conflict with Congressional intent to include dislocated farmers under this deliberately broad definition. It is not apparent though, that States are utilizing title III programs to serve such farmers. One possible reason why these programs are not widespread is the uncertainty regarding the definition of "dislocated worker." It is critical therefore, that States be made aware of their option to serve dislocated farmers under JTPA. Title III funds could be used to provide training and support services to dislocated farmers and others dependent on the agricultural economy in a coordinated effort with other necessary social services.

We strongly urge that you issue a letter to all the Governors informing them of this option under the law. That is, that dislocated farmers may be defined as dislocated workers in order to participate in training programs under title III of the JTPA. Without a uniform policy, we are concerned that unnecessary hesitancy will weaken the efforts of the States to meet this growing need.

Prompt attention with respect to this issue is crucial. We do not want this unmet need to go unattended for lack of definition. If we can be of any assistance in facilitating action on this issue, please inform us.

Sincerely,

James M. Jeffords, ranking Republican, Steve Gunderson, Cooper Evans, John R. McKernan, Denny Smith, Jim Lightfoot, Frank Horton, Tom Lewis, E. Thomas Coleman, Olympia Snowe, Doug Bereuter, Michael G. Oxley, Pat Roberts, Virginia Smith, Sid Morrison, Bob Whittaker, Members of Congress.●

THE OUTRAGE AT IBNET

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mrs. ROUKEMA. Mr. Speaker, last Thursday, May 2, I introduced with the full support of the Republican members of the Select Committee on Hunger (Mr. EMERSON, Mr. EVANS, Mr. GILMAN, Mr. MORRISON of Washington, Mr. SMITH of Oregon, and Mr. BEREUTER) a sense of the Congress resolution which expresses outrage at the forced evacuation of over 60,000 famine victims from a feeding camp in northwestern Ethiopia.

I have asked the Foreign Affairs Committee to expedite consideration and bring the following resolution to the floor under a unanimous-consent request:

SUSPEND THE RULES AND PASS THE CONCURRENT RESOLUTION, H. CON. RES. 140 WITH AMENDMENTS

In the sixth paragraph of the preamble, strike out "half" and insert in lieu thereof "one-third", and insert "in Ethiopia" before the semicolon.

In subsection (a) of the first section, strike out "civilized".

Material proposed to be deleted appears in [brackets] and material proposed to be inserted appears in *italic.*

H. CON. RES. 140

MRS. ROUKEMA submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Expressing the sense of the Congress with respect to the forced evacuation of the Ibnet feeding camp in Ethiopia.

Whereas from April 28 to April 30, 1985, Ethiopian army troops ousted about 60,000 famine victims from the Ibnet feeding camp in the Gondar Administrative Region and then destroyed the camp;

Whereas many of those in the Ibnet feeding camp were at risk of death from famine;

Whereas several thousand of those at the Ibnet feeding camp were children under 5 years of age;

Whereas approximately 52,000 people who were sent away from the Ibnet feeding camp were forced to travel on foot;

Whereas relief officials of a private and voluntary organization stated that as many as half of those who were forced to walk may die;

Whereas the United States Government has provided about [half] *one-third* of all relief assistance going to famine victims in *Ethiopia;* and

Whereas Agency for International Development officials reported there were 800 tons of United States-donated food at the Ibnet feeding camping which was meant for famine victims and is now being provided to the local population who are less in need than those who were at the camp; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That (a) the Congress joins with Agency for International Development Administrator McPherson in expressing outrage at the forced evacuation of the Ibnet feeding camp in Ethiopia and urges that [civilized] nations join in condemning the action of the local Administrator of the Gondar Region for allowing this henious action to occur.

(b) It is the sense of the Congress that—

(1) the Ethiopian Government—

(A) should take necessary's steps to ensure that the forcible evacuation and destruction of refugee facilities never happens again; and

(B) rectify the situation by assisting those famine victims who were displaced;

(2) the United Nations monitor the migration of the former inhabitants of the Ibnet feeding camp, investigate what humanitarian aid is being provided for them, and report back to the donor community;

(3) the Agency for International Development ensure that none of the United States-donated food is diverted from famine victims;

SEC. 2. The Clerk of the House of Representatives shall transmit a copy of this concurrent resolution to the President with a request that the President transmit a copy to the Government of Ethiopia.

Information from reliable sources confirms that from April 28 to April 30, 1985, Ethiopian Army troops, acting on the orders of local government leaders, forcibly evicted 60,000 famine victims from the Ibnet feeding camp in the Gondar Administrative Region of northwest Ethiopia. As the evacuation was in its final stages, the camp was burned to the ground. Until this heinous act, Ibnet had been the largest feeding center for famine victims of Ethiopia.

Of the 60,000 refugees evicted from Ibnet, approximately 52,500 were forced to travel on foot too. This group includes several thousand children under the age of 5 and several thousand adults who were weak from famine and associated diseases. Yet, this group now finds itself on a forced migration through the rugged highland mountains of Ethiopia. Some private voluntary officials predict as many as half of these people may die before they reach suitable refuge.

Officials of the Agency for International Development have reported that there were 800 tons of U.S.-donated food at Ibnet, which was intended for consumption by these famine victims. Reports indicate that this food is now being distributed to the local population surrounding the former camp who are less in need than the refugees ousted from the camp.

In our best humanitarian tradition, the U.S. Government is providing one-third of all the food aid going to the famine victims in Ethiopia. The American people have responded to the tragedy unfolding in Africa with characteristic generosity. Yet, the Ethiopian Government has callously neglected its own people. Although the local administrator is said to be responsible for this outrageous act, the Ethiopian Government bears ultimate responsibility for allowing this incident to develop.

House Concurrent Resolution 140 calls upon the nations of the world to condemn those responsible for this heinous act. It also calls upon the central government in Ethiopia to rectify the situation and prevent a recurrance. The resolution directs AID to take the steps necessary to ensure that no U.S.-donated food aid is diverted or misused. The measure also asks the United Nations to monitor the migration of the Ibnet refugees to determine what necessary humanitarian aid is being given to them.

As ranking Republican on the Select Committee on Hunger, I recently had the unparalled opportunity to visit Ethiopia and study the famine situation. It was a soul-searing experience. The suffering of the victims of this terrible combination of the cruel hand of nature and callous political neglect is unimaginable and inhumane. Surely, the U.S. Congress should raise its voice in moral outrage. It should clearly articulate to the United Nations and the Ethiopian Government that never again should there be such reprehensible action and that all such efforts should be undertaken to prevent any recurrence.●

SOVIET JEWRY

HON. BERNARD J. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. DWYER of New Jersey. Mr. Speaker, I wish to share with you, and my colleagues the plight of Marina Shenderovich, a 25-year-old refusenik. As you know, Soviet Jews long for the freedom and liberty that we take so readily for granted in this country. I appeal to you in the name of compassion that our commitment on their behalf never be lessened, but rather deepened and strengthened.

A while back, it had come to my attention that a number of student organizations at Rutgers University, the State University of New Jersey, were concerned about the treatment of a former biology student at Moscow University. Her name is Marina Shenderovich and today she faces the reign of oppression as do so many of her fellow Jews in the Soviet Union.

Her situation is one of desperation. The daughter of an engineer and an English teacher, she was refused an emigration visa in 1979 for unstated reasons. As a result, she was forced to curtail her studies at the university.

The Rutgers student body hopes that, if Ms. Shenderovich cannot leave the Soviet Union permanently, she will at the very least be able to spend 4 years in the United States to resume her studies. Officials at Rutgers University are willing to evaluate her application prior to her leaving the Soviet Union. However, the Soviet Union has made no effort to release her records.

As Americans, we are committed to a democratic form of government as the best way to protect the rights, well-being, and dignity of all men and women. As elected officials, we believe in justice and equality under the law. Let each one of us speak out with more vigor than ever before. We must demonstrate to the world at large, but most importantly to the refuseniks, that we will work endlessly until the human rights of all are affirmed.●

IN HONOR OF RED TINDOL, GEORGIA SMALL BUSINESSMAN OF THE YEAR

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. RAY. Mr. Speaker, this week, the Georgia Small Business Association is presenting their Man of the Year Award. It would be difficult for me to know of a person who is more qualified to be recognized for this honor than my good friend, Red Tindol.

I first became acquainted with Red in 1953, when he was employed by a big business firm, Orkin Exterminators. In fact, I had my own small business at that time, and Red Tindol tried to buy me out.

When Red decided to leave Orkin and start his own small business, he risked all his assets in this venture. During this period of time, he learned firsthand of the frustrations that small business people face—the difficulty of making a payroll, the frustration of fighting the Federal bureaucracy and it's cumbersome regulations, and the difficulty of choosing between taking a financial risk to expand or facing possible extinction if he didn't.

So, Red Tindol has known both sides of the business spectrum—the big business side and the small business side. Today, he is an extremely successful businessman who has learned how to handle the pressures and the problems of small business. His career and his life are an inspiration to all struggling small business people.

Mr. Speaker, I was a small businessman for 23 years, and, although I've been out of small business for about 13 years, I've never lost my concern for the problems that face our Nation's small business men and women.

The history of our Nation is an unparalleled success story. America has always been the land of opportunity where hard work pays off.

Open and honest competition in the American marketplace is what makes it possible for people to succeed through hard work. Along with you, I will always work to keep the marketplace competitive.

I am concerned that the free enterprise system be kept healthy in this country and that small business growth is encouraged.

The administration's 1983 report on small business shows that small firms are providing half of all jobs and creating two-thirds of new jobs in the private sector.

According to that report, in 1981 and 1982, small businesses created 2.6 million new jobs, while large businesses lost 1.6 million jobs.

So, it is still true that small business is the backbone of America, and this backbone must be kept strong.

Mr. Speaker, as we consider cuts and changes in the Small Business Administration this year, I urge my colleagues to remember that small business is a major employer and a significant factor in reducing unemployment in this country.

My commitment to small business remains deep. Although cutbacks must come in all areas of our budget this year, we need to make sure that we don't take steps that may hurt employment and growth in this country. Before we pass small business legislation this year, Mr. Speaker, I urge this body to look down the road and see just where our actions will take this country.●

DON'T BLAME CIVIL SERVANT

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. PARRIS. Mr. Speaker, before this body begins legislative action on budget recommendations for fiscal year 1986, I want to share with my colleagues an editorial by Mr. Tommy C. Ishee, public relations director for the Virginia Federation of the National Association Retired Federal Employees. This essay, entitled "Don't Blame Civil Servant," eloquently highlights the history of the Federal retirement system and the responsibility Congress has to ensure its solvency.

I urge all my colleagues to read with care this important commentary on the Civil Service pension system before casting your vote on measures affecting compensation and benefits for active and retired Federal workers.

The article follows:

DON'T BLAME CIVIL SERVANT

(By Tommy C. Ishee)

The U.S. Civil Service is, to many people, an undefinable mass of people who cost taxpayers money and produce little but frustration.

Few people stop to consider that the government policies, which are the root of the frustration, are created not by the civil servants, but by the Congress, the president and the courts, who are the real government of the United States. The civil servant is merely a hired hand, paid to enforce the laws and carry out the will and bidding of these lawmakers. More often than not, public frustration results from the policies, but public anger is directed at the person charged with carrying out the policies.

However, federal employees, from astronaut to zoologist, are the best hired hands that can be obtained from their particular jobs, so far as competitive examinations or comparisons of academic or technical training can determine. Civil Service employees are hired on the basis of what they know, and not who they know.

All too many Americans have forgotten that the U.S. Civil Service was created a century ago (1883) when—after President James Garfield was assassinated by the disgruntled job-seeker—public indignation boiled over and forced Congress to put an end to the corrupt and scandal-ridden "spoils system" of selling federal jobs to highest bidders, or handing them out as rewards to political cronies of incoming administrations.

Recently a great deal of attention has been directed toward the retirement benefits received by former civil servants. Allegations have been made that these are excessive and that cutting them would go a long way toward balancing the budget.

Civil Service retirement benefits accrue from a retirement investment fund created in 1920, primarily as a convenience for the government so it could get rid of many very aged employees without firing them outright. Federal employees were compelled, as a condition of employment, to pay 2½ percent of their total salary into this fund. The government contributed nothing. Over the years, this individual assessment of salary has grown to 7 percent. In 1957, the government decided to begin contributing a like amount. Federal retirement benefits are one factor used in setting "comparability" standards for federal salaries.

Over time, the government has borrowed all the reserves in the Retirement Trust Fund, at a comparatively low rate of interest, and used the money for various purposes, such as farm loans, VA and FHA mortgage guarantees, and the like. At the end of 1983, the Retirement Trust Fund reserve totaled more than $109 billion—and 99 percent of this was "on loan" to the U.S. government.

When one compares total contributions to the retirement fund with total disbursements, the following becomes obvious:

For 40 years (from 1920 through 1960), employee payments into the trust fund exceeded disbursements from the fund by $763 million. Cost of federal retirement to the U.S. government: nothing.

For another 14 years (1961 to 1975), employee payments into the fund, plus interest accumulated on fund investments, exceeded federal retirement expenses by more than $1 billion. Again, cost of federal retirement to the U.S. government was nothing.

Between 1975 and 1984, employee contributions, plus interest earned on trust-fund investments, plus government-agency "matching" contributions (which are 7 percent of salary and are really part of the employee's salary) exceeded total retirement-system expenses by more than $7 billion.

So, as a matter of fact, the Civil Service Retirement System is self-sustaining and, in addition, has provided a financial service to the U.S. government.

We should all remember that the civil servant has no voice in the decisions as to what his salary should be; what perquisites (if any) he or she receives, or what interest the government should pay on the money that government borrows from the trust fund. These decisions are made unilaterally by the government. Congress decides what retirement benefits should be, and therefore what percenage of salary an employee must pay into the Retirement Trust Fund to yield such retirement benefits.

A federal employee is sworn to defend and protect the Constitution of the United States. He or she may not strike nor really negotiate for pay, benefits or any condition of employment. Overt political activity is proscribed. If, indeed, the federal employee is a monster, he or she had no part in creating it, and shouldn't be blamed for it.●

THE PRESIDENT AT THE EUROPEAN PARLIAMENT: A JOB WELL DONE

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. BROOMFIELD. Mr. Speaker, this morning, our President gave a masterful address to the European Parliament. His speech was both inspiring and challenging.

In his moving address, the President was eloquent in talking about America's shared struggle with our European allies during the Second World War. He also talked of America's unfailing commitment to a strong political, economic and military partnership with Europe. He pointed to our common heritage with Europe and our aspirations for a future filled with freedom, prosperity, and peace.

The President also pointed out that history has shown that weakness can lead to instability and conflict and that Western weaknesses in past decades have been exploited by the Soviets. In talking about the challenges of keeping the peace with an aggressive Soviet Union, our President offered a series of practical steps for reducing tensions with that country. These procedures include exchanging observers at military exercises, and holding regular high-level contacts between United States and Soviet military leaders. Also proposed was a plan urging that our two countries agree on confidence-building measures and that we establish a military communications link between our two Nations.

I believe that Europeans today are more confident than ever that America is a tested and true friend who will stand by our allies in time of need.

I am certain that my colleagues will join me in saying well done to our President.

With these thoughts in mind, I recommend the following excerpts from the President's speech to my colleagues in the Congress.

TEXT OF THE ADDRESS BY THE PRESIDENT TO A SPECIAL SESSION OF THE EUROPEAN PARLIAMENT, STRASBURG, FRANCE, MAY 8, 1985

We mark today the anniversary of the liberation of Europe from tyrants who had seized this continent and plunged it into a terrible war. Forty years ago today, the guns were stilled and peace began—a peace that has become the longest of this century.

On this day 40 years ago, they swarmed onto the boulevards of Paris, rallied under the Arc de Triomphe, and sang the "Marseillaise" in the free and open air. In Rome, the sound of church bells filled St. Peter's square and echoed through the city. On this day 40 years ago, Winston Churchill walked out onto a balcony in Whitehall and said to the people of Britain, "This is your victory"—and the crowd yelled back, in an unforgettable moment of love and gratitude, "No—it is yours." Londoners tore the black-

out curtains from their windows, and put floodlights on the great symbols of English history. And for the first time in nearly 6 years, Big Ben, Buckingham Palace, and St. Paul's Cathedral were illuminated against the sky.

Across the ocean, a half million New Yorkers flooded Times Square and laughed and posed for the cameras. In Washington, our new President, Harry Truman, called reporters into his office and said. "The flags of freedom fly all over Europe."

On that day 40 years ago, I was at my post at an Army Air Corps installation in Culver City, California. Passing a radio I heard the words, "ladies and gentlemen, the war in Europe is over." I felt a chill, as if a bust of cold wind had just swept past, and—even though, for America, there was still a war on the Pacific Front—I realized: I will never forget this moment.

This day can't help but be emotional, for in it we feel the long tug of memory; we are reminded of shared joy and shared pain. A few weeks ago in California an old soldier with tears in his eyes said, "It was such a different world then. It's almost impossible to describe it to someone who wasn't there, but when they finally turned the lights on in the cities again it was like being reborn."

If it is hard to communicate the happiness of those days, it is even harder to communicate, to those who did not share it, the depth of Europe's agony. So much of it lay in ruins. Whole cities had been destroyed. Children played in the rubble and begged for food.

By this day 40 years ago, over 40 million lay dead, and the survivors composed a continent of victims. And to this day, we wonder: how did this happen? How did civilization take such a terrible turn? After all the books and the documentaries, after all the histories, and studies, we still wonder: how?

Hannah Arendt spoke of "the banality of evil"—the banality of the little men who did the terrible deeds. We know they were totalitarians who used the state, which they had elevated to the level of a "God," to inflict war on peaceful nations and genocide on innocent peoples.

We know of the existence of evil in the human heart, and we know that in Nazi Germany that evil was institutionalized—given power and direction by the state and those who did its bidding. And we also know that early attempts to placate the totalitarians did not save us from war. In fact, they guaranteed it. There are lessons to be learned in this and never forgotten.

But there is a lesson too in another thing we saw in those days: perhaps we can call it "the commonness of virtue." The common men and women who somehow dug greatness from within their souls—the people who sang to the children during the blitz, who joined the resistance and said "No" to tyranny, the people who hid the Jews and the dissidents, the people who became, for a moment, the repositories of all the courage of the West—from a child named Anne Frank to a hero named Raoul Wallenberg. These names shine. They give us heart forever. The glow of their memories lit Europe in her darkest days.

Who can forget the hard days after the war? We can't help but look back and think: life was so vivid then. There was the sense of purpose, the joy of shared effort, and, later, the impossible joy of our triumph. Those were the days when the West rolled up its sleeves and repaired the damage that had been done, the days when Europe rose in glory from the ruins. Old enemies were reconciled with the European family. Together, America and Western Europe created and put into place the Marshall Plan to rebuild from the rubble. Together we created an Atlantic Alliance, which proceeded not from transient interests of state but from shared ideals. Together we created the North Atlantic Treaty Organization, a partnership aimed at seeing that the kind of tyrants who had tormented Europe would never torment her again.

NATO was a triumph of organization and effort, but it was also something new, very different. For NATO derived its strength directly from the moral values of the people it represented, from their high ideals, their love of liberty, their commitment to peace.

But perhaps the greatest triumph of all was not in the realm of a sound defense or material achievement. No, the greatest triumph after the war is that in spite of all the chaos, poverty, sickness, and misfortune that plagued this continent, the people of Western Europe resisted the call of new tyrants and the lure of their seductive ideologies. Your nations did not become the breeding ground for new extremist philosophies. You resisted the totalitarian temptation. Your people embraced democracy, the dream the fascists could not kill. They chose freedom.

Today we celebrate the leaders who led the way—Churchill and Monnet, Adenauer and Schuman, De Gasperi and Spaak, Truman and Marshall. And we celebrate, too, the free political parties that contributed their share of greatness: the Liberals and the Christian Democrats, the Social Democrats and Labour and the Conservatives. Together they tugged at the same car, and the great and mighty ship of Europe moved on.

If any doubt their success, let them look at you. In this room are those who fought on opposite sides 40 years ago, and their sons and daughters. Now you work together to lead Europe democratically. You buried animosity and hatred in the rubble. There is no greater testament to reconciliation and to the peaceful unity of Europe than the men and women in this chamber.

In the decades after the war, Europe knew great growth and power, amazing vitality in every area of life, from fine arts to fashion, from manufacturing to science to the world of ideas. Europe was robust and alive, and none of this was an accident. It was the natural result of freedom, the natural fruit of the democratic ideal. We in America looked at Europe and called her what she was: an Economic Miracle.

And we could hardly be surprised. When we Americans think about our European heritage, we tend to think of your cultural influences and the rich ethnic heritage you gave us. But the industrial revolution that transformed the American economy came from Europe. The guiding intellectual lights of our democratic system—Iccke, Montescuieu, and Adam Smith—came from Europe. And the geniuses who ushered in the modern industrial-technological age came from—well, I think you know, but two examples will suffice. Alexander Graham Bell, whose great invention maddens every American parent whose child insists on phoning his European pen pal rather than writing to him—was a Scotsman. And Guglielmo Marconi, who invented the radio—thereby providing a living for a young man from Dixon, Illinois, who later went into politics—I guess I should explain that's me—so blame Marconi. Marconi, as you know, was born in Italy.

Tomorrow will mark the 35th anniversary of the Schuman Plan, which led to the European Coal and Steel Community, the first block in the creation of a united Europe. The purpose was to tie French and German—and European—industrial production so tightly together that war between them "becomes not merely unthinkable but materially impossible." Those are the words of Robert Schumar; the Coal and Steel Community was the child of his genius. And if he were here today I believe he would say: We have only just begun!

I am here to tell you America remains, as she was 40 years ago, dedicated to the unity of Europe. We continue to see a strong and unified Europe not as a rival but as an even stronger partner. Indeed, John F. Kennedy, in his ringing "Declaration of Interdependence" in the freedom bell city of Philadelphia 23 years ago, explicitly made this objective a key tenet of postwar American policy; that policy saw the New World and the Old as twin pillars of a larger democratic community. We Americans still see European unity as a vital force in that historic process. We favor the expansion of the European Community; we welcome the entrance of Spain and Portugal into the Community, for their presence makes for a stronger Europe, and a stronger Europe is a stronger West.

Yet despite Europe's Economic Miracle, which brought so much prosperity to so many, despite the visionary ideas of the European leaders, despite the enlargement of democracy's frontiers within the European community itself, I am told that a more doubting mood is upon Europe today. I hear words like "Europessimism" and "Europaralysis." I am told that Europe seems to have lost the sense of confidence that dominated that postwar era. If there is something of a "lost" quality these days, is it connected to the fact that some, in the past few years, have begun to question the ideals and philosophies that have guided the West for centuries? That some have even come to question the social and intellectual worth of the West?

We in the West have much to be thankful for—peace, prosperity, and freedom. If we are to preserve these for our children, and for theirs, today's leaders must demonstrate the same resolve and sense of vision which inspired Churchill, Adenauer, De Gasperi, and Schuman. Their challenge was to rebuild a democratic Europe under the shadow of Soviet power. Our task, in some ways even more daunting, is to keep the peace with an ever more powerful Soviet Union, to introduce greater stability in our relationship with it, and to live together in a world in which our values can prosper.

The leaders and people of postwar Europe had learned the lessons of their history from the failures of their predecessors. They learned that aggression feeds on appeasement and that weakness itself can be provocative. We, for our part, can learn from the success of our predecessors. We know that both conflict and aggression can be deterred, that democratic nations are capable of the resolve, the sacrifices, and the consistency of policy needed to sustain such deterrence.

From the creation of NATO in 1949 through the early 1970's, Soviet aggression was effectively deterred. The strength of Western economies, the vitality of our societies, the wisdom of our diplomacy, all contributed to Soviet restraint; but certainly the decisive factor must have been the countervailing power—ultimately, military, and, above all, nuclear power—which the West

was capable of bringing to bear in the defense of its interests.

It was in the early 1970's that the United States lost that superiority over the Soviet Union in strategic nuclear weapons which had characterized the postwar era. In Europe, the effect of this loss was not quickly perceptible. But seen globally, Soviet conduct changed markedly and dangerously. First in Angola in 1975, then, when the West failed to respond, in Ethiopia, in South Yemen, in Kampuchea, and ultimately in Afghanistan, the Soviet Union began courting more risks, and expanding its influence through the indirect and direct application of military power. Today, we see similar Soviet efforts to profit from and stimulate regional conflicts in Central America.

The ineffectual Western response to Soviet adventurism of the late 1970's had many roots, not least the crisis of self-confidence within the American body politic wrought by the Vietnam experience. But just as Soviet decision-making in the earlier postwar era had taken place against a background of overwhelming American strategic power, so the decisions of the late 1970's were taken in Moscow, as in Washington and throughout Europe, against a background of growing Soviet and stagnating Western nuclear strength.

One might draw the conclusion from these events that the West should reassert that nuclear superiority over the Soviet Union upon which our security and our strategy rested through the postwar era. That is not my view. We cannot and should not seek to build our peace and freedom perpetually upon the basis of expanding nuclear arsenals.

In the short run, we have no alternative but to compete with the Soviet Union in this field, not in the pursuit of superiority, but merely of balance. It is thus essential that the United States maintain a modern and survivable nuclear capability in each leg of the strategic triad—sea, land, and air-based. It is similarly important that France and Britain maintain and modernize their independent strategic capabilities.

One can imagine several possible responses to the continued Soviet build-up of nuclear forces. On the one hard, we can ask the Soviet Union to reduce its offensive systems through equitable, verifiable arms control measures. We are pressing that case in Geneva. Thus far, however, we have heard nothing new from the other side.

A second possibility would be for the West to step up our current modernization effort to keep up with constantly accelerating Soviet deployments, not to regain superiority, but merely to keep up with Soviet deployments. But is this really an acceptable alternative? Even if this course could be sustained by the West, it would produce a less stable strategic balance than the one we have today. Must we accept an endless process of nuclear arms competition? I don't think so. We need a better guarantee of peace than that.

Fortunately, there is a third possibility. It is to offset the continued Soviet offensive build-up in destabilizing weapons by developing defenses against these weapons. In 1982, I launched a new research program—the Strategic Defense Initiative.

The state of modern technology may soon make possible for the first time the ability to use non-nuclear systems to defeat ballistic missiles. The Soviets themselves have long recognized the value of defensive systems and have invested heavily in them. Indeed, they have spent as much on defensive systems as they have on offensive systems for more than 20 years.

This research program will take time. As we proceed with it, we will remain within existing treaty constraints. We will also consult in the closest possible fashion with our Allies. And when the time for decisions on the possible production and deployment of such systems comes, we must and will discuss and negotiate these issues with the Soviet Union.

During the 1970's we went to great lengths to restrain unilaterally our strategic weapons programs out of the conviction that the Soviet Union would adhere to certain rules in its conduct—rules as neither side seeking to gain unilateral advantage at the expense of the other. These efforts of the early 1970's resulted in some improvements in Europe, the Berlin Quadripartite Agreement being the best example. But the hopes for a broader and lasting moderation of the East-West competition foundered in Angola, Ethiopia, Afghanistan, and Nicaragua.

The question before us today is whether we have learned from these mistakes and can undertake a stable and peaceful relationship with the Soviet Union based upon effective deterrence and the reduction of tensions. I believe we can. I believe we have learned that fruitful cooperation with the Soviet Union must be accompanied by successful competition in areas—particularly Third World areas—where the Soviets are not yet prepared to act with restraint.

These are the reflections which have molded our policy toward the Soviet Union. That policy embodies the following basic elements:

While we maintain deterrence to preserve the peace, the United States will make a steady, sustained effort to reduce tensions and solve problems in its relations with the Soviet Union.

The United States is prepared to conclude fair, equitable, verifiable agreements for arms reduction, above all with regard to offensive nuclear weapons.

The United States will insist upon compliance with past agreements both for their own sake and to strengthen confidence in the possibility of future accords.

The United States seeks no unilateral advantages, and, of course, can accept none on the Soviet side.

The United States will proceed in full consultation with its allies, recognizing that our fates are intertwined and we must act in unity.

The United States does not seek to undermine or change the Soviet system nor to impinge upon the security of the Soviet Union. At the same time it will resist attempts by the Soviet Union to use or threaten force against others, or to impose its system on others by force.

I have directed the Secretary of State to engage with the Soviet Union on an extended agenda of problem solving. Yet even as we embark upon new efforts to sustain a productive dialogue with the Soviet Union, we are reminded of the obstacles posed by our so fundamentally different concepts of humanity, of human rights, of the value of a human life. The murder of Major Nicholson by a Soviet soldier in East Germany, and the Soviet Union's refusal to accept responsibility for this act, is only the latest reminder.

If we are to succeed in reducing East-West tensions, we must find means to ensure against the arbitrary use of lethal force in the future—whether against individuals like Major Nicholson, or against groups, such as the passengers on a jumbo jet.

It is for that reason that I would like to outline for you today what I believe would be a useful way to proceed. I propose that the United States and the Soviet Union take four practical steps.

First, that our two countries make a regular practice of exchanging observers at military exercises and locations. We now follow this practice with many other nations, to the equal benefit of all parties.

Second, as I believe it is desirable for the leaders of the United States and the Soviet Union to meet and tackle problems, I am also convinced that the military leaders of our nations could benefit from more contact. I therefore propose that we institute regular, high-level contacts between Soviet and American military leaders, to develop better understanding and to prevent potential tragedies from occurring.

Third, I urge that the Conference on Disarmament in Europe act promptly and agree on the concrete confidence-building measures proposed by the NATO countries. The United States is prepared to discuss the Soviet proposal on non-use of force in the context of Soviet agreement to concrete confidence-building measures.

Fourth, I believe a permanent military-to-military communications link could serve a useful purpose in this important area of our relationship. It could be the channel for exchanging notifications and other information regarding routine military activities, thereby reducing the chances of misunderstanding and misinterpretation. Over time, it might evolve into a "risk-reduction" mechanism for rapid communication and exchange of data in times of crisis.

These proposals are not cure-alls for our current problems, and will not compensate for the deaths which have occurred. But as terrible as past events have been, it would be more tragic if we were to make no attempt to prevent even larger tragedies from occurring through lack of contact and communication.

We do not aspire to impose our system on anyone, nor do we have pat answers for all the world's ills. But our ideals of freedom and democracy and our economic systems have proven their ability to meet the needs of our people. Our adversaries can offer their people only economic stagnation and the corrupt hand of a state and party bureaucracy which ultimately satisfy neither material nor spiritual needs.

I want to reaffirm to the people of Europe the constancy of the American purpose. We were at your side through two great wars; we have been at your side through 40 years of a sometimes painful peace. We are at your side today because, like you, we have not veered from the ideals of the West—the ideals of freedom, liberty, and peace. Let no one—no one—doubt our purpose.

The United States is committed not only to the security of Europe—we are committed to the re-creation of a larger and more genuinely European Europe. The United States is committed not only to a partnership with Europe—the United States is committed to an end to the artificial division of Europe.

We do not deny any nation's legitimate interest in security. We share the basic aspirations of all of the peoples of Europe—freedom, prosperity, and peace. But when families are divided, and people are not allowed to maintain normal human and cultural contacts, this creates international tension. Only in a system in which all feel secure,

and sovereign, can there be a lasting and secure peace.

For this reason we support and will encourage movement toward the social, humanitarian, and democratic ideals shared in Europe. The issue is not one of state boundaries, but of insuring the right of all nations to conduct their affairs as their peoples desire. The problem of a divided Europe, like others, must be solved by peaceful means. Let us rededicate ourselves to the full implementation of the Helsinki Final Act in all its aspects.

As we seek to encourage democracy, we must remember that each country must struggle for democracy within its own culture; emerging democracies have special problems and require special help. Those nations whose democratic institutions are newly emerged and whose confidence in the process is not yet deeply rooted need our help. They should have an established community of their peers, other democratic countries to whom they can turn for support or just advice.

We in our country have launched a major effort to strengthen and promote democratic ideals and institutions. Following a pattern first started in the Federal Republic of Germany, the United States Congress approved the National Endowment for Democracy. This organization subsequently established institutes of labor, business, and political parties dedicated to programs of cooperation with democratic forces around the world. I hope other democracies will join in this effort and contribute their wisdom and talents to this cause.

I do not believe those who say the people of Europe today are paralyzed and pessimistic. And I would say to those who think this: Europe, beloved Europe, you are greater than you know. You are the treasury of centuries of Western thought and Western culture, you are the father of Western ideals and the mother of Western faith.

Europe, you have been the power and the glory of the West, and you are a moral success. In the horrors after World War II, you rejected totalitarianism, you rejected the lure of new "Superman," and a "New Communist Man." You proved that you were—and are—a moral triumph.

You in the West are a Europe without illusions, a Europe firmly grounded in the ideals and traditions that made her greatness, a Europe unbound and unfettered by a bankrupt ideology. You are, today, a New Europe on the brink of a new century—a democratic community with much to be proud of.

We have much to do. The work ahead is not unlike the building of a great cathedral. The work is slow, complicated, and painstaking. It is passed on with pride from generation to generation. It is the work not only of leaders but of ordinary people. The cathedral evolves as it is created, with each generation adding its own vision—but the initial ideal remains constant, and the faith that drives the vision persists. The results may be slow to see, but our children and their children will trace in the air the emerging arches and spires and know the faith and dedication and love that produced them. My friends, Europe is the Cathedral, and it is illuminated still.

And if you doubt your will, and your spirit, and your strength to stand for something, think of those people 40 years ago—who wept in the rubble, who laughed in the streets, who paraded across Europe, who cheered Churchill with love and devotion, and who sang the "Marseillaise" down the boulevards. Spirit like that does not disappear; it cannot perish; it will not go away. There's too much left unsung within it.●

U.S. SMALL BUSINESS WEEK, 1985

HON. DENNIS E. ECKART

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. ECKART of Ohio. Mr. Speaker, today I want to recognize National Small Business Week—May 5 through May 11—and honor the Nation's 13 million small businesses.

We are all very aware of the economic rollercoaster which our Nation has been riding in recent years. Especially disturbing are the continuing high unemployment rates. One county in my district reported just last week an unemployment rate of 15 percent, double the national average.

As we continue to strive to reduce these dismal unemployment figures, there is some light at the end of the tunnel. That light is small business. Over the past 5 years, America's small businesses and entrepreneurs have created almost 3 million new corporations, an astonishing rate of some 600,000 per year. More importantly, they have created an estimated 900,000 self-employed persons and numerous other jobs for American workers.

In a time when employment opportunities seem to be diminishing and plants are closing at an alarming rate, America's pioneer spirit and adversity have been demonstrated by the entrepreneurial ability of its inhabitants. Not only have small businesses created hundreds of thousands of new jobs, but they have also made great technological innovations which have served to increase the diversity of our economy.

It is with great honor that I salute the small business community and their many contributions today.●

WHY REQUIRE SEAT BELTS?

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. WHITEHURST. Mr. Speaker, a few weeks ago I had the occasion to visit the rehabilitation center on the ninth floor of Norfolk General Hospital, and I can say without hesitation that it was a moving and enlightening experience. The majority of patients undergoing therapy had been victims of automobile accidents, and in each case their severe injuries resulted from a drunken driver, the absence of a seatbelt, or both.

Those who oppose mandatory seatbelts as too confining should visit a rehabilitation center and see what real confinement is. They should see young people who will be in wheelchairs for life, with brain damage, spinal cord injury, or missing legs. I saw one young man, who had had a promising engineering career ahead of him, who had been widowed and blinded as a result of his accident.

The Norfolk Virginian-Pilot on May 4, 1985, carried an editorial entitled "Save Virginia Lives, Too," and I am pleased to commend it to my colleagues, who can replace "Virginia" with the names of their own States. The editorial effectively demolishes the argument that somehow requiring seatbelts is an unwarranted restriction on freedom.

In addition, I would like to take this opportunity to share an article from the May 1985, issue of Psychology Today, written by E. Scott Geller, who is professor of psychology at Virginia Polytechnic Institute and State University in Blacksburg, VA. Professor Geller offers some valuable argments in support of the use of safety belts, and some excellent suggestions for helping encourage more people to "buckle up." I was struck by his statement that only about 5 percent of the television performers were shown wearing a lap or shoulder belt, and it occurred to me that viewers who feel strongly about the need to encourage this vital safety practice might wish to write to the networks, the producers, and the sponsors of their favorite programs to urge that more shows have the use of seatbelts or shoulder restraints in their scripts.

Mr. Speaker, with graduation time upon us, and the summer tourist season just ahead, it strikes me that these articles are particularly timely and cogent, and I hope that my colleagues will give them consideration and perhaps share them with their constituents.

Thank you, Mr. Speaker.

[From the Virginian-Pilot, May 4, 1985]

SAVE VIRGINIA LIVES, TOO

The Virginia General Assembly, which refuses to mandate the wearing of seat belts in motor vehicles, should ponder the 27 percent drop in traffic deaths of drivers and passengers in New York since a large percentage of New Yorkers began buckling up.

During the first three months of this year, 184 drivers and passengers died in motor-vehicle accidents in New York, compared to 252 during the first three months of 1984. The comparable statistics in Virginia were 199 in 1984, 203 in 1985. A mandatory seat-belt law could save 25–30 lives in Virginia over a three-month period and 100–120 a year—possibly more.

That would be worth doing. But Virginia's lawmakers bought the spurious argument this year that compelling drivers and passengers to wear seat belts constitutes an unwarranted restriction on freedom.

That argument might have merit if society generally were not burdened with the heavy medical, welfare, legal and other expenses imposed by highway carnage. If the families of killed, mangled and maimed individuals who refused to wear seat belts also paid all costs resulting from fatalities and crippling injuries that could have been forestalled by seat-belt usage, society's interest in demanding that drivers and passengers buckle up would be significantly diminished. But the cost is borne generally—as inflated insurance premiums, the proliferation of litigation, rising welfare costs and lost productivity, among other things, eloquently attest.

Besides, everyone licensed to operate a motor vehicle knows that driving is a privilege granted by the state, not a natural right. Retention of that privilege is contingent upon obedience to traffic laws, maintenance of motor-vehicle insurance and periodic demonstrations of competence behind the steering wheel. Buckling up is inconvenient at worst, and Virginia should demand it.

How many Virginians would respond? Compliance in New York state is running about 60 percent, compared to less than 14 percent in the states where wearing seat belts isn't required. As for enforcement, New York police cited 7,000 people for disobeying the law during the first three months; 90 percent of those citations were made when drivers were arrested for other traffic offenses. New York's encouraging experience with buckle-up legislation parallels the experience in foreign lands. Motor vehicle accidents have not decreased in New York; only the deadly consequences of such accidents.

Does buckling up save lives and limbs? Yes. Does the Virginia General Assembly welcome highway carnage? Of course not. So the honorables shouldn't be deterred by half-baked arguments about "freedom" and "choice" from enacting a sensible law to lessen the slaughter.

SEAT BELT PSYCHOLOGY

(By E. Scott Geller)

What single action, if done regularly, would be most likely to save your life? Jogging, eating less, kicking an unhealthy habit? No. The one thing that would do more than any other to increase your longevity and quality of life is to use a safety belt every time you travel in a car.

Vehicle accidents are responsible for more than 30,000 deaths and 500,000 injuries each year. More than half of these deaths and injuries could be avoided by the use of safety belts, but only around 15 percent of U.S. drivers and passengers buckle up.

Many European countries have passed mandatory belt use laws, and the rate of safety-belt wearing in these countries is much higher than in the United States, ranging between 70 percent and 92 percent. New York, New Jersey, Missouri, Michigan and Illinois have recently passed seat-belt laws, and will serve as critical test cases for the efficacy of requiring safety-belt use in the United States.

Mandatory seat-belt laws, however, have not been gracefully accepted in the United States. Newspaper editorials proclaim the infringement of individual freedom caused by a seat-belt law. Many people feel it is their personal right to choose whether or not to buckle up, and believe (incorrectly) that no one would suffer except themselves if they were unbuckled in a vehicle crash. And we hear a variety of excuses for not buckling up: "I'm a safe driver, so I won't be in an accident." "It's safer to be thrown from the vehicle." "I don't want to be trapped if my car is on fire or under water." "Seat belts are too uncomfortable and wrinkle my clothes." "I don't need a safety belt when driving around town." Several educational programs clearly demonstrate that all such excuses for not buckling up are erroneous, but education alone is not sufficient to get people to use safety belts.

From the perspective of behavioral psychology, the low use of safety belts can be explained by examining events that precede or follow the use or nonuse of a safety belt. For example, opportunities to wear a safety belt are rarely preceded by signs or verbal messages that remind us to buckle up. And, since most people who travel without wearing a safety belt usually reach their destination safely, they are, in a sense, rewarded for not buckling up.

Modeling, or behavioral example, is another powerful behaviorial tool that could be used to promote safety-belt use but isn't. Current TV heroes, the role models for children and young adults, for instance, do not buckle up when they ride in their cars, trucks and vans. A recent assessment of safety-belt use by TV stars during prime time "action shows" (conducted by my research students) found that fewer than 5 percent of the actors were shown wearing a lap or shoulder belt. Psychological theory and research suggest that such consistent modeling of the nonuse of safety belts contributes significantly to the low safety-belt use in the United States.

After examining the conditions that influence safety-belt use, the behavioral psychologists approach the problem by manipulating conditions that might increase the wearing of safety belts. This involves attempts to remove conditions that discourage use of safety belts and to add conditions that encourage their use. The first approach is seen in the petition my students and I circulated nationwide to get support for the idea that the consistent nonuse of vehicle safety belts by TV stars is irresponsible broadcasting. However, we have been more successful with the second approach—adding conditions that encourage belt use.

In a series of research projects, we have shown that basic principles of positive reinforcement can be used cost-effectively to increase safety-belt wearing. For example, simply rewarding people when they are buckled up can more than double usage rates.

Our safety-belt rewards were inexpensive (hamburger coupons or lottery tickets, for instance), donated by community merchants (for good-will advertising) and administered conveniently (by police officers and cashiers at the drive-in exchange windows of the banks and fast-food restaurants).

In one campaign every bank customer who was buckled up when driving up to the outdoor exchange window received a number for a community bingo game. Such programs are accepted by everyone involved, and promote a positive attitude toward safety belts because they are not seen as a threat to individual freedom.

Some people may only buckle up to get the reward, but even after the rewards are removed, usage rarely drops as low as the previous levels. So some people actually develop and continue the safety-belt use habit after a few rewards. Furthermore, we have found it useful to reinstate the safety-belt incentive program periodically. This intermittent reinforcement helps maintain increases in seat-belt wearing.

For example, because of the tremendous corporate costs resulting from vehicle accidents involving unbelted employees, corporations have found it cost-beneficial to use intermittent reward programs for safety-belt promotion. This can mean large savings for a company, since it has been estimated that a single employee fatality costs industry an average $120,000 in direct payments (wage compensation, property damage, medical expenses and insurance outlays). And this may be only the tip of the iceberg when you consider the costs of work disruption and decreases in productivity associated with hiring and training replacements.

Two years ago, I wrote an instructional manual that specifies guidelines for rewarding safety-belt wearing in corporations. With actual case examples, the manual illustrates how to apply feedback, group discussions and commitment strategies to increase the long-term impact of a safety-belt reward program. In addition, we have recently produced a 25-minute film that demonstrates the use of psychology in encouraging safety-belt use at various community sites, including churches, banks, schools, fast-food restaurants, corporations and universities.

Our film demonstrates a "flash for life" that can be used by anyone to encourage others to buckle up. This involves holding up a large flash card in the window of your vehicle so that people in other cars can read the message: "Please buckle up—I care." If viewer buckles up, the "flasher" flips over the card to reveal: "Thank you for buckling up." A surprisingly large number of nonusers buckle up on the spot (22 percent of 893 people in a recent study).

The simply "flash for life" incorporates several principles derived from psychological research, including behavioral modeling (the flash-card holder is buckled up) and effective "stimulus control" (the flash-card holder gives a specific message in nondemanding language at a time when the person viewing the flash card can act on the request). A beneficial side effect of this procedure is that the flash-card holders (whether child or adult) increase their commitment to safety belts.

Our recent successes in prompting and reward strategies in corporate and community settings suggest that it is possible to increase safety-belt use while maintaining public acceptance and positive attitudes and illustrate the importance of psychological theory and research when designing buckle-up campaigns.●

LIBERTY CITY GROWING FROM ASHES OF RIOTS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. LEHMAN of Florida. Mr. Speaker, there has been much discussion in media lately about reconciliation, dealing with past horrors and rebuilding a society destroyed by conflict. These references were to the victims of World War II and the rebuilding that took place after the war.

There is another story, however, smaller in scope but similar in some ways, right here in Dade County, FL.

Following the civil disturbances in 1980, Liberty City was devastated as a community. However, the resourceful and determined people who live there were not willing to give up, and what they have been able to achieve is remarkable. I would like to share with my colleagues an article written by Neal R. Pierce which details one of these achievements. Perhaps other communities in other parts of the country will learn and be motivated from their example.

LIBERTY CITY GROWING FROM ASHES OF RIOTS

(By Neal R. Pierce)

MIAMI.—On a dazzling late March Saturday morning in Liberty City, a neighborhood devastated by bitter race riots in 1980, families dressed in their Sunday best stood in line for an experience commonplace for most Americans—shopping at a well-stocked supermarket.

Inside the spanking new Winn-Dixie store in Edison Plaza, beaming, courteous teenagers—the boys in white shirts and black ties, girls in blue uniforms—ran cash registers, stocked shelves, and helped customers with their first quality grocery purchases in five years.

The nation's last glimpse of this block was quite different: a national guardsman in riot gear, armed with an automatic rifle, holding four black teen-agers at bay. The old grocery store was a gutted shell. Food bins, beer cans and broken bottles floated in a sea of water left by firefighters. Food displays hung eerily from the ceiling, advertising yesterday's specials. For private investment, the site—like most of Liberty City—seemed jinxed, seen as another riot waiting to happen.

Why then has Winn-Dixie, a leading Southern supermarket chain, risked entering Liberty City? The answer: a mix of players and investments no city could have assembled in 1990.

First, the owner-manager of the site is a new-generation local economic development corporation. Its director, a savvy ex-cop and Liberty City native named Otis Pitts, is getting premier business counsel. The Tacolcy Economic Development Corporation's nine directors each has at least five years' business ownership and management experience.

Second, active support came not just from the Ford Foundation, but from the recently organized LISC—the Local Initiatives Support Corporation LISC helped recruit Pitts for the job, exposed him to successful community economic development projects in Boston and the South Bronx, sent a Harvard MBA team in to assist, and then invested $250,000 of its own funds in the project.

Third, Miami Mayor Maurice Ferre did what few mayors of the city contemplated before the '80s: He invested big chunks of his own time, and $650,000 of the city's money, to make the project work. Dade County threw in $260,000. Some big federal bucks were given—$800,000 from the Economic Development Administration. But the Liberty City revival is not your old-style federal initiative. The Carter administration, in the wake of the '80 riots, pumped $10 million into Liberty City—most of it frittered away without result. Now the feds are responding to local initiative.

Finally, city business leaders are involved. They loaned $250,000. But the commitment didn't come without heavy selling by Ferre and company. The biggest investment of all is Winn-Dixie's own—about $2 million.

No one can say that Liberty City, even with this massive investment, is on a sure comeback trail. There's still crushing joblessness, an excruciating crime rate, and lingering fear that another chain of racially charged events—the acquittal of four white police officers in the beating death of a black motorcyclist after a high-speed chase—could spark another conflagration.

But hope, not fear, filled the air as Edison Plaza opened in late March. There were political speeches, colorful ballons, all the fanfare usually reserved for a major civic occasion Despite Miami's sometimes bitter "triethnic" politics (Hispanic, black, white), politicians of every stripe showed up.

Soon a dry-cleaning shop, drugstore and shoe store will join Winn-Dixie in the white stucco and red brick plaza. In offices behind the stores, a law firm is open for business and a dentist is waiting to move in. McDonald's has opened across the way; the "New Beginning" shopping center nearby has 10 small shops. There's a stunning contrast between these neat, ordered new developments and the "old" Liberty City that lingers on around them—Simon's Tailor Shop with so many security bars you'd think it was a prison, the greasy-spoon "Meal a Minute" restaurant, and a pawnshop whose sign screams: We buy gold and silver.

"There is a sense of pride in what has happened here on the part of people," says Otis Pitts. "It's not like people are just coming to shop in a store. It's like they're coming to something that is a vital part of their community."

"We don't only look good, we are good," says Robert Pitts (no relation), owner of People's Barber Shop, around the corner from Edison Plaza, as he cuts a customer's hair while three others wait in turn. "I have no doubt in my mind that this is a start to do other things now. As a race of people in this area we've learned and are looking at things more intelligently. We're going to help ourselves out."

Pitts, whose barber shop has been in Liberty City for 17 years and like many black businesses survived 1980 undamaged, says neither he nor fellow merchants have plans to leave the neighborhood: "Everybody is committed to staying. Why leave now? We sweated out the worst. There ain't nothing to do but look forward now."

The attitude is what Ferre has been hoping for. Neighborhoods, he notes, need some kind of an economic break to pick themselves up—"an inducement based on a perspective that something is going to happen."

The stake for Liberty City people gets a lot farther than the convenience of a supermarket. All ghettoes suffer from "expenditure leakages"—money flowing to outside stores and failing to circulate and create jobs locally. "If we're going to be financially independent, then those dollars need to turn over 6, 8, 10 times before they leave the neighborhood," Athalie Range, Miami's first black city commissioner, told by associate Robert Guskind.

Trevino Bostic, a stock boy at the new store, never heard of "expenditure leakages." But he knows what it means for him: "I need a job. I want to save money so I can go to college and get a good education. I want to come back and maybe be a manager."●

FIFTIETH ANNIVERSARY OF REA

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. BARTON of Texas. Mr. Speaker, it is truly a privilege for me to speak on the 50th anniversary of the Rural Electrification Administration. Of all the Government programs which have been enacted in the last 50 years, the REA may have done the most to help the rural people of this Nation. The REA truly represents the highest good which Government programs can attain.

Though it is really not long ago that the REA started its work, it is easy to forget how the REA changed the lives of America's farmers. My grandfather, Linus P. Barton, did not receive electricity on his farm in Bosque county, Texas until 1949, the year I was born. Even today, my mother talks about the dramatic impact that electricity and the REA had on their life. My mother's father ran a cotton gin in McLennan County, Texas in the small community of Speegleville, which was made possible by the electricity provided by the REA.

I would like to specifically commend the following REA co-ops in my district, for their vital work in improving the lives of the people in Texas: Hill County Electric, Limestone County Electric, Navarro County Electric, Johnson County Electric, Houston County Electric, Tri-County Electric, Sam Houston Electric, San Bernard Electric, Mid-South Electric, Robertson Electric, Brazos Electric, and Tex-La Electric.

I salute the great accomplishments of the REA on its golden anniversary. As we look to the future, I hope to see the REA continue its great work in rural America. The REA will plan a vital role in the continuing prosperity of America's agricultural sector. If we can achieve the same high level of success in the next half century as we have achieved in the last one, we can look forward to very happy times indeed for those that live in rural America.●

ACCOMPLISHMENTS OF WILLIAM J. BURKHOLDER, SUPERINTENDENT OF FAIRFAX COUNTY PUBLIC SCHOOLS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. WOLF. Mr. Speaker, I would like to call to the attention of my colleagues the accomplishments of Mr. William J. Burkholder, superintendent

of the Fairfax County public schools, on the occasion of his forthcoming retirement on June 30, 1985. His career spans some 34 years in public education in the Commonwealth of Virginia, 29 of which were spent in Fairfax County. During that period, he has served education as a school bus driver, classroom teacher, school principal, instructional supervisor, personnel director, labor negotiator, and deputy superintendent—a broad range of experiences which qualified him for the superintendency of the 10th largest school system in our great Nation, an organization of more than 13,000 employees engaged in educating 124,000 students in 159 schools and 19 special services centers, serving the educational needs of a population close to 650,000 people in an area covering more than 400 square miles.

In this highly complex situation, Mr. Burkholder has displayed the characteristics of a fine educational leader: courage, sensitivity, a strong sense of educational priorities, a keen awareness of community values and dynamics, an ability to move toward the future without sacrificing the strengths of the past and present, and a belief in children as this Nation's most important resource.

Among his many achievements are just three which I will mention here. His comprehensive program to address the problems of substance abuse is a national model, recognized by Mrs. Reagan at a White House ceremony. His determination to improve the academic performance of minority students has resulted in a major effort involving every school and supported by community leaders. Finally, he has guided the opening of a high school for science and technology, and encouraged the active involvement of the business community through his business/industry advisory council. These selected accomplishments are symbolic of his dedication to the resolution of current problems and his recognition of future needs.

The life of a superintendent of schools is not easy. Dealing with 80-hour workweeks, hundreds of public and private meetings, the depth of community emotions surrounding highly controversial issues, the balancing of competing special interests, and, above all, the need to focus the attention of the body politic on the child in the classroom, require skills and characteristics which are almost superhuman. Mr. Burkholder has met all of these challenges with imperturbable calmness and acumen, perceptiveness, and sensitivity.

As the representative of Virginia's 10th Congressional District, I take great pride in Mr. Burkholder's career and I join my colleagues and the citizens of Fairfax County in wishing him much happiness in the years to come.●

WALLOP-BREAUX RESOLUTION

HON. JOHN B. BREAUX

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. BREAUX. Mr. Speaker, today I am introducing a resolution, for myself and 136 of my colleagues, which would call on the administration to properly implement the Boating Safety and Sport Fish Enhancement Act, commonly known as the Wallop-Breaux Act. Passed in 1984 as part of the Deficit Reduction Act, this legislation was the result of a long effort on the part of the sport fishermen and boaters of this country to raise additional funds to improve their sport and to continue a 50-year tradition of user fee programs to support conservation of natural resources.

The Wallop-Breaux program is an expansion and continuation of the Federal Aid in Fish Restoration Program, passed by the Congress in 1950, which was funded by an excise tax on certain articles of sport fishing tackle. The Boating Safety and Sport Fish Restoration Act expanded the number of fishing tackle items subject to this excise tax. In addition, the legislation recognized that recreational boaters pay another user fee for which they previously received only limited benefits—the 9 cents per gallon tax on fuels purchased for recreational boats. Prior to passage of the Wallop-Breaux legislation, the money attributable to the motorboat fuels tax was authorized to be spent on boating safety programs, but very little was ever appropriated. The Wallop-Breaux legislation dedicated the motorboat fuels tax to boating safety and sport fish restoration programs, along with import duties on fishing tackle and pleasure craft. All of these funds were placed in a special Aquatic Resources Trust Fund.

Mr. Speaker, this legislation was a bipartisan effort, strongly supported by the fishing and boating public, the Congress, and the administration. Yet, the administration's budget proposal for fiscal year 1986 proposes to repeal the existing automatic appropriation for the Federal Aid in Fish Restoration Act and to withhold new funds from this program. My colleagues and I believe that the administration's attack on this program threatens to undermine the user fee concept which has served this program and others so well. Sportsmen have willingly supported user fees in the past because they believe in conserving these natural resources and because Congress has never broken faith with them. I strongly urge your support for this resolution that calls on the administration to honor its commitment to the more than 50 million American boaters and fishermen and to implement the provisions of the Boating Safety and Sport Fish Restoration Act as approved by the Congress and the administration less than 1 year ago.●

"DOC" GARCELON ELECTED NRA PRESIDENT

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. McKERNAN. Mr. Speaker, I am pleased to announce that a distinguished citizen from the First District of Maine has risen to the highest position in The National Rifle Association of America [NRA]. Dr. Alonzo H. Garcelon, DDS, was unanimousy elected president of the 3-million-member NRA by its board of directors on April 22 at the association's 14th annual meeting in Seattle.

This prestigious position could not have been entrusted to a more qualified individual. Dr. Garcelon, an outstanding marksman and progun activist from Augusta, ME, has a broad background in professional and civic activities. In addition to serving on the board of directors of the NRA before his election to presidency, he has held positions in many other organizations, including chairman of the advisory council of the Maine Department of Inland Fisheries and Game, chairman of the Maine Governor's Committee on Hunting Safety, and chairman of the Council for Sensible Game Management, as well as heading other hunting and rifle associations. Dr. Garcelon is honorary president for life of the Sportman's Alliance of Maine, an organization that he founded in 1975. As a public and private health dentist, he is at the top of his profession, having served as president of the State Dental Association Dr. Garcelon has an abiding interest in education as well. He serves as a trustee of three different educational institutions.

I praise my friend and fellow Mainer, "Doc" Garcelon, for his many achievements and invite my colleagues to join me in congratulating him and wishing him luck as he looks toward this new challenge at the NRA.

I would like to share with my colleagues the text of Dr. Garcelon's acceptace speech at the Seattle NRA Convention:

Ladies and gentleman of the board: Thank you for electing me president of this great organization—The National Rifle Association of America. You know, I'd rather be president of the NRA than Governor of Massachusetts, which doesn't say much, I suppose. But I'd rather be president of NRA than Governor of Maine and that says much!

Where else in America could a small town dentist from Maine be honored by his peers through election as president of the 3 mil-

lion-plus member National Rifle Association.

The fight for leadership of NRA is over. Ray Arnett is our elected executive vice president for the next five years. I want to congratulate Ray, but I also want to congratulate the NRA. We are so fortunate to find another great American to carry on where Harlon Carter left off. In our great American democracy, people argue, contest, and cast their ballots. I want to remind you that an equally important tradition is accepting the outcome of elections hard fought and fairly contested.

As the one common link between the membership as a whole and the board of directors—both of whom share responsibility for governing this great organization—the office of president can and must be one of leadership!

I pledge to this organization that I will vigorously pursue my role of healer, unifier, and catalyst for promoting the goals and objectives as well as the dreams of this organization and all that it stands for.

In addition to this traditional role, permit me to sketch a few other areas which I hope to address as your new president. These include: (1) fair coverage by the media, (2) recruitment of millions of hunters as members, (3) educating new generations to the responsibilities of gun ownership and hunting, and (4) reaching the group which number over 50% of all voters—the women of America!

With regard to the first issue, we want to judiciously use our economic power and clout to bring fairness to the print and electronic media. They, who represent no one but themselves, have for so long distorted the values, activities, and integrity of NRA members and millions of other hunters and gun owners.

By entering the market place, perhaps we could help bring about a climate in which the media covers events and organizations with fairness, objectivity, and honesty. In the near future, I will appoint a special committee which will explore these possibilities.

As an avid hunter and lifelong gun owner, I know that we can enlist many more members to this important group. While many may not yet have heard our message, it seems pretty simple to an old country boy like me that you can't hunt if you can't own or use a gun. Our challenge is to reach and recruit the 20 million hunters who are not yet among us.

We have made a good beginning with our youth programs. The youth of America are our future. We must expand our efforts in this direction. There must be millions of our youth like Jared Goegeline, whom we honored Friday as the 50,000th junior member.

Our young people are the leaders and voters of tomorrow. They are also the hunters and gun owners of the next generations, for without their interest and involvement, there will be no gun ownership or hunting.

Another segment of our population which needs more emphasis is women. We can easily double or triple our ranks by enlisting women who can or will share our interests.

This so-called minority, as well as the *real* minorities in our society, represent great potential for increasing our ranks.

Thus far, I've not said anything about the NRA's most important responsibility—opposing gun control of all kinds and in all political jurisdictions! Lest there be any misunderstanding by friend and foe alike, these areas I've discussed, and given new priority, will provide the needed and additional strength, numbers, and resources for the battles that lie ahead. NRA has, and will always be, the "cutting edge" and in the first rank among any who defend the second amendment. Preserving our rights to keep and bear arms is, after all, our primary challenge and greatest obligation. So said our membership by over 95%, according to the recent DMI poll.

You'll be hearing more about these subjects in the President's Column and through other appropriate means.

In the meantime, I respectfully request that when we leave this board meeting, and this annual meeting, that we become a family once again, with all of the traditions that make a family great. If there is any group that can do it, we, the NRA, can!

Thank you and God bless you all.●

VOTING RECORD

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. UDALL. Mr. Speaker, it has become my practice from time to time to list my votes in the CONGRESSIONAL RECORD. I strongly believe that the people of the Second Congressional District of Arizona have a right to know where I stand on the issues decided by this body, and I have found that printing my record here is the best way to provide that information.

This is not an all inclusive list. I have omitted noncontroversial votes such as quorum calls, motions to resolve into the Committee of the Whole House, and motions to approve the Journal of the previous day.

The descriptions are necessarily somewhat short, and I am sure that some of my constituents will have additional questions about the issues described here. So I invite them to write me for more specifics.

The votes are described as follows:

KEY

1. Rollcall number;
2. Number of the bill or resolution;
3. Title of the bill or resolution;
4. A description of the vote;
5. The outcome of the vote;
6. The vote total;
7. My vote, in the form Y=yes, N=no, and NV=not voting;
8. The vote totals of the Arizona delegation (yes-no-not voting);
9. The date.

151. H.R. 4170. Deficit Reduction Act. Vander Jagt, R-Mich., motion to instruct House conferees on the deficit-reduction bill not to agree to the Senate amendment to lengthen the depreciation period for real estate and to reduce tax credits available for the rehabilitation of old buildings. Motion agreed to 397-24: Y(5-0-0), May 23, 1984.

152. H.R. 5167. Department of Defense Authorization. Gore, D-Tenn., amendment to the Brown, D-Calif., amendment, to provide that no funds may be used to test the anti-satellite missile (ASAT) against a target in space unless the Soviet Union conducts a test of its ASAT after enactment of the bill. Adopted 238-181: Y(2-3-0), May 23, 1984.

153. H.R. 5167. Department of Defense Authorization. Stratton, D-N.Y., amendment to the Brown, D-Calif., amendment, to provide that the anti-satellite missile (ASAT) may be tested against an object in space as many times as the Soviet ASAT has been tested against an object in space. Rejected 178-236: N(3-2-0), May 23, 1984.

154. H.R. 5167. Department of Defense Authorization. Byron, D-Md., amendment to the McCurdy, D-Okla., substitute to the Brown, D-Calif., amendment, to provide that the anti-satellite missile (ASAT) may be tested against an object in space as many times as the Soviet ASAT has been tested against an object in space. Rejected 181-229: N(3-2-0), May 23, 1984.

155. H.R. 5167. Department of Defense Authorization. McCurdy, D-Okla., substitute to the Brown, D-Calif., amendment, to bar testing of the anti-satellite missile (ASAT) against an object in space through March 31, 1985, and allowing tests thereafter only if the president certifies that he has invited the Soviet Union to resume negotiations to limit ASATs. Rejected 186-228: N(3-2-0), May 23, 1984. (The Brown amendment, as amended, which provided that no funds may be used to test the anti-satellite missile (ASAT) against a target in space unless the Soviet Union conducts a test of its ASAT after enactment of the bill, subsequently was adopted by voice vote.)

156. H.R. 5167. Department of Defense Authorization. Foley, D-Wash., amendment to bar the use of authorized funds to introduce combat troops into El Salvador and Nicaragua, except in certain circumstances. Adopted 341-64: Y(2-3-0), May 23, 1984.

157. H.R. 5167. Department of Defense Authorization. Hartnett, R-S.C., amendment to bar the use of authorized funds to introduce combat troops into Western Europe, the Middle East or Korea, except in certain circumstances. Rejected 27-379: N(0-5-0), May 23, 1984.

159. H.R. 5692. Debt Limit. Passage of the bill to increase temporarily the debt ceiling by $30 billion, from $1.49 trillion to $1.52 trillion, through June 22, 1984. Passed 211-198: Y(3-2-0), May 24, 1984.

160. H.J. Res. 492. Department of Agriculture, Fiscal 1984 Urgent Supplemental Appropriations. Adoption of the conference report on the bill to appropriate $1,061,894,000 in fiscal 1984 for the Department of Agriculture and other agencies. Adopted 376-36: Y(4-1-0), May 24, 1984.

161. H.J. Res. 492. Department of Agriculture, Fiscal 1984 Urgent Supplemental Appropriations. Long, D-Md., motion that the House recede from its disagreement to the Senate amendment providing $61.75 million in military aid to El Salvador. Motion agreed to 267-154: Y(4-1-0), May 24, 1984.

162. H.J. Res. 492. Department of Agriculture, Fiscal 1984 Urgent Supplemental Appropriations. Boland, D-Mass., motion that the House recede from its disagreement to the Senate Amendment providing $21 million in covert aid to Nicaraguan rebels, with an amendment providing no funds for Nicaraguan rebels. Motion agreed to 241-177: Y(2-3-0), May 24, 1984.

163. H.R. 5167. Department of Defense Authorization. Hunter, R-Calif., amendment to bar the use of authorized funds to introduce combat troops into El Salvador or Nicaragua unless the president determines that a communist threat to the region exists. Rejected 99-288: N(3-2-0), May 24, 1984.

164. H.R. 2174. Bankruptcy Court Extension. Rodino, D-N.J., motion to agree with

the Senate amendments to the bill to extend from May 25, 1984, until June 20, 1984, a period of transition to a new bankruptcy court system established under the 1978 Bankruptcy Reform Act (PL 95-598). Motion agreed to 349-27: Y(4-0-1), May 24, 1984.

166. H.R. 5713. Department of Housing and Urban Development Appropriations, Fiscal 1985. Adoption of the rule (H. Res. 511) providing for House floor consideration of the bill to appropriate funds for the Department of Housing and Urban Development and 17 independent agencies for fiscal 1985. Adopted 296-56: Y(2-1-2), May 30, 1984.

167. H.R. 5713. Department of Housing and Urban Development Appropriations, Fiscal 1985. Walker, R-Pa., amendment to authorize the president to cut any item in the bill by up to 10 percent. Rejected 133-258: N(3-2-0), May 30, 1984.

168. H.R. 5713. Department of Housing and Urban Development Appropriations, Fiscal 1985. Passage of the bill to appropriate $58,436,496,500 for the Department of Housing and Urban Development and 17 independent agencies in fiscal 1985. Passed 282-110: Y(3-2-0), May 30, 1984.

169. H.R. 5167. Department of Defense Authorization. Bedell, D-Iowa, amendment to the Nichols, D-Ala., amendment to bar the Pentagon from limiting competitive bidding only to persons on a list of qualified bidders. Adopted 324-75: Y(2-3-0), May 30, 1984.

170. H.R. 5167. Department of Defense Authorization. Nichols, D-Ala., amendment to require contractors to identify the manufacturer of parts sold to the Pentagon. Adopted 396-0: Y(5-0-0), May 30, 1984.

171. H.R. 5167. Department of Defense Authorization. Ottinger, D-N.Y., amendment to bar the use of funds for civil defense intended to prepare for or respond to a nuclear war. Rejected 87-301: N(0-5-0), May 30, 1984.

172. H.R. 5167. Department of Defense Authorization. Biaggi, D-N.Y., amendment to allow up to two non-U.S.-built cruise ships to be used in trade between U.S. ports. Adopted 237-159: N(1-4-0), May 30, 1984.

174. H.R. 5112. Commerce, Justice, State and the Judiciary Appropriations, Fiscal 1985. Ottinger, D-N.Y., amendment to delete $31.3 million for the National Endowment for Democracy, created in 1983 to encouraged understanding of U.S.-style democracy in foreign countries through the private sector. Adopted N(4-1-0), May 31, 1984.

175. H.R. 5112. Commerce, Justice, State and the Judiciary Appropriations, Fiscal 1985. Miller, R-Ohio, motion to recommit the bill to the Appropriations Committee with instructions to trim 4 percent in discretionary funding for fiscal 1985. Motion agreed to 208-194: N(3-2-0), May 31, 1984.

176. H.R. 5112. Commerce, Justice, State and the Judiciary Appropriations, Fiscal 1985. Passage of the bill to provide $10,749,649,000 in fiscal 1985 for the Commerce, Justice and State departments, 17 related agencies and the federal judiciary. Passed 303-98: Y(3-2-0), May 31, 1984.

177. H.R. 5167. Department of Defense Authorization. Price, D-III., amendment to the Dickinson, R-Ala., Amendment, to authorize the production for 15 MX missiles subject to certain conditions. Adopted 203-182: N(4-1-0), May 31, 1984.

178. H.R. 5167. Department of Defense Authorization. Bennett, D-Fla., amendment to the Dickinson, R-Ala., amendment to prohibit the obligation of funds appropriated for production of MX missiles unless Congress has given its approval by passing a joint resolution after April 1, 1985. Adopted 199-197: Y(2-3-0), May 31, 1984.

179. H.R. 5167. Department of Defense Authorization. Dickinson, R-Ala., amendment, as amended, to authorize the production of 15 MX missiles but prohibit the obligation of funds appropriated for the purpose unless Congress had given its approval by passing a joint resolution after April 1, 1985. Adopted 198-197: NV(1-3-1), May 31, 1984.

180. H.R. 5167. Department of Defense Authorization. Price, D-Ill., motion that all debate on the bill and the amendments thereto be completed in one hour (by 10:10 p.m.). Motion agreed to 213-174: Y(3-2-0), May 31, 1984.

181. H.R. 5167. Department of Defense Authorization. Hiler, R-Ind., motion that all debate on the Dellums, D-Calif., amendment and all amendments thereto be limited to five minutes. Motion rejected 55-321: N(2-3-0), May 31, 1984.

182. H.R. 5167. Department of Defense Authorization. Dellums, D-Calif., amendment to prohibit, during fiscal 1985, further deployment in Europe of Pershing II or ground-launched cruise missiles unless the North Atlantic Treaty Organization (NATO) notified the United States that there was a NATO consensus that further deployments should be made. Rejected 104-291: N(0-5-0), May 31, 1984.

183. H.R. 5167. Department of Defense Authorization. Dickinson, R-Ala., amendment, as amended, to authorize the production of 15 MX missiles but prohibit the obligation of funds appropriated for that purpose unless Congress have given its approval by passing a joint resolution after April 1, 1985. Adopted 199-196: Y(2-3-0), May 31, 1984.

184. H.R. 5167. Department of Defense Authorization. Passage of the bill to authorize $207 billion for research and development, weapons procurement, and operations and maintenance in the Department of Defense. Passed 298-98: Y(4-1-0), May 31, 1984.

185. H.R. 5743. Agriculture Appropriations, Fiscal 1985. Dannemeyer, R-Calif., amendment to reduce certain programs by $24 million, on the assumption that the Agriculture Department could administratively implement money-saving policy changes recommended by a presidential commission (the Grace commission). Rejected 153-232: N(3-2-0), June 6, 1984.

186. H.R. 5743. Agriculture Appropriations, Fiscal 1985. Obey, D-Wis., substitute for the Walker, R-Pa., amendment, to reduce appropriations for non-entitlement farm and food programs in fiscal 1985 by 64 percent. Rejected 6-388: N(0-5-0), June 6, 1984.

187. H.R. 5743. Agriculture Appropriations, Fiscal 1985. Walker, R-Pa., amendment to reduce appropriations from farm and food programs in fiscal 1985 by 1 percent. Adopted 232-164: Y(5-0-0), June 6, 1984.

188. H.R. 5753. Legislative Branch Appropriations, Fiscal 1985. Frenzel, R-Minn., amendment to reduce funds for House of Representatives operations by approximately $13 million. Rejected 191-201: N(3-2-0), June 6, 1984.

189. H.R. 5753. Legislative Branch Appropriations, Fiscal 1985. Brown, R-Colo., amendment to bar hiring individuals to operate elevators in House office buildings and reduce funds in the bill earmarked for elevator operators' salaries by $88,354. Rejected 176-205: N(3-2-0), June 6, 1984.

190. H.R. 5753. Legislative Branch Appropriations, Fiscal 1985. Frenzel, R-Minn., amendment to make a 2 percent across-the-board cut in the bill's funding level. Adopted 201-175: N(2-2-1), June 6, 1984.

191. H.R. 5753. Legislative Branch Appropriations, Fiscal 1985. Fazio, D-Calif., motion that the Committee of the Whole rise and report the bill back to the House. Motion agreed to 234-147: Y(2-3-0), June 6, 1984. (By voting to rise the House refused to consider a pending Lewis, R-Calif., amendment to bar the use of funds for House television coverage unless cameras pan the chamber uniformly from gavel to gavel.)

192. H.R. 5753. Legislative Branch Appropriations, Fiscal 1985. Frenzel, R-Minn., amendment to make a 2 percent across-the-board cut in the bill's funding level. Adopted 193-190: N(3-2-0), June 6, 1984. (This amendment previously had been adopted in the Committee of the Whole.)

193. H.R. 5753. Legislative Branch Appropriations, Fiscal 1985. Passage of the bill to provide $1,247,450,820 in fiscal 1985 for House of Representatives operations and legislative branch agencies. Passed 247-138: Y(4-1-0), June 6, 1984.

194. H.R. 1149. Oregon Wilderness. Seiberling, D-Ohio, motion to suspend the rules and concur in the Senate amendment to the bill to designate as federal wilderness and protect from development 945,000 acres in national forests in Oregon. Motion agreed to (thus clearing the bill for the president) 281-99: Y(2-2-1), June 6, 1984.

196. H.R. 5145. Human Services Amendments. Perkins, D-Ky., motion to suspend the rules and pass the bill to reauthorize Head Start, Community Services Block Grants, and other social services programs through fiscal 1989. Motion rejected 261-156: Y(2-3-0), June 7, 1984.

197. H.R. 5504. Surface Transportation Act. McNulty, D-Ariz., amendment to strike the provision in the bill changing the formula for allocating to the states funds for highway resurfacing, restoration, rehabilitation and reconstruction. Rejected 93-315: Y(5-0-0), June 7, 1984.

198. H.R. 5504. Surface Transportation Act. Passage of the bill to approve Interstate highway and Interstate substitute cost estimates, and to provide relocation assistance. Passed 297-73: Y(3-2-0), June 7, 1984.

199. H.R. 5525. Semiconductor Chip Protection. Kastenmeier, D-Wis., motion to suspend the rules and pass the bill to provide a new form of 10-year copyright protection for semiconductor chips. Motion agreed to 388-0: Y(5-0-0), June 11, 1984.

200. H.R. 4772. Vietnam Veterans of America Charter. Sam B. Hall Jr., D-Texas, motion to suspend the rules and pass the bill to grant a federal charter to the Vietnam Veterans of America. Motion agreed to 295-96: Y(3-1-1), June 11, 1984.●

REMOVAL JURISDICTION ACT OF 1985

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. SYNAR. Mr. Speaker, today I introduce legislation to correct a problem with the Judicial Code of the

United States relating to removal jurisdiction and the ability of Federal district courts to hear certain cases removed by defendants from State courts. This legislation will eliminate unnecessary and unproductive work in the Federal court system and remove another obstacle hindering litigants in their quest for justice.

Conceptually, the problem this legislation addresses is simple. A State court defendant may remove to the Federal court for the district in which the State court sits an action founded on a claim or right arising under the Constitution, treaties or laws of the United States. Congress provided for such removal in 1875 in order to enable a defendant sued on a Federal question to avoid litigating a Federal issue in a State court of the plaintiff's choice, as well as to empower the Federal bench to hear all cases involving Federal questions.

Removal works as Congress intended—provided Federal jurisdiction over the subject matter of the action is concurrent with the State courts. In other words, removal operates effectively if either the State courts or the Federal courts could hear the action and render a valid judgment on the merits. If, however, jurisdiction over the particular subject matter is reserved by law to the Federal courts exclusively, then a problem arises. Upon removal, the Federal court must dismiss the action, even though the Federal court is the only tribunal authorized to hear the action and even though the plaintiff can refile the suit there immediately.

This results from the 1922 Supreme Court decision in *Lambert Run Coal Co* v. *Baltimore & Ohio R. Co.*, 258 U.S. 377. There, the Supreme Court held that removal jurisdiction is "derivative," and ruled that a Federal court cannot derive subject matter jurisdiction over an action from a State court which had no such jurisdiction. This means a lawsuit filed in State court and removed by the defendant to Federal court for further proceedings must be dismissed because the Federal court does not acquire jurisdiction over the subject matter.

Mr. Speaker, this rule makes no practical sense whatsoever. The rule requires litigants already in court to start over in Federal court from the point of filing rather than continuing from the point of removal. Because only the defendant can remove a suit from State to Federal court, obviously this rule penalizes a defendant who wants to expedite an action rather than delay it; a defendant not wanting to proceed will seek dismissal in the State court for lack of subject matter jurisdiction. The rule therefore adds to the expenses of both parties and the court system by creating unnecessary paperwork and delaying actions which could otherwise proceed to judgment. The rule promotes no cognizable Federal policy in return.

The rule is also illogical. To require the action be dismissed and refiled in the same Federal court defeats the very purpose of removal jurisdiction. The Federal court is where the action should have been filed in the first place, and is indeed the only court which can hear it and render a valid judgment. The rule also penalizes plaintiffs whose attorneys mistakenly file their claims in the wrong courts when the defendant is willing to remove the action to the proper forum.

Mr. Speaker, my legislation would amend section 1441 of title 28, United States Code by adding a new subsection to correct this problem. The intent of my legislation is clear: To overrule the doctrine of Lambert Run Coal Company to permit Federal courts to hear cases removed from State courts which lack jurisdiction over the subject matter of the actions. This bill will make our court system more efficient for the courts themselves and for litigants.

This legislation does not expand the substantive rights of litigants. The bill provides only that a Federal court to which an action is removed by defendant is not precluded from hearing the suit and rendering judgment on the merits because the State court from which the action is removed lacked jurisdiction over the subject matter. Under current law, only defendants may remove actions from State to Federal court, and defendants not wishing to remove need only move to dismiss actions below if they prefer, forcing plantiff to refile in a proper forum. Should defendant, however, choose to remove an action to the proper Federal forum in the interest of expediting the litigation, he or she may do so under this legislation, provided the other requirements for removal are satisfied, and the Federal court may proceed.

Mr. Speaker, one of my former law professors, George Fraser of the University of Oklahoma Law Center, brought this problem to my attention. Professor Fraser is a long-time student of the Federal court system and a recognized authority on issues of Federal jurisdiction and civil procedure. Professor Fraser and other commentators including Wright and Miller, Hart and Wechsler and the American Law Institute have urged the courts and Congress to abandon this unjustified and unproductive rule. I am grateful to Professor Fraser for bringing this matter to my attention, and I thank him for his kind and diligent assistance in drafting this important and long overdue legislation.●

AGRICULTURAL EXPORTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, May 8, 1985 into the CONGRESSIONAL RECORD:

AGRICULTURAL EXPORTS

As if high interest rates and low prices were not enough, farmers now have a third reason to be concerned over the health of their industry: for the second time in a month, the Department of Agriculture has lowered its estimate of U.S. exports for 1985, dropping it some $1 billion. According to USDA officials, the U.S. will sell $34.5 billion worth of farm goods abroad this year. That is down more than 20% from 1981, when agricultural exports peaked at almost $44 billion. Not only have export earnings dropped, the U.S. share of world agricultural trade has fallen from 46% to 38%.

Exports are of paramount importance to U.S. farmers. 1 out of every 3 acres is producing solely for export. Agricultural exports constitute one-fifth of farm income as well as one-fifth of U.S. total export earnings. It is clear that our farmers' income and the well-being of agriculture have become heavily dependent upon exports. Once a relatively isolated sector, U.S. farming is now heavily "internationalized". Since Indiana ranks eighth in our nation's total agricultural exports (fourth in soybean and feed grains), Hoosiers have a big stake in the world market.

Yet this reliance on world markets can be a two-edged sword. Our farmers are now extremely vulnerable to events which take place thousands of miles from home, such as changes in agricultural and economic policies of foreign countries, the vagaries of weather conditions worldwide, and the international monetary situation and exchange rates.

In the 1970's, farm exports were booming, due largely to increased purchasing power of countries that were good markets for our products, as well as a more competitive U.S. dollar. Overall, the value of U.S. farm exports increased 460 percent, from less than $8 billion in 1971 to almost $44 billion in 1981. Yet in recent years, exports have been slumping. There are several reasons for this, including the strong value of the dollar, the lingering world recession, huge third-world debts, increased agricultural production worldwide, aggressive competition, and high U.S. farm support levels pricing us out of some markets.

Productivity gains and increased efficiency in several countries have complicated this export problem and have recently challenged American producers. For example, market incentives introduced in China in 1982 produced a 15 percent expansion in corn production, 20 percent in rice, and 40 percent in wheat. Increased yields with the use of new varieties coupled with government incentives made the United Kingdom a net exporter of wheat and barley in little more than four years. In Latin America, agricultural production had increased by 35 percent over the last decade. Brazilian soybean and corn yields often compete with our own, Argentine wheat prices undercut ours, and both countries have significant land for farm expansion.

Diagnoses of the causes of agriculture's ills are numerous, but most of the proposed remedies rely upon the same old medicine. It is critical that we seek innovative ways to maintain and, if possible, expand our exports, and thereby help assure the American farmer a fair return on his investment. Given the complexity of the problem, there is no single, simple solution.

The increase in the value of the dollar in recent years had been the primary factor in the downturn in farm exports, and the major culprit behind our overvalued dollar is the huge federal deficit. The overvalued dollar makes American products some 40 percent more expensive to overseas customers. The biggest single step we can take to help the farmer is to reduce the federal deficit.

Unfortunately, reducing the deficit will take time, and many farmers need help now. We must take immediate steps to improve our export picture. The newly-formed National Commission on Agricultural Trade and Export Policy, composed of 35 government and farm-sector leaders, recently released a preliminary report to assist Congress in its rewrite of the 4-year Farm Bill this year. The report proposes several steps, which I support, for improving U.S. agriculture exports:

First, because farm exports suffer from the inconsistent actions of the many U.S. government agencies involved in policy formulation, we should designate one government agency to be responsible for coordinating agricultural trade policy. All agencies should be required to report the impact their policies and programs would have on farm exports. Second, we should require the Office of the U.S. Trade Representative to implement an improved system for monitoring and responding to unfair trade practices. We must counter unfair trade practices by every apropriate means. Third, we should continue to negotiate a general reduction of trade barriers, as dictated by our national commitment to fair trade. Variable import restrictions could be used to reward nations cooperating in efforts to lower trade barriers and to punish nations which continue to employ predatory or unfair trade practices. Fourth, we must expand and improve our export credit programs, including direct credits, credit guarantees, and blended-credit programs. I favor the selective and focused use of export subsidies when they are necessary to discourage foreign subsidies and maintain U.S. markets. Fifth, the long-term potential of U.S. agriculture depends upon a strong commitment to foreign market development. That includes credit programs for importing countries to improve their import and marketing facilities, as well as improved use of food aid programs for foreign market development. Sixth, the U.S. must re-establish its reputation as a reliable supplier of agricultural products, by strengthening existing law generally prohibiting the use of embargoes and by ensuring contract sanctity. Seventh, cargo preference laws designed to help the U.S. maritime industry have increased the cost of shipping our farm products overseas. We should exempt agricultural programs from cargo preference requirements. Finally, we must make sure that our domestic farm programs are not hindering the competitiveness of U.S. agricultural products in world markets.●

SALUTE TO HARRY CRANDELL, A DEFENDER OF WILDLIFE AND WILDERNESS

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. SEIBERLING. Mr. Speaker, May 1 marked the retirement of Mr. Harry Crandell as chief of staff of the Interior Committee's Subcommittee on Public Lands, after a distinguished 35-year career of service as a defender of our Nation's wildlife and wildlands. As chairman of the subcommittee, I would like to take this occasion to pay tribute to his tireless efforts on behalf of the environment. The late Supreme Court Justice William O. Douglas once observed that the trees, animals, plants, fish, and landscapes of our Nation, because they cannot speak in their own defense, are all too often left without a voice in modern society. For over 35 years, Harry Crandell has been, like Justice Douglas himself, an ardent defender of those interests. But more than that, through his tremendous knowledge and wise counsel, he has been an invaluable asset to our subcommittee and, indeed, to the entire conservation movement in the United States.

While I have known Harry only for the past 10 years, in 8 of which he served as staff director of my Subcommittees on Alaska Lands and Public Lands, his formal conservation career extends back to 1951, when he began a 10-year stint as a wildlife refuge manager with the U.S. Fish and Wildlife Service. During that period, Harry was assigned to various wildlife refuges in Arizona, Oklahoma, and Wyoming, and his duties included personnel supervision, public relations, preparation of biological studies and research in public use management and wildlife issues. From conversations with him over the years I am certain that many of his great personal strengths, such as his friendly, self-effacing manner and his ability as a firm but congenial negotiator, were developed or honed during those 10 years in the field.

In 1959, Harry moved to Albuquerque, NM, where he was put in charge of the Fish and Wildlife Service's land acquisition program for an eight State region—Arizona, Colorado, Kansas, New Mexico, Oklahoma, Texas, Utah, and Wyoming. In that capacity he was instrumental in the establishment of 16 new units of the National Wildlife Refuge System and in assisting States and Indian tribes in the development and implementation of fish and wildlife management programs. He also represented the agency at numerous public meetings, hearings, and negotiating sessions—activities which prepared him extraordinarily well for his legislative responsibilities beginning some 10 years later on Capitol Hill.

In 1964, Harry's career brought him to Washington, DC, where he became the Fish and Wildlife Service's planning officer with responsibility for supervising planning functions for recreation, interpretive wildlife management and wilderness activities. After the passage of the Wilderness Act in 1964. the Fish and Wildlife Service was directed to review roadless areas of the National Wildlife Refuge System, with a view toward recommending suitable areas for wilderness. It was Harry's job to head up that review process. Thus began Harry's formal involvement in the wilderness "movement." However, I am sure that his real involvement began in his boyhood years in the mountains of Colorado, where his parents, Ben and Mildred Crandell, instilled in him a love for the outdoors and respect for nature. Harry's leadership, often in the face of stiff resistance from more "management" oriented colleagues who did not as fully appreciate the values of unmanaged wildlands, resulted in the ultimate recommendation of some 3.5 million acres of wildlife refuge lands in the lower 48 States and tens of millions of acres in Alaska for inclusion in the newly created Wilderness System. Many of those areas have since been designated as wilderness by act of Congress, thanks in no small degree to Harry's diligent efforts in developing the proposals and later working directly with Congress to secure their formal designation.

In that regard, it should be noted that Harry drafted the Interior Department regulations which interpreted the language of Wilderness Act to include a requirement that roadless "ecological islands" of less than 5,000 acres in size be inventoried and studied for their wilderness potential. As a result of that review, several such "ecological islands," including the Great Swamp in New Jersey, Moosehorn in Maine and Chase Lake in North Dakota, were judged by the Fish and Wildlife Service to merit wilderness designation and have since been so designated by act of Congress. These units, though relatively small in size, provide important diversity in the Wilderness System and incorporate therein lands and ecosystems that afford especially valuable opportunities for wildlife protection, scientific study, and education.

During his tenure as the Fish and Wildlife Service's planning officer, Harry also became increasingly involved in the agency's planning efforts in Alaska. Frequent trips to that State convinced him that Alaska represented our Nation's last real chance to set aside parks, refuges and wildernesses on a scale large enough to preserve entire ecosystems, so that present and

future generations of Americans would have the thrill of seeing some of the world's most magnificent wildlands free of the marks and works of man, reflecting only the majestic handwork of the Creator.

After some 20 years with the Fish and Wildlife Service, Harry's deepening commitment to the Nation's wildlands prompted him to leave Federal service for a 5-year stint as director of wilderness reviews for the Wilderness Society. The 5 years—1970-75—of Harry's service with the society not surprisingly coincided with some of that organization's more highly publicized and effective public education and legislative campaigns. These included: enactment of the landmark Eastern Wilderness Act of 1975; the Alaska oil pipeline struggle—in which the Wilderness Society played a major role in ensuring that the pipeline proposal was modified and improved to protect environmental values; the designation of a dozen new national wildlife refuge wildernesses; and the rejection of the U.S. Forest Service's RARE I proposal.

Harry also spearheaded the Wilderness Society's citizen education efforts and did a marvelous job in recruiting, stimulating and educating young environmental activists. Many of his proteges have gone on to become consummate grassroots organizers and leaders of the environmental community today. Harry also often drew the unenviable task of being the society's lobbyist assigned to particular Members of Congress who were not known for their enthusiastic support of the goals and proposals of the Wilderness Society. In that capacity, Harry's friendly nature and expert knowledge of the facts undoubtedly persuaded more than one Member of Congress to go from opposition to neutrality and often to support of wilderness proposals.

With an exceptionally diverse background in wildlife and wildlands management, administration, planning, education, grassroots activism and lobbying, it is perhaps only natural that Harry's career finally led him to Capitol Hill, where in August 1975 he became a consultant to the Subcommittee on Public Lands, then chaired by Congressman—now Senator—JOHN MELCHER of Montana. During the year and a half he served with JOHN MELCHER's subcommittee, Harry played a key role in the working out of the Federal Land Policy and Management Act of 1976 [FLPMA]. Among other things, he was primary draftsman of section 603, the key section pertaining to the Bureau of Land Management's Wilderness Study Program.

During Harry's years in the field with the Fish and Wildlife Service he had toured numerous BLM lands and had grown to realize that the lands nobody wanted actually contain some of the most scenic and beautiful areas in the Nation. Only now, nearly 10 years after the enactment of FLPMA, are more and more Americans beginning to learn of the spectacular red rock canyons, badlands, river gorges, native grasslands and desert ecosystems that comprise many BLM roadless lands. That these lands are still enjoyable in their natural, unspoiled state can be attributed to the foresight of Harry and others who initially helped formalize the BLM wilderness study process.

The year 1976 also saw the enactment of legislation designating several new wildernesses in the Refuge System and a statute removing BLM as joint administrator, with Fish and Wildlife Service, of three of the Nation's finest national wildlife refuges, the Charles M. Russell Refuge in Montana, the Charles Sheldon Antelope Range in Nevada and the Kofa Game Range in Arizona. The act gave the Fish and Wildlife Service sole jurisdiction and full management authority for all parts of the refuge system in the lower 48 States. Once again, much of the credit can be traced back to Harry's superb lobbying efforts and grassroots organizing skills immediately prior to his moving to the Hill.

Upon organization of the 95th Congress in 1977, Harry became the staff director of the newly formed Subcommittee on General Oversight and Alaska Lands, on which I served as chairman. Thus began his 8 years of service with me as an administrator, innovator, legislative strategist, confidant, and above all, prime adviser and point man on the monumental Alaska National Interest Lands Conservation Act of 1980 [ANILCA]. Together we sat through hundreds of hours of hearings, meetings, drafting sessions, markups, floor debates and stragegy discussions that finally culminated in the House passage of a bill in 1978, repassage in 1979, and ultimate enactment into law in 1980.

Throughout the entire Alaska process, and in the years that have followed, Interior Committee Chairman MO UDALL, and I and others members of the committee were repeatedly amazed by Harry's intimate knowledge of the State of Alaska, his devotion to the land, and his personal attachment to each park, refuge, wilderness and other conservation proposals—almost as if each and every proposal were a spiritual or blood relative. Harry's comprehensive understanding of the nuances and legal intricacies of alternative park, refuge, wilderness, and other proposals, his sense of the appropriateness of a potential designation for each particular tract of land, and is scholarly and professional presentation of the issues and facts involved made him invaluable to all who worked on this monumental conservation legislation.

Although the final version of ANILCA was not as strong as the House-passed version, many of the tremendous achievements and positive features of the 1980 act are attributable to Harry's superb work on Alaska over his years at the Fish and Wildlife Service, the Wilderness Society and as staff director of the Subcommittees on Alaska Lands, and later, Public Lands.

Of course, Harry's years as staff director were not spent solely working on Alaska Lands. Indeed, perhaps of equal significance in the long term were his efforts to ensure that the National Wilderness Preservation System in the lower 48 States contain quality units in as many States as possible and be truly representative of the broad range of ecosystems and wildlands that originally covered most of the Nation's landscape. From 1979-84, the subcommittee produced legislation designating some 12 million acres of new national forest and BLM wilderness in the lower 48 States. Although the specifics of such designations were sometimes left to others, Harry's expertise as a wilderness historian and institutional memory on wilderness management and philosophy issues were invaluable to a whole host of staff colleagues, conservationists and Members of Congress. Harry's involvement, in one way or another, in practically every wilderness designation battle since the enactment of the Wilderness Act in 1964, helped provide Members and staff with a sense of history by which to evaluate various management options and legislative proposals.

We were often reminded by Harry that the Wilderness System was just that—a system—and that we should resist demands to modify the basic tenets of that system, lest the end product become a mere assortment of specialized management areas, each governed by a different set of rules, regulations and management standards. In short, Harry was a true guardian of the integrity of the Wilderness System and perhaps Congress' primewatchdog against the frequent logical sounding but potentially debilitating proposals to allow special exceptions for certain uses in wilderness areas. I believe hindsight will indicate that these efforts were among Harry's most important contributions as a defender of wilderness.

Given such a long career devoted to wilderness and wildlife issues, Harry's retirement from Federal service will surely not spell the end of his involvement in the conservation arena. Indeed, I am confident that we will continue to benefit from his wisdom and input for many years to come. Harry claims that he is not sure where his interests will lead him and his charming wife, Olga, to locate next,

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but I would not be surprised to see him move back to enjoy the wildlands of Colorado, where his life began some 61 years ago. Wherever he goes, he will enrich the lives of those around him and undoubtedly play a forceful role in conservation issues.

We will miss Harry Crandell terribly on Capitol Hill, not only for his profound knowledge and professional demeanor, but for his unassuming and good-natured manner, his friendly disposition and his ability to laugh. His departure leaves a void that cannot be filled, but the inspiration he gave to those succeeding him should help lessen the impact of his leaving. We wish him well in his future endeavors.●

A TRUE SERVANT OF THE PEOPLE RETIRES

HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. NEAL. Mr. Speaker, I would take just a moment to praise an exceptional public servant in my district who, for health reasons, retired in December of the year just past.

He is Sheriff Manly Lancaster, who served 34 years in the Forsyth County Sheriff's Department, the last 14 of them as the elected head of the department. His is an unusual story about a very special person.

Sheriff Lancaster served as a glider pilot in World War II and participated in the D-day landings in France. After the war, he earned a degree in journalism at the University of North Carolina at Chapel Hill and landed a job as a sportswriter for the Winston-Salem Journal. His career was cut short, however, when he found that he was required to work Sundays. Mr. Lancaster said he didn't believe in doing that, so he quit.

Left at somewhat loose ends, he took a $30-a-week job making hotdogs and was slinging mustard in 1950 when he was offered a job as a deputy in the sheriff's department. Neither his life nor the sheriff's department were ever the same again, for there he came under the tutelege of Sheriff Ernie Shore, renowned both as a legendary sheriff and, as a New York Yankee pitcher, the roommate of Babe Ruth.

When Sheriff Shore retired in 1970, he pitched his support Lancaster's way, and Lancaster carried every precinct in the populous county. Shore's advice to his successor was that above all else, a sheriff must be honest.

Lancaster was that, but he was much, much more. In succeeding years, his popularity grew. That popularity was not based on personality, or movie star good looks, or wrongheaded but popular approaches to tough problems. He was popular because he was always fair, always decent, always dedicated to service to the people. This, Mr. Speaker, is in the finest traditions of American public service.

Sheriff Lancaster also was very efficient and innovative. He inherited a horse and buggy department, and during his tenure turned it into one of the best local law enforcement agencies in the Nation.

Long before it was popular—or even acceptable—to do so, he hired minorities and women and paid them the same scale as their white male counterparts. He beefed up the patrol fleet and organized a community crime watch—the first east of the Mississippi River. He hired a training officer, and also sent deputies away to training schools all over the Southeast. He added a juvenile division, and an identification division. He stressed crime prevention, and was so successful with it that he was picked as the first chairman of the State's crime prevention council. He was admired and respected by his peers, who elected him president of the N.C. Sheriffs Association.

During his last year in office, Forsyth County had 1,800 crimes on the FBI index list. Two other North Carolina counties of comparable size—Guilford and Wake—had 2,500 and 2,800, respectively. Forsyth officers solved 35 percent of their cases; Guilford and Wake solved 19 and 11 percent, respectively.

A sheriff or a deputy with a college degree was rare when Lancaster gained that distinction, but it was commonplace in his department when he retired. He left a staff that included two holders of master's degrees, 24 with 4-year college degrees, and 40 with 2 years of college study in police science. Its 24 minority members ranked from captain on down.

But Sheriff Lancaster left much more than that. He left a legacy of professionalism, dedication, and trustworthiness that will tax his successors to equal. Indeed, he may be the yardstick by which Forsyth sheriffs are measured for generations to come.

Although he describes his illness as incurable, Sheriff Lancaster told a reporter that he "did not come home to die, but to live." That living, he said, will include more church work, a little more golf, and perhaps more volunteer work at one of the community's several hospitals.

That, Mr. Speaker, is a glimpse of a quite remarkable man, Manly Lancaster, who dedicated his life to public service, and even now is spending his last days serving people. He has been an inspiration to me, as he well might be to us all.●

HANDICAPPED DEPENDENT TRUSTS

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. BARNES. Mr. Speaker, we have a great deal to be proud of in the gains that have been made through Federal laws in ensuring that handicapped children will be provided equal education and employment opportunities. Considering where we were 10 years ago, this progress is remarkable. We have taught handicapped children to function independently and to learn alongside their nonhandicapped peers. We have provided them with the vocational skills necessary to lead fulfilling, productive lives as adults. And we have begun to recognize the importance of transitional services for handicapped young men and women who no longer come under the protections of Public Law 94-142, but who need to maintain the sense of dignity and self-worth that such programs provide.

One of the concerns that continues to plague parents of the handicapped, however, is how to provide for their children's future financial security. There is currently no affordable option for moderate income families who wish to set money aside to ensure that their handicapped children will continue to receive the medical care and other services that will be required as they grow older.

I am introducing today legislation which provides a solution to this problem. My bill will allow for the establishment of privately endowed lifetime assistance to disabled individuals, with little or no expense to the Federal Government. Under this legislation, a taxpayer would be able to establish a life insurance contract the exclusive beneficiary of which would be a trust set up on behalf of a disabled child or other disabled member of the taxpayer's family. Tax deductions would be allowed equaling the aggregate life insurance premiums paid by the taxpayer during each taxable year.

It is time to build on the progress that has already been made in promoting independence for the handicapped. This legislation is a logical and important step in surmounting the obstacles that exist in achieving our goals.●

A TRIBUTE TO MR. ZBIGNIEW HLADKI

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mrs. JOHNSON. Mr. Speaker, recently, Mr. Zbigniew Hladki of New Britain, CT, was honored as the 2,500th person placed in a job by the New England Association of Business, Industry, and Rehabilitation, through a program sponsored by the New Britain Constructive Workshop. I congratulate Mr. Hladki for successfully completing the intensive preparation which assisted him in overcoming the sometimes overwhelming physical and emotional barriers of being disabled.

Mr. Hladki's achievement also affords the opportunity to give some well-deserved recognition to the good work of the constructive workshop and NEABIR, which is part of the U.S. Department of Education's Projects with Industry Program.

The constructive workshop, located in my hometown of New Britain, CT, is a privately financed organization created to place as many disabled people as possible in industry-related jobs. To do this, the organization has prospective employees participate in a series of NEABIR-sponsored workshops, seminars that are held in rehabilitation facilities throughout Connecticut, New Hampshire, and Maine. This course is designed both to prepare the individual for interviews and, more importantly, to give him or her the confidence needed to succeed in a job. Oftentimes, the anguish caused by a disability proves to be the prime stumbling block for people. By encouraging people like Mr. Hladki to feel comfortable discussing their disabilities in an interview, these seminars attack this problem head on. This approach has clearly helped the program achieve its amazing placement rate, which in turn has been a boon to local industry since the program's inception 6 years ago.

The private sector has been a strong partner in this project: over 3,000 businesses have worked with NEABIR since 1979. It is encouraging to see so many firms recognize that physical limitations do not keep one from being a productive employee. One cannot help but feel optimistic about our future when cooperation, concern, and effective communications create new opportunities for individuals and industry.

In conclusion, I wish Zbigniew Hladki all the best in his work as a data acquisition analyst for Focus Research Systems of West Hartford. His meticulous preparation, the caring atmosphere of the constructive workshop, the work of NEABIR, and the foresight of his new employer have laid the foundation for Mr. Hladki to succeed and for others as well to fulfill their dreams of employment, productivity, and independence.●

TRADE EMBARGO ON NICARAGUA

HON. JOHN McCAIN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. McCAIN. Mr. Speaker, I wish to call to the attention of my colleagues a statement by my colleague and friend from California [Mr. LAGOMARSINO], who is the ranking Republican member on the Subcommittee on Western Hemisphere Affairs. On Tuesday, May 7, the Western Hemisphere Subcommittee jointly with the International Economic Policy and Trade Subcommittee held a hearing to review the administration's decision to impose economic sanctions and a trade embargo on Nicaragua. From the opening statements of the two subcommittee chairmen and the press release announcing the hearing, it seemed as though the hearing was intended to serve more as an opportunity to criticize the President and the administration that an occasion to explore more fully the justification for imposing such economic sanctions. My colleague from California took issue with the criticism of the administration, and I urge you to read his statement.

REMARKS OF HON. ROBERT J. LAGOMARSINO

Mr. Chairman, I must take this opportunity to deplore the unrelenting effort by the majority party in this House to make U.S. policy toward Nicaragua a partisan political issue.

Any objective political scholar who has followed the debate of this issue in the House since the Sandinista takeover in 1979 must feel the same consternation as I do to see the twists of logic used by the majority party in its approach to this issue.

In the first years, aid to the Sandinista regime was debated and approved in spite of the clear indications that Sandinista ties with Cuba and the Soviet Union were direct and strong. A tremendous military buildup—aided and abetted by the Soviet bloc—began almost immediately after the Sandinistas came to power in 1979. Yet, many of my colleagues on the other side, in debate against aid to the Contras, which only began in 1982, claimed this would push the Sandinistas into the Soviet and Cuban camp.

In the early years of the Sandinista regime, many of my colleagues on the other side questioned whether the Sandinistas posed a threat to the security of the United States or even to their immediate neighbors.

Finally, during the debate two weeks ago on aid to the Contras, virtually everyone on the majority side agreed that something had to be done to force the Sandinistas to moderate their behavior, the only question being how to do it. Now, two weeks later, we hear questions raised as to whether the Sandinistas really are a threat to the United States. I know of nothing that's happened in the last two weeks that has made the Sandinistas any less of a threat than they were during the Contra aid debate.

And now we come to the issue of trade sanctions against Nicaragua. The economic situation in Nicaragua is a disaster, with the Sandinista regime facing a $4.6 billion external debt and a state-controlled economy incapable of providing for the needs of its citizens. On the eve of the vote on Contra aid, Nicaraguan President Ortega announced his intention to go to Moscow to seek additional economic assistance. Following that, and I emphasize it was after Ortega went to Moscow, the administration announced trade sanctions against Nicaragua. Incredibly, some on the majority side criticize the sanctions because they will drive the Sandinistas into further dependence on the Soviets and give them an excuse for the economic Chaos in their country, when in fact, that is the situation before the sanctions.

One of the criticisms of the administration I most often hear from many of the Democrats is that "the White House isn't listening to the Congress." Well, I can assure you, the White House was listening to what the Democrats had to say before the Contra aid vote and during the debate on the Contra aid, and this is some of what they heard:

Congressman OBEY. "Economic pressure is the greatest leverage we have in forcing internal change, in forcing divisions among the leaders of the Sandinistas. Economic pressure is what will cause the population to raise questions about Nicaragua[n] economic and social policies. Hamilton has it. . . ." referring to the Hamilton-Barnes resolution.

Congressman GEJDENSON. "If we examine the options that are put before us by the committee, they take account of realistic alternatives. They give the Congress and the President an opportunity to attempt to utilize economic pressures, economic pressures that have a far greater opportunity to be successful than the present failed policy."

Congressman LEVIN. "They [opponents of the Hamilton resolution] do not refer to the fact that this Congress would consider the imposition of trade sanctions. Are we serious about considering such actions? The answer is yes." And finally;

Chairman BARNES. "Why is it that the United States is Nicaragua's leading trading partner if the Sandinistas are so bad?"

The Barnes-Hamilton resolution states that if Nicaragua does not address the concerns described earlier, "the United States—(c) should consider the imposition of trade sanctions." The resolution is worded in such a way that does not make trade sanctions contingent either on multilateral support for these measures or on other measures to be implemented in concert with trade sanctions despite arguments to the contrary.

Not only did Nicaragua not address the concerns described in the Hamilton-Barnes resolution, the Sandinistas publicly flaunted their disdain for that conciliatory effort. The most obvious slap in the face was President Ortega's visit to Moscow where new ties between Nicaragua and the Soviet Union were announced by Tass. Other developments revealed in the past week are equally disturbing:

Capture of seven agents of the Nicaraguan State Security Service in Honduras who admitted they were there to help Honduran guerrillas;

A Costa Rican combat group, organized by an extreme left-wing group with close ties to

Nicaragua, preparing for possible military operations in Costa Rica;

Delivery two weeks ago by the Soviet Union of additional MI-8/17 helicopters;

Delivery two weeks ago by East Germany of a large shipment of military transportation equipment;

Rejection by Nicaraguan leaders of any possible church-mediated dialogue with the democratic opposition of Nicaragua; and

Break-up of the May Day march by independent labor unions in Nicaragua.

Whatever questions you may raise about the process of imposing sanctions, and whether there was adequate consultation, there can be no mistaking the fact that the message sent from Congress to the administration was that trade sanctions should be considered. Well, the administration considered them, and agreed to impose them. Calling these hearings to bash the President once more on his policy toward Nicaragua must be seen as a purely political exercise.●

A TRIBUTE TO VICTORIA SOKOLOFF

HON. JOSEPH J. DioGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. DioGUARDI. Mr. Speaker, I rise before the House today to present tribute to Victoria Sokoloff, for many years a resident of the city of Mount Vernon, NY, in my congressional district.

Victoria, who recently left us, had a life epitomizing the spirit of volunteerism so much a part of the American tradition.

Even in death, Victoria has the ability to humble those of us who knew her personally, or knew her through years of dedication as a veteran's hospital volunteer.

Her life was spotlighted on the occasion of her 80th birthday, just prior to her death. She was asked how, at her age, she could manage an active career as a veteran's hospital volunteer. In response, she said, "My dear, that has been my life."

Victoria's involvement in veteran's affairs started at age 17. At that tender age, she watched her brother, as well as other young men, march off to war in Europe, to risk, and often, to give, their lives in defense of the cause of freedom that we all share.

The need to give of herself to help those who gave so much of themselves for the cause, led her to start a career of more than 60 years of service to those who served America so admirably.

Victoria was assertive, without being aggressive; powerful, without being overpowering; small in stature, but bigger than life. Her need to become involved, to give something back to the veteran who had given so much to America, became the cause that dominated her life.

In the absence of the salute that we give our departed veterans, let us hail her memory. Victoria's record of service to hospitalized veterans is truly magnificent. Thank you, Mr. Speaker.●

LESSONS FROM VIETNAM

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. RITTER. Mr. Speaker, journalist and Vietnam veteran Al Santoli, author of "Everything We Had" and "To Bear Any Burden" shared some of his insights on the Vietnam experience and lessons that the United States should learn from our involvement there in a May 1, 1985, interview in the Washington Times and in a recent guest column in USA Today, I have found value in them and would like to share them with you.

CONG STRATEGY SET UP KILLINGS OF CIVILIANS

(Journalist Al Santoli discussed his book, "To Bear any Burden," with Lou Marano of The Washington Times. The book is an oral history of the Vietnam War and its aftermath in the words of Americans and Southeast Asians.)

Q: You were sergeant in an Army infantry unit, and then you worked in a very special kind of unit. Tell us about both?

A: I think my experience in the regular infantry before and after [the 1968] Tet [Offensive] probably wasn't very different from that of many other infantrymen. We were involved in a fair amount of fighting. Some of it was in the jungle along the Cambodian border, some was in the rice paddies and some of it was in towns.

Q: What unit were you in?

A: The 25th Division, just northwest of Saigon. The thing that was the most upsetting, and upset me even more after I got home is that when we did have to fight in town and around civilians, it was because the North Vietnamese or the Viet Cong—there weren't a whole lot of Viet Cong left at that time, because we had pretty much wiped them out during Tet—had chosen to use villages as battlegrounds.

They used civilians as shields in a very brutral and cowardly way, which created chaos and confusion. They also did it for propaganda reasons. By forcing Americans to hurt civilians or do damage, we then looked like the bad guys internationally. They could also tell the people, "Look, the Americans have come here to hurt you, and destroy your homes."

It was a very smart move on their part, and unfortunately our people fell for it—our people being the media, the politicians and international opinion in the Western democracies. Instead of condemning the people who chose to create chaos in civilian populations, we were the ones who were condemned.

If you look at what's happened after 1975, not only the ultimate tragedy in Cambodia but also the quiet strangulation of Vietnamese society and culture, they're still operating in the same kind of brutal and tyrannical way.

Q: Some former Viet Cong in your book attest to this, don't they?

A: Yes, two or three, and one former ARVN [Army of the Republic of Vietnam]. They talk of the communist plan to hide among the people like trees in the forest. They were training children. One of the people in "To Bear Any Burden," Troung Mealy, was recruited and trained to be a Viet Cong agent when he was 10 years old.

Kids were trained to be terrorists to throw hand grenades or to become human bombs. The communists were very explicit about the fact that they did this because they know what effect it would have on the GIs who would have to kill the kids. They knew the psychology of Americans. They could see how GIs liked to make a fuss over the Vietnamese children and give them candy, etc.

[Gen.] Lu Mong Lan, another person in the book, has been in the Viet Minh against the French and then later fought for South Vietnam against the North Vietnamese and Viet Cong. He says that this was a tactic used to disorient visiting soldiers and to create negative propaganda, both for internal and international reasons.

During the '68 Tet Offensive, there never was an uprising. As one of the Vietnamese in the book says, when the communists attacked, the people got angry. It was during their holiday, and a two-week truce had been called. What a brutal and cowardly act that was. Why didn't our media report that?

When Eddie Adams took the picture of the police chief shooting the Viet Cong, Eddie didn't know that the Viet Cong had just killed the police chief's best friend, his wife and their six children.

A: That particular individual man. Instead that terrorist murderer became a martyr and a saint according to the anti-war opposition. And that picture changed the minds of many people who had supported the war, causing them to think. "What a horrible thing we're involved in." It was completely the opposite. Those were the kind of frustrations those of us who served in Vietnam and really knew what was going on had to face.

Q: I remember when Gen. Westmoreland criticized the Viet Cong for attacking during Tet, he was mocked by some Americans who called attention to the fact that Gen. Washington attacked the Hessians at Trenton at Christmas of 1776.

A: Gen. Washington attacked an army. The North Vietnamese and Viet Cong attacked civilian populations. They massacred more than 3,000 people at Hue—buried people alive. This is something Hilter would have done and they became viewed as agrarian-reform liberators.

The ultimate mockery was that so many people here in the anti-war movement believed the Viet Cong were going to give people private ownership of land that there was going to be all these great reforms. One, of the people in the book, Mrs. Le Thi Anh, who was in the anti-war movement here in the United States returned to Vietnam and saw that the country was much better off in 1971-72 than she ever remembered it. What the communists did [after 1975] was to expropriate the peasants' land our Land-to-the-Tiller program had underwritten Our program had promoted decentralization and local autonomy.

Vietnam was much better off in the early '70s than it's ever been since. Instead of giving the people land and helping them to develop themselves, the economy and their way of life, the communists have collectivized the land. Some of the problems they've had with agriculture and industry in Vietnam has come from passive resistance.

I've talked to hundreds and hundreds of boat people, and the one thing that's unanimous is that they said: "We had no hope. We fled knowing that we might die at sea. * * * But we had to try, because there was no future in our country."

And then people say we shouldn't take any more refugees because they're economic migrants. In a Marxist-Leninist system you cannot separate the economics from the politics. If anybody goes against the political economy of Leninism, they're persecuted. So they are political refugees, and people using this argument are trying to make us forget that an average of 2,000 people a month per country are still escaping from Vietnam, from Laos and from Cambodia. Ten years later the situation is still getting worse.

When I lived out in the villages with a small unit—half American, half Vietnamese—we knew the people didn't want to be communists. They didn't want war, but they also didn't want to be communists.

And it was very apparent that they didn't want to be overseen by the Northerners. Of course, they would get angry at the Americans if we did something stupid or insensitive. But, by the same token, they did not turn against us at Tet, when they had a good chance to strike out at us. And people ran from the communists in 1975, they didn't greet them.

"To Bear Any Burden" points out that there were many American mistakes made on all levels. But between the years 1965—when the Americans first landed—until 1972, we had basically won the war, and now the Viet Cong admit it.

Then, when the Americans pulled out, and there was a possibility of success, Henry Kissinger negotiated an agreement that allowed 145,000 North Vietnamese troops to remain on the Vietnam Cambodia border. The communists had the ability to proselytize in South Vietnamese government areas, but the South Vietnamese did not have the right to give their point of view in the communist areas or in North Vietnam.

We tried to play by the Marquis of Queensbury rules, but for the communists, it was a total war. It was a war of terrorism.* * * As Mr. Troung Nhu Tang, the former Viet Cong justice minister confirms, they had a specific department whose job was to work with international opinion to drive it against the Americans.

Q. Do you think the war could have been won?

A. The war could have ended successfully in '68-'69 after Tet. Our South Vietnamese allies were successful in '72-'73. After the Easter offensive, the North Vietnamese were beaten.

There's a new book out called "The Tunnels of Cu Chi," in which former Viet Cong admit they could not stay in South Vietnam after 1970 because they were beaten. They could not go into the villages because of the Cords program [Civil Operations and Revolutionary Development, a pacification program stressing self-help and local autonomy]. So the combination of American military efforts which was, in fact, effective, with the land reform programs and the economic development we were doing, which did give people a better life, we basically had achieved a very great success.

But there was one great problem, the myth that Laos and Cambodia were neutral countries. After Tet, Westmoreland asked for 206,000 more troops to cut the Ho Chi Minh trail. That would have won the war. Westmoreland was condemned as a warmonger, but it was the people who opposed him who prolonged it.

Q: What did you mean when you wrote, "the ill-conceived military tactics and callous irresponsibility in some of our senior officers cause needless American and Vietnamese casualties"?

A: Tactics such as certain search and destroy operations. We should have worked with small units going into an area to locate the enemy, having good reconnaissance people, good special operatives that knew how to pinpoint the enemy. Then bring in your air strikes or artillery or whatever, use the infantry to clean up. Chuck Allen [a Special Forces adviser] talks about this in the book.

The enemy could choose to fight or not to fight according o their estimation of how U.S. casualty levels would affect American domestic politics. Because they could jump back and forth across the Cambodian or Laotian borders, they could pick and choose the time they wanted to fight. It was callous and irresponsible for the American command to follow this unmilitary pattern year after year.

It also turned the American people against the war. At Hamburger Hill and elsewhere, Americans had to fight more than one battle at the same spot, taking heavy casualties each time. Hamburger Hill became kind of a metaphor for the "futility" of the war, but if Westmoreland had been allowed to cut the Ho Chi Minh trail, it would have been a completely different picture.

Q: Your first book, "Everything We Had," was an oral history of servicemen who had served in Vietnam. What made you decide to write "To Bear Any Burden?"

A: I felt that too much attention was being given what to I feel is oversentimentality about the American soldier. Let's all feel sorry for the American veterans. They were foolish people who didn't know they were being used for an unjust cause.

Although the war ended in a way that makes me very sad. I very much believe in why I was there. I lived and bled with those people, and for a very short time, I shared their aspirations for peace and freedom, which they don't have now. I felt the best way of getting that across was by letting some of them speak as well as Americans.

I don't like it when people say, "Separate the warrior from the war. Feel sorry for the veterans but detest the cause." My feeling is, don't separate me from the war; I was very much a part of it.

VETS KNOW WHAT FREEDOM MEANS

(By Al Santoli, guest columnist)

NEW YORK.—I returned from Vietnam in March 1969.

As a 19-year/old infantry sergeant, I had seen substantial combat in jungles and rice paddies on the Cambodian border.

I had witnessed the terror that North Vietnamese and Viet Cong forces had imposed on innocent villagers.

By living and working with South Vietnamese farmers and soliders, I understood their desire to be free of war and tyranny of any political color.

I had lost friends, both U.S. and Vietnamese, whose courage will always live within me.

I was committed to give my life to help bring freedom to the Vietnamese. But, like many soldiers, I became confused and angered by the political decisions not to let us end the war by driving the North Vietnamese army, that we had defeated during Tet, out of its sanctuaries in Cambodia. We were stunned when President Johnson stopped the bombing of their supply lines, which created more U.S. casualties.

The feeling of betrayal by our leaders numbed me. But to come home to a popular antiwar movement that, in part, advocated victory by Ho Chi Minh's communist forces, nearly destroyed me.

My whole world was turned upside down. For 10 years I tried carrying on with my life, trying not to think about Vietnam. But it was always there, in dreams, in sounds I would hear on the street, and in the faces of lost friends who I could not help but remember.

In 1978, I began interviewing hundreds of fellow veterans and Southeast Asian refugees for what have become two oral histories of the war. I have found that Vietnam was many different wars, depending where one was stationed and the time of one's involvement.

But there is a shared sense of strength: We survived both the war and the difficult homecoming. And we have become more caring people because of our survival.

Rather than a liability, most Vietnam veterans and Southeast Asia refugees are proving to be valuable contributors to our communities. We have paid a high price to partake in the freedom and opportunities that our country has to offer. And we appreciate the blessing of liberty that many people take for granted.

The legacy of the Vietnam war—the Soviet warships now based in Cam Rahn Bay, the reeducation camps and boat people of Vietnam, the slaughter of Pmong and other hill tribes in Laos, the ongoing war and holocaust in Cambodia—remind us of the reasons for our veterans' sacrifices as today the struggle for freedom continues in Southeast Asia and other parts of the world.●

CONFLICTS OF INTEREST IN DEFENSE PROCUREMENT

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. BENNETT. Mr. Speaker, Congressman NICHOLS and I have introduced H.R. 2356, which follows these brief remarks. This legislation addresses the "revolving door" situation in which Federal employees and some military have handled contract matters across the table from contractors, by whom they are shortly thereafter employed. The cosponsorship of all Members of the House will be welcomed.

H.R. 2356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Defense Conflict of Interest Act of 1985".

SEC. 2. CONFLICT-OF-INTEREST IN DEFENSE PROCUREMENT.

(a) LIMITATIONS ON FORMER ACQUISITION OFFICERS.—(1) An individual who is a former officer or employee of the Department of Defense or former retired member of the

uniformed services who, during the two years preceding the individual's separation from Government service, had significant responsibilities for a procurement function with respect to a Government contractor may not accept compensation from that contractor for a period of two years following the individual's separation from Government service.

(2) Whoever knowingly violates paragraph (1) shall be fined not more than $10,000 or imprisoned for not more than one year, or both

(3) Whoever knowingly offers, tenders, or grants any compensation to any individual in violation of paragraph (1) shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(b) LIMITATIONS ON CONTRACTORS.—(1) Each contract for procurement of goods or services entered into by the Department of Defense shall include a provision under which the contractor agrees not to provide compensation, during the period described in paragraph (2), to an individual who is a former officer or employee of the Department of Defense or a former or retired member of the uniformed services who, during the two-year period preceding the individual's separation from Government service, had significant responsibilities for a procurement function with respect to that contractor.

(2) The period referred to in paragraph (1) is the two-year period beginning on the last day of the individual's employment with the Department of Defense or two years following the individual's retirement from the uniformed services.

(3) A contractor who knowingly violates a contract provision required by paragraph (1) shall forfeit to the United States, as liquidated damages under the contract, an amount equal to the greater of $100,000 or three times the compensation paid by the contractor to the individual in violation of such contract provision.

(c) REPORTS.—(1)(A) Each contractor subject to a contract term described in subsection (b) shall issue an annual report listing the name of each individual (together with other information adequate for the Government to identify the individual) who is a former Government officer or employee, or a former or retired member of the uniformed services who—

(i) had significant responsibilities for a procurement function;

(ii) left Government service within the previous two years; and

(iii) was compensated by that contractor after leaving Government service.

(B) Each such listing shall—

(i) show the agency by which the individual was last employed or on active duty;

(ii) show the individual's job titles; and

(iii) contain a full and complete description of the duties of the individual during the last two years of his employment and a description of the duties that the individual is performing on behalf of the contractor.

(C) A copy of each such report shall be sent to the Inspector General of the Department of Defense.

(2) The Inspector General of the Department of Defense shall review each report under paragraph (1) to assess the report for accuracy and completeness and for the purpose of identifying possible violations of subsection (a) or (b) or paragraph (1). The Inspector General shall report any such possible violations to the Attorney General for prosecution.

(3) Whoever fails to file a report required by paragraph (1) shall be liable to the United States in the amount of $10,000.

(d) REVIEW BY DIRECTOR OF OFFICE OF GOVERNMENT ETHICS.—The Director of the Office of Government Ethics shall have access to the reports submitted under subsection (c)(1) and shall conduct an annual random survey of the reports to check for violations of subsections (a), (b), and (c)(1). The Director shall submit an annual report to Congress on the operation of this section, including the findings of the Director under such reports.

(e) EXCLUSION.—This section does not apply to a contract for an amount less than $100,000.

(f) COVERED PROCUREMENT FUNCTIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense—

(1) shall delineate the procurement functions covered by this section consistent with the definition provided; and

(2) shall provide a list of such functions to Congress.

(g) ADVISORY OPINIONS FROM OFFICE OF GOVERNMENT ETHICS.—(1) An individual who is offered compensation that might place the individual in violation of subsection (a) may, before acceptance of such compensation, apply to the Director of the Office of Government Ethics for advice on the applicability of this section to such compensation. Any such application shall be made jointly by the individual and the contractor who proposes to provide the compensation.

(2) An application under paragraph (1) shall contain—

(A) a full and complete description of the duties of the applicant during the last two years of his service in the Government;

(B) any official responsibility the applicant exercised with regard to any procurement contract in which an interest is or was retained by the contractor who proposes to provide such compensation; and

(C) a description by contractor of any prospective services that the applicant will perform on behalf of the contractor.

(3) Promptly upon receipt of an application under paragraph (1), the Director of the Office of Government Ethics shall publish notice of the application in the Federal Register.

(h) DEFINITIONS.—For purposes of this section:

(1) The term "compensation" includes any payment, gift, benefit, reward, favor, gratuity, or employment valued in excess of $100 at prevailing market price, provided directly, indirectly, or through a third party.

(2) The term "contractor" means any person, partnership, corporation, or agency thereof (other than the Federal Government, the independent agencies thereof, or the District of Columbia) that offers, negotiates, agrees, or otherwise contracts to supply the Federal Government with goods, services, or supplies. Such term includes any parent, subsidiary, or affiliate thereof.

(3) The term "procurement function", with respect to a contract, means any acquisition action relating to the contract, including negotiating, awarding, administering, approving contract changes, costs analysis, quality assurance, operation and developmental testing, technical advice or recommendation, approval of payment, contractor selection, budgeting, auditing under the contract, or management of the procurement program.

(i) SEPARATION OF MEMBERS OF UNIFORMED SERVICES.—A member of former member of the uniformed services shall be considered to have been separated from Government service upon such member's discharge or release from active duty.

(j) TRANSITION.—This section does not—

(1) preclude the continuation of employment that began before the effective date of this section or the receipt of compensation for such employment; or

(2) apply to any officer or employee whose service with the Department of Defense terminated before the effective date of this section.

(k) EFFECTIVE DATE.—This section shall take effect on January 1, 1986.●

THE TRUE NATURE OF THE "FREEDOM FIGHTERS"

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. BONIOR of Michigan. Mr. Speaker, the Washington Post carries on its front page today a devastating article, based on an interview with a Contra field commander who has just returned to Nicaragua under its offer of amnesty without reprisals to the Contras.

I urge my colleagues to read the words of the former National Guard sergeant, who rose in the Contras to the rank of task force commander, but left in disgust over the refusal of the former Guard officers at the top of the military command to halt the murder, kidnaping, and rape of civilians as a routine Contra strategy.

I urge my colleagues to reexamine the FDN's claim that the military command is not dominated by former Guards. The FDN provided its own list of military commanders and their background to some Members of Congress during the recent debate: This Contra leader was described on that list as a former peasant, with no prior Guard service, yet he admits to having been a sergeant. In addition, that list conspicuously excluded the General Staff of the FDN, which even the State Department now admits is 90 percent former National Guards.

As we move toward consideration of foreign aid for El Salvador and Honduras, read what this former Contra leader says about the massive diversion of military equipment from those Governments to the Contras. Congress has banned aid to the Contras, but they're getting it anyway.

This article shows that more than ever the Contras are the wrong horse to ride in Central America. Let's stay off that horse, for good.

[From the Washington Post, May 8, 1985]

A DEFECTING NICARAGUAN CONTRA'S TALE

FORMER FIELD COMMANDER CHARGES WIDESPREAD ABUSES

(By Robert J. McCartney)

MEXICO CITY, May 7.—Ever since 1980, when he was among the first Nicaraguans to

join the anti-Sandinista resistance, Jose Efren Martinez Mondragon had appeared to follow the typical career of the dedicated contra, or counterrevolutionary, guerrilla leader.

Formerly a sergeant in the National Guard of deposed dictator Anastasio Somoza, Martinez Mondragon worked his way up in the resistance movement from commander of a guerrilla training unit in Honduras to become a task force commander who regularly led missions inside Nicaragua. Just six months ago, he was commanding 180 contras on a patrol in Esteli province, deep inside territory normally controlled by the Sandinistas.

Today, however, Martinez Mondragon did something that no contra commander ever had done before: he flew home to Managua to be welcomed by his former foes as a defector. He will take advantage of a Nicaraguan amnesty law approved earlier this year that provides for a pardon for rebels who lay down their arms. Eight weeks ago, Martinez Mondragon and nine other persons, including two other guerrillas, sought political asylum in the Mexican Embassy in Tegucigalpa, Honduras. Initially the Honduran government refused to let him leave the country, although the others were permitted to depart for Nicaragua almost immediately, and his fate was uncertain until a week ago when the Honduran authorities finally let him fly to Mexico City.

The defection ended what Martinez Mondragon described as a prolonged personal ordeal of several years as he grappled with his own doubts about the guerrillas' cause and, even more, about their behavior in the field. In a four-hour interview here last night, he said he left the contras in disgust with what he said were their routine practices of murder, kidnaping and rape of Nicaraguan civilians.

"They are kidnaping and killing people who just want to work," the 26-year-old defector said. "This wasn't a struggle. It was banditry."

While there have been news reports of individual incidents of alleged killings and abductions by the contras of Nicaraguan civilians who were, or were believed to be, Sandinista synpathizers, Reagan administration officials in the past have denied the validity of claims that such practices were routine and characterized the claims as propaganda.

In another assertion that was likely to be controversial, Martinez Mondragon said that the Honduran, Salvadoran and Guatemalan armies have supplied the contras with the bulk of their ammunition and other military supplies since the CIA stopped funding them a year ago.

Spokesman in Miami and Honduras for the rebel group Martinez Mondragon belonged to were unavailable today for comment on his specific allegations.

Because of the severity of his charges and the unprecedented nature of his defection, Martinez Mondragon's change of heart could contribute to the political debate that extends from Managua to the U.S. Congress. The guerrillas previously have drawn criticism for human rights abuses from some unofficial U.S. monitoring groups. This has become a factor in the U.S. debate over whether Washington should resume financial backing for them.

Several former Sandinista leaders, such as Arturo Cruz and Eden Pastora, and many synpathizers of the Sandinistas have broken with Managua's government and are allied with the rebels. Martinez Mondragon, a middle-level contra field commander, is the first to go the other way.

The defection already has triggered a flurry of activity by several of the players involved, either to control the damage or maximize it.

The Nicaraguan Democratic Force, the largest of the rebel groups and the one to which Martinez Mondragon belonged, already has suggested that the defector had lost some of his mental faculties because of a motor vehicle accident. The force, known by its Spanish initials FDN, also has charged that Martinez Mondragon's lover was a Sandinista spy who may have encouraged the defection.

For its part, the Nicaraguan government wasted no time making the defector available to the media, presenting him both at the interview last night and at a news conference upon his arrival in Managua this morning.

In the interview, Martinez Mondragon alleged that the contras have regularly killed Nicaraguans who refused to join the rebel cause after crossing the border into Honduras or after being abducted and brought there by the guerrillas. He said that there were several clandestine cemeteries for such victims along the Nicaraguan-Honduran border, including one near a hamlet called San Judas in Honduras' Choluteca province, and another at La Lodoza in El Paraiso province.

"If you won't fight, then they think you are a [Sandinista] infiltrator and kill you," he said.

He said the armed forces of Honduras, El Salvador and Guatemala currently are providing the FDN with the bulk of its ammunition, uniforms and boots. He said he had seen Honduran military trucks and helicopters deliver ammunition and other supplies to contra camps, and that he had learned from friends who handled the rebels' supplies that these three countries' armies were the principal source of materiel.

The FDN's base camps are inside Honduras just across the border from Nicaragua, and the defector said that Honduran Army officers control all deliveries of military supplies to the contras.

Since Congress stopped the CIA from funding the guerrillas a year ago, the source of the rebels' military supplies has been something of a mystery. The rebels say they have continued their fight with the aid of private donations, but several reports have surfaced that the Honduran, Salvadoran and Guatemalan governments were playing an important role.

Martinez Mondragon said that other *contra* commanders had told him that "the CIA advisers arranged for the Salvadoran, Guatemalan and Honduran armies to provide materiel" to the FDN. He did not say when the CIA supposedly had done this, however.

He said guerrillas frequently had raped civilian women in Nicaragua and abducted them for sexual use.

During a patrol in Nicaragua's Jinotega province last August, the defector said, he came across a group of 40 families near Wina who said that they had been abducted by another patrol from the San Jacinto regional command. This patrol had abducted and raped eight young women from the group, and had killed eight young men who refused to join the rebels, he said.

At that time, Martinez Mondragon said, he radioed FDN military leader Enrique Bermudez to complain about the treatment of the civilians. Bermudez told him "to stop interfering in business that does't affect you," the defector said. This was only one of several times that Martinez Mondragon complained to FDN leaders about abuses by the rebels and received unsatisfactory responses, he said.

The interview was conducted in a sitting room at the Nicaraguan ambassador's residence in Mexico City, but the defector said that he had not been pressured to grant the interview and had not been briefed beforehand by Sandinista officials, Nicaraguan Embassy officers wandered through the room from time to time during the talk, but their presence did not seem to affect Martinez Mondragon.

The defector acknowledged that he was seriously hurt in the vehicle accident, when he struck his head hard and was unconscious for a week. He spoke slowly, occasionally lost his train of thought and said that his head still hurt "deep inside" from time to time.

While the FDN has suggested that he cannot be trusted because of brain damage, the FDN did entrust him to command several missions inside Nicaragua after the accident had taken place.

Martinez Mondragon expressed fears that the FDN would take reprisals against his friends or family. He said he believed the FDN's leadership was responsible for the deaths of his brother and two of his cousins.●

CUBA, NICARAGUA ARE THE REAL DANGERS

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. LAGOMARSINO. Mr. Speaker, I wish to bring to the attention of my colleagues an excellent commentary by John Norton Moore, professor of international law at the University of Virginia. Professor Moore puts into proper perspective what is at stake in Central America in terms of the rule of law. As Professor Moore correctly states:

> The real threat is the serious and sustained armed attack directed by Cuba and Nicaragua against El Salvador and neighboring states, in violation of the United Nations and the Organization of American States Charters.

Critics of U.S. policy in Central America have turned the issue on its head by falling into the Sandinista trap of claiming U.S. policy is aggression. We must not confuse defense with aggression. Moreover, it is essential that we carry out our commitments to "take effective action against aggressive use of force intended to deprive nations in this hemisphere of their right to self-determination," as Professor Moore states.

I urge my colleagues to give serious thought to Professor Moore's analysis, which originally appeared in the April 22 edition of the Los Angeles Times.

[From the Los Angeles Times, Apr. 22, 1985]

CUBA, NICARAGUA ARE THE REAL DANGERS

(By John Norton Moore)

A principal argument of those opposed to U.S. funding of the counterrevolutionaries in Nicaragua is that it would be illegal under accepted norms of international law. The rule of law is at stake in Central America. But the real threat is the serious and sustained armed attack directed by Cuba and Nicaragua against El Salvador and neighboring states, in violation of the United Nations and Organization of American States charters.

To focus on the issue of funding, rather than on the Cuban-Nicaraguan attack, is to accept the childhood plea, "It all started when he hit me back." More dangerously, it is to confuse the defense with aggression, and thus to undermine the single most important normative restraint against the use of force. Moreover, the goals of deterrence and stability are at risk if we ignore the commitment made repeatedly by our country; that we will take effective action against aggressive use of force intended to deprive nations in this hemisphere of their right to self-determination. This commitment is found in the Monroe Doctrine and the hemispheric Rio Defense Treaty, and in the congressional Cuban resolution of 1962 and the 1965 House resolution on communist subversion in the hemisphere.

Since seizing power in 1959, Fidel Castro has directed insurgencies against 17 Latin American nations. Until the attack against El Salvador, the most serious of these was a sustained insurgency against Venezuela, condemned in 1964 by the OAS. The success of the Sandinistas—with substantial Cuban support—two decades after Castro's takeover in Cuba provided new ideological fervor and opportunity for what is now a joint Cuban-Nicaraguan policy of "revolution without frontiers."

Both the bipartisan Kissinger Commission and the House Select Committee on Intelligence have concluded that Cuba and Nicaragua are engaged in efforts to overthrow the governments of neighboring states, particularly El Salvador. These efforts include meetings held in Cuba in December, 1979, and May, 1980, to forge a united Salvadoran insurgency under Cuban and Nicaraguan influence and assistance, including arms supply, training, financing, command and control, and political and technical support.

The resulting insurgency now fields well-trained armed forces one-fifth the size of the Salvadoran army, and operates 67 offices in 35 countries in political support of the continuing attack. As defectors' reports and weapon serial numbers demonstrate, the preponderance of the insurgents' weapons continues to be supplied externally. In fact, they had American M-16 rifles and M-60 machine guns (from stocks in Vietnam and Ethiopia) even before the Salvadoran army had those weapons.

Congress itself found, in the Intelligence Authorization Act of 1983, that the "actions of the government of Cuba and Nicaragua threaten the independence of El Salvador and threaten to destabilize the entire Central America region, and the governments of Cuba and Nicaragua refuse to cease those activities.

These Cuban-Nicaraguan activities violate the United Nations Charter, the Charter of the Organization of American States, the Rio Defense Treaty, the United Nations definition of aggression, the 1965 U.N. General Assembly declaration on intervention, the 1970 General Assembly "friendly relations" declaration, the 1972 basic principles agreement, the 1975 Helsinki principles and even the Soviet draft definition of aggression.

This pattern of ongoing aggression constitutes an armed attack justifying the use of force in collective defense under Article 51 of the U.N. Charter and Article 3 of the Rio Treaty. Indeed, Article 27 of the OAS Charter declares that such an attack is "an act of aggression against . . . (all) the American states," and Article 3 of the Rio Treaty creates a legal obligation on the United States to assist in meeting the armed attack. This obligation is parallel to that owed by the United States to the North Atlantic Treaty Organization (under Article 5 of the NATO Treaty) in the event of an attack on a NATO member.

A response in defense may lawfully be overt, covert or both, as has been the case in virtually every conflict in which America has fought in this century. In World War II no one suggested that Allied support for partisan forces or covert operations in Germany were illegal in responding to Axis aggression.

Certainly responses in defense must be proportional. But how is it disproportionate for the United States to respond against a covert Cuban-Nicaraguan armed attack aimed at overthrowing the democratically elected government of El Salvador by not ruling out that same objective against a totalitarian Sandinista military junta?

One of the most serious contemporary threats to world order is the aggressive covert political-military attack by an externally instigated and supported guerrilla insurgency. Such an attack from Cuba and Nicaragua is the world threat in Central America. Congress must decide whether it meant what it said in the 1962 Cuban resolution, when it pledged "that the United States is determined to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere."

(John Norton Moore is chairman of the American Bar Assn. Standing Committee on Law and National Security and a professor of international law at the University of Virginia. He has served as counsel to the United States in the Nicaragua case before the International Court of Justice. The views expressed are his own.) ●

LEGISLATION TO PROVIDE CAPITAL PUNISHMENT FOR FEDERAL PRISONERS WHO COMMIT MURDER WHILE ALREADY SERVING A LIFE SENTENCE

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. PETRI. Mr. Speaker, the people of Wisconsin were shocked last year by the brutal and senseless murder of a prison guard at the Oxford, WI, Federal correctional facility. Sadly, the question we must ask about the killing is not "Why did it happen?" but rather "How is it that it hasn't happened more often?"

Prison guards are vulnerable victims in a jail. They must walk unarmed among the prisoners in our overcrowded correctional facilities for fear that a pistol or a shotgun could be taken from them in the course of an escape attempt or prison protest. For the same reason, guards are often locked in the cellblocks without a key while performing their duties.

Unlike the guards, however, some of the prisoners are armed, having secretly fashioned homemade knives which they keep hidden, and sometimes even having access to firearms surreptitiously brought into the prison.

What deterrence is there for prisoners already in jail for life not to kill prison guards, or for that matter, other prisoners? I have always opposed the death penalty except in the most extreme of cases. Unfortunately, this has to be of one of those cases. This is why yesterday I reintroduced legislation providing capital punishment for Federal prisoners serving life sentences who commit first-degree murder.

My bill, H.R. 2398, addresses the deterrence need while providing careful safeguards to ensure its fair application. It sets out specific guidelines for courts and juries to follow, outlining what particular factors should be considered in determining the appropriateness of the penalty to the given case and spelling out procedural rules designed to protect the defendant's constitutional rights. In substance and form, the bill addresses the concerns for fairness and clarity which the courts have expressed in reviewing death penalty laws.

Mr. Speaker, I believe this bill can help protect our prison guards and the whole Federal prison population and submit it here in its totality for the record.

H.R. 2398

A bill to amend title 18 of the United States Code to provide capital punishment for first degree murders committed by prisoners serving a life sentence

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHAPTER 51 AMENDMENT.

Chapter 51 of title 18 of the United States Code is amended by adding at the end the following new section:

"§ 1118. Murder by Federal prisoners

"(a) OFFENSE.—Whoever, while confined in a Federal correctional institution under sentence for a term of life imprisonment, commits first degree murder (as defined in section 1111 of this title) shall be punished by death or by life imprisonment without the possibility of parole.

"(b) DEFINITIONS.—For purposes of subsection (a)—

"(1) the term 'Federal correctional institution' means any Federal prison, Federal correctional facility, Federal community program center, or Federal halfway house; and

"(2) the term 'term of life imprisonment' means a sentence for the term of natural life, a sentence commuted to natural life, an indeterminate term of a minimum of at

least fifteen years and a maximum of life, or an unexecuted sentence of death.

"(c) HEARING REQUIRED.—A person shall be subjected to the penalty of death under this section only if a hearing is held in accordance with this section.

"(d) NOTICE BY GOVERNMENT.—(1) Whenever the Government intends to seek the death penalty under this section, the attorney for the Government, a reasonable time before trial or acceptance by the court of a plea of guilty, shall sign and file with the court, and serve upon the defendant, a notice—

"(A) indicating that the Government in the event of conviction will seek the sentence of death; and

"(B) setting forth the aggravating factors which the Government will seek to prove as the basis for the death penalty.

"(2) The court may permit the attorney for the Government to amend such notice for good cause shown.

"(e) SENTENCING HEARING.—(1) When the attorney for the Government has filed a notice under subsection (d) of this section and the defendant is found guilty of or pleads guilty to an offense under this section, the judge who presided at the trial or before whom the guilty plea was entered, or any other judge if the judge who presided at the trial or before whom the guilty plea was entered is unavailable, shall conduct a separate sentencing hearing to determine the punishment to be imposed.

"(2) The hearing shall be conducted—

"(A) before the jury which determined the defendant's guilt;

"(B) before a jury impaneled for the purpose of the hearing if—

"(i) the defendant was convicted upon a plea of guilty;

"(ii) the defendant was convicted after a trial before the court sitting without a jury;

"(iii) the jury which determined the defendant's guilt has been discharged for good cause; or

"(iv) after initial imposition of a sentence under this section, redetermination of the sentence under this section is necessary; or

"(C) before the court alone, upon the motion of the defendant and with the consent of the Government.

"(3) A jury impaneled pursuant to paragraph (2)(B) shall consist of 12 members, unless, at any time before the conclusion of the hearing, the parties stipulate with the approval of the court that it shall consist of any number less than 12.

"(f) INFORMATION WHICH MAY BE PRESENTED.—(1) Notwithstanding the Federal Rules of Criminal Procedure or any other provision of law, if a defendant is found guilty of or pleads guilty to an offense under this section, no presentence report shall be prepared.

"(2) In the sentencing hearing, information may be presented as to any matter relevant to the sentence and shall include matters relating to any of the mitigating or aggravating factors set forth in subsection (i) or (j) or any other mitigating factor.

"(3) In such hearing, information presented may include the trial transcript and exhibits if the hearing is held before a jury or judge not present during the trial.

"(4) Any other information relevant to such mitigating or aggravating factors may be presented in such hearing by either the Government or the defendant, regardless of its admissibility under the rules governing admission of evidence at criminal trials, except that information may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury.

"(5) The Government and the defendant shall be permitted to rebut any information received at the hearing and shall be given fair opportunity to present argument as to the adequacy of the information to establish the existence of any of the aggravating or mitigating factors, and as to the appropriateness in that case of imposing a sentence of death. The Government shall open the argument. The defendant shall be permitted to reply. The Government shall then be permitted to reply in rebuttal.

"(6) The burden of establishing the existence of any aggravating factor is on the Government, and is not satisfied unless such existence is established beyond a reasonable doubt. The burden of establishing the existence of any mitigating factor is on the defendant, and is not satisfied unless such existence is established by a preponderance of the information.

"(g) SPECIAL FINDINGS.—(1) The jury, or if there is no jury, the court, shall consider all the information received during the hearing. It shall return special findings identifying any mitigating factors, whether or not set forth in subsection (i), and any aggravating factors set forth in subsection (j) of this section found to exist.

"(2) If—

"(A) an aggravating factor set forth in subsection (j)(1) is not found to exist; or

"(B) an aggravating factor set forth in subsection (j)(1) is found to exist but no other aggravating factor set forth in subsection (j) is found to exist;

the court shall impose a sentence, other than death, authorized by law.

"(3)(A) If an aggravating factor set forth in subsection (j)(1) and one or more of the other aggravating factors set forth in subsection (j) are found to exist, the jury, or if there is no jury, the court, shall then consider whether the aggravating factors found to exist sufficiently outweigh any mitigating factor or factors found to exist, or in the absence of mitigating factors, whether the aggravating factors are themselves sufficient to justify a sentence of death.

"(B) Based upon this consideration, the jury by unanimous vote, or if there is no jury, the court, shall return a finding as to whether a sentence of death is justified.

"(h) IMPOSITION OF SENTENCE.—Upon such a finding that a sentence of death is justified, the court shall sentence the defendant to death. Otherwise the court shall impose a sentence, other than death, authorized by law.

"(i) MITIGATING FACTORS.—In determining whether a sentence of death is to be imposed on a defendant, the following mitigating factors shall be considered but are not exclusive:

"(1) The defendant was less than 18 years of age at the time of the crime.

"(2) The defendant's capacity to appreciate the wrongfulness of the defendant's conduct or to conform the defendant's conduct to the requirements of law was significantly impaired, but not so impaired as to constitute a defense to the charge.

"(3) The defendant was under unusual and substantial duress, although not such duress as constitutes a defense to the charge.

"(4) The defendant is punishable as a principal (as defined in section 2(a) of this title) in the offense, which was committed by another, but the defendant's participation was relatively minor, although not so minor as to constitute a defense to the charge.

"(5) The defendant could not reasonably have foreseen that the defendant's conduct in the course of the commission of murder, or other offense resulting in death for which the defendant was convicted, would cause, or would create a grave risk of causing, death to any person.

"(j) AGGRAVATING FACTORS.—The following aggravating factors shall be considered:

"(1) The defendant—

"(A) intentionally killed the victim;

"(B) intentionally inflicted serious bodily injury which resulted in the death of the victim; or

"(C) intentionally participated in an act which he knew or reasonably should have known would create a grave risk of death to a person, other than one of the participants in the offense, and the victim did die as a direct result of the act.

"(2) The defendant committed the offense during the course of seizing, confining, inveigling, decoying, kidnaping, abducting, carrying away, holding hostage, or holding for ransom or otherwise, any person.

"(3) The defendant committed the offense during the course of perpetrating or attempting to perpetrate a sexual assault on any person.

"(4) The defendant committed the offense during the course of, on account of, or as a result of, any transaction concerning or distribution of any controlled substance as set forth in schedule I, II, III, IV, or V in the Controlled Substances Act.

"(5) The defendant committed the offense while armed with, or having readily available, a firearm, as defined in section 921 of this title.

"(6) The death or injury resulting in death occurred during the commission or attempted commission of, or during the immediate flight from the commission or attempted commission of, an offense under section 751 (prisoners in custody of institution or officer), section 844(f) (destruction of Government property by explosives), or section 1201 (kidnaping).

"(7) The defendant has been convicted of another Federal offense, or a State offense resulting in the death of a person, for which a sentence of life imprisonment or a sentence of death was authorized by law.

"(8) The defendant has previously been convicted of two or more State or Federal offenses punishable by a term of imprisonment of more than one year, committed on different occasions, involving the infliction of, or attempted infliction of, serious bodily injury upon another person.

"(9) In the commission of the offense the defendant knowingly created a grave risk of death to one or more persons in addition to the victim of the offense.

"(10) The defendant committed the offense in an especially heinous, cruel, or depraved manner.

"(11) The defendant procured the commission of the offense by payment, or promise of payment, of anything of pecuniary value.

"(12) The defendant committed the offense as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value.

"(13) The defendant committed the offense after substantial planning and premeditation to cause the death of a person.

"(14)(A) The defendant committed the offense against a Federal law-enforcement officer or an employee of a United States penal or correctional institution while such officer or employee was performing that of-

ficer's or employee's official duties or because of that officer's or employee's status as a public servant.

"(B) For the purpose of this paragraph, the term 'law-enforcement officer' means a public servant authorized by law or by a Government agency or Congress to conduct or engage in the prevention, investigation, or prosecution of an offense.

"(k) ANTIDISCRIMINATION INSTRUCTIONS.—In any hearing held before a jury under this section, the court shall instruct the jury that in its consideration of whether the sentence of death is justified it shall not consider the race, color, national origin, creed, sexual preference, or sex of defendant or of the victim or victims. The jury shall return to the court a certificate signed by each juror that consideration of race, color, national origin, creed, sexual preference, or sex of the defendant or of the victim or victims was not involved in reaching such juror's individual decision.

"(l) REVIEW.—(1) In any case in which the sentence of death is imposed under this section, the sentence of death shall be subject to review by the court of appeals upon appeal by the defendant, if the defendant files notice of such appeal within the time limits prescribed for notice of appeal of judgment in section 2107 of title 28.

"(2) On review of the sentence, the court of appeals shall consider the record, the evidence submitted during the trial, the information submitted during the sentencing hearing, the procedures employed in the sentencing hearing, and the special findings returned under this section.

"(3) The court shall affirm the sentence if it determines that—

"(A) the sentence of death was not imposed under the influence of passion, prejudice, or any other arbitrary factor; and

"(B) the information supports the special finding of the existence of any aggravating factors, or the failure to find any mitigating factors as set forth or allowed in this section.

"(4) In all other cases the court shall remand the case for reconsideration under this section.

"(5) The court of appeals shall state in writing the reasons for its disposition of the review of the sentence.

"(m) IMPLEMENTATION OF SENTENCE.—(1) A person who has been sentenced to death pursuant to this section shall be committed to the custody of the Attorney General until exhaustion of the procedures for appeal of the judgment of conviction and for review of the sentence. When the sentence is to be implemented, the Attorney General shall release the person sentenced to death to the custody of a United States marshal, who shall supervise implementation of the sentence in the manner prescribed by the law of the State in which the sentence is imposed. If the law of such State does not provide for implementation of a sentence of death, the court shall designate another State, the law of which does so provide, and the sentence shall be implemented in the latter State in the manner prescribed by such law.

"(2) A sentence of death shall not be carried out upon a woman while she is pregnant.

"(3) A United States marshal charged with supervising the implementation of a sentence of death may use appropriate State or local facilities for the purpose, may use the services of an appropriate State or local official or of a person such an official employs for the purpose, and shall pay the costs thereof in an approved by the Attorney General.".

SEC. 2. CLERICAL AMENDMENT.

The table of sections at the beginning of chapter 51 of title 18 of the United States Code is amended by adding at the end the following:

"1118. Murder by Federal prisoners.".●

TRIBUTE TO MILTON EISENHOWER

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Ms. MIKULSKI. Mr. Speaker, I would like to pay tribute to a wonderful and talented educator, author, and adviser to eight Presidents: Milton Stover Eisenhower. Dr. Eisenhower died in Baltimore on May 2, 1985. He will be missed immensely. I believe that Mike Bowler of the Baltimore Sun best summarized the enormous accomplishments and contributions of Dr. Eisenhower:

MILTON EISENHOWER, ADVISER TO EIGHT PRESIDENTS, DIES

(By Mike Bowler)

Born in Abilene, KS, the last of six brothers, Dr. Eisenhower left an indelible mark as public servant and educator. He was an adviser to presidents from Calvin Coolidge to Richard M. Nixon and a trouble-shooter in labor disputes, foreign crises and other matters, foreign and domestic.

He was instrumental in shaping U.S. policy in Latin America in the 1950s and later helped lay the foundation for the Alliance for Progress, the vast Latin American economic and social development program of the Kennedy administration.

As the only man to lead the Johns Hopkins University twice, he tripled income and doubled endowment, raising faculty salaries to fourth-highest in the nation. He was known as a thoughtful, reasoned administrator who did not interfere in faculty affairs, and he became an expert on the U.S. presidency and the nomination process for presidential candidates.

In an active retirement, Dr. Eisenhower raised money to fight violence in America, led a drive for a six-year U.S. presidential term and continued a love affair with the Baltimore Orioles. At a Memorial Stadium party on his 75th birthday, the Orioles presented Dr. Eisenhower with a $1-a-year "contract" as a right-handed reliever and asked him to throw out the first ball.

He wrote two books, including "The President is Calling" in 1974. The book was a close-range assessment of the eight presidents he had come to know intimately and an evaluation of the Constitution and laws and traditions affecting the presidency.

A man of medium height, clear blue eyes, trim build, erect carriage and crisp, direct but amiable manner, he kept up an enormous range of activities in his professional and private life.

Close friends and admirers mourned the loss of Dr. Eisenhower. "He was a man of great good sense and great good humor who did great good in the world," said Stephen E. Ambrose, historian at the University of New Orleans and biographer of both Milton and Dwight D. Eisenhower. "He was one of the most intelligent men I ever met, and the kindest.

George S. Wills, a Baltimore public relations man who had known Dr. Eisenhower for 30 years, said, "One of his greatest contributions was providing a wonderful example of how to grow old. He displayed courage and grace under very difficult circumstances, particularly the last three years.

Steven Muller, president of Johns Hopkins, had served as provost under Dr. Eisenhower and then had succeeded him as head of the university. "Working with him and for him was one of the really great experiences in my life," Dr. Muller said. "He was a totally admirable person. He had a lively, very practical mind. He possessed a wealth of information . . . There wasn't a mean bone in his body.

"Whenever I felt I needed to talk, he was always ready to tell me what he thought, what he knew," said Dr. Muller. "Long before I came to this university, he had restored it to solvency, and he knew everything about it. But he never interfered, never tried to impose his will."

Maryland Senator Charles McC. Mathias, Jr., one of a close group of friends who met regularly with Dr. Eisenhower to discuss world affairs, said, "He represented the epitome of citizenship. He knew a citizen's duty: be informed, be involved. As a result, his advice was always current and important."

Senator Paul S. Sarbanes of Maryland said Dr. Eisenhower's counsel "was especially sought by those of us who valued his wisdom."

Born in Abilene September 15, 1899, Milton Eisenhower was the youngest of six brothers: Arthur, banker in Kansas City, Mo.; Edgar, corporation lawyer in Tacoma, Wash.; Dwight, commander of Allied Forces in World War II and president from 1952 to 1960; Roy, pharmacist in Junction City, Kans., and Earl, electrical engineer and newspaper owner.

Majoring in journalism at Kansas State Agricultural College (now Kansas State University of Agriculture and Applied Science), he interrupted his studies for two years to earn expenses as city editor of the Abilene Daily Reflector. After having received his bachelor of science degree from the college, he joined its faculty as assistant professor of journalism, leaving in 1924 when appointed to the diplomatic service.

The next two years were spent as vice consul in Edinburgh, Scotland, and as a part-time graduate student at the University of Edinburgh.

Then Dr. Eisenhower moved from diplomacy to the Department of Agriculture, where he held a number of posts during the next 16 years, starting as assistant to the secretary and becoming director of information and coordinator of the land-use program.

The outbreak of World War II brought new responsibilities.

Appointed director of the War Relocation Authority by President Franklin D. Roosevelt, Dr. Eisenhower supervised the Japanese evacuation camps in California but later criticized the authority for its work. "He ran [the camps] with as much fairness as was humanly possible," said Dr. Ambrose, his biographer.

Dr. Eisenhower's specialty on the international scene was Latin America, but he had missions in other nations during World War II, and he played a prominent role in the beginnings of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

In June, 1942, President Roosevelt named him associate director of war information, and in December, after the Allied invasion of North Africa led by his brother, he was sent to Algeria and Morocco. His mission was to resolve problems of refugee relief and relocation and to establish an organization for psychological warfare in Europe.

Next he began a new career, and for a quarter-century he was to serve three universities as president, beginning with Kansas State, in 1943. Seven years later he assumed the top position at Pennsylvania State University, and in 1956 he arrived in Baltimore to head Johns Hopkins.

In 1953—he was then president of Penn State—he made the first of several fact-finding tours to South America as President Eisenhower's special ambassador. During the period from 1953 to 1961, Dr Eisenhower helped reshape U.S. policy in Latin America. In 1963, he wrote a book about U.S.-Latin American relations, "The Wine is Bitter."

In the book, Dr. Eisenhower wrote in italics that "revolution in Latin America is inevitable. Only the form it takes is uncertain."

Dr. Ambrose said Dr. Eisenhower was "the real father of the Alliance for Progress, although Kennedy got the credit."

President Eisenhower used to say that Milton "was always the bright one in the family."

When a congressman expressed regret that Milton did not have an official post in the administration, the president replied, "If it weren't for his name, he would have a very high governmental position."

In fact, as noted by Neil A Grauer, a Baltimore author and a friend of Dr. Eisenhower who interviewed him last fall, Dwight's brother "was a savvy veteran of the capital's bureaucracy long before his brother came to Washington."

"He had deep affection for his brother," said Mr. Wills. "He probably had more quiet influence on Dwight than any of the more publicly known figures we know through the history books. Milton wasn't on the government payroll, but during the Eisenhower years he was usually at the White House on weekends."

Dr. Ambrose said Dr. Eisenhower strongly influenced his brother's presidency. "Ike trusted him completely and leaned on him heavily," he said. "Indeed, Ike could not have carried the terrible burden of eight years in the White House without Milton's support."

In 1967, believing that he was bringing his formal academic responsibilities to a close. Dr. Eisenhower retired from the Hopkins presidency—in his final commencement, the trustees announced they had named the new library on the Homewood campus in his honor—and promptly began another career, becoming a director of 13 corporations.

These included the Chessie System, insurance System, insurance companies, financial institutions in California and others in this country and in England. He also became a governor of the New York Stock Board of Trade.

Dr. Eisenhower served President Lyndon B. Johnson almost as extensively as he had his brother. He advised the president of the Dominican crisis and, after the assassinations of Martin Luther King, Jr., and Robert F. Kennedy, chaired the Presidential Commission on the Causes and Prevention of Violence.

"The commission may not have brought about sweeping changes," said Dr. Ambrose, "but all of its practical recommendations got done—things like updating police departments."

Dr. Eisenhower returned to Hopkins a second time as president in 1971 following the forced resignation of Lincoln Gordon. The resumption of his university duties did not leave him time to keep up with his directorships, and he resigned many of them.

As for his way of life in retirement the second time in 1972, Dr. Eisenhower described many interests.

"I like to swim. I paint watercolors, mostly landscapes. I read everything, all the way from novels to the most serious books. I keep up constantly with the monthly reports by economists like Walter Heller and Milton Friedman."

Dr. Eisenhower became cochairman of the National Committee for a Six-Year Presidential Term, a group of about 250 business and civil leaders and former government officials.

Thirty-three American and six foreign universities conferred honorary degrees on Dr. Eisenhower.

Dr. Eisenhower was married in 1927 to Helen Eakin, of Washington. Mrs. Eisenhower died at Penn State in 1954, and Dr. Eisenhower never remarried.

The Eisenhowers had a son, Milton, Jr., now director of a division of International Business Machines, and a daughter, Ruth Eisenhower Snider, a voluntary worker in numerous community activities and the wife of a Baltimore radiologist. She died last year. There are three grandsons and one granddaughter.●

NATIONAL SMALL BUSINESS WEEK

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. DYMALLY. Mr. Speaker, it is an honor to pay tribute to the men and women who are the economic stability of our Nation. The efforts of the small business men and women are to be commended. There are many small businesses within my district. These small businesses provide consumers with reasonable prices and availability. Small businesses also improve the community's economic situation by providing job and investing back into the community.

In order to keep our communities stable, we must support small businesses. Low interest loans and Government aid programs should be maintained to encourage the growth of small businesses. By encouraging the growth of small businesses communities are improved, unemployment is reduced, and the Nation's economic situation is improved. To support the small business men and women of our Nation is to support the Nation.

Chairman PARREN MITCHELL is to be commended for designating the week of May 5 through May 11, 1985, as "Small Business Week." In his role as chairman of the Committee on Small Business, Chairman MITCHELL's efforts have provided thousands of otherwise unavailable business opportunities for small minority businesses throughout the United States.

Finally, I would like to commend the small and minority business entrepreneurs who are being honored here this week.●

POLISH AMERICAN CONGRESS PROTESTS PRESIDENT'S BITBURG VISIT

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. SOLARZ. Mr. Speaker, much has been said in recent days about the President's trip to the German military cemetery in Bitburg, West Germany. His decision to honor German war dead, in a spirit of "reconciliation" was sharply criticized by people of all faiths and political backgrounds.

This action, coming no more than 100 feet from the graves of some of Hitler's elite killing soldiers, the Waffen SS, caused enormous pain and suffering to survivors of the Nazi death camps, who have seen firsthand the brutal murders perpetrated by these troops.

In addition to the 6 million Jews who were murdered in death camps, other populations also suffered horrible losses, all of which can be blamed on the brutal Nazi war machine.

I would like to include in the record a telegram sent by the Polish American Congress to President Reagan concerning the anguish that Polish Americans felt because of the President's decision to honor German war dead.

Polish Americans regret your plans to honor the Nazi dead.

Nowhere else did the Hitlerites unleash the insane fury of their bestial rage and hatred as in Poland. They drenched Polish soil with the blood of innocent people.

We mourn the death of 6 million Polish citizens, most of whom were mercilessly butchered by the type of primitive barbarians who lie in the graves of the German cemetery you will visit. Their goal was to forever destroy everything Polish, be it Christian or Jewish. In the genocide of Europe's Jews, at least half were Poles.

Measured by numbers who died, Polish Jews and Polish Christians perished almost equally. Measured by percentage, Poland lost more of Her population to the Nazis than any other country.

As Christians, we feel compelled to forgive them. As their victims, we find it inconceivable to honor them.

MICHAEL PREISLER,
President, Polish American Congress, Downstate New York Division.●

SENATOR SAM J. ERVIN, JR.

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1985

● Mr. GILMAN. Mr. Speaker, I rise to join with my colleagues in paying tribute to the late Senator Sam J. Ervin, Jr. I would like to thank the dean of the North Carolina delegation, Mr. BROYHILL, for arranging this special order and allowing us this opportunity to reflect on "Senator Sam" and his lifetime of public service.

Clearly the one single undertaking that most of my colleagues associate with Sam Ervin, was his work as chairman of the Senate Select Committee to Investigate Campaign Practices—or the "Watergate Committee." As a newly elected Member of Congress during that difficult and troubling time, I found Sam Ervin's unwavering dedication, to both the Constitution and the people it was written to serve, a pillar of reason upon which the foundation of trust in our political institutions and our leaders was reinforced. Indeed if Sam Ervin leaves us with a legacy, it was when he demonstrated, for the world to see, the strength and integrity of the democratic process as practiced through the Constitution of the United States.

Sam Ervin was born in Morganton, NC which he called home for his entire life. He completed his undergraduate work at the University of North Carolina. After serving in France during World War I and being decorated with the Distinguished Service Cross, the Silver Star, and two Purple Hearts, Sam Ervin attended Harvard Law School. Upon graduation in 1922, Ervin returned home to Morganton to begin a law practice. Sam Ervin began his political career in the North Carolina State Assembly where he served three terms. However, his first trip to Washington as an elected official, was when he filled the vacancy in the House of Representatives created when his brother died. Ervin served one term in the House before returning to North Carolina where he served on the State supreme court from 1948 to 1954. In 1954 Senator Ervin was elected to the U.S. Senate where he served ably and diligently for 20 years. Following his retirement in 1975 Senator Ervin returned to his hometown of Morganton, N.C. where he continued practicing "a little law" until his death on April 23.

I join my colleagues in extending our sympathies to Sam Ervin's wife of 61 years, Margaret Bruce Bell, his son, Sam J. Ervin III, and his two daughters, Leslie and Laura. May they find comfort from their loss in the fact that Senator Sam J. Ervin, Jr., will be remembered as one of the greatest statesman to have walked the Halls of Congress.●

SMALL BUSINESS FUELS ECONOMY

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. McKERNAN. Mr. Speaker, Small Business Week gives us an opportunity to reflect on the important contributions of small businesses to our country. Ninety-seven percent of all businesses in the United States are small, according to the definition of the Small Business Administration.

Small firms are the major driving force in job creation. A study by the SBA shows that the very smallest businesses—those employing up to 19 persons—led the way in generating new jobs during the 1976–82 period. They generated a higher percentage of jobs not only on a national basis, but also in every region of the country. In the New England Bureau of Census region, which includes my State of Maine, firms with up to 19 workers increased job totals 25.5 percent during those 6 years. In Maine, 89 percent of all businesses employ less than 20 persons.

According to the most recent annual report of the President, small businesses employ nearly 48 percent of the private nonfarm work force, contribute 42 percent of sales, and generate about 38 percent of the gross national product.

This week, I am proud to take part in honoring the creative and dedicated individuals who run our Nation's small businesses. America's entrepreneurial spirit is exemplified in the State small business persons of the year who are gathered in Washington to be recognized for their achievements.

The first boatbuilder to be named an SBA small business person of the year is 1985 Maine winner Roger D. Hewson, president of Sabre Yachts in South Casco. He started his company in 1971 with three employees and one model of a sailboat. Today, the company has 150 employees and six models marketed by dealers across the country.

Mr. Hewson and the other State winners give evidence of the many ways in which small businesses have fueled our economy. We, as a Congress, have a responsibility to help provide the best possible economic climate so that small businesses will have the opportunity to grow and keep "America at Work."●

NATIONAL SMALL BUSINESS WEEK

SPEECH OF

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LEWIS of Florida. Mr. Speaker, as the week of May 5–11, 1985, has been designated "National Small Business Week," I would like to take this opportunity to talk about the importance of small business to our economy.

It is the enterprising determination to work and prosper, embodied in more than 14 million small businesses, that provides the technology to keep our economy growing, the manufacturing and marketing skills to keep our Nation competitive, and the innovation to guide us into a better future. It is this enterprising genius that has helped small business create most of our new jobs and provide economic opportunities unsurpassed by any nation in the world.

Ninety-nine point seven percent of the 14.3 million nonfarm businesses in the United States are considered small businesses. Together, these firms provide 55 percent of all private sector jobs, furnish two out of three workers with their first job, create over half of all industrial innovations and inventions, and account for approximately 38 percent of the Gross National Product.

The President's March 1984 report to Congress on the "State of Small Business" drew attention to the role small business continues to play in creating jobs. According to the report, between 1980 and 1982, small businesses generated all of the 984,000 net new jobs in the United States. Small business produced 2,650,000 new jobs, more than offsetting the 1,664,000 jobs lost by larger businesses.

It is not an exaggeration to say that small business must prosper if the rest of the Nation is to succeed economically. We all benefit from the contribution of small businesses and those who create them.

I urge my colleagues to join me in saluting the small business men and women of our Nation during "National Small Business Week."●

THE FAIR SHARE MINIMUM TAX

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. SCHUMER. Mr. Speaker, we have all heard stories about profitable corporations and wealthy individuals who avoid paying their fair share of

taxes. Because the Tax Code is riddled with so many loopholes, many wealthy individuals as well as corporations earning billions of dollars in profits pay no taxes and, to add insult to injury, receive rebates for taxes they paid in earlier years.

Is it unfair to insist that profitable corporations like General Dynamics and General Electric pay some taxes? And is it unfair to insist that millionaires pay the same tax rate as someone earning $18,200? We don't think so and we are proposing a bill to do something about it.

Because the rich are abusing the Tax Code, the burden on the middle class has been getting heavier and heavier. Consider these statistics: In 1960, income tax payments from corporations and the wealthiest 1.8 percent of individuals accounted for 43 percent of all Federal revenues. By 1983, taxes from these same sources were providing only 17 percent of Federal revenues.

Without decisive action, the United States faces deficits in excess of $200 billion for the rest of this decade. The President explains that we can no longer afford programs like student aid, family farm assistance, the Small Business Administration, and revenue sharing. But he fails to point out that what we really cannot afford is the billions of dollars of welfare funneled through the Tax Code to profitable businesses and wealthy individuals.

This corporate welfare and aid to the wealthy increases the deficit just like spending on defense or domestic programs, even though it never appears as a line item on the budget. At a time when we are told that we can no longer afford assistance for people who need it, we certainly should not spend billions of dollars on welfare for corporations and people who are much better off.

With this in mind, the Honorable MARTY RUSSO and I, along with 53 of our colleagues, are introducing a far tighter minimum tax on wealthy individuals and profitable corporations. The fair share minimum tax is based on a very simple proposition: Every individual and corporation earning at least $150,000 per year ought to pay taxes equal to at least 25 percent of their income. Since the middle class pays this much in taxes, it certainly is not asking too much to insist that corporations and the rich also pay the same amount.

Under the terms of this bill, taxpayers would pay either their current tax liability computed with all existing deductions, exclusions, credits, and adjustments or the alternative minimum tax, whichever is greater. This will ensure that wealthy taxpayers cannot use loopholes to avoid paying any taxes. With this proposal, they will not be able to pay less than the middle class.

The fair share minimum tax has at least four advantages:

It represents genuine tax reform. If Democrats are going to regain the political initiative, we need an approach to tax policy that strengthens the middle class. The fair share minimum tax fits this description.

It will be supported by the middle class. Most Democrats believe that the Mondale candidacy proves that even talking about tax increases is political suicide. But Mondale's plan would have raised taxes on families earning as little as $25,000. The fair share minimum tax is different. It totally exempts the middle class from paying more than it does now.

It doesn't lock in the regressive tax policies of the Reagan administration. Under the President's tax proposals, the corporate income tax has shrunk dramatically as a source of Federal revenues. In addition, with the rapid increase in Social Security taxes, the poor and the average income taxpayer have been bearing a heavier and heavier tax burden. This proposal won't undo all the damage that has been done to our progressive tax structure, but it is a dramatic step in the right direction.

It is a significant step toward tax reform, but it doesn't destroy any socially desirable tax preferences. This tax proposal will not repeal any progrowth tax incentives. Investors will still be able to use these tax incentives, they simply won't be able to avoid paying their fair share of taxes.

If this tax proposal were enacted, wealthy taxpayers, both individuals and corporations, would be able to use tax preferences to reduce their effective tax rate to 25 percent, but no lower. This is a lower effective tax rate than the Treasury proposal and the same rate proposed in Kemp-Kasten. It offers significant incentives for investment and growth. It cuts tax rates virtually in half, from 50 percent for individuals and 46 percent for corporations, to 25 percent for all wealthy taxpayers. But at the same time, it guarantees that profitable corporations and wealthy individuals will pay their fair share of taxes.

For several reasons, the fair share minimum tax is different from all the other minimum tax proposals now being discussed.

The fair share minimum tax sets a 25 percent rate on alternative taxable income above $150,000. Most of the other minimum tax proposals establish a much lower rate, generally only 15 percent. This makes a tremendous difference in the amount of revenues that would be generated. According to very preliminary estimates, the fair share minimum tax will raise at least $22 billion immediately and significantly greater amounts in later years. Some of the other proposals raise no more than $6 billion in 1 year, and most raise less.

A 25 percent rate is fairer than a 15 percent rate. Why shouldn't wealthy individuals and profitable corporations pay 25 percent, which is the same marginal rate as a single individual earning only $18,200 per year?

The fair share minimum tax covers both individuals and corporations. Most of the other proposals are only calling for a corporate minimum tax. If it is wrong for profitable corporations to avoid paying their fair share of taxes, isn't it equally wrong for wealthy individuals to avoid paying their fair share? Estimates are that only between 300,000 and 700,000 wealthy individuals would be affected by the individual minimum tax. Our constituents get just as upset when they hear about millionaires who don't pay taxes as they do when they hear about profitable corporations that escape paying their fair share.

The fair share minimum tax is much more comprehensive than alternative proposals, and virtually loophole free. Right now, for example, there are corporate and personal minimum taxes, and yet we are all familiar with stories about profitable corporations and wealthy individuals who still manage to avoid paying taxes. Clearly, the current minimum taxes aren't doing the job, and there is no guaranteee that several of the other minimum tax proposals will be significantly better. The fair share minimum tax, however, will ensure that no profitable corporation or wealthy individuals earning more than $150,000 will escape their fair share of taxes.

By injecting two overriding principles into the Democratic Party's discussion of tax reform, we believe that the fair share minimum tax can serve as the basis for comprehensive, progressive tax reform.

The first principle is that no wealthy individual or profitable corporation should be able to use the Tax Code to avoid paying their fair share of taxes. This principle should apply to any Tax Code—the current system, Bradley-Gephardt, Treasury, or Kemp-Kasten.

Unfortunately, the current Tax Code and Kemp-Kasten are sieves. They allow large numbers of profitable corporations and wealthy individuals to avoid paying their fair share of taxes. In fact, under Kemp-Kasten, the ranks of large corporations paying no taxes is destined to grow, primarily because of that bill's generous depreciation schedule.

Tax reform that allows tax avoidance is a sham and Democrats should not be reluctant to oppose this type of reform.

The second point is that for 25 years, the Tax Code has been getting more regressive. In 1960, income tax

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payments from corporations and the wealthiest 1.8 percent of individuals accounted for 43 percent of all Federal revenues. By 1983, taxes from these same sources were providing only 17 percent of Federal revenues. In other words, because wealthy idividuals and profitable corporations have been paying less, the middle class has been paying more.

Each of the other major tax reform proposals locks in this regressivity. None moves the system's progressivity back to where it was at the beginning of the Kennedy administration.

Tax reform that makes no effort to lift the burden on the middle class is not in keeping with the Democratic Party's traditional concern for social justice and equity—precisely the concerns that earned the party the loyalty of the middle class for the past half century and precisely the concerns we need to reaffirm if we are to regain the allegiance of the middle class.

With these principles in mind, we believe that a comprehensive, airtight, minimum tax is an integral feature of, and a worthy basis for, comprehensive tax reform. The fair share minimum tax should be viewed as a safety net, or a backstop in the event that certain tax preferences are not eliminated by tax reform.

Simply put, it may be unrealistic to assume that the final version of tax reform will completely eliminate every tax preference. Some will be retained for good reasons, and others might be retained for less good reasons. But no matter how many are retained, and no matter why they are retained, the fair share minimum tax is designed to ensure that nobody will be able to use these preferences to avoid paying their fair share of taxes. In this respect, the fair share minimum tax will help tax reformers accomplish their goal—ensuring that no taxpayer can use the complexity of the tax system to escape paying their fair share of taxes.

The following is a section by section analysis of the major provisions of the fair share minimum tax bill:

SECTION-BY-SECTION ANALYSIS OF FAIR SHARE MINIMUM TAX BILL

Section 2(a): This section declares that the personal minimum tax will be fully phased in at $100,000. It establishes lower tax rates for the $70,000 to $100,000 phase in period. For the corporate minimum tax, it establishes a phase in period starting at $70,000 and rising to $150,000, at which point the full 25 percent minimum tax rate will apply.

Section 2(b): This section states that the five allowable personal deductions—state and local taxes, medical deductions, interest on the mortgage for a principal residence, casualty losses, and charitable contributions—will be phased out between incomes of $100,000 and $150,000.

Section 2(c): States that interest deductions will only pertain to new loans for purchasing and rehabilitating a principal residence. Also provides a deduction for state and local income and property taxes. Sales taxes are not an allowable state and local deduction.

Charitable contributions, casualty losses, interest to the extent of investment income, and medical expenses are already in the minimum tax code as allowable deductions, so they are not explicitly enumerated in this bill.

PREFERENCES THAT PERTAIN TO ALL TAXPAYERS

Section 3(a)(1)(A): States that all depreciable property will be considered a preference item, irrespective or whether or not it is leased. Current law says that only leased property is a preference item.

Section 3(a)(1)(B): States that for minimum tax purposes, depreciation cannot be calculated using ACRS recovery periods. Instead, the taxpayer must use the actual or useful life, known as the "present class life." These are depreciation schedules published by the Treasury for various classes of assets. Where there is no proposed class life, such as for buildings, the depreciation schedule is set at 40 years.

These are the same recovery periods as the ones used in the 1984 tax bill for property leased to tax exempt entities.

This section only pertains to property placed in service after the date of enactment.

Section 3(a)(2): Under present law, intangible drilling costs are a preference if they exceed one half of net income and are expensed, rather than amortized over 10 years. The FSMT defines the intangible drilling cost preference as the difference between 10 year amortization and expensing, with no net income offset. This section would only pertain to intangible drilling costs incurred after the date of enactment.

Section 3(a)(3): Adds the following new preferences—

Interest from newly issued tax exempt securities. This interest will now be considered to be a preference item. Under present minimum tax law, it is not a preference item.

Installment sales method of accounting. Under present law, a taxpayer using the installment sales method of accounting can defer capital gains taxes due on the sale of property. Under this method, a seller who also provides the financing only has to declare the gains from the sale as the purchaser makes installment payments. Since in many cases, the seller discounts the note or sells it on the secondary market soon after the sale of the property is consummated, the seller actually realizes the total gain immediately, even though for tax purposes, the gain does not have to be declared immediately.

Therefore, this section also states that the gain from a sale has to be declared immediately, rather than declared as installment payments are received.

Inside buildup on life insurance policies. This section states that the inside buildup, or the increase in the cash value, of whole life insurance, annuity, or endowment contracts is now considered to be a preference item for minimum tax purposes. It is not a preference under current minimum tax law.

PREFERENCES THAT PERTAIN ONLY TO CORPORATIONS

Section 3(b)(1): Under current law, there are several tax preferences that apply only to personal holding companies. The FSMT declares that these preferences shall apply to the minimum tax levied on all corporations, not just personal holding companies.

The list of preferences that now pertain to all corporations are:

a. accelerated depreciation on leased property

b. the difference between expensing of mining exploration and development costs and 10 year amortization.

c. the difference between expensing magazine circulation costs and 3 year amortization of those costs.

d. the difference between expensing intangible drilling costs and 10 year amortization with no net income offset.

e. for research and experimentation costs, the difference between expensing and 5 year amortization.

Section 3(b)(2): Declares that the following preferences shall apply only to corporations—

Bad debt reserves. For all banks, the FSMT declares that a preference exists if the bank's addition to its loan loss reserves exceeds the reserve that would be computed using the experience method. This provision is already in current law.

Cost of carrying tax exempt securities. For all banks, the FSMT declares that a preference exists if a bank deducts its interest expenses for carrying newly-acquired tax exempt obligations. In other words, a bank cannot claim a business deduction for its interest costs when it borrows money in order to purchase tax exempt obligations.

Foreign Sales Corporations: Under current law, export earnings are exempt from taxation if a corporation sets up a foreign sales corporation and funnels its exports through this dummy corporation. The FSMT states that exempt earnings from Foreign Sales Corporations will be declared to be a preference item for purposes of the corporate minimum tax.

Deferred Shipping Income. Under current law, shipping income can be deferred from taxation if that income is deposited in a capital construction fund. If the money is withdrawn to build a new ship, the withdrawals are also exempt from taxation, although if they are withdrawn for other purposes, the withdrawn amount is taxable.

The FSMT says that all new deposits, and all withdrawals of old deposits shall be considered to be a preference item for purposes of the corporate minimum tax.

Completed Contract Accounting. Under current law, a corporation might receive periodic progress payments over the life of a multiyear contract, but the corporation doesn't have to declare the income until the contract is completed. This technique is used by defense contractors who receive periodic payments but who don't include those payments as part of each year's taxable income. As a result of this technique, contractors defer taxes for several years, and they minimize their total taxes by determining the timing of their claims for deductions and taxable income.

The FSMT declares that contractors must declare income as periodic payments are received.

PREFERENCES RELATING ONLY TO TAXPAYERS OTHER THAN CORPORATIONS

Section 3(c): Declares that the following preferences shall apply only to taxpayers other than corporations.

Untaxed portion of social security benefits. This section defines as a preference the difference between social security benefits and all payroll tax contributions plus interest earned in that taxpayer's account. The preference only includes that portion of social security benefits currently exempt from taxation.

Earned income of citizens and residents living abroad. Under current law, an individual living abroad can deduct up to $80,000 of his overseas income from U.S. taxable income. The FSMT says that this $80,000 exclusion will be considered to be a preference item for purposes of the individual minimum tax.

Increase in nonforfeitable pension benefits. If you have a nonforfeitable right to a pension, the increase in the account during the tax year will be considered to be a preference item for purposes of the individual minimum tax. This section only pertains to vested pension benefits.

Deduction for two earner married couples. This section repeals the deduction for 2-earner married couples. Because the minimum tax is levied at a flat 25 percent rate, there is no bracket creep associated with adding two incomes together. Consequently, there is no marriage penalty, so the deduction designed to reduce the marriage penalty should not pertain to the minimum tax.

Health related benefits excluded from gross income. Under current law, an employer's payments for medical insurance and for medical care are not included in the employee's gross income. This section makes these payments subject to the individual minimum tax.

Group-term life insurance. Under current law, an employer's premium payments for the first $50,000 of group term life insurance are not included in the employee's gross income. This section says that all employer contributions for group term life insurance must be included in gross income for purposes of the individual minimum tax.●

THE ONLY FAIR DECISION

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. YOUNG of Florida. Mr. Speaker, regarding the question of how the majority leadership handled the seating of the Representative for the Eighth District of Indiana, I would like to submit for the information of my colleagues an editorial entitled "Democrats Make a Mistake," from the May 3, 1985, St. Petersburg Times.

The editorial follows:

DEMOCRATS MAKE A MISTAKE

The strongest reason for sending the decision on who should represent them in the U.S. House back to the voters of Indiana's 8th District is the impossibility of reaching a fair decision on the results of the Nov. 6 vote. That is why House Democrats erred Wednesday when they seated Democrat Frank McCloskey.

Two days after the polls closed last November McCloskey was the apparent winner by 72 votes. But when it was discovered that the votes in two precincts had been counted twice, Republican Richard D. McIntyre appeared to win by 34 votes. On that tally, the Indiana secretary of state, a Republican, certified McIntyre as the winner.

When the state completed its recount, McIntyre's lead was increased to 418 votes, but 4,808 ballots were thrown out for technical reasons. Under the traditional rule that the House is the final judge of its own members, the House Administration Committee was asked to recount the ballots and settle the issue. It created a three-member task force of two Democrats and one Republican to do that job. They hired auditors from the General Accounting Office actually to count the ballots. The controversy centered on absentee ballots and late-arriving military absentee ballots, according to Congressional Quarterly.

Indiana law requires that absentee ballots be notarized and signed. The task force decided to count the absentee ballots that earlier had been thrown out by the state, provided the voter's intent was clear. There were 62 such ballots that had not been properly notarized or signed, but that county clerks mistakenly had sent to precincts for counting. The task force counted those ballots on grounds that they were inseparable from other ballots. But there were 32 other such ballots, which county clerks had not sent to the precincts, that were not counted. The Republican member of the task force also lost a bid to count 11 absentee military ballots that had been postmarked before the election but had arrived as late as a week after the election.

After those decisions, the task force declared McCloskey the winner by a count of 116,645 to 116,641.

We defy anyone to reach a just and acceptable judgment in those circumstances. The only fair decision would be to return the decision to the voters of the district, which House Democrats refused to do.

The House and the nation will pay a price for that error. It appeared Wednesday when House Republicans demonstrated their partisan animosity in words and deeds by dramatically walking out of the chamber. Lack of civility has been a problem in the House all this year, and this decision by the Democrats can only make it worse.

CONCORD MINUTEMEN BAND VISITS NATION'S CAPITOL

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. MILLER of California. Mr. Speaker, last week students from the Concord High School Minutemen Band visited Washington, DC. These students are from Concord, CA, which is included in the Seventh Congressional District, which I represent.

The Minutemen were visiting Washington while participating in the Apple Blossom Festival in Winchester, VA. I was delighted to meet them and the band's director, Eric Hammer, at the U.S. Capitol.

This is an outstanding band of 87 students who have spent many hours practicing their music and their marching. Their performance in the Apple Blossom Festival was a great credit to their skill and their hard work.

I know that all Members of the House of Representatives will want to join me in congratulating the Minutemen Band on their performance at the festival.

The members of the band are:

CONCORD MARCHING BAND

Jeanie Abraham, Kathy Alcorn, Cathy Allred, Eric Anderson, Kim Blackburn, Brian Blackburn, Terri Botto, Wendy Brown, Christie Bureckner, Jeff Brueckner, David Busing, Chris Cabral, Denise Cabral, Debbie Case, Jeff Chan, Mike Chavez, and Debbie Cherbonnier.

Cyndie Clark, Dina Cotter, Danielle Cutler, Amy Cutt, Jon Davenport, D'arcy Dornan, Brent Coryell, Lorraine Converse, Merrie Converse, Jennifer Dutton, Diana Edamura, Mike Emanuel, Kelly Emerton, Carol Fabian, Karie Freeman, Kristie Freeman, and Matt Goodshaw.

John Griffin, Ken Griffiths, Gina Guadagnini, Marianne Hoeft, Anissa Hudson, Eric Humphrey, Darnelle Huus, Asha Jirge, Dayton Johnson, Holly Jones, Paula Kapfenstein, Keiko Kobayashi, Kevin Leveroni, Sunny Love, Robin Mangum, and Lisa Manzon.

Paul Manzon, Danny McAninch, Janet Morones, Jenni Nedrow, Jeff Nedrow, Janet Neumann, Debbie Nichols, Shari Nonemaker, Marian Mikares, Lainie Odegaard, Lynette Odegaard, Karla Oliver, Kristen Oliver, Stephanie O'Steen, Jennifer Pickrell, Barbara Pollard, Brian Rewerts, and Jill Robinson.

Michelle Sanchez, Marcial Santolaya, David Scharper, Sandra Schlink, Scott Shern, Neil Straghalis, Allan Tangaan, Rich Thall, Denise Vedovelli, Judy Venturino, Joanne Viscia, Marya Walford, Kim Watkins, Val Webb, Julie Weimar, Melissa Wright, Rikki Wyman, and Shannon Yonge.●

AFFIRMATIVE RETREAT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. EDWARDS of California. Mr. Speaker, President Reagan's Justice Department continues its assaults on the Nation's civil rights laws. The latest attack is its asking 50 cities and counties to modify voluntarily previous consent decrees relating to affirmative action agreements in public jobs.

The following New York Times editorial calls is a design to dismantle Federal civil rights enforcement long before the Nation has overcome past discrimination.

[From the New York Times, May 5, 1985]

AFFIRMATIVE RETREAT

Not content with agitating against affirmative action, the Reagan Administration has sued Indianapolis for honoring commitments to desegregate its police and fire departments. The action fits a design to dismantle Federal civil rights enforcement long before the nation has overcome past discrimination.

The Assistant Attorney General for Civil Rights, William Bradford Reynolds, contends that the Constitution and Federal law prohibit using numerical goals in employment. He says there can be no such remedy, no matter how blatant the past bias and no matter how mild the impact on white male job seekers favored in the past.

Mr. Reynolds is once again misreading the law. He is diverting precious resources from

unfinished civil rights business and threatening to burden the courts with retrial of settled cases.

Fortunately, every court that has heard his theories has ruled against them. Indianapolis and other cities that have long since made their peace with fair hiring requirements want no more interference with orderly desegregation. Congress should call off this new assault on the law.

When the Justice Department, under different management, sued Indianapolis in 1978, only 11 percent of its police officers and 8 percent of its firefighters were black. Under a consent decree the city agreed to enroll blacks in a quarter of its training classes and to appoint one woman police officer for every four new hires. Blacks now hold 14 and 13 percent of the police and fire positions—gains that city officials hope to enlarge if left alone.

Mr. Reynolds has now sent intimidating letters to 56 governmental employers, warning that the Supreme Court's decision in a Memphis case last year outlaws numerical targets, whether voluntary, court ordered, or negotiated in consent decrees. He refers to a ruling that Memphis, in making budget-induced layoffs, could not ignore the seniority rights of white firefighters in order to retain more recently hired blacks.

But that case involved layoffs, not hiring and promotions, and it ran afoul of an explicit protection of seniority systems that organized labor demanded for supporting the 1964 Civil Rights Act. Mr. Reynolds may want the affirmative action ruled unlawful, but the Court has not done so.

For these and similar attacks on civil rights, Mr. Reynolds is slated for promotion to Associate Attorney General. The Senate need not acquiesce. Congress can also withhold appropriations for Mr. Reynolds' brand of litigation. The path to a colorblind society is forward through accommodation, not back through the turmoil of the past.●

VIETNAM VETS WELCOMED HOME

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. FLORIO. Mr. Speaker, yesterday in New York City a long overdue "welcome home" was finally given to the Vietnam veterans of this Nation. Nearly 25,000 veterans of that longest war in our history were received in a historical, emotional, ticker-tape parade through Lower Manhattan.

Mr. Speaker, many of those who marched yesterday in New York were New Jersey residents. As a member of the House Veterans Affairs Committee I have had the chance to meet and talk with these men and women throughout our State at various veteran events and meetings. I can tell you that what happened yesterday in New York will accomplish much in the way of healing the wounds which we unfortunately may have allowed to develop in the past 10 years. I am grateful to Mayor Edward Koch of New York for all of his efforts in making yesterday a reality. I am sure that we will all look back at May 7, 1985, as one of the landmark events in the long and emotional road of Vietnam.

Mr. Speaker, I include an article from today's Philadelphia Inquirer newspaper which more fully describes the events of yesterday. I would like to include this piece in the RECORD.

[From the Philadelphia Inquirer]

N.Y. HONORS VIETNAM VETS WITH A PARADE

(By Andrew Maykuth)

NEW YORK.—Thousands of Vietnam veterans marched across the Brooklyn Bridge—under a banner that said "Welcome Home"—and through the concrete chasm of lower Manhattan yesterday, showered by shredded paper and adulation. It was the ticker-tape parade they had never had.

"It's way overdue," said David Hewitt, a Marine veteran who lives in Tuckerton, N.J. "This makes things better. We're not hiding it anymore."

Nor were the people who lined the sidewalks. They cheered. They waved flags. They yelled, "You're No. 1—we love you."

The spectacle, a decade after the fall of Saigon, was an outpouring of patriotic fervor that equaled New York's last ticker-tape parade honoring the 1984 Olympic champions.

"USA! USA!" a crowd on Broadway chanted, led by a group of marchers who stopped to bask in the cascade of paper. Then the veterans resumed their march, singing the "Marine's Hymn."

"Here we are," shouted one of the marchers, raising his face and arms to office workers in windows high above Broadway. Like many marchers, he was dressed informally in remnants of his uniform. He wore jeans and a Marine fatigue hat. A brown T-shirt covered his paunch.

"We love youse," he shouted, as his group of friends laughed. "We're home."

"Thank you," read the signs. "We are so proud," read a banner near the City Hall reviewing stand, which was dominated by military officers, most in proper uniform.

One who wore civilian clothes was Gen. William C. Westmoreland, the commander during the height of the Vietnam War. To cheers from the crowd, he climbed down from the stand to march with his soldiers.

The marchers were led by Mayor Edward I. Koch, who pushed John Behan in a wheelchair. Behan, 40, a Republican state assemblyman from Long Island who lost both legs in Vietnam, was one of a score of Medal of Honor winners in the parade.

The New York Veterans Memorial Commission organized the parade to cap a three-day celebration, which included a display of fireworks Monday night over the East River. Koch dedicated a memorial to those who fought in the war.

Organizers of the parade estimated that 25,000 veterans marched—less than half the number of Americans who died in the war. Police estimated the crowd at a million, although some sites along the 2.5-mile route were nearly empty.

It was a ticker-tape parade that probably would not have been possible 10 years ago, when the remaining U.S. contingent in South Vietnam was evacuated from Saigon's rooftops and returned to the scorn of a nation weary of war.

Amid the cheers yesterday—the loudest came for the limping and the legless—there were bittersweet feelings.

"I do kind of feel it's too little, too late" said Bob Sullivan, a Marine veteran from Bricktown, N.J. "I almost didn't come. I'm looking around for familiar faces."

Sullivan, along with Hewitt, came to revel and, to an extent, to protest. Their group, Agent Orange Victims of New Jersey, has been trying to force the government to compensate veterans suffering ill effects from the defoliant used in Southeast Asia. Some of the group wore orange T-shirts that read, "Sprayed and betrayed."

Jim Kennedy, a former Army Airborne member who lives near Williamsport, Pa., represented a group that also suffers the lingering effects of the war—the post-traumatic stress unit of the Veterans Administration Medical Center in Lyon, N.J.

The veterans' cold reception when they returned from Vietnam, Kennedy said, compounded the psychological battle scars they already had. "It would be nice if everything—everybody's feelings—could be erased from today on," he said. "It could be changed, but not erased."

"There was a lot of bad feeling between the vets and the general populace," he said. "When I came home, I came home on a stretcher to Valley Forge. That was in '68. I was wounded in Khe Sanh. We were driving along the turnpike in this Army ambulance and somebody pulled up alongside us and gave us the finger. You know, the fickle finger of fate. That was my welcome home."

William Starkey, a member of the United Vietnam Veterans Organization in Cherry Hill, said he received a similar reception when he returned from Vietnam in 1968.

"Like an idiot, I spent a couple of days on the West Coast," he said. "I walked around on the Berkeley campus with a damn uniform on and felt as threatened as I was during the Tet offensive."

"Among other things, this parade is the right thing to do," said Starkey. "It's long overdue. Frankly, a lot of us don't like the image that we lost the war."

It was a diverse group flowing along Broadway to Battery Park—a score of Medal of Honor winners, hundreds of New York city employees and thousands of veterans, who wore fatigues or their unofficial campaign jackets, bearing such words as "When I die I'll go to heaven because I've spent my time in hell."

Earlier, as several units waited to push off, there came the distant sound of rotor blades. The mass of veterans looked up.

Swinging into view from behind a stack of skyscrapers was a covey of helicopter gunships flying in tight formation. They were led by a C-130 Hercules transport, the huge military plane that was used to transport troops and bring home the bodies.

The mass of veterans in the streets began applauding wildly, cheering and pumping raised fists into the air, shouting "Go Baby!" and "Glad to see you."

Among the camouflage jackets in the crowd was Bob Danis, formerly of the Air Force, now an accounts manager for Citibank. He took a couple of hours off work, pinned the medals he won in 1969 to his gray suit, and joined the crowd.

"It's kind of weird," he said, standing aside at the end of the parade route near Battery Park. "I don't know—after 15 years, it's probably going to be good, in that it will heal the wounds. I think there is a lot of bitterness."

He paused to look at a lot of men in jungle fatigues, who seemed intoxicated on the confetti, cheers and beers. They were shouting, "USA! All the way!"

"In a lot of ways," said Danis, "It brings back bad memories. A lot of these guys have had a hard time adapting."

(Knight-Ridder News Service reporter Joe Starita also contributed to this article.)●

J. FRANK WARMATH HONORED

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. JONES of Tennessee. Mr. Speaker, I rise today to pay tribute to Mr. J. Frank Warmath of Humboldt, TN, a strong civic leader, lawyer, newspaper publisher, businessman, and my friend. Mr. Warmath has worked diligently for many years on behalf of his home community. He served the community as a member of Tennessee's General Assembly. He has worked hard on a number of projects that improved the community.

This Friday, May 10, Mr. Warmath will be honored for the many years of service he has rendered to another local civic project, the West Tennessee Strawberry Festival which is an annual festival. The strawberry festival will honor Mr. Warmath for the many services he has rendered it throughout the years. He has served actively in the festival beginning in 1937 and has held many of its leadership posts.

Frank Warmath has meant much to his community and has worked hard on its behalf. I am proud to count him among my friends and join with Humboldt, TN in paying him tribute. I would request that an article recently carried by the Humboldt Courier Chronicle regarding Mr. Warmath's service be included in the RECORD.

FESTIVAL DEDICATED TO CHRONICLE PUBLISHER

(By Genie Alsobrook)

Saying 'It was a lot of fun,' J. Frank Warmath summarized his years of work for the West Tennessee Strawberry Festival.

He will be honored on J. Frank Warmath Day Friday, May 10, at both the parade and Governor's Luncheon.

Warmath, is a native of Humboldt, son of the late Mr. and Mrs. Clint Warmath. He attended school here until the 10th grade when he left to attend Barnhan and Hughes Military Academy. Upon graduation, he attended Vanderbilt University and received his AB degree in 1932. At Vanderbilt Mr. Warmath was president of his Senior class. In June of 1934 he received his Doctorate of Jurisprudence from Cumberland University.

Between his graduation from Vanderbilt and his attending Cumberland University, Mr. Warmath returned to Humboldt to work. During this period he ran a service station which was located downtown on the site of the old police station. After this enterprise, he traveled for a local shoe company as a salesman. Neither of these lasted very long.

After Mr. Warmath's graduation from Cumberland in 1934, he started a law practice here. His career as an attorney did not last many years due to a 46% loss of hearing which was caused by a mastoiditis operation. The strain of not being able to hear was physically exhausting, and Mr. Warmath did not feel he could give full justice to his clients if he could not hear witnesses in a trial situation.

Once Mr. Warmath was unable to practice law, he began to branch out." His first "branch" was WIRJ, the local radio station. He then acquired the Courier Chronicle newspaper. Mr. Warmaths' "branches" went out in many directions in Humboldt and in the surrounding area

J. Frank Warmath's association with the West Tennessee Strawberry Festival began in 1937 and continued throughout the 1960's. His first role with the festival was Chairman of the Queen's Ball. In those days, this was a lavish affair complete with big name bands, which he arranged for.

From that role, Warmath has held many, many positions in the Festival, including General Chairman in 1941 and 1945, and President in 1949. He worked with the budget and finance committee for many years and Chairman of the Governor's Luncheon for many years. Mr. Warmath recalls that during the 1940's, when he was general chairman, the local chamber of commerce was not involved in the festival organization as they are now. The responsibility for all the planning and organizing of the festival lay with the General Chairman.

In 1941, he actually closed his law office and with the help of a few others, ran the entire festival from there. They wrote all the letters, attended the area beauty revues and made bus trips, devoting two and a half months to making sure the festival was a success.

Mr. Warmath became involved in politics in 1945 when he was elected to the Tennessee Legislature. He later served on the staffs of Governors Ellington and Clement and also on the Aeronautics Commission.

Warmath was instrumental in having the four-lane built on Hwy. 45 which leads from Humboldt toward Trenton. As a member of the Aeronautics Commission, he was involved in bringing an airport to Humboldt.

Humboldt's Cedar Crest Hospital was "born on a golf course in Florida" as he talked with Dr. Tom Frist, the founder of the Hospital Corporation of America. Three weeks later the doctor was in town, looking for a location.

Along with his many "branches" and his political involvement Mr. Warmath has served on many civic organizations including one of the founders of the Lions Club and President of that organization, President of the Humboldt Golf and Country Club, President of the Chamber of Commerce and on the Chamber of Commerce Industrial Board. While Chairman of the Industrial Board of the Chamber of Commerce, he was instrumental in bringing many industries to Humboldt. Included in this group was Century Electric, now Copeland Electric, Wayne Gossard, Alton Box Co., General Metals Products and Southeastern Motor Truck Lines, now McLean Trucking.

There have not been many areas of social, civic, political or business life in which Mr. Warmath has not been involved and been successful. He attributes his involvement and success to those people whom he has met over his life time. "It is who you know," Mr. Warmath says.

Festival officials lauded Mr. Warmath's work saying, "The Strawberry Festival, Humboldt, the County and West Tennessee have all benefited greatly from his efforts through the years.●

COMMUNISM—NAZISM'S INSPIRATION

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. MICHEL. Mr. Speaker, Senator WILLIAM ARMSTRONG has performed a public service by writing an article describing the role the Soviet Union played in World War II and afterward. His detailed, historically accurate article shows that the Nazi-Communist alliance between 1939 and 1941 was one based on mutual respect and mutual need. He also shows that Communists, whenever they have taken power, have demonstrated the same ruthlessness as the Nazis. He quite correctly reminds us that communism was Nazism's inspiration.

At this point I want to place in the RECORD "How Soviets Mark V-E Day" by WILLIAM L. ARMSTRONG, Senator from Colorado, as published in the Washington Times, May 8, 1985.

HOW SOVIETS MARK V-E DAY—WHAT ISN'T BEING REMEMBERED THERE

(By William L. Armstrong)

For the Soviet Union, the rightful heir of National Socialism, today's anniversary of the defeat of Nazi Germany holds great significance. Victory in what the Soviets call the "Great Patriotic War" is perhaps the only real accomplishment in 67 years of misrule, and the regime is trying to make the most of it.

Props for the celebration were readied in advance. The once discredited Joseph Stalin has been largely rehabilitated to celebrate his wartime role as supreme commander. One of Stalin's favorite flunkies, former Commissar for Foreign Affairs Vyacheslav Molotov, now in his mid-90s, was last year readmitted to the Communist Party. He had been expelled by Nikita Khrushchev in his "de-Stalinization" campaign, and comedians had suggested Mr. Molotov was being groomed as a successor to former Communist Party boss Konstantin Chernenko. Even American veterans' groups have contributed to making the anniversary a success, participating in Soviet-sponsored celebrations of the link-up of U.S. and Soviet forces on the Elbe in 1945.

Soviet World War II commemorations are most notable, however, for what is not being remembered. For example, you do not hear that millions of Soviet citizens of all nationalities, far from rushing to "defend their gains under socialism," initially greeted the Germans as liberators from Communist oppression. Nor do the Soviets mention that hundreds of thousands of Soviet fighting men eagerly surrendered to the first Germans they met and volunteered to fight the Soviet Army. Nor do you hear about the several million Russians and Ukranians who sought asylum, only to be turned over to Stalin by the Western allies in the infamous "Operation Keelhaul" at the end of the war.

Finally, you certainly are not apt to hear about what touched off the war in the first place: the Non-Aggression Pact between Hitler and Stalin. It was concluded by Mr. Molotov and Nazi Foreign Minister Joachim

von Ribbentrop on Aug. 23, 1939. The pact divided the countries of Central Europe between the two totalitarian powers, set the stage for the invasion of Poland, and lit the fuse to begin the new world war.

Nowadays, when forced to explain the pact, the Soviets claim it was only a measure designed to gain time against the inevitable Nazi onslaught. But this claim just does not hold up. British author Nikolai Tolstoy asserts that for Stalin "the pact was not a stern necessity but a highly congenial alliance." Indeed, notes Mr. Tolstoy, the only restraining force on the Soviets' pro-Nazi policy seems to have been that they did not want to make it too obvious, for fear of provoking Germany's western enemies.

Exiled Ukrainian Gen. Petro Grigorenko wrote that the Soviets felt confident enough about their new relationship to demolish a massive string of fortifications in the Western U.S.S.R.

Soviet intelligence officers were warned not to report any German war preparations against Russia, because this would undermine their new friendship. One high official, Gen. Grigorenko says, was shot only a week before Hitler's attack for giving Stalin proof of German intentions.

If the U.S.S.R. was only buying time, what were they buying it for? Why did they seem totally unprepared for the attack when it finally came? Moscow's famous spy in Tokyo, Richard Sorge, had told the Soviets the exact date of the attack. Still, the Blitzkrieg shocked its former ally and ripped through the Soviet-occupied portions of Poland in less than three days.

For almost two years, until June 1941, Hitler and Stalin were allied in all but name and worked hand-in-glove to erase the last vestiges of democratic government and civilized values from a continent still not recovered from the cataclysmic years of 1914-18. It is generally overlooked how much Hitler's conquests in Europe owed to this cooperation. Poland, Greece, Norway, Denmark, Holland, Belgium, Luxembourg, France—all fell to Nazi forces fed with Soviet grain and powered by Soviet petroleum.

Today we tend to forget how the pact shocked the world when it was concluded. Everywhere Communists, who only the day before had vilified the Nazis as the most vicious thugs of all time, praised them for standing up to the British and French bankers. In country after country threatened by the Blitzkrieg, Communists worked diligently to undermine defense efforts, spreading defeatist propaganda and sabotaging war production; only after the U.S.S.R. was under attack did the Communists of Nazi-occupied Europe flip-flop again, become "patriots," and join the resistance.

The conventional view was—and still is—that there was something unnatural about the Nazi-Communist alliance. But a closer examination shows that the affinity between the two movements was more than just a matter of convenience. As Adolf Hitler himself once observed:

"There is more that binds us to Bolshevism than separates us from it. There is, above all, genuine revolutionary feeling, which is alive everywhere in Russia except where there are Jewish Marxists. I have always made allowance for this circumstance, and have given orders that former Communists are to be admitted to the Party at once. The petit bourgeois Social Democrat and the trade union boss will never make a National Socialist, but the Communist always will."

Both movements, loathed everything that smacked of "conservatisim" or traditional social values: religion, property, the family, old-fashioned patriotism. Each vied with the other in its attacks on our system of "bourgeois democracy." One ecstatic Naxi hailed the pact as "the confluence of two streams which run toward the same sea, the sea of world revolution."

But these totalitarian twins had not entered the world together. Nazism (national socialism) clearly and deliberately imitated the example of Communism (international socialism), which preceded it by several years. Hitler consciously borrowed many features of his movement from the Communists, even taking the Communist color red for his party flag. In its early years, the Nazi movement recruited much of its personnel from the Communists, and Joseph Goebbels, Hitler's propaganda minister, had long been torn between the two camps. The Gestapo was a copy of the Soviet Cheka. The Storm Troopers were Red Guards in brown shirts. Nazi propagandists studied the masterful techniques of Soviet propagandists.

Hitler's concentration camps were patterned on those begun under Lenin, who in fact invented the term "concentration camp." The Communists were the teachers, the Nazis their pupils.

Both aim to reduce individuals to a uniform, collectivized mass, devoid of God or any higher spiritual aspiration, regimented in an all-encompassing totalitarian order. Nazism organizes society based on race, communism according to class: bad genetics and bad economics. But everything else—the use of lies and propaganda, the secret police, the concentration camps, the infallible leader, the party, the obsession with death and violence—is remarkably similar.

But for all the similarities and relationships between Nazism and communism, there is a striking difference in how the two are perceived. There is never a shortage of those individuals whom Lenin called "useful idiots" supplying every possible excuse for Soviet aggressiveness. The only real explanation for the behavior of the Soviet leaders—that they act like Communists because they really are Communists—is carefully avoided.

Nazism was laid in its grave 40 years ago; but communism, Nazism's inspiration and successor, still lives and thrives. During its brief and terrible life, Nazism killed 12 million people. But this number pales beside the more than 100 million victims (estimates run to 150 million) of international communism since it first seized power in Russia. More than 60 million have been killed in that country alone, according to Alexander Solzhenitsyn, and the toll in China is of similar magnitude. And every day, in prisons, camps, and "psychiatric hospitals" from Castro's Caribbean Gulag to Vietnam's "re-education centers," the staggering total grows.

The Soviet regime's eagerness to tout the superiority of its social system in light of its victory in World War II should give us pause to ask precisely what kind of system it is and with what kind of system it was allied. The fact that Hitler turned on his Communist allies and ended a marriage that the Soviets wanted to preserve is hardly something of which the Soviets should be proud. The ensuing struggle has been aptly described by noted Russian dissident Vladimir Bukovsky as "the great war to determine whether the concentration camps of the future would be Brown or Red."

Today, there are still concentration camps operating in the heart of Europe. And they are Red.●

IN HONOR OF SMALL BUSINESS WEEK, 1985

HON. CATHY (MRS. GILLIS) LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mrs. LONG. Mr. Speaker, it is a particular pleasure for me to address the House today during our observance of National Small Business Week, as just last week I became a member of the Small Business Committee. I look forward to my work on small business issues through my service on the committee, and am eager to do my part to help nurture a strong economic climate in which our Nation's small businesses can grow.

Over the years, it has been America's small businesses which have continued to provide new jobs through technological innovation. Small businesses employ one-half of the private sector American work force. In my own District in Louisiana, there are countless small businesses providing essential products and services. With small businesses responsible for approximately 40 pecent of our gross national product, we simply cannot afford to idly stand by and watch this critical sector of our economy continue to suffer. Nor will I accept unemployment rates in some parishes in my district which are running at three times the national average.

As we praise the hardworking entreprenuers across the Nation this week, the Small Business Committee is concluding a long series of hearings on the legislation to reauthorize the Small Business Administration for another 3 years. I am in full support of continuing the fine work that the SBA has performed since its establishment in 1953. While the adjustment of some programs is certainly warranted, I believe that it would be a mistake to eliminate the SBA.

The critical issue is to make certain that the programs which the SBA does continue to operate, work as effectively as possible. At a time when so many people are still searching for work, particularly minorities, veterans, women, the handicapped, and others who have historically been less able to find work, we must continue to help worthy enterprises grow.

But the SBA cannot do the job alone. Budget deficits must be trimmed and taxes made more equitable so that the private sector will be able to provide the necessary capital for economic growth. There can be no question that we must make the tough choices which are necessary to help keep our small businesses in operation and allow new businesses to begin.

Mr. Speaker, I commend all the small businessmen and woman who have struggled to make their dreams

of running a successful business to become a reality, and will do my part provide the incentive for another generation of American entrepreneurs.●

GRADY COLUMNS ON NICARAGUA

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. EDGAR. Mr. Speaker, as the situation in Nicaragua continues to dominate the headlines, I would like to share with my colleagues further reflections of Sandy Grady, reporter for the Philadelphia Daily News. Sandy was part of the delegation I led to El Salvador and Nicaragua from April 8-15, 1985. Upon his return, Sandy published a series of five articles on our trip.

Yesterday, I submitted the first of these articles for my colleagues' review. Today, I would like to place the second and third in the series into the RECORD, as I believe they can be helpful in our understanding of the current situation in Nicaragua. These articles include a particularly insightful and descriptive picture of life in areas subject to Contra attacks; they also cover the views of a number of Nicaraguan leaders. I recommend Sandy Grady's words to my colleagues as we further consider our Central American policy.

[From the Philadelphia Daily News, Apr. 23, 1985]

SURVIVING IN CONTRA COUNTRY

ESTELI, NICARAGUA.—If you want to know how Ronald Reagan's rebels are doing, this is the place to come.

All it needs is a roadside billboard: "This is Contra Country—Your (U.S.) Tax Dollars At Work."

This farming area, with its green valleys and dry brown hills, is 35 miles south down the main highway chute from the Honduran border. Marauding bands of the 15,000 U.S.-funded guerrillas always have the area in their gunsights.

You don't move around these roads after sundown. It's like Indian territory in 19th-century Kentucky.

Hot, dusty teen-age boys trudge the roadside, coming home from patrol. Instead of fishing rods or ball bats, they carry Soviet-made AD-47 rifles.

"It's safe here because we've got guards out," says Juan Cruz Rodriguez, the sheriff of the mountain village of El Regardio. "But after dark . . ."

His shrug and toothless grin say: Forget it.

Our van has raced 80 miles up the highway from the capital of Managua, then groaned up a winding dirt road 10 miles deep into the hills. Not a house in sight. Suddenly, in an explosion of chickens and children, we're in the farming village of El Regardio.

Neat time-roofed huts, fat hogs in the streets, plenty of giggling kids. Looks like a happy hamlet. But there's a sour edge of fear here.

I've been in Nicaragua three days, bird-dogging a U.S. delegation that includes Rep. Bob Edgar, D-Pa., Rep. Ted Weiss, D-N.Y., and professors and ministers from the Philadelpha area. We've talked to the Sandinista leadership, including President Daniel Otega.

But they're politicians. Like their Wasington counterparts, wrangling over the week's votes on $14 million for the U.S.-backed counter-revolutionaries-Contras—they're full of rhetoric. But here in the Estell hills, the war isn't an abstract debate over who's a Marxist and who's a "freedom figher."

It's about 15-year-olds carrying rifles and others being kidnapped, and about teachers being shot and trucks full of campesinos being shot into flames.

"Go up that road two kilometers [slightly more than a mile] and they'd nail you," said Juan Cruz Rodriguez, popping his palm with his fist. "The contras move in small bands at night. But they're bold. One hot afternoon in that field you see, they cut up one of our farmers with machetes. We found him hung from a tree."

You don't believe everything you hear in Central America. But you believe Juan Rodriguez, who is a ramrod 6-foot-4, has a countryboy directness, and looks like Matt Dillon in a straw hat.

"I have a 100-man militia [for a village of 550], but when the contras are close by, I can call in 800 [Army] troops," said the sheriff through an interpreter. "We've had about 40 casualties here. "We're a nice target. The contras ambush vehicles. They kidnap young men and take them over the border. Tell me, will President REE-gan get more money for the contras?"

The village had no TV set and only a few radios. Yet there was intense interest in the U.S. Congress debate 1,500 miles north. I sensed that to the *campesinos* Reagan is a powerful but irrational figure, like an intoxicated man in a bar with a gun. What will he do next?

I was also struck by the high morale. There may be grumbling in Managua over shortages and the draft, but the rural areas seem solidly pro-Sandinista. Granted, this was a co-op farm, where life is vastly improved since the Somoza regime. But if the CIA imagined the contras could divide the country, they've flopped. My impression in the Esteli hills is of country folk knitted together by the U.S.-backed invaders.

Peer into the crudest, dirt-floored hut and you spot posters on the wall: "After 50 Years Sandino [the legendary Nicaraguan general] Still Lives!" and "Yanquis Will Never Defeat Our Homeland!" Paradoxically, there is no open hostility toward Americans—and it seems half the Nicaraguan men proudly wear caps of the Baltimore Orioles, for whom countryman Tippy Martinez pitches.

The suffering, though, is real. A dozen women in dark dresses give visitors to El Regardio the names of sons and husbands lost to contra attacks. There was a similar sad litany of victims at a Christian-based hamlet where we ate tortillas and rice in the village huts.

"The contras ambushed a pickup truck and took away my 16-year-old son at gunpoint," said Santos Centeno Hudiel, a farmer with a stoical, mestizo face. "Please tell President REE-gan I want my son back."

If the local lamentations about contra brutalities are overwrought, U.S. religious workers who have spent years in the Nicaraguan boondocks sound trustworthy.

"In my community about 30 miles east of Esteli we had 33 civilian deaths last year," said Sister Susan Deliee, a Maryknoll nun. "If the contras get more money, I fear we'll see stepped-up harassment and kidnappings after the rainy season ends. Do Americans really want that?"

A young American priest named Bob Starke, who spent a day interpreting for us in Esteli, knows the contras first-hand. He was kidnapped by them.

"They stuck a gun to my head. They were taking me away, probably to be executed," said Starke, a lean, hard-worn young priest with a Robert Redford profile. "The contras had surrounded a church during our services. They let me go only because I was an American.

"But the lay priest—a 'Delegate of the Word'—wasn't as lucky. When we found him, he'd had his arms broken and been shot seven times. He was the most popular guy in the village, a real leader.

"That's the sort of person the contras go after. Of the 33 schools in my district, 30 are closed. The Cuban teachers, who were really good, heard they were on a contra death list."

A controversial CIA manual, exposed in October 1984, advised the contras to "neutralize selected government officials," a phrase that means assassination.

On the other hand, the Nicaraguan army has also played rough in Contra Country. It has chased thousands of peasants from the countryside into refugee camps, sometimes burning homes and killing animals. "It's like the U.S. Army free-fire zones in Vietnam," Lino Hernadez, head of the Human Rights Commission, told us. "Now the Army can attack anything that moves."

What about Soviet military in Contra Country? We saw no Soviet personnel, but a Soviet T-28 helicopter, wearing camouflage paint and the red Nicaraguan ball on its fuselage, was making low observation runs over a valley near Esteli.

So far the Sandinistas haven't used their most potent weapons, six MI-24 "Hind" helicopters considered the best gunships in the world. "Our technicians in Managua are testing them now," said Commandante Guerrillo Salvatierra.

You want to know about fighting contras, Salvatierra's your man. He's 29, bespectacled, a former revolutionary fighter, a U.S. baseball buff, and the No. 2 in command of this mountainous area where the contras concentrate.

At his rather casually guarded headquarters, Salvatierra pulled out maps and graphs and body counts. He says he's facing 4,800 contras plus 1,800 logistical troops. Judged by his casualty lists, the war's a standoff. Why?

"The contras move through isolated areas, attacking co-op farms, peasant villages, road crews," said the Nicaraguan commandante. "They're mobile. Their U.S. equipment, especially mortars and grenade launchers, are light. They move faster than we do.

"They recruit by kidnapping and propaganda. They tell young peasant men that we're against religion, that we're Communists, that we'll take away their land. Now, though, we're seeing a lot of contra deserters.

"If the U.S. really cuts off aid, they can't continue. They don't have the will to fight without the U.S. Most of their leaders are old Somoza officers. But if the CIA gets money and equipment to them, they can hide up in the hills and kill us forever."

That's the Army line. In the villages where we wandered, you didn't hear much talk of body counts, logistics, geopolitics, or Karl Marx. "Tell Reagan," said a black-garbed woman who'd lost a son, "we need peace."

As the moon come up, we were barreling down the highway to Managua.

At the U.S.-built Hotel Intercontinental, a Mexican band tootled by the swimming pool. The bar, as usual, was full of drifters, adventurers, con men and journalists drinking $1.70 Tona beer and $11-a-shot—yep, $11—imported Scotch.

The dirty little war of Contra Country was far away.

[From the Philadelphia Daily News, Apr. 24, 1985]

AT TIMES, THE WAR IS WORDS

MANAGUA, NICARAGUA.—You're a long way from the Third World when you have dinner at the U.S. ambassador's house.

No tin-roofed huts, no dusty streets full of skinny kids, no patrols toting Soviet rifles here.

Instead, tropical stars glint down on the ambassador's pool.

About 50 guests, including four U.S. congressmen and several European diplomats, are dining on the ambassador's terrace. There is the scent of perfume, gin, cigars and bougainvillea. Red-and-purple jungle birds squawk in cages by the outdoor bar.

Do not envy Harry E. Bergold Jr. for all this splendor. It's not often a U.S. ambassador does business in a country his president is trying to overthrow. You can detect the strains at the dinner party. This is a few days before Congress votes on $14 million in aid to the Contras—the counter revolutionaries. Arguments burst out across the linen tablecloths like firefights.

Now it's after midnight in Harry Bergold's living room. The ambassador eases his ample girth into a chair, sips a whiskey and soda, and analyzes The Situation.

"I don't know much about Central America," Bergold, a career diplomat who's come here from Eastern Europe, says drily. "The economy's bad here, but I guess it will bump along. People can go outside and pick fruit off trees."

Maybe Bergold's making a cynical joke. He throws in a few kind words for the Sandinistas: They have some exciting young leaders, and they're trying to improve health and literacy. But he says the United States can't tolerate even a mildly Marxist government here.

"Why? Propinquity to the U.S.," say Bergold. "And the domino theory."

The Rev. William Sloane Coffin has been listening with building tension to his fellow Yalie—Coffin was Yale '48, Bergold '53. A prominent figure in the anti-Vietnam War movement the burly Coffin finally bursts.

"Mister Ambassador, your analysis leaves out one question," Says Coffin in Wurlitzer-like tones. "Why does United States policy always wind up f..... the poor people of the world?"

Bergold blinks. "Well," he says smoothly, "I certainly feel for poor people up on the Nicaraguan border. They're simple folks who only care for their animals and their land. And they're caught between two armies."

"But Mister Ambassador," Coffin leans forward, shouting, "one . . . of . . . those . . . armies . . . is . . . ours!"

Bergold sighs, puts down his whiskey and spreads his hands.

"Look, I'm paid to sell President Reagan's policies," he says. "I can give you other scenarios. I don't know how realistic they are. An all-out military solution would be tragic. Negotiations would be ideal. But you can't trust the Sandinistas and you can't trust the U.S. Congress [to be consistent].

"So things will probably continue the way they are. The $14 million [for the rebels] doesn't mean anything. In the bars and grills of Washington, a low-intensity conflict looks good. It's cheap. It keeps up pressure. And you play for time."

The ambassador stretches. It's 1 a.m. "Wander around Nicaragua," he says "People talk freely. Figuring out the truth is hard."

Guests leave, some baffled, some resentful. Bergold and Coffin shake hands coolly.

He's right. Ronald Reagan calls it a "totalitarian state," but Nicaraguans talk endlessly—pro- and anti-Sandinista. Here are some voices of Nicaragua:

THE ANGRY TEACHER

Fernando Cardenal looks like a small-town, U.S. school principal. He's ramrod tall, mid-50s, an ex-Jesuit priest who is the minister of education. He grew irate when I asked when Sandinistas would allow freedom of the press:

"We're proud of raising our literacy rate from 12 to 51 percent. We're proud of our brilliant elections. How long did it take your American Revolution to do such things?

"Freedom of the press? To allow it in a war would be weak and stupid. I hate press censorship. I think it hurts us. But we have to censor the enemy paper [La Prensa]. Even the U.S. censors its press in wartime.

"Look, you can go back to your safe home. But I may be on the front, fighting U.S. Marines. When Reagan ends the war, we end censorship."

THE DISSIDENT BUSINESSMAN

Dr. Jaime Benjoechea is head of the Chamber of Commerce. He's typical of a surprisingly feisty anti-Sandinista business community that openly rails against the government:

"We can recognize a dictatorship a mile away. And this is a dictatorship. We were part of the rebellion against the Somoza regime. Now, the Sandinistas have broken every gentleman's agreement.

"We want them to stop confiscating businesses and give freedom to the newspapers. Oh, they don't use firing squads or torture. But they isolate people, muzzle the opposition. Ration cards, shortages . . . I think they're running out of political capital."

THE HUMAN RIGHTS MAVERICK

Lino Hernandez, a stocky man in his 30s, runs the Permanent Commission on Human Rights out of a walk-up office in downtown Managua. He spoke intensely of Sandinista abuses, but I had no way to verify his charges:

"The Sandinistas try to intimidate us. They have occupied our offices, put some of us in jail. We continue to work, tracking their abuses. They have 3,000 or 3,500 political prisoners. We've counted 127 political killings. They put people in prison for a year without charges. They put them in dark isolation cells for months. It ruins a man's nerve. The most feared prison is El Chipote, near the hotel. Freedom of expression is this country is an illusion."

THE WOMAN COMMANDER

Dora Maria Tellez looks like a vibrant, brunette U.S. college student. But she wears a Sandinista Army uniform and packs a .38 on her thigh. She says she's the granddaughter of a rebel general who fought the U.S. Marines in 1933. She dropped out of medical school to fight the Somoza regime. Now 29, she's commandante of Managua:

"I cannot accept that we torture anyone in prison. We know too well under Somoza what torture is. But the war destroys normal living. We have over 7,000 dead. Our boys 17 to 20 who should be in college must fight the contras.

"We need negotiation with the U.S., not the contras. As [Daniel] Ortega says, we want to talk to the circus owners, not the monkeys. If Reagan gets his $14 million, the war goes on for years. Or Reagan invades our country.

"We think he [Reagan] is a serious man, not a joke. We are well aware of Grenada. We are aware of the 10,000 U.S. troops, the tanks and planes, on our border. If Reagan finds the right excuse, anything will happen."

THE INTELLECTUAL

Kabier Gorostiaga, a goateed, energetic man, is an economist and ex-Jesuit priest who runs the Nicaraguan Institute for Social and Economic Research. He talked about what might happen next:

"This country is in serious trouble. We're using 40 percent of the budget to fight the war. When you mobilize 100,000 people, you have a manpower problem. Coffee, cotton and sugar are all down. We have loans of $4.7 billion and no way to make payments.

"Yes we have terrific potential. This isn't the Sahara. It's a country rich in minerals, crops, perhaps oil. And the Sandinistas are trying something new in the Third World, a mix of Marxism, Christianity and nationalism. It's not a little Soviet. People don't read "Das Kapital." This is a country of poets, not philosophers.

"But Reagan is the best friend the Soviets have, because he's driving Nicaragua to the Marxist model. It could end two ways. We could have a Vietnam-type invasion and a new banana republic. Or we'll have a new relationship with the U.S. The future is quite scary."

The cynical ambassador was right. Everyone talks. The truth is hard to find—but the voices of Nicaragua are hard to ignore.●

NATIONAL SMALL BUSINESS WEEK

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. LUKEN. Mr. Speaker, I want to thank you for giving me this opportunity to recognize the millions of small business men and women of this country. They are responsible for creating new jobs and helping spur economic growth. Five out of seven new jobs in the last 2 years were generated in small firms. Truly, small businesses are the foundation of our Nation's economy.

This week, May 5 to 11, has been designated as National Small Business Week, It is appropriate that we salute our hard-working entreprenuers in this fashion. This week the 50 State small business persons of the year are here in Washington to celebrate their

success and their awards. I am pleased to congratulate these winners.

As chairman of the Small Business Subcommittee on Tax, access to equity capital and business opportunities, I am quite concerend that these businesses be given a fair shot to grow and expand in our economy. The essence of the American economic system of private enterprise is free competition. It is appropriate that we consider the small business community as we examine the proposed tax reform and tax simpification packages in the near future.

I am particularly pleased to recognize the Ohio Small Business Person of the Year, Mrs. Janet Makrauer from my home district of Cincinnati. She has made an outstanding contribution to our local business community through her business, Amko Plastics, Inc.

Small business men and women have always been known for their spirit of independence. This entrepreneurial streak in their nature has made possible many of our Nation's important research and innovations. It is important that this Congress continue to protect the climate necessary for this innovative spirit to grow and expand.

I thank you, Mr. Chairman. For allowing me a chance to congratulate these winners and support our Nation's vital small business community.●

RHEUMATOID ARTHRITIS RESEARCH DESERVES CAREFUL REVIEW BY NIH

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. PORTER. Mr. Speaker, yesterday two very important people, Mrs. Barbara Matia of Arizona and Mr. Douglas Reddan of California, testified before the Appropriations Subcommittee on Labor, Health and Human Services and Education, on which I serve. They came to speak about arthritis research and the work of Dr. Thomas Brown of the Arthritis Institute of the National Hospital in Arlington, VA. They are not scientists nor arthritis specialists. They came all the way to Washington to speak on behalf of the work of Dr. Brown because they believe Dr. Brown has found a treatment for arthritis that works. Both can attest to personal experiences that support Dr. Brown's work. Their testimony was fascinating and I urge my colleagues to review it. The testimony follows:

STATEMENT OF E. DOUGLAS REDDAN, TRUSTEE OF THE ARTHRITIS INSTITUTE OF THE NATIONAL HOSPITAL, ARLINGTON, VA.

Mr. Chairman and Distinguished Members of this Committee:

I am E. Douglas Reddan of Santa Barbara, a Trustee of the Arthritis Institute of the National Hospital for Orthopedics & Rehabilitation, Arlington, VA. Because two members of my family are arthritics, and unhappy with all available approved treatment methods, I have commuted monthly to Washington over the past 6 years studying the arthritis problem. I would like to tell you what I have found and I appreciate the opportunity to appear before you again for this purpose.

A half billion dollars of Federal funds over the past 4 decades have failed to produce any safe approved therapy offering even remotely comparable results to those achieved by Dr. Thomas McPherson Brown's unapproved antibiotic therapy. The approved drug of first choice, gold, has a 5-year success rate of only 10%. It has been reported in the literature as having the highest mortality rate of all prescribed drugs. This compares with Dr. Brown's 80% success rate over the same 5 year period with no toxicity problem.

The obvious question is why no approval.

Fifteen years ago promising clinical research in Dr. Brown's antibiotic approach to the disease was cut off from further NIH funding when a highly questionable short-term treatment program on only 13 patients, at Boston University, was interpreted by the rheumatology profession as disproving the efficacy of the antibiotic approach.

From that point on Dr. Brown went it alone financed by patient support. Today he is treating arthritics from all over the country, from all age groups, and all walks of life—including Congress, the White House, the Cabinet, the Supreme Court and the Embassies. With very few exceptions all are referrals from other physicians.

By now Dr. Brown has in all probability treated more arthritics than any other physician in the history of rheumatology—over 10,000. His practice is so crowded it takes up to a year for new patients to get an appointment. And, Dr. Brown is not alone; other physicians, under his guidance, in various parts of the country, are having similar success with his antibiotic therapy.

After spending several thousand hours with Dr. Brown, his colleagues at his Arthritis Institute and his patients, I've learned a great deal about the plight of arthritics and the hopeless, pain-racked future facing most of them. I've come to know he's closer to the truth about arthritis than anyone in the field.

The purpose of my testimony today is to suggest to this committee that a government sponsored clinical trial of Dr. Brown's antibiotic therapy is long overdue and that a reasonable course of action for this committee, in light of the markedly unimpressive record of existing approved therapies, and Dr. Brown's record of success, now clearly recorded in both retrospective and prospective clinical trials, is to see that such a clinical trial is underwritten by NIH.

The present annual cost of arthritis to the U.S. economy is $40 billion. That is due to grow to $100 billion by the year 2000, if such action is not taken now.

It is my hope that this Committee will lend its full support to a grant application for a trial of Dr. Brown's antibiotic approach now currently under review by NIH. The cost is only 2 cents per patient!

The rewards can be tremendous for all of us.

NIADDK's present position is that they will proceed only on a research basis of looking for the causative agent in the joint fluid of arthritics. When they find it they will find the means of attacking it. Idealistically, this sounds great; practically it makes no sense. None of the existing approved therapies were approved on this basis. If they were accidentally found to have positive effects on the disease, they were approved for use. In all cases long term usage brought out their severe toxicity problems—often worse than the disease itself.

The research approach proposed by NIADDK will take years. That means the benefit to today's patients is a long way off. I'm here representing millions of those patients. They want relief and control of their disease now. Dr. Brown's antibiotic treatment provides that. There is no justifiable reason for depriving these millions of its benefits now, short of the proposed clinical trial which can be conducted for pennies per patient.

Available independent data on a large group of patients clearly shows its long time disease control superiority over other therapies. To hold it back for years more from today's arthritics is, in my personal view, criminal.

When the proposed clinical trial is completed I have no doubt but that the results will change the direction of emphasis of most of todays arthritis researchers greatly enhancing the likelihood of a cure in the near future.

I'm sure you have noticed that a great deal of the support money provided and to be provided for arthritis programs is for the purpose of improving surgical techniques for joint replacement, etc. and teaching patients how to live with their arthritis. This is all surely needed but it is also a clear admission that approved therapies are not working.

I'm not a zealot—I'm simply a person able to recognize the difference between programs that are not working and one that is. Fifteen years ago a wrong turn was taken. The time has come to admit it. I'll be happy to answer any questions you may have.

TESTIMONY OF BARBARA A. MATIA

Mr. Chairman, Members of Congress and Staff:

I appreciate the opportunity to appear before you again.

It is hard for me to believe that the program that brought me from being bedridden as a result of rheumatoid arthritis to being fully functional in 6 years is still not widely available to the 36 million arthritics in our country today!

As you may remember from my testimony last year, the program I am talking about is a treatment program for arthritis developed by Dr. Thomas Brown of the Arthritis Institute of the National Hospital which uses antibiotics in conjunction with anti-inflammatories. As you may also remember, I told you that Dr. Brown told me the first time I met with him that I would be getting worse for a period of time and would then begin to improve each year thereafter as long as I remained on the program. It was because I worsened, as predicted, that I sensed this doctor was actually tinkering with the disease process that had made me feel so ill. The fact that this doctor had the confidence to tell me that I would be getting worse before I got better and the fact that that actually occurred showed that there was real significance to this program.

This is a program that arthritics travel from all over the United States and the world to receive; that patients are willing to wait more than 6 months to a year to re-

ceive for the first time; that the International Congress of Rheumatology selected for presentation at their annual meeting in Sydney, Australia later this month; that is safer and more effective over a long term, without toxicity, than any other treatment currently available; and that could lead us to a breakthrough to the cure for arthritis.

Three significant developments have occurred since I was here last year. First, Dr. John T. Hicks, a noted rheumatologist, has joined the Arthritis Institute because of the promise he feels Dr. Brown's work holds for relieving the suffering of arthritics. Immediately prior to joining the Arthritis Institute, Dr. Hicks served in the Rheumatology/Immunology Division of the Smith Kline Beckman Corporation where he was responsible for large-scale, controlled trials of oral gold therapy. Thus, he is experienced in developing, organizing and directing clinical trials of long acting drugs in double-blind studies.

The second significant event is the completion of an evaluation of the Arthritis Institute's patient records by an independent biostatistical firm of national reputation. Using 98 patients as the control group, this retrospective study indicated that after five years of treatment, over 70% of the control group were still benefitting from antibiotic therapy, a percentage far higher than with other treatment programs. The study concludes that in spite of the results noted in the 1971 Boston study, among others, a properly designed and managed clinical trial of the antibiotic treatment program is in order at this time.

The third significant development is that a grant application has been filed and is now pending at the National Institutes of Health requesting a clinical trial which will compare the antibiotic treatment program to gold therapy as a treatment for rheumatoid arthritis. Based upon my experience over the last three years discussing the antibiotic treatment program with the medical establishment, I believe that it will take the involvement of this subcommittee to make sure that the opportunity before us does not die in the peer review committees. The grant application calls for a political decision, not a medical decision. The political decision is whether this subcommittee thinks the 36 million arthritics are worth 2 cents per year over the next 3 years which could potentially lead to the availability of the best treatment program for arthritis yet known. It is the clinical trial which will provide the medical decision! If the peer review committees turn down the grant on the basis of earlier trials improperly conducted, or if this grant is not made for whatever reason, we may have missed one of those rare opportunities in the history of mankind to positively affect the human condition. When you consider that the amount being requested is only six cents per arthritic, can we afford not to permit the trial to be conducted?

To the arthritics in this country, this grant could mean the difference between just coping and a full life, pain and no pain, crippling and no crippling, and despair and hope.

Let us all stay involved in the processing of this application so we can put this program to the test! This could be the best 6 cents the Federal Government has or ever will spend on me!●

AN AMERICAN RESURGENCE IS UNDERWAY—HAVE YOU NOTICED?

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. PETRI. Mr. Speaker, recently Mr. Robert V. Krikorian, chairman and chief executive officer of Rexnord, Inc., gave a very interesting and valuable speech on the subject of America's resurgence. So that Mr. Krikorian's remarks may be available to a wider audience, I ask that this speech be inserted in the RECORD at this point:

AN AMERICAN RESURGENCE IS UNDERWAY—HAVE YOU NOTICED?

I want to address you today as a representative of the capital goods industry, which a couple of years ago was regarded as increasingly non-competitive, saddled with obsolete plants, without much hope for the future. Some of the more imaginative journalist called us the "rust belt."

Earlier this year, the Center for the Study of American Business at Washington University in St. Louis, issued a paper examining the problem. The study suggested that those predicting the "rust belt" phenomenon were drawing long-term pessimistic conclusions by merely extending short-term data over a longer period of time. This rather simplistic approach is being proven wrong.

Conventional wisdom in the early days of this decade was that the "post industrial" era was upon us and that manufacturing would decline, transferred to other parts of the world, most notably to the Far East. There is indeed a trend to the Far East for capital goods manufacturing, but if we in this nation stay ahead of competition—which we are doing with increasing success—we can retain our lead. I think our American economic system works best when challenged to be creative. That's the condition I see right now—through cooperative effort, we're meeting the challenge and are becoming stronger.

Management of American industrial companies have awakened to the fact that we are operating in a global market requiring a global outlook. We're still going to manufacture products that American and world industry needs, but our factories are becoming more flexible, efficient, smarter and better. The microchip is finding a place on the factory floor. What we're increasingly seeing is fewer people making more and more products for more and more people. And let me emphasize that we're accomplishing this without a national industrial policy and without central economic planning.

American industry is going with—and in many cases is leading—what I believe is a national resurgence. I can see it all around us. The economy is on the move, inflation is down, interest rates are falling, there's a new emphasis on product quality, plant utilization is up and there's a feeling of shared commitment between labor and management.

But I think it would be fair to ask an obvious question, how can there be a national resurgence when:

The national deficit is still sky-high

Our negative balance of payments is growing rapidly

Many of our cities still aren't safe

Unemployment is still at 7.2 percent

We still have the hard-core poor

Is this what resurgence looks like?

Yes, I think it probably is. That's the way our system works . . . in fits and starts. Nobody ever claimed that our free society is neat, well-ordered or predictable. While this is the system that offers each individual American the best chance for opportunity and personal growth, it takes time to change negative attitudes built up over recent years, attitudes such as:

No growth

Reduced personal expectations

Attacks on traditonal values

A national "malaise"

And an onslaught of national self-criticism—it seems that for a long time, some of the most spiteful criticsm of the United States came from our fellow Americans!

I would liken our current condition to an outstanding athlete starting to train and compete after a long layoff. Muscles are sore and some parts of the body aren't working too well yet, but our performance is getting better and with determination we can continue our world leadership position.

Four things strike me about our national resurgence and I want to discuss each briefly:

First, and possibly most important, is the awesome force inherent in our American economic system. This was almost totally unexpected by most pundits and economists here and abroad. We had apparently lost sight of the fact—or we forgot—that our system works best when left relatively unattended by the government. That's the very nature of our system. It's built in.

To put the thoughts of the late Harvard teacher and economist, Joseph Shumpeter, into a present day context, the American economic system, not by coincidence, Shumpeter would say, but by virtue of its merchanism, progressively raises the living standard and quality of life of the American people.

The second thing that strikes me is the natural optimism, the national pride, the buoyant outlook that is native to our people.

What some people call our "gross national spirit" seems to be on the rise. Five years ago, in 1979, Public Opinion magazine reported that the average American said that he was worse off than five years before, and that he would be even worse off five years later. Last year, the poll was taken again and our average American felt that he was better off than five years ago, and was confident that he would be even better off five years from now. Other polls show a similar spirit.

There are plenty of other optimistic signs that are clearly visible: Inflation is way down and I believe that it is going to stay down. Employment is up and unemployment has been coming down. The index of leading economic indicators over the last two years or so have been good, with recent months leveling off—which I think is healthy. Industry Week magazine recently released its annual CEO survey which showed that 78 percent of surveyed companies planned increased capital spending in 1985 and about 40 percent have plans to expand production capacity—and this last figure has been typically in the 20 percent range. This survey, however, was taken before the proposed changes in the treatment of depreciation for tax purposes were announced.

My perception is that today more Americans feel that we're in charge of our own future. We have a growing confidence in ourselves and in our country—we know that we can solve many of our own problems—that our problems are solvable if we let our system work.

Nonetheless, we do have problems that are serious. We still have hard-core unemployed and single-parent families that are second and sometimes third generation. We continue to live in an unsettled world and we are still struggling with opposing views of what role government should play in our lives.

But as we are solving our other problems by letting the American system work, we will make progress in solving some of these problems as well.

The third thing that strikes me about our national resurgence is that we're recapturing some strongly held feelings that have been traditional to the American people.

For example, the feeling of self reliance as individuals. This becomes very apparent when we look at how many Americans volunteered to work on worthwhile projects—usually in the neighborhoods and local communities. In 1983, 92 million people contributed time that was worth $70 billion—that's an increase of 8 million people over 1981.

Voluntary giving is up, too. In 1983, $65 billion was contributed, a ten and a half percent increase over the previous year.

On a more sobering note, many of us as individuals—especially more fortunate, affluent individuals—should be giving more. Beginning with the 1982 tax year, the maximum tax rate on personal income was lowered from 70 percent to 50 percent. But while one survey showed that personal giving by those in the $15-30,000 earnings range increased their giving by 6.8 percent, those making $50,000 and more decreased their giving. I know that much of this money which isn't contributed is being invested, which creates more jobs and makes for a better society. But I do believe that those of us who benefit most from our system must shoulder our share of the load.

I'm personally pleased to see a commitment to corporate giving spontaneously springing up throughout the nation. Five percent and two percent organizations started in the Twin Cities in Minnesota and have spread to such places as Seattle, San Francisco, Phoenix and other cities, most recently including Milwaukee. In just one year, 107 businesses in Milwaukee reported that they are contributing at least two percent of their domestic pre-tax earnings to worthwhile community and national organizations. Just think what could happen if such a movement was promoted by Rotary or other groups in this city!

And the fourth thing that strikes me about our national resurgence is the increasing awareness that there are values in our free society that we live by, that they are valid and important to a free society after all, and are worth passing along to our children. A free society is dependent on such values as honesty and ethical behavior, morality and religion, family values, the rule of law, the sovereignty of the individual and the simple virtue of helping our neighbors.

It seems to me that one of the striking features of this year's presidential election was the issue of religion.

The important thing about this issue is that it became an issue at all. And I think that was healthy. Because religion is so closely tied to societal values, the issue got people thinking about the place those values play in our lives—in our political and personal lives and in our schools and other institutions.

I hope that during the next few years we will see more dialogue and serious discussion. This is too important to conceal behind cliches or slogans. Religion has always had a major role in our national life and we short-change ourselves and especially our children if we deny or ignore it.

To try to teach American history without explaining the influence of religion on our founding fathers is an incomplete reading of the subject. To try to illuminate the teaching of the law while forced to ignore the great laws of religion—including the Ten Commandments—is to cripple the teacher's ability to teach. To reduce the teaching of values to what is called "values clarification"—where all values are equally valid—only produces confusion. I hope that the dialogue about religion will heed the words of historian Will Durant: he said, "There is no significant example in history, before our time, of a society successfully maintaining moral life without the aid of religion."

One of the prophets of our national resurgence has been Adam Smith. Critics of the ideas of Adam Smith complain that he extolled the benefits of self interest rather than a commitment to the common good. Yet Smith saw clearly that while self interest would lead to the common good, it would do so only if most people in society accepted shared ethical and moral values as a guide to their behavior. The United States is a nation with shared values and the success of the American system has certainly proved Adam Smith right.

I recently completed a three-year term as chairman of the board of the Ethics Resource Center, a national organization devoted to extending personal, political and economic freedom by strengthening the ethical values that make them possible. This experience gave me a sharpened sense that:

First, ethical values are what hold our diverse society together. From our earliest history, the United States has been a heterogeneous, pluralistic society. We are a nation of immigrants whose roots extend to every other nation and culture on earth. We've seen other nations torn apart because their cultural, ethnic or racial pluralism acted as a centrifugal force, hopelessly dividing their people. What was it that enabled our pluralistic society to so far avoid this calamity? Only one thing: a shared system of ethical values. Because we shared common values and a common hope, we could trust each other. However, it seems to me that we in America are also in danger of becoming caught in the centrifuge of pluralism. We seem to be loosening our hold on the nation's greatest dream—E pluribus unum, out of many, one. The metaphor of the "melting pot" may no longer be operative. We seem to perceive more readily our differences, our special interests, than we do our common interests and the deeply shared values that make freedom and pluralism possible. This is a trend that we must work to halt.

Second, I've found that people in and out of business are increasingly concerned with ethical conduct. I'm always distressed to hear fellow business people concede that we should operate honestly and ethically, even though this makes it harder to be successful. This is nonsense. Ethical conduct makes it easier to do business—in the short and the long run.

And third, I believe that each of us as individuals has an ethical responsibility for our families and neighbors. In the same way, each of us as a corporate citizen has a similar responsibility for our community, state and nation. So I see a direct link between ethical values and discharging our responsibilities through voluntary action.

I recently joined the Board of Directors of an organization called VOLUNTEER: The National Center for Citizen Involvement. VOLUNTEER is doing some exceptional work through its national network of Voluntary Action Centers. This organization is headed by former Michigan Governor George Romney, who is deeply committed to voluntary citizen involvement in our society. "Volunteerism," says Gov. Romney, "is the price of freedom."

Anthropologist Margaret Mead once observed, "If you look closely, you will see that almost anything that really matters to us, anything that embodies our deepest commitment to the way human life should be lived and cared for, depends on some form—often many forms—of volunteerism."

So we have a national resurgence. But what can American business people do to make sure it keeps going? Just one thing, it seems to me. And that is to recognize the inherent strength in our American system and help make it work. I would like to suggest five ways to make this happen:

First, don't panic when some part doesn't work as well as we would like. Let our system work, but even more important, preserve our system so we are able to pass it along to succeeding generations.

Second, resist the powerful impulse to run to the government when we think we need help—and here I would mention subsidies, tariffs, special legislation or other preferential treatment.

Third, give support to individuals, companies, public servants, educators and others in their efforts to strengthen our system.

Fourth, make a major effort to assure that ethical conduct is expected in all levels and functions of our companies and businesses.

And fifth, encourage and reward those people in our organizations who voluntarily engage in worthwhile outside activities. This not only makes for better communities, but it sharpens the leadership abilities of our people and makes them better employees.

I believe that the American system of laws and limited government is the best governmental system ever devised. If the ultimate test of a national system is how well it can and does serve people, then ours is superior to any other.

It's up to us to support it and to make it even stronger.●

CONSUMER MONEY SHOULD FUND CONSUMER REPRESENTATION

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. MARKEY. Mr. Speaker, today, I introduce a bill with my colleagues Messrs. LELAND and WAXMAN that would guarantee consumer representation at future telephone rate proceedings at the State and Federal level.

The last decade of change in the telecommunications industry has been

nothing short of epochal. During this momentous period, the consumer has seen many changes and proposals being discussed without a consumer representative sitting at the table. As frequently happens at such discussions, those who are represented look after their interests very well, and those who are not represented suffer. Consumers have suffered at rate proceedings throughout the country because they have not enjoyed adequate representation. This proposal will help us achieve that goal.

In November 1984, the Federal Communications Commission ruled that AT&T had overcharged consumers by approximately $101 million through 1978 overcharges on interstate and overseas phone rates. The rate of return set by the Commission was set at 10 percent, but in fact AT&T had earned 10.22 percent. With interest, the sum now due consumers is at least $178 million.

This bill would set aside $35 million of that total for consumer representation in State and Federal rate proceedings. A board consisting of representatives from consumer groups, small business, National Association of Regulated Utility Commissioners, National Association of State Utility Consumer Advocates, and the National Association of State Attorneys General would administer the trust fund. Proceedings from the trust fund would be distributed each year to groups seeking to represent residential and small business consumers in rate proceedings.

The rest of the refund money would be returned to consumers under the proposed FCC plan. Consequently, this proposal creates a solid funding for consumer interests and still gives some money back to consumers.

I urge my colleagues to support this proposal as a sound method of financing adequate consumer representation. This proposal would provide limited and controlled funds to groups representing constituents not adequately represented.●

A TRIBUTE TO JACK DAUM

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. LUJAN. Mr. Speaker, I wish to pay tribute today to Mr. Jack Daum, a long-time employee of the Committee on Interior and Insular Affairs, who retired on April 1, 1985.

Jack was the very first Republican staff member of the Interior Committee, having been hired for that position when minority staff positions were authorized in 1974.

There are a lot of things I could say about Jack, who has distinguished himself in many ways, but I would like to include in the RECORD an article written by some of his friends and fellow staffers.

I think the following article captures the measure of the man in a unique and colorful way:

HOW DO WE REMEMBER JACK DAUM?

(By His Fellow Staffers)

Jack Daum officially retired from his congressional staff position on April 1, 1985; even though here it is mid-May and he hasn't yet cleaned out his desk and departed the premises.

Those of us who have been his friends, and worked with him professionally over the years, will not soon forget him.

You see, Jack was truly a remarkable individual. He was a man of strong personal convictions, fierce pride, and one who was a dedicated professional. When he believed in something, he could be strongly partisan, and he never backed off from a fight.

At the same time, he worked well with staff professionals from the other party, and tried to be accommodating in every way possible. He was one who did his homework and wanted to be fully informed on any issue or legislative matter in which he was personally involved.

If this made him opinionated in the eyes of some, and unwavering in the minds of others, it just may have been that he knew more about a given subject than many of those around him.

Jack was an incessant reader, on a wide range of subjects. That might help explain why he was a successful newspaper reporter and editor, political activist, public relations expert, and congressional staffer.

His newspaper experience included several years with the old Washington Times-Herald, where his investigative reporting received him a Pulitzer nomination; and service with the Daily News-Miner in Fairbanks, AK, and the Daily Alaska Empire in Juneau.

While in Alaska in the early 1950's, prior to statehood, Jack became somewhat of a legend, not only because of his skills as a reporter, but as a radio personality, and as one who didn't hesitate to make the news on several momentous occasions.

Two of his more notable activities included single handedly capturing a wild bear cub, for a local zoo, and helping engineer the removal of a whale carcass that had washed ashore. Media cameras were rolling on each of these occasions.

While working in Alaska, Jack met and married a young coed at the University of Alaska, the former Alice Plunkett. This union produced eight children, five daughters and three sons.

On leaving Alaska in 1956, Jack made his way to southern California, where he was an early activist in the conservative political movement that was later to produce several prominent political figures, including the President of the United States.

Jack remained active politically, after moving to Santa Fe, NM, in 1963, and his work on behalf of Congressman Manuel Lujan, Jr., landed him a congressional staff job in Washington in 1969.

During his 11 years on the staff of the Interior Committee, he was best known for his expertise on Indian issues and water legislation affecting Western States.

An avid fisherman, Jack found his way to Deale, MD, where he bought a home on the Chesapeake Bay; and always seemed to be the owner of one or more boats, even if they weren't all seaworthy. Widely known on the bay, as either "High Pockets" or "Capn' Jack," he was the man many people turned to for information on where the fish were biting.

His latest boat was appropriately dubbed "The Office," and when anyone inquired as to Jack's whereabouts, the obvious answer took on special meaning to those who knew him.

Besides his family and job, Jack had many other interests, including a leadership role in various American Legions posts, and work with underprivileged youth.

It always went without saying that Jack had an understanding wife, who never knew when he was coming home; and when he did, she many times would welcome one of his new friends, usually someone temporarily down on his luck, who would take up residence in the family guest room.

While not everyone who knew him recognized Jack as a man of impeccable character, without exception everyone knew him as a genuine "character." He was quite capable of perpetrating the "master con," if in his mind circumstances warranted it. And, quite often the circumstances did.

Jack never spent a lot of money on new suits. Had he done so, in his mind this would have smacked of pretentiousness, and, more importantly, would have been a downright waste of good money.

In early June, Jack will be departing his home on the Chesapeake Bay, and returning to his adopted State of New Mexico. He will be exchanging life on the bay, for the more tranquil, but equally enjoyable, trout fishing in New Mexico's northern mountains.

Those who knew and worked with Jack wish him well in retirement. His friends and acquaintances on the Hill include Members, who knew they could depend on Jack for that "quick in-depth speech"; fellow staffers who could turn to him for that needed information on almost any subject; and a multitude of others who Jack befriended at one time or another, or invited for a memorable day on the bay.

With his departure, will Jack soon become the forgotten man? Not on your life. To a lot of people on Capitol Hill, from all walks of life, Jack Daum is the man who won't soon be forgotten.●

THE 1984 CONTRIBUTIONS TO THE UNITED NATIONS FUND FOR DRUG ABUSE CONTROL

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. GILMAN. Mr. Speaker, the worldwide epidemic of drug trafficking and drug abuse continues to intensify at an alarming rate, and the associated problems of crime, corruption, and terrorism have reached epidemic proportions. Reports released earlier this year by the International Narcotics Control Board [INCB], the Department of State, the House Foreign Affairs Committee, and the House Select Committee on Narcotics Abuse and Control, on which I serve as the ranking minority member, all attest to this situation. It is clear that the produc-

tion and trafficking of drugs, financed by organized crime, is undermining the political, economic, and social institutions of the entire international community. Despite the efforts of this Nation to assist drug producing countries to reduce an eliminate the illicit production of drugs, we expected more drugs than ever before to be produced this year and to be available throughout every city, town, and school district in our Nation.

The international drug trafficking syndicates use their vast profits to develop sophisticated techniques to cultivate, process, and market illicit narcotics. These profits allow them to assemble the most modern boats, aircraft, radar, and other equipment to conduct their clandestine operations. Many nations are beginning to take positive steps against drug trafficking and drug producton within their own borders. For example, under the leadership of President Belesario Betancur of Colombia, since mid-1984, that government has begun an intensive campaign against drug traffickers. It has destroyed numerous cocaine processing laboratories and seized more than 37 tons of coca/cocaine and thousands of tons of marijuana. In addition, it has extradited several drug traffickers wanted in the United States, which to date has already resulted in one conviction.

Actions such as those taken in Colombia have led to increased frustration by the drug traffickers, including increased acts of terrorism. The Minister of Justice of Colombia has been murdered, coca eradication and crop substitution specialists in Peru have been gunned down, our embassies have been bombed, hit squads have been sent to our shores, and a price tag has been placed on the head of our drug law enforcement officials by the drug traffickers.

It is also significant that drug producing nations are beginning to feel the impact of drug abuse and the corruptive influence of the drug traffickers in their own countries. In Burma, Peru, Bolivia, Colombia, Mexico, Pakistan, and Thailand, drug abuse has become a serious problem, and this in abuse is leading drug producing nations to the unavoidable conclusion that drug production must be brought under control.

In order to overcome the global menace of drug abuse and narcotics trafficking, it is essential that all nations of the world join together in a coordinated and cooperative effort to combat illicit drug production and drug trafficking. A key element in any such worldwide effort is the United Nations Fund for Drug Abuse Control [UNFDAC]. Since its establishment in 1971, UNFDAC has been instrumental in calling attention to the needs of the world community in fighting the deadly scourge of drug trafficking and drug abuse. Under the very capable leadership of executive Director, Dr. Guiseppe di Gennaro, the Fund is currently developing projects to control the illicit production of coca in the sub-Andean region of South America. These special projects are the direct result of a 5-year, $41 million pledge from the Government of Italy, which is to be commended for its most generous contribution to UNFDAC. Both the Government of Italy and Dr. di Gennaro are also to be commended for their dedicated efforts to combat drug trafficking and drug abuse.

Despite these worthy actions, contributions to UNFDAC by many nations are nominal, and in some cases nonexistant. In 1981, only 35 of the 157 member nations of the United Nations contributed a total of $4.9 billion to the Fund, which when combined with private contributions of $754,150, equaled a total of $5.6 million. In 1982, 42 nations contributed a meager $6.7 million to the Fund; private donations amounted to $581,929 for a grand total of only $7.3 million. In 1983, the number of nations contributing to the U.N. Drug Fund dropped to 28, and collectively they pledged a paltry $3.7 million. When combined with private contributions of $255,953, the total for 1983 amounted to a mere $3.9 million.

In 1984, the number of nations declined to a record low of 17 or less than 11 percent of the 159 member nations of the United Nations. Although the amount contributed increased to slightly more than $8 million—$8,028,926—when combined with private donations and interest of $561,654, the global "war" on drugs amounted to only $8,590,580. The bulk of the increase, however, can be attributed to two nations: Italy and the United States, which contributed $7.3 million or 91 percent.

At the November 1984 United Nations Pledging Conference for Development Activities, the number of nations that pledged to contribute to UNFDAC increased to 25 or less than 16 percent of the United Nations membership, with contributions amounting to a meager $2,357,950—hardly enough to purchase a sophisticated high-speed coastal patrol boat.

At a time when international drug syndicates are reaping huge profits from their illicit activities and continue to undermine the social, economic, and political institutions of the international community, anything less than total support of UNFDAC by nations of the international community raises serious questions about our resolve in fighting this global drug menace. Annually scrapping together between $4 million and $8 million by the entire world community is not the way to effectively conduct a "global war" on drug trafficking and drug abuse. In this regard, nations of the world must intensify their commitment to waging "war" on drugs by developing a global drug strategy and by providing the funds, personnel, equipment, and resources to implement that strategy.

Finally, it is important that other U.N. agencies intensify their drug-related efforts and devote greater resources to the issues of drug abuse. The World Health Organization [WHO], the International Labor Organization [ILO], the Food and Agriculture Organization [FAO], and the United National Educational, Scientific and Cultural Organization [UNESCO] must elevate drug-related activities to a top priority on their agency programs. In addition, we must change the current practice in which UNFDAC underwrites significant portions of the drug-related activities of the WHO, the ILO, the FAO, and UNESCO. It is time for these organizations to fund their drug-related activities out of their own regular budgets rather than relying on UNFDAC's scarce dollars derived by the voluntary contributions of member nations to support their activities.

Mr. Speaker, in an effort to inform my colleagues on the level of contributions to the U.N. Fund for Drug Abuse Control and to urge them to continue to support the vital work of this organization, I am inserting at this point in the RECORD four documents: A status report of cash contributions or pledges received during the years 1971–83; a status report of cash contributions pledged or received during 1984, as of October 31, 1984; a report on pledges announced for 1985 at the United Nations Pledging Conference for Development Activities, November 7–8, 1984; and a report of UNFDAC funding and expenditures for other U.N. drug-related agencies.

Annex I.—United Nations Fund for Drug Abuse Control—Status of cash contributions pledged or received during the years 1971–83 as of October 31, 1984[1]

[1971–83 contributions in US dollars]

Algeria	7,995
Argentina	86,000
Australia	2,127,877
Austria	516,937
Bahamas	5,000
Barbados	1,750
Belgium	167,503
Benin	1,667
Bolivia	6,000
Brazil	48,000
Canada	2,104,541
Chile	27,500
Cyprus	6,582
Denmark	433,026
Egypt	4,000
Finland	156,053
France	1,388,646
Germany, Federal Republic of	9,361,257
Greece	23,799
Guyana	487
Holy See	1,000
Hong Kong	172,907
Iceland	23,900
India	42,000
Indonesia	8,000

Iran	43,715
Iraq	20,032
Ireland	20,000
Israel	4,500
Italy	953,161
Ivory Coast	1,211
Jamaica	7,505
Japan	2,705,682
Jordan	2,000
Kenya	24,386
Kuwait	26,000
Libyan Arab Jamahiriya	16,460
Liechtenstein	6,000
Luxembourg	1,000
Madagascar	6,400
Malawi	1,014
Malaysia	21,500
Malta	2,580
Mauritius	3,338
Mexico	10,000
Morocco	29,275
New Zealand	311,223
Nigeria	14,778
Norway	8,014,740
Oman	997
Pakistan	5,546
Panama	2,470
Philippines	17,979
Portugal	19,000
Qatar	62,000
Republic of Korea	13,500
Rwanda	1,066
San Marino	1,500
Saudi Arabia	657,000
Senegal	6,204
Singapore	3,000
South Africa	52,474
Spain	20,000
Sri Lanka	500
Sudan	1,000
Suriname	2,000
Sweden	3,776,873
Switzerland	340,379
Thailand	9,000
Togo	652
Trinidad and Tobago	1,000
Tunisia	17,342
Turkey	39,773
United Arab Republic	12,000
United Kingdom	936,347
United Republic of Cameroon	4,504
United States of America	35,270,000
Uruguay	1,000
Venezuela	16,000
Viet Nam	1,000
Yugoslavia	69,288
Zaire	500
Total	70,330,821
Public donations	2,543,449
Interest income (31.12.83)	4,156,683
Grand total	77,030,953

[1] This cumulative list shows all contributions pledged or received during the period 1971-83 irrespective of the year of application.

Annex II.—United Nations Fund for Drug Abuse Control.—Status of cash contributions pledged or received during 1984 as at October 31, 1984 [1]

[1] List showing contributions pledged or, in the absence of a pledge, received during the first 9 months of 1984.

[1984 contributions in US dollars]

Barbados	250
Canada	241,723
Greece	2,000
Hong Kong	12,791
Ireland	5,000
Israel	4,764
Italy	4,802,000
Malta	215
Mexico	706
New Zealand	23,652
Norway	51,367
Saudi Arabia	50,000
Sweden	37,229
Switzerland	34,523
United Kingdon	260,370
United Republic of Cameroon	2,336
United States of America	2,500,000
Total	8,028,926
Public donations	175,476
Known interest income in 1984	386,178
Grand total	8,590,580

ANNEX IV.—UNITED NATIONS FUND FOR DRUG ABUSE CONTROL—1983 FUNDING AND EXPENDITURE BY EXECUTING AGENCIES

[In thousands of U.S. dollars]

Agencies	Program [1]		Expenditure	
	Amount	Percent of total	Amount	Percent of program
DND	$3,170	34.5	$3,027	95.5
ILO	150	1.6	33	21.8
FAO	513	5.6	290	56.5
WHO	743	8.0	502	67.5
UNSDRI	74	0.8	55	74.3
UNESCO	208	2.3	173	83.2
UN/DTCD	62	0.7	27	43.6
ILANUD	23	0.3	22	95.7
UNDP/OPE	2,703	29.4	1,347	49.9
Subtotal	7,646	83.2	5,476	71.6
Grants to non-UN organizations	45	0.5	44	97.8
UNDP/UNFDAC working arrangement	735	8.0	631	85.9
UNFDAC [2]	764	8.3	645	84.4
Total	9,190	100.0	6,796	73.9

[1] Figures based on approved allocations of funds.
[2] Includes UNFDAC Administration and evaluation of projects.

Annex V.—United Nations Fund for Drug Abuse Control—Pledges Announced for 1985 at the U.N. Pledging Conference for Development Activities (November 7-8, 1984)

Country or area	
Australia	$126,050
Austria	69,767
Cameroon, Republic of	2,128
Chile	5,000
Denmark	13,455
Ecuador	2,500
Egypt	1,000
France	159,575
Germany, Fed. Republic of	728,477
Iceland	2,000
India	10,000
Indonesia	2,000
Italy	263,158
Jamaica	235
Kenya	3,660
Madagascar	2,000
Malaysia	8,500
Norway	677,966
Pakistan	1,754
Panama	2,470
Saudi Arabia	50,000
Spain	36,235
Switzerland	36,000
Turkey	15,570
Yugoslavia	6,000
Total	2,225,500

SBA OK'D LOANS TO COMPANIES LINKED TO ALLEGED MOB FIGURES

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. DREIER of California. Mr. Speaker, yesterday I submitted for the RECORD part 1 of a five-part investigative series by Newsday on improper loan practices involving Long Island businesses which were financed by the Small Business Administration. Today, I would like to submit part 2 of that series, published in the May 6 issue of Newsday, while reiterating that I do not believe the questionable activities outlined in these articles are widespread. However, at a time when we can no longer afford to overlook wasteful Federal programs, it is important that we examine the deficiencies in the SBA to make certain that the agency's programs are serving a public need, rather than creating more inefficiency in the Federal bureaucracy.

[From Newsday, May 6, 1985]

SBA OK'D LOANS TO COMPANIES LINKED TO ALLEGED MOB FIGURES

(This is the second in a five-part series on publicly financed small business loans, the result of a 13-month investigation by reporters Brian Donovan and Bob Porterfield of the Newsday investigative team. More than 5,000 documents were examined and 120 persons interviewed. The series was written by Donovan.)

While various federal agencies fight organized-crime figures on Long Island, another one sometimes helps finance them: the Small Business Administration.

A Newsday investigation has found loans totaling $1,635,000 from the SBA to at least six Long Island companies that have been linked to reputed organized-crime figures and their business associates.

All of these loans have become problems for the SBA—and the taxpayers—and the agency's handling of the loans illustrates some of the shortcomings that congressional investigators have found in SBA procedures around the country.

For example:

The SBA loaned $500,000 to an East Islip car dealership without asking questions that might have disclosed the financial interest of Michael Franzese, named by federal prosecutors as one of Long Island's major organized-crime figures. After a few payments, the SBA loan went into default.

The SBA granted a series of loans on a Smithtown restaurant despite its well-publicized history of mob involvement and defaulting on debts. SBA officials say that a $350,000 loan on the restaurant is now delinquent, but the agency has negotiated away its first claim on the collateral.

The SBA loaned $150,000 to a Huntington car lot run by a Franzese associate, Donald Pumalo, without checking to see if he had the required state car-dealer's license, which he didn't. The loan helped keep Pumalo's corporation in business while he used the company to defraud a bank. He then defaulted on the SBA loan, leaving the agency no collateral.

The SBA loaned $150,000 to a St. James car lot, Auto Omni Inc., without discovering that its owner had a criminal record. When Auto Omni defaulted on the loan, another firm in which the owner was involved got a second $150,000 SBA loan for a car lot at the same address. That company defaulted as well, leaving the SBA with no collateral for either loan.

The SBA loaned $250,000 to a Dix Hills country club run by Salvatore Avellino, since accused of being a mob soldier. Half of the money was supposed to have been used to put up a building. But when Avellino defaulted, the SBA found it couldn't foreclose because its collateral didn't include the land under the building.

In some of these cases, deeper background checks could have established the criminal records or associations of the loan applicants. In other instances, closer attention to such basic procedures as verifying required business licenses and securing loan collateral could have prevented losses to applicants whose criminal activities or associations did not become apparent until long after the loans were granted.

Such cases, to be sure, represent only a small fraction of the hundreds of loans the SBA makes on Long Island, and SBA officials say they do not knowingly make loans to mob-connected businesses. Fraud against lending institutions is one of the specialties of organized crime, and SBA officials say it is not surprising that their agency sometimes gets stung.

But the extent of this sting on Long Island remains in question. SBA officals have refused to release key records on these loans and others suspected of similar links to the underworld. Walter Leavitt, who heads the SBA's Long Island office in Melville, repeatedly said he was under orders not to discuss details of how these loans and others were granted.

The SBA has denied Newsday access to its records on failed loans, despite a federal court ruling that such files are public. Some records were obtained by Newsday under the Freedom of Information Act. But key passages were censored. Information for this article has been assembled from public documents, interviews, and fragmentary SBA records obtained through other channels.

Leavitt said mob-related loans discovered by Newsday do not indicate that SBA operations here are more lax than elsewhere. Ever since the SBA went into business in 1953, periodic scandals have erupted around the country over loans to mobsters and their companies.

'I think it's happened all over the SBA, nationwide," Leavitt said. "Any organization that deals in money has problems, whether it's a bank, the SBA, a finance company, anybody. There are guys sitting up nights trying to figure out ways to get something for nothing. Things, do go through the cracks, and we make mistakes."

Nevertheless, practices leading to such mistakes have been documented repeatedly in reports by congressional committees and the SBA's own inspector general. They include granting loans not backed by adequate collateral, relying too heavily on investigations of applicants by banks granting SBA-guaranteed loans, and failing to monitor collateral so it doesn't disappear when loans go bad.

For instance, the General Accounting Office, the investigative arm of Congress, reported in 1981 that "SBA routinely honors the guarantee agreement with participating banks without knowing the existence, condition and location of collateral pledged to secure the loan." Only 4.6 percent of the collateral's stated value was recovered in the loan sample cited by the GAO.

In 1983, the SBA inspector-general's office, which investigates mismanagement and corruption in the agency, criticized the New York district office, which includes Long Island: "The major causes attributable to the New York District Office of troubled loans were inadequate loan processing and, to a limited extent, closing and servicing practices, making possible loan actions based on incomplete and inadequate documentation and analysis, contrary to agency policies and procedures."

The inspector general's office, however, is not without its own problems. Until last year, when Newsday began looking into the SBA, the agency had only one investigator from the inspector general's office assigned to the New York metropolitan area. Now, the New York office has three investigators to monitor one of the nation's major centers of business—and organized crime.

SBA officials say they have no system of liaison with local or state law enforcement agencies. The agency's only method for screening loan applicants for criminal connections is to send principals' names to Washington for an FBI computer check. "It's not foolproof," Leavitt said. He also said that added checks with local law enforcement and regulatory agencies would strengthen the loan procedure. But, he added, such a policy would have to be implemented on a national basis.

A problem in the past, said Leavitt, has been pressure under previous administrations to make as many loans as possible. ". . . We had quotas. You didn't make your loans, you'd get calls from Washington saying: 'What are you guys doing up there?' "

When a mob-connected company defaults on its SBA financing and goes out of business, the damage often goes beyond the loss to the taxpayers. Typically, the company also fails to pay its suppliers, which may be other small businesses unable to survive the loss, and runs up delinquent balances with utilities, insurance, workers compensation and state and local taxes—all losses that ultimately are passed on to the public.

RUMPLIK CHEVROLET

As business associates, Walter Doner and Michael Franzese seemed a mismatch. A casting director might choose Doner to play an "Our Town" sort of character: the affable, folky, small-town car dealer, active in Rotary, Chamber of Commerce, Little League, a trustee of his church.

For Franzese, the role would likely be cast to type: the streetwise son of a prominent gangster, handsome, articulate, his manner alternately charming and steely, outspokenly bitter toward the government, veteran of several brushes with the law, target of an extensive federal investigation into his business dealings.

Franzese, identified by federal prosecutors as a soldier in the Colombo crime family, denies any connection with organized crime. He was recently acquitted on loan-sharking charges and says he is the victim of the federal government's enmity toward his father: John Franzese; known as Sonny, a reputed Colombo family captain.

Mismatched or not, Doner and Franzese were the main players in a chain of events that included a defaulted $500,000 SBA loan and the financial collapse of one of East Islip's older businesses, a 58-year old Chevrolet dealership, Rumplik Chevrolet, of which Doner was president. The collapse also cost about 25 people their jobs and left behind at least $300,000 in unpaid debts.

Now Doner, who already is under indictment for tax evasion, says prosecutors have told him that he and Franzese will be named in another indictment. "Part of it is SBA fraud," Donor said, adding he believed neither he or nor Franzese did anything wrong. Franzese invested $100,000 in the business, borrowing the money from a bank and never repaying the loan.

Walter Leavitt, who heads the SBA's Long Island office in Melville, said the agency had no idea of Franzese's involvement. His name is not on the 1982 loan application. "If I had seen that any place, it would have jumped off the page," Leavitt said. Federal sources said that Michael Franzese has been considered an organized-crime figure by the FBI for the past six years.

Although the SBA has refused to release the Rumplik file, records obtained by Newsday show that the agency did not ask a key question that could have revealed Franzese's interest. Part of the loan was to start a car-leasing business at the agency. For tax purposes, car dealers generally form separate corporations to handle leasing. Nowhere in the voluminous SBA paperwork was Doner asked whether he would actually own the leasing corporation. That corporation was owned by Franzese.

The Rumplik loan was a government-guaranteed loan made by the Money Store of New York, an SBA-certified lending institution then headed by Steven Gurian. Yesterday Newsday reported that Gurian, who also heads the Long Island Development Corp., has been involved in business dealings considered improper by senior SBA officials. But the SBA has refused to give Newsday a list of SBA-guaranteed loans made by the Money Store or any other SBA lending institution, calling the information proprietary.

Gurian told Newsday he had no direct role in recommending approval of the loan. "I can't tell you any of the details," he said. SBA records, however, show that Gurian attended a meeting to work out problems with the loan and wrote the SBA a letter urging approval.

Gurian also said that he had never heard of Michael Franzese. But Franzese told Newsday he had met Gurian socially at Raneri's Restaurant in Smithtown. When Franzese decided to get involved with Rumplik, he said, he arranged for Doner to meet with Gurian. "I worked out a deal with Wally where I would get all the leasing business out of Rumplik Chevrolet," Franzese said. He said he had Doner meet with the restaurant's proprietor, Peter Raneri, whom he knew was friendly with Gurian. At the time, Raneri was deeply involved with organized-crime figures who helped financed his restaurant. Gurian acknowledged that Raneri brought Doner to him.

As the Money Store and SBA processed the application, some irregularities emerged. Doner told officials his previous partner in the car agency, Thomas O'Donnell, had embezzled $165,000 from the business, then paid it back in return for an agreement he wouldn't be prosecuted. (O'Donnell is in prison on an unrelated conviction and could not be reached for comment.) The business had tax liens against it, and the first loan closing had to be cancelled when the tax debts turned out to be greater than the application stated.

Nevertheless, Leavitt said, the SBA approved the loan because officials considered the real estate to be excellent collateral and because of Rumplik's long reputation in the community. After only four payments, however, the loan went into default.

Franzese and Doner acknowledged in interviews that some money from Rumplik went to other corporations owned by Franzese. Both said they could not recall exact sums, although Doner said one such transfer was $40,000. But they described these transfers as repayments of loans from Franzese, and they blamed the business' collapse on corporate debts previously run up by O'Donnell. Doner said Franzese was not responsible for Rumplik's collapse. "I like Michael," he said. "He did nothing to hurt me."

The Town of Islip has bought the foreclosed Rumplik building for $615,000, more than enough to satisfy the SBA loan. Gurian and Leavitt cite this as evidence that the taxpayers' interests were adequately protected. But the SBA procedures that allowed Franzese's interest to go undetected remain unchanged.

RANERI'S RESTAURANT

SBA critics in Congress question the agency's practices of making repeated loans to the same financially shaky business. The new SBA loan is used, completely or in part, to pay off an older, delinquent SBA loan. That makes the SBA's lending record look better—clearing its portfolio, at least temporarily, of a bad loan. The practice, however, often puts the business into even worse straits, since the company assumes a bigger debt and, often, a higher interest rate.

The SBA's loans to Raneri's Restaurant and its successor corporation, Chateau Rose, offer an example. Although the SBA barred reporters from the loan files, Newsday found that the agency continued lending to the restaurant even after Peter Raneri's involvement with mob figures—and his debts to loan sharks—were extensively publicized. Then, when Raneri's delinquent SBA debt was assumed by new owners operating as Chateau Rose, the SBA relinquished its first claim on the best collateral: the land and restaurant building on a choice corner of busy Jericho Turnpike in Smithtown.

When Raneri got his first SBA loan in 1977 for a new restaurant building, he was a well-known, popular restaurateur. He had received considerable publicity for resisting threats and vandalism from mob figures. His tires were slashed, his windshield broken, and he told friends that he and his children had been threatened.

Raneri attributed the problems to his choice of a building contractor. The contractor was Ronald Parr, who had cooperated with Newsday and police to thwart mob infiltration of a horse racing track, now defunct, that Parr had built in Yaphank. Raneri got his first SBA loan for $350,000 through Gurian's Long Island Economic Development Corp., an SBA-certified development corporation.

Raneri later testified that he started borrowing from loansharks in 1976, a year before he got the SBA loan. The loansharks were Leopold Ladenhauf and Michael Crimi. Police, however, said the money came from Pasquale Macchiarole, a Genovese crime-family captain. Macchiarole installed his own manager at the restaurant. Later, Crimi was convicted of usury and sentenced to five years' probation for the Raneri loans. Raneri testified that the loans totaled $91,000 and that he had to repay $140,000 with weekly $2,200 payments.

The year 1978 brought a blizzard of fresh publicity for Raneri's Restaurant. Macchiarole and Ladenhauf were found murdered. With Ladenhauf's body, police found a document signed by Raneri in which he agreed to turn over the restaurant to Ladenhauf and Crimi if he failed to make his payments. Crimi was indicted for Ladenhauf's murder (he was eventually acquitted), and Newsday published stories detailing Raneri's involvement with loansharks.

Nevertheless, the SBA approved a second loan, for $85,000, to Raneri in May, 1979. Walter Leavitt, head of the SBA's Long Island office, said he did not know why the loan was granted despite the restaurant's known mob connections. By late 1981, according to an SBA memo, Raneri was bouncing checks, both on suppliers and the SBA. He was so far behind in payments on his 1977 SBA loan of $350,000 that he owed $152,413.81 in delinquent interest alone.

At this point, the SBA held a first mortgage on the property, valued at about $800,000, and could have foreclosed. But SBA documents obtained by Newsday show that the agency instead accepted a proposal by Raneri that new owners, Chateau Rose Inc., take over the restaurant with new SBA financing.

The SBA approved a new $350,000 loan. Leavitt refused to release records or answer questions on exactly how the money was disbursed, but Newsday learned that $52,432 went to repay Raneri's 1979 SBA loan and that the interest payments on his 1977 SBA loan were brought up to date.

The SBA's assistant branch manager, David Offenberg, wrote that by allowing the deal, "we will bring our loan current plus keep a business in existence, which is our purpose." But the SBA also relinquished its status as first-mortgage holder on the building and property to a Fort Lee, N.J., funding company that was loaning Chateau Rose an extra $350,000. Now, SBA officials say that the Chateau Rose loan is delinquent, and they are not certain how much the government will recover from its secondary lien on the collateral.

Chateau Rose's owner, Victor Prague, blamed his financial troubles partly on the 22 percent interest he said he had to pay the Fort Lee company.

CARS GALORE

When Donald Pumalo opened his used-car lot, Cars Galore, in Huntington, he didn't bother getting the required state license for used-car dealers. And when the SBA granted Cars Galore a $150,000 loan, the agency never bothered checking with the Department of Motor Vehicles.

Although the SBA regularly finances automobile-related businesses on Long Island, the agency has no system for checking their status with DMV, which licenses all dealers and repair shops and keeps records of disciplinary proceedings. "It never occurred to me," Leavitt said.

Pumalo, who law enforcement officials say is an associate of Michael Franzese, has worked in Franzese's various automobile businesses. But Franzese said he had no financial interest in Cars Galore and no involvement with the SBA loan. "You wouldn't want an interest in anything he does because you're going to wind up in trouble," Franzese said. "Not because he's a criminal, but because he's just a typical used-car salesman, and he's a schemer." Pumalo has moved to Florida and could not be located for comment.

While Pumalo was getting the SBA loan in 1978, he was using the corporation to defraud Chemical Bank of $53,000 through phony installment-loan contracts for nonexistent people and cars, according to a 25-count indictment filed against him in 1981. He pleaded guilty to third-degree grand larceny and was sentenced to a year in jail. The same year, the SBA wrote off its loan as uncollectable, with $148,988 still owed. The agency refuses to release records showing why the loss was not offset by collateral. When Pumalo got out of jail, he became the used-car manager for Rumplik Chevrolet.

THE AVENI BROTHERS

Joseph S. Aveni used to deal in stolen auto parts, but that was before he and his brother discovered the SBA.

In 1971, Suffolk police arrested Aveni as a partner in a Medford chop shop: a wrecking yard where stolen late-model cars were stripped for their parts. Although police estimated the sales at $10,000 a week, Aveni was fined $100 for possession of stolen property.

From 1975 to 1977, Joseph Aveni ran a Mazda dealership in Hempstead, then sold it to Michael Franzese and opened a car lot in St. James, Auto Omni Inc.

Auto Omni promptly got a $150,000 SBA loan. In 1978, a used-car business at the same address, ARJ Motors Inc., applied for another $150,000 SBA loan. This time the principal was listed on the SBA application as Ross Aveni, although DMV records show that Joseph Aveni was an authorized agent for the company. The second loan also was approved. Both went into default, with $277,524 still owed. A federal source said that no collateral was ever collected; Leavitt has refused to comment. Since then, the Avenis have been convicted and fined $1,000 each for altering odometers at Auto Omni. Ross Aveni also was arrested on charges of possessing gambling equipment when police raided what they said was a mob-connected casino, but the charges were dismissed.

Why would the SBA loan this kind of money to a man with a criminal record? The Avenis did not return calls, and Leavitt said he did not know. But a law enforcement source said that any screening system that relies solely on the FBI's Washington computer is bound to miss some local convictions.

HALF HOLLOW HILLS COUNTRY CLUB

It was also in 1981 that Salvatore Avellino Jr. defaulted on a $250,000 SBA loan, leaving $205,067 in principal and $116,431 in interest unpaid. Avellino, owner of Salem Sanitary Carting Corp., has long been prominent in carting-industry trade groups. According to law enforcement, he also is prominent in organized crime.

Avellino, identified by federal officials as a Luchese crime family soldier, is close to the family's current boss, Antonio Corallo, better known as Tony Ducks. A government bug in Avellino's Jaguar recorded conversations with Corallo that led to what authorities call the most significant mob case in years: the recent indictment of members of the Cosa Nostra "commission" that allegedly controls the New York area's five mob families.

The SBA loan was for the Half Hollow Hills Country Club in Dix Hills. Leavitt would not discuss the loan in detail but said $125,000 of the loan was for a new building and the rest "to acquire land and equipment to become a fully operational public golf course, nine hole, and tennis court facility." But investigators who have examined the

building—an unheated storage shed about the size of a three-car garage—say it probably cost no more than $10,000 to build. And deed records show that Avellino never bought the land. He ran the club for a few years as a tenant, then went out of business. That left the SBA with the right to foreclose on the shed, but only by removing it from the property. The golf course in now being operated under different management.

Avellino, currently under a bribery indictment, has not replied to several requests for an interview. Leavitt said the SBA is still trying to negotiate a settlement. "Now, with his other problems, I don't know where we're going to come out," Leavitt said. "But I wouldn't hold my breath."●

A TRIBUTE TO THE CALIFORNIA VETERANS COALITION

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mrs. BOXER. Mr. Speaker, I take this opportunity now to commend the work of the California Veterans Coalition, a Statewide community based veterans services organization headquartered in San Francisco that is working on behalf of veterans of the Vietnam War. The coalition's efforts especially stand out for their work of providing educational and health services for those veterans who have been exposed to the chemically laced dioxin, agent orange.

The agent orange problem is one more sad story in the Vietnam affair. Today, 10 years after all U.S. troops have been pulled out of Saigon, there is still a legacy of hurt and pain. Many of our soldiers, marines, sailors, and airmen have been exposed to potentially life-threatening chemicals emitted from our own weapons—yet the U.S. Government still moves at a snail-like pace in acknowledging the wrong and responding properly to this public health crisis. Agent orange is a real health danger in San Francisco, the State of California, and the entire Nation for that matter. Finally, during the 98th congressional session, Congress did at last pass the "Veterans Dioxin and Radiation Exposure Compensation Standards Act." This piece of legislation was signed into law on October 24, 1984. Its purpose is to assure compensation to veterans and their survivors for disabilities on death related situations based on sound scientific and medical evidence.

The California Veterans Coalition has been very active here in San Francisco in helping to locate former military service personnel along with civilians who also served in Vietnam for the interest of the U.S. Government. The coalition is also working to establish prototype procedures for the Veteran's Administration to work cooperatively with local groups to help place appropriate veterans on the agent orange registry. If our former service personnel have been exposed to dioxin herbicide, they must be provided with proper health education and medical services to best offset any related health problems.

The California Veterans Coalition will be performing vital information and referral services in low- to moderate-income areas; six major ones located in the city and county of San Francisco. It is in such income areas that adequate health services are frequently unavailable or especially lacking. The group will advise veterans in the detection and prevention of agent orange associated with health problems. Ex-Vietnam soldiers, marines, sailors, and airmen will be informed by specialized tests and screenings conducted by both private and public agencies. This is part of the group's effort to put together a veterans health care network linked to the local city and county health care system.

More than 200,000 veterans nationwide have independently received physical examinations and filed with the Veteran's Administration. This number is a mere pittance in terms of the 2.5–3 million exposure level. In helping to monitor this sad story, the California Veterans Coalition is performing a vital service for some of the most recent generation of armed forces personnel to serve in or support U.S. combat involvement. Like other sad stories from the Vietnam affair, this one will not go away. But we need to recognize the problem, and provide the best possible services to those and their families who are suffering as a result of that conflict.●

EDUCATION AND HOUSING SAVINGS ACCOUNTS

HON. DAN COATS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. COATS. Mr. Speaker, each stage of our life is marked by very distinct goals. In our youth, we anticipate furthering our education to develop necessary intellectual skills for future job employment. As young adults, we look forward to buying our first home. And in later years, we hope to enjoy a secure and comfortable retirement.

We have already seen the positive response of the country to individual retirement accounts [IRA's]. Unfortunately, ever-increasing education and housing costs, high interest rates, and a low rate of savings has made it increasingly difficult for potential college students and prospective first time homebuyers.

For this reason, I am introducing legislation which would create an education savings account and a housing saving account, based on the IRA principle. Under this legislation, tax deductible contributions to a trust account will accumulate interest tax free for a period of time and then must be used to finance education of the purchase of a first home.

The Education Savings Account would permit potential college students and their families to deposit up to $1,000 per year in a trust account to cover the educational expenses of higher education. Funds in the account would have to be spent on education before the student's 27th birthday, or the money would be returned to the contributors, placed in another education account, or donated to an educational institution.

The housing savings account would allow a prospective first time homebuyer, or parents and friends, to contribute up to $1,500 per year or $3,000 per year in the case of a married couple, over a 10-year period toward a tax-free account. Funds would be used as a downpayment on a first home by the 10th year. One-tenth of the amount would be added to the user's gross income for each of the following 10 years after purchase, thus providing tax repayment to the Treasury.

I urge my colleagues to assist prospective college students and first time homebuyers by cosponsoring my legislation. Help restore the American dream of a college education and homeownership.●

SOVIET PROPAGANDA

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. LAGOMARSINO. Mr. Speaker, the Soviet Union is continuing its unjust and immoral war in Afghanistan to this day. Yet, instead of telling the Soviet people the truth about their overt campaign of military aggression against the people of that once peaceful land, Soviet propagandists tell them lies; they attempt, albeit unsuccessfully, to blame their cold-blooded and ruthless policies on the United States and its support for Afghan mujahiddeen "bandits." Recently in Izvestiya, in an article entitled "Aggressors and Hypocrites," one author wrote about "American imperialism's dirty war against Afghanistan* * *", and about "The cries being committed in Afghanistan by the guns of bandit rebels armed and trained by Pentagon and CIA 'instructors'* * *."

Mr. Speaker, instead of putting out lies such as this—we all know the Afghan mujahiddeen, are fighting a just and moral war of national liberation— Soviet leaders and propagandists would better serve their citizens by giving them a dose of what is really

going on in that country. This is easily accomplished; all they have to do is to reprint quotes from young Soviet soldiers who, after coming to Afghanistan to fight alleged CIA and Chinese mercenaries, found only Afghan nationals struggling for freedom, and decided to defect. Take, for example, the case of Vladislov Naumov, who defected in 1983:

People (in the Soviet Union) learn virtually nothing about the unjust war from newspapers and magazines* * * the war is only known to those people who have been directly affected by the Afghan problem—the soldiers themselves and the mothers who are the recipients of the white zinc coffins.

This young soldier also said:

Of course, the (Soviet) soldiers are unhappy with the war and with Afghanistan on the whole. I believe that if this continues much longer, the results will be very costly for those who have cooked up this mess* * * It is now time to pay attention to Afghanistan. What is needed is only a beginning and then, I think, the soldiers themselves will start joining the insurgents.

Thus, Mr. Speaker, contrary to the absurd claims in the Soviet press about U.S. responsibility for the Afghan tragedy, it is the Soviet Union's own policies of unjust and ruthless aggession which are responsible for the bloodletting in that South Asian land. As Aleksander Solzhenitsyn said, "Terror is inextricably linked to the lie."

FROM USIA: SOVIET PROPAGANDA ALERT NO. 25—APRIL 15, 1985

"America's Dirty War Against Afghanistan." Moscow sought to lay the blame for the continuing struggle in afghanistan squarely on U.S. support for Afghan "bandits." In an article entitled "Aggressors and Hypocrites" published in Izvestiya (March 1), for example, Melor Sturua wrote:

"American imperialism's dirty war against Afghanistan is already in its seventh year. It started immediately after the historic April Revolution, which opened a new chapter in the history of an ancient people. But that is the custom: As soon as the people of some country or other—it does not matter in what part of the world—become the masters of their own destiny, they rapidly become a target for Washington* * *.

"The Crimes being committed in Afghanistan by the guns of bandit rebels armed and trained by Pentagon and CIA 'instructors' are monstrous. But the label 'Made in USA' is not only attached to the instruments of death. It is printed on the whole Afghan tragedy, on the whole destabilizing U.S. policy in the region, on what is being done in Pakistan* * *."

The Soviet media repeatedly warned Pakistan of the dangers of abetting Afghan resistance forces and of serving U.S. interests.●

HISTORY IN THE HOUSE

HON. LINDY (MRS. HALE) BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mrs. BOGGS. Mr. Speaker, I would like to invite everyone to visit the crypt area on the first floor of the Capitol to see the beautifully restored Indian and Hunter Clock. This marvelous piece graced this Chamber prior to the 1948 remodeling. It provides a bit of a feel for the former beauty of this room.

The April edition of "History in the House" contains an article on the clock as well as a very interesting article on the history of the House Chamber itself. "History in the House" is published by the Office for the Bicentennial which serves as a clearing house for historical information on the House of Representatives.

I would like to include the April edition at this point.

[From the History in the House, April 1985]

THE CHAMBER OF THE HOUSE OF REPRESENTATIVES

The Chamber of the House of Representatives has been the scene of dramatic events in United States history, and the Chamber itself is an important symbol of this nation's heritage. many visitors are unaware of the rich and colorful history of the Chamber, so this issue of *History in the House* will feature the story of the room itself.

Kings, queens, presidents, prime ministers, astronauts, poets, military leaders, and historians have all addressed the Congress from this spot. U.S. Presidents since Woodrow Wilson have delivered their annual State of the Union addresses in the present House Chamber. Here, on April 17, 1917, President Woodrow Wilson asked Congress to declare war on Germany. Here President Franklin D. Roosevelt delivered his war message on December 8, 1941, the day after the attack on Pearl Harbor. Eleven days later Winston Churchill, Prime Minister of Great Britain, made the first of his two addresses before a Joint Meeting. Here in 1951 General Douglas MacArthur delivered his famous line, "Old soldiers never die, they just fade away." On December 6, 1973, Vice President Gerald R. Ford took the oath of office in the House Chamber in which he had served as a Member of Congress for twenty-four years.

The House of Representatives has been meeting in its present hall for 128 years, outgrowing its previous chamber, now known as the Old Hall of the House or Statuary Hall. As the nation grew, so did the size of the House. In the 50 years it had met in the original south wing, the House had increased from 142 Members in 1807 to 237 Members after the 1850 census.

On July 4, 1851—the 75th anniversary of the Declaration of Independence—President Millard Fillmore laid the cornerstone for a new House wing in a Masonic ceremony using the same gavel and apron that George Washington had used in 1793 to lay the original cornerstone of the Capitol. Secretary of State Daniel Webster delivered a two-hour oration in which he reflected on the growth of the new nation, evoked the spirit of George Washington, and quoted Cicero (in Latin) to the throng of thousands.

The plans for the extension of the Capitol and its new cast iron dome were drawn up by Thomas U. Walter, a Philadelphia architect. Most of the construction work was completed under the jurisdiction of the Department of War, supervised by Captain Montgomery C. Meigs, an army engineer and one of the ablest graduates of the United States Military Academy at West Point. Meigs modified the Walter design and relocated the House Chamber in the center of the wing to achieve better heating and ventilation.

The House of Representatives first convened in the present Chamber on December 16, 1857. The Chamber's appearance gradually changed with the times. Electricity was added to the Chamber in the 1890s and air conditioning followed in the 1930s. Members used to sit at individual desks in the Chamber. But with the completion of the House Office Building in 1909 (now called the Cannon Building), Members had their own offices for the first time. Desks took up too much space, so they were replaced with benches in 1913. Two of the original desks and a chair, designed by Thomas U. Walter, are now located in the Speaker's Lobby. Since 1901 the flag behind the Speaker's chair has been furnished by the Daughters of the American Revolution; the present flag was hung in 1979.

The bronze fasces (from the Latin "bundle") on the wall behind the Speaker's chair represent authority. In ancient Rome, the fasces consisted of bound rods with an axe projecting from the center. They were carried by attendants, called lictors, who accompanied the consuls of the Roman Republic. The fasces were used to restore order in the court and the rods and axe were used to carry out the sentences of the court. The Romans introduced the fasces to England, where they evolved into the mace of the House of Commons.

The mace in the House of Representatives Chamber is the symbol of House authority. The one in use today was made by silversmith William Adams of New York City in 1841 to replace the original mace which was destroyed when British soldiers burned the Capitol in 1814. The mace consists of 13 thin ebony rods, representing the 13 original States of the Union, bound together to and bottom with engraved silver rings. The uppermost ring supports a silver globe with a detailed engraving of all seven continents and showing the degrees of longitude and latitude. A silver eagle with outspread wings surmounts the globe.

Each day when the House is called to order the Sergeant at Arms places the mace on a cylindrical pedestal of polished green marble at the right of the Speaker's chair. When the House resolves itself into the Committee of the Whole House on the State of the Union the mace is moved to a lower pedestal by the desk of the Sergeant at Arms. Members coming on the floor can glance at the mace and tell by its position whether the House is in session or in committee.

Since 1789, there have been few recorded instances of the mace being used to restore order on the floor of the Chamber. If an individual Member becomes unruly and beyond the Speaker's control, the Sergeant at Arms, on order of the Speaker, lifts the mace from its pedestal and "presents" it before the offender. Order has always been promptly restored because of the respect for the mace as a symbol of legislative authority. The last time the mace was used to restore order in the Chamber was in the 65th Congress, during World War I.

The appearance of the Chamber today reflects extensive alterations that were made between 1949 and 1951. Newly added features include the seals of the states and territories that border the ceiling and the marble relief portraits of famous lawgivers above the gallery doors. The clock above the

Speaker's rostrum was added in 1950. It was made by the sculptor Leo Friedlander, probably best known for the equestrian group Valor and Sacrifice on the Washington side of the Arlington Memorial Bridge.

Technological advances in the Chamber include electronic voting and television. In 1972 the House installed an electronic voting system, which was first used in the 93rd Congress beginning in 1973. Prior to that time Members voted with paper ballots, or by roll call; both were cumbersome and time consuming processes. In 1977 the House added a closed circuit television broadcast system that eventually made it possible for millions of Americans to view the proceedings on the House floor without coming to Washington to sit in the gallery.

The four oldest objects in the present Chamber that were moved from the Old House Chamber are the mace (which we have already mentioned), the inkwell on the Speaker's desk, and portraits of the Marquis de Lafayette and George Washington.

The coin silver inkwell, in use on the Speaker's desk whenever the House is in session, is a superb neo-classic piece. It was made by a silversmith named J. Leonard, possibly of Georgetown, about whom little is known. Exactly when it was made and when the House acquired it are also unknown, but the inkwell is depicted in a portrait of Speaker Henry Clay painted by Charles Bird King in 1821 and in the painting "The Old Hall of the House" by Samuel F. B. Morse. The tray holds three crystal inkwells whose original silver tops have been lost. It is adorned on either side by an eagle in a medallion. Its feet are fasces entwined by a snake, which is a classic symbol of wisdom surrounding authority.

The full length portrait of the Marquis de LaFayette by the French painter Ary Scheffer was presented by the artist to the House of Representatives at the time of LaFayette's visit in 1824. The House then commissioned the eminent American artist John Vanderlyn to paint a companion portrait of George Washington. The commission specified that the head should be copied from the famous portrait of Washington by Gilbert Stuart. Vanderlyn's Washington portrait was delivered to the House in 1834, and since then both portraits have hung in the same relative positions in the Old Chamber of the House and in the present Chamber.

In 1788 when New York was debating what role the House of Representatives would play under the new U.S. Constitution, Alexander Hamilton remarked, "Here, Sir, the people govern." It can also be said that here, in this Chamber, is where the American people make history through the actions of their elected Representatives.

RINEHART CLOCK RESTORED

The monumental Rinehart Clock, which kept time in the Chamber of the House of Representatives from 1858 until the Chamber was remodeled from 1949 to 1951, has been meticulously restored and is now on display in the crypt of the U.S. Capitol. It is sometimes called the "Indian and Hunter" clock because of the two bronze figures standing on either side of an elaborately carved clock case made of oak and covered with gold leaf. The clock face is encircled with a garland of fruit and leaves beneath a bronze eagle resting on the United States shield.

The clock was part of the original decorative plan of Architect Thomas U. Walter and Captain of Engineers Montgomery C. Meigs. Its case was made in 1858 by Bembe and Kimbel of New York; the works, replaced in the 1930's, were by E. Howard and Co. of Boston. The three feet high figures of the Indian and Hunter were executed by William Henry Rinehart (1825-1874), a highly regarded Maryland sculptor who worked primarily in Rome.

Originally the Indian and Hunter were to be used as decorative supports for the fireplace in the Members' Retiring Room, but after casting they were incorporated into the clock design.

For over thirty years the clock has been in storage. It has not been on public view since 1948 when it was loaned to an exhibit of Rinehart's work at the Walters Art Gallery in Baltimore.

William Henry Rinehart made another major contribution to the art of the Capitol when, after the death of the brilliant young sculptor Thomas Crawford in 1857, he completed the models for the bronze doors Crawford had designed for the east portico entrances to the House and Senate wings. Using Crawford's drawings, Rinehart completed the models for the House doors in 1867, but they were not cast in bronze for another 36 years, long after Rinehart himself had died.●

EVEN A SWEETER COLA

HON. JOSEPH D. EARLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. EARLY. Mr. Speaker, back in 1981, then Senate Majority Leader Howard Baker described the 1981 tax bill as a "river boat gamble." I thought that was an apt description then and with hindsight, it has been borne out by the current deficits facing this Nation. Mr. Reagan's 1981 tax bill, his enormous defense buildup, and the net interest payments on the national debt have brought this Nation to the brink of financial chaos and the status of a debtor nation. Mr. Reagan's Presidency has nearly doubled the national debt in his first term of office, now nearly $2 trillion.

The administration and some of its allies would have us believe that some 20 years of reckless spending has reduced the Nation to this desperate plight. Well, such thinking ignores the facts of life. You cannot continue to spend what you don't have. Where we have failed is in ordering our spending and revenue priorities. Defense cannot have a blank check; corporations must pay a fair share. If we do not act now, our children and their children will inherit this debt; this is not the type of legacy that any of us wish to leave to future generations.

Many plans have been offered that would reduce future deficits. In particular there is one plan that would attempt to balance the budget on the backs of those least able to fend for themselves—to use the President's words, the "truly needy."

The President's so-called deficit reduction plan would place most of the burden on lower- and middle-income households while doing very little to hold the defense budget in check. There is little mention by this administration that some of the wealthiest corporations in this Nation have paid few if any taxes in recent years. In fact, corporate taxes as a percent of all Treasury receipts has fallen to a mere 6 percent from an average of 24 percent in the 1950's and early 1960's.

So, rather than attempting to revamp the Nation's tax code so that everyone bears a fair share of the tax burden and rather than attempting to do something about the ever growing defense budget, we are offered another opportunity by the President to further impair the ability of the middle class to meet its current needs and its future expectations. We are asked by this administration to rip the "safety net" even more than it has been over the past 4 years.

Specifically, it has been proposed that we freeze the cost-of-living adjustment [COLA]. Yet, deleting the COLA will have no effect whatsoever on the deficit. The trust funds are now running a surplus and even under the most pessimistic assumptions, the Social Security Administration pro jects a solvent system well into the 21st century. This happy occurrence is the result of both the 1977 amendments and the 1983 Social Security amendments based on the bipartisan Commission's recommendations.

Suggestions that the COLA is a luxury that retirees can do without until the deficit is reduced and the budget balanced is ludicrous. A cost-of-living adjustment is not an increase in benefits, but an attempt to maintain an individual's purchasing power. If we act on the President's recommendation, we would probably push an additional 500,000 elderly below the official poverty level. We are not talking about making retirees rich by any means. The median monthly Social Security benefit for those 65 or older is $450. I do not know of many, if any at all, who could pay for shelter, food, and medical expenses on such a pittance. Yet, many of our aged are doing just that.

The COLA has done more than anything else to reduce the incidence of poverty among the Nation's elderly. Nine to 10 million people 65 or older are kept above the poverty level by and annual COLA. Fully two-thirds of beneficiaries 65 or older receive 50 percent of their income from their Social Security check. Forty-three percent of beneficiaries have annual incomes below $10,000. A full 74 percent have total incomes below $20,000 annually. These folks are hardly rich by any stretch of the imagination.

In his April 30 television address to the Nation, the President would have us believe that the past 20 years of spending and tax policies have

brought us to our present dire straits. I won't go into that matter now except to say that in the 4 short years of Mr. Reagan's first term the national debt has been doubled—it took nearly 200 years and 39 Presidents to bring it to the $1 trillion mark and only 4 years under the Reagan administration to double it. Now the President would have us all share the burden equally so that we can continue the course of economic recovery. I hardly think his plans for altering the Social Security COLA is fair and certainly not something that will be shared equally by all of our citizens.

Under the President's plan—the so-called Rose Garden II agreement with Senate Republicans—the average Social Security beneficiary would lose $1,667 over the next 5 years. The losses would come from reductions in Social Security COLA's and increases in the monthly premiums charged to Medicare beneficiaries. The President's plan would reduce benefits by $12.1 billion in 1988. The Senate Budget Committee plan calls for reduced benefits of about 4 percent by canceling the 1986 COLA. The President's plan by contrast would cut benefits about 6 percent for 1988 and future years. This is what the President referred to in his speech as a guarantee that all beneficiaries would receive a 2-percent COLA in 1986, 1987, and 1988. It is a ploy to cut in half what retirees would ordinarily receive under current law. It is, in other words, a Consumer Price Index minus 2 type of formula. Our senior citizens are better provided for under current law.

The President said he would not touch Social Security in any way, shape, or form during the 1984 Presidential campaign. It seems that he has changed his mind. Thousands of my constituents have written me urging me to safeguard their Social Security benefits. I also know that these same voters want the deficits reduced and the budget at long last balanced. As such, I think all Americans need to reexamine our national priorities.

Congress will have to act now to meet the Nation's most urgent domestic needs without impoverishing future generations. Some programs will be curtailed, others possibly eliminated, and some adjusted for inflation. Defense spending will have to be cutback to reasonable amounts. And, some tax laws will have to be altered and a few "sacred cows" sacrificed so that we as a nation remain on the road to economic recovery and sustained, future economic prosperity.

Balancing the budget on the backs of our senior citizens, though, is unfair; it is shortsighted, petty minded and mean in spirit to presume that our elderly are an undue burden and drain on the Nation's economic well-being. It can be said that no one has gotten rich on their cost-of-living adjustment.

The ill-advised "river boat gamble" that Congress took in 1981 has finally come back to haunt us. This administration would have Congress balance the budget on the backs of the elderly, middle-income families, and the poor. It is time that the military also share comparably in deficit reduction efforts. It is also time to examine our tax code and consider steps to make the system more equitable, simpler, and spread the tax burden fairly on individuals and corporations alike.

The Nation won't simply grow out of our deficits. Budget cuts and new revenues will be needed. Hopefully, the Nation's elderly and middle-income groups will survive to see a more promising tomorrow.●

EDUCATION: AN INVESTMENT WE CAN COUNT ON

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. EDGAR. Mr. Speaker, I rise today to pay tribute to all the students who have been accepted to our Nation's colleges and universities this spring. They should be commended for this achievement. We must realize, however, that if we approve drastic cuts in Federal aid to higher education, these students may never be able to complete their collegiate studies. A high proportion of students hoping to matriculate in September are currently arranging financial aid packages in order to pay the rising costs of a postsecondary degree. If we pass legislation which includes drastic restrictions and cuts of Federal student assistance, we may force many of these students to drop out of school, and in so doing create a society in which middle class and poor Americans will be unable to attend our institutions of higher education.

In an increasingly competitive world our ability to assure future prosperity depends above all on education. We must invest in people. Long range studies indicate that every dollar that we invested in the GI bill brought us back $3–$4 in increased tax revenues alone. Recent data indicates that a dollar spent on Head Start $7 to the taxpayer.

Furthermore, in 1983, statistics showed that of all individuals who desired work, 87 percent of college educated folk were employed while only 74.5 percent of high school graduates held jobs. By cutting programs and threatening the education of so many young people, we are pushing untrained young people out into an already overburdened job market. What we should be doing is improving existing programs.

We have crossed the threshold into an era of confusing economic and technological change. In entering the era of high technology, we need people that are better-trained and better-educated, not less so. A rapidly changing economy creates a greater need for people who are adaptable to change. In the face of these new challenges we cannot back down on our historic commitment to education. At the core of American society is our ability to create and be innovative, and now more than ever this ability is a function of education and training. If we mortgage our future by gutting such programs as financial aid, we will simply create a deficit of a different sort.

Federal aid to postsecondary students is a proven investment in the future. It is a proven investment in jobs for the American people. Education is an investment we can count on.●

TRIBUTE TO HECTOR HOLGUIN

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. COLEMAN of Texas. Mr. Speaker, today I would like to honor Mr. Hector Holguin of El Paso, TX, who is the recipient this year of the Small Business Administration's Small Business Innovator of the Year Award for his pioneering efforts in the field of computer-aided design for engineering and architectural projects.

In the fast-moving world of computers, the growth of technology has often outpaced the ability of manufacturers to meet the users' training and service needs. Hector Holguin is among those in the world of high technology who have forged a blend, matching a high-quality, innovative product with a commitment to user training and superior service.

Computer-aided design and drafting [CADD] systems are becoming the right arm of the American engineer and architect, but it was not always so. The early CADD systems developed and used in the mid-1960's by the automotive and space industries were large, expensive mainframe computers inaccessible to most engineers, designers, and drafters, especially in small firms. Hector Holguin recognized the problem while working as an engineer at an aerospace company and decided engineers needed more direct control over the tools of their profession.

In 1971, he founded Holguin & Associates with the goal of making people more productive through advanced computer technology. The company

became a pioneer in CADD technology, installing its first system in 1972.

Holguin believes that the success of a CADD system only begins with a quality product. Most of the investment has to do with how the users are prepared for the system, how it is implemented, and how it is managed. Installation begins with an analysis of the user's needs, which are then matched with the appropriate hardware and carefully designed software.

In surveys of Holguin users, the CADD systems have consistently earned high ratings for increasing a company's productivity in solving real-world problems. One user said installing the system was like tripling his staff. CADD systems are also used to upgrade existing personnel. Junior draftsmen can learn quickly how to do much more than follow someone else's numbers or push lines on paper. A Houston engineer said that the system cut mapping errors by 90 percent and reduced mapmaking drafting subdivision time from 2.5 man-years to 1 man-week.

Holguin's approach of listening and responding to the needs of CADD users works. Thousands of CADD operators are using Holguin systems in at least 22 countries, and Holguin has become the second-largest installer of CADD systems in the United States and fifth in the world.

Mr. Speaker, I am proud that Hector Holguin of El Paso has received the Small Business Innovator of the Year Award for these efforts, and on behalf of the people of the 16th Congressional District of Texas, I would like to commend him to my colleagues and to this House.●

WE ARE GUARDIANS, NOT GUARDS OF MICRONESIA

HON. BEN GARRIDO BLAZ

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. BLAZ. Mr. Speaker, 40 years ago our Nation assumed a sacred trust for a war-ravaged people in the middle of the Pacific Ocean. We pledged to the world to be the guardians of Micronesia. We vowed to protect, nurture, and guide the 50,000 people of those far-flung islands into the community of nations.

Today there are 150,000 Micronesians. Their islands have been rebuilt, their lives replenished and their constitutional governments established. They are ready and eager to assume their place in the world.

Their declaration of self-government lies before the U.S. Congress. Yet, there it waits as a chorus of voices assail it as a flawed document that gives the islands too much. I hear disgruntled cries that Micronesia is but a prize of war—a captured territory that is ours by right of conquest; and we are its guard and master.

As our Nation marks Asian-Pacific American Heritage Week this May, celebrating the contributions of our region to the United States, it is an appropriate time to ask: Is America ready to fulfill the commitment it made to our Pacific wards? Is Congress prepared in 1985 to end its trusteeship and make good its pledge to the international community?

I can recall 40 years ago when America assumed its responsibility for Micronesia. I remember as I sat amid the rubble of war-torn Guam with Micronesian friends, how we wondered and pondered what the future and the United States held in store for us. Fortunately for me, Guam became a U.S. territory and I became a U.S. citizen in 1950.

As an American, the future held much for me. I had the opportunity to become an officer in the Armed Forces, a college professor, and now a Member of Congress. For my Micronesian friends, the opportunities were limited and their future was clouded with uncertainty.

The reunions I have had in the past few years with these same Micronesian friends have been increasingly difficult as they still ponder what the future will be for their communities and themselves. Many have had to learn German and Japanese over the years and now, in the twilight of their lives, are struggling with English.

After years of waiting, the Micronesians feel that they have come of age. They now have four constitutional governments: The Commonwealth of the Northern Marianas, the Federated States of Micronesia, the Republic of the Marshalls, and the Republic of Palau. All of these groups have written and adopted their constitutions and set up their governments in anticipation of taking their rightful place on the world scene.

Over the past 16 years, Micronesian leaders have negotiated the terms of their new relationship with America. Though the forms of their relationships differ, all have chosen close political, economic, and social ties with us. They have all chosen to remain securely under the U.S. defense umbrella.

In recent congressional hearings on the Compact of Free Association I have heard the agreement described by both conservative Republicans and liberal Democrats as a flawed document that commits a multitude of sins. Some say it gives the Micronesians too much money, others say it doesn't provide enough. Some say that by approving the Compact, the Federal Government would be selling the farm on local autonomy issues for overreaching military rights. Others say the military rights under the agreement are not clearly defined or adequately assured. I sometimes wonder if we are talking about the same document.

I am becoming increasingly suspicious that there must be something very right about the Compact for it to be the target of linkage with so many other issues and for it to be viewed by individuals of such diverse political persuasions as an effective vehicle for gaining leverage on other issues. I have heard no concern expressed by anyone which would justify undue delay in approving and implementing the Compact. This is not to say that some of the valid concerns that have been raised cannot be addressed in the legislation approving the Compact.

But I will not support any effort to link Compact approval to matters that are not directly related to the agreement. Because of the numerous complex issues in the agreement—from nuclear claims and international trade to immigration—it is absolutely necessary for Congress to scrutinize the pact. But it would be a violation of our Nation's commitment to Micronesian self-determination to use the agreement as a vehicle for addressing other partisan issues.

I do not believe that the Compact will adversely affect the U.S. flag territories. I believe the Compact's incentives for development in Micronesia will produce regional political and economic development which will directly benefit the United States and its Pacific territories.

The Compact presents the United States with a historic opportunity to show the Pacific community that we will enter the next century in a strong strategic posture, but also as a nation able to build good will in the region through creative and democratic arrangements oriented toward economic development through private enterprise.

Those who argue that Micronesia is a prize of war are ignoring the fact that the keystone of American foreign policy in the 20th century has been that we seek no expansion of territory through war and will not seek to claim conquered territory as our own. This policy began with President Woodrow Wilson's emphasis on self-determination and nonannexation at the Versailles Conference following World War I. That principle was reaffirmed by U.S. leaders in the Atlantic Charter in 1941, and the United Nations Charter. It has been a major theme of American policy as leader of the Free World in the post-war era.

If my opinions sound biased on this subject, it is because they are. I am a Micronesian. I am from Micronesia. One of the major reasons I ran for Congress was to add a new and different dimension to that august body in light of the generally recognized view that the Pacific Basin offers enormous

potential for the United States and the world.

The Micronesians have come of age and are ready to fulfill their own destiny. We have an obligation to facilitate their desire to do so. Forty years after we assumed trusteeship of their islands, we must remind ourselves that we are the guardians, not the guards of Micronesia.●

A PARTISAN FOREIGN LEGION

HON. BYRON L. DORGAN

OF NORTH DAKOTA.

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. DORGAN of North Dakota. Mr. Speaker, a longstanding U.S. diplomatic tradition keeps our Ambassadors, noncareer and career alike, out of partisan domestic politics. But that sound policy and practice went up in smoke last year.

The 1984 congressional elections sparked some firey campaigns—perhaps none more heated than the contest for the U.S. Senate in North Carolina.

During the campaign, the incumbent Senator from North Carolina enlisted the support of 22 U.S. Ambassadors, whose normal role is representing our Nation overseas. But in this case, they bent their energy toward representing one senatorial candidate at home. I find such a break with established policy to be a meddlesome, maddening, and misguided precedent.

The issue here is not which political party may have reaped partisan benefits from the endorsements. The action would have been out-of-bounds no matter which party or candidate was involved.

Neither is the issue simply whether the Ambassadors in question serve as political appointees or as career Foreign Service officers. As 36 former Ambassadors pointed out in a protest of the partisan endorsement:

> This action violates a well-established tradition followed by administrations of both political parties which has barred American Ambassadors, noncareer as well as career, from active participation in partisan politics while on active duty as official representatives of their country.

The list of former Envoys who objected to this break with tradition is a distinguished roster of diplomats who served both Republican and Democratic administrations. They include Jacob Beam (Soviet Union, 1969–73), Gardner Ackley (Italy, 1968–69), Harlan Cleveland (NATO, 1965–69), W. Averell Harriman (Soviet Union, 1943–46), and David H. Popper (Cyprus and Chile, 1969–77).

Nor, finally, does the question turn on the narrow grounds of whether the Ambassadors broke any laws or regulations. Since they were all noncareer officials they did neither. What they broke was a wise and well-established policy of our Government which has been observed since our Nation's founding. That policy is that partisan political activity ends at the waters edge.

More than ever before, U.S. Ambassadors must serve as full-time employees of the U.S. Government. They have a full and complex duty to advance the foreign policy goals of our Nation, to represent U.S. citizens abroad, to promote our economic interests, and to safeguard our own diplomatic staff and missions.

Encumbered with such critical issues as nuclear arms control, U.S. trade deficits, and international terrorism I submit that our diplomats have their hands full without meddling in partisan domestic politics. They have neither the time nor the reason to do so.

They have, on the contrary, every reason to steer clear of partisan activity. For example, the Senator in question has done precious little to build bridges to Third World nations in his role on the Senate Foreign Relations Committee. How then will these nations respond to Ambassadors who also want to carry his political water?

What made matters worse in this case is that the State Department took scant attention to this grave departure from sensible policy. Secretary Shultz issued through a spokesman an anonymous wrist slap. The candidates even boasted that Secretary of State Shultz would "not make the same statement made by the underbelly of the State Department."

Before this precedent becomes standard practice, Congress needs to put diplomacy back on course, since the State Department seems unwilling to do so. I want to urge the Foreign Affairs Committee to hold early hearings on this matter and to send a strong message to the President and Secretary of State that our Ambassadors should be serving the American people—not a Senate Campaign Committee.

Understanding that hearings will soon take place, I withhold any amendments to the State Department authorization bill. But I want to state forcefully today that the State Department has no room for a partisan foreign legion.●

DAVID K. BOGGINI

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. MINETA. Mr. Speaker, today I would like to ask my colleagues in the House to join with me in saying thanks to David K. Boggini, who this month is retiring from 28 years of dedicated service to the city of San Jose, CA.

Dave's service to the city of San Jose has included a number of jobs and assignments in many of San Jose's essential administrative areas, including occupations such as city property manager, director of private development, assistant director of redevelopment, and his latest position—deputy city manager for community development.

As a former mayor of San Jose, I know very well that Dave's solid performance and administrative talents contributed greatly to the well-being of the citizens of San Jose. He has worked on a variety of issues including hazardous wastes, housing, health, and the physically handicapped. Throughout his tenure, he has shown tremendous competence and a true compassion in his work.

Dave's long service to the city of San Jose is exceeded only by his time as a lifelong resident of the city. He has attended its schools and lived in its neighborhoods. He knows this city well.

Mr. Speaker, he has also served this city well. I know that Dave has remarked more than once that he always wanted to give something back to the city that has been so good to him for so long. I can assure him he has indeed given back much to the city of San Jose.

Finally, let me say this. In the city of San Jose there is a park named after Dave's father, Peter J. Boggini, another honorable public servant of our city. I am sure that Dave and his wife, Sally, have brought their four children to that park. I want to assure Pamela, Peter, Paul, and Patrick as well as anyone else who uses Peter J. Boggini Park, that they can be equally proud of David K. Boggini. He has been a trusted public servant to the city of San Jose, and I ask my fellow Members of Congress to join me in expressing our thanks to him.●

BAY AREA WELCOMES BISHOP TUTU

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. DELLUMS. Mr. Speaker, today we commemorate the 40th anniversary of an end to infamy in Europe—a war begun by a racist, totalitarian regime—a war unparalleled in its savagery and inhuman brutality—a war that spawned the Holocaust and the murder of equal numbers of non-Jews in the infamous concentration camps.

Last Sunday, at the U.S. Air Force base in Bitburg, West Germany, the President persisted in his wrong-headed decision to visit the German military cemetery at Bitburg that contains the graves of at least 49 Waffen SS members, the epitome of evil in the

criminal madness that was the Third Reich. The President compounded this moral lapse in attempting to draw a historical analogy with evil in the contemporary world when he said:

Today, freedom-loving people around the world must say: I am a Berliner, I am a Jew in a world still threatened by antisemitism, I am an Afghan, and I am a prisoner of the Gulag, I am a refugee in a crowded boat foundering off the coast of Vietnam, I am a Laotian, a Cambodian, a Cuban, and a Miskito Indian in Nicaragua. I, too, am a potential victim of totalitarianism.

That litany of lament contained a conspicuous and morally indefensible omission—all the more obscene because apartheid is the lineal descendant of the perverse racism that was a hallmark of the Nazi regime. World War II, as proclaimed in the Atlantic charter, was a struggle to destroy fascism, to terminate the remnants of colonialism, and to establish human dignity and social justice for all people throughout the world. The President's conscious decision to exclude any mention of the ongoing obscenity of apartheid on that day of commemoration and renewal to freedom is a deliberate affront to the world community of conscience, and further evidence of the moral bankruptcy of his policy of "constructive engagement" in dealing with the racist regime in South Africa.

This weekend the citizens of the Bay Area in California will have an opportunity to challenge that moral dereliction when we honor a person who fully comprehends the historical lessons and failures of the Second World War in denying human dignity and social justice to everyone, especially people of color in the Third World. This weekend we will have the privilege of welcoming into our midst the Anglican Bishop of Johannesburg, South Africa.

Desmond Tutu is much more than a black South African. Desmond Tutu is much more than the winner of the 1984 Nobel Peace Prize. Desmond Tutu—as committed cleric, ardent advocate of racial equality and social justice, and passionate patriot for peace and freedom for all in South Africa is the living embodiment of John F. Kennedy's inaugural challenge that "here on Earth God's work must truly be our own."

In January of this year at a White House meeting Bishop Desmond Tutu, a native-born South African and Nobel peace laureate, had to confess to our President, the proclaimer and perpetrator of "constructive engagement" that, at age 53, he doesn't have a South African passport: "only a document that describes my nationality as undeterminable at present." But at the same time Desmond Tutu had the moral courage to denounce the hypocrisy of "constructive engagement" for what it truly is: "evil, immoral, and un-Christian".

In his Nobel Peace Prize acceptance speech at Oslo, Norway, last December, Bishop Desmond Tutu proclaimed his love for the land of his birth, and the pain and sorrow inflicted on its black inhabitants by the cruel, cancerous curse of apartheid, saying:

I come from a beautiful land, richly endowed by God with wonderful natural resources, wide expanses, rolling mountains, singing birds, bright shining stars, with radiant sunshine, golden sunshine. There is enough of the good things that come from God's bounty, there is enough for everyone, but apartheid has confirmed some in their selfishness, causing them to grasp greedily a disproportionate share, the lion's share, because of their power. They have taken 87 percent of the land, though being only about 20 percent of our population. The rest have had to make do with the remaining 13 percent. Apartheid has decreed the politics of exclusion. 73 percent of the population is excluded from any meaningful participation in the political decision-making processes of the land of their birth.

He went on to say:

We see before us a land bereft of much justice, and therefore without peace and security. Unrest is endemic, and will remain an unchanging feature of the South African scene until apartheid, the root cause of it all, is finally dismantled. . . . There is no peace because there is no justice. There can be no real peace and security until there be first justice enjoyed by all the inhabitants of that beautiful land.

. . . When will we learn that human beings are of infinite value because they have been created in the image of God, and that it is a plasphemy to treat them as if they were less than this and to do so ultimately recoils on those who do this? In dehumanizing others, they are themselves dehumanized. . . .

His peroration was both plea and summons:

Let us work to be peacemakers, those given a wonderful share in Our Lord's ministry of reconciliation. If we want peace, so we have been told, let us work for justice. Let us beat our swords into plowshares.

In his installation address as the Anglican Bishop of Johannesburg in February, he also reached out to whites in a very special way, saying:

There are very many splendid white people. That is a trite truism. I have said that if I was white I would have needed accesses of grace to oppose a system providing me with such substantial benefits and privileges. And consequently, those white South Africans who oppose apartheid should be saluted more vociferously than their Black counterparts.

But he also pleaded with those same whites, saying:

Please dear white fellow South Africans hear the *cri de coeur* we utter. It is that we too are just ordinary human beings. We too love to be with our wives every day, we too want our children to rush out to meet us as we come back from work, we too would like to live where we can afford it. We too want to be able to move freely everywhere in the land of our birth, we too want to have security of tenure. We too want to participate in the decisions that affect our lives. These are not extravagant demands. They are the expectation of any human being. We want to have a new kind of South Africa where we all, Black and White, can walk tall together, Black and White, into the glorious future which God is opening up before us—Black and White together.

"Black and White together," the words are also those of the civil rights anthem in our own country. So in the spirit of what Martin Luther King, Jr. lived for, struggled for, and ultimately, died for, people of all colors will welcome Bishop Desmond Tutu to our Bay Area community. There we will reaffirm our common commitment to live out the reality, that "We shall overcome, someday"—in America and in South Africa—because we know that none can be free unless all are free.●

POPULATION POLICIES SHOULD RESPECT HUMAN RIGHTS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. SMITH of New Jersey. Mr. Speaker, in the very near future we are expected to begin consideration of H.R. 1555, the foreign aid authorization bill for fiscal year 1986. At that time, I anticipate that we will debate some very important issues relating to U.S. supported foreign population control programs.

Earlier this week, Representatives ALAN MOLLOHAN, HENRY HYDE, HAROLD VOLKMER, BARBARA VUCANOVICH, and TOM BLILEY joined me in sending a "Dear Colleague" letter detailing our concerns about major human rights abuses that have occurred in the implementation of some of these programs—particularly those carried out in a coercive manner in the People's Republic of China. I hope that my colleagues will take a few moments to review this information before we begin consideration of this important legislation. Mr. Speaker, I am pleased to enclose a copy of the text of this letter for my colleagues' review.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 6, 1985.

DEAR COLLEAGUE: Despite the overwhelming evidence which is now in the public domain about the brutal and coercive nature of the People's Republic of China's (PRC) population control program, some Members of Congress insist that the United States should continue to provide substantial indirect support for this brutal program by contributing over $50 million in FY '86 to the United Nations Fund for Population Activities (UNFPA).

The U.S. Agency for International Development (AID) provides over 30% of the total budget of the UNFPA. Over the past four years, UNFPA has contributed $50 million to the PRC's "one-child" campaign and another $50 million grant has just begun. This UNFPA funding has played a substan-

tial role in establishing the infrastructure of the Chinese population control program. UNFPA documents note that they currently provide "assistance to strengthen the State [Family] Planning Commission," the central headquarters which issues the rigid "birth quotas" that are enforced in a draconian fashion nationwide.

In his February 26, 1985 testimony before the House Foreign Affairs Committee, AID Administrator, M. Peter McPherson, acknowledged that UNFPA monies are "fungible". Therefore, it is disingeneous to suggest that the United States—which provides more than 30% of UNFPA's budget—is not supporting the brutal Chinese population control program. Would members who make this argument, accept 30% of U.S. funding of an organization that in turn was supporting a program that sanctioned and enforced racism or sex discrimination? Wouldn't they insist that the U.S. government use its leverage as a major donor to insist that the organization we were supporting disengage itself from the offensive program? Forced abortion was declared to be a "crime against humanity" at the Nuremberg Tribunal. Do we in any way want our government to be associated with such atrocities?

It is of virtually no consequence that language in H.R. 1555, the Foreign Aid Authorization bill calls for the U.S. representative to the UNFPA to oppose UNFPA funding of the Chinese population program. Despite the fact that we provide more than 30% of UNFPA's funding, we only have one vote on the 48 member Governing Council. Since the UNFPA has just recently initiated a new five year, $50 million grant to the Chinese population control program, we would not get to cast our one vote until 1989.

The May/June 1983 issue of Intercom, the newsletter of the Population Reference Bureau, reported that a Chinese "central-government circular" issued in February, 1983 said:

"Permanent birth control measures [i.e.,—sterilization] are to be carried out among those who already have two children. Remedial measures [i.e., abortion] are to be taken as quickly a possible among those who are pregnant without quota [permission]."

The Population Reference Bureau's newsletter then went on to report the following information which is very relevant to the current debate in Congress:

"UN officials contacted about the policy expressed grave misgivings about any forced sterilization policy to a Washington Post reporter, adding that the international organization could not assist a family planning program with an official coercive policy (emphasis added)."

The UNFPA's policy position, therefore, is quite clear. If the Chinese population control program is coercive, the UNFPA—according to their own established policy—cannot fund the Chinese program. The United States, as the largest donor to UNFPA, should seek to ensure that the UNFPA abides by its established policies.

The U.S. Census Bureau's China division has provided transcripts of Chinese radio broadcasts and press accounts which coincide with the Population Reference Bureau's report of a "central government circular." In a May 14, 1983 radio interview recorded by the Foreign Broadcast Information Service, Guangdong Province Vice-Governor Wang Pingshan explained the State Family Planning Commission's decree in these terms: "The basic purpose of this measure is to absolutely prohibit married couples from bearing a second child."

Anyone who missed the Vice-Governor's May 14 radio interview, had an opportunity to read his explanation of the policy in the May 15, 1983 edition of Nanfany ribao (Southern Daily): "The technical policy of birth control is formulated by the State Family Planning Commission with the approval of the leadership of the Party Central." That policy, he explained, is that "women with unplanned pregnancies must adopt remedial measures as soon as possible.

Nick Eberstadt, a visiting fellow at Harvard University's Center for Population Studies, described the Chinese population program in the April 22, 1984 edition of The New York Times:

"So, increasingly, the population program turned to coercion . . . In some areas, women with 'unauthorized' pregnancies were rounded up and ordered to submit to injections of abortifacients. Official edicts warned that those 'who attempt to defeat the fertility plan' would be considered "enemies of the people"—a threat that any adult who lived through the Cultural Revolution understood only too well. Families that defied the "one child norm" were faced with monthly fines that often meant semi-starvation."

The Washington Post, in their January 10, 1985 editorial follow-up to Michael Weisskopf's three-part series on China's population control program, clearly describes the Chinese system as coercive. In the Post's analysis, the Weisskopf series "illuminates the scope and type of measures the authorities there employ to limit their country's population . . . while some of the means are what you could call extremely rigorous—education, propaganda, economic leverage, social pressure—other methods fall into the realm of the openly coercive and brutal: mandatory abortion, inducted stillbirth, the strangling of the newborn." The Post goes on to point out that "the state actively sanctions and sponsors these means".

On March 29, 1985, the Agency for International Development (AID), released a memorandum on the UNFPA Funding Issue. AID's Assistant Administrator, Richard Derham, the author of the memo, reported on a study by Judith Banister, Chief of the China Branch, Center for International Research, at the U.S. Bureau of the Census "She recounts the evidence on coercion, demonstrates that it is not an isolated activity, nor limited to remote provinces. In fact, it is an intrinsic part of the enforcement mechanism of the policy." Derham further reported on the Banister study by saying: "Referring to the 1981 UN Symposium on Population and Human Rights conclusion that compulsory abortion is a violation of human rights and other UN declarations in favor of voluntarism, she concludes "China's family planning program is in violation of these oft-stated principles."

Derham, himself, went on to say: "I believe the China program debases human values by its emphasis on physical and psychological coercion and violates internationally recognized standards of the human right to determine the family size . . . I further conclude that the UNFPA program cannot be disentangled from the pervasive coercion of the [Chinese] system . . ."

Pranay Gupte, a former foreign correspondent for The New York Times in Africa, wrote "The Crowded Earth" under a grant from UNFPA. He described the application of the one-child program in this way:

"So minutely is Chinese socialist society organized that no aspect of an individual's life goes unobserved, especially in rural brigades and communes. Pressure is applied on couples to restrict themselves to only one child not only through family planning cadres in neighborhoods but also through the work units of both husband and wife. . . If Chiang [a thirty-year old woman in Shandong Province] were to get pregnant, peer pressures on her to get an abortion would be instant, enormous, and irresistible. . . In the final analysis, it does not matter how many children Chinese like Chiang and Chien [her husband] want—they will be allowed no more than one child."

Clearly, the evidence is overwhelming that the Chinese population control program is rooted in state-sanctioned coercion. The UNFPA's failure to disengage from the Chinese program contradicts their own stated policy. Unfortunately, there is strong evidence that the UNFPA has actually encouraged the Chinese in their application of the brutal one child policy.

In 1983 the Chinese population control minister, Qian Xinzhong, received a special U.N. award for "the most outstanding contribution to the awareness of population questions." The award, which was strongly defended by UNFPA director Rafael Salas, was "denounced as a travesty by a United States economist whom the agency [UNFPA] enlisted as an advisor. The economist, Theodore W. Shultz of Chicago [a recipient of the Nobel Memorial Prize in Economic Science], said that the United Nations Fund for Population Activities had ignored the recommendations of private consultants and rewarded two nations [China and India] that have used brutal methods to curb population growth." (The New York Times, July 24, 1983)

In "The Crowded Earth", Pranay Gupte recounts the following experience: "I met Minister Qian in his office in Beijing [Peking], and he immediately launched into an appreciation of what the United Nations meant to him and the Chinese. The award had, Qian said, put the imprimatur of the world body on China's family planning efforts . . ."

If Rafael Salas and his colleagues at the UNFPA are willing to let the Chinese government suggest that their barbaric program has the approval of a world body—a position that is in direct conflict with the UNFPA's own stated policy—we should let them know in no uncertain terms that we will not let the good name of the United States be associated with a brutally coercive program that refuses to comply with "internationally recognized standards of the human right to determine the family size."

During consideration of H.R. 1555, the Foreign Aid Authorization bill, Representative Christopher Smith intends to offer an amendment to curtail U.S. population assistance to "any organization which provides funds, directly or indirectly, for population planning programs or abortions" in "any country which permits, officially or in practice, infanticide or coerced abortion." The Smith amendment will not affect the overall level of population funding. It's intent is to persuade the Chinese government to respect the dignity of it's own people. If the Chinese are unwilling to recognize a fundamental human right—the internationally recognized right to determine the family size—the UNFPA should redirect their resources to those countries that are willing to comply with the UNFPA's officially stated policies.

We urge your support for the Smith amendment described above and for an-

other amendment which is designed to preserve the current U.S. policy of denying funds to organizations which "perform or actively promote abortion as a method of family planning."

Current U.S. policy is consistent with the U.N. World Plan of Action agreed upon in Mexico City last August. Participants in Mexico City resolved to "forge ahead with effective implementation of the World Population Plan of Action aimed at improving standards of living and quality of life for all people of this planet in promotion of their common destiny in peace and security."

However, the conferees were also very clear in precluding certain means to the mutually desired end. Specifically, they stated that all population programs and policies must be voluntary and non-coercive, and abortion was rejected as a method of family planning. Recommendation #18 of the U.N. World Population Plan of Action emphatically states that abortion "in no case should be promoted as a method of family planning."

It is not surprising that the Mexico City Conference so firmly rejected abortion as a method of family planning. According to a 1984 U.N. report, only 8 of 126 less developed nations authorize abortion for socioeconomic reasons.

In January of this year, the Agency for International Development (AID)—in keeping with the policy agreed to in Mexico City—began asking family planning providers to sign an amendment that they would not "perform or actively promote abortion as a method of family planning." So far, only one of AID's family planning providers—the London-based International Planned Parenthood Federation (IPPF)—has refused to even negotiate with AID about specific terms of the agreement.

IPPF's staunch advocacy of legalized abortion has been well documented. Professor Donald P. Warwick of the Harvard Institute for International Development, writing in the April 1980 Hastings Center Report, stated: "The International Planned Parenthood Federation of London (IPPF) has been the most outspoken advocate of legal abortion services in the developing countries . . . " The extent to which they encourage local affiliates to go in seeking changes in national laws was revealed quite starkly in a document entitled Report of the Working Group on the Promotion of Family Planning As A Basic Human Right. This report, which was disseminated to IPPF affiliates in November, 1983 states in Section 106:

"Family Planning Associations [IPPF affiliates] and other non-governmental organizations should not use the absence of law or the existence of an unfavorable law as an excuse for inaction. Action outside the law, and even in violation of it, is part of the process of stimulating change."

Lest anyone suggest that this report is not an "official" IPPF document, one need only cite a statement in the Introduction of the report which says: "We hope that both the Federation and individual FPAs will accept these recommendations and promote them as widely as possible." It goes on to say: "The Chairman and members of the Working Group wish to acknowledge the support of the IPPF in facilitating their work, in particular, the participation of the Secretary-General, Carl Wahren, his special adviser, Fred T. Sai, and the Secretary and Rapporteur, Nuray Fincancioglu . . ."

IPPF does not need any help from Congress to get their AID funding restored. All they have to do is sign the same agreement that every one of AID's other family planning providers will be asked to sign. If, as they claim, abortion is a very small part of their overall program, they should be willing to make a minor adjustment in order to bring their policies into compliance with U.S. law and the U.N. World Plan of Action. If, on the other hand, IPPF is determined to promote abortion as a method of family planning and engage in pro-abortion political campaigns, AID will be free to channel its funds to other family planning providers.

In summary, we urge your support for an international family planning policy that respects the values and laws of foreign countries. The U.N. World Population Plan of Action agreed upon in Mexico City last August states that all population programs must be voluntary and that abortion "in no case should be promoted as a method of family planning." We believe such a policy deserves our support and that the Smith amendments will help ensure that it becomes a reality.

Sincerely,

ALAN B. MOLLOHAN,
HENRY J. HYDE,
BARBARA F. VUCANOVICH,
CHRISTOPHER H. SMITH,
HAROLD L. VOLKMER,
THOMAS J. BLILEY, Jr.,
Members of Congress.●

COORDINATION IN NUTRITION RESEARCH AND MONITORING IS LONG OVERDUE.

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. BROWN of California. Mr. Speaker, I rise in support of the Nutrition Monitoring and Related Research Act of 1985, today introduced by Congressman MACKAY for himself and others. This bill establishes a coordinated National Nutrition and Related Research Program, providing for the creation and implementation of a comprehensive plan to assess, and work to improve, both the nutritional quality of our country's food supply and the nutritional and dietary status of the population of the United States.

This legislation in not new. A similar bill was introduced in the second session of the 98th Congress, reported favorably by the Committee on Science and Technology and brought to the floor of the House last October under suspension of the rules. It received 265 votes in favor, but fell 17 votes short of the two-thirds majority needed for passage.

Mr. Speaker, the issue the National Nutrition Monitoring and Related Research Act of 1985 addresses is not a new one either. For years, our country has lacked timely, objective national data on the dietary and nutritional status of Americans, as well as related information that could alert policymakers to a "hunger crisis" in our Nation. In the absence of accurate, comprehensive nutrition-related knowledge, concerned groups and individuals have repeatedly sounded the alarm about the existence of a hunger crisis, but have lacked the hard facts needed to document the extent and severity of the problem.

Past responses by Congress and the executive branch to this need have generally been to initiate urgent studies and surveys. These efforts have largely been short term and piecemeal. Often, they have been anecdotal recounts of testimony and clinical evidence, or one-time efforts to assess the nutritional and dietary status or high-risk groups or limited geographical areas. Less frequently, surveys have been undertaken to periodically obtain information on a representative sample of the population. In 1935, the USDA began food consumption surveys, repeated at 10-year intervals and currently known as the Nationwide Food Consumption Survey. In 1967, a congressional mandate led to the 10-State Nutrition Survey. In 1971, a Presidential directive transformed the National Nutrition Surveillance Survey into a periodic study now known as the National Health and Nutrition Examination Survey [NHANES]. These studies have provided a series of valuable snapshots of nutritional and dietary status, but they have lacked timeliness, continuity, and comparability across studies.

Complex survey designs or this type require considerable time for planning and implementation. Their findings, unfortunately, usually become available long after the urgency that provoked the questions has passed; inevitably, as a result, perceived immediate public needs have been addressed by policies dictated by expediency and a sense of crisis, measures put into place before the information has been made available that would permit understanding of the extent and severity of the problem and thus of the best way to solve it.

To address this problem, in 1977, Congress passed the Food and Agriculture Act, which mandated a comprehensive National Nutrition Monitoring System; and later passed the Agriculture and Food Act of 1981, which provided a mandate for a human nutrition research and information management system. One would think that, since these laws are in place and we have been assured that operational plans are being carried out, there is no need for further legislative effort.

Mr. Speaker, this is unfortunately not the case. The infrastructure and commitment of resources to carry out research and provide the results to policymakers in a timely fashion have so far been inadequate. Problems of conceptualization, sampling design and standardization have been insufficiently addressed; reductions in funding levels requested by executive agen-

cies have been accompanied by decreases in levels of effort proposed, so that it is now clear that current plans to collect information in 1987 will not be responsive to the original goals proposed for the program. In summary, despite repeated congressional efforts to date, the executive branch has remained unwilling to commit sufficient resources and effort to put a national nutrition monitoring and research program in place. Congress must provide more direction.

As a former chairman of the Subcommittee on Science, Research and Technology, and as former chairman of the Subcommittee on Department Operations, Research and Foreign Agriculture, I have studied this problem for many years. During the past 7 years, these two subcommittees have conducted oversight hearings on nutrition research and monitoring as well as hearings on the original version of this bill. The testimony during these hearings by specialists in the field prompted me and my colleagues Congressmen WALGREN and MACKAY to conclude last year that we needed to authorize a comprehensive, coordinated program for nutrition monitoring and related research.

The bill introduced today calls for a comprehensive plan; it includes the continuous collection of information, as well as a system for organizing and standardizing methods across the many individual studies and surveys of nutritional and dietary status and nutritional quality in our country. The proposed solution will benefit all sectors of society that seek to use these vital data—public and private sectors, the scientific community and policymakers at local, State and national levels.

Mr. Speaker, we are in the midst of a revolution in science and information technology. It is past time that we focus our resources and newly developed skills on nutrition monitoring and nutrition research. Our deficiency of information in this area must be faced now, before the next round of urgent calls regarding hunger in America surface and are insufficiently addressed—because, once again, our country lacks the timely information it needs. I invite my colleagues to join with us once again and finally pass this much needed legislation.●

WELCOME TO BILL LUCAS

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. PURSELL. Mr. Speaker, It is a pleasure with my Republican colleagues from Michigan to welcome Wayne County Executive William Lucas as the newest member of the Republican Party.

Bill Lucas has said that it is time for his philosophy to be voiced and told a gathering of over 500 in Detroit this morning about the American Dream and how he is making it come true.

Elected on the Democratic ticket as Wayne County's first chief executive 30 months ago after 14 years as Sheriff, Lucas told those gathered, that while he is changing parties, he will not change his style of leadership.

In 2 short years, the administration of Wayne County Executive Bill Lucas has made great progress in fulfilling the will of the people. Through aggressive management, consolidation of services, and more realistic labor contracts, the Lucas administration has reduced Wayne County's outstanding deficit by $82 million.

Bill Lucas will be a tremendous gain to the Republican Party. Our gain is the Democrats' loss.●

NATIONAL SMALL BUSINESS WEEK

HON. ALBERT G. BUSTAMANTE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1985

● Mr. BUSTAMANTE. Mr. Speaker, this is National Small Business Week. I wish to make a few observation on the importance of small firms and independent entrepreneurs to my district and to the Nation's economy.

The 13 million small businesses in this country are the seedbeds of innovation and the sources of future employment for those just entering the work force. Small entrepeneurs are risk takers by definition. They do not enjoy recourse to bond issues or stock offerings when considering the introduction of new product lines or the expansion of production. Their boldness in going to the public with a new product line is not generally a reflection of sophisticated market research. It reflects a keen appreciation of what people want and what they're going to be willing to pay for it.

I realize that the Congress is far from deciding how, through whom, and even if the Federal Government should be offering large-scale assistance to small businesses. That debate may be joined at a later date. In the meantime, I only wish to salute the thousands in my district and the million across the Nation whose daily receipts are the determining factor in figuring inventory size and payroll lists. For every economist with detailed studies on marginal labor productivity or vertical integration, there is a shopkeeper or a mechanic trying to save his employee's jobs. For every firm listed in the Fortune 500, there are dozens which can't even be found in the yellow pages. For every Anhauser-Busch, there is a Shiner Brewery—for every Motorola a Barrera Television Service.

I do not mean to imply only that small is beautiful or that the giant firms of today have forgotten their public responsibilities. In general, the marketplace will not forgive corporate arrogance. I do wish to suggest that executives in boardrooms—and we in Congress—would do well to remember the value of trying and failing, and then trying again, as small businessmen and women do time after time. It is not just an idyllic memory of the kindness we encountered at a mom and pop store which makes small business so vital to our communities and to our position in the world economy. It is the prospect for growth inherent in small firms—and the chances they offer to disadvantaged workers—which make them so indispensable and so often overlooked.●

A CONGRESSIONAL SALUTE TO THE CROCKER ART MUSEUM CENTENNIAL CELEBRATION

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. MATSUI. Mr. Speaker, the Crocker Art Museum, the oldest public art museum west of the Mississippi, is celebrating its 100th birthday this year, and Congressman VIC FAZIO and I would like you and our colleagues to join all of us in Sacramento in commemorating this historic occasion.

The Crocker Art Museum holds a special place in the hearts of a great many people. A beautiful museum with splendid artwork, the Crocker is quite simply one of the finest institutions in Sacramento and the State of California.

It is also renowned for its rich history. Mrs. Margaret Rhodes Crocker gave the museum to the city 100 years ago in honor of her husband, Edwin Bryant Crocker, former associate justice of the State supreme court and brother of railroad tycoon, Charles Crocker. Much of the museum's original collection was purchased by Judge Crocker and his wife on a special trip to Europe with their four daughters. In appreciation of Margaret Crocker's tremendous generosity, the "Festival of Flowers" was held on May 6, 1885. This event was one of the most colorful social events and gala celebrations in the history of Sacramento and captivated the entire city.

Mr. Speaker, a centennial celebration will be held May 18-25, 1985, in Sacramento that features a reenactment of the original "Festival of Flowers." Numerous schools, civic and cultural organizations, and groups will participate in the week-long celebration, which include a grand parade, art

contests, cultural performances, and other activities.

Congressman FAZIO and I want to express our sincere appreciation to all of those involved with the Crocker Art Museum for the cultural enrichment they have provided through a long and fulfilling relationship with the Sacramento community. We are confident that centennial celebration will help sustain and enhance that relationship.●

MERCHANTVILLE SCHOOL'S STATUE OF LIBERTY CAMPAIGN

HON. H. JAMES SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. SAXTON. Mr. Speaker, this Friday I will have the honor of seeing off a busload of fourth and fifth grade students from Merchantville, NJ, who will be bound for the Statue of Liberty in New York City.

But this is not simply a sightseeing tour, Mr. Speaker. These young ladies and gentleman are planning to deliver a check in the amount of $2,000, which will go toward the restoration of the Statue of Liberty.

I am truly proud of the fundraising efforts of these students from Merchantville School. Their work on behalf of the Lady of Liberty began back in January, and they put their ingenuity to work to attract attention to the campaign.

To drum up local interest in their fundraising, they sponsored a T-shirt logo contest which centered on the statue restoration, and then sold T-shirts to raise contributions for the project.

Mr. Speaker, I believe the work of the fourth and fifth grade students from Merchantville School illustrates further the important independent role that young people can play in projects important to our society, and our heritage.

Awesome responsibilities and challenges face our next generation of Americans. The students from Merchantville School show that they have the drive and determination to meet those challenges. And I appreciate the opportunity to share their success today with my fellow colleagues in the House. ●

CONGRESSIONAL SALUTE TO REV. PAUL EDWIN SPIECKER OF NEW JERSEY: DISTINGUISHED THEOLOGIAN, ESTEEMED PASTOR AND OUTSTANDING COMMUNITY LEADER

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1985

● Mr. ROE. Mr. Speaker, on Monday, May 13 the residents of the city of Clifton, my congressional district and State of New Jersey will join the congregation of the Belle Vista-Simpson United Methodist Church at a testimonial dinner honoring their pastor, Rev. Paul E. Spiecker, who has announced his retirement from his ministry of the United Methodist Church on June 15, 1985. I know that you and our colleagues here in the Congress will want to join with me in extending our warmest greetings and felicitations to Pastor Spiecker and share great pride with his good wife, Ruth Monica Spiecker; their sons, Paul Sheldon Spiecker and wife Carolyn, Ray Glenn Spiecker and wife Dianne; grandsons Matthew and Christopher; and granddaughters, Karen and Robyn on this milestone of achievement in their family endeavors.

Mr. Speaker, Rev. Paul E. Spiecker graduated from Ocean City, NJ, High School in 1926 with commercial training. Upon his graduation from high school he worked as a carpenter and real estate salesman before he decided that the Christian ministry was his calling. To complete scholarship requirements for college admission, he enrolled in Pennington School, Pennington, NJ, and in June 1929 graduated as valedictorian of his class.

He received his bachelor of science degree from Boston University, College of Liberal Arts in 1933. During his college years, which were the depression years, he worked as an elevator operator, a theater usher, and a bus boy in a restaurant on successive years in the evenings.

Paul Spiecker entered Union Theological Seminary, New York City in September 1933 and as a part of his course of study worked in the Church of All Nations as advisor to the Philippino Club of New York for 1 year and as a student assistant at Christ Methodist Church, NY, under Rev. Dr. Ralph Sockman, pastor. He transferred to the Theological Seminary School of Drew University, Madison, NJ, in September 1935 and graduated with a master of divinity degree—"Cum Laude" on June 9, 1936.

Reverend Spiecker has served as spiritual advisor and revered pastor dedicated to the well being and happiness of each and every member of the many congregations he has served. On October 1, 1936, he was appointed supply pastor of the Carleton Hill Methodist Church, East Rutherford, NJ. He was ordained deacon on April 11, 1937, and elder—corresponds to priest—on April 23, 1939. Upon his ordination as deacon he was appointed pastor of Trinity Methodist Church, Stony Point, NY, where he served as pastor for 3 years. He was appointed pastor of Hawthorne Methodist Church, Hawthorne, NJ, on April 31, 1940, where he served as pastor for 39 years. He retired as a full time pastor on June 30, 1979, and was appointed to his current ministry—part time—as pastor of the Belle Vista-Simpson United Methodist Church on July 1, 1979.

Mr. Speaker, the quality of his leadership, the richness of his wisdom and the abundance of his caring and dedication to our young people and adults alike have been warmly captured in his outstanding service as a pastor of the Methodist Church for 49 consecutive years.

Reverend Spiecker has been a staunch supporter and active participant in many civic and community improvement programs. His standards of excellence throughout his lifetime have earned him the most highly coveted honor of being chosen the 1984 "Paul Harris Fellow" of the Rotary Club of Hawthorne. He was a member of the Hawthorne Rotary Club for 42 years—serving as president of the club 1959–60 and editor of the club bulletin for 25 years.

He has attained the greatest respect and deepest appreciation from a grateful community for his compassion, dedication and untiring efforts in service to his fellowman. He was a member of the Hawthorne Masonic Lodge, F & AM 212 for 40 years. While his sons were in high school, he served as president of the Elementary and High School Parents-Teachers Group and was responsible for the establishment of the American Field Service Program during his tenure.

Among some of his affiliations, he was member and president for 3 years, Greater Paterson Council of Churches; member and president, Paterson Ministerial Associations; member, board of trustees, Clinic for Mental Health Services, Passaic County; member and president for 3 years, board of trustees, Greater Paterson Mental Health Center; civil defense sector warden during World War II; volunteer night ambulance driver, Paterson General Hospital on Wednesday nights during World War II for 3 years. He was appointed chaplain of the police and fire departments of Hawthorne, NJ, and chaplain of the Passaic County Chiefs of Police Association for almost 20 years. Served as counsellor and staff member, Summer Youth Conferences. Served on the

Local Protestant Committee for "God and Country" award of the Boy Scouts of America. Served and serving as merit badge adviser, local Boy Scout Council. He is a member, Northern New Jersey Annual Conference of the United Methodist Church. Served on board of education, Social Action Committee, Nominating Committee and Commission on Archives and History during these years. Member, Historical Society for 40 years and president for 15 years; member, New Jersey Council of Churches. In his Christian ministry he has been cited by many for his outstanding service to our people and was entered in the prestigious publication, "Who's Who in the Methodist Church."

Reverend Spiecker's greatest source of pride is the satisfaction of being able to help people with problems when they become depressed, lonesome or terminally ill. In reflection he states that this opportunity of helping and giving is the most rewarding part of a pastor's ministry.

Mr. Speaker, all of us who have the good fortune to know Reverend Spiecker are especially proud of his many accomplishments. As we reflect upon the history of our great country and the good deeds of our people who have made our representative democracy second to none among all nations throughout the world, I appreciate the opportunity to call your attention to this distinguished gentleman and seek this national recognition of all of his good deeds. We want to share with him, his wife and his children the great pride we have in his distinguished and dedicated lifetime of outstanding service and contribution to the religious, cultural and spiritual enrichment of our community, State and Nation. We do indeed salute a distinguished theologian, esteemed pastor, outstanding community leader and good friend—Rev. Paul Edwin Spiecker of New Jersey.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, May 9, 1985, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 10

9:30 a.m.
Special on Aging
To hold oversight hearings on the establishment and implementation of the National Pacemaker Registry.
SD-628

10:00 a.m.
Environment and Public Works
Water Resources Subcommittee
To hold hearings on S. 366 and S. 534, bills to authorize the U.S. Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and related proposals.
SD-406

MAY 13

9:00 a.m.
Foreign Relations
To hold joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-226

Judiciary
To hold joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-226

10:00 a.m.
*Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of Management and Budget.
SD-192

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To resume oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on nuclear energy programs and nuclear waste activities.
SD-366

MAY 14

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

Banking, Housing, and Urban Affairs
To resume oversight hearings on recent changes in the financial services industry.
SD-538

Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on automobile fuel economy standards.
SD-366

Rules and Administration
To hold hearings on S. 43, to grant line item veto authority to the President on appropriation bills.
SR-301

10:00 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to mark up S. 501 and S. 616, bills to expand export markets for United States agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, and related measures.
SR-328A

Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government, focusing on the Office of the Secretary of the Senate and the Office of the Senate Sergeant-at-Arms.
S-128, Capitol

Foreign Relations
To continue joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-419

Governmental Affairs
Permanent Subcommittee on Investigations
To hold oversight hearings on weight reduction products and plans, focusing on the safety and efficacy of diet products.
SD-342

Judiciary
To continue joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-419

10:30 a.m.
Governmental Affairs
Intergovernmental Relations Subcommittee
To resume hearings on S. 483, to ensure that the Federal Government assume the full cost of legislating and regulating Federal purposes and mandates.
SD-215

12:00 a.m.
Appropriations
District of Columbia Subcommittee
To resume hearings on the overall impact of drug use in the District of Columbia.
SD-138

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To continue oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on conservation and renewable programs.
SD-366

MAY 15

9:00 a.m.
Judiciary
Constitution Subcommittee
Business meeting, to mark up S.J. Res. 13, to propose an amendment to the Constitution relating to a Federal balanced budget and tax limitation, S. 40, to set forth procedures for holding constitutional conventions for proposing amendments to the Constitution, S. 37, to provide for civil rights in public schools, and S. 150, to revise certain provisions of the Freedom of Information Act with respect to request procedures, time limits, fees, and exemptions.
SD-226

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for certain defense programs, focusing on Army modernization.
SD-192

Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-116

10:00 a.m.
Foreign Relations
To continue joint hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
SD-419

Governmental Affairs
Permanent Subcommittee on Investigations
To continue oversight hearings on weight reduction products, focusing on the safety and efficacy of diet products.
SD-342

Judiciary
To continue joint hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
SD-419

10:30 a.m.
Judiciary
To hold hearings on pending nominations.
SD-226

2:00 p.m.
Appropriations
*Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Energy Information Administration, and the Economic Regulatory Administration, Department of Energy.
SD-138

Foreign Relations
To hold joint closed hearings with the Committee on the Judiciary on international terrorism and narcotic trafficking.
S-116, Capitol

Judiciary
To hold joint closed hearings with the Committee on Foreign Relations on international terrorism and narcotic trafficking.
S-116, Capitol

MAY 16

9:30 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.
SR-253

Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings to examine whether the United States should participate in the Berne Convention, an international union for the protection of literary and artistic works.
SR-385

Labor and Human Resources
Handicapped Subcommittee
To hold hearings on S. 415, the Handicapped Children's Protection Act.
SD-430

Veterans' Affairs
To hold hearings on the nomination of Donald E. Shasteen, of Maryland, to be Assistant Secretary of Labor for Veterans' Employment.
SR-418

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for fossil energy.
SD-138

Appropriations
Legislative Branch Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government, focusing on the Library of Congress and the Architect of the Capitol.
S-128, Capitol

Environment and Public Works
Water Resources Subcommittee
To resume hearings on S. 366 and S. 534, bills to authorize the U.S. Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and related proposals.
SD-406

Judiciary
Business meeting, to consider pending calendar business.
SD-226

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings to discuss the Department of Energy's prospective report to Congress on emerging clean-coal technologies.
SD-366

MAY 17

9:30 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on the deregulation of surface freight forwarders.
SR-253

MAY 21

9:30 a.m.
Environment and Public Works
Environmental Pollution Subcommittee
To hold oversight hearings on the implementation of section 404 of the Clean Water Act, relating to the wetlands dredge and fill permit program.
SD-406

2:00 p.m.
*Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Holocaust Memorial Council, Minerals Management Service, Department of the Interior.
SD-138

Appropriations
Legislative Branch Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for the Legislative Branch of the Federal Government, focusing on the Congressional Budget Office, Office of Technology Assessment, General Accounting Office, and the Government Printing Office.
S-128, Capitol

MAY 22

10:00 a.m.
Governmental Affairs
Civil Service, Post Office, and General Services Subcommittee
To hold oversight hearings on General Accounting Office report on Federal pay equity and classification system.
SD-342

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for Naval Petroleum Reserves, and fossil energy.
SD-138

MAY 23

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on S. 586, to provide for the review of certain authority in awarding international airline route certificates issued under the Federal Aviation Act.
SR-253

10:00 a.m.
Governmental Affairs
Civil Service, Post Office, and General Services Subcommittee
To continue oversight hearings on a General Accounting Office report on Federal pay equity and classification system.
SD-138

Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings on efforts to locate missing children.
SD-430

JUNE 3

9:30 a.m.
Finance
Health Subcommittee
To hold hearings on proposed legislation to modify the Medicare direct medical education pass-through.
SD-215

JUNE 4

9:30 a.m
Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on the impact of imported petroleum prod-

ucts on the domestic petroleum industry.
SD-366

JUNE 5

9:30 a.m.
Finance
To hold hearings on S. 814, to make technical corrections to certain provisions of the Tax Reform Act of 1984.
SD-215

JUNE 6

9:30 a.m.
Energy and Natural Resources
Natural Resources Development and Production Subcommittee
To hold oversight hearings on the impact of coal imports on the domestic coal industry.
SD-366

JUNE 10

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To resume oversight hearings on proposed budget requests for fiscal year 1986 for programs of the Department of Energy, focusing on fossil energy programs.
SD-366

JUNE 11

9:30 a.m.
Labor and Human Resources
To hold oversight hearings on the implementation of the Orphan Drug Act (P.L. 97-414), focusing on section 7(b) relating to radiation-cancer liability.
SD-430
Labor and Human Resources
Handicapped Subcommittee
To hold oversight hearings on administrative activities of Gallaudet College and the National Technical Institute for the Deaf.
SR-428

10:00 a.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 403, to revise requirements with respect to the issuance of licenses for existing hydroelectric facilities, and S. 426, to provide for more protection to electric consumers.
SD-366

JUNE 12

9:30 a.m.
Labor and Human Resources
To continue oversight hearings on the implementation of the Orphan Drug Act (P.L. 97-414), focusing on section 7(b) relating to radiation-cancer liability
SD-430

JUNE 18

9:30 a.m.
Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on the current status of and factors affecting the natural gas market.
SD-366

JUNE 20

10:00 a.m.
Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings to examine the problem of drugs in the military.
SD-430

OCTOBER 1

11:00 a.m.
Veterans' Affairs
To hold hearings to review the legislative priorities of the American Legion.
SD-106

CANCELLATIONS

MAY 9

9:30 a.m.
Veterans' Affairs
Business meeting, to mark up S. 6, bills to clarify and improve certain health care programs and services provided and administered by the VA, and related proposals, and S. 367, Veterans' Administration Adjudication Procedure and Judicial Review Act.
SR-418

10:00 a.m.
Environment and Public Works
Business meeting, to consider pending calendar business.
SD-406

2:00 p.m.
Judiciary
To hold hearings to discuss the proposed transfer of ownership of the Consolidated Rail Corporation (Conrail) to the private sector.
SD-226